



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590
September 30, 2013

REPLY TO THE ATTENTION OF:

LC- 8J

CERTIFIED MAIL: No.7009 1680 0000 7668 1759
RETURN RECEIPT REQUESTED

Mr. Russ Garrison
The Stepan Company
22 West Frontage Road
Northfield, Illinois 60093

Consent Agreement and Final Order In the Matter of
The Stepan Company, Docket No. FIFRA-05-2013-0017

Mr. Garrison:

Enclosed please find a copy of a fully executed Consent Agreement and Final Order, in resolution of the above case. This document was filed on September 30, 2013 with the Regional Hearing Clerk.

The civil penalty in the amount of \$42,900 is to be paid in the manner described in paragraphs 9 and 10. Please be certain that the docket number is written on both the transmittal letter and on the check. Payment is due by October 30, 2013 (within 30 calendar days of the filing date).

Thank you for your cooperation in resolving this matter.

Sincerely,

A handwritten signature in cursive script that reads "Terence Bonace".

Terence Bonace
Pesticides and Toxics Compliance Section

Enclosures

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:)

Stepan Company)
Northfield, Illinois)

Respondent.)
_____)

) Docket No. FIFRA-05-2013-0017

) Proceeding to Assess a Civil Penalty
) Under Section 14(a) of the Federal
) Insecticide, Fungicide, and Rodenticide
) Act, 7 U.S.C. § 136l(a)
)
)
)
)



Consent Agreement and Final Order

Preliminary Statement

1. Complainant, the Director of the Land and Chemicals Division, United States Environmental Protection Agency (EPA), Region 5, brought this administrative action seeking a civil penalty under Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. § 136l(a).

2. On July 22, 2013, EPA filed a Complaint against Respondent, Stepan Company (Stepan). The Complaint alleges that Respondent violated Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E), because its agent, Betco Corporation (Betco), distributed or sold an adulterated pesticide on six occasions.

Stipulations

3. Respondent admits the jurisdictional allegations in the Complaint and neither admits nor denies the factual allegations in the Complaint.

4. Respondent waives any right to contest the allegations in the Complaint and its right to appeal this Consent Agreement and Final Order (CAFO).

5. Respondent certifies that it is complying fully with FIFRA, 7 U.S.C. §§ 136-136y

and its implementing regulations.

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

7. The parties agree that settling this action without further litigation, in accordance with the terms of this CAFO, is in the public interest.

Civil Penalty

8. Respondent agrees to pay the the proposed penalty of \$42,900.

9. Within 30 days after the effective date of this CAFO, Respondent must pay a \$42,900 civil penalty for its FIFRA violations. Respondent must pay the penalty by electronic funds transfer, payable to the "Treasurer, United States of America," and sent to:

Federal Reserve Bank of New York
ABA No. 021030004
Account No. 68010727
SWIFT address FRNYUS33
33 Liberty Street
New York, New York 10045
Field Tag 4200 of the Fedwire message should read:
"D 68010727 Environmental Protection Agency"

In the comment or description field of the electronic funds transfer, state Stepan Company and the docket number of this CAFO.

10. Respondent must send a notice of payment that includes Respondent's name and the case docket number to EPA at the following addresses when it pays the penalty:

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

Terence Bonace (LC-8J)
Pesticides and Toxics Compliance Section
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, IL 60604

Nidhi K. O'Meara (C-14J)
Office of Regional Counsel
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, IL 60604

11. This civil penalty is not deductible for federal tax purposes.
12. If Respondent does not pay the civil penalty in a timely manner, EPA may refer the matter to the Attorney General who will recover such amount by action in the appropriate United States district court under Section 14(a)(5) of FIFRA, 7 U.S.C. § 136l(a)(5). The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.
13. 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. 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.

General Provisions

14. This CAFO resolves only Respondent's liability for federal civil penalties for the violations alleged in the Complaint.
15. This 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.
16. This CAFO does not affect Respondent's responsibility to comply with FIFRA and

other applicable federal, state and local laws.

17. This CAFO is a "Final Order" for purposes of EPA's FIFRA Enforcement Response Policy.

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

19. 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.

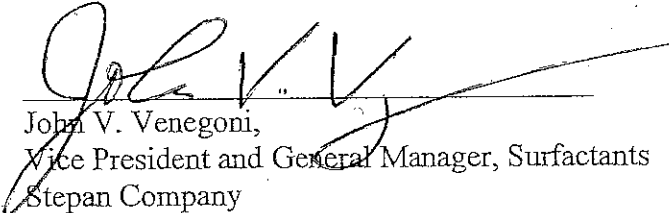
20. Each party agrees to bear its own costs and attorneys fees in this action.

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

In the Matter of:
Stepan Company
Docket No. FIFRA-05-2013-0017

Stepan Company, Respondent

September 4, 2013
Date

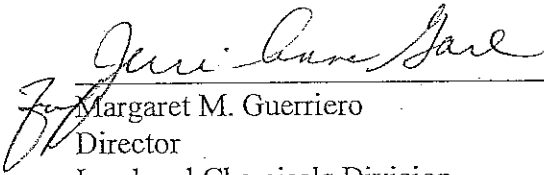


John V. Venegoni,
Vice President and General Manager, Surfactants
Stepan Company

In the Matter of:
Stepan Company
Docket No. FIFRA-05-2013-0017

United States Environmental Protection Agency, Complainant

9.20.13
Date


Margaret M. Guerriero
Director
Land and Chemicals Division

In the Matter of:
Stepan Company
Docket No. FIFRA-05-2013-0017

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.

9-26-13
Date



Susan Hedman
Regional Administrator
U.S. Environmental Protection Agency
Region 5



CERTIFICATE OF SERVICE

I hereby certify that the original signed copy of the Consent Agreement and Final Order in resolution of the civil administrative action involving The Stepan Company, was filed on September 30, 2013, with the Regional Hearing Clerk (E-19J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604, and that I mailed by Certified Mail, Receipt No. 7009 1680 0000 7668 1759, a copy of the original to the Respondent:

Mr. Russ Garrison
The Stepan Company
22 West Frontage Road
Northfield, Illinois 60093

and forwarded copies (intra-Agency) to:

Ann Coyle, Regional Judicial Officer, ORC/C-14J
Nidhi O'Meara, Regional Judicial Officer, ORC/C-14J
Eric Volck, Cincinnati Finance/MWD

Frederick Brown

Frederick Brown
Pesticides and Toxics Compliance Section
U.S. EPA - Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Docket No. FIFRA-05-2013-0017

