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Hazardous Materials Spill/Notification Enforcement: Massachusetts Department of Environmental Protection Assessment of Penalties Against Springfield Chemical Supply Company

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The Massachusetts Department of Environmental Protection (“DEP”) issued a February 2nd news release stating that it assessed a \$5,000 penalty against Astro Chemicals, Inc. (“Astro”).

Astro is stated to be a Springfield, Massachusetts chemical supply company.

DEP alleges that Astro violated state hazardous materials spill notification regulations related to a spill at its facility. The agency states:

Early in the morning of July 19, 2016, Astro personnel discovered that several drums of divinylbenzene, a combustible and reactive chemical, had reacted, expanded and/or breached the drums, likely due to elevated temperature in the warehouse.

The company is stated to have cleaned up a small amount of the divinylbenzene that spilled onto the warehouse floor, and ventilated the building. Further, it is stated to have taken steps (as directed by the manufacturer of the divinylbenzene) to stabilize the drums. However, the company is alleged not to have contacted Springfield, Massachusetts public safety officials or DEP regarding the incident.

DEP states that it received an anonymous complaint through the United States Environmental Protection Agency regarding the incident. The state agency is stated to have responded to the site to investigate. As a result, DEP determined that:

. . . notification of the threat of release of divinylbenzene should have been provided to MassDEP within two hours of Astro becoming aware of the incident.

Astro is stated to have submitted all documentation required by DEP regarding the threat of the release. Further, the company has informed DEP that it will no longer store the material at its warehouse.

Astro agrees to a \$5,000 penalty. Further, the company agrees to retrain its employees on notification requirements and appropriate response to spills of oil and hazardous materials (with an emphasis on immediate notification of local public safety officials and DEP).

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

