

**Air Compliance and Enforcement Section
Quarterly Enforcement Action Update**

KDHE enforcement actions result in \$246,000 in penalties in 2008

Enforcement actions related to the air quality program have been issued to the following Kansas facilities during the 2nd Quarter of 2008	
Bayer Construction Co., Inc. KDHE Consent Agreement and Final Order of the Secretary Issued April 4, 2008	<i>\$1,000 civil penalty</i>
Lumen Energy KDHE Consent Agreement and Final Order of the Secretary Issued April 16, 2008	<i>\$10,000 civil penalty</i>
Continental Coal, Inc. KDHE Administrative Order Issued May 29, 2008	<i>\$2,000 civil penalty</i>
Learjet KDHE Consent Agreement and Final Order of the Secretary Issued May 30, 2008	<i>\$5,000 civil penalty</i>
Mid-States Materials KDHE Consent Agreement and Final Order of the Secretary (Appealed October 22, 2007 Administrative Order) Issued June 9, 2008	<i>\$5,500 civil penalty</i>
Tower Metals KDHE Consent Agreement and Final Order of the Secretary (Amendment) Issued June 9, 2008	<i>\$5,000 civil (abeyance) penalty</i>
Dry Cleaners of Johnson Co., Inc. KDHE Administrative Order Issued June 16, 2008	<i>\$3,500 civil penalty</i>
SE-Kan Manufacturing, Inc. KDHE Consent Agreement and Final Order of the Secretary Issued June 18, 2008	<i>\$1,500 civil penalty</i>
R & A Kepley Farms, Inc. KDHE Administrative Order Issued June 30, 2008	<i>\$3,500 civil penalty</i>

An enforcement action typically requires a facility to pay penalties and/or conduct activities to return to compliance with the law. The enforcement action may be issued by the EPA, KDHE, or jointly by KDHE and EPA.

SEP – Supplemental Environmental Projects - As part of a settlement, an alleged violator may voluntarily agree to undertake an environmentally beneficial project related to the violation in exchange for mitigation of the penalty to be paid. An example of a SEP would be a school bus diesel retrofit project.

Note: This Enforcement Action page is updated quarterly listing enforcement actions issued during the previous calendar quarter.

For questions contact Russ Brichacek, Compliance and Enforcement Unit Supervisor – 785- 296-1544