



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

8/28/2023

VIA Electronic Mail: jcartwright@wcstexas.com

Jay Cartwright
9998 W State Hwy 176
Andrews, TX 79714

Re: Notice of Potential Violation and Opportunity to Confer
Resource Conservation and Recovery Act
Waste Control Specialists

Dear Mr. Cartwright:

Hazardous waste that is improperly managed 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 regulates the control of hazardous waste from the “cradle-to-grave.” This includes the generation, transportation, treatment, storage and disposal of hazardous waste.

On May 3-5 2023, the EPA, Region 6 conducted an inspection at Waste Control Specialists's facility located in Andrews, TX. The purpose of the inspection was to determine Waste Control Specialists's compliance with the requirements of RCRA, and the implementing regulations. The information currently available to the EPA, collected as a result of the inspection, suggests that Waste Control Specialists may be in violation of RCRA. By this letter, the EPA is extending Waste Control Specialists the opportunity to advise the Agency, via a conference call, or in writing, of any further information the EPA should consider with respect to the following potential violations of RCRA and the implementing regulations:

- Required Aisle Space
 - Failure to maintain required aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency pursuant to 40 C.F.R. § 264.35.
- Satellite Accumulation Area Regulations for Large Quantity Generators
 - Failure to contain less than 55-gallons of non-acute hazardous waste in a satellite accumulation area and dispose excess waste accordingly for a large quantity generator pursuant to 40 C.F.R. § 262.15(a).

If Waste Control Specialists is interested in participating in an opportunity to confer with the Agency with respect to the above listed potential violations, please contact Hollis Henley, with the Office of Regional Counsel, within 14 calendar days of receipt of this letter at henley.hollis@epa.gov or 214-665-6766.

Thank you for your attention to this matter. If you have any questions, please contact Hollis Henley, at henley.hollis@epa.gov or 214-665-6766, or Elizabeth Pham, of my staff, at pham.elizabeth@epa.gov or 214-665-8354.

Sincerely,

JEFFREY
YURK

Digitally signed
by JEFFREY YURK
Date: 2023.08.25
15:55:00 -05'00'

Jeff Yurk
Manager
Waste Enforcement Branch

Enclosure: Additional Sources of Information

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

ADDITIONAL SOURCES OF INFORMATION

- Information on RCRA and hazardous waste regulations
<https://www.epa.gov/rcra/resource-conservation-and-recovery-act-rcra-regulations>
- RCRA Civil Penalty Policy
<https://www.epa.gov/enforcement/resource-conservation-and-recovery-act-rcra-civil-penalty-policy>
- Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22
https://www.epa.gov/sites/production/files/2013-10/documents/final-crop-fr_1.pdf
- Small Business Fact Sheet
www.epa.gov/compliance/small-business-resources-information-sheet