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## Hazardous Waste Enforcement: U.S. Environmental Protection Agency and Sonoco Hickory, North Carolina, Consumer Packaging/Supply Chain Services Facility Enter into Consent Agreement

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The United States Environmental Protection Agency (“EPA”) and Sonoco Hickory, Inc. (“Sonoco”) entered into a May 19th Consent Agreement (“CA”) addressing alleged violations of hazardous waste regulations. See Docket No. RCRA-04-2022-2104(b).

The CA states that Sonoco operates a facility in Hickory, North Carolina (“Facility”), providing:

. . . consumer packaging, industrial products, and packaging supply chain services and operates four flexographic printing lines at the Facility for polyethylene, poly- propylene, and polyester film roles used in packaging of such items as packaged foods, tobacco products, specialty products and other consumer goods.

The Facility is stated to generate spent solvents and inks which contain ethyl acetate, in the cleanup and/or changeover of inks in the printing press lines and manages them as D001 and F003 hazardous wastes. Further, the Facility is stated to manage and store spent solvents and inks containing ethyl acetate in 55-gallon drums and stores spent solvents and inks containing ethyl acetate in a 2,000-gallon above ground tank (the “2000-gallon tank”) at the Facility.

Still bottoms are stated to be generated in the distillation of spent solvents containing ethyl acetate that are generated on-site and managed as D001 and F003 hazardous wastes. The still bottoms are stated to be stored in a 4,000-gallon aboveground tank at the Facility.

The Facility is stated to have been operating as a large quantity generator since November 1, 2016.

EPA and the North Carolina Department of Environmental Quality are stated to have conducted a joint compliance evaluation inspection (“CEI”) on March 18, 2021.

The CA provides that at the time of the CEI the Facility was attempting to:

. . . meet the conditions of the Closed-Loop Recycling Exemption for the equipment used to transfer spent solvents from the points of generation at the printing presses to the 2,000-gallon tank, for the 2,000-

gallon tank, and for the equipment used to transfer spent solvents from the 2,000-gallon tank to the distillation unit.

EPA is stated to have determined at the time of the CEI that the Facility's solvent recycling system was not meeting the conditions for operating under the Closed-Loop Recycling Exemption. This is stated to be because spent solvents were occasionally removed from the system for shipment off-site as hazardous waste due to clean solvent being routinely removed from the system for use on-site.

The CA alleges the following violations:

- Failure to conduct air monitoring of any equipment used to transfer spent solvents and inks from the point of generation to the 2,000-gallon tank
- Failure to provide certain records for equipment used to transfer spent solvents and inks from the point of generation to the 2,000-gallon tank (the records allegedly not provided are listed in Paragraph 78 of the CA)
- Failure to mark or identify a pneumatic pump used to transfer hazardous waste still bottoms from the distillation unit to the 4,000-gallon tank or any equipment used to transfer spent solvents and inks from the point of generation to the 2,000-gallon tank in a manner to distinguish it from other pieces of equipment
- Failure to conduct air monitoring of a pneumatic pump used to transfer hazardous waste still bottoms from the distillation unit to the 4,000-gallon tank
- Failure to label the 2,000-gallon tank with the words "Hazardous Waste"
- Failure to provide records of annual visual inspection of the fixed or closure devices for the 2,000-gallon tank
- Failure to provide records of daily inspections of the 2,000-gallon and 4,000-gallon tanks for five consecutive days in December 2018, April 2019, May 2019, and December 2020, for four consecutive days between December 2019 and January 2020, or for four consecutive days in April 2020, July 2020, and September 2020

Sonoco neither admits nor denies the factual allegations in the CA.

A civil penalty of \$52,000 is assessed.

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