

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



In the Matter of:)
)
Kopin Display Corporation)
Westborough, MA)
)
Respondent)

Docket Number TSCA-HQ-2018-5002

FINAL ORDER

On December 19, 2017 the U.S. Environmental Protection Agency's (EPA's) Office of Civil Enforcement, Waste and Chemical Enforcement Division, filed an Amended Complaint against Kopin Display Corporation ("Kopin") alleging that Kopin had violated the prohibited acts of section 15(2) of the Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2614(2). The Amended Complaint sought a penalty of \$47,073.

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. 40 C.F.R. § 22.18(a)(3).

On January 9, 2018, 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 (\$47,073) from Kopin to resolve the above-captioned matter. Payment by Kopin constituted a waiver of Kopin's rights to contest the allegations in the Amended 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

Date: January 11, 2018

ENVIRONMENTAL APPEALS BOARD

By: Mary Kay Lynch
Mary Kay Lynch
Environmental Appeals Judge

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing *Final Order* in the matter of Kopin Display Corporation, Docket No. TSCA-HQ-2018-5002, were sent to the following persons in the manner indicated:

By E-Mail and Pouch Mail:

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Dated: JAN 11 2018



Annette Duncan
Administrative Specialist