



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 5**  
**77 WEST JACKSON BOULEVARD**  
**CHICAGO, IL 60604-3590**

**July 6, 2021**

**VIA E-MAIL**  
**DELIVERY RECEIPT REQUESTED**

David D. Hurder  
Chief Operating Officer  
McGean-Rohco, Inc.  
2910 Harvard Avenue  
Cleveland, Ohio 44105

Email: [Dave.Hurder@mcgean.com](mailto:Dave.Hurder@mcgean.com)

Dear Mr. Hurder:

Enclosed is a file-stamped Consent Agreement and Final Order (CAFO) which resolves McGean-Rohco, Inc., docket no. CAA-05-2021-0024. As indicated by the filing stamp on its first page, we filed the CAFO with the Regional Hearing Clerk on July 6, 2021.

Pursuant to paragraph 61 of the CAFO, McGean-Rohco, Inc., must pay the civil penalty within 30 days of the filing date. Your electronic funds transfer must display the case name and case docket number.

Please direct any questions regarding this case to Mary McAuliffe, Associate Regional Counsel, 312-886-6237.

Sincerely,

**SARAH**  
**MARSHALL**

Digitally signed by  
SARAH MARSHALL  
Date: 2021.05.25  
12:40:10 -05'00'

Sarah Marshall, Chief  
Air Enforcement and Compliance Assurance Section (MI/WI)

Enclosure

cc: Ann Coyle, Regional Judicial Officer/via electronic mail  
[Coyle.ann@epa.gov](mailto:Coyle.ann@epa.gov)

Regional Hearing Clerk/via electronic mail  
[R5hearingclerk@epa.gov](mailto:R5hearingclerk@epa.gov)

Martin Booher/via electronic mail  
[mbooher@bakerlaw.com](mailto:mbooher@bakerlaw.com)

Mary McAuliffe/via electronic mail  
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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>In the Matter of:</b>	)	<b>Docket No. CAA-05-2021-0024</b>
	)	
<b>McGean-Rohco, Inc.</b>	)	<b>Proceeding to Assess a Civil Penalty</b>
<b>Cleveland, Ohio</b>	)	<b>Under Section 113(d) of the Clean Air Act,</b>
	)	<b>42 U.S.C. § 7413(d)</b>
<b>Respondent.</b>	)	
<hr/>	)	

**Consent Agreement and Final Order**

**Preliminary Statement**

1. This is an administrative action 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)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), as codified at 40 C.F.R. Part 22.

2. Complainant is the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency (EPA), Region 5.

3. Respondent is McGean-Rohco, Inc. (McGean), a corporation doing business in Ohio.

4. Where the parties agree to settle one or more causes of action before the filing of a complaint, the administrative action may be commenced and concluded simultaneously by the issuance of a consent agreement and final order (CAFO). 40 C.F.R. § 22.13(b).

5. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.

6. Respondent consents to the assessment of the civil penalty specified in this CAFO and to the terms of this CAFO.

### **Jurisdiction and Waiver of Right to Hearing**

7. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations in this CAFO.

8. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO and its right to appeal this CAFO.

### **Statutory and Regulatory Background**

9. Section 112 of the CAA, 42 U.S.C. § 7412(c), requires the EPA to promulgate a list of all categories and subcategories of new and existing “major sources” of hazardous air pollutants (HAPs), and establish emissions standards for the categories and subcategories. These emission standards are known as the National Emission Standards for Hazardous Air Pollutants (NESHAPs). The EPA codified these standards at 40 C.F.R. Parts 61 and 63.

10. The federal regulations at 40 C.F.R. Part 63, Subpart A, contain the general provisions for the NESHAPs.

11. “Major source” is defined as “any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants.” 42 U.S.C. § 7412(a)(1).

12. “Area source” means any stationary source of hazardous air pollutants that is not a major source as defined in this part.” 42 U.S.C. § 7412(a)(2).

13. Under Section 112 of the CAA, U.S.C. § 7412, EPA promulgated the NESHAP for Chemical Manufacturing Area Sources at 40 C.F.R. Part 63, Subpart VVVVVV (NESHAP

VVVVVV). NESHAP VVVVVV applies to chemical manufacturing process units (CMPUs) located at an area source of HAP emissions.

14. NESHAP VVVVVV at 40 C.F.R. § 63.11494(d) states, in part, as follows: “This subpart applies to each new or existing affected source. The affected source is the facility-wide collection of CMPUs and each heat exchange system and wastewater system associated with a CMPU that meets the criteria specified in paragraphs (a) and (b) of this section.... A CMPU using only Table 1 metal HAP is required to control only total CAA section 112(b) metal HAP in accordance with 40 C.F.R. § 63.11495 and, if applicable 40 C.F.R. § 63.11496(f).”

15. NESHAP VVVVVV at 40 C.F.R. § 63.11494(a) states, in part, that “you are subject to this subpart if you own or operate a chemical manufacturing process unit (CMPU) that meets the conditions specified in paragraphs (a)(1) and (2) of this section.”

16. The condition specified at 40 C.F.R. § 63.11494(a)(1) states that “[t]he CMPU is located at an area source of HAP emissions.”

17. The condition specified at 40 C.F.R. § 63.11494(a)(2) states that the “HAP listed in Table 1 to this subpart (Table 1 HAP) are present in the CMPU, as specified in paragraph (a)(2)(i), (ii), (iii), or (iv) of this section.”

18. NESHAP VVVVVV at 40 C.F.R. § 63.11494(a)(2)(i) state that “[t]he CMPU uses as feedstock, any material that contains quinoline, manganese, and/or trivalent chromium at an individual concentration greater than 1.0 percent by weight, or any other Table 1 HAP at an individual concentration greater than 0.1 percent by weight.”

19. NESHAP VVVVVV at 40 C.F.R. § 63.11494(a)(2)(iii) state that “[h]ydrazine and/or Table 1 organic HAP other than quinoline are generated as byproduct and are present in

the CMPU in any liquid stream (process or waste), continuous process vent, or batch process vent at an individual concentration greater than 0.1 percent by weight.”

20. NESHAP VVVVVV at 40 C.F.R. § 63.11502(b) defines “chemical manufacturing process,” in part, as “all equipment which collectively functions to produce a product or isolated intermediate. A process includes, but is not limited to any, all, or a combination of reaction, recovery, separation, purification, or other activity, operation, manufacture, or treatment which are used to produce a product or isolated intermediate.”

21. NESHAP VVVVVV at 40 C.F.R. § 63.11502(b) defines “in organic HAP service,” as a process vessel or piece of equipment either contains or contacts a feedstock, byproduct, or product that contains an organic HAP, excluding any organic HAP used in manual cleaning activities. A process vessel is no longer in organic HAP service after the vessel has been emptied to the extent practicable (i.e., a vessel with liquid left on process vessel walls or as bottom clingage, but not in pools, due to floor irregularity, is considered completely empty) and any cleaning has been completed.

22. NESHAP VVVVVV at 40 C.F.R. § 63.11502(b) defines “organic HAP,” as any organic HAP listed in section 112(b) of the CAA. For the purposes of requirements in this subpart VVVVVV, hydrazine is to be considered an organic HAP.

23. NESHAP VVVVVV at 40 C.F.R. § 63.11494(b) states the following: “A CMPU includes all process vessels, equipment, and activities necessary to operate a chemical manufacturing process that produces a material, or a family of materials described by North American Industry Classification System (NAICS) code 325. A CMPU consists of one or more unit operations and any associated recovery devices. A CMPU also includes each storage tank,

transfer operation, surge control vessel, and bottoms receiver associated with the production of such NAICS code 325 materials.”

24. NESHAP VVVVVV at 40 C.F.R. § 63.11494(d)(1) states, “[a]n affected source is an existing source if you commenced construction or reconstruction of the affected source before October 6, 2008.”

25. NESHAP VVVVVV at 40 C.F.R. § 63.11494(e) states, “[a]ny area source that installed a federally-enforceable control device on an affected CMPU is required to obtain a permit under 40 CFR part 70 or 40 CFR part 71 if the control device on the affected CMPU is necessary to maintain the source's emissions at area source levels.”

26. NESHAP VVVVVV at 40 C.F.R. § 63.11494(f) states, “[i]f you own or operate an existing affected source, you must achieve compliance with the applicable provisions in this subpart no later than March 21, 2013.”

27. NESHAP VVVVVV at 40 C.F.R. § 63.11495(a)(3) states, “[y]ou must conduct inspections of process vessels and equipment for each CMPU in organic HAP service or metal HAP service, as specified in paragraphs (a)(3)(i) through (v) of this section, to demonstrate compliance with paragraph (a)(1) of this section and to determine that the process vessels and equipment are sound and free of leaks. Alternatively, except when the subject CMPU contains metal HAP as particulate, inspections may be conducted while the subject process vessels and equipment are in [volatile organic compounds (VOC)] service, provided that leaks can be detected when in VOC service.

(i) Inspections must be conducted at least quarterly.

(ii) For these inspections, detection methods incorporating sight, sound, or smell are acceptable. Indications of a leak identified using such methods constitute a leak unless you demonstrate that the indications of a leak are due to a condition other than loss of HAP. If indications of a leak are determined not to be HAP in

one quarterly monitoring period, you must still perform the inspection and demonstration in the next quarterly monitoring period.

(iii) As an alternative to conducting inspections, as specified in paragraph (a)(3)(ii) of this section, you may use Method 21 of 40 C.F.R. Part 60, Appendix A-7, with a leak definition of 500 ppmv to detect leaks. You may also use Method 21 with a leak definition of 500 ppmv to determine if indications of a leak identified during an inspection conducted in accordance with paragraph (a)(3)(ii) of this section are due to a condition other than loss of HAP. The procedures in this paragraph (a)(3)(iii) may not be used as an alternative to the inspection required by paragraph (a)(3)(ii) of this section for process vessels that contain metal HAP as particulate.

(iv) Inspections must be conducted while the subject CMPU is operating.

(v) No inspection is required in a calendar quarter during which the subject CMPU does not operate for the entire calendar quarter and is not in organic HAP service or metal HAP service. If the CMPU operates at all during a calendar quarter, an inspection is required.”

28. NESHAP VVVVVV at 40 C.F.R. § 63.11495(4) states that “[y]ou must repair any leak within 15 calendar days after detection of the leak, or document the reason for any delay of repair. For the purposes of this paragraph (a)(4), a leak will be considered “repaired” if a condition specified in paragraph (a)(4)(i), (ii), or (iii) of this section is met.”

29. NESHAP VVVVVV at 40 C.F.R. § 63.11495(5) states that “[y]ou must keep records of the dates and results of each inspection event, the dates of equipment repairs, and, if applicable, the reasons for any delay in repair.”

30. NESHAP VVVVVV at 40 C.F.R. § 63.11499(a) states that “[i]f the cooling water flow rate in your heat exchange system is equal to or greater than 8,000 gal/min and is not meeting one or more of the conditions in §63.104(a), then you must comply with one of the requirements specified in Table 8 to this subpart.”

31. Table 8 to NESHAP VVVVVV, 1.a., states that for “each heat exchange system with a cooling water flow rate  $\geq 8,000$  gal/min and not meeting one or more of the conditions in § 63.104(a),” you must comply with “the monitoring requirements in § 63.104(c), the leak repair



requirements in § 63.104(d) and (e), and the recordkeeping and reporting requirements in § 63.104(f).”

32. NESHAP VVVVVV at 40 C.F.R. § 63.11501(b) provides a list of additional information that must be included in the Notification of Compliance Status.

33. NESHAP VVVVVV at 40 C.F.R. § 63.11502(b) defines equipment as “each pump, compressor, agitator, pressure relief device, sampling connection system, open-ended valve or line, valve, connector, and instrumentation system in or associated with a CMPU.”

34. NESHAP VVVVVV at 40 C.F.R. § 63.11496(a) states that for *organic HAP emissions from batch process vents*, “you must comply with the requirements in paragraphs (a)(1) through (4) of this section for organic HAP emissions from your batch process vents for each CMPU using Table 1 organic HAP. If uncontrolled organic HAP emissions from all batch process vents from a CMPU subject to this subpart are equal to or greater than 10,000 pounds per year (lb/yr), you must also comply with the emission limits and other requirements in Table 2 to this subpart.”

35. NESHAP VVVVVV at 40 C.F.R. § 63.11496(b) states that *organic HAP emissions from continuous process vents*, “you must comply with the requirements in paragraphs (b)(1) through (3) of this section for organic HAP emissions from your continuous process vents for each CMPU subject to this subpart using Table 1 organic HAP. If the total resource-effectiveness (TRE) index value for a continuous process vent is less than or equal to 1.0, you must also comply with the emission limits and other requirements in Table 3 to this subpart.”

36. Table 2 of NESHAP VVVVVV states that for batch process vents in a CMPU at an existing source for which the total organic HAP emissions are equal to or greater than 10,000

lb/yr, you must comply with the alternative standard specified in 40 C.F.R. § 63.2505 and the requirements referenced therein, if so chosen.

37. Table 3 of NESHAP VVVVVV states that for each continuous process vent with a TRE  $\leq 1.0$ , you must comply with the alternative standard specified in 40 C.F.R. § 63.2505 and the requirements referenced therein, if so chosen.

38. The federal regulation at 40 C.F.R. § 63.2505 states that “as an alternative to complying with the emission limits and work practice standards for process vents and storage tanks in Tables 1 through 4 to this subpart and the requirements in 40 C.F.R. §§ 63.2455 through 63.2470, you may comply with the emission limits in paragraph (a) of this section and demonstrate compliance in accordance with the requirements in paragraph (b) of this section.”

39. NESHAP VVVVVV at 40 C.F.R. § 63.11498(a) states that, “you must comply with the requirements in paragraph (a)(1) and (2) of this section and in Table 6, Item 1 to this subpart for all wastewater streams from a CMPIU subject to this subpart. If the partially soluble HAP concentration in a wastewater stream is equal to or greater than 10,000 parts per million by weight (ppmw) and the wastewater stream contains a separate organic phase, then you must also comply with Table 6, Item 2 to this subpart for that wastewater stream. Partially soluble HAP are listed in Table 7 to this subpart.”

40. Table 6 of NESHAP VVVVVV provides for the emission limits and compliance requirements for wastewater systems subject to 40 C.F.R. § 63.11498(a).

41. Table 7 of NESHAP VVVVVV provides a list of partially-soluble HAPs that are subject to the wastewater provisions of 40 C.F.R. § 63.11498(a).

42. NESHAP VVVVVV at 40 C.F.R. § 63.11501(c) states that, “you must maintain files of all information required by this subpart for at least 5 years following the date of each

occurrence according to the requirements in § 63.10(b)(1). If you are subject, you must comply with the recordkeeping and reporting requirements of § 63.10(b)(2)(iii) and (vi) through (xiv), and the applicable requirements specified in paragraphs (c)(1) through (8) of this section.”

43. NESHAP VVVVVV at 40 C.F.R. § 63.11501(d) states that *semiannual compliance reports must be submitted and* “you must submit semiannual compliance reports that contain the information specified in paragraphs (d)(1) through (7) of this section, as applicable. Reports are required only for semiannual periods during which you experienced any of the events described in paragraphs (d)(1) through (8) of this section.”

44. The Administrator of EPA (the Administrator) may assess a civil penalty of up to \$37,500 per day of violation up to a total of \$320,000 for CAA violations that occurred after December 6, 2013 through November 2, 2015 and \$48,192 per day of violation up to a total of \$385,535 for violations that occurred after November 2, 2015 under Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), and 40 C.F.R. Part 19.

45. Section 113(d)(1) limits the Administrator’s authority to matters where the first alleged date of violation occurred no more than 12 months prior to initiation of the administrative action, except where the Administrator and the Attorney General of the United States jointly determine that a matter involving a longer period of violation is appropriate for an administrative penalty action.

46. The Administrator and the Attorney General of the United States, each through their respective delegates, have determined jointly that an administrative penalty action is appropriate for the period of violations alleged in this CAFO.

### **Factual Allegations and Alleged Violations**

47. McGean owns and operates a chemical manufacturing facility at 2910 Harvard Avenue in Cleveland, Ohio (Facility).

48. McGean operates a “chemical manufacturing process,” as defined at 40 C.F.R. § 63.11502(b), at the Facility to produce a NAICS code 325 material.

49. On May 9, 2019, EPA performed a CAA inspection of the Facility (2019 Inspection).

50. During the 2019 Inspection, McGean had no records or reports required by NESHAP VVVVVV.

51. After the 2019 Inspection, on July 3, 2019, McGean provided a copy of the notification of compliance status (NOCS) form for NESHAP VVVVVV signed on October 19, 2012. McGean represented to EPA that the NOCS form was timely submitted to the appropriate agency.

52. According to the NOCS form provided by McGean, and as identified by EPA during the 2019 Inspection, McGean used chromium compounds and/or organic HAPs listed in Table 1 of NESHAP VVVVVV.

53. In the October 19, 2012 NOCS, McGean stated that it is complying with the alternative standards listed in Tables 2 and 3 to NESHAP VVVVVV, as applicable, for its process vent requirements under 40 C.F.R. §§ 63.11496(a) and 63.11496(b).

54. In the October 19, 2012 NOCS, McGean stated that it routes chromium compound emissions to scrubbers that control greater than 95% of such emissions.

55. At the 2019 Inspection, McGean had no performance or stack test information regarding its scrubbers.

56. On September 25, 2019, EPA issued to McGean a finding of violation alleging that it violated the NESHAP VVVVVV.

57. On September 30, 2019, EPA issued an information request to McGean, requiring stack testing at the facility to verify compliance with NESHAP VVVVVV and McGean's applicable state air permits. McGean completed stack testing on March 10-11, 2020, and McGean provided EPA with the final stack test reports and related documentation on August 21, 2020. On September 23, 2020, EPA responded to McGean's August 21, 2020 submission with a letter requesting additional information concerning the stack testing process and requesting analysis of the appropriateness of certain alternative testing procedures for facility emission control scrubber SCR 003. On October 9, 2020, McGean responded to EPA's September 23, 2020 letter with the requested information and an updated engineering analysis of SCR 003.

58. On October 25, 2019, McGean submitted information to EPA regarding the applicability of NESHAP VVVVVV to the facility's historic and current operations, and detailing corrective actions taken by McGean in response to the inspection and finding of violation to ensure prospective compliance with NESHAP VVVVVV.

59. On December 9, 2019, representatives of McGean and EPA discussed the September 25, 2019 finding of violation, McGean's corrective actions in response to the finding of violation, and best practices to ensure McGean's continued compliance with NESHAP VVVVVV.

60. EPA alleges McGean failed to comply with the following NESHAP VVVVVV requirements:

- a. the leak detection monitoring requirements, the leak repair requirements, and the recordkeeping and reporting requirements at 40 C.F.R. §§ 63.11495 and 63.11499(a), and Table 8 to NESHAP VVVVVV, 1.a.;

- b. the emissions standards and compliance requirements for the process vent provisions of batch and continuous process vents at 40 C.F.R. §§ 63.11496(a), 63.11496(b), 63.11496(f), Tables 2, 3, and 4 to NESHAP VVVVVV, and by reference 40 C.F.R. § 63.2505;
- c. identification of all wastewater streams and all applicable requirements associated with those wastewater streams at 40 C.F.R. § 63.11498(a), and Tables 6 and 7 to NESHAP VVVVVV;
- d. the requirement to keep records at 40 C.F.R. § 63.11501(c); and
- e. the requirement to submit semiannual reports for NESHAP VVVVVV since October 19, 2012, at 40 C.F.R. § 63.11501(d).

### **Civil Penalty**

61. 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 and Respondent's cooperation, Complainant has determined that an appropriate civil penalty to settle this action is \$83,349.

62. Within 30 days after the effective date of this CAFO, Respondent must pay a 83,349 civil penalty by electronic funds transfer, payable to "Treasurer, United States of America," and sent to:

Federal Reserve Bank of New York  
ABA No. 021030004  
Account No. 68010727  
33 Liberty Street  
New York, New York 10045

Field Tag 4200 of the Fedwire message should read:  
"D68010727 Environmental Protection Agency"

In the comment or description field of the electronic funds transfer, state Respondent's name and the docket number of this CAFO.

63. Respondent must send a notice of payment that states Respondent's name and the docket number of this CAFO to EPA at the following addresses when it pays the penalty:

Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency, Region 5  
[r5airenforcement@epa.gov](mailto:r5airenforcement@epa.gov)

Mary McAuliffe  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
[mcauliffe.mary@epa.gov](mailto:mcauliffe.mary@epa.gov)

Regional Hearing Clerk  
[r5hearingclerk@epa.gov](mailto:r5hearingclerk@epa.gov)

64. This civil penalty is not deductible for federal tax purposes.

65. If Respondent does not pay timely the civil penalty, EPA may request the Attorney General of the United States to bring an action to collect any unpaid portion of the penalty with interest, nonpayment penalties and the United States enforcement expenses for the collection action under Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5). The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.

66. Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any overdue amount from the date payment was due at a rate established by the Secretary of the Treasury pursuant to 26 U.S.C. § 6621(a)(2). Respondent must pay the United States enforcement expenses, including but not limited to attorney's fees and costs incurred by the United States for collection proceedings. In addition, Respondent must pay a quarterly nonpayment penalty each quarter during which the assessed penalty is overdue. This nonpayment penalty will be 10 percent of the aggregate amount of the outstanding penalties and nonpayment penalties accrued from the beginning of the quarter. 42 U.S.C. § 7413(d)(5).

#### **General Provisions**

67. The parties consent to service of this CAFO by e-mail at the following valid e-mail addresses: [mcauliffe.mary@epa.gov](mailto:mcauliffe.mary@epa.gov) (for Complainant), and [mbooyer@bakerlaw.com](mailto:mbooyer@bakerlaw.com) and [Dave.Hurder@mcgean.com](mailto:Dave.Hurder@mcgean.com) (for Respondent).

68. This CAFO resolves only Respondent's liability for federal civil penalties for the violations alleged in this CAFO.

69. The CAFO does not affect the rights of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violation of law.

70. This CAFO does not affect Respondent's responsibility to comply with the CAA and other applicable federal, state and local laws. Except as provided in paragraph 68, above, compliance with this CAFO will not be a defense to any actions subsequently commenced pursuant to federal laws administered by EPA.

71. Respondent certifies that it is complying fully with NESHAP VVVVVV.

72. This CAFO constitutes an "enforcement response" as that term is used in EPA's Clean Air Act Stationary Civil Penalty Policy to determine Respondent's "full compliance history" under Section 113(e) of the CAA, 42 U.S.C. § 7413(e).

73. The terms of this CAFO bind Respondent, its successors and assigns.

74. Each person signing this consent agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

75. Each party agrees to bear its own costs and attorney's fees in this action.

76. This CAFO constitutes the entire agreement between the parties.

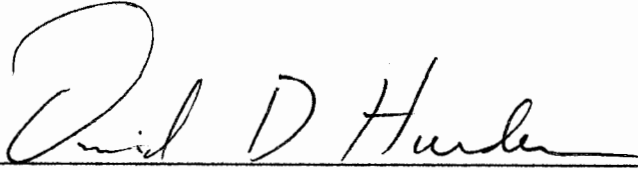


**In the Matter of: McGean-Rohco, Inc.**

**McGean-Rohco, Inc., Respondent**

27 June 2021

Date

A handwritten signature in cursive script, reading "David D. Hurder", written over a horizontal line.

David D. Hurder, Chief Operating Officer  
McGean-Rohco, Inc.

**In the Matter of: McGean-Rohco, Inc.**

**United States Environmental Protection Agency, Complainant**

**MICHAEL  
HARRIS**

Digitally signed by  
MICHAEL HARRIS  
Date: 2021.07.02  
13:59:58 -05'00'

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Michael D. Harris  
Division Director  
Enforcement and Compliance Assurance Division  
U.S. Environmental Protection Agency, Region 5

**Consent Agreement and Final Order**  
**In the Matter of: McGean-Rohco, Inc.**  
**Docket No. CAA-05-2021-0024**

**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.

\_\_\_\_\_  
Date

**ANN COYLE** Digitally signed by ANN  
COYLE  
Date: 2021.07.06  
13:29:11 -05'00'

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

Consent Agreement and Final Order  
In the matter of: McGean-Rohco, Inc.  
Docket Number: **CAA-05-2021-0024**

**CERTIFICATE OF SERVICE**

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, docket number CAA-05-2021-0024, which was filed on July 6, 2021, in the following manner to the following addressees:

Copy by E-mail to Respondent: David D. Hurder  
[Dave.Hurder@mcgean.com](mailto:Dave.Hurder@mcgean.com)

Copy by E-mail to  
Attorney for Complainant: Mary McAuliffe  
[mcauliffe.mary@epa.gov](mailto:mcauliffe.mary@epa.gov)

Copy by E-mail to  
Attorney for Respondent: Martin T. Booher  
[mbooher@bakerlaw.com](mailto:mbooher@bakerlaw.com)

Copy by E-mail to  
Regional Judicial Officer: Ann Coyle  
[coyle.ann@epa.gov](mailto:coyle.ann@epa.gov)

Dated: \_\_\_\_\_  
LaDawn Whitehead  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 5