

**FILED**

May 21, 2024

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U.S. EPA REGION 5  
HEARING CLERK

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>In the Matter of:</b>	)	<b>Docket No. CAA-05-2024-0027</b>
	)	
<b>MetroMetals Northwest, Inc.</b>	)	<b>Proceeding to Assess a Civil Penalty</b>
	)	<b>Under Section 113(d) of the Clean Air Act,</b>
<b>Respondent.</b>	)	<b>42 U.S.C. § 7413(d)</b>
_____	)	

**Consent Agreement and Final Order**

**Preliminary Statement**

1. This is an administrative action commenced and concluded under Section 113(d) of the Clean Air Act (the CAA), 42 U.S.C. § 7413(d), and Sections 22.1(a)(2), 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. Complainant is the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency (EPA), Region 5.

3. Respondent is MetroMetals Northwest, Inc. (MMNW), a corporation doing business in Colorado, Oregon, and Washington.

4. 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).

5. 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.

6. 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**

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

8. 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.

### **Statutory and Regulatory Background**

9. In accordance with Section 608 of the CAA, 42 U.S.C. § 7671g, EPA promulgated regulations at 40 C.F.R. Part 82, Subpart F, applicable to recycling and emissions reductions of ozone-depleting substances.

10. As specified at 40 C.F.R. § 82.150(a), the purpose of the regulations is to reduce emissions of class I and class II refrigerants and their non-exempt substitutes to the lowest achievable level during the service, maintenance, repair, and disposal of appliances.

11. 40 C.F.R. 82, Subpart F applies to persons disposing of appliances, including small appliances, motor vehicle air conditioners (MVACs), and MVAC-like appliances. See 40 C.F.R. § 82.150(b).

12. Under 40 C.F.R. § 82.152, a “person” means, among other things, any individual or legal entity, including an individual corporation, partnership, association and any officer, agent, or employee thereof.

13. Under 40 C.F.R. § 82.152, an “appliance” is any device which contains and uses a class I or class II substance or substitute as a refrigerant and which is used for household or commercial purposes, including any air conditioner, motor vehicle air conditioner, refrigerator, chiller, or freezer.

14. Under 40 C.F.R. § 82.152, a “MVAC” is an appliance that is a motor vehicle air conditioner as defined in 40 C.F.R. Part 82, Subpart B. Subpart B, at 40 C.F.R. § 82.32(d), defines an

MVAC as “mechanical vapor compression refrigeration equipment used to cool the driver’s or passenger’s compartment of any motor vehicle.” This definition is not intended to encompass the hermetically sealed refrigeration systems used on motor vehicles for refrigerated cargo and the air conditioning systems on passenger buses using HCFC-22 refrigerant.

15. Under 40 C.F.R. § 82.152, a “MVAC-like appliance” is a mechanical vapor compression, open-drive compressor appliance with a full charge of 20 pounds or less of refrigerant used to cool the driver’s or passenger’s compartment of off-road vehicles or equipment. This includes, but is not limited to, the air-conditioning equipment found on agricultural or construction vehicles. This definition is not intended to cover appliances using R-22 refrigerant.

16. Under 40 C.F.R. § 82.152, a “small appliance” is any appliance that is fully manufactured, charged, and hermetically sealed in a factory with five (5) pounds or less of refrigerant, including, but not limited to, refrigerators and freezers (designed for home, commercial, or consumer use), medical or industrial research refrigeration equipment, room air conditioners (including window air conditioners, portable air conditioners, and packaged terminal air heat pumps), dehumidifiers, under-the-counter ice makers, vending machines, and drinking water coolers.

17. Under 40 C.F.R. § 82.155(b), the final processor—i.e., persons who take the final step in the disposal process (including but not limited to scrap recyclers and landfill operators) of a small appliance, MVAC, or MVAC-like appliance—must either:

- a. Recover any remaining refrigerant from the appliance in accordance with 40 C.F.R. § 82.155(a); or
- b. Verify using a signed statement or a contract that all refrigerant that had not leaked previously has been recovered from the appliance or shipment of appliances in accordance with 40 C.F.R. § 82.155(a). If using a signed statement, it must include the name and address of the person who recovered the refrigerant and the date the refrigerant was recovered. If using a signed contract between the supplier and the final processor, it must either state that the supplier will recover any remaining refrigerant from the appliance or shipment of

appliances in accordance with 40 C.F.R. § 82.155(a) prior to delivery or verify that the refrigerant had been properly recovered prior to receipt by the supplier.<sup>1</sup>

18. Under 40 C.F.R. § 82.152, “recover” means to remove refrigerant in any condition from an appliance and to store it in an external container without necessarily testing or processing it in any way.

19. Under 40 C.F.R. § 82.152, “class I substance” is a reference to an ozone-depleting substance that is listed in 40 CFR Part 82, Subpart A, Appendix B.

20. Under 40 C.F.R. § 82.152, “class II substance” is a reference to an ozone depleting substance that is listed in 40 CFR Part 82, Subpart A, Appendix B.

21. Under 40 C.F.R. § 82.152, “substitute” means any chemical or product, whether existing or new, that is used as a refrigerant in replacement of a class I or II ozone-depleting substance. Examples include, but are not limited to, hydrofluorocarbons, perfluorocarbons, hydrofluoroolefins, hydrofluoroethers, hydrocarbons, ammonia, carbon dioxide and blends thereof. As used in 40 C.F.R. Part 82, Subpart F, the term “exempt substitutes” refers to certain substitutes when used in certain end-uses as specified in 40 C.F.R. § 82.154(a)(1) as exempt from the venting prohibition and the requirements of this subpart, and the term “non-exempt substitutes” refer to all other substitutes and end-uses not so specified in § 82.154(a)(1).

22. Under 40 C.F.R. § 82.152, “disposal” means the process leading to and including: (1) the discharge, deposit, dumping or placing of any discarded appliance into or on any land or water; (2) the disassembly of any appliance for discharge, deposit, dumping or placing of its discarded component

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<sup>1</sup> In the Preamble to the original rule and in revisions to 40 C.F.R. Part 82 Subpart F, EPA described under what circumstances a contract was appropriate and when a disposer should use a signed statement: “EPA notes here that a contract is appropriate for businesses to streamline transactions in cases where they maintain long-standing business relationships. A contract would be entered into prior to the transaction, such as during the set-up of a customer account, not simultaneously with the transaction. A signed statement is more appropriate for one-off transactions between the supplier and the final processor.” 81 Fed. Reg. 82,272, 82309 (Nov. 18, 2016).



parts into or on any land or water; (3) the vandalism of any appliance such that the refrigerant is released into the environment or would be released into the environment if it had not been recovered prior to the destructive activity; (4) the disassembly of any appliance for reuse of its component parts; or (5) the recycling of any appliance for scrap.

23. Pursuant to 40 C.F.R. § 82.154(a), no person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the environment any refrigerant or substitute from such appliances, with certain exceptions not relevant to this matter.

24. Under 40 C.F.R. § 82.155(a), persons recovering refrigerant from a small appliance, MVAC, or MVAC-like appliance for purposes of disposal of these appliances must evacuate refrigerant to the levels in §§ 82.156(b) through (d) using recovery equipment that meets the standards in §§ 82.158(e) through (g), or 40 C.F.R. 82 Subpart B, as applicable.

25. Pursuant to 40 C.F.R. § 82.155(b)(2)(i), it is a violation of 40 C.F.R. Part 82, Subpart F to accept a signed statement or contract if the person receiving the statement or contract knew or had reason to know that the signed statement or contract is false.

26. Under 40 C.F.R. § 82.155(b)(2)(ii), the final processor must notify suppliers of appliances that refrigerant must be properly recovered in accordance with 40 C.F.R. § 82.155(a) before delivery of the items to the facility. The form of this notification may be signs, letters to suppliers, or other equivalent means.

27. Pursuant to 40 C.F.R. § 82.155(b)(2)(iii), if all of the refrigerant has leaked out of a small appliance, MVAC, or MVAC-like appliance, the final processor must obtain a signed statement that all the refrigerant in the appliance had leaked out prior to delivery to the final processor and recovery is not possible. For refrigerant to have been considered to have "leaked out," refrigerant must have

escaped because of system failures, accidents, or other unavoidable occurrences not caused by a person's negligence or deliberate acts such as cutting refrigerant lines.

28. Pursuant to 40 C.F.R. § 82.155(c), the final processor of a small appliance, MVAC, or MVAC-like appliance must keep a copy of all the signed statements or contracts obtained under 40 C.F.R. § 82.155(b)(2) on site, in hard copy or in electronic format, for three years.

29. The Administrator of EPA (the Administrator) may require any person who owns or operates an emission source who is subject to any requirement of the CAA to make reports and provide information required by the Administrator under Section 114(a)(1) of the CAA, 42 U.S.C. § 7414(a)(1). The Administrator has delegated this authority to the Director of the Enforcement and Compliance Assurance Division.

30. The Administrator of EPA (the Administrator) may assess a civil penalty of up to \$55,808 per day of violation up to a total of \$446,456 for violations that occurred after November 2, 2015 under Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), and 40 C.F.R. Part 19.

31. Section 113(d)(1) limits the Administrator's authority to matters where the first alleged date of violation occurred no more than 12 months prior to initiation of the administrative action, except where the Administrator and the Attorney General of the United States jointly determine that a matter involving a longer period of violation is appropriate for an administrative penalty action.

32. The Administrator and the Attorney General of the United States, each through their respective delegates, have determined jointly that an administrative penalty action is appropriate for the period of violations alleged in this CAFO.

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

33. MMNW is a corporation licensed to do business in Colorado, Oregon, and Washington and is a "person" as defined in 40 C.F.R. § 82.152.

34. MMNW owns and/or operates scrap recycling facilities (Facilities) at the following locations:

- a. 1775 W Wesley Avenue, Englewood, Colorado 80110 (Englewood Facility);
- b. 2202 E River Street, Tacoma, Washington 98421 (Tacoma Facility);
- c. 5611 NE Columbia Boulevard, Portland, Oregon 97218;
- d. 900 Port Way, Vancouver, Washington 98660;
- e. 5350 Washington Street, Denver, Colorado 80216; and
- f. 987 US-85, Brighton, Colorado 80603.

35. MMNW accepts for recycling and disposal, among other things, small appliances and MVACs within the meaning of 40 C.F.R. § 82.152, that contain or once contained ozone depleting substances or substitutes at its Facilities.

36. The ozone depleting substances or substitutes in the small appliances and MVACs MMNW accepts for recycling are “refrigerants” within the meaning of 40 C.F.R. § 82.152.

37. MMNW’s recycling of small appliances and MVACs constitutes “disposal” within the meaning of 40 C.F.R. § 82.152.

38. As a person that disposes of small appliances and MVACs that contain refrigerants, MMNW is subject to requirements at 40 C.F.R. Part 82, Subpart F.

39. As a person that is subject to requirements of 42 U.S.C. § 7671g, MMNW is subject to the requirements of CAA Section 114(a)(1).

40. MMNW is a final processor in the disposal process for vehicles and appliances, including small appliances and MVACs, within the meaning of 40 C.F.R. § 82.155(b).

41. EPA conducted an unannounced inspection of the Englewood Facility on June 21, 2022.

42. At the time of the inspection, MMNW recovered refrigerant from small appliances and vehicles delivered to the Englewood Facility.

43. At the time of the inspection, EPA inspectors observed at least three small appliances at the Englewood Facility that had been delivered for recycling that had cut refrigeration lines.

44. At the time of the inspection, the Englewood Facility stated that it accepts scrap that previously contained refrigerant if it had been emptied of all fluids, including appliances with cut or damaged lines, and it rejects intact appliances and A/C units still containing refrigerant unless the supplier pays the Englewood Facility to recover the refrigerant at the Englewood Facility.

45. At the time of the inspection, the Englewood Facility had a sign at the scrap entrance stating, "No refrigerant or CFC's."

46. At the time of the inspection, a representative of the Englewood Facility stated that it has a Motor Vehicle, Appliance and Material Supplier Certification agreement with commercial suppliers, and that peddlers must fill out a scale ticket before scrap is inspected.

47. In a post-inspection documentation request, the Englewood Facility provided copies of its scale tickets and Supplier Certification agreement.

48. The Englewood Facility's scale tickets did not require the customer to provide the name and address of the person or entity who properly recovered the refrigerant and the date of its recovery, and therefore did not meet the requirements of a signed statement under 40 C.F.R. § 82.155(b)(2).

49. The Englewood Facility's Supplier Certification agreements neither stated that the supplier would recover any remaining refrigerant from the appliance or shipment of appliances in accordance with 40 C.F.R. § 82.155(a) prior to delivery nor verified that the refrigerant had been



properly recovered prior to receipt by the seller, and therefore did not meet the requirements of a signed contract under 40 C.F.R. § 82.155(b)(2).

50. EPA conducted an unannounced inspection of the Tacoma Facility on August 26, 2022.

51. As stated at the time of the inspection and in a post-inspection follow-up email sent on September 1, 2022, the Tacoma Facility accepts small appliances and MVACs from commercial suppliers, that contain or once contained refrigerant, for recycling and disposal at the Tacoma Facility and is therefore subject to requirements at 40 C.F.R. Part 82, Subpart F.

52. At the time of the inspection, EPA inspectors observed the refrigerant recovery process for vehicles performed by Rapid Recovery technicians on-site, and Tacoma Facility personnel showed EPA inspectors a log sheet showing records of refrigerant recovery performed for vehicles delivered to the Tacoma Facility containing refrigerant.

53. At the time of the inspection, the Tacoma Facility had a sign by the front office that stated that the Tacoma Facility does not accept "Freon / Refrigerant containing material" or "Vehicles with any fluid."

54. In a post inspection documentation request, the Tacoma Facility provided its Prohibited Items List, which states that the Tacoma Facility does not accept "[r]efrigerants: all refrigerant must be properly recovered with documentation. We charge \$10 for refrigerators containing refrigerant and \$5 for small appliances containing refrigerant; no ammonia refrigerant accepted."

55. In a post-inspection documentation request, the Tacoma Facility stated, in response to a request for an example supplier agreement with commercial customers that provide small appliances and motor vehicles, that "MM-Tacoma does not have a supplier agreement with commercial customers that provide small appliance to this location due to the extremely low volume of refrigerant containing devices purchased by MM-Tacoma. All commercial customers are provided with a

Prohibited Items List.” The Tacoma Facility also stated, in response to a request for an example of a signed statement from a customer delivering an appliance or vehicle that does not contain refrigerant, that “MM-Tacoma does not have an example of a signed statement from a customer delivering appliances or vehicles stating that they do not contain refrigerant.”

56. The Tacoma Facility did not use a signed statement or contract to verify that refrigerant had been properly recovered from appliances and MVACs delivered to the Tacoma Facility.

57. On December 20, 2022, EPA issued to MMNW a Finding of Violation (FOV) alleging that it violated the regulations for the Protection of Stratospheric Ozone by failing to meet the requirements of 40 C.F.R. Part 82, Subpart F at the Englewood and Tacoma Facilities.

58. In an email sent on February 23, 2023, MMNW stated the following: “In response to your finding, both the Englewood and Tacoma facilities have prepared documentation to better implement Section 608 of the Clean Air Act and 40 CFR Part 82 Subpart F. These forms require vendors to certify proper evacuation. Copies of all of the forms now in use at the two facilities are attached.”

59. On March 1, 2023, representatives of MMNW and EPA discussed the December 20, 2022 FOV (FOV Conference).

60. MMNW failed to verify, using a signed statement or contract, that all refrigerant that had not leaked previously had been recovered from the appliance or shipment of appliances at its Englewood Facility in accordance with 40 C.F.R. § 82.155(b)(1), in violation of 40 C.F.R. § 82.155(b)(2).

61. MMNW failed to notify suppliers of appliances that refrigerant must be properly recovered in accordance with 40 C.F.R. § 82.155(a) before delivery of the items to its Englewood Facility, in violation of 40 C.F.R. § 82.155(b)(2)(ii).

62. On March 31, 2023, MMNW provided templates for signed verification statements and contracts it is implementing at its Englewood and Tacoma Facilities that incorporated EPA’s feedback.

**Civil Penalty**

63. Based on analysis of the factors specified in Section 113(e) of the CAA, 42 U.S.C. § 7413(e), the facts of this case, and MMNW's cooperation, Complainant has determined that an appropriate civil penalty to settle this action is \$146,942.

64. Penalty Payment. Respondent agrees to:

- a. Pay the civil penalty of \$146,942 within 30 days after the effective date of this CAFO.
- b. Pay the civil penalty using any method provided in the table below.

Payment Method	Payment Instructions
<p>Automated Clearinghouse (ACH) payments made through the US Treasury</p>	<p>US Treasury REX/Cashlink ACH Receiver            ABA: 051036706            Account Number: 310006, Environmental Protection Agency            CTX Format Transaction Code 22 – checking</p> <p>In the comment area of the electronic funds transfer, state Respondent’s name and the CAFO docket number.</p>
<p>Wire transfers made through Fedwire</p>	<p>Federal Reserve Bank of New York            ABA: 021030004            Account Number: 68010727            SWIFT address: FRNYUS33            33 Liberty Street            New York, NY 10045            Beneficiary: US Environmental Protection Agency</p> <p>In the comment area of the electronic funds transfer, state Respondent’s name and the docket number of this CAFO.</p>
<p>Payments made through <a href="http://Pay.gov">Pay.gov</a></p> <p>Payers can use their credit or debit cards (Visa, MasterCard, American Express &amp; Discover) as well as checking account information to make payments.</p>	<ul style="list-style-type: none"> <li>• Go to <a href="http://Pay.gov">Pay.gov</a> and enter “SFO 1.1” in the form search box on the top left side of the screen.</li> <li>• Open the form and follow the on-screen instructions.</li> <li>• Select your type of payment from the "Type of Payment" drop down menu.</li> <li>• Based on your selection, the corresponding line will open and no longer be shaded gray. Enter the CAFO docket number into the field</li> </ul>
<p>Cashier’s or certified check payable to “Treasurer, United States of America.”</p> <p>Please notate the CAFO docket number on the check</p>	<p><b>For standard delivery:</b>            U.S. Environmental Protection Agency            Fines and Penalties            Cincinnati Finance Center            P.O. Box 979078            St. Louis, Missouri 63197-9000</p> <p><b>For signed receipt confirmation (FedEx, UPS, Certified Mail, etc):</b>            U.S. Environmental Protection Agency            Government Lockbox 979078            3180 Rider Trail S.            Earth City, Missouri 63045</p>



65. Within 24 hours of the payment of the civil penalty, Respondent must send a notice of payment and states Respondent's name and the docket number of this CAFO to EPA at the following addresses:

Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency, Region 5  
[R5airenforcement@epa.gov](mailto:R5airenforcement@epa.gov)

Deborah Carlson  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
[Carlson.DeborahA@epa.gov](mailto:Carlson.DeborahA@epa.gov)

Regional Hearing Clerk (E-19J)  
U.S. Environmental Protection Agency, Region 5  
[r5hearingclerk@epa.gov](mailto:r5hearingclerk@epa.gov)

66. This civil penalty is not deductible for federal tax purposes.

67. If Respondent does not pay timely the civil penalty, EPA may request the Attorney General of the United States to bring an action to collect any unpaid portion of the penalty with interest, nonpayment penalties and the United States enforcement expenses for the collection action under Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5). The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.

68. Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any overdue amount from the date payment was due at a rate established by the Secretary of the Treasury pursuant to 26 U.S.C. § 6621(a)(2). Respondent must pay the United States enforcement expenses, including but not limited to attorneys fees and costs incurred by the United States for collection proceedings. In addition, Respondent must pay a quarterly nonpayment penalty each quarter during which the assessed penalty is overdue. This nonpayment penalty will be 10 percent of the aggregate amount of the outstanding penalties and nonpayment penalties accrued from the beginning of the quarter. 42 U.S.C. § 7413(d)(5).

69. 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 EPA's Cincinnati Finance Center at [wise.milton@epa.gov](mailto:wise.milton@epa.gov), within 30 days after the Final Order ratifying this Agreement is filed, 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 issuance and receipt of a TIN issued by the IRS.

### **General Provisions**

70. The parties consent to service of this CAFO by e-mail at the following valid e-mail addresses: Carlson.DeborahA@epa.gov (for Complainant), and victorw@metrometalsnw.com and owen.blank@tonkon.com (for Respondent). Respondent understands that the CAFO will become publicly available upon filing.

71. This CAFO resolves only Respondent's liability for federal civil penalties for the violations alleged in this CAFO.

72. The CAFO does not affect the rights of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violation of law.

73. This CAFO does not affect Respondent's responsibility to comply with the CAA and other applicable federal, state and local laws. Except as provided in paragraph 71, above, compliance with this CAFO will not be a defense to any actions subsequently commenced pursuant to federal laws administered by EPA.

74. Respondent certifies that it is complying fully with 40 C.F.R. § 82.155.

75. This CAFO constitutes an "enforcement response" as that term is used in EPA's Clean Air Act Stationary Civil Penalty Policy to determine Respondent's "full compliance history" under Section 113(e) of the CAA, 42 U.S.C. § 7413(e).

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

77. Each person signing this consent 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.

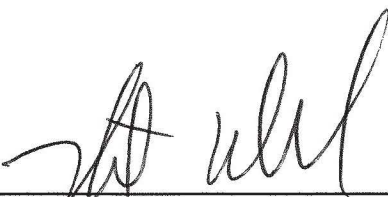
78. Each party agrees to bear its own costs and attorney's fees in this action.

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



**MetroMetals Northwest, Inc., Respondent**

1/15/24  
Date

  
\_\_\_\_\_  
Victor Winkler, President  
MetroMetals Northwest, Inc.

**United States Environmental Protection Agency, Complainant**

**MICHAEL  
HARRIS**

Digitally signed by  
MICHAEL HARRIS  
Date: 2024.05.16  
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Michael D. Harris  
Division Director  
Enforcement and Compliance Assurance Division  
U.S. Environmental Protection Agency, Region 5

**Consent Agreement and Final Order  
In the Matter of: MetroMetals Northwest, Inc.  
Docket No. CAA-05-2024-0027**

**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.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ann L. Coyle  
Regional Judicial Officer  
U.S. Environmental Protection Agency  
Region 5