April 5, 2024

KEY CITY RECYCLING
ATTN: JIM MILLER
3260 DODGE STREET
DUBUQUE, IA 52003
(via email: jimmiller@keycityrecycling.com)

SUBJECT: Notice of Violation 567 IAC 118.2(1) Discarded Appliance Demanufacturing
Complaint #33246

Dear Mr. Miller,

This Field Office recently received a complaint alleging that Key City Recycling was accepting appliances and demanufacturing them without a permit. On April 2, 2024 Jason Gearhart (IDNR Field Office One) and myself met with you and Joe Frick (owner). You informed us that your facility does not demanufacture appliances but does process them for recycling (crushing and baling). In addition, you informed us that most of the appliances received are primarily from one retail store in the Dubuque area. It was noted that your "Retail Purchase Receipt" that is signed by your customers contains language that you believed placed responsibility on the seller to verify that appliances were properly demanufactured or "free from all hazardous wastes". You further stated that since most appliances received came from an appliance retailer that certified technicians removed all necessary components.

While on site we discussed Chapter 118 rules and requirements and I provided you a copy of these rules. In addition, I informed you that any appliance received for recycling must first be processed by a Department permitted demanufacturer. You agreed to immediately cease accepting any appliance unless they are demanufactured by a permitted appliance demanufacturer and you were informed that documentation stating such would be required if any appliances were ever received.

Recycling appliances without being properly demanufactured is a violation 567 IAC 118.2(1), which states, "All discarded appliances must be demanufactured before being disposed of or recycled. This chapter does not apply to the service, repair, reuse or rebuilding of appliances or components for their original purpose. These rules do not apply to the removal of capacitors, refrigerants or components containing mercury during the maintenance or service of equipment containing such items."

This Department appreciates your and Mr. Frick's cooperation in this matter and encourages you to feel free to reach out if you have any questions about this letter or this Department's requirements.

Sincerely,

Chad Kehrli

Chad Kehrli
Environmental Specialist, Field Office # FO1

Cc: IDNR Solid Waste Section

Efile: 31 ADP Key City Recycling 040524 NOV ltr cek