

US EPA ARCHIVE DOCUMENT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
11201 RENNER BOULEVARD  
LENEXA, KANSAS 66219

BEFORE THE ADMINISTRATOR

IN THE MATTER ON )  
)  
) **CLEAN WATER ACT**  
)  
SRG Global, Inc. )  
Siegel-Robert, Inc. (d/b/a ) **COMPLAINT, CONSENT AGREEMENT**  
SRG Global Farmington ) **AND FINAL ORDER**  
)  
Respondents )  
)  
)  
Farmington, Missouri )  
)  
) **Docket No. CWA-07-2014-0067**  
\_\_\_\_\_ )

**A. COMPLAINT**

**Jurisdiction**

1. This is an administrative action for the assessment of civil penalties instituted pursuant to Section 309(g) of the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act (CWA), 33 U.S.C. § 1319(g), and 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), 40 C.F.R. Part 22.
2. Complainant, the United States Environmental Protection Agency, Region 7 (EPA) and Respondents, SRG Global, Inc. and Siegel-Robert, Inc., have agreed to a settlement of this action before the filing of a complaint, and thus this action is simultaneously commenced and concluded pursuant to Rules 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules, 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3).
3. This Complaint and Consent Agreement/Final Order (CAFO) serves as notice that the EPA has reason to believe that the Respondents, SRG Global, Inc. and Siegel-Robert, Inc., have violated Sections 301 and 307 of the CWA, 33 U.S.C. §§ 1311 and 1317, and regulations promulgated thereunder.

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### **Parties**

4. The authority to take action under Section 309(g) of the CWA, 33 U.S.C. § 1319(g), is vested in the Administrator of the EPA. The Administrator has delegated this authority to the Regional Administrator, EPA, Region 7, who in turn has delegated the authority under Section 309(g) to the Director of the Water, Wetlands and Pesticides Division of EPA, Region 7 (collectively referred to as the Complainant).

5. Respondents SRG Global, Inc., and Siegel-Robert, Inc., are each a corporation registered and in good standing to do business in the state of Missouri.

6. Respondent are each a “person” as defined by Section 502(5) of the CWA, 33 U.S.C. § 1362(5).

### **STATUTORY AND REGULATORY FRAMEWORK**

#### **Prohibition against Discharges**

7. Section 301(a) of the Act, 33 U.S.C. § 1311 (a), prohibits discharge of pollutants from a point source into navigable waters of the United States, except in compliance with, *inter alia*, Sections 307 and 402 of the Act, 33 U.S.C. §§ 1317 and 1342. Section 402 provides that pollutants may be discharged into navigable waters of the United States only in accordance with the terms of a National Pollutant Discharge Elimination System (“NPDES”) permit issued pursuant to that section. Section 307 provides for the promulgation of regulations establishing pretreatment standards for introduction of pollutants into publicly owned treatment works.

#### **General Pretreatment**

8. Pursuant to Section 307(b) of the Act, 33 U.S.C. § 1317(b), EPA promulgated regulations at 40 C.F.R. Part 403 establishing the General Pretreatment Regulations and at 40 C.F.R. Parts 405 through 471 establishing the Point Source Categorical Standards. These regulations and standards are designed to regulate the introduction of pollutants into publicly owned treatment works which are determined not to be amenable to treatment by such treatment works or which could interfere with the operation of such treatment works.

9. The state of Missouri, through the Missouri Department of Natural Resources (“MDNR”), is authorized to administer the federal NPDES program pursuant to Section 402 of the Act, 33

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U.S.C. § 1342, implementing regulations, and a Memorandum of Understanding between EPA and MDNR dated October 30, 1974. MDNR is also authorized to administer the Pretreatment Program, pursuant to Section 402 of the Act, 33 U.S.C. § 1342, implementing regulations at 40 C.F.R. § 403.10, and a Memorandum of Understanding between EPA and MDNR dated June 3, 1981. As such, MDNR is the Approval Authority for the Pretreatment Program in Missouri.

10. 40 C.F.R. § 403.5(a) sets forth “general prohibitions” and states that a “User may not introduce into a POTW any pollutant(s) which cause Pass Through or Interference. These general prohibitions and the specific prohibitions in paragraph (b) of this section apply to each User introducing pollutants into a POTW whether or not the User is subject to other National Pretreatment Standards or any national, State, or local Pretreatment Requirements.”

11. 40 C.F.R. § 403.5(b) establishes “specific prohibitions” for industrial dischargers to POTWs and prohibits “Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a Discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW.”

12. 40 C.F.R. § 403.3(k) defines “Interference” to mean “a Discharge which, alone or in conjunction with a discharge or discharges from other sources, both: (1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and (2) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the”...CWA.

13. 40 C.F.R. § 403.3(p) defines “Pass Through” as a discharge “which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit.”

14. 40 C.F.R. § 403.3(j) states “Industrial User means a source of Indirect Discharge,” and 403(i) states that “Indirect Discharge or Discharge means the introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c) or (d) of the Act.”

### Categorical Pretreatment

15. 40 C.F.R. § 403.6 establishes “Categorical Standards” or national standards for quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories.

16. Pursuant to 40 C.F.R. § 403.3(v), all industrial users subject to Categorical Standards that discharge greater than 100 gallons per day (“gpd”) are also “Significant Industrial Users.”

17. Manufacturers that perform metal finishing and that discharge wastewater to a POTW are subject to the Categorical Metal Finishing Point Source Category Pretreatment Standards (“Metal Finishing Standards”) found at 40 C.F.R. Part 433. This Part applies to plants which perform any of the following six metal finishing operations on any basis material: Electroplating, Electroless Plating, Anodizing, Coating (chromating, phosphating, and coloring), Chemical Etching and Milling, and Printed Circuit Board Manufacture.

18. Pursuant to 40 C.F.R. § 403.6(b), compliance with Categorical Standards is required within three years of their promulgation. The Metal Finishing Standards set forth in 40 C.F.R. Part 433 have been effective since 1983.

19. In pertinent part, 40 C.F.R. § 433.13(a) establishes the following limitations on industrial users that are subject to the Metal Finishing Standard:

Constituent	Daily Maximum (mg/l)	Monthly Average (mg/l)
Chromium (Total)	2.77	1.71
Nickel (Total)	3.98	2.38

20. Pursuant to 40 C.F.R. § 403.12(e), in order to document compliance with the limits promulgated in a Categorical Standard, Industrial Users that are subject to Categorical Standards must, by at least each June and December of each year, submit a report to the Control Authority (which in Missouri is MDNR) that documents the nature and concentration of pollutants in their discharge, the average and maximum daily flows, and other information needed to ascertain compliance.

21. Pursuant to 40 C.F.R. § 403.112(l), the reports required by 40 C.F.R. § 403.12(e) are required to include the certification statement as set forth in §403.6(a)(2)(ii) and to be signed as follows:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

22. 40 C.F.R. § 403.12(f) requires that “All categorical and non-categorical Industrial Users shall notify the POTW immediately of all discharges that could cause problems to the POTW, including any slug loadings, as defined by §403.5(b), by the Industrial User.”

23. 40 C.F.R. § 403.12(g)(3) requires that industrial users perform measurement of pollutants in a manner that is representative of daily operations.

24. 40 C.F.R. § 403.12(g)(5) requires that industrial users perform all sampling and measurements that support reports submitted under § 403.12(e) in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto.

25. According to 40 C.F.R. § 136.3, the approved procedure for determination of total metals (which are equivalent to total recoverable metals) requires that the sample not be filtered before processing. Rather, it requires a digestion procedure to solubilize analytes in suspended material and to break down organic-metal complexes (to convert the analyte to a detectable form for colorimetric analysis).

### **Sludge Requirements**

26. Section 405(d)(1) of the CWA, 33 U.S.C. § 1345(d)(1), provides that the Administrator shall develop and publish regulations establishing requirements for the disposal of sewage sludge and the utilization of sludge for various purposes.

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27. Pursuant to Section 405(d)(1) of the CWA, 33 U.S.C. § 1345(d)(1), EPA promulgated the regulations governing the Standards for the Use or Disposal of Sewage Sludge, which are set forth at 40 C.F.R. Parts 501 and 503. These regulations include record keeping and reporting requirements, pollutant limits and site management practices applicable to owners or operators of treatment works treating domestic sewage, and standards for the final use or disposal of sewage sludge generated during the treatment of domestic sewage in treatment works.

28. 40 C.F.R. § 503.13 sets forth that bulk sewage sludge or sewage sludge sold or given away in a bag or other container shall not be applied to the land if the concentration of any pollutant in the sewage sludge exceeds the ceiling concentration for any pollutant as it is set forth in Table 1 of the same Part. Table 1 of 40 C.F.R. § 503.13, sets forth a ceiling concentration for Nickel of 420 milligrams per kilograms ("mg/kg") on a dry weight basis.

#### **GENERAL FACTUAL ALLEGATIONS**

29. Respondents' Farmington, Missouri, facility, addressed at 2055 Progress Drive, Farmington, Missouri, 63640 ("Farmington facility," or "facility") was formerly owned by Siegel Robert, Inc. In approximately 2008, Siegel-Robert, Inc., was bought by Guardian Industries Corp ("Guardian"). Thereafter, SRG Global, Inc. was formed as a wholly owned subsidiary of Guardian. SRG Global Farmington, Inc. is a fictitious registration for Siegel-Robert, Inc.

30. From 2008 through the present Respondents have at all relevant times been either the "owner" and/or "operator" of the Farmington facility.

31. The facility manufactures chrome-plated and/or painted plastic parts for the automobile industry. Manufacturing processes include plastic injection molding, electroplating (of plastic resins), painting, vapor deposition, and assembly.

32. The city of Farmington ("the City"), Missouri, is a "person" as defined by Section 502 of the Act, 33 U.S.C. § 1362(5), that owns and operates a POTW for the treatment of both domestic and industrial wastewater. The City's POTW consists of a wastewater collection system and two Wastewater Treatment Plants ("WWTP"). Only Farmington's wastewater collection system and the West WWTP, to which the SRG facility discharges, are relevant for this proceeding.

33. The City's POTW generates "sewage sludge" that is used for "land application" on "agricultural land," as those terms are defined by 40 C.F.R. §§ 503.9(w), 503.11(h) and 503.11(a), respectively.

34. The City's POTW is a "point source" that "discharges pollutants" into an unnamed tributary to the St. Francois River, as these terms are defined by Section 502(14) and (12) of the CWA, respectively, 33 U.S.C. § 1362(14) and (12).

35. On May 5, 2006, MDNR granted NPDES permit No. M0-0040312, (hereafter "West WWTP NPDES permit"), to the City for discharges from the Farmington West WWTP to an unnamed tributary to the St. Francois River, subject to compliance with conditions and limitations set forth in the NPDES permit. The NPDES permit has been reissued and currently has an expiration date of May 19, 2016.

36. Part III.A of the Standard Conditions for the 2006 West WWTP NPDES permit incorporates by reference all applicable federal sludge disposal regulations under 40 C.F.R. Part 503, including the ceiling concentration for Nickel of 420 milligrams per kilograms ("mg/kg") on a dry weight basis.

37. The unnamed tributary and the St. Francois River are each considered a "navigable water" of the United States, as defined by Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

38. Beginning in 2006, the City began violating the 40 C.F.R. Part 503 criteria for nickel for the land application of sludge, as incorporated into the City's NPDES permit for the West WWTP. Respondents' Farmington facility is the only known source of nickel (and chromium) in wastewater being treated by the West WWTP.

39. In 2008, in order to determine the source and impact of Respondents' discharges of wastewater to the City's West WWTF, the City began monitoring wastewater from Respondents' facility at a manhole located directly east of Respondents' facility. The results of the monitoring performed by the City documented high levels of chromium and nickel in wastewater originating from the Respondents' facility. The City continued this monitoring of Respondents' wastewater discharges from 2008 through 2013.

40. Between January 26-30, 2009, EPA conducted an inspection of the City's POTW in order to determine the City's compliance with the requirements of the CWA, 33 U.S.C. § 1281, *et seq.* At the close of the inspection, EPA provided the City a Notice of Potential Violation ("NOPV") for violations of 40 C.F.R. Part 503 criteria for application of sewage sludge for nickel and for violations of the City's NPDES permits' limits for ammonia, in violation of Section 402 of the CWA, 33 U.S.C. § 1342.



41. On January 30, 2009, EPA conducted an Industrial User Compliance Inspection at Respondents' Farmington facility.

42. In March or April 2009, the City contacted representatives of the facility and informed Respondent(s) of the elevated levels of nickel and chromium documented by the City's samples of wastewater originating from Respondents' facility.

43. On or about February 1, 2010, EPA issued the City an Administrative Order for Compliance ("2010 Order"), pursuant to the authority of Section 309(a)(3) of the CWA, 33 U.S.C. § 1319(a)(3), that alleged the City had violated the sludge requirements of Part 503 every year between 2006 and 2009, and had violated the ammonia limits in its NPDES permits for the years between 2007 and 2009. The 2010 Order required the City to take actions to resolve the cited violations.

44. EPA has conducted an investigation of Respondents' operations, which has included inspections of the facility, review of operating records, and interviews of past and present employees.

45. On or about May 11, 2011, EPA and the City entered into an administrative settlement via a Complaint, Consent Agreement and Final Order ("2011 CAFO"), issued pursuant to the authority of Section 309(g) of the CWA, 33 U.S.C. 1319(g). The 2011 CAFO required the City to pay a penalty of \$61,566 to resolve the violations of the sludge requirements of 40 C.F.R. Part 503 between 2006 and 2009, and the ammonia limits in its NPDES permits for the years between 2007 and 2009.

#### **SPECIFIC ALLEGATIONS**

46. Respondents discharge greater than 100 gallons per day of process wastewater from the Farmington facility into the City's POTW, and therefore is an "industrial user," as defined by 40 C.F.R. § 403.3(j).

47. Respondents' wastewater is a "pollutant," and contains "pollutants," as defined by Section 502(6) of the CWA, 33 U.S.C. § 1362(6).

48. As an electroplating manufacturing facility, Respondents' Farmington facility is subject to the Metal Finishing Point Source Category Pretreatment Standards, at 40 C.F.R. Part 433, and is therefore considered a "Categorical" Industrial User and a "Significant Industrial User."

49. In accordance with the requirements of 40 C.F.R. § 403.12, during the years of 2009 and 2010, Respondent SRG filed quarterly reports with MDNR documenting its compliance 40 C.F.R. Part 403 and the Metal Finishing Standard of 40 C.F.R. Part 433.

50. The reports filed by Respondent SRG to MDNR in 2009 and 2010 failed to identify any non-compliance with the standards of 40 C.F.R. Part 403 and/or the Metal Finishing Standard of 40 C.F.R. Part 433 (for chromium and nickel) and/or with the requirements of 40 C.F.R. § 403.12.

51. During the period of 2009 and 2010, Respondents filtered the wastewater samples that were used to measure the concentrations of pollutants contained in its discharges of wastewater to the POTW.

52. Respondents' filtering of samples before performing the measurement of pollutants prevented Respondents from obtaining an accurate and representative measurement of pollutants (total metals) contained in the wastewater discharged to the POTW.

53. During the period of 2009 and 2010, Respondents performed the analysis for metals contained in its wastewater without first properly digesting samples (via acid to allow for total metals contained in solution to be dissolved).

54. Respondents' failure to digest samples of wastewater before performing the measurement of metals prevented Respondents from obtaining an accurate and representative measurement of total metals contained in the wastewater that it discharged to the POTW.

55. During the period of 2009 and 2010, Respondents failed to certify and/or sign the reports submitted to MDNR as required by 40 C.F.R. § 403.12(l).

56. During the period of 2009 and 2010, peak discharges of wastewater to the Farmington facility's pretreatment facility typically occurred during weekends (Friday to Sunday), when plating bath tanks and/or rinse tanks were emptied, and their contents were discharged to the facility's wastewater pretreatment system.

57. During such periods of peak loadings of wastewater (e.g. on weekends when plating bath tanks and/or rinse tanks were being emptied), the facility's wastewater pretreatment system lacked the capacity to properly treat wastewater before discharge to the POTW.

58. During the period of 2009 and 2010, discharges of partially treated wastewater to the City's POTW occurred when the treatment capacity of the Respondents' Farmington facility's wastewater pretreatment system was exceeded.

59. During the period of 2009 (specifically after April 2009), Respondents failed to inform the City of discharges from the facility which Respondents had reason to believe would cause problems for the POTW.

60. During the period of 2009 and 2010, Respondents typically performed the sampling and measurements of pollutants contained in its discharges of wastewater to the POTW on days when plating bath tanks and/or rinse tanks were not being emptied.

61. During the period of 2009 and 2010, Respondents performed the sampling and measurements of pollutants contained in its discharges of wastewater to the POTW in a manner that was not representative of its daily operations.

62. During the period of 2009 and 2010, Respondents' improper measurement of the pollutants contained in its discharges resulted in Respondents under reporting, to both MDNR and the City, the concentrations of pollutants (nickel and chromium) in its discharges of wastewater to the POTW.

63. During the period of 2009 through 2013, the results of sampling performed by the City of wastewater originating from Respondents' Farmington facility document concentrations of nickel and chromium in excess of the limitations on industrial users subject to the Metal Finishing Standard set forth in 40 C.F.R. Part 433.

64. The City has submitted to EPA and/or MDNR annual reports prepared pursuant to 40 C.F.R. Part 503 documenting the City's application of sewage sludge for the calendar years 2009 and 2010.

65. The annual sludge reports submitted by the City document that in 2009 and 2010, the City land applied sewage sludge that contained levels of nickel in excess of the levels allowed by 40 C.F.R. Part 503 (420 mg/kg), which is a violation of the City's West WWTP NPDES permit.

66. During the period of 2009 through 2010, Respondents' discharges of wastewater to the POTW caused and/or contributed to the presence of levels of nickel in the sludge that was land

applied by the City in violation of levels allowed by 40 C.F.R. Part 503 (420 mg/kg).

### **ALLEGED VIOLATIONS**

#### **Claim I:**

#### **Violation of the sampling/monitoring requirements of 40 C.F.R. § 403.12 and/or 40 C.F.R. Part 136**

67. The facts stated in Paragraphs 1 through 66, above, are hereby incorporated by reference.

68. During the period of 2009 and 2010, Respondents failed to perform required monitoring that was representative of the daily operations and/or quality of pollutants contained in its discharges of industrial wastewater, in violation of 40 C.F.R. § 403.12(g)(3), and Section 307 of the CWA, 33 U.S.C. § 1317.

69. During the period of 2009 and 2010, Respondents failed to perform required monitoring in conformance with the requirements of 40 C.F.R. Part 136, in violation of 40 C.F.R. § 403.3(g)(5), and Section 307 of the CWA, 33 U.S.C. § 1317.

#### **Claim II:**

#### **Violation of the requirement to properly sign and certify compliance monitoring reports submitted to MDNR**

70. The facts stated in Paragraphs 1 through 69, above, are hereby incorporated by reference.

71. During the period of 2009 and 2010, Respondents failed to properly sign and/or certify the reports submitted to MDNR pursuant to 40 C.F.R. § 403.12(e), in violation of 40 C.F.R. § 403.12(i), and Section 307 of the CWA, 33 U.S.C. § 1317.

#### **Claim III:**

#### **Violation of the requirement to properly notify the POTW of discharges that cause problems at the POTW**

72. The facts stated in Paragraphs 1 through 71, above, are hereby incorporated by reference.

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73. During the period from at least April of 2009 through at least through July 2010, Respondents failed to properly notify the POTW of discharges it had reason to believe would cause problems with the operations of the POTW, in violation of 40 C.F.R. § 403.12(f), and Section 307 of the CWA, 33 U.S.C. § 1317.

**Claim IV:**

**Violation of the effluent limitations in the Metal Finishing Categorical Standard of 40 C.F.R. Part 433**

74. The facts stated in Paragraphs 1 through 73, above, are hereby incorporated by reference.

75. During the period of 2009 through 2013, Respondents' discharges of wastewater violated the limitations of the Metal Finishing Categorical Standard for both chromium and nickel, in violation of 40 C.F.R. § 433.13(a), and Section 307 of the CWA, 33 U.S.C. § 1317.

**Claim V:**

**Violation of the prohibition against Interference  
Set forth at 40 C.F.R. § 403.5(a) and 403.5(b)**

76. The facts stated in Paragraphs 1 through 75, above, are hereby incorporated by reference.

77. During the period of 2009 through 2010, Respondents' discharges of wastewater to the City's POTW caused and/or contributed to the City's violations of the terms of the City's 2006 NPDES permit for the West WWTF and the sludge requirements of 40 C.F.R. Part 503, and thus caused "interference" with the operations of the Farmington POTW, in violation of 40 C.F.R. § 403.5(a), and Section 307 of the CWA, 33 U.S.C. § 1317.

**B. CONSENT AGREEMENT**

1. Respondents admit the jurisdictional allegations of the Complaint.
2. Respondents neither admit nor deny the factual allegations contained in the Complaint.
3. Respondents consent to the assessment of the stated civil penalty in the Final Order and to

the conditions specified in this Consent Agreement. No portion of the civil penalty or interest paid by Respondents pursuant to the requirements of this Consent Agreement and Final Order (“CAFO”) shall be claimed by Respondents as a deduction for federal, state, or local income tax purposes.

4. Respondents waive any right to contest the allegations and their right to appeal this CAFO.

5. Respondents agree not to contest EPA’s jurisdiction in this proceeding or any subsequent proceeding to enforce the terms of this CAFO.

6. Respondents and EPA each agree to bear their own costs and attorney’s fees.

7. Nothing contained in this CAFO shall alter or otherwise affect Respondents’ obligations to comply with all applicable federal, state and local environmental statutes and regulations and applicable permits.

8. The undersigned representatives of Respondents certify that they are fully authorized to enter the terms and conditions of this CAFO and to execute and legally bind Respondents to it.

9. The settlement pursuant to this CAFO shall resolve Respondents’ liability for federal civil penalties for the violations and facts alleged in the Complaint.

10. This CAFO shall apply to and be binding upon the parties and on Respondents’ agents, successors and/or assigns. Respondents shall ensure that all contractors, employees, consultants, firms or other persons or entities acting for Respondents with respect to matters included herein comply with the terms of this CAFO.

11. Notwithstanding any other provision of this CAFO, EPA reserves the right to enforce the terms of this CAFO by initiating a judicial or administrative action pursuant to Section 309 of the CWA, 33 U.S.C. § 1319, and to seek penalties against Respondents, or to seek any other remedy allowed by law.

12. Complainant reserves the right to take enforcement action against Respondents for (a) any past violations of the CWA and its implementing regulations not alleged in the Complaint (which are resolved by this CAFO), (b) any future violations of the CWA and its implementing regulations, and (c) to enforce the terms and conditions of this CAFO.

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13. The headings in this CAFO are for convenience of reference only and shall not affect interpretation of this CAFO.

14. This CAFO may be signed in part and counterpart by Respondents and Complainant.

**C. FINAL ORDER**

**Payment Procedures**

1. Pursuant to the authority of Section 309(g) of the CWA, 33 U.S.C. § 1319(g), and according to terms of this Consent Agreement and Final Order, IT IS HEREBY ORDERED THAT:

2. Respondents shall pay a total civil penalty of One Hundred Thirty Five Thousand Dollars (\$135,000) within thirty (30) days of the effective date of this Consent Agreement and Final Order.

3. Payment of the penalty shall be by cashier or certified check made payable to the “United States Treasury” and remitted to:

U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
PO Box 979077  
St. Louis, Missouri 63197-9000.

4. If made by wire transfer, the payment shall be directed to the Federal Reserve Bank of New York:

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Federal Reserve Bank of New York  
ABA = 021030004  
Account = 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”

A copy of the check shall simultaneously be sent to the following:

Regional Hearing Clerk  
Office of Regional Counsel  
U.S. Environmental Protection Agency  
Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219;

and

Howard Bunch, Attorney  
Office of Regional Counsel  
U.S. Environmental Protection Agency  
Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219.

5. Checks should reference the name and docket number of the Complaint.

6. This Order shall become effective upon execution by the Regional Judicial Officer of Region 7, to occur after the conclusion of the period of public notice and comment required pursuant to Section 309(g)(4) of the CWA, 33 U.S.C. § 1319(g)(4), and 40 C.F.R. § 22.45. Unless otherwise stated, all time periods stated herein shall be calculated in calendar days from such date.



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For the Respondent SRG Global, Inc.

\_\_\_\_\_  
Printed Name:  
Title:

\_\_\_\_\_  
Date

For the Respondent Siegel-Robert, Inc. (d/b/a) SRG Global Farmington

\_\_\_\_\_  
Printed Name:  
Title:

\_\_\_\_\_  
Date

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For the Complainant:  
The United States Environmental Protection Agency

\_\_\_\_\_  
Karen Flournoy  
Director  
Water, Wetlands and Pesticides Division

Date

\_\_\_\_\_

\_\_\_\_\_  
Howard C. Bunch  
Sr. Assistant Regional Counsel

Date

\_\_\_\_\_

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IT IS SO ORDERED. This Final Order shall become effective immediately.

\_\_\_\_\_  
Karina Borrromeo  
Regional Judicial

\_\_\_\_\_  
Date

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#### CERTIFICATE OF SERVICE

I hereby certify that the original and one true and correct copy of the foregoing Complaint and Consent Agreement and Final Order were hand delivered to the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 7, 11201 Renner Boulevard, Lenexa, Kansas 66219, on this date. A true and correct copy of the foregoing Complaint and Consent Agreement and Final Order were sent by certified mail to Respondents on this date.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Howard C. Bunch  
Senior Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219