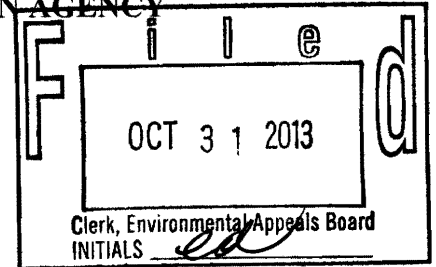


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:)
)
Titanium Metals Corporation)
Henderson, Nevada)
)
Respondent)
)
_____)

Docket No. TSCA-HQ-2013-0510

FINAL ORDER

On September 30, 2013, the U.S. Environmental Protection Agency’s Office of Civil Enforcement, Waste and Chemical Enforcement Division (“EPA”), filed a complaint against Titanium Metals Corporation (“TIMET”), alleging that TIMET had violated section 8(a) of the Toxic Substances Control Act, 15 U.S.C. § 2607(a). The complaint proposed a civil penalty of \$23,018.

The Consolidated Rules of Practice (“CROP”), codified at 40 C.F.R. Part 22 govern this proceeding. Section 22.18(a) of the CROP states that a respondent may opt for a *quick resolution* of the proceeding at any time by paying the specific penalty proposed in the complaint. On October 29, 2013, EPA informed the Environmental Appeals Board (“Board”) that it had received a copy of the instrument of payment for the full amount of the proposed \$23,018 penalty from TIMET in resolution of the above-captioned matter.

In accordance with Section 22.18(a)(3), upon receipt of payment in full, the Board shall issue a final order. 40 C.F.R. § 22.18(a)(3). Payment by TIMET constituted a waiver of TIMET’s right to contest the allegations in the complaint and to appeal this Final Order. *Id.*

Therefore, the above-captioned matter is hereby **RESOLVED** civilly for the violations and facts alleged in the complaint.

So ordered.

Date: *October 31, 2013*

Leslye M. Fraser

Leslye M. Fraser
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that the foregoing Final Order in the Matter of *Titanium Metals Corporation, Henderson, Nevada*, Docket No. TSCA-HQ-2013-5010, were filed and copies of the same were mailed to the parties as indicated below:

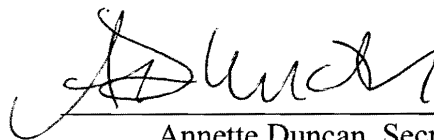
Via Interoffice Mail:

Morgan Rog
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

Via U.S. Certified Mail:

Bruce Graff, General manager
Titanium Metals Corporation
P.O. Box 2128
Henderson, NV 89009

Geoffrey B. Tichenor
Stoel Rives LLP
900 SW Fifth Ave., Suite 2600
Portland, OR 97204



Annette Duncan, Secretary
U.S. Environmental Protection Agency
Environmental Appeals Board

OCT 31 2013

Dated: _____