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Hazardous Waste Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Pope County Electrode Manufacturing Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and Olin Russellville Cell Technologies LLC ("Olin") entered into a May 5th Consent Administrative Order ("CAO") addressing alleged violations of Arkansas Pollution Control and Ecology Commission ("APC&EC") Regulation No. 23 (Hazardous Waste). See LIS No. 21-036.

The CAO states that Olin operates a Pope County, Arkansas, manufacturing facility ("Facility") that engages in casting and finishing, electrode manufacturing, and cell manufacturing used in chlor-alkali production.

The Facility is stated to be a Large Quantity Generator of hazardous waste.

Olin is stated to have submitted a letter self-disclosing violations to DEQ on March 6, 2020. The letter was submitted pursuant to the agency's Environmental Self-Disclosure Incentive Policy. The self-disclosure is stated to have detailed an internal compliance audit of the Facility conducted by Olin on January 27-30, 2020, and concluded on February 24, 2020.

The self-disclosure report is incorporated in the CAO. The internal compliance audit is stated to have identified the following APC&EC Regulation No. 23 violations:

- Failure to identify methylene chloride waste as listed hazardous waste (F002).
- Failure to identify wipes contaminated with acetone (D001, F003) and perchloroethylene (D039) as a characteristic and listed hazardous waste.
- Treated hazardous waste without a permit to render the waste less hazardous by allowing the methylene chloride to evaporate in a pan with no capture or control of the solvent.
- Disposal of hazardous waste at a non-hazardous waste landfill.
- Failure to properly manage hazardous waste within closed containers.
- Failure to achieve compliance with air emission standards for hazardous waste containers.

- Failure to prepare a uniform hazardous waste manifest when offering hazardous waste for transport off-site.

The CAO requires that Olin cease the unpermitted treatment of hazardous waste and disposal of hazardous waste at a non-hazardous waste landfill.

Olin is also required to submit to DEQ within 30 calendar days of the effective date of the CAO documentation used to identify all generated hazardous waste streams. Such documentation is required to include, but not be limited to, waste analysis, waste profiles, safety data sheets, and any other documentation used by Olin to identify all hazardous waste generated at the Facility. Further, within the same time period Olin is required to submit to DEQ documentation of proper disposal of all generated hazardous waste for calendar year 2020.

Additional activities that must be undertaken within 30 days of the effective date of the CAO address:

- Procedure used to manage solvent contaminated wipes
- Documentation demonstrating proper management of all generated hazardous waste in closed containers
- Documentation of procedures used to achieve compliance with air emission standards for hazardous waste containers
- Demonstration that training has been given to personnel with regard to revised procedures implemented for identification, management, and proper disposal of all hazardous waste streams generated

No penalty is assessed.

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