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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 HAWTHORNE STREET
SAN FRANCISCO, CALIFORNIA 94105

In the Matter of:	)	Docket No. CAA-09-2024-0038
	)	
Resonac America, Inc.	)	CONSENT AGREEMENT AND
	)	FINAL ORDER PURSUANT TO
	)	40 C.F.R. §§ 22.13 and 22.18
	)	
	)	
San Jose, California	)	
	)	
Respondent.	)	
	)	

I. CONSENT AGREEMENT

A. Preliminary Statement

1. This is an administrative penalty assessment proceeding brought for alleged violations of the American Innovation in Manufacturing Act of 2020 ("AIM Act"), 42 U.S.C. § 7675, which governs the import of bulk hydrofluorocarbons ("HFCs"), under Section 113(d) of the Clean Air Act (the "Act" or "CAA"), 42 U.S.C. § 7413(d), and sections 22.13 and 22.18 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or

Suspension of Permits ("Consolidated Rules"), as codified at 40 C.F.R. Part 22. In accordance with 40 C.F.R. §§ 22.13 and 22.18, entry of this Consent Agreement and Final Order ("CAFO") simultaneously initiates and concludes this matter.

2. HFCs are potent greenhouse gases that accelerate climate change. The United States has committed, as a signatory of the Kigali Amendment to the Montreal Protocol, to reduce its production and consumption of HFCs by 85% in a stepwise manner by the year 2036.

3. Complainant is the Director the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency Region IX (the "EPA"), who has been delegated the authority to initiate and settle civil administrative penalty proceedings under section 113(d) of the CAA, 42 U.S.C. § 7413(d). EPA Delegation 7-6-A (August 4, 1994); EPA Region 9 Redelegation R9-7-6-A (February 11, 2013); Memorandum from John W. Busterud, Regional Administrator, Region 9, to all Region 9 supervisors and employees re: EPA R9 Organizational Realignment General Redelegation of Authority (May 5, 2020).

4. Pursuant to section 113(d)(1) of the Act, 42 U.S.C. § 7413(d)(1), the EPA may administratively assess a civil penalty if the penalty sought is less than $460,926 and the first alleged violation occurred no more than 12 months prior to the initiation of this proceeding.

5. Respondent is Resonac America, Inc., a New York corporation, registered in California and headquartered in San Jose, California. Respondent is a "person" as defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e).

6. Complainant and Respondent (together, the "Parties"), having agreed that settlement of this action is in the public interest, consent to the entry of the attached final order ("Final Order" or "Order")

ratifying this Consent Agreement ("Consent Agreement" or "Agreement") without adjudication of any issues of law or fact herein, and Respondent agrees to comply with the terms of this CAFO.

B. Governing Law

7. Section 113(d)(1) of the CAA authorizes the EPA Administrator to issue an order assessing civil administrative penalties against any person that has violated or is violating any requirement or prohibition of subchapters I, III, IV-A, V or VI of the Act, or any requirement or prohibition of any rule, order, waiver, permit or plan promulgated pursuant to any of those subchapters.

8. Section 113(d)(2)(A) of the CAA provides that any administrative penalty assessed under Section l 13(d)(l) of the CAA shall be assessed only after notice and an opportunity for a hearing, and that the EPA Administrator shall promulgate rules for such hearings. The Consolidated Rules of Practice contain those rules and apply to this Complaint.

9. This proceeding arises under the AIM Act, 42 U.S.C. § 7675, and the regulations promulgated thereunder, which impose limits on HFC production and consumption.

10. EPA is authorized to enforce the AIM Act and any regulation promulgated thereunder pursuant to the federal enforcement authorities established by Section 113(a) of the CAA, 42 U.S.C. § 7413(a). 42 U.S.C. § 7675(k)(1)(C).

11. The regulations at 40 C.F.R. Part 84, Subpart A, implement the AIM Act requirement to phase down HFC production and consumption.

12. The regulations at 40 C.F.R. Part 84, Subpart A, apply to anyone who imports a regulated substance. 40 C.F.R. § 84.1(b).

13. The regulations at 40 C.F.R. Part 84, Subpart A, contain the following definitions:

a. An "application-specific allowance" is "a limited authorization granted in accordance with subsection (e)(4)(B)(iv) of the AIM Act for the production or import of a regulated substance for use in the specifically identified applications that are listed in that subsection and in accordance with the restrictions contained at § 84.5(c)." 40 C.F.R. § 84.3.

b. "Bulk" is defined as: "[A] regulated substance of any amount that is in a container for the transportation or storage of that substance such as cylinders, drums, ISO tanks, and small cans. A regulated substance that must first be transferred from a container to another container, vessel, or piece of equipment in order to realize its intended use is a bulk substance. A regulated substance contained in a manufactured product such as an appliance, an aerosol can, or a foam is not a bulk substance." 40 C.F.R. § 84.3.

c. "Consumption allowances" are "a limited authorization to produce and import regulated substances; however, consumption allowances may be used to produce regulated substances only in conjunction with production allowances." 40 C.F.R. § 84.3.

d. "Exchange value equivalent" (EVe) is defined as "the exchange value-weighted amount of a regulated substance obtained by multiplying the mass of a regulated substance by the exchange value of that substance." 40 C.F.R. § 84.3.

e. "Import" is defined as "to land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into, any place subject to the jurisdiction of the United States, regardless of whether that landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States. Offloading used regulated substances recovered from equipment aboard a marine vessel, aircraft, or other aerospace vehicle during servicing is not considered an import." 40 C.F.R. § 84.3.

f. "Importer" is defined as: "[A]ny person who imports a regulated substance into the United States. 'Importer' includes the person primarily liable for the payment of any duties on the merchandise or an authorized agent acting on his or her behalf. The term also includes: (1) [t]he consignee; (2) [t]he importer of record; (3) [t]he actual owner; or (4) [t]he transferee, if the right to draw merchandise in a bonded warehouse has been transferred." 40 C.F.R. § 84.3.

g. "Person" is defined as "any individual or legal entity, including an individual, corporation, partnership, association; state, municipality, political subdivision of a state, Indian tribe; any agency, department, or instrumentality of the United States; and any officer, agent, or employee thereof." 40 C.F.R. § 84.3.

h. "Regulated substance" is defined as: "[A] hydrofluorocarbon listed in the table contained in subsection (c)(1) of the AIM Act and a substance included as a regulated substance by the Administrator under the authority granted in subsection (c)(3)." 40 C.F.R. § 84.3.

14. The importer of record is required to submit an advance notification report for each shipment regulated substances imported by marine vessel no later than 10 days prior to importation. 40 C.F.R. § 84.31(c)(7).

15. Starting January 1, 2022, "[n]o person may import bulk regulated substances, either as a single component or a multicomponent substance, except: (i) If the importer of record possesses at the time they are required to submit reports to EPA pursuant to § 84.31(c)(7), and expends at the time of ship berthing for vessel arrivals. . . in a quantity equal to the exchange-value weighted equivalent of the regulated substances imported." 40 C.F.R. § 84.5(b)(l).

16. A current list of regulated substances, their chemical formulas, and their exchange values can be found in Appendix A to 40 C.F.R. Part 84. *See* 40 C.F.R. § 84.3.

17. The compound HFC-23 is regulated by the AIM Act and has an exchange value of 14,800. 40 C.F.R. Part 84, Appendix A.

18. "Each person meeting the definition of importer for a particular regulated substance import transaction is jointly and severally liable for a violation of paragraph (b)(1) of this section, unless they can demonstrate that the importer of record possessed and expended allowances in accordance with the requirement outlined in paragraph (b)(1)(i) or (v) of this section or another party who meets the definition of an importer met one of the exceptions set forth in paragraphs (b)(1)(ii) through (iv) of this section.." 40 C.F.R. § 84.5(b)(3).

19. "Every kilogram of bulk regulated substances imported … constitutes a separate violation of this subpart." 40 C.F.R. § 84.5(b)(7).

20. Within 45 days after the end of each quarter, the importer of record of a regulated substance must submit reports to the EPA that describe the regulated substance imported during the previous quarter.40 C.F.R. § 84.31(c)(1).

C. Stipulated Facts

21. Respondent is a wholly owned subsidiary of Resonac Corporation, a chemical manufacturer headquartered in Tokyo. Respondent is incorporated in New York and registered in California. Respondent's corporate office is located at 2150 North First Street, Suite 350, San Jose, California.

22. On or about October 23, 2023, Respondent imported approximately 1,984 kg of HFC-23 from Japan to the Port of Los Angeles under Customs Entry Number 286- 69816739.

23. Respondent failed to submit an advance notification report for the HFCs in Customs Entry Number 286- 69816739 ten days prior to importation.

24. Respondent was required to possess 29,363.2 consumption or application specific allowances at the time it was required to submit an advance notification report to EPA for the HFCs in Customs Entry Number 286- 69816739, but only possessed 18,173.2 consumption allowances at this time.

25. Respondent only expended 18,173.2 consumption allowances for the HFCs in Customs Entry Number 286- 69816739.

26. On or about November 12, 2023, Respondent imported approximately 2,048 kg of HFC-23 from Japan to the Port of Los Angeles under Customs Entry Number 286-69827777.

27. Respondent failed to submit an advance notification report for the HFCs in Customs Entry Number 286-69827777 ten days prior to importation.

28. Respondent did not possess any consumption or application specific allowances at the time it was required to submit advance notification reports to EPA for the HFCs imported in Customs Entry Number 286-69827777.

29. Respondent failed to expend any consumption or application specific allowances for the HFCs imported in Customs Entry Number 286-69827777.

30. Respondent reexported the HFCs in Customs Entry Number 286-69827777 to Japan on or about January 6, 2024.

31. On or about December 6, 2023, Respondent imported approximately 960 kg of HFC-23 from Japan to the Port of Los Angeles under Customs Entry Number 286-69841570.

32. Respondent failed to submit an advance notification report for the HFCs in Customs Entry Number 286-69841570 ten days prior to importation.

33. Respondent did not possess any consumption or application specific allowances at the time it was required to submit advance notification reports to EPA for the HFCs in Customs Entry Number 286-69841570.

34. On or about December 6, 2023, prior to the date that marine vessel carrying the HFCs in Customs Entry Number 286-69841570 berthed, Respondent was conferred application specific allowances in a quantity equal to the exchange-value weighted equivalent of the HFCs in this shipment. Respondent expended the conferred application specific allowances for this shipment.

35. On or about February 3, 2024, Respondent imported approximately 960 kg of HFC-23 from Japan to the Port of Los Angeles under Customs Entry Number 286-69871676.

36. Respondent failed to submit an advance notification report for the HFCs in Customs Entry Number 286-69871676 ten days prior to importation.

37. Respondent was the Importer of Record for the HFCs in Customs Entry Numbers 286-69816739, 286-69827777, 286-69841570 and 286-69871676 (Subject HFCs), and was an "importer" of the HFCs in these shipments, as that term is defined in 40 C.F.R. § 84.3.

38. Respondent failed to timely submit reports to the EPA with information relating to the Subject HFCs that the company imported in the first and second quarters of 2023.

39. The Subject HFCs are bulk regulated substances, as defined above at 40 C.F.R. § 84.3.

D. Alleged Violations of the Law

40. Complainant re-alleges and incorporates by reference herein Paragraphs 1 through 39 of this CAFO.

41. For 756.1 kg of the Subject HFCs that Respondent imported on or about October 23, 2023, Respondent violated the prohibition on importing bulk regulated substances into the United States

without possessing sufficient consumption or application-specific allowances at the time it was required to submit reports to EPA pursuant to § 84.31(c)(7), and without expending sufficient consumption or application-specific allowances at the time this shipment berthed. 40 C.F.R. § 84.5(b)(l).

42. For each of the 2,048 kg of the Subject HFCs that Respondent imported on or about November 12, 2023, Respondent violated the prohibition on importing bulk regulated substances into the United States without possessing sufficient consumption or application-specific allowances at the time it was required to submit reports to EPA pursuant to § 84.31(c)(7), and without expending sufficient consumption or application-specific allowances at the time this shipment berthed. 40 C.F.R. § 84.5(b)(l).

43. For each of the 960 kg of the Subject HFCs that Respondent imported on or about December 6, 2023, Respondent violated the prohibition on importing bulk regulated substances into the United States without possessing sufficient consumption or application-specific allowances at the time it was required to submit reports to EPA pursuant to § 84.31(c)(7). 40 C.F.R. § 84.5(b)(l).

44. Respondent violated 40 C.F.R. § 84.31(c)(7) by failing to submit advance notification reports for the Subject HFCs no later than 10 days prior to importation.

45. Respondent violated 40 C.F.R. § 84.31(c)(1) by failing to submit reports to the EPA that describe the regulated substance imported during the first and second quarter of 2023 within 45 days after the end of each quarter.

E. Terms of Consent Agreement

46. For the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), Respondent:

a. admits that EPA has jurisdiction over the subject matter alleged in this CAFO and over Respondent;

b. admits the facts stipulated in Section I.C of this CAFO;

c. neither admits nor denies the allegations contained in Section I.D of this CAFO;

d. consents to the assessment of a civil penalty under this Section to settle this action, as stated below;

e. consents to the conditions specified in this CAFO;

f. waives any right to contest the allegations set forth in Section I.D of this CAFO; and

g. waives their rights to appeal the proposed Order contained in this CAFO.

47. For the purpose of this proceeding, Respondent:

a. agrees that this Agreement states a claim upon which relief may be granted against Respondent;

b. acknowledges that this Agreement constitutes an enforcement action for purposes of considering Respondent's compliance history in any subsequent enforcement actions related to the Respondent;

c. waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this Agreement, including any right of judicial review under Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1);

d. consents to personal jurisdiction in any action to enforce this Agreement or Order, or both, in the United States District Court for the Northern District of California; and

e. waives any rights it may possess at law or in equity to challenge the authority of the EPA to bring a civil action in a United States District Court to compel compliance with this Agreement or Order, or both, and to seek an additional penalty for noncompliance with this Agreement or Order, and agrees that federal law shall govern in any such civil action.

48. Respondent agrees to permanently destroy 756.1 kg of the Subject HFCs that Respondent imported on or about October 23, 2023, using a technology identified in 40 C.F.R. § 84.29(b) and submit reports to EPA documenting such destruction within ninety (90) days of the Effective Date of the CAFO in this matter.

49. If Respondent does not timely permanently destroy the Subject HFCs, as specified in Paragraph 48, then Respondent shall pay to the EPA a stipulated penalty in the amount of FIVE HUNDRED DOLLARS ($500.00) for each day the default continues for thirty (30) days and ONE THOUSAND DOLLARS ($1000.00) for each day thereafter upon written demand by the EPA.

F. Civil Penalty

50. Respondent agrees to:

a. pay the civil penalty of FOUR HUNDRED SIXTEEN THOUSAND THREE DOLLARS ($416,003) ("EPA Penalty") as settlement of the civil claims against Respondent arising under the Act as alleged in Section I.D of this CAFO, within 30 days of the Effective Date of this CAFO; and

b. pay the EPA Penalty using any method, or combination of methods, provided on the website https://www.epa.gov/financial/makepayment, and identifying the payment with "Docket No. CAA-09-2024-0038." Within 24 hours of payment of the EPA Penalty, send proof of payment to Janice Chan at chan.janice@epa.gov ("proof of payment" means, as applicable, a copy of the check, confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate the payment has been made according to the EPA requirements, in the amount due, and identified with "Docket No. CAA-09-2024-0038").

51. If Respondent does not timely pay the civil penalty, specified in Paragraph 50, then Respondent shall pay to the EPA a stipulated penalty in the amount of ONE THOUSAND DOLLARS ($1000.00) for each day the default continues plus the remaining balance of the penalty sum specified in Paragraph 50 upon written demand by the EPA.

52. If Respondent fails to timely pay any portion of the penalty assessed under this CAFO, the EPA may:

a. request the Attorney General to bring a civil action in an appropriate district court to recover: the amount assessed; interest at rates established pursuant to 26 U.S.C. § 6621(a)(2); the United States' enforcement expenses; and a 10 percent quarterly nonpayment penalty, 42 U.S.C. § 7413(d)(5);

b. refer the debt to a credit reporting agency or a collection agency, 42 U.S.C. § 7413(d)(5), 40 C.F.R. §§ 13.13, 13.14, and 13.33;

c. collect the debt by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, 40 C.F.R. Part 13, Subparts C and H; and

d. suspend or revoke Respondent's licenses or other privileges granted by EPA, or suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds, 40 C.F.R. § 13.

G. Certification of Compliance

53. Respondent certifies that as of the date of their signature of this Consent Agreement, Respondent is complying fully with all applicable statutory requirements of the AIM Act, 42 U.S.C. § 7675 and the implementing regulations.

54. The provisions of this CAFO shall apply to and be binding upon Respondent and their officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns.

55. By signing this CAFO, Respondent acknowledges that this CAFO, including identifying information such as name, federal tax ID number, mailing and email address, will be available to the public when the CAFO and Certificate of Service are filed and uploaded to a searchable database and agrees that this CAFO does not contain any confidential business information or personally identifiable information.

56. By signing this CAFO, the undersigned representative of Complainant and the undersigned representative of Respondent each certify that he or she is fully authorized to execute and enter into the terms and conditions of this CAFO and has the legal capacity to bind the party he or she represents to this CAFO.

57. By signing this Agreement, Respondent agrees to acceptance of the Complainant's: (a) digital or an original signature on this Agreement; and (b) service of the fully executed Agreement on the Respondent by mail or electronically by e-mail. Complainant agrees to acceptance of the Respondent's digital or an original signature on this Agreement.

58. By signing this CAFO, Respondent certifies that the information they have supplied concerning this matter was at the time of submission true, accurate, and complete for each such submission, response, and statement. Respondent acknowledges that there are significant penalties for submitting

false or misleading information, including the possibility of fines and imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.

59. Each party agrees to bear its own costs, attorney's fees, and disbursements incurred in this action.

H. General Provisions

60. In accordance with 40 C.F.R. § 22.18(c), completion of the terms of this CAFO resolves only Respondent's liability for federal civil penalties for the violations and facts specifically alleged above.

61. This civil penalty paid pursuant to this CAFO is not deductible for federal tax purposes.

62. The terms, conditions, and compliance requirements of this Agreement may not be modified or amended after it is ratified except upon the written agreement of both parties, and approval of the Regional Judicial Officer.

63. Any violation of this Order may result in a civil judicial action for an injunction, or civil penalties of up to $121,275 per day per violation, or both, as provided in Section 113(b)(2) of the Act, 42 U.S.C. § 7413(b)(2), as well as criminal sanctions as provided in Section 113(c) of the Act, 42 U.S.C. § 7413(c). The EPA may use any information submitted under this Agreement in an administrative, civil judicial, or criminal action.

64. Nothing herein shall be construed to limit the power of the EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment to the public health, welfare, or the environment.

65. Nothing in this CAFO shall relieve Respondent of the duty to comply with all applicable provisions of the Act and other federal, state, or local laws or statutes, nor shall it restrict EPA's

authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit.

66. The EPA reserves the right to revoke this Agreement and settlement penalty if and to the extent that the EPA finds, after signing this Agreement, that any information provided by Respondent was materially false or inaccurate at the time such information was provided to the EPA, and the EPA reserves the right to assess and collect any and all civil penalties for any violation described herein. The EPA shall give Respondent notice of its intent to revoke, which shall not be effective until received by Respondent in writing.

67. This CAFO constitutes the entire agreement between the parties and supersedes any prior agreements or understandings, whether written or oral, among the parties with respect to the subject matter hereof.

68. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, EPA is required to send to the Internal Revenue Service ("IRS") annually, a completed IRS Form 1098-F ("Fines, Penalties, and Other Amounts") with respect to any court order or settlement agreement (including administrative settlements), that require a payor to pay an aggregate amount that EPA reasonably believes will be equal to, or in excess of, $50,000 for the payor's violation of any law or the investigation or inquiry into the payor's potential violation of any law, including amounts paid for "restitution or remediation of property" or to come "into compliance with a law." EPA is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (i.e., a copy of IRS Form 1098-F). Failure to comply with providing IRS Form W-9 or Tax Identification Number ("TIN"), as described below, may subject Respondent to a penalty, per 26 U.S.C. § 6723, 26 U.S.C. § 6724(d)(3),

and 26 C.F.R. § 301.6723-1. In order to provide EPA with sufficient information to enable it to fulfill these obligations, EPA herein requires, and Respondent herein agrees, that:

a. Respondent shall complete an IRS Form W-9 ("Request for Taxpayer Identification Number and Certification"), which is available at https://www.irs.gov/pub/irs-pdf/fw9.pdf;

b. Respondent shall therein certify that its completed IRS Form W-9 includes Respondent's correct TIN or that Respondent has applied and is waiting for issuance of a TIN;

c. Respondent shall email its completed Form W-9 to EPA's Cincinnati Finance Center to Dana Sherrer at sherrer.dana@epa.gov, within 30 days after the Final Order ratifying this Agreement is filed, and EPA recommends encrypting IRS Form W-9 email correspondence; and

d. In the event that Respondent has certified in its completed IRS Form W-9 that it has applied for a TIN and that TIN has not been issued to Respondent within 30 days after the Effective Date, then Respondent, using the same email address identified in the preceding sub-paragraph, shall further:

   i. notify EPA's Cincinnati Finance Center of this fact, via email, within 30 days after the 30 days after the Effective Date of this Order per Paragraph 69; and

   ii. provide EPA's Cincinnati Finance Center with Respondent's TIN, via email, within five (5) days of Respondent's issuance and receipt of the TIN.

I. Effective Date

69. Respondent and Complainant agree to the issuance of the attached Final Order. Upon filing, EPA will transmit a copy of the filed CAFO to the Respondent. This CAFO shall become effective after

execution of the Final Order by the Regional Judicial Officer on the date of filing with the Regional Hearing Clerk.

The foregoing Consent Agreement In the Matter of: Resonac America, Inc. Docket No. CAA-09-2024-0038 is hereby stipulated, agreed, and approved for entry:

Resonac America, Inc., Respondent

02/23/2024
Date

Masao Horayama, Chairman & CEO
Resonac America, Inc.

The foregoing Consent Agreement In the Matter of: Resonac America, Inc. Docket No. CAA-09-2024-0038 is hereby stipulated, agreed, and approved for entry:

United States Environmental Protection Agency, Complainant

3/11/24

Date

AMY MILLER-BOWEN Digitally signed by AMY MILLER-BOWEN Date: 2024.03.11 11:11:28 -07'00'

Amy C. Miller-Bowen, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105

II. FINAL ORDER

EPA Region IX and Resonac America, Inc., having entered into the foregoing Consent Agreement,

IT IS HEREBY, ORDERED that this Consent Agreement and Final Order (Docket No. CAA-09-2024-0038), shall be entered and Respondent shall pay a civil administrative penalty in the amount of FOUR HUNDRED SIXTEEN THOUSAND THREE DOLLARS ($416,003), and otherwise comply with the terms set forth in the CAFO. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31.

STEVEN JAWGIEL

Digitally signed by STEVEN JAWGIEL
Date: 2024.03.12 16:35:48 -07'00'

Steven Jawgiel Date
Regional Judicial Officer
U.S. Environmental Protection Agency Region IX

CERTIFICATE OF SERVICE

I certify that the original of the fully executed Consent Agreement and Final Order in the matter of Resonac America, Inc. (Docket No CAA-09-2024-0038) was filed with the Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, and that a true and correct copy of the same was sent by electronic mail to the following parties:

RESPONDENT:

Masao Horayama
Chairman & CEO
Resonac America, Inc.
2150 N First Street, Ste. 350
San Jose, California 95131
Horayama.Masao.xixts@resonac.com

Dennis Parker
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COMPLAINANT:

Denise Leong
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75 Hawthorne Street
San Francisco, CA 94105
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PONLY TU

Digitally signed by PONLY TU
Date: 2024.03.12 18:08:18 -07'00'

Ponly Tu
Regional Hearing Clerk
U.S. EPA, Region IX