

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:)	Docket No. RCRA-10-2025-0110
)	
)	
Honeywell Intl Inc 36th St)	
15001 NE 36th Street)	
Redmond, Washington 98052)	EXPEDITED SETTLEMENT
EPA ID No. WAD009249392)	AGREEMENT AND
)	
Respondent)	FINAL ORDER
)	
)	

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. By copy of this letter, the EPA is providing the State of Washington with notice of the referenced violations of Subtitle C of RCRA as required by Section 3008(a)(2), 42 U.S.C. § 6928(a)(2).
3. Honeywell Intl Inc 36th St ("Respondent") is the owner or operator of the facility at 15001 NE 36th Street Redmond, Washington ("Facility"). The EPA alleges that Respondent violated the following requirements of the RCRA and the EPA approved and authorized State of Washington dangerous waste management program.
 - a. Operating as a Treatment, Storage or Disposal Facility without a Dangerous Waste Permit or Interim Status

Pursuant to WAC 173-303-800(2) and 40 C.F.R. § 270.1(c), each person owning or operating a facility for the treatment, storage or disposal of dangerous waste must have a permit or interim status for such facility. The Honeywell production facility located in Redmond, Washington does not have a RCRA permit or interim status. Therefore, Honeywell may not store hazardous waste at the Facility without complying with the applicable conditions for exemption from the permit requirement at WAC 173-303-200. Based on its inspection of the Facility, EPA has determined that Honeywell did not meet the conditions for exemption from the requirements to have a RCRA permit or interim status, as outlined in the violations below.

- i. Failure to inspect central accumulation areas of dangerous waste weekly

The regulations at WAC 173-303-630(6), incorporated by reference at WAC 173-303-200(1)(b)(i) provides that large quantity generators may accumulate dangerous waste at a facility without a permit or interim status, if, among other things, at least weekly, the large quantity generator inspects the central accumulation area in which they accumulate dangerous waste.

Both during the on-site component of the inspection, and while reviewing records off-site, the inspector reviewed weekly inspection logs of the central accumulation area. The inspector observed multiple instances of missing weekly logs, consolidated into two instances:

- One week in July 2022
- One week September 2023

The regulations at WAC 173-303-200(1) state certain generators may accumulate dangerous waste on-site without a permit for 90 days or less after the date of generation provided the generator meets specific conditions. A required condition, at WAC 173-303-630(6), requires the generator to inspect areas where containers are stored at least weekly. By failing to inspect their on-site container storage areas at least weekly, Honeywell twice failed to meet this provision of the Dangerous Waste Regulations.

ii. Failure to maintain contingency plan

The regulations at WAC 173-303-350(3)(d), incorporated by reference at WAC 173-303-200(1)(e)(i) provides that large quantity generators may accumulate dangerous waste at a facility without a permit or interim status, if, among other things, they develop a contingency plan to lessen the potential impacts of emergency circumstances, and the plan includes a current list of names, addresses, and phone numbers of all persons qualified to act as the emergency coordinator.

During the inspection, the inspector noted in the provided Honeywell contingency plan, that the plan listed Mr. Kyle Peterson as the Primary Incident Manager in the Emergency Response Team section of the plan. Staff on-site during the inspection previously stated that Mr. Peterson had left employment at the site approximately four months previously.

The regulations at WAC 173-303-200(1) state certain generators may accumulate dangerous waste on-site without a permit for 90 days or less after the date of generation provided the generator meets specific conditions. A required condition, at WAC 173-303-350(3)(d), requires large quantity generators to keep a contingency plan with a current list of person qualified to act as the emergency coordinator. By failing to keep their contingency plan current, Honeywell failed to meet this provision of the Dangerous Waste Regulations.

iii. Failure to complete required training

The regulations at WAC 173-303-330(2)(c), incorporated by reference at WAC 173-303-200(1)(e)(i) provides that large quantity generators may accumulate dangerous waste at a facility without a permit or interim status, if, among other things, they develop a written training plan which must be kept at the facility and which must include records

documenting that facility personnel have received and completed the training required by the plan.

While reviewing the training plan and the training records for Honeywell staff person Ms. Joanna Larson, the inspector observed that the training plan required Ms. Larson take annual, eight-hour dangerous waste management training and HAZWOPER training. During the inspection Ms. Larson stated she worked at the site for two years; training records indicated she began working at the site in May of 2022, more than 26 months prior to the inspection. The training records indicated Ms. Larson did not take dangerous waste training in 2023 and had not taken HAZWOPER.

The regulations at WAC 173-303-200(1) state certain generators may accumulate dangerous waste on-site without a permit for 90 days or less after the date of generation provided the generator meets specific conditions. A required condition, at WAC 173-303-330(2)(c), requires large quantity generators to develop a written training plan which must include records documenting facility personnel took required trainings. By failing to make available and record the required trainings for Ms. Larson, Honeywell failed to meet the provision of the regulations found at WAC 173-303-330(2)(c).

iv. Failure to keep general facility inspection log according to requirements

The regulations at WAC 173-303-320(2)(d), incorporated by reference at WAC 173-303-200(1)(e)(ii) provides that large quantity generators may accumulate dangerous waste at a facility without a permit or interim status, if, among other things, they keep an inspection log including the date and time of the inspection, the printed and handwritten signature of the inspector, a notation of their observations, and account of spills or discharges, and the date and nature of any repairs or remedial actions taken. The inspection must follow a written schedule kept at the facility and account for all monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment that help prevent, detect, or respond to hazards to the public health or the environment.

While reviewing the general facility inspection logs, the inspector observed numerous instances of inspection logs lacking the printed names of the inspectors. The inspector also observed an instance of facility staff taking a remedial action with response equipment but not dating when the action occurred.

The regulations at WAC 173-303-200(1) state certain generators may accumulate dangerous waste on-site without a permit for 90 days or less after the date of generation provided the generator meets specific conditions. A required condition, at WAC 173-303-320(2)(d), requires large quantity generators to keep an inspection log for facility inspections that includes the printed name and signature of the inspector and the date and nature of any repairs or remedial actions taken. By failing to keep an inspection log with these required elements, Honeywell failed to meet the requirement found at WAC 173-303-320(2)(d).

v. Failure to properly label or mark dangerous waste containers

The regulations at WAC 173-303-200(1)(d) require large quantity generators to label or mark containers of dangerous waste with the words “dangerous waste” or “hazardous waste” while they accumulate on site. The regulations also require generators to mark with a label or sign containers of dangerous waste identifying the major risk(s) associated with the waste in the container for employees, emergency response personnel and the public.

At the time of inspection, in the Central Accumulation Area (chemical storage sheds), the inspector observed numerous containers lacking labels or markings reading “dangerous waste” or “hazardous waste,” including containers of potassium hydroxide stored in lieu of disposal. Facility staff acknowledged the status of the material as waste during the inspection, and that the waste would designate as characteristically dangerous waste.

Failing to label containers of dangerous waste as such and with the associated risk(s) violates the rule found at WAC 173-303-200(1)(d) and constitutes a failure to meet the conditions of exemption from obtaining a storage permit.

vi. Failure to label or mark dangerous waste containers with accumulation start date

The regulations at WAC 173-303-200(1)(c) state that generators may accumulate dangerous waste on-site without a permit for ninety days or less after the date of generation provided that the date upon which each period of accumulation begins is marked and clearly visible for inspection on each container.

During the inspection in the Central Accumulation Area (chemical storage sheds), the inspector observed four containers of waste missing accumulation start dates:

- Two containers of labeled toxic hazardous waste “Handy Flux”
- One container of labeled corrosive hazardous waste “Surface Strip 419”
- One container of labeled corrosive hazardous waste “Chrome Etch”

Failing to label containers of dangerous waste with the date accumulation started in each container constitutes four failures to comply with the regulation found at WAC 173-303-200(1)(c) and meet all the conditions of exemption from obtaining a storage permit.

vii. Failure to keep containers of dangerous waste closed

The regulation at WAC 173-303-200(2) provides that a generator may accumulate as much as fifty-five gallons of dangerous waste or one quart of acutely hazardous waste as defined in WAC 173-303-040 in containers at or near any point of generation where waste initially accumulates, defined as a satellite accumulation area in WAC 173-303-040. The satellite container must be under the control of the operator of the process generating the waste or secured at all times to prevent improper additions of wastes to a satellite container. Further, the regulation stipulates additional requirements, including the regulations at WAC 173-303-630(2), incorporated, require containers to be in good condition, with no structural defects and WAC 173-303-630(5)(a), which requires always keeping containers of dangerous waste closed except when necessary to add or remove waste.

During the inspection, the inspector observed an open container in the Metal Parts area holding ignitable solvent, and, in the same area, an open container holding solvent contaminated debris that Honeywell manages as dangerous waste.

Failing to keep containers of dangerous waste closed except when necessary to add or remove waste represents a failure to meet the regulations at WAC 173-303-630(5)(a) and WAC 173-303-200(2). This also represents a failure to meet the conditions of exemption from dangerous waste permitting and the satellite area accumulation rules.

b. Failure to submit manifest exception reports

The regulation at WAC 173-303-220(2)(b) states generators who do not receive a copy of the manifest with the handwritten signature of the owner/operator of the designated facility within forty-five days of the date the waste was accepted by the initial transporter must submit an exception report to the department.

After the inspection, when submitting the records request, the inspector asked Honeywell for copies of any manifest exception reports. Honeywell stated they did not have any exception reports. The inspector similarly asked Ecology if they had copies of any manifest exception reports and the Ecology inspectors who joined the inspection stated they had none.

While reviewing manifests in RCRAInfo's eManifest module, I noted these manifests recorded shipments of dangerous waste in transit longer than 45 days from when the initial transporter signed the manifest and when the designated facility signed the manifest:

Manifest Tracking Number	Shipped Date	Received Date
018795032FLE	11/21/2023	1/18/2024
018789967FLE	10/24/2023	1/1/2024
018620013FLE	8/22/2023	10/14/2023
018754191FLE	5/24/2023	7/19/2023

c. Failure to label used oil containers

The regulations at WAC 173-303-515(6), which incorporates 40 C.F.R. § 279.22(c)(1) by reference, requires containers used to store used oil at generator facilities to be labeled or marked clearly with the words "Used Oil."

During the inspection, in the Flex test area, the inspector observed a container holding a spent oil. The container lacked a label or clear marking with the words "Used Oil."

Failing to label or mark clearly each on-site container used to store used oil with the words "Used Oil" constitutes a violation of the regulation found at WAC 173-303-515(6), and 40 C.F.R. § 279.22(c)(1), incorporated by reference

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 **\$20,000**. 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 \$20,000 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: <https://www.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
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979078
St. Louis, Missouri 63197-9000

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

Kyle Masters

U.S. Environmental Protection Agency

Region 10

Masters.Kyle@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.

13. This Agreement is binding on the parties signing below and, in accordance with 40 C.F.R. § 22.31(b), is effective upon filing of the Final Order with the Regional Hearing Clerk for the EPA, Region 10.

IT IS SO AGREED,

RESPONDENT:

Name (print): _____

Title (print): _____

Signature: _____

Date: _____

EPA REGION 10:

Edward J. Kowalski, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 10

Date: _____

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: Honeywell Intl Inc 36th St, Docket No.: RCRA-10-2025-0110, 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:

Kyle Masters
U.S. Environmental Protection Agency
Region 10
Masters.Kyle@epa.gov

Joe Quercia
Honeywell Intl Inc 36th St
15001 NE 36th Street
Redmond, Washington 98052

DATED this _____ day of _____, 2025.

Salee Porter
Regional Hearing Clerk
EPA Region 10