

Hazardous Waste Enforcement: U.S. Environmental Protection Agency and Detroit, Michigan Facility Complaint and Compliance Order



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The United States Environmental Protection Agency (“EPA”) and DCI Aerotech Inc. (“DCI”) executed a Complaint and Compliance Order (“Order”) addressing alleged violations of the Resource Conservation and Recovery Act (“RCRA”) hazardous waste regulations. See Docket No. RCRA-05-2019-0001.

DCI is stated to operate a facility in Detroit, Michigan, some of which activities are subject to the RCRA regulations.

DCI is stated to be an owner or operator as those terms are defined under the relevant RCRA regulations. Further, the DCI facility is stated to consist of land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste. Actions and processes at the DCI facility are stated to have caused the production of “hazardous waste.”

The DCI facility is stated to have generated 1000 kilograms or greater of hazardous waste since at least 2013 in certain calendar months. As a result, the facility is stated to have qualified as a Large Quantity Generator.

EPA is stated to have sent a June 12, 2017, letter to DCI referencing a notice of potential RCRA violations and opportunity for settlement. DCI is stated to have engaged with EPA to access and evaluate the facility’s compliance, in part through voluntarily providing EPA all necessary information.

The Order alleges certain violations that were described as involving:

- Operating as Storage Facility without a RCRA Permit or Interim Status and included the failure to meet certain conditions
- Contingency Plan
- Personnel Training
- Biennial Reporting
- Notification of Change of Hazardous Waste Activity

The Order assesses a civil penalty of \$10,526. Further, the Order requires the implementation of a Supplemental Environmental Project (“SEP”) which is described as being designed to:

. . . reduce the amount of liquid cyanide bearing waste shipped off-site. Respondent will treat the copper strip solution, recover the cooper, and discharge the treated wastewater removed resulting in the

reduction of the amount to be disposed from approximately 10,000 pounds per year to approximately 188 pounds per year.

DCI is required to spend at least \$140,000 to design, purchase and install the SEP.

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