



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 29 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jamie Coomes
Century Aluminum Sebree LLC
9404 State Route 2096
Robards, Kentucky 42452-9735

SUBJ: Consent Agreement and Final Order
Century Aluminum Sebree, EPA ID No.: KYD 058 692 526
Docket No. RCRA-04-2015-4014(b)

Dear Mr. Coomes:

Enclosed please find a copy of the fully executed Consent Agreement and Final Order (CA/FO) as filed with the Regional Hearing Clerk (RHC) in the above-referenced matter. The CA/FO is effective on the date it is filed with the RHC and the penalty due date and the sampling work plan due date are calculated from that date.

If you have any questions, please feel free to contact Alan Newman, of my staff, at (404) 562-8589 or by email at newman.alan@epa.gov. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "César A. Zapata", with the word "for" written below it.

César A. Zapata
Chief, Enforcement and Compliance Branch
Resource Conservation and Restoration Division

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4**

| | | |
|------------------------------|---|---|
| IN THE MATTER OF: |) | DOCKET NO.: RCRA-04-2015-4014(b) |
| |) | |
| Century Aluminum Sebree LLC |) | |
| 9404 State Route 2096 |) | Proceeding Under Section 3008(a) of the |
| Robards, Kentucky 42452-9735 |) | Resource Conservation and Recovery Act, |
| EPA ID No.: KYD 058 692 526 |) | 42 U.S.C. § 6928(a) |
| |) | |
| Respondent |) | |
| _____ |) | |

CONSENT AGREEMENT

I. NATURE OF THE ACTION

1. This is a civil administrative enforcement action, pursuant to Section 3008(a) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a), ordering compliance with the requirements of Title XVIII of Kentucky Revised Statutes (KRS) Chapters 224.46 *et seq.* (2006) [Subtitle C of RCRA, 42 U.S.C. §§ 6921-6939f], and Title 401 Kentucky Administrative Regulations (KAR) promulgated pursuant thereto and set forth at 401 KAR Chapters 30-38 (2006) [Title 40 of the Code of Federal Regulations (C.F.R.), Parts 260 through 270]. This action seeks injunctive relief and the imposition of civil penalties pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), for violations of KRS subchapters 224.46 *et seq.* (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] and 401 KAR Chapters 30-38, 43, and 44 (2006) [40 C.F.R. Parts 260 through 270, 273, and 279].
2. The *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, which govern this action and are promulgated at 40 C.F.R. Part 22, provide that where the parties agree to settlement of one or more causes of action before the filing of a complaint, a proceeding may be simultaneously commenced and concluded by the issuance of a Consent Agreement and Final Order (CA/FO). 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3).
3. Complainant and Respondent have conferred for the purpose of settlement pursuant to 40 C.F.R. § 22.18 and desire to settle this action. Accordingly, before any testimony has been taken upon the pleadings and without any admission of violation or adjudication of any issue of fact or law and in accordance with 40 C.F.R. § 22.13(b), Complainant and Respondent have agreed to the execution of this CA/FO, and Respondent hereby agrees to comply with the terms of this CA/FO.

II. THE PARTIES

4. Complainant is the Chief, Enforcement and Compliance Branch, Resource Conservation and Restoration Division, United States Environmental Protection Agency (EPA) Region 4. Complainant is authorized to issue the instant CA/FO pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), and applicable delegations of authority.
5. Respondent is Century Aluminum Sebree LLC, a corporation incorporated under the laws of Delaware. Respondent is the owner and operator of a primary aluminum manufacturer located at 9409 State Route 2096 in Robards, Henderson County, Kentucky (the Facility).

III. PRELIMINARY STATEMENTS

6. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), the Commonwealth of Kentucky (Kentucky or State) has received final authorization to carry out a hazardous waste program in lieu of the federal program set forth in RCRA. The requirements of the authorized State program are found at KRS §§ 224.46-012 *et seq.* (2006), and 401 KAR 30:005, *et seq.* (2006).
7. Pursuant to Section 3006(g) of RCRA, 42 U.S.C. § 6926(g), the requirements established by the Hazardous and Solid Waste Amendments of 1984 (HSWA), Pub. L. 98-616, are immediately effective in all states regardless of their authorization status and are implemented by the EPA until a state or commonwealth is granted final authorization with respect to those requirements. Kentucky has received final authorization for certain portions of HSWA, including those recited herein.
8. Although the EPA has granted Kentucky authority to enforce its own hazardous waste program, the EPA retains jurisdiction and authority to initiate an independent enforcement action pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2). This authority is exercised by the EPA in the manner set forth in the Memorandum of Agreement between the EPA and Kentucky.
9. As Kentucky's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations for the violations of those authorized provisions alleged herein will be to the authorized Kentucky program; however, for ease of reference, the federal citations will follow in brackets.
10. Pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2), Complainant has given notice of this action to Kentucky before issuance of this CA/FO.
11. KRS § 224.46-510(1) (2006) [Section 3002(a) of RCRA, 42 U.S.C. § 6922(a)], requires the promulgation of standards applicable to generators of hazardous waste. The implementing regulations for these standards are found at 401 KAR Chapter 32 (2006) [40 C.F.R. Part 262].

12. KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925], sets forth the requirement that a facility treating, storing, or disposing of hazardous waste must have a permit or interim status. The implementing regulations for this requirement are found at 401 KAR Chapter 34 (2006) (permitted) [40 C.F.R. Part 264] and 401 KAR Chapter 35 (2006) (interim status) [40 C.F.R. Part 265].
13. Pursuant to 401 KAR 31:005 Section 1(311) (2006) [40 C.F.R. § 261.2], “*solid waste*” means any garbage, refuse, sludge, and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining (excluding coal mining wastes, coal mining by-products, refuse, and overburden), agricultural operations, and from community activities, and is not otherwise excluded by regulation. (See KRS § 224.01-010(31)(a)) (2006).
14. Pursuant to 401 KAR 31:005 Section 1(12) (2006) [40 C.F.R. § 261.3], “*hazardous waste*” means any discarded material or material intended to be discarded or substance or combination of such substances intended to be discarded, in any form which because of its quantity, concentration or physical, chemical or infectious characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. (See KRS § 224.01-010(31)(b)) (2006).
15. Pursuant to 401 KAR 31:010 Section 3 and 401 KAR 31:030 Section 1 (2006) [40 C.F.R. §§ 261.3(a)(2)(i) and 261.20], solid wastes that exhibit any of the characteristics identified in 401 KAR 31:030 Sections 2-5 (2006) [40 C.F.R. §§ 261.21-24] are characteristic hazardous waste and are provided with the EPA Hazardous Waste Numbers D001 through D0043.
16. Pursuant to 401 KAR 31:030 Sections 1 and 2 (2006) [40 C.F.R. §§ 261.20 and 261.21], a solid waste that exhibits the characteristic of ignitability is a hazardous waste and is identified with the EPA Hazardous Waste Number D001.
17. Pursuant to 401 KAR 31:030 Sections 1 and 5 (2006) [40 C.F.R. §§ 261.20 and 261.24], a solid waste that exhibits the characteristic of toxicity is a hazardous waste and is identified with the EPA Hazardous Waste Number associated with the toxic contaminant causing it to be hazardous. Pursuant to 401 KAR 31:030 Section 5 (2006) [40 C.F.R. § 261.24], a solid waste that exhibits the characteristic of toxicity for mercury is identified with the EPA Hazardous Waste Number D009.
18. Pursuant to 401 KAR 31:030 Sections 1 and 5 (2006) [40 C.F.R. §§ 261.20 and 261.24], a solid waste that exhibits the characteristic of toxicity is a hazardous waste and is identified with the EPA Hazardous Waste Number associated with the toxic contaminant causing it to be hazardous. Pursuant to 401 KAR 31:030 Section 5 (2006) [40 C.F.R. § 261.24], a solid waste that exhibits the characteristic of toxicity for Benzene is identified with the EPA Hazardous Waste Number D018.

19. Pursuant to 401 KAR 31:010 Section 3 and 401 KAR 31:040 Section 1(2006) [40 C.F.R. §§ 261.3(a)(2)(ii) and 261.30], a solid waste is a listed “hazardous waste” if it is listed 401 KAR 31:040 and has not been excluded from the list under 401 KAR 31:060 and 401 KAR 31:070 (2006) [40 C.F.R. Part 261, Subpart D].
20. Spent pot liners from primary aluminum reduction, is a listed hazardous waste in 401 KAR 31:040 (2006) [40 C.F.R. Part 261, Subpart D] at 401 KAR 31:040 Section 3 (2006) [40 C.F.R. § 261.32] and is identified with the EPA Hazardous Waste Number K088.
21. Pursuant to 401 KAR 31:005 Section 1(111) (2006), “generator” means any person, by site, whose act or process produces waste. (See KRS § 224.01-010(13)).
22. Pursuant to 401 KAR 31:005 Section 1(93)(a) (2006) [40 C.F.R. § 260.10], a “facility” includes “all contiguous land, and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal operational units (e.g., one or more landfills, surface impoundments, or combinations of them).”
23. Pursuant to 401 KAR 31:005 Section 1(203) (2006), “person” means an individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, federal agency, state agency, city, commission, political subdivision of the Commonwealth of Kentucky, or any interstate body. (See KRS § 224.01-010(17)).
24. Pursuant to 401 KAR 31:005 Section 1(194 and 192) (2006), an “owner” is “any person who owns an on-site or off-site waste facility, or any part of a facility” and an “operator” is “any person responsible for overall operation of an on-site or off-site waste facility, including any private contractor conducting operational activities at a federal facility.”
25. Pursuant to 401 KAR 31:005 Section 1(264) (2006), “storage” means the containment of waste, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal of such wastes. (KRS 224.01-010(28)).
26. Pursuant to 401 KAR 31:005 Section 1(66) (2006), a “disposal” means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste into or on any land or water so that such waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters. (KRS 224.01-010(10)).
27. Pursuant to 401 KAR 32:030 Section 5(1) (2006) [40 C.F.R. § 262.34(a)], a generator of 1,000 kilograms or greater of hazardous waste in a calendar month is a Large Quantity Generator (LQG) and may accumulate hazardous waste on site for 90 days or less without a permit or without having interim status, as required by KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the management requirements listed in 401 KAR 32:030 Section 5(1) (2006) [40 C.F.R. § 262.34(a)(1)-(4)] (hereinafter referred to as the “*LQG Permit Exemption*”).

28. Pursuant to 401 KAR 32:030 Section 5(1)(a) (2006) [40 C.F.R. § 262.34(a)(1)], which is a condition of the LQG permit exemption, waste is placed either in containers, in tanks, on drip pads, or in containment buildings.
29. Pursuant to 401 KAR 32:030 Section 5(1)(a)1 (2006) [40 C.F.R. § 262.34(a)(1)(i)], which incorporates 401 KAR 35:180 Section 2 (2006) [40 C.F.R. § 265.171] and is a condition of the LQG permit exemption, if a container holding hazardous waste is not in good condition, or if it begins to leak, the generator must transfer the hazardous waste from this container to a container that is in good condition, or manage the waste in some other way that complies with the requirements of this chapter.
30. Pursuant to 401 KAR 32:030 Section 5(1)(a)1 (2006) [40 C.F.R. § 262.34(a)(1)(i)], which incorporates 401 KAR 35:180 Section 4 (2006) [(40 C.F.R. § 265.173(a)] and is a condition of the LQG Permit Exemption, a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.
31. Pursuant to 401 KAR 32:030 Section 5(1)(b) (2006) [40 C.F.R. § 262.34(a)(2)], which is a condition of the LQG Permit Exemption, the date upon which each period of accumulation begins must be clearly marked and visible for inspection on each container.
32. Pursuant to 401 KAR 32:030 Section 5(1)(d) (2006) [40 C.F.R. § 262.34(a)(4)], which incorporates 401 KAR 35:020 Section 7(3) [40 C.F.R. § 265.16(c)] and is a condition of the LQG Permit Exemption, facility personnel shall take part in an annual review of the initial training required in subsection (1) of this section.
33. Pursuant to 401 KAR 32:030 Section 5(1)(d) (2006) [40 C.F.R. § 262.34(a)(4)], which incorporates 401 KAR 35:030 Section 2 (2006) [40 C.F.R. § 265.31] and is a condition of the LQG Permit Exemption, facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.
34. Pursuant to 401 KAR 32:030 Section 5(1)(d) (2006) [40 C.F.R. § 262.34(a)(4)], which incorporates 401 KAR 35:030 Section 6 (2006) [40 C.F.R. § 265.35] and is a condition of the LQG Permit Exemption, a generator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of the facility operation in an emergency, unless aisle space is not needed for any of these purposes.
35. Pursuant to 401 KAR 32:030 Section 5(1)(d) (2006) [40 C.F.R. § 262.34(a)(4)], which incorporates 401 KAR 35:040 Section 2(2) (2006) [40 C.F.R. § 265.51(b)] and is a condition of the LQG Permit Exemption, the provisions of the contingency plan must be carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

36. Pursuant to 401 KAR 32:030 Section 5(1)(d) (2006) [40 C.F.R. § 262.34(a)(4)], which incorporates 401 KAR 35:040 Section 3(4) (2006) [40 C.F.R. § 265.52(d)] and is a condition of the LQG Permit Exemption, the contingency plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see Section 6 of this administrative regulation), and this list must be kept up to date. Where more than one (1) person is listed, one (1) person must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.
37. Pursuant to 401 KAR 32:030 Section 5(1)(d) (2006) [40 C.F.R. § 262.34(a)(4)], which incorporates 401 KAR 35:040 Section 5(4) (2006) [40 C.F.R. § 265.54(d)] and is a condition of the LQG Permit Exemption, the contingency plan must be reviewed, and immediately amended, if necessary, whenever the list of emergency coordinators changes.
38. Pursuant to 401 KAR 32:030 Section 5(3) (2006) [40 C.F.R. § 262.34(c)(1)], a generator may accumulate as much as fifty-five (55) gallons of hazardous waste in containers at or near the point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or without having interim status and without complying with subsection (1) of this section [40 C.F.R. § 262.34(a)], provided that the upon commencement of accumulation, he: 1. complies with section 2, 3, and 4(1) of 401 KAR 35:180; and 2. marks his container with the words "Hazardous Waste" [40 C.F.R. § 262.34(c)(1)(i)-(ii)] (hereinafter referred to as the "*SAA Permit Exemption*").
39. Pursuant to 401 KAR 32:030 Section 5(3) (2006) [40 C.F.R. § 262.34(c)(1)(i)], which incorporates 401 KAR 35:180 Section 4(1) (2006) [40 C.F.R. § 265.173(a)] and is a condition of the SAA Permit Exemption, a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.
40. Pursuant to 401 KAR 32:040 Section 3(2) (2006) [40 C.F.R. § 262.42(a)(2)], a generator shall submit an Exception Report to KYDEP if he has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within forty-five (45) days of the date the waste was accepted by the initial transporter.
41. Pursuant to KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] and 401 KAR 38:010 Section 1(1) (2006) [40 C.F.R. § 270.1(c)], RCRA requires an owner and/or an operator to obtain a permit for the treatment, storage, and disposal of any hazardous waste identified or listed in 401 KAR Chapter 31 (2006) [40 C.F.R. Part 261].
42. Pursuant to 401 KAR 43:005 Section 1(254) [40 C.F.R. § 273.10], a "Small Quantity Handler of Universal Waste." (SQHUW) is a universal waste handler who does not accumulate more than 5,000 kilograms of universal waste (batteries, lamps, pesticides, or thermostats, calculated collectively) at any time.

43. Pursuant to 401 KAR 43:005 Section 1(154) (2006), "lamp" means the bulb or tube portion of a lighting device specifically designed to produce radiant energy, most often in the ultraviolet (UV), visible, and infrared (IR) regions of the electromagnetic spectrum. Examples of common lamps include, but is not limited to, incandescent, fluorescent, high pressure sodium, mercury vapor, metal halide, high intensity discharge, and neon lamps.
44. Pursuant to 401 KAR 43:020 Section 4 (2006) [40 C.F.R. § 273.9], a SQHUW shall manage universal waste lamps in a way that prevent release of any universal waste or component of a universal waste to the environment.
45. Pursuant to 401 KAR 43:020 Section 7 (2006) [40 C.F.R. § 273.16], a SQHUW shall describe to all employees who handle or have responsibility for managing universal waste the proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.
46. Pursuant to 401 KAR 31:005 Section 1(302) (2006), "used oil" means a petroleum based or synthetic oil such as an engine lubricant, engine oil, motor oil, or lubricating oil for use in an internal combustion engine, or a lubricant for motor transmissions, gears, or axles which through use, storage or handling has become unsuitable for its original purpose due to the presence of impurities or loss of original properties. (See KRS § 224.50-545(2)(a)).
47. Pursuant to 401 KAR 44:020 Section 3(3)(a) (2006) [40 C.F.R. § 279.22(c)(1)], containers and aboveground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil."
48. Pursuant to 401 KAR 32:040 Section 2(1) (2006), a generator who ships any hazardous waste off-site to a treatment, storage, or disposal facility within the United States shall prepare and submit a "Hazardous Waste Annual Report," DEP Form 7072-91 incorporated by reference in Section 5 of this administrative regulation. The "Hazardous Waste Annual Report" shall be submitted to KYDEP no later than March 1 to report information for the preceding calendar year.
49. Pursuant to 401 KAR 32:040 Section 2(3) (2006), generators shall provide a duplicate copy of the Hazardous Waste Annual Report to the county judge/executive of the county or chief executive officer of an urban county government within which the waste site or facility which will receive waste from the generator is located and to the county judge/executive of the county or chief executive officer of an urban-county government within which the generator is located, in order that the county judge/executive or chief executive officer may make the report available to the county law enforcement and emergency services for emergency planning purposes.

IV. EPA ALLEGATIONS AND DETERMINATIONS

50. Respondent is a "person" as defined in 401 KAR 31:005 Section 1(203) (2006) (See KRS 224.01-010(17)) (2006).

51. Respondent is the "owner/operator" of a "facility" located at 9404 State Route 2096, in Robards, Henderson County, Kentucky, as those terms are defined in 401 KAR 30:005 Section 1 (2006).
52. Respondent is a "generator" of "hazardous waste" as those terms are defined in 401 KAR 31:005 Section 1(111) (2006) (See KRS 224.01-010(13)) (2006) [40 C.F.R. § 260.10] and 401 KAR 31:005 Section 1(311) (2006) (See KRS § 224.01-010(31)(b)) (2006). [40 C.F.R. § 261.3].
53. Respondent operates a primary aluminum smelter.
54. Respondent is a "generator" of both "solid wastes" and "hazardous wastes," as defined above, due to its on-site activities associated with the primary aluminum smelting.
55. On May 16, 2014, and again on May 13, 2015, Respondent notified the Kentucky Department for Environmental Protection (KYDEP) of the Facility's status as a Large Quantity Generator (LQG) of hazardous waste because Respondent generates 1,000 kilograms or more of hazardous waste or greater than one kilogram of acute hazardous waste per calendar month at the Facility.
56. Respondent is generator of used oil and a small quantity generator of universal waste.
57. On July 23-24, 2014, representatives of the EPA and the KYDEP performed a RCRA Compliance Evaluation Inspection (CEI) of the Facility. The findings of the CEI were documented in a Report mailed to Respondent, dated February 18, 2015 (RCRA Inspection Report).
58. During the July 23-24, 2014, RCRA CEI, the inspection team comprised of KYDEP and EPA personnel reviewed 2013 inspection records for the 90-day or less hazardous waste container storage area. Some of the observations noted from these records stated that containers were in poor condition. These observations were repeated in subsequent weeks for the identical containers. Respondent failed to transfer the hazardous waste from these containers into ones in good condition.
59. The EPA therefore alleges that Respondent violated KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 401 KAR 32:030 Section 5(1)(a)1 (2006) [40 C.F.R. § 262.34(a)(1)(i)] by not complying with the container management requirements of 401 KAR 35:180 Section 2 (2006) [40 C.F.R. § 265.171].
60. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA inspectors observed that Respondent was storing K088 hazardous waste in a 90-day or less container underneath the bag house in Building 138W with an open lid.

61. The EPA therefore alleges that Respondent violated KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 401 KAR 32:030 Section 5(1)(a)1 (2006) [40 C.F.R. § 262.34(a)(1)(i)], by not complying with the container management requirements of 401 KAR 35:180 Section 4 (2006) [40 C.F.R. § 265.173(a)].
62. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA observed that Respondent was storing K088 hazardous waste in a container, located in building 138W, without marking it with the date upon which the period of accumulation began.
63. The EPA therefore alleges that Respondent violated KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption by not complying with the dating requirements of 401 KAR 32:030 Section 5(1)(b) (2006) [40 C.F.R. § 262.34(a)(2)].
64. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA reviewed training records. The inspection team noted that one employee had not received his updated RCRA training for at least 18 months.
65. The EPA therefore alleges that Respondent violated KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 401 KAR 32:030 Section 5(1) (2006) [40 C.F.R. § 262.34(a)(4)], by not complying with the personnel training requirements of 401 KAR 35:020 Section 7(3) (2006) [40 C.F.R. § 265.16(c)].
66. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA observed K088 hazardous waste on the floor and on flexes in building 138W. It appeared that this waste had been stored in building 138W on the floor for some time and on the flexes for at least four months. KYDEP and EPA also observed K088 hazardous waste outside of building 138W, on the gravel parking lot near the containers at the 90-day or less hazardous waste container storage area for intermodal boxes. Respondent failed to minimize a release of hazardous waste in these areas.
67. The EPA therefore alleges that Respondent violated KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 401 KAR 32:030 Section 5(1)(d) (2006) [40 C.F.R. § 262.34(a)(4)], by not complying with the maintenance and operation requirements of 401 KAR 35:030 Section 2 (2006) [40 C.F.R. § 265.31].
68. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA observed hopper containers of K088 hazardous waste, at the 90-day or less hazardous waste container storage area of Building 138W, that were stored with inadequate aisle space.

69. The EPA therefore alleges that Respondent violated KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 401 KAR 32:030 Section 5(1)(d) (2006) [40 C.F.R. § 262.34(a)(4)], by not complying with the aisle space requirements of 401 KAR 35:030 Section 6 (2006) [40 C.F.R. § 265.35].
70. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA noted that Respondent did not immediately carry out provisions of its Contingency Plan when hazardous waste was observed on the floor of Building 138W, on the flexes in building 138W, and on the ground at the 90-day or less hazardous waste intermodal container storage area.
71. The EPA therefore alleges that Respondent violated KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 401 KAR 32:030 Section 5(1)(d) (2006) [40 C.F.R. § 262.34(a)(4)], by not complying with the contingency plan requirements of 401 KAR 35:040 Section 2(2) (2006) [40 C.F.R. § 265.51(b)].
72. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA noted that Respondent's Contingency Plan did not include the current emergency coordinator, including his home address and phone number.
73. The EPA therefore alleges that Respondent violated KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 401 KAR 32:030 Section 5(1)(d) (2006) [40 C.F.R. § 262.34(a)(4)], by not complying with the contingency plan requirements of 401 KAR 35:040 Section 3(4) (2006) [40 C.F.R. § 265.52(d)].
74. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA noted that Respondent's Contingency Plan was not immediately amended when the list of emergency coordinators changed.
75. The EPA therefore alleges that Respondent violated KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 401 KAR 32:030 Section 5(1)(d) (2006) [40 C.F.R. § 262.34(a)(4)], by not complying with the contingency plan requirements of 401 KAR 35:040 Section 5(4) (2006) [40 C.F.R. § 265.54(d)].
76. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA observed hazardous waste being stored in four (4) separate open satellite accumulation containers at Building 138W (K088), the universal waste storage building (D009), Maintenance (D001/D018/K088), and the Rodding building (D001).

77. The EPA therefore alleges that Respondent violated KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the SAA Permit Exemption set forth in 401 KAR 32:030 Section 5(3) (2006) [40 C.F.R. § 262.34(c)(1)(i)], by not complying with the container management requirements of 401 KAR 35:180 Section 4(1) (2006) [40 C.F.R. § 265.173(a)].
78. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA noted that Respondent failed to file an exception report for hazardous waste manifest 006185379 dated November 13, 2012.
79. The EPA therefore alleges that Respondent violated KRS § 224.46-520(1) (2006) [Section 3005 of RCRA, 42 U.S.C. § 6925] by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 401 KAR 32:040 Section 3(2)(2006) [40 C.F.R. § 262.42(a)(2)].
80. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA observed three open boxes of universal waste lamps. Two additional boxes were not structurally sound due to the weight on the boxes and the integrity of the boxes.
81. The EPA therefore alleges that Respondent violated 401 KAR 43:020 Section 4 (2006), by failing to store universal waste lamps in containers or packages that are closed and structurally sound.
82. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA noted that workers were not properly trained in the requirements of universal waste storage.
83. The EPA therefore alleges that Respondent violated 401 KAR 43:020 Section 7 (2006) [40 C.F.R. § 273.16] for failing to properly train workers in universal waste management.
84. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA observed that used oil transfer containers were not properly labeled.
85. The EPA therefore alleges that Respondent violated 401 KAR 44:020 Section 3(3)(a) (2006) [40 C.F.R. § 279.22(c)(1)], by storing used oil in containers that were not labeled or marked clearly with the words "Used Oil."
86. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA noted that Respondent submitted the hazardous waste annual report with incorrect numbers omitting 15,572 pounds of hazardous waste.
87. The EPA therefore alleges that Respondent violated 401 KAR 32:040 Section 2(1) (2006) by not submitting an accurate "Hazardous Waste Annual Report."

88. During the July 23-24, 2014, RCRA CEI, KYDEP and EPA noted that Respondent failed to provide a duplicate copy of the Hazardous Waste Annual Report to the county judge/executive of the county of an urban county government within which the waste site or facility which will receive waste from the generator is located and to the county judge/executive of the county of an urban-county government within which the generator is located, in order that the county judge/executive or chief executive officer may make the report available to the county law enforcement and emergency services for emergency planning purposes.
89. The EPA therefore alleges that Respondent violated 401 KAR 32:040 Section 2(3) (2006) by not providing a duplicate copy of the Hazardous Waste Annual Report to the county judge/executive of the county of an urban county government within which the waste site or facility which will receive waste from the generator is located and to the county judge/executive of the county of an urban-county government within which the generator is located, in order that the county judge/executive or chief executive officer may make the report available to the county law enforcement and emergency services for emergency planning purposes.

V. TERMS OF AGREEMENT

Based on the foregoing Preliminary Statements, Allegations and Determinations, the parties agree to the following:

90. For the purposes of this CA/FO, Respondent admits the jurisdictional allegations set out in the above paragraphs pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928.
91. Respondent neither admits nor denies the factual allegations and determinations set out in this CA/FO.
92. Respondent waives any right to contest the allegations and its right to appeal the proposed Final Order accompanying the Consent Agreement.
93. Respondent waives its right to challenge the validity of this CA/FO and the settlement of the matters addressed in this CA/FO based on any issue related to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*
94. Respondent waives any right it may have pursuant to 40 C.F.R. § 22.8 to be present during any discussions with, or to be served with and reply to, any memorandum or communication addressed to EPA officials where the purpose of such discussion, memorandum, or communication is to persuade such official to accept and issue this CA/FO.
95. Respondent waives any and all remedies, claims for relief, and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this CA/FO, including any right of judicial review under Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

96. The parties agree that the settlement of this matter is in the public interest and that this CA/FO is consistent with the applicable requirements of RCRA.
97. The parties agree that compliance with the terms of this CA/FO shall resolve the violations alleged and the facts stipulated to in this CA/FO.
98. Each party will pay its own costs and attorneys' fees.

VI. WORK TO BE PERFORMED

99. Respondent consents to submit a written proposal and to perform the following work in the manner herein, for carrying out assessment, testing analysis, and reporting to ascertain the nature and extent of the hazards posed by the hazardous waste and or hazardous constituents that are present at, or that may have been released from Respondent's Facility. Such written proposal shall be specific and shall include, but is not limited to performing the following:
 100. Sampling and Analysis Work Plan: Within forty-five (45) calendar days of the effective date of this CA/FO, Respondent consents to submit a Sampling and Analysis Work Plan (S&A Work Plan) to determine the nature and extent, horizontally and vertically, of soil contamination. The S&A Work Plan shall be designed to determine the presence, magnitude, extent, hazard or risk, direction, and rate of movement of any hazardous waste and hazardous constituent within the Facility boundaries. The S&A Work Plan shall document the procedures Respondent shall use to conduct those activities necessary to: characterize the source for contamination; characterize the potential pathways of contaminant migration, and define the degree of extent of contamination.
 - a. The S&A Work Plan shall include, at a minimum, the following areas:
 - i. The 90-day or less intermodal container storage area in the gravel parking lot on the west side of the facility;
 - ii. Areas outside of Building 138W; and,
 - iii. Any other area onsite at which waste has been or may have been disposed of or placed on to the land at the Facility.
 - b. For each of the areas identified above, the S&A Work Plan shall include the following information:
 - i. A map outlining the Facility property and the location of the areas;
 - ii. A discussion of past waste management practices at the area; and,

- iii. All available information pertaining to the areas' operation, construction and wastes managed, as well as to the nature of any release (e.g., media affected, hazardous constituents release magnitude of release, unit diagram or engineering drawings, photographs, of the area and ancillary equipment, etc.).
101. All work plans submitted to the EPA pursuant to this CA/FO shall include a detailed schedule for all work to be performed. A Final Sampling and Analysis Reports shall be submitted and shall summarize all actions taken to comply with this CA/FO.
 102. All work conducted in accordance with this CA/FO will reference and comply with EPA-approved procedures and protocols for all sampling and analyses. All monitoring results and data shall be submitted to the EPA in accordance with the format specified in the EPA Region 4 "Data Management and Electronic Data Deliverables" Memorandum (Apr. 23, 2010), attached as Exhibit 1. All analytical detection limits for constituents identified in the work plans referenced above must be below the appropriate human health and/or ecological risk-based limit. At the EPA's discretion, implementation of all field work specified in the work plans shall be overseen by EPA personnel.
 103. If the EPA concludes that a release of hazardous waste or hazardous constituents has occurred, Respondent may be required to submit a permit application to KYDEP.

VII. QUALITY ASSURANCE/QUALITY CONTROL

104. All sampling undertaken pursuant to this CA/FO shall be performed in accordance with the EPA-approved terms and schedules, and in a manner consistent with the EPA's "Field Branches Quality System and Technical Procedures," which is available at: <http://www.epa.gov/region4/sesd/fbqstp/index.html>.
105. Respondent shall follow the EPA guidance for sampling and analysis. Respondent shall develop a Quality Assurance Project Plan (QAPP) for all sampling and analysis conducted under this CA/FO. Work plans shall contain quality assurance/quality control (QA/QC) and chain of custody procedures for all sampling, monitoring and analytical activities. Any deviations from the QA/QC and chain of custody procedures in approved work plans must be approved by the EPA prior to implementation; must be documented, including reasons for the deviations; and must be reported in the applicable report.
106. All work plans required under this CA/FO shall include data quality objectives for each data collection activity to ensure that data of known and appropriate quality are obtained and that data are sufficient to support their intended use(s).

VIII. PAYMENT OF CIVIL PENALTY

107. Respondent consents to the payment of a civil penalty in the amount of SIXTY-NINE THOUSAND DOLLARS (\$69,000.00), which is to be paid within thirty (30) calendar days of the effective date of this CA/FO.
108. Payment(s) shall be made by cashier's check, certified check, by electronic funds transfer (EFT), or by Automated Clearing House (ACH) (also known as REX or remittance express). If paying by check, the check shall be payable to: **Treasurer, United States of America**, and the Facility name and docket number for this matter shall be referenced on the face of the check. If Respondent sends payment by the U.S. Postal Service, the payment shall be addressed to:

United States Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

If Respondent sends payment by non-U.S. Postal express mail delivery, the payment shall be sent to:

U.S. Bank
Government Lockbox 979077
U.S. EPA Fines & Penalties
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, Missouri 63101
(314) 425-1818

If paying by EFT, Respondent shall transfer the payment to:

Federal Reserve Bank of New York
ABA: 021030004
Account Number: 68010727
SWIFT address: FRNYUS33
33 Liberty Street
New York, New York 10045
Field Tag 4200 of the Fedwire message should read:
"D 68010727 Environmental Protection Agency"

If paying by ACH, Respondent shall remit payment to:

US Treasury REX / Cashlink ACH Receiver
ABA: 051036706
Account Number: 310006, Environmental Protection Agency

CTX Format Transaction Code 22 – checking
Physical location of US Treasury facility:
5700 Rivertech Court
Riverdale, Maryland 20737
Contact: John Schmid, (202) 874-7026
REX (Remittance Express): 1-866-234-5681

109. Respondent shall submit a copy of the payment to the following individuals:

Regional Hearing Clerk
U.S. EPA - Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

And to:

Larry Lamberth, Chief
Hazardous Waste Compliance and Enforcement Section
Enforcement and Compliance Branch
RCR Division, US EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8909

110. If Respondent fails to remit the civil penalty as agreed to herein, the EPA is required to assess interest and penalties on debts owed to the United States and a charge to cover the costs of processing and handling the delinquent claim. Interest, at the statutory judgment rate provided for in 31 U.S.C. § 3717, will therefore begin to accrue on the civil penalty if not paid within 30 calendar days after the effective date of this Consent Agreement or, if paying in installments, not paid in accordance with the installment schedule provided above. Pursuant to 31 U.S.C. § 3717, Respondent must pay the following amounts on any amount overdue:

- a. Interest. Any unpaid portion of a civil penalty or stipulated penalty must bear interest at the rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717(a)(1). Interest will therefore begin to accrue on a civil penalty or stipulated penalty if it is not paid by the last date required. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 4 C.F.R. § 102.13(c).
- b. Monthly Handling Charge. Respondent must pay a late payment handling charge of fifteen dollars (\$15.00) on any late payment, with an additional charge of fifteen dollars (\$15.00) for each subsequent thirty (30) calendar-day period over which an unpaid balance remains.
- c. Non-Payment Penalty. On any portion of a civil penalty or a stipulated penalty more than ninety (90) calendar days past due, Respondent must pay a non-

payment penalty of six percent (6%) per annum, which will accrue from the date the penalty payment became due and is not paid. This non-payment is in addition to charges which accrue or may accrue under subparagraphs (a) and (b).

111. Penalties paid pursuant to this CA/FO are not deductible for federal purposes under 26 U.S.C. § 162(f).

IX. PARTIES BOUND

112. This CA/FO shall be binding on Respondent and its successors and assigns. Respondent shall cause its officers, directors, employees, agents, and all persons, including independent contractors, contractors, and consultants acting under or for Respondent, to comply with the provisions hereof in connection with any activity subject to this CA/FO.
113. No change in ownership, partnership, corporate or legal status relating to the Facility will in any way alter Respondent's obligations and responsibilities under this CA/FO.
114. The undersigned representative of Respondent hereby certifies that she or he is fully authorized to enter into this CA/FO and to execute and legally bind Respondent to it.

X. RESERVATION OF RIGHTS

115. Notwithstanding any other provision of this CA/FO, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. § 6973, or other statutory authority, should the EPA find that the handling, storage, treatment, transportation, or disposal of solid waste or hazardous waste at Respondent's Facility may present an imminent and substantial endangerment to human health or the environment.
116. Complainant reserves the right to take enforcement action against Respondent for any future violations of RCRA and the implementing regulations and to enforce the terms and conditions of this CA/FO.
117. Except as expressly provided herein, nothing in this CA/FO shall constitute or be construed as a release from any civil or criminal claim, cause of action, or demand in law or equity for any liability Respondent may have arising out of, or relating in any way to, the storage, transportation, release, or disposal of any hazardous constituents, hazardous substances, hazardous wastes, pollutants, or contaminants found at, taken to, or taken from Respondent's Facility.

XI. OTHER APPLICABLE LAWS

118. All actions required to be taken pursuant to this CA/FO shall be undertaken in accordance with the requirements of all applicable local, state, and Federal laws and regulations. Respondent shall obtain or cause its representatives to obtain all permits and approvals necessary under such laws and regulations.

XII. SERVICE OF DOCUMENTS

119. A copy of any documents that Respondent files in this action shall be sent to the following attorney who represents EPA in this matter and who is authorized to receive service for EPA in this proceeding:

Joan Redleaf Durbin
Associate Regional Counsel
Office of RCRA, OPA and UST Legal Support
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
(404) 562-9644

120. A copy of any documents that Complainant files in this action shall be sent to the following individual who represents Respondent in this matter and who is authorized to receive service for Respondent in this proceeding:

Levi Chaffin
Plant Manager
Century Aluminum Sebree LLC
9404 State Route 2096
Robards, Kentucky 42452-9735

XIII. SEVERABILITY

121. It is the intent of the parties that the provisions of this CA/FO are severable. If any provision or authority of this CA/FO or the application of this CA/FO to any party or circumstances is held by any judicial or administrative authority to be invalid or unenforceable, the application of such provisions to other parties or circumstances and the remainder of the CA/FO shall remain in force and shall not be affected thereby.

XIV. EFFECTIVE DATE

122. The effective date of this CA/FO shall be the date on which the CA/FO is filed with the Regional Hearing Clerk.

In the matter of Century Aluminum Sebree LLC, Docket No. RCRA-04-2015-4014(b):


AGREED AND CONSENTED TO:

Century Aluminum Sebree LLC

By: 
Levi Chaffin
Plant Manager

Dated: 09/23/15

United States Environmental Protection Agency

By: 
César A. Zapata
Chief, Enforcement and Compliance Branch
Resource Conservation and Restoration Division

Dated: 09/25/15

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4

IN THE MATTER OF:)
)
Century Aluminum Sebree LLC)
9404 State Route 2096)
Robards, Kentucky 42452-9735)
EPA ID No.: KYD 058 692 526)
Respondent)
_____)

DOCKET NO.: RCRA-04-2015-4014(b)

Proceeding Under Section 3008(a) of the
Resource Conservation and Recovery Act,
42 U.S.C. § 6928(a)

FINAL ORDER

The foregoing Consent Agreement is hereby approved, ratified and incorporated by reference into this Final Order in accordance with the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. Part 22. The Respondent is hereby ORDERED to comply with all of the terms of the foregoing Consent Agreement effective immediately upon filing of this Consent Agreement and Final Order with the Regional Hearing Clerk. This Order disposes of this matter pursuant to 40 C.F.R. §§ 22.18 and 22.31.

BEING AGREED, IT IS SO ORDERED this 28th day of September, 2015.

BY: Tanya Floyd
Tanya Floyd
Regional Judicial Officer
EPA Region 4

CERTIFICATE OF SERVICE

I hereby certify that I have this day filed the original and a true and correct copy of the foregoing Consent Agreement and the attached Final Order (CA/FO), in the Matter of Century Aluminum Sebree LLC, Docket Number: RCRA-04-2015-4014(b), and have served the parties listed below in the manner indicated:

Joan Redleaf Durbin
Associate Regional Counsel
Office of RCRA, OPA and UST Legal Support
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

(Via EPA's electronic mail)

Quantindra Smith
Enforcement and Compliance Branch
RCRD Division
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

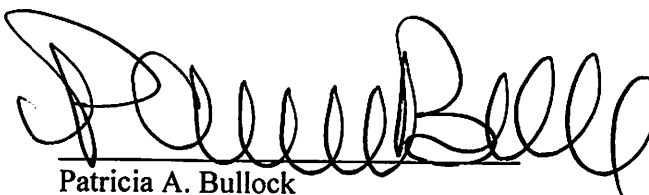
(Via EPA's electronic mail)

Levi Chaffin
Plant Manager
Century Aluminum Sebree LLC
9404 State Route 2096
Robards, Kentucky 42452-9735

(Via Certified Mail - Return
Receipt Requested)

Date:

9-29-15



Patricia A. Bullock
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
(404) 562-9511



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8860

APR 23 2010

MEMORANDUM

SUBJECT: Region 4 Data Management and Electronic Data Deliverables (EDDs)

FROM: Franklin E. Hill
Superfund Division Director

TO: Superfund Division

Introduction

As information technology advancements continue, the ability to receive, store, and use electronic data from a variety of sources becomes a critical aspect of EPA's work. EPA has the need to receive and use environmental data in an electronic format. In an effort to streamline the electronic submittal of various environmental sampling data, EPA Region 4 has adopted a standardized electronic data deliverable (EDD) format. Using a Regional EDD format allows for efficient and cost-effective exchange of site data with contractors, and Federal and State agencies.

The EPA Region 4 standard format for EDDs include quality controls to minimize potential data errors so that the data can be appropriately analyzed and utilized for decision making. The data is electronically archived for ready access as needed. As different contractors, consultants, and agencies are involved in various stages of a Superfund project, there are significant cost savings in having the site-related data readily available. The uniform EDD approach does more than cut site management costs. It provides better and more reliable stewardship of Superfund data, and when integrated with other information such as GIS, it helps ensure transparent decision making.

Data Management and Electronic Data Deliverables

When conducting Superfund work in Region 4, the party submitting data will provide an electronic submittal of data in accordance with Region 4 policies, guidelines, and formats. The Region 4 EDD is a standardized format required by the Field Branches Quality System and Technical Procedures, Environmental Data Submission Guidance, SESD-106-R0 (or most recent version). The Field Branches Quality System and Technical Procedures supersede the "Environmental Investigations Standard Operating Procedures and Quality Assurance Manual" (EISOPQAM), November 2001, and the "Ecological Assessment Standard Operating Procedures and Quality Assurance Manual" (EASOPQAM), January 2002. The methods described in this document are to be used by all data providers when preparing and submitting environmental data electronically to Region 4, regardless of the originating program.

All required information, instructions and guidance are available via the EPA web site www.epa.gov/region4/waste/sf/edd/edd.html free of charge. This web site contains links to obtain the required software, as well as the most recent versions of the Environmental Data Submission Guidance, the Region 4 EDD Reference Guide, and the Region 4 EDP Reference Manual.

Should you have questions regarding electronic data submission or wish to obtain paper copies of the guidance documents, please contact Beth Walden, Remedial Project Manager, at (404) 562-8814, or you may email walden.beth@epa.gov. You may also contact the DART Coordinator at (404) 562-8558, or you may email R4dartcoordinator@epa.gov.