



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Scott T. Anderson
Director

April 3, 2017

George Gooch
Environmental Services Manager
Orbital ATK, Inc.
UT03-F1EV
P.O. Box 98
Magna, UT 84044-0098

RE: Draft Stipulation and Consent Order No. 1601002
EPA ID No. UTD001705029

Dear Mr. Gooch:

Enclosed please find a revised draft Stipulation and Consent Order (SCO) reflecting the changes agreed to for removal of burned electronic waste at the Beaslin Property, located at 420 C Street in Clearfield, UT. The 30-day public comment period for this draft SCO is anticipated to begin on April 7, 2017.

If you have any questions, please call Pat Sheehan at (801) 536-0248.

Sincerely,

Scott T. Anderson, Director
Division of Waste Management and Radiation Control

STA/PS/kl

Enclosure: Draft Stipulation and Consent Order No. 1601002

In the Matter of:

STIPULATION AND
CONSENT ORDER
No. 1601002

ATK Launch Systems, Inc.
8400 West 5000 South
West Valley City, Utah 84120
EPA ID No. UTD001705029

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

JURISDICTION

1. Orbital ATK, Inc. (Orbital ATK) facilities, which are operated by its wholly owned subsidiary ATK Launch Systems, Inc., are subject to the provisions of the Solid and Hazardous Waste Act, Utah Code Annotated, Title 19, Section 6. In accordance with Utah Code Annotated § 19-6-112, the Director is authorized to issue this Order. The Director and ATK Launch Systems, Inc. are parties to this Order.

FINDINGS

2. Orbital ATK owns several facilities in Utah, including the facility located at 8400 West 5000 South, West Valley City, Utah, which is operated by its wholly owned subsidiary ATK Launch Systems, Inc.
3. ATK Launch Systems, Inc. is a “person” as defined in Utah Code Annotated §19-1-103(4) and is subject to all applicable provisions of the Act and R315 of the Utah Administrative Code (the Rules).
4. ATK Launch Systems, Inc. generates listed and characteristic hazardous wastes as defined in the Act and the Rules. During calendar year 2013, ATK Launch Systems, Inc. transported for recycling approximately 25,000 pounds of electronic waste to Stone Castle Recycling. Stone Castle Recycling, Inc. operated several facilities, including the facility located at 420 C Street, Clearfield, Utah, identified here as the Beaslin Property, owned by Robert Beaslin. In 2013, Stone Castle Recycling, Inc. abandoned electronic waste at the Beaslin Property.
5. On November 2, 2014, some of the electronic waste at the Beaslin Property caught fire and burned. This burned material is considered a hazardous waste and presents a risk to human health and the environment.
6. On May 6, 2015, ATK Launch Systems, Inc. representatives met with Robert Beaslin and Division representatives. The parties conducted a walk-through of the facility and discussed cleanup options for the burned electronic waste at the facility. ATK Launch Systems, Inc. subsequently assessed the amount of burned electronic waste at the site.
7. ATK Launch Systems, Inc. has voluntarily committed to properly remediate the burned electronic waste and residues at the Beaslin Property in order to mitigate the human health and environmental risks.

CONSENT ORDER

Based on the foregoing Findings, the Director and ATK Launch Systems, Inc. hereby agree as follows:

8. ATK Launch Systems, Inc. shall submit a work plan detailing the planned remediation and disposal activities and schedule for approval by the Director. The work plan shall include details regarding the proposed activities and estimated costs associated with the removal, transportation off site and disposal of the burned electronic waste material and residues at a hazardous waste landfill. The work plan shall also include a property access agreement to provide the parties access to the site.
9. Within 60 days of written approval of the work plan, ATK Launch Systems, Inc. shall commence work to implement the tasks in accordance with the standards, specifications and schedule set forth in the work plan.
10. ATK Launch Systems, Inc. shall provide a written report detailing the cleanup activities and final disposition of the burned material and residues, as well as the incurred costs for the project as required by the approved work plan.
11. Upon written approval of the report detailing the cleanup activities and final disposition of the burned material and residues, the Director agrees to apply incurred costs for this project towards any future financial liabilities that may be assessed by the Director to Orbital ATK, Inc. and ATK Launch Systems, Inc. associated with Stone Castle Recycling, Inc.

EFFECTIVE DATE

This STIPULATION and CONSENT ORDER shall become effective upon execution by ATK Launch Systems, Inc. and the Director of the Utah Division of Waste Management and Radiation Control.

Dated this ____ day of _____, 2017

ATK Launch Systems, Inc.

Division of Waste Management and Radiation Control

David Sebahar, VP Operations

Scott T. Anderson, Director

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