



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

MAR 18 2011

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Masanori Kawamoto, President  
Murakami Manufacturing U.S.A., Inc.  
575 Water Tower Bypass  
Campbellsville, Kentucky 42718

RE: Consent Agreement and Final Order, Docket No. RCRA-04-2011-4003(b),  
Murakami Manufacturing U.S.A., Inc.  
EPA I.D. No.: KYR 000 033 001

Dear Mr. Kawamoto:

Please find enclosed a copy of the fully executed Consent Agreement and Final Order (CAFO) in the above referenced matter. The CAFO was effective upon filing and payment of \$17,289 is due within thirty (30) days of the effective date of the CAFO.

Please contact Bonnie Sawyer at (404) 562-9539 with any legal or Daryl Himes with any technical questions concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Lamberth".

Larry Lamberth, Acting Chief  
RCRA and OPA Enforcement and Compliance  
Branch

Enclosure

cc: Tony Hatton, KYDEP, Frankfort Central Office  
Jon Maybriar, KYDEP, Frankfort Central Office  
Duke York, KYDEP, Frankfort Central Office  
Daphne Johnston, KYDEP – Columbia Office

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4**

IN THE MATTER OF:	)	Docket Number: RCRA-04-2011-4003(b)
	)	
Murakami Manufacturing U.S.A. Inc.	)	Proceeding under Section 3008(a)
575 Water Tower Bypass	)	of the Resource Conservation and
Campbellsville, Kentucky 42718	)	Recovery Act, 42 U.S.C. § 6928(a)
	)	
EPA I.D. No.: KYR 000 033 001	)	
	)	
Respondent	)	

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RECEIVED  
MAY 10 2011  
EPA REGION 4

**CONSENT AGREEMENT**

**I. NATURE OF THE ACTION**

1. This is a civil administrative enforcement action, ordering compliance with the requirements of Subtitle C of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6921 *et seq.*, and Chapter 224.46 *et seq.*, Kentucky Revised Statutes (KY. REV. STAT. ANN.). This action is seeking injunctive relief and civil penalties pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), for alleged violations of RCRA and the corresponding regulations at Title 40 of the Code of Federal Regulations (40 C.F.R.), Parts 260 through 270 and 273; and KY. REV. STAT. ANN. § 226.46-510 *et seq.* and the corresponding regulations at Title 401 Kentucky Administrative Regulations (KY. ADMIN. REG.) Chapters 30-40.
2. The *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. Part 22, provide that where the parties agree to settlement before the filing of a complaint, a proceeding may be simultaneously commenced and concluded by the issuance of a Consent Agreement and Final Order (CA/FO). 40 C.F.R. §§ 22.13(b) and 22.18(b)(2).
3. Complainant and Respondent have conferred solely for the purpose of settlement pursuant to 40 C.F.R. § 22.18 and desire to settle this action. Accordingly, before any testimony has been taken upon the pleadings and without any admission of violation or adjudication of any issue of fact or law and in accordance with 40 C.F.R. § 22.13(b), Complainant and Respondent have agreed to the execution of this CA/FO, and Respondent hereby agrees to comply with the terms of this CA/FO.

## **II. THE PARTIES**

4. Complainant is the Chief, RCRA and OPA Enforcement and Compliance Branch, RCRA Division, Region 4, the United States Environmental Protection Agency (EPA).
5. Respondent is Murakami Manufacturing U.S.A., Inc., incorporated and operating in the State of Kentucky. The facility is located at 575 Water Tower Bypass, Campbellsville, Kentucky 42718.

## **III. PRELIMINARY STATEMENTS**

6. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), Kentucky has received final authorization to carry out a hazardous waste program in lieu of the federal program. The requirements of the authorized state program are found in KY. REV. STAT. ANN. § 226.46-012, *et seq.*, and 401 KY. ADMIN. REG. 30:005, *et seq.*
7. Pursuant to Section 3006(g) of RCRA, 42 U.S.C. § 6926(g), the requirements established by the Hazardous and Solid Waste Amendments of 1984 (HSWA), Pub. L. 98-616, are immediately effective in all states upon their federal effective date regardless of the State's authorization status. On June 25, 1996, the Commonwealth of Kentucky received authorization for all or a portion of its HSWA program.
8. Although EPA has granted Kentucky authority to enforce its own hazardous waste program, EPA retains jurisdiction and authority to initiate an independent enforcement action pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2). EPA exercises this authority in the manner set forth in the Memorandum of Agreement between EPA and the Commonwealth.
9. Pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2), Complainant has given notice of this action to Kentucky before issuance of this CA/FO.
10. Section 3002(a) of RCRA, 42 U.S.C. § 6922(a), and KY. REV. STAT. ANN. § 226.46-012, *et seq.*, require the promulgation of standards applicable to generators of hazardous waste. The implementing regulations for these standards are found in 40 C.F.R. Part 262 and 401 KY. ADMIN. REG. Chapter 32.
11. Section 3005 of RCRA, 42 U.S.C. § 6925, and KY. REV. STAT. ANN. § 226.46-012, *et seq.*, set forth the requirement that a facility treating, storing, or disposing of hazardous waste must have a permit or interim status. The implementing regulations for this requirement are found at 40 C.F.R. Parts 264, 265, and 270, and 401 KY. ADMIN. REG. Chapters 34, 35, and 36.
12. Pursuant to 40 C.F.R. § 261.2 and 401 KY. ADMIN. REG. 31:010 Section 2, a "solid waste" is any discarded material that is not otherwise excluded from the regulations. A discarded material includes any material that is abandoned by being stored in lieu of being disposed.

13. Pursuant to 40 C.F.R. § 261.3 and 401 KY. ADMIN. REG. 31:010 Section 3, a solid waste is a “hazardous waste” if it is not excluded from regulation as a hazardous waste under 40 C.F.R. § 261.4(b) and 401 KY. ADMIN. REG. 31:010 Section 4, and it meets any of the criteria specified in 40 C.F.R. § 261.3(a)(2).
14. Pursuant to 40 C.F.R. § 261.21 and 401 KY. ADMIN. REG. 31:030, a solid waste that exhibits the characteristic of ignitability is a hazardous waste and is identified with the EPA Hazardous Waste Number D001.
15. Pursuant to 40 C.F.R. § 261.31 and 401 KY. ADMIN. REG. 31:040, specified spent non-halogenated solvents are listed hazardous wastes and are identified with the EPA Hazardous Waste Number F003.
16. Pursuant to 40 C.F.R. § 260.10 and 401 KY. ADMIN. REG. 31:005 Section 1, a “generator” is defined as any person, by site, whose act or process produces hazardous waste identified or listed in 40 C.F.R. Part 261 and 401 KY. ADMIN. REG. 31:010 Section 3, or whose act first causes a hazardous waste to become subject to regulation.
17. Pursuant to 40 C.F.R. § 260.10 and 401 KY. ADMIN. REG. 30:005 Section 1, a “facility” is all contiguous land and structures, other appurtenances, and improvements on the land, used for treating, storing or disposing of hazardous waste.
18. Pursuant to 40 C.F.R. § 260.10 and 401 KY. ADMIN. REG. 30:005 Section 1, a “person” includes a corporation.
19. Pursuant to 40 C.F.R. § 260.10 and 401 KY. ADMIN. REG. 30:005 Section 1, an “owner” is the person who owns a facility or part of a facility and an “operator” is the person responsible for the overall operation of a facility.
20. Pursuant to 40 C.F.R. § 262.11 and 401 KY. ADMIN. REG. 32:010 Section 2, a person who generates a solid waste, as defined in 40 C.F.R. § 261.2, must determine if that waste is a hazardous waste.
21. Pursuant to 40 C.F.R. § 262.34(a) and 401 KY. ADMIN. REG. 32:030 Section 5, a generator may accumulate hazardous waste on site for 90 days or less without a permit or without having interim status provided that the generator complies with the management requirements listed in 40 C.F.R. § 262.34(a)(1)-(4) (hereinafter referred to as the “40 C.F.R. § 262.34(a) permit exemption”).
22. Pursuant to 40 C.F.R. § 262.34(a)(1)(i) and 401 KY. ADMIN. REG. 32:030 Section 5(1), a condition of the 40 C.F.R. § 262.34(a) permit exemption requires a generator to comply with 40 C.F.R. § 265.174 and 401 KY. ADMIN. REG. 35:180 Section 5, which require a generator to inspect, at least weekly, areas where hazardous waste containers are stored.
23. Pursuant to 40 C.F.R. § 262.34(a)(4) and 401 KY. ADMIN. REG. 32:030 Section 5(1), a condition of the 40 C.F.R. § 262.34(a) permit exemption requires a generator to comply with 40 C.F.R. § 265.16(c) and (d) and 401 KY. ADMIN. REG. 35:020 Section 7, which

require a generator of hazardous waste to ensure that its employees, involved in the management of hazardous waste, take part in an annual review of their initial training and maintain records that document the training performed.

24. Pursuant to 40 C.F.R. § 262.34(c)(1)(i) and 401 KY. ADMIN. REG. 32:030 Section 5(1), a generator may accumulate as much as 55 gallons of hazardous waste in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or interim status, provided he meets the requirements of 40 C.F.R. § 265.173(a) and keeps all containers managing hazardous waste closed, except when hazardous waste is being added or removed from the containers.
25. Pursuant to 40 C.F.R. § 262.34(c)(1)(ii) and 401 KY. ADMIN. REG. 32:030 Section 5(1), a generator may accumulate as much as 55 gallons of hazardous waste in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or interim status, provided he marks his containers with the words "Hazardous Waste" or with other words that identify the contents of the container.
26. Pursuant to 40 C.F.R. § 273.9 and 401 KY. ADMIN. REG. 43:005 Section 1, Universal Waste includes hazardous waste lamps (as described in 40 C.F.R. § 273.5).
27. Pursuant to 40 C.F.R. § 273.9 and 401 KY. ADMIN. REG. 43: 005 Section 1, a "Universal Waste Handler" is a generator of universal waste and a "Small Quantity Handler of Universal Waste" is a universal waste handler who does not accumulate 5,000 kilograms of universal waste at any time.
28. Pursuant to 40 C.F.R. § 273.13(d)(1) and 401 KY. ADMIN. REG. 43:020 Section 4, a small quantity handler of Universal Waste is required to contain its universal waste lamps in closed containers.
29. Pursuant to 40 C.F.R. § 273.14(e) and 401 KY. ADMIN. REG. 43:020 Section 5, a small quantity handler of universal waste is required to contain its universal waste lamps in containers clearly marked with the words "Universal Waste-Lamp(s)," or "Waste Lamps(s)" or "Used Lamp(s)."
30. Pursuant to 40 C.F.R. § 273.15(c) and 401 KY. ADMIN. REG. 43:020 Section 6, a small quantity handler of universal waste is required to be able to demonstrate the length of time that its universal waste has been accumulated from the date that it becomes a waste or was received.

#### **IV. EPA ALLEGATIONS AND DETERMINATIONS**

31. Respondent is a "person" as defined in 401 KY. ADMIN. REG. 30:005 Section 1 (40 C.F.R. § 260.10).

32. Respondent is the "owner" and "operator" of a "facility" located at 575 Water Tower Bypass, Campbellsville, Kentucky, as those terms are defined in 401 KY. ADMIN. REG. 30:005 Section 1 (40 C.F.R. § 260.10).
33. Respondent manufactures exterior side view mirrors for automobiles. The facility forms the plastic for the mirrors using injection molding. Once molded, the plastic parts are painted in paint booths using an electrostatic painting process. Assembly operations are then performed to complete production operations.
34. Respondent, as a result of painting operations at its facility, is a generator of D001/F003 hazardous waste.
35. On April 22, 2010, a representative of EPA performed a RCRA compliance evaluation inspection (CEI) of the Respondent's facility.
36. At the time of the CEI, Respondent had not made a hazardous waste determination on solid waste (certain paint wastes) generated at its facility.
37. EPA therefore alleges that Respondent violated 401 KY. ADMIN. REG. 32:010 Section 2 (40 C.F.R. § 262.11), by failing to make a hazardous waste determination on solid waste generated at its facility.
38. At the time of the CEI, Respondent was not performing weekly inspections on containers of hazardous waste within its 90-day hazardous waste accumulation area.
39. EPA therefore alleges that Respondent violated KY. REV. STAT. ANN. § 226.46-012, *et seq.* (Section 3005 of RCRA, 42 U.S.C. § 6925) for storing hazardous waste without a permit or interim status, because Respondent failed to meet the 401 KY. ADMIN. REG. 32:030 Section 5(1) (40 C.F.R. § 262.34(a)(1)(i)) condition of the 40 C.F.R. § 262.34(a) permit exemption by not complying with 401 KY. ADMIN. REG. 35:180 Section 5 (40 C.F.R. § 265.174).
40. At the time of the CEI, Respondent did not have records to demonstrate that all employees involved in the management of hazardous waste had taken part in an annual review of their initial classroom or on-the-job hazardous waste training.
41. EPA therefore alleges that Respondent violated KY. REV. STAT. ANN. § 226.46-012, *et seq.* (Section 3005 of RCRA, 42 U.S.C. § 6925) for storing hazardous waste without a permit or interim status, because Respondent failed to meet the 401 KY. ADMIN. REG. 32:030 Section 5(1)(a)(4) (40 C.F.R. § 262.34(a)(4)) condition of the 40 C.F.R. § 262.34(a) permit exemption by not complying with 401 KY. ADMIN. REG. 35:020 Section 7 (40 C.F.R. § 265.16(c) and (d)).
42. At the time of the CEI, Respondent was not managing all of its hazardous paint wastes in closed containers.

43. EPA therefore alleges that Respondent violated KY. REV. STAT. ANN. § 226.46-012, *et seq.* (Section 3005 of RCRA, 42 U.S.C. § 6925) for storing hazardous waste without a permit or interim status, because Respondent failed to meet the 401 KY. ADMIN. REG. 32:030 Section 5(1)(c)(i) (40 C.F.R. § 262.34(c)(1)(i)) condition for permit exemption by not complying with 401 KY. ADMIN. REG. 35:180 Section 4 (40 C.F.R. § 265.173(a)).
44. At the time of the CEI, Respondent had not labeled all satellite containers accumulating up to 55-gallons of ignitable hazardous paint wastes (D001) with the words "Hazardous Waste" or with words that identify the contents of the containers.
45. EPA therefore alleges that Respondent violated KY. REV. STAT. ANN. § 226.46-012, *et seq.* (Section 3005 of RCRA, 42 U.S.C. § 6925) for storing hazardous waste without a permit or interim status, because Respondent failed to meet the 401 KY. ADMIN. REG. 32:030 Section 5(1) (40 C.F.R. § 262.34(c)(1)(ii)) condition for permit exemption.
46. At the time of the CEI, Respondent failed to contain its universal waste lamps in closed containers.
47. EPA therefore alleges that Respondent violated 401 KY. ADMIN. REG. 43:020 Section 4 (40 C.F.R. § 273.13(d)(1)).
48. At the time of the CEI, Respondent failed to contain its universal waste lamps in containers clearly marked with the words "Universal Waste-Lamp(s)," or "Waste Lamps(s)" or "Used Lamp(s)."
49. EPA therefore alleges that Respondent violated 401 KY. ADMIN. REG. 43:020 Section 5 (40 C.F.R. § 273.14(e)).
50. At the time of the CEI, Respondent failed to demonstrate how long its universal waste lamps had been accumulated.
51. EPA therefore alleges that Respondent violated 401 KY. ADMIN. REG. 43:020 Section 6 (40 C.F.R. § 273.15(c)).

## **V. TERMS OF AGREEMENT**

Based on the foregoing Allegations and Determinations, the parties agree to the following:

52. For the purposes of this CA/FO, Respondent admits the jurisdictional allegations set out in the above paragraphs pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928.
53. The Respondent neither admits nor denies the factual allegations or alleged violations set out in this CA/FO.
54. Respondent waives any right to contest the allegations and its right to appeal the proposed Final Order accompanying the Consent Agreement.

55. Respondent waives its right to challenge the validity of this CA/FO and the settlement of the matters addressed in this CA/FO based on any issue related to the Paperwork Reduction Act.
56. Respondent waives any right it may have pursuant to 40 C.F.R. § 22.8 to be present during any discussions with, or to be served with and reply to, any memorandum or communication addressed to EPA officials where the purpose of such discussion, memorandum or communication is to persuade such official to accept and issue this CA/FO.
57. The parties agree that the settlement of this matter is in the public interest and that this CA/FO is consistent with the applicable requirements of RCRA.
58. The parties agree that compliance with the terms of this CA/FO shall resolve the violations of RCRA alleged in this CA/FO.
59. Respondent, by signing this CA/FO, certifies that all violations identified in the NOV and alleged in this CA/FO have been corrected.
60. Each party will pay its own costs and attorney's fees.

#### **VI. PAYMENT OF CIVIL PENALTY**

61. Respondent consents to the payment of a civil penalty in the amount of Seventeen Thousand, Two Hundred Eighty-Nine Dollars (\$17,289), payable within thirty (30) calendar days of the effective date of this CA/FO.
62. Payment shall be made by check with good and sufficient funds, by electronic funds transfer (EFT), or by Automated Clearhouse (ACH) (also known as REX or remittance express). If paying by check, the check shall be payable to: Treasurer, United States of America, and the facility name and docket number for this matter shall be referenced on the face of the check. If the Respondent sends payment by the U.S. Postal Service, the payment shall be addressed to:

United States Environmental Protection Agency  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, Missouri 63197-9000

If the Respondent sends payment by non-U.S. Postal express mail delivery, the payment shall be sent to:

U.S. Bank  
Government Lockbox 979077  
**US EPA Fines & Penalties**  
1005 Convention Plaza  
SL-MO-C2-GL



St. Louis, Missouri 63101  
314-418-1028

If paying by EFT, the Respondent shall transfer the payment to:

Federal Reserve Bank of New York  
ABA: 021030004  
Account Number: 68010727  
SWIFT address: FRNYUS33  
33 Liberty Street  
New York, New York 10045  
Field Tag 4200 of the Fedwire message should read: "D 68010727  
Environmental Protection Agency"

If paying by ACH, the Respondent shall remit payment to:

PNC Bank  
ABA: 051036706  
Account Number: 310006  
CTX Format Transaction Code 22 – checking  
Environmental Protection Agency  
808 17<sup>th</sup> Street NW  
Washington, DC 20074  
Contact: Jesse White, 301-887-6548

Respondent shall submit a copy of the payment to the following addressees:

Regional Hearing Clerk  
U.S. EPA - Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

and to:

Bill Truman, Acting Chief  
South RCRA and OPA Enforcement & Compliance Section  
RCRA and OPA Enforcement and Compliance Branch  
RCRA Division  
U.S. EPA - Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

63. If Respondent fails to remit the civil penalty as agreed to herein, EPA is required to assess interest and penalties on debts owed to the United States and a charge to cover the costs of processing and handling the delinquent claim. Interest, at the statutory judgment rate provided for in 31 U.S.C. § 3717, will therefore begin to accrue on the civil penalty if not paid within 30 calendar days after the effective date of this Consent Agreement. Pursuant to 31 U.S.C. § 3717, Respondent must pay the following amounts on any amount overdue:
- (a) Interest. Any unpaid portion of a civil penalty must bear interest at the rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717(a)(1). Interest will therefore begin to accrue on a civil penalty or stipulated penalty if it is not paid by the last date required. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 4 C.F.R. § 102.13(c).
  - (b) Monthly Handling Charge. Respondent must pay a late payment handling charge of \$15.00 on any late payment, with an additional charge of \$15.00 for each subsequent 30 calendar day period over which an unpaid balance remains.
  - (c) Non-Payment Penalty. On any portion of a civil penalty more than ninety (90) calendar days past due, Respondent must pay a non-payment penalty of six percent (6%) per annum, which will accrue from the date the penalty payment became due and is not paid. This non-payment is in addition to charges which accrue or may accrue under subparagraphs (a) and (b).
64. Penalties paid pursuant to this CA/FO are not deductible for federal tax purposes under 26 U.S.C. § 162(f).

#### **VII. PARTIES BOUND**

65. This CA/FO shall be binding upon Respondent and its successors and assigns. Respondent shall cause its officers, directors, employees, agents and all persons, including independent contractors, contractors and consultants acting under or for Respondent, to comply with the provisions hereof in connection with any activity subject to this CA/FO.
66. No change in ownership, partnership, corporate or legal status relating to the facility will in any way alter Respondent's obligations and responsibilities under this CA/FO.
67. The undersigned representative of Respondent hereby certifies that she or he is fully authorized to enter into this CA/FO and to execute and legally bind Respondent to it.

#### **VIII. RESERVATION OF RIGHTS**

68. Notwithstanding any other provision of this CA/FO, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. § 6973, or other statutory authority, should the EPA find that the handling, storage, treatment, transportation, or disposal of solid waste or hazardous waste at Respondent's facility may present an imminent and substantial endangerment to human health or the environment.

69. Complainant reserves the right to take enforcement action against Respondent for any future violations of RCRA and the implementing regulations and to enforce the terms and conditions of this CA/FO.
70. Except as expressly provided herein, nothing in this CA/FO shall constitute or be construed as a release from any civil or criminal claim, cause of action or demand in law or equity for any liability Respondent may have arising out of, or relating in any way to, the transportation, release, or disposal of any hazardous constituents, hazardous substances, hazardous wastes, pollutants, or contaminants found at, taken to, or taken from Respondent's facility.
71. This CA/FO may be amended or modified only by written agreement executed by both the EPA and Respondent.

#### **IX. OTHER APPLICABLE LAWS**

72. All actions required to be taken pursuant to this CA/FO shall be undertaken in accordance with the requirements of all applicable local, state, and Federal laws and regulations. Respondent shall obtain or cause its representatives to obtain all permits and approvals necessary under such laws and regulations.

#### **X. SERVICE OF DOCUMENTS**

73. A copy of any documents that Respondent files in this action shall be sent to the following attorney who represents EPA in this matter and who is authorized to receive service for EPA in the proceeding:

Bonnie Sawyer  
Associate Regional Counsel  
U.S. EPA – Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303-8960  
(404) 562-9539

74. A copy of any documents that Complainant files in this action shall be sent to the following individual who represents the Respondent in this matter and who is authorized to receive service for the Respondent in this proceeding:

Masanori Kawamoto  
President  
Murakami Manufacturing U.S.A. Inc.  
575 Water Tower Bypass  
Campbellsville, Kentucky 42718

**XI. SEVERABILITY**

75. It is the intent of the parties that the provisions of this CA/FO are severable. If any provision or authority of this CA/FO or the application of this CA/FO to any party or circumstances is held by any judicial or administrative authority to be invalid or unenforceable, the application of such provisions to other parties or circumstances and the remainder of the CA/FO shall remain in force and shall not be affected thereby.

**XII. EFFECTIVE DATE**

76. The effective date of this CA/FO is the date it is filed with the Regional Hearing Clerk.

**AGREED AND CONSENTED TO:**

**Murakami Manufacturing U.S.A. Inc.**

By: Masanori Kawamoto Dated: 2/24-11  
Masanori Kawamoto  
President

**U.S. Environmental Protection Agency**

By: Larry Lamberth Dated: 03/15/11  
Larry Lamberth, Acting Chief  
RCRA and OPA Enforcement and Compliance Branch  
RCRA Division

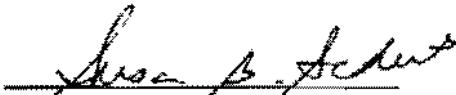
**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4**

IN THE MATTER OF:	)	Docket Number: RCRA-04-2011-4003(b)
	)	
Murakami Manufacturing U.S.A. Inc.	)	Proceeding under Section 3008(a)
575 Water Tower Bypass	)	of the Resource Conservation and
Campbellsville, Kentucky 42718	)	Recovery Act, 42 U.S.C. § 6928(a)
	)	
EPA ID. No.: KYR 000 033 001	)	
	)	
Respondent	)	
<hr/>		

**FINAL ORDER**

The foregoing Consent Agreement is hereby approved, ratified and incorporated by reference into this Final Order in accordance with the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. Part 22. The Respondent is hereby ORDERED to comply with all of the terms of the foregoing Consent Agreement effective immediately upon filing of this Consent Agreement and Final Order with the Regional Hearing Clerk. This Order disposes of this matter pursuant to 40 C.F.R. §§ 22.18 and 22.31.

**BEING AGREED, IT IS SO ORDERED** this 17<sup>th</sup> day of March, 2011.

BY:   
Susan B. Schub  
Regional Judicial Officer

**CERTIFICATE OF SERVICE**

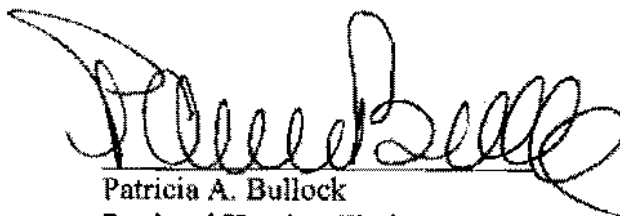
I hereby certify that I have this day filed the original and a true and correct copy of the foregoing Consent Agreement and the attached Final Order (CA/FO), in the Matter of Murakami Manufacturing U.S.A. Inc., Docket Number: RCRA-04-2011-4003(b), on MAR 18 2011 2011, and on MAR 18 2011 2011, served copies on the parties listed below in the manner indicated:

Bonnie Sawyer (Via EPA's internal mail)  
Associate Regional Counsel  
Office of RCRA, OPA and UST Legal Support  
U.S. EPA - Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303

Quantindra Smith (Via EPA's internal mail)  
RCRA and OPA Enforcement and Compliance Branch  
RCRA Division  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street SW  
Atlanta, Georgia 30303

Masanori Kawamoto (Via Certified Mail- Return Receipt Requested)  
President  
Murakami Manufacturing U.S.A., Inc.  
575 Water Tower Bypass  
Campbellsville, Kentucky 42718

Date: 3-18-11



Patricia A. Bullock  
Regional Hearing Clerk  
U.S. EPA - Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303  
(404) 562-9511