



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

OCT 22 2015

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Richard W. Sobalvarro  
Rajkowski Hansmeier  
11 7<sup>th</sup> Avenue North  
P.O. 1433  
St. Cloud, Minnesota 56302

Re: Watonwan Farm Service Company, Blue Earth, Minnesota  
Consent Agreement and Final Order

Dear Mr. Sobalvarro:

Enclosed please find a copy of the fully executed Consent Agreement and Final Order (CAFO) in resolution of the above case. The U.S. Environmental Protection Agency has filed the original CAFO with the Regional Hearing Clerk on October 22, 2015.

Please have you client pay the CERCLA civil penalty in the amount of \$4,316 in the manner prescribed in paragraph 47 and 50, and reference your payment with the CERCLA docket number CERCLA-05-2016-0001, MM docket number MM-05-2016-0001 and the CERCLA billing document number 2751630B001.

Please have you client pay the EPCRA civil penalty in the amount of \$4,316 in the manner prescribed in paragraph 49 and 50, and reference your payment with the EPCRA docket number EPCRA-05-2016-0002, and MM docket number MM-05-2016-0001.

The payments are due on November 23, 2015.

Please feel free to contact Ruth McNamara at [mcnamara.ruth@epa.gov](mailto:mcnamara.ruth@epa.gov) or by telephone at (312) 353-3193 if you have any questions regarding the enclosed documents. Please direct any legal questions to Jose C. de Leon, Associate Regional Counsel, at [deleon.jose@epa.gov](mailto:deleon.jose@epa.gov) or by telephone at (312) 353-7456. Thank you for your assistance in resolving this matter.

Sincerely,



Michael E. Hans, Chief  
Chemical Emergency Preparedness  
and Prevention Section

Enclosure

cc: Steve Tomlyanovich (w/ enclosure)  
Division of Homeland Security  
And Emergency Management  
444 Cedar Street, Suite 223  
St. Paul, Minnesota 55101

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

MM-05-2016-0001

In the Matter of:

) Docket Nos. CERCLA-05-2016-0001  
)  
)

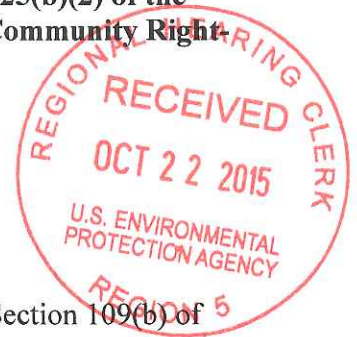
) EPCRA-05-2016-0002

Watowan Farm Service Company  
Blue Earth, Minnesota

) Proceeding to Assess a Civil Penalty Under  
) Section 109(b) of the Comprehensive  
) Environmental Response, Compensation and  
) Liability Act, and Section 325(b)(2) of the  
) Emergency Planning and Community Right-  
) to-Know Act of 1986  
)

Respondent.

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**Consent Agreement and Final Order**  
**Preliminary Statement**

1. This is an administrative action commenced and concluded under Section 109(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, 42 U.S.C. § 9609(b), Section 325(b)(2) of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), 42 U.S.C. § 11045(b)(2) 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, by lawful delegation, the Chief of the Enforcement and Compliance Assurance Branch, Superfund Division, United States Environmental Protection Agency (U.S. EPA), Region 5.
3. Respondent is Watowan Farm Service Company, a corporation doing business in the State of Minnesota.

4. 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).

5. 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.

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

#### **Jurisdiction and Waiver of Right to Hearing**

7. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations in this CAFO.

8. 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.

#### **Statutory and Regulatory Background**

9. Section 103(a) of CERCLA, 42 U.S.C. § 9603(a), requires any person in charge of a facility to immediately notify the National Response Center (NRC) as soon as that person has knowledge of any release of a hazardous substance from the facility in an amount equal to or greater than the reportable quantity of the hazardous substance.

10. Section 103(a) of CERCLA, 42 U.S.C. § 9603(a), and Section 304 of EPCRA, 42 U.S.C. § 11004, provide a mechanism to alert federal, state and local agencies that a response action may be necessary to prevent deaths or injuries to emergency responders, facility personnel and the local community. A delay or failure to notify could seriously hamper the governments' response to an emergency and pose serious threats to human health and the environment.

11. Section 304(a)(1) of EPCRA, 42 U.S.C. § 11004(a)(1), requires that the owner or operator of a facility must immediately provide notice, as described in Section 304(b) of EPCRA, 42 U.S.C. § 11004(b), if a release of an extremely hazardous substance in quantities equal to or greater than a reportable quantity occurs from a facility at which hazardous chemicals are produced, used or stored and such release requires notice under Section 103(a) of CERCLA, 42 U.S.C. § 9603(a).

12. Section 304(c) of EPCRA, 42 U.S.C. § 11004(c), requires that, as soon as practicable after a release which requires notice under Section 304(a) of EPCRA, 42 U.S.C. § 11004(a), the owner or operator of the facility must provide written follow-up emergency notice setting forth and updating the information required under Section 304(b), 42 U.S.C. § 11004(b).

13. Under 29 C.F.R. § 1910.1200(d)(3), chemicals listed in 29 C.F.R. Part 1910, Subpart Z are hazardous.

14. Section 109(b) of CERCLA, 42 U.S.C. § 9609(b) and Section 325[(b)(2) of EPCRA, 42 U.S.C. § [11045[(b)(2), authorize U.S. EPA to assess a civil penalty of up to \$25,000 per day of violation of CERCLA Section 103 and EPCRA Section 304. The Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 note, and its implementing regulations at 40 C.F.R. Part 19 increased these statutory maximum penalties to \$37,500 per day of violation for violations that occurred after January 12, 2009.

#### **Factual Allegations and Alleged Violations**

15. Respondent is a “person” as that term is defined under Section 101(21) of CERCLA, 42 U.S.C. § 9601(21).

16. Respondent is a “person” as that term is defined under Section 329(7) of EPCRA, 42 U.S.C. § 11049(7).

17. At all times relevant to this CAFO, Respondent was an owner or operator of the facility located at 714 E. 14<sup>th</sup> Street, Blue Earth, Minnesota (facility).

18. At all times relevant to this Complaint, Respondent was in charge of the facility located at 714 E. 14<sup>th</sup> Street, Blue Earth, Minnesota (facility).

19. Respondent’s facility consists of a building, structure, installation, equipment, storage container or any site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located.

20. Respondent’s facility is a “facility” as that term is defined under Section 101(9) of CERCLA, 42 U.S.C. § 9601(9).

21. Respondent’s facility consists of buildings, equipment, structures and other stationary items which are located on a single site or on contiguous or adjacent sites, and which are owned or operated by the same person.

22. Respondent’s facility is a “facility” as that term is defined under Section 329(4) of EPCRA, 42 U.S.C. § 11049(4).

23. Ammonia CAS# 7664-41-7 is a “hazardous substance” as that term is defined under Section 101(14) of CERCLA, 42 U.S.C. § 9601(14).

24. Ammonia CAS# 7664-41-7 has a reportable quantity of 100 pounds, as indicated at 40 C.F.R. Part 302, Table 302.4.

25. Ammonia CAS# 7664-41-7 is classified as a health hazard.

26. Ammonia CAS# 7664-41-7 is a “hazardous chemical” within the meaning of Section 311(e) of EPCRA, 42 U.S.C. § 11021(e), and 29 C.F.R. § 1910.1200(c).

27. At all times relevant to this CAFO, Respondent produced, used or stored ammonia at the facility.

28. Ammonia CAS# 7664-41-7 is an "extremely hazardous substance" according to Section 302(a)(2) of EPCRA, 42 U.S.C. § 11002(a)(2).

29. Ammonia CAS# 7664-41-7 has a reportable quantity of 100 pounds, as indicated at 40 C.F.R. Part 355, Appendix A.

30. On October 23, 2012, at or about 7:00 p.m. Central Time, a release occurred from Respondent's facility of approximately 896 pounds of ammonia (the release).

31. In a 24 hour time period, the release of 896 pounds of ammonia exceeded the 100 pound reportable quantity.

32. During the release, approximately 896 pounds of ammonia spilled, leaked, emitted, emptied, discharged, or escaped or into the ambient air and/or air.

33. The release is a "release" as that term is defined under Section 101(22) of CERCLA, 42 U.S.C. § 9601(22).

34. The release is a "release" as that term is defined under Section 329(8) of EPCRA, 42 U.S.C. § 11049(8).

35. Respondent had knowledge of the release on October 23, 2012, at approximately 9:27 pm Central Time.

36. The release was one for which notice was required under Section 103(a) of CERCLA, 42 U.S.C. § 9603(a).

37. The release required notice under Section 304(a) of EPCRA, 42 U.S.C. § 11004(a).

38. The release was likely to affect Minnesota.

39. At all times relevant to this CAFO, the Minnesota Division of Homeland Security and Emergency Management was the SERC for Minnesota under Section 301(a) of EPCRA, 42 U.S.C. § 11001(a).

40. Respondent notified the NRC of the release on October 24, 2012, at 11:10 p.m.

41. Respondent did not immediately notify the NRC as soon as Respondent had knowledge of the release.

42. Respondent's failure to immediately notify the NRC of the release is a violation of Section 103(a) of CERCLA, 42 U.S.C. § 9603(a).

43. As of January 24, 2013, Respondent had not provided written follow-up emergency notice of the release to the SERC.

44. Respondent did not provide the SERC written follow-up emergency notice of the release as soon as practicable after the release occurred.

45. Respondent's failure to provide written follow-up emergency notice to the SERC as soon as practicable after the release occurred is a violation Section 304(c) of EPCRA, 42 U.S.C. § 11004(c).

#### **Civil Penalty**

46. Complainant has determined that an appropriate civil penalty to settle this action is \$4,316 for the CERCLA violation. In determining the penalty amount, Complainant considered the nature, circumstances, extent and gravity of the violation, Respondent's agreement to perform a supplemental environmental project, and with respect to Respondent, its ability to pay, prior history of violations, economic benefit or savings resulting from the violation and any other matters as justice may require. Complainant also considered U.S. EPA's Enforcement Response Policy for Sections 304, 311 and 312 of the Emergency Planning and Community Right-to-



Know Act and Section 103 of the Comprehensive Environmental Response Compensation and Liability Act, dated September 30, 1999 (EPCRA/CERCLA Enforcement Response Policy).

47. Within 30 days after the effective date of this CAFO, Respondent must pay a \$4,316 civil penalty for the CERCLA violation. Respondent must pay the penalty by ACH electronic funds transfer, payable to “EPA Hazardous Substance Superfund,” and sent to:

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

In the comment area of the electronic funds transfer, state the following: In the Matter of Watonwan Farm Service, the docket numbers of this CAFO and the billing document number

**2751630B001**

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48. Complainant has determined that an appropriate civil penalty to settle this action is \$4,316 for the EPCRA violation. In determining the penalty amount, Complainant considered the nature, circumstances, extent and gravity of the violation, if Respondent’s agreement to perform a supplemental environmental project, and with respect to Respondent, its ability to pay, prior history of violations, economic benefit or savings resulting from the violation and any other matters as justice may require. Complainant also considered U.S. EPA’s Enforcement Response Policy for Sections 304, 311 and 312 of the Emergency Planning and Community Right-to-Know Act and Section 103 of the Comprehensive Environmental Response Compensation and Liability Act, dated September 30, 1999 (EPCRA/CERCLA ERP).

49. Within 30 days after the effective date of this CAFO, Respondent must pay a \$4,316 civil penalty for the EPCRA violations. Respondent must pay the penalty 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

In the comment area of the electronic funds transfer, state the following: In the Matter of  
Watonwan Farm Services and the docket numbers of this CAFO.

50. Respondent must send a letter, stating Respondent's name, the case name,  
Respondent's complete address, the case docket numbers and the billing document number, if  
any, and a receipt of payment to:

Regional Hearing Clerk, (E-19J)  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3511

Ruth McNamara, (SC-5J)  
Chemical Emergency Preparedness  
and Prevention Section  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

Jose C. de Leon, (C-14J)  
Office of Regional Counsel  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

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

52. If Respondent does not timely pay the civil penalty or any stipulated penalties due  
under paragraph 63, below, 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.

53. 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 the payment was due at a rate established pursuant to 31 U.S.C. § 3717. Respondent must pay a \$15 handling charge each month that any portion of the penalty is more than 30 days past due. In addition, U.S. EPA will assess a 6 percent per year penalty on any principal amount 90 days past due.

### **Supplemental Environmental Project**

54. Respondent must complete a supplemental environmental project (SEP) designed to protect the public health by providing first responders with response equipment.

55. Respondent must complete the SEP as follows:

a. Purchase and donate to the Blue Earth Fire Department

- 1) 1 Leak Sealing Plus & Wedge Kit
- 2) 1 Wireless Search Camera.
- 3) 1 drum repair kit.
- 4) 1 Model 724G4 9HP24 Honda gas positive pressure ventilator.
- 5) 1 Foam Pro/Pack Kit.
- 6) 3 5-Gallon pails of silver X foam.
- 7) 2-Voice amps for SCBA Scott Masks

b. Purchase and donate to the Easton Fire Department

- 1) 3-Protective Coats and Pants
- 2) 3-Plack Diamond Rubber Boots
- 3) 6-Nomex Hoods
- 4) 5 Bullard PX Helmets
- 5) 6-Protective Gloves

c. Purchase and donate to the Granada Fire Department

- 1) 15-P823 Protective Liners
- 2) 1-Adj. Hydrant Wrench
- 3) 4-Spanner Wrenches
- 4) 8-Glove Crafter Fire Hog, Red (Size XL)
- 5) 1-American Firewear, Glove (knit wrist XL)
- 6) 15-Ext. Glove, R-33 (various sizes)
- 7) 2-Drager, FPS 7000 Face Piece (small w/HUD)
- 8) 1-Drager, HUD (heads up display)

- 9) 2-Drager, Cloth Hairnet (for FPS 7000)
- 10) 1-Viking 1160 Bunker Pant (to be measured)
- 11) 14- UK 3AA Helmet Lights
- 12) 14-BJ Helmet Brackets
- 13) 1-Cap, 5" LH, NST Thread
- 14) 2-Adapter, 4" NST to 4" Storz, (swivel)
- 15) 1 Adapter, 5" Female, NST to 4" Storz
- 16) 1-Air Compressor
- 17) 1-400S Air Hose
- 18) 2-Couplers
- 19) 1-Airchgex
- 20) 1-Guage

d. Purchase and donate to the Bricelyn Fire Department

- 1) 4-PPE, Coats and Pants
- 2) 4-3946-X Glove G, Dragon Fire

e. Purchase and donate to the Clarks Grove Fire Department

- 1) 19-Haix Fire Hunter Extreme NFPA Firefighting Boots
- 2) 19-Firefighter Goggles

56. Respondent must spend at least \$33,015.94 to purchase the first response equipment: a) Blue Earth \$6537.63; b) Easton Fire Department \$6,570; c) Granada Fire Department \$6,594.81; d) Bricelyn Fire Department \$6,540; and e) Clarks Grove Fire Department \$6,773.50.

57. Respondent certifies as follows:

I certify that Watonwan Farm Services is not required to perform or develop the SEP by any law, regulation, order, or agreement or as injunctive relief as of the date that I am signing this CAFO. I further certify that Watonwan Farm Services has not received, and is not negotiating to receive, credit for the SEP in any other enforcement action.

I certify that Watonwan Farm Services is not a party to any open federal financial assistance transaction that is funding or could be used to fund the same activity as the SEP. I further certify that, to the best of my knowledge and belief after reasonable inquiry, there is no such open federal financial transaction that is funding or could be used to fund the same activity as the SEP, nor has the same activity been described in an unsuccessful federal financial assistance transaction proposal submitted to U.S. EPA within two years of the date that I am signing this CAFO (unless the project was barred

from funding as statutorily ineligible). For purposes of this certification, the term “open federal financial assistance transaction” refers to a grant, cooperative agreement, loan, federally-guaranteed loan guarantee or other mechanism for providing federal financial assistance whose performance period has not expired.

58. Respondent must submit a SEP completion report to U.S. EPA no later than 60 days after the effective date of this CAFO. This report must contain the following information:

- a. Detailed description of the SEP as completed;
- b. Description of any operating problems and the actions taken to correct the problems;
- c. Itemized costs of goods and services used to complete the SEP documented by copies of invoices, purchase orders or canceled checks that specifically identify and itemize the individual costs of the goods and services;
- d. Certification that Respondent has completed the SEP in compliance with this CAFO; and
- e. Description of the environmental and public health benefits resulting from the SEP (quantify the benefits and pollution reductions, if feasible).

59. Respondent must submit all notices and reports required by this CAFO by first class mail to Ruth McNamara of the Chemical Emergency Preparedness and Prevention Section at the address specified in paragraph 50, above.

60. In each report that Respondent submits as provided by this CAFO, it must certify that the report is true and complete by including the following statement signed by one of its officers:

I certify that I am familiar with the information in this document and that, based on my inquiry of those individuals responsible for obtaining the information, it is true and complete to the best of my knowledge. I know that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

61. Following receipt of the SEP completion report described in paragraph 58, above, U.S. EPA must notify Respondent in writing that:

- a. It has satisfactorily completed the SEP and the SEP report;
- b. There are deficiencies in the SEP as completed or in the SEP report and U.S. EPA will give Respondent 30 days to correct the deficiencies; or
- c. It has not satisfactorily completed the SEP or the SEP report and U.S. EPA will seek stipulated penalties under paragraph 63.

62. If U.S. EPA exercises option b, above, Respondent may object in writing to the deficiency notice within 10 days of receiving the notice. The parties will have 30 days from U.S. EPA's receipt of Respondent's objection to reach an agreement. If the parties cannot reach an agreement, U.S. EPA will give Respondent a written decision on its objection. Respondent will comply with any requirements that U.S. EPA imposes in its decision. If Respondent does not complete the SEP as required by U.S. EPA's decision, Respondent will pay stipulated penalties to the United States under paragraph 63, below.

63. If Respondent violates any requirement of this CAFO relating to the SEP, Respondent must pay stipulated penalties to the United States as follows:

- a. Except as provided in subparagraph b, below, if Respondent did not complete the SEP satisfactorily according to the requirements of this CAFO, Respondent must pay a penalty of \$25,896.
- b. If Respondent did not complete the SEP satisfactorily, but U.S. EPA determines that Respondent made good faith and timely efforts to complete the SEP and certified, with supporting documents, that it spent at least 90 percent of the amount set forth in paragraph 56, Respondent will not be liable for any stipulated penalty under subparagraph a, above.
- c. If Respondent completed the SEP satisfactorily, but spent less than 90 percent of the amount set forth in paragraph 56, Respondent must pay the difference between what was spent and \$33,015.94.

- d. If Respondent did not submit timely the SEP completion report Respondent must pay penalties in the following amounts for each day after the report was due until it submits the report:

<u>Penalty Per Violation Per Day</u>	<u>Period of Violation</u>
\$100	1st through 14th day
\$200	15th through 30th day
\$400	31st day and beyond

64. U.S. EPA's determinations of whether Respondent completed the SEP satisfactorily and whether Respondent made good faith and timely efforts to complete the SEP will bind Respondent.

65. Respondent must pay any stipulated penalties within 15 days of receiving U.S. EPA's written demand for the penalties. Respondent will use the method of payment specified in paragraphs 47, 49 and 50, above, and will pay interest, handling charges and nonpayment penalties on any overdue amounts. Stipulated penalties will be split evenly between the two accounts in paragraphs 47 and 49, above.

66. Any public statement that Respondent makes referring to the SEP must include the following language, "Respondent undertook this project under the settlement of the United States Environmental Protection Agency's enforcement action against Respondent for violations of CERCLA Section 103(a) and EPCRA Section 304."

67. For federal income tax purposes, Respondent will neither capitalize into inventory or basis, nor deduct any costs or expenditures incurred in performing the SEP.

#### **General Provisions**

68. Consistent with the "Standing Order Authorizing E-Mail Service of Order 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: deleon.jose@epa.gov (for Complainant), and RSobalvarro@rajhan.com (for Respondent). The parties waive their right to service by the methods specified in 40 C.F.R. § 22.6.

69. This CAFO resolves only Respondent's liability for federal civil penalties for the violations alleged in the CAFO.

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

71. Respondent certifies that it is complying with Section 103(a) of CERCLA, 42 U.S.C. § 9603(a), and Section 304 of EPCRA, 42 U.S.C. § 11004.

72. This CAFO does not affect Respondent's responsibility to comply with CERCLA, EPCRA and other applicable federal, state and local laws and regulations.

73. This CAFO is a "final order" for purposes of U.S. EPA's EPCRA/CERCLA Enforcement Response Policy.

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

75. Each person signing this consent 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.

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

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



**Watonwan Farm Services, Respondent**

10/2/15  
Date

Todd Ludwig  
Todd Ludwig  
Chief Executive Officer  
Watonwan Farm Services

**U.S. Environmental Protection Agency, Complainant**

10/16/2015  
Date

M. Cecilia Moore  
M. Cecilia Moore, Chief  
Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency  
Region 5

10-20-15  
Date

Richard C. Karl  
Richard C. Karl, Director  
Superfund Division  
U.S. Environmental Protection Agency  
Region 5

**In the Matter of: Watonwan Farm Service Company, Blue Earth, Minnesota**

**Docket Nos. MM-05-2016-0001**

**CERCLA-05-2016-0001**

**EPCRA-05-2016-0002**

**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.

21 October 2015

Date



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Susan Hedman  
Regional Administrator  
U.S. Environmental Protection Agency  
Region 5

In the Matter of: Watonwan Farm Service Company, Blue Earth, Minnesota

Docket Nos. MM-05-2016-0001

CERCLA-05-2016-0001

EPCRA-05-2016-0002

**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 October 22, 2015, this day in the following manner to the addressees:

Copy by certified mail  
return-receipt requested:

Richard W. Sobalvarro  
Rajkowski Hansmeier Ltd.  
11 7<sup>th</sup> Avenue North  
P.O. Box 1433  
St. Cloud, Minnesota 56302

Copy by e-mail to  
Attorney for Complainant:

Jose DeLeon  
[deleon.jose@epa.gov](mailto:deleon.jose@epa.gov)

Copy by e-mail to  
Regional Judicial Officer:

Ann Coyle  
[coyle.ann@epa.gov](mailto:coyle.ann@epa.gov)

Dated:

October 22, 2015 

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

CERTIFIED MAIL RECEIPT NUMBER(S):

7011 1150 0000 2640 4345