

RCRA Inspection Report

1) Inspector and Author of Report

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U.S. Environmental Protection Agency, Region 4
Enforcement and Compliance Assurance Division
Chemical Safety and Land Enforcement Branch
RCRA Enforcement Section
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

2) Facility Information

Techtrix, Inc.
525 Plainview Street
Gadsden, Alabama 35901-2027
Etowah County

EPA ID #: ALD982167678
NAICS #: 332813 Electroplating, plating,
polishing, anodizing, and coloring

3) Responsible Officials

Joshua B. Sullivan, Esq.
Office: (256) 547-7200
Email: josh@kkslawgroup.com

4) Inspection Participants

Pam Beavers	Techtrix, Inc.
Alan Newman	EPA, Region 4

5) Date of Inspection

January 18, 2024; 1:00 pm – 3:00 pm. C.D.T.

6) Applicable Regulations¹

Alabama Hazardous Waste Management and Minimization Act of 1978, Ala. Code § 22-30-1 et seq., and rules 335-14-1 to 335-14-17 (2016 and 2018) of the Alabama Department of Environmental Management (ADEM) Administrative Code (ADEM Admin. Code).

As the State's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions alleged herein will be to the authorized State program; however, for ease of reference, the federal citations will follow in brackets.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(5)(a) [40 C.F.R. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste in containers at or near the point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or without having interim

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status, as required by Section 22-30-12(b) of the AHWMMMA, Ala. Code § 22-30-12(b) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with ADEM Admin. Code r. 335-14-3-.01(6) and (7) [40 C.F.R. § 262.16(b) or §262.17(a)], except as required in ADEM Admin. Code r. 335-14-3-.01(5)(a)7. and 8. [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in ADEM Admin. Code r. 335-14-3-.01(5)(a) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7) [40 C.F.R. § 262.17], a LQG may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Section 22-30-12(b) of the AHWMMMA, Ala. Code § 22-30-12(b) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in ADEM Admin. Code r. 335-14-3-.01(7) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

Pursuant to ADEM Admin. Code r. 335-14-11-.02(1)(a)244. [40 C.F.R. § 273.9], a small quantity handler of universal waste (SQHUW) is a universal waste handler who does not accumulate 5,000 kilograms or more of universal waste (batteries, pesticides, mercury-containing equipment, lamps, or aerosol cans, calculated collectively) at any time.

Techtrix and EPA entered into a RCRA § 7003 Administrative Order on Consent (AOC) on September 14, 2021, to address an imminent and substantial endangerment at the facility.

7) Purpose of Inspection

The purpose of this inspection was to conduct an announced focused inspection to determine Techtrix’s progress with the current RCRA 7003 CAFO compliance schedule. This was an EPA lead inspection.

8) Facility Description

Techtrix, Inc. (Techtrix or Facility) was founded in 1987 and operates as an electroplating and metal finishing shop. The Facility occupies an 80,000 square foot building and employs approximately eight employees. The facility operates twelve plating lines and a no discharge wastewater treatment system. Techtrix provides zinc, cadmium, copper, tin, nickel, gold, and silver electroplating services. The Facility also performs additional finishing services such as electroless nickel, alodine anodize, zinc phosphate, manganese phosphate, endurion, passivation, and selection brush plating.

Techtrix is a large quantity generator of hazardous waste, a small quantity handler of universal waste, and generator of used oil.

The following wastes are generated at the Facility:

Number	Waste Stream Description	Reason for Hazardous Waste Determinations	EPA Waste Codes
1	Spent Bright Dip (alkaline)	Reactivity, Toxicity, and Corrosivity	D002, D006, D007, D008, D011, F007, F009 *D003 – as appropriate
2	Spent Bright Dip (acid)	Reactivity, Toxicity, and Corrosivity	D002, D006, D007, D008, D011, F007, F009 *D003 – as appropriate
3	Plating Bath Residues from Plating Tanks Containing Cyanides	Toxicity and Corrosivity	F007, F008, or F009) Characteristic Waste D002 *D003 – as appropriate
4	Debris (including plant cleanup: plastic, cardboard, paper, and or rags) from plant without cyanides	Toxicity	D002, D007, D008, D011 *D002 – as appropriate
5	Cadmium Salt Solids bottom of Vats	Electroplating parts Cyanide/Alkaline (D002) salts	D006, D007, D008, D011, F008
6	Spent Bright Dip (acid) (Chrome Baths)	Toxicity and Corrosivity	D002 and D007
7	Filter Cakes from the treatment of electroplating bathes	Corrosivity	F006
8	Filter Cakes from the treatment of Waste Streams #1 and 2	Corrosivity	F006 and F008

9) **Previous Inspection History**

EPA and ADEM have conducted three RCRA CEIs at the subject facility between 2021 and 2024 and found twenty-nine violations during those inspections. Subsequent to the 2021 CEI, Techtrix and EPA entered into a RCRA 7003 CAFO to ensure compliance.

10) **Opening Conference**

On January 18, 2024, EPA inspector Alan Newman arrived at Techtrix at approximately 1:00 pm. Pam Beaver, Plant Manager, immediately received the inspector. The inspector introduced themselves, showed their credentials to Pam Beaver, and explained the purpose of the visit.

The inspector described the anticipated use of a digital camera during the inspection. Pam Beaver provided an update of facility's current operations during the opening conference. The inspection participants also discussed health and safety protocols and required personal protective equipment before Pam Beaver led the inspector on a tour of the Facility operations.

11) Inspection Observations

The inspector toured the areas where waste was being stored and where waste was being treated.

- Chemical Storage Area and Former Expired Chemical Storage Area

Techtrix was storing usable chemicals in multiple adjacent areas separated by chain-link fences. The supplies were separated into alkaline cleaners, brighteners and additives, and acids. This area was more organized than the previous visits. The supplies were in orderly rows with labels visible from the adequate aisle ways.

- Central Accumulation Areas (CAAs)

The primary purpose of the focused compliance inspection was to view all the CAAs at the facility (Photographs 1-7). There were multiple storage areas inspected including:

Central Accumulation Area	Number of Containers of Hazardous Waste	Waste Stream	Oldest Accumulation Start Date
CAA 1	31 - 250-gallon totes	WS #3	3/20/2020
Bay Door CAA	29 - 250-gallon totes	WS #1	3/20/2020
Solid Hazardous Waste CAA	9 - 250-gallon totes 2 - 55-gallon containers 1 - Supersack	WS #7	3/20/2020
Former Non-Hazardous Waste CAA	3 – 250-gallon totes & 3 - 250-gallon totes newly discovered behind equipment (Unknowns)	Treated Filter Press Supernate and unknowns	3/20/2020
CAA 2	4 – Supersacks of F006 10 – 250-gallon totes	WS #7	9/25/2023
Compressor Room CAA	4 – 250-gallon totes 18 - 55-gallon containers of Solids	Empty Containers	N/A
Filter Press	8 – 250-gallon totes	Process Supernate	N/A

Each CAA was being managed with sufficient aisle space, the containers were in good condition, labeled, and closed. There were three 250-gallon totes in the Former non-hazardous waste CAA that were tucked behind some antiquated equipment at the rear of this area and discovered once the forward totes were removed for treatment. The facility was not operating the CAAs

storing hazardous waste with adequate secondary containment. This is a repeat violation from previous inspections. The facility was storing waste for more than 90 days. This is repeat violation and the subject of the 2021 RCRA 7003 CAFO. Techtrix continues to treat and to discharge treated wastewaters at the site on schedule with the approved compliance milestones submittal.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(b) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Tenn. Comp. R. & Regs. 0400-12-01-.02(1)(b) [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(b) [40 C.F.R. § 262.11].

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(b) [40 C.F.R. § 262.17(b)], an LQG who accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of ADEM Admin. Code r. 335-14-1 to 335-14-9 [40 C.F.R. Parts 124, 264 through 268 and Part 270].

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)1.(viii) which incorporates ADEM Admin. Code r. 335-14-6-.09(6)(a), and is a condition of the LQG Permit Exemption, container storage areas must meet the following requirements:

(a) Container storage areas must have a containment system that is designed and operated in accordance with 335-14-6-.09(6)(b), except as otherwise provided by 335-14-6-.09(6)(c).

(b) A containment system must be designed and operated as follows:

- 1. A base must underlie the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed;**
- 2. The base must be sloped or the containment system must be otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids;**
- 3. The containment system must have sufficient capacity to contain 10% of the volume of containers or the volume of the largest container, whichever is greater. Containers that do not contain free liquids need not be considered in this determination;**
- 4. Run-on into the containment system must be prevented unless the collection system has sufficient excess capacity in addition to that required in 335-14-6-.09(6)(b)3. to contain any run-on which might enter the system; and**
- 5. Spilled or leaked waste must be removed from the sump or collection area in a timely manner not to exceed 24 hours after detection. Accumulated precipitation must be removed in as timely a manner necessary to prevent overflow of the collection system.**

- **Wastewater Treatment Tanks**

There are just two tanks remaining onsite that are storing historic waste out of the original eleven: Tanks 7 and 11. As the staff have extra time, the tanks are being cleaned out. The removed waste is stored in the solids CAA area.

12) Records Review

There were no records reviewed during this site visit.

13) Closing Conference

The inspectors conducted the exit meeting at 3:00 pm with Pam Beaver. During this meeting, the inspectors stated their preliminary conclusions of the inspection.

14) Summary of Observations

During the inspection, observations were made concerning the following RCRA requirements:

There were three containers of unknown materials in CAA 2.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(b) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Tenn. Comp. R. & Regs. 0400-12-01-.02(1)(b) [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(b) [40 C.F.R. § 262.11].

There were multiple containers that had been stored for longer than 90 days.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(b) [40 C.F.R. § 262.17(b)], an LQG who accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of ADEM Admin. Code r. 335-14-1 to 335-14-9 [40 C.F.R. Parts 124, 264 through 268 and Part 270].

Hazardous waste was being stored in areas that did not have adequate secondary containment.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)1.(viii) which incorporates ADEM Admin. Code r. 335-14-6-.09(6)(a), and is a condition of the LQG Permit Exemption, container storage areas must meet the following requirements:

(a) Container storage areas must have a containment system that is designed and operated in accordance with 335-14-6-.09(6)(b), except as otherwise provided by 335-14-6-.09(6)(c).

(b) A containment system must be designed and operated as follows:

- 1. A base must underlie the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed;**
- 2. The base must be sloped or the containment system must be otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids;**

3. The containment system must have sufficient capacity to contain 10% of the volume of containers or the volume of the largest container, whichever is greater. Containers that do not contain free liquids need not be considered in this determination;
4. Run-on into the containment system must be prevented unless the collection system has sufficient excess capacity in addition to that required in 335-14-6-.09(6)(b)3. to contain any run-on which might enter the system; and
5. Spilled or leaked waste must be removed from the sump or collection area in a timely manner not to exceed 24 hours after detection. Accumulated precipitation must be removed in as timely a manner necessary to prevent overflow of the collection system.

15) **List of Attachments**

Attachment 1 – Photo Log:
14 Photos taken on: January 18, 2024
Photos taken by: Alan Newman
Photographs taken with Lumix Digital
EPA Property Tag: S75870

16) **Signed**

ALAN NEWMAN Digitally signed by ALAN NEWMAN
Date: 2024.05.02 13:34:47 -04'00'

Alan R. Newman
Environmental Engineer

17) **Concurrence**

ALAN NEWMAN Digitally signed by ALAN NEWMAN
Date: 2024.05.02 13:35:11 -04'00'

Alan R. Newman
Acting Chief
RCRA Enforcement Section

Appendix 1

Photograph Log:

Photos taken January 18, 2024

Photos taken by Alan Newman



Photograph 1: CAA 1.



Photograph 4: Former Non-Hazardous Waste CAA.



Photograph 2: Bay Door CAA.



Photograph 5: CAA 2.



Photograph 3: CAA for Solids.



Photograph 6: Compressor Room CAA.



Photograph 7: Filter Press Storage Area.



Photograph 10: Tank 11.



Photograph 8: Filter Press Storage Area.



Photograph 11: Wastewater Treatment Tanks.



Photograph 9: Wastewater Treatment Tanks.



Photograph 12: Wastewater Treatment Tanks.



Photograph 13: Wastewater Treatment Tanks.



Photograph 14: Wastewater Treatment Tanks.