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In the Matter of:	:	STIPULATION AND CONSENT ORDER
	:	AMENDMENT
CLEAN HARBORS ARAGONITE, LLC.	:	No. 2106050
Notice of Violation and Compliance Order	:	
No. 2102003	:	
UTD 981 552 177	:	

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This **AMENDMENT TO STIPULATION AND CONSENT ORDER** (AMENDMENT) is issued by the Director of the Division Waste Management and Radiation Control pursuant to the Utah Solid and Hazardous Waste Act (the Act) and Utah Code § 19-6-101, *et seq.*

JURISDICTION

1. The Director has jurisdiction over the Aragonite facility owned and operated by Clean Harbors Aragonite, LLC. (CHA) and the subject matter of STIPULATION AND CONSENT ORDER No. 2106050 (CONSENT ORDER), effective February 8, 2022, and this AMENDMENT pursuant to Utah Code §§ 19-6-107 and 19-6-112. CHA consents to and will not challenge issuance of the CONSENT ORDER, this AMENDMENT, or the Director’s jurisdiction to enter and enforce the CONSENT ORDER, as amended. CHA and the Director are the parties to this agreement.

FINDINGS

2. Pursuant to the terms of the CONSENT ORDER, CHA may be credited a portion of the imposed penalty if it completed a Supplemental Environmental Project (SEP) related to ensuring the proper transportation, tracking, and disposal of hazardous waste vape cartridges collected from schools located within the State of Utah. CHA must complete the SEP within one year of the effective date of the CONSENT ORDER.
3. On October 12, 2022, CHA requested an extension of time to complete the SEP because (a) “[t]he schools will be able to collect more volume [of hazardous waste vape cartridges] and continue to consolidate the pickups [from the schools] . . .” and (b) the additional time will allow the established program to continue longer . . .” *See* DSHW-2022-025112.
4. The Director finds an extension of time for CHA to complete the SEP is warranted to collect more hazardous waste vape cartridges from schools within the State of Utah over a longer period.

AMENDMENT TO STIPULATION AND CONSENT ORDER

5. This AMENDMENT was negotiated in good faith and the parties now agree to extend the time for CHA to complete the SEP described in the CONSENT ORDER ¶¶ 15.03 and 15.04 until February 28, 2024.

EFFECT OF AMENDMENT TO CONSENT ORDER

6. For the purpose of this AMENDMENT, the parties agree and stipulate to the above stated facts. The obligations in the CONSENT ORDER, as amended, apply to and are binding upon the Division of Waste Management and Radiation Control and upon CHA and any of CHA's successors, assigns, or other entities or persons otherwise bound by law.

EFFECTIVE DATE

7. This AMENDMENT shall become effective upon the date of execution by the Director.

PUBLIC PARTICIPATION

8. This AMENDMENT shall be subject to public notice and comment for a period of at least 30 days ("Comment Period") in accordance with Utah Admin. Code R315-124-34. The Director reserves the right to withdraw or withhold its consent if any comment received during the Comment Period disclose facts or consideration indicating this AMENDMENT is inappropriate, improper, or inadequate.

SIGNATORY

9. The undersigned representative of Clean Harbors Aragonite certifies they are authorized to enter into this AMENDMENT and to execute and legally bind CHA.

Pursuant to the Utah Solid and Hazardous Waste Act (the Act), Utah Code § 19-6-101, *et seq.*, in the *Matter of Clean Harbors Aragonite Notice of Violation and Compliance Order No. 2205051*, the parties hereto mutually agree and consent to AMEND the STIPULATION AND CONSENT ORDER 2210117 as evidenced below:

CLEAN HARBORS ARAGONITE, LLC

THE STATE OF UTAH
DEPARTMENT OF ENVIRONMENTAL
QUALITY
DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL

Eric Gerstenberg, President

Douglas J. Hansen, Director

Date: _____

Date: _____

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