

ENVIRONMENTAL APPEALS BOARD UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C.

In re SACO AEI Polymers)) Docket No. TSCA-HQ-2019-5005))
	,

FINAL ORDER

On September 27, 2019, the U.S. Environmental Protection Agency's ("EPA's") Waste and Chemical Enforcement Division, Office of Civil Enforcement, Office of Enforcement and Compliance Assurance, filed a complaint against SACO AEI Polymers ("SACO") alleging that SACO had violated the chemical data reporting regulations of section 8(a) of the Toxic Substances Control Act, 15 U.S.C. § 2607(a). The complaint sought a penalty of \$22,479.

EPA's Consolidated Rules of Practice, codified at 40 C.F.R. part 22, govern this administrative enforcement proceeding. Pursuant to 40 C.F.R. § 22.18(a), a respondent may opt for a quick resolution of an enforcement proceeding at any time by paying the penalty proposed in the complaint. *See* 40 C.F.R. §§ 22.18(a)(1) and (2). The rules further provide that upon payment in full of the penalty, in cases initiated at EPA Headquarters, the Environmental Appeals Board ("Board") must issue a final order. *See* 40 C.F.R. § 22.18(a)(3).

On October 10, 2019, EPA's Office of Enforcement and Compliance Assurance notified the Board that EPA has received a copy of the instrument of payment for the full amount of the penalty (\$22,479) from SACO to resolve the above-captioned matter. Payment by SACO constituted a waiver of SACO's right to contest the allegations in the complaint and to appeal this Final Order. *See* 40 C.F.R. § 22.18(a)(3). In accordance with 40 C.F.R. § 22.18(a)(3), the above-captioned matter is hereby **RESOLVED**.

So ordered.¹

ENVIRONMENTAL APPEALS BOARD

Date: October 15, 2019

By: Kathie A. Stein
Environmental Appeals Judge

¹ The three-member panel deciding this matter is composed of Environmental Appeals Judges Aaron P. Avila, Mary Kay Lynch, and Kathie A. Stein.

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Final Order* in the matter of SACO AEI Polymers, Docket No. TSCA-HQ-2019-5005, were sent to the following persons in the manner indicated:

By First Class Certified Mail/ Return Receipt Requested:

Ms. Sarah A. Slack Foley & Lardner LLP 150 East Gilman Street Suite 5000 Madison, WI 53703-1482

By Interoffice Mail:

Ms. Geraldine Gardner, Attorney
Waste and Chemical Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (Mail Code 2249A)
Washington, DC 20460

Dated: **Oct 15 2019**

Annette Duncan Administrative Specialist