

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103**

FILED
Jun 01, 2026
1:43 pm
**U.S. EPA REGION 3
HEARING CLERK**

IN THE MATTER OF:	)	DOCKET NO.: RCRA-03-2026-0059
)	
PRODUCTION METAL FINISHERS INC.)	
)	
Respondent,	)	EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER
)	
PRODUCTION METAL FINISHERS INC.	)	Proceeding under Section
1802 CURRIE STREET,	)	3008 of the Resource Conservation and
RICHMOND, VA 23220	)	Recovery Act, as amended, 42 U.S.C. § 6928
)	
Facility)	
)	

EXPEDITED SETTLEMENT AGREEMENT

1. Production Metal Finishers Inc. (“Respondent”), and the Director, Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 (“Complainant”) enter into this Expedited Settlement Agreement (“Agreement”) pursuant to Section 3008 of the Resource Conservation and Recovery Act (“RCRA”), as amended, 42 U.S.C § 6928, and the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits* (“Consolidated Rules of Practice”), 40 C.F.R. Part 22 (with specific reference to 40 C.F.R. §§ 22.13(b), 22.18(b)(2), and (3)). The Administrator has delegated the authority to enter into this Agreement to the Regional Administrator who, in turn, has delegated it to the Complainant.
2. The U.S. Environmental Protection Agency, Region 3 (“EPA”) has jurisdiction over this matter pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928, and 40 C.F.R. §§ 22.1(a)(4) and 22.4 of the Consolidated Rules of Practice.
3. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), EPA has authorized Virginia to administer a hazardous waste management program in lieu of the federal hazardous waste management program established under RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g. The provisions of the current authorized Virginia Hazardous Waste Management Regulations (“VHWMR”), 9VAC20-60-12 et seq., have thereby become requirements of RCRA Subtitle C and are enforceable by EPA pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a).
4. On September 5, 2025, EPA sent a letter to the Commonwealth of Virginia, through the Virginia Department of Environmental Quality (“VADEQ”), giving prior notice of this

- enforcement action in accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).
5. At its facility, located at 1802 Currie Street, Richmond, Virginia, 23220 (“Facility”), Respondent owns and operates Production Metal Finishers. The Facility is an electroplater that specializes in repairing, stripping, and chrome plating hydraulic rods. Through the course of these operations, hazardous waste is generated. On September 22, 1997, Respondent submitted a notification to VADEQ that the Facility was a very small quantity generator (“VSQG”) of hazardous waste, and VADEQ assigned RCRA ID No. VAR000008524 to the Facility. Additionally, on December 9, 2020, the Facility notified VADEQ of an episodic event scheduled to begin on January 7, 2021 and conclude on March 7, 2021 that would temporarily cause the Facility to exceed their VSQG notified status.
 6. Complainant alleges that, at all times relevant to the allegations described in this Agreement, Respondent was and continues to be a corporation and is therefore a “person,” as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), and VHWMR 9VAC20-60-260, and at all times relevant to the allegations in this Agreement was the “operator” and the “owner” of a “facility,” described in Paragraph 5, as the terms “facility”, “owner” and “operator” are defined in 40 C.F.R. § 260.10, as incorporated by reference in VHWMR 9VAC20-60-260.
 7. At all times relevant to the allegations described in this Agreement, Respondent “stored” wastes associated with chromium electroplating operations such as, electroplating solution, solvent-contaminated wipes, sanding and polishing debris, and personal protection equipment (“PPE”) with EPA Hazardous Waste Code(s) including, but not limited to, D002, D007, which are “hazardous waste(s)” at the Facility, as the terms “stored” and “hazardous waste” are defined in 40 C.F.R. § 260.10, as incorporated by reference in VHWMR 9VAC20-60-260.
 8. On August 6, 2024, EPA representatives conducted a Compliance Evaluation Inspection (“CEI”) at the Facility to determine compliance with the applicable hazardous waste regulations.
 9. Based on the observations made during the Inspection, Complainant alleges and finds that Respondent failed to comply with specific requirements of Subtitle C of RCRA, 42 U.S.C. §§ 6921 et seq., its implementing regulations at 40 C.F.R. Parts 262, 264, 265, and the federally-authorized Commonwealth of Virginia hazardous waste management regulations set forth in the VHWMR 9VAC20-60-12 et seq.
 10. Complainant has identified the following violations at the Facility:
 - a. Respondent failed to make an accurate hazardous waste determinations at the point of generating of a waste, in violation of VHWMR 9VAC20-60-262:
 - (1) Throughout the Facility, metal dust/powder was accumulated in piles on the

floor and covering work benches and equipment. Outside of the Facility, the same metal dust/powder was accumulated in an outdoor dust collection unit. However, one of the dust collection unit's bags had torn open and released the metal dust/powder to the environment. On the bare earth underneath the dust collection system, discolored soil was observed.

Respondent stated that no analytical testing had been done on the metal dust/powder wastestream, but through process knowledge determined it to be non-hazardous steel powder/dust. The accuracy of this determination does not include that the wastestream includes chromium dust/powder generated from the polishing of chrome plated materials. Additionally, Respondent claims that because the metal dust/powder is recycled a hazardous waste determination is not required. However, as the dust/powder has been released to the environment, a complete and accurate hazardous waste determination is required.

- (2) In the secondary containment sump surrounding the electroplating tanks, liquid was accumulated nearly to the top of the sump. Debris and skimming remnants were observed in the liquid. Respondent stated the liquid was electroplating solution that is periodically removed from the sump and reused. Liquid was also pooled in the space between the electroplating tanks and the wall. Respondent did not provide information on the composition of this liquid or make claims of its usability.
- (3) The unsealed concrete floor, the working area of the electroplating tanks, was coated with dried chrome plating drippings making it uneven, lumpy, and discolored. Respondent stated that the Facility has historically used hexavalent chromium in electroplating operations.
- (4) In the working area of the electroplating tanks, an open and unlabeled container (trash can) containing masking tape, nitrile gloves, paper, sanding belts, and other debris was observed. The masking tape, nitrile gloves, and paper were observed to be contaminated with electroplating solution. Respondent stated the waste in the container is disposed of as non-hazardous waste in the municipal trash.

Additionally, chrome contaminated masking tape and discarded rags were on the floor around the electroplating tanks and workbenches.

- (5) Seven (7) carboys of CR-3 Reducer from an obsolete process have been stored at the Facility since 2005. The carboys were coated with dust and the labels on the containers were faded. Respondent stated there are no plans to reinstate the process that uses CR-3 Reducer and no other processes at the Facility require CR-3 Reducer.

- b. Respondent failed to accumulate universal waste lamps in a structurally sound and closed container, in violation of VHWMR 9VAC20-60-273:
 - (1) Four (4) 8-foot spent fluorescent lamps were accumulated in a loose pile on the floor of the Facility.
 - c. Respondent failed to label universal waste lamps, in violation of VHWMR 9VAC20-60-273:
 - (1) The aforementioned four (4) 8-foot spent fluorescent lamps were not labeled with the phrase “Universal Waste Lamps,” “Waste Lamps,” or “Used Lamps.”
 - d. Respondent failed to demonstrate the length of time universal waste has been accumulated, in violation of VHWMR 9VAC20-60-273:
 - (1) The aforementioned four (4) 8-foot spent fluorescent lamps were not individually marked with dates when they became a universal waste. Respondent also did not have a method for tracking when universal waste lamps were first generated.
 - e. Respondent failed to accumulate excluded solvent-contaminated rags/wipes in closed containers labeled “Excluded Solvent-Contaminated Wipes”, in violation of VHWMR 9VAC20-60-261:
 - (1) Throughout the Facility, acetone contaminated rags were accumulated atop work benches and in open containers that previously held virgin products used in the process. Respondent stated the solvent-contaminated rags are sent off-site for laundering and are gathered up from around the Facility before the laundering service arrives. A closed container labeled “Excluded Solvent-Contaminated Wipes” was observed and contained some rags destined for laundering.
11. Complainant and Respondent agree that settlement of this matter for a total penalty of **SIX THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$6,250.00)** is in the public interest. In calculating this amount, Complainant considered the statutory factors set forth in Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3).
12. Respondent agrees that, within 30 days of the effective date of this Agreement, Respondent shall make a payment of **\$6,250.00** (the Assessed Penalty). Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due using one of the electronic payment options provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions relating to

electronic payment options, see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>. Respondent acknowledges that EPA has provided adequate notification that, prior to the Effective Date, in accordance with Executive Order 14247: Modernizing Payments To and From America's Bank Account, EPA ceased accepting paper checks as a form of payment of civil penalties and EPA only accepts specific electronic methods of payments as provided on the above website.

13. Within 24 hours of payment, Respondent shall also send proof of payment (confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer), by electronic mail to:

Lindsey M. Douglas, Inspector (3ED22)
U.S. EPA, Region 3
Douglas.Lindsey@epa.gov

and

Regional Hearing Clerk (3RC00)
U.S. EPA, Region 3
R3_Hearing_Clerk@epa.gov

14. In signing this Agreement, Respondent: admits the jurisdictional allegations in this Agreement; neither admits nor denies the specific factual allegations in this Agreement, except as provided in the jurisdictional admission above; agrees not to contest EPA's jurisdiction with respect to the execution of this Agreement, the issuance of the attached Final Order, or the enforcement the Agreement; expressly waives its right to a hearing on any issue of law or fact in this Agreement and any right to appeal the accompanying Final Order; consents to the issuance of the Agreement and agrees to comply with its terms; agrees to bear its own costs and attorney's fees; and agrees not to deduct for federal tax purposes the civil penalty assessed in this Consent Agreement and Final Order.
15. 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) any documentation or information provided to EPA was true and accurate.
16. This Agreement and the attached Final Order constitute a settlement by EPA of its claims for civil penalties for the violations alleged in this Agreement.
17. 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.

18. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Sections 22.18(c) and 22.31(a) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under the RCRA, the RCRA regulations promulgated, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this Agreement, following its filing with the Regional Hearing Clerk.
19. Late payment of the agreed upon penalty may subject Respondent to interest, administrative costs and late payment penalties in accordance with 40 C.F.R. § 13.11.
20. This Agreement is effective upon filing, in accordance with 40 C.F.R. § 22.31(b).
21. The undersigned representative certifies that she/he is fully authorized to execute this Agreement and to legally bind Production Metal Finishers Inc.
22. As permitted under 40 C.F.R. § 22.6, the Regional Hearing Clerk will serve copies of this Agreement and Final Order by e-mail to the parties at the following valid e-mail addresses: Douglas.Lindsey@epa.gov (for Complainant), and allanlakner@aol.com (for Respondent).
23. By signing this Agreement, Respondent acknowledges that this Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.

For Respondent: Production Metal Finishers Inc.

Date: 5/8/2026

By: Allan Lakner

Allan Lakner
Operations Manager
Production Metal Finishers

For Complainant: U.S. Environmental Protection Agency, Region 3

After reviewing the Agreement and other pertinent matters, I, the undersigned Acting Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region 3, agree to the terms and conditions of this Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

[Digital Signature and Date]

Acting Division Director

Enforcement and Compliance Assurance Division

U.S. EPA – Region 3

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

FILED
Jun 01, 2026
1:43 pm
U.S. EPA REGION 3
HEARING CLERK

IN THE MATTER OF:	)	DOCKET NO.: RCRA-03-2026-0059
)	
PRODUCTION METAL FINISHERS INC.)	
	)	EXPEDITED SETTLEMENT AGREEMENT AND
Respondent,	)	FINAL ORDER
)	
PRODUCTION METAL FINISHERS INC.	)	Proceeding under Section
1802 CURRIE STREET,	)	3008 of the Resource Conservation and
RICHMOND, VA 23220	)	Recovery Act, as amended, 42 U.S.C.
	)	§ 6928
)	
Facility)	
)	

FINAL ORDER

Pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)), the Consent Agreement resolving this matter is hereby ratified and incorporated by reference into this Final Order.

The Respondent is hereby **ORDERED** to comply with all of the terms of the Consent Agreement.

The effective date of the foregoing Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

[Digital Signature and Date]
Regional Judicial and Presiding Officer
U.S. EPA – Region 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

In the Matter of:	:	
	:	
PRODUCTION METAL FINISHERS INC.	:	U.S. EPA Docket No. RCRA-03-2026-0059
	:	
Respondent,	:	EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER
	:	
PRODUCTION METAL FINISHERS INC.	:	3008 of the Resource Conservation
1802 CURRIE STREET	:	and Recovery Act, as amended, 42 U.S.C. §
RICHMOND, VA 23220	:	6928
	:	
	:	
Facility	:	

CERTIFICATE OF SERVICE

I certify that the foregoing ***Expedited Settlement Agreement and Final Order*** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the ***Expedited Settlement Agreement and Final Order***. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email to:

Allan Lakner, Operations Manager
Production Metal Finishers Inc.
1802 Currie Street
Richmond, VA 23220
allanlakner@aol.com

Lindsey M. Douglas
Inspector / Enforcement Officer
U.S. EPA, Region 3
Douglas.Lindsey@epa.gov

[Digital Signature and Date]
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 3