



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
11201 RENNER BOULEVARD  
LENEXA, KANSAS 66219

**In the Matter of:** )  
 )  
William H. Harvey Co. )  
 )  
**Respondent** ) **Docket No. RCRA-07-2026-0065**  
 )  
 )  
\_\_\_\_\_ )

**CONSENT AGREEMENT AND FINAL ORDER**

**PRELIMINARY STATEMENT**

The U.S. Environmental Protection Agency (“EPA”), Region 7 (“Complainant”) and William H. Harvey Co. (“Respondent”) have agreed to a settlement of this action before the filing of a complaint, and thus this action is simultaneously commenced and concluded pursuant to Rules 22.13(b) and 22.18(b)(2) of 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 Code of Federal Regulations (“C.F.R.”) §§ 22.13(b) and 22.18(b)(2).

**ALLEGATIONS**

**Jurisdiction**

1. This administrative action is being conducted pursuant to Sections 3008(a) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (“RCRA”), and the Hazardous and Solid Waste Amendments of 1984, 42 U.S.C. § 6928(a), and in accordance with the Consolidated Rules of Practice.

**Parties**

2. Complainant is the Director of the Enforcement and Compliance Assurance Division, Region 7, as duly delegated by the Administrator of EPA.

3. Respondent is William H. Harvey Co., a corporation authorized to operate under the laws of Nebraska.

### **Statutory and Regulatory Framework**

4. RCRA was enacted to address the volumes of municipal and industrial solid waste generated nationwide in order to protect human health and the environment from potential hazards of waste disposal, conserve energy and natural resources, reduce the amount of waste generated, and ensure that wastes are managed in an environmentally sound manner.

5. RCRA provides guidelines for a waste management program and provides EPA with the authorities found in Sections 3001, 3002, 3005, and 3008 of RCRA, 42 U.S.C. §§ 6921, 6922, 6925, and 6928, to develop and promulgate specific requirements in order to implement the waste management program. Pursuant to these authorities, EPA promulgated the waste management regulations found at 40 C.F.R. Part 239 through Part 282.

6. Section 3001 of RCRA, 42 U.S.C. § 6921, requires the Administrator to develop and promulgate criteria for identifying the characteristics of hazardous waste, and for listing hazardous waste, which should be subject to the provisions of this subchapter, taking into account toxicity, persistence, and degradability in nature, potential for accumulation in tissue, and other related factors such as flammability, corrosiveness, and other hazardous characteristics.

7. Section 3002 of RCRA, 42 U.S.C. § 6922, requires the Administrator to promulgate regulations establishing such standards applicable to generators of hazardous waste identified or listed under this subchapter, as may be necessary to protect human health and the environment.

8. Section 3005 of RCRA, 42 U.S.C. § 6925, requires the Administrator of EPA to promulgate regulations requiring each person owning or operating an existing facility or planning to construct a new facility for the treatment, storage, or disposal of hazardous waste identified or listed under this subchapter to have a permit.

9. Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), defines “person” as an individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, State, municipality, commission, political subdivision of a State, or any interstate body and shall include each department, agency, and instrumentality of the United States.

10. Pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), whenever on the basis of any information the EPA determines that any person has violated or is in violation of any requirement of RCRA, the EPA may issue an order assessing a civil penalty for any past or current violation and/or require immediate compliance or compliance within a specified time period.

11. The State of Nebraska has been granted authorization to administer and enforce a hazardous waste program pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, and the State of Nebraska has adopted by reference the federal regulations cited herein at pertinent parts of the Nebraska Administrative Code, Title 128 – Rules and Regulations Governing Hazardous Waste Management (hereinafter “Neb. Admin Code Title 128”). Section 3008 of RCRA, 42 U.S.C. § 6928, authorizes the EPA to enforce the provisions of the authorized State program and the regulations promulgated thereunder. When the EPA determines that any person has violated or is

in violation of any RCRA requirement, EPA may issue an order assessing a civil penalty for any past or current violation and/or require immediate compliance or compliance within a specified time period pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. In the case of a violation of any RCRA requirement, where such violation occurs in a state which is authorized to implement a hazardous waste program pursuant to Section 3006 of RCRA, EPA shall give notice to the state in which such violation has occurred or is occurring prior to issuing an order. The State of Nebraska has been notified of this action in accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).

12. The regulation at Neb. Admin. Code Title 128, Chapter 01, 052, defines “facility” to include all contiguous land, and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous waste, or for managing hazardous secondary materials prior to reclamation. A facility may consist of several treatment, storage or disposal operational units (e.g. one or more landfills, surface impoundments, or combinations of them).

13. The regulation at Neb. Admin. Code Title 128, Chapter 01, 138, defines “treatment” as any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste, or so as to render such waste non-hazardous, or less hazardous; safer to transport, store, or dispose of; or amendable for recovery, amendable for storage, or reduced in volume.

14. The regulation at Neb. Admin. Code Title 128, Chapter 01, 125, defines “storage” as the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

15. The regulation at Neb. Admin. Code Title 128, Chapter 01, 042, defines “disposal” as the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

16. “Solid waste” is defined at Neb. Admin. Code Title 128, Chapter 02, 003.

17. “Hazardous waste” is defined at Neb. Admin. Code Title 128, Chapter 02, 009.

18. The regulation at Neb. Admin. Code Title 128, Chapter 01, 060 defines “generator” as any person, by site, whose act or process produces hazardous waste identified or listed in part 261 of this chapter or whose act first causes a hazardous waste to become subject to regulation.

19. The regulation at Neb. Admin. Code Title 128, Chapter 01, 085 defines “large quantity generator” as a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste or greater than 1 kilogram (2.2 pounds) of acute hazardous waste listed in 40 C.F.R. §§ 261.31 or 261.33(e).

20. Title 128, Chapter 2, 008.24 defines “solvent-contaminated wipes” as wipes that are sent for cleaning and reuse, provided they meet one or more of the eligibility criteria in 40 C.F.R. 260.10 and all the specified conditions in 40 C.F.R. § 261.4(a)(26), revised as of July 1, 2014, which is adopted and incorporated by reference.

21. Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), authorizes a civil penalty of not more than \$25,000 per day for each violation. The Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, 28 U.S.C. § 2461, and implementing regulations at 40 C.F.R. Part 19, increased these statutory maximum penalties to \$37,500 for violations that occurred before November 2, 2015, and to \$124,426 for violations that occur after November 2, 2015, and for which penalties are assessed on or after January 8, 2025. In assessing any such penalty, EPA must take into account the seriousness of the violation and any good faith efforts to comply with applicable requirements. Based upon the facts alleged in this Consent Agreement and Final Order, and upon those factors which Complainant must consider pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), Complainant and Respondent agree to the payment of a civil penalty pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), and to take the actions required by the Final Order, for the violations of RCRA alleged in this Consent Agreement and Final Order.

### **General Factual Background**

22. Respondent is a “person” as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

23. Respondent is an affiliate of Oatey Co.

24. Respondent owns and operates a facility located at 4334 South 67th Street in Omaha, Nebraska (“facility”).

25. Respondent manufactures and sells products used in the plumbing industry.

26. Respondent employs approximately 170 people.

27. On or about February 22, 2010, Respondent first notified the EPA, pursuant to Section 3010 of RCRA, 42 U.S.C. § 6930, of its regulated waste activity as a Large Quantity Generator (LQG) of hazardous waste pursuant to Section 3010 of RCRA, 42 U.S.C. § 6930. Respondent obtained the following EPA Identification Number: NED003906716.

28. On or about July 8-9, 2025, the EPA conducted a RCRA Compliance Evaluation Inspection (hereinafter “the inspection”) of the hazardous waste management practices at Respondent’s facility.

29. Based on a review of the inspection report and the information provided during the inspection by facility personnel, it was determined that Respondent was operating, at the time of the inspection, as a LQG of D001, D002, D035, and D039 characteristic hazardous waste, an F003 and F005 listed hazardous waste, a small quantity handler of universal waste, and a used oil generator.

30. At the time of the inspection, the following wastes, among others, were present. These are solid and hazardous wastes as defined at 40 C.F.R. § 261.2 and 261.3:

- a. Laundered Rags: The facility uses laundered rags to clean process equipment and spills of products that contain solvents contaminated with D001, D035, F003, and F005 hazardous waste.
- b. Flammable Solids: The facility generates approximately 1,000 pounds of hazardous waste flammable solids, which are managed as D001 and D035 characteristic hazardous waste, and F003 and F005 listed hazardous waste.
- c. Flammable Liquids: The facility generates between 1,500 and 2,000 pounds of hazardous waste flammable liquids each month, which are managed as D001 and D035 characteristic hazardous waste, and F003 and F005 listed hazardous waste.
- d. Parts Washer Solvent: The parts washer solvent is manifested as D039 characteristic hazardous.

### **Violations**

31. Complainant hereby states and alleges that Respondent has violated RCRA and the federal regulations promulgated thereunder, as follows:

#### **Count 1**

#### **Failure to Make a Hazardous Waste Determination**

32. Complainant hereby incorporates the allegations contained in Paragraphs 22 through 30 above, as if fully set forth herein.

33. The regulations at Neb. Admin. Code Title 128, Chapter 2, 008.24, incorporating by reference, 40 C.F.R. § 261.4(a)(26)(i), allow solvent-contaminated wipes that are sent for cleaning and reuse to be excluded if the solvent-contaminated wipes, when accumulated, stored, and transported, are contained in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.”

34. The regulation at 40 C.F.R. § 261.4(a)(26)(i) provides that solvent-contaminated wipes that are sent for cleaning and reuse are not solid wastes from the point of generation may be excluded, provided that:

- (i) The solvent-contaminated wipes, when accumulated, stored, and transported, are contained in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.”

35. At the time of the inspection, the EPA inspector observed that the facility uses cloth wipes to clean process equipment and spills of products that contain solvents.

36. The cloth wipes were contaminated with D001, D035, F003, and F005 hazardous waste.

37. The facility uses a laundering service for the cloth wipes.

38. The EPA inspector observed two closed unmarked 30-gallon step cans half full of cloth wipes.

39. Respondent's failure to label the two containers with the label "Excluded Solvent-Contaminated Wipes" results in the cloth wipes no longer being excluded as a solid waste. Accordingly, the cloth wipes are solid waste subject to a hazardous waste determination which Respondent failed to perform, as required by Neb. Admin. Code Title 128, Chapter 4, 002.

### **Count 2**

#### **Operating as a Treatment, Storage or Disposal Facility Without a RCRA Permit or RCRA Interim Status**

40. Complainant hereby incorporates the allegations contained in Paragraphs 22 through 30 above, as if fully set forth herein.

41. Section 3005 of RCRA, 42 U.S.C. § 6925, Neb. Rev. Stat. 81-1505(13), and the regulations at Neb. Admin. Code Title 128, Chapter 12 and 40 C.F.R. Part 270 require each person owning or operating a facility for the treatment, storage, or disposal of hazardous wastes identified or listed under Subchapter C of RCRA to have a permit or interim status for such activities.

42. At the time of the inspection, Respondent did not have a permit or interim status.

#### **Generator Requirements**

43. The regulations at Neb. Admin. Code Title 128, Chapter 10, 004.01, state that a generator may accumulate hazardous waste on-site for ninety (90) days or less without a permit or without interim status, provided the conditions listed in Neb. Admin. Code Title 128, Chapter 10, 004.01 are met. If a generator fails to comply with any of these conditions, the generator is not allowed to accumulate hazardous waste at its facility for any length of time. Respondent failed to comply with the following conditions:

##### *Failure to Manifest*

44. Neb. Admin. Code Title 128, Chapter 10, 002.01A, a generator who transports, or offers for transport a hazardous waste for offsite treatment, storage, or disposal, or a treatment, storage, and disposal facility who offers for transport a rejected hazardous waste load, must prepare a Manifest (OMB Control number 2050-0039) on EPA Form 8700-22, and if necessary, EPA Form 8700-22A, according to the instructions included in the Appendix to 40 CFR Part 262, which is hereby adopted and incorporated herein by reference.

45. At the time of the inspection, the EPA inspector observed an employee improperly emptying Purple PVC Primer into a 55-gallon waste container. The estimated total contents were expected to be disposed of with regular trash.

46. The Purple PVC Primer when categorized as waste, is managed as D001, D035, and F005 hazardous waste.

47. By improperly emptying the Purple PVC Primer containers, the Respondent failed to identify the material as a waste and did not properly manifest it, in violation of Neb. Admin. Code Title 128, Chapter 10, 002.01A.

*Failure to close a satellite accumulation container of hazardous waste*

48. Neb. Admin. Code Title 128, Chapter 10, 005.01A referencing 004.01A2, states a satellite accumulation container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

49. At the time of the inspection, the EPA inspector observed ignitable materials and hazardous waste stored in the area labeled the "Less-Than-90-Day Hazardous Waste Accumulation Area." The inspector observed one 55-gallon container holding approximately 5-gallons of residual hazardous waste drained from aerosol cans. The lid to the aerosol can puncturing device on top of the container was open.

50. By storing ignitable materials and hazardous waste in the Less-Than-90-Day Hazardous Waste Accumulation Area with an open puncturing-device lid and without ensuring proper containment, the Respondent failed to manage hazardous waste in violation Neb. Admin. Code Title 128, Chapter 10, 005.01A referencing 004.01A2.

*Failure to conduct weekly hazardous waste inspections*

51. Neb. Admin. Code Title 128, Chapter 10, 004.01A4, requires that while being accumulated on-site, the owner or operator must inspect, at least weekly, areas where containers of hazardous waste are stored, looking for leaking containers and deteriorating containers caused by corrosion or other factors.

52. At the time of the inspection, the Respondent failed to conduct inspections on a weekly basis, in violation of Neb. Admin. Code Title 128, Chapter 10, 004.01A4.

*Failure to list emergency coordinator information in contingency plan*

53. Neb. Admin. Code Title 128, Chapter 18, 003.04 requires, in part, that a contingency plan must list names, addresses and phone numbers (office and home) of all persons qualified to act as emergency coordinator (as defined in Section 006 of this Chapter) and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.

54. At the time of the inspection, the EPA inspector reviewed the Respondent's contingency plan, referred to as the "Emergency Action Plan" by the facility.

55. The EPA observed that the Emergency Action Plan failed to have the addresses for the emergency coordinators, to list the name of the primary emergency coordinator, and to designate the order which alternates will be called in violation of Neb. Admin. Code Title 128, Chapter 18, 003.04.

*Failure to include a complete list of emergency equipment at the site, its location, and brief outline of capabilities*

56. Neb. Admin. Code Title 128, Chapter 18, 003.05, requires that the contingency plan must include a list of all emergency equipment at the site (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external) and decontamination equipment), where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.

57. At the time of the inspection, the EPA inspector reviewed the Emergency Action Plan for the list of emergency equipment at the site. The Emergency Action Plan did not contain a full list of the equipment in the plan, the location of the spill kits, and the specific location of the emergency equipment.

58. Failure to have specific instructions to the location of the spill kits and location of the emergency equipment in the contingency plan is a violation of Neb. Admin. Code Title 128, Chapter 18, 003.05.

*Failure to submit a copy of contingency plan to local agencies*

59. Neb. Admin. Code Title 128, Chapter 18, 004.02 requires copies of the contingency plan and all visions to the plan to be submitted to the Director, the State Fire Marshall (for new construction only), all local police and/or 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, the Respondent had not submitted the Emergency Action Plan to the hospital designated in the plan, CHI Health Creighton University Medical Center - Bergan Mercy, Omaha, Nebraska.

61. At the time of the inspection, the Respondent was unable to confirm that the plan had been submitted to the Nebraska Department of Water, Energy, and Environment.

62. Failure to submit the contingency plan to the required authorities is a violation of Neb. Admin. Code Title 128, Chapter 18, 004.02.

*Failure to train annually on hazardous waste and emergency procedures in 2024*

63. Neb. Admin. Code Title 128, Chapter 19, 003, referencing Chapter 10, states personnel must take part in an annual review of the initial training required in Section 001 of this Chapter.

64. Neb. Admin Code Title 128, Chapter 19, 001 requires personnel to complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures compliance with the requirements of these regulations; directed by a person trained in hazardous waste management procedures, and must include instruction which teaches personnel hazardous waste management procedures (including contingency plan

implementation) relevant to the positions in which they are employed; and at a minimum, the training must be designed to ensure that personnel are able to respond effectively to emergencies by familiarizing themselves with emergency procedures, emergency equipment, and emergency systems.

65. At the time of the inspection, several facility personnel whose positions relate to hazardous waste management had not fully completed refresher training.

66. Failure to adequately train employees is a violation of Neb. Admin. Code Title 128, Chapter 19, 001.

### **CONSENT AGREEMENT**

67. For the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), Respondent:

- (a) admits the jurisdictional allegations set forth herein;
- (b) neither admits nor denies the specific factual allegations stated herein;
- (c) consents to the assessment of a civil penalty, as stated herein;
- (d) consents to the issuance of any specified compliance or corrective action order;
- (e) consents to any conditions specified herein;
- (f) consents to any stated Permit Action;
- (g) waives any right to contest the allegations set forth herein; and
- (h) waives its rights to appeal the Final Order accompanying this Consent Agreement.

68. By signing this consent 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 consent agreement. Respondent consents to the issuance of this Consent Agreement and Final Order and consents for the purposes of settlement to the payment of the civil penalty specified herein.

69. Respondent and EPA agree to the terms of this Consent Agreement and Final Order and Respondent agrees to comply with the terms specified herein.

70. Respondent and EPA agree to conciliate this matter without the necessity of a formal hearing and to bear their respective costs and attorneys' fees.

71. Respondent consents to receiving an electronic copy of the filed Consent Agreement and Final Order at the following email address: [ajohnson@oatey.com](mailto:ajohnson@oatey.com).

### **Penalty Payment**

72. Respondent agrees that, in settlement of the claims alleged herein, Respondent shall pay a civil penalty of Forty-One Thousand Three Hundred and Eighty-One Dollars (\$41,381), as set forth below.

73. Respondent shall pay the penalty within thirty (30) days of the effective date of the Final Order. Such payment shall identify Respondent by name and docket number and shall be made using any payment method provided at <http://www.epa.gov/financial/makepayment>. For instructions for wire transfers and additional information, see <https://www.epa.gov/financial/additional-instructions-making-payments-epa>.

### **Effect of Settlement and Reservation of Rights**

74. Full payment of the penalty proposed in this Consent Agreement shall only resolve Respondent's liability for federal civil penalties for the violations alleged herein. Complainant reserves the right to take any enforcement action with respect to any other violations of RCRA or any other applicable law.

75. The effect of settlement described in the immediately preceding paragraph is conditioned upon the accuracy of Respondent's representations to the EPA, as memorialized in paragraph directly below.

76. Respondent certifies by the signing of this Consent Agreement and Final Order that to the best of its knowledge, it is presently in compliance with all requirements of RCRA, 42 U.S.C. § 6901 *et. seq.*, its implementing regulations, and any permit issued pursuant to RCRA.

77. Full payment of the penalty proposed in this Consent Agreement shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. This Consent Agreement and Final Order does not waive, extinguish or otherwise affect Respondent's obligation to comply with all applicable provisions of RCRA and regulations promulgated thereunder.

78. Notwithstanding any other provision of this Consent Agreement and Final Order, EPA reserves the right to enforce the terms and conditions of this Consent Agreement and Final Order by initiating a judicial or administrative action under Section 3008 of RCRA, 42 U.S.C. § 6928, and to seek penalties against Respondent in an amount not to exceed Seventy-Four Thousand Nine Hundred Forty-Three Dollars (\$74,943) per day, per violation, pursuant to Section 3008(c) of RCRA, for each day of non-compliance with the terms of this Consent Agreement and Final Order, or to seek any other remedy allowed by law.

79. Except as expressly provided herein, nothing in this Consent Agreement and Final Order shall constitute or be construed as a release from any claim (civil or criminal), cause of action, or demand in law or equity by or against any person, firm, partnership, entity, or corporation for any liability it may have arising out of or relating in any way to the generation,

storage, treatment, handling, transportation, release, or disposal of any hazardous constituents, hazardous substances, hazardous wastes, pollutants, or contaminants found at, taken to, or taken from Respondent's facility.

80. Notwithstanding any other provisions of the Consent Agreement and Final Order, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. § 6973, or other statutory authority, should EPA find that the handling, storage, treatment, transportation, or disposal of solid waste or hazardous waste at Respondent's facility may present an imminent and substantial endangerment to human health and the environment.

81. Nothing contained in the Final Order portion of this Consent Agreement and Final Order shall alter or otherwise affect Respondent's obligation to comply with all applicable federal, state, and local environmental statutes and regulations and applicable permits.

### **General Provisions**

82. By signing this Consent Agreement, the undersigned representative of Respondent certifies that they are fully authorized to execute and enter into the terms and conditions of this Consent Agreement and has the legal capacity to bind the party they represent to this Consent Agreement.

83. This Consent Agreement shall not dispose of the proceeding without a final order from the Regional Judicial Officer or Regional Administrator ratifying the terms of this Consent Agreement. This Consent Agreement and Final Order shall be effective upon the filing of the Final Order by the Regional Hearing Clerk for EPA, Region 7. Unless otherwise stated, all time periods stated herein shall be calculated in calendar days from such date.

84. The penalty specified herein shall represent civil penalties assessed by EPA and shall not be deductible for purposes of Federal, State and local taxes.

85. This Consent Agreement and Final Order shall apply to and be binding upon Respondent and Respondent's agents, successors and/or assigns. Respondent shall ensure that all contractors, employees, consultants, firms, or other persons or entities acting for Respondent with respect to matters included herein comply with the terms of this Consent Agreement and Final Order.

86. The headings in this Consent Agreement and Final Order are for convenience of reference only and shall not affect interpretation of this Consent Agreement and Final Order.

COMPLAINANT:

U.S. ENVIRONMENTAL PROTECTION AGENCY

\_\_\_\_\_  
Date

\_\_\_\_\_  
Alyse Stoy  
Acting Director  
Enforcement and Compliance Assurance Division

\_\_\_\_\_  
Date

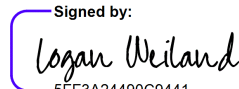
\_\_\_\_\_  
Anna Landis  
Office of Regional Counsel

RESPONDENT:

**WILLIAM H. HARVEY CO.**

5/6/2026

\_\_\_\_\_  
Date

Signed by:  
  
5FE3A24490C9441...  
\_\_\_\_\_  
Signature

Logan Weiland

\_\_\_\_\_  
Printed Name

Vice President & Treasurer

\_\_\_\_\_  
Title

**FINAL ORDER**

Pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22, the foregoing Consent Agreement resolving this matter is hereby ratified and incorporated by reference into this Final Order.

Respondent is ORDERED to comply with all of the terms of the Consent Agreement. In accordance with 40 C.F.R. § 22.31(b), 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.

IT IS SO ORDERED.

\_\_\_\_\_  
Karina Borromeo  
Regional Judicial Officer

\_\_\_\_\_  
Date

## CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Consent Agreement and Final Order was sent this day in the following manner to the addressees:

Copy via Email to Complainant:

Anna Landis  
Office of Regional Counsel  
landis.anna@epa.gov

Tracey Ramsey  
Enforcement and Compliance Assurance Division  
ramsey.tracey@epa.gov

Carrie Venerable  
Office of Regional Counsel | New Solutions  
venerable.carrie@epa.gov

Copy via Email to Respondent:

Andrew Johnson  
Senior Vice President, General Counsel  
Oatey Co.  
20600 Emerald Parkway  
Cleveland, Ohio 44135  
ajohnson@oatey.com

Copy via Email to the State of Nebraska

Nebraska Electronic Docket (e-copy)  
dwee.ecmupload@nebraska.gov

Jeff Edwards (e-copy)  
Nebraska Department of Environment and Energy  
jeffery.edwards@nebraska.gov

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Signed