

FEB 13 2017



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

CERTIFIED MAIL ~~7001 0320 0006 1452 2980~~ N/A
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Mr. Patrick McComis
President
Apiscent Labs, LLC
4170 South Nevada Avenue
St. Francis, Wisconsin 53235

Re: Consent Agreement and Final Order
Apiscent Labs, LLC, St. Francis, Wisconsin
Docket No: **RCRA-05-2017-0008**

Dear Mr. McComis:

Enclosed please find a fully-executed Consent Agreement and Final Order (CAFO) in resolution of the above case. The CAFO was filed on February 13, 2017 with the Regional Hearing Clerk (RHC). Pursuant to paragraph 78 of the CAFO, the effective date of the CAFO is February 13, 2017.

Please pay the civil penalty in the amount of \$25,000 in four installments with interest in the manner prescribed in paragraph 74 of the CAFO. Your payments are due on the following dates as established in paragraph 74 of the CAFO: Payment #1 - \$6,270.83 due on March 15, 2017 [30 days after effective date]; Payment #2 - \$6,296.88 due on June 13, 2017 [120 days after effective date]; Payment #3 - \$6,281.25 due on September 11, 2017 [210 days after effective date]; and Payment #4 - \$6,265.63 due on December 11, 2017 [300 days after effective date]. Also, enclosed is a *Notice of Securities and Exchange Commission Registrant's Duty to Disclose Environmental Legal Proceedings*. Thank you for your cooperation in resolving this matter.

Sincerely,

A handwritten signature in cursive script that reads "Gary J. Victorine".

Gary J. Victorine, Chief
RCRA Branch

Enclosures

cc: Michael Ellenbecker, WDNR (michael.ellenbecker@wisconsin.gov)
Steven Sisbach, WDNR (steven.sisbach@wisconsin.gov)

NOTICE OF SECURITIES AND EXCHANGE COMMISSION REGISTRANTS' DUTY TO DISCLOSE ENVIRONMENTAL LEGAL PROCEEDINGS

Securities and Exchange Commission regulations require companies registered with the SEC (e.g., publicly traded companies) to disclose, on at least a quarterly basis, the existence of certain administrative or judicial proceedings taken against them arising under Federal, State or local provisions that have the primary purpose of protecting the environment. Instruction 5 to Item 103 of the SEC's Regulation S-K (17 CFR 229.103) requires disclosure of these environmental legal proceedings. For those SEC registrants that use the SEC's "small business issuer" reporting system, Instructions 1-4 to Item 103 of the SEC's Regulation S-B (17 CFR 228.103) requires disclosure of these environmental legal proceedings.

If you are an SEC registrant, you have a duty to disclose the existence of pending or known to be contemplated environmental legal proceedings that meet any of the following criteria (17 CFR 229.103(5)(A)-(C)):

- A. Such proceeding is material to the business or financial condition of the registrant;
- B. Such proceeding involves primarily a claim for damages, or involves potential monetary sanctions, capital expenditures, deferred charges or charges to income and the amount involved, exclusive of interest and costs, exceeds 10 percent of the current assets of the registrant and its subsidiaries on a consolidated basis; or
- C. A governmental authority is a party to such proceeding and such proceeding involves potential monetary sanctions, unless the registrant reasonably believes that such proceeding will result in no monetary sanctions, or in monetary sanctions, exclusive of interest and costs, of less than \$100,000; provided, however, that such proceedings which are similar in nature may be grouped and described generically.

Specific information regarding the environmental legal proceedings that must be disclosed is set forth in Item 103 of Regulation S-K or, for registrants using the "small business issuer" reporting system, Item 103(a)-(b) of Regulation S-B. If disclosure is required, it must briefly describe the proceeding, "including the name of the court or agency in which the proceedings are pending, the date instituted, the principal parties thereto, a description of the factual basis alleged to underlie the proceedings and the relief sought."

You have been identified as a party to an environmental legal proceeding to which the United States government is, or was, a party. If you are an SEC registrant, this environmental legal proceeding may trigger, or may already have triggered, the disclosure obligation under the SEC regulations described above.

This notice is being provided to inform you of SEC registrants' duty to disclose any relevant environmental legal proceedings to the SEC. This notice does not create, modify or interpret any existing legal obligations, it is not intended to be an exhaustive description of the legally applicable requirements and it is not a substitute for regulations published in the Code of Federal Regulations. This notice has been issued to you for information purposes only. No determination of the applicability of this reporting requirement to your company has been made by any governmental entity. You should seek competent counsel in determining the applicability of these and other SEC requirements to the environmental legal proceeding at issue, as well as any other proceedings known to be contemplated by governmental authorities.

If you have any questions about the SEC's environmental disclosure requirements, please contact the SEC Office of the Special Senior Counsel for Disclosure Operations at (202) 942-1888.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:)	Docket No.	RCRA-05-2017-0008
Apiscent Labs, LLC)		
4170 South Nevada Avenue)	Proceeding to Commence and Conclude	
St. Francis, Wisconsin 53235)	an Action to Assess a Civil Penalty	
EPA ID Number: WID981529993)	Under Section 3008(a) of the Resource	
)	Conservation and Recovery Act,	
)	42 U.S.C. § 6928(a)	
Respondent.)		



Consent Agreement and Final Order

Preliminary Statement

1. This is an administrative action commenced and concluded under Section 3008(a) of the Solid Waste Disposal Act, as amended, also known as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a), and Sections 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules) as codified at 40 C.F.R. Part 22.

2. The Complainant is the Director of the Land and Chemicals Division, United States Environmental Protection Agency (U.S. EPA), Region 5.

3. U.S. EPA provided notice of commencement of this action to the State of Wisconsin pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).

4. Respondent is Apiscent Labs, LLC, a limited liability company doing business in the State of Wisconsin.

5. Where the parties agree to settle one or more causes of action before the filing of a

complaint, the administrative action may be commenced and concluded simultaneously by the issuance of a consent agreement and final order (CAFO). 40 C.F.R. § 22.13(b).

6. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.

7. Respondent consents to the assessment of the civil penalty specified in this CAFO, and to the terms of this CAFO.

Jurisdiction and Waiver of Right to Hearing

8. Jurisdiction for this action is conferred upon U.S. EPA by Sections 3006 and 3008 of RCRA, 42 U.S.C. §§ 6926 and 6928.

9. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual or legal allegations in this CAFO.

10. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO, and its right to appeal this CAFO.

11. Respondent certifies that it is complying fully with RCRA, 42 U.S.C. §§ 6901 – 6992k, and the regulations at Wis. Adm. Code NR Chapters 660 – 679 [40 C.F.R. Parts 260 – 279].

Statutory and Regulatory Background

12. U.S. EPA has promulgated regulations, codified at 40 C.F.R. Parts 260 through 279, governing generators and transporters of hazardous waste and facilities that treat, store, and dispose of hazardous waste, pursuant to Sections 3001 – 3007, 3013, and 3014 among others, of RCRA, 42 U.S.C. §§ 6921 – 6927, 6934, and 6935.

13. Pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, the Administrator of U.S. EPA may authorize a state to administer the RCRA hazardous waste program in lieu of the

federal program when the Administrator finds that the state program meets certain conditions. Any violation of regulations promulgated pursuant to Subtitle C (Sections 3001-3023 of RCRA, 42 U.S.C. §§ 6921-6939e) or any state provision authorized pursuant to Section 3006 of RCRA constitutes a violation of RCRA, subject to the assessment of civil penalties and issuance of compliance orders as provided in Section 3008 of RCRA, 42 U.S.C. § 6928.

14. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), the Administrator of U.S. EPA granted the State of Wisconsin final authorization to administer a state hazardous waste program in lieu of the federal government's base RCRA program effective January 31, 1986. 51 Fed. Reg. 3783 (January 31, 1986).

15. Pursuant to Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270, the treatment, storage, or disposal of hazardous waste by any person who has not applied for or received a permit is prohibited.

16. Under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), U.S. EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified period of time, or both. The Administrator of U.S. EPA may assess a civil penalty of up to \$37,500 per day for each violation of Subtitle C of RCRA that occurred after January 12, 2009 through November 2, 2015 pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), and 40 C.F.R. Part 19.

General Allegations

17. Respondent is a "person" as defined by Wis. Adm. Code NR § 660.10(90), 40 C.F.R. § 260.10, and Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

18. Respondent is the "owner" or "operator," as those terms are defined under Wis. Adm. Code NR § 660.10 and 40 C.F.R. § 260.10, of a facility located at 4170 South Nevada

Avenue, St. Francis, Wisconsin (facility).

19. Respondent's facility consists of land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste.

20. Respondent's facility is a "facility," as that term is defined under Wis. Adm. Code NR § 660.10(43) and 40 C.F.R. § 260.10.

21. Prior to April 18, 2014, the facility was owned and operated by Fontarome Chemical, Inc.

22. Respondent became the owner or operator of the facility on or about April 18, 2014.

23. On July 16, 2014, U.S. EPA conducted a Compliance Evaluation Inspection (inspection) of the facility to determine Respondent's compliance with RCRA.

24. Respondent specializes in the manufacturing, synthesis, purification, packaging, and shipping of raw materials for the food and pharmaceutical industries.

25. At all times relevant to this CAFO, Respondent created solid wastes including, but not limited to: 1) waste methanol solvent waste; 2) dichromate waste; 3) aluminum chloride and acid water waste water; 4) used fluorescent lamps; and, 5) used oil.

26. Respondent's processes at the facility produced several hazardous wastes identified or listed in Wis. Adm. Code Chapter NR 660 or caused a hazardous waste to become subject to regulation under Wis. Adm. Code Chapters NR 660-670 and 40 C.F.R. Parts 260-270.

27. Respondent is a "generator" as that term is defined under Wis. Adm. Code NR § 660.10(50) and 40 C.F.R. § 260.10.

28. At all times relevant to this CAFO, Respondent produced more than 1,000 kilograms (2,205 pounds) of hazardous waste each calendar month and was a large quantity generator.

29. Respondent is subject to the regulations promulgated pursuant to Subtitle C of RCRA, 42 U.S.C. §§ 6921-6930, or the analogous Wisconsin regulations as part of the applicable state hazardous waste management program for the State of Wisconsin, or both.

30. Respondent holds discarded materials including solvent waste, dichromate waste, and aluminum chloride and acid water waste water for temporary periods in 275-gallon totes before the material is shipped from the facility for treatment, storage, disposal, burning or incineration elsewhere.

31. Respondent holds used oil, a discarded material, for temporary periods in 55-gallon drums and 5-gallon buckets before the material is shipped from the facility for treatment, storage, disposal, burning or incineration elsewhere.

32. Respondent's 275-gallon totes, 55-gallon drums, and 5-gallon buckets in which it stores, transports, disposes of, or otherwise handles waste are "containers" as that term is defined under Wis. Adm. Code § 660.10(14) and 40 C.F.R. § 260.10.

33. Respondent's holding of solvent waste, dichromate waste, and aluminum chloride and acid water waste water in 275-gallon totes constitutes "storage" of hazardous waste as that term is defined under Wis. Adm. Code NR § 660.10(112) and 40 C.F.R. § 260.10.

34. On August 26, 2014, U.S. EPA sent Respondent a notice of violation (NOV) identifying potential violations of RCRA.

35. On September 22, 2014, Respondent submitted a response to U.S. EPA's NOV, and Respondent submitted further responsive information on October 2, 2014.

36. On July 1, 2016, U.S. EPA sent Respondent a request for information pursuant to section 3007 of RCRA, 42 U.S.C. § 6927.

37. On July 28, 2016, Respondent submitted a response to U.S. EPA's request for

information.

38. At all times relevant to this CAFO, the State of Wisconsin has not issued a permit to Respondent to treat, store, or dispose of hazardous waste at the facility.

39. At all times relevant to this CAFO, Respondent did not have interim status for the treatment, storage, or disposal of hazardous waste at the facility.

Count 1

40. Complainant incorporates paragraphs 1 through 39 of this CAFO as though set forth in this paragraph.

41. Pursuant to 3005(a) or RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270, the treatment, storage, or disposal of hazardous waste by any person who has not applied for or received a permit is prohibited.

42. Pursuant to Wis. Adm. Code NR 662.034(1) [40 C.F.R. § 262.34(a)], and subject to certain exceptions, a generator of hazardous waste may accumulate hazardous waste on-site for 90 days or less without having a license or interim status, provided that the generator complies with all applicable requirements of Wis. Adm. Code NR § 662.034(1) [40 C.F.R. § 262.34(a)].

43. If the conditions of Wis. Adm. Code NR § 662.034(1) [40 C.F.R. § 262.34(a)] are not met, then the generator must apply for an operating permit, which in Wisconsin is referred to as a "license," under Wis. Adm. Code NR §§ 664 and 670 [40 C.F.R. Part 264, 40 C.F.R. §§ 270.1(c), 270.10(a) and (d), and 270.13].

44. At the time of inspection, Respondent had accumulated six 275-gallon totes containing dichromate waste, which is a characteristic hazardous waste carrying the D007 hazardous waste number as identified in Wis. Adm. Code NR § 661.24 [40 C.F.R. § 261.24].

45. The dichromate waste had been pumped into the totes from an outside tank by the

previous owner of the facility prior to April 18, 2014.

46. At the time of the inspection, the last off-site shipment of hazardous waste was on February 28, 2014 by the previous owner of the facility, Fontarome Chemical, Inc.

47. After starting its operations at the facility on or about April 18, 2014, Respondent did not ship any dichromate waste off-site until October 3, 2014.

48. Therefore, Respondent stored dichromate waste for at least 77 days over the 90 days limit for generators without obtaining or applying for a license.

49. Accordingly, Respondent failed to satisfy one of the requirements for maintaining its exemption from the requirement that it have an operating license or interim status when it stored hazardous waste for more than 90 days as referenced in paragraphs 46 and 47 above.

50. Respondent, therefore, stored hazardous waste without a license or interim status in violation of Section 3005 of RCRA, 42 U.S.C. § 6925, and the regulations found at Wis. Adm. Code Chapters NR 664, 665 and 670 [40 C.F.R. Parts 264, 265, and 270].

Count 2

51. Complainant incorporates paragraphs 1 through 39 of this CAFO as though set forth in this paragraph.

52. Pursuant to Wis. Adm. Code NR 662.034(1) and 40 C.F.R. § 262.34(a), in order for a large quantity generator of hazardous waste to maintain its exemption from the requirement to have an operating license or interim status, it must comply with the specific requirements that it label or mark each container holding hazardous waste clearly with the words, "Hazardous Waste," Wis. Adm. Code NR § 662.034(1)(c) [40 C.F.R. § 262.34(a)(3)], and that the date upon which each period of accumulation begins must be clearly marked and visible for inspection on each container, Wis. Adm. Code NR § 662.034(1)(b) [40 C.F.R. § 262.34(a)(2)].

53. At the time of the inspection, four 55-gallon containers contained hazardous waste solids but were not labeled "Hazardous Waste" and did not have accumulation dates.

54. At the time of the inspection, several 275-gallon totes located in the warehouse area of the facility were labeled "Hazardous Waste" but did not have accumulation dates.

55. At the time of the inspection, two 275-gallon totes located in the production area of the facility were labeled "Hazardous Waste" but did not have accumulation dates.

56. As set forth above, Respondent did not meet the requirements of Wis. Adm. Code NR § 662.034 [40 C.F.R. § 262.34] necessary to exempt it from the requirement to obtain interim status or apply for and obtain a permit for the storage of hazardous waste.

57. Respondent, therefore, stored hazardous waste without a license or interim status in violation of Section 3005 of RCRA, 42 U.S.C. § 6925, and the regulations found at Wis. Adm. Code Chapters NR 664, 665, and 670 [40 C.F.R. Parts 264, 265, and 270].

Count 3

58. Complainant incorporates paragraphs 1 through 39 of this CAFO as though set forth in this paragraph.

59. Facilities that fail to meet the conditions for a generator permit exemption for waste storage under Wis. Adm. Code NR § 662.034 [40 C.F.R. § 262.34] must meet the standards for treatment, storage, and disposal facilities in Wis. Adm. Code Chapter NR 664 Subchapter C [40 C.F.R. Part 264, Subpart C], which requires that all owners or operators of hazardous waste facilities comply with all requirements for Preparedness and Prevention.

60. Wis. Adm. Code NR § 664.0035 [40 C.F.R. § 264.35] requires that the owner or operator shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of

facility operation in an emergency.

61. At the time of the inspection, Respondent was storing 275-gallon tote containers of hazardous waste and 55-gallon containers of hazardous waste without adequate aisle space in the hazardous waste storage area.

62. Respondent, therefore, failed to comply with Wis. Adm. Code NR § 664.0035 [40 C.F.R. § 264.35] which subjects Respondent to civil penalties under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a).

Count 4

63. Complainant incorporates paragraphs 1 through 39 of this CAFO as though set forth in this paragraph.

64. Respondent is a generator of waste lamps and a small quantity handler of universal waste subject to the requirements of Subchapter B of Wis. Adm. Code NR 673 [40 C.F.R. § 273, Subpart B].

65. Wis. Adm. Code NR § 673.14(4)(a) [40 C.F.R. § 273.13(d)(1)] requires, among other things, that a small quantity handler of universal waste shall contain any lamp in containers that shall remain closed.

66. During the inspection, the inspector observed two open boxes of used fluorescent lamps.

67. Respondent, therefore, failed to comply with Wis. Adm. Code NR § 673.13(4)(a) [40 C.F.R. § 273.13(d)(1)].

Count 5

68. Complainant incorporates paragraphs 1 through 39 of this CAFO as though set forth in this paragraph.

69. Respondent is a used oil generator subject to Subchapter C of Wis. Adm. Code NR 679 [40 C.F.R. § 279, Subpart C].

70. Wis. Adm. Code NR § 679.22(3)(a) [40 C.F.R. § 279.22(c)(1)] requires that containers and aboveground storage tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

71. During the inspection, the inspector observed plastic containers of used oil that were not labeled "Used Oil."

72. Respondent, therefore, failed to comply with Wis. Adm. Code NR § 679.22(3)(a) [40 C.F.R. § 279.22(c)(1)].

Civil Penalty

73. Pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), Complainant determined that an appropriate civil penalty to settle this action is \$25,000. In determining the penalty amount, Complainant took into account the seriousness of the violation and any good faith efforts to comply with the applicable requirements. Complainant also considered U.S. EPA's RCRA Civil Penalty Policy, dated June 23, 2003.

74. Respondent must pay a \$25,000 civil penalty in four installments with interest as follows:

<u>Installment</u>	<u>Due By</u>	<u>Payment</u>	<u>Principal</u>	<u>Interest (1%)</u>
Payment #1	Within 30 days of effective date of CAFO	\$6,270.83	\$6,250.00	\$20.83
Payment #2	Within 120 days of effective date of CAFO	\$6,296.88	\$6,250.00	\$46.88
Payment #3	Within 210 days of effective date of CAFO	\$6,281.25	\$6,250.00	\$31.25
Payment #4	Within 300 days of effective date of CAFO	\$6,265.63	\$6,250.00	\$15.63

Respondent must pay the installments by ACH electronic funds transfer, payable to "Treasurer, United States of America," and sent to:

US Treasury REX / Cashlink ACH Receiver
ABA: 051036706
Account Number: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 – checking

75. This civil penalty is not deductible for federal tax purposes.

76. If Respondent does not pay an installment payment as set forth in paragraph 74, above, the entire unpaid balance of the civil penalty shall become due and owing upon written notice by U.S. EPA to Respondent of the delinquency. U.S. EPA may bring an action to collect any unpaid portion of the penalty with interest, handling charges, nonpayment penalties, and the United States enforcement expenses for the collection action. The validity, amount, and appropriateness of the civil penalty are not reviewable in a collection action.

77. Pursuant to 31 C.F.R. § 901.9, Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any amount overdue from the date payment was due at a rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717(a)(1). Respondent must pay a \$15 handling charge each month that any portion of the penalty is more than 30 days past due. In addition, Respondent must pay a 6 percent per year penalty on any principal amount 90 days past due.

General Provisions

78. The effective date of this CAFO is the date on which it is filed with the Regional Hearing Clerk (Effective Date).

79. Consistent with the "Standing Order Authorizing E-Mail Service of Orders and Other Documents Issued by the Regional Administrator or Regional Judicial Officer Under the

Consolidated Rules,” dated March 27, 2015, the parties consent to service of this CAFO by e-mail at the following valid e-mail addresses: grubb.christopher@epa.gov (for Complainant) and PMcComis@Apiscent.com (for Respondent). The parties waive their right to service by the methods specified in 40 C.F.R. § 22.6.

80. This CAFO resolves only Respondent’s liability for federal civil penalties for the violations and facts alleged in the CAFO.

81. This CAFO does not affect the right of U.S. EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.

82. This CAFO does not affect Respondent’s responsibility to comply with RCRA and other applicable federal, state, local laws or permits.

83. This CAFO is a “final order” for purposes of 40 C.F.R. § 22.31, U.S. EPA’s RCRA Civil Penalty Policy, and U.S. EPA’s Hazardous Waste Civil Enforcement Response Policy (December 2003).

84. The terms of this CAFO bind Respondent, its successors, and assigns.

85. Each person signing this agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

86. Each party agrees to bear its own costs and attorney’s fees in this action.

87. This CAFO constitutes the entire agreement between the parties.

Apiscent Labs, LLC, Respondent

01/31/2017
Date

Patrick R. McComis
Patrick McComis
President
Apiscent Labs, LLC

United States Environmental Protection Agency, Complainant

Feb. 8, 2017
Date

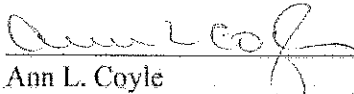
Ignacio L. Arrázola
Ignacio L. Arrázola
Acting Director
Land and Chemicals Division

In the Matter of:
Apscent Labs, LLC
Docket No. **RCRA-05-2017-0008**

Final Order

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31. IT IS SO ORDERED.

February 10, 2017
Date



Ann L. Coyle
Regional Judicial Officer
United States Environmental Protection Agency
Region 5

Consent Agreement and Final Order
In the matter of: Apiscent Labs, LLC.
Docket Number: **RCRA-05-2017-0008**

CERTIFICATE OF SERVICE

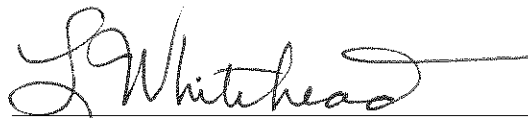
I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, which was filed on February 13, 2017, in the following manner to the following addressees:

Copy by E-mail to Respondent: Patrick McComis
PMcComis@apiscent.com

Copy by E-mail to
Attorney for Complainant: Christopher Grubb
grubb.christopher@epa.gov

Copy by E-mail to
Regional Judicial Officer: Ann Coyle
coyle.ann@epa.gov

Dated: February 13, 2017



LaDawn Whitehead
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 5