



REGION 8
DENVER, CO 80202

July 31, 2025

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4:00 PM

**U.S. EPA REGION 8
HEARING CLERK**

Ref: 8ECA-W-NW

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Casey D. Osborn
Chief Executive Officer
Emit Technologies, Inc.
2571 North Main Street
Sheridan, WY 82801
cdosborn@emittechnologies.com

Re: Termination of Administrative Order on Consent under Section 309 of the Clean Water Act
Docket No. CWA-08-2025-0005

Dear Mr. Osborn,

This letter is to inform you of the U.S. Environmental Protection Agency's (EPA's) decision to terminate the Administrative Order on Consent (Order) entered between Emit Technologies, Inc. (Emit) and the EPA under the authority of the Clean Water Act (CWA), Docket No. CWA-08-2025-0005. The Order became effective January 30, 2025. After entry of the Order, Emit changed operational processes to use chemicals that are not subject to the metal finishing pretreatment category at the Facility covered by the Order. Emit has since demonstrated to our satisfaction that the metal finishing categorical chemicals have been removed from the Facility and that Emit no longer conducts Metal Finishing operations there, as defined under the categorical pretreatment regulations at 40 C.F.R. part 433. Thus, the requirements in the Order no longer apply, and EPA is terminating the Order pursuant to Paragraph 47.

Please be aware that Emit's recent operational changes did not affect its status as an industrial user that discharges industrial process wastewater to the Publicly Owned Treatment Works of the City of Sheridan, Wyoming, and is thus subject to the CWA. Termination of this Order does not relieve Emit of its obligation to comply with the CWA and its implementing regulations, including section 307 of the CWA, 33 U.S.C. § 1317, 40 C.F.R. part 403 (the general pretreatment requirements), and any applicable pretreatment categorical standards set forth by 40 C.F.R. parts 405 through 471. Violations of the CWA or its implementing regulations may result in an enforcement action to seek relief, including a court-imposed injunction and/or civil penalties.

If you have any questions regarding this letter or any other matters pertinent to compliance with the CWA, you may contact Stephanie Passarelli, Environmental Engineer, at (303) 321-6803 or

passarelli.stephanie@epa.gov. Any legal questions from counsel should be directed to Robyn Emeson, Senior Assistant Regional Counsel, at (303) 312-6485 or emeson.robbyn@epa.gov.

Thank you for your attention to this matter and for your compliance with the above-referenced Order while it remained effective.

Sincerely,

for Colleen Rathbone, Manager
Water Enforcement Branch
Enforcement and Compliance Assurance Division

cc: (via email)

Ms. Kate Tribbett, Regional Hearing Clerk, EPA Region 8

(R8_Hearing_Clerk@epa.gov)

Ms. Stephanie Passarelli, EPA Region 8, ECAD (passarelli.stephanie@epa.gov)

Mr. Al Garcia, EPA Region 8, ECAD (garcia.al@epa.gov)

Ms. Robyn Emeson, EPA Region 8, ORC (emeson.robbyn@epa.gov)

Ms. Michelle Wilson, Emit Technologies, Inc. (mwilson@emittechnologies.com)

Mr. Brian Edwards, City of Sheridan, WY (bedwards@sheridanwy.gov)