



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

ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED

Ms. Tita LaGrimas
Executive Vice President
Tradebe Treatment and Recycling of Wisconsin, LLC
5611 West Hemlock Street
Milwaukee, Wisconsin 53223-4711
tita.lagrimas@tradebe.com

Re: **Warning Letter: Notice of Potential Violation(s)**
Tradebe Treatment and Recycling of Wisconsin, LLC
WID988580056
Milwaukee, Wisconsin

Dear Ms. LaGrimas:

On June 15, 2021, the U.S. Environmental Protection Agency completed a non-financial record review (NRR) based upon submitted information dated May 19, 2021 and May 20, 2021, from Tradebe Treatment and Recycling of Wisconsin, LLC, ("Tradebe" or "you") resulting from a RCRA 3007 Request for Information (RFI) dated March 18, 2021, sent to Tradebe located at 5611 West Hemlock Street, Milwaukee, Wisconsin. The purpose of the RFI was to evaluate Tradebe's compliance status at the facility with certain provisions of RCRA and its implementing regulations related to the generation, treatment and storage of hazardous waste, and its hazardous waste storage license Feasibility and Plan of Operation Report (FPOR). On June 29, 2007, the Wisconsin Department of Natural Resources (WDNR) issued a final determination to conditionally approve the March 17, 2006, FPOR.

Information available to EPA at the time suggested that Tradebe may have been in violation of its hazardous waste storage license FPOR and RCRA. By this letter, EPA is extending to you an opportunity to advise the Agency, in person or in writing, of any further information EPA should consider with respect to your facility. After the NRR and a subsequent follow-up conference call with EPA on June 23, 2021, as documented in emails dated July 9, 2021, July 12, 2021, and July 26, 2021, to EPA, you took certain actions to establish compliance with the identified potential violations. Based on the information received from Tradebe on July 9, 2021, July 12, 2021, and July 26, 2021, EPA does not plan additional enforcement action under RCRA at this time in response to the alleged violation identified below.

Resolved Violations

1. Waste Analysis Procedures

Under Tradebe's approved FPOR (Per June 16, 2010, License Modification (Condition 3) Tradebe shall analyze each waste stream in accordance with the waste analysis procedures set forth in the Waste Analysis Plan in Appendix D of the approved FPOR.

- a. Condition 3.a: Upon receipt of containerized hazardous waste, Tradebe shall randomly sample a minimum of ten percent of the containers of each generator's waste stream and analyze for compatibility, BTU's per pound, chloride, water, specific gravity and pH in an on-site laboratory.

The May 19, 2021 submittal from Tradebe indicated that a January 11, 2021 receipt of containerized hazardous waste on manifest # 022448684 JJK (Line 1) was not analyzed per Condition 3.a., as specific gravity was not listed on the Order Worksheet as a "Test Name" or "Component."

- b. Condition 3.b: Lab packs, paint cans and containers of solid materials such as corrosive solids, filter press solids, cyanide solids, toxic solids, and organic solids such as rags and contaminated soils are exceptions to the random sampling specified above, provided all of the following are met:
 - i. Upon receipt, Tradebe shall visually inspect a minimum of ten percent of the containers of each generator's waste stream for physical characteristics such as color, number of phases, free flowing liquids, metal filings, debris, soil, powder, filter cake, sludge, granules, jars or cans to verify that the contents match the identity of the waste specified on the accompanying manifest and Waste Profile Sheet.

The May 19, 2021 submittal from Tradebe indicated that a September 4, 2020 receipt of containerized hazardous waste on manifest # 006450202 GBF (Line 1) was not analyzed per Condition 3.b., as color, number of phases, free flowing liquids, metal filings, debris, soil, powder, filter cake, sludge, granules, jars or cans were not listed on the Order Worksheet as a "Test Name" or "Component."

The May 19, 2021 submittal from Tradebe indicated that a February 20, 2020 receipt of containerized hazardous waste on manifest # 021537240 JJK (Line 1) was not analyzed per Condition 3.b., as color, number of phases, free flowing liquids, metal filings, debris, soil, powder, filter cake, sludge, granules, jars or cans were not listed on the Order Worksheet as a "Test Name" or "Component."

The May 19, 2021 submittal from Tradebe indicated that a February 16, 2021 receipt of containerized hazardous waste on manifest # 022632314 JJK (Line 1) was not analyzed per Condition 3.b., as color, number of phases, free flowing liquids, metal filings, debris, soil, powder, filter cake, sludge, granules, jars or cans were not listed on the Order Worksheet as a "Test Name" or "Component."

At the time of the NRR, Tradebe had not analyzed all of the required components per FPOR Conditions 3.a., and 3.b., on at least the four above-mentioned receipts of hazardous waste.

This letter does not limit the applicability of the requirements evaluated, or of other federal or state statutes or regulations. EPA will continue to evaluate your facility in the future.

The EPA contact in this matter is Bryan Gangwisch. You may reach Bryan at (312) 886-0989 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: Michael Ellenbecker, WDNR (michael.ellenbecker@wisconsin.gov)
Andrea Keller, WDNR (andrea.keller@wisconsin.gov)