

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**



<b>IN THE MATTER OF:</b>	)	Docket No.: RCRA-05-2026-0022
	)	
Webb Chemical Service Corporation, Inc.	)	
2708 Jarman Street	)	<b>EXPEDITED SETTLEMENT</b>
Muskegon Heights, Michigan 49444	)	<b>AGREEMENT AND</b>
EPA ID No. MID006410740	)	<b>FINAL ORDER</b>
	)	
Respondent	)	

**EXPEDITED SETTLEMENT AGREEMENT**

1. The Director, Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency (“EPA”), Region 5 (“Complainant”) and Webb Chemical Service Corporation, Inc. (“Respondent” or “Webb”), 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 \$10,000.
2. EPA inspected the Webb facility located at 2708 Jarman Street, Muskegon Heights, Michigan (the “Facility”), on August 15, 2024, and reviewed information provided by Respondent on August 16, 2024, and September 19, 2025. Complainant has determined Respondent violated the following sections of RCRA, and the Michigan hazardous waste management program, Michigan Administrative Code,<sup>1</sup> at the Facility:
  - a. Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Mich. Admin. Code R. 299.9502(1), 299.9508 and 299.9510 prohibit the treatment, storage, or disposal of hazardous waste without a license or interim status. A generator may, however, accumulate hazardous waste on-site for 90 days or less without a license or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code R. 299.9307(1)(c) and 40 C.F.R. §§ 262.17(a)(6) and 262.262(b), including, but not limited to, documenting and submitting a quick reference guide of the contingency plan to the local emergency responders. At the time of inspection, Respondent had failed to document that a quick reference guide of its contingency plan had been developed and submitted to its local emergency

---

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

responders, and Respondent had not obtained a license or interim status. Respondent stored hazardous waste without a license or without interim status in violation of Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code R. 299.9502, 299.9508 and 299.9510 because it failed to comply with the conditions for an exemption as described above.

- b. Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Mich. Admin. Code R. 299.9502(1), 299.9508 and 299.9510 prohibit the treatment, storage, or disposal of hazardous waste without a license or interim status. A generator may, however, accumulate hazardous waste on-site for 90 days or less without a license or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code R. 299.9307(1)(c) and 299.9607, and 40 C.F.R. §§ 262.17(a)(6) and 262.261(d), and 264.52(d), including, but not limited to, designating, in the contingency plan, the primary emergency coordinator and the secondary emergency coordinators in the order in which they would assume responsibility. At the time of inspection, Respondent had failed to designate, in its contingency plan, its primary emergency coordinator and its secondary emergency coordinators in the order in which they would assume responsibility, and Respondent had not obtained a license or interim status. Respondent stored hazardous waste without a permit or without interim status in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code R. 299.9502, 299.9508 and 299.9510 because it failed to comply with the conditions for an exemption as described above.
- c. Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Mich. Admin. Code R. 299.9502(1), 299.9508 and 299.9510 prohibit the treatment, storage, or disposal of hazardous waste without a license or interim status. A generator may, however, accumulate hazardous waste on-site for 90 days or less without a license or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code R. 299.9307(1)(c) and 299.9607, and 40 C.F.R. §§ 262.17(a)(6) and 262.261(e), and 264.52(e), including, but not limited to, listing the facility's emergency equipment and describing the equipment's capabilities in the facility's contingency plan. At the time of inspection, Respondent had failed to list, in its contingency plan, its emergency equipment and describe the equipment's capabilities, and Respondent had not obtained a license or interim status. Respondent stored hazardous waste without a permit or without interim status in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code R. 299.9502, 299.9508 and 299.9510 because it failed to comply with the conditions for an exemption as described above.
- d. Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Mich. Admin. Code R. 299.9502(1), 299.9508 and 299.9510 prohibit the treatment, storage, or disposal of hazardous waste without a

license or interim status. A generator may, however, accumulate hazardous waste on-site for 90 days or less without a license or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code R. 299.9307(1)(i)(ii) and 299.9311(7), and 40 C.F.R. § 262.17(a)(7)(iv), including, but not limited to, documenting and maintaining on-site written job descriptions for positions related to hazardous waste management. At the time of inspection, Respondent had failed to document and maintain on-site written job descriptions for positions related to hazardous waste management, and Respondent had not obtained a license or interim status. Respondent stored hazardous waste without a permit or without interim status in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code R. 299.9502, 299.9508 and 299.9510 because it failed to comply with the conditions for an exemption as described above.

- e. Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Mich. Admin. Code R. 299.9502(1), 299.9508 and 299.9510 prohibit the treatment, storage, or disposal of hazardous waste without a license or interim status. A generator may, however, accumulate hazardous waste on-site for 90 days or less without a license or interim status, provided that the generator complies with all applicable conditions set forth in Mich. Admin. Code R. 299.9307(1)(b)(i)(F), 299.9614(1)(a), and 299.9311(7), and 40 C.F.R. §§ 262.17(a)(1)(v) and 264.174, including, but not limited to, conducting and documenting weekly inspections for central accumulation areas where containers are stored. At the time of inspection, Respondent had failed to conduct and document weekly inspections for one week in 2022, one week in 2023, and one week in 2024, and Respondent had not obtained a license or interim status. Respondent stored hazardous waste without a permit or without interim status in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Mich. Admin. Code R. 299.9502, 299.9508 and 299.9510 because it failed to comply with the conditions for an exemption as described above.
- f. Under Mich. Admin. Code R. 299.9302(1) and 299.9311(1), a person who generates a waste shall make an accurate waste determination if that waste is a hazardous waste, and the generator shall keep records supporting the hazardous waste determinations made under R. 299.9302 for not less than 3 years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal. At the time of inspection, Respondent had not made a hazardous waste determination for one waste stream that was labeled as “Spent Aerosols” and was being stored in a container. Respondent’s failure to make and document a hazardous waste determination for the spent aerosol waste that had been generated at the time of the inspection violated Mich. Admin. Code R. 299.9302(1) and 299.9311(1).

- g. Under Mich. Admin. Code R. 299.9312(1) and 299.9610(1), a large quantity generator that ships any hazardous waste off-site to a treatment, storage or disposal facility within the United States must prepare and submit a report to the Michigan Department of Environment, Great Lakes, and Energy (EGLE) by March 1 of each even numbered year. At the time of inspection, Respondent had failed to prepare and submit the biennial hazardous waste report to Michigan EGLE by March 1, 2022, for the large quantity generator amounts of hazardous waste generated during calendar year 2021. Respondent's failure to prepare and submit the biennial hazardous waste report to Michigan EGLE by March 1, 2022, for the calendar year 2021, at the time of the inspection violated Mich. Admin. Code R. 299.9312(1) and 299.9610(1).
3. The EPA and Respondent agree that settlement of this matter for a civil penalty of ten thousand dollars (\$10,000) 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 to request a hearing pursuant to Section 3008(b) of RCRA, 42 U.S.C. § 6928(b) or 40 C.F.R. § 22.15(c); and (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 ten thousand dollars (\$10,000) 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)

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

Bryan Gangwisch  
Land Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency, Region 5  
[gangwisch.bryan@epa.gov](mailto:gangwisch.bryan@epa.gov)  
and  
[R5LEcab@epa.gov](mailto:R5LEcab@epa.gov)

Robert Gustafson  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
[gustafson.robert@epa.gov](mailto:gustafson.robert@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: [gustafson.robert@epa.gov](mailto:gustafson.robert@epa.gov) (for Complainant), and [cmay@webbchemical.com](mailto:cmay@webbchemical.com) (for Respondent).
16. Respondent understands that the ESA will become publicly available upon filing.

IT IS SO AGREED,

Kolin Convertini

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

Vice President Operations

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

*Kolin Convertini*

\_\_\_\_\_  
Signature

04/29/2026

\_\_\_\_\_  
Date

APPROVED BY EPA:

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

**In the Matter of:  
Webb Chemical Service Corporation, Inc.  
Docket No.: RCRA-05-2026-0022**

**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:

---

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