



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION I  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

**URGENT MATTER - EARLY WARNING NOTICE**  
**CERTIFIED MAIL: RETURN RECEIPT REQUESTED**

February 15, 2023

Daniel Welch, Sr. Principal Environmental Leader  
Bostik, Inc.  
211 Boston, Street  
Middleton, MA 01949

RE: **NOTICE OF POTENTIAL VIOLATION** of the Resource Conservation and Recovery Act (RCRA), the Hazardous and Solid Waste Amendments of 1984 (HSWA) and Massachusetts General Law, Chapter 21C, Sections 4 and 6. The State of Massachusetts has been granted final authorization by EPA to administer certain portions of RCRA.

Dear Mr. Welch:

On November 16 through 18, 2022, representatives of the United States Environmental Protection Agency ("EPA") conducted a RCRA Compliance Evaluation Inspection. The purpose of this inspection was, in part, to determine the compliance of Bostik, Inc., EPA ID # MAD001039767, with the relevant hazardous waste management regulations for the State of Massachusetts and the corresponding federal Hazardous Waste Management Regulations found at 40 C.F.R. Parts 260-272.

As a follow up to the out-brief provided by EPA at the conclusion of the physical inspection of your facility, a partial written list of deficiencies is provided below to summarize the potential violations/areas of concern identified. Additional potential violations or areas of concern determined subsequent to EPA's inspection may also be included in the list below. You are requested to take immediate action on your part to evaluate this listing below and take corrective measures where necessary.

**Potential Violations/Areas of Concern:**

1. Failure to document daily tank inspections
2. Inadequate tank inspection documentation
3. Failure to maintain closed containers while waste was not being added or removed
4. Failure to adequately label containers of hazardous waste
5. Failure to post accurate emergency information near telephones at the site of accumulation
6. Failure to include all hazardous waste management units in the Contingency Plan
7. Failure to maintain adequate aisle space between hazardous waste containers
8. Failure to submit an updated copy of the Contingency Plan to local authorities

9. Failure to properly manage universal waste
10. Failure to comply with standards for storage of hazardous waste in tanks
11. Failure to comply with RCRA Organic Air Emission Standards designed to regulate organic air emissions from process vents. Specifically, 40 CFR 264, Subpart AA.
12. Failure to comply with RCRA Organic Air Emission Standards designed to regulate organic air emissions from equipment leaks. Specifically, 40 CFR 264, Subpart BB.
13. Failure to comply with RCRA Organic Air Emission Standards designed to regulate organic air emissions from specific units. Specifically, 40 CFR 264, Subpart CC.

This letter is EPA's initial response to potential hazardous waste violations and areas of concern that were observed during our November 16-18, 2022 inspection of your facility. The primary purpose of this letter is to identify potential problem areas and seek compliance. This Notice does not limit or otherwise preclude EPA from taking civil or criminal enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928 with regard to these or other violations that may be determined. EPA is continuing to investigate and evaluate Bostik, Inc.'s compliance under RCRA and may take an enforcement action as appropriate.

I urge you to take immediate positive steps to remedy the above-cited potential violations/areas of concern. If you have any questions regarding this letter or how to comply with RCRA requirements, please contact Cheryl Wilkinson of my staff at [wilkinson.cheryl@epa.gov](mailto:wilkinson.cheryl@epa.gov) (617) 918-1760.

Sincerely,

MARY O'DONNELL  
Digitally signed by MARY O'DONNELL  
Date: 2023.02.15 12:58:39 -05'00'  
Mary Jane O'Donnell, Section Manager  
Waste and Chemical Compliance Section

cc: Scott Fasulo, MassDEP