



REGION 3  
PHILADELPHIA, PA 19103

FILED

Sep 18, 2025

12:08 pm

U.S. EPA REGION 3  
HEARING CLERK

In the Matter of:

Consolidated Scrap Resources, Inc.  
1616 North Cameron St.  
Harrisburg, PA 17103

Respondent.

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U.S. EPA Docket No. CAA-03-2025-0008DA

Proceeding Pursuant to Section 113(a) of the Clean  
Air Act, 42 U.S.C. § 7413(a)

### ADMINISTRATIVE ORDER ON CONSENT

#### A. PRELIMINARY STATEMENT

1. This Administrative Order ("Order") is issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency ("EPA") by Section 113(a) of the Clean Air Act (the "Act" or "CAA"), 42 U.S.C. § 7413(a), with agreement of the parties.
2. The Administrator of the EPA delegated this authority under the CAA to the Regional Administrators. The Regional Administrator of the EPA Region 3 has redelegated this authority to the Director of the EPA Region 3 Enforcement and Compliance Assurance Division by EPA Delegation 7-6A.
3. Respondent Consolidated Scrap Resources, Inc. ("Respondent" or "CSR") is a corporation organized in and doing business in the Commonwealth of Pennsylvania. Respondent is a "person" as defined in Section 302(e) of the CAA, 42 U.S.C. § 7602(e).
4. The EPA has jurisdiction over the above-captioned matter.
5. Respondent agrees to the issuance of this Order. For purposes of this Order only, Respondent admits the jurisdictional allegation set forth in the preceding paragraph. Except as provided in paragraph 4 above, Respondent neither admits nor denies the specific factual allegations or alleged violations of law set forth in this Order.
6. The EPA has consulted with the Pennsylvania Department of Environmental Protection ("PADEP") regarding this action and, subsequent to the Effective Date of this Order, EPA will mail a copy of this fully executed Order to the appropriate PADEP official.

**B. STATUTORY AND REGULATORY BACKGROUND**  
**National Ambient Air Quality Standards**

7. Pursuant to Section 108 and 109 of the CAA, 42 U.S.C. §§ 7408 and 7409, the EPA has identified ground-level ozone as a criteria pollutant, and has promulgated national ambient air quality standards (“NAAQS”) for this pollutant.
8. Certain precursors to ozone formation, such as volatile organic compounds (“VOCs”) and nitrogen oxides (“NOx”), are regulated as part of the air quality standards for ozone itself. *See* 40 C.F.R. Part 50. Ozone is not emitted directly from sources of air pollution. Ozone is a photochemical oxidant formed when VOCs and NOx react in the presence of sunlight. VOCs and NOx are called “ozone precursors.” Sources that emit ozone precursors are regulated to reduce ground-level ozone. *See* 62 Fed. Reg. 38,856 (July 18, 1997).
9. Under Section 107(d) of the CAA, 42 U.S.C. § 7407(d), each state is required to designate those areas within its boundaries where the air quality either meets or does not meet the NAAQS for each criteria pollutant, or where the air quality cannot be classified due to insufficient data. An area that meets the NAAQS for a particular criteria pollutant is termed an “attainment area” with respect to such pollutant. An area that does not meet the NAAQS for a particular criteria pollutant is termed a “nonattainment area” with respect to such pollutant.
10. Pursuant to Section 181 of the CAA, 42 U.S.C. § 7511, each area designated nonattainment for ozone shall be classified at the time of such designation as a marginal, moderate, serious, severe, or extreme area.
11. The Commonwealth of Pennsylvania is included within the Ozone Transport Region established under CAA Section 184(a), 42 U.S.C. § 7511c(a). At all times relevant to the violations alleged herein, Harrisburg, Dauphin County, Pennsylvania, has been part of the Ozone Transport Region but is not in severe or extreme nonattainment for ozone.
12. Section 110(a) of the CAA, 42 U.S.C. § 7410, requires each state to adopt and submit to the Administrator of the EPA for approval a State Implementation Plan (“SIP”) that provides for the implementation, maintenance, and enforcement of NAAQS. Once approved by the EPA, these SIPs are federally enforceable. 42 U.S.C. § 7410(a)(5)(A)(i).
13. Upon the EPA’s approval, SIP requirements are federally enforceable under Section 113 of the CAA. 42 U.S.C. § 7413(a) and (b); *see also* 40 C.F.R. § 52.23.
14. The Commonwealth of Pennsylvania’s approved SIP, or “applicable implementation plan” as defined in Section 302(q) of the Act, 42 U.S.C. § 7602(q), (“PA SIP”) is codified at 40 C.F.R. Part 52, Subpart NN.

**The Pennsylvania State Implementation Plan**

15. Pursuant to Section 110 of the CAA and Sections 4(1) and 5 of the Pennsylvania Air Pollution Control Act (“APCA”), 35 P.S. §§ 4004-4005, the Commonwealth of Pennsylvania adopted regulations that comprise the PA SIP. The PA SIP regulations as approved by the EPA are set

forth in 40 C.F.R. § 52.2020.

16. The PA SIP regulations governing permitting for stationary source operations are currently codified at 25 Pa. Code Ch. 127.
17. Pursuant to Section 4(1) of the APCA, 35 P.S. § 4004(1), PADEP is authorized to implement the provisions of the CAA.

### **Pennsylvania Title V Permitting Program**

18. Title V of the CAA, 42 U.S.C. §§ 7661-7661f, establishes an operating permit program for major sources of air pollution. Section 502(d) of the CAA, 42 U.S.C. § 7661a(d), provides that each state must submit to the Administrator a permit program meeting the requirements of Title V.
19. Pursuant to Section 502(b) of the CAA, 42 U.S.C. § 7661a(b), the Administrator promulgated regulations providing for the establishment of Title V permitting programs at 40 C.F.R. Part 70.
20. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a) provides in relevant part: “After the effective date of any permit program approved or promulgated under this subchapter, it shall be unlawful for any person to violate any requirement of a permit issued under this subchapter, or to operate an affected source (as provided in subchapter IV-A), a major source, any other source (including an area source) subject to standards or regulations under section 7411 or 7412 of this title, any other source required to have a permit under parts 1 C or D of subchapter I, or any other stationary source in a category designated (in whole or in part) by regulations promulgated by the Administrator (after notice and public comment) which shall include a finding setting forth the basis for such designation, except in compliance with a permit issued by a permitting authority under this subchapter. . . .”
21. The regulation at 40 C.F.R. § 70.7(b) provides in relevant part that, with certain exceptions, “no part 70 source may operate after the time that it is required to submit a timely and complete application under an approved permit program, except in compliance with a permit issued under a part 70 program. The program shall provide that, if a part 70 source submits a timely and complete application for permit issuance (including for renewal), the source's failure to have a part 70 permit is not a violation of this part until the permitting authority takes final action on the permit application, except as noted in this section. . . .”
22. Subject to certain exceptions, including those in 25 Pa. Code § 127.403, the Pennsylvania regulations at 25 Pa. Code Chapter 127 provide: “A person may not operate a stationary air contamination source unless the Department has issued to the person a permit to operate the source under this article in response to a written application for a permit submitted on forms and containing the information the Department may prescribe.” 25 Pa. Code § 127.402(a). *See also* 35 P.S. § 4006.1(b)(1).
23. On August 20, 1996, the EPA approved Pennsylvania’s Title V Operating Permits Program. 61 Fed. Reg. 39597 (July 30, 1996).

24. Pursuant to Section 4(1) of the APCA, 35 P.S. § 4004(1), PADEP is authorized to implement the provisions of the CAA, including the implementation of the CAA Title V Operating Permits Program. *See* 40 C.F.R. § 52.2020(c)(1).
25. PADEP is the “Permitting Authority” for purposes of Title V, as that term is defined in Section 501(4) of the CAA, 42 U.S.C. § 7661(4).
26. For areas like Pennsylvania within the Ozone Transport Region, CAA Section 184(b)(2), 42 U.S.C. § 7511c(b)(2), provides in relevant part: “. . . For purposes of this section any stationary source that emits or has the potential to emit at least 50 tons per year of volatile organic compounds shall be considered a major stationary source and subject to the requirements which would be applicable to major stationary sources if the area were classified as a Moderate nonattainment area.” *See also* 25 Pa. Code § 121.1 (defining “Title V facility”).
27. A “Title V facility” is defined, among other things, as “[a] major stationary source as defined in Title I, Part D of the Clean Air Act (42 U.S.C. §§ 7501--7515), including: . . . [f]or ozone transport regions . . . sources with the potential to emit 50 [tons per year (“TPY”)] or more, of VOCs. . .”. 25 Pa. Code § 121.1.
28. Any stationary source located in the Commonwealth of Pennsylvania that emits or has the potential to emit at least 50 TPY of VOCs is considered a major stationary source and is subject to the requirements applicable to a major stationary source located within an ozone transport region except for a severe or extreme nonattainment area for ozone. 25 Pa. Code § 121.1. “Potential to emit” (“PTE”) is defined as, “[t]he maximum capacity of a source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and limitations on hours of operation or on the type or amount of material combusted, stored or processed shall be treated as part of the design if the limitation or the effect it would have on emissions is Federally enforceable or legally and practicably enforceable by an operating permit condition. . . .” 25 Pa. Code § 121.1.
29. A facility whose PTE exceeds the Title V applicability threshold of 50 TPY VOCs may, in lieu of applying for and obtaining a Title V operating permit, operate under physical or operational limitations under a State Synthetic Minor Operating Permit in order to reduce the emissions of that pollutant to below 50 TPY. *See* 25 Pa. Code § 127.402 and 40 C.F.R. § 52.21(b)(4).
30. A “synthetic minor facility” is defined as: “An air contamination source subject to Federally enforceable conditions that limit the facility’s potential to emit to less than the major facility thresholds specified in the definition of ‘Title V facility.’” 25 Pa. Code § 121.1.

### C. FINDINGS

31. Respondent is the owner and operator of a scrap metal shredding and recycling facility (SIC Code 5093), located at 1616 N. Cameron Street, Harrisburg, PA 17103 (“the Facility”).
32. Respondent’s metal scrap operations at the Facility include scrap metal shredding of automobiles for scrap metal.

33. The Facility is located in Harrisburg, Dauphin County, Pennsylvania, which is a location that is part of the Ozone Transport Region. Harrisburg is not in severe or extreme nonattainment for ozone.
34. Respondent's scrap metal shredder was constructed at the site in 2000, and PADEP issued the Facility its first Minor Source Operating Permit (No. 22-03037) ("Permit") on or about May 5, 2000.
35. From the initial Permit issuance to the date of this Order, Respondent alleges that it timely applied for, and PADEP issued, renewals of Respondent's Permit for the Facility pursuant to 35 P.S. § 4006.1(b)(1) and 25 Pa. Code Ch. 127.
36. On June 29, 2022, the EPA conducted a CAA inspection ("Inspection") at the Facility to verify compliance with applicable Commonwealth and Federal regulations.
37. At the Inspection, Respondent agreed to submit follow-up information about the hours of operation, consumption of scrap and production numbers and water usage in the shredder from January 2018 to June 2022.
38. Respondent provided additional information to EPA about its shredder's operation on July 1, 2022.
39. The EPA has collected data from emissions test reports from metal shredding facilities similar to Respondent's Facility located across the United States, including data about their feedstocks and feed rates.
40. The data from these emissions test reports, referenced above, was used by the EPA to formulate Respondent's PTE VOCs for the metal shredder at its Facility from January 2018 to June 2022. Utilizing the emissions data from these emissions test reports, along with the maximum throughput of the Facility's shredder and maximum operational hours, the EPA calculated Respondent's PTE VOCs to be at least 50 TPY since at least January 2018.
41. On August 19, 2022, the EPA sent Respondent an Air Compliance Inspection Report, summarizing the EPA's Inspection at the Facility.
42. On March 24, 2023, Respondent submitted an application for a Synthetic Minor Operating Permit renewal to PADEP that included proposed limitations on the Facility's PTE of VOCs to below 50 TPY VOCs.
43. On April 2, 2024, the EPA sent Respondent a Notice of Potential Violation and Opportunity to Show Cause letter describing potential violations of the CAA based on information available to the EPA.
44. On April 23, 2024, CSR responded to and disputed EPA's alleged violations by letter.

45. EPA alleges the Facility has a PTE of 50 TPY of VOCs and is required to have in its Permit “Federally enforceable conditions that limit the facility’s potential to emit to less than the major facility thresholds specified in the definition of ‘Title V facility’” in order to qualify as a synthetic minor facility. 25 Pa. Code §§ 121.1, 127.402.
46. EPA alleges the Facility is a “major source” as defined in Section 501 of the CAA, 42 U.S.C. § 7661, and is thus required by Section 502 of the CAA, 42 U.S.C. § 7661a, to have a Title V permit issued under CAA by Pennsylvania, unless it has additional limits in a federally enforceable state-issued operating permit.
47. As of the date of this Order, Respondent’s application for a Synthetic Minor Operating Permit renewal remains pending review by PADEP. This application contained a proposed limitation to shred a maximum throughput of 400,000 tons of scrap in any 12-month period. CSR calculated that its PTE of VOCs after taking this limitation would be 48.6 TPY of VOCs.
48. Based on EPA’s data and calculations, EPA alleges that these limitations in the pending renewal are insufficient to keep the Facility’s PTE of VOCs below 50 TPY VOCs.
49. As of the date of this Order, Respondent has not applied either for a Title V permit or yet received a Synthetic Minor Operating Permit with a specific limitation on PTE that EPA finds acceptable.
50. EPA therefore alleges that Respondent failed to comply with Section 502 of the CAA, 42 U.S.C. § 7661a, and that this failure to comply constitutes a violation of the CAA including Sections 113 and 502 of the CAA, 42 U.S.C. §§ 7413 and 7661a. *See also* 35 P.S. § 4006.1(b)(1) and 25 Pa. Code § 127.502.

#### **D. ORDER**

AND NOW, pursuant to Section 113(a) of the CAA, 42 U.S.C. § 7413(a), Respondent is hereby ORDERED to do the following:

51. Within sixty (60) days from the Effective Date of this Order (“Compliance Date”), Respondent shall comply with the operational limits described below and shall submit to the PADEP (for review and approval) and to EPA (for the Agency’s information), a complete amended Permit Application or supplement thereto for the Facility which requests PADEP’s issuance of a CAA Synthetic Minor Permit (“Synthetic Minor Permit Application”) containing the following limitations and conditions:
- a. **Shredder Operational Limitations:**
    - i. Maximum 12-month rolling average shredder input of 35% automobiles (also known as end-of-life vehicles (“ELVs”)) by weight;
    - ii. Maximum 12-month rolling average shredder processing rate of no more than 302,000 gross tons of total recyclable material feed to the shredder per year on a rolling 12-month basis;

- iii. The maximum rolling 12-month annual operating limit shall ensure that the Facility will not exceed a PTE of 50 TPY VOCs in any 12-month period, inclusive of all other VOC emitting sources located at the Facility;
  - iv. An emission factor of .33 lb VOC per gross ton of shred feed (lb VOC/gross ton) shall be used for all VOC emissions calculations related to VOC emissions generated by the Facility Shredder; and
  - v. The Respondent shall demonstrate compliance with i. and ii. above by having the records in paragraph 51(b) below available within 15 days after the last day of the first full month following the Compliance Date and shall demonstrate compliance monthly thereafter by having the records for the prior month's shredder operations by the 15th day of each successive month. Respondent shall collect the information required in paragraph 51(b) below for each successive month that follows the Compliance Date until the twelfth month following the Compliance Date. After the twelfth month following the Compliance date and thereafter, the Respondent shall collect and maintain the information in paragraph 51(b) for the prior eleven months.
- b. **Requirement to Record Shredder Processing Rate**: Respondent shall collect monitoring data and record operations including:
- i. Maintaining a daily operation hours log;
  - ii. Maintaining a monthly inventory of ELVs and light iron scrap (aka Shredder Scrap) to be processed in the shredder, in order to demonstrate compliance with paragraph 51(a)(i) and (ii). The inventory shall list total monthly scale weight at the facility, monthly percentage of ELVs and Shredder Scrap, and monthly shredder operating hours.
  - iii. Record incoming scale weights at the facility and shredder operating hours each day of operation.
- c. **Alternate Operating Scenarios**: Nothing in this agreement precludes the Respondent from including alternate operating scenarios for PADEP consideration pursuant to Pennsylvania law, including but not limited to 25 Pa. Code § 127.447 in the Synthetic Minor Permit Application required pursuant to this paragraph. If approved by PADEP, the Synthetic Minor Permit conditions providing for alternate operating scenarios could enable Respondent at any time to change the maximum yearly average throughput of ELVs by weight, the corresponding maximum annual shredder processing rate, and the emission factor in paragraph 51(a)(i), (ii), and (iv), respectively, provided that the conditions in the final Synthetic Minor Permit or any other issued permit meet the following criteria:
- i. VOC emission factor = either 0.33 lb/gross ton and/or a flexible emission factor to be calculated using the following formula:  $EF = 0.2873 * \%ELV + 0.2246$ , where,
    - 1.  $EF = \text{lbs-VOC/gross ton of shredder feed recorded pursuant to paragraph 51(b)(ii) (ELVs plus Shredder Scrap)}$ .

2. %ELV = the percentage of ELVs recorded in a given month, by weight, pursuant to paragraph 51(b)(ii).
    3. Monthly VOC emissions (tons) = VOC emission factor \* monthly shredder feed recorded pursuant to paragraph 51(b)(ii) in gross tons/2000.
  - ii. 12-month rolling average emissions shall be less than 50 tons of VOCs per 12-month rolling average operating period.
  - iv. Any alternative operating scenario emission limit must be based upon a 12-month rolling basis.
  - v. Under any alternative operating scenario, the Respondent shall comply with the requirement to maintain the records in paragraph 51(b), above. In addition, the Respondent shall demonstrate compliance with any alternative operating scenario by having the records as specified in paragraphs 51(b) and 51(a)(v).
52. Nothing in this Order prohibits, diminishes, inhibits, alters, or affects any rights Respondent may have under Pennsylvania law with respect to PADEP's actions or Respondent's ability to comment on, contest, or appeal the Synthetic Minor Permit or conditions therein, including but not limited to rights under the Pennsylvania Environmental Hearing Board Act, 35 P.S. §§ 7511-7516, 25 Pa. Code Ch. 1021, the APCA, 35 P. S. §§ 4001-4015, and 25 Pa. Code Ch. 127.
53. Until this Order terminates pursuant to its terms (see Section J, below), the information required in paragraph 51(b) above shall be submitted quarterly in a Microsoft Excel compatible format to the EPA.
54. If Respondent fails to comply with the operational limitations described in this Section, Respondent shall notify the EPA via e-mail within seven (7) days of the date the non-compliance is discovered. Such notification shall include the date of non-compliance and describe the cause of the non-compliance and actions Respondent will take to prevent future non-compliance. Any such deviation(s) shall be included in the quarterly report described in paragraph 53 above.
55. If Respondent would like to request a modification of the terms of the Order, Respondent shall submit to the EPA such modification(s) for review, in writing, with an explanation of the reason for each modification. Upon acceptance by the EPA in writing, the proposed modification(s) will be incorporated in an Amended Order and will become effective upon signature by the parties.

#### **E. PROCEDURE FOR SUBMISSIONS**

56. Respondent shall submit all notices, documents, and submissions required by this Order and any Request for Termination to the individuals specified at the addresses below unless those individuals or their successors give notice of a change of address to the other party in writing:



Stafford Stewart (3ED21)  
Enforcement and Compliance Assurance Division  
U.S. EPA, Region 3  
Philadelphia, PA 19103  
[stewart.stafford@epa.gov](mailto:stewart.stafford@epa.gov)

and

Aviva Reinfeld (3RC40)  
Assistant Regional Counsel  
U.S. EPA, Region 3  
Philadelphia, PA 19103  
[reinfeld.aviva@epa.gov](mailto:reinfeld.aviva@epa.gov)

The EPA's correspondence, notices, and documents to Respondent concerning this Order shall be directed to the individuals specified at the addresses below unless those individuals or their successors give notice of a change of address to the EPA in writing:

Ben Abrams  
President & CEO  
Consolidated Scrap Resources, Inc.  
120 Hokes Mill Road  
York, PA 17404  
[babrams@consolidatedscrap.com](mailto:babrams@consolidatedscrap.com)

and

Stephen J. Matzura  
Saxton & Stump, LLC  
4250 Crums Mill Road, Suite 201  
Harrisburg, PA 17112  
[smatzura@saxtonstump.com](mailto:smatzura@saxtonstump.com)

57. To the extent this Order requires Respondent to submit any information to EPA, Respondent may assert a business confidentiality claim covering part or all of that information, but only to the extent and only in the manner described in 40 C.F.R. Part 2, Subpart B. EPA will disclose information submitted under a confidentiality claim only as provided in 40 C.F.R. Part 2, Subpart B. If Respondent does not assert a confidentiality claim, EPA may make the submitted information available to the public without further notice to Respondent.

#### **F. GENERAL PROVISIONS**

58. Any violation of this Order may result in a civil administrative or judicial action for an injunction or civil penalties of up to \$124,426 per day per violation, or both, as provided in Sections 113(b)(2) and 113(d)(1) of the Act, 42 U.S.C. §§ 7413(b)(2) and 7413(d)(1), which reflects the appropriate Adjustment of Civil Monetary Penalties for Inflation, pursuant to 40 C.F.R. Part 19, and the applicable EPA memoranda addressing EPA's civil penalty policies

to account for inflation. Additionally, any violations of the Order may result in criminal sanctions as provided in Section 113(c) of the Act, 42 U.S.C. § 7413(c). EPA may use any information submitted under this Order in an administrative, civil judicial, or criminal action.

59. Nothing in this Order shall relieve Respondent of the duty to comply with all applicable provisions of the Act or other federal, state, or local laws or statutes, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit.
60. Nothing herein shall be construed to limit the power of EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment to the public health, welfare, or the environment.
61. This Order does not constitute a waiver or modification of the terms or conditions of the Respondent's Permit. Compliance with the terms and conditions of this Order does not relieve Respondent of its obligations to comply with any applicable federal, state, or local law, regulation or permit.
62. Respondent shall bear its own costs and attorney's fees in connection with this Order.
63. By signing this Order, Respondent acknowledges that this Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Order does not contain any confidential business information or personally identifiable information from Respondent.
64. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter at the time of submission, was true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy, or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this Order, including information about Respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors, and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.
65. The provisions of this Order shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns. From the Effective Date of this Order until the Termination Date as defined by this Order, Respondent must give written notice and a copy of this Order to any successors in interest prior to any transfer of ownership or control of any portion of or interest in the Facility. Simultaneously with such notice, Respondent shall provide written notice of such transfer, assignment, or delegation to the EPA. In the

event of any such transfer, assignment, or delegation, Respondent shall not be released from the obligations or liabilities of this Order unless the EPA has provided written approval of the release of said obligations or liabilities.

66. Each undersigned representative of the Parties certifies that he or she is authorized to enter into the terms and conditions of this Order to execute and bind legally the Parties to this document.

#### **G. EFFECTIVE DATE AND OPPORTUNITY FOR A CONFERENCE**

67. Pursuant to Section 113(a)(4) of the Act, 42 U.S.C. § 7413(a)(4), an Order does not take effect until the person to whom it has been issued has had an opportunity to confer with EPA concerning the alleged violations. By signing this Order, Respondent acknowledges and agrees that it has been provided an opportunity to confer with EPA prior to issuance of this Order. Accordingly, this Order will take effect immediately upon signature by the latter of Respondent or EPA (“Effective Date”).

#### **H. JUDICIAL REVIEW**

68. Respondent waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this Order, including any right of judicial review under Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1).

#### **I. TAX IDENTIFICATION**

69. For purposes of the identification requirement in Section 162(f)(2)(A)(ii) of the Internal Revenue Code, 26 U.S.C. § 162(f)(2)(A)(ii), and 26 C.F.R. § 1.162-21(b)(2), performance of the requirements of this Order are restitution, remediation, or required to come into compliance with the law.

#### **J. TERMINATION**

70. This Order shall terminate on the earlier of the following (the “Termination Date”) at which point Respondent shall operate in compliance with the Act:
- a. One year after the Effective Date of this Order;
  - b. The effective date of any determination by the EPA that Respondent has achieved compliance with all terms of this Order; or
  - c. Immediately upon receipt by Respondent of notice from the EPA finding that an imminent and substantial endangerment to public health, welfare, or the environment has occurred.

**SO ORDERED:**

**ANDREA  
BAIN**

Digitally signed by  
ANDREA BAIN  
Date: 2025.09.18  
06:33:51 -04'00'

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*[Digital Signature and Date]*

Acting Director  
Enforcement and Compliance Assurance Division  
U.S. EPA, Region 3

**AGREED TO FOR THE RESPONDENT:**

Date: 8/25/25

A large black rectangular redaction box covering the signature of Ben Abrams.

Ben Abrams  
President & CEO  
Consolidated Scrap Resources, Inc.

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

<b>In the Matter of:</b>	:
	:
<b>Consolidated Scrap Resources, Inc. 1616 North Cameron St. Harrisburg, PA 17103</b>	: U.S. EPA Docket No. CAA-03-2025-0008DA : : Proceeding Pursuant to Section 113(a) of the Clean : Air Act, 42 U.S.C. § 7413(a) : :
<b>Respondent.</b>	:

**CERTIFICATE OF SERVICE**

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

Copies served email to:

Ben Abrams  
President & CEO  
Consolidated Scrap Resources, Inc.  
120 Hokes Mill Road  
York, PA 17404  
[babrams@consolidatedscrap.com](mailto:babrams@consolidatedscrap.com)

Stephen Matzura, Esq.  
Saxton & Stump  
4250 Crums Mill Road, Suite 201  
Harrisburg, PA 17112  
[smatzura@saxtonstump.com](mailto:smatzura@saxtonstump.com)

Stafford Stewart  
Enforcement & Compliance Assurance Division  
U.S. EPA Region 3  
[stewart.stafford@epa.gov](mailto:stewart.stafford@epa.gov)

Aviva Reinfeld, Esq.  
Assistant Regional Counsel  
U.S. EPA Region 3  
[reinfeld.aviva@epa.gov](mailto:reinfeld.aviva@epa.gov)

**BEVIN  
ESPOSITO**

Digitally signed by BEVIN ESPOSITO  
Date: 2025.09.18 12:08:42 -04'00'

*[Digital Signature and Date]*

Regional Hearing Clerk  
U.S. EPA Region 3