



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2852**

Via Electronic Mail

Phillip Sparks, Senior Environmental Engineer
AdvanSix
905 East Randolph Road
Hopewell, Virginia 23860
phillip.sparks@advansix.com

RE: Request for Information Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act, U.S.C. §6927(a), Regarding Generation and Management of Hazardous Waste by AdvanSix - Hopewell
EPA ID No. VAD065385296
Reference Number: C22-009

Dear Mr. Sparks:

The U.S. Environmental Protection Agency, Region III ("EPA") is requesting to supplement information obtained during EPA Region 3's Compliance Evaluation Inspection ("CEI") of the AdvanSix – Hopewell facility, located at 905 East Randolph Road, Hopewell, Virginia, ("AdvanSix" or "the Facility") on April 25, 2022 (report sent on 7/27/2022 – referred to as "EPA RCRA Inspection Report"). EPA is requesting this information pursuant to Section 3007(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6927(a), regarding generation and management of hazardous waste. EPA requires that you furnish to EPA, within **twenty (20) calendar days** of receipt of this letter, the information requested below, including documents responsive to such requests.

Section 3007(a) of the Resource Conservation and Recovery Act

For each and every request, if you have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request or provide additional responsive documents, then as a part of your response to such request, identify each such person and the additional information or documents which such person may be able to provide. Furthermore, for each and every response, if information or documents responsive to such request are not in your possession, custody or control, then as part of your response to such request, identify each person from whom such information or documents may be obtained.

Please provide a separate narrative response to each information request. Precede each answer with the number of the question or letter of the subpart of the request to which it corresponds. A request for documents shall be construed as a request for any and all documents maintained by you or in your custody, control, or possession or in the possession, custody or control of any employees or agents, relating to the matters described below. All copies of documents submitted to EPA in response to the following requests must be complete and legible.

As used herein, the term “document” means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, tolls receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phonograph records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer print outs, or other data compilations from which information can be obtained and translated.

All other terms used in this request for information that are defined in RCRA, 42 U.S.C. §§ 6901 *et seq.*, 40 C.F.R. Parts 260-266, 268, and 273, and the authorized Commonwealth of Virginia Hazardous Waste Management Program, 9 VAC-20-60-12 *et seq.*

Please provide the information requested below:

Information Request

1. Based on the EPA RCRA Inspection Report, the distillation of crude caprolactam generates a viscous material that is referred to as “depoly waste”. The depoly waste was determined to be non-hazardous by the Facility and is managed as such. Occasionally, there is an “upset” in the process causing the depoly waste to have elevated levels of benzene. When that occurs, the resulting depoly waste is managed as hazardous waste due to the benzene content (D018). With respect to the depoly waste, please answer the following:
 - a. Please describe what happens in the process to cause an “upset”
 - b. Please describe what occurs during an “upset” that causes an elevation of benzene in the depoly waste.
 - c. Do you document when an “upset” in the distillation process occurs? If so, please provide any and all records pertaining to an “upset” from April 25, 2019 to April 30, 2022.
 - d. It was observed during the CEI that depoly waste was discharged into a roll-off container via conveyor from the crude caprolactam distillation process (see photo RCRA-013 of EPA RCRA Inspection Report). When an “upset” occurs, is there a change in the process regarding how the depoly waste is handled and managed? If so, please explain how the facility handles and manages the depoly waste with elevated benzene content.
 - e. Please describe in detail how the depoly waste is managed from the moment the waste is generated until it is shipped offsite.
2. Based on a list of storage tanks provided by the Facility, it was observed that VT-121 and VT-127, located in Area 7, are used for the storage of “depoly residue”. Please answer the following:

- a. Are tanks VT-121 and VT-127 currently in service? If not, please state when the tanks were taken out of service, why the tanks were taken out of service, and provide supporting documentation.
 - b. If the tanks are currently in service, are the tanks actively being used to store “depoly residue”?
 - c. Is the “depoly residue” the same material as the “depoly waste” identified in Question 1, above?
 - d. If the tanks are in service and actively storing “depoly residue”, are the tanks used to store “depoly residue” with elevated levels of benzene? Please state the basis of your knowledge.
3. Regarding the sulfuric acid sludge that is generated by the Facility, please state whether or not a “waste determination” has been made for such material. If a waste determination was made for the sulfuric acid sludge, state whether the determination was based on generator knowledge of the process that generated the waste, or if the determination is based on analytical results.
 - a. If the determination is based on generator knowledge, provide a narrative explanation of the scientific basis for such determination and provide any and all supporting documentation.
 - b. If the determination is based on analytical results, provide any and all documentation of such results.
4. Regarding the spent chrome/zinc catalyst generated by the Facility, please state whether or not a “waste determination” has been made for such material. If a waste determination was made for the spent chrome/zinc catalyst, state whether the determination was based on generator knowledge of the process that generated the waste, or if the determination is based on analytical results.
 - a. If the determination is based on generator knowledge, provide a narrative explanation of the scientific basis for such determination and provide any and all supporting documentation.
 - b. If the determination is based on analytical results, provide any and all documentation of such results.
5. According to the EPA RCRA Inspection Report, seven (7) 55-gallon containers were observed (Kellogg Area/Catalyst Pad) containing “Spent Catalyst Vacuum Filters” and “Spent PPE/Filters” from Kellogg Reactor 108-D. It was noted by a Facility representative that the materials were being managed as hazardous secondary material and are shipped off-site for reclamation. Post-inspection correspondence described the constituents in the containers as non-

hazardous spent catalyst material. With respect to the “Spent Catalyst Vacuum Filters” and the “Spent PPE/Filters”, please answer the following:

- a. Please state whether or not a “waste determination” has been made for such materials. If a waste determination was made for the “Spent Catalyst Vacuum Filters” and the “Spent PPE/Filters”, state whether the determination was based on generator knowledge of the process that generated the waste, or if the determination is based on analytical results.
 - b. If the determination is based on generator knowledge, provide a narrative explanation of the scientific basis for such determination and provide any and all supporting documentation.
 - c. If the determination is based on analytical results, provide any and all documentation of such results.
 - d. Please provide any and all documentation to support your claim that the “Spent Catalyst Vacuum Filters” and the “Spent PPE/Filters” meet the conditions to be classified as a “hazardous secondary material”.
 - e. Please provide a detailed narrative of how the “Spent Catalyst Vacuum Filters” and the “Spent PPE/Filters” are being reclaimed.
6. With respect to the Facility’s process sewers, please provide the following information:
- a. Are the process sewers at the Facility cleaned out on a regular basis? If yes, please describe the process being used by the Facility to clean the process sewers.
 - b. Please state when the Facility last cleaned the process sewers.
 - c. For any and all material that is removed from the process sewers, state whether or not a “waste determination” has been made for such materials. If a waste determination was made for such materials, state whether the determination was based on generator knowledge of the process that generated the waste, or if the determination is based on analytical results.
 - d. If the waste determination is based on generator knowledge, provide a narrative explanation of the scientific basis for such determination and provide any and all supporting documentation.
 - e. If the waste determination is based on analytical results, provide any and all documentation of such results.
 - f. Please describe in detail how the Facility manages such material from the time it is removed from the process sewer until such material is shipped off-site.
 - g. If the material is not shipped off-site, please provide a detailed narrative explaining how the material is managed on-site.

7. According to the EPA RCRA Inspection Report, eight (8) cardboard containers were observed with approximately 400 used fluorescent lamps (universal waste) in each container. The observed dates on the containers were 4/07/2022, 2/23/2022, and 3/23/2022. Please answer the following:
- a. Does AdvanSix track the amount of used fluorescent lamps that it generates over time? If so, please provide any and all documentation used for the tracking of used fluorescent lamps from February 23, 2022 to April 27, 2022.
 - b. How many used fluorescent lamps have been generated each calendar month by AdvanSix from February 23, 2022 to April 27, 2022? Please provide the basis of your knowledge.
 - c. Please submit any Standard Operating Procedure (SOP) that was in effect from January 1, 2022 to present which documents how used fluorescent lamps are managed from the time they are generated until the time they are shipped offsite.

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928 authorize EPA to pursue penalties for failure to comply with Section 3007(a) of RCRA respectively. In addition, Section 3007(a) of RCRA, 42 U.S.C. § 6928 authorizes EPA to pursue penalties for failure to respond adequately to an information request under Section 3007(a) of RCRA. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings. **Your response must include the following signed and dated certification:**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete.

Signature: _____
Date: _____
Name: _____
Title: _____

With regard to the Small Business Regulatory Enforcement and Fairness Act ("SBREFA"), please see the "Information for Small Businesses" memo, found at <https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf>, which might be applicable to your facility. This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve your facility of its obligation to respond in a

timely manner to an EPA request or other enforcement action, create any rights or defenses under law, and will not affect EPA's decision to pursue an enforcement action. To preserve your facility's legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement actions. EPA has not made a determination as to whether or not your facility is covered by SBREFA.

Your Facility is entitled to assert a claim of business confidentiality covering any part or all of the information submitted, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to your facility.

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

Please send your response electronically to:

Jeremy Dearden (3ED22)
Dearden.jeremy@epa.gov
U.S. Environmental Protection Agency, Region III
Four Penn Center
1600 John F. Kennedy Blvd.
Philadelphia, PA 19103-2029

If you have any questions concerning this matter, please contact Mr. Dearden, Enforcement Officer, at (215) 814-5351 or dearden.jeremy@epa.gov.

Sincerely,

Jeanna R. Henry, Chief
Air, RCRA, & Toxics Branch
Enforcement and Compliance Assurance Division

cc: Jeremy Dearden (3ED22)
Pauline Belgiovane (3ED20)
Leslie A. Romanchik (VADEQ) laromanchik@deq.virginia.gov
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