Eleven Companies Voluntarily Reported and Corrected Environmental Violations - $1.4 Million in Penalties Waived

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PHILADELPHIA - The U.S. Environmental Protection Agency is waiving a total of $1,485,892 in potential penalties against eleven companies in Delaware, Maryland, Pennsylvania and Virginia which voluntarily disclosed their own environmental violations.

Under EPA’s audit policy, companies qualified for penalty waivers can reduce, and often eliminate, penalties for violations discovered and corrected by a company. The policy does not cover criminal violations, or violations resulting in significant harm to public health or the environment. EPA will also not waive penalties related to the violator’s economic benefit for any past violations that may have occurred.

EPA regularly collects substantial penalties from businesses for violations similar to those reported by these eleven companies, but has foregone penalties in their cases because they promptly corrected the problem and self-reported.

“The self-audit policy works when companies discover and correct environmental reporting violations. This voluntary program brings environmental compliance without costly litigation and it provides better information for citizens and emergency responders about hazardous chemicals in the community,” said EPA Regional Administrator Donald S. Welsh.

These self-disclosure cases involve reporting violations and not unlawful releases of toxic or hazardous chemicals. Companies handling hazardous chemicals are required by federal law to keep accurate records to protect their employees and their communities.

The Emergency Planning and Community Right-to-Know Act (EPCRA) is the federal law designed to inform citizens about toxic chemicals in their communities, and protect public health and environment from toxic chemical releases.

The following businesses self-reported and EPA waived penalties:

*Bohler Uddeholm-Specialty Metals, Inc. of South Boston, Va.* discovered and disclosed violations of EPCRA rules requiring annual reports of routine and accidental releases of hazardous chemicals. The company reported that it failed to file required annual reports on chromium, cobalt, hydrochloric acid for 1998 and methanol for 1998 and 1999. EPA waived $96,948 in potential penalties.

Cytec Engineered Materials, Inc., self-disclosed potential violations of EPCRA at its facility, located in Havre de Grace, Maryland. Tetrabromobisphenol A, which is processed by the Facility, met the EPCRA 313 reporting thresholds. An audit revealed that the company had failed to submit Toxic Chemical Release Inventory Form R, for the hazardous chemical tetrabromobisphenol A which is processed at the facility, for the reporting years 2000 through 2001. EPA waived penalties of $40,127.

Piney River Recovery Corp., a subsidiary of Cytec Industries, self-disclosed EPCRA violations in Piney River, Virginia. The company failed to submit required reports for local emergency responders and the fire department for the hazardous chemical calcium hydroxide which had been stored in the facility from 1996 to 1999. EPA waived penalties of $93,500.

*Duke/Fluor Daniel Operating Services LLC* self-disclosed EPCRA violations at the McKee Run Generating Station in Dover, Delaware. The company reportedly failed to submit annual reports of releases of two hazardous chemicals – polycyclic aromatic compounds (“PAC’s”) and benzo (g,h,i) perylene in 2000. Penalty waiver: $36,936.

* MetLife - Scranton Information Systems Center of Clarks Summit, Pa. * disclosed violations of EPCRA rules requiring companies to notify state and local emergency response agencies about hazardous chemicals stored at their facilities. MetLife disclosed a failure to submit required reports for sulfuric acid and diesel fuel. Penalty waiver: $123,756.


*Palmer International, Inc.* self-disclosed potential EPCRA violations at its
manufacturing facility in Skippack, Pa. Palmer failed to file a Toxic Release Inventory form for the chemical formaldehyde for reporting years 1998 through 2000. In the past, Palmer reported only the reactant chemical, paraformaldehyde, and not the reaction byproduct, formaldehyde. Palmer promptly filed its self disclosure and EPA waived the $82,500 penalty.

**Pine Grove Manufactured Homes, Inc.** self-disclosed potential EPCRA violations at its Pine Grove, Pa. facility. During a compliance audit, a consultant discovered that two chemicals and propane stored for use in the facility met the threshold levels for reporting and did not report them properly from 1987 through 2001, nor had they submitted the Toxic Chemical Release Inventory forms from 1994 through 2001. EPA waived potential penalties of $146,021.

*Westvaco Corp.* reported that a routine compliance audit revealed a failure to file EPCRA reports releases of catechol at its **Covington, Va.** plant in 1997 through 1999. Penalty waiver: $49,500.

* **Worldwide Automotive, Inc.**, self disclosed potential EPCRA violations at its Chantilly, Va. facility. The company disclosed that for copper it had failed to file annual reports of releases of copper for the years 1999 and 2000. Worldwide also failed to complete its Tier II forms for the years 1997 through 2001 (for reporting years 1996 through 2000) and Form Rs for the years 1999, 2000, and 2001 for copper. EPA waived potential penalties of $135,647.

For more information on environmental audits and compliance assistance, visit [www.epa.gov/reg3ceej](http://www.epa.gov/reg3ceej).

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