

FILED
May 19, 2025
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U.S. EPA REGION IX
HEARING CLERK

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX

In the matter of:)	U.S. EPA Docket No.
)	
)	RCRA-09-2025-0050
H&T Nevada, L.L.C.)	
EPA Identification No.)	
NVR000098178)	CONSENT AGREEMENT AND
)	FINAL ORDER PURSUANT TO
Respondent.)	40 C.F.R. SECTIONS 22.13 AND
)	22.18
)	

CONSENT AGREEMENT

A. PRELIMINARY STATEMENT

1. This is a civil administrative enforcement action instituted pursuant to Section 3008(a)(1) of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. § 6928(a)(1), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, as codified at 40 C.F.R. Part 22 ("Consolidated Rules").
2. The Administrator has delegated enforcement authority under Section 3008 of RCRA, 42 U.S.C. § 6928, to the Regional Administrator of the EPA Region 9, who in turn has delegated this authority to the Director of the Enforcement and Compliance Assurance Division, hereinafter, "Complainant."
3. Respondent is H&T Nevada, L.L.C. ("Respondent").
4. This Consent Agreement and Final Order ("CA/FO"), which contains the elements of a complaint required by 40 C.F.R. § 22.14(a)(1)-(3) and (8), simultaneously commences and concludes this penalty proceeding, as authorized by 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3).
5. Complainant and Respondent agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their respective interest and in the public interest.



B. PARTIES BOUND

6. This CA/FO shall apply to and be binding on Respondent, Respondent's officers, directors, partners, agents, employees, contractors, successors and assigns. Action or inaction of any persons, firms, contractors, employees, agents, or corporations acting under, through, or for Respondent shall not excuse any failure of Respondent to fully perform its obligations under this CA/FO. Changes in ownership, real property interest, or transfer of personal assets shall not alter Respondent's obligations under this CA/FO.

C. STATUTORY AND REGULATORY FRAMEWORK

7. Subtitle C of RCRA requires the EPA Administrator to promulgate regulations establishing a hazardous waste management program. Section 3006 of RCRA, 42 U.S.C. § 6926, provides, *inter alia*, that authorized state hazardous waste management programs are carried out under Subtitle C of RCRA. Therefore, a violation of any requirement of a law under an authorized state hazardous waste program is a violation of a requirement of Subtitle C of RCRA.
8. EPA authorized the State of Nevada to administer its hazardous waste management program in lieu of the federal program pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926(b) and 40 C.F.R. Part 271, effective November 1, 1985 (50 Fed. Reg. 42181 (Oct. 18, 1985)). This authorization has been updated by EPA, including on March 30, 1999 (64 Fed. Reg. 4596 (Jan. 29, 1999)), August 12, 2002 (67 Fed. Reg. 40229 (Jun. 12, 2002)), April 27, 2009 (74 Fed. Reg. 8757 (Feb. 26, 2009)), June 6, 2016 (81 Fed. Reg. 35641 (Jun. 3, 2016)), and June 15, 2021 (86 Fed. Reg. 31637 (Jun. 15, 2021)). The authorized program is established pursuant to the Nevada Revised Statutes ("N.R.S.") § 459.485, and the regulations promulgated thereunder in the Nevada Administrative Code ("N.A.C."). The Nevada Division of Environmental Protection has issued regulations at N.A.C. § 444.8632 incorporating by reference federal RCRA regulations, including 40 C.F.R. Parts 260 through 270. The State is authorized for all the hazardous waste management regulations referenced in this CA/FO.¹
9. A violation of the State of Nevada's authorized hazardous waste program constitutes a violation of Subtitle C of RCRA. A person who violates the State of Nevada's authorized hazardous waste program is subject to the powers vested in the EPA Administrator by Section 3008 of RCRA, 42 U.S.C. § 6928.
10. Section 3008 of RCRA, 42 U.S.C. § 6928, authorizes the EPA Administrator to issue orders assessing a civil penalty and/or requiring compliance immediately or within a specified time for violation of any requirement of Subtitle C of RCRA, Section 3001 of RCRA et seq., 42 U.S.C. §§ 6921 et seq.

¹ Hereinafter, only citations to the federal regulations will be provided.



D. GENERAL ALLEGATIONS

11. Respondent is the operator of a facility that manufactures nickel-plated steel battery cans for use in automobiles and energy storage products, located at 1 Electric Avenue in Sparks, Nevada. Respondent's manufacturing process consists of cutting sheets of nickel-plated steel followed by cupping and redrawing the metal in tooling machines to form cans. The facility uses a water-oil emulsion as a cooling agent during the cupping process. The tooled cans are then degreased in a closed washing unit, or vapor degreaser. Respondent operates multiple vapor degreasers using tetrachloroethylene (also known as perchloroethylene or "PCE") as the degreasing agent.
12. The manufacturing process generates various waste streams that are considered RCRA hazardous waste, including, but not limited to: emulsion waste oily water from tooling machines (D039), smog hog oil and filter washout (D039), absorbent pads with emulsion (D039), PCE oil from washing unit (F001, D039), PCE wastewater from the washing unit (F001, D039), spent activated carbon and filters from the washing unit (D039). Respondent accumulates wastes in multiple hazardous waste central accumulation areas ("CAAs") and satellite accumulation areas ("SAAs") throughout the Facility.
13. Respondent is a "person" as defined in 40 C.F.R. § 260.10.
14. Respondent operates a "facility" as defined in 40 C.F.R. § 260.10 located at 1 Electric Avenue in Sparks, Nevada [EPA ID No. NVR000098178] (the "Facility").
15. Respondent is a "generator" of hazardous waste at the Facility as defined in 40 C.F.R. § 260.10. Respondent qualifies as a large quantity generator, as defined in 40 C.F.R. § 260.10.
16. At the Facility, Respondent is or has been engaged in "treatment," "storage," and/or "disposal" of "hazardous waste," as defined in 40 C.F.R. §§ 260.10 and 261.3.
17. At the Facility, Respondent generates and accumulates, or has generated and accumulated, "hazardous waste" as defined in RCRA § 1004(5), and 40 C.F.R. §§ 260.10 and 261.3. These hazardous wastes include but are not limited to the following hazardous waste codes: F001, D039.
18. During May 23-26, 2023, EPA conducted an inspection at the Facility to assess compliance with applicable RCRA regulations (the "RCRA Inspection").
19. Based upon the findings EPA made during the inspection, and additional information obtained subsequent to the inspection, EPA determined that Respondent violated N.A.C. § 444.8632 incorporating provisions of 40 C.F.R. Parts 260 through 270, as further described below.



E. ALLEGED VIOLATIONS

Count I

Failure to Make an Accurate Waste Determination (N.A.C. § 444.8632; 40 C.F.R. § 262.11)

20. Paragraphs 1 through 19 above are incorporated herein by reference.
21. 40 C.F.R. § 262.11 requires a person who generates a waste to make an accurate determination whether that waste is a hazardous waste at the point of generation. Pursuant to 40 C.F.R. § 262.11, to make such a determination, the generator shall first determine if the waste is excluded from regulation under 40 C.F.R. § 261.4. If the waste is not excluded, the generator then shall determine if the waste is listed as a hazardous waste in 40 C.F.R. Part 261 Subpart D. The generator then shall determine whether the waste exhibits one or more hazardous characteristics as defined in 40 C.F.R. Part 261 Subpart C.
22. If the waste is determined to be hazardous, generators must identify all applicable EPA hazardous waste codes in Part 261 Subparts C and D. 40 C.F.R. § 262.11(g).
23. Respondent uses PCE to degrease metal cups in washing/vapor degreasing units at the Facility, which generates spent PCE wastewater with waste code F001.
24. Respondent failed to accurately determine that the spent PCE-contaminated wastewater at the Facility is an F001 listed hazardous waste, in violation of N.A.C. § 444.8632 and 40 C.F.R. § 262.11.

Count II

Failure to Make an Accurate Waste Determination (N.A.C. § 444.8632; 40 C.F.R. § 262.11)

25. Paragraphs 1 through 24 above are incorporated herein by reference.
26. 40 C.F.R. § 262.11 requires a person who generates a waste to make an accurate determination whether that waste is a hazardous waste. Pursuant to 40 C.F.R. § 262.11, to make such a determination, the generator shall first determine if the waste is excluded from regulation under 40 C.F.R. § 261.4. The generator shall then determine if the waste is listed as a hazardous waste in 40 C.F.R. § Part 261 Subpart D. The generator shall then determine whether the waste exhibits one or more hazardous characteristics as defined in 40 C.F.R. Part 261 Subpart C.
27. At the Facility, Respondent's manufacturing process consists of cutting sheets of nickel-plated steel followed by cupping and redrawing the metal in tooling machines to form cans. The process uses a water-oil emulsion as a cooling agent during the cupping process. The cupping and redrawing process generates an emulsion and water waste



stream. At the time of the RCRA Inspection, Respondent characterized and managed the emulsion and water waste stream from the tooling machines as a characteristic hazardous waste due to the presence of PCE (D039).

28. During the RCRA Inspection, EPA observed absorbent pads beneath tooling machines that were used to soak up residual fluids that drip from the machines and were disposed of by Respondent as non-hazardous waste in the general trash.
29. Respondent failed to evaluate whether the absorbent pads possessed the characteristic of toxicity due to soilage with PCE-contaminated liquids derived from the tooling machines, in violation of N.A.C. § 444.8632 and 40 C.F.R. § 262.11.

Count III

Operating Without a Permit; Failure to Maintain and Operate the Facility to Minimize the Possibility of an Unplanned Release (N.A.C. § 444.8632; 40 C.F.R. § 270.1(c))

30. Paragraphs 1 through 29 above are incorporated herein by reference.
31. 40 C.F.R. § 270.1(c) requires that, with certain exceptions not relevant here, owners and operators must have interim status or obtain a permit for treatment, storage, or disposal of hazardous waste.
32. 40 C.F.R. § 262.17 allows generators to accumulate hazardous waste on-site for up to 90 days without a permit or interim status if they meet certain conditions, including that the generator complies with the standards in Part 262, subpart M, Preparedness, Prevention and Emergency Procedures for Large Quantity Generators [40 C.F.R. §§ 262.250-262.265].
33. 40 C.F.R. § 262.251 provides that a large quantity generator must maintain and operate its 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.
34. At the time of the RCRA Inspection, Respondent was a large quantity generator that treated, stored, and/or disposed of hazardous waste at the Facility but did not have interim status or a permit to do so.
35. During the RCRA Inspection, EPA observed waste emulsion outside of drip pans underneath tooling machines and on the floor near the tooling machines and on general trash bins at the Facility.
36. At the time of the RCRA Inspection, Respondent characterized the emulsion and water waste stream from the tooling machines at the Facility as a characteristic hazardous waste due to the presence of PCE (D039).



37. Respondent did not manage the hazardous emulsion waste at the Facility in a way that would minimize releases of hazardous waste constituents to air that could threaten human health or the environment, in violation of 40 C.F.R. § 262.251.
38. By failing to satisfy the requirements of 40 C.F.R. § 262.251, Respondent failed to meet the conditional requirement for permit exemption in 40 C.F.R. § 262.17. Therefore, Respondent was operating a hazardous waste management facility without a permit in violation of N.A.C. § 444.8632 and 40 C.F.R. § 270.1(c).

Count IV

**Operating Without a Permit; Failure to Properly Manage
Satellite Accumulation Area Hazardous Waste Containers
(N.A.C. § 444.8632; 40 C.F.R. § 270.1(c))**

39. Paragraphs 1 through 19 above are incorporated herein by reference.
40. 40 C.F.R. § 270.1(c)(2)(i) allows generators to accumulate hazardous waste on site without a RCRA permit or interim status if they comply with all of the conditions for exemption provided in 40 CFR 262.14, 262.15, 262.16, and 262.17.
41. 40 C.F.R. § 262.15(a) allows generators to accumulate 55 gallons of non-acute hazardous waste in containers at or near any point of generation where wastes initially accumulate without a permit or interim status if they meet certain conditions, including (1) that the container holding hazardous waste must be closed at all times during accumulation, with exceptions not relevant here (40 C.F.R. § 262.15(a)(5)).
42. At the time of the RCRA Inspection, Respondent treated, stored, and/or disposed of hazardous waste but did not have interim status or a permit to do so.
43. During the RCRA Inspection, between March 23-26, 2023, EPA observed 55-gallon drums accumulating PCE-contaminated wastewater at the point of generation that were not fully closed.
44. By failing to satisfy the requirements of 40 C.F.R. § 262.15(a)(5), Respondent failed to meet the conditional requirement for permit exemption in 40 C.F.R. § 262.15(a). Therefore, Respondent was operating a hazardous waste management facility without a permit in violation of N.A.C. § 444.8632 and 40 C.F.R. § 270.1(c).



F. CIVIL PENALTY

45. Respondent agrees to pay a civil penalty in the amount of FIFTY THOUSAND DOLLARS (\$50,000) ("Assessed Penalty") within thirty (30) calendar days of the Effective Date of

this CA/FO. The Effective Date of this CA/FO as defined in Section N, below, is the date the Final Order, signed by the Regional Judicial Officer, is filed with the Regional Hearing Clerk.

46. Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due to 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>.

47. When making a payment, Respondent shall:

- a. Identify every payment with Respondent's name and the docket number of this Agreement: RCRA-09-2025-0050.
- b. Concurrently with any payment or within 24 hours of any payment, Respondent shall serve proof of such payment to the following persons via electronic mail:

Regional Hearing Clerk

U.S. Environmental Protection Agency, **Region 9**
R9HearingClerk@epa.gov

Rick Sakow
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency - Region 9
Sakow.Rick@epa.gov

and

U.S. Environmental Protection Agency
Cincinnati Finance Center
CINWD_AcctsReceivable@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 EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent's name.



48. 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 Agreement, 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. 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 standard 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 EPA's costs of processing and handling overdue debts. If Respondent fails to pay the Assessed Penalty in accordance with this Agreement, EPA will assess a charge to cover the costs of handling any unpaid amounts for the first thirty (30) day period after the Filing 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 Filing Date.
49. 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 Agreement, EPA may take additional actions. Such actions 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 EPA or engaging in programs 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.

50. 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.

51. Tax Treatment of Penalties. Penalties, interest, and other charges paid pursuant to this Agreement shall not be deductible for purposes of federal taxes.

G. ADMISSIONS AND WAIVERS OF RIGHTS

52. In accordance with 40 C.F.R. § 22.18(b), for the purpose of this proceeding, Respondent:

- a) admits the jurisdictional allegations of this CA/FO;
- b) neither admits nor denies specific factual allegations contained in this CA/FO;
- c) consents to the assessment of any stated civil penalty, to the issuance of any specified compliance or corrective action order, and to any conditions specified in this CA/FO; and
- d) waives any right to contest the allegations and its right to appeal the proposed final order accompanying this consent agreement.

53. In executing this CA/FO, 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 CA/FO.

H. CERTIFICATION OF COMPLIANCE

54. In executing this CA/FO, Respondent certifies under penalty of law to EPA that it has taken all steps necessary to return to full compliance with RCRA, 42 U.S.C. § 6901 *et seq.*, and its implementing regulations.

J. DELAY IN PERFORMANCE/STIPULATED PENALTIES

55. In the event Respondent fails to meet any requirement set forth in this CA/FO, Respondent shall pay stipulated penalties as follows: FIVE HUNDRED DOLLARS (\$500) per day for the first to fifteenth day of delay, ONE THOUSAND DOLLARS (\$1,000) per day for the sixteenth to thirtieth day of delay, and FIVE THOUSAND DOLLARS (\$5,000) per day for each day of delay thereafter. For the purposes of this Section, Respondent's obligation to meet any and all requirements set for this in this CA/FO shall include completion of any and all activities required under this CA/FO in a manner acceptable to EPA and within the specified time schedules in and approved under this CA/FO.



56. Nothing herein shall prevent the simultaneous accrual of separate penalties for separate violations.
57. Stipulated penalties shall begin to accrue on the day after performance is due and shall continue to accrue through the final day until performance is complete. All stipulated penalties owed to EPA shall be due within thirty (30) days of receipt by Respondent of a notification of noncompliance. Such notification shall describe the noncompliance and shall indicate the amount of penalties due.
58. In addition to any stipulated penalties assessed, interest and penalties shall accrue in accordance with 40 C.F.R. § 13.11.
59. Payment of stipulated penalties shall be made in accordance with the procedure set forth for payment of penalties in Section E of this CA/FO.
60. The payment of stipulated penalties specified in this Section shall not be deducted by Respondent or any other person or entity for federal taxation purposes.
61. Notwithstanding any other provision of this Section, EPA may, in its unreviewable discretion, waive any portion of stipulated penalties that have accrued pursuant to this CA/FO.

K. RESERVATION OF RIGHTS

62. In accordance with 40 C.F.R. § 22.18(c), full compliance with this CA/FO shall only resolve Respondent's liability for federal civil penalties for the violations specifically alleged herein and does not in any case affect the right of the EPA to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.
63. This CA/FO is not a permit or modification of any existing permit issued pursuant to any federal, state, or local laws or regulations. This CA/FO shall in no way relieve or affect Respondent's obligations under any applicable federal, state or local laws, regulations, or permits.

L. OTHER CLAIMS

64. Nothing in this CA/FO shall constitute or be construed as a release from any other claim, 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 the Facility.



M. MISCELLANEOUS

65. This CA/FO can be signed in counterparts.
66. The headings in this CA/FO are for convenience of reference only and shall not affect interpretation of this CA/FO.
67. Each party to this action shall bear its own costs and attorneys' fees.
68. EPA and Respondent consent to entry of this CA/FO without further notice.
69. By signing this CAFO, Respondent acknowledges that this CAFO will be available to the public and agrees that this CAFO does not contain any confidential business information or personally identifiable information.
70. 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 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." 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 EPA with sufficient information to enable it to fulfill these obligations, 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 Dana Sherrer in EPA's Cincinnati Finance Center at sherrer.dana@epa.gov, within 30 days after the Effective Date of this CA/FO, and 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 of this CA/FO, then Respondent, using the same email address identified in the preceding sub-paragraph, shall further:



In the Matter of H&T Nevada, L.L.C.
Consent Agreement and Final Order

- i. notify EPA's Cincinnati Finance Center of this fact, via email, within 30 days after the 30 days after the Effective Date of this CA/FO; and
- ii. provide Dana Sherrer of EPA's Cincinnati Finance Center with Respondent's TIN, via email, within five (5) days of Respondent's issuance and receipt of the TIN.

N. EFFECTIVE DATE

71. In accordance with 40 C.F.R. §§ 22.18(b)(3) and 22.31(b), the effective date of this CA/FO (Effective Date) shall be the date that the Final Order contained in this CA/FO, having been approved and issued by the Regional Judicial Officer, is filed with the Regional Hearing Clerk.



IT IS SO AGREED.

In the Matter of H&T Nevada, L.L.C.
Consent Agreement and Final Order

FOR RESPONDENT H&T NEVADA LLC:

8/17/15

Date



Andrew De Haan, Managing Director
H&T Nevada, LLC

In the Matter of H&T Nevada, L.L.C.
Consent Agreement and Final Order

FOR COMPLAINANT, U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION IX:

AMY MILLER-BOWEN Digitally signed by AMY MILLER-
BOWEN
Date: 2025.05.09 15:49:53 -07'00'

**Amy Miller-Bowen, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region IX**

FINAL ORDER

IT IS HEREBY ORDERED that this Consent Agreement and Final Order pursuant to 40 C.F.R. Sections 22.13 and 22.18 (U.S. EPA Docket No. RCRA-09-2025-0050) be entered and that Respondent pay a civil penalty of FIFTY THOUSAND DOLLARS (\$50,000), due within thirty (30) days from the Effective Date of this Consent Agreement and Final Order, in accordance with all terms and conditions of this Consent Agreement and Final Order.

This Final Order shall be effective upon filing by the Regional Hearing Clerk.

BEATRICE WONG

Digitally signed by BEATRICE
WONG
Date: 2025.05.16 11:41:50 -07'00'

Beatrice Wong
Regional Judicial Officer
United States Environmental Protection Agency,
Region IX

CERTIFICATE OF SERVICE

I certify that the original of the fully executed Consent Agreement and Final Order in the matter of H&T Nevada LLC (Docket No. RCRA-09-2025-0050) was filed with Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, and that a true and correct copy of the same was served on the parties, via electronic mail, as indicated below:

RESPONDENT: Andrew De Haan
Managing Director
H&T Nevada LLC
1 Electric Avenue
Sparks, NV 89434
Andrew.Dehaan@ht-group.com

COMPLAINANT: David Kim
Assistant Regional Counsel
U.S. EPA – Region IX
Hazardous Waste Section I (ORC-3-1)
75 Hawthorne Street
San Francisco, CA 94105
Kim.David@epa.gov

Tu, Ponly Digitally signed by Tu,
Ponly
Date: 2025.05.19
14:36:21 -07'00'

Ponly Tu
Regional Hearing Clerk
U.S. EPA – Region IX