

west virginia department of environmental protection

Division of Water and Waste Management 601 57th Street SE Charleston, WV 25304

Phone: (304) 926-0470 Fax: (304) 926-0488 Harold D. Ward, Cabinet Secretary dep.wv.gov

CONSENT ORDER ISSUED UNDER THE HAZARDOUS WASTE MANAGEMENT ACT WEST VIRGINIA CODE, CHAPTER 22, ARTICLE 18

TO: Arclin Amines LLC DATE: August 21, 2025

Attn.: Alicha Hunt, Plant Manager

901 W. Dupont Avenue

Belle, WV 25015 ORDER NO.: HW-25-004

INTRODUCTION

This Consent Order is issued by the Director of the Division of Water and Waste Management (hereinafter "Director"), under the authority of West Virginia Code 22-18-1 et seq. to Arclin Amines LLC (hereinafter, "Arclin").

FINDINGS OF FACT

In support of this Order, the Director hereby finds the following:

- 1. Arclin operates a chemical manufacturing facility located in Belle, Kanawha County, West Virginia and has been assigned EPA ID No. WVR000548222.
- 2. On August 6, 2024, West Virginia Department of Environmental Protection (WVDEP) received a WVDEP Spill Line report regarding the release of dimethylformamide (DMF) to the environment. On August 8, 2024, a focused compliance inspection (FCI) was conducted. The leak occurred when a transfer line was pressurized. The company investigation determined that a valve had been inadvertently left open and a pressure relief device had been installed improperly, which allowed the material to escape.
- 3. On March 12, 2025, WVDEP received a WVDEP Spill Line report regarding the release of DMF to the environment. An FCI was conducted that day. The cause of the release was the failure of a gasket due to thermal expansion of material trapped in a transfer line.

 Promoting a healthy environment.

The following violation of the following section of Code of Federal Regulations was observed and documented:

a. 40 CFR 262.16(b)(8)(i) – Arclin failed to operate to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to the environment.

As a result of the aforementioned violation, Notice of Violation (NOV) No. 2503-583 was issued to Arclin.

- 4. On both May 13, 2025 and July 17, 2025, WVDEP personnel and representatives of Arclin met to discuss the terms and conditions of this Order as well as Arclin's robust response to the unintended release of DMF.
- 5. On August 6, 2025, Arclin submitted a plan of corrective action (POCA) that outlined action items and completion dates concerning when Arclin had achieved compliance with all pertinent laws and rules. The POCA was subsequently approved by WVDEP personnel. As described in the approved POCA, Arclin has completed all actions to correct the aforementioned violations.

ORDER FOR COMPLIANCE

Now, therefore, in accordance with West Virginia State Code 22-18-1 et seq., it is hereby agreed between the parties, and ORDERED by the Director:

- 1. Arclin shall immediately take all measures to initiate compliance with all pertinent laws and rules.
- 2. Because of Arclin's Code of Federal Regulations and West Virginia Code violations, Arclin shall be assessed a civil administrative penalty of three thousand six hundred thirty dollars (\$3,630) to be paid to the West Virginia Department of Environmental Protection for deposit in the Hazardous Waste Management Fund within thirty (30) days of the effective date of this Order. Payments made pursuant to this paragraph are not tax-deductible for purposes of State or federal law. **Payment shall include a reference to the Order No. and shall be mailed to:**

Chief Inspector
Environmental Enforcement – Mail Code #031328
WVDEP
601 57th Street SE
Charleston, WV 25304

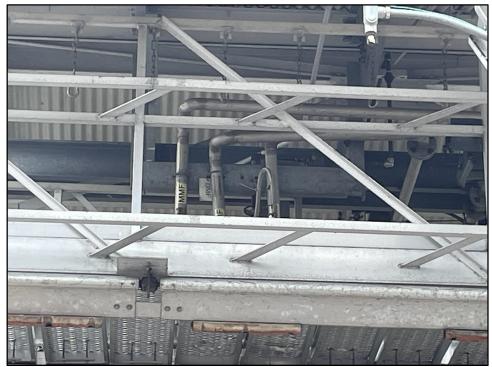
OTHER PROVISIONS

- 1. Arclin hereby waives its right to appeal this Order under the provisions of West Virginia State Code 22-18-20. Under this Order, Arclin agrees to take all actions required by the terms and conditions of this Order and consents to and will not contest the Director's jurisdiction regarding this Order. However, Arclin does not admit to any factual and legal determinations made by the Director and reserves all rights and defenses available regarding liability or responsibility in any proceedings regarding Arclin other than proceedings, administrative or civil, to enforce this Order.
- 2. The Director reserves the right to take further action if compliance with the terms and conditions of this Order does not adequately address the violations noted herein and reserves all rights and defenses which he may have pursuant to any legal authority, as well as the right to raise, as a basis for supporting such legal authority or defenses, facts other than those contained in the Findings of Fact.
- 3. If any event occurs which causes delay in the achievement of the requirements of this Order, Arclin shall have the burden of proving that the delay was caused by circumstances beyond its reasonable control which could not have been overcome by due diligence (i.e., force majeure). Force majeure shall not include delays caused or contributed to by the lack of sufficient funding. Within three (3) working days after Arclin becomes aware of such a delay, notification shall be provided to the Director/Chief Inspector and Arclin shall, within ten (10) working days of initial notification, submit a detailed written explanation of the anticipated length and cause of the delay, the measures taken and/or to be taken to prevent or minimize the delay, and a timetable by which Arclin intends to implement these measures. If the Director agrees that the delay has been or will be caused by circumstances beyond the reasonable control of Arclin (i.e., force majeure), the time for performance hereunder shall be extended for a period of time equal to the delay resulting from such circumstances. A force majeure amendment granted by the Director shall be considered a binding extension of this Order and of the requirements herein. The determination of the Director shall be final and not subject to appeal.
- 4. Compliance with the terms and conditions of this Order shall not in any way be construed as relieving Arclin of the obligation to comply with any applicable law, permit, other order, or any other requirement otherwise applicable. Violations of the terms and conditions of this Order may subject Arclin to additional penalties and injunctive relief in accordance with the applicable law.
- 5. The provisions of this Order are severable and should a court or board of competent jurisdiction declare any provisions to be invalid or unenforceable, all other provisions shall remain in full force and effect.
- 6. This Order is binding on Arclin, its successors and assigns.
- 7. This Order shall terminate upon Arclin's notification of full compliance with the "Order for Compliance" and verification of this notification by WVDEP.

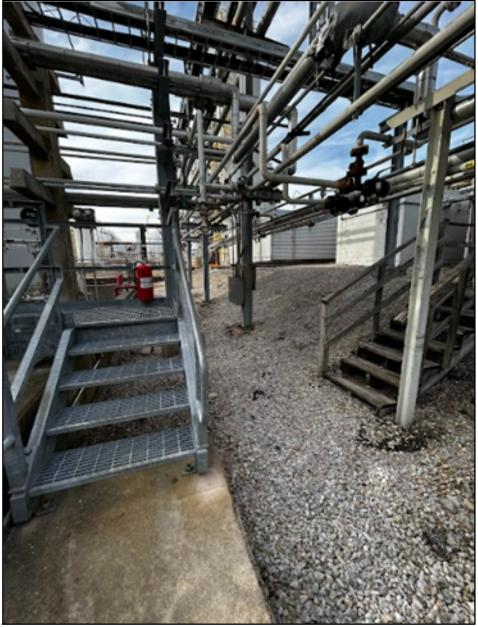
Alicha Hunt, Plant Manager Arclin Amines LLC	9 2 2025 Date
Public Notice begin:	Date
Public Notice end:	Date
Jeremy W. Bandy, Director Division of Water and Waste Management	Date



August 8, 2024 – The truck loading rack where the August 6, 2024 DMF leak occurred.



August 8, 2024 – The terminal end of the DMF line that leaked on August 6, 2024. It is the line in the middle of the three.



March 12, 2025 – The area of the March 12, 2025 DMF release, underneath the load piping downstream of the S-102 DMF tank.



Sent Via Email: samantha.n.blair@wv.gov

joe.m.sizemore@wv.gov john.d.killian@wv.gov

Certified Mail: 7019 2970 0000 3926 2746

August 6, 2025

Ms. Samantha Blair Environmental Inspector Specialist, Environmental Enforcement Mr. Joseph Sizemore Assistant Chief Inspector, Environmental Enforcement -HW/UST/AST Mr. John Killian Environmental Inspector Supervisor, Environmental Enforcement – Hazardous Waste

West Virginia Department of Environmental Protection **Environmental Enforcement** Hazardous Waste 601 57th Street SE Charleston, WV 25304

RE:

Plan of Corrective Action (POCA) Draft Consent Order No.: HW-25-004 NOV no. 2503-583 **Arclin Amines**

Belle, West Virginia

US EPA ID Number: WVR00054822

Dear Ms. Blair and Mr. Sizemore;

Arclin Amines (Arclin) hereby submits the Plan of Corrective Action (POCA) associated to the alleged violation included in the draft Consent Order (CO) and Notice of Violation (NOV) cited above. We thank you for considering the additional information provided during informal meetings held on May 13th and July 17th, 2025 and rescindment of alleged violation number 2 within the NOV, confirming that Arclin did not require a permit for disposal of non-hazardous spill residue.

Plan of Corrective Action (POCA) and Closure

Arclin immediately shut down system upon discovery and immediately initiated and closed corrective measures. We understand the regulation only requires corrective actions, however, we included preventive measures to avoid reoccurrence after a robust incident investigation. Corrective and preventive measures, along with their closure dates are as follows:

Corrective Actions:

- 1. System shutdown upon discovery, March 12, 2025
- 2. Replaced gasket in accordance with piping code, March 13, 2025
- 3. Cleanup of impacted soil for off-site disposal as non-hazardous waste, March 13, 2025



Preventive Actions:

- 1. Replaced associated valve, April 1, 2025
- 2. Reviewed incident during April 2025 safety meetings with site employees, April 10 11, 2025
- 3. Revised seven site procedures associated to dimethylformamide (DMF) management to include warnings or additional preventive measures and trained affected personnel. Training was completed on the procedures on June 12, 2025.
- 4. Designed and installed a thermal expansion relief valve, routed to a safe location for the subject piping, July 16, 2025.

Evidence of closure of these items is provided as Attachment 1.

Based on the evidence provided, Arclin understands that the required corrective measures are closed and no further action is required.

If you have any questions or comments, feel free to call me at (304) 513-0202 or Michael Hodge of my staff at (681-254-8667).

Cordially,

Alicha Hunt

Operations Manager alicha.hunt@arclin.com

cc e-mail:

Chad Longanacre, Environmental Inspector, WVDEP -EE/HW

Cindy Blugerman, WVDEP -EE Matthew Smith, WVDEP-EE/HW

Rosa Pares, Arclin

lichatunt



ATTACHMENT



Attachment 1 - Corrective and Preventive Action Closure Evidence

- Waste Characterization Results
- April 2025 Safety Meeting Attendance sheets for incident discussion
- Off-Site Disposal Bill of Lading
- Work Orders for flange and valve repairs
- Training on Revised Operating Procedures
- Confirmation email of installation of new piping and pressure relief



WASTE CHARACTERIZATION

Pace Analytical Services, LLC 225 Industrial Park RD Beaver, WV 25813 (800)999-0105

March 28, 2025

Michael Hodge ARCLIN-BELLE 901 W. Dupont Avenue Belle, WV 25015

RE:

Project: DMF SPILL CLEANUP 3/19

Pace Project No.: 30765406

Dear Michael Hodge:

Enclosed are the analytical results for sample(s) received by the laboratory on March 20, 2025. The results relate only to the samples included in this report. Results reported herein conform to the applicable TNI/NELAC Standards and the laboratory's Quality Manual, where applicable, unless otherwise noted in the body of the report.

The test results provided in this final report were generated by each of the following laboratories within the Pace Network:

· Pace Analytical Services - Beaver

If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Beth Johnson

beth.johnson@pacelabs.com

(800)999-0105

Project Manager

Enclosures







CERTIFICATIONS

Project:

DMF SPILL CLEANUP 3/19

Pace Project No.:

30765406

Pace Analytical Services Beaver

225 Industrial Park Road, Beaver, WV 25813 New York DOH Lab ID12167 SN69208

Virginia VELAP 460148 West Virginia DEP 060 West Virginia DHHR 00412CM

North Carolina DEQ 466

Kentucky Wastewater Certification KY90039

Pennsylvania DEP 68-00839

REPORT OF LABORATORY ANALYSIS





SAMPLE SUMMARY

Project:

DMF SPILL CLEANUP 3/19

Pace Project No.:

30765406

Lab ID	Sample ID	Matrix	Date Collected	Date Received
30765406001	DMF SPILL CLEANUP - GRAVEL	Solid	03/19/25 10:00	03/20/25 15:50



SAMPLE ANALYTE COUNT

Project:

DMF SPILL CLEANUP 3/19

Pace Project No.:

30765406

PASI-BV = Pace Analytical Services - Beaver





PROJECT NARRATIVE

Project:

DMF SPILL CLEANUP 3/19

Pace Project No.:

30765406

Method:

ASTM D92

Client:

Description: Flashpoint, Open Cup ARCLIN-BELLE

Date:

March 28, 2025

General Information:

1 sample was analyzed for ASTM D92 by Pace Analytical Services Beaver. All samples were received in acceptable condition with any exceptions noted below or on the chain-of custody and/or the sample condition upon receipt form (SCUR) attached at the end of this report.

Hold Time:

The samples were analyzed within the method required hold times with any exceptions noted below.

Initial Calibrations (including MS Tune as applicable):

All criteria were within method requirements with any exceptions noted below.

Continuing Calibration:

All criteria were within method requirements with any exceptions noted below.

Internal Standards:

All internal standards were within QC limits with any exceptions noted below.

Surrogates:

All surrogates were within QC limits with any exceptions noted below.

Method Blank:

All analytes were below the report limit in the method blank, where applicable, with any exceptions noted below.

Laboratory Control Spike:

All laboratory control spike compounds were within QC limits with any exceptions noted below.

Matrix Spikes:

All percent recoveries and relative percent differences (RPDs) were within acceptance criteria with any exceptions noted below.

Additional Comments:

Analyte Comments:

QC Batch: 735274

N2: The lab does not hold NELAC/TNI accreditation for this parameter but other accreditations/certifications may apply. A complete list of accreditations/certifications is available upon request.

- DMF SPILL CLEANUP GRAVEL (Lab ID: 30765406001)
 - · Flashpoint

This data package has been reviewed for quality and completeness and is approved for release.

REPORT OF LABORATORY ANALYSIS



225 Industrial Park RD Beaver, WV 25813 (800)999-0105

ANALYTICAL RESULTS

Project:

DMF SPILL CLEANUP 3/19

Pace Project No.: 30765406

Sample: DMF SPILL CLEANUP -GRAVEL

Lab ID: 30765406001

Collected: 03/19/25 10:00 Received: 03/20/25 15:50 Matrix: Solid

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

			Report						
Parameters	Results	Units	Limit	MDL	DF	Prepared	Analyzed	CAS No.	Qual
Flashpoint, Open Cup	Analytical	Method: AS	TM D92						
	Pace Ana	lytical Servic	es - Beaver						
Flashpoint	>244	deg F	1.0	1.0	1		03/26/25 10:26		N2





QUALIFIERS

Project:

DMF SPILL CLEANUP 3/19

Pace Project No.:

30765406

DEFINITIONS

DF - Dilution Factor, if reported, represents the factor applied to the reported data due to dilution of the sample aliquot.

ND - Not Detected at or above adjusted reporting limit.

TNTC - Too Numerous To Count

J - Estimated concentration above the adjusted method detection limit and below the adjusted reporting limit.

MDL - Adjusted Method Detection Limit.

PQL - Practical Quantitation Limit.

RL - Reporting Limit - The lowest concentration value that meets project requirements for quantitative data with known precision and bias for a specific analyte in a specific matrix.

S - Surrogate

1,2-Diphenylhydrazine decomposes to and cannot be separated from Azobenzene using Method 8270. The result for each analyte is a combined concentration.

Consistent with EPA guidelines, unrounded data are displayed and have been used to calculate % recovery and RPD values.

LCS(D) - Laboratory Control Sample (Duplicate)

MS(D) - Matrix Spike (Duplicate)

DUP - Sample Duplicate

RPD - Relative Percent Difference

NC - Not Calculable.

SG - Silica Gel - Clean-Up

U - Indicates the compound was analyzed for, but not detected.

N-Nitrosodiphenylamine decomposes and cannot be separated from Diphenylamine using Method 8270. The result reported for each analyte is a combined concentration.

Reported results are not rounded until the final step prior to reporting. Therefore, calculated parameters that are typically reported as "Total" may vary slightly from the sum of the reported component parameters.

Pace Analytical is TNI accredited. Contact your Pace PM for the current list of accredited analytes.

TNI - The NELAC Institute.

ANALYTE QUALIFIERS

Date: 03/28/2025 11:27 AM

N2

The lab does not hold NELAC/TNI accreditation for this parameter but other accreditations/certifications may apply. A complete list of accreditations/certifications is available upon request.





QUALITY CONTROL DATA CROSS REFERENCE TABLE

Project:

DMF SPILL CLEANUP 3/19

Pace Project No.:

Date: 03/28/2025 11:27 AM

30765406

Lab ID	Sample ID	QC Batch Method	QC Batch	Analytical Method	Analytical Batch
30765406001	DMF SPILL CLEANUP - GRAVEL	ASTM D92	735274		

** Presentative Typas: [1] nitric acid, (2) sultaric acid, (3) indroctionic acid, (4) socioum bystocide, (5) and accidiac, (5) according acid, (8) ammonium sulfate, (7) ammonium hydroxide, (9) TSP, (4) NAOH/SA, (5) Socioum Sulfae, (1) Unpresenved, (0) Other Identify ((X j No CHAIN-OF-CUSTODY Analytical Request Document Chain-of-Custody is a LEGAL DOCUMENT - Complete all relevent fields Time Zone Collected: Yes DW Location Code: Site Collection Info/Address; 901 W DuPont Avenue Belle, VVV 25015 DW PWS ID #. Billing laformation: To be paid by Credit Card Email To: michael.hodge@arclin.com State: County/City: W/V / Belle Purchase Order #: 144058 Quote #: Site/Facility ID# Ĕ. ustomer Project Name/Number: DMF Spill Cleanup 3/19 Email: michael hodge@bellechemco.com Collected By (print): Michael Hodge/) Pace Analytical Address: 901 W Dupont Avenue c Report To: Michael Hodge Company: Arclin Amines LLC

ontact: Michael Hodge

zelle, WN 25015

Phone: 622-254-8657

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Effective Date: 2/8/2023

WO#:30765406

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^{*}PM review is documented electronically in LIMS, when the Project Manager closes the SRF Review schedule in LIMS. The status may be reviewed in the Status section of the Workorder Edit Screen.

Pace Analytical Services, LLC 225 Industrial Park RD Beaver, WV 25813 (800)999-0105



March 17, 2025

Michael Hodge ARCLIN-BELLE 901 W. Dupont Avenue Belle, WV 25015

RE:

Project:

DMF SPILL CLEANUP 2 GRAVEL

Pace Project No.: 30763769

Dear Michael Hodge:

Enclosed are the analytical results for sample(s) received by the laboratory on March 14, 2025. The results relate only to the samples included in this report. Results reported herein conform to the applicable TNI/NELAC Standards and the laboratory's Quality Manual, where applicable, unless otherwise noted in the body of the report.

The test results provided in this final report were generated by each of the following laboratories within the Pace Network: · Pace Analytical Services - Beaver

If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Beth Johnson

beth.johnson@pacelabs.com

Bell Jetnson

(800)999-0105

Project Manager

Enclosures







### **CERTIFICATIONS**

Project:

DMF SPILL CLEANUP 2 GRAVEL

Pace Project No.:

30763769

Pace Analytical Services Beaver

225 Industrial Park Road, Beaver, WV 25813 New York DOH Lab ID12167 SN69208

Virginia VELAP 460148 West Virginia DEP 060 West Virginia DHHR 00412CM North Carolina DEQ 466

Kentucky Wastewater Certification KY90039

Pennsylvania DEP 68-00839

### REPORT OF LABORATORY ANALYSIS





### SAMPLE SUMMARY

Project:

DMF SPILL CLEANUP 2 GRAVEL

Pace Project No.:

30763769

Lab ID	Sample ID	Matrix	Date Collected	Date Received
30763769001	DMF SPILL CLEANUP GRAVEL	Solid	03/14/25 09:00	03/14/25 16:00





### SAMPLE ANALYTE COUNT

Project:

DMF SPILL CLEANUP 2 GRAVEL

Pace Project No.:

30763769

Lab ID	Sample ID	Method	Analysts	Analytes Reported
30763769001	DMF SPILL CLEANUP GRAVEL	ASTM D92	BT1	1

PASI-BV = Pace Analytical Services - Beaver





### PROJECT NARRATIVE

Project:

DMF SPILL CLEANUP 2 GRAVEL

Pace Project No.:

30763769

Method:

ASTM D92

Description: Flashpoint, Open Cup Client:

ARCLIN-BELLE

Date:

March 17, 2025

### General Information:

1 sample was analyzed for ASTM D92 by Pace Analytical Services Beaver. All samples were received in acceptable condition with any exceptions noted below or on the chain-of custody and/or the sample condition upon receipt form (SCUR) attached at the end of this report.

### Hold Time:

The samples were analyzed within the method required hold times with any exceptions noted below.

### Initial Calibrations (including MS Tune as applicable):

All criteria were within method requirements with any exceptions noted below.

### Continuing Calibration:

All criteria were within method requirements with any exceptions noted below.

### Internal Standards:

All internal standards were within QC limits with any exceptions noted below.

### Surrogates:

All surrogates were within QC limits with any exceptions noted below.

### Method Blank:

All analytes were below the report limit in the method blank, where applicable, with any exceptions noted below.

### Laboratory Control Spike:

All laboratory control spike compounds were within QC limits with any exceptions noted below.

### Matrix Spikes:

All percent recoveries and relative percent differences (RPDs) were within acceptance criteria with any exceptions noted below.

### Additional Comments:

Analyte Comments

QC Batch: 733190

N2: The lab does not hold NELAC/TNI accreditation for this parameter but other accreditations/certifications may apply. A complete list of accreditations/certifications is available upon request.

- DMF SPILL CLEANUP GRAVEL (Lab ID: 30763769001)
  - Flashpoint

This data package has been reviewed for quality and completeness and is approved for release.

### REPORT OF LABORATORY ANALYSIS





### **ANALYTICAL RESULTS**

Project:

DMF SPILL CLEANUP 2 GRAVEL

Pace Project No.:

30763769

Sample: DMF SPILL CLEANUP GRAVEL

Lab ID: 30763769001

Collected: 03/14/25 09:00

Received: 03/14/25 16:00

Matrix: Solid

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters

Results

Units

Report Limit

Prepared

Analyzed

CAS No.

Qual

Flashpoint, Open Cup

Date: 03/17/2025 01:29 PM

Analytical Method: ASTM D92

Pace Analytical Services - Beaver

Flashpoint

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03/17/25 12:59

N2





### **QUALIFIERS**

Project:

DMF SPILL CLEANUP 2 GRAVEL

Pace Project No.:

30763769

#### **DEFINITIONS**

DF - Dilution Factor, if reported, represents the factor applied to the reported data due to dilution of the sample aliquot.

ND - Not Detected at or above adjusted reporting limit.

TNTC - Too Numerous To Count

J - Estimated concentration above the adjusted method detection limit and below the adjusted reporting limit.

MDL - Adjusted Method Detection Limit.

PQL - Practical Quantitation Limit.

RL - Reporting Limit - The lowest concentration value that meets project requirements for quantitative data with known precision and bias for a specific analyte in a specific matrix.

S - Surrogate

1,2-Diphenylhydrazine decomposes to and cannot be separated from Azobenzene using Method 8270. The result for each analyte is a combined concentration.

Consistent with EPA guidelines, unrounded data are displayed and have been used to calculate % recovery and RPD values.

LCS(D) - Laboratory Control Sample (Duplicate)

MS(D) - Matrix Spike (Duplicate)

DUP - Sample Duplicate

RPD - Relative Percent Difference

NC - Not Calculable.

SG - Silica Gel - Clean-Up

U - Indicates the compound was analyzed for, but not detected.

N-Nitrosodiphenylamine decomposes and cannot be separated from Diphenylamine using Method 8270. The result reported for each analyte is a combined concentration.

Reported results are not rounded until the final step prior to reporting. Therefore, calculated parameters that are typically reported as "Total" may vary slightly from the sum of the reported component parameters.

Pace Analytical is TNI accredited. Contact your Pace PM for the current list of accredited analytes.

TNI - The NELAC Institute.

### ANALYTE QUALIFIERS

Date: 03/17/2025 01:29 PM

N2

The lab does not hold NELAC/TNI accreditation for this parameter but other accreditations/certifications may apply. A complete list of accreditations/certifications is available upon request.





### QUALITY CONTROL DATA CROSS REFERENCE TABLE

Project:

DMF SPILL CLEANUP 2 GRAVEL

Pace Project No.:

Date: 03/17/2025 01:29 PM

30763769

Lab ID	Sample ID	QC Batch Method	QC Batch	Analytical Method	Analytical Batch
30763769001	DMF SPILL CLEANUP GRAVEL	ASTM D92	733190		

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Site   Pacific   State   Sta	cc Report To: Michael Hodge		Email To: michael house@ardin.com		r		Types: (1) nitric a	rcid, (2) sulfuric a	id, (3) hydrochlon	e arid, (4) sodium hydroxide. (5) zinc acetate, (6) methandi, (7) sodium bisuffato, (8)
Entrop 2 Chrow   Entr			Site Collection Info/Address: 901	W DuPont Avenue	•	sodium thlosul Unpreserved, {	lfate, (5) hexane, ( O) Other	(A) ascerbic acid, .	B) ammonium sut	ate, (C) ammonium hydroxide, (D) TSP, (N) NACH/SA, (S) Socium Suifte, (U)
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Thermometer Used	Type	of loe:	<b>`/</b>	
Cooler Temperature Observed Temp	<u> </u>	· c	Corre	ection Factor: (1) °C Final Temp: (1 °C
Thermal Preservation Requirement Met Yes No 🗌				pH paper Lots Date and Initials of person examining contents: 23-1425
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Sufficient Volume:				
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-pf-I adjusted within 24 hours? (If yes, Indicate acid lot#)			1	
Filtered volume received for Dissolved tests:			4	14,
All containers have been checked for chemical preservation:			0	15.
exceptions: VOA, coliform, O&G, LLMercury, Non-equeous metr	ix			
All containers meet method/chemical preservation requirements:		***************************************	//	Initial when of Date: 3-14-25
•	L	<u> </u>	$\nu$	completed Date: 477265
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Headspace in VOA Vials:			4	16.
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^{*}PM review is documented electronically in LIMS, when the Project Manager closes the SRF Review schedule in LIMS. The status may be reviewed in the Status section of the Workorder Edit Screen,

08/20/25 Page 1 of 5

### **Hazardous Waste Base Penalty Calculation**

(pursuant to 33CSR27-6.1)

Responsible Party:	Arclin Amines LLC	EPA ID	Number:	WVR000548222
	Generator Classification:	SQG		

Enter FOF# and rate each finding as to Potential and Extent.

	Enter 1'01'# and rate each	J							FOF#	ŧ					
1)	Potential for Harm Factor	Factor Range	3.a.												
a)	Harm to RCRA Program	1 to 3	2												
b)	Probability of Exposure	0 to 3	2												
c)	Potential Seriousness of Contamination	1 to 3	2												
	Average Potential fo Factor	r Harm	2	No	No	No	No	No	No	No	No	No	No	No	No
2)	Extent of Deviation Factor	Factor Range													
	Degree of Non- Compliance	1 to 3	2												

### **Potential for Harm Factors**

- 1a. Harm to the RCRA Program
  - All regulatory requirements are fundamental to the continued integrity of the RCRA Program
  - Violations that undermine the statutory or regulatory purposes or procedures for implementing the RCRA program may have serious implications and merit substantial penalties. Examples include but are not limited to: failure to notify as a generator, failure to respond to an info request, failure to prepare or maintain a manifest, and operating / disposal without a permit
- 1b. Probability of Exposure factors to be considered include but are not limited to: evidence of a release, evidence of waste mismanagement, and adequacy of provisions for detecting and preventing a release
- 1c. Potential Seriousness of Contamination factors to consider include but are not limited to quantity and toxicity of wastes (potentially) released, likelihood or fact of transport by way of environmental media (e.g. air and groundwater), and existence, size and proximity of receptor populations (e.g. local residents, fish, wildlife) and sensitive environmental media (e.g. surface waters and aquifers.)

**Note**: Rate as 1 for Minor, 2 for Moderate and 3 for Major. Rate as 0 if it does not apply.

### Continue rating Findings of Facts (FOF) here, if necessary. Otherwise, continue on Page 3.

1)	<b>Potential for Harm</b>	Factor						FOF#	ŧ				
1)	Factor	Range											
a)	Harm to RCRA Program	1 to 3											
b)	Probability of Exposure	0 to 3											
c)	Potential Seriousness of Contamination	1 to 3											
	Average Potential fo Factor	r Harm	No	No	No	No	No	No	No	No	No	No	No
2)	Extent of Deviation Factor	Factor Range											
	Degree of Non- Compliance	1 to 3											

		Extent of Deviation from Requirement							
		Major Moderate Minor							
Potential for	Major	\$10,000	\$6,000 to \$8,000	\$5,000 to \$6,000					
Harm to	Moderate	\$5,000	\$3,000 to \$4,000	\$2,000 to \$3,000					
<b>Human Health</b>	Minor	\$2,000	\$1,000 to \$1,500	Up to \$1,000					

	Potential for	Extent of		Multiple			
FOF #	Harm	Deviation	Penalty	Factor	<b>Base Penalty</b>		
3.a.	Moderate	Moderate	\$4,000	1	\$4,000		
0	FALSE	FALSE	FALSE	1	\$0		
0	FALSE	FALSE	FALSE	1	\$0		
0	FALSE	FALSE	FALSE	1	\$0		
0	FALSE	FALSE	FALSE	1	\$0		
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U				1	\$4,000		
Total Base Penalty \$4,0							

### **Penalty Adjustment Factors**

(pursuant to 33CSR27-6.2)

### **Penalty Adjustment Factors**

- 6.2.b.1 Good faith efforts to comply or lack of good faith 10% decrease to 10% increase
- 6.2.b.2 Degree of Willfulness and / or Negligence 0% to 30% increase
- 6.2.b.3 Cooperation with the Secretary 0% to 10% decrease
- 6.2.b.4 History of Non-Compliance 0% to 100% increase based upon review of last three (3) years Warning = maximum of 5% each, N.O.V. = maximum of 10% each, previous Order = maximum of 25% each
- 6.2.b.5 Ability to pay a civil administrative penalty 0% to 100% decrease
- 6.2.b.6 Economic Benefit of non-compliance
- 6.2.b.7 Staff Investigative Costs
- 6.2.b.8 Other relevant factors determined on a case-by-case basis

## **Base Penalty Adjustments**

(pursuant to 33CSR27-6.2)

Penalty Adjustment Factor	% Increase	% Decrease	Adjustments
6.2.b.1 - Good Faith - Increase			\$0
6.2.b.1 - Good Faith - Decrease		10	(\$400)
6.2.b.2 - Willfulness and/or negligence	10		\$400
6.2.b.3 - Cooperation with the Secretary		10	(\$400)
6.2.b.4 - Compliance/noncompliance history 6.2.b.5 - Ability to Pay an Administrative Penalty			\$0 \$0
6.2.b.6 - Economic Benefit (flat monetary increase)	\$0		\$0
6.2.b.7 - Staff Investigative Costs (flat monetary increase)			\$0
6.2.b.8 - Additional Other Factors - Increase (flat monetary increase)			\$0
6.2.b.8 - Additional Other Factors - Decrease (flat monetary decrease)			\$0
Public Notice Cost (flat monetary increase)	\$30		\$30
Penalty Adju	(\$370)		
Penalty	\$3,630		

Estimated Econo	Estimated						
<u>Item</u>	Benefit (\$)						
Monitoring & R	Monitoring & Reporting						
Installation & M	aintenance of Pollution Control Equipment						
O&M expenses							
compliance							
Permit Applicati	Permit Application or Modification						
Competitive Adv	vantage						
<b>Estimated Econo</b>	\$0						
Comments:	Economic benefit not warranted.						