



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

APR 29 2014

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Paul Powers  
General Manager  
Environmental Remedies, LLC  
460 Sawtell Avenue  
Atlanta, Georgia 30315

RE: Environmental Remedies, LLC  
Consent Agreement and Final Order - Docket No. RCRA-04-2014-4000(b)

Dear Mr. Powers:

Enclosed is a copy of the executed CA/FO as filed with the Regional Hearing Clerk (RHC) in the above-referenced matter. The CA/FO is effective on the date it is filed with the RHC, and the penalty due date is calculated from the effective date.

Also enclosed is a document entitled "Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings." This document puts Environmental Remedies, LLC on notice of its potential duty to disclose to the Securities Exchange Commission any environmental actions taken by the United States Environmental Protection Agency.

If you have any questions, please feel free to contact Roberto X. Busó, Associate Regional Counsel, at (404) 562-8530.

Sincerely,

A handwritten signature in black ink, appearing to read "César Zapata".

César Zapata, Chief  
RCRA and OPA Enforcement and Compliance  
Branch

Enclosures

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4**

IN THE MATTER OF:	)	Docket Number: RCRA-04-2014-4000(b)
	)	
Environmental Remedies, LLC	)	Proceeding under Section 3008(a) of the
460 Sawtell Avenue	)	Resource Conservation and Recovery Act
Atlanta, Georgia 30315	)	42 U.S.C. § 6928(a)
EPA ID No.: GAR 000 031 823	)	
	)	
RESPONDENT	)	
	)	
_____	)	

2014 APR 29 PM 3:39  
RECEIVED  
EPA REGION IV  
HEARING CLERK

**CONSENT AGREEMENT**

1. The U.S. Environmental Protection Agency (“EPA”) alleges that Environmental Remedies, LLC, owner and operator of the facility at 460 Sawtell Avenue, Atlanta, Georgia (the “Facility”), violated the hazardous waste generator requirements of Sections 12-8-60 through 12-8-83 of the Georgia Hazardous Waste Management Act (“GHWMA”), GA. CODE ANN. § 12-8-60 *et seq.* (Subtitle C of the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. §§ 6921-6939e). This action seeks civil penalties pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), for alleged violations of GA. CODE ANN. § 12-8-66(a) (Section 3005(a) of RCRA, 42 U.S.C. § 6925), and the regulations promulgated pursuant thereto, set forth in the Georgia Hazardous Waste Management Rules (“GHWMR”), codified at GA. COMP. R. AND REGS. r. 391-3-11-.01 through 391-3-11-.18 (Title 40 of the Code of Federal Regulations (“C.F.R.”), Parts 260-270).
2. Under the GHWMR, Respondent was required to comply with the following requirement at its Facility at the time of the EPA RCRA Compliance Evaluation Inspection (“CEI”) conducted on May 22, 2013:
  - a. Pursuant to Chapter 391-3-11-.08 of the GHWMR (40 C.F.R. § 262.11), a person who generates a solid waste must determine if that waste is a hazardous waste. At the time of the CEI, the EPA inspector determined that the facility had failed to make a hazardous waste determination on sludges generated by the treatment of electroplating wastewaters at the Facility.
3. Therefore, the EPA alleges that Respondent violated Chapter 391-3-11-.08 of the GHWMR (40 C.F.R. § 262.11) by failing to make a hazardous waste determination on solid waste generated at its Facility.

4. The EPA and Respondent agree that settlement of this matter for a penalty of FIVE THOUSAND SEVEN HUNDRED AND SIXTY DOLLARS (\$5,760.00) is in the public interest.
5. The EPA is authorized to enter into this Consent Agreement pursuant to Section 3008 of RCRA and 40 C.F.R. § 22.13(b).
6. In signing this Consent Agreement, Respondent: (1) admits that Respondent is subject to the jurisdictional allegations set forth in the paragraphs above pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928; (2) admits that the EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (3) neither admits nor denies the factual allegations contained herein; (4) consents to the assessment of this penalty; and (5) waives any right to contest the allegations contained herein and its right to appeal the proposed order accompanying this Consent Agreement.
7. By its signature below Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the alleged violation has been corrected, and (2) Respondent will pay the proposed penalty and submit proof of payment of the civil penalty with this Agreement.
8. The civil penalty of FIVE THOUSAND SEVEN HUNDRED AND SIXTY DOLLARS (\$5,760.00), which shall be paid within 30 days of the effective date of this agreement, in accordance with the EPA Region 4 Penalty Collection Procedures provided to the Respondent.
9. Respondent must send proof of payment, noting the title and docket number for this action, to the following address:  
  
Ms. Patricia Bullock  
Regional Hearing Clerk  
U.S. EPA - Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303-8960  
  
With a copy to:  
Ms. Quantindra Smith  
RCRA and OPA Enforcement and Compliance Branch  
U.S. EPA - Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303-8960
10. Payment of the civil penalty shall constitute full settlement of the civil claim(s) alleged herein.
11. The EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or for matters covered by this Agreement if Respondent fails to comply with its obligations under this Agreement.
12. Upon signing and returning this Agreement to the EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 3008(b) of RCRA.

13. Each party shall bear its own costs and fees, if any.
14. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. §§ 22.6 and 22.31(b), is effective upon filing.

**IT IS SO AGREED,**

Mr. Paul Powers  
General Manager  
Environmental Remedies, LLC

Signature: 

Date 03/31/2014

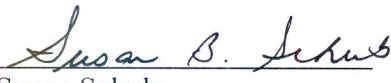
**APPROVED BY EPA:**

 for

César A. Zapata  
Chief, RCRA and OPA Enforcement and Compliance Branch  
RCRA Division

4/25/14  
Date

**IT IS SO ORDERED:**

  
Susan Schub  
Regional Judicial Officer

April 29, 2014  
Date

I hereby certify that I have this day filed the original and a true and correct copy of the foregoing Consent Agreement and the attached Final Order (CA/FO), in the Matter of Environmental Remedies, LLC, Docket Number: RCRA-04-2014-4000(b), and have served copies on each of the parties listed below in the manner indicated:

Roberto Busó  
Assistant Regional Counsel  
Office of RCRA, OPA and UST Legal Support  
U.S. EPA – Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

(Via the EPA's internal mail)

Quantindra Smith  
RCRA and OPA Enforcement and  
Compliance Branch  
U.S. EPA - Region 4  
61 Forsyth St., S.W.  
Atlanta, Georgia 30303

(Via the EPA Electronic Mail)

Paul Powers  
General Manager  
Environmental Remedies LLC  
460 Sawtell Avenue  
Atlanta, Georgia 30240

(Via Certified Mail- Return Receipt  
Requested)

Mr. Richard Glaze, Partner  
Balch & Bingham LLP  
30 Ivan Allen Jr. Boulevard, N.W.  
Suite 700  
Atlanta, GA 30308

(Via Certified Mail- Return Receipt  
Requested)

Date: \_\_\_\_\_

4-29-14



Patricia A. Bullock  
Regional Hearing Clerk  
U.S. EPA - Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303  
(404) 562-9686