



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590
JUL 15 2014

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL 7009 1680 0000 7677 8916
RETURN RECEIPT REQUESTED

Mr. Gregory E. Pflum
Vice President and General Manager
BASF Corporation
1609 Biddle Avenue
Wyandotte, MI 48192

Re: Consent Agreement and Final Order
BASF Corporation
1609 Biddle Avenue
Wyandotte, MI 48192
EPA I.D. No.: MID064197742
Docket No: **RCRA-05-2014-0010**

Dear Mr. Pflum:

Enclosed, please find an original signed fully-executed Consent Agreement and Final Order (CAFO) in resolution of the above case. The original was filed on July 15, 2014, with the Regional Hearing Clerk.

Please pay the civil penalty in the amount of \$55,940 in the manner prescribed in paragraphs 68 and 69 of the CAFO, and reference all checks with the Docket No.: **RCRA-05-2014-0010**. Also, enclosed is a *Notice of Securities and Exchange Commission Registrant's Duty to Disclose Environmental Legal Proceedings*. Your payment is due within 30 calendar days of the effective date of the CAFO. Thank you for your cooperation in resolving this matter.

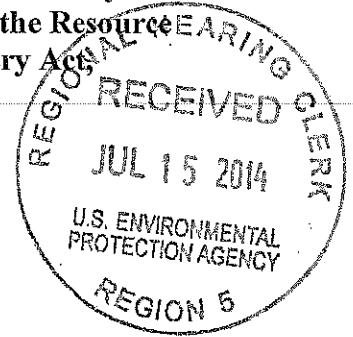
Sincerely,

Gary J. Victorine
Chief,
RCRA Branch

Enclosures

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

In the Matter of:)	Docket No. RCRA-05-2014-0010
)	
BASF Corporation)	Proceeding to Commence and Conclude
Wyandotte, Michigan 48192)	an Action to Assess a Civil Penalty
)	Under Section 3008(a) of the Resource
Respondent.)	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, Region 5.
3. Respondent is BASF Corporation, a corporation doing business in the State of Michigan.
4. EPA provided notice of commencement of this action to the State of Michigan pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).
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 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, to the best of its information and belief, 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. 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 3002, 3003 and 3004 of RCRA, 42 U.S.C. §§ 6922, 6923 and 6924.

13. Pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, the Administrator of 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 EPA granted the State of Michigan final authorization to administer a state hazardous waste program in lieu of the federal government's base RCRA program effective October 30, 1986. 51 Fed. Reg. 36804 (October 16, 1986). The EPA-authorized Michigan regulations are codified at Michigan Administrative Code (MAC) Rules 299.9101 *et seq.* See also 40 C.F.R. §§ 272.1151 *et seq.*

15. 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 3002, 3003 and 3004 of RCRA, 42 U.S.C. §§ 6922, 6923, and 6924.

16. Under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), 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.

17. The Administrator of 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 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, EPA may assess a civil penalty of up to \$32,500 per day for each violation of Subtitle C of RCRA that occurred after March 15, 2004,

through January 12, 2009, and 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

18. Respondent was and is a “person” as defined by MAC R 299.9106(i), 40 C.F.R. § 260.10, and Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

19. Respondent is an “owner” or “operator,” as those terms are defined under MAC R 299.9106(f) and (g) and 40 C.F.R. § 260.10, of a facility located at 1609 Biddle Avenue, Wyandotte, Michigan 48192 (Facility).

20. Respondent’s Facility is comprised of several buildings, situated on some 235 acres, where Respondent manufactures organic and specialty chemicals and conducts research and development (R&D) activities.

21. Respondent’s Facility is a “facility,” as that term is defined under MAC R 299.9103(r) and 40 C.F.R. § 260.10.

22. On June 13-14, 2012, EPA conducted an inspection (“Inspection”) of Respondent’s Facility to evaluate Respondent’s compliance with the applicable requirements of RCRA.

23. At the time of the Inspection, Respondent was operating as a large quantity generator of hazardous wastes, according to Respondent’s hazardous waste generation rate, a Michigan Department of Environmental Quality (MDEQ) annual hazardous waste report, and an EPA database.

24. At all times relevant to this Complaint, Respondent held various wastes in “containers and/or “tanks”” as those terms are identified under MAC R 299.9102(r) and 40 C.F.R. R 260.10, for temporary periods before the material was shipped from the Facility for treatment, storage, disposal, burning or incineration elsewhere.

25. At all times relevant to this Complaint, Respondent's waste in question was a "solid waste" as that term is defined at MAC R 299.9202 and 40 C.F.R. § 261.2.

26. At all times relevant to this Complaint, Respondent's waste in question was a "hazardous waste" as that term is defined at MAC R 299.9203 and 40 C.F.R. § 261.3.

27. At all times relevant to this Complaint, Respondent's holding of hazardous waste in containers constituted "storage," as that term is defined under MAC R 299.9107(dd) and 40 C.F.R. § 260.10.

28. Because Respondent owns and operates a Facility that stores hazardous waste awaiting treatment, disposal or storage elsewhere, Respondent is subject to the requirements for treatment, storage and disposal facilities (TSDFs) found at MAC R 299.9601 – 299.9640 and 40 C.F.R. Parts 264 and 265.

29. Pursuant to MAC R 299.9502, 299.9508 and 299.9510; and 40 C.F.R. §§ 270.1(c) and 270.10(a) and (d), the treatment, storage or disposal of hazardous waste by any person who has not applied for or received a license is prohibited.

30. Pursuant to MAC R 299.9306(a) and 40 C.F.R. § 262.34(a), however, and subject to certain exceptions, a generator of hazardous waste may store hazardous waste on-site for 90 days or less without having a license or interim status, provided that the generator complies with all applicable conditions set forth in MAC R 299.9306 and 40 C.F.R. § 262.34(a).

31. Failure to comply with any of the conditions of MAC R 299.9306 subjects a generator of hazardous waste to the license requirements of MAC R 299.9502, 299.9508 and 299.9510 and 40 C.F.R. §§ 270.1(c) and 270.10(a) and (d).

32. At all times relevant to this Complaint, the State of Michigan had not issued a license to Respondent to treat, store or dispose of hazardous waste at its Facility.

33. At all times relevant to this Complaint, Respondent did not have interim status for the treatment, storage or disposal of hazardous waste at its Facility.

34. Respondent generated and managed hazardous waste at the Facility on or before November 19, 1980.

35. On or about August 8, 1980, Respondent submitted a Hazardous Waste Notification to EPA for the Facility.

36. In its Hazardous Waste Notification dated August 8, 1980, Respondent identified itself as a generator.

37. At all times relevant to this Complaint, Respondent generated during each calendar month more than 1000 kg of hazardous waste (large quantity generator) at its Facility.

38. On January 22, 2013, EPA issued a Notice of Violation to Respondent alleging certain violations of RCRA discovered during the Inspection.

Count I: Storage of Hazardous Waste Without a Permit or Interim Status

39. Pursuant to MAC R. 299.9306(3) and 40 C.F.R. § 262.34(b), a large quantity generator who accumulates hazardous waste for more than 90 days is an operator of a hazardous waste storage facility. This is also a requirement of owners and operators of hazardous waste storage facilities under MAC R. 299.9502(1), 299.9508 and 299.9510, and 40 C.F.R. §§ 270.1(c), 270.10(a) and (d), and 270.13.

40. During the Inspection of the Central Hazardous Waste Container Storage Area, the inspector observed four 5-gallon hazardous waste containers that were marked with accumulation start dates that had already exceeded 90 days at the time of the inspection, including: a container labeled as "Hazardous Waste" and "D001, D018"; a container labeled as "Hazardous Waste" and "D002 Spent Sulfuric Acid"; a container labeled as "Hazardous Waste"

and “F002, F003 Acetone, o-dichlorobenzene phenol”; and a container labeled as “Hazardous Waste” and “D001 Methyl Amyl Ketone, Petroleum Distillate, Styrene”.

41. During the Inspection of the Central Hazardous Waste Container Storage Area, the inspector observed one 55-gallon hazardous waste drum that was marked with an accumulation start date that had already exceeded 90 days at the time of the inspection. The drum was labeled as “Hazardous Waste” and “D001, D009, D011, D018, D019, D022, F002, F003”. The drum was stored on-site for more than 90 days.

42. Pursuant to MAC R. 299.9306(1)(b) and 40 C.F.R. § 262.34(a)(2), in order to retain the exemption from the requirement to obtain a hazardous waste storage license, a large quantity generator must ensure that the date upon which each period of accumulation begins and the hazardous waste number of the waste are clearly marked and visible for inspection on each hazardous waste container.

43. During the Inspection of the Central Hazardous Waste Container Storage Area, the inspector observed two 5-gallon hazardous waste containers labeled as “Hazardous Waste” and “D001, F003, F005, D028, D022” that did not have accumulation start dates marked on them. One 5-gallon container labeled as “Hazardous Waste” and “F005 Waste Pyridine” did not have an accumulation start date marked on it.

44. During the Inspection of the Central Hazardous Waste Container Storage Area, the inspector observed two 55-gallon hazardous waste drums labeled as “Hazardous Waste” that did not have the applicable hazardous waste codes marked on them. Three 55-gallon hazardous waste drums labeled as “Hazardous Waste” and “D001” did not have accumulation start dates marked on them. One 55-gallon hazardous waste drum labeled as “Hazardous Waste” and “D001” did not have an accumulation start date marked on it.

45. During the Inspection of the non-hazardous waste storage side of the Central Hazardous Waste Container Storage Area, the inspector observed one 55-gallon hazardous waste drum labeled as "Hazardous Waste" that did not have the applicable hazardous waste codes or an accumulation start date marked on it. A lab pack box being prepared for shipment contained one 1-gallon hazardous waste container labeled as "Hazardous Waste" that did not have the applicable hazardous waste codes or an accumulation start date marked on it.

46. During the Inspection of the Chemical Engineering Building, at the 3rd Floor Pilot Plant, the inspector observed one 55-gallon drum labeled as "Hazardous Waste" and "Methyl Amyl Ketone, Petroleum Distillate, Styrene" that did not have the applicable hazardous waste codes marked on it.

47. Respondent's failure to comply with the conditions of MAC R 299.9306 and 40 C.F.R. § 262.34 regarding storage of hazardous wastes for no more than 90 days and marking accumulation dates and hazardous waste numbers subjects Respondent to the license requirements of MAC R 299.9502, 299.9508 and 299.9510 and 40 C.F.R. §§ 270.1(c) and 270.10(a), (d).

48. As a result of Respondent's failure to meet all of the applicable conditions for the generator exemption provided by MAC R. 299.9306 and 40 C.F.R. § 262.34, Respondent became an operator of a hazardous waste treatment, storage and disposal facility (TSDF).

49. Respondent's storage of hazardous waste without a permit or interim status violated Section 3005 of RCRA, 42 U.S.C. § 6925(a) and the requirements of MAC R. 299.9502, 299.9508, and 299.9510, and 40 C.F.R. §§ 270.1(c) and 270.10(a) and (d), and 270.13.

Count II: Secondary Containment Systems

50. In order to retain the exemption from the requirement to obtain a hazardous waste storage license, a large quantity generator must ensure that secondary containment systems are capable of detecting and collecting releases and accumulated liquids until the collected material is removed. Also, secondary containment systems must, at a minimum, be provided with a leak detection system that is designed and operated so that it will detect the failure of either the primary and secondary containment structure or the presence of any release of hazardous waste or accumulated liquid in the secondary containment system within twenty-four hours, or at the earliest practicable time if the existing detection technology or site conditions will not allow detection of a release within twenty-four hours. See MAC R. 299.9306(1)(a)(ii) and 40 C.F.R. §§ 262.34(a)(1)(ii) and 265.193(b)(2) and (c)(3). This is also a requirement of owners and operators of hazardous waste storage facilities under MAC R. 299.9615(1) and 299.9601(1), (2)(h) and (3)(b) and 40 C.F.R. § 264.193(b)(2) and (c)(3).

51. During the Inspection of Respondent's records, the inspector observed that there was no leak detection system in place for the secondary containment system associated with the Resin Plant hazardous waste storage tanks since no daily tank inspections were conducted at the Resin Plant during various periods from September 2010 through April 2012. Also, the Resin Plant daily hazardous waste tank inspection logs, from June 13, 2009 through 2010, were not retained on-site.

52. Respondent failed to comply with hazardous waste secondary containment and tank leak detection requirements, in violation of MAC R. 299.9306(1)(a)(ii) and 299.9615(1), and 40 C.F.R. §§ 262.34(a)(1)(ii); 265.193(b)(2) and (c)(3); and 264.193(b)(2) and (c)(3), and thereby failed to retain the exemption from the requirement to obtain a hazardous waste storage license.

Count III: Failure to Make Hazardous Waste Determination

53. Pursuant to MAC R. 299.9302(1) and 40 C.F.R. § 262.11, a person who generates solid waste, as defined in MAC R. 299.9202, must determine if that waste is a hazardous waste.

54. During the inspection of the Resins Plant, the inspector observed a solution resin waste on the floor adjacent to the hazardous waste tank area. Respondent did not know whether the waste on the floor was hazardous or non-hazardous, and did not have a waste profile.

55. During the inspection of the Central Hazardous Waste Container Storage Area, the inspector observed one 250-gallon tote that contained an expired wastewater treatment chemical waste. The tote was not labeled, and Respondent did not know whether the waste in the tote was hazardous waste or non-hazardous waste.

56. Respondent failed to make required hazardous waste determinations, in violation of MAC R. 299.9302(1) and 40 C.F.R. § 262.11.

Count IV: Hazardous Waste Manifest

57. Pursuant to MAC R. 299.9307(3) and 40 C.F.R. § 262.40(a), hazardous waste generator shall keep a copy of each manifest signed in accordance with MAC R. 299.9304(4) for three years or until he or she receives a signed copy from the designated facility which received the waste. This signed copy shall be retained as a record for not less than three years from the date the waste was accepted by the initial transporter.

58. During the inspection of records, the four specific manifests TSDf copies were not available for the inspector to review.

59. Respondent failed to keep copies of four TSDf signed manifest as a record for at least three years from the date the waste was accepted by the initial transporter, in violation of MAC R. 299.9307(3) and 40 C.F.R. § 262.40(a).

Count V: Waste Container Inspections

60. In order to retain the exemption from the requirement to obtain a hazardous waste storage license, a large quantity generator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The inspections must be documented, and the inspection records shall be maintained on-site for a period of not less than three years from the date of the inspection. See MAC R.

299.9306(1)(a)(i) and 40 C.F.R. §§ 265.174 and 262.34(a)(1)(i). These are also requirements for owners and operators of hazardous waste storage facilities, under MAC R. 299.9614(1)(a) and 299.9601(1), (2)(g), and (3)(b) and 40 C.F.R. § 264.174.

61. Records reviewed by the inspector during the Inspection indicated that weekly inspections of the hazardous waste container storage areas for the Central Hazardous Waste Container Storage Area had not occurred for three weeks in May and June 2011.

62. Records reviewed by the inspector during the Inspection indicated that hazardous waste container inspections records for the Central Hazardous Waste Container Storage Area for three weeks in May and June 2011 were missing. Also, the Polyol Plant weekly hazardous waste container inspection logs, from June 13, 2009 through 2010, were not retained on-site.

63. Respondent failed to conduct, document and retain on-site records of the inspections required pursuant to the provisions of 40 C.F.R. § 265.174, in violation of MAC R. 299.9306(1)(a)(i), 299.9614(1)(a) and 299.9601(1), (2)(g), and (3)(b); and 40 C.F.R. §§ 264.174, 265.174 and 262.34(a)(1)(i), and thereby failed to retain the exemption from the requirement to obtain a hazardous waste storage license.

Count VI: Facility Maintenance and Operation

64. Pursuant to MAC R. 299.9306(1)(d) and 40 C.F.R. §§ 262.34(a)(4) and 265.31,

Respondent must ensure that its facility is maintained and operated to minimize the possibility of a fire, explosion or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water, which could threaten human health or the environment. This is also a requirement for owners and operators of hazardous waste storage facilities under MAC R. 299.9601(3) and 299.9606(1); 40 C.F.R. § 264.31.

65. During the inspection of the Resins Plant, the inspector observed a solution resin waste on the floor adjacent to the hazardous waste tank area. Respondent did not know whether the waste on the floor was hazardous or non-hazardous, and did not have a waste profile.

66. Respondent failed to ensure that its facility is maintained and operated to minimize the possibility of a fire, explosion or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water, which could threaten human health or the environment, in violation of MAC R. 299.9306(1)(d) and 40 C.F.R. §§ 262.34(a)(4) and 265.31.

PENALTY

67. 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 \$55,940. In determining the penalty amount, Complainant took into account the seriousness of the violations and Respondent's good faith efforts to comply with the applicable requirements. Complainant also considered EPA's RCRA Civil Penalty Policy, dated June 23, 2003.

68. Within 30 days after the effective date of this CAFO, Respondent must pay a \$55,940 civil penalty for the RCRA violations by sending a cashier's or certified check, payable to the "Treasurer, United States of America," to:

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

or 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.

For electronic funds transfer, payable to "Treasurer, United States of America," and sent to:

Federal Reserve Bank of New York
ABA No. 021030004
Account No. 68010727
SWIFT address FRNYUS33
33 Liberty Street
New York, NY 10045
Field Tag 4200 of the Fedwire message is
"D68010727 Environmental Protection Agency"

In the comment or description field of the electronic funds transfer, state the case title and the docket number of this CAFO.

For ACH payment, also known as REX or remittance express, by ACH electronic funds transfer, payable to "Treasurer, United States of America," and sent to:

US Treasury REX / Cashlink ACH Receiver
ABA: 051036706
Account Number: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 – checking

For on-line payment, go to:

WWW.PAY.GOV

Use the Search Public Forms option and enter 'sfo 1.1' in the search field.
Open form and complete required fields.

69. A transmittal letter stating Respondent's name, the case title, Respondent's complete address, the case docket number, and the billing document number must accompany each payment. Respondent must send a copy of the checks and transmittal letters to:

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

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

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

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

71. 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.

72. 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

73. This CAFO resolves only Respondent's liability for federal civil penalties for the violations and facts alleged in the CAFO.

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

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

76. This CAFO is a "final order" under 40 C.F.R. § 22.31, EPA's RCRA Civil Penalty Policy, and EPA's Hazardous Waste Civil Enforcement Response Policy (December 2003).

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


78. 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.

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

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

BASF Corporation, Respondent


June 12, 2014
Date



Greg Pflum
Vice President and General Manager
BASF Wyandotte

United States Environmental Protection Agency, Complainant

7/7/2014
Date



Margaret M. Guerriero
Director
Land and Chemicals Division

In the Matter of:
BASF Corporation
Docket No. RCRA-05-2014-0010

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.

7-11-2014

Date



Susan Hedman
Regional Administrator
United States Environmental Protection Agency
Region 5

Consent and Final Order
In the Matter of: BASF Corporation

DOCKET NO: RCRA-05-2014-0010

CERTIFICATE OF SERVICE

I hereby certify that today I filed the original of this Consent Agreement and Final Order ((CAFO) docket number RCRA-05-2014-0010 the Regional Hearing Clerk (E-19J), United States Environmental Protection Agency, Region 5, 77 W. Jackson Boulevard, Chicago, Illinois 60604, and that I mailed the second original copy to Respondent by first-class, postage prepaid, certified mail, return receipt requested, by placing it in the custody of the United States Postal Service addressed as follows :

Mr. Gregory Pflum
Vice President & General Manager
BASF Corporation
1609 Biddle Avenue
Wyandotte, Michigan 48192
Certified Mail # 7009 1680 0000 7677 8916

I certify that I delivered a correct copy of the CAFO by intra-office mail, addressed as follows:

Regional Judicial Officer (C-14J)
U.S. Environmental Protection Agency
77 W. Jackson Boulevard
Chicago, Illinois 60604

On the 15th day of July 2014



Ruben B. Aridge
Office Administrative Assistant
United States Environmental Protection Agency
Region V
Land and Chemicals Division LM-8J
77 W. Jackson Blvd, Chicago, IL 60604-3590

Certified Mail Receipt Number: 7009 1680 0000 7677 8916