

July 25, 2023

3:00PM

**U. S. ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
11201 RENNER BOULEVARD  
LENEXA, KANSAS 66219**

Received by  
EPA Region 7  
Hearing Clerk

**BEFORE THE ADMINISTRATOR**

**In the Matter of:** )  
 )  
**JACAM Catalyst, LLC** ) **Docket No. RCRA-07-2023-0010**  
 )  
**Respondent.** )  
\_\_\_\_\_ )

**JOINT MOTION TO WITHDRAW PREVIOUSLY FILED EXPEDITED SETTLEMENT  
AGREEMENT AND FINAL ORDER AND FOR LEAVE TO FILE AMENDED  
EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER**

The U.S. Environmental Protection Agency (“EPA”) and Respondent JACAM Catalyst, LLC (“Respondent”), hereby jointly move to withdraw the Expedited Settlement Agreement (“Original ESA”) previously filed with, and executed by, the Regional Judicial Officer on January 5, 2023. The parties also jointly move for leave to file the attached Expedited Settlement Agreement and Final Order (“Amended ESA”) for the Regional Judicial Officer’s consideration. In support of this Motion, the parties state as follows:

1. This matter was resolved in January of 2023 for a civil penalty of \$11,000, which Respondent has already paid.
2. On January 5, 2023, counsel for EPA filed the Original ESA, which was then signed by the Regional Judicial Officer.
3. After filing the Original ESA, on May 25, 2023, the Respondent requested the company name as listed on the ESA be changed from JACAM Catalyst, LLC to Jacam Manufacturing 2013 LLC. In support, the Respondent provided a description of the corporate structure of the company, as detailed in Attachment 1.

4. Therefore, the parties hereby request that the Original ESA be withdrawn.

5. In order to affect this change, the parties hereby seek leave to file the attached


Amended ESA, which lists the Respondent as Jacam Manufacturing 2013 LLC.

WHEREFORE, based on the foregoing reasons, and in the interests of justice, the parties jointly request that the Original ESA be withdrawn and leave be granted to file the attached Amended ESA.

Respectfully submitted,

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Christopher Muehlberger  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 7  
Muehlberger.christopher@epa.gov  
*Counsel for EPA*



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Vernon J. Disney  
President  
Jacam Manufacturing 2013 LLC  
*Respondent*

**CERTIFICATE OF SERVICE**  
(To be completed by EPA)

I certify that that a true and correct copy of the foregoing Motion in EPA Docket No. TSCA-07-2023-0010, was sent this day in the following manner to the following addressee:

Copy via email to the Complainant:

Christopher Muehlberger  
Office of Regional Counsel  
*Muehlberger.christopher@epa.gov*

Milady Peters  
Office of Regional Counsel  
*Peters.milady@epa.gov*

Copy via email to Respondent:

Craig Musser  
Process Safety Manager  
JACAM Catalyst, LLC  
1656 Avenue Q  
Sterling, Kansas 67579  
*craig.musser@jacamcatalyst.com*

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

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ATTACHMENT 1  
Jacam Manufacturing 2013 LLC

**Peters, Milady (she/her/hers)**

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**From:** Craig Musser <craig.musser@jacamcatalyst.com>  
**Sent:** Tuesday, May 30, 2023 9:18 AM  
**To:** Muehlberger, Christopher; DeLong, Tiffany; Peters, Milady (she/her/hers)  
**Subject:** RE: EPA Docket No. RCRA-07-2023-0010 Documents

Dear Milady Peters,

This issue seems to be a big deal for our president and financial officer. I have provided our background.

My chief financial officer got back to me about the names of our various companies. Their belief is that Jacam Chemical Company 2013, LLC is the correct owner of Jacam Manufacturing 2013, LLC.

Prior to the merger with Catalyst, Jacam Chemical Company 2013, LLC was the parent company of both Jacam Manufacturing 2013, LLC and Jacam Chemicals 2013, LLC. Jacam Chemicals 2013, LLC never owned Jacam Manufacturing 2013, LLC.

When Jacam merged with Catalyst, retail assets and operations of Jacam Chemicals 2013, LLC, which was re-named Jacam Catalyst, LLC.

Jacam Chemical Company 2013, LLC. is till the parent company of Jacam Manufacturing 2013, LLC.

So with that background, we believe the case name should be Jacam Chemical Company 2013, LLC. Could you point me to the website where you found the registered name in Kansas?

Best regards,

Craig Musser



**Craig Musser, CSP**  
*Director of HSE for Sterling Kansas  
Manufacturing*

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