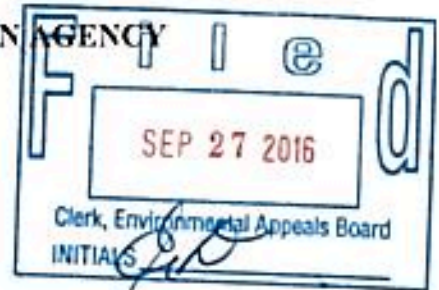


**ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:)

Linwood Mining & Minerals Corp.)
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)
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_____)

) Docket No. TSCA-HQ-2016-5015

FINAL ORDER

On August 17, 2016, the U.S. Environmental Protection Agency's ("EPA's") Office of Civil Enforcement, Waste and Chemical Enforcement Division, filed a complaint against Linwood Mining & Minerals Corporation ("Linwood") alleging that Linwood had violated the chemical data reporting regulations at 40 C.F.R. § 711.15, which were promulgated pursuant to section 8(a) of TSCA, 15 U.S.C. § 2607(a). The Complaint sought a penalty of \$20,468.

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* 40 C.F.R. §§ 22.18(a)(1) and (2). The rules further provide that upon payment in full of the penalty, in cases initiated at EPA Headquarters, the Environmental Appeals Board ("Board") must issue a final order. 40 C.F.R. § 22.18(a)(3).

On September 22, 2016, EPA's Office of Enforcement and Compliance Assurance notified the Board that EPA had received full payment of the penalty (\$20,468) from Linwood to resolve the above-captioned matter. Payment by Linwood constitutes a waiver of Linwood's rights to contest the allegations in the Complaint and to appeal this Final Order. See 40 C.F.R. § 22.18(a)(3). In accordance with 40 C.F.R. § 22.18(a)(3), the above-captioned matter is hereby **RESOLVED**.

So ordered.¹

ENVIRONMENTAL APPEALS BOARD

Date: 9/27/2016

By: Mary Beth Ward
Mary Beth Ward
Environmental Appeals Judge

¹ The three-member panel deciding this matter is composed of Environmental Appeals Judges Aaron P. Avila, Kathie A. Stein, and Mary Beth Ward.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Final Order in the Matter of *Linwood Mining & Mineral Corporation*, Docket No. TSCA-HQ-2016-5015, was sent to the following persons in the manner indicated:

By First Class U.S. Mail

Counsel for Linwood Mining & Minerals Corporation:

Marissa Curran, Esq.
Polsinelli PC
100 S. Fourth Street
Suite 1000
St. Louis, MO 63102

By Interoffice Mail

Mark Garvey, Attorney
Waste and Chemical Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W. (Mail Code 2249A)
Washington, DC 20460

Dated: SEP 27 2016



Annette Duncan
Secretary
Environmental Appeals Board