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Hazardous Waste Enforcement: U.S. Environmental Protection Agency and LaPlace, Louisiana, Neoprene Manufacturing Facility Operator Enter into Consent Agreement

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The United States Environmental Protection Agency (“EPA”) and Denka Performance Elastomer, LLC (“Denka”) entered into a December 28th Consent Agreement (“CA”) addressing alleged violations of the Resource Conservation and Recovery Act (“RCRA”) regulations. See Docket No. RCRA-06-2023-0906.

The CA provides that Denka operates a Neoprene manufacturing facility (“Facility”) in LaPlace, Louisiana.

The Facility is stated to have failed to make an appropriate hazardous waste determination for “Poly Kettle Strainer Waste.” Such waste is stated to be a Chloroprene waste generated from the manufacturing of Neoprene.

EPA personnel are stated to have conducted on-site inspections of the Facility in April and May of 2022.

Agency personnel are stated to have, during the inspection:

- Observed Denka’s process of transferring Poly Kettle Strainer Waste to an outside, open-air brine pit
- Documented elevated Chloroprene concentrations in the air in the vicinity of the brine pit

The CA requires that the Denka Facility cease placing the referenced waste stream into the brine pit.

Further, the CA requires that the Facility meet the regulatory requirements for both storage and disposal of the referenced waste. In addition, the Facility must:

- Consider EPA’s Environmental Justice Screening and Mapping Tool when choosing a disposal facility
- Consider using low emission vehicles when transporting waste for disposal
- Provide protective equipment to employees who handle the referenced waste
- Manage the referenced waste as a hazardous waste until a more robust sampling and waste determination effort can be completed by the company through a Waste Determination Plan
- Continue testing additional emissions reductions to reduce emissions from the management of the waste

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