

**FILED**

**November 17, 2025**

**9:14AM**

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

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

**In the Matter of:**

Siegwerk USA Inc.  
3535 SW 56th Street  
Des Moines, IA 50321  
EPA ID: IAR000007377

**Respondent.**

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)  
) **Docket No. RCRA-07-2025-0233**  
)  
) **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 Iowa with notice of the referenced violations of Subtitle C of RCRA as required by Section 3008(a)(2).
- 3) Siegwerk USA, Inc. (“Respondent”) is the owner or operator of the facility located at 3535 SW 56<sup>th</sup> Street, Des Moines, Iowa (“Facility”). The EPA inspected the Facility on February 19, 2025. 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:
  - a. 40 C.F.R. § 261.4(a)(23)(ii)(c)- as required by 260.42, requires facilities managing hazardous secondary materials under §§ 260.30, 261.4(a)(23), 261.4(a)(24), 261.4(a)(25), or 261.4(a)(27) must send a notification prior to operating under the regulatory provision and by March 1 of each even-numbered year thereafter to the Regional Administrator using EPA Form 8700-12.

The facility did not submit notification to the EPA prior to managing hazardous secondary materials.
  - b. 40 C.F.R. § 262.15(a)(5)(i)- requires a generator to label its container with the words “Hazardous Waste”

The facility did not label one satellite container with the words hazardous waste.
  - c. 40 C.F.R. § 262.15(a)(5)(ii)- requires a generator to label its container with an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic)

The facility did not label one satellite container with the nature of the hazard.

- d. 40 C.F.R. § 273.15(a) A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated, or received from another handler, unless the requirements of paragraph (b) of this section are met.

The facility did not send off Universal Waste lamps before one year from the date of generation.

- 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 five thousand five hundred dollars (\$5,500.00) 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 made using any payment method provided at <http://www.epa.gov/financial/makepayment>. For instructions for wire transfers and additional information, see <https://www.epa.gov/financial/additional-instructions-making-payments-epa>.
- 6) A copy of the 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) In 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: [gary.klukow@siegwerk.com](mailto:gary.klukow@siegwerk.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,

GARY KLUNKOW

Name (print)

REGIONAL HSE MANAGER

Title (print)

GARY KLUNKOW

Signature

11/3/25

Date

APPROVED BY EPA:

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David Cozad  
Director  
Enforcement and Compliance Assurance Division

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Date

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Kelley Catlin, Attorney  
Office of Regional Counsel

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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.

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Karina Borromeo  
Regional Judicial Officer

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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 Siegwerk USA, Inc., EPA Docket No. RCRA-07-2025-0233, was sent this day in the following manner to the following addressees:

Copy via e-mail to Complainant:

Sam Bennett, Office of Regional Counsel  
*Bennett.Sam@epa.gov*

Donald Melton, Enforcement and Compliance Assurance Division  
*Melton.donald@epa.gov*

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

Copy via e-mail to Respondent:

Gary Klukow, HSE Manager  
Siegwerk USA Inc.  
3535 SW 56th Street  
Des Moines, IA 50321  
Email Address: [gary.klukow@siegwerk.com](mailto:gary.klukow@siegwerk.com)

Copy via e-mail to the State of Iowa:

Ed Tormey, Administrator ([ed.tormey@dnr.iowa.gov](mailto:ed.tormey@dnr.iowa.gov))  
Environmental Services Division  
Iowa Department of Natural Resources

Mike Sullivan, Section Supervisor ([michael.sullivan@dnr.iowa.gov](mailto:michael.sullivan@dnr.iowa.gov))  
Solid Waste and Contaminated Sites Section  
Iowa Department of Natural Resources

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

\_\_\_\_\_  
Signed