

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

<b>In the Matter of:</b>	)	<b>Docket No. RCRA-05-2025-0032</b>
	)	
<b>Accu-Labs, Inc.</b>	)	<b>Proceeding to Commence and Conclude</b>
<b>3433 West 48<sup>th</sup> Place,</b>	)	<b>an Action to Assess a Civil Penalty</b>
<b>Chicago, Illinois</b>	)	<b>Under Section 3008(a) of the Resource</b>
	)	<b>Conservation and Recovery Act,</b>
<b>Respondent.</b>	)	<b>42 U.S.C. § 6928(a)</b>
	)	

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**Consent Agreement and Final Order****Preliminary Statement**

1. This is an administrative action commenced and concluded under Section 3008(a) of the Solid Waste Disposal Act, as amended, also known as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a), and Sections 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. The Complainant is the Director of the Enforcement and Compliance Assurance Division, United States Environmental Protection Agency (U.S. EPA), Region 5.

3. U.S. EPA provided notice of commencement of this action to the State of Illinois pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).

4. Respondent is Accu-Labs, Inc., a corporation doing business in the State of Illinois.

5. 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).

6. 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.

7. 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**

8. Jurisdiction for this action is conferred upon U.S. EPA by Sections 3006 and 3008 of RCRA, 42 U.S.C. §§ 6926 and 6928.

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

10. 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. 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 consent agreement.

### **Statutory and Regulatory Background**

11. U.S. EPA has promulgated regulations, codified at 40 C.F.R. Parts 260 through 279, governing generators and transporters of hazardous waste and facilities that treat, store, and dispose of hazardous waste, pursuant to Sections 3001 – 3007, and 3013, among others, of RCRA, 42 U.S.C. §§ 6921 – 6927, and 6934.

12. Pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, the Administrator of U.S. EPA may authorize a state to administer the RCRA hazardous waste program in lieu of the federal program when the Administrator finds that the state program meets certain conditions.

13. Any violation of regulations promulgated pursuant to Subtitle C (Sections 3001-3023

of RCRA, 42 U.S.C. §§ 6921-6939e) or any state provision authorized pursuant to Section 3006 of RCRA constitutes a violation of RCRA, subject to the assessment of civil penalties and issuance of compliance orders as provided in Section 3008 of RCRA, 42 U.S.C. § 6928.

14. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), the Administrator of U.S. EPA granted the State of Illinois final authorization to administer a state hazardous waste program in lieu of the federal government's base RCRA program effective January 31, 1986. 51 Fed. Reg. 3778 (January 31, 1986).

15. Under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), U.S. EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified period of time, or both. The Administrator of U.S. EPA may assess a civil penalty of up to \$124,426 per day for each violation of Subtitle C of RCRA that occurred after November 2, 2015, pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), and 40 C.F.R. Part 19.

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

16. Respondent is a "person" as defined by 35 Ill. Adm. Code § 720.110, 40 C.F.R. § 260.10, and Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

17. Respondent was the "owner" or "operator," as those terms are defined under 35 Ill. Adm. Code § 720.110 and 40 C.F.R. § 260.10, of a facility located at 3433 West 48<sup>th</sup> Place, Chicago, Illinois, and formerly located at 4831 S Whipple St, Chicago, Illinois (Facility).

18. At all times relevant to this CAFO, Respondent's Facility consisted of land and structures, other appurtenances, and improvements on the land used for treating or storing hazardous waste.

19. Respondent's Facility is a "facility" as that term is defined under 35 Ill. Adm. Code

§ 720.110 and 40 C.F.R. § 260.10.

20. At all times relevant to this CAFO, Respondent mixed chemicals to make etchants, cleaning solutions, degreasers, acid washes, bright dips, and conversion coatings that are used in the plating industry.

21. At all times relevant to this CAFO, while making solutions that are used in the plating industry, Respondent generated cyanide-bearing solution, nickel solution, and rinse water containing chromium, all wastes Respondent collected in a tote and stored in a hazardous waste storage area.

22. At all times relevant to this CAFO, Respondent held hazardous waste that it characterized as corrosive hazardous waste (D002), chromium-bearing hazardous waste (D007), and discarded materials for temporary periods in containers before it shipped the material from the Facility for treatment, storage, disposal, burning, or incineration elsewhere.

23. Respondent stored, transported, disposed of, or otherwise handled its hazardous waste in “containers” as that term is defined under 35 Ill. Adm. Code § 720.110 and 40 C.F.R. § 260.10.

24. At all times relevant to this CAFO, Respondent’s hazardous waste was “solid waste” as that term is defined under 35 Ill. Adm. Code § 721.102 and 40 C.F.R. § 261.2.

25. At all times relevant to this CAFO, Respondent’s hazardous waste was “hazardous waste” as that term is defined under 35 Ill. Adm. Code § 721.103 and 40 C.F.R. § 261.3.

26. At all times relevant to this CAFO, Respondent’s holding of hazardous waste in containers constituted hazardous waste “storage,” as that term is defined under 35 Ill. Adm. Code § 721.104(c) and 40 C.F.R. § 260.10.

27. Respondent is a “generator,” as that term is defined in 35 Ill. Adm. Code § 720.110

and 40 C.F.R. § 260.10.

28. The Facility was generating and managing hazardous waste after November 19, 1980.

29. On April 7, 2022, U.S. EPA conducted a Compliance Evaluation Inspection of the Facility (the Inspection).

30. On July 26, 2024, U.S. EPA issued a Notice of Potential Violation and Opportunity to Confer to Respondent alleging certain violations of RCRA discovered during the Inspection.

31. On October 16, 2024, Respondent submitted to U.S. EPA a written response to the Notice of Potential Violation and Opportunity to Confer.

32. At all times relevant to this CAFO, the State of Illinois had not issued a permit to Respondent to treat, store, or dispose of hazardous waste at its Facility.

33. At all times relevant to this CAFO, Respondent did not have interim status for the treatment, storage, or disposal of hazardous waste at its Facility.

34. On or about February 1, 2023, Respondent submitted a Hazardous Waste Notification to EPA for the Facility.

35. The Hazardous Waste Notification indicated that Respondent is a Large Quantity Generator.

36. For each calendar year relevant to this CAFO, the Facility generated more than 1,000 kg of hazardous waste in a calendar month.

**Count 1: Storage of Hazardous Waste Without a Permit or Interim Status**

37. Complainant incorporates paragraphs 1 through 36 of this CAFO as though set forth in this paragraph.

38. Pursuant to 3005(a) of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R.

Part 270, the treatment, storage, or disposal of hazardous waste by any person who has not applied for or received a permit is prohibited.

39. Pursuant to 35 Ill. Adm. Code § 722.134<sup>1</sup>, however, and subject to certain exceptions, a generator of hazardous waste may accumulate hazardous waste onsite for 90 days or less without having a permit or interim status, provided that the generator complies with all applicable conditions set forth in 35 Ill. Adm. Code § 722.134, including, but not limited to, requirements for owners and operators in 35 Ill. Adm. Code § 724.

40. A generator who accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of 35 Ill. Adm. Code § 724 and the permit requirements of 35 Ill. Adm. Code §§ 703.121, 703.180, and 705.121, unless the generator has been granted an extension to the 90-day period. Storage for more than 90 days subjects the generator of hazardous waste to the requirement to either obtain a permit or achieve interim status.

41. At all times relevant to this Complaint, Respondent had not been granted an extension to accumulate hazardous waste for more than 90 days.

42. Similarly, the failure to comply with any of the conditions of 35 Ill. Adm. Code § 722.134, subjects the generator of hazardous waste to the requirements of 35 Ill. Adm. Code § 724 and the permit requirements of 35 Ill. Adm. Code §§ 703.121, 703.180, and 705.121.

43. In order for a generator of hazardous waste to maintain its exemption from the requirement to have an operating permit or interim status, it cannot store hazardous waste for

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<sup>1</sup> On November 19, 2018, the State of Illinois promulgated revised regulations that EPA has not yet authorized. EPA authorized an earlier edition of the Illinois hazardous waste regulations that contained a provision at Ill. Admin. Code tit. 35, § 722.134, which remains the RCRA authorized Large Quantity Generator provision in Illinois.

longer than 90 days. 35 Ill. Adm. Code § 722.134(a) and (b).

44. At the time of the Inspection, Respondent had accumulated hazardous waste onsite for more than 90 days without obtaining or applying for a permit.

45. Accordingly, Respondent failed to satisfy the condition for maintaining its exemption from the requirement that it have an operating permit or interim status.

46. As a result of Respondent's failure to meet the applicable condition for the generator exemption provided by 35 Ill. Adm. Code § 722.134, Respondent became an operator of a hazardous waste treatment, storage, and disposal facility (TSDF).

47. Respondent's storage of hazardous waste without a permit or interim status violated Section 3005 of RCRA, 42 U.S.C. § 6925(a) and the requirements of 35 Ill. Adm. Code §§ 703.121, 703.180, and 705.121.

**Count 2: Failure to Properly Label and Store Containers Without a Permit or Interim Status**

48. Complainant incorporates paragraphs 1 through 47 of this CAFO as though set forth in this paragraph.

49. Pursuant to Section 3002 of RCRA, 42 U.S.C. § 6922, EPA has promulgated regulations establishing standards applicable to generators of hazardous waste, including labeling practices to ensure the accurate identification of hazardous waste stored in containers.

50. Pursuant to Section 3004 of RCRA, 42 U.S.C. § 6924, EPA has promulgated regulations establishing standards applicable to owners and operators of hazardous waste treatment, storage and disposal facilities, including storage requirements for hazardous waste.

51. 35 Ill. Adm. Code § 725.273(a) requires that an owner or operator of a TSDF must always keep a container holding hazardous waste closed during storage, except when it is necessary to add or remove waste.

52. At the time of the Inspection, EPA observed one open tote containing hazardous waste, at a time when Respondent was not adding or removing waste from the tote, in violation of 35 Ill. Adm. Code § 725.273(a) and Sections 3002 and 3004 of RCRA, 42 U.S.C. §§ 6922 and 6924.

53. 35 Ill. Adm. Code § 722.134(a)(2) provides that, for a generator of hazardous waste to maintain its exemption from the requirement to have an operating permit or interim status, it must clearly and visibly mark each container with the date upon which each period of accumulation began.

54. At the time of the Inspection, EPA observed that Respondent, without a permit or interim status, had failed to store hazardous waste in a container that was clearly and visibly marked with the date upon which each period of accumulation began, in violation of 35 Ill. Adm. Code §§ 722.134(a)(2), 724, 703.121, 703.180, and 705.121, and consequently failed to meet the 35 Ill. Adm. Code § 722.134 condition for the generator exemption, and became an operator of a TSDF. Therefore, Respondent's storage of hazardous waste without a permit or interim status violated Section 3005 of RCRA, 42 U.S.C. § 6925(a).

55. 35 Ill. Adm. Code § 722.134(a)(3) provides that, for a generator of hazardous waste to maintain its exemption from the requirement to have an operating permit or interim status, it must label or clearly mark each container storing hazardous waste with the words "Hazardous Waste."

56. At the time of the Inspection, EPA observed that Respondent had failed to store hazardous waste in a container that was labeled or clearly marked with the words "Hazardous Waste," in violation of 35 Ill. Adm. Code §§ 722.134(a)(3), 724, 703.121, 703.180, and 705.121, and consequently failed to meet the 35 Ill. Adm. Code § 722.134 condition for the generator



exemption, and became an operator of a TSDF. Therefore, Respondent's storage of hazardous waste without a permit or interim status violated Section 3005 of RCRA, 42 U.S.C. § 6925(a).

**Count 3: Failure to Maintain a Copy of the Contingency Plan and  
Submit it to Local Authorities**

57. Complainant incorporates paragraphs 1 through 47 of this CAFO as though set forth in this paragraph.

58. Pursuant to Section 3004 of RCRA, 42 U.S.C. § 6924, EPA has promulgated regulations establishing standards applicable to owners and operators of hazardous waste treatment, storage and disposal facilities, including contingency plans for treatment, storage, or disposal of hazardous waste.

59. 35 Ill. Adm. Code §§ 722.134(a)(1)(A) and 725.153(a)-(b) require that an owner or operator of a TSDF (a) must always maintain a copy of the contingency plan and all revisions to the plan at the facility and (b) must submit a copy of the contingency plan to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services.

60. At the time of the Inspection, EPA observed that Respondent had failed to maintain an accessible copy of the contingency plan and all revisions to the plan at the Facility and failed to provide confirmation that it submitted a copy of the contingency plan to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services, in violation of 35 Ill. Adm. Code §§ 722.134(a)(1)(A) and 725.153(a)-(b), and Section 3004 of RCRA, 42 U.S.C. § 6924.

**Count 4: Failure to Submit Sufficient Initial Notification and Failure to Prepare Proper  
Hazardous Waste Manifests**

61. Complainant incorporates paragraphs 1 through 47 of this CAFO as though set forth

in this paragraph.

62. Pursuant to Section 3010(a) of RCRA, 42 U.S.C. § 6930(a), an owner or operator of a TSDF must file with an authorized state a notification stating the location and general description of such activity and the identified or listed hazardous wastes the TSDF handles.

63. EPA implements Section 3010(a) of RCRA, 42 U.S.C. § 6930(a), through EPA Form 8700-12 (OMB 2050-0024).

64. 35 Ill. Adm. Code § 722.112(a)<sup>2</sup> prohibits an owner or operator of a TSDF from treating, storing, disposing of, transporting, or offering for transportation hazardous waste without having received an EPA identification number.

65. At the time of the Inspection, Respondent had failed to obtain an EPA identification number for 3421 West 48<sup>th</sup> Place, Chicago, Illinois, despite storing and offering hazardous waste for transportation at that site, and was instead using an EPA identification number for its prior facility location at 4831 South Whipple, Chicago, Illinois, in violation of 35 Ill. Adm. Code § 722.112(a).

66. Pursuant to Section 3002 of RCRA, 42 U.S.C. § 6922, EPA has promulgated regulations establishing standards applicable to generators of hazardous waste, including the requirement to use a hazardous waste manifesting system.

67. 35 Ill. Adm. Code § 722.120 requires a generator who transports, or offers for transport, a hazardous waste for offsite treatment, storage, or disposal, to prepare a Manifest on EPA Form 8700-22 (OMB Control number 2050-0039), and if necessary, EPA Form 8700-22A,

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<sup>2</sup> On November 19, 2018, the State of Illinois promulgated revised regulations that EPA has not yet authorized. EPA authorized an earlier edition of the Illinois hazardous waste regulations that contained a provision at Ill. Admin. Code tit. 35, § 722.112(a), which remains the RCRA authorized Large Quantity Generator provision in Illinois.

according to the instructions included in the appendix.

68. At the time of the Inspection, Respondent had used an incorrect EPA identification number on its hazardous waste manifests, in violation of 35 Ill. Adm. Code § 722.112(a) and 35 Ill. Adm. Code § 722.120, and Section 3002 of RCRA, 42 U.S.C. § 6922.

### **Civil Penalty**

69. Pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), Complainant determined that an appropriate civil penalty to settle this action is \$90,000. In determining the penalty amount, Complainant took into account the seriousness of the violations and any good faith efforts to comply with the applicable requirements. Complainant also considered U.S. EPA's RCRA Civil Penalty Policy, dated June 23, 2003.

70. Respondent agrees to pay a civil penalty in the amount of \$90,000 ("Assessed Penalty") within thirty (30) days after the date the Final Order ratifying this Agreement is filed with the Regional Hearing Clerk ("Filing Date").

71. 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>.

72. When making a payment, Respondent shall:

a. Identify every payment with Respondent's name and the docket number of this Agreement, RCRA-05-2025-0032,

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  
U.S. Environmental Protection Agency, Region 5  
[r5hearingclerk@epa.gov](mailto:r5hearingclerk@epa.gov)

Jamie Paulin  
Land Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency, Region 5  
[paulin.jamie@epa.gov](mailto:paulin.jamie@epa.gov) and  
[R5LEECAB@epa.gov](mailto:R5LEECAB@epa.gov)

Justin Berchiolli  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
[berchiolli.justin@epa.gov](mailto:berchiolli.justin@epa.gov)

U.S. Environmental Protection  
Agency Cincinnati Finance Center  
Via electronic mail to:  
[CINWD\\_AcctsReceivable@epa.gov](mailto: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.

73. Interest, Charges, and Penalties on Late Payments. Pursuant to 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 Agreement, EPA is authorized to recover, in addition to the amount of the unpaid Assessed Penalty, 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. To protect the interests of the United States the rate of interest is set at the IRS standard underpayment rate, any lower rate would fail to provide Respondent adequate incentive for timely payment.

- b. Handling Charges. Respondent will be assessed monthly a charge to cover EPA's costs of processing and handling overdue debts. If Respondent fails to pay the Assessed Penalty in accordance with this Agreement, EPA will assess a charge to cover the costs of handling any unpaid amounts for the first thirty (30) day period after the Filing Date. Additional handling charges will be assessed every thirty (30) days, or any portion thereof, until the unpaid portion of the Assessed Penalty as well as any accrued interest, penalties, and other charges are paid in full.
- c. Late Payment Penalty. A late payment penalty of six percent (6%) per annum, will be assessed monthly on all debts, including any unpaid portion of the Assessed Penalty, interest, penalties, and other charges, that remain delinquent more than ninety (90) days. Any such amounts will accrue from the Filing Date.

74. 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 Agreement, EPA may take additional actions. Such actions 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. Refer this matter to the United States Department of Justice for litigation and collection, per 40 C.F.R. § 13.33.

75. 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.

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

77. 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). 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. In order to provide EPA with sufficient information to enable it to fulfill these obligations, EPA herein requires, and Respondent herein agrees, that:

- 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 Milton Wise at EPA’s Cincinnati Finance Center at [wise.milton@epa.gov](mailto:wise.milton@epa.gov), within 30 days after the effective date of this CAFO, and EPA recommends encrypting IRS Form W-9 email correspondence; and
- 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.

#### **General Provisions**

78. The parties consent to service of this CAFO by e-mail at the following valid e-mail

addresses: [berchiolli.justin@epa.gov](mailto:berchiolli.justin@epa.gov) (for Complainant), and [kg@nijmanfranzetti.com](mailto:kg@nijmanfranzetti.com) (for Respondent). Respondent understands that the CAFO will become publicly available upon filing.

79. Respondent's full compliance with this CAFO shall only resolve Respondent's liability for federal civil penalties under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), for the violations alleged in this CAFO.

80. This CAFO does not affect the right of U.S. EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.

81. This CAFO does not affect Respondent's responsibility to comply with RCRA and other applicable federal, state, local laws or permits.

82. Respondent certifies that it is complying fully with Section 3008(a) of the Solid Waste Disposal Act, as amended, also known as RCRA, 42 U.S.C. § 6928(a).

83. This CAFO is a "final order" for purposes of 40 C.F.R. § 22.31, U.S. EPA's RCRA Civil Penalty Policy, and U.S. EPA's Hazardous Waste Civil Enforcement Response Policy (December 2003).

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

85. Each person signing this 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.


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

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



**Accu-Labs, Inc., Respondent**

8/14/2025  
[Date]

  
[Name] Luca Pizzuto  
[Title] President & CEO  
Accu-Labs, Inc.

**United States Environmental Protection Agency, Complainant**

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

**In the Matter of:** Accu-Labs, Inc.  
**Docket No.** RCRA-05-2025-0032

**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.

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