

**UNITED STATES  
 ENVIRONMENTAL PROTECTION AGENCY  
 REGION III  
 1650 Arch Street  
 Philadelphia, Pennsylvania 19103**

**In the matter of:** )  
 )  
**Salem Tube, Inc.** )  
**951 4<sup>th</sup> Street** )  
**Greenville, PA 16125** )  
 )  
**RESPONDENT.** )  
 )  
**Salem Tube, Inc.** )  
**951 4<sup>th</sup> Street** )  
**Greenville, PA 16125** )  
 )  
**FACILITY.** )

**Docket No. RCRA-03-2016-0171**

**Proceeding Under Section  
 3008(a) and (g) of the  
 Resource Conservation and  
 Recovery Act, as amended,  
 42 U.S.C. § 6928(a) and (g)**

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**CONSENT AGREEMENT**

**I. PRELIMINARY STATEMENT**

1. This Consent Agreement is entered into by the Director of the Land and Chemicals Division (“Complainant”), U.S. Environmental Protection Agency, Region III (“EPA” or the “Agency”), and Salem Tube, Inc. (“Salem Tube” or “Respondent”), pursuant to Section 3008(a) and (g) of the Solid Waste Disposal Act, commonly known as Resource Conservation and Recovery Act of 1976, as amended by *inter alia*, the Hazardous and Solid Waste Amendments of 1984 (collectively referred to hereinafter as “RCRA”), 42 U.S.C. § 6928(a) and (g), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“*Consolidated Rules of Practice*”), 40 C.F.R. Part 22, including, specifically, 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3).
2. The *Consolidated Rules of Practice*, at 40 C.F.R. § 22.13(b), provide, in pertinent part, that where the parties agree to settlement of one or more causes of action before the filing of a complaint, a proceeding simultaneously may be commenced and concluded by the issuance of a consent agreement and final order pursuant to 40 C.F.R. § 22.18(b)(2) and (3). Pursuant thereto, this Consent Agreement and the accompanying Final Order, collectively referred to herein as the “CAFO,” simultaneously commences and concludes this administrative proceeding against Respondent.
3. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), and 40 C.F.R. Part 271, Subpart A, the Commonwealth of Pennsylvania has been granted federal authorization to administer its hazardous waste management program (the “Pennsylvania Hazardous Waste Management Program”) *in lieu* of the federal hazardous waste management program established under RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g. Effective

January 30, 1986, the Commonwealth of Pennsylvania Hazardous Waste Regulations (“PaHWR”) were authorized by the U.S. Environmental Protection Agency (“EPA” or “Agency”). The PaHWR subsequently were revised, and thereafter re-authorized by EPA, on September 26, 2000, January 20, 2004, and April 29, 2009. Such authorized revised PaHWR requirements and provisions became effective on November 27, 2000, March 22, 2004, and June 29, 2009 respectively. The PaHWR incorporate, with certain exceptions, federal hazardous waste management regulations that were in effect as of May 1, 1999 (and as of July 6, 1999 for certain regulations regarding Universal Waste) for the November 27, 2000 PaHWR authorization, June 28, 2001 for the March 22, 2004 PaHWR authorization, and October 12, 2005 for the June 29, 2009 PaHWR authorization. The provisions of Pennsylvania’s current authorized revised PaHWR, codified at 25 Pa. Code Chapters 260a-266a, 266b, and 268a-270a, have thereby become requirements of RCRA Subtitle C and are enforceable by EPA pursuant to RCRA § 3008(a), 42 U.S.C. § 6928(a).

4. Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), authorizes EPA to initiate an enforcement action whenever it is determined that a person is in violation of any requirement of RCRA Subtitle C, EPA’s regulations thereunder, or any regulation of a state hazardous waste program which has been authorized by EPA. Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), authorizes the assessment of a civil penalty against any person who violates any requirement of Subtitle C of RCRA.
5. This Consent Agreement (“CA”) and the accompanying Final Order (“FO”) address alleged violations by Respondent of Subtitle C of RCRA, 42 U.S.C. §§ 6921–6939g, and the authorized Pennsylvania Hazardous Waste Regulations, set forth at 25 Pa. Code §§ 260a-270a, *et seq.*, which incorporate by reference the federal hazardous waste regulations set forth at 40 C.F.R. Parts 260–266, 268 and 270-273, in connection with Respondent’s facility. Respondent’s facility is located at 951 4<sup>th</sup> Street, Greenville, PA 16125 (the “Facility”).
6. Factual allegations or legal conclusions in this Consent Agreement that are based on provisions of federally-authorized PaHWR requirements cite those respective provisions as the authority for such allegations or conclusions.
7. In accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2), and by written letter dated February 8, 2016, EPA notified the Commonwealth of Pennsylvania, through the Pennsylvania Department of Environmental Protection (“PADEP”), of EPA’s intent to commence this administrative action against Respondent in response to the violations of RCRA Subtitle C that are alleged herein.

## **II. GENERAL PROVISIONS**

8. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this CAFO.
9. Respondent neither admits nor denies the specific factual allegations or the conclusions of law contained in this CAFO, except as provided in Paragraph 8, above.

10. Respondent agrees not to contest EPA's jurisdiction with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of the CAFO.
11. For the purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in this Consent Agreement and any right to appeal the accompanying Final Order.
12. Respondent consents to the issuance of this CAFO and agrees to comply with its terms and conditions.
13. Respondent shall bear its own costs and attorney's fees.
14. This CAFO shall not relieve Respondent of its obligations 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 does this CAFO constitute a waiver, suspension or modification of the requirements of RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g, or any regulations promulgated and/or authorized thereunder.

### **III. EPA FINDINGS OF FACT AND CONCLUSIONS OF LAW**

15. In accordance with the *Consolidated Rules of Practice* at 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3), Complainant makes the following findings of fact and conclusions of law:
16. EPA has jurisdiction over this matter pursuant to RCRA Section 3008(a) and (g), 42 U.S.C. § 6928(a) and (g).
17. Respondent is a corporation organized under the laws of Delaware.
18. Respondent is now, and was at the time of the violations alleged herein, a "person" as that term is defined in Section 1004(15) of RCRA, 42 U.S.C. Section 6903(15), 40 C.F.R. § 260.10 and 25 Pa. Code § 260a.10.
19. Respondent was, at all times relevant to the allegations set forth in this CAFO, the "owner" and "operator" of "facility" located at 951 4<sup>th</sup> Street, Greenville, PA 16125 (the "Facility"), as the terms "owner" and "operator" are defined in 40 C.F.R. § 260.10, and incorporated by reference in 25 Pa. Code § 260a.1, and as the term "facility" is defined in 25 Pa. Code § 260a.10.
20. Respondent's Facility manufactures and supplies small diameter tubing.
21. As described below, Respondent was, at all times relevant to this CAFO, a "generator" of "solid waste" and "hazardous waste" at the Facility, as these terms are defined in 40 C.F.R. § 260.10, as incorporated by reference in 25 Pa. Code § 260a.1.

22. Respondent's Facility was, at all times relevant to the allegations set forth in this CAFO, a hazardous waste storage "facility" as that term is defined in 25 Pa. Code § 260a.10.
23. On August 26, 2014, a duly-authorized representative of EPA conducted a Compliance Evaluation Inspection ("the Inspection") at the Facility, to examine the Respondent's compliance with the federally-authorized PaHWR requirements. The EPA inspector prepared a report summarizing his observations and findings from the Inspection of the Facility.
24. In August 2015, EPA issued a formal information request letter ("IRL") to the Respondent pursuant to Section 3007(a) of RCRA, 42 U.S.C. § 6927(a). Respondent provided information to EPA in response to the IRL on August 18, 2015.
25. On May 17, 2016, EPA sent a Request to Show Cause and Request for Information ("Show Cause letter") to Respondent advising it of EPA's preliminary findings of PaHWR violations at the Facility and offering Respondent an opportunity to provide such additional information as it believed the Agency should review and consider before reaching any final conclusions as to the Respondent's PaHWR compliance at the Facility. Respondent provided additional information to EPA in response to the Show Cause letter.
26. On the basis of the Inspection and a review of the information provided to EPA by Respondent in response to EPA's IRL, Show Cause letter, and other correspondence, EPA concludes that Respondent has violated certain requirements and provisions of RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g, and federally authorized PaHWR requirements promulgated thereunder, at the Facility.

### COUNT I

#### *(Failure to Make a Hazardous Waste Determination)*

27. The information in the preceding Paragraphs are incorporated herein by reference, as though fully set forth at length.
28. 25 Pa. Code § 262a.10, which incorporates by reference 40 C.F.R. § 262.11, provides that a person who generates a solid waste, as defined in 40 C.F.R. § 261.2, must determine if that waste is a hazardous waste, using specified methods.
29. At the time of the August 26, 2014 Inspection, Salem Tube failed to make a hazardous waste determination for the following waste streams generated at the Facility:
  - a. Unpunctured aerosol cans disposed of in regular trash. These cans contained waste paint, brake fluid, degreasers and WD-40.
  - b. The unknown contents of a blue container, believed to be nitric or sulfuric acid and considered to be hazardous waste by Facility personnel at the time of the Inspection. Personnel stated that this container had been in its location for at least a month; however, this container was not located in a < 90-day hazardous waste storage area, nor in a satellite accumulation area. Upon further investigation,

Facility personnel determined that this container was storing a liquid caustic product kept on site for emergency purposes, to be used in the event of a spill.

30. At the time of the August 26, 2014 Inspection, Respondent violated the requirements of 25 Pa. Code § 262a.10, which incorporates by reference 40 C.F.R. § 262.11, by failing to make a hazardous waste determination for one of its waste streams generated at the Facility, and failing to know that the contents of the blue drum, identified in paragraph 29 b., above, was not a discarded waste stream.

## **COUNT II**

### ***(Failure to Properly Manage Universal Waste Lamps in Labeled, Closed and Dated Containers)***

31. The information in the preceding Paragraphs are incorporated herein by reference, as though fully set forth at length.
32. 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.13(d)(1), requires that a small quantity handler of universal waste lamps must contain lamps in containers or packages that are structurally sound, and such containers or packages must remain closed.
33. 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.14(e), requires that, for small quantity generators of universal waste lamps, each lamp or container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: “Universal Waste-Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s).”
34. 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.15(c), requires that a small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date that it becomes a waste or has been received. 40 C.F.R. § 273.15(c)(1) provides that the handler may make this demonstration by placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received. 40 C.F.R. § 273.15(c)(2) though (6) provide that this demonstration may also be made by marking each individual item with the date that it becomes a waste, maintaining an inventory system that identifies the earliest date that items became waste, placing universal waste in specific accumulation areas that identify the earliest date that items became waste, or any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.
35. At the time of the August 26, 2014 Inspection, the following universal waste lamps were present at the Facility:
- a. In the storage space for general maintenance supplies, adjacent to the production line, there were 14 used fluorescent lamps and one mercury-containing light ballast placed on the floor in open, unlabeled and undated boxes.

- b. In the entryway to the general storage area, there was one fluorescent lamp discarded in the waste bin, not labelled or dated.
36. On August 26, 2014, Salem Tube violated 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.13(d)(1), by failing to contain 15 fluorescent lamps and one mercury-containing light ballast at the Facility in structurally sound and closed containers or packages.
37. On August 26, 2014, Salem Tube violated 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.14(e), by accumulating one box of used fluorescent lamps, one mercury-containing light ballast, and one single unboxed fluorescent lamp without labeling or marking them clearly with one of the following phrases: “Universal Waste-Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s).”
38. On August 26, 2014, Salem Tube violated 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.15(c), by failing to mark or label, and by failing to have or use any other method, to clearly demonstrate the length of time that 15 fluorescent lamps and one mercury-containing light ballast were being accumulated at the Facility.

#### IV. CIVIL PENALTIES

39. Respondent agrees to pay a civil penalty in the amount of **SEVEN THOUSAND DOLLARS (\$7,000.00)** in full and final settlement and satisfaction of all civil claims for penalties which Complainant may have concerning the violations and facts alleged and set forth in Section III (“EPA Findings of Fact and Conclusions of Law”) of this Consent Agreement. Such civil penalty shall become due and payable immediately upon Respondent’s receipt of a true and correct copy of this CAFO. In order to avoid the assessment of interest, administrative costs and late payment penalties in connection with such civil penalty, Respondent must pay such civil penalty no later than thirty (30) calendar days after the date on which a copy of this CAFO is mailed or hand-delivered to Respondent.
40. The civil penalty settlement amount set forth in Paragraph 39, immediately above, was determined after consideration of the statutory factors set forth in Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), which include the seriousness of the violation and any good faith efforts to comply with the applicable requirements. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA’s October, 1990 RCRA Civil Penalty Policy, as revised in June, 2003 (“RCRA Penalty Policy”), which reflect the statutory penalty criteria and factors set forth at Section 3008(a)(3) and (g) of RCRA, 42 U.S.C. §§ 6928(a)(3) and (g). Complainant has also considered the Adjustment of Civil Monetary Penalties for Inflation, 40 C.F.R. Part 19, and the December 6, 2013 Memorandum by EPA Assistant Administrator, Cynthia Giles, entitled, Amendments to the U.S. Environmental Protection Agency’s Civil Penalty Policies to Account for Inflation, (Effective December 6, 2013). The settlement in this proceeding is consistent with the provisions and objectives of Section 3008 of RCRA, and its implementing regulations.

41. Payment of the civil penalty set forth in Paragraph 39, above, plus any interest, administrative fees, and late payment penalties owed, in accordance with Paragraphs 44 through 46, below, shall be made by either cashier's check, certified check, or electronic wire transfer, in the following manner:

- a. All payments by Respondent shall reference Respondent's name and address, and the EPA Docket Number of this Consent Agreement, *i.e.*, **RCRA-03-2016-0171**;
- b. All checks shall be made payable to "**United States Treasury**;"
- c. All payments made by check and sent by regular mail shall be addressed and mailed to:

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

Customer service contact: 513-487-2091

- d. All payments made by check and sent by overnight delivery service shall be addressed and mailed to:

U.S. Environmental Protection Agency  
Cincinnati Finance Center  
Government Lockbox 979077  
1005 Convention Plaza  
Mail Station SL-MO-C2-GL  
St. Louis, MO 63101

Contact: 314-418-1818

- e. All payments made by check in any currency drawn on banks with no USA branches shall be addressed for delivery to:

Cincinnati Finance  
US EPA, MS-NWD  
26 W. M.L. King Drive  
Cincinnati, OH 45268-0001

- f. All payments made by electronic wire transfer shall be directed to:

Federal Reserve Bank of New York  
ABA = 021030004  
Account = 68010727  
SWIFT address = FRNYUS33  
33 Liberty Street

New York, NY 10045

Field Tag 4200 of the Fedwire message should read:  
“**D 68010727 Environmental Protection Agency**”

- g. All electronic payments made through the Automated Clearinghouse (ACH), also known as Remittance Express (REX), shall be directed to:

US Treasury REX / Cashlink ACH Receiver  
ABA = 051036706  
Account No.: 310006, Environmental Protection Agency  
CTX Format Transaction Code 22 - Checking

Physical location of U.S. Treasury facility:  
5700 Rivertech Court  
Riverdale, MD 20737

Contact: 866-234-5681

- h. On-Line Payment Option: WWW.PAY.GOV/paygov/

Enter sfo 1.1 in the search field. Open and complete the form.

- i. Additional payment guidance is available at:

<http://www2.epa.gov/financial/makepayment>

or by contacting Craig Steffen at 513-487-2091

- 42. At the time of payment, Respondent shall send a notice of such payment, including a copy of the check or electronic fund transfer, as applicable, to:

Ms. Lydia Guy  
Regional Hearing Clerk (3RC00)  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029;

and

Natalie Katz  
Sr. Assistant Regional Counsel (3RC30)  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029.

- 43. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest, administrative costs 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, as more fully described below. Accordingly, Respondent's failure to make timely payment or to comply with the conditions in this CAFO shall result in the assessment of late payment charges including interest, penalties, and/or administrative costs of handling delinquent debts.

44. In accordance with 40 C.F.R. § 13.11(a), interest on any civil penalty assessed in a CAFO begins to accrue on the date that a copy of the CAFO is mailed or hand-delivered to the Respondent. However, EPA will not seek to recover interest on any amount of such civil penalty that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. 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).
45. The costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period a debt is overdue. 40 C.F.R. § 13.11(b). Pursuant to Appendix 2 of EPA's Resources Management Directives - Cash Management, Chapter 9, EPA will assess a \$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 \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.
46. A late payment penalty of six percent (6%) per year will be assessed monthly on any portion of a civil penalty which remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on a debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).
47. The Respondent agrees not to deduct for federal tax purposes the civil monetary penalty specified in this Consent Agreement and the accompanying Final Order.

#### **V. CERTIFICATIONS**

48. Respondent certifies to Complainant by its signature hereto, to the best of Respondent's knowledge and belief, that Respondent is in compliance with all relevant provisions of the current, authorized revised PaHWR and of RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g, for which violations are alleged in this Consent Agreement.

#### **VI. OTHER APPLICABLE LAWS**

49. Nothing in this CAFO shall relieve Respondent of any duties otherwise imposed upon it by applicable federal, state, or local law and/or regulation.

#### **VII. RESERVATION OF RIGHTS**

50. This CAFO resolves only EPA's claims for civil penalties for the specific violations and facts which are alleged in this Consent Agreement. Nothing in this CAFO shall be construed as limiting the authority of EPA to undertake action against any person, including the Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare or

the environment. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CAFO following its filing with the Regional Hearing Clerk.

**VIII. FULL AND FINAL SATISFACTION**

- 51. This settlement shall constitute full and final satisfaction of all civil claims for penalties which Complainant has under RCRA Section 3008(a) and (g), 42 U.S.C. § 6928(a) and (g), for the violations alleged in this Consent Agreement.

**IX. PARTIES BOUND**

- 52. This CAFO shall apply to and be binding upon the EPA, the Respondent, Respondent's officers and directors (in their official capacity) and Respondent's successors and assigns. By his or her signature below, the person signing this Consent Agreement on behalf of Respondent acknowledges that he or she is fully authorized to enter into this Consent Agreement and to bind the Respondent to the terms and conditions of this CAFO.

**X. EFFECTIVE DATE**

- 53. The effective date of this CAFO is the date on which the Final Order is filed with the Regional Hearing Clerk after signature by the Regional Administrator or his designee, the Regional Judicial Officer.

**XI. ENTIRE AGREEMENT**

- 54. This CAFO constitutes the entire agreement and understanding of the parties concerning settlement of the above-captioned action and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this CAFO.

For Respondent:

Date: 7-21-16

By: Doug Faber  
Name: Doug Faber  
Title: Controller

For the Complainant:

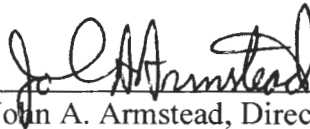
U.S. Environmental Protection Agency, Region III

Date: 7/25/16

By: Natalie L. Katz  
Natalie L. Katz  
Sr. Assistant Regional Counsel

After reviewing the EPA Findings of Fact and Conclusions of Law and other pertinent matters, the Land and Chemicals Division of the United States Environmental Protection Agency, Region III, recommends that the Regional Administrator, or his designee, the Regional Judicial Officer, issue the attached Final Order.

Date: 7.26.16

By:   
John A. Armstead, Director  
Land and Chemicals Division

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
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**In the matter of:** )  
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3008(a) and (g) of the  
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**FINAL ORDER**

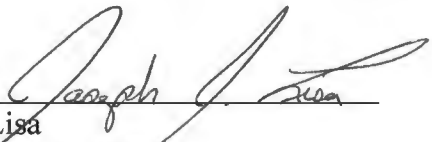
Complainant, the Director, Land and Chemical Division, U.S. Environmental Protection Agency, Region III, and Salem Tube, Inc. (“Respondent”), have executed a document entitled “Consent Agreement,” which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. § 22.18(b)(2) and (3). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated herein as if set forth at length herein.

Based upon the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of, *inter alia*, EPA’s October, 1990 RCRA Civil Penalty Policy, as revised in June, 2003 (“RCRA Penalty Policy”), and the statutory factors set forth in Section 3008(a) of RCRA, 42 U.S.C. § 6928(a).

**NOW, THEREFORE, PURSUANT TO** Section 3008(a) and (g) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6928(a) and (g) (“RCRA”), and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondents pay a civil penalty payment of **SEVEN THOUSAND DOLLARS (\$7,000.00)**, in accordance with the payment provisions set forth in of the Consent Agreement, and comply with the terms and conditions of the Consent Agreement.

The effective date of the attached Consent Agreement and this Final Order is the date on which the Final Order is filed with the Regional Hearing Clerk.

July 27, 2016  
Date: 0

  
\_\_\_\_\_  
Joseph J. Lisa  
Regional Judicial Officer  
U.S. EPA, Region III

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103

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REGIONAL HEARING CLERK  
EPA REGION III, PHILA. PA

In the matter of: )

Salem Tube, Inc. )  
951 4<sup>th</sup> Street )  
Greenville, PA 16125 )

Docket No. RCRA-03-2016-017 )

RESPONDENT. )

Salem Tube, Inc. )  
951 4<sup>th</sup> Street )  
Greenville, PA 16125 )

Proceeding Under Section )  
3008(a) and (g) of the )  
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FACILITY. )

CERTIFICATE OF SERVICE

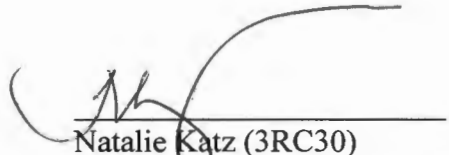
I certify that on the date noted below, I sent by UPS Next Day Delivery, a copy of the Consent Agreement and Final Order to the addressee listed below:

Howard J. Wein  
Buchanan Ingersoll & Rooney PC  
One Oxford Centre  
301 Grant Street, 20th Floor  
Pittsburgh, PA 15219-1410

Douglas Faber, Controller  
Salem Tube, Inc.  
951 4<sup>th</sup> Street  
Greenville, PA 16125

The original and one copy of were hand-delivered to, and filed with, the Regional Hearing Clerk, U.S. EPA Region III.

Dated: 8/1/2016



Natalie Katz (3RC30)  
Senior Assistant Regional Counsel  
EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103