



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

ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED

Mr. James Carrell
EHS Manager
TTM Technologies North America, LLC
12080 Debartolo Drive
North Jackson, Ohio 44451-0216
james.carrell@ttmtech.com

Re: **Warning Letter: Notice of Potential Violation(s)**
TTM Technologies North America, LLC
OHD986966893
North Jackson, Ohio

Dear Mr. Carrell:

On May 5, 2021, the U.S. Environmental Protection Agency completed a non-financial record review (NRR) based upon submitted information from TTM Technologies North America, LLC ("TTM" or "you") resulting from a RCRA 3007 Request for Information (RFI) dated February 18, 2021, sent to TTM located in North Jackson, Ohio. The purpose of the RFI was to evaluate TTM's compliance with certain provisions of RCRA and its implementing regulations related to the generation, treatment and storage of hazardous waste.

Information currently available to EPA suggests that TTM may be in violation of 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 the potential violation(s). We request that you voluntarily submit a response in writing to us no later than 30 calendar days after receipt of this letter documenting the actions, if any, which you have taken since the inspection to address the potential violations identified below or demonstrating why the violation(s) have not occurred. At this time, EPA does not plan additional enforcement action under RCRA in response to the potential violations identified in this letter assuming TTM demonstrates full compliance. EPA, however, reserves its rights to take additional actions under RCRA including issuing an information request, seeking a penalty, and issuing an order.

Storage of Hazardous Waste without a Permit or Interim Status Which Potentially Violated Section 3005 of RCRA, 42 U.S.C. § 6925(a) and State Permitting Requirements

During the NRR, EPA observed TTM's failure to comply with the RCRA permit exemption conditions, below. When a hazardous waste generator fails to comply with the conditions for a

permit exemption, the generator becomes an operator of a hazardous waste storage facility without a permit in violation of Ohio Admin. Code §§ 3745-50-45(A); 3745-50-41(A) and (D) [40 C.F.R. §§ 270.1(c), and 270.10(a) and (d)]. Many of the RCRA permit exemption conditions are also independent requirements that apply to permitted and interim status hazardous waste management facilities that treat, store, or dispose of hazardous waste (TSD requirements). When a hazardous waste generator loses its permit exemption due to a failure to comply with an exemption condition incorporated from Ohio Admin. Code chs. 3745-65 to 68 and 3745-256, the generator: (a) becomes an operator of a hazardous waste storage facility; and (b) simultaneously violates the corresponding TSD requirement. For purposes of remedying potential noncompliance or preventing future violations, EPA recommends that TTM comply with the conditions below instead of applying for a hazardous waste storage permit.

1. Training

Under Ohio Admin. Code §§ 3745-52-34(A)(4) and 3745-65-16(A) through (D), a large quantity generator of hazardous waste must have a program of classroom instruction or on-the-job training that teaches facility personnel to perform their duties in a way that ensures the facility's compliance with requirements of RCRA, including ensuring facility personnel are trained within six months after the date of employment, and complete an annual review of their initial training. With respect to this training program, a large quantity generator must maintain the following documents and records at its facility for employees filling a position related to hazardous waste management: the job title for each position at the facility and the name of the employee filling each job; a written job description for each position; a written description of the type and amount of both introductory and continuing training that will be given; and records that document that the training or job experience described above has been given to and completed by facility personnel.

At the time of the NRR, EPA observed that TTM did not conduct training within six months of their hire date for two employees and did not provide annual training nor documentation of the training for one employee during 2018 and 2019.

2. Contingency Plan

Under Ohio Admin. Code §§ 3745-52-34(A)(4) and 3745-65-52(C), a large quantity generator of hazardous waste must have a contingency plan that shall describe arrangements with local police departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services.

Under Ohio Admin. Code §§ 3745-52-34(A)(4) and 3745-65-52(E), the plan shall include a list of all emergency equipment at the facility [such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment], where this equipment is required. In addition,

the plan shall include the location and a physical description of each item on the list, and a brief outline of its capabilities.

Under Ohio Admin. Code §§ 3745-52-34(A)(4) and 3745-65-53(B), the plan shall be submitted to all local police departments, fire departments, hospitals, and local emergency response teams that may be requested to provide emergency services.

At the time of the NRR, EPA observed that TTM did not have a contingency plan that included all of the facility's fire extinguishers and decontamination equipment, and a physical description and brief outline of the capabilities for each item on the plan's emergency equipment list. Also, the plan did not indicate that it was sent to a local hospital.

Actions Requested

In order to ensure compliance, by no later than 30 calendar days from the date of this letter, please provide information documenting the actions, if any, which you have taken since the inspection to address the identified potential violations or demonstrating why the violation(s) have not occurred.

If you are unable to respond in a timely fashion because of impacts related to the COVID-19 pandemic, please submit a written extension request via email to Bryan Gangwisch, explaining the specific impacts on your ability to respond.

Please send all reports requested by this letter by electronic mail to:

r5lecab@epa.gov

and

gangwisch.bryan@epa.gov

The subject line of all email correspondence must include OHD986966893. All electronically submitted materials must be in final and searchable format, such as Portable Document Format (PDF) with Optical Character Recognition (OCR) applied. If you are unable to send a response to these email addresses due to email size restrictions or other problems, contact Bryan Gangwisch to make additional arrangements for transmission of the response.

This letter is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks information from specific individuals or entities as part of an administrative investigation. You may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to EPA in response to this letter. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice.

The EPA contact in this matter is Bryan Gangwisch. You may call him 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: Mitch Mathews, Ohio EPA, (mitchell.mathews@epa.ohio.gov)