

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

**In the Matter of:**

Plaze, Inc.

**Respondent**

)  
)  
)  
)  
)

**Docket No. RCRA-07-2024-0118**

**CONSENT AGREEMENT AND FINAL ORDER**

**PRELIMINARY STATEMENT**

The U.S. Environmental Protection Agency (EPA), Region 7 (“Complainant”) and Plaze, Inc. n/k/a PLZ Corp. (“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 Section 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 EPA.

3. Respondent is Plaze, Inc. n/k/a PLZ Corp., which operates a facility located in Pacific, Missouri and is incorporated under the state law of Delaware.

**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 EPA with the authorities found in 3001, 3002, and 3005 of RCRA, 42 U.S.C. §§ 6912, 6921, 6922, and 6925, to develop and promulgate specific requirements in order to implement the waste management. Pursuant to these authorities, EPA promulgated the waste management regulations found at 40 C.F.R. Part 239 through Part 282.

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 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.

9. 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.

10. The regulation at 40 C.F.R. § 260.10 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).

11. 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.

12. The regulation at 40 C.F.R. § 260.10 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.

13. The regulation at 40 C.F.R. § 260.10 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.

14. “Solid waste” is defined at 40 C.F.R. § 261.2.

15. “Hazardous waste” is defined at 40 C.F.R. § 261.3.

16. The regulation at 40 C.F.R. § 260.10 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.

17. The regulation at 40 C.F.R. § 260.10 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).

18. The regulation at 40 C.F.R. § 260.10 defines “operator” as the person responsible for the overall operation of a facility.

19. The regulation at 40 C.F.R. § 260.10 defines “owner” as the person who owns a facility or part of a facility.

20. The State of Missouri has been granted authorization to administer and enforce a hazardous waste program pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926. The State of Missouri has adopted by reference the federal regulations cited herein at pertinent parts in the Missouri Code of State Regulations (C.S.R.) in Title 10, Division 25. Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), whenever on the basis of any information the EPA determines that any person has violated or is in violation of any requirement of RCRA, the 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.

21. 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 \$121,275 for violations that occur after November 2, 2015, and for which penalties are assessed on or after December 27, 2023. In assessing any such penalty, 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**

22. Respondent is a Delaware corporation. Respondent is a “person” as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

23. Respondent owns and operates a facility is located in Pacific, Missouri. The Pacific, Missouri facility is one of approximately thirteen locations owned by PLZ Corp. The Pacific, Missouri facility manufactures aerosol and liquid products and is a large quantity generator of hazardous waste and a small quantity handler of Universal Waste. The Pacific, Missouri facility employs approximately 226 people.

24. On or about October 18, 1994, Respondent obtained the following RCRA ID number: MOD985809243. On or about March 2, 2011 Respondent notified to EPA of its regulated waste activity as a Large Quantity Generator (LQG).

25. At the time of the inspection the following waste and waste codes, determined by Respondent, were observed:

- a. Waste Aerosols with waste codes D001, D035, D039, and D040,
- b. Waste Flammable Liquids with waste codes D001, D039, D040, F002, F003, and F005;
- c. Waste Aerosol Retains with waste codes D001, D002, D035, D040, U002, and U031;
- d. and Sodium Hydroxide Solutions with waste code D002.

26. On or about November 8-9, 2022, EPA and Missouri Department of Natural Resources (MoDNR) inspectors conducted a joint 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 and small quantity handler of universal waste.

### **Violations**

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

**Count 1**  
**Operating as a Treatment, Storage or Disposal Facility**  
**Without a RCRA Permit or RCRA Interim Status**

28. Complainant hereby incorporates the allegations contained in Paragraphs 22 through 26 above, as if fully set forth herein.

29. Missouri Revised Statutes 260.390.1(1), Section 3005 of RCRA, 42 U.S.C. § 6925, and the regulations at 10 C.S.R. 25-7.270, which incorporate 40 C.F.R. Part 270 by reference, 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.

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

**Generator Requirements**

31. The regulation at 10 C.S.R. 25-5.262(1), which incorporates 40 C.F.R. § 262.34(a) by reference, states 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 its facility for any length of time. Respondent failed to comply with the following conditions:

*Closing hazardous waste accumulation containers*

32. The regulation at 10 C.S.R. 25-5.262(1), incorporates 40 C.F.R. § 262.34 (a)(1)(i) and references 40 C.F.R. § 265.173, states that a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

33. At the time of the inspection, the inspector observed the following open hazardous waste containers:

- a. Three 55-gallon containers of Waste Flammable Liquids in container storage area,
- b. A 350-gallon container of Waste Flammable Liquids in the North Mixing Room.

*Maintenance and operation of facility*

34. The regulation 10 C.S.R. 25-5.262(1), incorporates 40 C.F.R. § 262.34(a)(4) and references 40 C.F.R. § 265.31, requires that facilities must be 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.

35. At the time of the inspection, the Inspector observed a 9,000 gallon hazardous waste storage tank containing waste flammable liquids. Respondent had determined that these

liquids and associated gases/vapors were hazardous waste with EPA waste codes D001, D035, D040, F002, F003, and F005.

36. At the time of the inspection, the Inspector observed an 18-inch diameter access port (manway) on the hazardous waste storage tank that was not properly closed. Only four of eighteen bolt locations around the manway cover had been bolted down resulting in the manway being unsealed.

37. Results from monitoring with EPA FID showed volatile organic compound emissions of 2,312 ppm by volume being released from the tank with background concentrations of 12.6 ppm.

#### *Satellite Accumulation*

38. The regulation at 10 C.S.R. 25-5.262(1), which incorporates 40 C.F.R. § 262.34(c)(1) by reference, allows a generator to accumulate as much as fifty-five (55) gallons of hazardous waste or one quart of acutely hazardous waste listed in 40 C.F.R. § 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 40 C.F.R. § 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:

#### *Closing Satellite Accumulation Containers*

39. The regulation at 10 C.S.R. 25-5.262(1), incorporates 40 C.F.R. § 262.34(c)(1)(i) and references 40 C.F.R. § 265.173(a), requires that a container holding hazardous waste must be closed at all times during accumulation except when adding, removing, or consolidating waste.

40. At the time of the inspection, the inspector observed the following satellite accumulation containers that were not closed:

- a. 55-gallon container of Waste Flammable Liquids in Filling Line 2;
- b. 5-gallon container of Waste Flammable Liquids in Filling Line 2;
- c. 5-gallon container of Waste Flammable Liquids in Filling Line 4;
- d. 55-gallon container of Waste Flammable Liquids in Filling Line 5
- e. 5-gallon container of Waste Flammable Liquids in the Maintenance Shop; and a
- f. 5-gallon container of Waste Flammable Liquids in the Tank Farm.

#### *Marking or labeling Satellite Accumulation Containers*

41. The regulation at 10 C.S.R. 25-5.262(2)(C)1, incorporates 40 C.F.R. § 262.34(c)(1)(ii), requires that satellite accumulation containers must be marked with the words, “Hazardous Waste,” or with other words that identify the contents of the container.

42. At the time of the inspection, the inspector observed the following satellite accumulation containers that were not marked with the words, "Hazardous Waste":

- a. 5-gallon container of Waste Flammable Liquids in Filling Line 2;
- b. 5-gallon container of Waste Flammable Liquids in Filling Line 4;
- c. 5-gallon container of Waste Flammable Liquids in the Maintenance Shop; and a
- d. 5-gallon container of Waste Flammable Liquids in the Tank Farm.

*Monthly monitoring on pumps in light service for leaks  
per Reference Method 21*

43. The regulations at 10 C.S.R. 25-5.262(1), which incorporates 40 C.F.R. § 262.34(a)(1)(ii) and references 40 C.F.R. § 265.1052(a)(1), requires owners and operators of facilities that treat, store or dispose of hazardous waste conduct monthly monitoring on pumps in light service for leaks per Reference Method 21 as specified in 265.1063(b).

44. At the time of the inspection, Respondent was not conducting monthly monitoring for leaks on the pumps in light service.

*Weekly visual inspection on pumps*

45. The regulations at 10 C.S.R. 25-5.262(1), which incorporates 40 C.F.R. § 262.34(a)(1)(ii) and references 40 C.F.R. § 265.1052(a)(2), requires owners and operators of facilities that treat, store or dispose of hazardous waste perform weekly visual inspections on pumps for indications of liquids dripping from the pump seal.

46. At the time of the inspection, review of the Respondent's checklist indicated Respondent was not performing weekly visual inspections on pumps for indications of liquids dripping from the pump seal.

*Marking equipment*

47. The regulations at 10 C.S.R. 25-5.262(1), which incorporates 40 C.F.R. § 262.34(a)(1)(ii) and references 40 C.F.R. § 265.1050(c), requires owners and operators of facilities that treat, store or dispose of hazardous waste mark each piece of equipment in a manner that it can be distinguished readily from other pieces of equipment.

48. At the time of the inspection, some pumps, flexible hoses, valves, numerous connectors, and open-ended lines that were associated with the pumping hazardous waste from containers throughout the facility into the hazardous waste storage tank were observed. None of these pieces of equipment were properly marked in a manner that distinguished them from other equipment.

*Monthly monitoring on valves in light service for leaks*

49. The regulations at 10 C.S.R. 25-5.262(1), which incorporates 40 C.F.R. § 262.34(a)(1)(ii) and references 40 C.F.R. § 265.1057(a), requires owners and operators of facilities that treat, store or dispose of hazardous waste perform monthly monitoring on valves in light liquid service to detect leaks pursuant to methods specified in 265.1063(b).

50. At the time of the inspection, Respondent was not performing monthly monitoring on valves in light liquid service to detect leaks pursuant to methods specified in 40 C.F.R. § 265.1063(b).

*Failure to conduct leak detection monitoring  
per Reference Method 21*

51. The regulations at 10 C.S.R. 25-5.262(1), which incorporates 40 C.F.R. § 262.34(a)(1)(ii) and references 40 C.F.R. § 265.1063(b), requires owners and operators of facilities that treat, store or dispose of hazardous waste conduct leak detection monitoring per Reference Method 21.

52. At the time of the inspection, Respondent was not conducting leak detection monitoring on pumps and valves in light liquid per Reference Method 21.

*Record keeping requirements for Subpart BB of Part 265*

53. The regulations at 10 C.S.R. 25-5.262(1), which incorporates 40 C.F.R. § 262.34(a)(1)(ii) and references 40 C.F.R. § 265.1064(a), requires that each owner or operator subject to the provisions of this subpart shall comply with the recordkeeping requirements in 40 C.F.R. § 265.1064.

54. At the time of the inspection, Respondent was not complying with any of the recordkeeping requirements of 40 C.F.R. § 265.1064.

*Inspection of air emission control equipment for  
tanks subject to Subpart CC of Part 265*

55. The regulations at 10 C.S.R. 25-5.262(1), which incorporates 40 C.F.R. § 262.34(a)(1)(ii) and references 40 C.F.R. § 265.1085(c)(4), requires, in part, that owners and operators of all facilities that treat, store, or dispose of hazardous waste in tanks shall inspect the air emission control equipment in accordance with the requirements set forth at 40 C.F.R. § 265.1085(c)(4)(i)-(ii).

56. At the time of the inspection, Respondent was not inspecting the air emissions control equipment of hazardous waste tanks in accordance with any of the requirements set forth at 40 C.F.R. § 265.1085(c)(4)(i)-(ii).



*Hazardous waste tank inspections*

57. The regulations at 10 C.S.R. 25-5.262(1), which incorporates 40 C.F.R. § 262.34(a)(1)(ii) and references 40 C.F.R. § 265.195(a), requires owners and operators of facilities that use tank systems for storing or treating hazardous waste must inspect, where present, at least once each operating day, data gathered from monitoring and leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design.

58. At the time of the inspection, information indicated that inspections were not conducted/documented on 9/5/2022, 9/26/2022, 10/18/2022 and 10/22/2022.

59. Because Respondent failed to comply with the generator requirements as set forth in Paragraphs 32 through 58 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**

60. 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.

61. 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.

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

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

64. Respondent consents to receiving an electronic copy of the filed Consent Agreement and Final Order at the following email address: [SStotts@Polsinelli.com](mailto:SStotts@Polsinelli.com).

### **Penalty Payment**

65. Respondent agrees that, in settlement of the claims alleged herein, Respondent shall pay a civil penalty of two-hundred five thousand seven hundred ninety-one dollars (\$205,791.00) as set forth below.

66. 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>.

67. 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](mailto:R7_Hearing_Clerk_Filings@epa.gov); and

Jennifer Trotter, Attorney  
[trotter.jennifer@epa.gov](mailto:trotter.jennifer@epa.gov).

68. 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).

### **Effect of Settlement and Reservation of Rights**

69. 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.

70. 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.

71. 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.*, its implementing regulations, and any permit issued pursuant to RCRA.

72. 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.

73. 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 Thousand Seven Hundred Fifty-Two Dollars (\$70,752) 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.

74. 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.

75. 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.

76. Nothing contained in 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**

77. 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.

78. 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 filing 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.

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

80. This Consent Agreement and Final Order shall apply to and be binding upon Respondent and Respondents' 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.

81. 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.

COMPLAINANT:

U.S. ENVIRONMENTAL PROTECTION AGENCY

---

David Cozad  
Director  
Enforcement and Compliance Assurance Division

---

Date

---

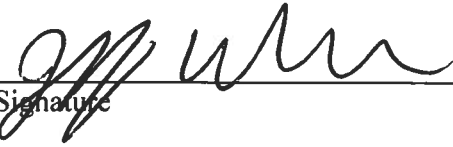
Jennifer Trotter  
Office of Regional Counsel

---

Date

RESPONDENT:

PLAZE, INC. n/k/a PLZ Corp.

  
Signature

9-27-24  
Date

Jeff Ulrich  
Printed Name

Plant Operations Director (Pacific, MO)  
Title

**FINAL ORDER**

Pursuant to 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 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 that a true and correct copy of the foregoing Consent Agreement and Final Order in the matter of Plaze, Inc., EPA Docket No. RCRA-07-2024-0118, 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](mailto:trotter.jennifer@epa.gov)

Stephen Pollard  
Enforcement and Compliance Assurance Division  
[pollard.stephen@epa.gov](mailto:pollard.stephen@epa.gov)

Milady Peters  
Office of Regional Counsel  
[Peters.milady@epa.gov](mailto:Peters.milady@epa.gov)

Copy via Email to Respondent:

Stacy Stotts  
Attorney at Law  
Polsinelli Law Firm  
[sstotts@polsinelli.com](mailto:sstotts@polsinelli.com)

Copy delivered to the State of Missouri:

Chris Nagel, Director (e-copy)  
Waste Management Program  
Missouri Department of Natural Resources  
[Christopher.Nagel@dnr.mo.gov](mailto:Christopher.Nagel@dnr.mo.gov)

Michael Parris, Compliance/Enforcement Chief (e-copy)  
Waste Management Program  
Missouri Department of Natural Resources  
[Michael.Parris@dnr.mo.gov](mailto:Michael.Parris@dnr.mo.gov)

Brandon Backus, (e-copy)  
Environmental Program Supervisor, Compliance and Enforcement Section  
Waste Management Program  
Missouri Department of Natural Resources  
[Brandon.Backus@dnr.mo.gov](mailto:Brandon.Backus@dnr.mo.gov)

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

---

Signed