

Hazardous Waste Enforcement: U.S. Environmental Protection Agency and Dolton, Illinois, Treatment and Storage Facility Enter into Consent Agreement



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The United States Environmental Protection Agency (“EPA”) and Safety-Kleen Systems, Inc., (“Safety-Kleen”) entered into a June 24th Consent Agreement and Final Order (“CAFO”) addressing alleged violations of the Illinois Hazardous Waste Regulations. See Docket No. RCRA-05-2021-0033.

The CAFO provides Safety-Kleen is the owner and operator of a hazardous waste treatment and storage facility (“Facility”) in Dolton, Illinois.

The Facility is described as conducting:

. . . organic chemical and solvent recycling services, solvent reclamation, waste management operations, including consolidation and bulking for treatment, wastewater treatment and discharge, and hazardous waste shipment offsite as fuel for cement kilns or incineration.

The Facility is stated to hold a hazardous waste permit.

EPA is stated to have conducted a compliance evaluation inspection on April 22, 2019 through May 1, 2019. A follow-up inspection is stated to have been conducted on November 19, 2019.

The CAFO alleges the following violations:

- Unauthorized Treatment of Hazardous Waste (alleged treatment of hazardous waste in LUWA Thin-Film Evaporator #2 and LUWA Thin-Film Evaporator #3)
- Failure to Close Hazardous Waste Storage Containers (alleged failure to keep two tote containers storing hazardous waste collected from the shredder operation closed when waste was not being added to or removed from the containers)
- Failure to Identify Hazardous Waste Storage Container Contents and Date of Accumulation (alleged failure to mark two tote containers storing hazardous waste collected from the shredder operation to identify the contents)
- Failure to Maintain No Detectable Emissions (alleged failure to operate eight hazardous waste tanks with no detectable organic emissions, having readings above the 500-ppm differential threshold)
- Failure to Equip Open-Ended Valves or Lines (alleged failure to keep open-ended valves or lines equipped with a cap, blind flange, plug, or a second valve)
- Failure to Equip Tanks with a Fixed Roof Design (alleged failure to keep a tank having a fixed roof designed with a closure device secured in the closed position with no visible cracks, holes, gaps, or other open spaces)

- Failure to Make a Hazardous Waste Determination (alleged failure to make an accurate determination as to whether the ABC waste or the spilled material was hazardous)
- Failure to Transport Hazardous Waste with a Manifest or an E-Manifest (alleged failure to prepare a manifest or an e-manifest for transport of hazardous waste for off-site treatment, storage, or disposal)
- Failure to Label with the Applicable USDOT Regulations (alleged failure to label each package of ABC hazardous waste in accordance with the applicable USDOT regulations on hazardous materials)

A civil penalty of \$350,000 was assessed.

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