



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100

BOSTON, MA 02114-2023

Dated via electronic signature stamp

Mr. John Turbeville, Environment & Facility Manager
Ashcroft Inc.
250 East Main St.
Stratford, CT 06614

RE: **NOTICE OF VIOLATION** of the Resource Conservation and Recovery Act
Act of 1976 (RCRA), the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C.
6622(a) and 6924(d) through (m), and the Regulations of Connecticut State Agencies (RCSA): §§
22a-449(c)-100 through 449(c)-119.

Dear Mr. Turbeville:

On August 2-3, 2023, representatives of the United States Environmental Protection Agency ("EPA") completed a Compliance Evaluation Inspection of Ashcroft, Inc. ("Ashcroft") EPA ID # CTD001840974. The purpose of this inspection was to determine Ashcroft's compliance with the relevant hazardous waste management regulations for the State of Connecticut and the corresponding federal hazardous waste management regulations found at 40 CFR Parts 260-272.

As a result of the inspection noted above, EPA has determined that your facility violated certain provisions of RCSA §§ 22a-449(c)-100 through 449(c)-119 and the corresponding federal Hazardous Waste Management Regulations found at 40 CFR Parts 260 through 272. The violations are set forth below:

- 1. Failure to maintain adequate aisle space between hazardous waste containers in the Less-than 90-day storage area, as required by RCSA Sec. 22a-449(c)-102(a)(2)(K), which incorporates by reference 40 CFR 262.34(a)(4), which references 40 CFR 265.35**

Specifically, Ashcroft Inc. was storing four drums of electrolytic cutoff solution, flammable hazardous waste on a wood pallet in the hazardous waste storage area. There was not adequate aisle space between the hazardous waste drums to provide access for routine inspection. The labels were not stored with the labels facing out, so it was difficult to read the label on one of the four drums.

- 2. Failure to make adequate waste determinations as required by RCSA Sec. 22a-449(c)-102(a)(2)(A), which incorporates 40 CFR 262.11**

Specifically, Ashcroft did not make adequate waste determinations on the following containers:

- In the Wastewater Area D-171, there was one 5-gallon container labeled, Hazardous waste, trichloroethylene, located on a spill pallet with products. According to Mr. Turberville, TCE has not been used by the facility since the end of 2022.
- In the Pickling Area SAA, there was one small, closed black plastic bag, labeled Hazardous waste, trichloroethylene rags, with no date.
- In the back of the Pickling Area, there was a 5-gallon alkaline cleaner with a hazardous waste label that was closed and was not dated. Mr. Turberville was unsure how long this container had been there.
- In the back of the Pickling Area, there was a 2-3-gallon container of hazardous waste, Kester Flux that was not dated. Mr. Turberville was unsure of how long this container had been there.
- In the former WWTP Building, there were numerous aerosol cans, and one 1-gallon can of mineral spirits; and
- In the former #6 Fuel Oil Building, there was one 3-gallon container of potassium hydroxide.

3. Failure to keep satellite containers closed except when adding or removing waste, as required by RCSA Sec. 22a-449(c)-102(a)(2)(c), which incorporates by reference 40 CFR 262.34 (c)(1)(i), which references 40 CFR 265.173(a).

Specifically, one jar of solvent waste and a jug of HPLC effluent, located in the laboratory in Building 69.

4. Failure to keep universal waste containers closed, except when adding or removing waste as required by RCSA Sec. 22a-449(c)-113(c) and (d).

Specifically, the following universal waste containers were open at the time of the inspection:

one, open and unlabeled box of walkie talkie batteries; and
three, open one-gallon containers of UW batteries.

5. Failure to label universal waste batteries or a container in which batteries are contained must be labeled or marked with any of the following: "Universal Waste - Battery(ies)" or "Waste Battery(ies), or "Used Battery(ies)", as required by RCSA Sec. 22a-449(c)-113(a)(2), which incorporates by reference 40 CFR 273.14.

Specifically, the following universal waste containers were not labeled at the time of the

inspection:

one open and unlabeled box of walkie talkie batteries;
one unlabeled box of Universal waste Used electronics (walkie talkie chargers); and
Three open, one-gallon containers of Universal waste batteries.

6. Failure to inspect areas where hazardous waste containers are stored, as required by RCSA Sec. 105(a)(1), which incorporates by reference 40 CFR 265.17.

At the time of the inspection, the weekly inspection log for the less-than 90-day area was missing the weeks of December 11, 2022 and December 18, 2022.

7. Failure to maintain a copy of a returned uniform hazardous waste manifest, complete with the signature and date of the final designated facility, as require by RCSA 22a-449(c)-102(b), which incorporates by reference 40 CFR 262.20.

At the time of the inspection, there was no final destination signed copy of the manifest 018845746FLE dated 6/20/23 in the file.

Ashcroft must address the requirements set forth above and must immediately begin and continue to operate in compliance with all applicable Federal and State regulations.

Within (30) thirty calendar days of receipt of this NOTICE, submit a written description, with supporting documentation, of the actions taken to address requirements number 1 through number 7 above. Submit the information **(electronic submission preferred)** to:

papetti.lisa@epa.gov

OR

Lisa Papetti, Environmental Engineer
U.S. Environmental Protection Agency
Waste and Chemical Compliance Section
5 Post Office Square, Suite 100, [Mailcode: 5-MO]
Boston, Massachusetts 02109-3912

Failure to correct the violations as required by this NOTICE may subject the facility to further Federal enforcement action, including the assessment of penalties, pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. If you have any questions regarding this NOTICE, please contact Lisa Papetti, of my staff, at papetti.lisa@epa.gov or by phone at (617) 918-1756.

Sincerely,

**MARY
ODONNELL**

Digitally signed by MARY
ODONNELL
Date: 2024.02.06 14:55:07
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Mary Jane O'Donnell, Manager
Waste and Chemical Compliance Section

cc: Joseph Schiavone, CTDEEP