

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

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Docket No. RCRA-10-2016-0099

HEARINGS CLERK
EPA -- REGION 10

IN THE MATTER OF:)

Skills, Incorporated)
Seattle, Washington)

Skills Inc. Ballard Anodize)
EPA ID Number WAD 98073 8926)

Skills Inc. Paint)
EPA ID Number WAD 98848 2030)

Respondent)

EXPEDITED SETTLEMENT
AGREEMENT AND
FINAL ORDER

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency ("EPA") is authorized to enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 3008 of the Resource Conservation and Recovery Act ("RCRA") and 40 C.F.R. § 22.13(b).
2. Skills, Incorporated ("Respondent") is the owner and/or operator of
 - Skills Inc. Ballard Anodize, 4615 8th Avenue NW, Seattle, Washington
 - Skills Inc. Paint, 4515 8th Avenue NW, Seattle, Washington, and
 - 825 Alley building, 825 NW 47th Street, Seattle, Washingtonfurther referred to as "Facilities."

The EPA inspected the Facilities on July 14 and 17, 2015. The EPA alleges Respondent violated the following requirements of RCRA:

- a. WAC 173-303-141(1) states that a person may offer designated dangerous waste only to a TSD facility which is operating under a RCRA permit or interim status. On July 14, 2015, Skills Inc. was transferring dangerous waste MEK-contaminated rags from Skills Inc. Ballard Anodize to Skills Inc. Paint, neither of which had a RCRA permit or interim status.
- b. WAC 173-303-200(1)(b)(i) references WAC 173-303-630(5)(a), which requires that containers of dangerous waste be closed except when adding or removing waste. On July 14, 2015, Skills Inc. Paint had accumulated two boxes containing paint related dangerous waste and paint booth filters that were not closed.
- c. WAC 173-303-200(1)(b)(i) references WAC 173-303-630(6), which requires that inspections of hazardous waste containers be conducted weekly and an inspection log be kept. Among other things, the inspection log must contain a notation of the observations made during the inspection. On July 17, 2015, the Skills Inc. Paint inspection log dated July 16, 2015 did not have a notation of any observations made during the inspection.


- d. WAC 173-303-070(8)(b)(ii) requires that a small quantity generator manage dangerous waste in a way that does not pose a potential threat to human health or the environment. On July 14, 2015 in the sand blast area of the 825 Alley building, dangerous waste spent blasting grit was not being adequately contained resulting in it being tracked out of the blasting room.
- e. WAC 173-303-573 requires that containers of universal waste lamps be properly labeled [WAC 173-303-573(10)(c)] and be accumulated in closed containers [WAC 173-303-573(9)(c)]. On July 14, 2015 in the maintenance shop of the 825 Alley building, a box containing universal waste lamps was not closed and was not properly labeled.
3. The EPA has determined and Respondent agrees that settlement of this matter for a civil penalty of five thousand dollars (\$5,000.00) is in the public interest. The attached Penalty Calculation Worksheet is incorporated by reference.
4. The EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or this Agreement.
5. Each party shall bear its own costs and fees, if any.
6. In signing this Agreement, Respondent: (1) admits that the EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (2) neither admits nor denies the factual allegations contained herein, (3) consents to the assessment of this civil penalty, and (4) waives any right to contest the allegations contained herein in a hearing or appeal pursuant to Section 3008(b) of RCRA.
7. In signing this Agreement, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the alleged violations have been corrected, and (2) the civil penalty has been paid. Respondent is submitting proof of payment of the civil penalty with this Agreement.
8. Upon the effective date of this Agreement, payment of the civil penalty shall constitute full settlement of the civil claims alleged herein.
9. This Agreement is binding on the parties signing below and, in accordance with 40 C.F.R. § 22.31(b), is effective upon filing.

IT IS SO AGREED,

RESPONDENT:

Name (print): Priscilla Armstrong

Title (print): Director of Workforce Development

Signature: 

Date: 8/10/2016

EPA REGION 10:



Edward J. Kowalski, Director
Office of Compliance and Enforcement
U.S. Environmental Protection Agency, Region 10

Date: 8/23/2016

IT IS SO ORDERED:



M. Socorro Rodriguez, Regional Judicial Officer
U.S. Environmental Protection Agency, Region 10

Date: 8/25/16

Certificate of Service

The undersigned certifies that the original of the attached **EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER, In the Matter of Skills Incorporated Docket No.: RCRA-10-2016-0099**, was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

The undersigned certifies that a true and correct copy of the document was delivered to:

Jack Boller
1200 Sixth Avenue, OAWT-1500
Suite 900
Seattle, Washington 98101

Further, the undersigned certifies that a true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt to:

Mr. Dave White
Skills Incorporated
715 30th Street NE
Seattle, Washington 98002

DATED this 20 day of August, 2016

Teresa Young
Signature

Teresa Young
Regional Hearing Clerk
EPA Region 10