



COLORADO

Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

July 23, 2018

Clyde Killingbeck, Manager
Metech Recycling
500 W. 53rd Place
Denver, CO 80216

Certified Mail # 7012 1640 0000 0802 0133
RETURN RECEIPT REQUESTED

Re: Inspection of Metech Recycling
500 W. 53rd Place Denver
Adams County
SW/ADM/MET/1.2

Dear Mr. Killingbeck,

On July 19, 2018, Wolf Kray and David Foster, representatives of the Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment conducted a routine inspection of Metech Recycling located in Denver, Colorado.

The inspection was performed to assess the facility's compliance with the minimum standards of the Solid Wastes Disposal Sites and Facilities Act, Title 30, Article 20, Part 1, C.R.S., as amended (the Act), and the Regulations Pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2 (the Regulations). A copy of the inspection report is enclosed for your reference.

Results of the inspection indicate that Metech Recycling has violated the Act and Regulations. A copy of the compliance advisory and inspection report is also enclosed for your reference.

If you should have any questions regarding this correspondence, please feel free to contact Wolf Kray at (303) 692-3337 or David Snapp at (303) 692-3348.

Sincerely,

Wolf Kray
Environmental Protection Specialist
Solid Waste and Materials Management Program
Hazardous Materials and Waste Management Division

eCC: David Snapp, HMWMD
Ed Smith, HMWMD
David Foster, HMWMD
Jen Rutter, Adams County





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July 23, 2018

Mr. Clyde Killingbeck, Manager
Metech Recycling
500 W 53rd, Place
Denver, CO 80216

Certified Mail # 7012 1640 0000 0802 0133
RETURN RECEIPT REQUESTED

RE: Compliance Advisory Related to the July 19, 2018 Inspection of Metech Recycling
500 W 53rd Place
Denver, CO 80216
Adams County

SW/ADM/MET/1.2

Dear Mr. Killingbeck,

This Compliance Advisory provides notice related to information gained during an inspection conducted by the Colorado Department of Public Health and Environment (“the Department”), Hazardous Materials and Waste Management Division (the “Division”) on July 19, 2018 at 500 W 53rd Place in Denver Colorado. The purpose of the inspection was to evaluate compliance with the Solid Wastes Disposal Sites and Facilities Act, CRS 30-20-100.5 *et. seq.* (“the Act”), and the Regulations Pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2, Part 1 (“the Regulations”). The Department advises you that the information gained during the inspection indicates that you may have violated Colorado’s solid waste laws. Department personnel will review the facts established, and this notice may be revised to include additions or clarifications as a result of that review.

Please be aware that you are responsible for complying with the Act and the Regulations and that there are civil penalties for failing to do so. The issuance of this Compliance Advisory does not limit or preclude the Department from pursuing its enforcement options concerning this inspection including issuance of a Compliance Order and/or seeking an assessment of civil penalties. Also, this Compliance Advisory does not constitute a bar to enforcement action for conditions that are not addressed in this Compliance Advisory, or conditions found during future file reviews or inspections of your facility. The Department will take into consideration your response to the requested actions listed below for each apparent violation cited below (with regulatory citations noted below) in its consideration of enforcement options.

Apparent Violation 1:

Metech Recycling is not meeting the material turnover rate requirement of seventy-five percent on a three-year rolling average required to qualify as a recycling facility exempt from a certificate of designation as a solid waste disposal site and facility. The facility currently has a material turnover rate of seventy-three percent (73.4%) over the last three calendar years (2015-2016), including material accumulated, and in storage.

8.3.4 (B) Following a 1-year accumulation period, the weight or volume of recyclable materials that are recycled shall be at least 75% of the total weight or volume (determined using a



consistent measure) of recyclable materials received and currently in storage over a 3-year rolling average.

Requested Action Relative to Apparent Violation 1:

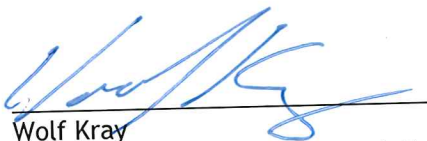
Within 30 calendar days, the facility should develop a plan and submit a copy of the written plan to the Division detailing actions that will be occur in order to meet the 75% material turnover rate by sending material offsite for recycling. The plan should include a timeline and a description of what types and quantities of materials will be sent offsite to meet the recycling facility material turnover requirement.

You are encouraged to document your return-to-compliance actions by submitting the correspondence requested to the Department according to the time frames noted above, and to facilitate resolution of the issues identified above in this Compliance Advisory, we also encourage you to contact this office within fifteen (15) calendar days of the date of this Compliance Advisory, at one of the numbers listed below to schedule a compliance conference:

- A. To discuss the Compliance Advisory to help clarify any questions that you may have;
- B. To develop an alternative schedule for correcting the apparent violations noted above; or
- C. To submit information necessary to show that the apparent violation(s) is not a violation of Colorado's solid waste laws.

Copies of the inspection report and photographic log are enclosed with this Compliance Advisory. We encourage you to contact Wolf Kray at (303) 692-3337 or David Snapp at (303) 692-3425 concerning the apparent violations detailed under this Compliance Advisory and/or to schedule a compliance conference to discuss this Compliance Advisory.

Sincerely,



Wolf Kray
Environmental Protection Specialist
Solid Waste and Materials Management Program
Hazardous Materials and Waste Management Division





COLORADO
Department of Public Health & Environment

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SOLID WASTE INSPECTION WORKSHEET

Agency: Colorado Department of Public Health and Environment
 Hazardous Materials and Waste Management Division

Date(s): July, 19 2018 Time: 10:00 AM - 12:30 PM

Site Name: Metech Recycling

Site Address: 500 W 53rd Place
 Denver, CO 80216

Owner/Operator: Clyde Killingbeck, General Manager

Inspectors: Wolf Kray, Solid Waste and Materials Management Program
 David Foster, Hazardous Waste Program

Inspection: Routine Compliance Inspection

Site Representatives: Dove Esquivel, Operations Manager

Other Participants: N/A

File Code: SW/ADM/MET/1.2

On the morning of July 19, 2018, Wolf Kray, Solid Waste & Materials Management inspector and David Foster, Hazardous Waste Inspector from the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the division) conducted a routine compliance inspection of Metech Recycling (the "facility") located in Denver at the above referenced location. The purpose of the inspection was to evaluate the compliance of the facility with the requirements set forth in the Solid Waste Act, CRS 30-20-100.5 et. seq. (the Act), and the Regulations Pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2 (the Regulations).

--Site Background--

Metech Recycling (Metech) is a registered recycling facility with the Solid Waste & Materials Management Program and has notified as a universal waste handler with the Hazardous Waste Program. Metech is an electronic waste handler and processor that receives electronics from residential and commercial sources including computers and peripherals, cathode ray tube (CRT) televisions and monitors, liquid crystal display ("LCD") televisions and monitors, servers, batteries and fluorescent lamps. According to the Metech webpage, the facility is more than 100,000 square feet of electronics recycling and e-waste processing space. Metech has a partnership with the City and County of Denver for residents to drop-off their televisions, monitors and other electronic items using coupon for discounted rate.

--Records Review--

In preparing for the facility inspection, I conducted a records review. The facility is a registered recycling facility with the Solid Waste & Materials Management Program. The facility has submitted all required recycling facility annual reports to date. The most recent recycling facility annual report submitted is calendar year 2017.



The last inspection of the facility took place in July of 2014. The results of the July 2014 inspection indicate the facility was operating in compliance with the solid waste regulations and the regulations applicable to a large quantity handler of universe waste.

As required by the solid waste recycling regulations and state statute, recycling facilities are required to meet a seventy-five percent (75%) material turnover rate over a three year average to qualify as a recycling facility; and in order to qualify for an exemption from having to obtain a certificate of designation as a solid waste disposal site and facility. The material turnover rate calculation is generated using data submitted in the recycling facility annual reports. The annual report includes data on the weight or volume of the total amount of material received, sent offsite (recycled), and remaining onsite each year. The material turnover rate for the facility, 2015-2017, including materials received and in storage was seventy-three percent (73%). The current recycling rate at the facility does not meet the required minimum material turnover rate requirement.

--Site Inspection--

Upon arrival at the facility, inspectors Wolf Kray and David Foster met with operations manager Dove Esquivel. An opening conference was held to discuss the purpose of the inspection. I informed Mr. Esquivel that the inspection was a routine compliance inspection and the scope of the inspection would include the solid waste recycling facility regulations and the hazardous waste regulations that apply to universal waste. During the opening conference, Mr. Esquivel explained that the facility conducts recycling operations and detailed the types of electronic waste and other materials the facility accepts.

The facility is located at a leased industrial property. The facility has been operating as a recycling facility and collecting electronic waste recyclable materials since opening in 2010. The facility is comprised of a front office, a main warehouse, and an open lot behind the warehouse.

Within the warehouse area of the facility, Metech receives, disassembles, processes and stores electronic waste. The facility disassembles laptops, computer towers, servers and CRT monitors. Other types of electronics received at the facility are sent to Metech's facility located in Gilroy, California for processing. The electronics that undergo disassembly in facility warehouse undergo processing into material specific commodities such as plastic, circuit boards, various grades of metals and glass. The separated materials are stored at the facility prior to shipment for additional processing or use by end markets.

The facility disassembles CRT monitors and televisions. A large portion of the warehouse contained Gaylord boxes full of separated CRT glass panels stored for offsite shipment. To evaluate compliance with the universal waste one-year accumulation rule, Inspector Foster and I checked the dates of the CRT glass containers. Gaylord boxes containing CRTs were observed with dates older than one year. In the warehouse, we counted 140 gaylord boxes of CRT glass that were onsite longer than the universal waste one-year accumulation limit.

Behind the warehouse, seventeen semi-trailers were located in the back lot at the facility. Gaylord boxes containing separated CRT glass was stored in the sixteen semi trailers. We requested Mr. Esquivel to open each of the semi-trailers in order to observe the quantity of material, storage methods, and dates of the CRTs. Two of the semi-trailers, all of which were full, contained CRT glass with storage dates older than one year. The boxes included dates from 2015 and 2016. One semi-trailer contained intact CRT monitors that were not disassembled. Mr. Esquivel explained that each semi-trailer can hold up to 40,000 pounds or 48 gaylord boxes worth of CRT glass but transportation requirements limit the quantity to 25,000 pounds per semi-trailer for offsite shipments.

Mr. Esquivel acknowledged that the facility was behind in shipping CRT glass offsite, particularly the boxes of CRT glass stored onsite for over a year. Mr. Esquivel explained the facility recently started using a new tracking system called RAZOR to manage and track material shipment which has caused the facility issues with offsite shipments. I asked Mr. Esquivel if the end user for CRT glass in California had a limit on the amount of CRT glass they are willing to accept. Mr. Esquivel explained that they do not have limitations by the CRT glass end-user but that the cost of sending CRT glass to the end user was the primary reason the facility was behind in sending material offsite.

After observing the recycling operations and storage areas, a document review was conducted in the facility office. Mr. Esquivel provided records on offsite shipment of CRT glass for 2018. Four semi-trailer shipments of CRT glass were documented in the electronics records. The most recent shipment of CRT glass occurred in March of 2018.

The inspectors reviewed training procedures at the facility including a PowerPoint presentation for training new employees.

The inspectors reviewed Metech's electronic process flow sheet, which details processing for electronics accepted, components separated per materials and downstream vendors for dismantled commodities.

I reviewed the facility's operations plan. The operations plan provided detailed information and addressed all operations plan requirements of Section 8.3.4. The operations plan addressed the types of recyclable materials managed, fire and emergency response procedures, material storage, site security and access control, materials prohibited and materials management information.

--Inspection Close Out--

The inspectors conducted a close out conference covering the findings of the inspection with Mr. Esquivel. I provided Ms. Esquivel with the Notice of Inspection and inspection checklist. I explained that the facility will receive a compliance advisory because it appears that the facility is not meeting the minimum material turnover rate requirement.

For compliance assistance, I explained the process of how the facility can return to compliance by addressing both the solid waste and universal waste requirements. If the facility identifies the oldest CRT material in storage and starts removing the oldest boxes, doing so will allow the facility to address both the solid waste minimum material turnover rate requirement and the universal waste one-year accumulation limit.

--Findings--

The facility was in apparent violation of the Act and the Regulations on the day of the inspection and will be receiving a Compliance Advisory. The following apparent violations were found:

Deficiency 1: The facility is not meeting the minimum material turnover rate of seventy-five percent on a three year rolling average including recyclable material received and in storage. This is a violation of CRS 30-20-102(5) and Section 8.3.4 (B) of the Regulations.

Prepared by  Date: 7/23/18
Wolf Kray
Environmental Protection Specialist
Solid Waste and Materials Management Program
Hazardous Materials & Waste Management Division

Attachments:

- Attachment 1: Photo Log- Photos taken by the Division during the inspection
- Attachment 2: Notice of Inspection
- Attachment 3: Inspection Checklist



Attachment 1: Photo Log

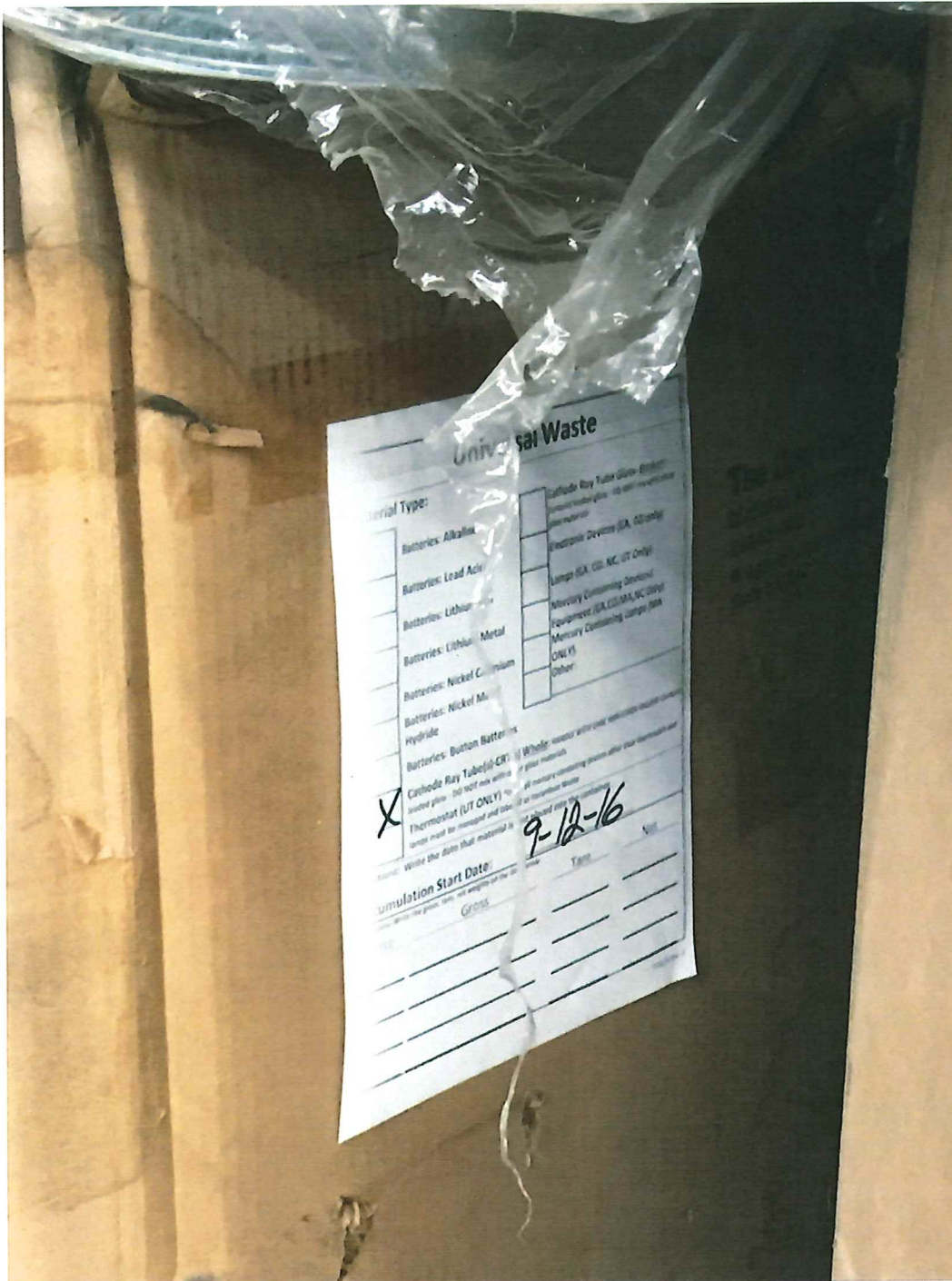


Photo 1. A gaylord box containing CRT glass located inside the warehouse stored since September 12, 2016.





Photo 2: CRT glass stored in a semi-trailer behind the warehouse, dated September 28, 2016.



Trailer # N-327 - Loaded By JH

1) 9-18-15	1037	17) 9-15-15	1263
2) 9-18-15	970	18) 9-15-15	887
3) 9-18-15	909		653
4) 9-18-15	1029	19) 9-14-15	1021
5) 9-17-15	853		900
6) 9-17-15	769	20) 9-14-15	787
7) 9-17-15	899		895
8) 9-17-15	903	21) 9-14-15	964
9) 9-16-15	883		870
10) 9-16-15	842	22) 9-14-15	823
11) 9-16-15	772		1004
12) 9-16-15	796		
13) 9-16-15	880		
14) 9-16-15	858		
15) 9-15-15	714		
16) 9-15-15	837		
	982		
	967		
	1028		
	989		
	979		
	939		
	768		
	827		

Net
40,271

Trailer
N-327
Oldest
9-14-15

Photo 3. CRT glass stored onsite since September 2015 located in semi-trailer labeled N327.



Photo 4. Semi-trailer N327 storing CRT glass generated in 2015 shown in photo 3.



Photo 5. CRT glass generated in June of 2017 stored in semi-trailer J483



Photo 6. Semi-trailer J483 containing CRT glass from 6/17/2017 in photo 5.



Colorado Department
of Public Health
and Environment

Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division

4300 Cherry Creek Drive South, Mail Code HMWMD-B2, Denver, CO 80246-1530
(303) 692-3320 <http://www.colorado.gov/cdphe/solidwaste>

Solid Waste and Materials Management Program Notice of Inspection

Facility Name <i>Metech Recycling</i>	Facility ID	Date <i>7/19/18</i>
File Code <i>SW/ADM/MET</i>		
Street <i>500 W. 53rd Place</i>	Inspection Announced? <input checked="" type="checkbox"/> Yes () No	Time In: <i>10:00</i>
City <i>Denver</i> County <i>Adams</i> Zip <i>80216</i>	Enter by: <input checked="" type="checkbox"/> Consent () Warrant () Open Fields	Time Out: <i>12:30</i>
Facility Representatives: <i>Dove Esquivel, Operations Manager</i>	Phone <i>770 377-7100</i>	Email
Local Government Representatives <i>NIA</i>	Phone <i>—</i>	Email <i>—</i>

Inspection Result:

No Violations Observed
 Minor Violations Noted Below
 Minor Violations, Compliance Advisory Issued
 Major Violations Identified

Compliance Assistance Delivered During the Inspection:

Yes No; If yes, describe:
send oldest CRTs offsite first to meet turnover rate and universal waste 1 year limit

Apparent Violations and requested corrective actions:

§.304 (13) that we recycled/sent offsite
The weight of recyclable materials shall be at least 75% of the total weight of materials received and in storage over a 3 year average.
A plan should be developed to remove the oldest CRTs to meet the 75% minimum material turnover rate. Please document current storage amount vs amount sent offsite - 2015 (current rate is under 75%.)

Inspection Type:

Complaint Enforcement Follow-up
 Routine Compliance Inspection Environmental Covenant
 Compliance Assistance Visit File/Records Review
 Sampling

Signature of Facility Representative Receiving Form: <i>Dove Esquivel</i>	Lead CDPHE Inspector: <i>W. Kray</i>
Name of Facility Official Receiving Form: <i>Dove Esquivel</i>	Assisting Inspectors: <i>D. Foster</i>



COLORADO DEPARTMENT of PUBLIC HEALTH ENVIRONMENT
Hazardous Materials and Waste Management Division
SOLID WASTE DISPOSAL SITE AND FACILITY INSPECTION

Time In: 10:00

Time Out: 12:30

Facility: Metech Recycling

Inspection Date: 7/19/18

Inspector(s): Kray, Easter

Recycling

Functional Category	Requirement Description	Not Insp	N/A	Citation	Violation Y/N/P	Note Reference
Record Review						
Fees	Fees	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1.7.2; 1.7.3	<u>—</u>	
Recycling Accumulation	Minimum Material Turnover	<input type="checkbox"/>	<input type="checkbox"/>	8.2.3; 8.3.4; 8.4.4; 8.5.5; 8.6.2	<u>Y</u>	
Reporting and Recordkeeping	Annual Report	<input type="checkbox"/>	<input type="checkbox"/>	8.4.2; 8.3.5; 8.4.5; 8.5.6; 8.6.8	<u>N</u>	
	Onsite Records	<input type="checkbox"/>	<input type="checkbox"/>	8.3.5(C); 8.4.5(C); 8.5.6(C); 8.6.8(C)	<u>N</u>	
Site Review						
Closure/Post-closure	Closure_Post-closure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8.3.6, 8.4.6, 8.5.7	<u>—</u>	
Nuisance Conditions Control	Prevent Groundwater Contamination	<input type="checkbox"/>	<input type="checkbox"/>	8.1.3(B)	<u>N</u>	
	Prevent Offsite Odors	<input type="checkbox"/>	<input type="checkbox"/>	8.1.3(B)	<u>N</u>	
Operating Requirements	Approved Waivers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1.5; 8.3.4(C); 8.5.5(D)	<u>—</u>	
	Design and Operations Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8.5.5(B)	<u>—</u>	
	Operating Plan	<input type="checkbox"/>	<input type="checkbox"/>	8.3.4 (A)	<u>N</u>	
	Prevent Unauthorized Waste Streams	<input type="checkbox"/>	<input type="checkbox"/>	8.3.4(A)(4); 8.5.5(A)(3)	<u>N</u>	
Security	Recyclable Material Storage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8.4.4(A)	<u>—</u>	
	Fencing or access control	<input type="checkbox"/>	<input type="checkbox"/>	8.3.4(A)(2); 8.5.5(A)(2)	<u>N</u>	

Site-Specific Engineering Design and Operation Plan Requirements:

<u>operations plan addresses</u>					<u>N</u>	
<u>- security</u>						
<u>- storage</u>						
<u>- fire/emergency</u>						
<u>- access control</u>						
<u>- materials prohibited</u>						
<u>- material flow/recycling</u>						

Recycling

Note/Regulation Reference #	Comments and Deficiency Requests	Request Date	RTC Date