

Hazardous Waste Enforcement: U.S. Environmental Protection Agency and Oklahoma City Used Oil Recycler Enter into Settlement Agreement



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The United States Environmental Protection Agency (“EPA”) issued an October 7th news release stating that it entered into a Settlement (“Settlement”) with January Environmental Services, Inc., (“JES”) January Transport, Inc., (“JTI”) and company-owner Cris January to resolve certain alleged Resource Conservation and Recovery Act (“RCRA”) violations.

The companies and individual are stated to be involved with used oil transportation and processing operations in Oklahoma City, Oklahoma.

EPA filed a judicial complaint through the United States Department of Justice on November 30, 2020, alleging that the companies committed multiple violations of RCRA’s used oil and hazardous waste regulations.

The alleged violations by the companies are stated to have included:

- Failure to perform hazardous waste determinations for solid waste found on site
- Storing hazardous waste without a RCRA permit
- Accepting hazardous waste for transport without a hazardous waste manifest
- Transporting used oil and accepting used oil for processing without determining its halogen content
- Failing to comply with the General Facility Standards and recordkeeping for used oil processors

The Settlement is stated to have been approved by the United States District Court for the Western District of Oklahoma.

EPA states that the Settlement requires JES and JTI to:

. . . institute a number of company-wide changes to come into compliance with RCRA used oil and hazardous waste regulations.

The companies are stated to have already undertaken a number of these requirements. Such requirements are stated to include:

- Training staff on using proper manifest forms to track the handling of hazardous waste
- Develop a written Waste Management Plan
- Update emergency preparations
- Coordinating with local emergency responders
- Hiring an independent engineer to review the facility’s spill-containment and contingency plans

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