UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103

IN THE MATTER OF:	:	
	:	**Docket No. RCRA/CWA-03-2015-0240**
Brenntag Northeast, Inc.,	:	
	:	
Respondent,	:	
	:	
	:	
Brenntag Northeast, Inc.	:	
81 West Huller Lane	:	
Reading, PA 19605,	:	
	:	
Facility.	:	
	:	**Proceeding Under**
	:	**RCRA Section 3008(a) and (g),**
	:	**42 U.S.C. § 6928 (a) and (g), and**
	:	**CWA Section 311(b), 33 U.S.C. § 1321(b)**
	:	

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REGIONAL HEARING CLERK
EPA REGION III, PHILA, PA

CONSENT AGREEMENT

I. PRELIMINARY STATEMENT

1. Pursuant Section 3008(a) and (g) of the Solid Waste Disposal Act, commonly known as Resource Conservation and Recovery Act of 1976, as amended by *inter alia*, the Hazardous and Solid Waste Amendments of 1984 (collectively referred to hereinafter as "RCRA"), 42 U.S.C. § 6928(a) and (g), and Section 311(b) of the Federal Water Pollution Control Act, commonly known as the Clean Water, as amended, ("CWA"), 33 U.S.C. 1321(b), the Director of the Office of Enforcement, Compliance and Environmental Justice for the United States Environmental Protection Agency, Region III ("EPA"), initiated this administrative proceeding for the assessment of civil penalties against Brenntag Northeast, Inc. ("Respondent"), by issuance of a Complaint and Notice of Opportunity to Request a Hearing filed with the Regional Hearing Clerk on September 30, 2015. Following an Unopposed Motion to Amend the Complaint, which was granted by the Honorable Susan L. Biro, EPA's First Amended Complaint was deemed filed and served as of February 1, 2016. The First Amended Complaint, incorporated herein by reference, alleges that Respondent violated the RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g, and requirements of the federally-authorized Pennsylvania Hazardous Waste Management Regulations ("PaHWR") at its facility at 81 West Huller Lane, Reading, Pennsylvania 19605 (the "Facility"). The First Amended Complaint also alleged a violation of Section 311(j) of the CWA, 33 U.S.C. § 1321(j) at the Facility. This Consent Agreement and the accompanying Final Order, collectively, the "CAFO," resolve the violations alleged in the First Amended Complaint against Respondent.

2. For the purpose of this proceeding, Respondent admits the jurisdictional allegations set forth in the First Amended Complaint and herein.

3. Except as provided in paragraph 2, above, Respondent neither admits nor denies the specific factual allegations contained in the First Amended Complaint and herein.

4. For the purpose of this proceeding, Respondent consents to the issuance of this CAFO and agrees to comply with the terms of this CAFO.

5. For the purpose of this proceeding, Respondent consents to the payment of a civil penalty in the amount and in the manner set forth in this CAFO.

6. For the purpose of this proceeding, Respondent expressly waives its rights to contest the allegations in the First Amended Complaint and herein, and its rights to appeal the Final Order accompanying this Consent Agreement.

7. Respondent and EPA shall each bear their own costs and attorney fees.

II. FINDINGS OF FACT

8. EPA incorporates by reference all factual allegations contained in the First Amended Complaint.

III. CONCLUSIONS OF LAW

9. EPA incorporates by reference all legal conclusions contained in the First Amended Complaint.

IV. SETTLEMENT RECITATION

10. In settlement of the violations alleged in the Complaint, Respondent consents to the assessment of a civil penalty of **FIFTY FIVE THOUSAND DOLLARS ($55,000.00)**, which Respondent agrees to pay in accordance with the terms set forth below. Such civil penalty amount shall become due and payable immediately upon receipt by Respondent of a true and correct copy of the fully-executed and filed CAFO. In order to avoid the assessment of interest, administrative costs, and late payment penalties in connection with such civil penalty as described in this CAFO, Respondent must pay the civil penalty no later than thirty (30) calendar days after the date on which a fully-executed copy of this CAFO is received by Respondent. In addition to the payment of the civil penalty described above, Respondent agrees to perform a Supplemental Environmental Project ("SEP") as further described herein in Section V.

11. The aforesaid settlement amount is based upon Complainant's consideration of a number of factors, including the penalty criteria set forth in Section 3008(a) of the RCRA, 42 U.S.C. § 6928(a), which include the seriousness of the violation and any good faith efforts to comply

with the applicable requirements. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA's October, 1990 *RCRA Civil Penalty Policy*, as revised in June, 2003, which reflects the statutory penalty criteria and factors set forth at Sections 3008(a)(3) and (g) of the RCRA, 42 U.S.C. §§ 6928(a)(3) and (g). The aforesaid settlement amount is also based upon Complainant's consideration of the applicable statutory penalty factors in Section 311(b)(8) of the CWA, 33 U.S.C. § 1321(b)(8), including the seriousness of the violation; the economic benefit to the violator, if any; the degree of culpability; any other penalty for the same incident; history of prior violations, if any; the nature, extent, and degree of success of the violator's mitigation efforts; the economic impact of the penalty on the violator; and other matters as justice may require. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA's *Civil Penalty Policy for Section 311 (b)(3) and Section 311 (j) of the Clean Water Act* (August 1998), which reflect the statutory penalty criteria and factors set forth at Section 311(b)(8) of the CWA, 33 U.S.C. § 1321(b)(8). In addition, Complainant has also considered the Adjustment of Civil Penalties for Inflation, 40 C.F.R. Part 19, and the December 6, 2013 Memorandum by EPA Assistant Administrator, Cynthia Giles, entitled, *Amendments to the U.S. Environmental Protection Agency's Civil Penalty Policies to Account for Inflation,* (Effective December 6, 2013). Respondent's agreement to perform a SEP was also considered in reaching the civil penalty amount.

12. Payment of the civil penalty set forth in Paragraph 10, above, plus any interest, administrative fees, and late payment penalties owed, in accordance with Paragraphs 13 through 16, below, shall be made by either cashier's check, certified check, or electronic wire transfer, in the following manner:

a. All payments by Respondent shall reference Respondent's name and address, and the EPA Docket Number of this Consent Agreement, *i.e.*, RCRA/CWA-03-2015-0240;

b. If payment is made by check, then payment shall be divided into two payments. One check shall be in the amount of $44,000.00 and payable to "**United States Treasury**." The Second check shall be in the amount of $11,000.00 and payable to the "**Environmental Protection Agency**" and bearing the notation "OSLTF-311" (in addition to the Docket Number of this Consent Agreement);

c. All payments made by check and sent by regular mail shall be addressed and mailed to:

U.S. Environmental Protection Agency
Fine and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

d. All payments made by check and sent by overnight delivery service shall be addressed and mailed to:

U.S. Environmental Protection Agency
Cincinnati Finance Center
Government Lockbox 979077
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, MO 63101

e. All payments made by check in any currency drawn on banks with no USA branches shall follow the instructions set forth in Subsection b., above, and shall be addressed for delivery to:

Cincinnati Finance
US EPA, MS-NWD
26 W. M.L. King Drive
Cincinnati, OH 45268-0001

f. All payments made by electronic wire transfer shall be directed to:

Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045

Field Tag 4200 of the Fedwire message should read:
"D 68010727 Environmental Protection Agency"

g. All electronic payments made through the Automated Clearinghouse (ACH), also known as Remittance Express (REX), shall be directed to:

US Treasury REX / Cashlink ACH Receiver
ABA = 051036706
Account No.: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 - Checking

Physical location of U.S. Treasury facility:
5700 Rivertech Court
Riverdale, MD 20737

US Treasury Contact Information
Joseph Schmid: 202-874-7026
Remittance Express (REX): 1-866-234-5681

h. On-Line Payment Option: WWW.PAY.GOV/paygov/

Enter sfo 1.1 in the search field. Open and complete the form.

i. Additional payment guidance is available at:

http://www.epa.gov/financial/makepayment

or by contacting Craig Steffen at 513-487-2091

j. At the time of each payment, Respondent shall send a notice of such payment, including a copy of the check or electronic fund transfer, as applicable, to:

Ms. Lydia Guy
Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029;

and

Natalie Katz, Sr. Assistant Regional Counsel (3RC30)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

13. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest, administrative costs and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below.

14. In accordance with 40 C.F.R. § 13.11(a), interest on any civil penalty assessed in a CAFO begins to accrue on the date that a copy of the CAFO is mailed or hand-delivered to the Respondent. However, EPA will not seek to recover interest on any amount of such civil penalty that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).

15. The costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period a debt is overdue. 40 C.F.R. § 13.11(b). Pursuant to Appendix 2 of EPA's *Resources Management Directives - Cash Management*, Chapter 9, EPA will assess a $15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional $15.00 for each subsequent thirty (30) days the penalty remains unpaid.

16. A late payment penalty of six percent (6%) per year will be assessed monthly on any portion of a civil penalty which remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on a debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).

17. The Respondent agrees not to deduct for federal tax purposes the civil monetary penalty specified in this Consent Agreement and the accompanying Final Order.

V. SUPPLEMENTAL ENVIRONMENTAL PROJECT

18. The following Supplemental Environmental Project ("SEP") is consistent with applicable EPA policy and guidelines, specifically EPA's *Supplemental Environmental Projects Policy 2015 Update*.

19. Within sixty (60) days from the effective date of this CAFO, Respondent will donate the equipment listed below to the Union Fire Department #1 of Leesport ("Union"). This equipment donation is intended to enhance Union's emergency response capabilities. The equipment to be donated will consist of:

a. Twenty-five 5-gallon pails of National Foam Universal Gold 3%, Class B
b. Two In-Line Foam Educators with a 1.5" Coupling and a 51" Pickup Hose with a 1.0"NH Rocker Lug Coupling for Attachment to On-Board Foam Systems;
c. Two Mid-X Medium Expansion Foam Tubes (Akron 1½" Turbojet Nozzles);
d. One MiniRAE 3000 PID Detector, with Accessories Kit and Bluetooth
e. One Sensit® Gold Series 4 Gas Detector with Pump, together with its Calibration Kit;
f. One Scott Safety™ Eagle Attack Thermal Imager;
g. One Single Gas Detector, Hydrogen Cyanide;
h. Thirty Vantage, C4 LED Helmet-Mounted Lights; and
i. Fifteen Survivor Low Profile Right Angel Flashlights (Rechargeable).

20. The cost of the equipment donated to Union shall be no less than **THIRTY THOUSAND DOLLARS ($30,000.00)**.

21. With regard to the SEP, Respondent certifies the truth and accuracy of each of the following:

a. That all cost information provided to the EPA in connection with the EPA's approval of the SEP is complete and accurate and that Respondent in good faith estimates that the cost to implement the SEP is no less than $30,000;

b. That, as of the date of executing this CAFO, Respondent is not required to perform or develop the SEP by any federal, state, or local law or regulation and is not required to perform or develop the SEP by agreement, grant, or as injunctive relief awarded in any other action in any forum;

c. That the SEP is not a project that Respondent was planning or intending to construct, perform, or implement other than in settlement of the claims resolved in this CAFO;

d. That Respondent has not received and will not receive credit for the SEP in any other enforcement action;

e. That Respondent will not receive reimbursement for any portion of the SEP from another person or entity;

f. That for federal income tax purposes, Respondent agrees that it will neither capitalize into inventory or basis nor deduct any costs or expenditures incurred in performing the SEP;

g. That Respondent is not a party to any open federal financial assistance transaction that is funding or could fund the same activity as the SEP described in paragraph; and

h. That Respondent has inquired of the SEP recipient, Union, whether it is a party to an open federal financial assistance transaction that is funding or could fund the same activity as the SEP and has been informed by Union that it is not a party to such a transaction.

22. Any public statement, oral or written, in print, film, or other media, made by Respondent making reference to the SEP under this CAFO from the date of its execution shall include the following language: "This project was undertaken in connection with the settlement of an administrative enforcement action taken on behalf of the U.S. Environmental Protection Agency to enforce federal laws."

23. Respondent shall submit a SEP Completion Report to Garth Connor (3EC10), with a copy to Natalie Katz (3RC30) U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029, within thirty (30) days from completion of the SEP. The SEP Completion Report shall:

a. Provide an inventory of the equipment donated to Union;

b. Provide itemized costs:

i. In itemizing its costs in the SEP Completion Report, Respondent shall clearly identify and provide acceptable documentation for all eligible SEP costs.

ii. Where the SEP Completion Report includes costs not eligible for SEP credit, those costs must be clearly identified as such.

iii. For purposes of this Paragraph, "acceptable documentation" includes invoices, purchase orders, or other documentation that specifically identifies and itemizes the individual costs of the goods and/or services for which payment was made. Canceled drafts do not constitute acceptable documentation unless such drafts specifically identify and itemize the individual costs of the goods and/or services for which payment was made.

c. Provide a certification. Respondent shall, by its representative officer, sign the report required by this Paragraph and certify under penalty of law, that the information contained therein is true, accurate, and not misleading by including and signing the following statement:

> I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

24. Upon receipt of the SEP Completion Report identified in Paragraph 23, above, EPA will provide written notification to the Respondent of one of the following:

a. If the SEP Completion Report is deficient, notify the Respondent in writing that the SEP Completion Report is deficient, provide an explanation of the deficiencies, and grant Respondent an additional fourteen (14) calendar days to correct those deficiencies;

b. If the SEP Completion Report demonstrates, and EPA agrees based on the SEP Completion Report and any other information available, that the SEP has been completed in accordance with the CAFO, notify the Respondent in writing that EPA has concluded that the project has been completed in accordance with this CAFO; or

c. If the SEP Completion Report demonstrates, and EPA agrees based on the SEP Completion Report and any other information available, that the SEP has not been completed in accordance with this CAFO, notify the Respondent in writing that EPA has concluded that the project has not been completed in accordance with this CAFO and grant Respondent an additional fourteen (14) calendar days to complete the SEP in accordance with this SCAFO. If the SEP is not completed within such time period, EPA may seek stipulated penalties in accordance with Paragraphs 26 through 28, below.

25. If EPA provides notification in accordance with Paragraph 24(a), above, EPA shall permit Respondent the opportunity to object in writing to the notification of deficiency within ten (10) calendar days of receipt of such notification. EPA and Respondent shall have an additional thirty (30) calendar days from the receipt by EPA of the notification of objection to reach agreement on changes necessary to the SEP Completion Report. If agreement cannot be reached within this thirty (30) calendar day period, the Director of the Office of Enforcement, Compliance and Environmental Justice for EPA, Region III, shall provide to the Respondent a written statement of her decision on the adequacy of the completion of the SEP, which shall be a final Agency action binding upon Respondent. In the event this SEP is not completed as required by this CAFO, as determined by EPA, stipulated penalties shall be due and payable by Respondent to EPA in accordance with Paragraphs 26 through 28, below.

26. In the event that Respondent fails to comply with any of the terms or conditions of this CAFO relating to the performance of the SEP, described in Paragraph 19, above, submission of the SEP Completion Report, described in Paragraph 23, above, and/or to the extent that the actual expenditures for the SEP do not equal or exceed the costs set forth in Paragraph 20, above, Respondent shall be liable for stipulated penalties according to the provisions set forth below:

a. Except as provided in subparagraph (b) below, if the SEP has not been completed in accordance with Paragraph 19, above, Respondent shall pay a stipulated penalty to EPA in the amount of **THIRTY FIVE THOUSAND DOLLARS ($35,000.00)**;

b. If the SEP is not completed in accordance with Paragraph 19, above, but the Complainant determines that: (i) Respondent made good faith and timely efforts to complete the project; and (ii) Respondent certifies, with supporting documentation, that at least ninety percent (90%) of the amount of money which was required to be spent was expended on the SEP, Respondent shall not be liable for any stipulated penalty;

c. If the SEP is completed in accordance with Paragraph 19, above, and the SEP Completion Report is submitted in accordance with Paragraph 23, above, but the Respondent spent less than ninety percent (90%) of the amount of money required

to be spent for the project, Respondent shall pay a stipulated penalty to EPA in the amount of **SIX THOUSAND DOLLARS ($6,000.00)**;

d. If the SEP is completed in accordance with Paragraph 19, above, the SEP Completion Report is submitted in accordance with Paragraph 23, above, and the Respondent spent at least ninety percent (90%) of the amount of money required to be spent for the project, Respondent shall not be liable for any stipulated penalty; and

e. If Respondent fails to submit the SEP Completion Report required by Paragraph 23, above, Respondent shall pay a stipulated penalty in the amount of **FIVE HUNDRED DOLLARS ($500.00)** for each day after the report was originally due until the report is submitted.

27. The determination of whether the SEP has been completed in accordance with Paragraph 19, above, and whether the Respondent has made a good faith, timely effort to complete the SEP shall be in the sole discretion of EPA. EPA may, in the unreviewable exercise of its discretion, reduce or waive stipulated penalties otherwise due under the CAFO.

28. Respondent shall pay stipulated penalties not more than fourteen (14) calendar days after receipt of written demand by EPA for such penalties. Interest and late charges shall be paid as set forth in Paragraphs 13 through 16, above.

VI. CERTIFICATION

29. Respondent certifies to Complainant by its signature hereto, to the best of Respondent's knowledge and belief, that Respondent is in compliance with all relevant provisions of the current, authorized revised PaHWR and of the RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g, and Section 311(j) of the CWA, 33 U.S.C. § 1321(j), for which violations are alleged in the First Amended Complaint.

VII. OTHER APPLICABLE LAWS

30. Nothing in this CAFO shall relieve Respondent of its obligations to comply with all applicable Federal, State, and local laws and regulations.

VIII. RESERVATION OF RIGHTS

31. This CAFO resolves only EPA's civil claims for penalties against Respondent for the specific violations alleged in the First Amended Complaint and herein. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. In addition, this settlement is subject to all

limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under the RCRA and the CWA, the regulations promulgated thereunder, and any other Federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CAFO, following its filing with the Regional Hearing Clerk.

IX. FULL AND FINAL SATISFACTION

32. This settlement shall constitute full and final satisfaction of all civil claims for penalties which EPA may have against Respondent under the RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g, the requirements of the PaHWR, and the CWA for the specific violations alleged in the First Amended Complaint and herein. Compliance with this CAFO shall not be a defense to any action commenced at any time for any other violation of the Federal laws and regulations administered by EPA.

X. PARTIES BOUND

33. This CAFO shall apply to and be binding upon the EPA, Respondent, and the officers, directors, successors, and assigns of Respondent. By his or her signature below, the person signing this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this CAFO.

XI. EFFECTIVE DATE

34. The effective date of this CAFO is the date on which the Final Order, signed by the Regional Administrator of EPA, Region III, or his designee, the Regional Judicial Officer, is filed with the Regional Hearing Clerk pursuant to the Consolidated Rules of Practice.

XII. ENTIRE AGREEMENT

35. This CAFO constitutes the entire agreement and understanding of the Parties concerning settlement of the above-captioned action and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed herein.

For Respondent Brenntag Northeast, Inc.:

03-08-2016
Date

Name: Chad Massie
Title: President

For EPA:

3/9/2016
Date

Natalie L. Katz
Senior Assistant Regional Counsel
Office of Regional Counsel

Accordingly, I hereby recommend that the Regional Administrator or his designee issue the Final Order attached hereto.

3/11/2016
Date

Samantha P. Beers, Director
Office of Enforcement, Compliance and
Environmental Justice

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103

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	:	**RCRA Section 3008(a) and (g),**
	:	**42 U.S.C. § 6928 (a) and (g), and**
	:	**CWA Section 311(b), 33 U.S.C. § 1321(b)**
	:	

FINAL ORDER

Complainant, the Director of the Office of Enforcement, Compliance and Environmental Justice, U.S. Environmental Protection Agency, Region III, and Respondent, Brenntag Northeast, Inc., have executed a document entitled "Consent Agreement," which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. § 22.18(b)(2) and (3). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated herein as if set forth at length herein.

Based upon the representations of the parties in the attached Consent Agreement, the Solid Waste Disposal Act, as amended, ("RCRA"), penalty agreed to therein is based upon consideration of, *inter alia*, EPA's October, 1990 *RCRA Civil Penalty Policy*, as revised in June, 2003, and the statutory factors set forth in Section 3008(a) of the RCRA, 42 U.S.C. § 6928(a). In addition, based upon the representations of the parties in the attached Consent Agreement, the Federal Water Pollution Control Act, as amended ("CWA"), penalty agreed to therein is based upon consideration of, *inter alia*, EPA's *Civil Penalty Policy for Section 311 (b)(3) and Section 311 (j) of the Clean Water Act* (August 1998) and the statutory factors set forth in Section 311(b)(8) of the CWA, 33 U.S.C. § 1321(b)(8).

NOW, THEREFORE, PURSUANT TO Section 3008(a) and (g) of the RCRA, 42 U.S.C. § 6928(a) and (g), Section 311(b)(6)(B)(i) of the CWA, 33 U.S.C. § 1321(b)(6)(B)(i), and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty payment of **FIFTY FIVE THOUSAND DOLLARS ($55,000)**, in accordance with the payment provisions set forth in of the Consent Agreement, and comply with the terms and conditions of the Consent Agreement.

The effective date of the attached Consent Agreement and this Final Order is the date on which the Final Order is filed with the Regional Hearing Clerk.

March 14, 2016
Date:

Joseph J. Lisa
Joseph J. Lisa
Regional Judicial Officer
U.S. EPA, Region III

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

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Brenntag Northeast, Inc.	:	
81 West Huller Lane	:	
Reading, PA 19605,	:	
	:	
Facility.	:	
	:	

CERTIFICATE OF SERVICE

I certify that on the date noted below, I sent by UPS Next Day Delivery, a copy of the Consent Agreement and Final Order to the addressee(s) listed below:

Timothy J. Bergère, Esq.
Montgomery McCracken
123 South Broad Street
Philadelphia, PA 19109

The original and one copy of were hand-delivered to, and filed with, the Regional Hearing Clerk, U.S. EPA Region III.

Dated: 3/14/16

Bevin Esposito

Bevin Esposito (3RC60)
Lead Paralegal Specialist
EPA Region III
1650 Arch Street
Philadelphia, PA 19103