UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUN 2 8 2017

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL 7005 1520 0002 4890 2125
RETURN RECEIPT REQUESTED

Ms. Linda Benfield
Attorney
Foley & Lardner, LLP
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5306

Re: Request for Information

Pertaining to: Container Life Cycle Management, Inc. (d/b/a Mid-America Steel Drum)

Addresses:	2300 W. Cornell St. Milwaukee, WI	8570 S. Chicago Ave. Oak Creek, WI	3950 S. Pennsylvania Ave. St. Francis, WI
EPA IDs:	WIR000162438	WID045953189	WIR000131367
Hereinafter:	"Cornell Street"	"Oak Creek"	"St. Francis"

Dear Ms. Benfield:

By this letter, the U. S. Environmental Protection Agency requests information under Section 3007 of the Resource Conservation Act (RCRA), as amended, 42 U.S.C. § 6927. Section 3007 authorizes the Administrator of the EPA to require you to submit certain information.

This request requires your client, Container Life Cycle Management (hereinafter "CLCM") doing business as Mid-America Steel Drum (herein after "MASD"), to submit certain information relating to CLCM's waste management procedures at each of the three facilities identified above. We are requiring this information to determine CLCM's compliance status with the provisions of RCRA as delineated in the authorized Wisconsin Administrative Code, and the United States Code of Federal Regulations; specifically, those regulations related to the generation, treatment, and storage of hazardous waste. The enclosure specifies the information CLCM must submit within 21 calendar days of receiving this request to the EPA, Attention: Brenda Whitney, 77 West Jackson Boulevard, LR-17J, Chicago, Illinois 60604.

CLCM may, under 40 C.F.R. Part 2, Subpart B, assert a business confidentiality claim covering all or part of the information in the manner described in 40 C.F.R. § 2.203(b). We will disclose the information covered by a business confidentiality claim only to extent and by means of the procedures at 40 C.F.R. Part 2, Subpart B. CLCM must make any request for confidentiality

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Recycled Paper (100% Post Consumer)

when you submit the information since any information not so identified may be made available to the public without further notice.

CLCM must submit all requested information under an authorized signature certifying that the information is true and complete to the best of the signatory's knowledge and belief. Should the signatory find, at any time after submitting the requested information, that any portion of the submitted information is false, misleading or incomplete, the signatory should notify us. Knowingly providing false information, in response to this request, may be actionable under 18 U.S.C. §§ 1001 and 1341. We may use the requested information in an administrative, civil or criminal action.

This request is not subject to the Paperwork Reduction Act, U.S.C. §§ 3501 *et seq*., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

Failure to comply fully with this request for information may subject CLCM to an enforcement action under Section 3008 of RCRA, 42 U.S.C. § 6928.

You should direct questions about this request for information to Brenda Whitney at (312) 353-4796 or at whitney.brenda@epa.gov.

Sincerely,

Gary J. Victorine, Chief
RCRA Branch

Enclosure

cc. Michael Ellenbecker, WDNR (Michael.Ellenbecker@wisconsin.gov)

REQUEST FOR INFORMATION

Instructions: CLCM must respond separately to each of the questions or requests in this attachment. Precede each answer with the number of the Request for Information to which it corresponds. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.

If information not known or not available to CLCM as of the date of submission of its response should later become known or available to CLCM, then CLCM must supplement its response to the EPA.

All terms used in this Request for Information shall have their ordinary meaning unless such terms are defined in RCRA, 42 U.S.C. §§ 6901 *et seq.* and its implementing regulations.

Unless otherwise indicated, the requests below cover the time period from January 2016 through the date of this Information Request.

Requests:

1. Identify all persons consulted in preparing the answers to this Request for Information. Provide the full name and title for each person identified, business telephone number for each individual identified, and the number of years that each identified individual has worked for or at CLCM.

Cornell Street Facility

2. Provide a schematic diagram of the facility, depicting the overall process.

3. Provide a narrative description of the business activities at this facility. Please include the following information:
    a. The services CLCM provides its customers that provide it with drums and/or totes at Cornell Street;
    b. The number of customers that provide it with drums and/or totes currently contracted with Cornell Street;
    c. Identify by name, and provide the address for, the ten largest customers by volume of drums and/or totes processed by CLCM at the Cornell Street facility; and
    d. Provide copies of the contract or business agreement between CLCM and the customers that provide it with drums and/or totes for the Cornell Street facility identified in the question immediately above.

4. Provide copies of each Standard Operating Procedure that addresses each of the following concepts at the Cornell Street facility:
    a. The receipt of shipments of incoming containers, including, but not limited to the following information:
        i. Whether the shipment is transported by CLCM or by the vendor;

ii. The length of time a vendor may remain at Cornell Street before departing;
iii. Specific time constraints for when a container is determined to be "empty," as that term is defined in Wisconsin Administrative Code § NR 661.01(2) [40 C.F.R. § 261.7(b)]; and
iv. The length of time an unmanned trailer may remain on the premises before the load is evaluated.

b. The process for determining if an incoming container is empty.
c. The management of containers that are not empty, including, but not limited to the following information,
   i. Whether there is a tracking system that is used to relate the non-empty container with the original vendor. If so, what is the tracking system;
   ii. The length of time that a non-empty container may remain at Cornell Street;
   iii. The markings and labels that are used by CLCM employees on the containers;
   iv. Any protections that are provided for the containers to prevent damage or spills due to weather, poor container condition, vandalism, etc.; and
   v. Inspections conducted in the area.
d. The addition of water to containers that contain acids or bases to adjust the pH prior to container washing, and the disposition of the diluted material;
e. The removal of containers that have been determined to be not empty, including but not limited to the following information,
   i. The transporter used for the removal;
   ii. The shipping documents that are sent with the removed containers;
   iii. The charges that are applied to the vendor for removal;
   iv. The destination(s) of the removed containers; and,
   v. The length of time that a container may remain at Cornell Street before the container is removed.

5. For the Cornell Street "Cut and Scrape" operation, provide information including, but not limited to, the following:
   a. A description of the operation;
   b. Dates of operation;
   c. Waste determinations; and,
   d. Shipping records for the off-site shipments of the residuals generated from the operation.

6. For the "Shop Vacuum Residual Removal" operation, provide information including, but not limited to, the following:
   a. A description of the operation;
   b. Dates of operation;
   c. Waste determinations; and,
   d. Shipping records for off-site shipments of the residuals generated from the operation.

7. For the "Container Washing" operation, provide information including, but not limited to, the following:
    a. A description of the operation including the purpose of the initial flush tank and the larger wash tanks, information regarding the pH adjustment of the wash water, and the generation of residuals from the tanks or filters;
    b. Dates of operation;
    c. Waste determinations; and,
    d. Shipping records for residuals generated from the initial flush tank, the larger tanks, and the filter paper.

8. Provide copies of the following records as they pertain to the Cornell Street Facility, as applicable:
    a. Individual shipping records for incoming containers;
    b. Individual shipping records for outgoing non-empty containers;
    c. A comprehensive list or other cumulative tracking record coordinating the number of containers, vendor names, incoming dates, and outgoing dates for containers returned for being not empty;
    d. A current inventory of containers in storage (e.g., in trailers) awaiting evaluation for processing at the Cornell Street facility; and,
    e. A current inventory of containers in storage that have been determined to be not empty and will be returned to the vendor.

St. Francis Facility

9. Provide a schematic diagram of the facility, depicting the overall process.

10. Provide a narrative description of the business activities at this facility. Please include the following information:
    a. The services CLCM provides its customers that provide it with drums and/or totes at St. Francis;
    b. The number of customers that provide it with drums and/or totes currently contracted with St. Francis;
    c. Identify by name, and provide the address for, the ten largest customers by volume of drums and/or totes processed by CLCM at the St. Francis facility; and
    d. Provide copies the contract or business agreement between CLCM and the customers that provide it with drums and/or totes for the St. Francis facility identified in the question immediately above.

11. Inasmuch as these documents were not provided in your response to item 4, above, provide copies of each Standard Operating Procedure that addresses each of the following concepts at the St. Francis Facility:
    a. The receipt of shipments of incoming containers, including, but not limited to the following information:
        i. Whether the shipment is transported by CLCM or by the vendor;
        ii. The length of time a vendor may remain at St. Francis before departing;

iii. Specific time constraints for when a non-empty determination is to be made; and
iv. The length of time an unmanned trailer may remain on the premises before the load is evaluated.

b. The process for determining if an incoming container is empty.
c. The management of containers that are not empty, including, but not limited to the following information:
    i. Whether there is a tracking system that is used to relate the non-empty container with the original vendor. If so, what is the tracking system;
    ii. The length of time that a non-empty container may remain at St. Francis;
    iii. The markings and labels that are used by CLCM employees on the containers;
    iv. Any protections that are provided for the containers to prevent damage or spills due to weather, poor container condition, vandalism, etc.; and
    v. Inspections conducted in the area.
d. The removal of containers that have been determined to be not empty, including but not limited to the following information:
    i. The transporter used for the removal;
    ii. The shipping documents that are sent with the removed containers;
    iii. The charges that are applied to the vendor for removal;
    iv. The destination(s) of the removed containers; and
    v. The length of time that a container may remain at St. Francis before the containers are removed.

12. EPA representatives observed approximately twelve 55-gallon drums and additional containers of hazardous waste at the St. Francis facility while on site on May 4, 2017. The 55-gallon drums were marked as D009 hazardous waste for mercury content and several of the drums were marked as containing "Mercury Wash Water." A St. Francis representative indicated this material had been generated during a cleaning event by an outside contractor. An additional 55-gallon drum was observed on site that was marked as "Boots." The same St. Francis representative indicated that the boots of St. Francis employees had been collected because they contained mercury.
    a. Provide a description of the cleaning event that was carried out by the contractor, including, but not limited to:
        i. The name of the contractor;
        ii. The purpose of the cleaning event;
        iii. How the cleaning event was determined to be necessary;
        iv. The source(s) of the mercury that led to the cleaning event;
        v. How the collection and testing of employee clothing and/or equipment was determined to be necessary; and
        vi. The start date of the cleaning event and its duration, if now completed.
    b. Provide all documentation related to the cleaning event, including, but not limited to:
        i. All analytical data and other information used to determine the necessity of the cleaning event;
        ii. All analytical data generated during the cleaning event, including that of

any sludge, wastewater, wash water, solid debris, and employee clothing and/or equipment;

iii. All analytical data generated after completion of the cleaning event, if applicable;

iv. All correspondence between St. Francis and the contractor related to the cleaning event; and

v. All hazardous waste manifests and other shipment documents used to remove the waste generated during the cleaning event.

c. Describe any other mercury-related cleaning events that may have occurred at the St. Francis facility in the past and their root cause(s).

13. Provide true, accurate, and complete copies of the following records as they pertain to the St. Francis facility, as applicable:
    a. Individual shipping records for incoming containers;
    b. Individual shipping records for outgoing non-empty containers;
    c. A comprehensive list or other cumulative tracking record coordinating the number of containers, vendor names, incoming dates, and outgoing dates for containers returned for not being empty.
    d. A current inventory of containers in storage (e.g., in trailers) awaiting evaluation for processing at the St. Francis facility;
    e. A current inventory of containers in storage that have been determined to be not empty and will be returned to the vendor;
    f. Shipping records for outgoing wastes that are typically generated at St. Francis, including, but not limited to the following waste streams, if applicable:
        i. Wash water tank bottoms from cleanouts;
        ii. Untreated wash water;
        iii. Spent blast media;
        iv. Spent bag house filters;
        v. Spent paint booth filters;
        vi. Paint-related wastes, except for paint booth filters;
        vii. Oil skimmed from the wash tanks;
        viii. Filter cake (sludge) generated from wastewater treatment;
        ix. Spent carbon from the wastewater treatment unit;
        x. Spent scrubber media; and,
        xi. Wastes co-mingled from incoming vendor containers into common collection containers.
    g. Documentation of waste determinations for each of the wastes generated at the St. Francis facility, including, but not limited to those wastes identified in item 13.f., above.

<u>Oak Creek Facility</u>

14. Provide a schematic diagram of the facility, depicting the overall process.

15. Provide a narrative description of the business activities at this facility. Please include the following information:

a. The services CLCM provides its customers that provide it with drums and/or totes at Oak Creek;
b. The number of customers that provide it with drums and/or totes currently contracted with Oak Creek;
c. Identify by name, and provide the address for, the ten largest customers by volume of drums and/or totes processed by CLCM at the Oak Creek facility; and,
d. Provide copies the contract or business agreement between CLCM and the customers that provide it with drums and/or totes for the Oak Creek facility identified in the question immediately above.

16. Provide a schematic diagram of the burn unit, hereinafter referred to as "furnace." The diagram should include at a minimum the furnace itself, the conveyor, the ash collection system, the quench unit, and the associated after-burner.

17. Provide a narrative description of the management of the containers that have been determined to be cleanable, up to operation of the furnace. Include the following information:
    a. The method for opening tight-head containers in the "Cutting Room" including, if applicable, emissions monitoring, emissions mitigation, and ignition source prevention;
    b. The method of placement of the containers on the conveyor chain into the furnace including spacing, timing, flipped or upright positioning, any other determinant factors; and,
    c. The average and maximum number of containers that can be processed at Oak Creek in a 24-hour period.

18. Provide the following information pertaining to the operation of the furnace:
    a. A log or other record of the operating temperature of the furnace;
    b. A log or other record of the operating temperature of the after-burner;
    c. The typical residence time for one container in the furnace;
    d. A quantification of the energy (in joules or BTUs) that is needed to maintain the operating temperature of the furnace.

19. Inasmuch as these documents were not provided in your response to items 4 or 11, above, provide copies of each Standard Operating Procedure that addresses each of the following concepts at the Oak Creek Facility:
    a. The receipt of shipments of incoming containers, including, but not limited to the following information:
        i. Whether the shipment is transported by CLCM or by the vendor;
        ii. The length of time a vendor may remain at Oak Creek before departing;
        iii. Specific time constraints for when a non-empty determination is to be made; and
        iv. The length of time an unmanned trailer may remain on the premises before the load is evaluated.
    b. The process for determining if an incoming container is empty.
    c. The management of containers that are not empty, including, but not limited to

the following information,

i. Whether there is a tracking system that is used to relate the non-empty container with the original vendor. If so, what is the tracking system;
ii. The length of time that a non-empty container may remain at Oak Creek;
iii. The markings and labels that are used by CLCM employees on the containers;
iv. Any protections that are provided for the containers to prevent damage or spills due to weather, poor container condition, vandalism, etc.; and
v. Inspections conducted in the area.

d. The removal of containers that have been determined to be not empty, including but not limited to the following information,
   i. The transporter used for the removal;
   ii. The shipping documents that are sent with the removed containers;
   iii. The charges that are applied to the vendor for removal;
   iv. The destination(s) of the removed containers; and
   v. The length of time that a container may remain at Oak Creek before the containers are removed.

20. Provide true, accurate, and complete copies of the following records as they pertain to the Oak Creek Facility, as applicable:
   a. Individual shipping records for incoming containers;
   b. Individual shipping records for outgoing non-empty containers;
   c. A comprehensive list or other cumulative tracking record coordinating the number of containers, vendor names, incoming dates, and outgoing dates for containers returned for not being empty;
   d. A current inventory of containers in storage (e.g., in trailers) awaiting evaluation for processing at the Oak Creek facility;
   e. A current inventory of containers in storage that have been determined to be not empty and will be returned to the vendor;
   f. Shipping records for outgoing wastes that were generated at Oak Creek, including, but not limited to the following:
      i. Ash generated from the drum cleaning operation;
      ii. Spent blast media;
      iii. Spent bag house filters;
      iv. Spent paint booth filters;
      v. Wastes co-mingled from incoming vendor containers into common collection containers;
      vi. Paint-related wastes, except for paint booth filters; and
      vii. Waste water.
   g. Documentation of waste determinations for each of the wastes generated at the Oak Creek facility, including, but not limited to those wastes identified in item 20.f, above.

Certification

21. Provide the following certification by a responsible corporate officer:

I certify under the penalty of law that I have examined and am familiar with the information submitted in responding to this information request for production of documents. Based on my review of all relevant documents and inquiring of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.