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**U.S. EPA REGION 5
HEARING CLERK**

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Docket No.: RCRA-05-2025-0024

Advanced Web Technologies LLC d/b/a

AWT Labels & Packaging

600 Hoover Street NE # 500

Minneapolis, Minnesota

EPA ID No.: MND006255061

Respondent

**EXPEDITED SETTLEMENT
AGREEMENT AND
FINAL ORDER**

EXPEDITED SETTLEMENT AGREEMENT

- 1) The Director, Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 5 (EPA or Complainant), and Advanced Web Technologies LLC d/b/a AWT Labels & Packaging (Respondent), 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 \$6,250.
- 2) EPA inspected Respondent on January 22, 2025. Complainant has determined Respondent violated the following sections of RCRA, and the Minnesota hazardous waste management program, Minn. R. Chapters 7001 and 7045, at Respondent's facility located at 600 Hoover Street Northeast, Suite 500, Minneapolis, Minnesota (the Facility).
 - a) Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Minn. R. Chapter 7001, prohibit the treatment, storage, or disposal of hazardous waste without a permit or interim status. A generator may, however, accumulate hazardous waste on-site for 90 days or less without a permit or interim status, provided that the generator complies with all applicable conditions set forth in Minn. R. 7045.0292 including, but not limited to, clearly marking each container holding hazardous waste with the date upon which each period of accumulation begins, and labeling, or clearly marking each container holding hazardous waste with the words "Hazardous Waste." See Minn. R. 7045.0292, Subparts 1.C. and 1.F. On January 22, 2025, eight (8) containers of ignitable ink and solvent waste at the Facility were not clearly marked with the date upon which the period of accumulation began nor labeled or marked with the words, "Hazardous Waste," and Respondent had

not obtained a permit or interim status. Therefore, 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 Minn. R. 7001.0030, 7001.0520 Subpart 1(A), 7001.0530, and 7001.0550, because it failed to comply with the conditions for an exemption as described above.

- b) Failure to comply with any of the conditions of Minn. R. 7045.0292, subjects the generator of hazardous waste to the requirements of Minn. R. 7045.0450 through 7045.0551.
- c) Under Minn. R. 7045.0466 Subpart 4, a facility storing hazardous waste must have a contingency plan that includes, among other items: (1) a description of the actions facility personnel must take to comply with Minn. R. 7045.0466, Subparts 2 and 3, and R. 7045.0574; (2) the names, addresses, and office and home telephone numbers of all persons qualified to act as emergency coordinator; (3) a list of all emergency equipment at the facility such as fire extinguishing systems, spill control equipment, internal and external communications and alarm systems, and decontamination equipment, including the location, physical description and brief outline of capabilities of each item on the list; and, (4) an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary describing the signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes in cases where the primary routes could be blocked by the release of hazardous waste or fire. At the time of the inspection (January 22, 2025), Respondent's contingency plan at the Facility did not: (1) include a description of the actions facility personnel must take to comply with Minn. R. 7045.0466 Subparts 2 and 3, and R. 7045.0574; (2) include names, addresses, and telephone numbers of emergency coordinators; (3) include the location and outline of capabilities of emergency equipment; and, (4) include primary and secondary evacuation routes. Therefore, Respondent's failure to include this information in the contingency plan violated Minn. R. 7045.0466, Subpart 4.
- d) Under Minn. R. 7045.1400, handlers of universal waste lamps must keep containers and packages of waste lamps closed; label or clearly mark each lamp or a container or package in which such lamps are contained with any one of the following phrases: "Universal Waste-Lamps," "Waste Lamps" or "Used Lamps;" and, demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste by either labeling each container or piece of universal waste with an accumulation start date; maintaining an inventory system; placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste; or by using any other method which clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. At the time of

the inspection at the Facility, one (1) cardboard box containing universal waste lamps was not closed; two (2) boxes were not labeled with the required phrases; and, the accumulation time of two (2) boxes were not tracked. Therefore, Respondent's failure to keep closed, label, and track the accumulation time of these two (2) boxes of universal waste violated Minn. R. 7045.1400.

- 3) The EPA and Respondent agree that settlement of this matter for a civil penalty of six thousand two hundred fifty dollars (\$6,250) 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 Minnesota 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 for a hearing as provided at 40 C.F.R. § 22.15(c); (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 \$6,250 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

Todd Brown
Land Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
Brown.Todd@epa.gov and
R5LECAB@epa.gov

Jeffery M. Trevino
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
trevino.jeffery@epa.gov

U.S. Environmental Protection Agency
Cincinnati Finance Center
CINWD_AcctsReceivable@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: trevino.jeffery@epa.gov (for Complainant), and jwhiting@awtlabelpack.com (for Respondent).
- 16) Respondent understands that the ESA will become publicly available upon filing.

IT IS SO AGREED,

Michelle Zeller
Name (print)

President
Title (print)

Michelle Zeller
Signature

7/9/25
Date

APPROVED BY EPA:

Michael D. Harris
Division Director
Enforcement and Compliance Assurance Division

In the Matter of:

Advanced Web Technologies LLC d/b/a AWT Labels & Packaging

Docket No.: RCRA-05-2025-0024

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