



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590  
March 18, 2021

**VIA ELECTRONIC MAIL**  
**DELIVERY RECEIPT REQUESTED**

Mr. Kerry A. Ryan  
Vice President/Operations Manager  
Perfection Industries, Inc.  
18571 Weaver Street  
Detroit, Michigan 48228  
kerry@perfectionindustries.com

Re: Consent Agreement and Final Order  
Perfection Industries, Inc. and  
3013 Acknowledgment of Termination  
MID 005 349 196  
Docket No: RCRA-05-2021-0020

Dear Mr. Ryan:

Attached, please find a signed, fully executed Consent Agreement and Final Order (CAFO) in resolution of the above case. The CAFO was filed on March 18, 2021, with the Regional Hearing Clerk (RHC) and a 3013 Agreed Order Acknowledgment of Termination.

Please pay the civil penalty in the amount of \$750 in the manner prescribed in paragraphs 60 and 61 of the CAFO, and reference all checks with the docket number RCRA-05-2021-0020. Your payment is due within 30 calendar days of the effective date of the CAFO. Thank you for your cooperation in resolving this matter.

If you have any questions or concerns regarding this matter, please contact Walt Francis, of my staff, at [francis.walt@epa.gov](mailto:francis.walt@epa.gov) or 312-353-4921.

Sincerely,

**Morris, Julie** Digitally signed by Morris,  
Julie  
Date: 2021.03.15  
07:34:06 -05'00'

Julie Morris, Chief  
RCRA Compliance Section 2

Attachments

cc: Alexandra Clark, EGLE ([clarka37@michigan.gov](mailto:clarka37@michigan.gov))  
Lonnie Lee, EGLE ([leel@michigan.gov](mailto:leel@michigan.gov))  
Beth Gotthelf, Butzel Long ([gotthelf@butzel.com](mailto:gotthelf@butzel.com))  
Richard Clarizio, EPA ([clarizio.richard@epa.gov](mailto:clarizio.richard@epa.gov))

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

<b>In the Matter of:</b>	)	<b>Docket No. RCRA-05-2021-0020</b>
	)	
<b>Perfection Industries, Inc.</b>	)	<b>Proceeding to Commence and Conclude</b>
<b>Detroit, Michigan</b>	)	<b>an Action to Assess a Civil Penalty</b>
	)	<b>Under Section 3008(a) of the Resource</b>
	)	<b>Conservation and Recovery Act,</b>
<b>Respondent.</b>	)	<b>42 U.S.C. § 6928(a)</b>
<hr/>	)	

**Consent Agreement and Final Order**

**Preliminary Statement**

1. This is an administrative action commenced and concluded under Section 3008(a) of the Solid Waste Disposal Act, as amended, also known as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a), and Sections 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. The Complainant is the Director of the Enforcement and Compliance Assurance Division, United States Environmental Protection Agency (U.S. EPA), Region 5.

3. U.S. EPA provided notice of commencement of this action to the State of Michigan pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).

4. Respondent is Perfection Industries, Inc., a corporation doing business in the State of Michigan.

5. 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).

6. 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.

7. 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**

8. Jurisdiction for this action is conferred upon U.S. EPA by Sections 3006 and 3008 of RCRA, 42 U.S.C. §§ 6926 and 6928.

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

10. 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**

11. U.S. EPA has promulgated regulations, codified at 40 C.F.R. Parts 260 through 279, governing generators and transporters of hazardous waste and facilities that treat, store, and dispose of hazardous waste, pursuant to Sections 3001 – 3007, and 3013, among others, of RCRA, 42 U.S.C. §§ 6921 – 6927, and 6934.

12. Pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, the Administrator of U.S. EPA may authorize a state to administer the RCRA hazardous waste program in lieu of the federal program when the Administrator finds that the state program meets certain conditions.

13. Any violation of regulations promulgated pursuant to Subtitle C (Sections 3001-3023 of RCRA, 42 U.S.C. §§ 6921-6939(e) or any state provision authorized pursuant to Section 3006 of RCRA constitutes a violation of RCRA, subject to the assessment of civil penalties and

issuance of compliance orders as provided in Section 3008 of RCRA, 42 U.S.C. § 6928.

14. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), the Administrator of U.S. EPA granted the State of Michigan final authorization to administer a state hazardous waste program in lieu of the federal government's base RCRA program effective October 30, 1986. 51 Fed. Reg. 36804 (October 16, 1986).

15. Under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), U.S. EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified period of time, or both. The Administrator of U.S. EPA may assess a civil penalty of up to \$99,681 per day for each violation of Subtitle C of RCRA that occurred after November 2, 2015 pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), and 40 C.F.R. Part 19.

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

16. Respondent is a "person" as defined by Michigan Administrative Code (MAC) Rule 299.9106(i), MAC R. 299.9106(i), 40 C.F.R. § 260.10, and Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

17. Respondent is the "owner" or "operator," as those terms are defined under MAC R. 299.9106(f) and (g) and 40 C.F.R. § 260.10, of a facility located at 18571 Weaver Street, Detroit, Michigan (Facility).

18. Respondent's Facility is a "facility" as that term is defined under MAC R. 299.9103(s) and 40 C.F.R. § 260.10.

19. On February 6, 2013, U.S. EPA and Michigan Department of Environmental Quality (MDEQ)<sup>1</sup> inspected the facility.

---

<sup>1</sup> As of 4/22/2019, MDEQ is the Department of Environment, Great Lakes, and Energy or "EGLE".

20. The facility consists of land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste.

21. Respondent provides chrome plating and black oxide coating for the automotive, aerospace, and small engine industries.

22. At all times relevant to this CAFO, Respondent created solid wastes, including chrome sludge from cleaning out electroplating tanks; waste sodium hydroxide cake generated from the black oxide process; waste petroleum naphtha waste generated in the Lapping Department in the Gauge Shop, waste methyl ethyl ketone (MEK) solvent generated from cleaning painted parts after chrome plating; used glass bead and aluminum oxide blast media material; used fluorescent lamps; and used rags.

23. Respondent's processes at the facility produce several hazardous wastes identified or listed in MAC R. 299.9201-9230 or cause a hazardous waste to become subject to regulation under MAC R. 299.9101-299.11107 [40 C.F.R. Parts 260-270].

24. Respondent is a "generator," as that term is defined in MAC R. 299.9104(a) [40 C.F.R. § 260.10].

25. Respondent produced between 100 and 1,000 kilograms (2,205 pounds) of hazardous waste each calendar month, before the inspection. However, Respondent stored forty 55-gallon containers outside since a fire occurred at the facility in 2006.

26. Respondent's response to a U.S. EPA August 29, 2014 information request indicated that thirty-seven of the forty 55-gallon containers contained hazardous waste.

27. Respondent shipped all of the 55-gallon containers off-site by October 22, 2014 (Shipment dates: May 30, 2014; June 25, 2014; October 14, 2014; October 22, 2014).

28. Respondent is subject to the regulations promulgated pursuant to Subtitle C of RCRA, 42 U.S.C. §§ 6921 - 6939e, or the analogous Michigan regulations as part of the applicable state hazardous waste management program for the state of Michigan, or both.

29. At all times relevant to this CAFO, the State of Michigan has not issued a permit to Respondent to treat, store, or dispose of hazardous waste at the facility.

30. At all times relevant to this CAFO, Respondent did not have interim status for the treatment, storage, or disposal of hazardous waste at the facility.

31. Respondent entered into a RCRA § 3013 Agreed Order on November 14, 2016.

32. On July 10, 2017, Respondent submitted to U.S. EPA an Initial Sampling Report for the former container storage area. The report indicated lead levels in the soil above the Michigan non-residential clean up criteria.

33. On November 5, 2018, Respondent conducted remediation by excavation pursuant to an approved Remediation Workplan. The approximate upper 1.5 feet of soil was excavated from the area and sent off-site for disposal.

34. On November 15, 2018, Respondent conducted a supplemental investigation to evaluate if further remediation was likely to achieve the remediation goal. A summary of the laboratory analysis with a comparison to the Nonresidential Direct Contact Criteria showed lead levels exceeded the remediation goal in six soil sample at five locations. Respondent proposed a plan to achieve closure with controls using an engineered control barrier to prevent contact with the contaminated soil and a restrictive covenant institutional control. U.S. EPA approved the plan on December 11, 2019.

35. On August 21, 2020, Respondent completed the soil removal and installed a woven geotextile fabric and six inches of crushed concrete cover over the area.

36. On January 12, 2021, Respondent recorded with the Wayne County Recorder of Deeds an environmental restrictive covenant. See Attachment 1.

37. Respondent submitted a final Remediation Completion Report to U.S. EPA on January 12, 2021.

38. Respondent submitted Federal Income Tax returns for the years 2016 to 2019.

### **Count 1**

39. Complainant incorporates paragraphs 1 through 38 of this CAFO.

40. Pursuant to 3005(a) of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270, the treatment, storage, or disposal of hazardous waste by any person who has not applied for or received a permit is prohibited.

41. Pursuant to MAC R. 299.9306 and 40 C.F.R. § 262.34(a), and subject to certain exceptions, a small quantity generator of hazardous waste may accumulate hazardous waste on-site for 180 days or less without having a permit or interim status, provided that the generator complies with all applicable conditions of MAC R. 299.9306(4) and 40 C.F.R. § 262.34(d).

42. If the conditions of MAC R. 299.9306 [40 C.F.R. § 262.34] are not met, then the generator must apply for an operating permit under MAC R. 299.9502, 299.9508, 299.9510 [40 C.F.R. Part 264, 40 C.F.R. §§ 270.1(c), 270.10(a) and (d), and 270.13].

43. As set forth above, by storing 37 drums of hazardous wastes for greater than 180 days, Respondent did not meet the conditions of MAC R. 299.9306 [40 C.F.R. § 262.34] necessary to exempt it from the requirement to obtain interim status or apply for and obtain a permit for the storage of hazardous waste; therefore, Respondent stored hazardous waste without a permit or interim status in violation of Section 3005 of RCRA, 42 U.S.C. § 6925, and the regulations found at MAC R. 299.9502, 299.9508, 299.9510 [40 C.F.R. Part 264, 40 C.F.R. §§

270.1(c), 270.10(a) and (d), and 270.13].

**Count 2**

44. Complainant incorporates paragraphs 1 through 38 of this CAFO.

45. Pursuant to MAC R. 299.9306 and 40 C.F.R. § 262.34(a), and subject to certain exceptions, a small quantity generator of hazardous waste may accumulate hazardous waste on-site for 180 days or less without having a permit or interim status, provided that the generator complies with all applicable conditions of MAC R 299.9306(4) and 40 C.F.R. § 262.34(d).

46. Specifically, the generator must label satellite accumulation area (SAA) containers of hazardous waste and keep the containers closed. See, MAC R. 9306(2) [40 C.F.R. 262.34(c)(1)].

47. During the February 5 and 6, 2013, inspection of the Black Oxide Coating Shop, the inspectors observed a 55-gallon satellite accumulation container in a SAA that was open and not labeled with the words “Hazardous Waste” or the hazardous waste code. During the inspection of the Gauge Shop, the inspectors observed a 55-gallon SAA container of Lapping Sludge that was also not labeled with the words “Hazardous Waste” or with the hazardous waste code. The Respondent also did not keep the SAA container closed, as required by MAC R. 299.9306(2) [40 C.F.R. § 262.34(c)(1)]. Consequently, the Respondent violated MAC R. 299.9306(2) [40 C.F.R. § 262.34(c)(1)]

**Count 3**

48. Complainant incorporates paragraphs 1 through 38 of this CAFO.

49. Pursuant to MAC R. 299.9306 and 40 C.F.R. § 262.34(a), and subject to certain exceptions, a small quantity generator of hazardous waste may accumulate hazardous waste on-site for 180 days or less without having a permit or interim status, provided that the generator



complies with all applicable conditions of MAC R 299.9306(4) [40 C.F.R. § 262.349(d)].

50. A generator who generates more than 100 kilograms but less than 1,000 kilograms of hazardous waste in a calendar month and who does not generate acute hazardous waste or severely toxic hazardous waste that exceeds the volumes specified in MAC R. 299.9205(1)(b) or (c) may accumulate hazardous waste on-site for 180 days without a construction permit or an operating license or without being an existing facility pursuant to MAC R. 299.9502 if all of the following provisions are complied with, see MAC R. 299.9306(4)(a)-(k) [40 C.F.R. § 262.34(d)(1)-(5)]. Specifically, the generator must post, next to the telephone, the name and telephone number of the emergency coordinator; the location of fire extinguishers and spill control material and , if present, fire alarm; and the telephone number of the fire department, unless the facility has a direct alarm. See, MAC R. 9306(4)(g) [40 C.F.R. 262.34(d)(5)(ii)].

51. During the inspection, U.S. EPA personnel did not observe a telephone posting as required by MAC R. 9306(4)(g) [40 CFR 262.34(d)(5)(ii)]. Consequently, Respondent violated MAC R. 9306(4)(g) [40 C.F.R. 262.34(d)(5)(ii)].

#### **Count 4**

52. Complainant incorporates paragraphs 1 through 38 of this CAFO.

53. Pursuant to MAC R. 299.9306 and 40 C.F.R. § 262.34(a), and subject to certain exceptions, a small quantity generator of hazardous waste may accumulate hazardous waste on-site for 180 days or less without having a permit or interim status, provided that the generator complies with all applicable conditions of MAC R. 299.9306(4) [40 C.F.R. § 262.34(d)].

54. During the records review portion of the inspection, the inspectors asked Perfection Industries personnel about training for facility personnel. Perfection Industries personnel

responded that the facility did not have any training records for facility personnel. At the time of the inspection, therefore, Perfection Industries failed to comply with MAC R. 299.9306(4)(h) [40 C.F.R. 262.34(d)(5)(iii)] since they failed to ensure that its employees were thoroughly familiar with proper waste handling and emergency procedures, as required by MAC R. 299.9306(4)(h) [40 C.F.R. 262.34(d)(5)(iii)].

### **Count 5**

55. Complainant incorporates paragraphs 1 through 38 of this CAFO.

56. Pursuant to MAC R. 299.9306 and 40 C.F.R. § 262.34(a), and subject to certain exceptions, a small quantity generator of hazardous waste may accumulate hazardous waste on-site for 180 days or less without having a permit or interim status, provided that the generator complies with all applicable conditions of MAC R. 299.9306(4) [40 C.F.R. § 262.34(d)]. During the inspection, Perfection Industries personnel showed the inspectors an out-of-doors waste container storage area used for hazardous waste storage. The containers in the outside storage area were not labeled as “Hazardous Waste”, did not have hazardous waste codes, and did not have accumulation dates, and some of the containers were deteriorating. During the records review portion of the inspection, the inspectors reviewed the last off-site hazardous waste manifest that was dated “8/14/2003”. Also, during the records review, the inspectors asked if Perfections Industries conducted weekly inspections. Perfection Industries personnel did not have weekly inspection records. At the time of the inspection, therefore, Perfection Industries failed to label the outside containers, failed to maintain the containers, failed to conduct weekly inspections, and exceeded the 6,000 kg limit. Consequently, at the time of the inspection, Respondent failed to comply with MAC R. 299.9306(1)(a) [40 C.F.R. § 262.34(d)(2)].

57. Complainant incorporates paragraphs 1 through 38 of this CAFO.

58. Pursuant to MAC R. 299.9228(4) a small quantity handler of universal waste must comply with certain packaging requirements. Specifically, the lamps or packaging that the lamps are contained in must be labeled with the words “Universal Waste Electric Lamps”, “Waste Electric Lamps”, or “Used Electric Lamps”, see MAC R. 299.9228(4)(c)(iv) [40 C.F.R. § 273.14]. In addition, the lamps must be managed in a manner that prevents breakage or the release of any universal waste or components of universal waste; this is accomplished by containing unbroken lamps in structurally sound packaging that is compatible with the contents of the lamps and will prevent breakage during normal handling conditions. The packaging must remain closed and lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. Also, a universal waste small quantity handler must comply with 40 C.F.R. part 273, Subpart B, except §§ 273.10 and 273.18(b). A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste was generated, or received from another handler unless the requirements of paragraph (b) of this section are met.

59. During the inspection of the Respondent’s Gauge Shop and the rear storage room, the inspectors observed several used fluorescent lamps not in containers, several boxes that were not labeled, and several boxes that were not closed. During the records review, facility personnel could not locate any records of the last off-site shipment of universal waste. Consequently, at the time of the inspection, Respondent failed to comply with MAC R. 299.9228(4)(c)(iv) [40 C.F.R. § 273.1] and MAC R. 299.9228(4)(c)(ii) [40 C.F.R. § 273.13(d)(1)].

#### **Civil Penalty**

60. Pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), Complainant determined that an appropriate civil penalty to settle this action is \$750.00. In determining the

penalty amount, Complainant took into account the seriousness of the violation and any good faith efforts to comply with the applicable requirements and Respondent's financial information consisting of Federal Income Tax Returns from 2016 to 2019. Complainant also considered U.S. EPA's RCRA Civil Penalty Policy, dated June 23, 2003.

61. Within 30 days after the effective date of this CAFO, Respondent must pay a \$750 civil penalty for the RCRA violations by sending a cashier's or certified check, payable to the "Treasurer, United States of America," to:

for checks sent by regular U.S. Postal Service mail

U.S. EPA  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000

for checks sent by express mail

U.S. Bank  
Government Lockbox 979077 U.S. EPA Fines and Penalties  
1005 Convention Plaza  
Mail Station SL-MO-C2-GL  
St. Louis, MO 63101

The check must state Perfection Industries and the docket number of this CAFO.

62. A transmittal letter stating Respondent's name, the case title, and the case docket number must accompany the payment. Respondent must send a copy of the check and transmittal letter to:

LaDawn Whitehead  
Regional Hearing Clerk (E-19J)  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604  
whitehead.ladawn@epa.gov

Walt Francis (ECR-17J)  
Land Enforcement and Compliance Assurance Branch  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604  
[francis.walt@epa.gov](mailto:francis.walt@epa.gov) and  
[r5lecab@epa.gov](mailto:r5lecab@epa.gov)

Richard Clarizio (C-14J)  
Office of Regional Counsel  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604  
[clarizio.richard@epa.gov](mailto:clarizio.richard@epa.gov)

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

64. If Respondent does not timely pay the civil penalty U.S. EPA may bring an action to collect any unpaid portion of the penalty with interest, handling charges, nonpayment penalties, and the United States enforcement expenses for the collection action. The validity, amount, and appropriateness of the civil penalty are not reviewable in a collection action.

65. Pursuant to 31 C.F.R. § 901.9, Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any amount overdue from the date payment was due at a rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717(a)(1). Respondent must pay a \$15 handling charge each month that any portion of the penalty is more than 30 days past due. In addition, Respondent must pay a 6 percent per year penalty on any principal amount 90 days past due.

### **Compliance Order**

66. Respondent recorded the attached restrictive covenant with the Wayne County Register of Deeds on January 12, 2021. See Attachment 1. Attachment 1 is incorporated into this compliance order.

67. Respondent shall ensure compliance with Attachment 1. Respondent shall annually

inspect and maintain exposure barriers, permanent markers, fences, or other aspects of the response action or remedy and make repairs, as needed. Respondent shall provide U. S. EPA with a report of its annual inspection and maintenance activities by December 1<sup>st</sup> of each year (I&M Annual Report). The I&M Annual Report shall be sent to the Enforcement and Compliance Assurance Division, Land Enforcement and Compliance Assurance Branch, U.S. EPA, Region 5, via email at [r5lecab@epa.gov](mailto:r5lecab@epa.gov) and shall include a statement that the report is being made pursuant to the requirements of this CAFO. The Respondent shall keep a copy of all documents related to the report and the report for three years after the date the report is due. After two I&M Annual Reports have been submitted to EPA, the Respondent may request EPA to modify or terminate the requirement to submit the I&M Annual Report. The Respondent shall submit the request in writing and shall certify that it is in compliance with this CAFO and RCRA during those two years. EPA may grant, modify or deny such a request in its sole discretion.

68. Respondent must maintain copies of the underlying research and data for all reports submitted to U.S. EPA pursuant to this CAFO. Respondent must provide the documentation of any underlying research and data to U.S. EPA within seven days of U.S. EPA's request for the information.

69. Respondent must submit all notices and reports required by this CAFO by email to Walt Francis of the Land Enforcement and Compliance Assurance Branch at [francis.walt@epa.gov](mailto:francis.walt@epa.gov) and to [R5lecab@epa.gov](mailto:R5lecab@epa.gov).

70. In each report that Respondent submits as provided by this CAFO, it must certify that the report is true and complete by including the following statement signed by one of its officers:

I certify that I am familiar with the information in this document and that, based on my inquiry of those individuals responsible for obtaining the

information, it is true and complete to the best of my knowledge. I know that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

### **General Provisions**

71. The Parties consent to service of this CAFO by e-mail at the following valid e-mail addresses: clarizio.richard@epa.gov (for Complainant), and gotthelf@butzel.com (for Respondent).

72. Respondent's full compliance with this CAFO shall only resolve 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 CAFO.

73. This CAFO does not affect the right of U.S. EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.

74. This CAFO does not affect Respondent's responsibility to comply with RCRA and other applicable federal, state, local laws, or permits.

75. This CAFO is a "final order" for purposes of 40 C.F.R. § 22.31, U.S. EPA's RCRA Civil Penalty Policy, and U.S. EPA's Hazardous Waste Civil Enforcement Response Policy (December 2003).

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

77. Each person signing this 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.

**Perfection Industries, Inc., Respondent**

3-5-21  
Date

Arthur Ryan  
~~Kerry A. Ryan~~ **ARTHUR RYAN**  
~~Vice President/Operations Manager~~  
Perfection Industries, Inc.

**United States Environmental Protection Agency, Complainant**

\_\_\_\_\_  
Date

**MICHAEL HARRIS** Digitally signed by MICHAEL HARRIS  
Date: 2021.03.16 15:47:55 -05'00'

\_\_\_\_\_  
Michael D. Harris  
Division Director  
Enforcement and Compliance Assurance Division



**In the Matter of:**  
**Perfection Industries, Inc.**  
**Docket No. RCRA--5-2021-0020**

**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.

**ANN COYLE** Digitally signed by ANN COYLE  
Date: 2021.03.17 15:30:44 -05'00'

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ann L. Coyle  
Regional Judicial Officer  
United States Environmental Protection Agency  
Region 5

In the matter of: Perfection Industries, Inc.

Docket Number: RCRA-05-2021-0020

**CERTIFICATE OF SERVICE**

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, which was filed on March 18, 2021, this day in the following manner to the addressees:

Copy by email to Respondent's Representative:  
(Delivery Receipt Requested)      Kerry Ryan  
Vice President/Operations Manager  
Perfection Industries, Inc.  
18571 Weaver Street  
Detroit, Michigan  
kerry@perfectionindustries.com

Copy by email to Attorney for Complainant:      Richard Clarizio  
clarizio.richard@epa.gov

Copy by email to Regional Judicial Officer:      Ann Coyle  
[coyle.ann@epa.gov](mailto:coyle.ann@epa.gov)

\_\_\_\_\_  
LaDawn Whitehead  
Regional Hearing Clerk  
U.S. Environmental Protection Agency  
Region 5

\_\_\_\_\_  
Date