



REGION 1

BOSTON, MA 02109

November 2, 2023

Sent via Electronic Mail

Gary Smart
Health, Safety & Environmental Manager
Hutchinson Sealing Systems
171 Exeter Rd #169
Newfields, NH 03856
gary.smart@hutchinsonna.com

Subject: September 19, 2023, EPA Inspection follow-up

Dear Mr. Smart:

On September 19, 2023, the U.S. Environmental Protection Agency ("EPA") performed an inspection at Hutchinson Sealing Systems' Newfields, New Hampshire facility (the "Facility") regarding compliance with the federal Clean Water Act. A copy of the inspection report is enclosed with this letter.

During the inspection, the EPA inspectors, Hutchinson Sealing System representatives, New Hampshire Department of Environmental Services ("NH DES") representatives and the Town of Newfields representatives discussed the Facility's practices for performing sampling for compliance with the federal Pretreatment Standards.

Based on updated production data provided by the Hutchinson Sealing Systems, the Facility's discharges from its rubber extrusion process (Outfall 002) are subject to the Rubber Manufacturing Point Source Category; Small-Sized General Molded, Extruded, and Fabricated Rubber Plants Subcategory; Pretreatment Standards for New Sources found at 40 C.F.R. § 428.56 ("Rubber Manufacturing PSNS").

Forty C.F.R. § 403.12(e)(1) requires that Industrial Users subject to a categorical Pretreatment Standard submit periodic compliance reports indicating the nature and concentration of pollutants in the effluent which are limited by such categorical Pretreatment Standards. Forty C.F.R. § 403.12(g)(3) requires that such reports must be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data are representative of conditions occurring during the reporting period.

During the inspection, Facility representatives explained that, although discharges are small and infrequent, samples are not collected during or near the time of discharge. Rather than taking samples during a discharge or soon before a discharge, samples are collected at a time convenient for the sampling contractor during each six-month reporting period. Months may pass between the time of sample collection and discharge, during which time the water continues to be recirculated as coolant through the rubber extrusion process. Due to the potential for additional pollutants to be introduced between the time of sampling and the time of discharge, the Facility's sampling does not meet the "representative" standard of 40 C.F.R. § 403.12(g)(3).

EPA requests that, within 60 days of receipt of this letter, the Facility submit a sampling plan for compliance with the Rubber Manufacturing PSNS that is representative of the discharge. Responses may be submitted electronically to me at melcher.john@epa.gov.

Technical issues regarding this matter may be directed to me at (617) 918-1663. Legal issues may be directed to Kevin Pechulis, Senior Enforcement Counsel, at (617) 918-1612.

Sincerely,

JOHN MELCHER Digitally signed by JOHN MELCHER
Date: 2023.11.02 11:20:31 -04'00'

John ("Jack") Melcher, Enforcement Officer
Enforcement and Compliance Assurance Division

Enclosures:

Evaluation Inspection Report for September 19, 2023, EPA Inspection
Sampling Inspection Report for September 19, 2023, EPA Inspection

CCs (electronic only):

Kevin Pechulis, EPA
Todd Borci, EPA
Damian Bednarz, EPA
Zachary Lorch, NH DES
Paula Boyle, Pretreatment Consultant to Town of Newfields, Hoyle Tanner