UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
FOUR PENN CENTER – 1600 JOHN F. KENNEDY BLVD.
PHILADELPHIA, PENNSYLVANIA 19103

Via Electronic Mail

Seth Gordon – General Manager
Heritage Training and Shooting Center, LLC
4537 Metropolitan Ct.
Frederick, MD 21704
sgordon@heritagetrainingcenter.com

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 Heritage Training and Shooting Center, LLC
EPA ID No. MDR000526939
Reference Number: C22-006

Dear Mr. Gordon,

The U.S. Environmental Protection Agency, Region III ("EPA") is requesting to supplement the information obtained during EPA Region 3's Compliance Evaluation Inspection ("CEI") of the Heritage Training and Shooting Center, LLC facility, located at 4537 Metropolitan Ct., Frederick, MD, ("Heritage Training" or "the Facility") on February 10, 2022 (report sent on 4/07/2022 – referred to as "EPA Inspection Report"). EPA is requesting this 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. 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 requests.

Section 3007(a) of the Resource Conservation and Recovery Act

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.), and the authorized State of Maryland Hazardous Waste Management Regulations ("MdHWMR") set forth at the Code of Maryland Regulations ("COMAR"), Title 26, Subtitle 13 et seq, shall have the meanings set forth therein.

Please provide the information requested below:

Information Request

1. At the time of the inspection, the inspector observed two (2) 55-gallon drums filled with spent brass cartridges (see Photo 10 of EPA Inspection Report, Attachment 1). With respect to the spent brass cartridges, please answer the following:

    a. Please state whether or not a "waste determination" has been made for the spent brass cartridges.

    b. If a "waste determination" was made for the spent brass cartridges, state whether the waste determination was based on analytical results or on the generator's knowledge of the process that generated the spent brass cartridges. 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 scientific basis for such determination and provide any supporting documentation.

    c. Were the spent brass cartridges determined to be "hazardous waste"? If so, please state the specific EPA Hazardous Waste Code(s) associated with such hazardous waste.

2. According to the EPA Inspection Report, the facility uses Break Free CLP, an aerosol can. (See Photo 5 of EPA Inspection Report, Attachment 1). With respect to Break Free CLP spent aerosol cans, please answer the following:

    a. Please state whether or not a "waste determination" has been made for the spent aerosol cans.

    b. If a "waste determination" was made for the spent aerosol cans, state whether the waste determination was based on analytical results or on the generator's knowledge of the

process that generated the spent aerosol cans. 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 scientific basis for such determination and provide any supporting documentation.

c. Were the spent aerosol cans determined to be "hazardous waste"? If so, please state the specific EPA Hazardous Waste Code(s) associated with such hazardous waste.

d. Please provide a detailed narrative explaining how the Facility manages its spent aerosol cans from the time they are generated until they are shipped off-site.

e. If the Facility's spent aerosol cans have been disposed of in the regular trash, please provide the name, address, and phone number of the municipal landfill that has been receiving the facility's spent aerosol cans In addition, for the time period of June 1, 2019 to the present, please 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.

3. According to the EPA Inspection Report, the facility cleans and lubricates firearms in the Range Gun Storage Room. Waste (spent rags and gloves) generated there is managed as hazardous waste (waste code: D008). With respect to the spent rags and gloves, please answer the following:

   a. Does the Facility track the quantity of spent rags and gloves that it generates over time? If so, (1) please explain how the Facility measures that quantity and (2) state how often such measurements are taken, for example, daily, weekly, monthly, or for some other predetermined period of time.

   b. Please state, as precisely as possible, the quantity of spent rags and gloves that have been generated by the Facility in each calendar month from February 10, 2019 to February 10, 2022.

   c. Please submit any Standard Operating Procedure (SOPs) that are in effect which documents how spent rags and gloves are managed from the time they are generated until the time they are shipped off-site.

4. Please provide the work order for the filter changeout that was occuring during the 2/10/2022 CEI. Please provide the dates for when the filter changeout begun and when it was finished.

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928 authorize EPA to pursue penalties for failure to comply with Section 3007(a) of RCRA respectively. In addition, Section 3007(a) of RCRA, 42 U.S.C. § 6928 authorizes EPA to pursue penalties for failure to 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/sites/production/files/2017-06/documents/smallbusinessinfo.pdf, 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 to:

Jeremy Dearden (3ED22)
dearden.jeremy@epa.gov
U.S. Environmental Protection Agency
Region III
Four Penn Center
1600 John F. Kennedy Blvd.
Philadelphia, PA 19103-2029

If you have any questions concerning this matter, please contact Mr. Dearden (RCRA), Enforcement Officer, at (215) 814-5351 or dearden.jeremy@epa.gov.

Sincerely,

JEANNA HENRY Digitally signed by JEANNA HENRY
Date: 2022.06.03 12:41:33 -04'00'

Jeanna R. Henry, Chief
Air, RCRA, & Toxics Branch
Enforcement and Compliance Assurance Division

cc: Jeremy Dearden (3ED22)
Pauline Belgiovane (3ED20)
Brian Coblentz, MDE (brian.coblentz@maryland.gov)
Ed Dexter, MDE (ed.dexter@maryland.gov)
Albi Kokona, Heritage Training & Shooting Center, akokona@heritagetrainingcenter.com