

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 September 15, 2016, EPA's Office of Enforcement and Compliance Assurance notified the Board that EPA has received full payment of the penalty (\$109,599) from Bruggemann to resolve the above-captioned matter. Payment by Bruggemann constituted a waiver of Bruggeman'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

Date: 09/27/16

ENVIRONMENTAL APPEALS BOARD

By: 

Aaron P. Avila

Environmental Appeals Judge

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **FINAL ORDER** in the matter of BruggemannChemical; BruggemanChemical U.S., Inc., Docket No. TSCA-HQ-2016-5014, were sent to the following persons in the manner indicated:

By U.S. First Class Mail:

Mr. Edward McDade III
President
BruggemannChemical
BruggemanChemical, U.S., Inc.
18 Campus Blvd., Suite 100
Newtown Square, PA 19073

By Inter-office Mail:

Geraldine Gardner
Mail Code: 2249A
Waste and Chemical Enforcement Division
Office of Enforcement and Compliance
Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

Dated: SEP 27 2016



Annette Duncan
Secretary