

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

FILED

Sep 02, 2025

11:31 am

**U.S. EPA REGION 3
HEARING CLERK**

In the Matter of:	:	
	:	
Canam Steel Corporation	:	U.S. EPA Docket No. RCRA-03-2025-0025
4010 Clay Street	:	
Point of Rocks, Maryland 21777	:	Proceeding under Section 3008 of the
	:	Resource Conservation and Recovery Act, 42
Respondent.	:	U.S.C. § 6928

CONSENT AGREEMENT

PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 ("Complainant") and Canam Steel Corporation ("Respondent") (collectively the "Parties"), pursuant to Section 3008 of the Resource Conservation and Recovery Act ("RCRA" or the "Act"), 42 U.S.C. § 6928, and 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 C.F.R. Part 22. Section 3008 of RCRA, 42 U.S.C. § 6928, authorizes the Administrator of the U.S. Environmental Protection Agency to assess penalties and undertake other actions required by this Consent Agreement. The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated the authority to enter into agreements concerning administrative penalties to the Complainant. This Consent Agreement and the attached Final Order (hereinafter jointly referred to as the "Consent Agreement and Final Order") resolve Complainant's civil penalty claims against Respondent under RCRA Subtitle C for the violations alleged herein.
2. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant hereby simultaneously commences and resolves this administrative proceeding.

JURISDICTION

3. The U.S. Environmental Protection Agency (the "EPA") has jurisdiction over the above-captioned matter, as described in Paragraph 1, above.
4. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(4).

5. On September 16, 2022, the EPA sent a letter via email to the Maryland Department of the Environment (“MDE”) to give prior notice of this action in accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).

GENERAL PROVISIONS

6. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement and Final Order.
7. Except as provided in Paragraph 6, above, Respondent neither admits nor denies the specific factual allegations set forth in this Consent Agreement.
8. Except as provided in Paragraph 6, above, Respondent neither admits nor denies the alleged violations of law set forth in this Consent Agreement.
9. Respondent agrees not to contest the jurisdiction of the EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this Consent Agreement and Final Order.
10. For purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in this Consent Agreement and Final Order and waives its right to appeal the accompanying Final Order.
11. Respondent consents to the assessment of the civil penalty stated herein, to the issuance of any specified compliance order herein, and to any conditions specified herein.
12. Respondent shall bear its own costs and attorney’s fees in connection with this proceeding.
13. By signing this Consent 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 Consent Agreement.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

14. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant alleges and adopts the Findings of Fact and Conclusions of Law set forth immediately below.
15. On February 11, 1985, pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), and 40 C.F.R. Part 271, Subpart A, the EPA granted the State of Maryland final authorization to

administer the hazardous waste management program, set forth in the Code of Maryland Regulations (“COMAR”), Title 10, Subtitle 51, in lieu of the federal hazardous waste management program established under RCRA Subtitle C, 42 U.S.C. §§ 6921-6939e. Through this final authorization, the provisions of the Maryland Hazardous Waste Management Regulations (“MdHWMR”) became requirements of RCRA Subtitle C and are, accordingly, enforceable by the EPA on and after that date pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. The EPA authorized a revised Maryland hazardous waste management program set forth in COMAR, Title 26, Subtitle 13 effective on July 31, 2001, September 24, 2004, and on October 31, 2016, and, accordingly, the provisions of the authorized revised MdHWMR are enforceable by the EPA on and after those dates pursuant to § 3008 of RCRA, 42 U.S.C. § 6928.

16. Respondent is a corporation organized under the laws of the state of Delaware on April 10, 1973. As such, Respondent is now, and was at the time of the violations alleged, a “person,” as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), and COMAR 26.13.01.03B(61).
17. Respondent’s facility is located at 4010 Clay Street, Point of Rocks, Maryland 21777 (the “Facility”). The Facility is primarily a manufacturer of open web steel joists and a variety of steel deck products.
18. At all times relevant to the allegations set forth in this Consent Agreement, Respondent is, and has been, the “operator” and the “owner” of the Facility, as defined in COMAR 26.13.01.03B(58) and (59).
19. At all times relevant to the allegations set forth in this Consent Agreement, and as described below, Respondent is, and has been, a “generator” of “solid waste” and “hazardous waste” at the Facility, as defined in COMAR 26.13.01.03.B(29), (73) and (31).
20. At all times relevant to the allegations set forth in this Consent Agreement, the Facility identified as a Large Quantity Generator (“LQG”) of hazardous waste, with RCRA ID Number MDD087293346, as defined in COMAR.26.13.03.04F(1)(a).
21. At all times relevant to the allegations set forth in this Consent Agreement, the Facility is, and has been, a hazardous waste storage “facility,” as defined in COMAR 26.13.01.03B(23).
22. At all times relevant to the allegations set forth in this Consent Agreement, the Facility did not have a RCRA permit to treat, store, and/or dispose of hazardous waste.
23. On September 15, 2021, EPA inspectors and an MDE inspector (the “Inspectors”) conducted a Compliance Evaluation Inspection at the Facility (the “Inspection”) to examine Respondent’s compliance with RCRA Subtitle C set forth in 42 U.S.C. §§ 6921-

6939g, the federal hazardous waste regulations set forth at 40 C.F.R. Parts 260-266, 268 and 270-273, and the federally authorized MdHWMR set forth at COMAR, Title 26, Subtitle 13.

24. Based on the EPA's findings during the Inspection and other information Respondent provided to the EPA, the EPA concludes that Respondent violated certain requirements and provisions of RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g, and certain federally authorized MdHWMR requirements promulgated thereunder, as enumerated below.
25. The counts below, and the corresponding penalty payment in this agreement, constitutes "this matter" between the EPA and Respondent.

Count 1

Operating a Hazardous Waste Treatment, Storage, or Disposal Facility Without a Permit

26. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
27. Pursuant to COMAR 26.13.07.01A, no person may operate a facility for the treatment, storage, or disposal of hazardous waste without first obtaining a permit, with exceptions not relevant to this matter.
28. Pursuant to COMAR 26.13.01.03B(86), "treatment" refers to "any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste" to (a) neutralize the waste; (b) recover energy or material resources from the waste; or (c) render the waste nonhazardous or less hazardous, that is safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume.
29. At the time of the Inspection, EPA inspectors observed absorbent pad material heavily saturated with spent Chemcoat, Inc. AC 4500 Gray Primer paint air drying in Shop 1, near the dip tank of the Facility. A Facility representative stated the paint is allowed to dry before being disposed as non-hazardous.
30. According to its Safety Data Sheet, the Chemcoat, Inc. AC 4500 Gray Primer paint has a flash point of 104°F and is thus an ignitable (D001) hazardous waste if spent.
31. At the time of the Inspection, EPA inspectors observed that Respondent treated ignitable (D001) hazardous waste by air drying spent paint.
32. At the time of the Inspection, Respondent violated COMAR 26.13.07.01A by treating ignitable (D001) hazardous waste by air drying spent paint.

33. Pursuant to COMAR 26.13.03.05E, a generator of hazardous waste may accumulate hazardous waste on site without a permit and without complying with the requirements of COMAR 26.13.07.01A, provided the generator complies with the requirements of the exemptions found in COMAR 26.13.03.05E.
34. For the following reasons, Respondent failed to meet the requirements of the exemptions found in COMAR 26.13.03.05E and was therefore storing hazardous waste on site in violation of COMAR 23.13.07.01A:

a. Failure to Keep Containers of Hazardous Waste Closed

- i. Pursuant to COMAR 26.13.03.05E(1)(d), a generator may accumulate hazardous waste onsite without a permit if the generator accumulates the waste in accordance with COMAR 26.13.05.09D which stipulates that a “container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste.”
- ii. At the time of the Inspection, EPA inspectors observed (a) an open metal hopper labeled “Shop 2 Trash” that was filled with a solid gray material and topped with discarded lumber, paper, and banding straps, which a Facility representative stated was dried paint from a dip tank cleanout, but they were not certain when the cleanout occurred nor when the waste had been placed in the metal hopper; and (b) an open cardboard box that had five spent high intensity discharge metal halide lamps located in the closet that serves as the Facility’s universal waste accumulation area.
- iii. At the time of the Inspection, Respondent failed to close containers holding hazardous waste during storage, at times when it was not adding or removing waste.
- iv. At the time of the Inspection, Respondent failed to comply with COMAR 26.13.03.05E(1)(d) by failing to close containers holding hazardous waste during storage, except when it is necessary to add or remove waste.

b. Failure to Mark Containers of Hazardous Waste with the Date Upon Which Accumulation First Began

- i. Pursuant to COMAR 26.13.03.05E(1)(e), a generator may accumulate hazardous waste onsite without a permit if the “date upon which each period of accumulation begins is clearly marked and visible for inspection on each container.”

- ii. At the time of the Inspection, EPA inspectors observed the following containers without clearly marked and visible dates upon which accumulation began: (a) an open metal hopper labeled “Shop 2 Trash” that was filled with a solid gray material and topped with discarded lumber, paper, and banding straps, which a Facility representative stated was dried paint from a dip tank cleanout, but they were not certain when the cleanout occurred nor when the waste had been placed in the metal hopper; and (b) an open cardboard box that had five spent high intensity discharge metal halide lamps located in the closet that serves as the Facility’s universal waste accumulation area.
 - iii. At the time of the Inspection, Respondent failed to clearly mark containers with the date upon which each period of accumulation begins.
 - iv. At the time of the Inspection, Respondent failed to comply with COMAR 26.13.03.05E(1)(e) by failing to clearly mark containers with the date upon which each period of accumulation begins.
- c. Failure to Mark Containers of Hazardous Waste with the Words “Hazardous Waste”
- i. Pursuant to COMAR 26.13.03.05E(1)(f)(ii), a generator may accumulate hazardous waste onsite without a permit if each container is “[l]abeled or marked clearly with the words ‘Hazardous Waste,’ while being accumulated on site.”
 - ii. At the time of the Inspection, EPA inspectors observed an open metal hopper labeled “Shop 2 Trash” that was filled with a solid gray material, topped with discarded lumber, paper, and banding straps, and not labeled or marked clearly with the words “Hazardous Waste.” A Facility representative stated that the solid gray material was dried paint from a dip tank cleanout and that they were uncertain of when the cleanout occurred and of when the waste had been placed in the metal hopper.
 - iii. At the time of the Inspection, Respondent failed to label or clearly mark a container the words “Hazardous Waste.”
 - iv. At the time of the Inspection, Respondent failed to comply with COMAR 26.13.03.05E(1)(f)(ii) by failing to label or clearly mark a container the words “Hazardous Waste.”

d. Failure to Maintain and Operate the Facility

- i. Pursuant to COMAR 26.13.03.05E(1)(g), a generator may accumulate hazardous waste onsite without a permit if the generator accumulates the waste in accordance with COMAR 26.13.05.03B which states that facilities must be “designed, constructed, maintained, and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.”
 - ii. At the time of the Inspection, EPA inspectors observed (a) dried paint material that had been spilled on the floor of a small storage closet located in Zone 2 of Production Area/Warehouse; (b) paint puddles on uncoated concrete flooring located in Shop 1, near the dip tank area; and (c) absorbent pad material heavily saturated with spent Chemcoat, Inc. AC 4500 Gray Primer paint in Shop 1, near the dip tank.
 - iii. At the time of the Inspection, Respondent failed to maintain and operate the Facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.
 - iv. At the time of the Inspection, Respondent failed to comply with COMAR 26.13.03.05E(1)(g) by failing to maintain and operate the Facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.
35. At the time of the Inspection, Respondent failed to meet the requirements for the accumulation exemption in COMAR 26.13.03.05E and therefore violated COMAR 26.13.07.01A by operating a hazardous waste treatment, storage, or disposal facility without a permit.
36. In failing to comply with COMAR 26.13.07.01A, Respondent is subject to the assessment of penalties under Sections 3008 of RCRA, 42 U.S.C. § 6928.

Count 2
Failure to Make Hazardous Waste Determinations

37. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
38. Pursuant to COMAR 26.13.03.02A, a “person who generates solid waste...shall determine if that waste is a hazardous waste” prior to disposal.
39. Pursuant to COMAR 26.13.03.06A(3), a generator of waste “shall keep records of any test results, waste analyses, or other determinations made in accordance with [COMAR 26.13.03.02] for at least 3 years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal.”
40. At the time of the Inspection, the inspectors observed the following instances of failures to make hazardous waste determinations:
 - a. Aerosol cans (specifically, Krylon® Pro Professional All Surface Enamel and Touch Up 41B-414B Armorchem 4500 Gray Primer) disposed of in the trash;
 - b. A one-liter plastic container labeled “Matthews Marking Systems SCP-900C Cleaner” disposed of in the trash;
 - c. An open metal hopper labeled “Shop 2 Trash” that was filled with a solid gray material and topped with discarded lumber, paper, and banding straps, which a Facility representative stated was dried paint from a dip tank cleanout, but they were not certain when the cleanout occurred nor when the waste had been placed in the metal hopper; and
 - d. Absorbent pad material heavily saturated with Chemcoat, Inc. AC 4500 Gray Primer paint in Shop 1, near the dip tank, which a Facility representative stated is allowed to dry before being disposed as non-hazardous.
41. At the time of the Inspection, Respondent was not able to provide records documenting any test results, waste analyses, or other determinations made in accordance with COMAR 26.13.03.02A nor did Facility representatives indicate when or how waste determinations were made, indicating it had failed to determine if the aforementioned solid wastes generated were hazardous waste.
42. At the time of the Inspection, Respondent violated COMAR 26.13.03.02A and COMAR 26.13.03.06A(3) by failing to determine if the solid waste it generates are hazardous waste.

43. In failing to comply with COMAR 26.13.03.02A and COMAR 26.13.03.06A(3), Respondent is subject to the assessment of penalties under Sections 3008 of RCRA, 42 U.S.C. § 6928.

Count 3

Failure to Keep Containers of Hazardous Waste Closed

44. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
45. Pursuant to COMAR 26.13.05.09D, a “container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste.”
46. At the time of the Inspection, the inspectors observed the following open containers:
- a. An open metal hopper labeled “Shop 2 Trash” that was filled with a solid gray material and topped with discarded lumber, paper, and banding straps, which a Facility representative stated was dried paint from a dip tank cleanout, but they were not certain when the cleanout occurred nor when the waste had been placed in the metal hopper; and
 - b. An open cardboard box that had five spent high intensity discharge metal halide lamps located in the closet that serves as the Facility’s universal waste accumulation area.
47. At the time of the Inspection, Respondent failed to keep containers holding hazardous waste closed during storage, at times when it was not adding or removing waste.
48. At the time of the Inspection, Respondent violated COMAR 26.13.05.09D by failing to keep containers holding hazardous waste closed during storage, except when it is necessary to add or remove waste.
49. In failing to comply with COMAR 26.13.05.09D, Respondent is subject to the assessment of penalties under Sections 3008 of RCRA, 42 U.S.C. § 6928.

Count 4

Failure to Maintain and Operate the Facility

50. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
51. Pursuant to COMAR 26.13.05.03B, facilities must be “designed, constructed, maintained, and operated to minimize the possibility of a fire, explosion, or any

unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.”

52. At the time of the Inspection, inspectors observed the following maintenance and operation failures:
- a. Dried paint material that had been spilled on the floor of a small storage closet located in Zone 2 of Production Area/Warehouse, which a Facility representative could neither identify nor date;
 - b. Paint puddles on uncoated concrete flooring located in Shop 1, near the dip tank area; and
 - c. Absorbent pad material heavily saturated with spent Chemcoat, Inc. AC 4500 Gray Primer paint in Shop 1, near the dip tank, which a Facility representative stated is allowed to dry before being disposed as non-hazardous.
53. At the time of the Inspection, Respondent failed to maintain and operate the Facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment at the Facility.
54. At the time of the Inspection, Respondent violated COMAR 26.13.05.03B by failing to maintain and operate the Facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment at the Facility.
55. In failing to comply with COMAR 26.13.05.03B, Respondent is subject to the assessment of penalties under Sections 3008 of RCRA, 42 U.S.C. § 6928.

Count 5

Failure to Provide Air Emission Control for Hazardous Waste Containers Subject to Subpart CC

56. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
57. Pursuant to 40 C.F.R. § 264.1086(b)(1)(iii), the “owner or operator [of a facility] shall control air pollutant emissions...[f]or a container having a design capacity greater than 0.46 m³ that is in light material service...in accordance with the Container Level 2 standards.”

58. Pursuant to 40 C.F.R. § 264.1086(d)(2), “[t]ransfer of hazardous waste in or out of a container using Container Level 2 controls shall be conducted in such a manner as to minimize exposure of the hazardous waste to the atmosphere, to the extent practical, considering the physical properties of the hazardous waste and good engineering and safety practices for handling flammable, ignitable, explosive, reactive, or other hazardous materials.” Additionally, pursuant to 40 C.F.R. § 264.1086(d)(3), “[w]hen a hazardous waste is in a container using Container Level 2 controls, the owner or operator shall install all covers and closure devices for the container, and secure and maintain each closure device in the closed position” except to add or remove hazardous waste, to perform routine activities, to maintain internal pressure of the container, and to avoid an unsafe condition. Finally, pursuant to 40 C.F.R. § 264.1086(d)(4), the “owner or operator of containers using Container Level 2 controls shall inspect the containers and their covers and closure devices” in accordance with requirements specified in 40 C.F.R. § 264.1086(d)(4).
59. At the time of the Inspection, EPA inspectors observed an open metal hopper labeled “Shop 2 Trash” that was filled with a solid gray material and topped with discarded lumber, paper, and banding straps. A Facility representative stated that the solid gray material was dried paint from a dip tank cleanout and that they were uncertain of when the cleanout occurred and of when the waste had been placed in the metal hopper. The metal hopper is a container having a design capacity greater than 0.46 m³ that is in light material service.
60. At the time of the Inspection, Respondent failed to control air pollutant emissions from a container that has a design capacity greater than 0.46 m³ that is in light material service in accordance with the Container Level 2 standards.
61. At the time of the Inspection, Respondent violated 40 C.F.R. § 264.1086(b) by failing to control air pollutant emissions from a container that has a design capacity greater than 0.46 m³ that is in light material service in accordance with the Container Level 2 standards.
62. In failing to comply with 40 C.F.R. § 264.1086(b), Respondent is subject to the assessment of penalties under Sections 3008 of RCRA, 42 U.S.C. § 6928.
63. Since the time of the Inspection, Respondent changed its joist painting process. Currently Respondent’s joist painting process at the Facility involves dipping the joists into a tank of Chemcoat AC 4500 Gray Primer paint. One, to as many as eight joists, are dipped into the tank at a time. The joists are then lifted above the tank and allowed to hang over the tank for ten to fifteen minutes as they drip excess paint back into the tank. The joists are then moved to the drying area inside the building where the joists are placed on wood blocks on top of absorbent carpet. The joists remain there for fifteen to thirty minutes while they dry. Once the joists are dried, they are moved to an

outside staging area at the Facility to continue to cure until the joists are ready for shipment off-site. During the indoor drying process there is additional dripping of paint from the joists onto the carpet. The carpets are replaced approximately every 10 production days. The used carpets are then placed into a roll-off container on-site with a leak proof liner and then sent off-site for disposal as non-hazardous solid waste. Some of the primer paint dries on the rim and inside of the tank above the paint line. The dried paint is occasionally scraped from the rim and inside of the tank and is also placed in the roll-off container with the used carpet for off-site disposal as solid waste.

CIVIL PENALTY

64. In settlement of the EPA's claims for civil penalties for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of TWO HUNDRED TWELVE THOUSAND SEVENTEEN dollars (\$212,017.00), which Respondent shall be liable to pay in accordance with the terms set forth below.
65. In determining the amount of the civil penalty to be assessed, the EPA has taken into account the factors specified in Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3). After considering these factors, the EPA has determined that an appropriate penalty to settle this action is \$212,017.00.
66. Respondent agrees to pay a civil penalty in the amount of \$212,017.00 ("Assessed Penalty") within thirty (30) days of the Effective Date of this Consent Agreement and Final Order.
67. Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due using any method, or combination of appropriate methods, as provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>.
68. When making a payment, Respondent shall:
 - a. Identify every payment with Respondent's name and the docket number of this Consent Agreement, RCRA-03-2025-0025,
 - b. Concurrently with any payment or within 24 hours of any payment, Respondent shall serve Proof of Payment simultaneously **by email** to the following person(s):

Promy Tabassum
Assistant Regional Counsel
tabassum.promy@epa.gov

U.S. Environmental Protection Agency

Cincinnati Finance Center
CINWD_AcctsReceivable@epa.gov,

and

U.S. EPA Region 3 Regional Hearing Clerk
R3_Hearing_Clerk@epa.gov.

“Proof of Payment” means, as applicable, a copy of the check, confirmation of credit card or debit card payment, or confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to the EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent’s name.

69. Interest, Charges, and Penalties on Late Payments. Pursuant to 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to timely pay the full amount of the Assessed Penalty per this Consent Agreement, the EPA is authorized to recover, in addition to the amount of the unpaid Assessed Penalty, the following amounts.
- a. Interest. Interest begins to accrue from the Effective Date of this Consent Agreement. If the Assessed Penalty is paid in full within thirty (30) days, interest accrued is waived. If the Assessed Penalty is not paid in full within thirty (30) days, interest will continue to accrue until any unpaid portion of the Assessed Penalty as well as any interest, penalties, and other charges are paid in full. To protect the interests of the United States, the rate of interest is set at the IRS large corporate underpayment rate, any lower rate would fail to provide Respondent adequate incentive for timely payment.
 - b. Handling Charges. Respondent will be assessed monthly a charge to cover the EPA’s costs of processing and handling overdue debts. If Respondent fails to pay the Assessed Penalty in accordance with this Consent Agreement, the EPA will assess a charge to cover the costs of handling any unpaid amounts for the first thirty (30) day period after the Effective Date. Additional handling charges will be assessed every thirty (30) days, or any portion thereof, until the unpaid portion of the Assessed Penalty as well as any accrued interest, penalties, and other charges are paid in full.
 - c. Late Payment Penalty. A late payment penalty of six percent (6%) per annum, will be assessed monthly on all debts, including any unpaid portion of the Assessed Penalty, interest, penalties, and other charges, that remain delinquent more than ninety (90) days. Any such amounts will accrue from the Effective Date.

70. Late Penalty Actions. In addition to the amounts described in the prior Paragraph, if Respondent fails to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this Consent Agreement, the EPA may take additional actions. Such actions the EPA may take include, but are not limited to, the following.
- a. Refer the debt to a credit reporting agency or a collection agency, per 40 C.F.R. §§ 13.13 and 13.14.
 - b. Collect the debt by administrative offset (i.e., the withholding of money payable by the United States government to, or held by the United States government for, a person to satisfy the debt the person owes the United States government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, per 40 C.F.R. Part 13, Subparts C and H.
 - c. Suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with the EPA or engaging in programs the EPA sponsors or funds, per 40 C.F.R. § 13.17.
 - d. Refer this matter to the United States Department of Justice for litigation and collection, per 40 C.F.R. § 13.33.
71. Allocation of Payments. Pursuant to 31 C.F.R. § 901.9(f) and 40 C.F.R. § 13.11(d), a partial payment of debt will be applied first to outstanding handling charges, second to late penalty charges, third to accrued interest, and last to the principal that is the outstanding Assessed Penalty amount.
72. Tax Treatment of Penalties. Penalties, interest, and other charges paid pursuant to this Consent Agreement shall not be deductible for purposes of federal taxes.
73. Payment of the civil penalty is due and payable immediately upon receipt by Respondent of a true and correct copy of the fully executed and filed Consent Agreement and Final Order. Receipt by Respondent or Respondent's legal counsel of such copy of the fully executed Consent Agreement and Final Order, with a date stamp indicating the date on which the Consent Agreement and Final Order was filed with the Regional Hearing Clerk, shall constitute receipt of written initial notice that a debt is owed the EPA by Respondent in accordance with 40 C.F.R. § 13.9(a).
74. For purposes of the identification requirement of Section 162(f)(2)(A)(ii) of the Internal Revenue Code, 26 U.S.C. § 162(f)(2)(A)(ii), performance of the outstanding compliance actions that Respondent is required to implement in the "Compliance Order" section below is restitution or required to come into compliance with law.

75. The Parties consent to service of the Final Order by e-mail at the following valid email addresses: tabassum.promy@epa.gov (for Complainant), and Dale.Guariglia@bclplaw.com and michael.shubert@cscsteelusa.com (for Respondent).
76. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, the 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. In order to provide the EPA with sufficient information to enable it to fulfill these obligations, the 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 the EPA’s Cincinnati Finance Center at henderson.jessica@epa.gov, within 30 days after the Final Order ratifying this Consent Agreement is filed, and the 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 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 further:
 - i. notify the EPA’s Cincinnati Finance Center of this fact, via email, within 30 days after the 30 days after the Effective Date of the Final Order per Paragraph 83; and

- ii. provide the EPA's Cincinnati Finance Center with Respondent's TIN, via email, within five (5) days of Respondent's issuance and receipt of the TIN.

GENERAL SETTLEMENT CONDITIONS

77. By signing this Consent Agreement, Respondent acknowledges that this Consent Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Consent Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.
78. Respondent certifies that any information or representation it has supplied or made to the EPA concerning this matter was, at the time of submission true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy or completeness of such information or representation. The EPA shall have the right to institute further actions to recover appropriate relief if the EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this Consent Agreement and Final Order, including information about Respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that the EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

CERTIFICATION OF COMPLIANCE

79. Respondent certifies to the EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with regard to the violations alleged in this Consent Agreement.

OTHER APPLICABLE LAWS

80. Nothing in this Consent Agreement and Final Order shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it restrict the EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state, or local permit. This Consent Agreement and Final Order does not constitute a waiver, suspension, or modification of the requirements of the RCRA Subtitle C, or any regulations promulgated thereunder.

RESERVATION OF RIGHTS

81. This Consent Agreement and Final Order resolves only the EPA's claims for civil penalties for the specific violations alleged against Respondent in this Consent Agreement and Final Order. The EPA reserves the right to commence action against any person, including Respondent, in response to any condition which the EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. This settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice, 40 C.F.R. § 22.18(c). The EPA reserves any rights and remedies available to it under RCRA Subtitle C, the regulations promulgated thereunder and any other federal law or regulation to enforce the terms of this Consent Agreement and Final Order after its Effective Date. Respondent reserves whatever rights or defenses it may have to defend itself in any such action.

EXECUTION /PARTIES BOUND

82. This Consent Agreement and Final Order shall apply to and be binding upon the EPA, the Respondent and the officers, directors, employees, contractors, successors, agents and assigns of Respondent. By his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by the Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement and Final Order.

EFFECTIVE DATE

83. The effective date of this Consent Agreement and Final Order is the date on which the Final Order, signed by the Regional Administrator of the EPA, Region 3, or his/her designee, the Regional Judicial Officer, is filed along with the Consent Agreement with the Regional Hearing Clerk pursuant to the Consolidated Rules of Practice.

ENTIRE AGREEMENT

84. This Consent Agreement and Final Order constitutes the entire agreement and understanding between the Parties regarding settlement of all claims for civil penalties pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed in this Consent Agreement and Final Order.

In the Matter of: Canam Steel Corporation

EPA Docket No. RCRA-03-2025-0025

For Respondent: CANAM STEEL CORPORATION

Date: 7/22/2025

By:



Mark C. Catri, Vice President, Operations
Canam Steel Corporation

For the Complainant:

After reviewing the Consent Agreement and other pertinent matters, I, the undersigned Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region 3, agree to the terms and conditions of this Consent Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

By: ANDREA BAIN Digitally signed by ANDREA BAIN
Date: 2025.08.28 13:16:11 -04'00'
[Digital Signature and Date]
Acting Director
Enforcement and Compliance Assurance Division
U.S. EPA – Region 3
Complainant

Attorney for Complainant:

By: PROMY
TABASSUM Digitally signed by PROMY
TABASSUM
Date: 2025.08.21 11:28:10 -04'00'
[Digital Signature and Date]
Promy Tabassum
Assistant Regional Counsel
U.S. EPA – Region 3

FILED

Sep 02, 2025

11:31 am

**U.S. EPA REGION 3
HEARING CLERK**

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103**

In the Matter of: :
:
Canam Steel Corporation : U.S. EPA Docket No. RCRA-03-2025-0025
4010 Clay Street :
Point of Rocks, Maryland 21777 : Proceeding under Section 3008 of the
Respondent. : Resource Conservation and Recovery Act, as
: amended, 42 U.S.C. § 6928

FINAL ORDER

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3, and Respondent, Canam Steel Corporation have executed a document entitled "Consent Agreement," which I hereby ratify as a Consent Agreement in accordance with 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 C.F.R. Part 22 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

NOW, THEREFORE, PURSUANT TO Section 3008 of the Resource Conservation and Recovery Act ("RCRA" or the "Act"), 42 U.S.C. § 6928, and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty in the amount of ***TWO HUNDRED TWELVE THOUSAND SEVENTEEN DOLLARS (\$212,017.00)***, in accordance with the payment provisions set forth in the Consent Agreement and in 40 C.F.R. § 22.31(c), and comply with the terms and conditions of the Consent Agreement.

This Final Order constitutes the final Agency action in this proceeding. This Final Order 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 the law. This Final Order resolves only those causes of action alleged in the Consent Agreement and does not waive, extinguish, or otherwise affect Respondent's obligation to comply with all applicable provisions of RCRA Subtitle C and the regulations promulgated thereunder.

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.

By: DONZETTA
THOMAS

[Digital Signature and Date]
Regional Judicial and Presiding Officer
U.S. EPA – Region 3

Digitally signed by DONZETTA
THOMAS
Date: 2025.09.02 10:43:56 -04'00'

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

In the Matter of:	:
	:
Canam Steel Corporation	: U.S. EPA Docket No. RCRA-03-2025-0025
4010 Clay Street	:
Point of Rocks, Maryland 21777	: Proceeding under Section 3008 of the
	: Resource Conservation and Recovery Act, as
Respondent.	: amended, 42 U.S.C. § 6928

CERTIFICATE OF SERVICE

I certify that the foregoing ***Consent Agreement and Final Order*** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the ***Consent Agreement and Final Order***. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email to:

Michael Shubert
Environmental, Health and Safety Director
Canam Steel Corporation
4010 Clay Street
Point of Rocks, MD 21777
michael.shubert@cscsteelusa.com

Dale Guariglia, Esq.
Bryan Cave Leighton Paisner LLP
One Metropolitan Square
211 North Broadway, Suite 3600
St. Louis, MO 63102
Dale.Guariglia@bclplaw.com

Promy Tabassum, Esq.
Assistant Regional Counsel
U.S. EPA, Region 3
tabassum.promy@epa.gov

Eric Greenwood
Enforcement Officer
U.S. EPA, Region 3
greenwood.eric@epa.gov

By:  BEVIN ESPOSITO
[Digital Signature and Date]
Regional Hearing Clerk
U.S. EPA – Region 3

Digitally signed by BEVIN ESPOSITO
Date: 2025.09.02 11:34:02 -04'00'