



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590
MAR 30 2016

REPLY TO THE ATTENTION OF:

LC-8J

CERTIFIED MAIL: 7011 1150 0000 2639 8620
RETURNED RECEIPT REQUESTED

RS Used Oil Services, Inc.
c/o David H. Quigley
Akin Gump Strauss Hauer & Feld, LLP
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

Consent Agreement and Final Order in the Matter of
RS Used Oil Services, Inc.: Docket No. *TSCA-05-2014-0007*

Mr. Quigley:

Enclosed please find an amended copy of a fully executed Consent Agreement and Final Order (CAFO) in resolution of the above case. This document was filed on *March 30, 2016* with the Regional Hearing Clerk.

There is no civil penalty imposed on this company. Please be certain that the docket number is written on the transmittal letter.

Thank you for your cooperation in resolving this matter.

Sincerely,

A handwritten signature in cursive script that reads "Kendall Moore".

Kendall Moore
dm Pesticides and Toxics Compliance Section

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:

RS Used Oil Services, Inc.
Monee, Illinois,

Respondent.



Docket No. TSCA-05-2014-0007

Proceeding to Assess a Civil Penalty
Under Section 16(a) of the Toxic
Substances Control Act, 15 U.S.C.
§ 2615(a)

Second Amendment to Consent Agreement and Final Order

1. This amendment modifies paragraphs 154 and 157 of the Consent Agreement and Final Order (CAFO) filed with the Regional Hearing Clerk on April 28, 2014 in the above-referenced matter. A previous Amendment to the CAFO was filed with the Regional Hearing Clerk on August 14, 2015. The modifications to paragraphs 154 and 157 listed below supersede those set forth in the August 14, 2015 Amendment to the CAFO. Except as specifically set forth herein, all provisions of the April 28, 2014 CAFO shall remain in full force and effect.

2. Paragraph 154 of the original CAFO filed on April 28, 2014 is replaced as follows:

Respondent will complete the SEP described in the paragraph above by replacing a portion of its diesel-fueled heavy duty vehicle fleet with compressed natural gas (CNG) models. The SEP must be completed no later than February 15, 2016. For the useful life of any CNG vehicle purchased pursuant to this SEP, following submission of the SEP completion report described in paragraph 157, Respondent will operate the CNG vehicle (when it is not being serviced or repaired) at a reasonable usage rate, which is at the same rate used for similarly-sized and equipped non-CNG vehicles used to transport product to or from Respondent's facilities.

3. Paragraph 157 of the original CAFO filed on April 28, 2014 is replaced as follows:

By no later than July 15, 2016, Respondent must submit a SEP completion report to EPA.


The report must contain the following information:

- a. Detailed description of the SEP as completed;
- b. Description of any problems executing the SEP and the actions taken to correct the problems;
- c. An itemized cost of goods and services used to complete the SEP documented by copies of invoices, purchase orders and cancelled checks that specifically identify and itemize the individual cost of the goods and services;
- d. Photographs of any CNG heavy duty vehicles purchased in fulfillment of the SEP;
- e. Certification that Respondent has completed the SEP in compliance with this CAFO; and
- f. Description of the environmental and public health benefits resulting from the SEP (quantify the benefits and pollution reductions, if feasible).

**Second Amendment to Consent Agreement and Final Order
In the Matter of: RS Used Oil Services, Inc.
Docket No. TSCA-05-2014-0007**

RS Used Oil Services, Inc., Respondent


_____ ^{3/14/16^W}
Date



Randall Wilson
Chief Financial Officer and Treasurer
RS Used Oil Services, Inc.

United States Environmental Protection Agency, Complainant

3/22/2016
Date

 ^{79 M.G.}

Margaret M. Guerriero
Director
Land and Chemicals Division
U.S. Environmental Protection Agency, Region 5

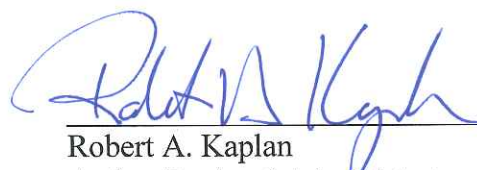
**Second Amendment to Consent Agreement and Final Order
In the Matter of: RS Used Oil Services, Inc.
Docket No. TSCA-05-2014-0007**

Final Order

The foregoing Second Amendment to the Consent Agreement and Final Order is hereby approved and incorporated by reference into this Order, effective immediately upon filing with the Regional Hearing Clerk.

3 - 24 - 16

Date



Robert A. Kaplan
Acting Regional Administrator
U.S. Environmental Protection Agency
Region 5

In the matter of: RS Used Oil Services, Inc.

Docket Number: TSCA-05-2014-0007

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 March 30, 2016 this day in the following manner to the addressees:

Copy by certified mail
Return-receipt requested:

RS Used Oil Services, Inc.
c/o David H. Quigley
Akin Gump Strauss Hauer & Feld, LLP
1333 New Hampshire Avenue, NW
Washington, D.C. 20036

Copy by e-mail to
Attorney for Complainant:

Robert M. Peachey
Peachey.Robert@epa.gov

Copy by e-mail to
Regional Judicial Officer:

Ann Coyle
coyle.ann@epa.gov

Dated: March 30, 2016



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

CERTIFIED MAIL RECEIPT NUMBER(S): 7011 1150 0000 2639 8620