

U.S. ENVIRONMENTAL PROTECTION AGENCY  
REGION V  
77 W. Jackson Boulevard  
Chicago, IL 60604-3590

RECEIVED  
FEB 26 2009

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

IN THE MATTER OF:

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DOCKET NO.: FIFRA -05-2009-003

RESPONDENT CHS INC.

**FINAL ORDER**

Pursuant to Section 22.18(a) of the United States Environmental Protection Agency's *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and Termination or Suspension of Permits ("Consolidated Rules")*, 40 C.F. R. § 22.18(a), the respondent has elected the "Quick Resolution" of this matter by payment of the full penalty proposed in the complaint. No answer has been filed in this matter. Full payment of the \$ 6,000 proposed penalty has been received by the Agency and given the billing document number of 2750945P004.

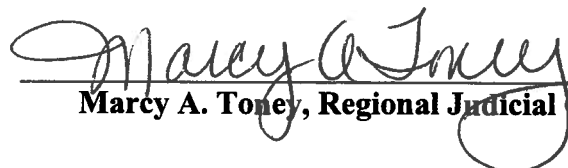
The subject complaint does not seek a compliance or corrective action order or Permit Action and the proceeding is not subject to the public comment provisions of §22.45 of the Consolidated Rules. Therefore, quick resolution is immediately available.

Payment of the penalty constitutes a waiver of respondent's right to contest the allegations and to appeal the Final Order. 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 law.

This Final Order shall resolve only those causes of action alleged in the complaint. This Final Order does not waive, extinguish, or otherwise affect respondent's obligation to comply with all applicable provisions of the Act which authorizes this proceeding and regulations promulgated thereunder.

This Final Order constitutes the final Agency action in this matter and is effective upon filing.

SO ORDERED this 26<sup>th</sup> Day of February, 2009.

  
Marcy A. Toney, Regional Judicial Officer

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In the MATTER of CHS Inc.,  
Respondent  
Docket No. FIFRA-05-2009-0003

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U.S. ENVIRONMENTAL  
PROTECTION AGENCY

CERTIFICATE OF SERVICE

I certify that the foregoing Final Order, dated FEB 26 2009, was sent this day in the following manner:

Original hand delivered to:

Regional Hearing Clerk  
U.S. Environmental Protection  
Agency, Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Copy hand delivered to  
Attorney for Complainant:

Sherry L. Estes  
U. S. Environmental Protection  
Agency, Region 5  
Office of Regional Counsel  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Copy by U.S. Mail First Class to:

Mr. John Johnson  
President  
CHS Inc.  
5500 Cenex Drive  
Dakota, Minnesota 55077

Dated: 2/26/09

By: Darlene Weatherspoon

Darlene Weatherspoon  
Secretary