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Hazardous Waste Enforcement: U.S. Environmental Protection Agency and Muscatine, Iowa Tank Car Company Enter into Expedited Settlement Agreement

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The United States Environmental Protection Agency ("EPA") and Union Tank Car Company & Proctor Limited ("Union") entered into a June 8th Expedited Settlement Agreement ("ESA") addressing alleged violations of the Resource Conservation and Recovery Act ("RCRA") hazardous waste regulations. See Docket No. RCRA-07-2026-0185.

The ESA provides that Union is the owner or operator of a facility in Muscatine, Iowa.

EPA is stated to have inspected the facility on December 11-12, 2025.

40 C.F.R. § 262.17(a) states that a large quantity generator may accumulate hazardous waste on-site for no more than ninety days without a permit or interim status provided all the conditions for exemption set forth at 40 C.F.R. § 262.17 are met. It is alleged that at the time of the inspection the following conditions were not met:

- Respondent failed to send off hazardous waste within 90 days after the satellite accumulation container became a hazardous waste accumulation container, as required by RCRA 3005.
- Respondent failed to conduct weekly inspections at its hazardous waste central accumulation area, as required by 40 C.F.R. § 262.17(a)(1)(v).
- Respondent failed to separate incompatible wastes, as required by 40 C.F.R. § 262.17(a)(1)(vii)(C).
- Respondent failed to mark or label the accumulation start date on (how many) hazardous waste accumulation containers, as required by 40 C.F.R. § 262.17(a)(5)(i)(C).
- Respondent failed to list hazardous waste management duties and responsibilities in written job descriptions, as required by 40 C.F.R. § 262.17(a)(7)(iv)(B).
- Because Respondent failed to comply with the generator requirements as set forth in paragraphs 3(a) - 3(b) above, Respondent was not authorized to accumulate hazardous waste at its facility for any length of time and therefore was operating a hazardous waste storage facility without a permit in violation of Section 3005 of RCRA, 42 U.S.C. § 6925.

Union neither admits nor denies the factual allegations contained in the ESA.

A civil penalty of \$7,500 is assessed.

A copy of the ESA can be found [here](#).