

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
BEFORE THE REGIONAL ADMINISTRATOR

In the matter of:

Poly Molding LLC
Haskell, New Jersey

Respondent

In a proceeding under Section 113(d)
of the Clean Air Act, 42 U.S.C. § 7413(d)

**CONSENT AGREEMENT
AND
FINAL ORDER**

CAA-02-2017-1203

2017 SEP 27 AM 9:50

CONSENT AGREEMENT

A. PRELIMINARY STATEMENT

1. This is an administrative penalty assessment proceeding brought under Section 113(d) of the Clean Air Act (the "Act" or "CAA"), 42 U.S.C. § 7413(d), and Sections 22.13 and 22.18 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. Complainant is the United States Environmental Protection Agency, Region 2 ("EPA"). On EPA's behalf, the Director of the Division of Enforcement and Compliance Assistance for EPA Region 2 is delegated the authority to settle civil administrative penalty proceedings under Section 113(d) of the Act.

3. Respondent is Poly Molding LLC, a limited liability company doing business in the state of New Jersey. Respondent is a "person" as defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e).

4. Complainant and Respondent, having agreed that settlement of this action is in the public interest, consent to the entry of this consent agreement (“Consent Agreement” or “Agreement”) and the attached final order (“Final Order” or “Order”) without adjudication of any issues of law or fact herein, and Respondent agrees to comply with the terms of this Consent Agreement and Final Order.

B. JURISDICTION

5. This Consent Agreement is entered into under Section 113(d) of the Act, as amended, 42 U.S.C. § 7413(d), and the Consolidated Rules, 40 C.F.R. Part 22. Complainant alleges the violations in this Consent Agreement pursuant to Sections 113(a)(1)(B) and (a)(3)(A) of the Act.

6. In satisfaction of the notice requirements of Section 113(a) of the Act, on March 29, 2016, EPA issued to Respondent a notice of violation (“NOV”) and provided a copy of the NOV to the State of New Jersey, providing notice to both that EPA found that Respondent committed the violations described in Section E of this Agreement and providing Respondent an opportunity to confer with EPA. On June 1, 2016 representatives of Respondent and EPA discussed the March 29, 2016 NOV. In addition, on September 15, 2016 EPA issued an administrative compliance order to Respondent, Docket # CAA 02-2016-1007 (“Compliance Order”), that found Respondent committed the violations described in Section E, below, and ordered Respondent to take action to remedy the violations. Respondent has taken certain actions toward satisfying the Compliance Order and must take the action described in Paragraph 60 (Conditions), below, completely to satisfy the Compliance Order, and in furtherance of this Consent Agreement.

7. Pursuant to Section 113(d) of the Act, the Administrator and the Attorney

General, through their respective delegates, have jointly determined that although this matter involves alleged violations that occurred more than one year before the initiation of this proceeding, an administrative penalty proceeding is appropriate. Specifically, on May 9, 2017, the United States Department of Justice granted EPA's request for a waiver of Section 113(d) of the Act's 12-month time limitation on EPA's authority to initiate an administrative penalty action in this matter.

8. The Regional Administrator is authorized to ratify this Consent Agreement that memorializes a settlement between Complainant and Respondent. *See* 40 C.F.R. § 22.4(b) and 22.18(b).

9. The issuance of this Consent Agreement and attached Final Order simultaneously commences and concludes this proceeding. *See* 40 C.F.R. § 22.13(b).

B. GOVERNING LAW

10. Title V of the Act consists of Sections 501 to 507 of the Act, 42 U.S.C. §§ 7661-7661f. In general, Title V of the Act requires each "major source" to obtain an operating permit setting forth all of the air pollution requirements that apply to that source, such permit is known commonly as a Title V Operating Permit.

11. Title V of the Act also provides for the creation of state and federal programs to issue such permits.

12. CAA Section 501(a) defines the term "major source," as used in Title V of the CAA, to mean any stationary source, or group of stationary sources, located within a contiguous area and under common control, that is a major source as defined in either Section 112 of the Act or Section 302 of the Act or part D of subchapter I of the Act.

13. CAA Section 502(a) makes it unlawful to violate any requirement of a Title V Operating Permit and unlawful to operate a major source except in compliance with such a permit.

14. CAA Section 502(b) requires EPA to promulgate regulations establishing the minimum elements of a Title V Operating Permit program and sets forth the procedures by which EPA would approve, oversee, and withdraw approval of state operating permit programs.

15. CAA Section 502(d) requires each state to develop and submit to EPA a permit program meeting the requirements of Title V of the Act.

16. CAA Section 502(e) provides that EPA retains the authority to enforce Title V Operating Permits issued by a state.

17. CAA Section 503 sets forth requirements for permit applications and provides that major sources are required to have Title V Operating Permits by the later of (i) the effective date of the permit program applicable to the source, or (ii) the date on which the source becomes a major source.

18. CAA Section 504 specifies requirements and conditions that must be included in any Title V Operating Permit.

19. Consistent with CAA Section 502(b), EPA promulgated 40 C.F.R. Parts 70 and 71.

20. Minimum requirements for state Title V Operating Permit Programs are set forth in 40 C.F.R. Part 70.

21. The federal Title V Operating Permit Program, including, among other elements, the procedures by which EPA will issue Title V Operating Permits is codified in 40 C.F.R. Part 71.

22. EPA granted interim approval of the New Jersey Title V Operating Permit Program on June 17, 1996.

23. EPA granted full approval of the New Jersey Title V Operating Permit Program on November 30, 2001.

24. Title 7, Chapter 27, Subchapter 22 of the New Jersey Administrative Code (“NJ Operating Permit Regulation”) applies to a facility with the potential to emit at least 25 tons per year of VOCs. *See* N.J. Admin. Code § 7:27-22.2.

25. The NJ Operating Permit Regulation defines “operating permit” “as the permit described in Title V of the federal Clean Air Act, 42 U.S.C. § 7661 *et seq.*...” *See* N.J. Admin. Code § 7:27-22.1.

26. The owner or operator of a facility subject to the NJ Operating Permit Regulation shall obtain and maintain an “operating permit” for the facility. *See* N.J. Admin. Code § 7:27-22.3(a).

27. The owner or operator of a facility subject to the NJ Operating Permit Regulation shall, among other things, ensure that VOCs are not emitted at a rate greater than 25 tons per year unless authorized by an operating permit. *See* N.J. Admin. Code § 7:27-22.3 (c).

28. Title V of the Clean Air Act, CAA §§ 501-507, and 40 C.F.R. Part 70 discuss the “operating permit” referenced in the NJ Operating Permit Regulation. *See* N.J. Admin. Code § 7:27-22.1 (“Operating permit” “means the permit described in Title V of the federal Clean Air Act, 42 U.S.C. § 7661 *et seq.*...”).

State of New Jersey SIP Requirements

29. Section 109 of the Act directs the EPA Administrator to promulgate regulations establishing national ambient air quality standards (“NAAQS”) for each air pollutant for which air quality criteria have been issued pursuant to Section 108 of the Act.

30. Section 110(a)(1) of the Act requires each state to adopt and submit to EPA for approval, a plan that provides for the implementation, maintenance, and enforcement of each of the NAAQS. Such plans, once approved by EPA, are known as State Implementation Plans, or SIPs.

31. At all times relevant to this Order, the federally approved SIP for the State of New Jersey has included Title 7, Chapter 27, Subchapter 16 of the New Jersey Administrative Code (Effective April 20, 2009) (“NJ VOC Control Regulation”). *See* 75 Fed. Reg. 45483 (Aug. 3, 2010).

32. At all times relevant to this Order, the NJ VOC Control Regulation has included the following definitions:

- “major VOC facility” means “any facility which has the potential to emit 25 or more tons of VOCs per year.” N.J. Admin. Code § 7:27-16.1 (2010);
- “person” means “any individual or entity and shall include, without limitation, corporations, companies, associations, societies, firms, partnerships, and joint stock companies, and shall also include, without limitation, all political subdivisions of any State, and any agencies or instrumentalities thereof.” N.J. Admin. Code § 7:27-16.1 (2010); and
- “volatile organic compound” or “VOC” means “a volatile organic compound as that term is defined by EPA at 40 C.F.R. § 51.100(s), as supplemented or amended, which is incorporated by reference herein.” N.J. Admin. Code § 7:27-16.1 (2010).

33. The NJ VOC Control Regulation establishes procedures and standards for the establishment of VOC control requirements for any source operation located at “a major VOC facility” that has the potential to emit at least three pounds of VOCs per hour. N.J. Admin. Code § 7:27-16.17(a).

34. Pursuant to the NJ VOC Control Regulation, and beginning on May 31, 1995, the owner or operator of any facility that contains such a source shall, among other things, “Use a control apparatus that the [New Jersey Department of Environmental Protection (“NJDEP”)] has determined...will collect at least 90 percent by weight of the VOC emissions from the source operation and prevent from being discharged into the outdoor atmosphere at least 90 percent by weight of the VOC collected...”, or operate the facility in accordance with a facility-specific VOC control plan approved by NJDEP. N.J. Admin. Code § 7:27-16.17(b)(2).

C. STIPULATED FACTS

35. Respondent owns and operates an expanded polystyrene foam manufacturing facility located at 96 Fourth Ave, Haskell, New Jersey 07420 (“Facility”).

36. Mr. Adam Corn is the owner and CEO of Respondent.

37. EPA Region 2 inspected Respondent’s facility on July 30, 2015 and October 6, 2015. On each of these dates, Respondent granted EPA access to the Facility, and Mr. Corn was present to answer questions and provide requested records.

38. EPA inspectors observed the process areas listed in the table below.

Process	Description
Bead container opening	The containers for raw material (beads) used in the manufacturing process are opened, releasing some pentane emissions.
Expansion	The beads are subjected to a flow of steam that softens the polymer and increases the vapor pressure of the blowing agent, causing the beads to expand.

Pre-puff and aging	Partially expanded beads are transferred to storage silos constructed of large mesh bags or enclosed bins to begin the aging process.
Molding	The beads are further expanded in a mold cavity, specific to the end use or product, by the application of additional steam.

Raw Material

39. Respondent is subject to N.J. Admin. Code § 7:27- 8.13(a) and an NJDEP preconstruction permit (PCP020001) applicable requirement which specifies that "...raw material processed shall be limited to that containing no more than 3.5% pentane."

40. NexKemia Petrochemicals, Inc. ("NexKemia") produces and delivers expandable polystyrene resin ("EPS") beads to Respondent. The EPS beads serve as raw material for Respondent and contain pentane. The percent of pentane by weight contained in the EPS beads varies depending on the specification requested in product orders. In addition, NexKemia supplies Respondent with a letter of analysis for each order lot specifying the exact percentage of pentane contained in the EPS beads.

41. Pentane is a VOC. *See* Office of Air Quality Planning and Standards, EPA, Control of VOC Emissions from Polystyrene Foam Manufacturing (September 1990) ("EPA Polystyrene Study"), available at,

http://www3.epa.gov/ozonepollution/SIPToolkit/ctg_act/199009_voc_epa450_3-90-020_polystyrene_foam_manufacturing.pdf

42. Respondent's records from January 2012 through December 2014 show that Respondent has been ordering EPS beads with pentane content specification between 6.0 and 7.0 percent by weight. According to Respondent's records reviewed by EPA, and discussions with Mr. Corn, such EPS beads are used at Respondent's Facility.

VOC Limit

43. Both N.J. Admin. Code § 7:27-8 and Respondent's NJDEP preconstruction permit (PCP020001) specify a VOC emission limit of equal to or less than 3.47 pounds of VOCs per hour.

44. EPA obtained Respondent's NJDEP preconstruction permit application from NJDEP, which included Respondent's original emission calculations. Based upon information in Respondent's preconstruction permit application submitted to NJDEP and the EPS beads currently in use at the Facility, EPA calculated that Respondent emits approximately 6.65 pounds of VOCs per hour.

Raw Material Process Rate Limit

45. Both N.J. Admin. Code § 7:27- 8.13(h) and Respondent's NJDEP preconstruction permit (PCP020001) specify a maximum raw material process rate of 695 pounds of EPS beads per hour.

46. EPA requested Respondent's production logs for its batch expander. Upon EPA's review of these logs, and discussion with Mr. Corn, EPA estimated that between January 2012 and December 2014 Respondent's raw material process rate was approximately 900 pounds of EPS beads per hour. In addition, EPA randomly selected February 27, 2012 and calculated a process rate for that day of 978 pounds of EPS beads per hour.

Potential to Emit

47. Respondent is currently operating under a Preconstruction Permit (PCP020001) and Certificate to Operate issued by NJDEP, allowing Respondent to install and operate a regenerative thermal oxidizer (“RTO”).

48. Based upon information and data received from Respondent, for the years 2012, 2013, and 2014, EPA calculated Respondent’s potential to emit (“PTE”) VOCs to be at least 65 tons per year.

49. Based upon information and data received from Respondent, for the year 2013, EPA calculated Respondent’s actual VOC emissions to be 37 tons per year.

Actions Taken Pursuant to the EPA Compliance Order

50. Respondent has taken the following steps in substantial compliance with the Compliance Order:

- a) According to Respondent, as expressed by counsel via electronic mail to EPA, on or about June 15, 2017, Respondent purchased and installed a VOC Control System to control VOC emissions from the opening of polystyrene bead containers, heating and expansion of polystyrene beads, pre-puff storage and aging, and molding. The VOC Control System includes an RTO, a negative-pressure enclosure around the Facility’s pre-puff aging room and all ductwork, hoods and/or other equipment necessary to capture and vent Respondent’s emissions from the above processes to the RTO for VOC destruction meeting a minimum of 98% destruction efficiency of captured VOC emissions from these processes, pursuant to N.J. Admin. Code § 7:27-16.17.

- b) According to Respondent, as expressed by counsel via electronic mail to EPA, on or about August 31, 2017, Respondent took steps to ensure that the above VOC Control System is fully operational and to ensure that operation of its capture systems at all times of process operation for the controlled processes are as follows:
- i) opening of polystyrene bead containers: emissions shall be captured through an exhaust hood and vented directly to the RTO;
 - ii) heating and expansion of polystyrene beads: emissions shall be captured directly from the vapor discharge from the bead expander, wherein the steam will be condensed, and emissions will be vented directly to the RTO;
 - iii) pre-puff storage and aging: emission shall be captured by constructing a permanent total enclosure kept under negative pressure with fans venting all emissions to the RTO; and
 - iv) molding: emissions will be collected from the mold vacuum system and vented directly to the RTO.
- c) Respondent has, on September 19, 2017, submitted for EPA's approval a protocol¹ to conduct an initial performance test of the VOC Control System to demonstrate 98% destruction efficiency of captured VOC emissions and to demonstrate 100% capture of emissions from the opening of polystyrene bead containers, heating and expansion of polystyrene beads, and pre-puff storage and aging.

¹ Refer to this document for guidance: <http://www.epa.gov/ttn/emc/guidlnd/gd-042.pdf>

D. ALLEGED VIOLATIONS OF LAW

51. Respondent is a “person” within the meaning of the N.J. Admin. Code § 7:27-16.1 (2010) and Section 302 of the Act.

52. Respondent’s PTE for VOCs is above the “major VOC facility” threshold of 25 tons of VOCs per year in New Jersey.

53. Respondent is a “major VOC facility” as defined in N.J. Admin. Code § 7:27-16.1.

54. Respondent has operated as a major VOC facility without establishing VOC control requirements and without installing and operating a VOC control apparatus in violation of N.J. Admin. Code § 7:27-16.17.

55. Respondent has not achieved full compliance with the Compliance Order, because Respondent has failed timely to complete the performance test of the RTO as required by the Compliance Order.

E. TERMS OF CONSENT AGREEMENT

56. For the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), Respondent:

- d) admits that EPA has jurisdiction over the subject matter alleged in this Agreement;
- e) admits to the stipulated facts stated above;
- f) consents to the assessment of a civil penalty as stated below;
- g) consents to the issuance of any specified compliance or corrective action order;
- h) consents to the conditions specified in this Agreement;
- i) consents to the stated Permit Action;

- j) waives any right to contest the alleged violations of law set forth in Section E of this Consent Agreement; and
- k) waives its rights to appeal the Order accompanying this Agreement.

57. For the purpose of this proceeding, Respondent:

- a) agrees that this Agreement states a claim upon which relief may be granted against Respondent;
- b) acknowledges that this Agreement constitutes an enforcement action for purposes of considering Respondent's compliance history in any subsequent enforcement actions;
- c) waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this Order, including any right of judicial review under Section 307(b)(1) of the Act, 42 U.S.C. § 7607(b)(1);
- d) consents to personal jurisdiction in any action to enforce this Agreement or Order, or both, in the United States District Court for the District of New Jersey; and
- e) waives any rights it may possess at law or in equity to challenge the authority of EPA to bring a civil action in a United States District Court to compel compliance with the Agreement or Order, or both, and to seek an additional penalty for such noncompliance, and agrees that federal law shall govern in any such civil action.

58. Penalty Payment. Respondent agrees to:

- a) pay a civil penalty of \$65,000 ("EPA Penalty") in 3 installments, with the first installment of \$25,000 due within 30 calendar days of the Effective Date of this Agreement, the second installment of \$20,000 due one (1) year after the Effective

Date, and the third installment of \$20,000 due two (2) years after the Effective Date. This reduced penalty was arrived at after EPA conducted, at Respondent's request, an analysis of Respondent's ability to pay pursuant to the Clean Air Act Penalty Policy.

- b) pay the EPA Penalty using any method, or combination of methods, provided on the website <http://www2.epa.gov/financial/additional-instructions-making-payments-epa>, and identifying each and every payment with "Docket No. CAA-02-2017-1203." Within 24 hours of payment of the EPA Penalty, send proof of payment to Mr. Robert Buettner, Chief, Air Compliance Branch, EPA Region 2, 290 Broadway, New York, NY 10007 and Buettner.robert@epa.gov ("proof of payment" means, as applicable, a copy of the check, confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to EPA requirements, in the amount due, and identified with "Docket No. CAA-02-2017-1203").

59. If Respondent fails to timely pay any portion of the penalty assessed under this Agreement, EPA may:

- a) request the Attorney General bring a civil action in an appropriate district court to recover: the amount assessed; interest at rates established pursuant to 26 U.S.C. § 6621(a)(2); the United States' enforcement expenses; and a 10 percent quarterly nonpayment penalty, 42 U.S.C. § 7413(d)(5);
- b) refer the debt to a credit reporting agency or a collection agency, 42 U.S.C. § 7413(d)(5), 40 C.F.R. §§ 13.13, 13.14, and 13.33;

- c) collect the debt by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, 40 C.F.R. Part 13, Subparts C and H; and
- d) suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds, 40 C.F.R. § 13.17.

60. Conditions. As a condition of settlement Respondent agrees to do the following:

- a) within 45 days of EPA's approval of the performance test protocol, but in no instance later than January 15, 2018, Respondent shall conduct the initial performance test of the thermal oxidizer and capture system in accordance with the approved protocol; and
- b) within 45 days of completing the initial performance test, Respondent shall submit to EPA the results of the initial performance test; and
- c) within 45 days of completing the initial performance test, but no later than February 28, 2018, Respondent shall submit a complete permit application to NJDEP to modify the active Preconstruction Permit and Certificate to Operate to include permit conditions requiring ongoing continuous pressure differential monitoring demonstrating total enclosure and 100% capture for the opening of polystyrene bead containers, heating and expansion of polystyrene beads, and the pre-puff storage and aging room ("Permit Action"). The application will request that the permit incorporate pressure differential limits for each process, as

appropriate, based on the conditions measured during a compliant performance test.

61. Respondent agrees that the time period from the Effective Date of this Agreement until all of the conditions specified in Paragraph 60 (above) are completed (the “Tolling Period”) shall not be included in computing the running of any statute of limitations potentially applicable to any action brought by Complainant on any claims (the “Tolled Claims”) set forth in Section E of this Agreement. Respondent shall not assert, plead, or raise in any fashion, whether by answer, motion or otherwise, any defense of laches, estoppel, or waiver, or other similar equitable defense based on the running of any statute of limitations or the passage of time during the Tolling Period in any action brought on the Tolled Claims.

62. The provisions of this Agreement shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns. From the Effective Date of this Agreement until the end of the Tolling Period, as set out in Paragraph 61, Respondent must give written notice and a copy of this Agreement to any successors in interest prior to any transfer of ownership or control of any portion of or interest in Respondent’s Facility. Simultaneously with such notice, Respondent shall provide written notice of such transfer, assignment, or delegation to EPA. In the event of any such transfer, assignment, or delegation, Respondent shall not be released from the obligations or liabilities of this Agreement unless EPA has provided written approval of the release of said obligations or liabilities.

63. By signing this Agreement, Respondent acknowledges that this Agreement and Order will be available to the public and agrees that this Agreement does not contain any confidential business information or personally identifiable information.

64. By signing this Agreement, the undersigned representative of Complainant and the undersigned representative of Respondent each certify that he or she is fully authorized to execute and enter into the terms and conditions of this Agreement and has the legal capacity to bind the party he or she represents to this Agreement.

65. By signing this Agreement, both parties agree that each party's obligations under this Consent Agreement and attached Final Order constitute sufficient consideration for the other party's obligations.

66. By signing this Agreement, Respondent certifies that the information it has supplied concerning this matter was at the time of submission true, accurate, and complete for each such submission, response, and statement. Respondent acknowledges that there are significant penalties for submitting false or misleading information, including the possibility of fines and imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.

67. Except as qualified by Paragraph 59, each party shall bear its own attorney's fees, costs, and disbursements incurred in this proceeding.

G. EFFECT OF CONSENT AGREEMENT AND ATTACHED FINAL ORDER

68. In accordance with 40 C.F.R. § 22.18(c), Respondent's full compliance with this Consent Agreement shall only resolve Respondent's liability for federal civil penalties for the facts and violations described in the Compliance Order.

69. Penalties paid pursuant to this Agreement shall not be deductible for purposes of federal taxes.

70. This Agreement constitutes the entire agreement and understanding of the parties and supersedes any prior agreements or understandings, whether written or oral, among the parties with respect to the subject matter hereof.

71. The terms, conditions, and compliance requirements of this Agreement may not be modified or amended except upon the written agreement of both parties, and approval of the Regional Administrator.

72. Any violation of this Order may result in a civil judicial action for an injunction or civil penalties of up to \$95,284 per day per violation, or both, as provided in Section 113(b)(2) of the Act, 42 U.S.C. § 7413(b)(2), as well as criminal sanctions as provided in Section 113(c) of the Act, 42 U.S.C. § 7413(c). EPA may use any information submitted under this Order in an administrative, civil judicial, or criminal action.

73. Nothing in this Agreement shall relieve Respondent of the duty to comply with all applicable provisions of the Act and other federal, state, or local laws or statutes, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit.

74. Nothing herein shall be construed to limit the power of EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment to the public health, welfare, or the environment.

75. EPA reserves the right to revoke this Agreement and settlement penalty if and to the extent that EPA finds, after signing this Agreement, that any information provided by Respondent was materially false or inaccurate at the time such information was provided to EPA, and EPA reserves the right to assess and collect any and all civil penalties for any violation described herein. EPA shall give Respondent notice of its intent to revoke, which shall not be effective until received by Respondent in writing.

H. EFFECTIVE DATE

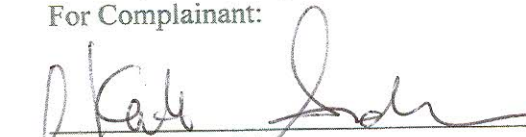
76. Respondent and Complainant agree to issuance of the attached Final Order. Upon filing, EPA will transmit a copy of the filed Consent Agreement to the Respondent. This Consent Agreement and attached Final Order shall become effective after execution of the Final Order by the Regional Administrator, on the date of filing with the Hearing Clerk.

Signatures

For Respondent:



Adam Corn
President
Poly Molding LLC
96 Fourth Ave
Haskell, New Jersey 07420
For Complainant:


Dore LaPosta, Director
Division of Enforcement and Compliance Assistance
United States Environmental Protection Agency, Region 2


Sept 26, 2017

SEP 26, 2017

*In the Matter of Poly Molding LLC
CAA-02-2017-1203*

FINAL ORDER

The Regional Administrator of EPA, Region 2, concurs in the foregoing Consent Agreement, *In the Matter of Poly Molding LLC*, CAA-02-2017-1203. This Consent Agreement, entered into by the parties, is hereby approved and issued, as a Final Order, effective immediately.



Catherine McCabe
Acting Regional Administrator
United States Environmental Protection Agency, Region 2

Date: 9/26/17

SEP 28

CERTIFICATE OF SERVICE

I certify that on 9/27, 2017, I caused the foregoing "Consent Agreement" and "Final Order," in the Matter of Poly Molding LLC, Docket No. CAA-02-2017-1203 to be filed and copies of the same to be mailed to the parties as indicated below.

One Original and One Copy, by hand delivery to:

Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

One Copy, by hand delivery to:


Anhthu Hoang
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

One Copy, by Certified Mail-Return Receipt Requested, Article Number 7005 3110 0000 5950 7407 to:

Adam Corn
Poly Molding LLC
96 Fourth Avenue
Haskell, NJ 07420

Dated: 9/27, 2017

Signature: _____



Print Name: Anhthu Hoang

Title: Assistant Regional Counsel
U.S. Environmental Protection Agency
Office of Regional Counsel, Region 2