



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us | Equal Opportunity Employer

November 26, 2014

Mr. Michael Ramirez, Plant Manger
Hood Packaging Corporation
1887 Gateway Boulevard
Arden Hills, MN 55112

RE: Notice of Violation – Hood Packaging Corporation
Generator Identification Number: MNR000102509

Dear Mr. Ramirez:

Enclosed is a Notice of Violation (NOV) issued by the Minnesota Pollution Control Agency (MPCA) to Hood Packaging Corporation (Regulated Party) for alleged violations of hazardous waste rules at the Regulated Party's Facility located in Arden Hills, Minnesota. By sending this NOV, the MPCA is notifying the Regulated Party of alleged violations that the MPCA discovered during an inspection on September 24, 2014. This NOV also provides the Regulated Party an opportunity to respond to the alleged violations.

The first section of the NOV cites the statutes, rules, regulations, and permit conditions which the MPCA alleges that the Regulated Party violated, and describes the actions or omissions constituting the violations. The second section titled, "Corrective Action" contains corrective actions that the Regulated Party is to complete in order to resolve the NOV.

Please note, the Corrective Action section contains dates by which the actions should be completed. Please also note, if the Regulated Party believes the allegations in this NOV are incorrect, the MPCA requests a written response within ten days.

If you have any questions, please contact Jon Gegen at 651-757-2383.

JG:ch

Enclosure

cc: Laura Piotrowski, Ramsey County Department of Public Health (w/enclosure)
Beverly Conerton, MPCA Attorney (w/enclosure)
John Elling, MPCA (w/enclosure)
Brian Gove, MPCA (w/enclosure)
Enforcement Data Coordinator – Enforcement Database Tracking No. 19994
File

**STATE OF MINNESOTA
Minnesota Pollution Control Agency
Industrial Division**

NOTICE OF VIOLATION

In the Matter of: Hood Packaging Corporation
1887 Gateway Boulevard
Arden Hills, MN 55112

To: Hood Packaging Corporation
1887 Gateway Boulevard
Arden Hills, MN 55112

PLEASE BE ADVISED, that the Minnesota Pollution Control Agency (MPCA) has sufficient information to allege that Hood Packaging Corporation (hereinafter Regulated Party) has violated the following provisions of state rules at its facility located in Arden Hills, Minnesota.

1. Minn. R. 7045.0292, ACCUMULATION OF HAZARDOUS WASTE.

Subp. 8. **Satellite accumulation.** Items A to D apply to all generators of hazardous waste.

B. the generator must:

(2) clearly label each container with the words "Hazardous Waste" and a description that clearly identifies its contents to employees and emergency personnel;

On September 24, 2014, the MPCA staff observed and documented that the Regulated Party failed to properly label two 55- gallon hazardous waste satellite accumulation containers of hazardous waste ink (D001) with the words "Hazardous Waste" and a description that clearly identifies its contents to employees and emergency personnel. One container was located near Press 9, the other container was located near Press 12.

2. Minn. R. 7045.0292, subp. 8, item B, subitem 1 [ACCUMULATION OF HAZARDOUS WASTE; Satellite accumulation] which references 7045.0626, USE AND MANAGEMENT OF CONTAINERS.

Subp. 4. **Management of containers.** A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste or when a generator is treating hazardous waste in that container in accordance with part 7045.0450, subpart 3, item K, or 7045.0552, subpart 3, item K.

On September 24, 2014, the MPCA staff observed and documented that the Regulated Party failed to store closed, two 250- gallon hazardous waste ink tote tanks (D001), one 55- gallon hazardous waste ink container (D001) and one 5- gallon hazardous waste ink container (D001). All of the containers were located in the hazardous waste storage area.

3. Minn. R. 7045.0265, USE OF MANIFEST.

Subp. 4. Notification of facility receipt. When a shipment of hazardous waste is delivered to a hazardous waste facility, the generator must ensure that:

- A. the copy of the hazardous waste manifest signed by the facility operator and sent to the generator under part 7045.0474 or 7045.0580, is also sent to the commissioner within 40 days of the acceptance of the hazardous waste by the hazardous waste facility. Copies to be sent to the commissioner must be sent to the Minnesota Pollution Control Agency, 520 Lafayette Road, Saint Paul, Minnesota 55155-4194, Attention: HWIMS. A very small quantity generator who ships from a site in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County must, in lieu of ensuring that a copy of the manifest signed by the facility operator is sent to the commissioner, ensure that a copy of the manifest signed by the facility operator is sent to the address provided in the conditions for the generator's hazardous waste license issued by the county. The generator must send a copy of the manifest signed by the facility operator within 40 days of the acceptance of the hazardous waste by the hazardous waste facility;

On September 24, 2014, the MPCA staff observed and documented that the Regulated Party failed to submit a copy of the hazardous waste manifests signed by the facility operator to the commissioner from approximately June 2013 through December of 2013 within 40 days of acceptance of the hazardous waste by the hazardous waste facility.

4. Minn. R 7045.0292, Subp. 6, item G [ACCUMULATION OF HAZARDOUS WASTE; Very small quantity generator] which references Minn. R. 7045.0566, PREPAREDNESS AND PREVENTION.

Subp. 2. **Operation of facility.** Facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or nonsudden release to air, land, or water of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

On September 24, 2014, the MPCA staff observed and documented that the Regulated Party failed to store one 5- gallon hazardous waste ink container (D001) in a manner that would not protect them from a release of hazardous waste or hazardous waste constituents which could threaten human health or the environment. The container was not stored closed and was stored on top of the secondary containment berm in the hazardous waste storage area close to a door exit.

CORRECTIVE ACTION

To address the alleged violations cited in this Notice of Violation (NOV), the Regulated Party is to complete the following actions:

1. Within 30 days after receipt of this NOV, the Regulated Party shall submit to the MPCA photographs as documentation that hazardous waste and hazardous waste satellite accumulation containers are being stored properly according to the Minnesota Hazardous Waste Rules.
2. Within 30 days after receipt of this NOV, the Regulated Party will submit to the MPCA a plan on how it will ensure that all manifest copies, both the two-signature and three-signature copies, will be submitted to the MPCA in the required timeframes.
3. Within 30 days after receipt of this NOV, the Regulated Party will submit to the MPCA copies of all three-signature copies of manifests generated from June 2013 through December of 2013.
4. Within 30 days after receipt of this NOV, the Regulated Party shall submit written documentation as to how the Regulated Party will ensure that containers of hazardous waste will not be stored outside or on top of the secondary containment berm located in the hazardous waste storage area.

NOTICE

THEREFORE, you are hereby given notice that the above alleged violations have been recorded and documented by the MPCA. This NOV and your response does not preclude the MPCA from taking further action with respect to the above alleged violations. The MPCA reserves the right to seek any and all remedies available under Minn. Stat. §§ 115.071, 116.072, 116.073, and 609.671 and all applicable rules or permits for any violation cited in the NOV. If the Regulated Party believes the allegations in this NOV are incorrect, please respond in writing within ten days after receiving this NOV and explain any inaccuracies. If the Regulated Party does not respond, the MPCA will conclude that the alleged violations occurred as set forth in the NOV.

DATED:

November 26, 2014

INDUSTRIAL DIVISION

John Elling

This document has been electronically signed.

John Elling
Supervisor, Hazardous Waste Compliance Unit
St. Paul Office
Industrial Division

JE/JG:ch

Address Submittals Requested Above To:

Jon Gegen
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
651-757-2383