

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
901 NORTH 5th STREET
KANSAS CITY, KANSAS 66101

11/27/12 PM 3:42
ENVIRONMENTAL PROTECTION
AGENCY REGION VII
REGIONAL HEARING CLERK

IN THE MATTER OF:)
)
Waste Management LampTracker, Inc.)
) **CONSENT AGREEMENT**
) **AND FINAL ORDER**
)
RCRA I.D. No. MOR000504456)
) **Docket No. RCRA-07-2011-0033**
)
Respondent)
)
Proceeding under Section 3008(a) and (g) of)
the Resource Conservation and Recovery)
Act as amended, 42 U.S.C. § 6928(a) and (g))
)
_____)

I. PRELIMINARY STATEMENT

The U.S. Environmental Protection Agency (EPA), Region 7 (Complainant) and Waste Management LampTracker, Inc. (Respondent) have agreed to a settlement of this action before the filing of a complaint, and thus this action is simultaneously commenced and concluded pursuant to Rules 22.13(b) and 22.18(b)(2) of the 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 (Consolidated Rules of Practice), 40 Code of Federal Regulations (C.F.R.) §§ 22.13(b) and 22.18(b)(2). This Consent Agreement and Final Order (CAFO) is a complete and final settlement of all civil and administrative claims and causes of action for the violations set forth in this CAFO.

II. ALLEGATIONS

Jurisdiction

1. This administrative action is being conducted pursuant to Sections 3008(a) and (g) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (RCRA or the Act), and the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 United States Code (U.S.C.) § 6928(a) and (g), and in accordance with the Consolidated Rules of Practice.
2. This CAFO serves as notice that EPA has reason to believe that Respondent violated 3005 of RCRA, 42 U.S.C. § 6925, and the implementing regulations at 40 C.F.R. Part 262 and 265.

Parties

3. The Complainant is the Chief of the RCRA Waste Enforcement and Materials Management Branch in the Air and Waste Management Division of EPA, Region 7.
4. The Respondent is Waste Management LampTracker, Inc., a company authorized to operate in the state of Missouri.

Statutory and Regulatory Framework

5. When EPA determines that any person has violated or is in violation of any RCRA requirement, EPA may issue an order assessing a civil penalty for any past or current violation and/or require immediate compliance or compliance within a specified time period pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928.
6. Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), authorizes a civil penalty of not more than \$25,000 per day for violations of Subchapter III of RCRA (Hazardous Waste Management). This figure has been adjusted upward for inflation pursuant to the Civil Monetary Penalties Inflation Adjustment Rule, 40 C.F.R. Part 19, so that penalties of up to \$32,500 per day are authorized for violations of Subchapter III of RCRA that occur between March 15, 2004, and January 12, 2009, and penalties of up to \$37,500 per day are authorized for violations that occur after January 12, 2009. Based upon the facts alleged in this CAFO and upon those factors which Complainant must consider pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), as discussed in the RCRA Civil Penalty Policy issued by EPA in June 2003, the Complainant and Respondent agree to the payment of a civil penalty pursuant to Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), for the violations of RCRA alleged in this CAFO.
7. Subchapter III of RCRA and its implementing regulations require owners and operators of facilities that treat, store or dispose of hazardous waste identified or listed in 40 C.F.R. Part 261 to have a RCRA permit. As set forth at Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), “the treatment, storage, or disposal of any such hazardous waste is prohibited except in accordance with such a permit.”
8. EPA has promulgated regulations under RCRA, 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.
9. Pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, the Administrator of 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 of 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.

10. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), the Administrator of EPA granted the state of Missouri final authorization to administer a state hazardous waste program in lieu of the federal government's base RCRA program and certain additional RCRA requirements. EPA-authorized Missouri regulations are codified at Title 10 Division 25 of the Missouri Code of State Regulations (hereinafter "10 C.S.R. 25").

11. Under Section 3006(d) of RCRA, 42 U.S.C. § 6926(d), *Effect of State permit*, "[A]ny action taken by a State under a hazardous waste program authorized under this section shall have the same force and effect as action taken by the Administrator under this subchapter."

12. The regulations at 40 C.F.R. § 262.34(a), allow a generator to accumulate hazardous waste in containers on-site for ninety (90) without a permit or without interim status, provided the conditions listed in 40 C.F.R. §§ 262.34(a)(1)-(4) are met. These conditions include compliance with various hazardous waste regulatory requirements.

13. The regulations at 40 C.F.R. Part 273, set forth the standards for generators of universal waste.

Factual Background

14. Respondent is a company authorized to conduct business in the state of Missouri, and is a "person" as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

15. Respondent, at a facility located at 415 Kaiser Industrial Drive in Kaiser, Missouri (Facility), operates a destination facility for universal waste lamps, mercury containing equipment, and batteries. The Facility has a resource recovery permit issued by the Missouri Department of Natural Resources (MDNR) permitting it to store in containers hazardous wastes related to the receipt and processing of fluorescent lamps.

16. At the time of the inspection referenced in Paragraph 20 below, Respondent operated a parking lot as a universal waste staging area (Staging Area) about ½ mile north of the Facility. Semi truck trailers loaded with universal wastes are staged at this parking lot prior to processing at the facility.

17. On or about November 15, 2006, H.T.R. Incorporated, the previous owner and operator of the Facility, was granted a Missouri Hazardous Waste Facility Management Permit (Permit) by MDNR, effective from November 15, 2006, through November 15, 2016.

18. On or about January 30, 2009, MDNR granted Respondent a Class 1 Permit Modification to the Permit issued to H.T.R. Incorporated on or about November 15, 2006, adding Respondent as the new owner of the Facility and approving the change in operator at the facility to the Respondent.

19. The Permit allows Respondent to store in containers only D009 hazardous waste, the majority of which is generated from Respondent's lamp processing operations.

20. On August 24 and 25, 2010, (2010 inspection) a representative of the EPA, Region 7, inspected Respondent's Facility and the Staging Area about ½mile north of the Facility. The inspection was conducted under authority of Section 3007 of RCRA.

21. At the time of the 2010 inspection, Respondent's facility was identified as a universal waste destination facility that recycles lamps, a universal waste transporter, and a large quantity generator of hazardous waste, generating greater than 1000 kilograms of hazardous waste per month.

22. Following the 2010 inspection, Respondent's Staging Area was identified as a large quantity handler of universal waste, with over 5,000 kilograms of universal waste being stored on-site.

23. Based on information obtained during the 2010 inspection, Respondent was issued a Notice of Violation on August 25, 2010. The documents indicated that Respondent violated multiple regulations and permit requirements applicable to handling of hazardous waste and universal waste.

Violations

Count 1

Inadequate Container Management

24. Complainant hereby incorporates the allegations contained in paragraphs 14 through 23 above, as if fully set forth herein.

Failure to Maintain Adequate Aisle Space

25. Part I Special Permit Condition I.E.4 of Respondent's Facility Permit, dictates a minimum aisle space of two feet between rows of waste stored at the facility.

26. At the time of the 2010 inspection, the inspector documented that Respondent had failed to maintain a minimum aisle space of two feet between rows of containers of waste lamps.

27. Respondent's failure to maintain a minimum aisle space of two feet between rows of waste stored at the facility is a violation of Part I Special Permit Condition I.E.4 of Respondent's Hazardous Waste Management Facility Permit.

Failure to Close Hazardous Waste Containers

28. Respondent is subject to 40 C.F.R. § 264.173(a), adopted and incorporated by reference at 10 C.S.R. 25-5.262(1), which provides that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

29. Special Permit Condition 1.E.1 of Respondent's Facility Permit requires that a container holding waste shall always be closed during storage, except when it is necessary to count, weigh, add, or remove waste.

30. At the time of the 2010 inspection, three, 20-gallon drums in Warehouse #1 at the Facility used as satellite waste accumulation containers to receive broken universal waste lamps swept from trailers at the loading dock were open at a time when the Facility was not counting, weighing, adding, or removing waste.

31. At the time of the 2010 inspection, in the Process Area at the Facility, two, 55-gallon drums that receive material containing calcium phosphate powder D009 waste from the shakers via hoses were open at a time when the Facility was not counting, weighing, adding, or removing waste.

32. Respondent's failure to close the three, 20-gallon drums and the two, 55-gallon drums is a violation of Special Permit Condition 1.E.1, and 40 C.F.R. § 264.173(a), adopted and incorporated by reference at Missouri regulation 10 C.S.R. 25-5.262(1).

Failure to Label Hazardous Waste Containers

33. Part 1, Special Permit Condition 1.C.2 of Respondent's Permit requires that hazardous waste containers in storage be labeled in accordance with U.S. Department of Transportation regulations regarding hazardous materials.

34. At the time of the 2010 inspection, three, full 55-gallon drums of hazardous waste crushed lamps were being stored with no labels.

35. Respondent's failure to label the three, 55-gallon drums, is a violation of Part 1, Special Permit Condition 1.C.2.

Failure to Close Universal Waste Containers

36. Respondent is subject to 40 C.F.R. § 273.33(d)(1), adopted and incorporated by reference at 10 C.S.R. 25-16.273(1), which provides that a container or package holding universal waste lamps must remain closed.

37. Part 1, Special Permit Condition 1.E.1 of Respondent's Facility Permit requires that a container holding waste shall always be closed during storage, except when it is necessary to count, weigh, add, or remove waste.

38. At the time of the 2010 inspection, in the Warehouse #1 Intact Lamp Storage Area, five boxes containing intact waste lamps were open at a time when the Facility was not counting, weighing, adding, or removing waste.

39. Respondent's failure to close the five boxes of intact universal waste lamps is a violation of Part 1, Special Permit Condition 1.E.1, and 40 C.F.R. § 273.33(d)(1), adopted and incorporated by reference at 10 C.S.R. 25-16.273(1),

Count 2
Inadequate Facility Management

40. The allegations stated in Paragraphs 14 through 23 above are realleged and incorporated as if fully set forth herein.

Failure to Take Representative Samples of Crushed Glass

41. Part I General Permit Condition I of Respondent's Hazardous Waste Management Facility Permit, incorporating by reference 40 C.F.R. § 264.13, requires Respondent to take representative samples of the crushed glass to demonstrate that the glass has insufficient quantities of mercury and other metals to fail the TCLP test.

42. Section 5.2.1 of the Respondent's RCRA Part B Application states, "The crushed glass sample will be obtained from the roll-off container using a decontaminated grain sampler or similar sampling device to collect a representative composite sample throughout the depth of the matrix."

43. At the time of the 2010 inspection, Respondent had been taking periodic grab samples instead of representative samples from the crushed glass containers at the facility.

44. Respondent's failure to take representative samples of the crushed glass generated at the facility is a violation of Part I General Permit Condition I of Respondent's Facility Permit, incorporating by reference 40 C.F.R. § 264.13.

Hazardous Waste Job Descriptions

45. Part I General Permit Condition I of Respondent's Facility Permit, incorporating by reference 40 C.F.R. § 264.16(d), requires that a generator maintain written job titles and descriptions for each position at the facility related to hazardous waste management including the requisite skill, education, or other qualifications.

46. At the time of the 2010 inspection, the position titles and descriptions for Facility personnel engaged in hazardous waste management contained in the Facility documentation did not reflect current position titles and descriptions.

47. Respondent's failure to maintain accurate documentation of position titles and descriptions is a violation of Part I General Permit Condition I of Respondent's Facility Permit, incorporating by reference 40 C.F.R. § 264.16(d).

Training Documentation

48. Part I General Permit Condition I of Respondent's Facility Permit, incorporating by reference 40 C.F.R. § 264.16(d), requires that a generator maintain documentation of the relevant training required for each position at the facility related to hazardous waste management and of the training each employee has received.

49. Part I General Permit Condition I of Respondent's Facility Permit, incorporating by reference 40 C.F.R. § 264.16(c), describes the relevant training required for each position at the facility related to hazardous waste management.

50. At the time of the 2010 inspection, Respondent lacked documentation of the annual review of training required by 40 C.F.R. § 264.16(c) for the Facility Supervisor of Operations for the years 2008, 2009, and 2010.

51. Respondent's failure to maintain documentation of an employee's training required by 40 C.F.R. § 264.16(c) is a violation of Part I General Permit Condition I of Respondent's Facility Permit, incorporating by reference 40 C.F.R. § 264.16(d).

Contingency Plan

52. Part I General Permit Condition I of Respondent's Facility Permit, incorporating by reference 40 C.F.R. § 264.51 requires that an owner or operator of a hazardous waste facility have a contingency plan for the facility.

53. Part I General Permit Condition I of Respondent's Facility Permit, incorporating by reference 40 C.F.R. § 264.52(d), requires that the contingency plan list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator.

54. The regulations at 40 C.F.R. § 265.55 describes the qualifications for an emergency coordinator, including that the person so designated be "available to respond to an emergency by reaching the facility within a short period of time."

55. At the time of the 2010 inspection, the inspector documented that the facility contingency plan listed as the second alternate emergency coordinator a person with a listed address in Fenton, Missouri, approximately 150 miles from the facility, more than two and a half hours away by road.

56. Respondent's designation of an unqualified person as a Facility emergency coordinator is a violation of Part I General Permit Condition I of Respondent's Facility Permit, incorporating by reference 40 C.F.R. § 264.52(d).

Count 3
Failure to Comply with Universal Waste Requirements

57. The allegations stated in Paragraphs 14 through 23 above are realleged and incorporated as if fully set forth herein.

58. The regulation at 10 C.S.R. 25-16.273(2) states that each owner or operator of a facility that manages universal waste shall comply with the requirements of 40 C.F.R. Part 273, as adopted by reference in 10 C.S.R. 25-16.273(1).

59. The regulations at 40 C.F.R. Part 273 set forth the universal waste regulations. Those regulations include, but are not limited to the following:

- a. A large quantity handler of universal waste must contain any lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. 40 C.F.R. § 273.33(d)(1).
- b. A large quantity handler of universal waste must immediately clean up and place in a container any lamp that is broken and must place in a container any lamp that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment. Containers must be closed, structurally sound, compatible with the contents of the lamps and must lack evidence of leakage, spillage or damage that could cause leakage or releases

of mercury or other hazardous constituents to the environment under reasonably foreseeable conditions. 40 C.F.R. § 273.33(d)(2).

- c. A large 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 it becomes a waste or is received. The handler may make this demonstration by complying with any one of six methods described in the regulations. 40 C.F.R. § 273.35(c).

60. At the time of the 2010 inspection, Respondent had in storage multiple open containers of universal waste lamps and multiple uncontained broken universal waste lamps inside the trailers at Respondent's parking lot Staging Area, and was unable to demonstrate the length of time universal waste lamps were accumulated in one trailer.

61. Respondent's failure to comply with the universal waste requirements is a violation of 10 C.S.R. 25-16.273(1) and 40 C.F.R. § 273.

III. CONSENT AGREEMENT

62. Respondent and EPA agree to the terms of this CAFO and Respondent agrees to comply with the terms of the Final Order portion of this CAFO.

63. Respondent admits the jurisdictional allegations of this CAFO and agrees not to contest EPA's jurisdiction in this proceeding or any subsequent proceeding to enforce the terms of the Final Order portion of this CAFO set forth below.

64. Respondent neither admits nor denies the factual allegations and legal conclusions set forth in this CAFO.

65. Respondent waives its right to a judicial or administrative hearing on any issue of fact or law set forth above, and its right to appeal the proposed Final Order portion of the CAFO.

66. Respondent and Complainant agree to conciliate the matters set forth in this CAFO without the necessity of a formal hearing and to bear their respective costs and attorney's fees.

67. This CAFO addresses all civil administrative claims for the RCRA violations identified above. Complainant reserves the right to take any enforcement action with respect to any other violations of RCRA or any other applicable law.

68. Nothing contained in the Final Order portion of this CAFO shall alter or otherwise affect Respondent's obligation to comply with all applicable federal, state, and local environmental statutes and regulations and applicable permits.

69. Respondent certifies that by signing this CAFO that Respondent's facility is in compliance with all requirements of RCRA, 42 U.S.C. § 6901 *et. seq.* and all regulations promulgated thereunder.
70. The effect of settlement described in Paragraph 67 above is conditioned upon the accuracy of Respondent's representations to EPA, as memorialized in Paragraph 69, above, of this CAFO.
71. The undersigned representative of Respondent certifies that he or she is fully authorized to enter the terms and conditions of this CAFO and to execute and legally bind Respondent to it.
72. Respondent agrees that, in settlement of the claims alleged in this CAFO, Respondent shall pay a penalty of One Hundred Eighteen Thousand Eight Hundred Dollars (\$118,800.00) as set forth in Paragraph 1 of the Final Order portion of this CAFO, below.
73. Respondent consents to the issuance of this CAFO and consents for the purposes of settlement to the payment of the civil penalty cited in Paragraph 72, above.
74. **Late Payment Provisions:** Pursuant to 31 U.S.C. § 3717, EPA is entitled to assess interest and penalties on debts owed to the United States and a charge to cover the cost of processing and handling a delinquent claim. Interest will therefore begin to accrue on a civil or stipulated penalty if it is not paid by the date required. Interest will be assessed at a rate of the United States Treasury tax and loan rate in accordance with 31 C.F.R. § 901.9(b). A charge will be assessed to cover the costs of debt collection including processing and handling costs and attorneys fees. In addition, a non-payment penalty charge of six (6) percent per year compounded annually will be assessed on any portion of the debt which remains delinquent more than ninety (90) days after payment is due. Any such non-payment penalty charge on the debt will accrue from the date the penalty payment becomes due and is not paid. 31 C.F.R. §§ 901.9(c) and (d).
75. Respondent understands that failure to pay any portion of the civil penalty on the date the same is due may result in the commencement of a civil action in Federal District Court to collect said penalty, along with interest thereon at the applicable statutory rate.
76. This CAFO shall be effective upon entry of the Final Order by the Regional Judicial Officer for EPA, Region 7. Unless otherwise stated, all time periods stated herein shall be calculated in calendar days from such date.
77. This CAFO shall remain in full force and effect until Complainant provides Respondent with written notice that all requirements hereunder have been satisfied.

Reservation of Rights

78. Notwithstanding any other provision of this CAFO, EPA reserves the right to enforce the terms of the Final Order portion of this CAFO by initiating a judicial or administrative action under Section 3008 of RCRA, 42 U.S.C. § 6928, and to seek penalties against Respondent in an amount not to exceed \$32,500 per day per violation pursuant to Section 3008(c) of RCRA, for each day of non-compliance with the terms of the Final Order, or to seek any other remedy allowed by law. Pursuant to the Civil Monetary Penalties Inflation Adjustment Rule, 40 C.F.R. Part 19, penalties of up to \$32,500 per day are authorized for violations of Subchapter III of RCRA that occur between March 15, 2004, and January 12, 2009. For violations of Subchapter III of RCRA that occur after January 12, 2009, penalties of up to \$37,500 per day are authorized.

79. Complainant reserves the right to take enforcement action against Respondent for any future violations of RCRA and its implementing regulations and to enforce the terms and conditions of this CAFO.

80. Except as expressly provided herein, nothing in this CAFO shall constitute or be construed as a release from any claim (civil or criminal), cause of action, or demand in law or equity by or against any person, firm, partnership, entity, or corporation for any liability it may have arising out of or relating in any way to the generation, storage, treatment, handling, transportation, release, or disposal of any hazardous constituents, hazardous substances, hazardous wastes, pollutants, or contaminants found at, taken to, or taken from Respondent's facility.

81. Notwithstanding any other provisions of the CAFO, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. § 6973, or other statutory authority, should EPA find that the future handling, storage, treatment, transportation, or disposal of solid waste or hazardous waste at Respondent's facility may present an imminent and substantial endangerment to human health and the environment.

82. The headings in this CAFO are for convenience of reference only and shall not affect interpretation of this CAFO.

83. The provisions of this CAFO shall be deemed satisfied upon a written determination by Complainant that Respondent has fully implemented the actions required in the Final Order.

IV. FINAL ORDER

Pursuant to the authority of Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), and according to the terms of this CAFO, IT IS HEREBY ORDERED THAT:

A. Payment of Civil Penalty

1. Within thirty (30) days of the effective date of this CAFO, Respondent shall pay a civil penalty of One Hundred Eighteen Thousand and Eight Hundred Dollars (\$118,800.00). The payment must be received at the address below on or before thirty (30) days after the effective date of the Final Order.

2. Payment of the penalty shall be by check made payable to "Treasurer of the United States" and remitted to:

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

The Respondent shall reference the Docket Number, RCRA-07-2010-0033 on the check. A copy of the check shall also be mailed to:

Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 7
901 North 5th Street
Kansas City, Kansas 66101; and

Chris R. Dudding
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 7
901 North 5th Street
Kansas City, Kansas 66101.

3. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this CAFO shall be claimed by Respondent as a deduction for federal, state, or local income tax purposes.

B. Compliance Actions

4. Respondent shall take the following actions within the time periods specified, according to the terms and conditions specified below:

- a. Within fourteen (14) days following the first full calendar month after the effective date of this CAFO, Respondent shall provide a report to EPA for the preceding month demonstrating, using pictures and facility records, that Respondent has provided adequate aisle space for all hazardous waste containers, kept all universal waste and hazardous waste containers closed and labeled, dated all hazardous waste containers, and documented storage time of all universal wastes. This report shall be submitted on a monthly basis for a period of twelve months.
- b. Respondent shall submit reports required by the preceding paragraph to:

Edwin G. Buckner, PE
Compliance Officer
U.S. Environmental Protection Agency
Region 7
AWMD/WEMM
901 North 5th Street
Kansas City, Kansas 66101.

C. Parties Bound

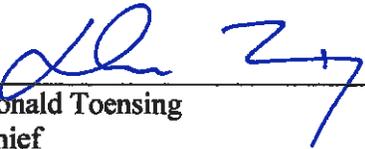
5. This Final Order portion of this CAFO shall apply to and be binding upon Respondent and Respondent's agents, successors and/or assigns. Respondent shall ensure that all contractors, employees, consultants, firms, or other persons or entities acting for Respondent with respect to matters included herein comply with the terms of this CAFO.

*In the matter of
Waste Management LampTracker, Inc.
Docket No. RCRA-07-2011-0033*

For the Complainant:
The U.S. Environmental Protection Agency

9-12-11

Date



Donald Toensing
Chief

Waste Enforcement and Materials Management Branch
Air and Waste Management Division

9/12/11

Date

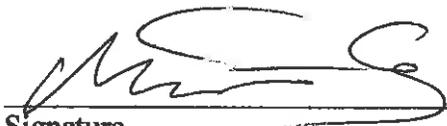


Chris R. Dudding
Assistant Regional Counsel
Office of Regional Counsel

*In the matter of
Waste Management LampTracker, Inc.
Docket No. RCRA-07-2011-0033*

For Respondent:
Waste Management LampTracker, Inc.

9-8-11
Date


Signature

MATTHEW F. COZ
Printed Name

Vice President
Title

*In the matter of
Waste Management LampTracker, Inc.
Docket No. RCRA-07-2011-0033*

IT IS SO ORDERED. This Final Order is effective upon its final entry by the Regional Judicial Officer.

Sept. 12, 2011
Date


Robert Patrick
Regional Judicial Officer

IN THE MATTER OF Waste Management LampTracker, Inc., Respondent
Docket No. RCRA-07-2011-0033

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Consent Agreement and Final Order was sent this day in the following manner to the addressees:

Copy hand delivered to
Attorney for Complainant:

Chris R. Dudding
Assistant Regional Counsel
Region 7
United States Environmental Protection Agency
901 N. 5th Street
Kansas City, Kansas 66101

Copy by Certified Mail Return Receipt to:

Francis E. Chin
Sr. Counsel Regulatory/HSE
Waste Management
1001 Fannin Street, Suite 4000
Houston, Texas 77002

Dated: 9/13/11



Kathy Robinson
Kathy Robinson
Hearing Clerk, Region 7