



BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:) Docket No. RCRA-10-2024-0034
US ECOLOGY ALASKA, LLC) EXPEDITED SETTLEMENT
2020 Viking Drive) AGREEMENT AND
Anchorage, Alaska 99501) FINAL ORDER
EPA ID Number: AKR000004184)
Respondent)

EXPEDITED SETTLEMENT AGREEMENT

- 1. The U.S. Environmental Protection Agency ("EPA") is authorized to enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 3008 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928, and 40 C.F.R. § 22.13(b).
2. The US Ecology Alaska, LLC ("Respondent") is the owner or operator of the US Ecology Alaska facility located at 2020 Viking Drive in Anchorage, Alaska, EPA RCRA ID No. AKR000004184 (" the Facility"). The Facility is a Large Quantity Generator of Hazardous Waste.
3. The State of Alaska has not been authorized pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926 to carry out a hazardous waste program in lieu of the Federal program. Pursuant to Section 3008(a) of RCRA, the EPA may enforce the federal hazardous waste program in the State of Alaska. The EPA alleges that Respondent violated the following requirement of the RCRA.

a. Failure to Label or Mark Used Oil Containers with the words "Used Oil"

The regulation at 40 C.F.R. § 279.22(c)(1) requires containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

During EPA's March 8th, 2021, inspection, two containers of used oil, one 55-gallons and one 300-gallons were not properly marked or labeled with the words "Used Oil," constituting a violation of 40 C.F.R. § 279.22(c)(1).

- 4. In determining the amount of penalty to be assessed, EPA has taken into account the factors specified in Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3). After considering these factors, EPA has determined and Respondent agrees that an appropriate penalty to settle this action is \$1,250. The attached Penalty Calculation Worksheet is incorporated by reference.

5. In signing this Agreement, Respondent: (1) admits that Respondent is subject to RCRA and its implementing regulations; (2) admits that EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (3) neither admits nor denies the factual allegations contained herein; (4) consents to the assessment of this penalty; (5) waives the opportunity for a hearing to contest any issue of fact or law set forth herein; (6) waives its right to appeal the Final Order accompanying this Agreement pursuant to Section 3008(b) of RCRA, 42 U.S.C. § 6928(b); and (7) consents to electronic service of the filed ESA.

6. Within 30 days of the effective date of this Agreement, Respondent shall pay a civil penalty of \$1,250 for the RCRA violations identified in this Agreement. Payments under this Agreement may be made by check (mail or overnight delivery), wire transfer, ACH, or online payment. Payment instructions are available at: <http://www2.epa.gov/financial/makepayment>. Payments made by a cashier's check or certified check must be payable to the order of "Treasurer, United States of America" and delivered to the following address:

U.S. Environmental Protection Agency
Government Lockbox 979078
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, Missouri 63101

Respondent must note on the check the title and docket number of this action.

7. Concurrent with payment, Respondent must serve photocopies of the check, or proof of other payment method, described in Paragraph 6 on the Regional Hearing Clerk and EPA Region 10 at the following addresses:

Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 10
R10_RHC@epa.gov

Xiangyu Chu
U.S. Environmental Protection Agency
Region 10
Chu.xiangyu@epa.gov

8. The undersigned representative of Respondent certifies that he or she is fully authorized to enter the terms and conditions of this Agreement and Final Order and to execute and legally bind Respondent to it.

9. EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or this Agreement.

10. Each party shall bear its own costs and fees, if any.

11. This Agreement and Final Order shall constitute full settlement of the civil claims alleged herein.

12. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Agreement shall be claimed by Respondent as a deduction for federal, state or local income tax purposes.

FINAL ORDER

I hereby ratify the Expedited Settlement Agreement and incorporate it by reference. This Expedited Settlement Agreement and Final Order, as agreed to by the parties, shall be effective immediately upon filing with the Regional Hearing Clerk for the EPA, Region 10. Such filing will conclude this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31.

IT IS SO ORDERED,

Richard Mednick, Regional Judicial Officer
U.S. Environmental Protection Agency, Region 10

Date: _____

Certificate of Service

The undersigned certifies that the original of the attached EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER, In the Matter of: US Ecology Alaska, LLC, Docket No.: RCRA-10-2024-0034 was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

The undersigned certifies that a true and correct copy of the document was delivered via electronic mail to:

Xiangyu Chu
U.S. Environmental Protection Agency
Region 10
Chu.xiangyu@epa.gov

Mr. Rick Reimer
Director of Operations and Compliance
US Ecology Alaska, LLC
rick.reimer@usecology.com

DATED this _____ day of _____, 2024.

Regional Hearing Clerk
EPA Region 10