

# RCRA Small Business Enforcement Policy (SBEP)

- Implemented as a pilot in June 2013
- Designed to provide penalty relief to eligible small businesses entering into consent orders to resolve RCRA violations
- Goal to reduce public and private resources spent negotiating penalties to allow for an increased focus on compliance
- To date, applied to 4 consent order cases:
  - 2 CESQGs, 2 SQGs
  - # of full-time employees ranged from 2 to 38
  - Addressed a total of 26 violations
  - Waived a total gravity-based penalty of \$101,530



# RCRA Small Business Enforcement Policy

- Policy Performance since June 2013:

	Pre-SBEP (< 50 FTEs only)	Post-SBEP
Average Final Penalty	\$25,050	\$3,691
Average Time to Order Issuance	≈ 1 year	6 months
Average Time from Order Issuance to Resolution	>1 year	4 months



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- Enforcement Case Summary:

Custom cabinet maker with < 20 employees

- Generates paint & solvent contaminated debris (rags, overspray materials, filters), spent solvent
- 1<sup>st</sup> RCRA inspection
- 7 violations (including over accumulation and trash disposal)
- Realized a penalty reduction of \$26,950 via the SBEP



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- Enforcement Case Summary:
  - Responded promptly to NOV and agreed to enter into consent order to resolve non-compliance
  - Sought compliance assistance to determine generator status and opportunities for waste minimization (which included substituting a solvent-based lacquer with a water-based product)
  - Prepared a compliance plan to prevent future RCRA violations
  - Preparing a business recycling plan to ensure compliance with CT's recycling law



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## Recent Non-SBEP Enforcement Case:

- Generated paint & solvent contaminated debris, spent solvent
- 1<sup>st</sup> RCRA inspection
- 28 RCRA violations, including over accumulation and trash disposal
- Violations were not promptly addressed
- No agreement to enter into consent order
- Referral to Attorney General's office
- Resulted in court judgment of \$700,000 for waste violations



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