



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

_____)
In re Solvay Specialty Polymers USA,)
L.L.C.) Docket No. EPCRA-HQ-2023-5010
)
)
)
_____)

FINAL ORDER

Pursuant to 40 C.F.R. § 22.18(b)-(c) of EPA’s Consolidated Rules of Practice, the attached Consent Agreement resolving this matter is incorporated by reference into this Final Order and is hereby ratified.

The Respondent is ORDERED to comply with all terms of the Consent Agreement, effective immediately.

So ordered.¹

ENVIRONMENTAL APPEALS BOARD

Mary Kay Lynch
Environmental Appeals Judge

Dated: April 11, 2024

¹ The three-member panel ratifying this matter is composed of Environmental Appeals Judges Aaron P. Avila, Wendy L. Blake, and Mary Kay Lynch.

**BEFORE THE ENVIRONMENTAL APPEALS BOARD OF THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY, WASHINGTON, D.C.**

)
IN THE MATTER OF:)
)
Solvay Specialty Polymers)
USA, L.L.C.)
10 Leonard Ln)
West Deptford, NJ, 08086-2150)
Respondent)
)
)

Docket No. EPCRA-HQ-2023-5010

CONSENT AGREEMENT AND FINAL ORDER

The U.S. Environmental Protection Agency (“EPA”) through the Director of the Waste and Chemical Enforcement Division of the Office of Civil Enforcement in the Office of Enforcement and Compliance Assurance in EPA (the “Complainant”), and Respondent, Solvay Specialty Polymers USA, L.L.C. (hereinafter “Respondent”) (EPA and Solvay Specialty Polymers USA, L.L.C. are collectively, the “Parties”), hereby enter into this Consent Agreement for subsequent ratification by the Environmental Appeals Board (“EAB”) through an executed Final Order (the Consent Agreement and Final Order are collectively referred to as the “CAFO”) to resolve alleged violations of the Emergency Planning and Community Right-to-Know Act (“EPCRA”), 42 U.S.C. §§ 11001 – 11050. Complainant has been delegated authority to execute this Consent Agreement on behalf of EPA. This administrative proceeding is being simultaneously commenced and concluded by the CAFO, before the filing of a complaint, pursuant to 40 C.F.R. §§ 22.18(b)(2), 22.13(b), and 22.18(b)(3) of the “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits” (the “Consolidated Rules”). EPA, through Complainant, hereby alleges the following factual recitations and conclusions of law, and Respondent neither admits nor denies such factual recitations and conclusions of law except to the extent otherwise expressly provided herein.

I. PRELIMINARY STATEMENT

1. This proceeding is an administrative action for the assessment of civil penalties instituted pursuant to Section 325(c) of the EPCRA, 42 U.S.C. §§ 11045(c) and Section 325(f) of EPCRA, 42 U.S.C. § 11045(f).
2. To avoid the disruption of orderly business activities and the expense of litigation and to affect an expeditious settlement of this matter, Respondent, for purposes of this proceeding only and as provided by 40 C.F.R. § 22.18(b)(2), agrees as follows:

- a. Respondent admits that EPA has jurisdiction over the subject matter of this Consent Agreement and over the Respondent and waives any defenses it might have as to jurisdiction. Respondent agrees not to contest EPA's jurisdiction to enter into this Consent Agreement, Complainant's delegated authority to execute this Consent Agreement, EPA's authority to enforce the terms of this Consent Agreement through the executed Final Order, or the jurisdiction of the EAB to enter and ratify the Consent Agreement through the Final Order.
- b. Respondent consents to the assessment of the full amount of the civil penalty as provided for in Paragraph 51, below, and agrees to make payment in accordance with Paragraph 52.
- c. Respondent consents to all conditions specified in this Consent Agreement.
- d. Respondent waives any right it might have to contest through a judicial or administrative hearing the factual allegations and violations of law as alleged below; and
- e. Respondent waives the rights it might have to obtain judicial or administrative review of the Final Order accompanying this Consent Agreement under any otherwise applicable law.

II. EPA's BACKGROUND FINDINGS OF FACT AND LAW

3. Respondent is Solvay Specialty Polymers USA, L.L.C., a corporation formed in the state of Delaware and authorized to conduct business in the states of New Jersey, Georgia, and Texas among other states.
4. Respondent owns, controls and/or operates a facility in West Deptford, New Jersey (and has done so for the periods set forth below). The address of the West Deptford facility is 10 Leonard Lane, West Deptford, New Jersey 08086.
5. This CAFO asserts that Respondent has violated Section 313 of EPCRA, 42 U.S.C. § 11023, and 40 C.F.R. § 372.30, which impose annual toxic inventory reporting requirements on owners or operators of facilities that manufacture, process or otherwise use toxic chemicals listed under EPCRA Section 313(c), 42 U.S.C. § 11023(c), in quantities exceeding a regulatory threshold established under Section 313(f) of EPCRA, 42 U.S.C. § 11023(f).
6. On September 7-8, 2022, EPA representatives conducted an inspection of the West Deptford, New Jersey facility to ascertain Respondent's compliance with the requirements of Section 313 of EPCRA, 42 U.S.C. § 11023 and 40 C.F.R. Part 372.
7. EPA's findings of fact set forth below are based upon the information EPA learned during the inspection (including through a review of documents) and through follow-up investigative efforts.

8. Section 313(a) of EPCRA, 42 U.S.C. § 11023(a), and the implementing regulations found at 40 C.F.R. Part 372, require the owner or operator of a "covered facility" to complete and submit a toxic chemical release inventory form (Form R) for each relevant chemical to the EPA Administrator and the State in which the subject facility is located by July 1 for the preceding calendar year.
9. A "covered facility" is one meeting the following criteria in sections 313(a) and (b) of EPCRA, 42 U.S.C. §§ 11023(a) and (b), and 40 C.F.R. §§ 372.22 and 372.30:
 - a. Ten or more full-time employees;
 - b. In Standard Industrial Classification (SIC) Codes 20 through 39; and
 - c. Manufactured, processed, or otherwise used one or more toxic chemicals, listed under Section 313(f) of EPCRA and 40 C.F.R. §§ 372.28 and 372.65, above their reporting threshold.
10. Pursuant to sections 313 and 328 of EPCRA, 42 U.S.C. §§ 11023 and 11048, EPA promulgated regulations setting forth requirements for the submission of information relating to the release of toxic chemicals under Section 313. These regulations, as amended, are presently codified at 40 C.F.R. Part 372.
11. "Person" as defined by EPCRA section 329(7), 42 U.S.C. § 11049(7), means any individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, or interstate body.
12. "Facility" as defined by 40 C.F.R. § 372.3 means all buildings, equipment, structures, and other stationary items which are located on a single site or on contiguous or adjacent sites and which are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with such person). A facility may contain more than one establishment.
13. "Full-time employee" as defined by 40 C.F.R. § 372.3 means 2,000 hours per year of full-time equivalent employment. A facility would calculate the number of full-time employees by totaling the hours worked during the calendar year by all employees, including contract employees, and dividing that total by 2,000 hours.
14. "Toxic chemical" as defined by 40 C.F.R. § 372.3 means a chemical or chemical category listed in § 372.65.
15. "Process" as defined by 40 C.F.R. § 372.3, means the preparation of a toxic chemical, after its manufacture, for distribution in commerce: (1) in the same form or physical state as, or in a different form or physical state from, that in which it was received by the person so preparing the substance, or (2) as part of an article containing the toxic chemical. Process also applies to the processing of a toxic chemical contained in a mixture or trade name product.
16. "Manufacture" as defined by 40 C.F.R. § 372.3, means to produce, prepare, import, or

compound a toxic chemical. Manufacture also applies to a toxic chemical that is produced coincidentally during the manufacture, processing, use, or disposal of another chemical or mixture of chemicals, including a toxic chemical that is separated from that other chemical or mixture of chemicals as a byproduct, and a toxic chemical that remains in that other chemical or mixture of chemicals as an impurity.

17. "Otherwise use" as defined by 40 C.F.R. § 372.3, means any use of a toxic chemical, including a toxic chemical contained in a mixture or other trade name product or waste, that is not covered by the terms "manufacture" or "process." Otherwise use of a toxic chemical does not include disposal, stabilization (without subsequent distribution in commerce), or treatment for destruction unless: (1) the toxic chemical that was disposed, stabilized, or treated for destruction was received from off-site for the purposes of further waste management; or (2) the toxic chemical that was disposed, stabilized, or treated for destruction was manufactured as a result of waste management activities on materials received from off-site for the purposes of further waste management activities. Relabeling or redistributing of the toxic chemical where no repackaging of the toxic chemical occurs does not constitute otherwise use or processing of the toxic chemical.
18. Pursuant to Section 313(f) of EPCRA, 42 U.S.C. § 11023(f) and 40 C.F.R. § 372.25, with respect to a toxic chemical manufactured or processed, the toxic chemical reporting threshold for the reporting form to be submitted on or before July of the succeeding year is 25,000 pounds of the toxic chemical per year.
19. Pursuant to Section 313(f) of EPCRA, 42 U.S.C. § 11023(f) and 40 C.F.R. § 372.25, with respect to a toxic chemical otherwise used, the toxic chemical reporting threshold for the reporting form to be submitted on or before July of the succeeding year is 10,000 pounds of the toxic chemical per year.
20. Pursuant to Section 313(g) of EPCRA, 42 U.S.C. § 11023(g), EPA published a uniform Toxic Chemical Release Inventory Form (hereinafter referred to as a "Form R") for facilities that are subject to the reporting requirements of Section 313.
21. Sections 313(a) and (b) of EPCRA, 42 U.S.C. §§ 11023(a) and (b), and 40 C.F.R. §§ 372.30(d) and 372.27(d) provide that a complete and accurate reporting form for activities involving a toxic chemical that occurred during a calendar year must be submitted on or before July 1 of the next year.
22. Section 325(c) of EPCRA, 42 U.S.C. § 11045(c), authorizes EPA to assess a civil penalty of up to \$25,000 per day for each violation of Section 313 and its implementing regulations. The Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, as amended, and the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, 28 U.S.C. § 2461, and implementing regulations at 40 C.F.R. Part 19, increased these statutory maximum penalties to \$67,544 per day per violation for violations that occurred after November 2, 2015, where penalties are assessed on or after January 6, 2023.

III. EPCRA SECTION 313 VIOLATIONS

23. Complainant hereby states and alleges that Respondent has violated Section 313 of EPCRA and federal regulations promulgated thereunder as follows.
24. At all times relevant to this matter, Respondent owned and operated, and continues to own and operate, a facility, as that term is defined in Section 329(4) of EPCRA, 42 U.S.C. § 11049(4) and 40 CFR § 372.3, located at 10 Leonard Lane, Thorofare, NJ 08086 hereinafter referred to as the Facility.
25. At all times relevant to this matter, the Facility had 10 or more full-time employees, as that term is defined at 40 C.F.R. § 372.3.
26. At all times relevant to this matter, the Facility was in the North American Industry Classification System (NAICS) 325211, which is a listed SIC/NAICS code in 40 C.F.R. § 372.23.
27. Nitric Acid, Nitrate Compounds, Hydrochloric Acid Aerosols, and 1-Chloro-1,1-difluoroethane (HCFC-142b) are “toxic chemicals” listed under 40 C.F.R § 372.65.
28. The threshold for reporting “otherwise used” nitric acid at the Facility is 10,000 pounds, as established under Section 313(f) of EPCRA, 42 U.S.C. § 11023(f), and 40 C.F.R § 372.25.
29. The threshold for reporting “manufactured” nitrate compounds, hydrochloric acid aerosols and 1-Chloro-1,1-difluoroethane (HCFC-142b) at the Facility is 25,000 pounds, as established under Section 313(f) of EPCRA, 42 U.S.C. § 11023(f), and 40 C.F.R § 372.25.
30. During the reporting years 2020 and 2021, Respondent “otherwise used,” as that term is defined in 40 C.F.R. § 372.3, over 10,000 pounds of nitric acid at the Facility.
31. During the reporting years 2020 and 2021, Respondent “manufactured” as that term is defined in 40 C.F.R. § 372.3, over 25,000 pounds of nitrate compounds, hydrochloric acid aerosols and 1-Chloro-1,1-difluoroethane (HCFC-142b) at the Facility.
32. EPA inspected the Facility on September 7-8, 2022, and requested the records related to the Respondent’s submissions of the 2018, 2019, 2020, and 2021 reporting years TRI Forms R for nitric acid, nitrate compounds, hydrochloric acid aerosols and 1-Chloro-1,1-difluoroethane (HCFC-142b).

Counts 1-2

33. Paragraphs 23-32 are incorporated here by reference.
34. For the years 2020 and 2021, the Facility was a “covered facility” with respect to nitric acid because it met the criteria in sections 313(a) and (b) of EPCRA, 42 U.S.C. §§ 11023(a) and (b), and 40 C.F.R. §§ 372.22 and 372.30 as follows:

- a. The Facility had 10 or more employees during 2020 and 2021;
 - b. The Facility was in a Standard Industrial Classification (SIC) Codes falling in classifications 20 through 39 (specifically 325211); and
 - c. Nitric acid, a toxic chemical listed in 40 C.F.R. § 372.65, was “otherwise used” at the Facility in amounts greater than 10,000 pounds, the relevant threshold given in 40 C.F.R. § 372.25.
35. As the owner operator of a “covered facility” with respect to nitric acid in 2020 and 2021, Respondent was required by section 313(a) of EPCRA, 42 U.S.C. § 11023(a) to submit to EPA and to the State of New Jersey a complete and correct Form R for nitric acid otherwise used at the Facility in calendar year 2020 by July 1, 2021, and calendar year 2021 by July 1, 2022.
36. Respondent failed to submit the required Form Rs until September 27, 2022.
37. Respondent’s failure to timely report nitric acid as set forth above is a violation of section 313(a) of EPCRA, 42 U.S.C. § 11023(a).

Counts 3-4

38. Paragraphs 34 and 35 are realleged as if fully set forth herein.
39. As the owner operator of a “covered facility” with respect to nitrate compounds, a toxic chemical listed in 40 C.F.R. § 372.65, in 2021 and 2022, Respondent was required to submit to EPA and to the State of New Jersey a complete and correct Form R for nitrate compounds manufactured at the Facility in calendar year 2020 by July 1, 2021, and calendar year 2021 by July 1, 2022.
40. Respondent manufactured nitrate compounds; a toxic chemical listed in 40 C.F.R. § 372.65 in amounts greater than 25,000 pounds in 2020 and 2021.
41. Respondent failed to submit the required Form Rs until September 27, 2022.
42. Respondent’s failure to timely report nitrate compounds as set forth above subjects Respondent to liability to the United States for civil penalties pursuant to Sections 325(c)(1) and 325(c)(3) of ECPRA 42 U.S.C. §§ 11045(c)(1) and 11045(c)(3), respectively.

Counts 5-8

43. Paragraphs 34 and 35 are realleged as if fully set forth herein.
44. As the owner operator of a “covered facility” with respect to Hydrochloric Acid Aerosols, a toxic chemical listed in 40 C.F.R. § 372.65, in 2018, 2019, 2020, and 2021 Respondent was required to submit to EPA and to the State of New Jersey a complete and correct Form R for quantities treated on-site for Hydrochloric Acid Aerosols at the Facility in calendar years 2018 by Jul 1, 2019, calendar year 2019 by July 1, 2020, calendar year 2020 by July 1, 2021 and calendar year 2021 by July 1, 2022.

45. Respondent treated on-site Hydrochloric Acid Aerosols, a toxic chemical listed in 40 C.F.R. § 372.65, in 2019, 2020, 2021, and 2022 in amounts greater than 25,000 lbs.
46. Respondent timely filed Form R for Hydrochloric Acid Aerosols for reporting year 2018 on June 19, 2019. However, Section 8.6, Quantity Treated On-Site, in Form R reflects significantly inaccurate quantities for the chemical treated on-site.
47. Respondent timely filed Form R for Hydrochloric Acid Aerosols for reporting year 2019 on July 1, 2020. However, Section 8.6, Quantity Treated On-Site, in Form R reflects significantly inaccurate quantities for the chemical treated on-site.
48. Respondent timely filed Form R for Hydrochloric Acid Aerosols for reporting year 2020 on July 1, 2021. However, Section 8.6, Quantity Treated On-Site, in Form R reflects significantly inaccurate quantities for the chemical treated on-site.
49. Respondent timely filed Form R for Hydrochloric Acid Aerosols for reporting year 2021 on July 1, 2022. However, Section 8.6, Quantity Treated On-Site, in Form R reflects significantly inaccurate quantities for the chemical treated on-site.
50. Respondent's failure to completely and accurately report quantities treated on-site for Hydrochloric Acid Aerosols for reporting years 2018, 2019, 2020 and 2021 set forth above, subjects Respondent to liability to the United States for civil penalties for significant data quality violations pursuant to Sections 325(c)(1) and 325(c)(3) of ECPRA 42 U.S.C. §§ 11045(c)(1) and 11045(c)(3), respectively.

Count 9

51. Paragraphs 34 and 35 realleged as if fully set forth herein.
52. As the owner operator of a "covered facility" with respect to 1-Chloro-1,1-difluoroethane (HCFC-142b), a toxic chemical listed in 40 C.F.R. § 372.65, in 2022 Respondent was required to submit to EPA and to the State of New Jersey a complete and correct Form R for 1-Chloro-1,1-difluoroethane (HCFC-142b), manufactured at the Facility in calendar year 2021 by July 1, 2022.
53. Respondent treated on-site Hydrochloric Acid Aerosols, a toxic chemical listed in 40 C.F.R. § 372.65, in 2021 in amounts greater than 25,000 lbs.
54. Respondent timely filed Form R for 1-Chloro-1,1-difluoroethane (HCFC-142b) for reporting year 2021 on July 1, 2022. However, Section 8.6, Quantity Treated On-Site, in Form R reflects significantly inaccurate quantities for the chemical treated on-site.
55. Respondent's failure to completely and accurately report quantities treated on-site for 1-Chloro-1,1-difluoroethane (HCFC-142b) for reporting year 2021 as set forth above, subjects Respondent to liability to the United States for civil penalties pursuant to Sections 325(c)(1) and 325(c)(3) of ECPRA 42 U.S.C. §§ 11045(c)(1) and 11045(c)(3), respectively.

IV. CIVIL PENALTY

56. Pursuant to Section 325(c)(1) of EPCRA, 42 U.S.C. § 11045(c)(1), and consistent with Section 325(b)(1) of EPCRA, 42 U.S.C. § 11045(b)(1), Respondent agrees to pay a civil penalty in the amount of ONE HUNDRED SIXTY-THREE THOUSAND SIX HUNDRED FIFTY DOLLARS (\$163,650) for the alleged violations identified herein.
57. Respondent shall pay the civil penalty set forth in Paragraph 51, above, within thirty (30) calendar days after the effective date of the Final Order accompanying this Consent Agreement. The civil penalty shall be made using one of the three methods set forth below.
- a. A cashier's or certified check made payable to the order of the "Treasurer of the United States of America," and bearing the Civil Penalty Docket No. EPCRA-HQ-2023-5010 shall be sent to the following address:

U.S. Environmental Protection Agency
Fines and Penalties
Docket No. EPCRA-HQ-2023-5010
Cincinnati Finance Center
P.O. Box 979078
St. Louis, MO 63197-9000

OR

- b. An electronic payment shall be made via Fedwire with a notation of "Solvay Specialty Polymers Civil Penalty Docket No. EPCRA-HQ-2023-5010" by using the following instructions:

Federal Reserve Bank of New York
ABA -021030004
Account - 68010727
SWIFT address - FRNYUS33
33 Liberty Street
New York, NY 10045
Field Tag 4200 of the Fedwire message should read:
"D 68010727 Environmental Protection Agency"

OR

- c. If Respondent choose to make on-line payments, Respondent shall go to ww.pay.gov and enter SFO 1.1 in the search field on the tool pbar on the Home Page; select Continue under "EPA Miscellaneous Payments – Cincinnati Finance Center;" open the form and complete the required fields.
58. A copy of the check or other information confirming payment shall simultaneously be sent to Alexander DerGarabedian at dergarabedian.alexander@epa.gov and to the following:

EAB Hearing Clerk (1103M)

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

59. Respondent understands that its failure to timely pay any portion of the civil penalty may result in the commencement of a civil action in Federal District Court to recover the full remaining balance, along with penalties and accumulated interest. In such case, interest shall begin to accrue on a civil or stipulated penalty from the date of delinquency until such civil or stipulated penalty and any accrued interest are paid in full. 31 C.F.R. § 901.9(b)(1). Interest will be assessed at a rate of the United States Treasury Tax and loan rates in accordance with 31 U.S.C. § 3717. Additionally, a charge will be assessed to cover the costs of debt collection including processing and handling costs, and a non-payment penalty charge of six percent (6%) per year compounded annually will be assessed on any portion of the debt which remains delinquent more than ninety (90) days after payment is due. 31 U.S.C. § 3717(e)(2).
60. The penalty specified herein shall represent civil penalties assessed by EPA and shall not be deductible for purposes of federal, state, and local taxes.

V. GENERAL MATTERS

61. By signing this Consent Agreement, the undersigned representative of Respondent certifies that it is fully authorized to execute and enter into the terms and conditions of this Consent Agreement and has the legal capacity to bind the party it represents to this Consent Agreement.
62. Respondent certifies by the signing of this Consent Agreement that it is presently in compliance with all requirements of Section 313 of EPCRA, 42 U.S.C § 11023.
63. Full payment of the penalty proposed in this Consent Agreement shall not in any case affect the right of the EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. This Consent Agreement and Final Order does not waive, extinguish, or otherwise affect Respondent's obligation to comply with all applicable provisions of EPCRA and regulations promulgated thereunder.
64. Full payment of the penalty proposed in this Consent Agreement shall only resolve Respondent's liability for federal civil penalties for the violations alleged herein.
65. This settlement is conditioned upon the thoroughness and material accuracy of Respondent's representations to EPA that EPA relied on to resolve this matter.
66. Complainant reserves the right to enforce the terms and conditions of this Consent Agreement and Final Order.
67. This Consent Agreement shall not dispose of the proceeding without a final order from the Environmental Appeals Board ratifying the terms of this Consent Agreement. This Consent Agreement and Final Order shall be effective upon filing of the Final Order by the U.S. EPA Environmental Appeals Board. Unless otherwise stated, all time periods stated herein shall

be calculated in calendar days from such date.

68. Compliance with the terms of this Consent Agreement shall not be a defense to any subsequent enforcement action that EPA may commence for any violations of EPCRA (including their implementing regulations) occurring after the date of the filing of the Final Order nor for any violations of EPCRA and their implementing regulations that may have occurred prior to the date that this Consent Agreement is executed by the Parties (except for the violations expressly referenced in Paragraphs 34-50, above). To the extent not inconsistent with any of the provisions set forth above, Respondent fully reserves its rights to contest, challenge and/or defend against any subsequent action(s) taken by EPA against or involving Respondent.
69. This Consent Agreement shall take full effect upon the signing and filing of the final Order by the EAB.
70. Failure of Respondent to remit the civil penalty provided herein in accordance with the provisions set forth will result in this matter being forwarded to the United States Department of Justice for collection of the amount due, plus interest at the statutory judgment rate provided in 28 U.S.C. § 1961.
71. The Parties agree to bear their own costs and attorney's fees.
72. The Parties agree that settlement of this matter is in the public interest and this Consent Agreement is the most appropriate means of resolving this matter.
73. The EPA and Respondent agree to the use of electronic signatures for this matter pursuant to 40 C.F.R. § 22.6. The EPA and Respondent further agree to electronic service of this Consent Agreement and Final Order by email to the following:

To EPA: dergarabedian.alexander@epa.gov

To Respondent: jeffrey.lang@solvay.com

WE HEREBY AGREE TO THIS:

FOR RESPONDENT SOLVAY SPECIALITY POLYMERS USA, L.L.C:

Date: 18 March 2024 | 17:53 CET

DocuSigned by:
Peter Browning
3BDA2C83062F404...
Signature

Peter Browning
Print Name

President
Title

WE HEREBY AGREE TO THIS:

**COMPLAINANT:
FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY:**

Date: _____

**GREGORY
SULLIVAN**

Digitally signed by GREGORY
SULLIVAN
Date: 2024.04.01 13:50:00 -04'00'

Gregory Sullivan
Director
Waste and Chemical Enforcement Division
Office of Civil Enforcement

**U.S. EPA
ALEXANDER
DERGARABEDIAN**

Digitally signed by ALEXANDER DERGARABEDIAN
Date: 2024.04.01 13:10:10 -04'00'

Date: _____

Alexander N. DerGarabedian
Attorney-Advisor
Waste and Chemical Enforcement Division
Office of Civil Enforcement
U.S. EPA

CERTIFICATE OF SERVICE

I certify that copies of the foregoing “Consent Agreement” and “Final Order,” in the matter of Solvay Specialty Polymers USA, L.L.C., Docket No. EPCRA-HQ-2023-5010, were sent to the following persons in the manner indicated:

By E-mail:

Jeffrey S. Lang
Senior HSE Counsel for Solvay Specialty Polymers USA, L.L.C.
10 Leonard Ln
West Deptford, NJ 08086-2150
Email: jeffrey.lang@solvay.com

Alexander N. DerGarabedian
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Mail Code 2249A
Washington, DC 20460
Email: Dergarabedian.alexander@epa.gov

Dated: Apr 11, 2024



Emilio Cortes
Clerk of the Board