

**BEFORE THE UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY**

IN THE MATTER OF:	)	Docket No. RCRA-10-2022-0162
	)	
	)	
Ravn Alaska	)	
	)	EXPEDITED SETTLEMENT
Respondent	)	AGREEMENT AND
	)	FINAL ORDER
Ravn Alaska	)	
4700 Old International Airport Rd.	)	
Anchorage, Alaska	)	
	)	
EPA ID Number: AKW000000288	)	
	)	
Facility	)	
_____	)	

**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. Ravn Alaska (“Respondent”) is the owner or operator of the facility at 4700 Old International Airport Rd, Anchorage, Alaska 99502 (“Facility”). The EPA inspected the Facility on January 19, 2022. Respondent is a Very Small Quantity Generator of Hazardous Waste and a Small Quantity Handler of Universal 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 requirements of the RCRA.

**a. Violation 1: Failure to conduct a Hazardous Waste Determination**

The regulations at 40 C.F.R. § 262.14 allow very small quantity generators of hazardous waste to accumulate hazardous waste without a permit provided they meet certain conditions. The condition at 40 C.F.R. § 262.14(a)(2) requires a very small generator to comply with 40 C.F.R. § 262.11(a) through (d), which outline the steps required in conducting a hazardous waste determination.

On January 19, 2022, blue paper towels with methyl ethyl ketone (MEK) used in a solvent capacity to clean aircraft parts and activate/reactivate certain adhesives were observed in a

container that empties into the municipal solid waste. A hazardous waste determination had not been conducted on these MEK paper towels, in violation of 40 C.F.R. § 262.11 and the condition for exemption at 40 C.F.R. § 262.14(a)(2).

**b. Violation 2: Failure to label or mark Universal Waste Lamps**

40 C.F.R. § 273.14(e) requires that a small quantity handler of universal waste lamps must label or mark each lamp with one of the following phrases: “Universal Waste - Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s).”

On January 19, 2022, a fiberboard container holding approximately 40 waste fluorescent lamps was not marked or labeled with the phrases: “Universal Waste - Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s),” in violation of 40 C.F.R. § 273.14(e).

**c. Violation 3: Failure to label containers of Used Oil**

40 C.F.R. § 279.22(c)(1) requires used oil generators to label or mark containers and aboveground tanks used to store used oil clearly with the words “Used Oil.”

On January 19, 2022, three 55-gallon containers of used oil and one one-gallon bucket of used oil generated by Respondent were not labeled or marked with the words “Used Oil,” in 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 \$3,750. 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 \$3,750 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 979077  
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

Matthew Quarterman  
U.S. Environmental Protection Agency  
Region 10  
Quarterman.Matthew@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: Ravn Alaska, Docket No.: RCRA-10-2022-0162, 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:

Matthew Quarterman  
U.S. Environmental Protection Agency  
Region 10  
1200 Sixth Avenue, Suite 155, M/S 20-C04  
Seattle, WA 98101  
Quarterman.Matthew@epa.gov

Tony Santiago  
Ravn Alaska  
4700 Old International Airport Rd  
Anchorage, Alaska 99502  
tony.santiago@ravnalaska.com

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Regional Hearing Clerk  
EPA Region 10