



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY

NEW YORK, NY 10007-1866

SENT VIA EMAIL – REQUEST DELIVERY RECEIPT

jfasching@medin.com

Joe Fashing
Facilities Manager
Medin Technologies
11 Jackson Road
Totowa, NJ 07512

**Re: Notice of Violation
RCRA 3007 Information Request
Medin Technologies
EPA ID # NJR986662146**

Dear Mr. Fashing:

The United States Environmental Protection Agency (EPA) is charged with the protection of health and the environment under Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. § § 6901, 6928.

Pursuant to RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 Code of Federal Regulations (C.F.R.) Parts 260-272. For the purposes of this Notice of Violation and Information Request, the hazardous waste regulations governing the generation of hazardous waste were promulgated in 1980 and amended by HSWA in 1984.

On or about August 11, 2022, a duly authorized representative of EPA conducted an inspection of Medin Technologies (hereafter referred to as the facility) located at 11 Jackson Road, Totowa, NJ 07512. This inspection was performed pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, to evaluate your compliance with RCRA.

The State of New Jersey is authorized by the EPA to conduct a hazardous waste program under Section 3006 of RCRA, 42 U.S.C. § 6926 and is authorized to enforce RCRA. The EPA has retained its authority to enforce the hazardous waste rules and regulations in the State of New Jersey.

Enclosed you will find a copy of the inspection report prepared by the authorized EPA representative (Enclosure I). The Regulatory Concerns detailed in Section III of the inspection report, titled Areas of Concern, are hereby incorporated by reference as the Notice of Violation (NOV) portion of this letter which is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by RCRA and HSWA, 42 U.S.C. § § 6901 and 6928. Issuance of this Notice of Violation and compliance with its terms do not preclude EPA from taking any other formal enforcement action against you and/or your company under Section 3008 of RCRA, 42 U.S.C. § § 6901 and 6928, or any other applicable regulation or statute.

If you have not already done so, you must take immediate action to correct the violations described in the Regulatory Concerns section of the inspection report. Please submit within thirty (30) calendar days of receipt of this Notice of Violation, a response which includes for each regulatory concern either:

- a detailed rebuttal explaining why the violation did not exist at the time of the inspection, or
- a description of the actions you have taken to correct the violation.

In either case, please provide supporting documentation (e.g., photographs, inspection records, operating records) demonstrating that each violation either did not exist or was corrected.

Also enclosed is a request for additional information (Enclosure II) pertaining to the management of hazardous waste at the facility. The request for information is made pursuant to the provisions of Section 3007, 42 U.S.C. § 6927, which requires that you provide the information requested in Enclosure I to this letter using the instructions and definitions included in Enclosure III. This information is required to evaluate the full regulatory and compliance status of the facility. The information requested in Enclosure I must be submitted no later than fifteen (15) calendar days from receipt of this letter. The response must include the Certification of Answers (Enclosure IV) which must be signed by a responsible official or agent of your organization.

Requests for additional time to provide this information must be justified and made within ten (10) calendar days of receipt of this letter.

Failure to respond to this letter truthfully and accurately within the time provided may subject you to sanctions authorized by federal law, including but not limited to a potential enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. Please also note that any information you provide may be used in an administrative, civil judicial, or criminal action. This information request is not subject to the requirements of the Paperwork Reduction Act (PRA) as amended, 44 U.S.C. § 3501 et seq.

You may, if you so desire, assert a business confidentiality claim covering all or part of the information herein requested. This claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential". The claim should set forth the information requested in 40 C.F.R. § 2.204(e)(4).

Enclosure I
Inspection Report
Medin Technologies

The Enclosure I Inspection Report is a separate attachment to this document titled "RCRA Compliance Branch Inspection Report."

Enclosure II
Request for Information

1. With regards to the violations cited in the above Notice of Violation (Enclosure I), please provide (1) a description of the actions taken to correct the violations cited and provide documentation such as operating records, photographs (where applicable), etc., verifying that each violation has been corrected; or (2) a rebuttal of the violations including any supporting documentation demonstrating that the violation did not exist.
2. Has a hazardous waste determination been made for the liquid waste observed at the time of the inspection on the unlined concrete floor of the Anodization Area? It was stated at the time of the inspection that this waste is handled as hazardous waste during the weekly clean-up and thereafter. Please provide manifests or supporting documentation displaying the waste codes and quantity generated for clean-ups and confirm how often these clean-ups occur. If the facility has used process knowledge for the hazardous waste determination, please note this in your response to this question.
3. Regarding the overflow/spillage of hazardous waste observed at the time of the inspection in the Anodization Area, has a new process been employed to prevent further uncontained releases in the Anodization Area?
4. At the time of the inspection, hazardous waste from the J-Press was observed on the floor near the hazardous waste storage trough, has this waste been cleaned-up since the time of inspection. How was this hazardous waste disposed of? Additionally, has the hazardous waste collection process changed to prevent this release from occurring again.
5. At the time of the inspection, a contingency plan was not available for review. Does the facility have a current contingency plan with all required sections available for review? If so, please send a copy of the contingency plan with your response for review. Additionally, please include all current arrangements with local authorities; arrangements can be documented with correspondence such as certified mail receipts or email records.

Enclosure III Instructions and Definitions

In responding to this Request for Information, apply the following instructions and definitions:

1. The signatory should be an officer or agent who is authorized to respond on behalf of Medin Technologies. The signatory must sign the attached Certification of Answers (Enclosure IV) and return it with the response to this Request for Information.
2. A complete response must be made to each individual question in this Information Request. Identify each answer with the corresponding number listed in Enclosure II.
3. In preparing your response to each question, consult with all present and former employees and agents of the facility who may be familiar with the matter to which the question pertains.
4. In answering each question, identify all contributing sources of information.
5. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.
6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.
7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner, the number or letter of the question to which it applies.
8. If anything is deleted or redacted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.
9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
10. The facility, for the purposes of this Request for Information, is Medin Technologies.
11. A hazardous waste generator is defined, for the purposes of this Request for Information, as any person (which includes this facility) whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.
12. A large quantity generator of hazardous waste is a hazardous waste generator which generates 1000 kilograms or greater of non-acute hazardous waste, or more than one quart of acute hazardous waste listed in 261.33(e), in a calendar month.

13. A small quantity generator is a hazardous waste generator which generates greater than 100 kilograms but less than 1000 kilograms of non-acute hazardous waste in a calendar month in accordance with 40 C.F.R. § 262.34(d).

14. *Hazardous waste* is defined, for the purposes of this Request for Information, as it is defined in Section 1004(5) of RCRA, as amended, 42 USC Part 6903(5).

15. *Manage* is defined, for the purposes of this Request for Information, as: to market, generate, treat, store, dispose, or otherwise handle.

16. *Hazardous Constituents* is defined, for the purposes of this Request for Information, as those substances listed in 40 CFR Part 261 Appendix VIII. 17. The term *Solid Waste Management Unit (SWMU)* is defined, for the purposes of this Request for Information, as any landfill, surface impoundment, land application area, waste pile, incinerator, tank, injection well, transfer station, waste recycling operation, tank, or container storage area that currently or formerly was used to manage a solid waste.

ENCLOSURE IV
CERTIFICATION OF ANSWERS

Medin Technologies

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in response to EPA's Request for Information, and all documents submitted herewith; that the submitted information is true, accurate, and complete; and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Name (print or type)

SIGNATURE

DATE

TITLE