



REGION 9

SAN FRANCISCO, CA 94105



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| IN THE MATTER OF: |) | Docket No. |
| |) | RCRA-09-2025-0007 |
| Panasonic Energy of North America |) | |
| 1 Electric Avenue |) | |
| Sparks, Nevada 89434 |) | |
| EPA ID No. NVR000097659 |) | EXPEDITED SETTLEMENT |
| |) | AGREEMENT AND FINAL ORDER |
| Respondent |) | |
| _____ |) | |

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency (“EPA”) is authorized to enter into this Expedited Settlement Agreement (“Agreement”) pursuant to Section 3008 of the Resource Conservation and Recovery Act (“RCRA”) and 40 Code of Federal Regulations (“CFR”) § 22.13(b).
2. By copy of this letter, EPA is providing the State of Nevada with notice of the referenced violations of Subtitle C of RCRA as required by Section 3008(a)(2).
3. Panasonic Energy of North America (“Respondent”) is the owner or operator of a portion of the facility, located at 1 Electric Avenue, in Sparks, Nevada, EPA Identification Number NVR000097659 (the “Facility”). EPA inspected the Facility on May 23-26, 2023. EPA alleges that the Respondent violated the following RCRA requirements and EPA’s approved and authorized Nevada hazardous waste management program.
 - a. Failure to Perform a Waste Determination: The Respondent failed to comply with the waste determination requirements in violation of 40 CFR § 262.11(a), as incorporated and amended in Nevada Administrative Code (“NAC”) § 444.8632.
 - b. Failure to Close a Hazardous Waste Container: The Respondent failed to comply with the closed container requirements in violation of 40 CFR § 262.17(a)(1)(iv), as incorporated and amended in NAC § 444.8632.
 - c. Failure to Perform Weekly Inspections: The Respondent failed to comply with the weekly inspection requirements in violation of 40 CFR § 262.17(a)(1)(v), as incorporated and amended in NAC § 444.8632.

4. EPA and Respondent agree that settlement of this matter for civil penalties of Three Thousand Seven Hundred and Fifty dollars (\$3,750) is in the public interest.
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 issues 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; and (7) consents to electronic service of the filed Agreement. By signing this consent agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying the consent agreement.
6. By its signature below Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the alleged violations have been corrected and Respondent has submitted true and accurate documentation of such correction.
7. The undersigned representative of Respondent certifies that he or she is fully authorized to enter into the terms and conditions of this Expedited Settlement Agreement and Final Order and to execute and legally bind Respondent to it.
8. Withing thirty (30) calendar days of the effective date of this Agreement, Respondent must pay the civil penalty of \$3,750 using any method provided on the following website: <https://www.epa.gov/financial/makepayment>. Such payment shall identify Respondent by name and include the docket number assigned to this Agreement by the Regional Hearing Clerk.
9. Within 24 hours of payment, email proof of payment (e.g., a copy of the check or a statement of affirmation regarding electronic funds transfer), including Respondent's name, complete address, and docket number to the following:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, California 94105
R9HearingClerk@epa.gov

Christopher Rollins
RCRA Enforcement Officer
U.S. Environmental Protection Agency, Region IX

75 Hawthorne Street
San Francisco, California 94105
rollins.christopher@epa.gov

10. EPA reserves all its rights to take an enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or this Agreement.
11. Each party shall bear its own costs and fees, if any.
12. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Agreement and Final Order shall be claimed by Respondent as a deduction for federal, states or local income tax purposes.
13. Entry of the Final Order and Payment of the civil penalty shall constitute full settlement of the civil claims alleged herein.
14. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. § 22.31(b), is effective upon filing by the Regional Judicial Officer.

FINAL ORDER

Pursuant to the authority of Section 3008(a) of RCRA, 42 U.S.C. § 6938(a), and according to the terms of this Expedited Settlement Agreement and Final Order, IT IS HEREBY ORDERED THAT:

15. This Expedited Settlement Agreement be entered, and that Respondent pay a civil administrative penalty in the amount of \$3,750.00 and comply with the terms and conditions set forth in this Agreement. This Expedited Settlement Agreement and Final Order shall become effective upon filing with the Regional Hearing Clerk.

IT IS SO AGREED,


THOMAS FICKETT
Name (print):

PANASONIC ENERGY CFO
Title (print):


Signature

Date: 10/31/2024

APPROVED BY EPA:
**AMY MILLER-
BOWEN**

 Digitally signed by AMY MILLER-
BOWEN
Date: 2024.11.12 12:04:50 -08'00'

Date: _____

Amy C. Miller-Bowen, Director
Enforcement and Compliance Assurance Division
U.S. EPA Region IX

IT IS SO ORDERED:

**BEATRICE
WONG**  Digitally signed by
BEATRICE WONG
Date: 2024.11.15
14:27:32 -08'00'

Date: _____

Beatrice Wong
Regional Judicial Officer
U.S. EPA Region IX

CERTIFICATE OF SERVICE

I hereby certify that the original copy of the foregoing Expedited Settlement Agreement and Final Order in the matter of Panasonic Energy of North America (Docket No. RCRA-09-2025-0007), was filed with the Regional Hearing Clerk, Region IX, and that a true and correct copy was sent by electronic mail to the following parties:

RESPONDENT: Tausha Fanslau
Senior Environmental Manager
Panasonic Energy of North America
1 Electric Avenue
Sparks, NV 89434
Tausha.Fanslau@us.panasonic.com

COMPLAINANTS: Andrew Helmlinger
Assistant Regional Counsel
U.S. EPA – Region IX
Hazardous Waste Section I (ORC-3-1)
75 Hawthorne Street
San Francisco, CA 94105
Helmlinger.Andrew@epa.gov

Christopher Rollins
Hazardous Waste and Chemicals Section
Enforcement and Compliance Assurance Division
U.S. EPA – Region IX
75 Hawthorne Street
San Francisco, CA 94105
Rollins.Christopher@epa.gov

Grace Elam
Regional Hearing Clerk
U.S. EPA - Region IX