



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

Railcar/Hazardous Waste Enforcement: U.S. Environmental Protection Agency and South Carolina Hazardous Waste Facility Enter into Consent Agreement

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The United States Environmental Protection Agency and Geocycle, LLC ("Geocycle") entered into a December 8th Consent Agreement ("CA") addressing alleged violations of regulations addressing storage of hazardous waste. See DOCKET No. RCRA-04-2016-4021(b).

Geocycle is described as the owner/operator of a hazardous waste storage facility in Holly Hill, South Carolina.

Geocycle was stated to have been issued a permit for the storage of hazardous waste in tanks and containers in 2013. Further, Condition I.E.1 of its hazardous waste permit is stated to have required the facility to comply with the Approved Permit Application and all conditions of its hazardous waste permit, except to the extent and for the duration any noncompliance is authorized by an emergency permit.

EPA is stated to have conducted a compliance evaluation inspection (CEI) at the Geocycle facility on March 15, 2016. The CEI included a review of the monthly report receipts for incoming railcars managing hazardous waste from January 1, 2013 through January 31, 2016.

The CEI allegedly contains findings that the agency's review of the monthly report receipts for railcars managing hazardous waste determined that Geocycle managed in excess of three railcars of hazardous waste outside of its permitted railcar storage area in excess of 300 days during the period of time January 1, 2013 through January 31, 2016. As a result, EPA alleges that:

... Respondent violated Condition I.E.1 of Respondent's hazardous waste permit, which allows the facility to stage up to three rail cars of hazardous waste for up to 10 days outside of its permitted hazardous waste rail car storage area.

The CA further states that:

... As stated in the EPA's May 23, 2016 CEI report, EPA's review of the Respondent's monthly report receipts for railcars managing hazardous waste found that the Respondent managed in excess of 35 railcars of hazardous waste on-site on March 30, 2015 (36 railcars), August 24, 2015 (39 railcars), August 25, 2015 (39 railcars) and August 26, 2015 (36 railcars).

The CA therefore alleges that Geocycle violated Condition I.E.1 of the company's hazardous waste permit, which allows the facility to stage up to 35 railcars of hazardous waste on-site.

Geocycle neither admits nor denies the factual allegations and determinations set out in the CA.

Geocycle agrees to a civil penalty of \$75,000.

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