



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

ELECTRONIC MAIL
CONFIRMATION OF RECEIPT EMAIL REQUESTED

Ms. Pamela Beavers
Plant Manager
Techtrix, Inc.
525 Plainview Street
Gadsden, Alabama 35901-2027
pamelabeavers@outlook.com

SUBJ: Opportunity to Show Cause
Resource Conservation Recovery Act (RCRA) Compliance Evaluation Inspection (CEI)
Techtrix, Inc., EPA ID: ALD982167678

Dear Ms. Beavers:

On March 22-23, 2021, the U.S. Environmental Protection Agency, along with the Alabama Department of Environmental Management (ADEM), conducted a RCRA CEI at Techtrix, Inc. (Techtrix) located in Gadsden, Alabama to determine the facility's compliance status with RCRA and applicable regulations. This RCRA CEI was an EPA-lead inspection.

The EPA has determined that the facility may not be in compliance with several requirements of the Alabama Hazardous Waste Management and Minimization Act of 1978 (AHWMMA), Ala. Code § 22-30-1 et seq. [Subtitle C of RCRA, 42 U.S.C. §§ 6921 to 6939(g)], and the regulations promulgated pursuant thereto, found at Rules 335-14-1 to 335-14-17 of the Alabama Department of Environmental Management (ADEM) Administrative Code (ADEM Admin. Code) [Title 40 of the Code of Federal Regulations (C.F.R.) Parts 260 through 279] based on potential violations observed during the CEI. The observations made during the inspection are summarized in the attached RCRA CEI Report.

Please provide a detailed written response within fourteen (14) days following receipt of this letter describing any actions that Techtrix, Inc. has taken and/or intends to take related to the observations and potential violations documented in the RCRA CEI Report. Your response should be mailed and emailed to:

Alan Newman
newman.alan@epa.gov
U.S. Environmental Protection Agency, Region 4
RCRA Enforcement Section
Chemical Safety and Land Enforcement Branch
Enforcement and Compliance Assurance Division
61 Forsyth Street, SW
Atlanta, Georgia 30303

Information currently available to the EPA suggests that Techtrix may be in violation of, or have committed violations of, RCRA. By this letter, the EPA is extending to you an opportunity to advise the agency, via a conference call, of any further information the EPA should consider with respect to the potential violations. Techtrix may elect to be represented by legal counsel at this meeting and should be prepared to present relevant information and documentation pertaining to the EPA's observed potential violations.

The EPA may determine that a formal enforcement action is appropriate and may assess civil penalties pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a). Therefore, Techtrix has the opportunity to present factors and documentation that could mitigate any penalties that may be assessed against the facility, including information on Techtrix ability to pay a penalty. Prior to the meeting, Techtrix may review the following documents:

RCRA Civil Penalty Policy found at: <http://www2.epa.gov/sites/production/files/documents/rcpp2003-fnl.pdf>,

Revised Penalty Matrices found at: <https://www.epa.gov/sites/production/files/2018-01/documents/amendmentstotheepascivilpenaltypoliciestoaccountforinflation011518.pdf>, and

Inflation Adjustments found at: <https://www.epa.gov/sites/production/files/2020-01/documents/2020penaltyinflationruleadjustments.pdf>.

Please be advised that any information provided by Techtrix at the meeting may be used by the EPA in any civil or criminal proceedings related to this or other matters. Any false, fictitious, or fraudulent material omissions, statements or representations may subject Techtrix to criminal penalties under Section 3008(d)(3) of RCRA, 42 U.S.C. § 6928(d)(3).

If Techtrix chooses to accept this offer to meet with the EPA, the facility should contact Alan Newman **within fourteen (14) days** following receipt of this letter to schedule a conference call. Alan Newman can be reached at (404) 562-8589 or by email at newman.alan@epa.gov. If you decide not to accept this offer to meet to discuss the observed potential violations, the EPA may proceed with enforcement action against Techtrix as authorized under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), including the assessment of appropriate civil penalties and injunctive relief.

If Techtrix is a Small Business or a Small Community, you can find compliance and enforcement resources specifically designed to meet your needs at: <http://www2.epa.gov/enforcement/small-businesses-and-enforcement>. In that webpage you can find information about the Small Business Regulatory Enforcement Fairness Act (SBREFA) that accords some rights to small businesses and is aimed at providing assistance to small businesses and other small entities, making tools available for better understanding of the regulatory and enforcement processes, and seeing that there is no unfair treatment relating to the regulatory enforcement process.

Please feel free to contact Alan Newman if you have any technical questions regarding the observations and findings from the inspection performed at Techtrix's facility.

Sincerely,

KIMBERLY
BINGHAM

Digitally signed by
KIMBERLY BINGHAM
Date: 2021.06.01
16:30:16 -04'00'

Kimberly L. Bingham

Chief

Chemical Safety and Land Enforcement Branch

Enclosure

cc: Mr. Corey Holmes; ADEM (cholmes@adem.alabama.gov)
Mr. Stephen Cobb; ADEM (sac@adem.alabama.gov)