



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

MAY 12 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael Geiger
Assistant General Counsel
Thomas & Betts Corporation
8155 T&B Boulevard, 4B-35
Memphis, Tennessee 38125

SUBJ: Homac Manufacturing Company
EPA ID Number: FLD 002 561 751
Consent Agreement and Final Order
Docket No. RCRA-04-2010-4003(b)

Dear Mr. Geiger:

Enclosed, is a copy of the ratified Consent Agreement and Final Order (CAFO) in the above-referenced matter that has been filed with the Regional Hearing Clerk and served as required in the Consolidated Rules of Practice, 40 C.F.R. § 22.6. Please make note of the provisions in Section VI of the CAFO with respect to payment of the assessed penalty, which is due within 30 days from the effective date of the CAFO, which is the date the CAFO is filed with the Regional Hearing Clerk.

Also, enclosed, please find a copy of a document entitled "Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings." This document puts Homac Manufacturing Company on notice of its potential duty to disclose to the Securities Exchange Commission (SEC) any environmental actions taken by the United State Environmental Protection Agency.

Should you have any questions, please do not hesitate to call me at (404) 562-9581.

Sincerely

A handwritten signature in black ink, appearing to read "Adam Dilts".

Adam Dilts
Associate Regional Counsel

Enclosures (2)

Internet Address (URL) • <http://www.epa.gov>

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4**

IN THE MATTER OF:) Docket Number: RCRA-04-2010-4003(b)
)
Homac Manufacturing Company)
1 Aviator Way) Proceeding under Section 3008(a) of the
Ormond Beach, Florida) Resource Conservation and
) Recovery Act, 42 U.S.C. § 6928(a)
EPA ID No.: FLD 002 561 751)
)
Respondent)
_____)

2010 MAR 12 PM 2:10
HEARINGS DIVISION
ENVIRONMENTAL PROTECTION AGENCY

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 the Florida Statutes (F.S.), Part IV Resource Recovery and Management, Section 403.702 et seq. This action is seeking injunctive relief and the imposition of civil penalties pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), for alleged violations of RCRA and regulations promulgated pursuant thereto and set forth at Title 40 of the Code of Federal Regulations (C.F.R.), Parts 260 through 270; and §§ 403.702 et seq., F.S., and regulations promulgated pursuant thereto and set forth at Chapters 62-730 et seq., Florida Administrative Code Annotated Rules (F.A.C.).
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 of one or more causes of action before the filing of a complaint, a proceeding may be simultaneously commenced and concluded by the issuance of a Consent Agreement and Final Order (CAFO). 40 C.F.R. §§ 22.13(b) and 22.18(b)(2).
3. Complainant and Respondent have conferred 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 CAFO, and Respondent hereby agrees to comply with the terms of this CAFO.

II. THE PARTIES

4. Complainant is the Chief, RCRA and OPA Enforcement and Compliance Branch, RCRA Division, Region 4, United States Environmental Protection Agency (EPA).
5. Respondent is Homac Manufacturing Company (Respondent), a wholly-owned subsidiary of Thomas & Betts Corporation (Thomas & Betts). Thomas & Betts is incorporated under the laws of the State of Tennessee. Respondent operates a facility located at 1 Aviator Way, Ormond Beach, Florida (Facility).

III. PRELIMINARY STATEMENTS

6. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), on February 12, 1985, the State of Florida (the State) received final authorization from EPA to carry out certain portions of the State hazardous waste program in lieu of the federal program set forth in RCRA. The requirements of the authorized State program are found in §§ 403.702, F.S., et seq., and 62-730 et seq., F.A.C.
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 November 17, 2000, the State received authorization under HSWA.
8. Section 3002(a) of RCRA, 42 U.S.C. § 6922(a), sets forth standards applicable to generators of hazardous waste. The implementing regulations for generators of hazardous wastes are found in 40 C.F.R. Part 262, and 62-730.160, F.A.C.
9. Pursuant to 40 C.F.R. § 261.30, and 62-730.030, F.A.C., a solid waste that is listed in Subpart D of 40 C.F.R. Part 260, is a listed hazardous waste.
10. Pursuant to 40 C.F.R. § 262.34(a)(1)(i), which incorporates 40 C.F.R. § 265.173(a), and is adopted by reference in 62-730.160(1), F.A.C., a generator may store hazardous waste for ninety (90) days or less without a permit or interim status provided that containers holding hazardous waste are managed such that they remain closed when no waste is being added or removed.
11. Pursuant to 40 C.F.R. § 262.34(a)(2), as adopted by reference in 62-730.160(1), F.A.C., a generator may accumulate hazardous waste on-site for ninety (90) days or less without a permit or interim status, provided the date upon which each period of accumulation begins is clearly marked and visible for inspection on each container.
12. Pursuant to 40 C.F.R. § 279.22(c), as adopted by reference in 62-710.210(2), F.A.C., containers and above-ground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

13. Pursuant to 62-737.400(5)(b)(1), F.A.C., a generator of universal waste lamps using crushing equipment on-site to reduce the volume of the stored lamps must label or mark clearly the lamp crusher container with the words "Crushed Mercury Lamps."
14. Pursuant to Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), as adopted by reference in 62-730.220(1), F.A.C., the treatment, storage and disposal of hazardous waste is prohibited without a permit.
15. Pursuant to 40 C.F.R. § 262.34(a)(4), which incorporates 40 C.F.R. § 265.53(b), and is adopted by reference in 62-730.160, F.A.C., a generator may accumulate hazardous waste on-site for ninety (90) days or less without a permit or interim status provided the facility submits a copy of their contingency plan to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services.
16. Pursuant to 62-730.160(6), F.A.C., a hazardous waste generator may accumulate hazardous waste on-site for ninety (90) days or less without a permit or interim status provided the facility maintains written documentation of the container storage area inspections required by 40 C.F.R. § 265. Such required documentation includes an inspection log specifying the date and time of the inspection, the legibly printed name of the inspector, the number of containers, the condition of the containers, a notation of the observations made, and the date and nature of any repairs or other remedial actions.
17. Pursuant to 40 C.F.R. § 262.34(a)(4), which incorporates 40 C.F.R. § 265.16(c), and is adopted by reference in 62-730.160, F.A.C., a generator may accumulate hazardous waste on-site for ninety (90) days or less without a permit or interim status provided the facility's personnel participate in an annual review of the facility's initial RCRA training provided pursuant to 40 C.F.R. § 265.16(a).
18. Pursuant to 40 C.F.R. § 262.34(a)(4), which incorporates 40 C.F.R. § 265.16(d)(3), and is adopted by reference in 62-730.160, F.A.C., a generator may accumulate hazardous waste on-site for ninety (90) days or less without a permit or interim status provided that the facility maintains a written description of the type and amount of both introductory and continuing training that will be given to each individual with job responsibilities related to hazardous waste management.
19. Pursuant to 40 C.F.R. § 262.34(a)(4), which incorporates 40 C.F.R. § 265.16(d)(4), and is adopted by reference in 62-730.160, F.A.C., a generator may accumulate hazardous waste on-site for ninety (90) days or less without a permit or interim status provided the facility maintains records documenting that the training or job experience required by 40 C.F.R. § 265.16, has been provided to, and completed by, facility personnel.
20. Although EPA has granted the State 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). This authority

is exercised by EPA in the manner set forth in the Memorandum of Agreement between EPA and the State.

21. For purposes of this CAFO, citations herein to the requirements of RCRA shall constitute a citation to the equivalent requirements of the Florida Statutes and citations herein to the requirements of 40 C.F.R. Parts 260 through 270, shall constitute a citation to the equivalent requirements of the Florida Administrative Code.
22. Pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2), Complainant has given notice of this action to the State before issuance of this CAFO.

IV. EPA ALLEGATIONS AND DETERMINATIONS

23. Respondent is a "person" as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), 40 C.F.R. § 260.10, and § 403.031(1), F.S., as adopted by reference in 62-730.020, F.A.C.
24. Respondent is the "owner" and "operator" of a "facility" located at 1 Aviator Way, Ormond Beach, Florida, as those terms are defined in 40 C.F.R. § 260.10, as adopted by reference in 62-730.020, F.A.C.
25. At the Facility, Respondent manufactures electric power delivery connectors.
26. As part of its operation, Respondent generates electroplating wastewater.
27. Respondent treats its electroplating wastewater onsite and discharges to a city sewer pursuant to a pre-treatment permit.
28. Respondent's wastewater treatment process generates a sludge that is a RCRA-regulated, F006 listed hazardous waste.
29. Respondent dewateres its wastewater treatment sludge in a sludge-thickener tank, followed by a filter-press unit and a gas dryer.
30. Respondent accumulates the dewatered sludge in one-cubic yard bags.
31. Respondent is a large quantity generator of hazardous waste.
32. On March 25, 2009, representatives of the EPA and the Florida Department of Environmental Protection (FDEP) performed a RCRA compliance evaluation inspection (CEI) of the Facility.
33. At the time of the CEI, EPA and FDEP representatives noted that Respondent failed to close a wastewater treatment sludge accumulation container when no waste was being added or removed.

34. Complainant alleges that Respondent violated 40 C.F.R. § 265.173(a), by failing to keep a hazardous waste container closed except when it was necessary to add or remove wastes, and as such, failed to satisfy the requirements necessary for a generator to accumulate hazardous waste on-site for 90 days or less without a permit or interim status pursuant to 40 C.F.R. § 262.34(a)(1)(i), as adopted by reference in 62-730.160(1), F.A.C. Therefore, Complainant alleges that Respondent was illegally storing hazardous waste without a permit in violation of Section 3005(a) of RCRA, 42 U.S.C. § 6925.
35. At the time of the CEI, EPA and FDEP representatives noted that Respondent was storing wastewater treatment sludge containers in a manner such that accumulation start dates were not visible for inspection.
36. Complainant alleges that Respondent violated 40 C.F.R. § 262.34(a)(2), by failing to store wastewater treatment sludge containers in a manner such that accumulation start dates were visible for inspection, and as such, failed to satisfy the requirements necessary for a generator to accumulate hazardous waste on-site for 90 days or less without a permit or interim status pursuant to 40 C.F.R. § 262.34(a), as adopted by reference in 62-730.160(1), F.A.C. Therefore, Complainant alleges that Respondent was illegally storing hazardous waste without a permit in violation of Section 3005(a) of RCRA, 42 U.S.C. § 6925.
37. At the time of the CEI, EPA and FDEP representatives noted that Respondent was not able to demonstrate that it provided the most recent copy of the Facility's contingency plan to the requisite local authorities.
38. Complainant alleges that Respondent violated 40 C.F.R. § 265.53(b), by failing to demonstrate that it provided the most recent copy of the facility's contingency plan to the requisite local authorities, and as such, failed to satisfy the requirements necessary for a generator to accumulate hazardous waste on-site for 90 days or less without a permit or interim status pursuant to 40 C.F.R. § 262.34(a)(4), as adopted by reference in 62-730.160(1), F.A.C. Therefore, Complainant alleges that Respondent was illegally storing hazardous waste without a permit in violation of Section 3005(a) of RCRA, 42 U.S.C. § 6925.
39. At the time of the CEI, EPA and FDEP representatives noted that Respondent's container storage area inspection records did not include the time of inspection, the condition of container, or the inspector's name legibly printed.
40. Complainant alleges that Respondent violated 40 C.F.R. § 265.174, by failing to maintain inspection records for container storage areas that provide the time of inspection, the condition of the container and the inspector's name legibly printed, and as such, failed to satisfy the requirements necessary for a generator to accumulate hazardous waste on-site for 90 days or less without a permit or interim status pursuant to 40 C.F.R. § 262.34(a)(1)(i), as adopted by reference in 62-730.160(1), F.A.C. Therefore, Complainant alleges that Respondent was illegally storing hazardous waste without a permit in violation of Section 3005(a) of RCRA, 42 U.S.C. § 6925.

41. At the time of the CEI, EPA and FDEP representatives noted that Respondent had not provided the required annual training refresher to its personnel, nor had it maintained records of the type and amount of hazardous waste training required for each position related to hazardous waste management. EPA and FDEP representatives further noted that Respondent failed to maintain in its personnel records the type and amount of hazardous waste training it had provided to its employees.
42. Complainant alleges that Respondent violated 40 C.F.R. § 265.16(d)(4), by failing to provide its employees with the requisite annual refresher training and failing to maintain the requisite hazardous waste personnel training records, and as such, failed to satisfy the requirements necessary for a generator to accumulate hazardous waste on-site for 90 days or less without a permit or interim status pursuant to 40 C.F.R. § 262.34(a)(4), as adopted by reference in 62-730.160(1), F.A.C. Therefore, Complainant alleges that Respondent was illegally storing hazardous waste without a permit in violation of Section 3005(a) of RCRA, 42 U.S.C. § 6925.
43. At the time of the CEI, Respondent was storing crushed universal waste lamps in a fluorescent lamp crusher container that was not labeled or marked clearly with the words "Crushed Mercury Lamps."
44. Complainant alleges that Respondent was in violation of 62-737.400(5)(b)(1), F.A.C., by storing crushed universal waste lamps in containers not labeled or marked clearly with the words "Crushed Mercury Lamps."
45. At the time of the CEI, Respondent was storing used oil in a secondary-containment metal unit, a portable vacuum unit and three (3) 250-gallon tote containers that were not labeled or marked clearly with the words "used oil."
46. Complainant alleges that Respondent was in violation of 40 C.F.R. § 279.22(c), as adopted by reference in 62-710.210(2), F.A.C., by storing used oil in containers not labeled or marked clearly with the words "Used Oil."
47. At the time of the CEI, EPA and FDEP representatives observed a hazardous waste manifest for 800 gallons of sodium hydroxide that was shipped by the City of Altamonte Spring water treatment plant and received by the Facility. The manifest listed the sodium hydroxide as a D002 characteristic hazardous waste.
48. Complainant alleges that Respondent violated Section 3005(a) of RCRA, as adopted by reference in 62-730.220(1), F.A.C., by accepting a characteristic hazardous waste for treatment, storage and/or disposal without a permit.

V. TERMS OF AGREEMENT

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

49. Within thirty (30) calendar days of receipt of the executed copy of this CAFO, Respondent shall submit to EPA and FDEP a certification signed by a responsible corporate representative stating that the facility is in compliance with all applicable provisions of RCRA and regulations promulgated pursuant thereto and set forth at 40 C.F.R. Parts 260 through 279; §§ 403.702, et seq., F.S., and regulations promulgated pursuant thereto and set forth at 62-730 et seq., F.A.C.; and, that all other violations of RCRA have been corrected.

This certification shall be as follows:

“I certify under penalty of law, to the best of my knowledge and belief that Homac Manufacturing Company, located at 1 Aviator Way, Ormond Beach, Florida, which was the subject of Consent Agreement and Final Order, Docket No. RCRA-04-2010-4003(b) (CAFO) is in compliance with all applicable provisions of RCRA and regulations promulgated pursuant thereto and set forth at 40 C.F.R. Parts 260 through 279; §§ 403.702, et seq., F.S., and regulations promulgated pursuant thereto and set forth at 62-730 et seq., F.A.C.; and, that all other violations of RCRA have been corrected. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

50. The certification required to be submitted under this CAFO shall be mailed to:

Javier García
RCRA Division – 10th Floor
U. S. EPA – Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8690

and to:

Tim Bahr, Administrator, Hazardous Waste Programs
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

51. For the purpose of this CAFO, Respondent admits the jurisdictional allegations set out above.
52. Pursuant to 40 C.F.R. § 22.18(b)(2), Respondent neither admits nor denies the factual allegations contained in this CAFO.

53. Pursuant to 40 C.F.R. § 22.18(b)(2), Respondent waives its right to contest the allegations contained herein, and its right to appeal this CAFO.
54. Respondent waives its right to challenge the validity of this CAFO and the settlement of the violations alleged herein on the basis of any issue related to the Paperwork Reduction Act.
55. 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 CAFO.
56. The parties agree that the settlement of this matter is in the public interest and that this CAFO is consistent with the applicable requirements of RCRA.
57. The parties agree that they will pay their own costs and attorney's fees.
58. The parties agree that compliance with the terms of this CAFO shall resolve the alleged violations of RCRA in this CAFO.

VI. CIVIL PENALTY

59. Respondent consents to the payment of a civil penalty in the amount of Twenty-One Thousand, Eight Hundred Dollars (\$21,800), which is to be paid in full within thirty (30) calendar days of the effective date of this CAFO.
60. Payments shall be made by cashier's check, certified check, or other payment acceptable to EPA, payable to: **Treasurer, United States of America**. The facility name and the docket number for this matter shall be referenced on the face of the check. Payments shall be tendered to:

United States Environmental Protection Agency
Fines and Penalties - CFC
P.O. Box 979077
St. Louis, Missouri 63197-9000

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

U. S. Bank
1005 Convention Plaza
Mail Station SL-MO-C2GL
ATTN Box 979077
St. Louis, Missouri 63101
Contact: Natelie Pearson at (314) 418-4087

If paying by ACH, Respondent shall remit payment to:

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

If paying by On Line Payment, Respondent shall access this payment option via:

WWW.PAY.GOV
Enter “SFO 1.1” in the search field
Select “EPA Miscellaneous Payments – Cincinnati Finance Center”
Open the form and complete the required fields

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

Patricia A. Bullock
Regional Hearing Clerk
U. S. EPA - Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8690

and to:

Javier García
RCRA Division – 10th Floor
U. S. EPA – Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8690

61. 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 thirty (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 thirty (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 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).
62. Penalties paid pursuant to this CAFO are not deductible for federal purposes under 28 U.S.C. § 162(f).

VII. PARTIES BOUND

63. This CAFO shall apply to and be binding upon Respondent and its successors and assigns. Respondent shall cause its officers, directors, employees, and 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 CAFO.
64. 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 CAFO.
65. The undersigned representative of Respondent hereby certifies that she or he is fully authorized to enter the terms and conditions of this CAFO and to execute and legally bind Respondent to this CAFO.

VIII. RESERVATION OF RIGHTS

66. Complainant reserves the right to take enforcement action against Respondent for any future violations of RCRA and its implementing regulations and to enforce the terms and conditions of this CAFO. Respondent reserves the right to raise any and all applicable defenses to any enforcement action for alleged future violations of RCRA.
67. Except as expressly provided herein, nothing in this CAFO shall constitute or be construed as a release from any claim (civil or criminal), cause of action, or demand in law or equity by or against any person, firm, partnership, entity or corporation for any liability it may have arising out of or relating in any way to the generation, storage, treatment, handling, 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.

68. Notwithstanding any other provisions of the CAFO, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. § 6973, or other statutory authority, should EPA find that the future 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. This CAFO may be amended or modified only by written agreement executed by both EPA and Respondent.
70. The headings in this CAFO are for convenience of reference only and shall not affect interpretation of this CAFO.

IX. SERVICE OF DOCUMENTS

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

Adam Dilts, Assistant Regional Counsel
OEA – 13th Floor
U. S. EPA – Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8690

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

Michael Geiger, Assistant General Counsel
Thomas & Betts Corporation
8155 T&B Boulevard, 4B-35
Memphis, Tennessee 38125

X. SEVERABILITY

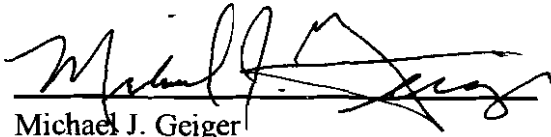
73. It is the intent of the parties that the provisions of this CAFO are severable. If any provision or authority of this CAFO or the application of this CAFO to any party or circumstances is held by any judicial or administrative authority to be invalid or unenforceable, the application of such provisions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

XI. EFFECTIVE DATE

74. The effective date of this CAFO shall be the date on which the CAFO is filed with the Regional Hearing Clerk.

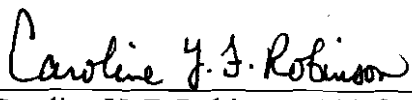
AGREED AND CONSENTED TO:

Thomas & Betts Corporation

By: 
Michael J. Geiger
Assistant General Counsel
Thomas & Betts Corporation

Dated: 4/21/10

U.S. Environmental Protection Agency

By: 
Caroline Y. F. Robinson, Chief
RCRA and OPA Enforcement and Compliance Branch
RCRA Division

Dated: 4/29/10

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing Consent Agreement and the attached Final Order (CAFO), in the Matter of Homac Manufacturing Company, Docket Number: RCRA-04-2010-4003(b), on the parties listed below in the manner indicated:

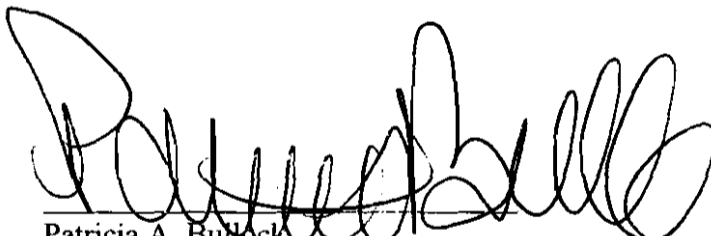
Adam Dilts (Via EPA's internal mail)
OEA – 13th Floor
U. S. EPA – Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8690

Javier García (Via EPA's internal mail)
RCRA Division – 10th Floor
U. S. EPA – Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8690

Quatindra Smith (Via EPA's internal mail)
RCRA Division – 10th Floor
U. S. EPA – Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8690

Michael Geiger (Via Certified Mail- Return Receipt Requested)
Assistant General Counsel
Thomas & Betts Corporation
8155 T&B Boulevard, 4B-35
Memphis, Tennessee 38125

Date 5-12-10


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

EPA ID No.: FLD 002 561 751


Respondent

) Recovery Act, 42 U.S.C. § 6928(a)
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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 7th day of May, 2010.

BY: 
A. Stanley Meiburg
Acting Regional Administrator
U. S. EPA Region 4