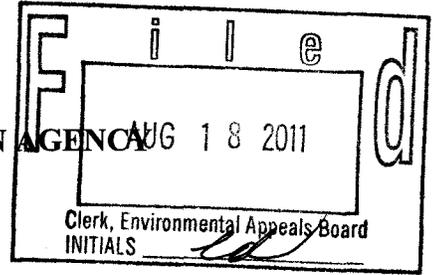


BEFORE THE ADMINISTRATOR
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



_____))
IN THE MATTER OF))
))
United States Department of the Interior,))
))
))
Respondent.))
_____))

Docket No. RCRA-HQ-2011-8006
Docket No. CAA-HQ-2011-8006
Docket No. TSCA-HQ-2011-8006
Docket No. SDWA-HQ-2011-8006

FINAL ORDER

Pursuant to 40 C.F.R. § 22.18(b), the Environmental Appeals Board (“Board”) hereby issues this Final Order ratifying the Consent Agreement executed by Respondent and submitted to the Board by Complainant on August 9, 2011. Complainant and Respondent have consented to the entry of this Final Order and have agreed to comply with the Consent Agreement. It is hereby ORDERED THAT:

1. Respondent shall comply with all of the terms of the Consent Agreement, including the terms relating to the Compliance Audits in Appendix A, the Environmental Management System in Appendix B, and the Supplemental Environmental Project (SEP) in Appendix F, attached to and incorporated by reference into this Final Order;
2. Nothing in the Consent Agreement and Final Order relieves Respondent from complying with the requirement set forth in the Resources Conservation and Recovery Act (“RCRA”), the Clean Air Act (“CAA”), the Toxic Substances Control Act (“TSCA”), and the Safe Drinking Water Act (“SDWA”), and the regulations thereunder;
3. Respondent is assessed a civil penalty in the sum of \$234,844.00, with a cash component of \$0.00, pending appropriate expenditures pursuant to section 207(a) of TSCA.
4. Failure to comply with the RCRA compliance provisions found in paragraph 318 (a) through (g) of the Consent Agreement may subject the Respondent to civil action pursuant to section 3008(c) of RCRA, 42 U.S.C. § 6928(c), and the assessment of civil penalties up to \$25,000 for each day of continuing noncompliance.
5. With respect to all requirements of this Consent Agreement and Final Order except for the RCRA compliance provisions found in paragraph 318 (a) through (g) and the assessment and payment of the penalties in paragraphs 341 and 342, failure to comply with these requirements will void the effect of settlement granted by paragraph 366 of this Consent Agreement and Final Order as provided for in paragraph 368.

6. Failure of Respondent to expend at least \$234,844.00 to comply with Subchapter II of TSCA within four (4) years of the Board's issuance of this Final Order will constitute a breach of the terms of the Consent Agreement and will cause Respondent to become subject to a cash penalty that equals the difference between the assessed civil penalty (\$234,844.00) and the amount determined by EPA to be eligible expenditures under Subchapter II of TSCA.

SO ORDERED

Environmental Appeals Board

August 18, 2011
Date

Charles J. Sheehan
Environmental Appeals Judge
U.S. Environmental Protection Agency

In the Matter of the Department of the Interior

Docket No. HQ-2011-8006

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Consent Agreement and Proposed Final Order *In the Matter of the Department of the Interior*, Docket No. HQ-2011-8006, has been filed with the EPA Environmental Appeals Board and that copies were sent accordingly:

Certified Mail, Return Receipt Requested

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AUG 18 2011

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