

# RCRA Enforcement: U.S. Environmental Protection Agency and Mayagüez Medical Center Enter into Consent Agreement



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The United States Environmental Protection Agency (“EPA”) and Mayagüez Medical Center (“Mayagüez”) entered into an April 4th Consent Agreement and Final Order (“CAFO”) addressing alleged Resource Conservation and Recovery Act (“RCRA”) violations. See Docket No. RCRA-02-2016-7106.

The CAO provides that Mayagüez operates and administers a hospital engaged in the business of health care and emergency services, pharmacy, x-rays and other diagnostic tests and surgery procedures located in Mayagüez, Puerto Rico.

The Mayagüez facility referenced in the CAFO is stated to be a generator of RCRA hazardous waste.

EPA is stated to have inspected the Mayagüez facility on May 7, 2015 to determine compliance with RCRA and its implementing regulations. Mayagüez allegedly did not make a hazardous waste determination for:

1. Discarded medicines generated in the pharmacy area
2. Waste accumulated at the biosafety warehouse area
3. Waste accumulated at the boiler room area

Mayagüez’s alleged failure to determine and demonstrate whether each solid waste generated at this facility constitutes a hazardous waste is a violation of 40 C.F.R. § 262.11.

The CAFO assesses a civil penalty of \$20,000.

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