

EPCRA Enforcement: U.S. Environmental Protection Agency and Central Falls, Rhode Island Manufacturing Facility Enter into Expedited Settlement Agreement



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The United States Environmental Protection Agency (“EPA”) and General Polymer, Inc. (“GPI”) entered into a March 2nd Expedited Settlement Agreement (“ESA”) addressing alleged violations of Section 312 of the Emergency Planning and Community Right-to-Know Act (“EPCRA”). See Docket No. EPCRA-01-2017-0034.

The ESA provides that GPI is a manufacturing facility located in Central Falls, Rhode Island.

EPA is stated to have determined during an inspection at the GPI facility that completed emergency and hazardous chemical inventory forms (“Tier 2” forms) had not been submitted as required by Section 312 of EPCRA. GPI was further stated to have never submitted Tier 2 forms for the facility.

A company representative was stated to have presented documentation indicating the GPI facility was storing more than 10,000 pounds of certain hazardous chemicals (including Acrylamac WR 232-3312, Ranbar 5063 Alkyd Resin, Synray 5447-90, Cymel 303 LF Resin, and Tiona titanium oxide). The tanks containing some of these solvents were stated to have been located at the facility since the 1970s.

The facility submitted Tier 2 forms for the first time on April 18, 2014. The data associated with the Tier 2 form (for calendar year 2013) is stated to indicate that the company had nine hazardous chemicals on site in calendar year 2013 in quantities over the 10,000-pound reporting threshold.

The ESA states that GPI is required to submit a Tier 2 form pursuant to Section 312 of EPCRA (and the applicable regulations) for each calendar year on or before March 1 of the subsequent year. Nevertheless, the company is alleged to have failed to do so.

GPI neither admits nor denies the factual allegations in the ESA.

A civil penalty of \$5,000 is assessed.

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