



## **TECH UPDATE**

**SUMMARY : 2 April 2012**

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### **A ARTICLE CATEGORIES:** | 1. NEWS | 2. REGULATORY | 3. Toxic Release Inventory Program |

## **Idaho hazardous waste disposal site failed to disclose chemical releases – Penalty: \$184,000**

### **USEPA Region 10 News Release:**

(Seattle—March 22, 2012) US Ecology Idaho, Inc., a hazardous waste disposal site in Grand View, Idaho, failed to report the on-site disposal of thousands of pounds of chemicals at its facility, according to a settlement with the U.S. Environmental Protection Agency. The company has corrected the violations of the Toxics Release Inventory Program and will pay a fine.

“Companies that handle toxic chemicals have a responsibility to be transparent about what they use and release into the environment,” said Kelly Huynh, manager of the Inspection and Enforcement Management Unit at EPA in Seattle. “Accurate, timely numbers from companies are critical for communities to have up-to-date information on chemical releases in their states.”

US Ecology Idaho, Inc. failed to report the on-site disposal of 20 chemicals and chemical categories during 2009.

As part of its hazardous waste disposal operations, the company disposed of more than 10,000 pounds each of aluminum, arsenic, barium, cadmium, chromium, cobalt, copper and copper compounds, diethanolamine, ethylene glycol, manganese, methyl isobutyl ketone, nickel, nitric acid, selenium, silver, thallium and zinc.

In addition, the company disposed of more than 100 pounds of lead and lead compounds and more than 10 pounds each of mercury and polychlorinated biphenyls.

Many of the chemicals disposed of at the facility have dangerous human health impacts and risks associated with them.

The company has submitted the required reports to the EPA and the State of Idaho to resolve the violations and agreed to pay a penalty of \$184,400.

Under the federal Toxics Release Inventory Program, companies that use certain toxic chemicals are required to report annually about releases, transfers and waste management activities involving toxic chemicals at their facilities.

The Toxics Release Inventory Program falls under the Emergency Planning and Community Right-to-Know Act, which aims to inform communities and citizens of chemical hazards in their neighborhoods.

For more information on the Toxics Release Inventory Program, visit: <http://www.epa.gov/tri>



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### **B Ecology USA Web Site – March 2012**

US Ecology Idaho's Grand View facility, located 70 miles southeast of Boise in the Owyhee Desert, treats and disposes hazardous waste, non-hazardous industrial wastes and low-activity radioactive material. The site's arid climate, deep groundwater, and favorable geology help ensure permanent waste isolation. Combined with a state of the art multi-layer landfill liner system, the Grand View facility is an ideal choice to minimize environmental liability. It is one of a few sites in the nation that also accepts PCBs and hazardous / PCB "mixed wastes". In January 2007, the Idaho facility was named an OSHA Voluntary Protection Program (VPP) "Star" site.

The Idaho facility accepts both bulk solids and containerized waste (including lab packs) and maintains an on-site laboratory to perform required analytical analyses, including TCLP tests, pretreatment recipe formulation and waste treatment verification. Services include

1. Hazardous waste, PCB, NORM, TENORM and NRC-exempt waste disposal
2. Stabilization of inorganic wastes (e.g., metals)
3. Chemical oxidation treatment of organic waste
4. Encapsulation of debris
5. Full PCB transformer processing
6. Liquid waste evaporation
7. Patented K061 steel mill waste "delisting" treatment

Located on a major rail line, US Ecology Idaho's rail transfer facility offers cost-effective access. Our transportation team arranges railcar service anywhere in the U.S. At our railhead, we receive and unload gondola and hopper car shipments around the clock. We also handle intermodal containers by truck or rail. Before shipping waste, customers must fill out a Waste Disposal Questionnaire (WPQ) and provide waste characterization information (analytical data, Material Safety Data Sheets, etc.). Our Customer Service staff can help with waste profiling, waste analysis and completion of forms for Land-Ban Restrictions. We arrange storage and transfer to solvents recycling, fuel blending and incineration services for waste not suitable for land disposal.

For further information and assistance, contact:



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# **C OTHER REGULATORY SOURCE**

## **Land Disposal Restrictions: Granting of Two Site-Specific Treatment Variances to U.S. Ecology Idaho, Incorporated in Grandview, Idaho and CWM Chemical Services, LLC in Model City, New York**

**FEDERAL REGISTER** A Rule by the [Environmental Protection Agency](http://www.epa.gov) on [05/22/2002](http://www.federalregister.gov/articles/2002/05/22/02-12768)

SUMMARY: The Environmental Protection Agency (EPA or Agency) is promulgating two site-specific treatment variances from the Land Disposal Restrictions (LDR) standards for wastes generated at U.S. Ecology Idaho, Incorporated (USEII) in Grandview, Idaho, and CWM Chemical Services, LLC (CWM) in Model City, New York. These waste streams are derived from the treatment of multiple listed and characteristic hazardous wastes, including K088 (spent potliners from primary aluminum reduction), and differ significantly from the waste used to establish the LDR treatment standard for arsenic in K088 non-wastewaters. Accordingly, we are finalizing an alternate treatment standard of 5.0 mg/l for arsenic, measured using the Toxicity Characteristic Leaching Procedure (TCLP), for the K088 derived emission control dust from the USEII facility. We are also, for the CWM facility, finalizing an alternate treatment standard of 5.0 mg/l for arsenic, measured using the Toxicity Characteristic Leaching Procedure, for the K088 derived baghouse dust, incinerator ash, and filtercake. Show citation box

This treatment variance requires USEII and CWM to dispose of their respective waste in RCRA Subtitle C landfills provided the waste complies with the specified alternate treatment standard for arsenic in K088 non-wastewaters and meets all other applicable LDR treatment standards.

<https://www.federalregister.gov/articles/2002/05/22/02-12768/land-disposal-restrictions-granting-of-two-site-specific-treatment-variances-to-us-ecology-idaho#p-4>

# **C2 OTHER REGULATORY SOURCE – 2010 PENALTY**

News Releases - Compliance and Enforcement

## **US Ecology to pay nearly \$500,000 for hazardous waste violations**

Release Date: 10/05/2010

**SAN FRANCISCO** -- The U.S. Environmental Protection Agency today fined US Ecology \$497,982 for 18 counts of hazardous waste violations. US Ecology operates a commercial hazardous waste treatment, storage and disposal facility in Nye County, Nev., on the outskirts of Beatty.



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EPA inspectors found numerous violations at a hazardous waste unit designed to thermally treat contaminated materials, like soils, to remove the hazardous components. On two occasions, US Ecology reports showed that the unit was “smoking,” releasing hazardous components to the air. The treatment unit has been permanently shut down by US Ecology.

“We impose strict environmental controls to make sure hazardous waste is actually treated and not simply released into the air,” said Jared Blumenfeld, the EPA’s Regional Administrator for the Pacific Southwest. “Our goal is to safeguard worker health and nearby communities, so it’s imperative for facilities like US Ecology to properly manage their waste.”

In addition, EPA inspectors found PCBs were improperly labeled, stored and handled. EPA sampling results detected PCBs at elevated levels both in and outside the PCB storage building (43,500 ppm and 900 ppm, respectively). Inspectors determined that between 2006 and 2008 six spills, leaks or other uncontrolled PCB discharges occurred and were not reported as required by law.

The EPA’s Resource Conservation and Recovery Act program oversees the safe management and disposal of hazardous waste. Concerns about human health and the extensive presence and lengthy persistence of PCBs in the environment led Congress to enact the Toxic Substances Control Act in 1976.

For more information on the Resource Conservation and Recovery Act program, please visit:  
<http://www.epa.gov/compliance/civil/rcra/index.html>

For more information on PCB regulation and enforcement, as well as the Toxic Substances Control Act enforcement in general, please visit the EPA’s website at: <http://epa.gov/region9/toxic/pcb/index.html>

## **D1 OTHER SOURCE – US ECOLOGY IN THE NEWS**

### **U.S. Ecology owner files federal suit**

The Owyhee Avalanche – Homedale, ID 4 Nov 2009  
[www.owyheeavalanche.com/pastissues/.../11\\_04\\_09%20LR.indd.pdf](http://www.owyheeavalanche.com/pastissues/.../11_04_09%20LR.indd.pdf)

The parent company of Grand View’s U.S. Ecology Idaho hazardous waste disposal site has gone to court in what an official characterizes as an effort to protect local jobs and tax revenue. American Ecology filed suit against an environmental group, its principals, a lobbyist and other individuals Thursday in Idaho Fourth District Court in Boise.

The lawsuit alleges that the company has been harmed by a campaign launched by the Citizens for a Clean Idaho against a planned project to bring low-level nuclear waste to the Grand View site. “CCI has damaged our business and continues to do so with false and grossly misleading statements,” American Ecology spokesman Chad Hyslop said. “This impacts real jobs in Owyhee County and tax revenues.” A plan to bring waste from a dismantled Westinghouse Co., nuclear fuel facility in Hematite, Mo., currently is undergoing federal scrutiny. U.S. Ecology Idaho would. End Excerpt



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# **D2 OTHER SOURCES – US ECOLOGY IN THE NEWS**

## **The Nuclear Regulatory Commission approved a large amount of decommissioning waste to go to the US Ecology hazardous waste disposal site near Grand View, Idaho.**

Public opposition in Idaho is believed to have persuaded the company to reject the waste, even though NRC had approved its release and dumping there. The company president had previously stated “The use of hazardous waste disposal facilities permitted under the Resource Conservation and Recovery Act (“RCRA”) to dispose of low concentration and exempt radioactive materials is a cost-effective option for government and industry waste generators.”<sup>1</sup> But in 2005 US Ecology announced it would not take the reactor decommissioning waste from Connecticut Yankee. It has been approved to receive waste from other sites.

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## **NRC issues opportunity to request a hearing and to petition for leave to intervene on proposed waste disposal from decommissioning of Hematite nuclear fuel plant at unlicensed facility in Idaho**

The NRC has received a license amendment application from Westinghouse Electric Company LLC (WEC or the licensee) dated March 3, 2010, for disposal of NRC-licensed source, byproduct and special nuclear material pursuant to 10 CFR 20.2002 from its former fuel cycle facility located in Festus, Missouri. WEC holds NRC License No. SNM-00033, which authorizes the licensee to conduct decommissioning activities. The amendment **requests authorization for WEC to transfer decommissioning waste to U.S. Ecology Idaho, Inc.**, a Resource Conservation and Recovery Act (RCRA) Subtitle C disposal facility located near Grand View, Idaho. The U.S. Ecology Idaho facility is regulated by the Idaho Department of Environmental Quality and **is not an NRC-licensed facility**. Pursuant to 10 CFR 30.11 and 70.17, WEC's application also requests that U.S. Ecology be granted exemptions from the licensing requirements of 10 CFR 30.3 and 70.3 for byproduct and special nuclear material, respectively. These exemptions are necessary because the disposal of byproduct and special nuclear material must occur at a facility licensed by the NRC to possess such material and the U.S. Ecology Idaho facility does not have an NRC license.

<http://www.wise-uranium.org/edusa.html>