



REGION 10

SEATTLE, WA 98101

Ms. Lisa Marquiss
Corporate Director of Safety and Compliance
Carlile Transportation Systems, LLC
1800 East 1st Avenue
Anchorage, Alaska 99501

Re: Carlile Transportation Systems, LLC - Request for Information
Pursuant to Section 3007 of the Resource Conservation and Recovery Act and
Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act

Dear Ms. Marquiss:

Under the provisions of Section 3007(a) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6927(a), the United States Environmental Protection Agency (EPA) may require any person who generates, stores, transports or otherwise handles hazardous waste to furnish information related to that waste. Under the provisions of Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604(e), EPA may require any person who has or may have information relevant to (1) the identification, nature and quantity of materials which have been or are generated, treated, stored or disposed of at a vessel or facility or transported to a facility; (2) the nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility or (3) information relating to the ability of a person to pay for or to perform a cleanup to furnish, upon reasonable notice, information or documents relating to such matters.

Pursuant to EPA's authority set forth in Section 3007(a) of RCRA and Section 104(e) of CERCLA, you are required to answer the questions provided in Enclosure 3 and provide copies of all documentation requested. Responses to this Information Request must be made in writing, signed by a duly authorized representative and submitted to the EPA within thirty (30) calendar days of receipt of this letter.

This Request for Information concerns the Carlile Transportation Systems, LLC, Anchorage, Alaska, EPA ID number AKR000005611 ("Carlile" or "Facility"). This Request for Information acknowledges that certain related information has been informally submitted to EPA previously; however, please note you are required to submit all responsive information (including previously submitted material) under certification that it is true, accurate and complete.

All terms not defined in this Information Request shall have their ordinary meaning, unless such terms are defined in Section 1004 of RCRA, 42 U.S.C. § 6903, Section 101 of CERCLA, 42 U.S.C. § 9601 or Title 40 of the Code of Federal Regulations, in which case such statutory or regulatory definition shall apply.

Please provide a separate narrative response to each request and provide any and all documents relied upon or related to your response to each request. Precede each answer with the number of the question and letter of the subpart of the question to which it corresponds.

Please provide responses to the best of your ability, even if the information sought was never put down in writing or if the written documents are no longer available. If requested information or documents are not known or are not available to you at the time of your response to this information request, but later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after submission of your response that any portion is or becomes false, incomplete or misrepresents the facts, you must provide EPA with a corrected response as soon as possible.

Please follow the instructions in Enclosure 1 when preparing your response and submit a signed and scanned version of your response to the attached Information Request by email to chu.xiangyu@epa.gov using the email subject line: "Request for Information Regarding Carlile Transportation Systems." Please ensure that the Declaration (Enclosure 4) is signed by a duly authorized officer or agent of the Facility and returned with the response to this Information Request.

Section 3008 of RCRA, 42 U.S.C. § 6928, authorizes the initiation of a civil enforcement proceeding for failure to respond fully to the information request set out in this letter. Section 3008 also authorizes criminal prosecution for knowingly making a false statement or omitting material information.

EPA regulations governing confidentiality of business information are set forth in 40 C.F.R. Part 2, Subpart B. For any portion of the information submitted which is entitled to confidential treatment, please assert a confidentiality claim in accordance with 40 C.F.R. § 2.203(b). If EPA determines that the information so designated meets the criteria set forth in 40 C.F.R. § 2.208, the information will be disclosed only to the extent and by means of the procedures specified in 40 C.F.R. Part 2, Subpart B. As described in 40 C.F.R. § 2.203(a)(2), EPA will construe the failure to furnish a confidentiality claim within 14 calendar days from the date of your receipt of this letter as a waiver of that claim and information may be made available to the public by EPA without further notice.

This request for information is not subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 44 U.S.C. §§ 3502(3), 3507, 3512, and 3518(c)(1). Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than 10 persons. See 44 U.S.C. § 3502(4), (11); 5 C.F.R. §§ 1320.4 and 1320.6(a).

Thank you for your prompt attention to this important matter. If you have any questions concerning this Information Request, you may consult with the EPA prior to the end of the 30 day timeframe specified above for providing the requested information. EPA strongly encourages such consultation in order to avoid the need for follow-up information requests.

If you have any questions regarding this request, please contact Xiangyu Chu, of my staff, at (206) 553-2859 or chu.xiangyu@epa.gov. Your cooperation in this matter is appreciated.

Sincerely,

MORGAN JENCIUS Digitally signed by MORGAN
JENCIUS
Date: 2024.06.11 15:53:26 -07'00'

Morgan Jencius, Chief
Air and Land Enforcement Branch
Enforcement and Compliance Assurance Division

Enclosures

1. Instructions
2. Definitions
3. Information Request
4. Declaration

cc: Ms. Emily Hartley
Hazardous Materials Coordinator, Carlile Transportation Systems, LLC

ENCLOSURE 1

Instructions:

1. Identify the person(s) responding to these Information Requests on behalf of Respondent. See Enclosure 2 for the definition of “identify.” Provide the full name and title for each person identified, business telephone number, email address for each individual identified and the number of years that each identified individual has worked for or at the Facility.
2. A separate narrative response must be made to each of the Information Requests set forth herein.
3. Precede each answer with the number of the Information Request to which it corresponds.
4. In answering each question in the Information Request, identify all documents and persons consulted, examined or referred to in the preparation of each response and provide true and accurate copies of all such documents.
5. For each document produced in response to this Information Request, indicate on the document or in some other reasonable manner, the number of the Request to which it responds. If you believe that documents or information responsive to one question are responsive, in whole or in part, to one or more other questions, you need not provide the information or documents more than once. In such cases, you may identify the documents or information already provided by some unambiguous means, as long as the precise manner in which the documents or information are responsive to the subsequent question is clearly specified.
6. Provide an index that lists all the responsive documents provided and that indicates where each document is referenced in the written response and to which question or questions each document is responsive.
7. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA thereof as soon as possible.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a Request, you must respond to the Request with a written response.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that

they may have.

11. Information that you submit in response to this Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. § 2.305(h) and 40 C.F.R. § 2.310(h), even if you assert that all or part of it is confidential business information. EPA may provide this information to its contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request.
12. Personnel, medical files and similar files, the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from your responses, included on separate sheet(s) and marked as "Personal Privacy Information." You should note, however, that unless prohibited by law, EPA may disclose this information to the general public without further notice to you.
13. While you may object to certain questions in this Information Request, you must provide responsive information notwithstanding those objections. To object without providing responsive information may subject you to the penalties set out in the cover letter.
14. If you claim that any document responsive to this Information Request is a communication for which you assert that a privilege exists for the entire document, identify (see Definitions) the document and provide the basis for asserting the privilege. For any document for which you assert that a privilege exists for a portion of it, provide the portion of the document for which you are not asserting a privilege, identify the portion of the document for which you are asserting the privilege, and provide the basis for such an assertion. Please note that regardless of the assertion of any privilege, any facts contained in the document that are responsive to the Information Request must be disclosed in your response.
15. You are requested to complete the enclosed declaration (See Enclosure 4). An authorized official of the Facility must sign the declaration in hard copy (wet signature) certifying the accuracy of all statements in your response. Facility must scan or photograph the signed declaration and save it in portable document format (.pdf) and return the electronic copy with the response package. Unless EPA provides written authorization, an electronic signature on the declaration is not allowed.

ENCLOSURE 2

Definitions:

The following definitions shall apply to the following words as they appear in Enclosure 3.

1. The terms "AND" and "OR" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside their scope.
2. The term "COMPANY" shall mean corporate entity, company, business, association, organization, institution, limited liability company or partnership.
3. The term "CONTAINER" shall mean any portable device in which a material or waste is stored, transported, treated, disposed of or otherwise handled.
4. The term "DISPOSAL" shall mean the discharge, deposit, injection, dumping, spilling, leaking or placing of any waste into or on any land or water so that such waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.
5. The term "DOCUMENT" and "DOCUMENTS" shall include writings of any kind, formal or informal, whether or not wholly or partially in handwriting (including by way of illustration and not by way of limitation), any e-mail, invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, inter-office or intra-office communications, photocopy, scanned copy or other hard copy or electronic copy of any documents, microfilm or other film record, photograph, sound recording on any type of device, punch card, disc or disc pack, tape or other type of memory generally associated with computers and data processing; including (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure, notation, annotation, or the like of it, (c) drafts, (d) attachments to or enclosures with any document and (e) every document referred to in any other document.
6. The term "FACILITY" shall mean all contiguous land and structures, other appurtenances and improvements on the land, used for generating, treating, storing or disposing of hazardous waste.
7. The term "GENERATE" shall mean any act or process which produces waste or an act which first causes a waste to become subject to regulation.
8. The term "HAZARDOUS WASTE" shall mean the term defined in 40 C.F.R. § 261.3.
9. The term "WASTE CONTAINER" and "HAZARDOUS WASTE CONTAINER" shall mean any container

that contains solid waste or hazardous waste, if applicable.

10. The term "HAZARDOUS WASTE MANAGEMENT" shall mean the term defined in Section 1004(7) of RCRA, 42 U.S.C. § 6903(7).
11. The term "IDENTIFY" shall mean, with respect to a natural person, to set forth the person's name, present or last known business address, business telephone number and business email address and present or last known job title, position or business.
12. The term "IDENTIFY" shall mean, with respect to a corporation, partnership, business trust or other associate of business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any and a brief description of its business.
13. The term "IDENTIFY" shall mean, with respect to a document, to provide its customary business description, date, number, if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient and the substance or the subject matter.
14. The term "MANIFEST" means the shipping document EPA Form 8700-22 (including, if necessary, EPA Form 8700-22A) or the electronic manifest, originated and signed in accordance with the applicable requirements of 40 C.F.R. Parts 262 through 265.
15. The term "PERSON" includes, in the plural as well as the singular, any natural person, firm, unincorporated associate partnership, corporation, trust or other entity.
16. The term "SOLID WASTE" shall mean the term defined in 40 C.F.R. § 261.2.
17. The terms "STORE" and "STORAGE" shall mean the holding of waste for a temporary period, at the end of which the waste is treated, disposed of or stored elsewhere.
18. The term "TANK" shall mean a stationary device, designed to contain an accumulation of solid waste or hazardous waste which is constructed primarily of non-earthen materials (e.g., wood, concrete, steel, plastic) which provide structural support.
19. The term "TRANSPORTATION", "TRANSPORT", and "SHIPMENT" shall mean the movement of material, solid waste, or hazardous waste by air, rail, highway or water.
20. The term "YOU" or "RESPONDENT" shall mean the addressee of this Information Request, the addressee's officers, managers, employees, contractors, trustees, successors, assigns and agents.

ENCLOSURE 3

Request for Information Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act

Answer every question completely. Incomplete, evasive or ambiguous answers shall constitute failure to respond to this Information Request and may subject you to enforcement action, including penalties, as set forth in the cover letter. For each question below, provide answers **for the time period between June 2019 through June 2024.**

Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6927(a), Carlile Transportation Systems, LLC (“Carlile”) is instructed to provide responses to the following, as it relates to Carlile’s facility in Anchorage, Alaska (“Facility”):

1. Provide a description of your transportation, management, consolidation, and storage processes. Include a description of your use of any transfer facilities.
2. List all Electronic Data Systems you own or control that may contain data related to the collection, treatment, disposal, transportation, or storage of hazardous waste.
3. For each Electronic Data System listed above, identify what data fields that system contains, and explain your quality control process for such data.
4. Describe any systems or processes you have for identifying and addressing potential legal non-compliance, discrepancies, or other tracking and shipping failures arising from or in connection with hazardous waste shipments and/or manifests.
5. Identify, in a spreadsheet for any hazardous waste shipment that exceeded the 10-day transfer facility storage time limit.
6. For each shipment identified in Question 5, provide the corresponding manifest and the date the shipment was received into the transfer facility and the date the waste was transferred offsite.
7. For each shipment identified in Question 5, provide all documents and communications, including with customers and/or regulators, relating to the storage and management of hazardous waste exceeding the 10-day transfer facility storage limit.
8. Identify, in a spreadsheet, each instance of hazardous waste that was lost or failed to reach its designated facility, redirected to an alternative disposal facility, partially or fully rejected, unmanifested, mischaracterized, or which had a piece count or weight discrepancy. Include in the spreadsheet the manifest tracking number for each instance; if no number is available, indicate that.

ENCLOSURE 4

DECLARATION

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that I have personally examined and am familiar with the enclosed information and that based on my inquiry of those individuals responsible for obtaining the information, the submitted information is true, complete and correct.

Executed on _____, 2024.

Signature

Type or Print Name

Title