

## Hazardous Waste Enforcement: U.S. Environmental Protection Agency and Jackson, Michigan, Metal Finishing Facility Enter into Consent Agreement



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

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The United States Environmental Protection Agency (“EPA”) and Elm Plating Company (“EPC”) entered into a Consent Agreement and Final Order (“CAFO”) addressing an alleged violation of the Resource Conservation and Recovery Act (“RCRA”) Hazardous Waste Regulations. See Docket No. RCRA-05-2021-0014.

EPC operates a metal finishing facility (“Facility”) in Jackson, Michigan.

The Facility is stated to include actions and processes that cause the production of hazardous waste. Further, EPC is stated to be a generator of hazardous waste. In at least the year 2017, the Facility is stated to have generated 1,000 kilograms or greater of hazardous waste in some calendar months (qualifying it as a Large Quantity Generator). Such hazardous waste is stated to have been shipped off-site to a treatment, storage or disposal facility within the United States.

The alleged violation cited by the CAFO is stated to involve the requirement that a generator of more than 1000 kilograms of hazardous waste provide to the Director or the Director’s designee the data necessary for the Department to prepare and submit Michigan’s Hazardous Waste Report. Such biennial report is stated to be due by March 1 of each even-numbered year following the odd-numbered reporting year.

It is alleged that in 2019 EPC:

. . . did not prepare and submit a biennial report to the Michigan Department of Environment, Great Lakes, and Energy by March 1 for the preceding calendar year.

The CAFO requires that the Biennial Hazardous Report covering the year 2017 be filed with the cited Michigan agency within 60 days of the effective date of the document.

A civil penalty of \$11,472 is assessed.

A copy of the CAFO can be downloaded [here](#).