



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

FEB 13 2020

*Via Certified Mail,
Return Receipt Requested, Postage Prepaid*

Roger Wolfe
Chief Financial Officer
Powercon Corporation
1551 Florida Avenue
Severn, MD 21140-2603

Re: Letter of Remittance
In the Matter of Powercon Corporation
Consent Agreement and Final Order (*Docket No. RCRA-03-2015-0035*)

Dear Mr. Wolfe:

On September 22, 2015, the Regional Judicial Officer issued a Final Order ratifying the Consent Agreement (collectively, the "CAFO") entered into by the Director of the Land and Chemicals Division of the U.S. Environmental Protection Agency, Region III ("EPA"), and Powercon Corporation ("Respondent"), pursuant to Section 3008(a)(1) and (g) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928(a)(1) and (g), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22. As a requirement and condition of the settlement, the Respondent agreed to pay a penalty of \$40,000.00 and to spend \$2,695.00 in the performance of a Supplemental Environmental Project ("SEP"). The SEP required Respondent to install and operate a Fluidkleen Aqueous Fluid Conditioning Unit ("Unit") that skims tramp oils and metal fines from the cutting fluid used in Respondent's machines. By using the Unit, the cutting fluid is skimmed, filtered, aerated and reused which results in a reduction of at least two thirds of the generated hazardous waste. By reducing the amount of generated hazardous waste, Respondent has reduced the risk of harms associated with the disposal of hazardous waste.

EPA has determined that the Respondent timely paid the required \$40,000.00 civil penalty. EPA further has determined, based on information that John W. Koontz, L.E.H.S. Risk Manager, and Janet Siegel, Chief Operating Officer, provided to EPA in a SEP Completion Report required pursuant to Paragraph 79 of the Consent Agreement, that: (i) the SEP was conducted and timely completed by the Respondent in accordance with the requirements and provisions of this CAFO and in compliance with all applicable federal, state and local laws and regulations, pursuant to Consent Agreement Paragraph 74; and, (ii) Respondents have incurred and spent at least \$2,695.00 in Approved SEP Expenditures such



that, pursuant to Consent Agreement Paragraph 83, the Respondents are not subject to any additional penalties pursuant to the provisions of paragraph 83, or any other provisions, of the Consent Agreement.

EPA has determined that the Respondent has paid all civil penalty amounts due pursuant to the terms of the CAFO and has complied with the SEP requirements and provisions set forth in the Consent Agreement and all additional requirements and provisions of the CAFO. Therefore, in accordance with Paragraph 81 of the Consent Agreement, EPA hereby issues this Letter of Remittance.

Sincerely,



Karen Melvin, Director
Enforcement & Compliance Assurance Division

cc: T. Chris Minshall (3RC30)
Eric Greenwood (3ED22)
Bevin Esposito (3RC00)