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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX

2007 SEP 25 PM 3:30

U.S. EPA, REGION IX
REGIONAL HEARING CLERK

In the matter of:)	U.S. EPA Docket No.:
)	RCRA-09-2007-0018
)	
GLOBAL COMMUNICATION)	CONSENT AGREEMENT
SEMICONDUCTORS, INC.)	AND FINAL ORDER
)	PURSUANT TO
EPA Identification No.)	40 C.F.R. §§ 22.13 and 22.18
CA000188396)	
)	
Respondent.)	

COMPLAINT AND CONSENT AGREEMENT

A. PRELIMINARY STATEMENT

1. This is a civil administrative enforcement action instituted pursuant to Section 3008(a)(1) of the Resource Conservation and Recovery Act ("RCRA") as amended, 42 U.S.C. § 6928(a)(1), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation /Termination or Suspension of Permits, 40 C.F.R. Part 22, as revised by 64 Fed. Reg. 141 (July 23, 1999). Complainant is the United States Environmental Protection Agency, Region IX ("EPA"). Respondent is Global Communication Semiconductors, Inc. ("Global" or "Respondent"), a California corporation.
2. Global manufactures and supplies high frequency, telecommunications semiconductor chips at its facility located at 23155 Kashiwa Court, Torrance, California 90505-4026 (the "facility"). In the course of its operations, Global generates and stores hazardous wastes at the facility. The facility's former hazardous waste generator identification number is CAL000188396. The new EPA number is CAR 000173096.

3. This Consent Agreement and Final Order Pursuant to 40 C.F.R. §§ 22.13 and 22.18 (“CAFO”), which contains the elements of a complaint required by 40 C.F.R. §§ 22.14(a)(1)-(3) and (8), pursuant to 40 C.F.R. §§22.13 and 22.18, simultaneously commences and concludes this proceeding, wherein EPA alleges that Global: (1) stored hazardous waste without a permit in violation of Title 22 of the California Code of Regulations (“22 CCR”) §66270.1. (*see also* 40 C.F.R. §270.1); (2) failed to perform weekly inspections of its hazardous waste storage areas in violation of 22 CCR §66265.174 (*see also* 40 C.F.R. §265.174); (3) failed to comply with the training and record keeping requirements of 22 CCR §66265.16 (*see also* 40 C.F.R. §265.16); (4) failed to maintain an adequate contingency plan as required by 22 CCR §66265.52(d) (*see also* 40 C.F.R. §265.52(d)); and (5) failed to obtain a hazardous waste generator identification number in accordance with 22 CCR §66262.12(a)¹ (*see also* 40 C.F.R. §262.12(a)). These are each in violation of Section 3001 *et seq.* of RCRA, 42 U.S.C. §6921 *et seq.* and state regulations adopted pursuant to the approved California hazardous waste management program.

B. JURISDICTION

4. On August 1, 1992, the State of California received authorization to administer the hazardous waste management program in lieu of the federal program pursuant to Section 3006 of RCRA, 42 U.S.C. §6926, and 40 C.F.R. Part 271. This authorization was updated on September 26, 2001 (*see* 66 FR 49118, September 26, 2001). The authorized program is established pursuant the Hazardous Waste Control Law, Chapter 6.5 of Division 20 of the California Health and Safety Code (“H&SC”), and the regulations promulgated thereunder at Title 22, Division 4.5 of the California Code of Regulations, 22 CCR §§66001 *et seq.* The State of California has been authorized for all the regulations referenced in this CA/FO.
5. Respondent is a “person” as defined in 22 CCR §66260.10 (*see also* 40 C.F.R. §260.10).

¹ Revisions made to the authorized version of 22 CCR §66262.12(a) do not affect the alleged violations set forth herein.

6. Respondent is the “operator” of a “facility”² as defined in 22 CCR §66260.10 (*see also* 40 C.F.R. §260.10).
7. Respondent is the “owner” of a “facility” as defined in 22 CCR §66260.10 (*see also* 40 C.F.R. §260.10).
8. Respondent is a “generator” of hazardous waste as defined in 22 CCR §66260.10 (*see also* 40 C.F.R. §260.10).
9. Respondent generates and stores materials that are “wastes” as defined in 22 CCR §§66260.10 and 66261.2³ (*see also* 40 C.F.R. §§260.10 and 261.2).
10. At the facility, Respondent generated hazardous waste as defined by California H&SC Section 25117, 22 CCR §§66260.10 and 66261.3⁴ (*see also* Section 1004(5) of RCRA, 42 U.S.C. §6903(5), 40 C.F.R. §§260.10 and 261.3).⁵ This hazardous waste included, but may not be limited to, wastes which are considered hazardous due to their ignitability pursuant to 22 CCR §66261.21 (*see also* 40 C.F.R. § 261.21) (referred to as “D001 wastes”), their corrosivity pursuant to 22 CCR § 66261.22 (*see also* 40 C.F.R. § 261.22) (referred to as “D002 wastes”), and their toxicity for chromium pursuant to 22 CCR

² Revisions made to the authorized version of 22 CCR §66260.10 and the definition of “facility” do not affect the alleged violations set forth herein.

³ Revisions made to the authorized version of 22 CCR §66261.2 do not affect the alleged violations set forth herein.

⁴ Revisions to the authorized versions of H&SC §25117 and 22 CCR §66261.3 do not affect the alleged violations set forth herein.

⁵ The definition of “hazardous waste” contained in the California statute and regulations is broader in scope than the definition contained in RCRA and the federal regulations. Those hazardous wastes regulated under California law, but not regulated under federal law are known as “California wastes” and the portions of the California statute and regulations governing California wastes were not included in the provisions authorized under RCRA. Thus, EPA enforces California’s authorized program but does not enforce those aspects of the California program relating solely to California wastes.

§66261.24⁶ (see also 40 C.F.R. §261.24) (referred to as “D007 wastes”).

11. On April 12, 2006, EPA conducted a RCRA compliance evaluation inspection (“CEI”) at the Facility. Based upon the findings made during the CEI, and additional information obtained subsequent to the CEI, EPA determined that Respondent has violated California H&SC § 25100 *et seq.* and the regulations adopted pursuant thereto, as approved and authorized by the United States.
12. Section 3006 of RCRA, 42 U.S.C. §6926 provides, *inter alia*, that authorized state hazardous waste programs are carried out under Subtitle C of RCRA. Therefore, a violation of any requirement of law under an authorized state hazardous waste program is a violation of a requirement of Subtitle C of RCRA.
13. A violation of California’s authorized hazardous waste program, found at H&SC §25100 *et seq.*, constitutes a violation of Subtitle C of RCRA and, therefore, a person who violates California’s authorized hazardous waste program is subject to the powers vested in the EPA Administrator by Section 3008 of RCRA, 42 U.S.C. §6928.
14. Section 3008 of RCRA, 42 U.S.C. §6928, authorizes the EPA Administrator to issue orders requiring compliance immediately or within a specified time for violation of any requirement of Subtitle C of RCRA, Section 3001 of RCRA *et seq.*, 42 U.S.C. §6921, *et seq.*
15. The Administrator has delegated the authority under Section 3008 of RCRA, 42 U.S.C. §6928, to the EPA Regional Administrator for Region IX, who has redelegate this authority to the Director of the Waste Management Division.

⁶ Revisions to the authorized version of 22 CCR §66261.24 do not affect the alleged violations set forth herein.

C. ALLEGED VIOLATIONS

COUNT 1

Storage of Hazardous Waste Without a Permit

16. Paragraphs 1 through 15 above are incorporated herein by this reference as if they were set forth here in their entirety.
17. 22 CCR §§66270.1(c)(2)(A) and 66262.34(a)⁷ (*see also* 40 C.F.R. §§270.1(c)(2)(i) and 262.34(a)) allow generators of hazardous waste to accumulate hazardous waste on-site for up to 90 days without a permit or interim status provided that, among other things, the generator complies with certain requirements, including certain provisions applicable to treatment, storage and disposal facilities found at 22 CCR §66265 (*see also* 40 C.F.R. §265).
18. Specifically, generators are required to obtain a permit pursuant to 22 CCR §§66270.1 and 66262.34(c) (*see also* 40 C.F.R. §§270.1 and 262.34(b)) if they store hazardous waste for more than 90 days or fail to comply with the following regulatory labeling conditions:
 - a. Each container must be clearly marked with the date on which accumulation of the hazardous waste began, in accordance with 22 CCR §66262.34(f)(2)⁸ (*see also* 40 CFR §262.34(a)(2)); and
 - b. Each container is labeled or clearly marked with the words "Hazardous Waste," the composition and physical state of the wastes, a statement or statements which call attention to the particular hazardous properties of the waste (e.g., flammable, reactive, etc.), and the name and address of the person producing the waste in accordance with 22 CCR §66262.34(f)(3) (*see also* 40 CFR §§262.34(a)(3)).

⁷ Revisions to the authorized version of 22 CCR §66262.34(a) do not affect the alleged violations set forth herein.

⁸ Revisions to the authorized version of 22 CCR §66262.34(f)(2) do not affect the alleged violations set forth herein.

19. At the time of the CEI, Global was storing containers of hazardous wastes, including D001 wastes, D002 wastes and D007 wastes, which had accumulated at the facility for more than 90 days. Global had neither interim status nor a permit for such storage in violation of 22 CCR §§66270.1 and 66262.34(c) (*see also* 40 C.F.R. §§270.1 and 262.34(b)).
20. At the time of the CEI, Global was storing containers of hazardous wastes, including D001 Wastes, D002 Wastes and D007 Wastes, which were not labeled with accumulation start dates.
21. At the time of the CEI, Global was storing containers of hazardous wastes, including D001 wastes, D002 wastes and D007 wastes, which were not labeled in accordance with the regulatory labeling requirements of 66262.34(f)(3).
22. Global's storage of hazardous waste for more than 90 days, its failure to label containers of hazardous waste in accordance with the requirements and its failure to include accumulation start dates on containers it did label all meant that Global was required to have either a permit or interim status at its facility. Global had neither and, therefore, EPA alleges that Global has violated 22 CCR §66270.1 (*see also* 40 C.F.R. §270.1), and RCRA.

COUNT 2

Failure to Conduct Weekly Inspections of Hazardous Waste Storage Areas

23. Paragraphs 1 through 22 above are incorporated herein by this reference as if they were set forth here in their entirety.
24. 22 CCR §66262.34(a)(1) (*see also* 40 C.F.R. §262.34) requires that generators of hazardous waste who store hazardous waste on-site for less than 90 days comply with the weekly inspection requirements found at 22 CCR §66265.174 (*see also* 40 C.F.R. §265.174). This provision also applies to owners and operators of hazardous waste storage facilities.
25. At the time of the CEI, Global was not conducting weekly inspections of its hazardous waste storage areas.

26. Therefore, EPA alleges that Respondent has violated 22 CCR §66265.174), (*see also* 40 C.F.R. §265.174), and RCRA.

COUNT 3

Failure to Comply With Training Requirements

27. Paragraphs 1 through 26 above are incorporated herein by this reference as if they were set forth here in their entirety.
28. 22 CCR §66262.34 (*see also* 40 C.F.R. §262.34) requires that generators of hazardous waste who store hazardous waste on-site for less than 90 days comply with the training requirements found at 22 CCR §66265.16 (*see also* 40 C.F.R. §265.16). Title 22 CCR §66265.16(c) (*see also* 40 C.F.R. §265.16(c)) requires annual review of the initial employee training. At the time of the CEI, Global employees had not received the required training.
29. 22 CCR §66265.16(d) (*see also* 40 C.F.R. §265.16(d)) requires a facility to maintain the following training-related records:
- (1) the job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job;
 - (2) a written job description for each position listed;
 - (3) a written description of the type and amount of both introductory and continuing training that will be given to each person listed above; and
 - (4) records that document that the required training or job experience have been completed.
- At the time of the CEI, Global had not maintained the required training records.
30. Therefore, EPA alleges that Global has violated 22 CCR §66265.16(c) and (d) (*see also* 40 C.F.R. §265.16(c) and (d)), and RCRA.

COUNT 4

Failure to Maintain an Adequate Contingency Plan

31. Paragraphs 1 through 30 above are incorporated herein by this reference as if they were set forth here in their entirety.
32. 22 CCR §66262.34 (*see also* 40 C.F.R. §262.34) requires that generators of hazardous waste who store hazardous waste on-site for less than 90 days comply with the Contingency Plan requirements found at 22 CCR §66265.52(d) and (e) (*see also* 40 C.F.R. §265.52(d) and (e)). These requirements include keeping the name of the emergency coordinator on the Contingency Plan up to date. They also include providing a physical description of the emergency equipment in the Contingency Plan. This provision also applies to owners and operators of hazardous waste storage facilities.
33. At the time of the CEI, Global's Contingency Plan did not list the then current emergency coordinator's name. In addition, the Contingency Plan did not include a physical description of the emergency equipment at the facility.
34. Therefore, EPA alleges that that Respondent has violated 22 CCR §66265.52(d) and (e)), (*see also* 40 C.F.R. §265.52(d) and (e)), and RCRA.

COUNT 5

Failure to Obtain an EPA Identification Number

35. Paragraphs 1 through 34 above are incorporated herein by this reference as if they were set forth here in their entirety.
36. 22 CCR §66262.12(a) (*see also* 40 C.F.R. §262.12(a)) requires generators of hazardous waste to obtain an identification number from U.S. EPA.
37. At the time of the CEI, Global did not have an EPA identification number for managing hazardous waste.

38. Therefore, EPA alleges that the Respondent has violated 22 CCR §66262.12(a) (*see also* 40 C.F.R. §262.12(a)), and RCRA.

D. TERMS OF SETTLEMENT

39. Based upon the facts alleged herein and upon those factors which EPA must consider pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), and the June 2003 RCRA Civil Penalty Policy, including the seriousness of the violations, any good faith efforts by Respondent to comply with applicable requirements, and any economic benefit accruing to Respondent, as well as such other matters as justice may require, EPA proposes that Respondent be assessed a total of TWENTY-ONE THOUSAND AND FOUR HUNDRED DOLLARS (\$21,400.00) as the civil penalty for the violations alleged herein. Section 3008(g) of RCRA, 42 U.S.C. §6928(g), as adjusted by the Debt Collection Improvement Act of 1996, *see* 61 Fed. Reg. 69360 (Dec. 31, 1996) and 69 Fed. Reg. 7121 (Feb. 13, 2004), authorizes a civil penalty of up to THIRTY-TWO THOUSAND, FIVE HUNDRED DOLLARS (\$32,500) per day for violations of Subtitle C of RCRA, 42 U.S.C. § 6921 *et seq.*, occurring after March 15, 2004. Under the penalty policy, EPA uses a penalty assessment matrix to determine a gravity-based penalty. That penalty amount is then adjusted to take into account multi-day violations, the economic benefit gained from non-compliance, where appropriate, and case-specific circumstances.
40. Respondent Global consents to the assessment of EPA's proposed civil penalty of TWENTY-ONE THOUSAND AND FOUR HUNDRED DOLLARS (\$21,400.00) in full satisfaction of all claims for civil penalties for the violations alleged in Section C of this CAFO. Such civil penalty amount shall become due and payable immediately upon Respondent Global's receipt of a true and correct copy of this CAFO. Respondent must pay the civil penalty no later than THIRTY (30) CALENDAR DAYS after the effective date of this CAFO.

E. ADMISSIONS AND WAIVERS OF RIGHTS

41. Respondent Global admits and agrees that the EPA Administrator and Region IX Administrator have jurisdiction and authority over the

subject matter of the action commenced in this CAFO and over Global pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928, and 40 C.F.R. §§22.4 and 22.37. Further, for the purposes of this proceeding, Global admits to the jurisdictional allegations of facts and law set forth in Section B of this CAFO. Global consents to and agrees not to contest EPA's jurisdiction and authority to enter into and issue this CAFO and to enforce its terms. Further, Global will not contest EPA's jurisdiction and authority to compel compliance with this CAFO in any enforcement proceedings, either administrative or judicial, or to impose sanctions for violations of this CAFO.

42. Respondent Global neither admits nor denies any allegations of fact or law set forth in Section C of this CAFO. Global hereby waives any rights it may have to contest the allegations set forth in this CAFO, waives any rights it may have to a hearing on any issue relating to the factual allegations or legal conclusions set forth in this CAFO, including without limitation a hearing pursuant to Section 3008(b) of RCRA, 42 U.S.C. §6928(b) and hereby consents to the issuance of this CAFO without adjudication. In addition, Respondent Global hereby waives any rights it may have to appeal the Final Order attached to this Consent Agreement and made part of this CAFO.

F. PARTIES BOUND

43. This CAFO shall apply to and be binding upon Respondent Global and its agents, successors and assigns and upon all persons acting under or for Respondent Global, until such time as the civil penalty required under Sections D and G has been paid in accordance with Section G and any delays in performance and/or stipulated penalties have been resolved. At such time as those matters are concluded, this CAFO shall terminate and constitute full settlement of the violations alleged herein.
44. No change in ownership or any other legal status relating to the facility will in any way alter Global's obligations and responsibilities under this CAFO.
45. Respondent Global shall give prior notice of this CAFO to any successor in interest prior to transfer of ownership or operation of the

facility and shall notify EPA within seven (7) days prior to such transfer until the termination of this CAFO.

46. The undersigned representative of Global hereby certifies he or she is fully authorized to enter into this CAFO, to execute and to legally bind Respondent Global to it.

G. PAYMENT OF CIVIL PENALTY

47. Respondent Global consents to the assessment of and agrees to pay a civil penalty of TWENTY-ONE THOUSAND AND FOUR HUNDRED DOLLARS (\$21,400.00) in full settlement of the federal civil penalty claims set forth in this CAFO.
48. Respondent shall submit payment of the TWENTY-ONE THOUSAND AND FOUR HUNDRED DOLLAR (\$21,400.00) civil penalty within thirty (30) calendar days of the Effective Date of this CAFO. The Effective Date of this CAFO is the date the Final Order, signed by the Regional Judicial Officer, is filed with the Regional Hearing Clerk. Payment shall be made by certified or cashier's check payable to the U.S. Environmental Protection Agency and transmitted to the appropriate address as indicated below:

For a check drawn on a U.S. bank sent by regular U.S. Postal Service mail:

U.S. Environmental Protection Agency
Region 9
P.O. Box 371099M
Pittsburgh, PA 15251

For a check drawn on a U.S. bank sent by express mail:

Mellon Client Service Center
ATTN: Shift Supervisor Lockbox 371099M
500 Ross Street
Pittsburgh, PA 15262-0001

At the time payment is so made, a copy of the check shall be sent to each of the following Region IX addresses:

Danielle Carr
Regional Hearing Clerk (ORC-1)
U.S. Environmental Protection Agency - Region IX
75 Hawthorne Street
San Francisco, CA 94105

and

Clint Seiter (WST-3)
Waste Management Division
U.S. Environmental Protection Agency - Region IX
75 Hawthorne Street
San Francisco, CA 94105

49. All payments shall indicate the name of the Facility, EPA identification number of the Facility, the Respondent's name and address, and the EPA docket number of this action.
50. In accordance with the Debt Collection Act of 1982 and U.S. Treasury directive (TFRM 6-8000), the payment must be received within thirty (30) calendar days of the Effective Date of this CA/FO to avoid additional charges. If payment is not received within thirty (30) calendar days, interest will accrue from the Effective Date of this CA/FO at the current rate published by the United States Treasury as described at 40 C.F.R. §13.11. A late penalty charge of \$15.00 will be imposed after thirty (30) calendar days with an additional \$15.00 charge for each subsequent thirty (30) day period. A 6% per annum penalty will further apply on any principal amount not paid within ninety (90) calendar days of the due date. Respondent will be liable for stipulated penalties as set forth below for any payment not received by its due date.

H. DELAY IN PERFORMANCE/STIPULATED PENALTIES

51. In the event Respondent Global fails to submit a payment to EPA by the time required in this CAFO, Respondent shall pay stipulated penalties up to FIVE HUNDRED DOLLARS (\$500.00) per day for the first to fifteenth day of delay, up to ONE THOUSAND DOLLARS (\$1,000.00) per day for the sixteenth to thirtieth day of

delay, and up to FIFTEEN HUNDRED DOLLARS (\$1,500.00) per day for each day of delay thereafter.

52. All penalties shall begin to accrue on the date that performance is due or a violation occurs, and shall continue to accrue through the final day of correction of the noncompliance or completion of the activity. Nothing herein shall prevent the simultaneous accrual of separate penalties for separate violations.
53. All penalties owed to EPA under this Section shall be due within thirty (30) days of receipt of a written demand by EPA for such penalties. Such demand shall describe the noncompliance and shall indicate the amount of penalties due. Interest at the current rate published by the United States Treasury, as described at 40 C.F.R. §13.11, shall begin to accrue on the unpaid balance at the end of the thirty (30) day period. Payment shall be made by check transmitted to the appropriate address as indicated below:

For a check drawn on a U.S. bank sent by regular U.S. Postal Service mail:

U.S. Environmental Protection Agency
Region 9
P.O. Box 371099M
Pittsburgh, PA 15251

For a check drawn on a U.S. bank sent by express mail:

Mellon Client Service Center
ATTN: Shift Supervisor Lockbox 371099M
500 Ross Street
Pittsburgh, PA 15262-0001

At the time payment is so made, a copy of the check shall be sent to each of the following Region IX addresses:

Danielle Carr
Regional Hearing Clerk (ORC-1)
U.S. Environmental Protection Agency - Region IX
75 Hawthorne Street
San Francisco, CA 94105

and

Clint Seiter (WST-3)
Waste Management Division
U.S. Environmental Protection Agency - Region IX
75 Hawthorne Street
San Francisco, CA 94105

54. All payments shall indicate the name of the Facility, EPA identification number of the Facility, Respondent Global's name and address, and the EPA docket number of this action.
55. The payment of stipulated penalties shall not alter in any way Respondent Global's obligation to complete the performance required hereunder.
56. The stipulated penalties set forth in this Section do not preclude EPA from pursuing any other remedies or sanctions which may be available to EPA by reason of Respondent Global's failure to comply with any of the requirements of this CAFO.

I. RESERVATION OF RIGHTS

57. EPA expressly reserves all rights and defenses that it may have.
58. EPA hereby reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, including the right to require that Respondent Global perform tasks in addition to those required by this CAFO. EPA further reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, which may pertain to Respondent Global's failure to comply with any of the requirements of this CAFO, including without limitation, the assessment of penalties under Section 3008(c) of RCRA, 42 U.S.C. §6928(c). This CAFO shall not be construed as a covenant not to sue, release, waiver or limitation of any rights, remedies, powers or authorities, civil or criminal, which EPA has under RCRA, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), or any other statutory, regulatory or common law enforcement authority of the United States.

59. Compliance by Respondent Global with the terms of this CAFO shall not relieve Global of its obligations to comply with RCRA or any other applicable local, state, or federal laws and regulations.
60. The entry of this CAFO and Respondent Global's consent to comply shall not limit or otherwise preclude EPA from taking additional enforcement actions should EPA determine that such actions are warranted except as it relates to Respondent Global's liability for federal civil penalties for the specific alleged violations and facts as set forth in Section C of this CAFO.
61. This CAFO is not intended to be nor shall it be construed as a permit. This CAFO does not relieve Respondent Global of any obligation to obtain and comply with any local, State or federal permits.

J. OTHER CLAIMS

62. Nothing in this CAFO shall constitute or be construed as a release from any other claim, cause of action or demand in law or equity by or against any person, firm, partnership, entity or corporation for any liability it may have arising out of or relating in any way to the generation, storage, treatment, handling, transportation, release, or disposal of any hazardous constituents, hazardous substances, hazardous wastes, pollutants, or contaminants found at, taken to, or taken from the facility.

K. MISCELLANEOUS

63. By signing this CAFO, Respondent Global, without admitting or denying them, certifies that all of the alleged violations set forth in Section C of this CAFO, which are or were capable of correction, have been corrected.
64. This CAFO may be amended or modified only by written agreement executed by both EPA and Respondent.
65. The headings in this CAFO are for convenience of reference only and shall not affect interpretation of this CAFO.

66. The Effective Date of this CAFO is the date the CAFO is filed with the Regional Hearing Clerk.

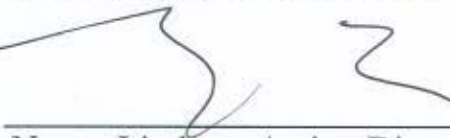
IT IS SO AGREED.

7/23/07
Date



Jerry Curtis
President
Global Communication Semiconductors, Inc.

7/24/07
Date



Nancy Lindsay, Acting Director
Waste Management Division
U.S. Environmental Protection Agency,
Region IX

FINAL ORDER

IT IS HEREBY ORDERED that this Consent Agreement and Final Order Pursuant to 40 C.F.R. §§22.13 and 22.18 ("CAFO") (U.S. EPA Docket No. RCRA-~~09-2007-0018~~) be entered and that Respondent Global Communication Semiconductors, Inc., ("Respondent") comply with the terms of the this Consent Agreement and pay a civil penalty of TWENTY-ONE THOUSAND AND FOUR HUNDRED DOLLARS (\$21,400.00) by certified or cashier's check made out to the "U.S. Environmental Protection Agency," and sent in accordance with Section G of this CAFO within thirty (30) days after the Effective Date of this CAFO. A copy of the check shall be sent to the EPA Region IX addresses specified in Section G of this CAFO within such thirty (30) day period.

This Final Order shall be effective immediately.

09/25/07

Date



Steven Jawgiel

Regional Judicial Officer

United States Environmental Protection Agency,
Region IX

CERTIFICATE OF SERVICE

I hereby certify that on the date below, the original copy of the foregoing Complaint, Consent Agreement and Final Order, was filed with the Regional Hearing Clerk, Region IX, and that copies were sent by certified mail, return receipt requested, to:

Jerry Curtis, CEO
Global Communications
23155 Kashiwa Court
Torrance, CA 90045

SEP 26 2007

Date



Danielle Carr
Regional Hearing Clerk
Office of Regional Counsel, Region IX