



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

AUG 26 2011

Certified Mail, Return Receipt Requested

Carl S. Grabinski  
Corporate Counsel  
Danaher Corporation  
c/o Videojet Technologies  
1500 Mittel Boulevard  
Wood Dale, IL 60191

Re: Dental Equipment LLC (d/b/a/ Pelton & Crane) - Executed Consent Agreement and Final Order, Docket No. RCRA-04-2010-9162

Dear Mr. Grabinski:

Please find enclosed a copy of the fully executed Consent Agreement and Final Order (CA/FO) docketed RCRA-04-2010-9162, for Dental Equipment LLC (d/b/a/ Pelton & Crane). The CA/FO was effective upon filing, and payment of the civil penalty of \$28,326.00 is due within thirty (30) days of the date of filing. Payment should be made pursuant to the instructions found in Section VI. of the enclosed CA/FO.

Please do not hesitate to contact me at (404) 562-9567 with any questions concerning this matter.

Sincerely,

A handwritten signature in black ink that reads "Keri N. Powell".

Keri N. Powell  
Associate Regional Counsel

Enclosure

cc: Jennifer Allison, Pelton & Crane, via e-mail ([jennifer.allison@pelton.net](mailto:jennifer.allison@pelton.net))  
Tony Kelly, Pelton & Crane, via e-mail ([tony.kelly@pelton.net](mailto:tony.kelly@pelton.net))

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4**

IN THE MATTER OF:	)	DOCKET NO.: RCRA-04-2010-9162
	)	
Dental Equipment LLC (d/b/a/ Pelton & Crane)	)	
11727 Fruehauf Drive	)	PROCEEDING UNDER SECTION
Charlotte, North Carolina	)	3008(a) OF THE RESOURCE
28273	)	CONSERVATION AND RECOVERY
	)	ACT, 42 U.S.C. § 6928(a)
EPA ID NO.: NCD 986 194 850	)	
	)	
RESPONDENT	)	
_____	)	

**CONSENT AGREEMENT**

**I. NATURE OF THE ACTION**

1. This is a civil administrative enforcement action, ordering compliance with the requirements of Chapter 130A, Article 9, of North Carolina's General Statutes (N.C. GEN. STAT.) §§ 130A-290 *et seq.* (Subtitle C of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6921 – 6939e, as amended). This action is seeking civil penalties pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), for alleged violations of N.C. GEN. STAT. and the regulations promulgated pursuant thereto, set forth at the North Carolina Administrative Code (N.C. ADMIN. CODE), Chapter 13, Title 40, Subchapter 13A (Code of Federal Regulations (40 C.F.R.) Parts 260 through 270, 273, and 279).
2. The *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. Part 22, provide that where the parties agree to settlement of one or more causes of action before the filing of a complaint, a proceeding may be simultaneously commenced and concluded by the issuance of a Consent Agreement and Final Order (CAFO). 40 C.F.R. §§ 22.13(b) and 22.18(b)(2).
3. Complainant and Respondent have conferred for the purpose of settlement pursuant to 40 C.F.R. § 22.18 and desire to settle this action. Accordingly, before any testimony has been taken upon the pleadings and without any admission of violation or adjudication of any issue of fact or law and in accordance with 40 C.F.R. § 22.13(b), Complainant and Respondent have agreed to the execution of this CAFO, and Respondent agrees to comply with the terms of this CAFO.

## II. THE PARTIES

4. Complainant is the Chief, RCRA & OPA Enforcement and Compliance Branch, RCRA Division, Region 4, United States Environmental Protection Agency (EPA).
5. Respondent is Dental Equipment LLC (d/b/a/ Pelton & Crane), a limited liability company incorporated under the laws of the State of North Carolina (North Carolina or the State) and doing business in North Carolina. The business is located at 11727 Fruehauf Drive, Charlotte, North Carolina 28273.

## III. PRELIMINARY STATEMENTS

6. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), North Carolina has received final authorization from EPA to carry out a hazardous waste program in lieu of the federal program set forth in RCRA. The requirements of the North Carolina authorized program are found in N.C. GEN. STAT. § 130A-290, et seq. and N.C. ADMIN. CODE tit. 15A r. 13A.0101.
7. Pursuant to Section 3006(g) of RCRA, 42 U.S.C. § 6926(g), the requirements established by the Hazardous and Solid Waste Amendments of 1984 (HSWA), Pub. L. 98-616, are immediately effective in all states regardless of their authorization status and are implemented by EPA until the state is granted final authorization with respect to those requirements. North Carolina has received final authorization for certain portions of HSWA, including those recited herein.
8. Although EPA has granted the State authority to enforce its own hazardous waste program, EPA retains jurisdiction and authority to initiate an independent enforcement action, pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), to address violations of the authorized state program. This authority is exercised by EPA in the manner set forth in the Memorandum of Agreement between EPA and the State.
9. As North Carolina's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations for the violations alleged herein will be to the authorized North Carolina program; however, for ease of reference, the federal citations will follow in parentheses.
10. Pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2), Complainant gave written notice of this action to North Carolina before the issuance of this CAFO.
11. N.C. GEN. STAT. § 130A-291, et seq. (Section 3002(a) of RCRA, 42 U.S.C. § 6922(a)) requires the promulgation of standards applicable to generators of hazardous waste. The implementing regulations for these standards are found in N.C. ADMIN. CODE tit. 15A r. 13A.0107 (40 C.F.R. Part 262).

12. N.C. GEN. STAT. § 130A-291, et seq. (Section 3004 of RCRA, 42 U.S.C. § 6924) requires the promulgation of standards applicable to owners and operators of hazardous waste treatment, storage, and disposal facilities. The implementing regulations for these standards are found in N.C. ADMIN. CODE tit. 15A r. 13A.0109 (40 C.F.R. Part 264).
13. N.C. GEN. STAT. § 130A-291, et seq. (Section 3005 of RCRA, 42 U.S.C. § 6925) sets forth the requirement that a facility treating, storing, or disposing of hazardous waste must have a permit or interim status. The implementing regulations for this requirement are found at N.C. ADMIN. CODE tit. 15A r. 13A.0109 (permitted) and N.C. ADMIN. CODE tit. 15A r. 13A.0110 (interim status) (40 C.F.R. Part 264 (permitted) and 265 (interim status)).
14. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0102 (40 C.F.R. § 260.10), a “generator” is defined as any person, by site, whose act or process produces hazardous waste identified or listed in N.C. ADMIN. CODE tit. 15A r. 13A.0106 (40 C.F.R. Part 261) or whose act first causes a hazardous waste to become subject to regulation.
15. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0102 (40 C.F.R. § 260.10), a “facility” includes all contiguous land and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous waste.
16. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0102 (40 C.F.R. § 260.10), a “person” includes a corporation.
17. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0106(a) (40 C.F.R. § 261.2), a “solid waste” is any discarded material that is not otherwise excluded by regulation.
18. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0106(d) (40 C.F.R. § 261.30), a solid waste is a hazardous waste if it is listed in this subpart, unless it has been excluded from this list under N.C. ADMIN. CODE tit. 15A r. 13A.0103(c) (40 C.F.R. §§ 260.20 and 260.22).
19. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0106(d) (40 C.F.R. § 261.31(a)), wastewater treatment sludge from electroplating operations is a solid waste and a F006 listed hazardous waste from a non-specific source.
20. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0107(a) (40 C.F.R. § 262.11), a person who generates a solid waste, as defined in N.C. ADMIN. CODE tit. 15A r. 13A.0106(a) (40 C.F.R. § 261.2), must determine if that waste is a hazardous waste.
21. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0107(a) (40 C.F.R. § 262.12(c)), a generator must not offer his hazardous waste to transporters or to treatment, storage, or disposal facilities that have not received an EPA identification number.

22. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0112(a) (40 C.F.R. § 268.2), “land disposal” is defined as placement on the land, including, among other things, placement in a landfill.
23. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0112(a) (40 C.F.R. § 268.7(a)(1)), a generator of hazardous waste must determine if the waste has to be treated before it can be land disposed.
24. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0112(c) (40 C.F.R. § 268.40(a)), a prohibited waste identified in the table “Treatment Standards for Hazardous Wastes” may be land disposed only if it meets the requirements found in the table.
25. Pursuant to EPA’s Audit Policy, “Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations,” 65 Fed. Reg. 19618 (April 11, 2000), EPA will not seek gravity-based penalties for violations of Federal environmental requirements discovered and disclosed by a regulated entity if the entity establishes that it satisfies all nine Audit Policy conditions. EPA reserves the right to collect any economic benefit that may have been realized as a result of noncompliance, even where the entity meets all nine Audit Policy conditions.
26. In a letter dated April 2, 2010, Respondent voluntarily disclosed to the EPA that it had improperly managed a F006 listed waste, which it identified as “metal hydroxide filter cake.”

#### **IV. EPA ALLEGATIONS AND DETERMINATIONS**

27. Respondent is a “person” as defined in N.C. ADMIN. CODE tit. 15A r. 13A.0102 (Section 1004(15) of RCRA, 42 U.S.C. § 6903(15)).
28. Respondent is the “owner” and “operator” of a “facility,” as those terms are defined in N.C. ADMIN. CODE tit. 15A r. 13A.0102 (40 C.F.R. § 260.10).
29. Respondent is a “generator” of hazardous waste as defined in N.C. ADMIN. CODE tit. 15A r. 13A.0102 (40 C.F.R. § 260.10).
30. Respondent has been assigned EPA ID number NCD 986 194 850 by the North Carolina Department of Environment and Natural Resources (NCDENR).
31. Respondent operates a facility that manufactures dental equipment. The manufacturing process includes the electroplating of steel and aluminum parts.
32. Respondent’s electroplating process produces waste metal hydroxide filter cake, which is a “solid waste” as defined in N.C. ADMIN. CODE tit. 15A r. 13A.0106(a) (40 C.F.R. § 261.2).

33. Pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0106(d) (40 C.F.R. § 261.31(a)), Respondent's waste metal hydroxide filter cake is listed as a F006 waste, making it a listed hazardous waste.
34. Respondent disposed of its waste metal hydroxide filter cake, a F006 listed hazardous waste, in a RCRA Subtitle D solid waste landfill from on or about 1980 to on or about 2010.
35. The RCRA Subtitle D solid waste landfill in which Respondent disposed its F006 listed hazardous waste has not received an EPA identification number.
36. Respondent therefore violated N.C. GEN. STAT. § 130A-291, et seq. (Section 3005 of RCRA, 42 U.S.C. § 6925) by illegally disposing of hazardous waste at a facility that was not permitted to receive hazardous waste.
37. Respondent also violated N.C. ADMIN. CODE tit. 15A r. 13A.0107(a) (40 C.F.R. § 262.12(c)) by offering its F006 listed hazardous waste to a disposal facility that has not received an EPA identification number.
38. The treatment standard for a non-wastewater that meets the F006 listing, found in N.C. ADMIN. CODE tit. 15A r. 13A.0112(c) (40 C.F.R. § 268.40(a)), Table "Treatment Standards for Hazardous Wastes," requires that the waste be treated to meet certain regulatory levels prior to being land disposed.
39. Respondent violated N.C. ADMIN. CODE tit. 15A r. 13A.0112(c) (40 C.F.R. § 268.40(a)), by not ensuring that the waste hydroxide filter cake met the appropriate treatment standard prior to shipping it to a disposal facility.
40. Subsequent to its April 1, 2010, disclosure, Respondent conducted additional sampling of the waste hydroxide filter cake in April 2011, and provided EPA with the results. Based on the sampling results, the waste hydroxide filter cake would meet the treatment standard for hazardous waste, pursuant to N.C. ADMIN. CODE tit. 15A r. 13A.0112(c) (40 C.F.R. § 268.40(a)), without further treatment.
41. As memorialized in the EPA's Notice of Determination (NOD) responding to Respondent's April 1, 2010, self-disclosure letter, EPA determined that it was appropriate to waive the gravity-based penalty associated with the above-described violation because Respondent's self-disclosure met all nine Audit Policy conditions for such waiver.
42. Though EPA agreed to waive the gravity-based penalty associated with Respondent's self-disclosed violation, EPA concluded that the economic benefit obtained from the self-disclosed violation was significant and warrants collection.
43. After consideration of the factors set forth in Section 3008 of RCRA, 42 U.S.C. § 6928(a)(3), the RCRA Civil Penalty Policy, and EPA's Audit Policy, EPA proposes to assess a total civil penalty of TWENTY-EIGHT THOUSAND THREE HUNDRED

AND TWENTY SIX DOLLARS (\$28,326.00) against the Respondent for the economic benefit of the above-described violation.

## **V. TERMS OF AGREEMENT**

Based on the foregoing Preliminary Statements, Allegations and Determinations, the parties agree to the following:

44. For the purposes of this CAFO, Respondent admits the jurisdictional allegations set out in the above paragraphs pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928.
45. The Respondent neither admits nor denies the factual allegations and determinations set out in this CAFO.
46. Respondent waives any right to contest the allegations and its right to appeal the proposed Final Order accompanying the Consent Agreement.
47. Respondent waives its right to challenge the validity of this CAFO and the settlement of the matters addressed in this CAFO based on any issue related to the Paperwork Reduction Act.
48. Respondent waives any right pursuant to 40 C.F.R. § 22.8 to be present during any discussions with, or to be served with and reply to, any memorandum or communication addressed to EPA officials where the purpose of such discussion, memorandum, or communication is to persuade such official to accept and issue this CAFO.
49. The parties agree that the settlement of this matter is in the public interest and that this CAFO is consistent with the applicable requirements of RCRA and the North Carolina hazardous waste laws and regulations cited herein. The parties agree that compliance with the terms of this CAFO shall resolve all of Respondent's liability for civil penalties for the violations and facts alleged and stipulated to in this CAFO. Except as otherwise expressly provided in paragraphs 58, 59 and 60, Complainant hereby releases any and all civil claims for penalties as to Respondent (including Respondent's successors, assigns, officers, directors, attorneys, and current employees), and covenants not to institute any civil suit for penalties or to take any administrative penalty action against Respondent (including Respondent's successors, assigns, officers, directors, attorneys, and current employees) with respect to the violations alleged in this CAFO.
50. Each party will pay its own costs and attorney's fees.

## **VI. PAYMENT OF CIVIL PENALTY**

51. Respondent consents to the payment of a civil penalty in the amount of TWENTY-EIGHT THOUSAND THREE HUNDRED AND TWENTY SIX DOLLARS (\$28,326.00) within thirty (30) calendar days of the effective date of this CAFO.

52. Payment shall be made by cashier's check, certified check, by electronic funds transfer (EFT), or by Automated Clearinghouse (ACH) (also known as REX or remittance express). If paying by check, the check shall be payable to: **Treasurer, United States of America**, and the facility name and docket number for this matter shall be referenced on the face of the check. If the Respondent sends payment by the United States Postal Service, the payment shall be addressed to:

United States Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, Missouri 63197

If the Respondent sends payment by non-United States Postal express mail delivery, the payment shall be sent to:

United States Bank  
Government Lockbox 979077  
United States Environmental Protection Agency  
Fines and Penalties  
1005 Convention Plaza  
SL-MO-C2-GL  
St. Louis, Missouri 63101

If paying by EFT, the Respondent shall transfer the payment to:

Federal Reserve Bank of New York  
ABA: 021030004  
Account Number: 68010727  
SWIFT address: FRNYUS33  
33 Liberty Street  
New York, New York 10045  
Field Tag 4200 of the Fedwire message should read:  
"D 68010727 Environmental Protection Agency"

If paying by ACH, the Respondent shall remit payment to:

PNC Bank  
ABA: 051036706  
Account Number: 310006  
CTX Format Transaction Code 22 – checking  
United States Environmental Protection Agency  
808 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20074  
Contact: Jesse White, (301) 887-6548



Respondent shall submit a copy of the payment to the following addressees:

Regional Hearing Clerk  
United States Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303

and to:

Doug McCurry, Chief  
North Section, RCRA and OPA Enforcement and Compliance Branch  
RCRA Division  
United States Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303

53. If Respondent fails to remit the civil penalty as agreed to herein, EPA is required to assess interest and penalties on debts owed to the United States and a charge to cover the costs of processing and handling the delinquent claim. Interest, at the statutory judgment rate provided for in 31 U.S.C. § 3717, will therefore begin to accrue on the civil penalty if not paid within 30 calendar days after the effective date of this Consent Agreement. Pursuant to 31 U.S.C. § 3717, Respondent must pay the following amounts on any amount overdue:

- a. Interest. Any unpaid portion of a civil penalty or stipulated penalty must bear interest at the rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717(a)(1). Interest will therefore begin to accrue on a civil penalty or stipulated penalty if it is not paid by the last date required. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 4 C.F.R. § 102.13(c).
- b. Monthly Handling Charge. Respondent must pay a late payment handling charge of fifteen dollars (\$15.00) on any late payment, with an additional charge of fifteen dollars (\$15.00) for each subsequent thirty (30) calendar-day period over which an unpaid balance remains.
- c. Non-Payment Penalty. On any portion of a civil penalty or a stipulated penalty more than ninety (90) calendar days past due, Respondent must pay a non-payment penalty of six percent (6%) per annum, which will accrue from the date the penalty payment became due and is not paid. This non-payment is in addition to charges which accrue or may accrue under subparagraphs (a) and (b).

54. Penalties paid pursuant to this CAFO are not deductible for federal purposes under 26 U.S.C. § 162(f).

## **VII. PARTIES BOUND**

55. This CAFO shall be binding on Respondent and its successors and assigns. Respondent shall cause its officers, directors, employees, agents, and all persons, including independent contractors, contractors, and consultants acting under or for Respondent, to comply with the provisions hereof in connection with any activity subject to this CAFO.
56. No change in ownership, partnership, corporate or legal status relating to the facility will in any way alter Respondent's obligations and responsibilities under this CAFO.
57. The undersigned representative of Respondent hereby certifies that she or he is fully authorized to enter into this CAFO and to execute and legally bind Respondent to it.

## **VIII. RESERVATION OF RIGHTS**

58. Notwithstanding any other provision of this CAFO, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. § 6973, or other statutory authority, should the EPA find that the 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 or the environment.
59. Complainant reserves the right to take enforcement action against Respondent for any future violations of RCRA and the implementing regulations and to enforce the terms and conditions of this CAFO.
60. Except as expressly provided herein, nothing in this CAFO shall constitute or be construed as a release from any civil or criminal claim, cause of action, or demand in law or equity for any liability Respondent may have arising out of, or relating in any way to, the 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.
61. This CAFO may be amended or modified only by written agreement executed by both the EPA and Respondent.

## **IX. OTHER APPLICABLE LAWS**

62. All actions required to be taken pursuant to this CAFO shall be undertaken in accordance with the requirements of all applicable local, state, and Federal laws and regulations. Respondent shall obtain or cause its representatives to obtain all permits and approvals necessary under such laws and regulations.

## **X. SERVICE OF DOCUMENTS**

63. A copy of any documents that Respondent files in this action shall be sent to the following attorney who represents EPA in this matter and who is authorized to receive

service for EPA in the proceeding:

Keri N. Powell, Associate Regional Counsel  
United States Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303  
(404) 562-9567

64. A copy of any documents that Complainant files in this action shall be sent to the following attorney who represents Respondent in this matter and who is authorized to receive service for Respondent in the proceedings:

Carl S. Grabinski  
Corporate Counsel  
c/o Videojet Technologies  
1500 Mittel Boulevard  
Wood Dale, Ill. 60191  
(630) 694 2790

#### **XI. SEVERABILITY**

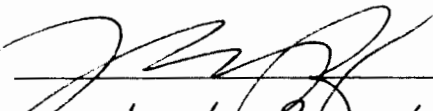
65. It is the intent of the parties that the provisions of this CAFO are severable. If any provision or authority of this CAFO or the application of this CAFO to any party or circumstances is held by any judicial or administrative authority to be invalid or unenforceable, the application of such provisions to other parties or circumstances and the remainder of the CAFO shall remain in force and shall not be affected thereby.

**XII. EFFECTIVE DATE**

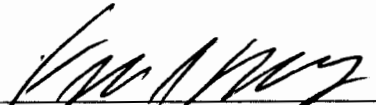
66. The effective date of this CAFO shall be the date on which the CAFO is filed with the Regional Hearing Clerk.

**AGREED AND CONSENTED TO:**

Dental Equipment LLC (d/b/a/ Pelton & Crane)

By:  Dated: 8-19-11  
Print Title: Vicente Reginal, President

**U. S. Environmental Protection Agency**

By:  Dated: 8/25/11  
Frank S. Ney, Acting Chief  
RCRA and OPA Enforcement and Compliance Branch  
RCRA Division

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4**

IN THE MATTER OF:	)	DOCKET NO.: RCRA-04-2010-9162
	)	
Dental Equipment LLC (d/b/a/ Pelton & Crane)	)	
11727 Fruehauf Drive	)	PROCEEDING UNDER SECTION
Charlotte, North Carolina	)	3008(a) OF THE RESOURCE
28273	)	CONSERVATION AND RECOVERY
	)	ACT, 42 U.S.C. § 6928(a)
EPA ID NO.: NCD 986 194 850	)	
	)	
RESPONDENT	)	
_____	)	

**FINAL ORDER**

The foregoing Consent Agreement is hereby approved, ratified and incorporated by reference into this Final Order in accordance with the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. Part 22. The Respondent is hereby ORDERED to comply with all of the terms of the foregoing Consent Agreement effective immediately upon filing of this Consent Agreement and Final Order with the Regional Hearing Clerk. This Order disposes of this matter pursuant to 40 C.F.R. §§ 22.18 and 22.31.

**BEING AGREED, IT IS SO ORDERED** this 30<sup>th</sup> day of August, 2011.

BY: Susan B. Schub  
Susan B. Schub  
Regional Judicial Officer

**CERTIFICATE OF SERVICE**

I certify that I have this day filed the original and a true and correct copy of the foregoing Consent Agreement and Final Order (CAFO), in the Matter of Dental Equipment LLC (d/b/a/ Pelton & Crane), Docket Number: RCRA-04-2010-9162, and served the parties listed below in the manner indicated:

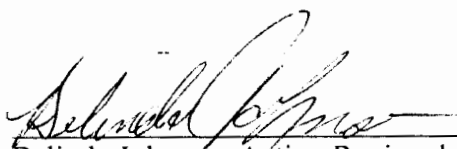
Nancy McKee, Environmental Scientist (Via EPA Internal Mail)  
RCRA and OPA Enforcement and Compliance Branch, RCRA Division  
United States Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303

Quantindra Smith (Via the EPA Electronic Mail)  
U.S. EPA – Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303

Keri N. Powell (Via EPA Internal Mail)  
Associate Regional Counsel  
United States Environmental Protection Agency, Region 4  
61 Forsyth St., S.W.  
Atlanta, Georgia 30303

Carl S. Grabinski (Via Certified Mail, Return Receipt Requested)  
Corporate Counsel  
c/o Videojet Technologies  
1500 Mittel Boulevard  
Wood Dale, IL 60191

Date: 8/30/11

  
\_\_\_\_\_  
Belinda Johnson, Acting Regional Hearing Clerk  
United States Environmental Protection Agency,  
Region 4  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, S.W.  
Atlanta, GA 30303  
(404) 562-9686