



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 20 2017

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Miguel A. Barajas, Plant Manager
Johnson Controls Battery Group, Inc.
10300 Industrial Road
Holland, Ohio 43528

Dear Mr. Barajas:

Enclosed is a file-stamped Consent Agreement and Final Order (CAFO) which resolves Johnson Controls Battery Group, Inc., docket no. CAA-05-2017-0034. As indicated by the filing stamp on its first page, we filed the CAFO with the Regional Hearing Clerk on

July 20, 2017

Pursuant to paragraph 44 of the CAFO, Johnson Controls Battery Group, Inc., must pay the civil penalty within 30 days of the filing date. Your check must display the case name and case docket number.

Please direct any questions regarding this case to Jose Deleon, Attorney, 312-353-7456.

Sincerely,

A handwritten signature in cursive script that reads "Brian Dickens".

Brian Dickens, Chief
Air Enforcement and Compliance Assurance Section (MN/OH)

Enclosure

cc: Ann Coyle, Regional Judicial Officer/C-14J
Regional Hearing Clerk/E-19J
Jose Deleon /C-14J
Bob Hodanbosi, Ohio Environmental Protection Agency via electronic mail

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5



In the Matter of:) **Docket No. CAA-05-2017-0034**
)
Johnson Controls Battery Group, Inc.) **Proceeding to Assess a Civil Penalty**
Holland, Ohio,) **Under Section 113(d) of the Clean Air Act,**
) **42 U.S.C. § 7413(d)**
Respondent.)
_____)

Consent Agreement and Final Order

Preliminary Statement

1. This is an administrative action commenced and concluded under Section 113(d) of the Clean Air Act (the CAA), 42 U.S.C. § 7413(d), and Sections 22.1(a)(2), 22.13(b) and 22.18(b)(2) and (3) 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.

2. Complainant is the Director of the Air and Radiation Division, U.S. Environmental Protection Agency (EPA), Region 5.

3. Respondent is Johnson Controls Battery Group, Inc. (Johnson Controls), a corporation doing business in Ohio.

4. Where the parties agree to settle one or more causes of action before the filing of a complaint, the administrative action may be commenced and concluded simultaneously by the issuance of a consent agreement and final order (CAFO). 40 C.F.R. § 22.13(b).

5. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.

6. Respondent consents to the assessment of the civil penalty specified in this CAFO and to the terms of this CAFO.

Jurisdiction and Waiver of Right to Hearing

7. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations and legal conclusions in this CAFO.

8. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO and its right to appeal this CAFO.

Statutory and Regulatory Background

Ohio SIP

9. Each state must submit to the Administrator of EPA a plan for attaining and maintaining the National Ambient Air Quality Standards under Section 110 of the CAA, 42 U.S.C. § 7410.

10. On June 25, 2015, EPA approved Ohio Administrative Code (OAC) Rule 3745-31-02 of the federally enforceable state implementation plan (SIP) for Ohio. See 80 Fed. Reg. 36477.

11. OAC Rule 3745-31-02(A)(1)(b) states that no person shall cause, permit, or allow the installation or modification, and subsequent operation of any new source that is not part of a facility, as defined in Chapter 3745-77 of the Administrative Code, and that is not required to obtain a Title V permit, without first obtaining a Permit-to-Install and Operate (PTIO) from the director, Ohio Environmental Protection Agency (director).

12. On March 22, 2013, EPA approved Ohio Administrative Code (OAC) Rule 3745-31-05 of the federally enforceable Ohio SIP. See 78 Fed. Reg. 11748.

13. OAC Rule 3745-31-05(A)(1-3) states that the director shall issue a Permit-to-Install (PTI) or PTIO based on the information appearing in the application, information gathered by or furnished to the Ohio Environmental Protection Agency (OEPA), or both, if the director

determines that the installation, modification, or operation of the air contaminant source will: (1) not prevent or interfere with the attainment or maintenance of applicable ambient air quality standards; (2) not result in a violation of any applicable laws including, but not limited to, emission standards adopted by OEPA and Federal Standards of Performance for New Sources adopted by the administrator of the EPA pursuant to Section 111 of the CAA and the regulations promulgated thereunder; and (3) employ best available technology (BAT).

Facility Permits

14. OEPA issued Johnson Controls a Final PTIO, Number P0104478, on March 20, 2009 (PTIO 104478) which established conditions for the emission unit, Strip Caster Line 2 (P057).

15. PTIO 104478 states at condition C.13. that PM and lead emissions from P057 are controlled by an oil mist filter (Oil Mist Filter) vented to stack 274.

16. PTIO 104478 states at condition C.13.b)(1)a. that PM emissions from stack 274 shall not exceed 0.013 lbs/hr.

17. PTIO 104478 states at condition C.13.b)(1)a. that lead emissions from stack 274 shall not exceed 0.001 lbs/hr.

National Emission Standards for Hazardous Air Pollutants

18. Pursuant to Section 112(b) of the CAA, 42 U.S.C. § 7412(b), EPA designates hazardous air pollutants (HAP) which present or may present a threat of adverse effects to human health or the environment.

19. 42 U.S.C. § 7412(b)(1) lists chemicals classified as HAPs, including lead compounds.

20. Section 112(c) and (d) of the CAA, 42 U.S.C. § 7412(c) and (d), requires EPA to publish a list of categories of sources which EPA finds present a threat of adverse effects to

human health or the environment due to emissions of HAP, and to promulgate emission standards for each source category. These standards are known as NESHAPs. EPA codifies these requirements at 40 C.F.R. Part 63.

21. Section 112(d) of the CAA requires EPA to establish NESHAPs for both major and area sources of HAP that are listed for regulation under CAA section 112(c). A "major source" includes a "stationary source" that emits or has the potential to emit 10 tons per year (tpy) or more of any single HAP or 25 tpy or more of any combination of HAP. An "area source" is a "stationary source" that is not a major source. See Section 112(a) of the CAA, 42 U.S.C. § 7412(a).

22. A "stationary source" is any building, structure, facility, or installation that emits or may emit any air pollutant. See 42 U.S.C. § 7412(a).

23. The NESHAPs in 40 CFR Part 63 are national technology-based performance standards for HAP sources in each category that become effective on a specified date. The purpose of these standards is to ensure that all sources achieve the maximum degree of reduction in emissions of HAP that EPA determines is achievable for each source category.

24. Section 112(i)(3) of the CAA, 42 U.S.C. § 7412(i)(3), and 40 C.F.R. §§ 61.05 and 63.4, prohibits the owner or operator of any source from operating such source in violation of any NESHAP applicable to such source.

NESHAP for Lead Acid Battery Area Sources, 40 C.F.R. Part 63, Subpart PPPPPP

25. EPA promulgated the NESHAP for Lead Acid Battery Manufacturing Area Sources, effective July 16, 2007. See 72 Fed. Reg. 38913. The NESHAP for Lead Acid Battery Manufacturing Area Sources is codified at 40 C.F.R. Part 63, Subpart PPPPPP.

26. The NESHAP for Lead Acid Battery Manufacturing Area Sources establishes standards for lead, operating requirements, monitoring requirements, recordkeeping

requirements, and testing requirements associated with lead acid battery manufacturing. See 40 C.F.R. § 63.11423.

27. The NESHAP for Lead Acid Battery Manufacturing Area Sources, at 40 C.F.R. § 63.11422, provides that owners and operators of existing sources subject to the NESHAP must comply with the requirements for existing sources no later than June 16, 2008.

28. The NESHAP for Lead Acid Battery Manufacturing Area Sources at 40 C.F.R. § 63.11421 provides that the owner or operator of a lead acid battery facility is subject to this subpart if it owns or operates a lead acid manufacturing plant that is an area source of hazardous air pollutants (HAP) emissions as defined in Section 112(a) of the CAA.

29. The NESHAP for Lead Acid Battery Manufacturing Area Sources applies to each new or existing “affected source” which is defined as a lead acid battery manufacturing plant. See 40 C.F.R. § 63.11421(b).

30. The NESHAP for Lead Acid Battery Manufacturing Area Sources at 40 C.F.R. § 63.11423(b)(2)(ii) states that for any emissions point controlled by a fabric filter, “[y]ou must install, maintain, and operate a pressure drop monitoring device to measure the differential pressure drop across the fabric filter during all times when the process is operating.”

31. The NESHAP for Lead Acid Battery Manufacturing Area Sources at 40 C.F.R. § 63.11423(b)(2)(iv) states that “[f]abric filters equipped with a HEPA filter or other secondary filter are allowed to monitor less frequently, as specified in paragraph (b)(2)(iv)(A) [...] of this section.”

32. The NESHAP for Lead Acid Battery Manufacturing Area Sources at 40 C.F.R. § 63.11423(b)(2)(iv)(A) states that “[i]f you are using a pressure drop monitoring device to

measure the differential pressure drop across the fabric filter in accordance with paragraph (b)(2)(ii) of this section, you must record the pressure drop at least once per week.”

33. The NESHAP for Lead Acid Battery Manufacturing Area Sources at 40 C.F.R. § 63.11425(a) states that the general provisions in 40 C.F.R. Part 63, Subpart A which are applicable to Subpart P P P P P P are specified in Table 1 of the subpart.

34. The NESHAP for Lead Acid Battery Manufacturing Area Sources in Table 1 of Subpart P P P P P P lists 40 C.F.R. § 63.6(e)(1) as applicable to Subpart P P P P P P.

35. The NESHAPs general provisions at 40 C.F.R. § 63.6(e)(1)(i) states the following: “At all times, including periods of startup, shutdown, and malfunction, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions [...] Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, [...] review of operation and maintenance records, and inspection of the source.”

36. The Administrator of EPA (the Administrator) may assess a civil penalty of up to \$37,500 per day of violation up to a total of \$320,000 for CAA violations that occurred after December 6, 2013 through November 2, 2015 under Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), and 40 C.F.R. Part 19.

37. Section 113(d)(1) limits the Administrator’s authority to matters where the first alleged date of violation occurred no more than 12 months prior to initiation of the administrative action, except where the Administrator and the Attorney General of the United

States jointly determine that a matter involving a longer period of violation is appropriate for an administrative penalty action.

38. The Administrator and the Attorney General of the United States, each through their respective delegates, have determined jointly that an administrative penalty action is appropriate for the period of violations alleged in this CAFO.

EPA's Factual Allegations and Alleged Violations

39. Johnson Controls owns and operates a lead-acid battery facility at 10300 Industrial Road, Holland, Lucas County, Ohio (Facility) and has been operating at this location since before June 16, 2008.

40. Operations at the Facility include various lead and lead oxide processes, and their associated air pollution control devices. The chemicals that Johnson Controls processes, uses, or generates at the facility include a hazardous air pollutant, lead. Johnson Controls is subject to the Ohio SIP and the NESHAP for Lead Acid Battery Area Sources at the Facility.

41. On June 30, 2016, EPA issued to Johnson Controls a notice of violation and finding of violation (NOV/FOV). The NOV/FOV alleged violations of the Ohio SIP, the facility's Permits to Install and Operate, and the NESHAP, as follows:

- a. EPA alleged that Johnson Controls exceeded lead and particulate matter (PM) limits and failed to operate pollution controls for P057 on March 7, 2014, in violation of the Ohio SIP, OAC Rule 3745-31-05(A)(3), and PTIO 104478.
- b. EPA alleged that Johnson Controls failed to properly record operating parameters for a pollution control device at P086 and P087 from January 5 to January 28, 2014, in violation of the NESHAP for Lead Acid Battery Area Sources at 40 C.F.R. § 63.11423(b)(2)(iv)(A).

42. On August 23, 2016, representatives of Johnson Controls and EPA discussed the June 30, 2016 notice of violation and finding of violation.

Civil Penalty

43. Based on analysis of the factors specified in Section 113(e) of the CAA, 42 U.S.C. § 7413(e), the facts of this case and Respondent's cooperation and agreement to perform a supplemental environmental project, Complainant has determined that an appropriate civil penalty to settle this action is \$20,000.

44. Within 30 days after the effective date of this CAFO, Respondent must pay a \$20,000 civil penalty by sending a cashier's or certified check, payable to "Treasurer, United States of America," to:

U.S. EPA
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

or by sending a cashier's or certified check, payable to "Treasurer, United States of America," to:

U.S. Bank
Government Lockbox 979077
U.S. EPA Fines and Penalties
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, Missouri 63101

The check must note Respondent's name and the docket number of this CAFO.

45. Respondent must send a notice of payment that states Respondent's name and the docket number of this CAFO to EPA at the following addresses when it pays the penalty:

Attn: Compliance Tracker (AE-18J)
Air Enforcement and Compliance Assurance Branch
Air and Radiation Division
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Jose Deleon (C-14J)
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5

77 W. Jackson Boulevard
Chicago, Illinois 60604

Regional Hearing Clerk (E-19J)
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

46. This civil penalty is not deductible for federal tax purposes.

47. If Respondent does not pay timely the civil penalty or any stipulated penalties due under paragraph 62 below, EPA may request the Attorney General of the United States to bring an action to collect any unpaid portion of the penalty with interest, nonpayment penalties and the United States enforcement expenses for the collection action under Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5). The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.

48. Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any overdue amount from the date payment was due at a rate established by the Secretary of the Treasury pursuant to 26 U.S.C. § 6621(a)(2). Respondent must pay the United States enforcement expenses, including but not limited to attorneys' fees and costs incurred by the United States for collection proceedings. In addition, Respondent must pay a quarterly nonpayment penalty each quarter during which the assessed penalty is overdue. This nonpayment penalty will be 10 percent of the aggregate amount of the outstanding penalties and nonpayment penalties accrued from the beginning of the quarter. 42 U.S.C. § 7413(d)(5).

Supplemental Environment Project

49. By one year after the effective date of this Order, Respondent must complete a supplemental environmental project (SEP) designed to protect public health and the environment by installing and operating a monitoring and historical data recording system that exceeds the compliance requirements, as outlined below:

- a. Install Indusoft® software to record the differential pressure of the baghouses controlling six Automatic Battery Post Builder (APB) units in the Cast on Strap (COS) area of the facility.
- b. The Indusoft® software, in conjunction with pressure monitoring hardware, will monitor differential pressure across the emission control baghouses when the affected emission sources are in operation. Differential pressure is a process indicator.
- c. The Indusoft® software will allow for immediate alarm and notification in the event that differential pressure falls outside of operating ranges, allowing for a timelier response to any out-of-range incidents than required under federal regulations.

50. Respondent must spend at least \$26,000 to install, program, and commission the system, which will include a Programmable Logic Controller and other associated hardware necessary to monitor and record operating parameters as stated in paragraph 49, on all six APB emissions control units.

51. Respondent must continuously use or operate the Indusoft® system or an equivalent system following its installation.

52. Respondent certifies as follows:

I certify that Johnson Controls is not required to perform or develop the SEP by any law, regulation, order, or agreement or as injunctive relief as of the date that I am signing this CAFO. I further certify that Johnson Controls has not received, and is not negotiating to receive, credit for the SEP in any other enforcement action.

I certify that Johnson Controls is not a party to any open federal financial assistance transaction that is funding or could be used to fund the same activity as the SEP. I further certify that, to the best of my knowledge and belief after reasonable inquiry, there is no such open federal financial transaction that is funding or could be used to fund the same activity as the SEP, nor has the same activity been described in an unsuccessful federal financial assistance transaction proposal submitted to EPA within two years of the date that I am signing this CAFO (unless the project was barred from funding as statutorily ineligible). For purposes of this certification, the term "open federal financial assistance transaction" refers to a grant, cooperative agreement, loan, federally-guaranteed loan guarantee or other mechanism for providing federal financial assistance whose performance period has not expired.

53. EPA may inspect the facility at any time to monitor Respondent's compliance with this CAFO's SEP requirements.

54. Respondent must maintain copies of the underlying data for all reports submitted to EPA pursuant to this CAFO. Respondent must provide the documentation of any underlying data to EPA within 30 days of EPA's request for the information.

55. Respondent must submit a SEP completion report to EPA within 30 days of completion of the SEP in accordance with Paragraph 49(a-c), but no later than one year after the effective date of this CAFO. This report must contain the following information:

- a. Detailed description of the SEP as completed;
- b. Sample records of Indusoft® historical differential pressure compliance data from each of the six APB units;
- c. Description of any operating problems and the actions taken to correct the problems;
- d. Itemized cost of goods and services used to complete the SEP documented by copies of invoices, purchase orders or cancelled checks that specifically identify and itemize the individual cost of the goods and services;
- e. Certification that Respondent has completed the SEP in compliance with this CAFO; and
- f. Description of the environmental and public health benefits resulting from the SEP (quantify the benefits and pollution reductions, if feasible).

56. Respondent must submit all notices and reports required by this CAFO by first-class mail to the Compliance Tracker of the Air Enforcement and Compliance Assurance Branch at the address provided in paragraph 45, above.

57. In each report that Respondent submits as provided by this CAFO, it must certify that the report is true and complete by including the following statement signed by one of its officers:

I certify that I am familiar with the information in this document and that, based on my inquiry of those individuals responsible for obtaining the information, it is true and complete to the best of my knowledge. I know that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

58. Following receipt of the SEP completion report described in paragraph 55, above,

EPA must notify Respondent in writing that:

- a. It has satisfactorily completed the SEP and the SEP report;
- b. There are deficiencies in the SEP as completed or in the SEP report and EPA will give Respondent 30 days to correct the deficiencies; or
- c. It has not satisfactorily completed the SEP or the SEP report and EPA will seek stipulated penalties under paragraph 62.

59. If EPA exercises option b above, Respondent may object in writing to the deficiency notice within 10 days of receiving the notice. The parties will have 30 days from EPA's receipt of Respondent's objection to reach an agreement. If the parties cannot reach an agreement, EPA will give Respondent a written decision on its objection. Respondent will comply with any requirement that EPA imposes in its decision. If Respondent does not complete the SEP as required by EPA's decision, Respondent will pay stipulated penalties to the United States under paragraph 60, below.

60. If Respondent violates any requirement of this CAFO relating to the SEP, Respondent must pay stipulated penalties to the United States as follows:

- a. Except as provided in subparagraph b, below, if Respondent did not complete the SEP satisfactorily according to the requirements of this CAFO, Respondent must pay a penalty of \$15,000.
- b. If Respondent did not complete the SEP satisfactorily, but EPA determines that Respondent made good faith and timely efforts to complete the SEP and certifies, with supporting documents, that it spent at least 90 percent of the amount set forth in paragraph 50, Respondent will not be liable for any stipulated penalty under subparagraph a, above.

- c. If Respondent completed the SEP satisfactorily, but spent less than 90 percent of the amount set forth in paragraph 50, Respondent must pay a penalty of \$3000.
- d. If Respondent did not submit timely the SEP completion report Respondent must pay penalties in the following amounts for each day after the report was due until it submits the report:

<u>Penalty per violation per day</u>	<u>Period of violation</u>
\$50	1 st through 14 th day
\$75	15 th through 30 th day
\$100	31 st day and beyond

61. EPA's determinations of whether Respondent completed the SEP satisfactorily and whether Respondent made good faith and timely efforts to complete the SEP will bind Respondent.

62. Respondent must pay any stipulated penalties within 15 days of receiving EPA's written demand for the penalties. Respondent will use the method of payment specified in paragraphs 44 and 45, above, and will pay interest and nonpayment penalties on any overdue amounts.

63. Any public statement that Respondent makes referring to the SEP must include the following language: "Johnson Controls undertook this project under the settlement of the United States Environmental Protection Agency's enforcement action against Johnson Controls for alleged violations of the Clean Air Act."

64. If an event occurs which causes or may cause a delay in completing the SEP as required by this CAFO:

- a. Respondent must notify EPA in writing within 10 days after learning of an event which caused or may cause a delay in completing the SEP. The notice must describe the anticipated length of the delay, its cause(s), Respondent's past and proposed actions to prevent or minimize the delay and a schedule to carry out those actions. Respondent must take all reasonable actions to avoid or minimize any delay. If Respondent fails to

notify EPA according to this paragraph, Respondent may not receive an extension of time to complete the SEP.

- b. If the parties agree that circumstances beyond the control of Respondent caused or may cause a delay in completing the SEP, the parties will stipulate to an extension of time no longer than the period of delay.
- c. If EPA does not agree that circumstances beyond the control of Respondent caused or may a delay in completing the SEP, EPA will notify Respondent in writing of its decision and any delays in completing the SEP will not be excused.
- d. Respondent has the burden of proving that circumstances beyond its control caused or may cause a delay in completing the SEP. Increased costs for completing the SEP will not be a basis for an extension of time under subparagraph b, above. Delay in achieving an interim step will not necessarily justify or excuse delay in achieving subsequent steps.

65. For federal income tax purposes, Respondent will neither capitalize into inventory or basis, nor deduct any costs or expenditures incurred in performing the SEP.

General Provisions

66. Consistent with the Standing Order Authorizing E-Mail Service of Orders and Other Documents Issued by the Regional Administrator or Regional Judicial Officer under the Consolidated Rules, dated March 27, 2015, the parties consent to service of this CAFO by e-mail at the following e-mail addresses: deleon.jose@epa.gov (for Complainant), and SRichmond@bdlaw.com (for Respondent). The parties waive their right to service by the methods specified in 40 C.F.R. § 22.6.

67. This CAFO resolves only Respondent's liability for federal civil penalties for the violations alleged in this CAFO and in the NOV/FOV.

68. The CAFO does not affect the rights of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violation of law or Respondent's right to assert any defense thereto.

69. This CAFO does not affect Respondent's responsibility to comply with the CAA and other applicable federal, state and local laws. Except as provided in paragraph 67, above, compliance with this CAFO will not be a defense to any actions subsequently commenced pursuant to federal laws administered by EPA.

70. Respondent certifies that to the best of its knowledge it is complying fully with OAC Rule 3745-31-05(A)(3) and 40 C.F.R. § 63.11423(b)(2)(iv)(A) at the Facility as of the date of its signature on this CAFO.

71. This CAFO constitutes an "enforcement response" as that term is used in EPA's Clean Air Act Stationary Civil Penalty Policy to determine Respondent's "full compliance history" under Section 113(e) of the CAA, 42 U.S.C. § 7413(e).

72. The terms of this CAFO bind Respondent, its successors and assigns.

73. Each person signing this consent agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

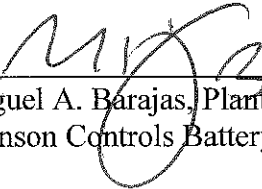
74. Each party agrees to bear its own costs and attorneys' fees in this action.

75. This CAFO constitutes the entire agreement between the parties.

76. This CAFO will terminate one year from the effective date.

Johnson Controls Battery Group, Inc., Respondent

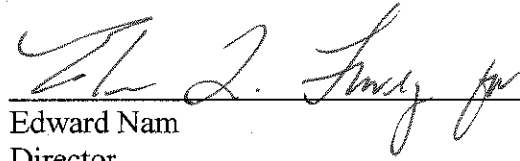
06/21/2017
Date



Miguel A. Barajas, Plant Manager
Johnson Controls Battery Group, Inc.

United States Environmental Protection Agency, Complainant

7/18/17
Date



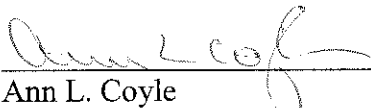
Edward Nam
Director
Air and Radiation Division
U.S. Environmental Protection Agency, Region 5

Consent Agreement and Final Order
In the Matter of: Johnson Controls Battery Group, Inc.
Docket No. CAA-05-2017-0034

Final Order

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31. IT IS SO ORDERED.

July 18, 2017
Date



Ann L. Coyle
Regional Judicial Officer
U.S. Environmental Protection Agency
Region 5

Consent Agreement and Final Order
In the matter of: Johnson Controls Battery Group, Inc.
Docket Number: [CAA-05-2017-0034]

CERTIFICATE OF SERVICE

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, docket number [CAA-05-2017-0034], which was filed on [July 20, 2017], in the following manner to the following addressees:

Copy by Certified Mail to
Respondent:

Miguel A. Barajas
Johnson Controls Battery Group, Inc.
10300 Industrial Road
Holland, Ohio 43528

Copy by E-mail to
Attorney for Complainant:

Jose Deleon
deleon.jose@epa.gov

Copy by E-mail to
Attorney for Respondent:

Stephen Richmond
srichmond@bdlaw.com

Copy by E-mail to
Regional Judicial Officer:

Ann Coyle
coyle.ann@epa.gov

Dated: July 20, 2017


LaDawn Whitehead
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 5

CERTIFIED MAIL RECEIPT NUMBER(S): 7009 1680 0000 7662 6866