



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

ELECTRONIC MAIL
CONFIRMATION OF RECEIPT EMAIL REQUESTED

Mr. James Sciaino
Plant Manager
Inteplast Engineered Films Corp.
7549 Brokerage Drive
Orlando, Florida 32809-5625
jsciaino@inteplastef.com

SUBJ: Opportunity to Show Cause
Resource Conservation Recovery Act (RCRA) Compliance Evaluation Inspection (CEI)
Inteplast Engineered Films Corp.
EPA ID: FLD984201251

Dear Mr. Sciaino:

On April 8, 2021, the U.S. Environmental Protection Agency, along with the Florida Department of Environmental Protection (FDEP), conducted a RCRA CEI at Inteplast Engineered Films Corp. located in Orlando, Florida to determine the facility's compliance status with RCRA and applicable regulations. This RCRA CEI was an EPA-lead inspection.

The EPA has determined that the facility may not be in compliance with several requirements of the Chapter 403 of the Florida Statutes (Fla. Stat.), Fla. Stat. § 403.702 *et seq.* [Subtitle C of RCRA, 42 U.S.C. §§ 6921 to 6939(g)], and the regulations promulgated pursuant thereto, found at Rule 62-730 *et seq.* of the Florida Administrative Code Annotated (Fla. Admin. Code Ann.) [Title 40 of the Code of Federal Regulations (C.F.R.) Parts 260 through 279] based on potential violations observed during the CEI. The observations made during the inspection are summarized in the attached RCRA CEI Report.

Please provide a detailed written response within fourteen (14) days following receipt of this letter describing any actions that Inteplast Engineered Films Corp. has taken and/or intends to take related to the observations and potential violations documented in the RCRA CEI Report. Your response should be mailed and emailed to:

David Champagne, Physical Scientist
champagne.david@epa.gov
U.S. Environmental Protection Agency, Region 4
RCRA Enforcement Section
Chemical Safety and Land Enforcement Branch
Enforcement and Compliance Assurance Division
61 Forsyth Street, SW
Atlanta, Georgia 30303

Information currently available to the EPA suggests that Inteplast Engineered Films Corp. may be in violation of, or have committed violations of, RCRA. By this letter, the EPA is extending to you an opportunity to advise the agency, via a conference call, of any further information the EPA should consider with respect to the potential violations. Inteplast Engineered Films Corp. may elect to be represented by legal counsel at this meeting and should be prepared to present relevant information and documentation pertaining to the EPA's observed potential violations.

The EPA may determine that a formal enforcement action is appropriate and may assess civil penalties pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a). Therefore, Inteplast Engineered Films Corp. has the opportunity to present factors and documentation that could mitigate any penalties that may be assessed against the facility, including information on Inteplast Engineered Films Corp. ability to pay a penalty. Prior to the meeting, Inteplast Engineered Films Corp. may review the following documents: RCRA Civil Penalty Policy found at: <http://www2.epa.gov/sites/production/files/documents/rcpp2003-fnl.pdf>, Revised Penalty Matrices found at: <https://www.epa.gov/sites/production/files/2018-01/documents/amendmentstotheepacivilpenaltypoliciestoaccountforinflation011518.pdf>, and Inflation Adjustments found at: <https://www.epa.gov/sites/production/files/2020-01/documents/2020penaltyinflationruleadjustments.pdf>.

Please be advised that any information provided by Inteplast Engineered Films Corp. at the meeting may be used by the EPA in any civil or criminal proceedings related to this or other matters. Any false, fictitious, or fraudulent material omissions, statements or representations may subject Inteplast Engineered Films Corp. to criminal penalties under Section 3008(d)(3) of RCRA, 42 U.S.C. § 6928(d)(3).

If Inteplast Engineered Films Corp. chooses to accept this offer to meet with the EPA, the facility should contact David Champagne **within fourteen (14) days** following receipt of this letter to schedule a conference call. David Champagne can be reached at (404) 562-9028 or by email at champagne.david@epa.gov. If you decide not to accept this offer to meet to discuss the observed potential violations, the EPA may proceed with enforcement action against Inteplast Engineered Films Corp. as authorized under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), including the assessment of appropriate civil penalties and injunctive relief.

If Inteplast Engineered Films Corp. is a Small Business or a Small Community, you can find compliance and enforcement resources specifically designed to meet your needs at: <http://www2.epa.gov/enforcement/small-businesses-and-enforcement>. In that webpage you can find information about the Small Business Regulatory Enforcement Fairness Act (SBREFA) that accords some rights to small businesses and is aimed at providing assistance to small businesses and other small entities, making tools available for better understanding of the regulatory and enforcement processes, and seeing that there is no unfair treatment relating to the regulatory enforcement process.

Please feel free to contact David Champagne if you have any technical questions regarding the observations and findings from the inspection performed at Inteplast Engineered Films Corp. 's facility.

Sincerely,

 Digitally signed by
KIMBERLY
BINGHAM
Date: 2021.05.24
12:06:25 -04'00'

Kimberly L. Bingham

Chief

Chemical Safety and Land Enforcement Branch

Enclosure