



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

REPLY TO THE ATTENTION OF:

LR-8J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED 7009 1680 0000 7665 5217

Mr. Terry Zarowny
Owner
Century Environmental Resources, Inc.
228 Beacon Place
Munster, Indiana 46321

Re: Consent Agreement and Final Order
Century Environmental Resources, Inc.
Docket No: **RCRA-05-2010-0024**

Dear Mr. Zarowny:

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 9/23/2010 with the Regional Hearing Clerk (RHC).

Please remit the first of four (4) installments of the \$6,380 civil penalty, as prescribed in paragraphs 62 and 63 of the CAFO, and reference all checks with the number **BD 2751059R018** and docket number **RCRA-05-2010-0024**. Also, enclosed is a *Notice of Securities and Exchange Commission Registrant's Duty to Disclose Environmental Legal Proceedings*.

Thank you for your cooperation in resolving this matter.

Sincerely,

A handwritten signature in black ink that reads "Paul J. Little".

Paul J. Little
Acting Chief, RCRA Branch
Land and Chemicals Division

Enclosures

cc: Todd Marvel, Illinois Environmental Protection Agency (w/CAFO)

writing bureau # 21010314

**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.

bcc: Diana Embil, ORC, C-14J (w/CAFO)

Dilling 27510592018

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

RCRA-05-2010-0024

In the Matter of:)
)
Century Environmental Resources, Inc.)
13005 Hamlin Court)
Alsip, Illinois 60658)
U.S. EPA ID No.: ILD099215303,)
)
Respondent.)
_____)

Docket No.)
Proceeding to Commence and Conclude)
an Action to Assess a Civil Penalty)
Under Section 3008(a) of the Resource)
Conservation and Recovery Act,)
42 U.S.C. § 6928(a))

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

Consent Agreement and Final Order

Preliminary Statement

1. This is an administrative action commenced and concluded under Section 3008(a) of the Solid Waste Disposal Act, as amended, also known as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a), and Sections 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. The Complainant is the Director of the Land and Chemicals Division, United States Environmental Protection Agency (U.S. EPA), Region 5.
3. U.S. EPA provided notice of commencement of this action to the State of Illinois pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).
4. Respondent is Century Environmental Resources, Inc., a corporation doing business in the State of Illinois.

5. 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).

6. 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.

7. 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

8. Sections 3006 and 3008 of RCRA, 42 U.S.C. §§ 6926 and 6928 provide EPA with jurisdiction to take this action.

9. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations in this CAFO.

10. 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.

11. Respondent certifies that it is complying fully with RCRA, 42 U.S.C. §§ 6901 – 6992k, and the regulations at 40 C.F.R. Parts 260 – 279.

Statutory and Regulatory Background

12. U.S. EPA has promulgated regulations, codified at 40 C.F.R. Parts 260 through 279, governing generators and transporters of hazardous waste and facilities that treat, store, and dispose of hazardous waste, pursuant to Sections 3001 – 3007, and 3013, among others, of RCRA, 42 U.S.C. §§ 6921 – 6927, and 6934.

13. 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 any state provision authorized pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, 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.

14. 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).

15. Under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), U.S. EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified period of time, or both. The Administrator of U.S. EPA may assess a civil penalty of up to \$25,000 per day for each violation of Subtitle C of RCRA according to Section 3008 of RCRA, 42 U.S.C. § 6928. The Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 note (1996), requires U.S. EPA to adjust its penalties for inflation on a periodic basis. Pursuant to the Civil Monetary Penalty Inflation Adjustment Rule, published at 40 C.F.R. Part 19, U.S. EPA may assess a civil penalty of up to \$32,500 per day for each violation of Subtitle C of RCRA that occurred after March 15, 2004 through January 12, 2009.

Factual Allegations and Alleged Violations

16. Respondent was and is a "person" as defined by Title 35 of the Illinois Administrative Code (35 IAC) Section 720.110, 40 C.F.R. § 260.10, and Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

17. Respondent is the “owner” or “operator,” as those terms are defined under 35 IAC § 720.110 and 40 C.F.R. § 260.10, of a facility located at 13005 Hamlin Court, Alsip, Illinois, 60658 (facility).

18. On September 26, 2008, U.S. EPA conducted an inspection of the facility.

19. The facility consists of land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste.

20. On January 19, 2005, the Illinois Environmental Protection Agency (IEPA) issued Respondent’s facility a Hazardous Waste Management RCRA Permit (hereinafter referred to as the “State portion of the RCRA Permit”), effective February 23, 2005, and expiring on January 19, 2015.

21. On or about March 16, 2007, the IEPA approved transfer of the State portion of the RCRA Permit to Respondent.

22. On or about January 13, 2005, the U.S. EPA also issued to Respondent’s facility a RCRA Permit (hereinafter referred to as the “Federal portion of the RCRA Permit”) effective February 23, 2005, and expiring on January 19, 2015.

23. On or about April 19, 2007, the U.S. EPA approved transfer of the Federal portion of the RCRA permit to Respondent.

24. The Federal portion of the RCRA Permit was issued to address Federal RCRA regulations for which the State of Illinois had not yet been authorized.

25. Respondent’s entire RCRA permit consists of the terms and conditions stated in both the State and Federal portions.

26. Section III, paragraph 5, of the State portion of the RCRA Permit; Section I, paragraph I.E.1, of the Federal portion of the RCRA Permit; and the regulations at 35 IAC

§ 702.141 and 40 C.F.R. § 270.30(a) require Respondent to comply with all conditions of its RCRA Permit except to the extent and for the duration that an emergency permit authorizes noncompliance.

27. Any violation of Respondent's RCRA Permit, constitutes a violation of RCRA, and is grounds for enforcement action; permit revocation or modification; or for denial of a permit renewal application. 35 IAC § 702.141 [40 C.F.R. § 270.30(a)]; Section III, paragraph 5 of the State portion of the RCRA Permit; and Section I, paragraph I.E.1 of the Federal portion of the RCRA Permit.

28. Respondent is subject to the regulations promulgated pursuant to Subtitle C of RCRA, 42 U.S.C. §§ 6921 - 6939e, or the analogous Illinois regulations as part of the applicable state hazardous waste management program for the State of Illinois, or both.

Count 1

Failure to Properly Stack Containers of Hazardous Waste

29. Complainant incorporates paragraphs 1 through 28 of this CAFO as though set forth in full in this paragraph.

30. Section I.E.4.b of the State portion of the RCRA Permit requires that stacked containers of hazardous waste be separated by a pallet or other dunnage to provide stability and prevent excessive stress on container walls.

31. At the time of the inspection, four containers of hazardous waste consisting of spent x-ray film were stacked two-containers-high at the Outdoor Container Storage Area.

32. The top two containers were not separated from the bottom two containers by any pallets or other dunnage.

33. Therefore, Respondent violated Section I.E.4.b of the State portion of its RCRA Permit.

Count 2

Failure to Maintain RCRA Training Documents at Facility

34. Complainant incorporates paragraphs 1 through 28 of this CAFO as though set forth in full in this paragraph.

35. Section III.33 of the State portion of the RCRA Permit requires Respondent to conduct personnel training as required by 35 IAC § 724.116 [40 C.F.R. § 264.16] and maintain training documents and records as required by 35 IAC § 724.116(d) and (e) [40 C.F.R. § 264.16(d) and (e)].

36. Section III.26.b of the State portion of the RCRA Permit requires Respondent to maintain, at the facility, personnel training documents and records as required by 35 IAC § 724.116(d) [40 C.F.R. § 264.16(d)], and Respondent's RCRA Permit.

37. 35 IAC § 724.116(a) [40 C.F.R. § 264.16(a)] requires that facility personnel successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of RCRA. This program must be directed by a person trained in hazardous waste management procedures, and must include instruction that teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed.

38. Facility personnel must take part in an annual review of their initial training.
35 IAC § 724.116(c) [40 C.F.R. 264.16(c)].

39. 35 IAC § 724.116(d) [40 C.F.R. § 264.16(d)] requires that the following documents and records relating to personnel training be maintained at the facility:

- a. the job title for each position at the facility relating to hazardous waste management and the name of the employee filling each job;
- b. a written job description for each position at the facility relating to hazardous waste management, which may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the requisite skill, education or other qualifications, and duties of employees assigned to each position;
- c. a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position at the facility relating to hazardous waste management; and
- d. records that document that the training or job experience required under 35 IAC §§ 724.116(a), (b) and (c) [40 C.F.R. §§ 264.16(a), (b) and (c)] has been given to and completed by facility personnel.

40. At the time of the inspection, Respondent did not maintain the personnel training documents and records identified in paragraph 39, above, at its facility for training required in the years 2005 through 2008.

41. Therefore, Respondent violated Sections III.26.b and III.33 of the State portion of the RCRA Permit.

Count 3

Failure to Maintain Copy of Contingency Plan at the Facility

42. Complainant incorporates paragraphs 1 through 28 of this CAFO as though set forth in full in this paragraph.

43. Sections III.26.c and III.42 of the State portion of the RCRA Permit requires Respondent to maintain a copy of its contingency plan and any revisions on-site at its facility.

44. At the time of the inspection, Respondent did not maintain a copy of its contingency plan on-site at the facility.

45. Therefore, Respondent violated Sections III.26.c and III.42 of the State portion of its RCRA Permit.

Count 4

Failure to maintain closure plan and updated cost estimate for closure at the facility

46. Complainant incorporates paragraphs 1 through 28 of this CAFO as though set forth in full in this paragraph.

47. Section III.26.d of the State portion of the RCRA Permit requires that Respondent maintain, at the facility, a copy of its closure plan as required by 35 IAC 724.212(a) [40 C.F.R. § 264.112(a)] and its RCRA Permit.

48. Section III.26.e of the State portion of the RCRA Permit requires that it maintain, at the facility, a copy of the cost estimate for facility closure as required by 35 IAC § 724.242(d) [40 C.F.R. 264.142(d)] and its RCRA Permit.

49. Section III.54.c of the State portion of the RCRA Permit requires that the original facility closure cost estimate, prepared in accordance with 35 IAC § 724.242 [40 C.F.R. § 264.142], be kept at the facility and updated (i.e., annually for inflation and at any other time

there is a change in the facility's closure plan increasing the cost of closure).

50. At the time of the inspection, Respondent did not maintain a copy of its closure plan at the facility.

51. At the time of the inspection, Respondent did not have the updated (for inflation) cost estimate for closure at the facility.

52. Therefore, Respondent violated Sections III.26.d, III.26.e, and III.54.c of the State portion of the RCRA Permit.

Count 5

Failure to Maintain Inspection Records

53. Complainant incorporates paragraphs 1 through 28 of this CAFO as though set forth in full in this paragraph.

54. Section I.F of the State portion of the RCRA Permit requires that Respondent inspect its container storage areas in accordance with the inspection schedule identified in Attachment B of its RCRA Permit.

55. Section II.F of the State portion of the RCRA Permit requires that Respondent inspect its tank systems in accordance with the inspection schedule in Attachment B of the RCRA Permit.

56. Section I.F.5 of the State portion of the RCRA Permit requires that all inspections and the activities undertaken to correct deficiencies be documented in the facility operating record.

57. Section III.32 of the State portion of the RCRA Permit requires that Respondent follow the approved inspection schedule and that records of inspections be kept as required by 35 IAC § 724.115(d) [40 C.F.R. § 264.15(d)].

58. 35 IAC § 724.115(d) [40 C.F.R. § 264.15(d)] requires that the owner or operator of a facility record inspections in an inspection log or summary. The owner or operator must keep these records for at least three years from the date of inspection. At a minimum, these records must include the date and time of the inspection, the name of the inspector, a notation of the observations made and the date and nature of any repairs or other remedial actions.

59. At the time of the inspection, Respondent did not have records of facility inspections for the year 2008.

60. Therefore, Respondent violated Sections I.F.5 and III.32 of the State portion of its RCRA Permit.

Civil Penalty

61. Pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), Complainant determined that an appropriate civil penalty to settle this action is \$6,380. In determining the penalty amount, Complainant took into account the seriousness of the violation and any good faith efforts to comply with the applicable requirements. Complainant also considered U.S. EPA's RCRA Civil Penalty Policy, dated June 23, 2003.

62. Respondent must pay a \$6,380 civil penalty in four (4) installments with interest as follows:

<u>Installment</u>	<u>Due By</u>	<u>Payment Due</u>	<u>Principal</u>	<u>Interest</u>
Payment #1	Within 30 days of effective date of CAFO	\$1,595.00	\$1,595.00	\$0.00
Payment #2	Within 120 days of effective date of CAFO	\$1,606.80	\$1,595.00	\$11.80
Payment #3	Within 240 days of effective date of CAFO	\$1,605.49	\$1,595.00	\$10.49
Payment #4	Within 360 days of effective date of CAFO	\$1,600.24	\$1,595.00	\$5.24
Totals		\$6,407.53	\$6,380.00	\$27.53

Respondent must pay the installments by sending cashier's checks, payable to "Treasurer, United States of America," to:

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

The check must state the case name, the docket number of this CAFO and the billing document number.

63. A transmittal letter, stating, Respondent's name, the case title, Respondent's complete address, the case docket number and the billing document number must accompany the payment. Respondent must send a copy of the check and transmittal letter to:

Regional Hearing Clerk (E-19J)
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, IL 60604

Todd C. Brown (LR-8J)
RCRA Branch
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, IL 60604

and,

Diana Embil (C-14J)
Office of Regional Counsel
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, IL 60604

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

65. If Respondent does not pay an installment payment as set forth in paragraph 62, above, or timely pay any stipulated penalties due under paragraph 66, below, the entire unpaid balance of the civil stipulated penalties and any amount required by paragraph 66, below, shall become due and owing upon written notice by U.S. EPA to Respondent of the delinquency. U.S. EPA may bring an action to collect any unpaid portion of the penalty with interest, handling charges, nonpayment penalties, and the United States enforcement expenses for the collection action. The validity, amount, and appropriateness of the civil penalty are not reviewable in a collection action.

66. Pursuant to 31 C.F.R. § 901.9, Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any amount overdue from the date payment was due at a rate established by the Secretary of the Treasury pursuant to 31 U.S.C.

§ 3717(a)(1). Respondent must pay a \$15 handling charge each month that any portion of the penalty is more than 30 days past due. In addition, Respondent must pay a 6 percent per year penalty on any principal amount 90 days past due.

Compliance Order

67. Based on the foregoing, Respondent is hereby ordered-- pursuant to authority in 3008(a) of RCRA, 42 U.S.C. § 6928(a), and § 22.37(b) of the Consolidated Rules-- to comply with the following requirements immediately upon the effective date of this Order.

68. Respondent will comply with the container management conditions in section I.E of the State portion of the RCRA permit.

69. Respondent will maintain RCRA personnel training records and documents at its facility, as required by sections III.26.b and III.33 of the State portion of the RCRA permit, and 35 IAC §§ 724.116(d) and (e) [40 C.F.R. §§ 264.116(d) and (e)]. In accordance with 35 IAC § 724.116(d) [40 C.F.R. § 264.116(d)], these records must include:

- a. the job title for each position at the facility relating to hazardous waste management and the name of the employee filling each job;
- b. a written job description for each position at the facility relating to hazardous waste management, which may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the requisite skill, education or other qualifications, and duties of employees assigned to each position;

c. a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position at the facility relating to hazardous waste management; and

d. records that document that the training or job experience required under 35 IAC §§ 724.116(a), (b) and (c) [40 C.F.R. §§ 264.16(a), (b) and (c)] has been given to and completed by facility personnel.

70. Within 30 days of the effective date of this CAFO, Respondent will provide copies of the documents and records described under items a, b, and c in paragraph 69, above, to the U.S. EPA.

71. Respondent will maintain, at its facility, a copy of its hazardous waste contingency plan and any revisions in accordance with Sections III.26.c and III.42 of the State portion of the RCRA Permit.

72. Respondent will maintain, at its facility, a copy of its closure plan as required by Section III.26.d of the State portion of the RCRA permit.

73. Respondent will maintain on record, at the facility, the cost estimate for facility closure as required by Sections III.26.e and III.54.c of the State portions of the RCRA permit.

74. Respondent will adjust and update the cost estimate for facility closure annually for inflation and whenever there is a change in the facility's closure plan increasing the cost of closure, as required by Section III.54 of the State portion of the RCRA permit. Respondent will maintain the adjusted or updated cost estimates for facility closure at the facility.

75. Within 30 days of the effective date of this CAFO, Respondent will provide a copy of the current updated cost of closure, adjusted for inflation, to the U.S. EPA.

76. Respondent will maintain, at the facility, facility inspection records as required by

Sections I.F.5 and III.32 of the State portion of the RCRA Permit and 35 IAC § 724.115(d) [40 C.F.R. § 264.15(d)]. Respondent must keep these records for at least three years from the date of inspection. At a minimum, these records must include the date and time of the inspection, the name of the inspector, a notation of the observations made and the date and nature of any repairs or other remedial actions.

77. Respondent shall submit all reports, submissions, and notifications required by this Compliance Order to the United States Environmental Protection Agency, Region 5, Land and Chemicals Division, RCRA Branch, Attention: Todd C. Brown (LR-8J), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590.

General Provisions

78. This CAFO resolves only Respondent's liability for federal civil penalties for the violations and facts alleged in this CAFO.

79. This CAFO does not affect the right of U.S. EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.

80. This CAFO does not affect Respondent's responsibility to comply with RCRA and other applicable federal, state, local laws or permits.

81. This CAFO is a "final order" for purposes of 40 C.F.R. § 22.31, U.S. EPA's RCRA Civil Penalty Policy, and U.S. EPA's Hazardous Waste Civil Enforcement Response Policy (December 2003).

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

83. Each person signing this 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.

84. Each party agrees to bear its own costs and attorney's fees in this action.

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

Century Environmental Resources, Inc., Respondent

09/07/10
Date

Terry Zarowny
Mr. Terry Zarowny
Owner
Century Environmental Resources, Inc.

United States Environmental Protection Agency, Complainant

9/20/10
Date

Bruce F. Sypniewski
Bruce F. Sypniewski
Acting Director
Land and Chemicals Division

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SEP 23 2010


REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

In the Matter of:
Century Environmental Resources, Inc.
Docket No. RCRA-05-2010-0024

Billing Docket # 27510592018
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.

9-21-10
Date


Susan Hedman
Regional Administrator
United States Environmental Protection Agency
Region 5

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**REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY**