



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 15 2008

REPLY TO THE ATTENTION OF:

LR-8J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Chris Wiernicki
Director, Environment, Health and Safety
Phibro-Tech, Inc.
2395 Cains Mill Road
Sumter, South Carolina 29154

Re: Consent Agreement and Final Order
Phibro-Tech Inc., Joliet, IL
EPA ID No.: ILD062480850
Docket No: **RCRA-05-2008-0014**

Dear Mr. Wiernicki:

Enclosed please find an original signed fully-executed Consent Agreement and Final Order (CAFO) in resolution of the above case. The originals were filed on 9-15-08 with the Regional Hearing Clerk (RHC).

Please pay the civil penalty in the amount of \$151,603 in the manner prescribed in paragraph 51 of the CAFO, and reference all checks with the number BD 2750842R012 and docket number RCRA-05-2008-0014. Your payment is due within 30 calendar days of the effective date of the CAFO.

Also, enclosed is a *Notice of Securities and Exchange Commission Registrant's Duty to Disclose Environmental Legal Proceedings*.

NOTICE OF SECURITIES AND EXCHANGE COMMISSION REGISTRANTS' DUTY TO DISCLOSE ENVIRONMENTAL LEGAL PROCEEDINGS

Securities and Exchange Commission regulations require companies registered with the SEC (e.g., publicly traded companies) to disclose, on at least a quarterly basis, the existence of certain administrative or judicial proceedings taken against them arising under Federal, State or local provisions that have the primary purpose of protecting the environment. Instruction 5 to Item 103 of the SEC's Regulation S-K (17 CFR 229.103) requires disclosure of these environmental legal proceedings. For those SEC registrants that use the SEC's "small business issuer" reporting system, Instructions 1-4 to Item 103 of the SEC's Regulation S-B (17 CFR 228.103) requires disclosure of these environmental legal proceedings.

If you are an SEC registrant, you have a duty to disclose the existence of pending or known to be contemplated environmental legal proceedings that meet any of the following criteria (17 CFR 229.103(5)(A)-(C)):

- A. Such proceeding is material to the business or financial condition of the registrant;
- B. Such proceeding involves primarily a claim for damages, or involves potential monetary sanctions, capital expenditures, deferred charges or charges to income and the amount involved, exclusive of interest and costs, exceeds 10 percent of the current assets of the registrant and its subsidiaries on a consolidated basis; or
- C. A governmental authority is a party to such proceeding and such proceeding involves potential monetary sanctions, unless the registrant reasonably believes that such proceeding will result in no monetary sanctions, or in monetary sanctions, exclusive of interest and costs, of less than \$100,000; provided, however, that such proceedings which are similar in nature may be grouped and described generically.

Specific information regarding the environmental legal proceedings that must be disclosed is set forth in Item 103 of Regulation S-K or, for registrants using the "small business issuer" reporting system, Item 103(a)-(b) of Regulation S-B. If disclosure is required, it must briefly describe the proceeding, "including the name of the court or agency in which the proceedings are pending, the date instituted, the principal parties thereto, a description of the factual basis alleged to underlie the proceedings and the relief sought."

You have been identified as a party to an environmental legal proceeding to which the United States government is, or was, a party. If you are an SEC registrant, this environmental legal proceeding may trigger, or may already have triggered, the disclosure obligation under the SEC regulations described above.

This notice is being provided to inform you of SEC registrants' duty to disclose any relevant environmental legal proceedings to the SEC. This notice does not create, modify or interpret any existing legal obligations, it is not intended to be an exhaustive description of the legally applicable requirements and it is not a substitute for regulations published in the Code of Federal Regulations. This notice has been issued to you for information purposes only. No determination of the applicability of this reporting requirement to your company has been made by any governmental entity. You should seek competent counsel in determining the applicability of these and other SEC requirements to the environmental legal proceeding at issue, as well as any other proceedings known to be contemplated by governmental authorities.

If you have any questions about the SEC's environmental disclosure requirements, please contact the SEC Office of the Special Senior Counsel for Disclosure Operations at (202) 942-1888.

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
Phibro-Tech, Inc., Joliet, Illinois)	Docket No. RCRA-05-2008-0014
)	
U.S. EPA ID #: ILD062480850)	Consent Agreement and Final Order
)	
)	
Respondent.)	
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CONSENT AGREEMENT AND FINAL ORDER

The United States Environmental Protection Agency (“U.S. EPA” or “Complainant”) and Phibro-Tech, Inc., 10 Industry Avenue, Joliet, Illinois, 60435 (“Respondent”) agree to settle this action before filing a complaint and, thus, this action is simultaneously commenced and concluded by the filing of this Consent Agreement and Final Order, (“CAFO”), pursuant to Sections 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits (“the Consolidated Rules”). 40 C.F.R. §§ 22.13(b), 22.18(b)(2) and (3).

I. PRELIMINARY STATEMENT AND JURISDICTION

1. This is a civil administrative action instituted under Section 3008(a) of the Solid Waste Disposal Act, as amended, also known as the Resource Conservation and Recovery Act of 1976, as amended (“RCRA”), 42 U.S.C. § 6928(a). RCRA was amended in 1984 by the Hazardous and Solid Waste Amendments of 1984 (“HSWA”). This action is also instituted pursuant to Sections 22.1(a)(4), 22.13(b), 22.18(b)(2) and (3), and 22.37 of the Consolidated Rules. 40 C.F.R. §§ 22.01(a)(4), 22.13(b), 22.18(b)(2) and (3), and 22.37.

2. Jurisdiction for this action is conferred upon U.S. EPA by Sections 2002(a)(1), and 3008 of RCRA; 42 U.S.C. §§ 6912(a)(1) and 6928.
3. The Complainant is, by lawful delegation, the Director, Land and Chemicals Division, Region 5, U.S. EPA.
4. Pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, the Administrator of U.S. EPA may authorize a state to administer the RCRA hazardous waste program in lieu of the federal program when the Administrator finds that the state program meets certain conditions. Any violation of regulations promulgated pursuant to Subtitle C (Sections 3001-3023 of RCRA, 42 U.S.C. §§ 6921-6939e) or of any state provision authorized pursuant to Section 3006 of RCRA, constitutes a violation of RCRA, subject to the assessment of civil penalties and issuance of compliance orders as provided in Section 3008 of RCRA, 42 U.S.C. § 6928.
5. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), the Administrator of U.S. EPA granted the State of Illinois final authorization to administer a state hazardous waste program in lieu of the federal government's base RCRA program effective January 31, 1986. 51 Fed. Reg. 3778 (January 31, 1986). The Administrator of U.S. EPA granted Illinois final authorization to administer certain HSWA and additional RCRA requirements effective March 5, 1988, 53 Fed. Reg. 126 (January 5, 1988); April 30, 1990, 55 Fed. Reg. 7320 (March 1, 1990); June 3, 1991, 56 Fed. Reg. 13595 (April 3, 1991); August 15, 1994, 59 Fed. Reg. 30525 (June 14, 1994); May 14, 1996, 61 Fed. Reg. 10684 (March 15, 1996); and October 4, 1996, 61 Fed. Reg. 40520 (August 5, 1996).

The U.S. EPA-authorized Illinois regulations are codified at 35 Illinois Administrative Code (IAC) Part 703 *et seq.* See also 40 C.F.R. § 272.700 *et seq.*

6. On September 14, 2007, U.S. EPA provided notice of commencement of this matter to the State of Illinois pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).

II. GENERAL ALLEGATIONS

7. Respondent is a corporation incorporated in the State of Delaware.
8. Therefore, Respondent is a “person” as defined by 35 IAC § 720.110, 40 C.F.R. § 260.10, and Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).
9. Respondent owns or operates real property at 10 Industry Avenue, Joliet, Illinois, with structures and other appurtenances and improvements, to store, treat, and dispose of hazardous waste.
10. Therefore, Respondent owns and operates a facility (“the facility”) as defined by 35 IAC § 720.110 and 40 C.F.R. § 260.10.
11. Respondent is a metal-based manufacturer, recycler, and marketer of performance chemicals, serving the electronic, metal finishing, printing, catalyst and other industries.
12. Respondent receives hazardous wastes at its facility for recycling, or storage, or shipment to other facilities.
13. On September 27, 1993, the Illinois Environmental Protection Agency (“IEPA”) issued to Respondent a Hazardous Waste Management RCRA Part B Permit (“State Permit”) which became effective on November 1, 1993.

14. The conditions of a State Permit continue in force and remain in effect until the effective date of a new permit if the permittee has submitted a timely application under 35 IAC § 703.181 that is a complete application for a new permit; and the IEPA, through no fault of the permittee, does not issue a new permit with an effective date under 35 IAC § 705.201 on or before the expiration date of the previous permit. 35 IAC § 702.125, and Section V.7 of the State Permit.
15. State permits continued under 35 IAC § 702.125 remain fully effective and enforceable. 35 IAC § 702.125(b).
16. On or about April 30, 2003, Respondent timely submitted to IEPA a RCRA Part B Renewal Application for its State Permit.
17. IEPA granted Respondent's Renewal Application and issued a new RCRA Part B State Permit effective June 25, 2007.
18. However, at all times relevant to the Specific Allegations included in this CAFO, IEPA had not issued to Respondent a renewed RCRA Part B State Permit.
19. Therefore, at all times relevant to the Specific Allegations included in this CAFO, Respondent's Hazardous Waste Management RCRA Part B Permit, issued by IEPA on September 27, 1993, and effective on November 1, 1993, remained in effect and remains completely enforceable.
20. On November 1, 1993, the U.S. EPA issued to Respondent a Hazardous Waste Management Permit which contained federal permit conditions ("Federal Permit") for its facility.

21. Therefore, Respondent's RCRA Permit consisted of both the conditions of its State Permit and its Federal Permit.
22. On November 1, 2003, the Federal Permit expired.
23. The Federal Permit remained in effect beyond its expiration date only if the Permittee submitted to U.S. EPA and the State, a timely and complete application, and through no fault of Permittee, the Regional Administrator and the State failed to issue a new permit, pursuant to 40 CFR § 270.51, and Section I.D.3 of the Federal Permit.
24. When U.S. EPA is the Permitter, the conditions of an expired permit continue in force under 5 U.S.C. 558(c) until the effective date of a new permit if the permittee has submitted a timely application under 40 C.F.R. § 270.14 and the applicable sections in 40 C.F.R. §§ 270.15 through 270.29, and the Regional Administrator does not issue a new permit with an effective date under 40 C.F.R. § 124.15 on or before the expiration date of the previous permit. 40 C.F.R. § 270.51(a).
25. In a State with a hazardous waste program authorized under 40 C.F.R. Part 271, if a permittee has submitted a timely and complete application under applicable state law and regulations, the terms and conditions of a U.S. EPA issued permit continue in force beyond the expiration date of the permit, but only until the effective date of the state's issuance or denial of a State RCRA Permit. 40 C.F.R. § 270.51(d).
26. Therefore, at all times relevant to the violations alleged in this CAFO, Respondent's Hazardous Waste Management Permit, issued by U.S. EPA on November 1, 1993, and effective on November 1, 1993, remained in effect and remains completely enforceable.

27. On July 12 and 13, 2006, U.S. EPA completed a Compliance Evaluation Inspection of Respondent to determine its compliance with its State and Federal Permits.
28. On November 7, 2006, U.S. EPA issued to Respondent a Request for Information seeking information in order to further determine Respondent's compliance with its State and Federal Permits, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927.
29. On December 6, 2006, Respondent provided U.S. EPA its Response to U.S. EPA's Request for Information.
30. On January 5, 2007, U.S. EPA issued to Respondent a Notice of Violation ("NOV"). Among other things, the NOV alleged that Respondent failed to comply with RCRA's manifest requirements set forth in 35 IAC § 724.171, 724.172 and 724.176. U.S. EPA alleged that Respondent failed to comply with these manifest requirements in shipping "RQ Waste Corrosive Liquid, Basic, Inorganic, N.O.S. (Copper Tetraamine Dichloride)" (hereinafter "RQ Waste").
31. On February 8, 2007, Respondent submitted to U.S. EPA a Response to the NOV ("NOV Response") providing information stating that Respondent reused the RQ Waste, so that it was exempt from the definition of "solid waste" in 35 IAC 721.102(e)(1)(A) and, thus, not subject to the manifest requirements referenced in the NOV. Respondent provided information that IEPA had previously determined that Respondent's reuse of the RQ Waste material rendered it exempt from the definition of "solid waste."
32. On March 8, 2007, representatives of U.S. EPA and Respondent met to discuss the NOV allegations and the information presented in the NOV Response. Additional information

was presented concerning Respondent's reuse of the RQ Waste at the meeting. In a letter dated March 28, 2007, U.S. EPA requested additional information on this and other NOV issues from Respondent. On April 20, 2007 and May 29, 2007, Respondent submitted the requested additional information.

33. On August 29, 2007, U.S. EPA issued a Pre-filing Notice and Opportunity to Confer Letter (the "Letter") to Respondent. The Letter outlined certain RCRA requirements, which U.S. EPA was prepared to allege in a complaint were violated by Respondent. The manifest violations contained in the NOV concerning the RQ Waste material were not included in the Letter, and are not included as Specific Allegations in this CAFO. In response to the Letter, Respondent submitted additional information and met with U.S. EPA in an effort to resolve the Letter's alleged violations. The allegations contained in the Letter concerning: (a) security fencing requirements set forth in 35 IAC § 724.114(b) [40 CFR § 264.14(b)] and State Permit Section V.31; and (b) documentation requirements for daily, weekly and monthly inspections set forth in 35 IAC § 724.115(d) [40 CFR §264.15(d)] and Attachment B of the State Permit, are not alleged as Specific Allegations in this CAFO. All other allegations in the Letter are alleged herein as Specific Allegations.

III. SPECIFIC ALLEGATIONS

Count 1: Improper Storage

34. On July 12 and 13, 2006, Respondent had stored five (5) 55-gallon containers of hazardous waste in its East Warehouse for over one (1) year, (four (4) dated November 9,

2004, and one (1) dated February 21, 2005, and all five (5) shipped for disposal on July 26, 2006), in violation of Section II.C.3 of its Federal Permit.

Count 2: Failure to Perform Tank Inspections

35. On July 12 and 13, 2006, Respondent had nine (9) hazardous waste storage and treatment tanks (Tanks D-27, D-28, D-31, D-32, D-33, D-34, D-37, D-38, T-3) it had failed to inspect at least every five (5) years, in violation of Section II.G.6.b of its State Permit.

Count 3: Failure to Perform Leak Tests on Ancillary Equipment

36. As of July 12 and 13, 2006, Respondent had failed to complete annual leak tests or other integrity assessments on its Hazardous Waste Treatment and Storage Tank's ancillary equipment, in violation of Section II.G.6.c of its State Permit.

Count 4: Incomplete Hazardous Waste Manifest Forms

37. On July 12 and 13, 2006, Respondent had eight (8) Hazardous Waste Manifest Forms (State Hazardous Waste Manifest Document Nos. 23330265, 23330272, 23330262, 23330273, 22991793, 22991795, 22991790, and 22991787), for which it had failed to obtain the handwritten signature of the initial transporter, and the handwritten date of acceptance of the initial transporter, on the date the waste was accepted by the transporter, in violation of Section V.45 of the State Permit.

Count 5: Failure to File Exception Reports

38. On July 12 and 13, 2006, Respondent had fourteen (14) Hazardous Waste Manifest Forms (State Hazardous Manifest Form Nos. 23330265, 23330272, 23330262, 23330259, 23330256, 23330273, 22991793, 22991792, 22991795, 22991790, 22991789, 22991787,

21419196, and 21419187) for which it had never received from the Designated Facility a copy with a handwritten signature, and for which Respondent never filed with the State an Exception Report, in violation of Section V.45 of its State Permit.

IV. TERMS OF SETTLEMENT

39. U.S. EPA and Respondent agree the allegations in this action should be settled without resort to hearing or further proceedings upon the terms of this CAFO.
40. This CAFO shall apply to and be binding upon Complainant and upon Respondent, its officers, directors, employees, agents, successors, and assigns.

The Regulations

41. Respondent admits the Preliminary Statement and Jurisdiction allegations set forth in paragraphs 1 through 6 of this CAFO pursuant to 40 C.F.R. § 22.18(b)(2).
42. Respondent neither admits nor denies the facts, legal conclusions, and violations alleged in paragraphs 7 through 38 of this CAFO pursuant to 40 C.F.R. § 22.18(b)(2).
43. Respondent consents to the assessment of a civil penalty as set forth in paragraph 50 of this CAFO below pursuant to 40 C.F.R. § 22.18(b)(2).
44. Respondent consents to the issuance of the CAFO pursuant to 40 C.F.R. § 22.18(b)(2).
45. Without admitting liability or the facts, legal conclusions, and violations alleged in this CAFO, Respondent waives any right to contest and any right to appeal the proposed final order accompanying this CAFO pursuant to 40 C.F.R. § 22.18(b)(2).
46. Respondent certifies its Facility is in compliance with the requirements that formed the basis of the Specific Allegations of this CAFO.

The Consent Agreement

47. Respondent is the owner or operator of the Facility and continues to store and treat hazardous waste.
48. Respondent agrees to comply with its Federal and State Permit.

The Civil Penalty

49. Complainant determined the civil penalty according to Section 3008 of RCRA, 42 U.S.C. § 6928. The Administrator of U.S. EPA must consider “the seriousness of the violation and any good faith efforts to comply with applicable requirements” to determine an appropriate civil penalty. 42 U.S.C. § 6928(a)(3). Complainant has considered the facts and circumstances of this action with specific reference to U.S. EPA’s 2003 RCRA Civil Penalty Policy. This policy provides a consistent method of applying the statutory penalty factors to this case.
50. After considering the facts and circumstances of this action, the seriousness of the violations alleged in the Specific Allegations herein, Respondent’s good faith efforts to comply with applicable requirements, and U.S. EPA’s 2003 RCRA Civil Penalty Policy, Complainant determined the appropriate civil penalty is \$151,603.
51. Within 30 calendar days of the effective date of this CAFO, Respondent must pay the civil penalty in the amount of \$151,603. Respondent must pay by Cashier’s or Certified Check, payable to the order of “Treasurer, United States of America”. The check must be mailed to:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

The name of the Respondent, the billing document number and the Docket Number of this proceeding must be clearly marked on the face of the check.

52. Respondent shall provide a copy of all Cashier's or Certified Checks to:

Regional Hearing Clerk (E-13J)
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604,

Todd C. Brown (LR-8J)
Land and Chemicals Division
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604, and

Jeffery M. Trevino (C-14J)
Office of Regional Counsel
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604.

53. The civil penalty above represents civil penalties assessed by the U.S. EPA and shall **not** be deductible for purposes of federal taxes.
54. Nothing in this CAFO shall be construed as prohibiting, altering or in any way limiting the ability of U.S. EPA to seek any other remedies or sanctions available by virtue of

Respondent's violation of this CAFO or the statutes and regulations upon which this CAFO is based, or for Respondent's violation of any applicable provision of law.

55. Pursuant to 31 U.S.C. § 3717, the U.S. EPA is entitled to assess interest and penalties on debts owed to the United States and a charge to cover the cost of processing and handling a delinquent claim. Interest will therefore begin to accrue on a civil or stipulated penalty if it is not paid by the last date required. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 4 C.F.R. § 102.13(c). A charge will be assessed to cover the costs of debt collection, including processing and handling costs and attorneys fees. In addition, a non-payment penalty charge of five (5) percent per year compounded annually will be assessed on any portion of the debt which remains delinquent more than ninety (90) days after payment is due. Any such non-payment penalty charge on the debt will accrue from the date the penalty payment becomes due and is not paid. 4 C.F.R. §§ 102.13(d) and (e).

Final Terms

56. This CAFO constitutes a settlement by Complainant of all claims for civil penalties pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), for the allegations in this CAFO. In consideration of the civil penalty payments to be made by Respondent, U.S. EPA covenants not to bring any administrative or civil judicial action against Respondent for civil penalties or injunctive relief based upon the allegations of this CAFO, except to enforce the terms and conditions of this CAFO.

57. Compliance with this CAFO shall not be a defense to any actions subsequently commenced pursuant to federal laws and regulations administered by the U.S. EPA, and it is the responsibility of Respondent to comply with such laws and regulations. Nothing in this CAFO shall be construed as prohibiting, altering, or in any way limiting the ability of U.S. EPA to issue such orders or to seek such injunctive relief as U.S. EPA deems necessary to protect human health or the environment, nor shall anything in this CAFO be construed as prohibiting, altering or in any way limiting the ability of U.S. EPA to take appropriate actions to address conditions that may present an imminent and substantial endangerment to human health or the environment.
58. Nothing in this CAFO is intended to operate in any way to resolve any criminal liability of the Respondent, nor shall anything in this CAFO be construed to operate in any way to resolve any criminal liability of the Respondent.
59. Respondent hereby reserves and retains any and all rights, defenses, and causes of action not explicitly and specifically waived in this CAFO. This CAFO amicably resolves the allegations of this CAFO and does not constitute an admission by Respondent of liability.
60. The effective date of this CAFO shall be the date on which the Final Order approving the Consent Agreement herein, as entered by the Acting Regional Administrator, Region 5, U.S. EPA, is filed with the Regional Hearing Clerk, U.S. EPA, Region 5.
61. This CAFO shall terminate thirty (30) days after Respondent's compliance with all of the terms and conditions set forth in paragraph 51 herein, and Respondent's submittal of all required documentation as set forth in paragraph 52 herein.

62. Each undersigned representative of the parties to this CAFO certifies that he or she is fully authorized by the party represented to enter into the terms and conditions of this CAFO and to execute and legally bind that party to it.
63. Each party shall bear its own costs and attorneys fees in connection with the action resolved by this CAFO.
64. This CAFO constitutes the entire agreement between the parties.
65. This CAFO constitutes a Final Order pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a).

V. SIGNATORIES

Each undersigned representative of a Party to this Consent Agreement and Final Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Agreement and Final Order and to legally bind such Party to this document.

**In the Matter of: Phibro-Tech, Inc., Joliet, Illinois.
Consent Agreement and Final Order.**

Agreed to this 25th day of August, 2008

By: W D Glover
W. Dwight Glover
President
For Phibro-Tech, Inc.
Respondent

Agreed to this 5th day of Sept., 2008

By: Margaret M. Guerriero
Margaret M. Guerriero
Director
Land and Chemicals Division
Complainant

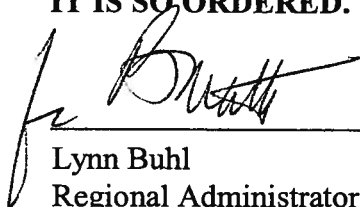
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U.S. ENVIRONMENTAL
PROTECTION AGENCY
AUG 27 2008
OFFICE OF REGIONAL
COUNSEL

FINAL ORDER

The terms of the foregoing Consent Agreement are hereby approved and incorporated by reference into this Final Order. Respondent, **Phibro-Tech, Inc., Joliet, Illinois**, agrees to comply with the foregoing terms of that Consent Agreement. That Consent Agreement, and this Final Order, dispose of this matter pursuant to section 22.18(b) of the Consolidated Rules of Practice, 40 C.F.R. § 22.18(b). This Order shall become effective immediately upon being filed with the Regional Hearing Clerk, U.S. EPA, Region 5.

IT IS SO ORDERED.



Lynn Buhl
Regional Administrator
Region 5
U.S. Environmental Protection Agency

9-11-08

Date

**U.S. ENVIRONMENTAL
PROTECTION AGENCY**

AUG 27 2008

**OFFICE OF REGIONAL
COUNSEL**

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CASE NAME: Phibro-Tech, Inc.
DOCKET NO: RCRA-05-2008-0014

CERTIFICATE OF SERVICE

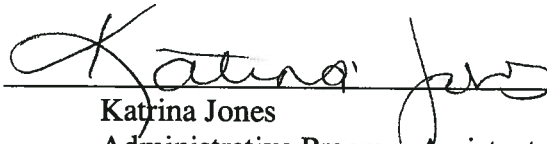
I hereby certify that today, I filed the original of this **Consent Agreement and Final Order** and this **Certificate of Service** in the office of the Regional Hearing Clerk (E-13J), United States Environmental Protection Agency, Region 5, 77 W. Jackson Blvd., Chicago, IL 60604-3590.

I further certify that I then caused true and correct copies of the filed document to be mailed via Certified Mail, Return Receipt Requested to the following:

Chris Wiernicki, Director
Environment, Health & Safety
Phibro-Tech, Inc.
2395 Cains Mill Road
Sumter, South Carolina 29145

Return Receipt # 7001 0320 0006 1448 7432

Dated: 9/15/08



Katrina Jones
Administrative Program Assistant
United States Environmental Protection Agency
Land and Chemicals Division -RCRA Branch
77 W. Jackson Boulevard – LR-8J
Chicago, IL 60604-3590
(312) 353-5882

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