



5/7/2024

SENT BY ELECTRONIC MAIL

rsteffe@tctrr.com

Calvin Greene II
Environmental Representative
INEOS Acetyls Chemicals Texas City, Inc.
201 Bay Street South
Texas City, Texas 775902

Re: EXPEDITED SETTLEMENT OPPORTUNITY
Notice of Investigation Results under the Resource Conservation and Recovery Act
INEOS Acetyls Chemicals Texas City, Inc. EPA ID Number TXD008079527
Docket Number RCRA-06-2024-0960

Dear Mr. Greene II:

Improperly managed hazardous waste poses a serious threat to human health and the environment. Through implementation of the authorities in the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6901 – 6992k, the United States Environmental Protection Agency ("EPA") regulates hazardous waste activities from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste and universal waste.

The EPA, Region 6, has conducted a review of information available concerning INEOS Acetyls Chemicals Texas City, Inc. (INEOS Acetyls) facility located at 201 Bay Street South, Texas City, Texas 775902. EPA's review indicates INEOS Acetyls Chemicals failed to meet the Standards for Management of Universal Waste Pursuant to 30 TEX.ADMIN.CODE § 335.261, [40 C.F.R. § 273]. The inspection report can be viewed at <https://www.epa.gov/tx/enforcement-compliance-assurance-documents-texas>.

The EPA encourages INEOS Acetyls to immediately review its compliance with the foregoing requirements and if INEOS Acetyls Chemicals disputes these violations, provide a written explanation, along with any documentation to Ashley Pederson at pederson.ashley@epa.gov within 10 days of your receipt of this letter.

The EPA is committed to a fair and quick settlement of this matter. Section 3008 of RCRA, 42 U.S.C. § 6928, authorize EPA to pursue civil penalties of up to \$87,885 per day for each violation. By this letter, the EPA is offering INEOS Acetyls with an opportunity to quickly resolve these violations through an expedited settlement process with a substantially reduced penalty of \$2,500.

Expedited Settlement Agreement Process

To take advantage of the expedited settlement process, INEOS Acetyls must comply with each of the following conditions within 30 days of your receipt of this letter:

1. Correct the violations by correctly labeling all universal waste with RCRA universal waste standards and performing accurate hazardous waste determinations on all waste streams.
2. Sign and return the attached Expedited Settlement Agreement. In signing the attached Agreement, INEOS Acetyls is certifying under penalty of law that: (a) the violations have been corrected; (b) the assessed penalty has been paid; and (c) INEOS Acetyls is waiving its opportunity for a hearing or an appeal concerning the violations.
3. Pay the assessed penalty of \$2,500. Provide payment, by cashier or certified check, or by alternate payment method described at <http://www.epa.gov/financial/makepayment>. The payment shall reference Docket No. RCRA-06-2024-0960, be made payable to the "United States Treasury" and sent to:

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

4. Send, by email, a pdf copy of the signed Agreement and a copy of the penalty payment to Ashley Pederson at pederson.ashley@epa.gov and Russell Murdock at murdock.russell@epa.gov.

If INEOS Acetyls can demonstrate in writing that it is technically infeasible or impracticable to correct the violations within 30 days, upon request, the EPA, at its discretion, may grant an extension. Extension requests and the above demonstration must be made in writing no later than 10 days before the end of the initial 30-day compliance period. The request must clearly indicate whether INEOS Acetyls intends to take advantage of the expedited settlement agreement process. Any extensions must be granted in writing by EPA.

If INEOS Acetyls does not follow the procedures outlined in this letter for expedited settlement (i.e., correct the violations, pay the assessed penalty, and sign and return the Agreement) within 30 days of the receipt of this letter, then this settlement offer will be automatically withdrawn, without prejudice to the EPA's ability to file an enforcement action for the cited violations and to seek up to the statutory maximum penalty for each violation.

Thank you for your attention to this matter. If you have any questions, please contact Ashley Pederson, of my staff, at pederson.ashley@epa.gov or (214) 665-7561.

Sincerely,

Jeff Yurk, Manager
Waste and Chemical Enforcement Branch

cc: madelyn.flannagan@tceq.texas.gov
john.shelton@tceq.texas.gov

Attachment: Expedited Settlement Agreement