



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

**ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED**

Mr. Chris Quintero
Environmental Manager
Dynamic Manufacturing Company
1801 North 32nd Street
Melrose Park, Illinois 60610
cquintero@dmimall.com

Re: **Warning Letter: Notice of Potential Violation – No Further Action**
Dynamic Manufacturing Company
Facility ID No: ILD 984 858 688
Melrose Park, Illinois

Dear Mr. Quintero:

On May 5, 2022, the U.S. Environmental Protection Agency conducted an RCRA compliance evaluation inspection of the Dynamic Manufacturing Company (“Dynamic” or “you”) located in Melrose Park, Illinois. The purpose of the inspection was to evaluate Dynamic’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 Dynamic 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 violations.

After the inspection, as documented in a June 9, 2022, email to EPA, you took certain actions to establish compliance with the identified potential violations. Based on the information received from Dynamic in the June 9, 2022, email, EPA does not plan additional enforcement action under RCRA at this time in response to the potential violations identified in this letter.

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 inspection, EPA observed Dynamic’s failure to comply with the RCRA permit exemption condition, 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 Ill. Admin. Code tit. 35 §§ 703.121(a) and (b); 703.180(c); and 705.121(a) [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 Ill. Admin. Code tit. 35 Part 725, the generator: (a) becomes an operator of a hazardous waste storage facility; and (b) simultaneously violates the corresponding TSD requirement.

The permit exemption condition identified below is also an independent TSD requirement:

1. Weekly Inspections

Under Ill. Admin. Code tit. 35 §§ 722.134(a)(1)(A) and 725.274, a large quantity generator must inspect areas where containers are stored, at least weekly looking for leaks and deterioration caused by corrosion or other factors. At the time of the inspection, there were no weekly inspections conducted during the week of 12/19/19, 3 weeks in 4/2020, 1 week in 11/2020, 1 week in 3/2021, 9/2021 and 11/2021.

Chris Quintero of Dynamic notified EPA via email on June 9, 2022, that a backup inspector will be assigned to conduct the weekly inspections in his absence to prevent inspections from being missed. In the event of a holiday, the weekly inspection will be conducted prior to the holiday or prior to Dynamic closing for a holiday, which addressed the item described above. EPA is not requesting any further information for this potential violation.

This letter is to inform you that EPA has reviewed the referenced response and does not plan additional enforcement action under RCRA at this time. This letter does not limit the applicability of the requirements evaluated, or of other federal or state statutes or regulations. EPA and the Illinois Environmental Protection Agency will continue to evaluate your facility in the future.

The EPA contact in this matter is Sheila Burrus. You may call her at (312) 886-3587 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

cc: Paul Eisenbrandt, Illinois EPA (paul.eisenbrandt@illinois.gov)