

**FILED**

Dec 12, 2025

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**U.S. EPA REGION 5  
HEARING CLERK**

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

**Docket No.: RCRA-05-2026-0003**

DECC Company Inc.  
1266 Wallen Avenue SW  
Grand Rapids, MI 49507  
EPA ID No.: MIR000011387

**EXPEDITED SETTLEMENT  
AGREEMENT AND  
FINAL ORDER**

Respondent

**EXPEDITED SETTLEMENT AGREEMENT**

1. The Director, Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency (“EPA”), Region 5 (“Complainant”) and DECC Company Inc. (“Respondent”) enter into this Resource Conservation and Recovery Act (“RCRA”) Expedited Settlement Agreement (“ESA” or “Agreement”) to settle the civil violations set forth in this Agreement for a penalty of twelve thousand five hundred (\$12,500).
2. EPA inspected Respondent’s facility located at 1266 Wallen Avenue SW, Grand Rapids, Michigan (the “Facility”) on March 6, 2024, and reviewed information Respondent provided on October 17, 2024. Complainant has determined Respondent, a large quantity generator of hazardous waste, violated the following sections of RCRA, and the Michigan hazardous waste management program, Michigan Administrative Code Part 111,<sup>1</sup> at the Facility:
  - a. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Michigan Administrative Code Part 111 prohibit the treatment, storage, or disposal of hazardous waste without a permit or interim status. A large quantity generator of hazardous waste may, however, accumulate hazardous waste on-site for 90 days or less without a permit or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code r. 299.9307, including, but not limited to, labeling, or clearly marking each container holding hazardous waste with the words “Hazardous

<sup>1</sup> See Mich. Admin. Code r. 299. EPA is enforcing Michigan hazardous waste management program requirements as approved and authorized by the United States on October 30, 1986 (see 51 FR 36804-36805) and the revisions to the hazardous waste program as approved and authorized by the United States through June 15, 2022 (see 87 FR 36074).

Waste.” See Mich. Admin. Code r. 299.9307(1)(b)(i)(I)(I). On March 6, 2024, 54 containers located at the Facility were not clearly marked with the words “Hazardous Waste.” Because Respondent had not obtained a permit to store hazardous waste or interim status, Respondent’s failure to comply with the condition for a permit-exemption identified above resulted in Respondent becoming the owner or operator of a hazardous waste storage facility, and subject to the requirement to obtain a permit (operating license) and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and r. 299.11003(1)(n). Therefore, without the permit-exemption, Respondent stored hazardous waste without a permit or interim status, in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and 299.11003(1)(n).

- b. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Michigan Administrative Code Part 111 prohibit the treatment, storage, or disposal of hazardous waste without a permit or interim status. A large quantity generator of hazardous waste may, however, accumulate hazardous waste on-site for 90 days or less without a permit or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code r. 299.9307, including, but not limited to, the requirement to mark or label each container holding hazardous waste with the description of the waste or the hazardous waste number, and an indication of the hazards of the contents. See Mich. Admin. Code r. 299.9307(1)(b)(i)(I)(II). On March 6, 2024, 54 containers stored were not clearly marked with a description of the waste or the hazardous waste number, and an indication of the hazards of the contents. Because Respondent had not obtained a permit to store hazardous waste or interim status, Respondent’s failure to comply with the condition for a permit-exemption identified above resulted in Respondent becoming the owner or operator of a hazardous waste storage facility, and subject to the requirement to obtain a permit (operating license) and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and r. 299.11003(1)(n). Therefore, without the permit-exemption, Respondent stored hazardous waste without a permit or interim status, in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and 299.11003(1)(n).
- c. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Michigan Administrative Code Part 111 prohibit the treatment, storage, or disposal of hazardous waste without a permit or interim status. A large quantity generator of hazardous waste may, however, accumulate hazardous waste on-site for 90 days or less without a permit or interim status, provided that the generator complies with all applicable conditions set forth in

Mich. Admin. Code r. 299.9307, including, but not limited to, the requirement that a large quantity generator must clearly mark each container holding hazardous waste with the date upon which each period of accumulation begins. See Mich. Admin. Code r. 299.9307(1)(b)(i)(I)(III). On March 6, 2024, at least 20 containers of expired waste chemicals in the Facility's 90-Day hazardous waste storage area were not marked with a start date of accumulation. Because Respondent had not obtained a permit to store hazardous waste or interim status, Respondent's failure to comply with the condition for a permit-exemption identified above resulted in Respondent becoming the owner or operator of a hazardous waste storage facility, and subject to the requirement to obtain a permit (operating license) and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and r. 299.11003(1)(n). Therefore, without the permit-exemption, Respondent stored hazardous waste without a permit or interim status, in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and 299.11003(1)(n).

- d. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Michigan Administrative Code Part 111 prohibit the treatment, storage or disposal of hazardous waste without a permit or interim status. A large quantity generator of hazardous waste may, however, accumulate hazardous waste on-site for 90 days or less without a permit or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code r. 299.9307, including, but not limited to, the requirement to always keep a container holding hazardous waste closed during storage, except when it is necessary to add or remove waste. See Mich. Admin. Code r. 299.9307(1)(b)(i)(D). On March 6, 2024, 7 containers were left open and 17 containers were not securely closed when waste was not being added or removed. Because Respondent had not obtained a permit to store hazardous waste or interim status, Respondent's failure to comply with the condition for a permit-exemption identified above resulted in Respondent becoming the owner or operator of a hazardous waste storage facility, and subject to the requirement to obtain a permit (operating license) and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and r. 299.11003(1)(n). Therefore, without the permit-exemption, Respondent stored hazardous waste without a permit or interim status, in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and 299.11003(1)(n).
- e. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Michigan Administrative Code Part 111 prohibit the treatment, storage or disposal of hazardous waste without a permit or interim status. A large quantity generator of hazardous waste may, however, accumulate hazardous waste on-site for 90 days or less without a permit or interim status, provided

that the generator complies with all applicable conditions set forth in Mich. Admin. Code r. 299.9307, including, but not limited to, the requirement to maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes. See Mich. Admin. Code r. 299.9307(1)(c); 40 C.F.R. § 262.255 (incorporated by reference). On March 6, 2024, there was inadequate aisle space in the Facility's 90-day hazardous waste storage area. Two rows of drums were pressed against the wall with no aisle space between the rows of drums. Because Respondent had not obtained a permit to store hazardous waste or interim status, Respondent's failure to comply with the condition for a permit-exemption identified above resulted in Respondent becoming the owner or operator of a hazardous waste storage facility, and subject to the requirement to obtain a permit (operating license) and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and r. 299.11003(1)(n). Therefore, without the permit-exemption, Respondent stored hazardous waste without a permit or interim status, in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and 299.11003(1)(n).

- f. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Michigan Administrative Code Part 111 prohibit the treatment, storage or disposal of hazardous waste without a permit or interim status. A large quantity generator of hazardous waste may, however, accumulate hazardous waste on-site for 90 days or less without a permit or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code r. 299.9307, including, but not limited to, the requirement that personnel shall successfully complete a program of classroom instruction, online training, or on-the-job training that teaches them to perform their duties in a way that ensures compliance with these rules. See Mich. Admin. Code r. 299.9307(1)(f). This program must be directed by a person trained in hazardous waste management procedures and include instruction which teaches personnel hazardous waste management procedures, including contingency plan implementation, relevant to the positions in which they are employed. At a minimum, the training program must be designed to ensure that personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems. On March 6, 2024, Respondent did not have adequate personnel training for calendar year 2023. Because Respondent had not obtained a permit to store hazardous waste or interim status, Respondent's failure to comply with the condition for a permit-exemption identified above resulted in Respondent becoming the owner or operator of a hazardous waste storage facility, and subject to the requirement to obtain a permit (operating license)

and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and r. 299.11003(1)(n). Therefore, without the permit-exemption, Respondent stored hazardous waste without a permit or interim status, in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and 299.11003(1)(n).

- g. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Michigan Administrative Code Part 111 prohibit the treatment, storage or disposal of hazardous waste without a permit or interim status. A large quantity generator of hazardous waste may, however, accumulate hazardous waste on-site for 90 days or less without a permit or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code r. 299.9307, including, but not limited to, the requirement that a large quantity generator's contingency plan quick reference guide must include the following: a map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; a street map of the facility in relation to surrounding businesses, schools and residential areas to understand how best to get to the facility and also evacuate citizens and workers, the locations of water supply (e.g., fire hydrant and its flow rate), and the identification of on-site notification systems (e.g., a fire alarm that rings off site, smoke alarms). See Mich. Admin. Code r. 299.9307(1)(c); 40 C.F.R. § 262.262(b)(4)-(7) (incorporated by reference). Respondent's contingency plan quick reference guide did not include the following: a street map, site map, locations of water supply to access in an event of emergency, and facility alarm system details. Because Respondent had not obtained a permit to store hazardous waste or interim status, Respondent's failure to comply with the condition for a permit-exemption identified above resulted in Respondent becoming the owner or operator of a hazardous waste storage facility, and subject to the requirement to obtain a permit (operating license) and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and r. 299.11003(1)(n). Therefore, without the permit-exemption, Respondent stored hazardous waste without a permit or interim status, in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and 299.11003(1)(n).
- h. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Michigan Administrative Code Part 111 prohibit the treatment, storage or disposal of hazardous waste without a permit or interim status. A large quantity generator of hazardous waste may, however, accumulate hazardous waste on-site for 90 days or less without a permit or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code r. 299.9307, including, but not limited to, the requirement that a large quantity generator must submit a copy of the contingency plan and all

revisions to all local emergency responders (*i.e.*, police departments, fire departments, hospitals and State and local emergency response teams that may be called upon to provide emergency services). See Mich. Admin. Code r. 299.9307(1)(c); 40 C.F.R. § 262.262(a) (incorporated by reference). On March 6, 2024, Respondent had not submitted a copy of the contingency plan to the local emergency responders listed above. Because Respondent had not obtained a permit to store hazardous waste or interim status, Respondent's failure to comply with the condition for a permit-exemption identified above resulted in Respondent becoming the owner or operator of a hazardous waste storage facility, and subject to the requirement to obtain a permit (operating license) and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and r. 299.11003(1)(n). Therefore, without the permit-exemption, Respondent stored hazardous waste without a permit or interim status, in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and 299.11003(1)(n).

- i. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Michigan Administrative Code Part 111 prohibit the treatment, storage or disposal of hazardous waste without a permit or interim status. A large quantity generator of hazardous waste may, however, accumulate hazardous waste on-site for 90 days or less without a permit or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code r. 299.9307, including, but not limited to, the requirement to inspect central accumulation areas at least weekly looking for leaking containers and for deterioration of containers caused by corrosion or other factors. See Mich. Admin. Code r. 299.9307(1)(b)(i)(F). Respondent did not conduct weekly inspections of the central accumulation area from January 2024 until March 6, 2024. From September 2023 to November 2023, Respondent missed four weekly inspections. From June 2022 to July 2022, Respondent missed three weekly inspections. Because Respondent had not obtained a permit to store hazardous waste or interim status, Respondent's failure to comply with the condition for a permit-exemption identified above resulted in Respondent becoming the owner or operator of a hazardous waste storage facility, and subject to the requirement to obtain a permit (operating license) and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and r. 299.11003(1)(n). Therefore, without the permit-exemption, Respondent stored hazardous waste without a permit or interim status, in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and 299.11003(1)(n).
- j. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Michigan Administrative Code Part 111 prohibit the treatment, storage or disposal of hazardous waste without a permit or interim status. A generator of hazardous waste may, however, accumulate as much as 55-gallons of non-

acute hazardous waste in containers at or near any point of generation where wastes initially accumulate and that is under the control of the operator of the process that generates the waste without a permit or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code r. 299.9305. See Mich. Admin. Code r. 299.9305(1). On March 6, 2024, Respondent stored over 55-gallons of hazardous waste in a satellite accumulation area located in the Facility's Chem Room. Respondent's satellite accumulation areas in the Chem Room were not near the point of generation, which was upstairs in Area 10. Because Respondent had not obtained a permit to store hazardous waste or interim status, Respondent's failure to comply with the condition for a permit-exemption identified above resulted in Respondent becoming the owner or operator of a hazardous waste storage facility, and subject to the requirement to obtain a permit (operating license) and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and r. 299.11003(1)(n). Therefore, without the permit-exemption, Respondent stored hazardous waste without a permit or interim status, in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and 299.11003(1)(n).

- k. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Michigan Administrative Code Part 111 prohibit the treatment, storage or disposal of hazardous waste without a permit or interim status. A generator of hazardous waste may, however, accumulate as much as 55-gallons of non-acute hazardous waste in containers at or near any point of generation where wastes initially accumulate and that is under the control of the operator of the process that generates the waste, without a permit or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code r. 299.9305, including, but not limited to, the requirement that in a satellite accumulation area hazardous wastes exceeding 55-gallons shall be marked with a start date of accumulation and be removed to an on-site central accumulation area or to an off-site treatment storage or disposal facility within three days. See Mich. Admin. Code r. 299.9305(2)(b) and (2)(c). On March 6, 2024, Respondent stored over 55-gallons of hazardous waste in a satellite accumulation area located in the Chem Room. There was no start date of accumulation on the containers, and they had not been moved to a central accumulation area. Because Respondent had not obtained a permit to store hazardous waste or interim status, Respondent's failure to comply with the condition for a permit-exemption identified above resulted in Respondent becoming the owner or operator of a hazardous waste storage facility, and subject to the requirement to obtain a permit (operating license) and the requirements of Mich. Admin. Code r. 299.9601(1)-(3) and r. 299.11003(1)(n). Therefore, without the permit-exemption, Respondent stored hazardous waste without a permit or interim status, in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code r. 299.9601(1)-(3)

and 299.11003(1)(n).

- i. Under Mich. Admin. Code. r. 299.9312(1), a large quantity generator that ships any hazardous waste off-site to a treatment, storage or disposal facility within the United States for at least one month of an odd-numbered year must prepare and submit a report to the Michigan Department of Environment, Great Lakes, and Energy by March 1 of each even numbered year. On March 6, 2024, the Respondent had not submitted a report to the Michigan Department of Environment, Great Lakes, and Energy by March 1, 2024, despite having shipped hazardous waste off-site during calendar year 2023. Respondent's failure to submit a report violated Mich. Admin. Code. r. 299.9312(1).
  
- m. Under Mich. Admin Code r. 299.9312(4)(b), a large quantity generator who transports, or offers for transport, a hazardous waste for off-site treatment, storage, or disposal, shall submit an Exception Report to the Director of Michigan Department of Environment, Great Lakes, and Energy and the EPA Regional Administrator for the Region in which the generator is located if he has not received a copy of the hazardous waste manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date the waste was accepted by the initial transporter. On March 6, 2026, Respondent had not submitted an Exception Report to Michigan Department of Environment, Great Lakes, and Energy for Manifest Number 018700899 FLE. The initial shipment left Respondent's Facility on October 27, 2023. The manifest was not signed by the designated facility until 54 days later on December 20, 2023. Respondent's failure to submit an Exception Report violated Mich. Admin Code r. 299.9312(4)(b).
  
- n. Under Mich. Admin. Code. r. 299.9228(4)(a) and 40 C.F.R. 273.14(a) (incorporated by reference), a small quantity handler of universal waste must label or clearly mark universal waste batteries (i.e., each battery), or container in which the batteries are contained. On March 6, 2024, Respondent failed to label one container of batteries, in violation of Mich. Admin. Code. r. 299.9228(4)(a) and 40 C.F.R. 273.14(a) (incorporated by reference).
  
- o. Under Mich. Admin. Code. r. 299.9228(4)(a) and 40 C.F.R. 273.13(d)(1) (incorporated by reference), a small quantity handler of universal waste must manage universal waste lamps in a manner that prevents breakage or the release of any universal waste or components of universal waste by containing unbroken lamps in structurally sound packaging that is compatible with the contents of the lamps and will prevent breakage during normal handling conditions. The packaging shall remain closed and lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. On March 6, 2024, Respondent's 8-foot universal waste lamps were not being stored in a container. On March 6, 2024, Respondent's 4-foot

universal waste lamps were stored in an open container. Respondent's failure to store universal waste lamps in closed containers violated Mich. Admin. Code. r. 299.9228(4)(a) and 40 C.F.R. 273.13(d)(1) (incorporated by reference).

- p. Under Mich. Admin. Code. r. 299.9228(4)(a) and 40 C.F.R.273.14(e) (incorporated by reference), a small quantity handler of universal waste must label or clearly mark each lamp or a container or package in which such lamps are contained. On March 6, 2024, two containers of universal waste lamps were not labeled. Respondent's failure to label or clearly mark universal waste lamps or containers or packages containing universal waste lamps, as described above, violated Mich. Admin. Code. r. 299.9228(4)(a) and 40 C.F.R. 273.14(e) (incorporated by reference).
  - q. Under Mich. Admin. Code. r. 299.9228(4)(a) and 40 C.F.R. 273.15(a) (incorporated by reference), a small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated. On March 6, 2024, per bill of ladings, Respondent's last shipment of universal waste off-site occurred on January 30, 2023, and before that on December 17, 2021. Respondent had no other way of tracking universal waste accumulation dates. The bill of lading dates above demonstrate that Respondent accumulated universal waste for longer than one year, in violation of Mich. Admin. Code. r. 299.9228(4)(a) and 40 C.F.R. 273.15(a) (incorporated by reference).
  - r. Under Mich. Admin Code r. 299.9311(7) large quantity generators shall keep documentation of all inspections, training, and other records required under Mich. Admin Code r. 299.9307, respectively, for not less than 3 years. On March 6, 2024, Respondent did not have documentation of its employees' annual RCRA training for calendar years 2022 and 2021. Respondent's failure to keep documentation of training records required under Mich. Admin Code r. 299.9307 violated Mich. Admin Code r. 299.9311(7).
3. The EPA and Respondent agree that settlement of this matter for a civil penalty of twelve thousand five hundred dollars (\$12,500) is in the public interest.
  4. EPA is authorized to enter into this Agreement pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), and 40 C.F.R. §§ 22.13(b), and 22.18(b)(2)–(3).
  5. EPA provided notice of commencement of this action to the state of Michigan pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).
  6. 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 as provided at 40 C.F.R. § 22.15(c); (6) waives any right to contest the allegations in this Expedited Settlement Agreement and Final Order and its right to appeal this Expedited Settlement Agreement and Final Order; and (7) 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 ESA.

7. By its signature below Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the alleged violations have been corrected, and (2) Respondent has paid the civil penalty in accordance with paragraph 8.
8. Respondent shall have paid a civil penalty of twelve thousand five hundred dollars (\$12,500) within 30 days of its receipt of the letter setting forth the opportunity for expedited settlement. Respondent shall pay the penalty using any method, or combination of appropriate methods, as provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>.
9. Respondent shall have sent a notice of payment that states Respondent's name, complete address, and the case docket number to EPA at the following addresses, when it paid the penalty:

Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 5  
[r5hearingclerk@epa.gov](mailto:r5hearingclerk@epa.gov)

Kyla Douglas  
Land Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency, Region 5  
[douglas.kyla@epa.gov](mailto:douglas.kyla@epa.gov) and  
[R5LEcab@epa.gov](mailto:R5LEcab@epa.gov)

Naeha Dixit  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
[dixit.naeha@epa.gov](mailto:dixit.naeha@epa.gov)

U.S. Environmental Protection Agency  
Cincinnati Finance Center  
[CINWD\\_AcctsReceivable@epa.gov](mailto:CINWD_AcctsReceivable@epa.gov)

10. The civil penalty is not deductible for federal tax purposes.
11. This Agreement resolves only Respondent's liability for federal civil penalties under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), for the violations alleged in the Agreement.
12. 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.
13. Each party shall bear its own costs and fees, if any.
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.
15. In accordance with 40 C.F.R. § 22.6, the parties consent to service of this Agreement by e-mail at the following valid e-mail addresses: [dixit.naeha@epa.gov](mailto:dixit.naeha@epa.gov) (for Complainant), and [emoelker@decc.com](mailto:emoelker@decc.com) (for Respondent).
16. Respondent understands that the ESA will become publicly available upon filing.

IT IS SO AGREED,

Erik Moelker

\_\_\_\_\_  
Name (print)

Manufacturing Engineer

\_\_\_\_\_  
Title (print)

  
\_\_\_\_\_  
Signature

12/03/2025

\_\_\_\_\_  
Date

APPROVED BY EPA:

\_\_\_\_\_  
Carolyn Persoon  
Acting Division Director  
Enforcement and Compliance Assurance Division  
U.S. Environmental Protection Agency, Region 5

**In the Matter of: DECC Company Inc.  
Docket No.: RCRA-05-2026-0003**

**FINAL ORDER**

This Expedited Settlement Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Expedited Settlement Agreement and Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31.

IT IS SO ORDERED:

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Ann L. Coyle  
Regional Judicial Officer  
United States Environmental Protection Agency  
Region 5