



# U.S. Filter Westates

U.S. ENVIRONMENTAL PROTECTION AGENCY • REGION 9 • SAN FRANCISCO, CA • FEBRUARY 2004

## Compliance History of Westates 2001 - 2003

Westates is a hazardous waste storage and treatment facility located on the Colorado River Indian Reservation near Parker, Arizona. At Westates, spent carbon is treated in a carbon regeneration furnace. To receive information on other topics regarding Westates, please contact EPA. Contact information is located below.

### WHAT IS EPA'S INSPECTION AND ENFORCEMENT AUTHORITY?

EPA's authority to inspect and enforce at hazardous waste facilities comes from the Resource Conservation and Recovery Act (RCRA). EPA's inspections look for compliance with the requirements of RCRA and EPA's hazardous waste regulations. These regulations control operations at hazardous waste storage and treatment facilities such as Westates.

If EPA finds noncompliance at a hazardous waste facility, we may take enforcement action. The three main types of enforcement action are:

- ◆ Administrative Actions
- ◆ Civil Actions
- ◆ Criminal Actions



*EPA has also prepared a fact sheet providing information about inspections conducted from 1992 to 2000. You may contact EPA if you would like a copy of that fact sheet.*

### WHAT DOES EPA LOOK FOR DURING AN INSPECTION?

- ✓ **We review facility operations**
  - integrity of tanks
  - proper storage of wastes
- ✓ **We review facility records**
  - personnel training records
  - daily inspection records
- ✓ **We check for proper implementation of facility plans**
  - emergency response plan
  - waste analysis plan
- ✓ **We review the wastes managed at the facility**
  - amount of waste received
  - type of waste received

### CONTACT EPA:

If you have questions about Westates please contact:

**Wenona Wilson**  
Community Involvement Coordinator  
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or call our  
toll free number:  
1-800-231-3075

# Compliance History of Westates 2001 - 2003

## HOW HAS WESTATES PERFORMED ON INSPECTIONS FROM 2001 - 2003?

Between 2001 and 2003, EPA inspected Westates 4 times, and prepared reports for each of those inspections. The results of these 4 inspections are noted to the right, beginning with the most recent.

In the first of these inspections (June 2001), EPA found several potential violations. In subsequent inspections, EPA inspectors confirmed that Westates corrected some of these potential violations. EPA is continuing to gather information to determine whether Westates has corrected the remaining potential violations.

In July 2003, EPA sent Westates a letter which notified Westates of EPA's intent to file a determination of violation and a compliance order. This notification is a procedural step which EPA takes before any enforcement action is taken. EPA is currently in discussion with Westates regarding the status of the violations.

*EPA coordinates with the Colorado River Indian Tribes (CRIT) when conducting inspections at Westates. Representatives of CRIT accompanied EPA on each of the four inspections noted in this fact sheet.*

*EPA is also coordinating with CRIT in determining how to address the potential violations at Westates.*

## FOR INFORMATION IN ANOTHER LANGUAGE

If you would like to receive materials about Westates in another language, please contact Wenona Wilson at the toll free phone number and address on the front of this fact sheet.

## PARA INFORMACION EN ESPAÑOL

Westates es una empresa de tratamiento y almacenaje de residuos peligrosos y está ubicada cerca de Parker, Arizona. Si usted desea recibir informacion en Español, por favor comuníquese con Wenona Wilson al numero de telefono (800) - llamada gratuita - o a la dirección al reverso de esta pagina.

## WESTATES' INSPECTION HISTORY FROM 2001 - 2003

⇒ The inspection in March 2003 found **no additional violations** at Westates. EPA inspectors documented the number and extent of cracks in the concrete containment pad.

⇒ The inspection in August 2002 found **no additional violations** at Westates. EPA inspectors focused this inspection on the condition of the concrete containment pad for the tanks.

⇒ The inspection in January 2002 found **no additional potential violations** at Westates, and verified correction of several previous potential violations.

⇒ The inspection in June 2001 found **2 potential violations** which have not yet been addressed to EPA's satisfaction:

The concrete containment pad did not appear free of cracks or gaps.

The closure plan was incomplete.

⇒ The inspection in June 2001 found **3 potential violations** which Westates subsequently corrected to EPA's satisfaction:

A drum holding discarded samples was not closed and was not marked "Hazardous Waste".

Written job descriptions did not include duties and skills of personnel assigned to each position.

The concrete containment pad for the tanks may not have been large enough.

## WHY ARE THE VIOLATIONS CALLED "POTENTIAL VIOLATIONS"?

After inspecting a hazardous waste facility, EPA provides the facility with an opportunity to rebut any findings of violation that EPA has made. Therefore, in inspection reports, EPA calls the findings "potential violations".