



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

**ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED**

Mr. Tom Macuk
Plant Manager
Segerdahl Corporation
385 Gilman Avenue
Wheeling, Illinois 60090
tmacuk@sg360.com

Re: Warning Letter: Notice of Violation(s) and Return to Compliance
Segerdahl Corporation
U.S. EPA ID Number: ILD984774307
Wheeling, Illinois

Dear Mr. Macuk:

On August 3, 2022, the U.S. Environmental Protection Agency conducted an RCRA compliance evaluation inspection of the Segerdahl Corporation ("Segerdahl," "facility" or "you") located in Wheeling, Illinois. The purpose of the inspection was to evaluate Segerdahl'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 Segerdahl is in violation of RCRA. During the inspection, as observed by EPA, and documented in the inspection report, you took certain actions to establish compliance with the identified violations. Based on the actions you took during the inspection and after the inspection, 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 Segerdahl'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. Date When Each Period of Accumulation Begins

Under Ill. Admin. Code tit. 35 § 722.134(a)(2), a large quantity generator must clearly mark each container holding hazardous waste with the date upon which each period of accumulation begins.

At the time of the inspection, two containers of hazardous waste were missing the required date. After the inspection, Segerdahl dated the containers and sent EPA photographs via email on August 24, 2022, showing that the containers had been dated, which addressed this item.

The permit exemption condition identified below is also an independent TSD requirement:

2. Annual Training Documentation

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. This program must be directed by a person trained in hazardous waste management procedures and must include instruction that teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. Facility personnel must successfully complete this training program within six months after the date of their employment or assignment to a facility or to a new position at a facility and must take part in an annual review of this initial training thereafter. With respect to this training program, a large quantity generator must maintain 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, Segerdahl did not have documentation regarding training given to and completed by facility personnel for years 2020 and 2021. After the inspection, Segerdahl sent EPA an email on August 24, 2022, informing EPA that a glitch in their old database system has prevented them from accessing their historical training records. They also informed EPA that a new database system was put in place for training being conducted in 2022.

Other Violations

3. Universal Waste Requirements

Under Ill. Admin. Code tit. 35 § 733.113(d)(1), a small quantity handler of universal waste must contain any lamp in containers or packages 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 evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

At the time of the inspection, universal waste lamps were not being stored in a closed container. After the inspection, Segerdahl placed the universal waste in containers and sent EPA photographs via email on August 24, 2022, showing that the universal waste was now being stored in closed containers, which addressed this item.

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 Graciela Scambiaterra. You may call her at (312) 353-5103 or email her at Scambiaterra.graciela@epa.gov 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)
James Jennings, Illinois EPA (james.m.jennings@illinois.gov)