



Jolly, Becky <becky.jolly@dnr.iowa.gov>

Fwd: Gkat

1 message

Johnson, Susan <susan.johnson@dnr.iowa.gov>
To: "Jolly, Becky" <becky.jolly@dnr.iowa.gov>

Tue, Aug 27, 2024 at 9:31 AM

Becky, Can you put this in records, under 77-CRT-02-20-CRP

Sue

***Please note our address has changed!**

SUSAN JOHNSON, CHMM | Environmental Specialist Sr.
Solid Waste and Contaminated Sites Section
Iowa Department of Natural Resources
6200 Park Avenue STE 200 | Des Moines, IA 50321
p: 515-217-0872 mobile
susan.johnson@dnr.iowa.gov
www.iowadnr.gov



----- Forwarded message -----

From: **Brian Paterson** <Brian@gkatreclamation.com>
Date: Fri, Mar 29, 2024 at 10:04 AM
Subject: RE: Gkat
To: Johnson, Susan <susan.johnson@dnr.iowa.gov>
Cc: Mike Seiler <Mike@gkatreclamation.com>

Sue,

Below is redacted information relating to the lease agreement for our Valley West storage. Please note that the document clearly states that the agreed upon use of the property is for CRT storage. I appreciate your suggestion that you may be able to work with that for our compliance. I want to be clear; we are not able to get any additional signed statements from the property owner.

You should have the proper signatures for our NE 58th Ave. recycling facility. If you do not have this one on file, please let me know and I will send it to you. These are the only two facilities that GKAT operates.

Regarding the annual report, and as you may recall from conversations, we had with you, there was a misunderstanding of the interpretation of speculative accumulation as it relates to

companywide compliance vs. individual facility compliance. Every annual report that GKAT has submitted has been for companywide compliance and it has never been a problem until this year. As you will see from the attached correspondence with Edwin Buckner, GKAT provided an acceptable plan to comply with individual facility compliance for 2024. Our report to you for 2024 will reflect that.

I am not completely informed of the Governor's Executive order 10. I will research this and try to learn more. If you would help me to stay aware of any revisions, I would appreciate it tremendously.

Redacted information on VW lease

Any fees for payments made by Tenant shall be made payable to the Landlord Office address above.

In consideration of the mutual promises and obligations contained in this Lease, the parties agree:

1, Landlord grants to Tenant this Lease, which is nontransferable by Tenant and revocable for cause only by Landlord, for the sole purpose of conducting the following business activities, Delivery and interior short-term storage of TVs and CRTs and associated inputs/byproducts,

(the "Use") and for no other activity or purpose whatsoever in a location (the "Assigned Location") shown on Exhibit "A" attached to and made J part of this Lease

2 Tenant shall be permitted to conduct the Use in the Assigned Location starting December 1, 2020 (the "Commencement Date")

Respectfully, Brian

Have a great weekend!

From: Johnson, Susan <susan.johnson@dnr.iowa.gov>
Sent: Wednesday, March 27, 2024 1:36 PM
To: Brian Paterson <Brian@gkatreclamation.com>
Cc: Mike Seiler <Mike@gkatreclamation.com>
Subject: Re: Gkat

Hi Brian, would you have a copy of the lease agreement that states they are aware of the storing CRTs at the site? We may be able to work with that. We also need a signed statement from each location you store CRT's at, unless you are the owner of the property. I also wanted to mention that the annual report was for the Dixon location and we discussed with your facility several times that an annual report is required for EACH location you store or recycle CRTs. This is due to the federal CRT speculative accumulation regulation as well as the state recycling rule.

Just to keep you in the loop, I am sure you are aware that due to the Governor's Executive order 10, the CRT rule will be reviewed and possibly revised again within the next year. We will let folks know when we start working on that rule and will get input from the regulated folks!

Let me know if you have any questions -

sincerely,

Sue

SUSAN JOHNSON, CHMM | Environmental Specialist Sr.

Solid Waste and Contaminated Sites Section

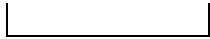
Iowa Department of Natural Resources

502 E. 9th St., Des Moines, IA 50319

p: 515-217-0872 mobile

susan.johnson@dnr.iowa.gov

www.iowadnr.gov



On Tue, Mar 26, 2024 at 7:23 PM Brian Paterson <Brian@gkatreclamation.com> wrote:

Hello Sue,

Larry mentioned something to Mike, and Mike passed to me.

As you are aware, we are not able to procure the document you requested from Valley West Mall. The owners of the building are in bankruptcy and the property is being managed by a receivership.

Considering this lease was created before the new IA DNR rule, are there any exceptions to this from the DNR? Our lease even states that we are handling and storing CRT items in Valley West Mall.

Lastly, can you direct all Gkat questions you have to Mike and myself going forward vs Larry. This was requested by our counsel.

We appreciate it.

Thank you and have a good night.



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232K



REGION 7

LENEXA, KS 66219

December 19, 2023

SENT VIA ELECTRONIC MAIL
RECEIPT CONFIRMATION REQUESTED

Mr. Marc Artozqui, Director of Sales and Operations
GKAT Reclamation, LLC
1745 NE 58th Avenue
Des Moines, Iowa 50313
Marc@gkatreclamation.com

RE: Notice of Non-Compliance Letter
GKAT Reclamation
EPA RCRA Identification Number: IAR000525840

Dear Mr. Artozqui:

On October 18 and 20, 2022, a representative of the U.S. Environmental Protection Agency inspected GKAT Reclamation's 58th Avenue facility. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act.

The EPA has reviewed the Notice of Preliminary Findings provided to you during the inspection, the inspection report, and your December 9, 2022, response to the NOPF. Based on the information reviewed, the EPA has determined that the issues identified in the NOPF were violations, and that you have adequately addressed those violations.

On June 22, 2023, the EPA issued an information request letter to GKAT Reclamation regarding storage and processing of cathode ray tubes at the company's facilities. GKAT Reclamation responded to that information request on July 24, 2023. During a conference call on September 15, 2023, representatives of GKAT Reclamation and the EPA discussed your information request response and the company's plan to cumulatively recycle at least 75 percent of the materials the company has received at its three facilities in Des Moines in accordance with Title 40 Code of Federal Regulations § 261.1(c)(8). GKAT Reclamation indicated that it will be unable to recycle 75 percent of the materials at its Valley West facility during the 2023 calendar year. GKAT Reclamation indicated that it would comply with the 75 percent recycling requirement on a facility-by-facility basis starting in 2024. The EPA has determined that failure to recycle 75 percent of the received material at the Valley West location constitutes speculative accumulation and is therefore a violation. GKAT Reclamation has agreed to take steps to


adequately address this violation in the future.

Therefore, no further submittals are required at this time. Please note that the EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered because of this investigation, regardless of whether the violations were subsequently corrected.

Please remember that GKAT Reclamation is responsible for maintaining compliance with all applicable hazardous waste regulations. An electronic copy of the federal regulations can be found at www.ecfr.gov. If there are any questions regarding this letter, please contact Edwin G. Buckner PE of my staff at (913) 551-7621, or by email at buckner.edwin@epa.gov.

Sincerely,

DAVID
COZAD

 Digitally signed by DAVID
COZAD
Date: 2023.12.20
15:31:39 -06'00'

David Cozad
Director
Enforcement and Compliance Assurance Division

Enclosure

cc: Mike Sullivan, Supervisor, Contaminated Sites Section, Iowa Department of Natural Resources
Michael.Sullivan@dnr.iowa.gov

Information on Regulatory Changes

This document is provided to make you aware of changes to the hazardous waste regulations. Because of the differences in state regulations and how these changes are implemented throughout EPA Region 7 states (Iowa, Kansas, Missouri, and Nebraska), we have grouped the information by state.

Iowa (For additional information contact EPA Region 7 at (913-551-7248))

- Revisions to the federal hazardous waste regulations went into effect in May 2017 and can be found at <https://www.epa.gov/hwgenerators/final-rule-hazardous-waste-generator-improvements>.
- The electronic manifest system launched nation-wide on June 30, 2018. This system allows users to generate, track, receive, and submit manifests electronically. For information on e-manifest, please visit our websites:
 - National website: <https://www.epa.gov/e-manifest>.
 - EPA Region 7 website: <https://www.epa.gov/ks/e-manifest>.
- The EPA's Hazardous Waste Pharmaceutical Rule (Pharmaceutical Rule) includes a revised listing for P075, nicotine among other significant changes. The following website includes a link to the final rule and FAQs: <https://www.epa.gov/hwgenerators/final-rule-management-standards-hazardous-waste-pharmaceuticals-and-amendment-p075>.
 - The sewer ban portion of the Pharmaceutical Rule bans all sewerage of hazardous waste pharmaceuticals by healthcare facilities and reverse distributors and is effective nationwide on August 21, 2019.
 - The entire Pharmaceutical Rule became effective on August 21, 2019.