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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY 26 MAY 26 PM 04:29
REGION 6
DALLAS, TEXAS 75270

REGIONAL HEARING CLERK
EPA REGION 6

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| In the Matter of | § | |
| | § | |
| | § | |
| American Vacuum | § | Docket No. <u>RCRA-06-2026-0919</u> |
| | § | |
| | § | |
| Respondent. | § | |

EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER

1. The U.S. Environmental Protection Agency, Region 6 ("EPA") is authorized to enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 3008 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928 and 40 C.F.R. § 22.13(b).

2. By copy of this letter, EPA is providing the state of Texas with notice of the referenced violations of Subtitle C of RCRA as required by Section 3008(a)(2), 42 U.S.C. § 6928(a)(2).

3. American Vacuum (AV or "Respondent") is the owner or operator of the facility at 1232 Siracusa Rd, Morgan City, LA 70380 (the "Facility"), EPA ID No. . EPA conducted a Compliance Inspection at the Facility on March 26, 2025. EPA alleges that Respondent violated the following requirements of the RCRA and the EPA approved and authorized Louisiana hazardous waste management programs:

- 1) Failure to meet standards for used oil management (Labeling/Marking Requirements)
 - a. Pursuant to LAC 33:V.4035.G, [40 CFR § 279.45(g)(1)], Containers and aboveground tanks used to store used oil at transfer facilities must be labeled or

marked clearly with the words "Used Oil." During the inspection in the yard area, close to the garage, the inspection team observed five above ground storage tanks and 15 drums that were not labeled or marked clearly with the words "Used Oil".

2) Failure to meet standards for used oil management (Secondary Containment Requirements)

- a. Pursuant to LAC 33:V.4035(D), and (E) , [40 CFR § 279.45(d), & (e) Containers used to store used oil at transfer facilities must be equipped with a secondary containment system. Facility failed to locate 15 drums and one frac tank in secondary containment, (same drums and frac tank that were not labeled).

3) Failure to meet standards for small quantity handlers of universal waste (Labeling/Marking requirements)

- a. Pursuant to LAC 33:V.3823.A.1, [40 CFR § 273.14(a)], Universal waste batteries (*i.e.*, each battery), or a container in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste—Battery(ies)," or "Waste Battery(ies)," or "Used Battery(ies)." During the inspection, the inspection team observed one universal waste storage area containing universal waste batteries that were unlabeled and unmarked.

4) Failure to meet standards for used oil transporter and transfer facilities (Rebuttable Presumption for Used Oil)

- a. Pursuant to LAC 33:V.4033, [40 CFR § 279.44(a)], To ensure that used oil is not a hazardous waste under the rebuttable presumption of § 279.10(b)(1)(ii), the used oil transporter must determine whether the total halogen content of the used oil being transported or stored at a transfer facility is above or below 1,000 ppm. The facility has failed to test incoming used oil for the presence of total halogens consummate with the provisions of the rebuttable presumption.

4. EPA and Respondent agree that settlement of this matter for a civil penalty of \$15,000 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 issue 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, 42 U.S.C. § 6928(b); and (7) consents to electronic service of the filed ESA.

6. Within thirty (30) calendar days of the effective date of this Agreement, Respondent must pay the civil penalty of \$1,250.00 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.

7. Within 24 hours of payment, email proof of payment (e.g., 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), including Respondent's name, complete address, and docket number to the following:

Fred Deppe
U.S. EPA, Region 6
deppe.fred@epa.gov

U.S. EPA, Region 6 Hearing Clerk
vaughn.lorena@epa.gov

U.S. Environmental Protection Agency
Cincinnati Finance Center
CINWD_AcctsReceivable@epa.gov

8. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Expedited Settlement and Final Order shall be claimed by Respondent as a deduction for federal, state or local income tax purposes.

9. By signing this 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 Agreement.

10. 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.

11. The undersigned representative of Respondent certifies that he or she is fully authorized to enter the terms and conditions of this Expedited Settlement Agreement and Final Order and to execute and legally bind Respondent to it. Upon the effective date of this Agreement, payment of the civil penalty shall constitute full settlement of the civil claims alleged herein.

12. Full payment of the civil penalty shall only resolve Respondent's liability for federal civil penalties for the violations alleged herein. 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. This Agreement authorized by EPA's execution of the Final Order attached hereto constitutes a final order under 40 C.F.R. Part 22.

16. EPA and Respondent agree to the use of electronic signatures for this matter pursuant to 40 C.F.R. § 22.6. The EPA and Respondent further agree to electronic service of this Agreement by email to the following:

To EPA: roland.alexandrea@epa.gov and deppe.fred@epa.gov

To Respondent: Americanvacuum1@gmail.com

RESPONDENT:

Date: 05/14/26


Signature

Rob Bourisco
Name

owner/mgr
Title

**COMPLAINANT:
U.S. ENVIRONMENTAL PROTECTION AGENCY**

Date: May 22, 2026


Digitally signed by
CHERYL SEAGER
Date: 2026.05.22
09:49:55 -05'00'
Cheryl T. Seager
Director
Enforcement and
Compliance Assurance Division
U.S. EPA, Region 6

FINAL ORDER

Pursuant to the authority of Section 3008(a) of RCRA, 42 U.S.C. §6928(a), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/ Termination or Suspension of Permits, 40 C.F.R. Part 22, the foregoing Expedited Settlement Agreement resolving this matter is hereby ratified and incorporated by reference into this Final Order.

Respondent is ORDERED to comply with all of the terms of the Expedited Settlement Agreement. In accordance with 40 C.F.R. § 22.31(b), the effective date of the foregoing Expedited Settlement Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

This Final Order shall resolve only those causes of action alleged in the Expedited Settlement Agreement. Nothing in this Final Order shall be construed to waive, extinguish, or otherwise affect Respondents' (or its officers, agents, servants, employees, successors, or assigns) obligation to comply with all applicable federal, state, and local statutes and regulations, including the regulations that were the subject of this action.

IT IS SO ORDERED.

**ELIZABETH
RYLAND**

Digitally signed by
ELIZABETH RYLAND
Date: 2026.05.26
16:11:41 -05'00'

Renea Ryland
Regional Judicial Officer, Region 6

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Expedited Settlement Agreement and Final Order was filed with me, the Regional Hearing Clerk, U.S. EPA - Region 6, 1201 Elm Street, Suite 500, Dallas, Texas 75270-2102, and that I sent a true and correct copy on this day in the following manner to the email addresses below:

Copy via Email to Complainant:

Alex Roland
U.S. EPA, Region 6
roland.alexandrea@epa.gov

Fred Deppe
U.S. EPA, Region 6
deppe.fred@epa.gov

Copy via Email to Respondent:

Rob Guarisco
Americanvacuum1@gmail.com
American Vacuum
1232 Siracusa Rd
Morgan City, LA 70380

LORENA
VAUGHN

Digitally signed by
LORENA VAUGHN
Date: 2026.05.26
16:30:20 -05'00'

U.S. EPA, Region 6
Regional Hearing Clerk