



- ii. One approximately pint-sized jar of ammoniacal silver lacked a legible label or marking.

This constitutes a violation of 40 C.F.R. § 262.16(b)(6)(i)(A).

- c. 40 C.F.R. § 262.16(b)(2)(iii)(A) requires containers of hazardous waste remain closed except when necessary to add or remove waste. At the time of the inspection, one 55-gallon drum of ignitable spent solvent in the Chemical Room sat open. This constitutes a violation of 40 C.F.R. § 262.16(b)(2)(iii)(A).
- d. 40 C.F.R. § 262.16(b)(6)(i)(C) require that a small quantity generator must mark or label each container of hazardous waste with the date upon which each period of accumulation begins. At the time of the inspection, these containers of hazardous waste lacked accumulation start dates:
  - i. One 55-gallon drum of spent solvent
  - ii. One approximately pint-sized bottle of waste ammoniacal silver
  - iii. One approximately pint-sized bottle of waste gold chloride
  - iv. One approximately pint-sized bottle of waste chromic acid
  - v. One approximately pint-sized bottle of waste picric acid

These specific instances constitute five violations of 40 C.F.R. § 262.16(b)(6)(i)(C).

- e. 40 C.F.R. § 262.16(b)(9) require that a small quantity generator posts the following emergency information next to telephones or in areas directly involved in the generation and accumulation of hazardous waste:
  - (A) The name and emergency telephone number of the emergency coordinator;
  - (B) Location of fire extinguishers and spill control material and, if present, fire alarm;
  - and
  - (C) The telephone number of the fire department, unless the facility has a direct alarm.

During the inspection the required information was not posted as required. This constitutes a violation of 40 C.F.R. § 262.16(b)(9).

- 4. In determining the amount of penalty to be assessed, EPA has taken into account the factors specified in Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3). After considering these factors, EPA has determined and Respondent agrees that an appropriate penalty to settle this action is \$12,500. The attached Penalty Calculation Worksheet is incorporated by reference.
- 5. In signing this Agreement, Respondent: (1) admits that Respondent is subject to RCRA and its implementing regulations; (2) admits that EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (3) neither admits nor denies the factual allegations contained herein; (4) consents to the assessment of this penalty; (5) waives the opportunity for a hearing to contest any issue of fact or law set forth herein; (6) waives its right to appeal the Final Order accompanying this Agreement pursuant to Section 3008(b) of RCRA, 42 U.S.C. § 6928(b); and (7) consents to electronic service of the filed ESA.

6. Within 30 days of the effective date of this Agreement, Respondent shall pay a civil penalty of \$12,500 for the RCRA violations identified in this Agreement. Payments under this Agreement may be made by check (mail or overnight delivery), wire transfer, ACH, or online payment. Payment instructions are available at: <https://www.epa.gov/financial/makepayment> Payments made by a cashier's check or certified check must be payable to the order of "Treasurer, United States of America" and delivered to the following address:

U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979078  
St. Louis, Missouri 63197-9000

Respondent must note on the check the title and docket number of this action.

7. Concurrent with payment, Respondent must serve photocopies of the check, or proof of other payment method, described in Paragraph 6 on the Regional Hearing Clerk and EPA Region 10 at the following addresses:

Regional Hearing Clerk  
U.S. Environmental Protection Agency  
Region 10  
R10\_RHC@epa.gov

Kyle Masters  
U.S. Environmental Protection Agency  
Region 10  
Masters.Kyle@epa.gov

8. The undersigned representative of Respondent certifies that he or she is fully authorized to enter the terms and conditions of this Agreement and Final Order and to execute and legally bind Respondent to it.
9. EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or this Agreement.
10. Each party shall bear its own costs and fees, if any.
11. This Agreement and Final Order shall constitute full settlement of the civil claims alleged herein.
12. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Agreement shall be claimed by Respondent as a deduction for federal, state or local income tax purposes.
13. This Agreement is binding on the parties signing below and, in accordance with 40 C.F.R. § 22.31(b), is effective upon filing of the Final Order with the Regional Hearing Clerk for the EPA, Region 10.

IT IS SO AGREED,

**RESPONDENT:**

Name (print): Briena Muiridge, MLS(CPSCP)HTL<sup>cm</sup>

Title (print): Alaska Laboratory Supervisor

Signature: 

Date: 04/08/2024

**EPA REGION 10:**

**EDWARD KOWALSKI** Digitally signed by EDWARD  
KOWALSKI  
Date: 2024.04.17 22:14:33 -07'00'

Date: \_\_\_\_\_

Edward J. Kowalski, Director  
Enforcement and Compliance Assurance Division  
U.S. Environmental Protection Agency, Region 10

**FINAL ORDER**

I hereby ratify the Expedited Settlement Agreement and incorporate it by reference. This Expedited Settlement Agreement and Final Order, as agreed to by the parties, shall be effective immediately upon filing with the Regional Hearing Clerk for the EPA, Region 10. Such filing will conclude this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31.

IT IS SO ORDERED,

\_\_\_\_\_  
Garth Wright, Regional Judicial Officer  
U.S. Environmental Protection Agency, Region 10

Date: \_\_\_\_\_

Certificate of Service

The undersigned certifies that the original of the attached EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER, In the Matter of: Cellnetix Pathology and Laboratories located in Palmer, Alaska, Docket No.: RCRA-10-2024-0039, was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

The undersigned certifies that a true and correct copy of the document was delivered via electronic mail to:

Kyle Masters  
U.S. Environmental Protection Agency  
Region 10  
Masters.Kyle@epa.gov

Ms. Briena Mugridge  
Alaska Laboratory Technical Site Supervisor  
Cellnetix Pathology and Laboratories  
2490 South Woodworth Loop, Suite 410, Medical Plaza 1  
Palmer, Alaska 99645  
bmugridge@cellnetix.com

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Salee Porter, Regional Hearing Clerk  
EPA Region 10