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Release Reporting/CERCLA: U.S. Environmental Protection Agency and Douglas, Georgia Facility Enter Into Consent Agreement Addressing Alleged Violations

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The United States Environmental Protection Agency ("EPA") and Southwire Company ("Southwire") entered into an April 19th Consent Agreement and Final Order ("CA") addressing alleged violations of the federal Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA").

Southwire is stated to be the operator and owner of a CERCLA "facility" that is located in Douglas, Georgia.

Southwire is alleged to have suffered a release of electroplating waste above the CERCLA reportable quantity (reporting trigger) on May 4, 2014 at the facility.

The electroplating waste (F006) is stated to be a CERCLA "hazardous substance" as that term is defined by Section 101(14) of the statute. The material has a reportable quantity of 10 pounds. See 40 C.F.R. § 302.4.

Section 103(a) of CERCLA requires that a person in charge of a facility or vessel immediately notify the National Response Center, as soon as he or she has knowledge of a release of a hazardous substance from such facility or vessel in an amount equal to, or greater than the CERCLA reportable quantity.

Southwire is alleged to have violated the notification requirement of Section 103(a) of CERCLA by failing to immediately notify the National Response Center as soon as it had knowledge of the release of electroplating waste in an amount equal to or greater than its reportable quantity at the facility.

Southwire neither admits nor denies the previously referenced factual allegations.

Southwire agrees to a civil penalty of \$4,323.00.

Southwire also commits to complete a Supplemental Environmental Project of an Emergency Planning and Preparedness project designed to protect the environment and the people that can be harmed by chemical accidents by providing assistance (such as, response equipment or training) to responsible state or local emergency response or planning entities which is described in the CA.

The total expenditure for the referenced equipment is stated to be not less than \$21,000.00.

[Click here to download a copy of the CA.](#)

