

**FILED**

2012 FEB 28 PM 1: 14

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY REGIONAL HEARING CLERK  
REGION IX

IN THE MATTER OF: )  
 )  
 )  
 Allied Pacific Environmental Consulting )  
 EPA ID. No. TTR000128876 )  
 Respondent. )  
 )  
 )  
 )

Docket No.  
RCRA-09- 2012-0005

**EXPEDITED SETTLEMENT  
AGREEMENT AND  
FINAL ORDER**

**EXPEDITED SETTLEMENT AGREEMENT**

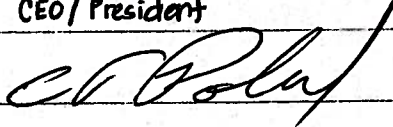
1. The U.S. Environmental Protection Agency ("EPA") alleges that Allied Pacific Environmental Consulting ("Respondent" or "APEC"), owner or operator of the facility in San Jose, Saipan (the "Facility"), failed to comply with requirements under the Resource Conservation and Recovery Act ("RCRA").
  - A. Failure to maintain manifests with the generator's handwritten signature or the date of the release of the hazardous waste, 40 C.F.R. § 263.20(a)(1);
  - B. Failure to sign and date the manifest at the time of acceptance of the hazardous waste, 40 C.F.R. § 263.20(b);
  - C. Failure to obtain the date of the delivery and the handwritten signature of the next transporter or the owner or operator of the designated facility, 40 C.F.R. § 263.20(d);
  - D. Failure to keep a copy of the manifests signed by the generator, himself, and the next designated transporter or the owner or operator of the designated facility for a period of three years, 40 C.F.R. § 263.22(a).
2. EPA and Respondent agree that settlement of this matter for a penalty of ONE THOUSAND SEVEN HUNDRED AND FIFTY DOLLARS (\$1,750) is in the public interest. The attached Proposed Penalty Worksheet is incorporated by reference.
3. EPA is authorized to enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 3008 of RCRA and 40 C.F.R. § 22.13(b).
4. In signing this Agreement, Respondent: (1) admits that EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (2) neither admits nor denies the factual allegations contained herein; (3) consents to the assessment of this penalty; and (5) waives any right to contest the allegations contained herein.

5. 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(s) **has/have** been corrected, and (2) Respondent is submitting proof of payment of the civil penalty with this Agreement.
6. The civil penalty of ONE THOUSAND SEVEN HUNDRED AND FIFTY DOLLARS (\$1,750) should be paid in accordance with EPA's Instructions for Making a Payment provided to the Respondent.
7. Upon the effective date of this Agreement, payment of the civil penalty shall constitute full settlement of the civil claim alleged herein.
8. 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 this Agreement.
9. Upon signing and returning this Agreement to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 3008(b) of RCRA.
10. Each party shall bear its own costs and fees, if any.
11. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. 22.31(b), is effective upon filing.

IT IS SO AGREED,


Name (print): C. Thomas Polevich

Title (print): CEO/President

Signature: 

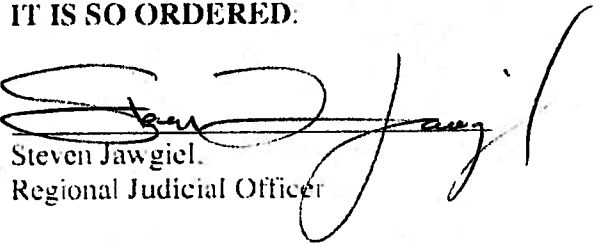
Date 02/09/2012

APPROVED BY EPA:

  
Jeff Scott, Director  
Waste Management Division

Date 2/22/12

IT IS SO ORDERED:

  
Steven Jawgiel  
Regional Judicial Officer

Date 02/24/12

CERTIFICATE OF SERVICE

I hereby certify that on the date below, the original ~~copy~~ of the foregoing *Expedited*  
~~Complaint, Consent~~ Agreement and Final Order, was filed with the Regional Hearing  
Clerk, Region 9, and that a copy was sent by certified mail, return receipt requested, to:

David Radnich  
Allied Pacific Environmental Consulting  
P.O. Box 10001 PMB A6  
San Jose, Saipan 96950

Feb. 28, 2012  
Date

Steven Amsey, for  
Bryan K. Goodman  
Regional Hearing Clerk  
Office of Regional Counsel, Region 9