



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

July 13, 2012

CERTIFIED MAIL-RETURN RECEIPT REQUESTED: 7001 0360 0003 6675 0851

Mr. William J. Jones, President
Navarre Services Group Inc.
4100 Meadow Lane
Bossier City, LA 71111

Re: Request for Information pursuant to Section 3007 of RCRA regarding the
Navarre Services Group Inc., located at 4100 Meadow Lane in Bossier City, LA

Dear Mr. Jones:

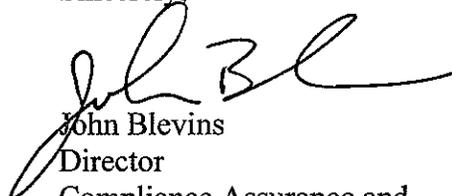
Enclosed is an Information Request (Request) issued to Navarre Services Group Inc. (Navarre). This Request is being made pursuant to the authority set forth in Section 3007 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6927. Pursuant to this authority, the Environmental Protection Agency (EPA) may require persons with information relevant to the generation, storage, treatment, transportation, disposal, or otherwise handling of hazardous wastes, to submit information to EPA.

We encourage Navarre to give this matter its full attention, and we require that Navarre respond to this Request within thirty (30) days of your receipt of this letter. EPA is available to meet with Navarre if Navarre believes a meeting will improve the speed and completeness of its response, help focus the response, or both. A meeting should not delay the response, and Navarre should provide preliminary or draft responses to EPA prior to any meeting in order to clarify the discussion.

If you have any questions or need to request an extension, please contact Jamal Lewis at (214) 665-8039 or Jeffrey Clay, Assistant Regional Counsel, at (214) 665-7297.

Thank you for your attention to this matter.

Sincerely,


John Blevins
Director
Compliance Assurance and
Enforcement Division

Enclosures

cc: Ms. Cheryl Nolan, Administrator
Enforcement Division
Louisiana Department of Environmental Quality

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ENCLOSURE A

NAVARRE SERVICES GROUP INC. INFORMATION REQUEST

The U.S. Environmental Protection Agency, Region 6 (EPA) is investigating Navarre Services Group Inc. (Navarre), located at 4100 Meadow Lane in Bossier City, Louisiana (Facility) and its compliance with the requirements of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6901 et seq., and RCRA's implementing regulations. Pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, Navarre is hereby required to adhere to the instructions set forth in Section I and provide responses to the questions set forth in Section III.

I. INSTRUCTIONS

1. Navarre is required to submit the information set forth in the questions below to EPA within thirty (30) calendar days of receipt of this Request.
2. **Request for Extension of Time.** If Navarre anticipates that it will be unable to fully respond to this request within thirty (30) calendar days, Navarre must submit a sworn affidavit or declaration by a responsible corporate official within ten (10) calendar days of receipt of this Request specifying what information will be provided within the time specified, describing what efforts have been, or are being, made to obtain other responsive information, and providing a detailed schedule of when such other responsive information can be provided. Upon receipt and based on such affidavit or declaration, EPA may exercise its discretion and extend the time in which Navarre must submit responsive information to EPA.
3. **Form of Records Produced.** For each record produced in response to this Request, indicate on the record, or in some other reasonable manner, the number of the question or subpart of the question to which it responds. Please submit two copies of all information for each question: one hard copy, in a logically sequenced and bound format, and an electronic copy.
4. **Statement of Certification.** All information submitted in response to this Request must be certified as true, accurate, and complete by an individual with sufficient knowledge and authority to make such representations on behalf of Navarre. A Statement of Certification making such representations is provided as Enclosure B and must be filled out and submitted along with Navarre's responses to this Request.
5. **Submission of Records.** All information responsive to this Request should be sent to the following:

Ms. Agatha Benjamin, P.E.
Compliance Assurance and Enforcement Division
Hazardous Waste Enforcement Branch
Compliance Enforcement (6EN-HE)
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

6. Confidential Business Information. In accordance with Section 3007 of RCRA, 42 U.S.C. § 6927, the records, reports, and/or information requested in this Request must be submitted, whether or not Navarre regards part or all of it as a trade secret or confidential. Navarre may, if it desires, assert a business confidentiality claim for all or part of the information submitted in accordance with 40 C.F.R. Part 2. The information qualifying as business confidential material will be disclosed by EPA only to the extent and by the procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless Navarre makes a claim at the time that Navarre submits the information, the information may be made available to the public by EPA without further notice to Navarre.

If Navarre wishes to assert a claim of business confidentiality, Navarre must clearly mark each page of each document included in the claim with a legend such as "trade secret," "proprietary," or "company confidential." If Navarre claims information submitted in response to this Request as confidential, Navarre must also provide a redacted version of the information with all confidential business information deleted. For any document in which Navarre asserts a claim of business confidentiality please answer the questions set forth in a-g, below:

- a. What specific portions of the information are alleged to be entitled to confidential treatment? Specify by page, paragraph, and sentence when identifying the information subject to Navarre's claim.
- b. For what period of time does Navarre request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period Navarre has specified.
- c. What measures has Navarre taken to protect the information claimed as confidential from undesired disclosure? Has Navarre disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information be considered confidential?
- d. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that Navarre would customarily not release to the public?
- e. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
- f. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to the competitive position of Navarre. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could the competitors of Navarre make use of this information to the detriment of Navarre?

- g. Is there any other explanation that Navarre deems relevant to EPA's determination of Navarre's business confidentiality claim that is not covered in the preceding questions? If so, provide such additional explanation.

Navarre must furnish comments to the above questions concurrent with Navarre's response to this information request if Navarre has claimed any information as business confidential. See 40 C.F.R. § 2.204(e) (2). Pursuant to 40 C.F.R. § 2.205(b) (2), Navarre may request an extension of this deadline. EPA will construe Navarre's failure to furnish timely comments as a waiver of any confidentiality claim, consistent with 40 C.F.R. § 2.204(e) (1).

7. **Previous Submission of Records.** If Navarre believes that it previously submitted records or information requested in this Request to EPA, provide the date of the previous submission, the office person and office to which the records or information were previously submitted, the date of the previous submission, and the location of the requested information in the previous submission.

8. **Submission of New Information.** If information or documents not known or not available to Navarre as of the date of submission of a response to this Request should later become known or available to Navarre, Navarre must supplement its response to EPA. Moreover, should Navarre find, at any time after the submission of Navarre's response that any portion of the submitted information is false or misrepresents the truth, Navarre must notify EPA of this fact as soon as possible and provide EPA with a corrected response. There are significant penalties for submitting false information, including the possibility of fine or imprisonment.

9. **Additional Information.** EPA specifically retains the right to obtain additional information beyond what is listed in this letter.

10. **Penalties for Failure to Comply.** Failure to fully comply with this Request may subject Navarre to an enforcement action under Section 3007 of RCRA, 42 U.S.C. § 6927, which permits EPA to seek the imposition of penalties of up to \$37,500 for each day of continued noncompliance. A knowing submittal of false information in response to this Request may subject Navarre to criminal penalties actionable under 18 U.S.C. § 1001.

II. DEFINITIONS

The following definitions shall apply to the following words as they appear in Enclosure A:

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, both electronic and tangible, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations, including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or interoffice communications, Photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any hard drive, flash drive, CD, DVD, or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such hard drive, flash drive, CD, DVD, or other type of memory and together with printouts of such hard drive, flash drive, CD, DVD, or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.
2. The term "Navarre" includes any officer, director, agent, or employee of Navarre, including any merged, consolidated, or acquired predecessor or parent, subsidiary, division, or affiliate thereof.
3. The term "you" or "yours" refers to Navarre.
4. The term "Facility" means your Navarre facility located at 4100 Meadow Lane, Bossier City, Louisiana.
5. The terms "identify" or "identification" means, when used in reference to a natural person, to provide his or her name, present or last known address, his or her present or last known employment position or affiliation, and his or her positions during the time period covered by this Request, and when used in reference to a business entity, to provide name of the business entity; the present or last known address; the state of formation; and the name of the responsible corporate official.
6. All terms used in this Request will have their ordinary meaning unless such terms are defined in this Definitions section or in RCRA, and its implementing regulations, in which case the definitions in this section or the statutory or regulatory definitions apply.
7. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Request, any information which might otherwise be construed to be outside its scope.

8. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.

9. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

III. INFORMATION REQUESTED

1. Identify the person(s) answering these questions on behalf of Navarre.

2. Provide a brief but detailed description of Navarre's used oil treatment and recovery operation, including each step of each process, from beginning to end, and any written standard operating procedures related to the operation.

3. Provide a brief but detailed description of Navarre's used oil transporter operation, including each step of the process, from beginning to end and any written standard operation procedures related to the operation.

4. Provide a brief but detailed description of Navarre's hazardous waste transfer facility operation, including each step of the process and any written standard operation procedures related to the operation.

5. Provide a detailed list of each and every RCRA hazardous waste received at the Facility from January 2009 to the present. Include the name of the generator, the process from which the hazardous waste was generated, and the RCRA hazardous waste code.

6. Provide a list of each and every RCRA hazardous waste generated at the Facility from January 2009 to the present. Include the process from which the hazardous waste was generated and the RCRA hazardous waste code.

7. How do you determine if material received for the used oil treatment and recovery operation or the used oil transporter operation is hazardous waste or not a hazardous waste?

8. If you determine that material received for the used oil treatment and recovery operation or the used oil transporter operation is a hazardous waste, then how do you handle it? If the material is not a hazardous waste, then how do you determine whether the material is used oil? If the material is neither a hazardous waste, nor used oil, then how is it processed?

9. Identify any instances since January 2009 when Navarre rejected any hazardous waste and/or used oil received for processing, including the basis for the rejection. For each instance describe how the rejected material was managed from the time it was initially received at the Facility until it was returned to the sender.

10. Briefly describe the business relationship between Navarre and Jones Brothers.
11. Identify the owner(s) of the property on which Navarre operates?
12. Identify all persons or businesses that operate on the property where the Facility is located.
13. Provide copies of all contractual agreements between Navarre and Jones Brothers.
14. Provide the inventory list and description of waste material or wastewater received from Jones Brothers from January 2009 to present.
15. If you determined that any of the waste material or wastewater received from Jones Brothers since January 2009 was not subject to Subtitle C of RCRA, provide an explanation of that determination.
16. Provide the names, addresses, type of operation, and a copy of all agreements or contracts between Navarre and each of its clients that relate to shipments received for processing at the Facility since January 2009.
17. If you believe that you are a used oil processor, please provide photographic documentation that each container or tank of used oil has adequate secondary containment.
18. If you believe that you are a used oil processor, please provide a copy of your current used oil Analysis Plan.

ENCLOSURE B

STATEMENT OF CERTIFICATION

NAVARRE SERVICES GROUP INC.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(Name)

(Signature)

(Title)

(Date)