



REGION 4

ATLANTA, GA 30303

ELECTRONIC MAIL

CONFIRMATION OF RECEIPT EMAIL REQUESTED

Michael Jansa
Branch General manager
Safety-Kleen Systems
120 Richardson Drive
Jackson, Mississippi 39209
Jansa.michael@cleanharbors.com

Re: Opportunity to Show Cause
Resource Conservation Recovery Act (RCRA) Compliance Evaluation Inspection (CEI)
Safety-Kleen Systems, EPA ID: MSD000776765

Dear Michael Jansa:

On February 25, 2025, the U.S. Environmental Protection Agency, along with the Mississippi Department of Environmental Quality (MDEQ) conducted a RCRA CEI at Safety-Kleen Systems located in Jackson, Mississippi to determine the facility's compliance status with RCRA and applicable regulations. This RCRA CEI was an EPA-lead inspection.

The EPA has determined that the facility may not be in compliance with several requirements of the Miss. Code Ann. § 17-17-1 et seq. [Subtitle C of RCRA, 42 U.S.C. §§ 6921 to 6939(g)], and the regulations promulgated pursuant thereto, found at 11 Miss. Admin. Code Pt. 3, R. 1.1-1.24 [Title 40 of the Code of Federal Regulations (C.F.R.) Parts 260 through 279] based on potential violations observed during the CEI. The observations made during the inspection are summarized in the attached RCRA CEI Report.

Please provide a detailed written response within fourteen (14) days following receipt of this letter describing any actions that Safety-Kleen Systems has taken and/or intends to take related to the observations and potential violations documented in the RCRA CEI Report. Your response should be emailed to:

Raj Aiyar
aiyar.raj@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 Safety-Kleen Systems 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. Safety-Kleen Systems 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, Safety-Kleen Systems has the opportunity to present factors and documentation that could mitigate any penalties that may be assessed against the facility, including information on Safety-Kleen Systems ability to pay a penalty. Prior to the meeting, Safety-Kleen 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.epa.gov/system/files/documents/2024-01/amendmentstotheepacivilpenaltypolicyinflation011524.pdf>

Please be advised that any information provided by Safety-Kleen Systems 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 Safety-Kleen Systems to criminal penalties under Section 3008(d)(3) of RCRA, 42 U.S.C. § 6928(d)(3).

If Safety-Kleen Systems chooses to accept this offer to meet with the EPA, the facility should contact Raj Aiyar **within fourteen (14) days** following receipt of this letter to schedule a conference call. Raj Aiyar can be reached at (404) 562-8993 or by email at aiyar.raj@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 Safety-Kleen Systems 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 Safety-Kleen Systems 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 contact Raj Aiyar if you have any technical questions regarding the observations and findings from the inspection performed at Safety-Kleen System's facility.

Sincerely,

Digitally signed by
KIMBERLY
BINGHAM
Date: 2025.07.15
11:16:22 -04'00'

Kimberly L. Bingham
Chief
Chemical Safety and Land Enforcement Branch

cc: Cozzie Thomas
Safety-Kleen Systems
cozzie.thomas@safety-kleen.com

Leigh Tanner
MDEQ
LTanner@mdeq.ms.gov

Krista Caron
MDEQ
kcaron@mdeq.ms.gov