

FILED

April 15, 2025

7:52AM

**U.S. EPA REGION 7
HEARING CLERK**

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

In the Matter of:

Polynt Composites USA, Inc.
1412 Knox Street
North Kansas City, MO 64116
RCRA ID: MOD086787371

Respondent.

Docket No. RCRA-07-2025-0036

**EXPEDITED SETTLEMENT
AGREEMENT AND FINAL ORDER**

EXPEDITED SETTLEMENT AGREEMENT

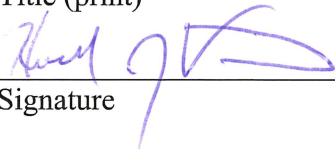

- 1) The U.S. Environmental Protection Agency (“EPA”) is authorized to enter into this Expedited Settlement Agreement (“Agreement” or “ESA”) pursuant to Section 3008(a) of the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. § 6928(a), and 40 C.F.R. § 22.13(b).
- 2) The EPA has provided the State of Missouri with notice of the referenced violations of Subtitle C of RCRA as required by Section 3008(a)(2).
- 3) Polynt Composites USA, Inc. (“Respondent”) is the owner or operator of the facility located at 1412 Knox Street, North Kansas City, MO 64116 (“Facility”). The EPA inspected the Facility, on March 5, 2024. As a result of the findings during the inspection and additional investigation, the EPA alleges that Respondent violated the following requirements of the RCRA hazardous waste management program:
 - 1) 10 CSR 25-5.262(1) incorporating 40 C.F.R. § 262.11(a) – Failure to conduct a hazardous waste determination on:
 - a. One, quarter-full, 5-gallon pail of unknown blue gel coat,
 - b. Four cardboard boxes and one plastic tube of waste lamps,
 - c. One, 5-gallon pail storing 10 cloth wipes,
 - d. One, 55-gallon container storing 10 cloth wipes.
 - 2) 10 CSR 25-5.262(1) incorporating 40 C.F.R. § 262.34(c)(1)(i) referencing 40 C.F.R. § 265.173(a) – Failure to close ten hazardous waste satellite accumulation containers.
 - 3) 10 CSR 25-5.262(2)(C)(3) incorporating 40 C.F.R. § 262.34(c)(1)(ii) – Failure to label eight hazardous waste satellite accumulation containers with words “Hazardous waste”.
 - 4) 10 CSR 25-5.262(1) incorporating 40 C.F.R. § 262.34(a)(4) referencing 40 C.F.R. § 265.16(d)(3) – No written description of the type and amount of introductory and continuing training required for hazardous waste staff.
 - 5) 10 CSR 25-5.262(1) incorporating 40 C.F.R. § 262.34(a)(4) referencing 40 C.F.R. § 265.53(b) – Contingency Plan not submitted to local emergency agencies.
 - 6) 10 CSR 25-5.262(1) incorporating 40 C.F.R. § 262.34(a)(4) referencing 40 C.F.R.

- § 265.52(f) – Failure to include list of alternative evacuation routes within Contingency plan.
- 7) 40 C.F.R. § 261.4(a)(26)(iv) – Reusable solvent contaminated wipes container not labeled with the words “Excluded Solvent Contaminated Wipes.”
- 8) 40 C.F.R. § 261.4(a)(26)(v)(C) – Failure to have documentation describing the process to ensure solvent contaminated wipes contain no free liquids at the point of being laundered, dry cleaned, or transported off-site.
- 4) In determining the amount of the penalty to be assessed, EPA has taken into account the factors specified in Section 3008 of RCRA, 42 U.S.C. § 6928. After considering these factors, EPA has determined and Respondent agrees that settlement of this matter for a civil penalty of eleven thousand dollars (\$11,000.00) is in the public interest.
- 5) 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 by certified or cashier’s check made payable to the “United States Treasury” and sent to:
- U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
PO Box 979078
St. Louis, Missouri 63197-9000
- or by alternate payment method described at <http://www.epa.gov/financial/makepayment>.
- 6) A copy of the check or other information confirming payment shall simultaneously be emailed to the following:
- Regional Hearing Clerk
R7_Hearing_Clerk_Filings@epa.gov; and
- Milady Peters, Paralegal
peters.milady@epa.gov.
- 7) By signing this Agreement, Respondent: (a) admits that Respondent is subject to RCRA and its implementing regulations; (b) admits that EPA has jurisdiction over Respondent and Respondent’s conduct as alleged herein, (c) neither admits nor denies the factual allegations contained herein; (d) consents to the assessment of this penalty; and (e) consents to electronic service of the filed ESA to the following email address: *keith.kraynak@polynt.com*. Respondent understands that the ESA will become publicly available upon filing.
- 8) By its signature below Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (a) the alleged violations have been corrected, and (b) 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.

- 9) By signing this 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 Expedited Settlement Agreement.
- 10) The undersigned representative of Respondent certifies that he or she is fully authorized to enter the terms and conditions of this Expedited Settlement Agreement and to execute and legally bind Respondent to it.
- 11) Full payment of the civil penalty shall only resolve Respondent's liability for federal civil penalties for the violations alleged herein. The EPA reserves the right to take any enforcement action with respect to any other past, present, or future violations of RCRA or any other applicable law.
- 12) The penalty specified herein shall represent civil penalties assessed by EPA and shall not be deductible for purposes of Federal, State and local taxes.
- 13) Each party shall bear its own costs and fees, if any.
- 14) This Agreement is binding on the parties signing below.

IT IS SO AGREED,

<u>Harold J. Visser</u>	<u>David Betti</u>
Name (print)	
<u>EVP</u>	<u>CEO</u>
Title (print)	
<u></u>	<u></u>
Signature	
	<u>4.10.2025</u>
	Date

APPROVED BY EPA:

David Cozad
Director
Enforcement and Compliance Assurance Division

Date

Christopher Muehlberger, Attorney
Office of Regional Counsel

Date

FINAL ORDER

Pursuant to the authority of 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 Expedited Settlement 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 Expedited Settlement Agreement. In accordance with 40 C.F.R. § 22.31(b), the effective date of the foregoing Expedited Settlement 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
To be completed by EPA

I certify that that a true and correct copy of the foregoing Expedited Settlement Agreement and Final Order, in the matter of Polynt Composites USA, Inc., EPA Docket No. RCRA-07-2025-0036, was sent this day in the following manner to the following addressees:

Copy via e-mail to Complainant:

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

Tiffany DeLong, Enforcement and Compliance Assurance Division
Delong.tiffany@epa.gov

Milady Peters, Office of Regional Counsel
peters.milady@epa.gov

Copy via e-mail to Respondent:

Keith Kraynak
Polynt Composites USA, Inc.
1412 Knox Street
North Kansas City, MO 64116
keith.kraynak@polynt.com

Copy via e-mail to the State of Missouri:

Charlene Fitch, Director (*charlene.fitch@dnr.mo.gov*)
Waste Management Program
Missouri Department of Natural Resources

Brandon Backus (*brandon.backus@dnr.mo.gov*)
Missouri Department of Natural Resources

Dated this _____ day of _____, 2025.

Signed