



REGION 6

DALLAS, TX 75270

December 4, 2023

SENT BY ELECTRONIC MAIL

MWARREN@EURECAT.COM

Marilyn Warren
Eurecat US (McAlester Facility)
100 Steven Taylor Blvd.
McAlester, Oklahoma 74501

Re: EXPEDITED SETTLEMENT OPPORTUNITY
Notice of Investigation Results under the Resource Conservation and Recovery Act
Eurecat US (McAlester Facility), EPA ID Number OKD987097151
Docket Number RCRA-06-2024-0919

Dear Ms. Warren,

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.

The EPA, Region 6, has conducted a review of information available concerning the Eurecat US (McAlester Facility) facility located at 100 Steven Taylor Blvd. McAlester, Oklahoma 74501. EPA's review indicates Eurecat US (McAlester Facility) failed to certify manifests in violation of Okla. Admin. Code 252:205-3-2(g) and 40 C.F.R. § 265.1311(b)(2).

The EPA encourages Eurecat US (McAlester Facility) to immediately review its compliance with the foregoing requirements and if Eurecat US (McAlester Facility) disputes these violations, provide a written explanation, along with any documentation to Gabriel Salinas at salinas.gabriel@epa.gov within 30 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, authorizes EPA to pursue civil penalties of up to \$87,885 per day for each violation. By this letter, the EPA is offering Eurecat US (McAlester Facility) 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, Eurecat US (McAlester Facility) must comply with each of the following conditions within 30 days of your receipt of this letter:

1. Correct the violations by certifying the manifests.
2. Sign and return the attached Expedited Settlement Agreement. In signing the attached Agreement, Eurecat US (McAlester Facility) is certifying under penalty of law that: (a) the violations have been corrected; (b) the assessed penalty has been paid; and (c) Eurecat US (McAlester Facility) 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 <https://www.epa.gov/financial/makepayment> and provide a copy of the penalty payment with the return of the Agreement. The payment shall reference Docket No. RCRA-06-2024-0919, 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 979078
St. Louis, Missouri 63197-9000.

4. Send, by email, a pdf copy of the signed Agreement and a copy of the penalty payment to Gabriel Salinas at salinas.gabriel@epa.gov.

If Eurecat US (McAlester Facility) 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 Eurecat US (McAlester Facility) intends to take advantage of the expedited settlement agreement process. Any extensions must be granted in writing by EPA.

If Eurecat US (McAlester Facility) 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 Eurecat US (McAlester Facility) receiving 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 Gabriel Salinas, of my staff, at salinas.gabriel@epa.gov or 214-665-8483.

Sincerely,

Jeff Yurk, Manager
Waste Enforcement Branch

cc:

mike.edwards@deq.ok.gov

Attachments: Expedited Settlement Agreement
eManifest Data