



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 WYNKOOP STREET

DENVER, CO 80202-1129

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2007 OCT 23 AM 9:40

EPA REGION VIII HEARING CLERK

DOCKET NO.: TSCA-08-2007-0006

IN THE MATTER OF:)
)
 FLATHEAD ELECTRIC COOPERATIVE, INC.) FINAL ORDER
)
 RESPONDENT)

Pursuant to Section 22.18(a) of the United States Environmental Protection Agency's ("EPA"), *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and Termination or Suspension of Permits* ("*Consolidated Rules*"), 40 C.F.R. §22.18(a), the respondent has elected the "Quick Resolution" of this matter by payment of the full penalty proposed in the complaint. Full payment of the \$1,500.00 proposed penalty has been received by the Agency.

The subject complaint does not seek a Compliance or Corrective Action Order, or Permit Action; and the proceeding is not subject to the public comment provisions of §22.45 of the **Consolidated Rules**; therefore, quick resolution is immediately available.

Full payment of the \$1,500.00 penalty proposed in the complaint shall only resolve respondent's liability for Federal civil penalties for the violations and facts alleged in the complaint.

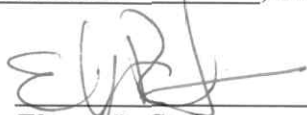
Payment of the penalty shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive, or other equitable relief, or criminal sanctions for any violations of the law.

Payment of the penalty shall constitute a waiver of respondent's right to contest the allegations and to appeal the final order.

This final order does not waive, extinguish, or otherwise affect respondent's obligation to comply with all applicable provisions of the Act and regulations promulgated thereunder.

This Final Order constitutes the final Agency action in this matter and is effective upon filing.

SO ORDERED THIS 22nd Day of October, 2007.



 Elyana R. Sutin
 Regional Judicial Officer



CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **QUICK RESOLUTION SETTLEMENT FINAL ORDER** in the matter **FLATHEAD ELECTRIC COOPERATIVE, INC., DOCKET NO.: TSCA-08-2007-0006** was filed with the Regional Hearing Clerk on October 23, 2007.

Further, the undersigned certifies that a true and correct copy of the document was delivered to David Janik, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned document was placed in the United States mail certified/return receipt requested on October 23, 2007, to:

Kenneth A. Sugden
Registered Agent for/
Flathead Electric Cooperative, Inc.
2510 U. S. Hwy. 2 East
Kalispell, MT 59901

And e-mailed to:

Michelle Angel
U. S. EPA Facilities (MC NWD)
26 West Martin Luther King Drive
Cincinnati, OH 45268

October 23, 2007



Tina Artemis
Paralegal/Regional Hearing Clerk

