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Hazardous Waste Storage/RCRA: U.S. Environmental Protection Agency Announces Multi-Party Settlement Involving Fort Smith, Arkansas, Warehouse

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The Region 6 Office of the United States Environmental Protection Agency (“EPA”) issued an August 3rd news release describing a settlement regarding alleged hazardous waste violations at what the agency denominates the “US technology Corporation” (“UST”) site in Fort Smith, Arkansas.

EPA states that the settlement alleges:

... several companies generated hazardous waste that was proposed for recycling but was instead stored by the owner and operator of UST without a Resource Conservation and Recovery Act (RCRA) permit.

An investigation of the site in 2018 is stated to have determined that the UST facility included a warehouse containing an estimated 10,000 drums and 1,200 super sacks of waste containing:

... a blend of spent, blast, and related material that when recycled is used to make concrete products known as SBM, totaling about 6,854,400 pounds of material.

Such waste was stated to be subject to the RCRA regulations.

Ten companies, out of the dozens that are stated to have hazardous waste located at the site, have agreed to work with EPA to remove quantities of waste beyond their allocated amounts to prevent potential environmental impacts. The companies include:

- National Oilwell Varco L.P.;
- VSE Corporation;
- American Airlines, Inc.;
- Solar Turbines Incorporated;
- Goodrich Corporation;
- AAR Landing Gear Corporation;
- AV Task, Inc.;
- Varec Biogas, Inc.;
- Honeywell International, Inc.; and
- Kansas Dry Stripping, Inc.

A single contractor is stated to be removing the waste to expedite the cleanup. Further, EPA is stated to be closely working with the Arkansas Department of Energy and Environment's Division of Environmental Quality.

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