

FILED

September 9, 2025

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

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

In the Matter of:

Ecovyst Catalyst Technologies, LLC,

Respondent) **Docket No. RCRA-07-2025-0207**

CONSENT AGREEMENT AND FINAL ORDER

PRELIMINARY STATEMENT

The U.S. Environmental Protection Agency (EPA), Region 7 (“Complainant”) and Ecovyst Catalyst Technologies, LLC (“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 the EPA.

3. Respondent is Ecovyst Catalyst Technologies, LLC, a limited liability company authorized to operate under the laws of Kansas.

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 the EPA with the authorities found in Sections 3001, 3002, 3004, 3005 of RCRA, 42 U.S.C. §§ 6921, 6922, 6924, 6925 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 262, 265, 273, and 279.

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 3004 of RCRA, 42 U.S.C. § 6924, requires the Administrator to promulgate regulations establishing such performance standards, applicable to owners and operators of facilities for the treatment, storage, or disposal of hazardous waste identified or listed under this subchapter, as may be necessary to protect human health and the environment.

9. 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.

10. The State of Kansas 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 Kansas has adopted by reference the federal regulations cited herein at pertinent parts of Title 28, Article 31 of the Kansas Administrative Regulations (hereinafter “K.A.R.”). 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 a hazardous waste program pursuant to Section 3006 of RCRA, the EPA shall give notice to the state in which such violation has occurred or is occurring prior to

issuing an order. The State of Kansas has been notified of this action in accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).

11. 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.

12. The regulation at 40 C.F.R. § 260.10, as adopted by reference at K.A.R. 28-31-260(a), 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 40 C.F.R. § 260.10 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 40 C.F.R. § 260.10, as adopted by reference at K.A.R. 28-31-260(a), 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 40 C.F.R. § 260.10, as adopted by reference at K.A.R. 28-31-260(a), 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 40 C.F.R. § 261.2 and adopted by reference at K.A.R. 28-31-261(a).

17. “Hazardous waste” is defined at 40 C.F.R. § 261.3 and adopted by reference at K.A.R. 28-31-261(a).

18. The regulation at 40 C.F.R. § 260.10, as adopted by reference at K.A.R. 28-31-260(a), 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 40 C.F.R. § 260.10, as adopted by reference at K.A.R. 28-31-260(a), 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. 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, the 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

21. Respondent is a limited liability company and authorized to conduct business within the State of Kansas. Respondent is a “person” as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

22. Respondent owns and operates a facility located at 1700 Kansas Avenue in Kansas City, KS 66105 (“facility”). Respondent is a manufacturer of silica gel catalysts and zeolites. Respondent employs approximately 141 people.

23. On or about January 26, 2024, Respondent 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 RCRA ID number: KSD000203711.

24. On or about October 23-24, 2024, EPA inspectors conducted a RCRA Compliance Evaluation Inspection (hereinafter “the inspection”) of the hazardous waste management practices at Respondent’s facility. 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 hazardous waste, a Small Quantity Handler of universal waste, and used oil generator.

25. At the time of the inspection, the inspector documented the following hazardous waste codes, which were attributable to solid and hazardous wastes, as defined at 40 C.F.R. § 261.2 and 261.3:

- a. chrome contaminated silica catalyst (D007 HW);
- b. unusable solution (D001/F003 HW);
- c. unusable solution (D001/D007 HW);

- d. aqueous solution (D002 HW);
- e. template containing solution and materials (D001/D002/D038 HW)
- f. waste lab samples (D007 HW); and
- g. waste aerosols (D001 HW).

Violations

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

Count 1

Failure to Conduct Hazardous Waste Determinations

27. Complainant hereby incorporates the allegations contained in Paragraphs 21 through 26 above, as if fully set forth herein.

Failure to Conduct Hazardous Waste Determinations

28. Pursuant to 40 C.F.R. § 262.11, as adopted by reference at K.A.R. 28-31-262(a), a generator of solid waste, as defined in 40 C.F.R. §§ 260.10 and 261.2, must determine if that waste is a hazardous waste using methods prescribed in the regulations.

29. At the time of the inspection, it was determined that Respondent was generating the following solid waste stream in the Lab Retain Storage Room/Building 33:

Sixteen miscellaneous containers (100 ml to 1,000 ml) of expired lab standards generated on September 17, 2024.

30. At the time of the inspection, Respondent had not conducted hazardous waste determinations on any of the solid waste streams described in Paragraph 29 above.

31. Respondent's failure to perform a hazardous waste determination on the above-referenced solid waste streams is a violation of 40 C.F.R. § 262.11, as adopted by reference at K.A.R. 28-31-262(a).

Count 2

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

32. Complainant hereby incorporates the allegations contained in Paragraphs 21 through 26 above, as if fully set forth herein.

33. Section 3005 of RCRA, 42 U.S.C. § 6925, Kansas Statute Annotated 65-3437, and the regulations at 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.

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

Generator Requirements

35. The regulations at 40 C.F.R. § 262.34(a), which are incorporated by reference at K.A.R. 28-31-262, 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 40 C.F.R. § 262.34(a)(1)-(4) are met. If a generator fails to comply with any of these conditions, the generator is not allowed to accumulate hazardous waste at their facility for any length of time. Respondent failed to comply with the following conditions:

Failure to contain hazardous waste

36. The regulations at 40 C.F.R. § 262.34(a)(1)(i) require that while being accumulated on-site, the hazardous waste must be placed in containers and the generator must comply with the applicable requirements of Subpart I of 40 C.F.R. Part 265.

37. At the time of the inspection, the following hazardous waste was not placed in containers:

- a. Chrome dust (D007 HW) on the concrete floor in 1st Floor Coating Prep Room/Building 25 (three 5 by 5-foot-long areas);
- b. Liquid chrome waste (D007 HW) stain residue (less than 5-gallons had spilled) on a gearbox in 2nd Floor Coater Room 2/Building 25; and
- c. A 2 by 2-foot-long area of liquid chrome waste (D007 HW) emitting from a pipe onto the concrete balcony outside the 2nd Floor Coater 2 Room/Building 25.

Failure to describe facility personnel actions in contingency plan

38. The regulations at 40 C.F.R. § 262.34(a)(4), which are incorporated by reference at K.A.R. 28-31.262, require in part, that the generator comply with Subparts C and D in 40 C.F.R. Part 265, which is incorporated by reference at K.A.R. 28-31.265, as adopted with 40 C.F.R. § 265.16, and with 40 C.F.R. § 268.7(a)(4).

39. Pursuant to 40 C.F.R. § 265.52(a), as found in 40 C.F.R. Part 265, Subpart D, the contingency plan must describe the actions facility personnel must take to comply with §§ 265.51 and 265.56 in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.

40. At the time of the inspection, the contingency plan for Respondent's facility failed to describe the actions facility personnel must take in response to explosions.

Failure to amend contingency plan

41. The regulations at 40 C.F.R. § 262.34(a)(4), which are incorporated by reference at K.A.R. 28-31, require in part, that the generator comply with Subparts C and D in 40 C.F.R. Part 265, which is incorporated by reference at K.A.R. 28-31.265, as adopted with 40 C.F.R. § 265.16, and with 40 C.F.R. § 268.7(a)(4).

42. Pursuant to 40 C.F.R. § 265.54(d), as found in 40 C.F.R. Part 265, Subpart D, the contingency plan must be reviewed, and immediately amended, if necessary, whenever, among other circumstances, the list of emergency coordinators changes.

43. At the time of the inspection, Respondent's primary and secondary Emergency Coordinators changed and the contingency plan had not been updated.

Failure to document daily hazardous waste tank inspections

44. The regulations at 40 C.F.R. § 262.34(a)(4), which are incorporated by reference at K.A.R. 28-31, require in part, that the generator comply with Subparts C and D in 40 C.F.R. Part 265, which is incorporated by reference at K.A.R. 28-31.265, with 40 C.F.R. § 265.16, and with 40 C.F.R. § 268.7(a)(4).

45. Pursuant to 40 C.F.R. § 265.195(g), as found in 40 C.F.R. Part 265, Subpart J, the owner or operator must document in the operating record of the facility an inspection of those items in paragraphs (a) and (b) of this section.

46. At the time of the inspection, Respondent failed to provide documentation of daily hazardous waste tanks inspections for T-2042 for the months of November 2021, April 2022 and August 2024.

Satellite Accumulation

47. The regulations at 40 C.F.R. § 262.34(c)(1), which are incorporated by reference at K.A.R. 28-31-262, allow a generator to accumulate as much as fifty-five (55) gallons of hazardous waste or one quart of acutely hazardous waste listed in § 261.33(e) in containers at or near any point of generation where waste initially accumulates, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with § 262.34(a) provided the generator comply with various handling requirements. This type of accumulation is known as "satellite accumulation." At the time of the inspection, Respondent failed to comply with the following satellite accumulation requirements:

Failure to close a satellite accumulation container

48. The regulations at 40 C.F.R. § 262.34(c)(1)(i), which are incorporated by reference at K.A.R. 28-31-262, referencing 40 C.F.R. § 265.173(a), which is incorporated by reference at K.A.R. 28-31-273, allow a generator to accumulate as much as fifty-five (55) gallons of hazardous waste in a satellite accumulation area, provided the container holding

hazardous waste is always closed during storage, except when it is necessary to add or remove waste.

49. At the time of the inspection, the following satellite accumulation container containing hazardous waste was open:

One open 5-gallon container of chromium waste in Coater Room 2/Building 25.

Failure to properly label a satellite accumulation container

50. The regulation at 40 C.F.R. § 262.34(c)(1)(ii), which is incorporated by reference at K.A.R. 28-31-262 and modified at K.A.R. 28-31-262(c)(7), allows a generator to accumulate as much as fifty-five (55) gallons of hazardous waste in a satellite accumulation area, provided the generator marks the containers with the words "Hazardous Waste."

51. At the time of the inspection, the following satellite accumulation container containing hazardous waste was not labeled with the words "Hazardous Waste":

One open 5-gallon container of chromium waste in Coater Room 2/Building 25.

52. Because Respondent failed to comply with the generator requirements as set forth in Paragraphs 36 through 51 above, Respondent was not authorized to accumulate hazardous waste at its facility for any length of time and therefore was operating a hazardous waste storage facility without a permit in violation of Section 3005 of RCRA, 42 U.S.C. § 6925.

CONSENT AGREEMENT

53. 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.

54. By signing this consent agreement, Respondent waives/Respondents waive any rights or defenses that Respondent has/Respondents have 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.

55. 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

and the performance of the compliance actions described below.

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

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

58. Respondent consents to receiving an electronic copy of the filed Consent Agreement and Final Order at the following email address: ryan.parks@ecovyst.com.

Penalty Payment:

59. Respondent agrees that, in settlement of the claims alleged herein, Respondent shall pay a civil penalty of sixty-four thousand six hundred twenty-two dollars (\$64,622) as set forth below.

60. 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>.

61. 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

Jennifer Trotter, Attorney
trotter.jennifer@epa.gov.

62. Respondent understands that its failure to timely pay any portion of the civil penalty may result in the commencement of a civil action in Federal District Court to recover the full remaining balance, along with penalties and accumulated interest. In such case, interest shall begin to accrue on a civil or stipulated penalty from the date of delinquency until such civil or stipulated penalty and any accrued interest are paid in full. 31 C.F.R. § 901.9. Interest will be assessed at a rate of the United States Treasury Tax and loan rates in accordance with 31 U.S.C. § 3717. Additionally, a charge will be assessed to cover the costs of debt collection including processing and handling costs, and a non-payment penalty charge of six (6) percent per year

compounded annually will be assessed on any portion of the debt which remains delinquent more than ninety (90) days after payment is due. 31 U.S.C. § 3717(e)(2).

63. 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 the 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.” The 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. To provide the EPA with sufficient information to enable it to fulfill these obligations, the EPA herein requires, and Respondent herein agrees, that:

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>;

- a. Respondent shall 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;
- b. Respondent shall email its completed Form W-9 to EPA’s Cincinnati Finance Center at weidner.lori@epa.gov within 30 days after the Final Order ratifying this Agreement is filed, and the EPA recommends encrypting IRS Form W-9 email correspondence; and
- c. In the event that Respondent has certified in its completed IRS Form W-9 that it has applied for a TIN and that TIN has not been issued to Respondent within 30 days after the Effective Date, then Respondent, using the same email address identified in the preceding sub-paragraph, shall notify the EPA of this fact within 30 days after the Effective Date of this Consent Agreement and Final Order, and email EPA with Respondent’s TIN within 5 days of Respondent’s issuance and receipt of the TIN.

Compliance Actions

64. Respondent shall take the following actions within the time periods specified, according to the terms and conditions specified below.

65. Within thirty (30) days of the Effective Date of this Consent Agreement and Final Order, Respondent shall provide the EPA with documentation that:

- a. Details how the facility plans to contain hazardous waste released from equipment failure (including seal failure and hopper misalignment); and
- b. A list of all employees assigned to undertake cleanup of hazardous waste that is not contained and a description of their roles and responsibilities.

66. Respondent shall submit all documentation generated to comply with the requirements as set forth in the immediately preceding paragraphs to the following address:

Mike Martin, RCRA Section
Chemical Branch
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 7
martin.mike@epa.gov

Effect of Settlement and Reservation of Rights

67. 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.

68. 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.

69. 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.* and its implementing regulations.

70. 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.

71. 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.

72. 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.

73. 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.

74. 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

75. 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.

76. 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.

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

78. 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.

79. 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.

80. The provisions of this Consent Agreement and Final Order shall be deemed satisfied upon a written determination by Complainant that Respondent has fully implemented the actions required in the Final Order.

COMPLAINANT:

U.S. ENVIRONMENTAL PROTECTION AGENCY

Date

David Cozad
Director
Enforcement and Compliance Assurance Division

Date

Jennifer Trotter
Office of Regional Counsel

RESPONDENT:

ECOVYST CATALYST TECHNOLOGIES, LLC

09/04/2025
Date

Colleen Grace Donofrio
Signature

Colleen Grace Donofrio
Printed Name

VP-Environment & Sustainability
Title

FINAL ORDER

Pursuant to Sections 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:

Jennifer Trotter
Office of Regional Counsel
trotter.jennifer@epa.gov

Mike Martin
Enforcement and Compliance Assurance Division
martin.mike@epa.gov

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

Copy via Email to Respondent:

Ryan Parks
Kansas City Site Manager
ryan.parks@ecovyst.com
Ecovyst Catalyst Technologies, LLC
1700 Kansas Avenue
Kansas City, KS 66105

AND

Copy via Email to the State of Kansas:

Joe Dom, Director (e-copy)
Bureau of Waste Management
Kansas Department of Health and Environment
joseph.dom@ks.gov

Jeff Walker (e-copy)
Compliance and Enforcement, Waste Reduction, and Assistance Section
Kansas Department of Health and Environment
jeff.walker@ks.gov

Dated this _____ day of _____, _____.

Signed