



EPA REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

July 17, 2024

Via Electornic Mail

Ms. Waleska Canting, Compliance Manager
Alco High Tech Plastics, Inc.
State Road 159, km 13.5, Zona Industrial Cibuco
Corozal, Puerto Rico 00783
waleskacanting@alcohtgroup.com

RE: NOTICE OF VIOLATION, RCRA § 3007 Information Request
Alco High Tech Plastics, Inc.
Ref. No. CEPD-RCRA-24-0441
EPA ID No. PRR000027003

Dear Ms. Canting:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of human health and the environment under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 et seq. Pursuant to RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), the EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in Title 40 of the Code of Federal Regulations 40 (C.F.R.) Parts 260-272.

On September 10, 1992, EPA promulgated regulations under the RCRA program to establish Standards for the Management of Used Oil Destined for Recycling (57 Federal Register 41566). These regulations are in 40 C.F.R. Part 279 and the amended sections of 40 C.F.R. Parts 260, 261, 266 and 271. These regulations became effective on March 8, 1993.

The Commonwealth of Puerto Rico is not authorized by the EPA to conduct a hazardous waste program under Section 3006 of RCRA, 42 U.S.C. § 6926, and is not authorized to enforce RCRA. The EPA has retained its authority to enforce the hazardous waste rules and regulations in Puerto Rico.

The Notice of Violation (NOV) portion of this letter (see ATTACHMENT I) is issued pursuant to Section 3008 of RCRA. Issuance of this NOV and compliance or non-compliance with its terms does not in any way preclude EPA from the issuance of further NOVs, Information Requests, and/or taking formal enforcement action against Alco High Tech Plastics, Inc. facility in Corozal, Puerto Rico (the "Facility"), including monetary penalties, under Section 3008 of RCRA, and any other applicable regulation or statute.

Pursuant to the provisions of Section 3007 of RCRA, EPA may require parties who handle or have handled hazardous waste to provide information relating to such wastes. Pursuant to the statutory provisions cited above, EPA hereby requires that you provide the information requested in ATTACHMENT II, using the instructions and definitions included in ATTACHMENT III. This information is necessary to determine the compliance status of the Facility.

If you have not already done so, you must take immediate action to correct the numbered violations described in ATTACHMENT I. Please submit, within thirty (30) days of the receipt of this correspondence, a response which includes (1) a description of the actions you have taken to correct the numbered violations noted in ATTACHMENT I, (2) documentation that the numbered violations have been corrected, and (3) a description of the procedures that will be put into place to prevent such violations from occurring in the future.

Please provide the information requested no later than thirty (30) calendar days from receipt of this letter. Requests for additional time must be justified. Requests for additional time must be made within ten (10) calendar days of receipt of this letter. The response must be signed by a responsible official or agent of your Facility, using the form in ATTACHMENT IV to this letter.

The response to the request in the ATTACHMENT II must be mailed to the following address:

Mr. Eduardo R. González, P.E., Enforcement Officer
Response and Remediation Branch
U.S. Environmental Protection Agency - Region 2
Caribbean Environmental Protection Division
City View Plaza, Suite 7000
#48 PR-165 Km 1.2
Guaynabo, P.R. 00968-8069

You may, if you so desire, assert a business confidentiality claim covering all or part of the information herein requested. The claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed with the legend, or other suitable form of notice, 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). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2. EPA will review the information to determine the extent of confidentiality of the information, and may, at its discretion, challenge the confidentiality claim pursuant to the procedures set forth at 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. If you contend that some or all the submitted information is entitled to confidential treatment, specify which portions of the information you consider confidential. For each item or class of information that you identify as being subject to your claim, please answer the questions in ATTACHMENT V, giving as much detail as possible. Please note that you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination.

This information request is not subject to the requirements of the Paperwork Reduction Act (PRA), as amended, 44 U.S.C. Part 3501 et seq.

Failure to respond in full to the above requirements is a violation of RCRA and will result in federal enforcement action pursuant to Section 3008 of RCRA, including the assessment of a monetary penalty. Such penalties may be up to \$117,468 per day per violation.

When submitting your response, please attach to the Certification of Answers to Request for Information (ATTACHMENT IV, below), a list of persons, by name, position or title, and company, who prepared or assisted in the preparation of the responses to this information request.

Please also provide a brief description of the basis for their association with the Facility. Please enclose enough information to document your answers and refer to the Compliance Assistance Publications in ATTACHMENT VI.

If you have any questions regarding this matter, please contact Mr. Eduardo González, P.E. at (787) 977-5839 or e-mail at gonzalez.eduardo@epa.gov.

Sincerely,

**HECTOR
VELEZ-CRUZ**

Digitally signed by
HECTOR VELEZ-CRUZ
Date: 2024.07.17
16:14:57 -04'00'

Héctor L. Vélez Cruz for
Carmen R. Guerrero Pérez
Director

Enclosures:

1. ATTACHMENT I - Notice of Violation
2. ATTACHMENT II - Information Request
3. ATTACHMENT III - Instructions & Definitions
4. ATTACHMENT IV- Certification of Answers
5. ATTACHMENT V - Substantiation of Confidential Business Information Claim
6. ATTACHMENT VI - Copies of Compliance Assistance Publications

cc: Maria V. Rodríguez, Chief
Land Pollution Control Division
Puerto Rico Department of Natural and Environmental Resources
P.O. Box 366147, Puerta de Tierra Station
San Juan, PR 00906-6600

ATTACHMENT I
Notice of Violation

Alco High Tech Plastics, Inc.
Ref. No. CEPD-RCRA-24-0441
EPA ID No. PRR000027003

On or about March 27, 2024, a duly authorized representative of EPA conducted a RCRA compliance evaluation inspection (the "RCRA Inspection") at Alco High Tech Plastics, Inc. located in State Road 159, km 13.5, Zona Industrial Cibuco, Corozal, Puerto Rico (the "Facility"), pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, to determine your Facility's compliance with certain federal hazardous waste accumulation, storage, and disposal regulations. Based on a review of the information obtained during and after this RCRA Inspection, the following specific violations of the requirements for large quantity hazardous waste generators were found:

General Requirements (40 C.F.R. § 262 Subpart A)

1. 40 C.F.R. § 262.11 requires that a person who generates a solid waste, as defined in 40 C.F.R. 261.2, must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations.
 - a. At the time of the RCRA Inspection, the Facility did not make a hazardous waste determination of the contents of two (2) 55-gallon drums, one steel black and the other plastic white, containing unknown water paints identified with its hazard communication pictograms as, "Flammable Liquids," without proper hazardous waste determination or characterized as, "Hazardous Waste," or "Non-Hazardous Waste." Both drums appeared to be abandoned and were covered with dust.
 - b. At the Used Oil Storage area there was one (1) 5-gallon yellow plastic containers with spent coolant without a proper hazardous waste determination or characterized as, "Hazardous Waste," or "Non-Hazardous Waste."

The Facility's failure to make the hazardous waste determination of the contents of the drums and container located at the 90-Day Hazardous Waste Accumulation area and the Used Oil Storage area, as indicated in item 1 above, is a violation of 40 C.F.R. § 262.11.

Satellite Accumulation Area Regulations (40 C.F.R. § 262.15)

2. 40 C.F.R. § 262.15(a)(5)(i) requires a generator must mark or label its container with the words "Hazardous Waste."
 - a. At the time of the RCRA Inspection, the Facility did not label with words "Hazardous Waste," a 300-gallon stainless steel tank used for cleaning anilox rollers which generates spent solvents characterized as corrosive-oxidizer, and human irritant. The 300-gallon tank is designated by the Facility as a Satellite Accumulation Area located in the Plastic Extrusion Printing area (SOMA).

- b. At the Alcohol Warehouse, the inspector observed a Satellite Accumulation Area with one ½-cut 55-gallon blue plastic drum “open” with impacted rags contaminated with spent liquid solvent waste of a mixture of propanol and ink, not labeled as “Hazardous Waste.”

The Facility’s failure to mark or label the drum and the tank with the words “Hazardous Waste,” located in a Satellite Accumulation Areas, as indicated in item 2 above, is a violation of 40 C.F.R. § 262.15.

3. 40 C.F.R. § 262.15(a)(5)(ii) requires a generator must mark or label its container with an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 C.F.R. Part 172 Subpart E (labeling) or Subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 C.F.R. 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

At the time of the RCRA Inspection, the inspector observed that none of the containers located in the Satellite Accumulation Areas were marked or labeled with their hazard communication statements or pictograms at the following areas:

- a. At the Plastic Extrusion area (SOMA), there was a SSA with (1) 55-gallon black drum with impacted rags with spent liquid solvent waste containing a mixture of propanol and ink not identified with its hazard communication pictogram as “Flammable Solids.”
- b. At the Plastic Extrusion area (SOMA), there was a second SSA with one (1) 55-gallon black drum with spent liquid solvent waste containing a mixture of propanol and ink, not identified with its hazard communication pictogram as “Flammable Liquids.”
- c. At the Plastic Extrusion area (SOMA), there was a third SSA with one (1) 300-gallon stainless steel tank used to clean anilox rollers not identified with its hazard communication pictogram as “Corrosive Liquids.”
- d. At the Alcohol Warehouse, there was one (1) ½-cut 55-gallon blue plastic drum “open” with impacted rags contaminated with spent liquid sol-vent waste of a mixture of propanol and ink, not identified with its hazard communication pictogram as “Flammable Solids.”
- e. At the Plastic Lamination there was one (1) 55-gallon black steel drum with impacted rags contaminated with glue and spent ethyl acetate, labeled as “Paños Sucios con Pega y Acetato,” and was not identified with its hazard communication pictogram as “Flammable Solids.”

The Facility’s failure to mark or label the drums with their hazard communication statements or pictograms located in a Satellite Accumulation Area, as indicated in item 3 above, is a violation of 40 C.F.R. § 262.15.

Conditions for Exemption for a Large Quantity Generator (40 C.F.R. § 262.17)

4. 40 C.F.R. § 262.17(a)(1)(v) requires that at least weekly, a large quantity generator must inspect central accumulation areas. The large quantity generator must look for leaking containers and for

deterioration of containers caused by corrosion or other factors. A remedial action is required if deterioration or leaks are detected.

At the time of the RCRA Inspection, the Facility did not provide any evidence and, moreover, declared to the inspector that weekly inspections are not conducted at the 90-Day Hazardous Waste Accumulation area, as indicated in item 4 above, is a violation of 40 C.F.R. § 262.17.

5. 40 C.F.R. § 262.17(a)(1)(i) referring to 40 C.F.R. § 265.1087(b)(1)(i) requires that the owner or operator shall control air pollutant emissions from each container having a design capacity greater than 0.1 m³ and less than or equal to 0.46 m³, the owner or operator shall control air pollutant emissions from the container in accordance with the Container Level 1 standards.

At the time of the RCRA Inspection, the Facility did not provide any air emission control technique of air pollutants from containers and declared to the inspector that the Facility was unaware of this air pollution control requirement for containers holding volatile hazardous wastes, as indicated in item 5 above, is a violation of 40 C.F.R. § 262.17.

Manifest Requirements (40 C.F.R. § 262 Subpart B)

6. 40 C.F.R. § 262.27 requires that a large quantity generator who initiates a shipment of hazardous waste must certify that it has a program in place to reduce the volume and toxicity of waste generated to the degree it has determined to be economically practicable and it has selected the practicable method of treatment, storage, or disposal currently available which minimizes the present and future threat to human health and the environment.

At the time of the RCRA Inspection, the Facility did have a Waste Minimization Plan in place to reduce the volume and toxicity of waste generated at the Facility nor selected the practicable method of treatment, storage, or disposal available which minimizes the present and future threat to human health and the environment. The Facility's failure to have in place a Waste Minimization Plan, as indicated in item 6 above, is a violation of 40 C.F.R. § 262.27.

Standards for Universal Waste Management (40 C.F.R. § 273)

As of January 2000, under federal regulations, hazardous waste fluorescent light bulbs (lamps) may be managed and disposed as universal waste. Although the Commonwealth of Puerto Rico is not authorized for the Universal Waste Rule (UWR), federal standards in 40 C.F.R. Part 273 will operate in lieu of current Commonwealth of Puerto Rico Government hazardous waste management requirements. Thus, fluorescent light bulbs may be managed as either a hazardous waste or a universal waste.

7. 40 C.F.R. § 273.13(d)(1) requires a small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

At the time of the RCRA Inspection, there were five (5) square cardboard boxes (1'x1'x 4') packing over forty (40) 4-foot spent fluorescent lamps, some were not closed, showing potential evidence of breakage, leakage, and damage that caused releases of mercury or other hazardous constituents to the area at the Universal Waste Storage Area in violation of 40 C.F.R. § 273.13(d)(1).

8. 40 C.F.R. § 273.14(e) requires that each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste - Lamp(s)," "Waste Lamp(s)," or "Used Lamp(s)."

At the time of the RCRA Inspection, there were five (5) square cardboard boxes (1'x1'x 4') packing over forty (40) 4-foot spent fluorescent lamps, some open and not labeled with the words, "Universal Waste," at the Universal Waste Storage Area in violation of 40 C.F.R. § 273.14(e).

Standards for Used Oil Management (40 C.F.R. Part 279)

Based on the conditions observed during the RCRA Inspection, the Facility was in violation of the following used oil requirements:

9. 40 C.F.R. § 279.22(c) requires that containers and above-ground tanks used to store used oil must be labeled or marked clearly with the words "Used Oil."

The Facility must have all containers used to store used oil labeled or clearly marked with the words, "Used Oil." EPA inspector observed that the following containers and drums containing used oil were not labeled or marked clearly with the words, "Used Oil" at the Used Oil Storage Area as follows:

- a. Five (5) 55-gallon blue/white plastic drums with used oil not marked with the words, "Used Oil."
- b. Seven (7) 5-gallon orange/gray plastic containers with used oil not marked with the words, "Used Oil."
- c. Two (2) 5-gallon orange plastic containers "Open" with used oil not marked with the words, "Used Oil."

The Facility's failure to label or mark the drums and containers with the words "Used Oil," located at the Used Oil Storage Area, as indicated in item 9 above, is a violation of 40 C.F.R. § 279.22(c).

10. 40 C.F.R. § 279.81 specifies that used oil that is not recycled, but will be disposed of, is subject to the hazardous waste regulations, if applicable. Therefore, any material soaked with used oil that is disposed of is a solid waste and may be a hazardous waste.

Since the rags used to clean-up minor used oil spills and other impacted material (i.e., oil spills and leaks) are discarded, they meet the definition of a solid waste. Pursuant to the hazardous waste regulations, specifically 40 C.F.R. § 262.11, a person who generates a solid waste must determine if that waste is a hazardous waste by either applying knowledge of the waste or through an analysis of a representative sample of the waste. The generator must be able to support the determination

by documenting the generator's knowledge of the waste or by documenting the analytical results. This hazardous waste determination must be repeated whenever the waste stream has changed.

If the impacted material is a hazardous waste, it must be disposed of by an authorized hazardous waste treatment, storage and /or disposal Facility and transported by a transporter with an EPA Identification Number. If it is not a hazardous waste, it must be disposed of in accordance with 40 C.F.R. § 258 and the Commonwealth of Puerto Rico requirements which covers disposal in municipal solid waste landfills.

Based on the conditions observed by the EPA Inspector during the RCRA Inspection, the Facility was in violation of the above regulation at the Used Oil Storage Area as observed one (1) 55-gallon blue steel drums with impacted rags and other absorbent materials contaminated with used oil. The drum containing impacted materials was not properly identified nor determination had been made as to whether it was hazardous waste or non-hazardous waste, as required by the applicable regulation of 40 C.F.R. § 279.81.

11. 40 C.F.R. §§ 261.2(a)-(b) and 261.4(b)(13) state that the used oil filter which have been disposed of and any used oil container, both constitute solid wastes.

As stated above, a person who generates a solid waste must determine if that waste is a hazardous waste. However, non-terne (non-lead) plated used oil filters which are punctured or crushed and allowed to "hot gravity drain" for at least 12 hours before they are disposed of will not be regulated as hazardous waste but still must be disposed of in accordance with municipal solid waste landfill requirements. Also, hot-drained terne-plated (lead-plated) filters are not regulated as a hazardous waste if they are recycled as scrap metal. Please refer to the Filter Manufacturers Council Hotline number at 800-99-FILTER and they will help you to properly manage and dispose of your used oil filters.

Prior to disposing used oil filters, the Facility must determine if the filter is a hazardous waste. If the filter is a non-terne plated used oil filter, it must be punctured and allowed to "hot gravity drain" for at least 12 hours before disposal or recycling as discussed above.

Based on the conditions observed by EPA during the Inspection, the Facility was in violation of the above regulation in the Used Oil Storage Area. In this area, EPA Inspector observed one (1) 55-gallon blue steel drums with spent used oil filters that was not properly identified, nor a hazardous waste or non-hazardous waste determination had been made for the spent oil filters, as required by the applicable regulations.

Based on the conditions observed during the RCRA Inspection, the Facility was in violation of the above regulations.

ATTACHMENT II
RCRA § 3007 Information Request

Alco High Tech Plastics, Inc.
Ref. No. CEPD-RCRA-24-0441
EPA ID No. PRR000027003

On or about March 27, 2024, a duly authorized representative of EPA conducted a RCRA compliance evaluation inspection (the “RCRA Inspection”) at Alco High Tech Plastics, Inc. located in State Road 159, km 13.5, Zona Industrial Cibuco, Corozal, Puerto Rico (the “Facility”), pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, in order to determine your Facility’s compliance with certain federal hazardous waste accumulation, storage and disposal regulations.

Based on a review of the information obtained during and after the RCRA Inspection, we have determined that certain information is required to fully evaluate the compliance of this Facility. You are hereby required to answer the following questions and provide the following information:

1. With regard to the violations cited in the above Notice of Violation (NOV) (Enclosure I), please provide the following:
 - a. a description of the actions taken, or that will be taken, to correct the specific violations cited in items 1 through 11 (inclusive) of the NOV. Be specific (e.g., when actions were started and finished, how much was disposed of, etc.);
 - b. documentation verifying that the violations have been corrected, including photographs, where applicable; and
 - c. an account of changes in Facility management practices sufficient to prevent a recurrence of the violations. Include a Facility “Corrective Measures Plan” addressing operational changes, as detailed in Attachment VI, if Alco High Tech Plastics, Inc. will continue managing such wastes (i.e., organic wastes).
2. Please provide the full legal name, address, and legal status (e.g., corporation, not-for-profit corporation, individual owner, partnership) of the current and past owner and/or owners, since 1995 of the Facility located in State Road 159, km 13.5, Zona Industrial Cibuco, Corozal, Puerto Rico. Also, provide:
 - a. the name(s) and official title(s) of each of the officer(s) (or the proprietor(s), if not a corporation) of all current and past owners; and
 - b. the month/day/year all current and past owners began ownership of the Facility.
3. Please describe the remedial actions undertaken by Alco High Tech Plastics, Inc. to look for and avoid future abandoned containers and drums containing unknown wastes in which a hazardous waste determination of the contents has not been made and properly identify whether their contents are hazardous waste or non-hazardous, as required by the applicable RCRA regulations.

4. Please describe how Alco High Tech Plastics, Inc. is planning to develop and submit a Waste Minimization Plan (WMP) and Recycling Program at the Facility. The WMP must be developed to comply with current regulatory requirements, help protect the environment, and reduce costs associated with waste generation disposal. The WMP must provide statistical data outlining Facility efforts to prevent environmental pollution. It also summarizes the management of recycling materials, waste minimization programs and other environmental efforts.
 5. Please describe how Alco High Tech Plastics, Inc. will document and comply with air emissions requirements for closed drums pursuant to 40 C.F.R. Part § 265 Subpart CC. Specifically, 40 C.F.R. § 265.1087(b)(1)(i) states that for a container having a design capacity greater than 0.1 m³ (approximately 26 gallons) and less than or equal to 0.46 m³ (approximately 119 gallons), the owner or operator shall control air pollutant emissions from the container in accordance with the Container Level 1 standards. Container Level 1 controls require that the hazardous waste is stored in (1) an approved Department of Transportation (DOT) container, (2) a container equipped with a cover and closure devices for each opening, or (3) an open top container with an organic-vapor suppressing barrier, such as a tight-fitting trap or an organic-vapor suppressing foam. Additionally, the drums must always be properly covered with snap rings tightly closed, and bungholes must also be tightly closed.
 6. Please describe how Alco High Tech Plastics, Inc. will develop weekly logs and document weekly inspections of the hazardous waste drums and containers located at the 90-Day Hazardous Waste Accumulation area. Inspections to all drums in the 90-Day Hazardous Waste Accumulation area must be performed on a weekly basis. The weekly inspections must include the inspection of drums and verify if they are properly labelled or marked, always closed, and in good conditions as a compliant practice. Although, RCRA regulations do not require that satellite accumulation areas be inspected on a weekly basis, it was deemed advised to all satellite accumulation areas be included as part of weekly inspections as a Good Manufacturing Practice.
 7. When submitting your response, please attach to the Certification of Answers to Request for Information (Attachment IV, below) a list of persons by name, position or title, department, and company who prepared or assisted in the preparation of the responses to this information request. Please also provide a brief description of the nature of their work. If any person is not an employee, please also provide a short account of the basis for their association with you and/or the Facility in question.
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ATTACHMENT III
Instructions & 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 the company/corporation to whom this is addressed.
2. A complete response must be made to each individual question in this request for information. Identify each answer with the number of the question to which it is addressed.
3. In preparing your response to each question, consult, as necessary, with all present and former employees and agents of the company/corporation who you have reason to believe 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, state 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 of the question to which it applies.
8. If anything is deleted 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. For the purposes of this Request for Information, companies, corporation and/or institution are all the operations conducted by you or your company at the Facility located in located in in State Road 159, km 13.5, Zona Industrial Cibuco, Corozal, Puerto Rico 00783.
11. Hazardous waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(5) of RCRA, as amended, 42 U.S.C. Part 6903(5) and in 40 C.F.R. § 261.3.
12. Hazardous constituents shall be defined as those substances listed in 40 C.F.R. Part 261, Appendix VIII.

13. Other definitions, for the purposes of this Request for Information, are as defined in 40 C.F.R. Part 260, Subpart B.
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ATTACHMENT IV
Certification of Answers

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Information Request) and all documents submitted herewith, and that I believe 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. I am also aware that I am under a continuing obligation to supplement my response to EPA's Information Request if any additional information relevant to the matters addressed in EPA's Information Request or my response thereto should become known or available to me.

NAME (print or type)

TITLE (print or type)

SIGNATURE

ATTACHEMENT V
Substantiation of Confidential Business Information Claim

1. For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to Question 1, immediately above?
3. What measures have you taken to protect the information claimed as confidential and to guard against undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has EPA or any other governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to result in substantial harmful effects on the business or to its competitive position. Explain the specific nature of those harmful effects; why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If the business asserts that the information is voluntarily submitted information, whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Any other issue you deem relevant.

ATTACHMENT VI
Copies of Compliance Assistance Publications

Managing Your Hazardous Waste: A Guide for Small Businesses and *Hazardous Waste Requirements for Large Quantity Generators*. These publications may be used to improve your understanding of the EPA's Hazardous Waste Program as it applies to all hazardous waste generators. These publications are available through:

- https://www.epa.gov/sites/default/files/2019-10/documents/10008_managingyourhazwaste_508pdf_october_16_2019.pdf
- Fact Sheet on Requirements for Large Quantity Generators of Hazardous Waste at: <https://www.epa.gov/hwgenerators/fact-sheet-requirements-large-quantity-generators-hazardous-waste>
- Information on Spent Fluorescent Light Bulb Management, please see the EPA's *Overview of the Universal Waste Program* Internet site at: <https://www.epa.gov/hw/universal-waste#regs>
- Categories of Hazardous Waste Generators at: <https://www.epa.gov/hwgenerators/categories-hazardous-waste-generators#large>
- 40 CFR § 262.17 - Conditions for exemption for a large quantity generator that accumulates hazardous waste at: [https://www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-262/subpart-A/section-262.17#p-262.17\(a\)\(1\)\(ii\)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-262/subpart-A/section-262.17#p-262.17(a)(1)(ii))
- Resource Conservation and Recovery Act (RCRA) Orientation Manual at: <https://www.epa.gov/sites/default/files/2015-07/documents/rom.pdf>
- On-line resource for environmental stewardship and compliance assistance information: www.epa.gov/compliance/compliance-assistance-centers