



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101

ENFORCEMENT &  
COMPLIANCE ASSURANCE  
DIVISION

Reply To: 20-C04

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Mr. Stephen Grum  
Manager, Environmental Health & Safety  
Maxim Integrated Products  
14320 Southwest Jenkins Road  
Beaverton, Oregon 97005

Re: **NOTICE OF VIOLATION**  
Maxim Integrated Products  
EPA ID No. OR0000148833

Dear Mr. Grum:

This Notice of Violation (NOV) is to inform Maxim Integrated Products (“Facility”) of violations of the Oregon Administrative Rules (OAR) for Hazardous Waste Management, as authorized by the U.S. Environmental Protection Agency (EPA) pursuant to the Resource Conservation and Recovery Act (RCRA). These violations were identified as a result of an inspection performed by EPA on May 19, 2021, at Maxim Integrated Products, located at 14320 Southwest Jenkins Road, Beaverton, Oregon. The inspection was performed pursuant to EPA’s inspection authority under Section 3007 of RCRA, 42 U.S.C. § 6927.

From the observations made during the May 19, 2021 inspection, the following RCRA violations were identified at the Facility. Unless otherwise noted, requirements from the Code of Federal Regulations (CFR) are incorporated by reference at OAR 340-100-0002.

**Violation 1: Open-Ended Lines**

RCRA § 3005(a) [ORS 466.100] requires, among other things, that the owner and operator of a hazardous waste management unit must have a permit for storage of hazardous waste. 40 C.F.R. §§ 262.34(a)(1)(ii) and 265.1056(a)(1) provide that certain generators may accumulate hazardous waste without a permit provided that, among other things, each open-ended valve or line to which 40 C.F.R. Part 265 Subpart BB (“Subpart BB”) applies is equipped with a cap, blind flange, plug or second valve.

At the time of the inspection, the following four lines to which Subpart BB applied were not equipped with a cap, blind flange, plug or second valve:

- a. An open-ended line from the tank pump out. This was repaired during the inspection.
- b. An open-ended overflow line on Wastemate #1.
- c. An open-ended overflow line on Wastemate #4.

- d. An open-ended plastic tubing line on Wastemate #5.

The failure to equip these open-ended lines with a cap, blind flange, plug or second valve constituted a violation of OAR-340-100-0002 and 40 C.F.R. §§ 262.34(a)(1)(ii), and 265.1056(a)(1).

## **Violation 2: Equipment Marking**

RCRA § 3005(a) [ORS 466.100] requires, among other things, that the owner and operator of a hazardous waste management unit must have a permit for storage of hazardous waste. 40 C.F.R. §§ 262.34(a)(1)(ii) and 265.1050(c) provide that certain generators may accumulate hazardous waste without a permit provided that, among other things, each piece of equipment to which Subpart BB applies shall be marked in such a manner that it can be distinguished readily from other pieces of equipment.

At the time of the inspection, the “SOG SAA” line, to which Subpart BB applied, was not marked in such a manner that it could be distinguished readily from other pieces of equipment.

The failure to mark this piece of equipment in such a manner that it could be distinguished readily from other pieces of equipment constituted a violation of OAR-340-100-0002 and 40 C.F.R. §§ 262.34(a)(1)(ii), and 265.1050(c).

## **Areas of Concern**

1. At the time of the inspection, visual leaks were observed by the EPA inspector on (1) Wastemate #4 pump line, which had backed up on April 16, 2021 and overflowed out the door; and (2) Wastemate #5.
2. At the time of the inspection, Maxim Integrated Products did not have a facility-wide Subpart BB manual or document.

## **Required Action**

The above violations may subject Maxim Integrated Products to enforcement action under Section 3008 of RCRA, 42 U.S.C. § 6928, including the assessment of civil penalties. Within 20 days of receipt of this NOV, EPA requests that you submit a written response and/or photographs that identify actions you have taken or will take to correct the violations.

Please send all material submitted in response to this NOV to Kevin Schanilec, by email, at [schanilec.kevin@epa.gov](mailto:schanilec.kevin@epa.gov).

## **EPA Reservation of Rights**

Notwithstanding this NOV or your response, EPA reserves the right to take any action pursuant to RCRA or any other applicable legal authority. Your response to this NOV does not constitute compliance with RCRA.

Nothing in this NOV or your response shall affect duties, obligations or responsibilities with respect to Maxim Integrated Products under local, state or federal law or regulation.

Thank you for your prompt attention to this important matter. If you have questions regarding this NOV, please contact Kevin Schanilec, of my staff, at [schanilec.kevin@epa.gov](mailto:schanilec.kevin@epa.gov) or (206) 553-1061.

Sincerely,

**MORGAN  
JENCIUS**

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MORGAN JENCIUS  
Date: 2023.02.03  
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Morgan Jencius, Chief  
Air and Land Enforcement Branch

cc: Ms. Audrey O'Brien  
Oregon Department of Environmental Quality