



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

In the Matter of:)
)
Chemalloy Company, Inc.) **TSCA-HQ-2012-5021**
)
Respondent.)
_____)

FINAL ORDER

On August 2, 2012, the U.S. Environmental Protection Agency’s Office of Civil Enforcement, Waste and Chemical Enforcement Division (EPA), filed a complaint against Chemalloy Company, Inc. (Chemalloy), alleging that Chemalloy had failed to comply with the reporting requirements of section 8(a) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2607(a), and the Inventory Update Reporting Rule promulgated thereunder at 40 C.F.R. Part 710, therefore violating section 15 of TSCA, 15 U.S.C. § 2614. The Complaint proposed a civil penalty of \$204,971. The Consolidated Rules of Practice, codified at 40 C.F.R. Part 22, govern this administrative enforcement proceeding. Section 22.18(a) of the Consolidated Rules of Practice 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 August 30, 2012, EPA informed the Environmental Appeals Board (Board) that it had received a copy of the instrument of payment for the full amount of the \$204,971 penalty from Chemalloy in resolution of the above-captioned matter.

In accordance with section 22.18(a)(3), upon receipt of payment in full, the Environmental Appeals Board shall issue a final order. 40 C.F.R. § 22,18(a)(3). Payment by respondent constituted a waiver of respondent’s right to contest the allegations and to appeal the order. *Id.* Therefore, the

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

SO ORDERED.

ENVIRONMENTAL APPEALS BOARD

Dated: *September 18, 2012* By: *Justy M. Hase*

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Final Order in the Matter of Chemalloy Company, Inc., Docket No. TSCA-HQ-2012-5021, were sent to the following persons in the manner indicated:

By Facsimile and Pouch Mail:

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Annette Duncan, Secretary
U.S. Environmental Protection Agency
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Dated: _____