



## REGION 4

ATLANTA, GA 30303

### ELECTRONIC MAIL

### CONFIRMATION OF RECEIPT EMAIL REQUESTED

David W. Hitchens  
Environmental Chemist/CEO  
Advanced Environmental Options, Inc.  
25 Stan Perkins Road  
Spartanburg, South Carolina 29307  
dhitchens@aeoweb.com

Re: Opportunity to Show Cause  
Resource Conservation Recovery Act (RCRA) Compliance Evaluation Inspection (CEI)  
Advanced Environmental Options, Inc.  
EPA ID: SCR000074575

Dear David W. Hitchens:

On June 18, 2024, the U.S. Environmental Protection Agency (EPA), along with the South Carolina Department of Environmental Services (SCDES), conducted a RCRA CEI at Advanced Environmental Options, Inc. located in Spartanburg, South Carolina to determine the facility's compliance status with RCRA and applicable regulations. This RCRA CEI was an EPA-lead inspection. On December 10-12, 2024, the EPA's National Enforcement Investigations Center (NEIC), accompanied by the SCDES, conducted a sampling investigation focused on screening and collecting samples from waste containers and tanks at Advanced Environmental Options, Inc. located in Spartanburg, South Carolina. NEIC also assessed Advanced Environmental Options, Inc.'s compliance with RCRA and applicable regulations. This sampling investigation was also an EPA-lead inspection and investigation.

Based on observations made during the CEI and NEIC investigation, the EPA has determined that the Advanced Environmental Options, Inc. facility in Spartanburg, South Carolina may not be in compliance with several requirements of the South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. [Subtitle C of RCRA, 42 U.S.C. §§ 6921 to 6939(g)], and the regulations promulgated pursuant thereto, found at South Carolina Hazardous Waste Management Regulations, S.C. Code Ann. Regs. 61-79.260-270, 61-79.273 and 61-79.279 [Title 40 of the Code of Federal Regulations (C.F.R.) Parts 260 through 279]. The observations made during the inspections are summarized in the attached RCRA CEI Report and NEIC Civil Investigation Report.

Please provide a detailed written response within fourteen (14) days following receipt of this letter describing any actions that Advanced Environmental Options, Inc. has taken and/or intends to take related to the observations and potential violations documented in the RCRA CEI Report and NEIC Civil Investigations Report. Your response should be emailed to:

Kayla Acosta  
acosta.kayla@epa.gov  
U.S. Environmental Protection Agency, Region 4  
RCRA Enforcement Section  
Chemical Safety and Land Enforcement Branch  
Enforcement and Compliance Assurance Division

Information currently available to the EPA suggests that Advanced Environmental Options, Inc. may be in violation of, or have committed violations of, RCRA. By this letter, the EPA is extending to you an opportunity to advise the Agency, via a conference call, of any further information the EPA should consider with respect to the potential violations. Advanced Environmental Options, Inc. may elect to be represented by legal counsel at this meeting and should be prepared to present relevant information and documentation pertaining to the EPA's observed potential violations.

The EPA may determine that a formal enforcement action is appropriate and may assess civil penalties pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a). Therefore, Advanced Environmental Options, Inc. has the opportunity to present factors and documentation that could mitigate any penalties that may be assessed against the facility, including information on the ability of Advanced Environmental Options, Inc. to pay a penalty. Prior to the meeting, Advanced Environmental Options, Inc. may review the following documents:

- **RCRA Civil Penalty Policy** found at: <https://www.epa.gov/sites/default/files/2020-05/documents/june2003rcracivilpenaltypolicyamended050620.pdf>
- **Amendments to EPA's Civil Penalty Policies to Account for Inflation:**  
<https://www.govinfo.gov/content/pkg/FR-2025-01-08/pdf/2025-00206.pdf>

Please be advised that any information provided by Advanced Environmental Options, Inc. at the meeting may be used by the EPA in any civil or criminal proceedings related to this or other matters. Any false, fictitious, or fraudulent material omissions, statements or representations may subject Advanced Environmental Options, Inc. to criminal penalties under Section 3008(d)(3) of RCRA, 42 U.S.C. § 6928(d)(3).

If Advanced Environmental Options, Inc. chooses to accept this offer to meet with the EPA, a representative should contact Kayla Acosta **within fourteen (14) days** following receipt of this letter to schedule a conference call. Kayla Acosta can be reached at (404) 562-8451 or by email at [acosta.kayla@epa.gov](mailto:acosta.kayla@epa.gov). If you decide not to accept this offer to meet to discuss the observed potential violations, the EPA may proceed with enforcement action against Advanced Environmental Options, Inc. as authorized under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), including the assessment of appropriate civil penalties and injunctive relief.

If Advanced Environmental Options, Inc. is a Small Business or a Small Community, you can find compliance and enforcement resources specifically designed to meet your needs at: <http://www2.epa.gov/enforcement/small-businesses-and-enforcement>. In that webpage you can find information about the Small Business Regulatory Enforcement Fairness Act (SBREFA) that accords some rights to small businesses and is aimed at providing assistance to small businesses and other small entities, making tools available for better understanding of the regulatory and enforcement processes, and seeing that there is no unfair treatment relating to the regulatory enforcement process.

Please feel free to contact Kayla Acosta if you have any technical questions regarding the observations and findings from the inspection performed at Advanced Environmental Options, Inc.'s facility.

Sincerely,

**ARACELI**  
**CHAVEZ**

Digitally signed by  
ARACELI CHAVEZ  
Date: 2025.05.15  
12:45:38 -04'00'

for Kimberly L. Bingham  
Chief

Chemical Safety and Land Enforcement Branch

Enclosure

1. 06-18-2024 AEO CEI Report and Photo Log
2. 12-10-2024 AEO NEIC Report
3. Appendix B Field Photographs
4. Appendix C 10-day HzW Inventory
5. Appendix D Hazardous Waste Manifests
6. Appendix E Drug Lab Inventory
7. Appendix F Lab Pack Inventory
8. Appendix G Sampling Photographs
9. Appendix H RCRAInfo Source Record
10. Appendix I Chain of Custody
11. Appendix J Laboratory Photographs

cc: Tom Richmond  
SCDES  
[tom.richmond@des.sc.gov](mailto:tom.richmond@des.sc.gov)

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