ENVIRONMENTAL PROTECTION AGENCY
REGION 6
DALLAS, TEXAS

IN THE MATTER OF: **Woodward Iodine Corporation** **Woodward, Oklahoma** **Respondent**	**CONSENT AGREEMENT AND FINAL ORDER** **EPA DOCKET NO. CAA-06-2018-3312**

CONSENT AGREEMENT

The Director, Compliance Assurance and Enforcement Division, United States Environmental Protection Agency, Region 6 ("EPA" or "Complainant"), and Woodward Iodine Corporation ("Respondent"), at its facility located at 205865 East County Road 32, Woodward, Oklahoma ("Facility"), have agreed to simultaneously commence and resolve this matter through the issuance of this Consent Agreement and Final Order ("CAFO").

I. PRELIMINARY STATEMENT

1. This proceeding for the assessment of civil penalties pursuant to Section 113(d) of the Clean Air Act, as amended ("CAA"), 42 U.S.C. § 7413(d), is simultaneously commenced and concluded by the issuance of this CAFO pursuant to 40 C.F.R. §§ 22.13(b), 22.18(b)(2), 22.18(b)(3), and 22.34.

2. This CAFO serves as notice pursuant to Section 113(d)(2)(A) of the CAA, 42 U.S.C. § 7413(d)(2)(A).

3. This CAFO pertains to matters identified in connection with EPA's inspection of Respondent's Facility between September 11-13, 2017 ("2017 Inspection").

4. For purposes of this proceeding, Respondent admits the jurisdictional allegations of this CAFO. However, Respondent neither admits nor denies the specific factual allegations or

conclusions of law contained in this CAFO.

5. Respondent waives any right to contest the allegations in the CAFO and its right to appeal the Final Order set forth herein, and waives all defenses which have been raised or could have been raised to the claims set forth in the CAFO.

6. This CAFO may not be used for any purpose in any federal or state proceeding except proceedings by EPA to enforce this CAFO.

7. Compliance with all the terms and conditions of this CAFO shall only resolve Respondent's liability for federal civil monetary penalties for the violations and facts alleged in the CAFO.

8. Respondent consents to the issuance of this CAFO, and consents to the assessment and payment of the stated federal civil monetary penalty in the amount and by the method set out in this CAFO.

9. Respondent shall not assert, and may not maintain, any defense or claim based upon the principles of waiver, res judicata, collateral estoppel, issue preclusion, or claim-splitting for violations not addressed by this CAFO.

10. Respondent represents that the undersigned representative is fully authorized by the Party whom he or she represents to enter into the terms and conditions of this CAFO, to execute this CAFO, and to legally bind the Respondent to the terms and conditions of this CAFO.

11. Respondent agrees that the provisions of this CAFO shall be binding on its officers, directors, employees, agents, servants, authorized representatives, successors, and assigns.

II. STATUTORY AND REGULATORY BACKGROUND

12. Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), provides that the objective of the regulations and programs authorized under Section 112(r) shall be to prevent the accidental release of regulated substances or other extremely hazardous substances and to minimize the consequences of any such release that does occur.

13. In accordance with Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), EPA promulgated the Chemical Accident Prevention Provisions, codified at 40 C.F.R. Part 68 that are commonly referred to as the Risk Management Program, regulating hazard assessment, accidental release prevention, and emergency response. Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), provides in pertinent part:

> (A) In order to prevent accidental releases of regulated substances, the Administrator is authorized to promulgate release prevention, detection, and correction requirements which may include monitoring, record-keeping, reporting, training, vapor recovery, secondary containment, and other design, equipment, work practice, and operational requirements.
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> (B)(i) [. . .] the Administrator shall promulgate reasonable regulations and appropriate guidance to provide, to the greatest extent practicable, for the prevention and detection of accidental releases of regulated substances and for response to such releases by the owners or operator of the sources of such releases.
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> * * * *
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> (B)(ii) The regulations under this subparagraph shall require the owner or operator of stationary sources at which a regulated substance is present in more than a threshold quantity to prepare and implement a risk management plan to detect and prevent or minimize accidental releases of such substances from the stationary source, and to provide a prompt emergency response to any such releases in order to protect human health and the environment. Such plan shall provide for compliance with the requirements of this subsection.

14. On June 20, 1996, the EPA promulgated a final rule known as the Chemical Accident Prevention Provisions, 40 C.F.R. Part 68, which implements Section 112(r)(7), 42 U.S.C. § 7412(r)(7), of the CAA.

15. Under 40 C.F.R. § 68.10(a), an owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process ("Covered Process"), as determined under 40 C.F.R. § 68.115, shall comply with the requirements of 40 C.F.R. Part 68 no later than the latest of the following dates: (1) June 21, 1999; (2) three years after the date on which a regulated substance is first listed under Section 68.130; or (3) the date on which a regulated substance is first present above a threshold quantity in a process.

16. Under 40 C.F.R. § 68.12(a), an owner or operator of a stationary source subject to Part 68 requirements must submit a Risk Management Plan ("RMP") as provided in 40 C.F.R. Part 68 Subpart G (§§ 68.150-68.185) that reflects all covered processes at the stationary source.

17. 40 C.F.R. Part 68 provides general requirements applicable to owners or operators of a stationary source subject to Part 68. It also establishes requirements that apply to an owner or operator based on whether the stationary source operates processes subject to one of three "Programs" -- Program 1, Program 2, and Program 3.

18. Under 40 C.F.R. § 68.12(d), the owner or operator of a stationary source with a process subject to the "Program 3" requirements of the Part 68 regulations, as determined pursuant to 40 C.F.R. § 68.10(d), must comply with the chemical accident prevention requirements of 40 C.F.R. Part 68, Subpart D (Program 3 Prevention Program, at 40 C.F.R. §§ 68.65-68.87).

19. Under Sections 113(a)(3) and 113(d)(1)(B) of the CAA, 42 U.S.C. §§ 7413(a)(3) & 7413(d)(1)(B), whenever the Administrator finds that any person has violated or is violating a requirement of the CAA including, but not limited to, a requirement or prohibition of any rule

promulgated under the CAA, other than those requirements specified in Sections 113(a)(1), 113(a)(2) or 113(d)(1)(A) of the CAA, 42 U.S.C. § 7413(a)(1), 7413(a)(2), or 7413(d)(1)(A), the Administrator may issue an order assessing a civil administrative penalty.

20. "Person" is defined in Section 302(e) of the CAA, 42 U.S.C. § 7602(e), as including an individual, corporation, partnership, association, state, municipality, political subdivision of a state, and any agency, department, or instrumentality of the United States and any officer, agent, or employee thereof.

21. "Process" is defined in 40 C.F.R. § 68.3 as any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances, or combination of these activities. For the purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.

22. "Covered process" is defined in 40 C.F.R. § 68.3 as a process that has a regulated substance present in more than a threshold quantity as determined under Section 68.115.

23. "Regulated substance" is defined in 40 C.F.R. Section 68.3 as any substance listed pursuant to Section 112(r)(3) of the CAA as amended, in Section 68.130.

24. Risk Management Plan ("RMP") is defined in 40 C.F.R. Section 68.3 under subpart G of 40 C.F.R. Part 68.

25. "Stationary source" is defined in Section 112(r)(2)(C) of the CAA and 40 C.F.R. § 68.3 as any buildings, structures, equipment, installations or substance emitting stationary activities which belong to the same industrial group, which are located on one or more contiguous properties, which are under the control of the same person (or persons under common control), and from which an accidental release may occur.

26. "Threshold quantity" is defined in 40 C.F.R. § 68.3 as the quantity specified for regulated substances pursuant to Section 112(r)(5) of the CAA as amended, listed in Section 68.130, and determined to be present at a stationary source as specified in Section 68.115 of this part.

27. "Owner or operator" shall mean any person who owns, leases, operates, controls, or supervises a stationary source.

28. EPA and the U.S. Department of Justice have jointly determined that this matter is appropriate for administrative resolution, including the assessment of a civil penalty.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

29. Respondent is a foreign for profit business corporation registered in the State of Delaware and authorized to do business in the State of Oklahoma.

30. Respondent is a "person" as that term is defined in Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and within the meaning of Section 113(d) of the CAA, 42 U.S.C. § 7413(d).

31. At all times relevant to this CAFO, Respondent owned and operated an iodine manufacturing facility ("Facility") located at 205865 East County Road 32 in Woodward, Oklahoma 73801.

32. The Facility operates a variety of chemical manufacturing processes (NAICS Code 32519-Other Basic Organic Chemical Manufacturing).

33. Respondent's RMP lists covered processes subject to Program 3 requirements.

34. The regulated substances that are held above the threshold quantities identified in 40 C.F.R. § 68.130 include the following: sulfur dioxide, anhydrous ammonia, and chlorine.

35. As a facility with Program 3 processes, Respondent must: develop and implement a management system as provided in 40 C.F.R. § 68.15; conduct a hazard assessment as provided in 40 C.F.R. §§ 68.20 through 68.42; implement the prevention requirements of

40 C.F.R. §§ 68.65 through 68.87, develop and implement an emergency response program as provided in 40 C.F.R. §§ 68.90 through 68.95; and submit the data on prevention program elements for Program 3 processes as provided in 40 C.F.R. § 68.175.

36. Between September 11-13, 2017, EPA Region 6 conducted an inspection (2017 Inspection) of the Facility pursuant to the CAA § 114(a)(2), 42 U.S.C. § 7414(a)(2). The inspection focused on compliance with CAA § 112(r), 42 U.S.C. § 7412(r), and 40 C.F.R. Part 68.

IV. VIOLATIONS

Count 1. Alternate Release Scenario

37. Complainant hereby restates and incorporates by reference Paragraphs 1 through 36 above.

38. 40 C.F.R. § 68.28(e) requires an owner or operator to consider the following in selecting the alternative release scenarios: (1) the five-year accident history provided in Section 68.42 and (2) failure scenarios identified under Section 68.50 or Section 68.67.

39. 40 C.F.R. § 68.39(b) requires an owner or operator to maintain records of its offsite consequence analysis ("OCA") related to alternative release scenarios, describing: [...] the rationale for the selection of specific scenarios.

40. At the time of the 2017 Inspection, Respondent was unable to provide documentation indicating its rationale for selecting the specific scenarios in analyzing its alternative release scenarios.

41. Complainant finds Respondent's failure to document its rationale in selecting specific scenarios for its alternative release scenarios was a violation of 40 C.F.R. § 68.39(b).

Count 2. Process Safety Information

42. Complainant hereby restates and incorporates by reference Paragraphs 1 through 36 above.

43. 40 C.F.R. § 68.65(d)(1)(i) requires the owner or operator to maintain written process safety information pertaining to the equipment used in the process, including materials of construction.

44. At the time of the 2017 Inspection, Respondent was unable to provide specifications for its Chlorine Tank Pressure Safety Valve ("PSV") installed in July 2008 that was still in use.

45. Complainant finds Respondent's failure to maintain information pertaining to its Chlorine Tank PSV was a violation of 40 C.F.R. § 68.65(d)(1)(i).

Count 3. Process Hazard Analysis

46. Complainant hereby restates and incorporates by reference Paragraphs 1 through 36 above.

47. 40 C.F.R. § 68.67(e) requires the owner or operator establish a system to promptly address the team's findings and recommendations of its Process Hazard Analysis ("PHA"); assure that the recommendations are resolved in a timely manner and that the resolution is documented; document what actions are to be taken; complete actions as soon as possible; develop a written schedule of when these actions are to be completed; communicate the actions to operating, maintenance and other employees whose work assignments are in the process and who may be affected by the recommendations or actions.

48. 40 C.F.R. § 68.67(g) requires the owner or operator retain its PHAs and updates or revalidations for each process covered by Part 68, as well as the documented resolution of

recommendations for the life of the process.

49. At the time of the 2017 Inspection, Respondent had not addressed or responded to twelve (12) recommendations identified in its 2010 PHA and found in its 2015 PHA. The 2015 PHA stated: "12 recommendations from the 2010 PHA remain open and require resolution." Furthermore, specific information explaining how each recommendation was completed and/or resolved was not provided. Many of the "Recommendations and Comment" fields were blank or only stated "completed" without an explanation of how Respondent resolved the recommendation.

50. Complainant finds Respondent failed to establish an adequate system to: promptly address the team's findings and recommendations of a PHA; assure that the recommendations were resolved in a timely manner and that the resolution was documented; document what actions were to be taken; complete actions as soon as possible; and develop a written schedule of when these actions were to be completed, in violation of 40 C.F.R. §§ 68.67(e) & (g).

Count 4. Mechanical Integrity

51. Complainant hereby restates and incorporates by reference Paragraphs 1 through 36 above.

52. 40 C.F.R. § 68.73(b) requires the owner or operator establish and implement written procedures to maintain the ongoing integrity of process equipment.

53. 40 C.F.R. § 68.73(d)(3) requires inspections and tests be performed on process equipment with the frequency of inspections and tests consistent with applicable manufacturers' recommendations and good engineering practices, and more frequently if determined to be necessary by prior operating experience.

54. At the time of the 2017 Inspection, Respondent utilized a Computerized Maintenance Management System ("CMMS") as part of its Mechanical Integrity Program to track inspection, testing, preventive maintenance, and repair history of all critical equipment. However, at the time of the 2017 Inspection, Respondent was unable to show how it was utilizing the CMMS to track the inspection, testing, preventive maintenance, and repair history of the fixed equipment.

55. Respondent created a Corrosion Monitoring and Visual Observation Report in June 2015 on its sulfur dioxide, ammonia, and chlorine systems. According to the reports, additional inspections were due on equipment in 2016 and 2017. At the time of the 2017 Inspection, no records were available to show that replacements or inspections had occurred.

56. Complainant finds Respondent failed to adequately establish and implement its written procedures to maintain the ongoing integrity of its process equipment in violation of 40 C.F.R. § 68.73(b).

Count 5. Management of Change

57. Complainant hereby restates and incorporates by reference Paragraphs 1 through 36 above.

58. 40 C.F.R. § 68.75(a) requires the owner or operator establish and implement written procedures to manage changes to process chemicals, technology, equipment, and procedures; and, changes to stationary sources that affect a covered process.

59. 40 C.F.R. § 68.75(c) requires employees involved in operating and maintaining a process be informed of, and trained in, the change prior to start-up of the process or affected part of the process.

60. At the time of its 2017 Inspection, Respondent provided a piping and instrument diagram ("P&ID") that indicated a change in the equipment that did not have a corresponding

Management of Change ("MOC") (P&ID - 04-10012-PID-024-D - Rev. 10 and P&ID - 04-10012-PID-043- D Rev. 6).

61. At the time of the 2017 Inspection, Respondent was unable to demonstrate it trained its employees for the MOC 0815-01 prior to the change (MOC 0815-01).

62. Complainant finds that, in connection with the matters referenced in paragraphs 60 and 61, Respondent failed to adequately implement its written procedures to manage changes to its process chemicals, technology, equipment, and procedures; and, changes to its stationary sources that affect a covered process, and failed to train its employees in connection with such changes in violation of 40 C.F.R. §§ 68.75(a) & (c).

Count 6. Compliance Audits

63. Complainant hereby restates and incorporates by reference Paragraphs 1 through 36 above.

64. 40 C.F.R. § 68.79(d) requires the owner or operator promptly determine and document an appropriate response to each of the findings of a compliance audit, and document that deficiencies have been corrected.

65. At the time of the 2017 Inspection, Respondent provided its October 2013 and September 2016 Compliance Audits. The 2013 Compliance Audit showed the recommendations with the corresponding status but did not provide detail on how a number of the recommendations were completed. Additionally, a number of the findings in both the 2013 and 2016 Compliance Audits were not completed.

66. Respondent failed to promptly determine and document appropriate responses to a number of the findings of the 2013 and 2016 Compliance Audits in violation of 40 C.F.R. § 68.79(d).

Count 7. Hot Work Permit

67. Complainant hereby restates and incorporates by reference Paragraphs 1 through 36 above.

68. 40 C.F.R. § 68.85(b) requires a hot work permit to properly document the fire prevention and protection requirements found in 29 C.F.R. § 1910.252(a) have been implemented prior to beginning the hot work operations; indicate the date authorized for hot work; and identify the object on which hot work is to be performed.

69. At the time of the 2017 Inspection, Respondent provided three hot work permits that did not contain all of the required information (Hot Work Permits # 3701, # 3716, and # 3718).

70. With respect to Hot Work Permits #3701, #3716 and #3718, Complainant finds Respondent failed to properly document fire prevention and protection requirements found in 29 C.F.R. § 1910.252(a) were implemented prior to beginning the hot work operations in violation of 40 C.F.R. § 68.85(b).

V. TERMS OF SETTLEMENT

71. Section 113(d)(1) of CAA, 42 U.S.C. § 7413(d)(1), authorizes the Administrator to assess a penalty up to $46,192 for each violation of any requirement of Section 112(r) of CAA, 42 U.S.C. § 7412(r).[1]

72. Upon consideration of the entire record herein, and upon consideration (in addition to such other factors as justice may require) of the size of the business, the economic impact of the penalty on the business, the violator's full compliance history and good faith efforts to

[1] As adjusted by the 2018 Civil Monetary Penalty Inflation Adjustment Rule (83 Fed. Reg. 1190), 40 C.F.R. § 19.4, the Administrator may assess a civil penalty of up to $46,192 per day of violation for a violation occurring after November 2, 2015.

comply, the duration of the violation, payment by the violator of penalties previously assessed for the same violation, the economic benefit of noncompliance, and the seriousness of the violation, the parties agree that **Forty-Three Thousand and Five Hundred Dollars ($43,500.00)** is an appropriate penalty to resolve this matter.

73. Within thirty (30) days of the effective date of this CAFO, Respondent shall pay the assessed civil penalty by cashier's check, certified check, or wire transfer, made payable to "Treasurer, United States of America, EPA - Region 6." Payment shall be remitted in one of three (3) ways: regular U.S. Postal Service mail, to include certified mail; overnight mail; or wire transfer.

For regular U.S. Postal Service mail, U.S. Postal Service certified mail, or U.S. Postal Service express mail, the check(s) should be remitted to:

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

For overnight mail (non-U.S. Postal Service), the check(s) should be remitted to:

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

For wire transfer, the payment should be remitted to:

Federal Reserve Bank of New York
ABA: 021030004
Account Number: 68010727
SWIFT address: FRNYUS33
33 Liberty Street
New York, NY 10045

Note: Field Tag 4200 of the Fedwire message should read: "D 68010727 Environmental Protection Agency" with phone number (412) 234-4381.

PLEASE NOTE: The docket number CAA-06-2018-3312 shall be clearly typed on the check to ensure proper credit. The payment shall also be accompanied by a transmittal letter and shall reference Respondent's name and address, the case name, and docket number of the administrative complaint and CAFO. Respondent's adherence to this request will ensure proper credit is given when penalties are received for the Region. Respondent shall also send a simultaneous notice of such payment, including a copy of the money order, or check, and the transmittal letter to the following:

Carlos Flores
Enforcement Officer (6EN-AS)
Chemical Accident Enforcement Section
Compliance Assurance and Enforcement Division
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Lorena Vaughn
Regional Hearing Clerk (6RC-D)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

74. Respondent agrees not to claim, or attempt to claim, a federal income tax deduction or credit covering all or any part of the civil penalty paid to the United States Treasurer.

75. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, unless otherwise prohibited by law, EPA will assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim. Interest on the civil penalty assessed in this CAFO will begin to accrue thirty (30) days after the effective date of the CAFO and will be recovered by EPA on any amount of the civil penalty that is not paid by the respective due date. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a). Moreover, the costs of the

Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period the debt is overdue. *See* 40 C.F.R. § 13.11(b).

76. EPA will also assess a fifteen dollar ($15.00) administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional fifteen dollars ($15.00) for each subsequent thirty (30) day period that the penalty remains unpaid. In addition, a penalty charge of up to six percent (6%) per year will be assessed monthly on any portion of the debt which remains delinquent more than ninety (90) days. *See* 40 C.F.R. § 13.11(c). Should a penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. *See* 31 C.F.R. § 901.9(d). Other penalties for failure to make a payment may also apply.

77. Pursuant to Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5), any person who fails to pay on a timely basis, a civil penalty ordered or assessed under this section shall be required to pay, in addition to such penalty and interest, the United States enforcement expenses, including but not limited to, attorney's fees and costs incurred by the United States for collection proceedings, and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such nonpayment penalty shall be ten (10) percent of the aggregate amount of such person's outstanding penalties and nonpayment penalties accrued as of the beginning of each quarter.

78. This CAFO shall not relieve the Respondent of its obligation to comply with all applicable provisions of federal, state or local law, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state or local permit, nor shall it be construed to constitute EPA approval of any equipment or technology installed by the Respondent in connection with any additional settlement terms undertaken pursuant to this CAFO. Nothing in this CAFO shall be construed to prohibit or prevent the federal, state, or local government from

developing, implementing, and enforcing more stringent standards through rulemaking, the permit process, or as otherwise authorized or required.

79. This document constitutes a "Final Order" as that term is defined in the CAA Penalty Policy for the purpose of demonstrating a history of "prior such violations."

VI. RETENTION OF ENFORCEMENT RIGHTS

80. EPA does not waive any rights or remedies available to EPA for any violations by the Respondent of Federal or state laws, regulations, statutes, or permitting programs.

81. Nothing in this CAFO shall relieve Respondent of the duty to comply with all applicable provisions of the CAA.

82. Nothing in this CAFO shall limit the power and authority of EPA or the United States to take, direct, or order all actions to protect public health, welfare, or the environment, or prevent, abate, or minimize an actual or threatened release of hazardous substances, pollutants, contaminants, or regulated or other extremely hazardous substances at, on, or from the Respondent's facility. Furthermore, nothing in this CAFO shall be construed to prevent or limit EPA's civil, injunctive, or criminal authorities, or that of other Federal, state, or local agencies or departments to obtain penalties or injunctive relief under other Federal, State, or local laws, regulations, or subparts thereof.

83. This CAFO is not a permit, or a modification of any permit, under any federal, State, or local laws or regulations. The Respondent is responsible for achieving and maintaining complete compliance with all applicable federal, State, and local laws, regulations, and permits. The Respondent's compliance with this CAFO shall be no defense to any action commenced pursuant to any such laws, regulations, or permits, except as set forth herein. The Complainant does not warrant or aver in any manner that the Respondent's compliance with any aspect of this

CAFO will result in compliance with provisions of the CAA or with any other provisions of federal, state, or local laws, regulations, or permits.

VII. COSTS

84. Each party shall bear its own costs and attorney's fees. Furthermore, the Respondent specifically waives its right to seek reimbursement of its costs and attorney's fees under 5 U.S.C. § 504 and 40 C.F.R. Part 17.

THE UNDERSIGNED PARTIES CONSENT TO THE ENTRY OF THIS CONSENT AGREEMENT AND FINAL ORDER:

FOR THE RESPONDENT:

Date: 6-27-2018

Leroy Goodman
Woodward Iodine Corporation

FOR THE COMPLAINANT:

Date: 7-9-18

Cheryl T. Seager
Director
Compliance Assurance and
Enforcement Division
U.S. EPA, Region 6

FINAL ORDER

Pursuant to Section 113(d) of the CAA, 42 U.S.C. § 7413(d), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22, the foregoing Consent Agreement is hereby ratified. This Final Order shall not in any case affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. This Final Order shall resolve only those causes of action alleged in the Consent Agreement. Nothing in this Final Order shall be construed to waive, extinguish, or otherwise affect Respondent's (or its officers, agents, servants, employees, successors, or assigns) obligation to comply with all applicable federal, state, and local statutes and regulations, including the regulations that were the subject of this action. The Respondent is ordered to comply with the terms of settlement and the civil penalty payment instructions as set forth in the Consent Agreement. In accordance with 40 C.F.R. § 22.31(b), this Final Order shall become effective upon filing with the Regional Hearing Clerk.

Dated 12 July 2018

Thomas Rucki
Regional Judicial Officer
U.S. EPA, Region 6

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of July, 2018, the original and one copy of the foregoing Consent Agreement and Final Order was hand delivered to the Regional Hearing Clerk, U.S. EPA - Region 6, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733, and a true and correct copy was delivered to the following individual(s) by the method indicated below:

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED:

Robert J. Joyce
Attorney on behalf of Woodward Iodine Corporation
McAfee & Taft
Williams Center Tower II
Two W. Second Street, Suite 1100
Tulsa, Oklahoma 74103

Lori Jackson
Paralegal
U.S. EPA Region 6, Dallas, Texas