



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

REPLY TO THE ATTENTION OF

**VIA EMAIL**

Mr. Thomas D. Lupo  
Attorney, Hinshaw & Culbertson  
222 North LaSalle  
Suite 300  
Chicago, Illinois 60601  
tlupo@hinshawlaw.com

Re: Associates Engraving Company  
EPA ID No.: ILR 000 103 309  
Consent Agreement and Final Order  
Docket No.: **RCRA-05-2016-0022**

Dear Mr. Lupo:

Attached please find a copy of a fully executed Consent Agreement and Final Order (CAFO) in resolution of the above-referenced case. We filed the original with the Regional Hearing Clerk on September 30, 2016.

Please pay the civil penalty of \$25,524.00 in accordance with paragraph 84 of this CAFO, and reference your check with the Docket Number **RCRA-05-2016-0022**. Your payment is due within 30 calendar days of the effective date of the CAFO. Also, attached is a *Notice of Securities and Exchange Commission Registrant's Duty to Disclose Environmental Legal Proceedings*. Thank you for your cooperation in resolving this matter.

If you have any questions regarding this matter, please contact Graciela Scambiatterra, of my staff, at (312) 353-5103 or [scambiatterra.graciela@epa.gov](mailto:scambiatterra.graciela@epa.gov).

Sincerely,

A handwritten signature in cursive script that reads "Gary J. Victorine".

Gary J. Victorine, Chief  
RCRA Branch

Attachments

cc: Todd Marvel, (w/CAFO), Illinois Environmental Protection Agency  
([todd.marvel@illinois.gov](mailto:todd.marvel@illinois.gov))  
Steven L. Wells, (w/CAFO), Associates Engraving Company ([stevewfc64@gmail.com](mailto:stevewfc64@gmail.com))

## NOTICE OF SECURITIES AND EXCHANGE COMMISSION REGISTRANTS' DUTY TO DISCLOSE ENVIRONMENTAL LEGAL PROCEEDINGS

Securities and Exchange Commission regulations require companies registered with the SEC (e.g., publicly traded companies) to disclose, on at least a quarterly basis, the existence of certain administrative or judicial proceedings taken against them arising under Federal, State or local provisions that have the primary purpose of protecting the environment. Instruction 5 to Item 103 of the SEC's Regulation S-K (17 CFR 229.103) requires disclosure of these environmental legal proceedings. For those SEC registrants that use the SEC's "small business issuer" reporting system, Instructions 1-4 to Item 103 of the SEC's Regulation S-B (17 CFR 228.103) requires disclosure of these environmental legal proceedings.

If you are an SEC registrant, you have a duty to disclose the existence of pending or known to be contemplated environmental legal proceedings that meet any of the following criteria (17 CFR 229.103(5)(A)-(C)):

- A. Such proceeding is material to the business or financial condition of the registrant;
- B. Such proceeding involves primarily a claim for damages, or involves potential monetary sanctions, capital expenditures, deferred charges or charges to income and the amount involved, exclusive of interest and costs, exceeds 10 percent of the current assets of the registrant and its subsidiaries on a consolidated basis; or
- C. A governmental authority is a party to such proceeding and such proceeding involves potential monetary sanctions, unless the registrant reasonably believes that such proceeding will result in no monetary sanctions, or in monetary sanctions, exclusive of interest and costs, of less than \$100,000; provided, however, that such proceedings which are similar in nature may be grouped and described generically.

Specific information regarding the environmental legal proceedings that must be disclosed is set forth in Item 103 of Regulation S-K or, for registrants using the "small business issuer" reporting system, Item 103(a)-(b) of Regulation S-B. If disclosure is required, it must briefly describe the proceeding, "including the name of the court or agency in which the proceedings are pending, the date instituted, the principal parties thereto, a description of the factual basis alleged to underlie the proceedings and the relief sought."

You have been identified as a party to an environmental legal proceeding to which the United States government is, or was, a party. If you are an SEC registrant, this environmental legal proceeding may trigger, or may already have triggered, the disclosure obligation under the SEC regulations described above.

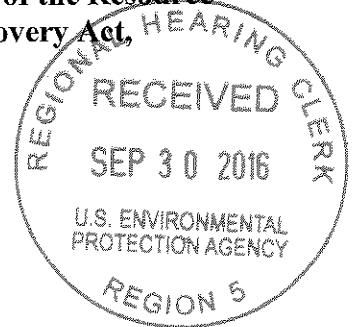
This notice is being provided to inform you of SEC registrants' duty to disclose any relevant environmental legal proceedings to the SEC. This notice does not create, modify or interpret any existing legal obligations, it is not intended to be an exhaustive description of the legally applicable requirements and it is not a substitute for regulations published in the Code of Federal Regulations. This notice has been issued to you for information purposes only. No determination of the applicability of this reporting requirement to your company has been made by any governmental entity. You should seek competent counsel in determining the applicability of these and other SEC requirements to the environmental legal proceeding at issue, as well as any other proceedings known to be contemplated by governmental authorities.

If you have any questions about the SEC's environmental disclosure requirements, please contact the SEC Office of the Special Senior Counsel for Disclosure Operations at (202) 942-1888.

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**In the Matter of:** )  
)  
**Associates Engraving Company** )  
**2601 Colt Road** )  
**Springfield, Illinois 62707** )  
**U.S. EPA ID No. ILR 000 103 309** )  
  
**Respondent.** )  
\_\_\_\_\_ )

**Docket No. RCRA-05-2016-0022**  
  
**Proceeding to Commence and Conclude  
an Action to Assess a Civil Penalty  
Under Section 3008(a) of the Resource  
Conservation and Recovery Act,  
42 U.S.C. § 6928(a)**



**Consent Agreement and Final Order**

**Preliminary Statement**

1. This is an administrative action commenced and concluded under Section 3008(a) of the Solid Waste Disposal Act, as amended, also known as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a), and Sections 22.13(b) and 22.18(b)(2) and (3) 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. The Complainant is the Director of the Land and Chemicals Division, United States Environmental Protection Agency (U.S. EPA), Region 5.

3. U.S. EPA provided notice of commencement of this action to the State of Illinois pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).

4. Respondent is Associates Engraving Company, a corporation doing business in the State of Illinois, which at of the time of U.S. EPA's April 22, 2014 inspection owned and operated the facility located at 2601 Colt Road, Springfield, Illinois 62707, under the assumed name of "MD Designs by Metal Décor" and other names, which business was sold to an unrelated owner and operator in June, 2015.

5. Where the parties agree to settle one or more causes of action before the filing of a complaint, the administrative action may be commenced and concluded simultaneously by the issuance of a consent agreement and final order (CAFO). 40 C.F.R. § 22.13(b).

6. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.

7. Respondent consents to the assessment of the civil penalty specified in this CAFO, and to the terms of this CAFO.

#### **Jurisdiction and Waiver of Right to Hearing**

8. Jurisdiction for this action is conferred upon U.S. EPA by Sections 3006 and 3008 of RCRA, 42 U.S.C. §§ 6926 and 6928.

9. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations in this CAFO.

10. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO, and its right to appeal this CAFO.

11. Respondent certifies that it is complying fully with RCRA, 42 U.S.C. §§ 6901 – 6992k, and the regulations at 40 C.F.R. Parts 260 - 279.

#### **Statutory and Regulatory Background**

12. U.S. EPA has promulgated regulations, codified at 40 C.F.R. Parts 260 through 279, governing generators and transporters of hazardous waste and facilities that treat, store, and dispose of hazardous waste, pursuant to Sections 3001 – 3007, among others, of RCRA, 42 U.S.C. §§ 6921 – 6927, and 6934.

13. Pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, the Administrator of U.S. EPA may authorize a state to administer the RCRA hazardous waste program in lieu of the

federal program when the Administrator finds that the state program meets certain conditions. Any violation of regulations promulgated pursuant to Subtitle C (Sections 3001-3023 of RCRA, 42 U.S.C. §§ 6921-6939e) or any state provision authorized pursuant to Section 3006 of RCRA constitutes a violation of RCRA, subject to the assessment of civil penalties and issuance of compliance orders as provided in Section 3008 of RCRA, 42 U.S.C. § 6928.

14. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), the Administrator of U.S. EPA granted the State of Illinois final authorization to administer a state hazardous waste program in lieu of the federal government's base RCRA program effective January 31, 1986. 51 Fed. Reg. 3778 (January 31, 1986).

15. Under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), U.S. EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified period of time, or both. The Administrator of U.S. EPA may assess a civil penalty of up to \$25,000 per day for each violation of Subtitle C of RCRA according to Section 3008 of RCRA, 42 U.S.C. § 6928. The Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 note (1996), required U.S. EPA to adjust its penalties for inflation on a periodic basis. Pursuant to the Civil Monetary Penalty Inflation Adjustment Rule, published at 40 C.F.R. Part 19, U.S. EPA may assess a civil penalty of up to \$37,500 per day for each violation of Subtitle C of RCRA that occurred after January 12, 2009.

#### **Factual Allegations and Alleged Violations**

16. Respondent is, and was at all times relevant to this CAFO, a "person" as defined by 35 IAC § 720.110, 40 C.F.R. § 260.10, and Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

17. At all times relevant to this CAFO, Respondent was the “owner” or “operator,” as those terms are defined under 35 IAC § 720.110 and 40 C.F.R. § 260.10, of a facility located at 2601 Colt Road, Springfield, Illinois 62707 (facility).

18. On April 22, 2014, U.S. EPA conducted a RCRA Compliance Evaluation Inspection (Inspection) of the facility.

19. At all times relevant to this CAFO, the facility consisted of land and structures, other appurtenances, and improvements on the land used for storing hazardous waste.

20. At all times relevant to this CAFO, Respondent’s facility was a “facility” as that term is defined under 35 IAC § 720.110.

21. At the time of the Inspection, Respondent was doing business under the assumed name of “MD Designs by Metal Décor” and was manufacturing award plaques, trophies, and donor displays.

22. At all times relevant to this CAFO, chemicals such as nitric acid, hydrogen peroxide, hydrochloric acid, ferric chloride, and sulfuric acid were used in the manufacturing process, generating waste water treatment sludge (U.S. EPA Hazardous Waste No. F006) after pre-treatment through an on-site wastewater treatment system.

23. At the time of the Inspection, F006 hazardous waste was being stored in three yard bags in a less-than-90-day accumulation area designated for the F006 hazardous waste.

24. At all times relevant to this CAFO, solvents were used in the facility’s Stripping Area to strip off film laminate during the manufacturing process, generating solvent hazardous waste (U.S. EPA Hazardous Waste Nos. D001 and F005).

25. At all times relevant to this CAFO, solvent-based paints were used in a Spray Booth adjacent to the Stripping Area, generating solvent-based paint waste (U.S. EPA Hazardous Waste Nos. D001 and F005).

26. At the time of the Inspection, D001 and F005 solvent hazardous wastes and solvent-based paint hazardous wastes were being stored in three 55-gallon containers in a satellite accumulation area and a less-than-90-day accumulation area designed for D001 and F005 solvent hazardous waste and solvent-based paint hazardous waste.

27. At all times relevant to this CAFO, Respondent held F006 hazardous waste in yard bags, and held D001 and F005 solvent and solvent-based paint hazardous wastes in 55-gallon containers, for temporary periods before the material was shipped from the facility for treatment, storage, disposal, burning or incineration elsewhere.

28. At all times relevant to this CAFO, Respondent had stored, transported, disposed of, or otherwise handled hazardous wastes referred to in Paragraphs 22-27 above in "containers" as that term is defined under 35 IAC § 720.110 and 40 C.F.R. § 260.10.

29. At all times relevant to this CAFO, the wastes referred to in Paragraphs 22-27 above were "solid wastes" as that term is defined under 35 IAC § 721.102 and 40 C.F.R. § 261.2.

30. At all times relevant to this CAFO, the wastes referred to in Paragraphs 22-27 above were "hazardous wastes" as that term is defined under 35 IAC § 721.103 and 40 C.F.R. § 261.3.

31. At all times relevant to this CAFO, Respondent's holding of the hazardous wastes referred to in Paragraphs 22-27 above in containers constituted hazardous waste "storage," as that term is defined under 35 IAC § 720.110, and 40 C.F.R. § 260.10.

32. At all times relevant to this CAFO, Respondent was a "generator," as that term is defined in 35 IAC § 720.110 and 40 C.F.R. § 260.10.

33. Respondent generated and managed hazardous waste at the Facility after November 19, 1980.

34. At all times relevant to this CAFO, Respondent generated during each calendar month more than 1,000 kilograms (2,205 pounds) of hazardous waste at the facility, and was a Large Quantity Generator (LQG).

35. During the Inspection, representatives of Respondent informed U.S. EPA that RCRA training had not been conducted for facility personnel for several years. Training records and written job titles and descriptions for facility personnel were not available or provided to U.S. EPA during the Inspection.

36. Respondent is subject to the regulations promulgated pursuant to Subtitle C of RCRA, 42 U.S.C. §§ 6921 - 6939e, or the analogous Illinois regulations as part of the applicable state hazardous waste management program for the State of Illinois, or both.

37. At all times relevant to this CAFO, the State of Illinois did not and has not issued a permit to Respondent to treat, store, or dispose of hazardous waste at the facility.

38. At all times relevant to this CAFO, Respondent did not have interim status for the treatment, storage, or disposal of hazardous waste at the facility.

### **COUNT I**

#### **Storage of Hazardous Waste without a Permit or Interim Status: Lack of Accumulation Start Dates for Hazardous Waste Containers**

39. Complainant incorporates Paragraphs 1 through 38 of this CAFO as though set forth in this paragraph.

40. Pursuant to 35 IAC § 703.121(a) [40 C.F.R. Part 270], and 3005(a) of RCRA, 42 U.S.C. § 6925(a), the treatment, storage, or disposal of hazardous waste by any person who has not applied for or received a permit is prohibited.



41. Pursuant to 35 IAC § 722.134(a)(2) [40 C.F.R. § 262.34(a)(2)], a generator of hazardous waste may accumulate hazardous waste on-site for 90 days or less without having a permit or interim status, provided that the generator clearly marks and makes visible for inspection each container holding hazardous waste with the date upon which each period of accumulation begins.

42. At the time of the Inspection, Respondent stored one 55-gallon container of D001 and F005 solvent and solvent-based paint hazardous waste, in a less-than-90 day storage area known as the Spray Booth area, that was not marked with the date upon which the period of accumulation of the hazardous waste began, in violation of 35 IAC § 722.134(a)(2) [40 C.F.R. § 262.34(a)(2)].

43. At the time of the Inspection, Respondent stored one yard bag of F006 hazardous waste, in a less-than-90 day storage area used to store F006 hazardous waste, that was not marked with the date upon which the period of accumulation of the hazardous waste began, in violation of 35 IAC § 722.134(a)(2) [40 C.F.R. § 262.34(a)(2)].

44. During the Inspection, Respondent corrected the violations referred to in Paragraphs 42 and 43 above.

45. At the time of the Inspection, Respondent had not applied or received a permit for treatment, storage, or disposal of hazardous waste, and did not have interim status.

46. Respondent failed to satisfy all of the conditions for maintaining its exemption from the requirement that it have an operating permit or interim status.

47. Respondent's storage of hazardous waste without a permit or interim status violated 35 IAC § 703.121(a) [40 C.F.R. Part 270], and Section 3005 of RCRA, 42 U.S.C. § 6925(a).

## COUNT II

### **Storage of Hazardous Waste without a Permit or Interim Status: Inadequate Hazardous Waste Container Labeling**

48. Complainant incorporates Paragraphs 1 through 38 of this CAFO as though set forth in this paragraph.

49. Pursuant to 35 IAC § 703.121(a) [40 C.F.R. Part 270], and 3005(a) of RCRA, 42 U.S.C. § 6925(a), the treatment, storage, or disposal of hazardous waste by any person who has not applied for or received a permit is prohibited.

50. Pursuant to 35 IAC § 722.134(a)(3) [40 C.F.R. § 262.34(a)(3)], a generator of hazardous waste may accumulate hazardous waste on-site for 90 days or less without having a permit or interim status, provided that the generator labels or clearly marks each container holding hazardous waste with the words "Hazardous Waste".

51. At the time of the Inspection, Respondent stored one 55-gallon container of D001 and F005 solvent and solvent-based paint hazardous waste, in a less-than-90 day storage area known as the Spray Booth area, that was not labeled or clearly with the words "Hazardous Waste", in violation of 35 IAC § 722.134(a)(3) [40 C.F.R. § 262.34(a)(3)].

52. At the time of the Inspection, Respondent stored one yard bag of F006 hazardous waste, in a less-than-90 day storage area used to store F006 hazardous waste, that was not labeled or clearly marked with the words "Hazardous Waste", in violation of 35 IAC § 722.134(a)(3) [40 C.F.R. § 262.34(a)(3)].

53. During the Inspection, Respondent corrected the violations referred to in Paragraphs 51 and 52 above.

54. At the time of the Inspection, Respondent had not applied or received a permit for treatment, storage, or disposal of hazardous waste, and did not have interim status.

55. Respondent failed to satisfy all of the conditions for maintaining its exemption from the requirement that it have an operating permit or interim status.

56. Respondent's storage of hazardous waste without a permit or interim status violated 35 IAC § 703.121(a) [40 C.F.R. Part 270], and Section 3005 of RCRA, 42 U.S.C. § 6925(a).

### **COUNT III**

#### **Storage of Hazardous Waste without a Permit or Interim Status: Storage of Hazardous Waste in Excess of 90 Days**

57. Complainant incorporates Paragraphs 1 through 38 of this CAFO as though set forth in this paragraph.

58. Pursuant to 35 IAC § 703.121(a) [40 C.F.R. Part 270], and 3005(a) of RCRA, 42 U.S.C. § 6925(a), the treatment, storage, or disposal of hazardous waste by any person who has not applied for or received a permit is prohibited.

59. Pursuant to 35 IAC § 722.134(b) [40 C.F.R. § 262.34(b)], in order for a generator of hazardous waste to maintain its exemption from the requirement to have an operating permit or interim status, it must accumulate hazardous waste on-site for 90 days or less unless the generator has been granted an extension of the 90-day period.

60. At the time of the EPA inspection, Respondent stored one 55-gallon container of D001 and F005 solvent and solvent-based paint hazardous waste, in a less-than-90 day storage area known as the Spray Booth area, that was labeled with an accumulation start date of "12-19-13". The date of the Inspection was April 22, 2014. Therefore, the total time of storage at the time of the EPA inspection was 138 days, in violation of 35 IAC § 722.134(b) [40 C.F.R. § 262.34(b)].

61. Respondent had not been granted an extension of the 90-day period.

62. Respondent corrected the violation referred to in Paragraph 60 above on May 6, 2014.

63. At the time of the Inspection, Respondent had not applied or received a permit for treatment, storage, or disposal of hazardous waste, and did not have interim status.

64. Respondent failed to satisfy all of the conditions for maintaining its exemption from the requirement that it have an operating permit or interim status.

65. Respondent's storage of hazardous waste without a permit or interim status violated 35 IAC § 703.121(a) [40 C.F.R. Part 270], and Section 3005 of RCRA, 42 U.S.C. § 6925(a).

#### **COUNT IV**

##### **Storage of Hazardous Waste without a Permit or Interim Status: Lack of Personnel Training**

66. Complainant incorporates Paragraphs 1 through 38 of this CAFO as though set forth in this paragraph.

67. Pursuant to 35 IAC § 703.121(a) [40 C.F.R. Part 270], and 3005(a) of RCRA, 42 U.S.C. § 6925(a), the treatment, storage, or disposal of hazardous waste by any person who has not applied for or received a permit is prohibited.

68. Pursuant to 35 IAC § 722.134(a) [40 C.F.R. § 262.34(a)], a generator of hazardous waste may accumulate hazardous waste on-site for 90 days or less without having a permit or interim status, provided that the generator complies with all applicable conditions, including the requirements of 35 IAC § 725.116 [40 C.F.R. § 265.16].

69. 35 IAC 725.116(a)(1) [40 C.F.R. § 265.16(a)(1)] requires the generator to provide hazardous waste training to facility personnel who must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with hazardous waste regulations.

70. At the time of the Inspection, Respondent did not have a program of classroom instruction or on-the-job training that taught facility personnel hazardous waste management procedures, in violation of 35 IAC 725.116(a)(1) [40 C.F.R. § 265.16(a)(1)].

71. 35 IAC 725.116(d)(1) [40 C.F.R. § 265.16(d)(1)] requires the generator to maintain at the facility documentation of the job title for each position at the facility related to hazardous waste management and the name of the employee filling each job.

72. At the time of the Inspection, Respondent did not have documentation of the job title for each position at the facility related to hazardous waste management, or the name of the employee filling each job, in violation of 35 IAC 725.116(d)(1) [40 C.F.R. § 265.16(d)(1)].

73. 35 IAC 725.116(d)(2) [40 C.F.R. § 265.16(d)(2)] requires the generator to maintain at the facility a written job description for each position at the facility related to hazardous waste management.

74. At the time of the Inspection, Respondent did not have a written job description for each position at the facility related to hazardous waste management, in violation of 35 IAC 725.116(d)(2) [40 C.F.R. § 265.16(d)(2)].

75. 35 IAC 725.116(d)(3) [40 C.F.R. § 265.16(d)(3)] requires the generator to maintain at the facility a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position at the facility related to hazardous waste management.

76. At the time of the Inspection, Respondent did not have a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position at the facility related to hazardous waste management, in violation of 35 IAC 725.116(d)(3) [40 C.F.R. § 265.16(d)(3)].

77. 35 IAC 725.116(d)(4) [40 C.F.R. § 265.16(d)(4)] requires the generator to maintain records at the facility that document that the training or job experience described in 35 IAC 725.116(a) – (c) [40 C.F.R. § 265.16(a) – (c)] has been given to and completed by facility personnel.

78. At the time of the Inspection, Respondent did not have records documenting that hazardous waste management training or on-the-job experience had been given to and completed by facility personnel, in violation of 35 IAC 725.116(d)(4) [40 C.F.R. § 265.16(d)(4)].

79. After the Inspection, facility personnel received RCRA training on May 28, 2014.

80. At the time of the Inspection, Respondent had not applied or received a permit for treatment, storage, or disposal of hazardous waste, and did not have interim status.

81. Respondent failed to satisfy all of the conditions for maintaining its exemption from the requirement that it have an operating permit or interim status.

82. Respondent's storage of hazardous waste without a permit or interim status violated 35 IAC § 703.121(a) [40 C.F.R. Part 270], and Section 3005 of RCRA, 42 U.S.C. § 6925(a).

#### **Civil Penalty**

83. Pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), Complainant determined that an appropriate civil penalty to settle this action is \$25,524. In determining the penalty amount, Complainant took into account the seriousness of the violations and any good faith efforts to comply with the applicable requirements. Complainant also considered U.S. EPA's RCRA Civil Penalty Policy, dated June 23, 2003.

84. Within 30 days after the effective date of this CAFO, Respondent must pay a \$25,524 civil penalty for the RCRA violations by sending a cashier's or certified check, payable to the "Treasurer, United States of America," to:

For checks sent by regular U.S. Postal Service mail:

U.S. EPA  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000

For checks sent by express mail:

U.S. Bank  
Government Lockbox 979077 U.S. EPA Fines and Penalties  
1005 Convention Plaza  
Mail Station SL-MO-C2-GL  
St. Louis, MO 63101

The check must state the case title and the docket number of this CAFO.

85. A transmittal letter stating Respondent's name, the case title and the case docket number must accompany the payment. Respondent must send a copy of the check and transmittal letter to:

Regional Hearing Clerk (E-19J)  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

Graciela Scambiaterra (LR-8J)  
RCRA Branch  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

Kevin Chow (C-14J)  
Office of Regional Counsel  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

86. This civil penalty is not deductible for federal tax purposes.

87. If Respondent does not timely pay the civil penalty, U.S. EPA may bring an action to collect any unpaid portion of the penalty with interest, handling charges, nonpayment penalties, and the United States enforcement expenses for the collection action. The validity, amount, and appropriateness of the civil penalty are not reviewable in a collection action. U.S. EPA may bring an action to collect any unpaid portion of the penalty with interest, handling charges, nonpayment penalties, and the United States enforcement expenses for the collection action. The validity, amount, and appropriateness of the civil penalty are not reviewable in a collection action.

88. Pursuant to 31 C.F.R. § 901.9, Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any amount overdue from the date payment was due at a rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717(a)(1). Respondent must pay a \$15 handling charge each month that any portion of the penalty is more than 30 days past due. In addition, Respondent must pay a 6 percent per year penalty on any principal amount 90 days past due.

#### **General Provisions**

89. This CAFO resolves only Respondent's liability for federal civil penalties for the violations and facts alleged in the CAFO. Respondent neither admits nor denies liability for the violations and facts alleged in this CAFO.

90. This CAFO does not affect the right of U.S. EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.

91. This CAFO does not affect Respondent's responsibility to comply with RCRA and other applicable federal, state, local laws or permits.



92. This CAFO is a “final order” for purposes of 40 C.F.R. § 22.31, U.S. EPA’s RCRA Civil Penalty Policy, and U.S. EPA’s Hazardous Waste Civil Enforcement Response Policy (December 2003).

93. The terms of this CAFO bind Respondent, its successors, and assigns.

94. Each person signing this agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

95. Each party agrees to bear its own costs and attorney’s fees in this action.


96. This CAFO constitutes the entire agreement between the parties.

97. Consistent with the “Standing Order Authorizing E-Mail Service of Order and Other Documents Issued by the Regional Administrator or Regional Judicial Officer Under the Consolidated Rules,” dated March 27, 2015, the parties consent to service of this CAFO by e-mail at the following valid e-mail addresses: chow.kevin@epa.gov (for Complainant), and tlupo@hinshawlaw.com (for Respondent). The parties waive their right to service by the methods specified in 40 C.F.R. § 22.6.

**Consent Agreement and Final Order  
In the Matter of: Associates Engraving Company**


**Associates Engraving Company, Respondent**

9-6-16  
Date

  
Stephen L. Wells  
President  
Associates Engraving Company

**United States Environmental Protection Agency, Complainant**

9/26/2014  
Date

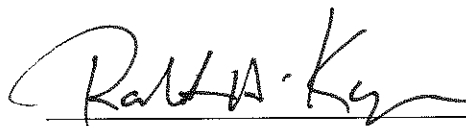
  
Margaret M. Guerriero  
Director  
Land and Chemicals Division

**In the Matter of:**  
**Associates Engraving Company**  
**Docket No. RCRA-05-2016-0022**

**Final Order**

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31. IT IS SO ORDERED.

9/29/16  
Date

  
\_\_\_\_\_  
Robert A. Kaplan  
Acting Regional Administrator  
United States Environmental Protection Agency  
Region 5

Consent Agreement and Final Order  
In the matter of: Associates Engraving Company  
Docket Number: **RCRA-05-2016-0022**

**CERTIFICATE OF SERVICE**

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, docket number **RCRA-05-2016-0022**, which was filed on September 30, 2016, in the following manner to the following addressees:

Copy by E-Mail to Respondent: Mr. Stephen L. Wells  
President, Associates Engraving Company  
Stevewfc64@gmail.com

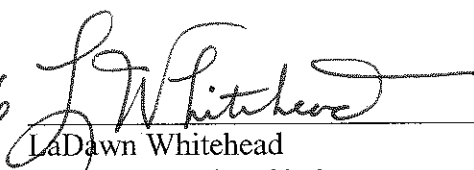
Copy by E-mail to  
Attorney for Respondent: Thomas D. Lupo, Hinshaw & Culbertson  
tlupo@hinshawlaw.com

Copy by E-mail to  
Attorney for Complainant: Kevin Chow  
chow.kevin@epa.gov

Copy by E-mail to  
EPA enforcement staff contact: Graciela Scambiatterra  
scambiatterra.graciela@epa.gov

Copy by E-mail to  
Regional Judicial Officer: Ann Coyle  
coyle.ann@epa.gov

Dated: September 30, 2016

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