



# U.S. Filter Westates

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

## Compliance History of Westates 1992 - 2000

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 2001 to 2003. 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  
Phone: 415-972-3239  
email: wilson.wenona@epa.gov

Mail:  
Wenona Wilson (SFD-3)  
U.S. EPA, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105



or call our  
toll free number:  
1-800-231-3075

# Compliance History of Westates 1992 - 2000

## HOW HAS WESTATES PERFORMED ON INSPECTIONS FROM 1992 - 2000?

Westates began operating in 1992. Between 1992 and 2000, EPA inspected Westates 8 times, and prepared reports for 6 of those inspections. The results of these 6 inspections are noted to the right, beginning with the most recent. From 1994 through 1998, Westates had few violations. In 1993 Westates had many violations and paid a fine of \$57,515.

*EPA coordinates with the Colorado River Indian Tribes (CRIT) when conducting inspections at Westates. Often, representatives of CRIT accompany EPA on these inspections.*

## 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".



## 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 1992 - 2000

⇒ The inspection in December 1998 found **no violations** at Westates.

⇒ The inspection in September 1996 found **no violations** at Westates.

⇒ The inspection in March 1995 found **2 potential violations** at Westates: failure to submit the 1993 biennial report by the deadline; and failure to accurately report wastes generated. Westates addressed these violations within 1 week.

⇒ The inspection in September 1994 found **no violations** at Westates.

⇒ The inspection in March 1994 found **1 potential violation** at Westates: absence of a piece of documentation in the facility's personnel training files. Westates addressed this violation within 6 weeks.

⇒ The inspection in August 1993 found **11 potential violations** at Westates: failure to properly label and date containers of hazardous waste; waste analysis plan deficiencies; failure to follow waste analysis plan; failure to remedy problems discovered during inspections in a timely manner; failure to operate in a way that minimizes the possibility of a hazardous waste release; contingency plan deficiencies; operating record deficiencies; failure to obtain tank assessments; failure to maintain secondary containment for tanks free of cracks and gaps; failure to conduct daily inspections of waste feed cutoff systems; and storage of hazardous waste in an area not specified in Part A of the permit application. EPA took an Administrative Action, issuing Westates a Determination of Violations and Complaint regarding these items in February 1994.

Settlement of violations found in 1993: EPA negotiated a Consent Agreement and Final Order with Westates regarding the violations, which was finalized in August 1995. As a result of the Order, Westates paid a civil penalty of \$57,515.