UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604

SUBJECT:	CLEAN AIR ACT INSPECTION REPORT Mighty River Recycling, Madison, Illinois
FROM:	Tess Russell, Environmental Engineer AECAB (MN/OH)
THRU:	Brian Dickens, Section Supervisor AECAB (MN/OH)
TO:	File

BASIC INFORMATION

Facility Name: Mighty River Recycling

Facility Location: 116 State Street, Madison, Illinois 62060

Date of Inspection: September 22, 2023

EPA Inspector(s):
1. Tess Russell, Environmental Engineer
2. Natalie Topinka, Environmental Scientist
3. Karina Kuc, Environmental Engineer

Other Attendees:
1. Jim Moore, Office Manager, Mighty River Recycling

Contact Email Address: jmoore@mightyriverrecycling.com

Purpose of Inspection: assess compliance with refrigerant safe disposal regulations

Facility Type: scrap metal recycler

Regulations Central to Inspection: 40 C.F.R. Part 82

Arrival Time: 8:20 AM
Departure Time: 9:00 AM

Inspection Type:

☒ Unannounced Inspection
☐ Announced Inspection

OPENING CONFERENCE

☒ Presented Credentials
☒ Stated authority and purpose of inspection
☒ Provided Small Business Resource Information Sheet – provided via email with inspection report
☒ Provided CBI warning to facility

The following information was obtained verbally from Jim Moore unless otherwise noted.

Process Description: Mighty River has operated this location for approximately 11 years and is currently operating with about 8 employees. Mighty River has 2 locations. The facility accepts ferrous and non-ferrous scrap metals for recycling from members of the general public and commercial accounts, but primarily from peddlers. Mighty River accepts small appliances and vehicles.

Staff Interview: Jim Moore stated that Mighty River receives about 10 small appliances per day; the number of vehicles accepted per day fluctuates between 1 per week to 2-3 vehicles per day. Mighty River's policy is to not accept any small appliances that still contain any sealed units or any vehicles that still have fluids. Mighty River does not have refrigerant recovery equipment and does not recover refrigerant on-site, which has always been the case. Mighty River may occasionally drain a vehicle of fluids onsite if the vehicle is discovered to be intact during Mighty River's inspection, explained to be a "casual look" upon delivery.

All customers onsite sign a scale ticket that includes the language: "CFC & HCFC Certification (when applicable): the undersigned certifies that all remaining refrigerant was recovered from appliances prior to delivery, and indemnify and hold MRR exempt from any liability resulting in whole or in part from my breach of this certification. (This includes but not limited to CFC & HCFC, as defined in 608 of Clean Air Act Amendments and 40 CFR Part 82)". Customers do not provide the name or address of any person who recovered the refrigerant or the date it was recovered, as is required by 40 C.F.R. § 82.155(b). Jim Moore did not know of any contracts entered into with commercial accounts. Jim Moore stated that Mighty River may pick up scrap materials from a commercial account's roll-off box, and when this happens, the customer is not present to sign the scale ticket. The facility had a sign at the front window indicating requirements for scrapped vehicles (*i.e.* drained fluids, gas tanks removed, etc.). The facility did not have any signage informing customers of the facility's refrigerant policy.

TOUR INFORMATION

EPA Tour of the Facility: Yes

Data Collected and Observations: We toured the yard and observed numerous radiators in the scrap pile inside the garage. We observed the outdoor pile of separated compressors, and then we observed multiple refrigerators in the outdoor sheet iron scrap pile. Upon EPA's request, the crane operator removed two refrigerators by claw from the pile. One refrigerator still contained its sealed unit labeled as refrigerant R134a. When asked about why the sealed unit was still there, Jim Moore mentioned it may have come from a plumbing industrial supplier whose loads are hard to see when they get dropped off.

Photos and/or Videos: were taken during the inspection.
Field Measurements: were not taken during this inspection.

RECORDS REVIEW

1. Example of scale ticket signed by customers

CLOSING CONFERENCE

☒ Provided U.S. EPA point of contact to the facility

Compliance Assistance: We gave an overview of the requirements of 40 C.F.R Part 82, Subpart F as they pertain to scrap metal recyclers who accept small appliances and vehicles.

Concerns: The refrigerant-related statement on Mighty River's scale ticket does not meet the requirements of a signed statement or contract per 40 C.F.R. § 82.155(b). Mighty River's practice of encouraging customers to deliver scrap with the refrigerant removed but without requiring documentation of proper refrigerant recovery prior to delivery may inadvertently incentivize customers to vent refrigerant. Items that still retain the compressor indicate that Mighty River is not adequately inspecting its incoming materials in accordance with its current policy and some items may potentially still contain refrigerant. The compressor in the scrap pile is susceptible to damage (and release of refrigerant to the atmosphere) when being moved around by the claws or cranes on-site. There was no signage to advise customers of the facility's refrigerant policy or of the requirements for proper refrigerant recovery.

DIGITAL SIGNATURES

Report Author: TESS RUSSELL Digitally signed by TESS RUSSELL Date: 2023.10.30 13:50:25 -05'00'

Section Supervisor: BRIAN DICKENS Digitally signed by BRIAN DICKENS Date: 2023.10.30 14:33:37 -05'00'

APPENDICES AND ATTACHMENTS

1. Appendix A: Digital Image Log

APPENDIX A: DIGITAL IMAGE LOG

1. **Inspector Name:** Natalie Topinka	2. **Archival Record Location:** ***ERC – Enf_Mighty River Recycling_IL_23_Inspection***

Image Number	File Name	Date and Time (Central time)	Description of Image
1	IMG_1613.JPG	2023:09:22 08:44:06	Sign inside entrance, detailing requirements for dropping off vehicles
2	IMG_1614.JPG	2023:09:22 08:45:02	Scrap pile inside garage
3	IMG_1615.JPG	2023:09:22 08:45:29	Bin of separated compressors
4	IMG_1616.JPG	2023:09:22 08:46:41	The outside storage location for the separated compressors (bin pictured in Photo #3 empties into this)
5	IMG_1617.JPG	2023:09:22 08:53:51	Intact fridge from scrap pile, removed by claw upon EPA request for inspection (R134a)
6	IMG_1618.JPG	2023:09:22 08:54:10	Close up of intact fridge's refrigerant circuitry, from the scrap pile (R134a)
7	IMG_1619.JPG	2023:09:22 08:54:29	Close up of compressor's label, from refrigerator removed from the scrap pile (R134a)
8	IMG_1620.JPG	2023:09:22 08:55:45	Second refrigerator from scrap pile, removed by claw upon EPA request for inspection
9	IMG_1621.JPG	2023:09:22 08:56:21	Close up of second refrigerator's cavity where refrigerant circuitry once was held
10	IMG_1622.JPG	2023:09:22 08:57:12	Scrap yard with claw