

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Philadelphia, Pennsylvania 19103**

In the Matter of:	:
	:
Stoner Inc.	: U.S. EPA Docket No. CAA-03-2023-0096
1070 Robert Fulton Highway	:
Quarryville, PA 17566,	: Proceeding under Sections 112(r) and 113(d) of
	: the Clean Air Act, 42 U.S.C. §§ 7412(r) and
Respondent.	: 7413(d)
	:
Stoner Inc.	:
1070 Robert Fulton Highway	:
Quarryville, PA 17566,	:
	:
Facility.	:
	:

CONSENT AGREEMENT

PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Director of the Enforcement & Compliance Assurance Division, U.S. Environmental Protection Agency, Region III (“Complainant”) and Stoner Inc. (“Respondent”) (collectively the “Parties”), pursuant to Section 113(d) of the Clean Air Act, as amended, 42 U.S.C. § 7413(d), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22. Section 113 of the Clean Air Act authorizes the Administrator of the U.S. Environmental Protection Agency to assess penalties and undertake other actions required by this Consent Agreement. The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated the authority to enter into agreements concerning administrative penalties to the Complainant. This Consent Agreement and the attached Final Order (hereinafter jointly referred to as the “Consent Agreement and Final Order”) resolve Complainant’s civil penalty claims against Respondent under the Clean Air Act (or the “Act”) for the violations alleged herein.
2. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant hereby simultaneously commences and resolves this administrative proceeding.

JURISDICTION

3. The U.S. Environmental Protection Agency (“EPA”) has jurisdiction over the above-captioned matter, as described in Paragraph 1, above.
4. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(2).

GENERAL PROVISIONS

5. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement and Final Order.
6. Except as provided in Paragraph 5, above, Respondent neither admits nor denies the specific factual allegations set forth in this Consent Agreement.
7. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this Consent Agreement and Final Order.
8. For purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in this Consent Agreement and Final Order and waives its right to appeal the accompanying Final Order.
9. Respondent consents to the assessment of the civil penalty stated herein, to the issuance of any specified compliance order herein, and to any conditions specified herein.
10. Respondent shall bear its own costs and attorney’s fees in connection with this proceeding.
11. Pursuant to Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), the Administrator and the Attorney General, each through their respective delegates, have jointly determined that this administrative penalty action is appropriate.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

12. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant alleges and adopts the Findings of Fact and Conclusions of Law set forth immediately below.
13. Respondent Stoner Inc. is a corporation formed in the Commonwealth of Pennsylvania, with its headquarters located at 1070 Robert Fulton Highway in Quarryville, Pennsylvania.

14. Respondent is the owner and operator of a manufacturing facility for specialized cleaners, lubricants, and coatings located at 1070 Robert Fulton Highway in Quarryville, Pennsylvania (the “Facility”).
15. As a corporation, Respondent is a “person” as defined by Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and is subject to the assessment of civil penalties for the violations alleged herein.
16. Respondent is, and at times referred to herein was, the owner and operator of a “stationary source,” as the term is defined in Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C), and 40 C.F.R. § 68.3.
17. On November 15, 1990, the President signed into law the Clean Air Act Amendments of 1990. The Clean Air Act Amendments added Section 112(r) to the CAA, 42 U.S.C. § 7412(r).
18. Section 112(r)(3), 42 U.S.C. § 7412(r)(3), mandates the Administrator to promulgate a list of regulated substances which, in the case of an accidental release, are known to cause or may reasonably be anticipated to cause death, injury, or serious adverse effects to human health or the environment, the threshold quantities, and defines the stationary sources that will be subject to the accident prevention regulations mandated by Section 112(r)(7), 42 U.S.C. § 7412(r)(7). The list of regulated substances and threshold levels are codified at 40 C.F.R. § 68.130.
19. On June 20, 1996, EPA promulgated a final rule known as the Chemical Accident Prevention Provisions, 40 C.F.R. Part 68 (referred to as the “RMP Regulations”), which implements Section 112(r)(7), 42 U.S.C. § 7412(r)(7), of the CAA. The RMP Regulations require owners and operators of stationary sources to develop and implement a risk management program that includes a hazard assessment, a prevention program, and an emergency response program. The risk management program must be described in a risk management plan that must be submitted to EPA. The risk management plan must include a hazard assessment to assess the potential effects of an accidental release of any regulated substance, a program for preventing accidental releases of hazardous substances, and a response program providing for specific actions to be taken in response to an accidental release of a regulated substance, so as to protect human health and the environment.
20. Pursuant to Section 112(r)(7)(B)(iii) of the CAA, 42 U.S.C. § 7412(r)(7)(B)(iii), and its regulations at 40 C.F.R. §§ 68.10(a) and 68.150(a), the owner or operator of a stationary source at which a regulated substance is present in more than a threshold quantity must submit a risk management plan to EPA no later than the latter of June 21, 1999, three years after the date on which a regulated substance is first listed under 40 C.F.R. § 68.130, or the date on which a regulated substance is first present above the threshold quantity in a process.

21. Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C), defines “stationary source,” as “any buildings, structures, equipment, installations, or substance emitting stationary activities (i) which belong to the same industrial group, (ii) which are located on one or more contiguous properties, (iii) which are under the control of the same person (or persons under common control), and (iv) from which an accidental release may occur.”
22. The regulations at 40 C.F.R. § 68.3 define “threshold quantity” as the quantity specified for regulated substances pursuant to Section 112(r)(5) of the CAA, 42 U.S.C. § 7412(r)(5), listed in 40 C.F.R. § 68.130, Tables 1-4, and determined to be present at a stationary source as specified in 40 C.F.R. § 68.115.
23. The regulations at 40 C.F.R. § 68.3 define “regulated substance” as any substance listed pursuant to Section 112(r)(3) of the CAA, 42 U.S.C. § 7412(r)(3), in 40 C.F.R. § 68.130.
24. The regulations at 40 C.F.R. § 68.3 define “process” as any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances, or combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.

Count I
Failure to Submit Risk Management Plan

25. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
26. On December 7, 2021, Complainant issued an information request to Respondent pursuant to Section 114 of the Clean Air Act (“CAA”), 42 U.S.C. § 7414, to determine whether the Facility was in compliance with Section 112(r)(7) of the CAA, and the RMP Regulations. Respondent submitted written responses to the information request on January 6, 2022, and thereafter.
27. Based on its investigation, EPA has determined that Respondent stored the following chemicals at the Facility, in approximately the following amounts, from 2016 through 2021: 30,691 pounds of dimethyl ether; 41,852 pounds of 1,1-difluoroethane; and 21,645 pounds of AB-46.
28. Dimethyl ether, Chemical Abstract Service (“CAS”) # 115-10-6, and 1,1-difluoroethane, CAS # 75-37-6, are regulated substances listed in accordance with CAA Section 112(r)(3), 42 U.S.C. § 7412(r)(3), in the list of regulated substances compiled at 40 C.F.R. § 68.130, each with a threshold quantity of 10,000 pounds.
29. According to its safety data sheet, AB-46 is a flammable mixture containing at least one percent each of propane, CAS # 74-98-6, and/or butane CAS # 106-97-8, with a fire rating of 4 under the National Fire Protection Association 704, Standard System for the

Identification of the Hazards of Materials for Emergency Response. As such, the flammable mixture constitutes a regulated substance listed at 40 C.F.R. § 68.130, with a threshold quantity of 10,000 pounds. 40 C.F.R. § 68.115(b)(2).

30. Section 112(r)(7)(B)(iii) of the CAA, 42 U.S.C. § 7412(r)(7)(B)(iii), and Section 68.150(a) of the RMP Regulations, 40 C.F.R. § 68.150(a), require the owner and operator of a stationary source to submit a risk management plan that includes the information required by 40 C.F.R. §§ 68.155-68.185 for all covered processes. The RMP Regulations specify that the risk management plan should be submitted no later than June 21, 1999; three years after the date on which a regulated substance is first listed under 40 C.F.R. § 68.130; or the date on which a regulated substance is first present above a threshold quantity in a process. 40 C.F.R. § 68.150(a)-(b).
31. Based on information received from Respondent, all three chemicals, dimethyl ether, 1,1-difluoroethane, and AB-46, are subject to Process Safety Management regulations promulgated by the Occupational Safety and Health Administration, at 29 C.F.R. 1910.119. Accordingly, the chemicals are subject to regulation under the Program 3 Prevention Program of the RMP Regulations, 40 C.F.R. Part 68, Subpart D. 40 C.F.R. § 68.10(i).
32. As of the date of the response to the information request, Respondent had not prepared, submitted or implemented a risk management plan for the regulated substances present in a process at the Facility in amounts greater than their respective threshold quantities.
33. Respondent did not produce for Complainant documentation pertaining to the following components of a risk management program, as set forth in Subparts A, B and D of the RMP Regulations:
 - a. management system, as required by 40 C.F.R. § 68.15;
 - b. alternative release scenario and affected population for its hazard assessment, as required by 40 C.F.R. § 68.28-68.30;
 - c. process safety information, including safe upper and lower limits for process chemicals, and codes and standards used to design, build and operate the process(es), as required by 40 C.F.R. § 68.65;
 - d. process hazard analysis, as required by 40 C.F.R. § 68.67;
 - e. operating procedures, other than filling of propellant tank, as required by 40 C.F.R. § 68.69;
 - f. documentation of initial and refresher training for all activities, including maintenance, except for filling of propellant tank, as required by 40 C.F.R. § 68.71;
 - g. written procedures for maintaining the ongoing integrity of process tanks and associated piping and process equipment in accordance with industry standards; training; and inspections and tests; as required by 40 C.F.R. § 68.73;
 - h. management of change procedures, as required by 40 C.F.R. § 68.75;
 - i. pre-startup safety review procedures for new or modified stationary sources, as required by 40 C.F.R. § 68.77;

- j. compliance audits, as required by 40 C.F.R. § 68.79;
 - k. employee participation plans, as required by 40 C.F.R. § 68.83;
 - l. hot work permits, as required by 40 C.F.R. § 68.85; and
 - m. contractor procedures, as required by 40 C.F.R. § 68.87.
34. Complainant concluded that Respondent was subject to the requirements of Section 112(r)(7) of the CAA, 40 C.F.R. § 7412(r)(7), and the RMP Regulations, 40 C.F.R. Part 68, at the Facility because Respondent was an owner or operator of a stationary source with more than a threshold quantity of a regulated substance present in a process at the Facility.
35. Based on information provided by Respondent, Complainant determined that Respondent did not comply with the RMP Regulations by failing to submit a risk management plan for the regulated substances present in a process at the Facility in amounts greater than their respective threshold quantities, in violation of Section 112(r)(7) of the CAA and Section 68.150(a) of the RMP Regulations.
36. On August 2, 2022, Complainant issued an Administrative Compliance Order on Consent to Respondent, Docket No. CAA-03-2022-0098DA (“Order”), requiring Respondent to retain a third-party contractor to address the CAA violation at the Facility by fully complying with Section 112(r)(7) of the CAA and the RMP Regulations.
37. On April 26, 2023, Respondent submitted its risk management plan for the Facility and on May 4, 2023, Respondent submitted its final report for the work required under the Order. Complainant terminated the Order on May 17, 2023.
38. From the time of the information request in December 2021 to April 26, 2023, Respondent was in violation of Section 112(r)(7) of the CAA and Section 68.150(a) of the RMP Regulations.
39. In failing to comply with Section 68.150(a) of the RMP Regulations, 40 C.F.R. § 68.150(a), Respondent is in violation of Section 112(r)(7) of the Clean Air Act, 42 U.S.C. § 7412(r)(7), and is subject to the assessment of penalties under Section 113(d) of the Act, 42 U.S.C. § 7413(d).

CIVIL PENALTY

40. In settlement of EPA’s claims for civil penalties for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of eighty-six thousand twenty-two dollars (\$86,022), which Respondent shall be liable to pay in accordance with the terms set forth below.
41. The civil penalty is based upon EPA’s consideration of a number of factors, including the penalty criteria (“statutory factors”) set forth in Section 113(e) of the Act, 42 U.S.C. § 7413(e), including, the following: the size of the business, the economic impact of the

penalty on the business, the violator's full compliance history and good faith efforts to comply, the duration of the violation, payment by the violator of penalties previously assessed for the violation, the economic benefit of noncompliance, the seriousness of the violation, and other factors as justice may require. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA's *Combined Enforcement Policy for Clean Air Act Sections 112(r)(1), 112(r)(7) and 40 C.F.R. Part 68* (June 2012), which reflects the statutory penalty criteria and factors set forth at Section 113(e) of the Act, 42 U.S.C. § 7413(e), the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the applicable EPA memoranda addressing EPA's civil penalty policies to account for inflation.

42. Payment of the civil penalty amount, and any associated interest, administrative fees, and late payment penalties owed, shall be made by either cashier's check, certified check or electronic wire transfer, in the following manner:

- a. All payments by Respondent shall include reference to Respondent's name and address, and the Docket Number of this action, *i.e.*, CAA-03-2023-0096;
- b. All checks shall be made payable to the "United States Treasury";
- c. All payments made by check and sent by regular mail shall be addressed and mailed to:

U.S. Environmental Protection Agency
Cincinnati Finance Center
P.O. Box 979078
St. Louis, MO 63197-9000

- d. For additional information concerning other acceptable methods of payment of the civil penalty amount see:

<https://www.epa.gov/financial/makepayment>

- e. A copy of Respondent's check or other documentation of payment of the penalty using the method selected by Respondent for payment shall be sent simultaneously by email to:

Cynthia T. Weiss, Esquire
Sr. Assistant Regional Counsel
weiss.cynthia@epa.gov

and

U.S. EPA Region III Regional Hearing Clerk
R3_Hearing_Clerk@epa.gov.

43. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment of the penalty as specified herein shall result in the assessment of late payment charges including interest, penalties and/or administrative costs of handling delinquent debts.
44. Payment of the civil penalty is due and payable immediately upon receipt by Respondent of a true and correct copy of the fully executed and filed Consent Agreement and Final Order. Receipt by Respondent or Respondent's legal counsel of such copy of the fully executed Consent Agreement and Final Order, with a date stamp indicating the date on which the Consent Agreement and Final Order was filed with the Regional Hearing Clerk, shall constitute receipt of written initial notice that a debt is owed EPA by Respondent in accordance with 40 C.F.R. § 13.9(a).
45. INTEREST: In accordance with 40 C.F.R. § 13.11(a)(1), interest on the civil penalty assessed in this Consent Agreement and Final Order will begin to accrue on the date Respondent is notified of its debt to the United States as established upon the ratification and filing of the fully executed Consent Agreement and Final Order with the Regional Hearing Clerk. However, EPA will not seek to recover interest on any amount of the civil penalties that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).
46. ADMINISTRATIVE COSTS: The costs of the EPA's administrative handling of overdue debts will be charged and assessed monthly throughout the period a debt is overdue. 40 C.F.R. § 13.11(b). If payment is not received within 30 calendar days of the effective date of this Consent Agreement, EPA will also assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.
47. LATE PAYMENT PENALTY: A late payment penalty of six percent per year will be assessed monthly on any portion of the civil penalty that remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).
48. If Respondent fails to make a full and complete payment of the civil penalty in accordance with this Consent Agreement and Final Order, the entire unpaid balance of the penalty shall become immediately due and owing. Failure by Respondent to pay the CAA civil penalty assessed by the Final Order in full in accordance with this Consent Agreement and Final Order may subject Respondent to a civil action to collect the assessed penalty, plus interest, pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. In any such collection action, the validity, amount and appropriateness of the penalty shall not be subject to review.

49. Respondent agrees not to deduct for federal tax purposes the civil penalty assessed in this Consent Agreement and Final Order.
50. The parties consent to service of the Final Order by e-mail at the following valid email addresses: weiss.cynthia@epa.gov (for Complainant), and donald.wagner@stevenslee.com (for Respondent).

GENERAL SETTLEMENT CONDITIONS

51. By signing this Consent Agreement, Respondent acknowledges that this Consent Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Consent Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.
52. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this Consent Agreement and Final Order, including information about Respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

CERTIFICATION OF COMPLIANCE

53. Respondent certifies to EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with regard to the violations alleged in this Consent Agreement.

OTHER APPLICABLE LAWS

54. Nothing in this Consent Agreement and Final Order shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, 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 the validity of any federal, state or local permit. This Consent Agreement and Final Order does not constitute a waiver, suspension or modification of the requirements of the Act, or any regulations promulgated thereunder.

RESERVATION OF RIGHTS

55. This Consent Agreement and Final Order resolves only EPA’s claims for civil penalties for the specific violations alleged against Respondent in this Consent Agreement and Final Order. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. This settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice, 40 C.F.R. § 22.18(c). EPA reserves any rights and remedies available to it under the Act, the regulations promulgated thereunder and any other federal law or regulation to enforce the terms of this Consent Agreement and Final Order after its effective date. Respondent reserves whatever rights or defenses it may have to defend itself in any such action.

EXECUTION /PARTIES BOUND

56. This Consent Agreement and Final Order shall apply to and be binding upon the EPA, the Respondent and the officers, directors, employees, contractors, successors, agents and assigns of Respondent. By his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by the Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement and Final Order.

EFFECTIVE DATE

57. The effective date of this Consent Agreement and Final Order is the date on which the Final Order, signed by the Regional Administrator of EPA, Region III, or his/her designee, the Regional Judicial Officer, is filed along with the Consent Agreement with the Regional Hearing Clerk pursuant to the Consolidated Rules of Practice.

ENTIRE AGREEMENT

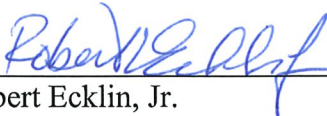
58. This Consent Agreement and Final Order constitutes the entire agreement and understanding between the Parties regarding settlement of all claims for civil penalties pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed in this Consent Agreement and Final Order.

In the Matter of: Stoner Inc.

EPA Docket No. CAA-03-2023-0096

For Respondent: Stoner Inc.

Date: 6/5/2023

By: 
Robert Ecklin, Jr.
President
Stoner Inc.

For the Complainant:

After reviewing the Consent Agreement and other pertinent matters, I, the undersigned Director of the Enforcement & Compliance Assurance Division of the United States Environmental Protection Agency, Region III, agree to the terms and conditions of this Consent Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

By: _____
[*Digital Signature and Date*]
Karen Melvin, Director
Enforcement & Compliance Assurance Division
U.S. EPA – Region III
Complainant

Attorney for Complainant:

By: _____
[*Digital Signature and Date*]
Cynthia T. Weiss
Sr. Assistant Regional Counsel
U.S. EPA – Region III

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Philadelphia, Pennsylvania 19103

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Quarryville, PA 17566,	:
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Respondent.	:
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Facility.	:
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U.S. EPA Docket No. CAA-03-2023-0096
Proceeding under Sections 112(r) and 113(d)
of the Clean Air Act, 42 U.S.C. §§ 7412(r) and
7413(d)

FINAL ORDER

Complainant, the Director of the Enforcement & Compliance Assurance Division, U.S. Environmental Protection Agency, Region III, and Respondent, Stoner Inc., have executed a document entitled “Consent Agreement,” which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

Based upon the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of, *inter alia*, EPA’s *Combined Enforcement Policy for Clean Air Act Sections 112(r)(1), 112(r)(7) and 40 C.F.R. Part 68* (June 2012), and the statutory factors set forth in Section 113(e) of the Clean Air Act, 42 U.S.C. § 7413(e).

NOW, THEREFORE, PURSUANT TO Section 113(d) of the Clean Air Act, 42 U.S.C. § 7413(d), and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty in the amount of ***EIGHTY-SIX THOUSAND TWENTY-TWO DOLLARS (\$86,022)***, in accordance with the payment provisions set forth in the Consent Agreement and in 40 C.F.R. § 22.31(c), and comply with the terms and conditions of the Consent Agreement.

This Final Order constitutes the final Agency action in this proceeding. This Final Order shall not in any case affect the right of the Agency or the United States to pursue appropriate

injunctive or other equitable relief, or criminal sanctions for any violations of the law. This Final Order resolves only those causes of action alleged in the Consent Agreement and does not waive, extinguish or otherwise affect Respondent's obligation to comply with all applicable provisions of the Clean Air Act and the regulations promulgated thereunder.

The effective date of the attached Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

By: _____
[*Digital Signature and Date*]
Joseph J. Lisa
Regional Judicial and Presiding Officer
U.S. EPA Region III

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Philadelphia, Pennsylvania 19103-2029**

In the Matter of:	:
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Stoner Inc.	:
1070 Robert Fulton Highway	:
Quarryville, PA 17566,	:
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Respondent.	:
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Stoner Inc.	:
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	:
Facility.	:
	:

CERTIFICATE OF SERVICE

I certify that the foregoing *Consent Agreement and Final Order* was filed with the EPA Region III Regional Hearing Clerk on the date that has been electronically stamped on the *Consent Agreement and Final Order*. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email to:

Donald R. Wagner, Esq.
Stevens & Lee
111 N. Sixth St.
Reading, PA 19601
donald.wagner@stevenslee.com

Robert Ecklin, Jr., President
Stoner Inc.
1070 Robert Fulton Highway
Quarryville, PA 17566
recklin@stonersolutions.com

Cynthia T. Weiss
Senior Assistant Regional Counsel
U.S. EPA, Region III
weiss.cynthia@epa.gov

Patrick Beckley
Risk Management Program Coordinator
U.S. EPA, Region III
beckley.patrick@epa.gov

[Digital Signature and Date]
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region III