



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Via Electronic Mail

Roger Crawford, Facility Manager
Tech Met, Inc.
15 Allegheny Square
Glassport, PA 15045

Re: Request for Information Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6927(a), Regarding Generation and Management of Hazardous Waste by Tech Met, Inc.
EPA ID No. PAD987266665
Reference Number: C22-005

Dear Mr. Crawford:

The U.S. Environmental Protection Agency, Region III ("EPA") is requesting to supplement the information obtained during its inspection of the Tech Met, Inc. facility ("Tech Met" or "the facility") located in Glassport, PA on September 21 and 22, 2021. A copy of the inspection report narrative and photographic log was sent via e-mail to Tech Met on November 10, 2021. EPA is requesting this information pursuant to the authority granted to it under Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(a), which provides in relevant part that "any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, . . . furnish information relating to such wastes" EPA hereby requires that you furnish to EPA, within **[thirty (30)] calendar days** of receipt of this letter, the information requested below, including all documents responsive to such request.

For each and every request, if you have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request or provide additional responsive documents, then as a part of your response to such request, identify each such person and the additional information or documents which such person may be able to provide. Furthermore, for each and every response, if information or documents responsive to such request are not in your possession, custody or control, then as part of your response to such request, identify each person from whom such information or documents may be obtained.

Please provide a separate narrative response to each information request. Precede each answer with the number of the question or letter of the subpart of the request to which it corresponds. A request for documents shall be construed as a request for any and all documents maintained by you or in your custody, control, or possession or in the possession, custody or

control of any of your employees or agents, relating to the matters described below. All copies of documents submitted to EPA in response to the following requests must be complete and legible.

As used herein, the term "document" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phonograph records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer print outs, or other data compilations from which information can be obtained or translated.

All other terms used in this request for information that are defined in RCRA, 42 U.S.C. §§ 6901 *et seq.*, 40 C.F.R. Parts 260-266, 268, and 273 (1998 ed.), or 25 Pa. Code Chapters 260a-266a, 266b, and 268a (effective May 1, 1999) shall have the meanings set forth therein.

Please provide the information requested below:

Information Request

1. During the Compliance Evaluation Inspection ("CEI"), the Facility described the generation and management of its hazardous and non-hazardous waste streams. At the time of the CEI, the Facility was unable to provide a waste profile or sampling results for the waste streams listed in Table 1 below.

Table 1

Facility Waste Stream	CEI Report Reference
1. Sand blast grit	Discarded as non-hazardous waste (CEI Report, pg. 11).
2. Sand blast room dust	Unlabeled container under the dust collection unit (CEI Report, pg. 12, Photo #19).
3. Acid rinse waste	5-gallon containers in 33 Building and 15 Building Chem Labs (CEI report, Photo #15 & Photo #36).
4. Dip Coating Room wet scrubber wastewater	Open plastic tote labeled with the words "Wastewater" and "Not for Process" (CEI Report, pg. 15, Photo #48).

With regards to the waste streams listed in Table 1, please answer the following:

- a. Provide a detailed description of the process or processes that generates the waste stream.
- b. Provide a detailed narrative describing any and all systems, agreements, and/or procedures (e.g., Standard Operating Procedure) the Facility has or had in place that show how the Facility manages the waste from the time the waste is

generated until it is shipped off-site. Please submit any and all supporting documentation (e.g., SOPs, Tolling Agreements).

- c. Does the facility have a waste profile for, or sample and analysis of the waste stream? If so, please provide the waste profile and a detailed narrative that describes the facility's sampling process and analytical methods used. Submit any and all laboratory analysis.
 - d. Provide the "waste determination", if one was performed, for the waste stream, the date the determination was made, and provide a copy of a land disposal restriction ("LDR") determination. If the LDR determination was based on analytical results, provide any and all documentation of such results.
 - e. If a solid and hazardous "waste determination" was made for the waste stream, state whether the waste determination was based on analytic results or on the generator's knowledge of the process that generated the waste. If the determination was based on analytical results, provide any and all documentation of such results. If the determination was based upon the generator's knowledge, provide a narrative explanation of the basis for each determination, and provide any supporting documentation.
 - f. If the waste stream was determined to be "solid waste" and "hazardous waste" please provide the specific EPA Hazardous Waste Code(s) associated with the waste stream that was determined to be hazardous waste.
 - g. For the time period of September 1, 2018 up to the present, please (1) state the method of disposal for waste stream, and (2) submit copies of all bills of lading, manifests (hazardous and non-hazardous), shipping invoices, and LDR notices/certifications that have accompanied the off-site shipment of such waste.
2. During the CEI, Tech Met indicated that sludge generated from the cleanout of onsite wastewater treatment unit ("WWTU") holding tanks located in the 15 Building and the 33 Building are pumped into totes. The contents of the totes are managed onsite as non-hazardous waste and sent offsite as non-hazardous waste for disposal by McCutcheon Enterprises, Inc. of Apollo, PA. At the time of the CEI, the Facility provided copies of a waste profile dated 5/7/19 for the WWTU sludge, and a laboratory report and laboratory sampling results dated 5/2/19 for the WWTU sludge. With regards to the WWTU sludge sampling and analysis, please answer the following:
- a. Provide a detailed narrative that describes the sampling process and analytical methods used for the WWTU sludge.
 - b. Were the samples of WWTU sludge taken and analyzed as separate waste streams from the 15 Building and the 33 Building or were the samples from each building combined prior to being analyzed?

3. During the CEI, Facility personnel indicated that perchloroethylene is collected from the Dip Coating Room wet scrubber into a 55-gallon container. According to Mr. Crawford, the Facility can directly reuse the perchloroethylene in the Dip Coating Room process tanks, and any excess containers of perchloroethylene are currently sent offsite to Clean Harbors Recycling Services of Ohio (EPA ID #: OHD980587364) for recycling under hazardous waste manifest. With regard to the containers of perchloroethylene that are sent offsite for recycling, please answer the following:
- a. Provide a detailed description of the process or processes that generates the used perchloroethylene.
 - b. Describe, in detail, how the used perchloroethylene is recycled by the reclamation facility.
 - c. Provide the name of the product(s) for which the used perchloroethylene is used to produce by the reclamation facility.
 - d. For the used perchloroethylene, describe in detail any specifications that exist for it to be recycled by the reclamation facility (e.g., minimum concentration of an active ingredient, maximum concentrations of contaminants, and/or dates beyond which the material should not be used), and provide all analytical testing results and/or other documentation to verify that the material meets such specifications for recycling.
 - e. Describe, in detail, any standard operating procedures the Facility has in place to ensure that such specifications are met in order for the used perchloroethylene to be recycled offsite by the reclamation facility.
 - f. Provide documentation, if available, to substantiate the legitimacy determination of the offsite recycling of the used perchloroethylene.
 - g. Provide the “waste determination”, if one was performed, for the used perchloroethylene that is sent offsite for recycling, the date the determination was made, and provide a copy of a land disposal restriction (“LDR”) determination. If the LDR determination was based on analytical results, provide any and all documentation of such results.
 - h. If a solid and hazardous “waste determination” was made for the used perchloroethylene that is sent offsite for recycling, state whether the waste determination was based on analytic results or on the generator’s knowledge of the process that generated the waste. If the determination was based on analytical results, provide any and all documentation of such results. If the determination was based upon the generator’s knowledge, provide a narrative explanation of the basis for each determination, and provide any supporting documentation.

- i. If the used perchloroethylene that is sent offsite for recycling was determined to be “solid waste” and “hazardous waste” please provide the specific EPA Hazardous Waste Code(s) associated with the content(s) of the container that was determined to be hazardous waste.
 - j. Submit copies of all bills of lading, manifests (hazardous and non-hazardous), shipping invoices, and LDR notices/certifications that accompanied the off-site shipment of the used perchloroethylene that was sent for recycling.
 - k. If the material was sent to another facility for processing prior to recycling, describe in detail any additional processing, and provide the name and address of each entity that received the material if further processing was done.
 - l. If the used perchloroethylene was shipped off-site for disposal from September 1, 2018 to the present, provide the following information:
 - i. Provide the method of disposal. If the material was sent to another facility for processing prior to disposal, describe in detail any additional processing, and provide the name and address of each entity that received the material if further processing was done prior to final disposal.
 - ii. Submit copies of all bills of lading, manifests (hazardous and non-hazardous), shipping invoices, and LDR notices/certifications that accompanied the off-site shipment of such waste.
4. During the CEI, the EPA inspector observed the less than 90-day HW accumulation area that has two HW tanks, one labeled as “HCL” and the other labeled as “Gen Acid” (CEI Report, p. 10, Photos 6 - 9). Provide the following information regarding each hazardous waste tank:
- a. State the exact dates of installation. If the exact dates cannot be determined, please estimate the month and year of installation for each tank and explain the basis for any estimated dates. Provide any documentation to support your stated dates of installation.
 - b. If it is an "existing tank system" as defined in 40 C.F.R. § 260.10, has the facility conducted an assessment of its integrity as described in 40 C.F.R. § 265.191? If so, please state the date this assessment was completed and provide a copy of the assessment.
 - c. If it is a "new tank system" as defined in 40 C.F.R. § 260.10, has the facility certified its design as described in 40 C.F.R. § 265.192(g)? If so, please state the date this certification was completed and provide a copy of the certification.
 - d. Although the Facility maintains inspection logs for the hazardous waste tanks, at the time of the CEI the EPA inspector noted gaps in time where there were no

inspection records. For the period of June 1, 2017 to September 22, 2021, the following date ranges and specific dates appeared to be missing tank inspection logs, which are summarized in Table 2:

Table 2

Calendar Year	Date Ranges & Specific Dates with No Inspection Records
2017	Date Range: 6/12/17 to 7/14/17 Specific Dates: 8/25/17, 8/31/17, 9/1/17, & 9/15/17
2018	Date Range: 3/12/18 to 3/16/18; 3/26/18 to 4/27/18; 5/7/18 to 5/18/18; 5/28/18 to 6/8/18; 6/14/18 to 12/31/18. Specific Dates: 1/1/18, 1/5/18, 3/22/18
2019	Date Range: 9/6/19 and 11/4/19 Specific Dates: 12/30/19, 12/31/19
2020	Date Range: 1/6/20 to 1/10/20 Specific Date: 1/1/20
2021	Date Range: 9/8/21 to 9/22/21

For each day within each date range and for each specific date listed in Table 2, please provide the following:

- a. State whether or not an inspection of the facility's hazardous waste tanks was conducted.
- b. If an inspection was conducted, please state the date the inspection was conducted and provide the log for the inspection; or if a log is not available, please state why.
- c. If an inspection was not conducted, please state why.

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928, authorize EPA to pursue penalties for failure to comply with or respond adequately to an information request under Section 3007(a) of RCRA. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings. **Your response must include the following signed and dated certification:**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete.

Signature: _____
Date: _____
Name: _____
Title: _____

With regard to the Small Business Regulatory Enforcement and Fairness Act ("SBREFA"), please see the "Information for Small Businesses" memo, found at <https://www.epa.gov/compliance/small-business-resources-information-sheet>, which might be applicable to your facility. This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve your facility of its obligation to respond in a timely manner to an EPA request or other enforcement action, create any rights or defenses under law, and will not affect EPA's decision to pursue an enforcement action. To preserve your facility's legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement actions. EPA has not made a determination as to whether or not your facility is covered by SBREFA.

Your Facility is entitled to assert a claim of business confidentiality covering any part or all of the information submitted, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to your facility.

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

Please send your response **electronically** within 30 days of receipt of this request to:

Andrew Ma (3ED22)
ma.andrew@epa.gov
U.S. Environmental Protection Agency, Region III

If you have any questions concerning this matter, please contact Mr. Ma, Physical Scientist, at 410.305.3429 or ma.andrew@epa.gov.

Sincerely,

**ANDREW
DINSMORE**

Digitally signed by ANDREW
DINSMORE

Date: 2022.04.21 16:29:42
-04'00'

for

Jeanna R. Henry, Chief

Air, RCRA & Toxics Branch

Enforcement and Compliance Assurance Division

Attachment

cc: Andrew Ma (3ED22) w/o Attachments
Melissa Gross (PADEP) w/o Attachments
Pauline Belgiovane (3ED20) w/o Attachments