



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

11201 Renner Boulevard  
Lenexa, Kansas 66219

**MEMORANDUM**

**SUBJECT:** Referral to Superfund for Investigation and Response  
Akron Farm Facility  
16998 160th Street  
Akron, Iowa 51001  
RCRA Identification Number: IAR000522359

**FROM:** Edwin G. Buckner, P.E.  
Compliance Officer  
ECAD/CB/RCRA

**Edwin G.  
Buckner**

Digitally signed by  
Edwin G. Buckner  
Date: 2021.05.17  
07:47:57 -05'00'

**THROUGH:** Candace Bednar  
Chief, Chemical Branch  
Enforcement and Compliance Assurance Division

**AMBER  
WHISNANT**

Digitally signed by  
AMBER WHISNANT  
Date: 2021.05.18  
10:17:47 -05'00'

**TO:** Ken Buchholz  
Chief, Assessment Emergency Response and Removal Branch  
Superfund and Emergency Management Division

The Enforcement and Compliance Assurance Division, Chemical Branch, is submitting this referral of the Akron Farm Facility, Akron, Iowa, to the Superfund Program for further investigation and response. The U. S Environmental Protection Agency Region 7 RCRA enforcement program conducted a RCRA Compliance Evaluation Inspection at the facility in 2017. This illegal RCRA storage facility was created by a failed recycling business operated by Siouxland PC and Electronics Recycling LLC (now defunct) and Mr. Aaron Rochester. The case is commonly known as Recycletronics. As a result of this failed recycling business, Mr. Rochester created six illegal RCRA storage locations at locations he leased: four in Iowa and two in Nebraska.

In 2017, the EPA entered a settlement pursuant to RCRA § 3008(a) with Mr. Rochester and Siouxland PC and Electronics Recycling LLC to perform a long-term cleanup of the sites in a prioritized order. The Region 7 RCRA enforcement program has issued regular ATP requests to Mr. Rochester to track his ability to conduct the cleanup he agreed to perform. Those regular ATP evaluations show he does not have the ability to pay for any clean up. Siouxland PC and Electronics Recycling LLC are owned and operated by Mr. Rochester and from a corporate perspective they lack ATP if he lacks ATP. In 2018, Mr. Rochester filed for Chapter 7 bankruptcy. The EPA preserved the injunctive relief required in the CAFO, but all other financial debts were discharged. Additionally, Mr. Rochester plead guilty for his actions on March 19, 2021. Sentencing is expected this summer.



Two of the four Iowa facilities have been cleaned up by the owners of those properties. The State of Nebraska is in the lead for the two Nebraska facilities. The Region 7 RCRA enforcement program will be approaching the property owner of one of the two remaining Iowa facilities as it is believed that property owner has some financial resources and alternative options to manage the type of waste stored at that location. The owner of the remaining Iowa site, the Akron Farm Facility, is a family and does not have the resources to conduct such a cleanup.

We are seeking to refer this matter to SEMD because the owner of the property and the former operator each lack the resources to remove hazardous waste from the site. ECAD has been unable to discover other means to properly dispose of the hazardous waste before an accident or environmental contamination occurs. In informal consultation with SEMD, both divisions believed CERCLA jurisdictional elements were met.

Please find the following attachments:

Attachment I – Facility Referral Documentation, RCRA to Non-RCRA Federal Authority  
Attachment II – RCRA file for Akron Farm Facility, Recycletronics, IAR000522359

Please return a copy of Attachment I with all signatures to me. This copy will be included in the RCRA files for the Akron Farm Facility.

I can be contacted at extension 7621 or buckner.edwin@epa.gov if you have any questions regarding this memorandum and attachments.

#### Attachments

cc: Amber Whisnant, ECAD/CB/RCRA  
Kevin Snowden, ECAD/CB/RCRA  
Kelly Catlin, ORC  
Kristen Nazar, ORC  
Daniel O’Crowley, SEMD/AERR/RREPS

**ATTACHMENT I**  
Referral Documentation  
RCRA to Non-RCRA Federal Authority

The facility known as the Akron Farm Facility, RCRA Identification Number IAR000522359 is located at 16998 160th Street, Akron, Iowa 51001. The RCRA Enforcement Program is referring the Akron Farm Facility to the EPA R7 Superfund Program. During an August 2020 meeting to discuss this site, the EPA R7 Superfund program (SEMD) and the EPA R7 RCRA Enforcement program (ECAD) agreed that it would be most advantageous for a Non-RCRA Federal Authority to address the necessary response work under the Superfund program statutory authorities.

## BACKGROUND

The Akron Farm Facility is that, a farm situated in a rural area of Iowa, surrounded by farm fields. The facility is a large farm building constructed with the intent to store large farm equipment such as combines. Recycletronics and Aaron Rochester ran a fraudulent recycling program where they conveyed to the public that their electronic waste would be properly recycled. The business would hold public collection events, extract the components that had value, and then started compiling the leaded glass from the cathode ray tubes. A legitimate recycler would need to pay to send the leaded glass off for proper disposal. Instead, Aaron Rochester began storing the leaded glass in various warehouses rented throughout Sioux City, Iowa and South Sioux City, Nebraska. The Goodman Family, which owns the Akron Farm Facility, purchased the property with the understanding the building was rented and there was a steady rental income from Mr. Rochester. What they soon found out was that Mr. Rochester immediately stopped making the rental payments for the building and the family was stuck with a building full of leaded glass. Lead is a hazardous substance. The EPA R7 RCRA Enforcement program estimates there are over 5 million pounds of leaded glass in the building. It is by far the largest illegal storage location Mr. Rochester created.

The building is a typical metal farm building. The leaded glass is stored in cardboard Gaylord boxes stacked two and three high throughout the building. There is no space to walk between the boxes and the boxes are packed tightly. The building is filled from wall to wall.

The Goodman Family lives at the farm and has two young children. The EPA tested around the building to alleviate the fears Mrs. Goodman had that her children might be exposed to lead. Sampling results are available in the inspection report.

The last time the EPA visited the building, in 2017, it was in good condition. And although the boxes of waste are stored inside a barn, the barn itself is no longer a useful part of the farm. As such, the owner has little motivation to maintain the barn or its contents. As weather and time take its toll on the structure, the contents will no longer be sheltered from weather or nesting vermin. The weight of the boxes stacked upon lower boxes will accelerate the destruction of the lower boxes, thus allowing crushed glass to more easily be released upon the floor. As the building decays and its contents become less confined, the opportunity for the lead contaminated glass to enter the environment increases. Lead glass exposed to the elements will leach lead into the storm water and thus into the environment. Children and others in contact with the environment surrounding the building will someday be exposed to the lead. Removing the CRT glass now prevents future exposure.

Contact Information: The contact for the Akron Farm facility:

Dan and Maria Goodman  
16998 160th Street  
Akron, Iowa 51001

File Information: An electronic copy of the complete RCRA file will be forwarded to your attention.

Please provide a signed copy of this document to Edwin G. Buckner, ECAD/CB/RCRA documenting your approval of the referral.

AMBER WHISNANT  
Digitally signed by  
AMBER WHISNANT  
Date: 2021.05.17  
13:49:09 -05'00'

Candace Bednar, Branch Chief  
Chemical Branch  
Enforcement and Compliance Assurance Division  
EPA Region 7

May 17, 2021

Date

Kenneth S.  
Buchholz  
Digitally signed by Kenneth  
S. Buchholz  
Date: 2021.05.19 12:19:57  
-05'00'

Ken Buchholz, Branch Chief  
Assessment Emergency Response and Removal Branch  
Superfund and Emergency Management Division  
EPA Region 7

Date