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Emergency Planning and Community Right-to-Know Act (EPCRA) Enforcement: U.S. Environmental Protection Agency and Tampa, Florida Erecting Company Enter into Consent Agreement

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The United States Environmental Protection Agency (“EPA”) and Tampa Steel Erecting Company (“Tampa Steel”) entered into an October 16th Consent Agreement and Final Order (“CAFO”) to address alleged violations of the Emergency Planning and Community Right-to-Know (“EPCRA”) Act. See Docket Number: EPCRA-04-2018-2026(b).

Section 313 of EPCRA created the Toxic Release Inventory program which requires that all covered United States facilities meet certain reporting requirements through the submission of data to EPA and the relevant state annually.

The CAFO provides that Tampa Steel operates a facility (“Facility”) in Tampa Bay, Florida. The Facility is stated to be classified under SIC Code 3441 and otherwise used propylene in excess of the 10,000 pound threshold quantity for the chemical established under Section 313(f) of EPCRA during the calendar years 2016, 2015, and 2014. As a result, it is alleged that Tampa Bay was required to submit Form Rs for propylene by July 1 of 2016, 2015, and 2014 (and allegedly failed to do so).

Tampa Bay certified that as of the date of the execution of the CAFO it is in compliance with all relevant requirements of EPCRA at the referenced Facility.

The CAFO assesses a civil penalty of \$47,729.

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