UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:	)	
	)	**Docket No. CAA-05-2026-0025**
Regis Technologies Inc.	)	**Proceeding to Assess a Civil Penalty**
Morton Grove, Illinois,	)	**Under Section 113(d) of the Clean Air Act,**
	)	**42 U.S.C. § 7413(d)**
Respondent.	)	
	)	

Consent Agreement and Final Order

A. Preliminary Statement

1. This is an administrative penalty assessment proceeding commenced and concluded under Section 113(d) of the Clean Air Act (the CAA), 42 U.S.C. § 7413(d), and Sections 22.1(a)(2), 22.13(b)and 22.18(b) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), 40 C.F.R. §§ 22.1(a)(2), 22.13(b) and 22.18(b).

2. Complainant is the U.S. Environmental Protection Agency (EPA), Region 5. The EPA Administrator has delegated the authority to settle civil administrative penalty proceedings under Section 113(d) of the CAA to the Division Director of the Region 5 Enforcement and Compliance Assurance Division.

3. Respondent is Regis Technologies Inc. (Regis), a corporation doing business in Illinois. Respondent is a "person," as defined in Section 302(e) of the CAA, 42 U.S.C. § 7602(e).

4. The EPA and Respondent agree that settling this action is in the public interest and consent to the entry of this Consent Agreement and Final Order (CAFO) pursuant to 40 C.F.R. § 22.18(b)(2) and (3) without the adjudication of any issues of law or fact.

5. Respondent agrees to comply with the terms of this CAFO.

B. Jurisdiction

6. The alleged violations in this CAFO are pursuant to Section 113(a)(3)(A) of the CAA.

7. The EPA and the United States Department of Justice have jointly determined that this matter, although it alleges violations that occurred more than one year before the initiation of this proceeding, is appropriate for an administrative penalty assessment. 42 U.S.C. § 7413(d); 40 C.F.R. § 19.4.

8. On July 9, 2024, the EPA issued to Respondent a Finding of Violation (FOV) and provided a copy of the FOV to Illinois Environmental Protection Agency (IEPA), providing notice to Respondent and IEPA that the EPA found Respondent committed the alleged violations described in Section E of this CAFO and providing Respondent an opportunity to confer with the EPA.

9. The Regional Judicial Officer of Region 5 is authorized to ratify the Consent Agreement memorializing the settlement between the EPA and Respondent and to issue the attached Final Order. 40 C.F.R. §§ 22.4(b) and 22.18(b).

C. Statutory and Regulatory Background

Clean Air Act, Subsection 112(r)

10. Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), provides that it shall be the objective of the regulations and programs authorized under this subsection to prevent the accidental release and to minimize the consequences of any such release of any substance listed pursuant to Section 112(r)(3), or any other extremely hazardous substance.

11. Section 112(r)(3) of the CAA, 42 U.S.C. § 7412(r)(3), provides that the Administrator shall promulgate, not later than 24 months after November 15, 1990, an initial list of 100 substances which, in the case of an accidental release, are known to cause or may reasonably be anticipated to cause death, injury, or serious adverse effects to human health or the environment.

12. Section 112(r)(7)(A) of the CAA, 42 U.S.C. § 7412(r)(7)(A), provides that, in order to prevent accidental releases of regulated substances, the Administrator is authorized to promulgate release prevention, detection, and correction requirements which may include monitoring, record-keeping, reporting, training, vapor recovery, secondary containment, and other design, equipment, work practice, and operational requirements.

13. Section 112(r)(7)(B)(i) of the CAA, 42 U.S.C. § 7412(r)(7)(B)(i), provides that, within 3 years after November 15, 1990, the Administrator shall promulgate reasonable regulations and appropriate guidance to provide, to the greatest extent practicable, for the prevention and detection of accidental releases of regulated substances and for response to such releases by the owners or operators of the sources of such releases.

14. Section 112(r)(7)(B)(ii) of the CAA, 42 U.S.C. § 7412(r)(7)(B)(ii), provides that the regulations under this subparagraph shall require the owner or operator of stationary sources at which a regulated substance is present in more than a threshold quantity to prepare and implement a Risk Management Plan (RMP) to detect and prevent or minimize accidental releases of such substances from the stationary source, and to provide a prompt emergency response to any such releases in order to protect human health and the environment.

15. Pursuant to Section 112(r)(3) of the CAA, 42 U.S.C. § 7412(r)(3), the Administrator initially promulgated a list of regulated substances, with threshold quantities for applicability, at 59 Fed. Reg. 4478 (January 31, 1994), which is codified, as amended, at 40 C.F.R. § 68.130.

16. Pursuant to Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), the Administrator promulgated "Accidental Release Prevention Requirements: Risk Management Programs Under Clean Air Act Section 112(r)(7)," 61 Fed. Reg. 31668 (June 20, 1996), which is codified, as amended,

at 40 C.F.R. Part 68: Chemical Accident Prevention Provisions (CAPP). This included the RMP requirements at 40 C.F.R. Part 68, Subpart G.

17. The CAPP seek to prevent accidental releases of regulated substances and minimize the consequences of those releases that do occur, by requiring owners and operators of certain stationary sources to, among other things: (1) develop and implement a management system to oversee the implementation of the risk management program elements; (2) develop and implement a risk management program that includes, but is not limited to, a hazard assessment, a prevention program, and an emergency response program; and (3) submit to EPA an RMP describing the risk management program for the source. See 40 C.F.R. Part 68, Subparts A to H.

18. Section 112(r)(7)(E) of the CAA, 42 U.S.C. § 7412(r)(7)(E), provides that after the effective date of any regulation or requirement promulgated pursuant to Section 112(r) of the Act, it shall be unlawful for any person to operate any stationary source in violation of such regulation or requirement.

Chemical Accident Prevention Provisions

Definitions

19. 40 C.F.R. § 68.10(a) provides, in part, that the owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 C.F.R. § 68.115, shall comply with the requirements of the CAPP, 40 C.F.R. Part 68, Subparts A to H, no later than the date on which a regulated substance is first present above a threshold quantity in a process.

20. 40 C.F.R. § 68.3 defines "accidental release" to mean "an unanticipated emission of a regulated substance or other extremely hazardous substance into the ambient air from a stationary source."

21. 40 C.F.R. § 68.3 defines the term “covered process” as “a process that has a regulated substance present in more than a threshold quantity as determined under [40 C.F.R.] § 68.115.”

22. 40 C.F.R. § 68.3 defines the term “LEPC” as a “local emergency planning committee as established under 42 U.S.C. § 11001(c).”

23. 40 C.F.R. § 68.3 defines “process” as “any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances, or combination of these activities. For the purposes of th[at] definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.”

24. 40 C.F.R. § 68.3 defines the term “public receptor” as “offsite residences, institutions (e.g., schools, hospitals), industrial, commercial, and office buildings, parks, or recreational areas inhabited or occupied by the public at any time without restriction by the stationary source where members of the public could be exposed to toxic concentrations, radiant heat, or overpressure, as a result of an accidental release.”

25. 40 C.F.R. § 68.3 defines “regulated substance” to mean any substance listed pursuant to Section 112(r)(3) of the CAA as amended, in 40 C.F.R. § 68.130.

26. The list of substances in Table 1 in 40 C.F.R. § 68.130 includes chloroform, with a threshold quantity of 20,000 pounds.

27. 40 C.F.R. § 68.3 defines the term “RMP” as “the risk management plan required under Subpart G [of the CAPP in 40 C.F.R. Part 68].”

28. 40 C.F.R. § 68.3 defines “stationary source” to mean “any buildings, structures, equipment, installations, or substance emitting stationary activities. . . from which an accidental release may occur.”

Applicability

29. 40 C.F.R. § 68.10(j) states that a covered process is subject to the Program 1 requirements in 40 C.F.R. § 68.12(b) if it meets all of the following requirements:

a. the process has not had an accidental release of a regulated substance where exposure to the substance, its reaction products, overpressure generated by an explosion involving the substance or radiant heat generated by a fire involved the substance led to an offsite death, injury, or response or restoration activities for an exposure of an environmental receptor;

b. the distance to a toxic or flammable endpoint for a worst-case release assessment conducted under 40 C.F.R. Part 68, Subpart B, and 40 C.F.R. § 68.25 is less than the distance to any public receptor; and

c. Emergency response procedures have been coordinated between the stationary source and local emergency planning and response organizations.

30. 40 C.F.R. § 68.10(l) states that a covered process is subject to Program 3 requirements if the process does not meet the requirements of Program 1 as described in Paragraph 29 and if either of the following conditions is met: (1) the process is in NAICS code 32211, 32411, 32511, 325181, 325188, 325192, 325199, 325211, 325311, or 32532; or (2) the process is subject to the U.S. Occupational Safety and Health Administration (OSHA) process safety management standard, 29 C.F.R. § 1910.119.

Requirements

31. 40 C.F.R. § 68.12(a) requires an owner or operator of a stationary source subject to this part to submit a single RMP, as provided in 40 C.F.R. § 68.150 through 68.185, and that the RMP shall include a registration that reflects all covered processes.

32. 40 C.F.R. § 68.12(d) requires an owner or operator of a stationary source subject to the requirements of Program 3, in addition to meeting the requirements of 40 C.F.R. § 68.12(a), to:

a. Develop and implement a management system as provided in 40 C.F.R § 68.15;

b. Conduct a hazard assessment as provided in 40 C.F.R. §§ 68.20 through 68.42;

c. Implement the prevention requirements of 40 C.F.R. §§ 68.65 through 68.87;

d. Coordinate response actions with local emergency planning and response agencies as provided in 40 C.F.R. § 68.93;

e. Develop and implement an emergency response program, and conduct exercises, as provided in 40 C.F.R. §§ 68.90 through 68.96; and

f. Submit as part of the RMP the data on prevention program elements for Program 3 processes as provided in 40 C.F.R. § 68.175.

33. 40 C.F.R. § 68.15(a) requires the owner or operator of a stationary source with processes subject to Program 3 to develop a management system to oversee the implementation of the risk management program elements.

34. 40 C.F.R. § 68.150(a) requires an owner or operator to submit a single RMP that includes the information required by 40 C.F.R. §§ 68.155 through 68.185 for all covered processes. The RMP shall be submitted in the method and format to the central point specified by EPA as of the date of submission.

35. 40 C.F.R.§ 68.150(b) states that the owner or operator shall submit the first RMP no later than the latest of the following dates:

a. June 21,1999;

b. Three years after the date on which a regulated substance is first listed under §68.130; or

c. The date on which a regulated substance is first present above a threshold quantity in a process.

D. <u>Stipulated Facts</u>

36. Regis owns and operates a chemical manufacturing facility that sells its products to pharmaceuticals and biotechnologies companies at 8210 North Austin Avenue, Morton Grove, Illinois (the Facility).

37. On March 23, 2023, federally credentialled EPA inspectors completed an unannounced on-site inspection at the Facility (2023 Inspection).

38. EPA issued a CAA Section 114 Information Request to Regis on June 7, 2023 (2023 Information Request).

39. Regis provided a response to the 2023 Information Request on June 29, 2023 (2023 Response).

40. On July 9, 2024, the EPA issued to Respondent a Finding of Violation (FOV).

41. Respondent provided additional information to EPA on September 10, 2024, and October 30, 2024.

42. The September 10, 2024, submission included an updated chloroform inventory spreadsheet with the amount of chloroform present daily between January 1, 2018 and April 10, 2023.

43. Respondent's October 30, 2024, submission included the onsite chloroform inventory between April 10, 2023 and October 4, 2024. The chloroform inventory included 87 nonconsecutive days when over 20,0000 pounds of chloroform was being stored at the Facility from February 4, 2019 to August 15, 2023.

44. Since the issuance of the July 9, 2024, FOV, Respondent has taken actions to limit the onsite storage of hazardous substances below the regulatory threshold and has determined the worst-case scenario for chloroform releases from the Facility, as required by 40 C.F.R. § 68.25.

E. **Allegations**

COUNT ONE: FAILURE TO HAVE AN APPROVED CHEMICAL ACCIDENT PREVENTION PROGRAM IN PLACE

45. Complainant incorporates Paragraphs 1 through 44 of this CAFO as if set forth in this Paragraph.

46. 40 C.F.R. § 68.10(a) requires the owner or operator of a stationary source with more than a threshold quantity of a regulated substance in a process to comply with the requirements of the CAPP no later than the date on which the regulated substance was first present above a threshold quantity in a process.

47. Chloroform is a “regulated substance” listed in 40 C.F.R. § 68.130, with a threshold quantity of 20,000 pounds.

48. For 87 nonconsecutive days from February 4, 2019 to August 15, 2023, Respondent stored chloroform at its facility in excess of 20,000 pounds.

49. Beginning on February 4, 2019, Respondent was the owner or operator of a stationary source with a regulated substance in a process.

50. By failing to have a chemical accident prevention program in place no later than February 4, 2019, Respondent violated 40 C.F.R. § 68.10(a).

COUNT TWO: FAILURE TO SUBMIT A RISK MANAGEMENT PLAN

51. Complainant incorporates Paragraphs 1 through 44 of this CAFO as if set forth in this Paragraph.

52. As alleged in Count One, above, Respondent was subject to the CAPP no later than February 4, 2019.

53. 40 C.F.R. §§ 68.12(a) and 68.150(a) requires an owner or operator of a stationary source subject to the CAPP to submit an RMP to EPA. 40 C.F.R. § 68.150(b)(3) specifically requires the submission of the RMP no later than the date on which a regulated substance is first present above a threshold quantity in a process.

54. The Respondent failed to submit a RMP for a stationary source that was subject to the CAPP, in violation of §§ 68.12(a) and 68.150 (a) and (b).

COUNT THREE: FAILURE TO PREPARE A WORST-CASE RELEASE SCENARIO ANALYSIS

55. Complainant incorporates Paragraphs 1 through 44 of this CAFO as if set forth in this Paragraph.

56. 40 C.F.R. § 68.20 requires the owner or operator of a stationary source subject to the CAPP to prepare a worst-case release scenario analysis, as detailed in 40 C.F.R. § 68.25.

57. As alleged in Count One, above, Respondent was subject to the CAPP no later than February 4, 2019.

48. The Respondent failed to prepare a worst-case release scenario analysis, in violation of 40 C.F.R. §§ 68.22(a) and 68.25(a).

F. <u>Terms of Consent Agreement</u>

58. For the purposes of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), Respondent:

a. admits to the jurisdictional allegations in this CAFO;

b. neither admits nor denies the alleged violations of law stated above;

c. consents to the assessment of a civil penalty as stated below;

d. consents to any conditions specified in this CAFO;

e. waives any right to contest the allegations set forth in Section E of this CAFO; and

f. waives its right to appeal this CAFO.

59. For the purposes of this proceeding, Respondent:

a. agrees this CAFO states a claim upon which relief may be granted against Respondent;

b. acknowledges this proceeding constitutes an enforcement action for purposes of considering Respondent's compliance history in any subsequent enforcement actions;

c. waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this CAFO, including any right of judicial review under Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1);

d. waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c);

e. 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; and

f. waives any rights it may possess at law or in equity to challenge the authority of the EPA to bring a civil action in a United States District Court to compel compliance with the CAFO, and to seek an additional penalty for noncompliance, and agrees that federal law shall govern in any such civil action.

60. Based on analysis of the factors specified in Section 113(e) of the CAA, 42 U.S.C. § 7413(e), the facts of this case, Respondent's documented ability to pay, and Respondent's cooperation in negotiating a resolution of the alleged violations, the EPA has determined that an appropriate civil penalty to settle this action is $65,625.

61. Respondent agrees to pay a civil penalty in the amount of $65,625 ("Assessed Penalty") within thirty (30) days after the date the Final Order ratifying this Agreement is filed with the Regional Hearing Clerk ("Filing Date").

62. Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due 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.

63. When making a payment, Respondent shall:

a. Identify every payment with Respondent's name and the docket number of this CAFO, CAA-05-2026-0025,

b. Concurrently with any payment or within 24 hours of any payment, Respondent shall serve proof of such payment to the following person(s):

Regional Hearing Clerk (E-19J)
U.S. Environmental Protection Agency, Region 5
r5hearingclerk@epa.gov

Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
R5airenforcement@epa.gov

James Bonar-Bridges
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
bonarbridges.james@epa.gov

U.S. Environmental Protection Agency
Cincinnati Finance Center
Via electronic mail to:
CINWD_AcctsReceivable@epa.gov

"Proof of payment" means, as applicable, confirmation of credit card or debit card payment, or confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent's name.

64. Interest, Charges, and Penalties on Late Payments. Pursuant to 42 U.S.C. § 7413(d)(5), 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to timely pay the full amount of the Assessed Penalty per this CAFO, the entire unpaid balance of the Assessed Penalty and all accrued interest shall become immediately owing, and the EPA is authorized to recover the following amounts.

a. Interest. Interest begins to accrue from the Filing Date. If the Assessed Penalty is paid in full within thirty (30) days, interest accrued is waived. If the Assessed Penalty is not paid in full within thirty (30) days, interest will continue to accrue until any unpaid portion of the Assessed Penalty as well as any interest, penalties, and other charges are paid in full. Per 42 U.S.C. § 7413(d)(5), interest will be assessed pursuant to 26 U.S.C. § 6621(a)(2), that is, the IRS standard underpayment rate, equal to the Federal short-term rate plus 3 percentage points.

b. Handling Charges. The United States' enforcement expenses including, but not limited to, attorneys' fees and costs of handing collection.

c. Late Payment Penalty. A ten percent (10%) quarterly non-payment penalty.

65. Late Penalty Actions. In addition to the amounts described in the prior Paragraph, if Respondent fails to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this CAFO, the EPA may take additional actions. Such actions the EPA may take include, but are not limited to, the following.

a. Refer the debt to a credit reporting agency or a collection agency, per 40 C.F.R. §§ 13.13 and 13.14.

b. Collect the debt by administrative offset (i.e., the withholding of money payable by the United States government to, or held by the United States government for, a person to satisfy the debt the person owes the United States government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, per 40 C.F.R. Part 13, Subparts C and H.

c. Suspend or revoke Respondent's licenses or other privileges or suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds, per 40 C.F.R. § 13.17.

d. Request that the Attorney General bring a civil action in the appropriate district court to enforce the Final Order and recover the full remaining balance of the Assessed Penalty, in addition to interest and the amounts described above, per 42 U.S.C. § 7413(d)(5). In any such action, the validity, amount, and appropriateness of the Assessed Penalty and Final Order shall not be subject to review.

66. Allocation of Payments. Pursuant to 31 C.F.R. § 901.9(f) and 40 C.F.R. § 13.11(d), a partial payment of debt will be applied first to outstanding handling charges, second to late penalty charges, third to accrued interest, and last to the principal that is the outstanding Assessed Penalty amount.

67. Tax Treatment of Penalties. Penalties, interest, and other charges paid pursuant to this Agreement shall not be deductible for purposes of federal taxes.

68. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, EPA is required to send to the Internal Revenue Service ("IRS") annually, a completed IRS Form 1098-F ("Fines, Penalties, and Other Amounts") with respect to any court order or settlement agreement (including administrative settlements), that require a payor to pay an aggregate amount that EPA reasonably believes will be equal to, or in excess of, $50,000 for the payor's violation of any law or the investigation or inquiry into the payor's potential violation of any law, including amounts paid for "restitution or remediation of property" or to come "into compliance with a law." EPA is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (i.e., a copy of IRS Form 1098-F). Respondent's failure to comply with providing IRS Form W-9 or Tax Identification Number ("TIN"), as described below, may subject Respondent to a penalty, per 26 U.S.C. § 6723, 26 U.S.C. § 6724(d)(3), and 26 C.F.R. § 301.6723-1. To provide EPA with sufficient information to enable it to fulfill these obligations, Respondent shall complete the following actions as applicable:

a. Respondent shall complete an IRS Form W-9 ("Request for Taxpayer Identification Number and Certification"), which is available at https://www.irs.gov/pub/irs-pdf/fw9.pdf;

b. Respondent shall therein certify that its completed IRS Form W-9 includes Respondent's correct TIN or that Respondent has applied and is waiting for issuance of a TIN;

c. Respondent shall email its completed Form W-9 to EPA's Cincinnati Finance Division at wise.milton@epa.gov within 30 days after the Final Order ratifying this Consent Agreement is filed, or within 7 days after the Final Order ratifying this Consent Agreement is filed should that happen between December 15 and December 31 of the calendar year. EPA recommends encrypting IRS Form W-9 email correspondence.

d. In the event that Respondent has certified in its completed IRS Form W-9 that it does not yet have a TIN but has applied for a TIN, Respondent shall provide EPA's Cincinnati Finance Center with Respondent's TIN, via email, within five (5) days of Respondent's receipt of a TIN issued by the IRS.

69. By signing this CAFO, Respondent consents to the release of any information in this CAFO to the public and agrees this CAFO does not contain business information that is entitled to confidential treatment under 40 C.F.R. Part 2.

70. By signing this CAFO, the undersigned representative of the EPA and the undersigned representative of Respondent each certify that they are fully authorized to execute and enter into the terms and conditions of this CAFO and have the legal capacity to bind the party they represent to this CAFO.

71. By signing this CAFO, Respondent certifies the information it has supplied concerning this matter was at the time of submission true, accurate, and complete for each such submission, response, and statement. Respondent acknowledges that there may be significant penalties for knowingly submitting false information, including the possibility of fines and/or imprisonment under 18 U.S.C. §§ 1001 and 1519.

72. Each party shall bear its own attorney's fees, costs, and disbursements incurred in this proceeding, except in the case of a civil action brought by the Attorney General of the United States to recover unpaid penalties as described above.

G. Effect of Consent Agreement and Attached Final Order

73. The parties consent to service of this CAFO by e-mail at the following e-mail addresses: bonarbridges.james@epa.gov (for the EPA), and qgchen@estevehuayi.com (for Respondent).

74. In accordance with 40 C.F.R. § 22.18(c), completion of the terms of this CAFO resolves only Respondent's liability for federal civil penalties for the violations specifically alleged in this CAFO.

75. This CAFO constitutes the entire agreement and understanding of the parties and supersedes any prior agreements or understandings, whether written or oral, among the parties

with respect to this matter with the exception of the administrative compliance order, docket number EPA-5-26-113(a)-IL-3, issued concurrently.

76. The terms, conditions, and compliance requirements of this CAFO may not be modified or amended except upon the written agreement of both parties and approval of the Regional Judicial Officer.

77. The provisions of this CAFO shall apply to and be binding upon Respondent and its officers, directors, authorized representatives, successors, and assigns.

78. Any violation of this CAFO may result in a civil judicial action for an injunction or civil penalties of up to $124,426 per day per violation, or both, as provided in Section 113(b) of the CAA, 42 U.S.C. § 7413(b), and 40 C.F.R. § 19.4, as well as criminal sanctions as provided in Section 113(c) of the CAA, 42 U.S.C. § 7413(c). The EPA may use any information submitted under this CAFO in an administrative, civil judicial, or criminal action.

79. Nothing in this CAFO relieves Respondent of the duty to comply with all applicable provisions of the CAA and other federal, state, or local laws or statutes, nor does it restrict the EPA's authority to seek compliance with any applicable laws or regulations, nor is it a ruling on, or determination of, any issue related to any federal, state, or local permit.

80. Nothing in this CAFO limits the power of the EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment to the public health, welfare, or the environment.

81. The EPA reserves the right to revoke this CAFO and settlement penalty if and to the extent that the EPA finds, after signing this CAFO, that any information provided by Respondent was materially false or inaccurate at the time such information was provided to the EPA, and to assess and collect any civil penalties permitted by statute for any violation described herein. The

EPA will give Respondent written notice of its intent to revoke this CAFO, which will not be effective until received by Respondent.

H. <u>Effective Date</u>

82. This CAFO will be effective on the date of filing with the Regional Hearing Clerk. Upon filing, the EPA will transmit a copy of the filed CAFO to Respondent.

For Regis Technologies, Inc., Respondent

06. 24. 2026

Date

Chen Qingguang
Plant Director

Consent Agreement in the Matter of Regis Technologies, Inc., Docket No. CAA-05-2026-0025
United States Environmental Protection Agency, Complainant

CAROLYN PERSOON

Digitally signed by CAROLYN PERSOON
Date: 2026.07.01 08:16:24 -05'00'

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

Consent Agreement and Final Order
In the Matter of: Regis Technologies, Inc.
Docket No. CAA-05-2026-0025

Final Order

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

ann coyle Digitally signed by ann coyle Date: 2026.07.06 11:25:55 -05'00'

___________________________ ________________________________
Date

Ann L. Coyle
Regional Judicial Officer
U.S. Environmental Protection Agency
Region 5