

Eckoff, Michael

From: Steve Barnett <steve.barnett@lightingresourcesinc.com>
Sent: Wednesday, September 13, 2023 3:57 PM
To: Eckoff, Michael; Relon, Mark Anthony; Mallick, Parvez
Cc: Buff Fritz; Nick Nastav; Kevin McMullen; Jon Barnett
Subject: FW: About Follow-Up Request for Documents
Attachments: FL Inspection Follow Up Questions 9.11.23.docx; EPA Airbag Summary Regulations July 2018 memo .pdf; Li-Ion Consumer-Battery Inventory Log.docx; Emergency Contact and Contingency Plan 9-13-23.pdf; FL Training 5-19-2022.pdf

EXTERNAL MESSAGE

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Mr. Eckoff, Mr. Relon, and Mr. Mallick,

Please find attached the follow up questions and requested responses to your site visit at our Ocala, FL facility on August 8th along with attachments.

I hope you find these answers satisfactory.

Please feel free to reach out to me if you have any other questions or need additional information.

Respectively,
Steve

Steve Barnett

Vice President

Compliance & Materials Management

EZ on the Earth

A Lighting Resources Company

2212 Buffalo Rd. Ste. 210

Johnson City, TN 37604

Office: 423-328-7012

Cell: 423-534-6717

[Steve.barnett@lightingresourcesinc.com](mailto:steve.barnett@lightingresourcesinc.com)

[Web: www.lightingresourcesinc.com](http://www.lightingresourcesinc.com)



EZ ON THE EARTH
NATIONWIDE RECYCLER OF BULBS
BALLASTS. BATTERIES & MORE

From: Buff Fritz <buff.fritz@lightingresourcesinc.com>
Sent: Monday, September 11, 2023 3:39 PM
To: Steve Barnett <steve.barnett@lightingresourcesinc.com>
Subject: FW: About Follow-Up Request for Documents

Audit information as requested.

Buff Fritz - Branch Manager

Lighting Resources, LLC

1007 SW 16th Lane

Ocala, Florida 34471

Office: 352-509-3001

Cell: 352-299-1307

Toll Free: 855-502-3001

Fax: 352-509-3012



EZ ON THE EARTH

NATIONWIDE RECYCLER OF BULBS
BALLASTS, BATTERIES & MORE

Buff.fritz@lightingresourcesinc.com

www.ezontheearth.com

www.lightingresourcesinc.com

From: Eckoff, Michael <Michael.Eckoff@FloridaDEP.gov>

Sent: Friday, September 1, 2023 7:15 AM

To: Relon, Mark Anthony <Relon.MarkAnthony@epa.gov>; Buff Fritz <buff.fritz@lightingresourcesinc.com>

Cc: Nick Nastav <nick.nastav@lightingresourcesinc.com>; Mallick, Parvez <Mallick.Parvez@epa.gov>

Subject: RE: About Follow-Up Request for Documents

Thank you Mark Anthony.

I do have some things to add.

In addition to determining the reasoning for accepting airbags into the facility the container of airbags had an acceptance date of 5/11/2022. The airbags have been stored over one year.

One cubic-yard box of universal waste lamps was stored in Warehouse C, which is not a permitted storage area for universal waste lamps.

One tractor-trailer was storing universal waste lamps, which is not a permitted storage area for universal waste lamps.

Separated glass and metal are being sampled from the roll-off dumpsters in Warehouse C. Sampling of separated glass and metal must be conducted as it exits the processing equipment.

Annual reviews of the contingency plan were not documented.

Thank you and have a great day!

Michael

From: Relon, Mark Anthony <Relon.MarkAnthony@epa.gov>

Sent: Thursday, August 31, 2023 5:12 PM

To: buff.fritz@lightingresourcesinc.com

Cc: nick.nastav@lightingresourcesinc.com; Eckoff, Michael <Michael.Eckoff@FloridaDEP.gov>; Mallick, Parvez <Mallick.Parvez@epa.gov>

Subject: About Follow-Up Request for Documents

EXTERNAL MESSAGE

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Thank you again for having us come through your facility on August 8, 2023. And my sincere apologies for the delayed response for I have been out in the field and/or catching up on previous work.

You may share this list of documents/records of request to any respective person(s) that will help you obtain them.

Please send the following at your earliest convenience what we discussed together at our closing conference:

1. Follow up on:
 - a. Air bags received and the reasoning for receiving them
 - b. Potential permit modification or changes in labeling dates received regarding the commingling of wastes from generators (e.g. batteries received)
2. Contingency plan change in alternate coordinator
3. Arrangements to local authorities (e.g. written documentation on communications with fire/police department, hospital, etc.)

Parvez or Michael, if I have missed anything or you would like to include more request(s) or clarify requests already stated, please feel free to notify us.

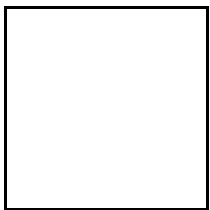
Let me know if any of you have comments, questions, or concerns.

Take Care,

Mark Anthony Relon
Environmental Engineer
RCRA Enforcement Section
Chemical Safety and Land Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
61 Forsyth Street, SW
Atlanta, GA 30303
Phone: 404-562-9069
Email: relon.markanthony@epa.gov

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September 12, 2023

Mr. Mark Anthony Relon, US EPA Region 4

Mr. Parvez Mallick, US EPA Region 4

Mr. Michael Eckoff, Florida DEP

RE: About Follow-Up Request for Documents

Please see the below responses to your follow up request along with attached documents, in reference to your visit of our Ocala FL facility on August 8, 2023.

1. Follow up on:

a. Air bags received and the reasoning for receiving them.

In addition to determining the reasoning for accepting airbags into the facility the container of airbags had an acceptance date of 5/11/2022. The airbags have been stored over one year.

Answer: Our Ocala facility did not schedule a pickup for this drum of airbags. At the time we took delivery, it is believed this drum had been commingled amongst drums of crushed lamps, ballast, etc. The drum was set aside and not re-discovered until your visit.

The drum was determined to be Off Spec Airbag Modules that failed QC/QA, and sent to Global Recycling Solutions, a permitted processor, for disposal. They were shipped as an "Off-Spec Commercial Chemical Product "(CCP), and not a solid waste. Please see attached EPA ruling for these type airbags.

b. Potential permit modification or changes in labeling dates received regarding the commingling of wastes from generators (e.g. batteries received)

Answer: Lighting Resources utilizes tracking logs for each chemistry of battery that we handle. These logs track the movement of a generator's batteries as they are commingled into specific containers based on chemical type. A numbered log sheet is affixed to each container while batteries are accumulated. The log identifies the battery chemistry, generator, quantity of batteries, order number, and date the batteries were placed in the container. Once a container is full, a copy of the tracking log is placed in the corresponding master binder for records. Please see attached sample.

2. *Contingency plan change in alternate coordinator*

Answer: The Contingency plan has been modified, adding Susan Phillips as the third contact on the Emergency notifications. Please see attached Modification.

3. *Arrangements to local authorities (e.g. written documentation on communications with fire/police department, hospital, etc.)*

Answer: Local authorities have been notified of the modification and have received hard copies of the updated emergency contacts in the contingency plan. Please see Attached.

One cubic-yard box of universal waste lamps was stored in Warehouse C, which is not a permitted storage area for universal waste lamps.

Answer: This cubic yard box of shatter shield lamps was temporarily staged in warehouse C awaiting the removal of the plastic coating for processing. No lamps are permanently stored in warehouse C.

One tractor-trailer was storing universal waste lamps, which is not a permitted storage area for universal waste lamps.

Answer: The lamps on the trailer were waiting for floor space to be unloaded into the warehouse. No lamps are permanently stored on trailers. These lamps were unloaded and placed in the warehouse during your visit.

Separated glass and metal are being sampled from the roll-off dumpsters in Warehouse C. Sampling of separated glass and metal must be conducted as it exits the processing equipment.

Answer: We believe this might have been a misunderstanding at the time of your visit. The roll-off dumpsters are solely for bulk containment prior to being sent to our downstream glass and metal vendors. No Samples are gathered from these dumpsters. All glass and metal samples are collected daily from the discharge outlets of the Balcan processor.

Annual reviews of the contingency plan were not documented

Answer: Training and review of Hazard Communication and Contingency Plan is conducted annually. Attached are training logs for 2022. 2023 review has not yet been conducted but with the recent administration changes requiring modification to the contingency plan, we will be holding a review session in the very near future.

Respectfully,

Steve Barnett

Vice President Compliance & Material Management

Lighting Resources LLC

Direct Phone: 423-534-6717

Email: steve.barnett@lightingresourcesinc.com

Cc:

Buff Fritz

Nick Nastav

Kevin McMullen

Jon Barnett

Attachment: Summary of Airbag-Related Regulatory Interpretations

Type of Airbag or Inflator	RCRA Status
<u>Unused airbag modules and airbag inflators that fail QA/QC program and are never installed in vehicles for sale</u>	Off-spec Commercial Chemical Product (CCP) are not solid waste when legitimately reclaimed and not discarded. (40 CFR 261.2(c)(3))
<u>Used airbag modules and airbag inflators that can be legitimately reused.</u>	Still considered to be a product (i.e., not yet a spent material under 40 CFR 261.2(c)(3)) unless discarded. Recalled Takata airbags cannot be legitimately reused.
<u>Used airbag modules</u> (Takata and non-Takata) installed in cars and remaining in the car when it is recycled as scrap metal.	<p>Considered part of vehicle and exempt scrap metal when legitimately recycled. (40 CFR 261.6(a)(3)(ii))</p> <p>Deployment of airbag in vehicle does not need a RCRA treatment permit because scrap metal is not subject to regulation under parts 262 through parts 268, 270 or 124 of this chapter, and are not subject to the notification requirements of section 3010 of RCRA.</p>
<u>Used airbag modules removed from vehicle that can safely undergo electronic deployment prior to recovery of metal</u>	<p>Exempt scrap metal when electronically deployed and legitimately recycled for metal value. (40 CFR 261.6(a)(3)(ii))</p> <p>Deployment of airbag does not need a RCRA treatment permit because scrap metal is not subject to regulation under parts 262 through parts 268, 270 or 124 of this chapter, and are not subject to the notification requirements of section 3010 of RCRA.</p>
<u>Takata recalled airbag modules</u> (or other airbag modules that cannot be safely deployed electronically) removed from vehicle.	<p>Spent material and therefore solid waste when recycled (40 CFR 261.2(c)(3)). Not exempt scrap metal because cannot be safely recycled via electronic deployment. They also cannot be safely reused.</p> <p>In the case of airbag modules scavenged from scrap yards, the point of generation for the purposes of hazardous waste determination is when the airbag module is confirmed to be a recalled airbag module.</p>
<u>Used airbag inflators that are not legitimately reused.</u>	Spent material and solid waste when recycled (40 CFR 261.2(c)(3)). Not exempt scrap metal because they cannot be safely recycled via electronic deployment.

Battery Inventory Log

Container Number:_____

Battery Chemical Type: **Lithium Ion - Consumer**

[illegible]

LRI Florida Emergency Contact List and Contingency Plan

4.2 Emergency Contact Information

Emergency Coordinators:

Name: Buff Fritz
Office Phone: (352)-509-3001
Cell Phone: (352)-342-6051
Home Phone: (352)-390-6803

Alternate Emergency Coordinator #1:

Name: Nick Nastav
Office Phone: (352)-509-3001
Cell Phone: (352)-816-0558

Alternate Emergency Coordinator #2:

Name: Susan Phillips
Office Phone: (352)-509-3001
Cell Phone: (352)-553-7680

§ Emergency Contacts:

Ocala Police Department: 911
(Non-emergency): (352) 369-7134
Lt. Casey Eades (352)-789-5539

Ocala Fire Department: 911
(Non-emergency): (352) 629-8503

Local Ambulance Service: 911

HCA Ocala Hospital: (352) 401-1137

Florida DEP Central District (407) 897-4100

U.S. EPA Region 4: (404) 562-8700

Marion County Emergency (352) 351-8077

State Warning Point (800) 320-0519

4.3 Regulatory Agencies Contact Information

Local Marion County Emergency Management
Address 692 NW 30th Ave., Ocala, FL 34475
Phone (352) 351-8077

State Florida DEP - Central District
Address 3319 Maguire Blvd., Ste. 232, Orlando, FL 32803
Phone (407) 897-4100

Federal U.S. EPA Region 4
Hazardous Waste Management Division
Address 61 Forsyth St. SW, Atlanta, GA 30303
Phone (800) 241-1754

National Response Center
(800) 424-8802

sent via mail and email

B. PPE 5/19/2022

12:30 pm

c. Warehouse Row Audit
for material &
labels.

[illegible]

HAZMAT 5/19/22

Training Log

6:15 AM.

The employees of Lighting Resources LLC, attended a facility and job specific Hazardous Communications training session on this date. This training providing in accordance with the Mercury Right to Know Policy of Lighting Resources LLC.

[illegible]

5/19/2022

8: AM

[illegible]

HAZMAT

5/19/2022

10: IS AN

[illegible]