

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4

In the Matter of:)
)
Wise Alloys, LLC – Production Plant)
4805 Second Street)
Muscle Shoals, Alabama 35661-1282)
)
)
Respondent)
_____)

Docket No. TSCA-04-2016-2909(b)
CORRECTED Docket Number
TSCA-04-2016-2909(b)

HEARINGS CLERK
2016 SEP 30 PM 2:46
USEPA, REGION 4
OFFICE OF REGIONAL
COUNSEL

NOTICE OF CORRECTION OF DOCKET NUMBER
FOR THE CONSENT AGREEMENT AND FINAL ORDER

The Complainant hereby notifies the Regional Hearing Clerk, the Regional Judicial Officer, and the Respondents of an error in the docket number of the original filing of the Consent Agreement and Final Order (CAFO) in the above referenced matter. The error was discovered after the September 27, 2016 filing and service of the CAFO. **The correct docket number for the CAFO in the above referenced matter is TSCA-04-2016-2909(b).** This Notice is submitted to correct all references to the docket number within the CAFO, including the signature page.

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
ATLANTA, GEORGIA

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Docket No. TSCA-04-2016-2909(b)

USEPA REGION 4
OFFICE OF REGIONAL
COUNSEL
2016 SEP 27 AM 9:51
HEARING CLERK

CONSENT AGREEMENT AND FINAL ORDER

I. Nature of the Action

1. This is a civil penalty proceeding pursuant to Section 16(a) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2615(a), and pursuant to the Consolidated Rules of Practice Governing Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), 40 C.F.R. Part 22. Complainant is the Director of the Resource Conservation and Restoration Division (RCRD), United States Environmental Protection Agency, Region 4 (EPA). The Respondent is Wise Alloys, LLC.
2. The authority to take action under Section 16(a) of TSCA, 15 U.S.C. § 2615(a), is vested in the Administrator of the EPA. The Administrator of the EPA has delegated this authority under TSCA to the EPA Region 4 Regional Administrator by EPA Delegation 12-2-A, dated May 11, 1994. The Region 4 Regional Administrator has delegated this authority to the Director of RCRD by EPA Region 4 Delegation 12-2-A, dated January 14, 2009. Pursuant to that Delegation, the Director of the RCRD has the authority to commence an enforcement Action as the Complainant in this matter and has the authority to sign Consent Agreements memorializing settlements between the EPA and Respondent.
3. Complainant and the Respondent have conferred for the purpose of settlement pursuant to 40 C.F.R. § 22.18

CERTIFICATE OF SERVICE

I hereby certify that I have this day filed the original and a true and correct copy of the foregoing Consent Agreement and the attached Final Order (CAFO), in the Matter of Wise Alloys, LLC – Production Plant, Docket Number: TSCA-04-2016-2909(b), and have served the parties listed below in the manner indicated:

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Mr. John Fehrenbach (Via Certified Mail - Return Receipt Requested)
Winston and Strawn, LLP
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9/30/2016

Date


Wendy Bias
Secretary
Enforcement and Compliance Branch
Resource Conservation and Restoration Division
U.S. EPA, Region 4
61 Forsyth Street, SW
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