



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

**ELECTRONIC MAIL  
DELIVERY RECEIPT REQUESTED**

Mr. Matt Mesarch  
Environmental Protection Program Manager  
Argonne National Laboratory  
9700 South Cass Avenue, Building 200  
Lemont, Illinois 60439  
[mmesarch@anl.gov](mailto:mmesarch@anl.gov)

Re: **Warning Letter: Notice of Potential Violation**  
Argonne National Laboratory  
Facility ID: IL3890008946  
Lemont, Illinois

Dear Mr. Mesarch:

On June 10, 2021, the U.S. Environmental Protection Agency conducted an RCRA compliance evaluation inspection of the Argonne National Laboratory facility ("Argonne or you") located in Lemont, Illinois. The purpose of the inspection was to evaluate Argonne's compliance with certain provisions of RCRA and its implementing regulations related to the generation, treatment, and storage of hazardous waste. We have attached a copy of the inspection report for your convenience.

Information currently available to EPA suggests that Argonne 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.

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 violation identified below or demonstrating why the violation has 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 Argonne 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.

**Prohibition on Storage**

Under Ill. Admin. Code tit. 35 § 728.150(b), an owner/operator of a treatment, storage or disposal facility may store such wastes for up to one year unless the Agency can

demonstrate that such storage was not solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment, or disposal.

At the time of the inspection, two x 55-gallon containers of lead solder D008 hazardous waste were being stored in Room 110 with an accumulation start date of 4/29/2020. Therefore, these containers were being stored forty-two days over one year. Please see photo #14 of the enclosed inspection report.

### **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 violation or demonstrating why the violation have not occurred.

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

[r5lecab@epa.gov](mailto:r5lecab@epa.gov)

and

[paulin.jamie@epa.gov](mailto:paulin.jamie@epa.gov)

The subject line of all email correspondence must include IL3890008946. 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 Ms. Jamie Paulin 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.

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 Jamie Paulin at [paulin.jamie@epa.gov](mailto:paulin.jamie@epa.gov), explaining the specific impacts on your ability to respond.

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 Jamie Paulin. You may contact her at (312) 886-1771 or [paulin.jame@epa.gov](mailto:paulin.jame@epa.gov) if you have any questions.

Sincerely,

Michael D. Harris  
Division Director  
Enforcement and Compliance Assurance Division

Attachment

cc: Mr. James M. Jennings, IEPA, ([james.m.jennings@illinois.gov](mailto:james.m.jennings@illinois.gov))