



REGION 5

CHICAGO, IL 60604

ELECTRONIC MAIL DELIVERY RECEIPT REQUESTED

Michael Berrier
Valve Stream Manager
Sloan Valve Company
10500 Seymour Avenue
Franklin Park, Illinois 60131
Michael.Berrier@sloan.com

Re: **Notice of Violations and Return to Compliance**
Sloan Valve Company
Facility ID: ILD005121033
Franklin Park, Illinois

Dear Mr. Berrier:

On May 8, 2024, the U.S. Environmental Protection Agency conducted a RCRA compliance evaluation inspection of the Sloan Valve Company ("Sloan or you") located in Franklin Park, Illinois. The purpose of the inspection was to evaluate Sloan's compliance with certain provisions of RCRA and its implementing regulations related to the generation, treatment and storage of hazardous waste. We have enclosed a copy of the inspection report for your convenience.

Information currently available to EPA suggests that Sloan is in violation of RCRA. During the inspection, as observed by EPA, and after the inspection, as documented in the June 7, and July 3, 2024, emails to EPA, you took certain actions to establish compliance with the identified violations. Based on the information received from Sloan on June 7, and July 3, 2024, EPA does not plan additional enforcement action under RCRA at this time in response to the violations identified in this letter.

Storage of Hazardous Waste without a Permit or Interim Status Which Violated Section 3005 of RCRA, 42 U.S.C. § 6925(a) and State Permitting Requirements

During the inspection, EPA observed Sloan's failure to comply with the RCRA permit exemption conditions, below. When a hazardous waste generator fails to comply with the conditions for a permit exemption, the generator becomes an operator of a hazardous waste storage facility without a permit in violation of Ill. Admin. Code tit. 35 §§ 703.121(a) and (b); 703.180(c); and 705.121(a) [40 C.F.R. §§ 270.1(c), and 270.10(a) and (d)]. Many of the RCRA permit exemption conditions are also independent requirements that apply to permitted and interim status hazardous waste management facilities that treat, store, or dispose of hazardous waste (TSD requirements). When a hazardous waste

generator loses its permit exemption due to a failure to comply with an exemption condition incorporated from Ill. Admin. Code tit. 35 Part 725, the generator: (a) becomes an operator of a hazardous waste storage facility; and (b) simultaneously violates the corresponding TSD requirement.

1. Hazardous Waste Container Labeling

Under Ill. Admin. Code tit. 35 § 722.134(a)(3), a large quantity generator must label or clearly mark each container holding hazardous waste with the words “Hazardous Waste.” At the time of the inspection, one container was missing the required label. Please see photograph 5 of the enclosed inspection report.

After the inspection and issuing of the inspection report, EPA received an email on July 3, 2024, which included a photograph showing that Sloan labeled the container, which addressed the items described above. EPA is not requesting any further information for this violation.

The permit exemption conditions identified below are also independent TSD requirements:

2. Use and Management of Containers

Under Ill. Admin. Code tit. 35 §§ 722.134(a)(1)(A) and 725.273(a), a large quantity generator must always keep a container holding hazardous waste closed during storage, except when it is necessary to add or remove waste. At the time of the inspection, four containers were left open when waste was not being added or removed. Please see photographs 4, and 6 through 9, in the inspection report.

After the inspection and issuing of the inspection report, EPA received an email on June 7 and July 3, 2024, which included photographs, showing that the waste containers were closed, which addressed the item described above. EPA is not requesting any further information for this violation.

3. Training

Under Ill. Admin. Code tit. 35 §§ 722.134(a)(4) and 725.116(d), a large quantity generator of hazardous waste must have a program of classroom instruction or on-the-job training that teaches facility personnel to perform their duties in a way that ensures the facility’s compliance with requirements of RCRA. With respect to this training program, a large quantity generator must maintain the following documents and records at its facility for employees filling a position related to hazardous waste management: the job title for each position at the facility and the name of the employee filling each job; a written job description for each position; a written description of the type and amount of both introductory and continuing training that will be given; and records that document that the training or job experience described above has been given to and completed by facility personnel.

At the time of the inspection, Sloan did not have continuing training/documentation regarding training given to and completed by facility personnel for the years 2021, 2022 and 2023, available.

After the inspection and issuing of the inspection report, EPA received an email on July 3, 2024, with training documentation covering the years 2019, 2023 and 2024. Sloan stated they were forced to pause their training during 2021/2022 to minimize the risk of spreading COVID-19 as they had to avoid gatherings. EPA is not requesting any further information for this violation.

Other Violations

4. Weekly Inspections

Under III. Admin. Code tit. 35 § 725.274, a large quantity generator, at least weekly, must inspect areas where containers are stored. The owner or operator must look for leaking and deterioration caused by corrosion or other factors. During the inspection, it was noted that the facility missed conducting weekly inspections for one week in January and one week in October 2021.

After the inspection and issuing of the inspection report, EPA received an email on July 3, 2024, stating the inspections were not documented for the missed two weeks, see above. However, they informed EPA that they are physically in the polishing/plating areas weekly to remove containers of waste. Sloan stated they have implemented a process to ensure that there is always a backup person assigned to conduct the inspections. EPA is not requesting any further information for this violation.

5. Universal Waste Requirement – Waste Lamps

Under III. Admin. Code tit. 35 § 733.134(e), a large quantity handler of universal waste must label or clearly mark each lamp or a container or package in which such lamps are contained with any one of the following phrases: “Universal Waste-Lamps,” “Waste Lamps” or “Used Lamps.” Sloan is a large quantity handler of universal waste because it accumulates 5,000 kilograms or more of universal waste at any time. At the time of the inspection, Sloan’s container of lamps was not labeled with the phrase “Universal Waste-Lamps,” “Waste Lamps” or “Used Lamps.”

During the inspection, Sloan labeled the container of waste lamps with one of the above phrases. EPA is not requesting any further information for this violation.

6. Universal Waste Requirement – Waste Lamps

Under III. Admin. Code tit. 35 § 733.133(d)(1), a large quantity handler of universal waste must contain all lamps in containers that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evident of leakage. At the time of the inspection, Sloan had several waste lamps not stored in containers.

During the inspection, Sloan placed the loose lamps in a closed, labeled container. EPA is not requesting any further information for this violation.

7. Universal Waste Requirement – Waste Batteries

Under Ill. Admin. Code tit. 35 § 733.114(a), a small quantity handler of universal waste must label or clearly mark universal waste batteries (i.e., each battery) or a container in which the batteries are contained with any one of the following phrases: “Universal Waste-Batteries,” “Waste Batteries,” or “Used Batteries.” At the time of the inspection, Sloan’s two containers of waste batteries lamps were not labeled with one of the above phrases.

During the inspection, Sloan labeled the containers of waste batteries with one of the following phrases: “Universal Waste-Batteries,” “Waste Batteries,” or “Used Batteries.” EPA is not requesting any further information for this violation.

This letter is to inform you that EPA has reviewed the referenced responses and does not plan additional enforcement action under RCRA at this time. This letter does not limit the applicability of the requirements evaluated, or of other federal or state statutes or regulations. EPA and the Illinois Environmental Protection Agency (Illinois EPA) will continue to evaluate your facility in the future.

The EPA contact in this matter is Sheila Burrus. You may call her at (312) 886-3587 if you have additional questions. Thank you for your prompt attention to these concerns and your efforts to protect human health and the environment.

Sincerely,

Michael D. Harris
Division Director
Enforcement and Compliance Assurance Division

Enclosure

cc: Paul Eisenbrandt, Illinois EPA (paul.eisenbrandt@illinois.gov)