



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
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2015 JAN 28 PM 12:45

FILED
EPA REGION VIII
HEARING CLERK

DOCKET NO.: RCRA-08-2015-0001

IN THE MATTER OF:)	
)	
SOUTH DAKOTA DEPARTMENT OF)	
TRANSPORTATION, OWNER/OPERATOR)	FINAL ORDER
)	
MCINTOSH FACILITY)	
136 n. Highway 12)	
McIntosh, SD 57641)	
)	
Respondent.)	

Pursuant to Section 22.18(a) of the United States Environmental Protection Agency's ("EPA"), *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Order, and Termination or Suspension of Permits* ("Consolidated Rules"), the Respondent has elected "Quick Resolution" of the matter by payment of the full penalty proposed in the complaint. Full payment of the \$8,294.00 proposed penalty has been received by the Agency.

Respondent's full payment of the \$8,294.00 penalty proposed in the complaint has resolved the violation asserted in the complaint which, in conjunction with its timely payment of the full penalty amount, resolves its liability for the violation.

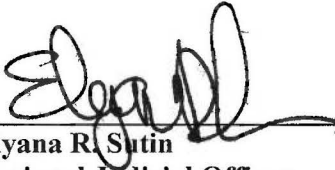
Payment of the penalty shall not affect the right of the Agency or the United States to pursue appropriate injunctive, or other equitable relief, or criminal sanctions for any violation of the law.

Payment of the penalty shall constitute a waiver of Respondent's right to contest the allegations and to appeal the Final Order.

This Final Order does not waive, extinguish, or otherwise affect Respondent's obligation to comply with all applicable provisions of the Act and regulations promulgated thereunder.

This Final Order constitutes the final Agency action in this matter and is effective upon filing.

SO ORDERED THIS 28th DAY OF January, 2015.



 Elyana R. Sutin
 Regional Judicial Officer

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **QUICK RESOLUTION FINAL ORDER** in the matter **SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION, OWNER/OPERATOR; MCINTOSH FACILITY; DOCKET NO.: RCRA-08-2015-0001** was filed with the Regional Hearing Clerk on January 28, 2015.

Further, the undersigned certifies that a true and correct copy of the document was delivered to Abigail Dean, Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. A true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt requested on January 28, 2015, to:

Karla L. Engle, Legal Counsel
South Dakota Department of Transportation
700 East Broadway Avenue
Pierre, SD 57501-2586

And e-mailed to:

Kim White
U. S. Environmental Protection Agency
Cincinnati Finance Center
26 W. Martin Luther King Drive (MS-0002)
Cincinnati, Ohio 45268

January 28, 2015



Tina Artemis
Paralegal/Regional Hearing Clerk



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