



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

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FILED  
EPA REGION VIII  
RECORDING CLERK

DOCKET NO.: SDWA-08-2012-0043

IN THE MATTER OF: )

APPLIED MATERIALS, INC. )

Respondent. )

FINAL ORDER

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 Order, and Termination or Suspension of Permits* ("Consolidated Rules"), 40 C.F.R. §22.18(a), the respondent has elected the "Quick Resolution" of the matter by payment of the full penalty proposed in the complaint. Full payment of the \$2,100.00 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.

Respondent's full payment of the \$2,100.00 penalty proposed in the complaint resolves the violations asserted in the administrative complaint which, in conjunction with its timely payment of the full penalty amount, resolves its liability for those violations.

Payment of the penalty shall not in any way 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 30<sup>th</sup> DAY OF October, 2012.

Elyana R. Sutin  
Regional Judicial Officer

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **FINAL ORDER** in the matter of **APPLIED MATERIALS, INC.; DOCKET NO.: SDWA-08-2012-0043** was filed with the Regional Hearing Clerk on October 30, 2012.


Further, the undersigned certifies that a true and correct copy of the documents were delivered to, Eduardo Quintana, Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested and e-mail on October 30, 2012, to:

Nadia Wetzler, Director, EHS  
Applied Materials, Inc.  
3050 Bowers Avenue  
P.O. Box 58039  
Santa Clara, CA 95054

E-mailed to:

Kim White  
U. S. Environmental Protection Agency  
Cincinnati Finance Center  
26 W. Martin Luther King Drive (MS-0002)  
Cincinnati, Ohio 45268

October 30, 2012

  
Tina Artemis  
Paralegal/Regional Hearing Clerk