

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Rivera for William Chin 6/10/09  
Name of Case Attorney Date

in the ORC (RAA) at 918-1113  
Office & Mail Code Phone number

Case Docket Number TSCA-01-2009-0040

Site-specific Superfund (SF) Acct. Number \_\_\_\_\_

This is an original debt  This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Bridgeport United Recycling Inc.  
47 Gracey Avenue  
Meriden, CT 06451

Total Dollar Amount of Receivable \$ 26,000 Due Date: 7/31/09

SEP due? Yes \_\_\_\_\_ No \_\_\_\_\_ Date Due \_\_\_\_\_

Installment Method (if applicable)

INSTALLMENTS OF:

- 1<sup>st</sup> \$ 5,000 on 7/10/09
- 2<sup>nd</sup> \$ 2,000 on 7/31/09
- 3<sup>rd</sup> \$ \_\_\_\_\_ on \_\_\_\_\_
- 4<sup>th</sup> \$ \_\_\_\_\_ on \_\_\_\_\_
- 5<sup>th</sup> \$ \_\_\_\_\_ on \_\_\_\_\_

For RHC Tracking Purposes:

Copy of Check Received by RHC \_\_\_\_\_ Notice Sent to Finance \_\_\_\_\_

**TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:**

IFMS Accounts Receivable Control Number \_\_\_\_\_

If you have any questions call: \_\_\_\_\_  
in the Financial Management Office Phone Number



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1  
1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

RECEIVED

2009 JUN 10 P 1:37

June 10, 2009

BY HAND

Wanda Santiago  
Regional Hearing Clerk  
U.S. EPA, Region 1  
One Congress Street  
Suite 1100 (RAA)  
Boston, MA 02114-2023

RE: In the Matter of: Bridgeport United Recycling, Inc.,  
Docket No. TSCA-01-2009-0040

Dear Ms. Santiago:

I enclose for filing in the above-referenced matter the original and one copy of the Consent Agreement and Final Order and a Certificate of Service.

Thank you for your assistance.

Sincerely,

*William D. Chin*

William D. Chin  
Enforcement Counsel

Enclosures

cc: William Morris

In the Matter of: Bridgeport United Recycling, Inc.  
TSCA-01-2009-0040

**CERTIFICATE OF SERVICE**

I hereby certify that I caused the foregoing Consent Agreement and Final Order to be sent to the following person(s), in the manner stated, on the date below:

Original and one copy,  
hand-delivered:

Wanda Santiago  
Regional Hearing Clerk  
U.S. EPA, Region 1  
One Congress Street  
Suite 1100 (Mail Code: RAA)  
Boston, MA 02114

One copy, by Certified Mail,  
Return Receipt Requested:

William Morris  
Vice President  
Environmental Affairs  
United Oil Recovery, Inc.  
14 West Main Street  
P.O. Box 902  
Meriden, CT 06450-0902

Dated: \_\_\_\_\_

6/10/09

William D. Chin

William D. Chin  
Enforcement Counsel  
U.S. EPA, Region 1  
One Congress Street  
Suite 1100 (Mail Code: SEL)  
Boston, MA 02114

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1

RECEIVED

2009 JUN 10 P 1:37

In the Matter of: )  
 )  
Bridgeport United Recycling, Inc. )  
47 Gracey Avenue )  
Meriden, CT 06451 )  
 )  
Respondent. )

Docket No.  
TSCA-01-2009-0040  
OFFICE OF  
REGIONAL HEARING CLERK  
CONSENT AGREEMENT AND  
FINAL ORDER

**CONSENT AGREEMENT**

1. This Consent Agreement and Final Order ("CAFO") is issued under the authority vested in the Administrator of the United States Environmental Protection Agency ("EPA") by Section 16(a) of the Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2615(a), and in accordance with 40 C.F.R. § 22.18 of EPA's "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits," 40 C.F.R. Part 22 ("Consolidated Rules of Practice").

**I. INTRODUCTION**

2. Complainant, the United States Environmental Protection Agency ("EPA"), Region 1, initiated this proceeding against Respondent, Bridgeport United Recycling ("BUR"), by issuing a Complaint and Notice of Opportunity for Hearing ("Complaint"), pursuant to Section 16(a) of TSCA, on March 18, 2009.

3. The complete factual and jurisdictional basis for proposing the assessment of civil penalties is set forth in the Complaint and is incorporated herein by reference.

## II. TERMS OF SETTLEMENT

4. The provisions of this Consent Agreement and Final Order ("CAFO") shall apply to and be binding on Respondent, its officers, directors, successors and assigns, until Respondent has completed all of the obligations required by this CAFO.

5. Respondent agrees that EPA has jurisdiction over the subject matter alleged in the Complaint, and hereby waives any defenses it might have as to jurisdiction and venue.

6. Respondent acknowledges that it has been informed of its right to request a hearing in this proceeding, and hereby waives its right to a judicial or administrative hearing or appeal on any issue of law or fact set forth in the Complaint.

7. Respondent hereby waives its right to appeal the Final Order accompanying this Consent Agreement.

8. Without admitting or denying the facts and violations alleged in the Complaint, Respondent consents to the terms and issuance of this CAFO, and consents for the purposes of settlement to the payment of the civil penalty as set out in this CAFO.

9. Respondent certifies that it is presently in compliance with Section 15 of TSCA, 15 U.S.C. § 2614, and 40 C.F.R. Part

761.

10. After consideration of the nature of the violation alleged in the Complaint and other relevant factors, Complainant has determined that it is fair and proper that Respondent pays a civil penalty in the amount of \$26,000 in settlement of this matter.

Penalty Payment

11. Respondent shall pay the civil penalty set forth in this CAFO as follows:

(a) a \$5,000 payment shall be due by no later than thirty (30) days after the effective date of this CAFO; and

(b) a \$21,000 payment shall be due by no later than July 31, 2009.

12. This CAFO shall be effective on the date it is filed with the Regional Hearing Clerk.

13. Respondent shall make each penalty payment by submitting a bank, cashier's or certified check, payable to the order of the "Treasurer, United States of America," to:

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

Respondent shall note the case name ("In the Matter of: Bridgeport United Recycling, Inc.") and the docket number ("TSCA-01-2009-0040") of this action on each payment check and in an

accompanying cover letter, and shall provide copies of each check and letter to:

Wanda Santiago  
Regional Hearing Clerk  
U.S. EPA, Region 1  
One Congress Street  
Suite 1100 (RAA)  
Boston, MA 02114-2023

and to:

William D. Chin  
Enforcement Counsel  
U.S. EPA, Region 1  
One Congress Street  
Suite 1100 (SEL)  
Boston, MA 02114-2023

14. Pursuant to Section 16 of TSCA, 15 U.S.C. § 2615, and 31 U.S.C. § 3717, EPA is entitled to assess interest and penalties on debts owed to the United States as well as a charge to cover the cost of processing and handling a delinquent claim. Interest will begin to accrue on the civil penalty if it is not paid in full by no later than July 31, 2009. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 31 C.F.R. § 901.9(b)(2). A charge will be assessed to cover the costs of debt collection, including processing and handling costs and attorneys' fees in accordance with 31 C.F.R. § 901.9(c). In addition, a penalty charge of six percent per year compounded annually will be assessed on any portion of the debt that remains delinquent more than ninety (90) days after payment is due in accordance with 31 C.F.R.

§ 901.9(d). Should assessment of the penalty charge on the debt be required, it will be assessed as of the first day that payment is due.

15. The civil penalty described above in Paragraph 10, and any interest, non-payment penalties, and/or other charges as described above in Paragraph 14, shall represent penalties assessed by EPA and shall not be deductible for purposes of federal taxes.

Additional Provisions

16. Compliance with this CAFO, including payment of any penalties, interest, or other charges, shall not be a defense to any actions subsequently commenced pursuant to federal laws and regulations administered by EPA, and does not waive, suspend, or modify the responsibility of the Respondent to comply with such laws and regulations.

17. This CAFO constitutes a settlement by EPA of all claims for civil penalties pursuant to Section 16 of TSCA for the specific violations alleged in this CAFO. Nothing in this CAFO shall prevent EPA from taking any necessary action to address conditions at Respondent's facility which may present an imminent and substantial endangerment to public health or the environment. Nor shall this CAFO be construed to, nor is it intended to operate in any way to, resolve any criminal liability or any other civil liability of Respondent.



18. Except as described above in Paragraph 14, each party shall bear its own costs and fees in this proceeding.

19. Each undersigned representative of a party to this CAFO certifies that she or he is fully authorized to enter into the terms and conditions of this CAFO and to execute and legally bind such party to it.

THE UNDERSIGNED PARTY enters into this CAFO for In the Matter of:  
Bridgeport United Recycling, Inc., Docket No. TSCA-01-2009-0040.

For Bridgeport United Recycling, Inc.:

William Morris  
Name: William Morris  
Title: V.P. Environmental Affairs  
Bridgeport United Recycling, Inc.

5/28/09  
Date

THE UNDERSIGNED PARTY enters into this CAFO for In the Matter of:  
Bridgeport United Recycling, Inc., Docket No. TSCA-01-2009-0040.

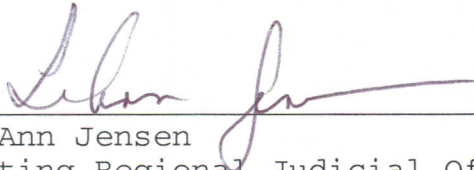
For U.S. EPA, Region 1:

Sam Silverman, acting for  
Susan Studlien  
Director  
Office of Environmental Stewardship  
U.S. EPA, Region 1

6-8-09  
Date

III. FINAL ORDER

The foregoing Consent Agreement is hereby approved and incorporated by reference into this Final Order. Respondent is ordered to comply with the terms of the above Consent Agreement, effective on the date it is filed with the Regional Hearing Clerk.



\_\_\_\_\_  
LeAnn Jensen  
Acting Regional Judicial Officer  
U.S. EPA, Region 1

6/9/09  
\_\_\_\_\_  
Date