

ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re:

Shrieve Chemical Co.

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)  
) Docket No. TSCA-HQ-2016-5009  
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**FINAL ORDER**

On July 12, 2016, the U.S. Environmental Protection Agency ("EPA") Office of Civil Enforcement, Waste and Chemical Enforcement Division, filed a complaint against Shrieve Chemical Company ("Shrieve"). The complaint alleged that Shrieve violated the chemical data reporting ("CDR") regulations promulgated under section 8(a) of the Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2607(a), and the premanufacture notice ("PMN") requirements of TSCA section 5(a)(1)(A), 15 U.S.C. § 2604(a)(1)(A), specifically the polymer exemption requirement under section 5(h) of TSCA, 15 U.S.C. § 2604(h). The complaint sought a penalty of \$193,815.

EPA's Consolidated Rules of Practice, codified at 40 C.F.R. part 22, govern this administrative enforcement proceeding. Pursuant to 40 C.F.R. § 22.18(a), a respondent may opt for a quick resolution of an enforcement proceeding at any time by paying the penalty proposed in the complaint. *See id.* § 22.18(a)(1), (2). The rules further provide that for cases initiated at EPA Headquarters, upon payment in full of the penalty the Environmental Appeals Board ("Board") must issue a final order. *See id.* § 22.18(a)(3).

On August 11, 2016, EPA's Office of Enforcement and Compliance Assurance notified the Board that EPA received from Shrieve a copy of the instrument of payment for the full

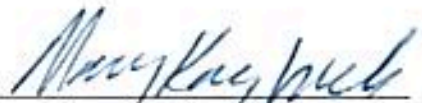
amount of the penalty to resolve the above-captioned matter. Payment by Shrieve constitutes a waiver of Shrieve's right to contest the allegations in the complaint and to appeal this final order. *See id.* § 22.18(a)(3). In accordance with 40 C.F.R. § 22.18(a)(3), the above-captioned matter is hereby RESOLVED.

So ordered.

ENVIRONMENTAL APPEALS BOARD<sup>1</sup>

Dated:

August 23, 2014

  
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Mary Kay Lynch  
Environmental Appeals Judge

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<sup>1</sup> The three-member panel ratifying this matter is composed of Environmental Appeals Judges Mary Kay Lynch, Kathie A. Stein, and Mary Beth Ward.

**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing "Final Order" in the matter of Shrieve Chemical Co., Docket No. TSCA-HQ-2016-5009, were filed and copies of the same were sent to the following persons in the manner indicated:

**By First Class Certified Mail/  
Return Receipt Requested:**

Liz Dixon  
Vice President of Operations  
Shrieve Chemical Co.  
1755 Woodstead Court  
The Woodlands, TX 77380

**By Interoffice Mail:**  
Geraldine Gardner  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
Office of Enforcement and Compliance Assurance  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Mail Code 2249A  
Washington, DC 20460

Dated: AUG 23 2016

  
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Annette Duncan  
Secretary