

**U.S. EPA REGION 7  
HEARING CLERK**

K.A.R. 28-31-262(c)(7) requires that a generator marks satellite containers of hazardous waste with the words “hazardous waste.” The EPA determined that the respondent did not mark the following satellite containers of hazardous waste with the words “hazardous waste” a) 1-liter solvent b) 1-liter solvent c) 1-liter formalin d) 4-

liters xylene e) 4-liters xylene f) 4-liters formaldehyde g) 3-liters acetone h) 4 liters acetone i) 4 liters xylene j) 4 liters formaldehyde k) approximately 500-ml xylene l) 1-liter xylene m) 100 ml oil Red O n) approximately 75-ml decalcification waste o) approximately 75-ml PFA waste p) 150-ml PFA waste q) 75-ml hematoxylin waste

40 C.F.R. § 265.173(a) requires that a generator keep a container holding hazardous waste closed during storage, except when it is necessary to add or remove waste. The EPA determined that the respondent did not keep one 1-liter satellite hazardous waste formalin container closed, when not adding or removing waste.

- c. 40 C.F.R. § 265.174 requires that a generator must, at least weekly, inspect areas where containers of hazardous waste are stored. The EPA determined that the respondent did not inspect the hazardous waste storage area during the weeks of 12/26/2021, 12/25/2022, and 12/24/2023.
- d. 40 C.F.R. § 273.13(d)(1) requires that a small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. The EPA determined that the respondent did not close ten containers holding approximately 150 universal waste lamps.

40 C.F.R. § 273.14(a) requires that a small quantity handler of universal waste must clearly label or mark the universal waste batteries (i.e., each battery), or a container in which the batteries are contained, clearly with any one of the following phrases: “Universal Waste—Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies).” The EPA determined that the respondent did not mark 48 universal waste batteries with the words “Universal Waste - Batteries,” or “Waste Batteries” or “Used Batteries.”

40 C.F.R. § 273.14(e) requires that a requires that a small quantity handler of universal waste must clearly label or mark each lamp or a container or package in which such lamps are contained with one of the following phrases: “Universal Waste—Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s).” The EPA determined that the respondent did not mark ten containers holding approximately 150 universal waste lamps with the words ““Universal Waste - Lamps,” or “Waste Lamps” or “Used Lamps.”

- e. 40 C.F.R. § 279.22(c) requires that a generator of used oil must mark all containers and aboveground tanks used to store used oil clearly with the words “Used Oil.” The EPA determined that the respondent did not mark one 15-gallon container of used oil with the words “Used Oil.”
- 4) In determining the amount of the penalty to be assessed, EPA has taken into account the factors specified in Section 3008 of RCRA, 42 U.S.C. § 6928. After considering these

factors, EPA has determined and Respondent agrees that settlement of this matter for a civil penalty of eleven thousand two hundred and fifty dollars (\$11,250) is in the public interest.

- 5) Respondent shall pay the penalty within thirty (30) days of the effective date of the Final Order. Such payment shall identify Respondent by name and docket number and shall be by certified or cashier's check made payable to the "United States Treasury" and sent to:

U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
PO Box 979078  
St. Louis, Missouri 63197-9000

or by alternate payment method described at <http://www.epa.gov/financial/makepayment>.

- 6) A copy of the check or other information confirming payment shall simultaneously be emailed to the following:

Regional Hearing Clerk  
*R7\_Hearing\_Clerk\_Filings@epa.gov*; and

Milady Peters, Paralegal  
*peters.milady@epa.gov*.

- 7) In signing this Agreement, Respondent: (a) admits that Respondent is subject to RCRA and its implementing regulations; (b) admits that EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (c) neither admits nor denies the factual allegations contained herein; (d) consents to the assessment of this penalty; and (e) consents to electronic service of the filed ESA to the following email address: *rlickteig@KUMC.edu*. Respondent understands that the ESA will become publicly available upon filing.
- 8) By signing this Agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including, but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying the Expedited Settlement Agreement.
- 9) By its signature below Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (a) the alleged violations have been corrected, and (b) it is presently in compliance with all requirements of RCRA, 42 U.S.C. § 6901 *et. seq.*, its implementing regulations, and any permit issued pursuant to RCRA.

- 10) The undersigned representative of Respondent certifies that he or she is fully authorized to enter the terms and conditions of this Expedited Settlement Agreement and to execute and legally bind Respondent to it.
- 11) Full payment of the civil penalty shall only resolve Respondent's liability for federal civil penalties for the violations alleged herein. The EPA reserves the right to take any enforcement action with respect to any other past, present, or future violations of RCRA or any other applicable law.
- 12) The penalty specified herein shall represent civil penalties assessed by EPA and shall not be deductible for purposes of Federal, State and local taxes.
- 13) Each party shall bear its own costs and fees, if any.
- 14) This Agreement is binding on the parties signing below.

IT IS SO AGREED,

Ryan C. Lickteig  
Name (print)  
Director of Environment, Health & Safety  
Title (print)  
R C Lickteig 12/24/24  
Signature Date

APPROVED BY EPA:

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David Cozad  
Director  
Enforcement and Compliance Assurance Division

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Date

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Christopher Muehlberger, Attorney  
Office of Regional Counsel

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Date

FINAL ORDER

Pursuant to the authority of Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), and 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 foregoing Expedited Settlement Agreement resolving this matter is hereby ratified and incorporated by reference into this Final Order.

Respondent is ORDERED to comply with all of the terms of the Expedited Settlement Agreement. In accordance with 40 C.F.R. § 22.31(b), the effective date of the foregoing Expedited Settlement Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

IT IS SO ORDERED.

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Karina Borromeo  
Regional Judicial Officer

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Date

**CERTIFICATE OF SERVICE**  
**To be completed by EPA**

I certify that that a true and correct copy of the foregoing Expedited Settlement Agreement and Final Order, in the matter of University of Kansas Medical Center, EPA Docket No. RCRA-07-2025-0010, was sent this day in the following manner to the following addressees:

Copy via e-mail to Complainant:

Christopher Muehlberger, Office of Regional Counsel  
*Muehlberger.christopher@epa.gov*

Amy Thompson, Enforcement and Compliance Assurance Division  
*Thompson.amy@epa.gov*

Milady Peters, Office of Regional Counsel  
*peters.milady@epa.gov*

Copy via e-mail to Respondent:

Ryan Lickteig  
Director of Environmental Health and Safety  
University of Kansas Medical Center  
3901 Rainbow Boulevard  
Kansas City, Kansas 66160  
*RLICKTEIG@KUMC.EDU*

Copy via e-mail to the State of Kansas:

KS:  
Julie Coleman, Director (*julie.coleman@ks.gov*)  
Bureau of Waste Management  
Kansas Department of Health and Environment

Jeff Walker (*jeff.walker@ks.gov*)  
Compliance and Enforcement, Waste Reduction, and Assistance Section  
Kansas Department of Health and Environment

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signed