

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

CERTIFIED MAIL NO. 70072560000176607945
RETURN RECEIPT REQUESTED

Mr. Jerry Wahlin
President
AAA Plating and Inspection, Inc.
424 Dixon St.,
Compton, CA 90222
EPA Identification Number: CAD052418126

JUL 09 2010

Re: **In the matter of AAA Plating and Inspection, Inc.**

-- U.S. EPA Docket No. RCRA-09-2010-0010

Dear Mr. Wahlin:

Enclosed is a copy of the fully executed Consent Agreement and Final Order which contains the terms of the settlement reached with the United States Environmental Protection Agency.

Your payment of the penalty identified in the Consent Agreement and Final Order will close this case. If you have any questions regarding the rules, regulations and statutes which govern the proceedings terminated by the enclosed Consent Agreement and Final Order, please contact Mr. Dorian Young at (415) 972-3515.

Sincerely,


Jeff Scott, Director
Waste Management Division

Enclosure

cc: Charles McLaughlin, DTSC
Magdalena Ordoñez, LA County Fire Department

FILED

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX

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U.S. EPA REGION IX
REGIONAL HEARING CLERK

In the matter of)	U.S. EPA Docket No.
)	RCRA-9-2010- 0010
AAA PLATING and)	
INSPECTION, INC.)	
)	CONSENT AGREEMENT AND
EPA ID No. CAD 052418126)	FINAL ORDER PURSUANT TO
)	40 C.F.R. SECTIONS 22.13 AND
Respondent.)	22.18
)	
)	

CONSENT AGREEMENT

A. PRELIMINARY STATEMENT

1. This is a civil administrative enforcement action instituted pursuant to Section 3008(a)(1) of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. § 6928(a)(1), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits, 40 Code of Federal Regulations ("C.F.R.") Part 22, as revised by 64 Fed. Reg. 141 (July 23, 1999). Complainant is the United States Environmental Protection Agency, Region 9 ("EPA"). Respondent is AAA Plating and Inspecting, Inc. ("AAA," or "Respondent").
2. Respondent's plating facility (the "Facility") (CAD 052418126) is located at 424 Dixon Street in Compton, CA. Respondent has conducted plating operations in the aerospace industry for fifty-plus years. The Facility offers a wide range of services including multi-process plating capabilities, and painting processes. The Facility includes a large vacuum plating facility for ion vapor deposited aluminum ("IVD").
3. This Consent Agreement and Final Order pursuant to 40 C.F.R. §§ 22.13 and 22.18 ("CA/FO"), simultaneously commences and concludes this proceeding, wherein EPA alleges that Respondent's violations are as follows: (1) storage of hazardous waste without a permit, in violation of the requirements of 22 C.C.R. §66262.34 and 22 C.C.R. §66270.1 [see also 40 C.F.R. §§262.34 and 270.1]; (2) failure to properly close containers, in violation of 22 C.C.R. §66265.173(a) [See also 40 C.F.R. §265.173(a)]; (3) failure to create adequate aisle space, in violation of 22 C.C.R. §66265.35 [See also 40 C.F.R. §265.35]; and (4) failure to perform required weekly inspections, in violation of 22 C.C.R. §66265.174 [See also 40 C.F.R. §265.174]. These are all in violation of

US EPA ARCHIVE DOCUMENT

Section 3001 et seq. of RCRA, 42 U.S.C. § 6921 et seq., and state regulations adopted pursuant thereto.¹

B. JURISDICTION

4. On August 1, 1992, the State of California received authorization to administer the hazardous waste management program in lieu of the federal program pursuant to § 3006 of RCRA, 42 U.S.C. § 6926, and 40 C.F.R. Part 271. The authorized program is established pursuant to the Hazardous Waste Control Law, Chapter 6.5 of Division 20 of the California Health and Safety Code, and the regulations promulgated thereunder at Title 22, Division 4.5 of the California Code of Regulations, 22 C.C.R. § 66001 et seq. The State of California has been authorized for all the regulations referenced in this CA/FO.
5. Respondent is a “person,” as defined in 22 C.C.R. § 66260.10 [*see also* 40 C.F.R. § 260.10].
6. Respondent is the “operator” of a facility as defined in 22 C.C.R. § 66260.10 [*see also* 40 C.F.R. § 260.10].
7. Respondent’s hazardous waste manifests indicate it is a large quantity “generator” of hazardous waste as defined in 22 C.C.R. § 66260.10 [*see also* 40 C.F.R. § 260.10]. Wastes generated at Respondent’s Facilities include the following: (1) solid cad-carbonate (D002, D006, and F008); (2) paint xylene and toluene (D001 and D007); (3) passivate type II T-23 (i.e., a medium-temperature nitric acid solution with a sodium dichromate additive) (D002 and D007); (4) titanium etch; (5) paint stripper acetone acrylic acid (D002 and F002); (6) paint (D001 and D007); and (7) acetone (D001).
8. Respondent is or has been engaged in “storage” of hazardous waste as defined in 22 C.C.R. § 66260.10 [*see also* 40 C.F.R. § 260.10].
9. Respondent generates and accumulates, or has generated and accumulated, materials that are “wastes” as defined in 22 C.C.R. §§ 66260.10 and 66261.2 [*see also* 40 C.F.R. §§ 260.10 and 261.2].
10. At the Facilities, Respondent generates and accumulates, or has generated and accumulated, “hazardous waste” as defined in California Health & Safety Code § 25117, and 22 C.C.R. §§ 66260.10 and 66261.3 [*see also* RCRA § 1004(5), and 40 C.F.R. §§ 260.10 and 261.3].

¹ All citations to the “C.C.R.” refer to Division 4.5 of Title 22 of the current California Code of Regulations. EPA is enforcing California hazardous waste management program requirements as approved and authorized by the United States on August 1, 1992 (*see* 57 FR 32726, July 23, 1992) and September 26, 2001 (66 FR 49118, September 26, 2001). Corresponding Federal citations are provided in brackets.

11. On November 4, 2009, EPA Inspectors (the "Inspectors") conducted a RCRA Compliance Evaluation Inspection ("CEI") at the Facility. Based upon the findings EPA made during the inspection, and additional information obtained subsequent to the inspection, EPA determined that Respondent had violated California Health & Safety Code § 25100 et seq. and the regulations adopted pursuant thereto, as approved and authorized by the United States.
12. Section 3006 of RCRA, 42 U.S.C. § 6926 provides, inter alia, that authorized state hazardous waste programs are carried out under Subtitle C of RCRA. Therefore, a violation of any requirement of law under an authorized state hazardous waste program is a violation of a requirement of Subtitle C of RCRA.
13. A violation of California's authorized hazardous waste program, found at H&SC §§ 25100 et seq., constitutes a violation of Subtitle C of RCRA and, therefore, a person who violates California's authorized hazardous waste program is subject to the powers vested in the EPA Administrator by Section 3008 of RCRA, 42 U.S.C. § 6928.
14. Section 3008 of RCRA, 42 U.S.C. § 6928, authorizes the EPA Administrator to issue orders requiring compliance immediately or within a specified time for violation of any requirement of Subtitle C of RCRA, Section 3001 of RCRA et seq., 42 U.S.C. § 6921 et seq.
15. The Administrator has delegated the authority under Section 3008 of RCRA to the EPA Regional Administrator for Region 9, who has re-delegated this authority to the Director of the Waste Management Division.

C. ALLEGED VIOLATIONS

COUNT I

[Storage of Hazardous Waste Without a Permit.]

16. Paragraphs 1 through 15 above are incorporated herein by this reference as if they were set forth here in their entirety.
17. 22 C.C.R. §66270.1(c) [*see also* 40 C.F.R. §270.1(c)] requires that each person owning or operating a facility where hazardous waste is transferred, treated, stored, or disposed of must have a permit. At the time of the inspection, Respondent did not have a permit or grant of interim status to store hazardous waste under 22 C.C.R. §66270.1(c).
18. 22 C.C.R. §66262.34(a) provides that a large quantity generator may accumulate hazardous waste on-site for 90 days or less without a permit or grant of interim status provided the generator meets certain conditions. Generators who fail to meet the requirements 22 C.C.R. §66262.34, are subject to the permitting requirements of 22 C.C.R. §66270.1 [*see also* 40 C.F.R. §270.1].

19. **Storage Over 90 Days.** 22 C.C.R. §6626.34 (a) [see also 40 C.F.R. §262.34(a)] provides that a large quantity generator of hazardous waste may accumulate hazardous waste onsite for up to 90 days without a permit, or a grant of interim status, provided the generator meets certain conditions.
20. During the November 4, 2009 CEI, Inspectors observed in the Facility's two main hazardous waste storage areas that eleven containers of hazardous waste were stored for over 90 days.
21. Therefore, EPA alleges that Respondent has violated 22 C.C.R. §66270.1(c) [see also 40 C.F.R. §270.1].
22. **Container Labeling.** (A) Hazardous Waste. 22 C.C.R. §66262.34(a) [see also 40 C.F.R. §262.34(a)(3)], and 22 C.C.R. §66262.34(f), require that generators who accumulate hazardous waste onsite without a permit, or grant of interim status, shall label containers with the words "hazardous waste" and with the composition and physical state of wastes, a statement of the hazardous properties of the waste, and the name and address of the person producing the waste. Generators who fail to label containers of hazardous waste, fail to meet the requirements of 22 C.C.R. §§66262.34(a) [see also 40 C.F.R. §262.34(a)(3)] and 66262.34(f) [see also 40 C.F.R. 262.34(f)], and are subject to the permitting requirements of 22 C.C.R. §66270.1 [see also 40 C.F.R. §270.1]. (B) Accumulation Start Date. 22 C.C.R. §66262.34(f) [see also 40 C.F.R. §262.34(f)] requires that generators who accumulate hazardous waste onsite without a permit or grant of interim status shall label containers of hazardous waste with the date accumulation of the waste begins. Generators who fail to label containers of hazardous waste accordingly, fail to meet the requirements of 22 C.C.R. §66262.34(f) [see also 40 C.F.R. §262.34(f)] and are subject to the permitting requirements of 22 C.C.R. §66270.1(c) [see also 40 C.F.R. §270.1].
23. At the time of the CEI, Inspectors observed that all of Respondent's 90-day storage area hazardous waste accumulation containers were not properly labeled, as required. All of the above-referenced hazardous waste container labels were missing one or more pieces of the following information: (1) the composition, and physical state of the hazardous waste; and (2) the properties of hazardous waste at the Facility. Inspectors also observed that the Facility's filter cake bin – which held filter cake for more than a single business day – did not have a hazardous waste label.
24. **Satellite Accumulation-Area Labeling.** During the CEI, Inspectors observed that all of the labels on the Facility's satellite accumulation-area hazardous waste containers failed to identify: (1) the composition, and physical state of the hazardous waste; or (2) the properties of the hazardous waste contents. Inspectors further observed that discarded containers of paint in the Facility's paint shop were not labeled as hazardous waste.
25. Therefore, EPA alleges that Respondent has violated the requirements of 22 C.C.R.

§66270.1(c) [see also 40 C.F.R. §270.1].

COUNT II

[Failure to properly close containers.]

26. Paragraphs 1 through 25 above are incorporated herein by this reference as if they were set forth here in their entirety.
27. Pursuant to 22 C.C.R. §66265.173(a) [see also 40 C.F.R. §265.173(a)], a container holding hazardous waste shall always be closed during transfer and storage, except when it is necessary to add or remove waste. 22 C.C.R. §66265.173(a) [see also 40 C.F.R. §265.173(a)].
28. At the time of the CEI, EPA Investigators observed that the following containers of hazardous waste were open at a time when waste was not being added or removed from those containers: (1) trays of filter cake awaiting the sludge dryer in the Facility's 4-tiered rack; (2) a filter cake bin under the filter press; (3) one 55-gallon container of spent xylene and toluene in the Facility's paint shop; (4) one 55-gallon container of paint waste in the Facility's filter crusher; (5) one 55-gallon container labeled "paint/xylene-toulene" in the Facility's paint shop satellite-accumulation area; (6) one 55-gallon container labeled "rags/acetone" in the Facility's paint shop satellite-accumulation area; and (7) one 55-gallon container labeled "paint filters" also present in the Facility's paint shop satellite-accumulation area.
29. Therefore, EPA alleges that Respondent has violated 22 C.C.R. §66265.173(a) [see also 40 C.F.R. §265.173(a)].

COUNT III

[Failure to maintain adequate aisle space.]

30. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.
31. Pursuant to the requirements of 22 C.C.R. §66265.35 [see also 40 C.F.R. §265.35], the owner or operator shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless it can be demonstrated to the Department of Toxic Substances Control ("DTSC" or the "Department") that aisle space is not needed for any of these purposes. 22 C.C.R. §66265.35 [see also 40 C.F.R. §265.35].
32. At the time of the CEI, Investigators were unable to gain access to five 55 gallon containers of hazardous waste in the Facility's 90-day hazardous waste storage area, and one 55 gallon drum of spent titanium etch in the hazardous waste storage area outside one of the Facility's buildings.

33. Therefore, EPA alleges that Respondent has failed to comply with the requirements of 22 C.C.R. §66265.35 [see also 40 C.F.R. §265.35].

COUNT IV

[Failure to conduct weekly inspections.]

34. Paragraphs 1 through 33 above are incorporated herein by this reference as if they were set forth here in their entirety.
35. 22 C.C.R. §§ 66262.34(a)(1)(A), and 66265.174 [See also 40 C.F.R. §§ 262.34(a)(1)(i), and 265.274] require that Respondent “inspect areas used for container storage or transfer, at least weekly, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors.”
36. At the time of the CEI, Inspectors observed that Respondent failed to conduct regular weekly inspections of the Facility’s hazardous waste storage areas.
37. Therefore, EPA alleges that Respondent has violated 22 C.C.R. §§ 66262.34(a)(1)(A), and 66262.174 [See also 40 C.F.R. §§ 262.34(a)(1)(i), and 265.174].

D. CIVIL PENALTY

38. Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), as adjusted by the Debt Collection Improvement Act of 1996, see 61 Fed. Reg. 69360 (Dec. 31, 1996), and the Civil Monetary Penalty Inflation Adjustment Rule, see 69 Fed. Reg. 7121 (Feb. 13, 2004), authorizes a civil penalty of up to TWENTY SEVEN THOUSAND, FIVE HUNDRED DOLLARS (\$27,500) per day for violations of Subtitle C of RCRA, 42 U.S.C. § 6921 et seq., occurring between January 31, 1997 and March 15, 2004. The Civil Monetary Penalty Inflation Adjustment Rule issued in February 2004 authorizes a civil penalty of up to THIRTY-TWO THOUSAND, FIVE HUNDRED DOLLARS (\$32,500) for violations that occur after March 15, 2004. 69 Fed. Reg. 7121 (Feb. 13, 2004), and authorizes a civil penalty of up to THIRTY-SEVEN THOUSAND, FIVE HUNDRED DOLLARS (\$37,500) for violations that occur after Jan. 11, 2009. 73 Fed. Reg. 75340 (Dec. 11, 2008). Based upon the facts alleged herein and upon those factors which EPA must consider pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), and the RCRA Civil Penalty Policy, including the seriousness of the violations, any good faith efforts by Respondent to comply with applicable requirements, and any economic benefit accruing to Respondent, as well as such other matters as justice may require, EPA proposes that Respondent be assessed NINETEEN THOUSAND EIGHT HUNDRED DOLLARS (\$19,800.00) as the civil penalty for the violations alleged herein. The proposed penalties were calculated in accordance with the “June 2003 RCRA Civil Penalty Policy.” Under the penalty policy, EPA uses a penalty assessment matrix to determine a gravity-based penalty. That penalty amount is then adjusted to take into account multi-day-violations, for case-specific circumstances, and for the economic

benefit gained from non-compliance, where appropriate.

E. ADMISSIONS AND WAIVERS OF RIGHTS

39. For the purposes of this proceeding, Respondent admits to the jurisdictional allegations set forth in Section B of this CA/FO. Respondent consents to and agrees not to contest EPA's jurisdiction and authority to enter into and issue this CA/FO and to enforce its terms. Further, Respondent will not contest EPA's jurisdiction and authority to compel compliance with this CA/FO in any enforcement proceedings, either administrative or judicial, or to impose sanctions for violations of this CA/FO.
40. Respondent neither admits nor denies any allegations of fact or law set forth in Section C of this CA/FO. Respondent hereby waives any rights Respondent may have to contest the allegations set forth in this CA/FO, waives any rights Respondent may have to a hearing on any issue relating to the factual allegations or legal conclusions set forth in this CA/FO, including without limitation a hearing pursuant to Section 3008(b) of RCRA, 42 U.S.C. § 6928(b), and hereby consents to the issuance of this CA/FO without adjudication. In addition, Respondent hereby waives any rights Respondent may have to appeal the Final Order attached to this Consent Agreement and made part of this CA/FO.

F. PARTIES BOUND

41. This CA/FO shall apply to and be binding upon Respondent and its agents, successors and assigns, until such time as the civil penalty required under Sections D and G has been paid in accordance with Section G, any delays in performance and/or stipulated penalties have been resolved. At such time as those matters are concluded, this CA/FO shall terminate and constitute full settlement of the violations alleged herein.
42. No change in ownership or corporate, partnership or legal status relating to the Facility will in any way alter Respondent's obligations and responsibilities under this CA/FO.
43. The undersigned representative of Respondent hereby certifies that he or she is fully authorized by Respondent to enter into this CA/FO, to execute and to legally bind Respondent to it.

G. PAYMENT OF CIVIL PENALTY

44. Respondent consents to the assessment of and agrees to pay a civil penalty of NINETEEN THOUSAND EIGHT HUNDRED DOLLARS (**\$19,800.00**) in full settlement of the federal civil penalty claims set forth in this CA/FO.
45. Respondent shall submit payment of the NINETEEN THOUSAND EIGHT HUNDRED DOLLARS (**\$19,800.00**) within thirty (30) calendar days of the Effective Date of this CA/FO. The Effective Date of this CA/FO is the date the Final Order, signed by the Regional Judicial Officer, is filed with the Regional Hearing Clerk. All payments shall

indicate the name of the Facility, EPA identification number of the Facility, the Respondent's name and address, and the EPA docket number of this action. Payment shall be made by certified or cashier's check payable to "Treasurer of the United States" and sent to:

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

At the time payment is made, a copy of the check shall be sent to:

Steve Armsey
Regional Hearing Clerk (RC-1)
U.S. Environmental Protection Agency - Region 9
75 Hawthorne Street,
San Francisco, CA 94105

and

Clint Seiter (WST-3)
Waste Management Division
U.S. Environmental Protection Agency - Region 9
75 Hawthorne Street
San Francisco, CA 94105.

46. In accordance with the Debt Collection Act of 1982 and U.S. Treasury directive (TFRM 6-8000), each payment must be received by the due date set forth in this CA/FO to avoid additional charges. If payment is not received by the due date, interest will accrue from the Effective Date of this CA/FO at the current rate published by the United States Treasury as described at 40 C.F.R. § 13.11. A late penalty charge of \$15.00 will be imposed after thirty (30) calendar days with an additional \$15.00 charge for each subsequent 30-day period. A 6% per annum penalty will further apply on any principal amount not paid within ninety (90) calendar days of its due date. Respondent further will be liable for stipulated penalties as set forth below for any payment not received by its due date.

H. DELAY IN PERFORMANCE/STIPULATED PENALTIES

47. In the event Respondent fails to meet any requirement set forth in this CA/FO, Respondent shall pay stipulated penalties as set forth below:

For failure to submit a payment to EPA by the time required in this CA/FO: ONE THOUSAND DOLLARS (\$1,000) per day for first to fifteenth day of delay, ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500) per day for sixteenth to thirtieth

day of delay, and TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500) per day for each day of delay thereafter.

48. All penalties owed to EPA under this Section shall be due within thirty (30) days of receipt of a notification of noncompliance. Such notification shall describe the noncompliance and shall indicate the amount of penalties due. Interest at the current rate published by the United States Treasury, as described at 40 C.F.R. §13.11, shall begin to accrue on the unpaid balance at the end of the thirty-day period.
49. All penalties shall be made payable by certified or cashier's check to "Treasurer of the United States" and shall be remitted as described in Paragraph 45.
50. The payment of stipulated penalties shall not alter in any way Respondent's obligation to complete the performance required hereunder.
51. The stipulated penalties set forth in this Section do not preclude EPA from pursuing any other remedies or sanctions which may be available to EPA by reason of Respondent's failure to comply with any of the requirements of this CA/FO.

I. RESERVATION OF RIGHTS

52. EPA hereby reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, including the right to require that Respondent perform tasks in addition to those required by this CA/FO. EPA further reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, which may pertain to Respondent's failure to comply with any of the requirements of this CA/FO, including without limitation, the assessment of penalties under Section 3008(c) of RCRA, 42 U.S.C. § 6928(c). This CA/FO shall not be construed as a covenant not to sue, release, waiver or limitation of any rights, remedies, powers or authorities, civil or criminal, which EPA has under RCRA, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), or any other statutory, regulatory or common law enforcement authority of the United States.
53. Compliance by Respondent with the terms of this CA/FO shall not relieve Respondent of its obligations to comply with RCRA or any other applicable local, State or federal laws and regulations.
54. The entry of this CA/FO and Respondent's consent to comply shall not limit or otherwise preclude EPA from taking additional enforcement actions should EPA determine that such actions are warranted except as they relate to Respondent's liability for federal civil penalties for the specific alleged violations and facts as set forth in Section C of this CA/FO.
55. This CA/FO is not intended to be nor shall it be construed as a permit. This CA/FO does

not relieve Respondent of any obligation to obtain and comply with any local, State or federal permits.

J. OTHER CLAIMS

56. Nothing in this CA/FO shall constitute or be construed as a release from any other claim, 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 the Facility.

K. MISCELLANEOUS

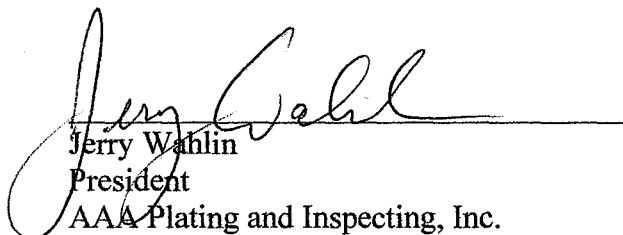
57. This CA/FO may be amended or modified only by written agreement executed by both EPA and Respondent.

58. The headings in this CA/FO are for convenience of reference only and shall not affect interpretation of this CA/FO.

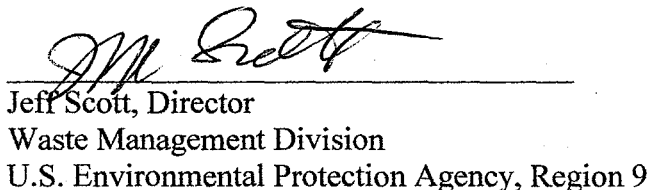
59. The Effective Date of this CA/FO is the date the Final Order – signed by the Regional Judicial Officer – is filed by the Regional Hearing Clerk.

IT IS SO AGREED.

MAY 28, 2010
Date


Jerry Wahlin
President
AAA Plating and Inspecting, Inc.

7/1/10
Date


Jeff Scott, Director
Waste Management Division
U.S. Environmental Protection Agency, Region 9

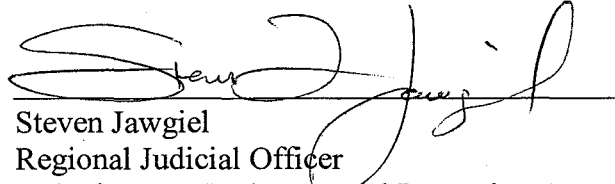
FINAL ORDER

IT IS HEREBY ORDERED that this Consent Agreement and Final Order pursuant to 40 C.F.R. Sections 22.13 and 22.18 (U.S. EPA Docket No. RCRA-9-2010-) be entered and that AAA Plating and Inspection, Inc. pay a civil penalty of NINETEEN THOUSAND EIGHT

FINAL ORDER

IT IS HEREBY ORDERED that this Consent Agreement and Final Order pursuant to 40 C.F.R. Sections 22.13 and 22.18 (U.S. EPA Docket No. RCRA-9-2010- 0010) be entered and that AAA Plating and Inspection, Inc. pay a civil penalty of NINETEEN THOUSAND, EIGHT HUNDRED DOLLARS (\$19,800.00) due within thirty (30) days from the Effective Date of this Consent Agreement and Final Order. This Final Order shall be effective upon filing by the Regional Hearing Clerk.

07/02/10
Date


Steven Jawgiel
Regional Judicial Officer
United States Environmental Protection Agency,
Region 9

CERTIFICATE OF SERVICE

I hereby certify that on the date below, the original copy of the foregoing Consent Agreement and Final Order, was filed with the Regional Hearing Clerk, Region IX, and that copies were sent by:

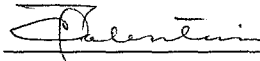
Certified Mail, Return Receipt Requested to:

7007 2560 0001 7660 7945

Mr. Jerry Whalin
President
AAA Plating and Inspection, Inc.
424 Dixon Street
Compton, California 90222

7/6/10

Date



FOR: Steven Armsey
Regional Hearing Clerk
Office of Regional Counsel, Region IX

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