

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

RESURRECTIONS PAINT AND BODY, LLC

504 Richmond Ave
Ottumwa, Iowa 52501
(641) 682-6236

EPA ID Number: IAD021685441

On

February 8, 2023

By

U.S. ENVIRONMENTAL PROTECTION AGENCY

Region 7

Enforcement and Compliance Assurance Division

1.0 INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division (ECAD), I conducted a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Resurrections Paint and Body, LLC (hereafter Resurrections Paint and Body), located in Ottumwa, Iowa, on February 8, 2023. The CEI was conducted under the authority of Section 3007(a) of RCRA, as amended. During the inspection, I collected the information and data necessary to determine compliance with the applicable regulatory and statutory requirements. This inspection report and attachments present the results of the CEI.

2.0 PARTICIPANTS

Resurrections Paint and Body:

David Rowland, Owner

EPA:

Mark Holcomb, Civil Investigator/Inspector (SEE)

3.0 INSPECTION PROCEDURES

On February 8, 2023, I arrived unannounced at the shop's main entrance at about 1000 hours. Initially, I conducted a visual reconnaissance of the facility searching for areas of concern observable from the adjacent public roadways and parking lots. I identified no environmental issues or concerns during this preliminary examination. I met and introduced myself to the shop owner, Mr. David Rowland. Mr. Rowland stated that he had been with Resurrections Paint and Body for two years and functions as the Site Contact for hazardous waste. Mr. Rowland told me there were currently no specific COVID-19 visitor requirements and no specific safety personal

protective equipment requirements at this facility.

At the opening conference, I presented my EPA ID and credentials to Mr. Rowland. I next explained the purpose and procedures of the inspection. I then presented Mr. Rowland with a copy of RCRA Section 3007(a), which provides inspection authority. I explained my need to collect accurate information and presented him with a copy of Title 18 U.S. Code, Sections 1001 and 1002. I made him aware of his confidentiality rights and informed him that a Confidentiality Notice would be provided at the end of the inspection to make a confidentiality claim if he so desired. Mr. Rowland acted as the official facility representative during the course of the inspection.

The inspection CEI consisted of a discussion of facility operations, waste generation, and waste management; a visual inspection of active waste generation and management areas; and a review of waste management records.

I conducted a visual inspection of the following areas:

- Main Shop
- Paint Detail Room
- Paint Booth
- Storage Room

See Attachment #1 for the aerial/map views and a diagram of the facility.

Document photocopies and photographs were collected as inspection documentation (see Attachments #1-10 and Photos 1-11). The photo log is included in Attachment #2. Information collected during the inspection is documented on an Entry/Exit checklist, the hazardous waste compliance checklists, and in a notebook. I reviewed documents including the following: Safety Data Sheets (SDS) and invoices. I followed the inspection procedures detailed in the RCRA CEI Standard Operating Procedure 2321.01E, unless noted otherwise.

At the conclusion of the inspection, I summarized my findings and recommendations with Mr. Rowland. I provided Mr. Rowland with a Receipt for Documents (see Attachment #3), a Confidentiality Notice (see Attachment #4), and a Notice of Preliminary Findings (NOPF) (see Attachment #5), which he signed as acknowledgement of receipt. No claim of confidential business information was made by Mr. Rowland.

I provided inspection and compliance assistance documents to Mr. Rowland during the inspection, some as paper versions and some in electronic PDF via email, that included the following:

- *RCRA Section 3007(a) (EPA Handout)*
- *Title 18 U.S. Code, Sections 1001 and 1002 (EPA Handout)*
- *Confidentiality Notice (Top page of the completed carbonless transfer set)*
- *Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA In Connection with Inspections (EPA Handout)*
- *Receipt for Documents and Samples (Top page of the completed carbonless transfer set)*
- *Notice of Preliminary Findings (NOPF) with Instructions for Responding on back of form*

(top page of the completed carbonless transfer set)

- *Instructions for Responding to a NOPF (EPA Handout)*
- *U.S. EPA Small Business Resource Information Sheet (EPA Handout)*
- *Solvent-Contaminated Wipes Final Rule Chart (EPA Handout)*
- *Recycling Electronics (Iowa Department of Natural Resources - IDNR Handout)*
- *Lead-Based Paint Activities (IDNR Handout)*
- *Excluded Solvent-Contaminated Wipe Rule (IDNR Handout)*
- *Battery Recycling/Disposal (IDNR Handout)*
- *Management of Fluorescent Lamps for Businesses (IDNR Handout)*
- *Incompatible Chemicals (IDNR Handout)*
- *Universal Wastes Including Aerosol Cans (IDNR Handout)*
- *TCLP Waste Determination Testing (IDNR Handout)*
- *Industry Sector Notebooks (EPA Handout)*
- *Environmental Compliance Assistance Centers (EPA Handout)*
- *e-Manifest Fact Sheet (EPA Handout)*
- *RCRA Online A Quick Reference Guide (EPA Handout)*
- *Requirements for Used Oil Management Standards (EPA Handout)*
- *Emergency Response Program (EPA Handout)*
- *Commercial Motor Vehicle Transportation System Security & Safety*
- *Security Awareness (EPA Handout)*
- *Chemical Facility Anti-Terrorism Standards (Homeland Security Handout)*
- *Iowa Life/Changing Iowa Department of Economic Development – Iowa Environmental Guide for Business*

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

Resurrections Paint and Body is an automotive body repair shop. The facility is privately owned by Mr. Rowland. Mr. Rowland stated that the facility began operations two years ago when he purchased the facility from a previous owner of the body shop doing business under a different name. The facility is one building of approximately 110-feet by 130-feet, or about 12,000-square feet. The facility has one fulltime and three parttime employees, operating during daytime business hours, Monday through Friday. See Attachment #1 for the facility aerial map views and facility diagrams. Photos 1 and 2 show an outside view of the front (north) and east side of the shop area. Photo 3 shows an overview of the main shop area.

4.2 RCRA Status

Resurrections Paint and Body has not been inspected for RCRA compliance prior to this inspection. According to RCRAInfo, Resurrections Paint and Body had not previously notified as a generator of hazardous waste. I verified the facility address and the site contact information with Mr. Rowland and updated the EPA RCRA Notification Acknowledgement/Verification Report (see Attachment #6). At the time of this inspection, I determined Resurrections Paint and Body to be a Very Small Quantity Generator (VSQG) of D001, F003, and F005 hazardous waste

with less than 100 kg, or 220 lbs, of non-acute hazardous waste generated per month. In addition, I determined Resurrections Paint and Body to be a small quantity generator of universal waste lamps and a generator of used oil.

4.3 Facility Waste Streams and Management

Mr. Rowland stated that the generation of the waste streams below are generally consistent from month to month. The following waste streams are managed by Resurrections Paint and Body:

Waste Paint and Thinner - Resurrections Paint and Body generates waste paint and thinner from the automotive repair painting process. Resurrections Paint and Body determined the waste paint and thinner to be D001, F003, and F005 hazardous waste based on product and process knowledge. Mr. Rowland stated that waste paint, thinner, and clearcoat are accumulated in the same one-gallon container and it tends to fill up at roughly 1/10 of a gallon every two months. Every few months the one-gallon container's contents are transferred to a larger five-gallon container located just a few feet away in the same Paint Detail Room. Mr. Rowland stated that during the entire two years that this shop has been open, he has not filled up the five-gallon can and has not shipped any of this waste offsite. Attachment #7 is the SDS for the thinner used, and Attachment #8 is the SDS for a common paint used onsite. Mr. Rowland stated that he only uses enamel thinner-based paints and does not use water-based latex paints. During the visual inspection, I observed a small one-gallon can on the work bench in the Paint Detail Room. The can appeared to be in good condition with no obvious leaks (see Photo 5). A five-gallon waste paint and thinner can on the floor in the Paint Detail Room also appeared to be in good condition with no obvious leaks (see Photo 4). See Photo 6 for an overview photo of the Paint Detail Room.

During the visual inspection of the Storage Room, I observed a rusted 55-gallon steel drum. Mr. Rowland stated that this drum contains thinner and paint left by the previous owner. The drum had a "hazardous waste label", but the label did not indicate the contents of the drum or the accumulation/storage start date. The "flammable" sticker was mostly worn off and unreadable. The drum was about ¼ full. The top of the drum was severely rusted and partially rusted through with an open area of about 4"x 10". Through the rusted opening, I could visualize the liquid in the drum. The bottom of the drum appeared rusted as well. There was no obvious leaking noted (see Photo 9). Mr. Rowland stated that he had wanted to remove this drum but was worried that moving the drum may result in the rusted bottom falling off and dumping the contents. I informed Mr. Rowland that if his facility had been a small quantity generator, the facility would need to comply with the container management requirements, but that these regulations did not apply to a VSQG. I did mention that for best management practices and safety, it would be optimal to transfer the contents of the rusted container to a container in good condition. *At the end of the inspection, I inadvertently left a preliminary finding of 40 CFR 264.171 (container holding hazardous waste is not in good condition). After further review, it appears that this regulation does not apply to a VSQG and NOPF 3 was rescinded.*

Aerosol Cans - Resurrections Paint and Body generates a small number of spent aerosol cans used during painting and repair operations. Mr. Rowland stated that they generate about four cans per month and if the can is not fully empty, he uses a punch to make a hole in the can and then draining any remaining contents into the spent paint/thinner can. The empty aerosol can is then placed in the scrap metal pile in the Paint Detail Room (see Photo 10). The scrap metal is occasionally taken to Courtney Car Crushing for recycling.

Used Oil - Resurrections Paint and Body generates a small amount of used oil from compressor oil changes. Mr. Rowland stated that used oil is placed in a five-gallon plastic container and that they have not had to dispose of any oil yet in the two years since they opened. During the visual inspection, I observed a full five-gallon plastic used oil container in the Storage Room (see Photo 11). The container is closed and free of any obvious damage or leaks. The container was not labeled with the words "Used Oil." Post inspection, Mr. Rowland provided photos of the new "Used Oil" label on the container.

NOPF 1: Failure to label used oil container with "Used Oil" as required in 40 CFR 279.22(c)(1)

Universal Waste Lamps - Resurrections Paint and Body generates universal waste lamps from lamp replacement activities. Mr. Rowland stated that he had changed over to LED lights and the only spent fluorescent bulbs onsite were spent lamps left by the previous owner. During the visual inspection I observed four 8-foot spent fluorescent lamps standing up against the wall in the Storage Room (see Photo 8). The lamps did not have green tips and appeared to be darkened and burnt-out near the end of the tubes. The lamps were free standing and were not boxed in any kind of closed protective packaging. The lamps also did not have any "Universal Waste-Lamps" labels or accumulation start dates. Post inspection after further review I realized that I did not fully discuss with Mr. Rowland if he had done a formal hazardous waste determination on the spent lamps prior to mentioning the universal waste lamp option of handling the lamps if they are determined to be hazardous waste. *On the NOPF form, I left NOPFs 2A, 2B, and 2C [40 CFR 273.13/.14/.15] for failing to properly store, label, and date the universal waste lamps. After further review, it appears that the hazardous waste determination should have been the first step. NOPFs 2A, 2B, and 2C have been rescinded.* Post inspection, Mr. Rowland determined the waste lamps to be hazardous waste and provided photos of the lamps stored in a new closed protective box, with labels for "Universal Waste Lamps" and the accumulation start date. Post management of the lamps appears to be satisfactory.

Waste Tires - Resurrections Paint and Body generates occasional waste tires from their auto body repair process. Mr. Rowland stated they generate about four tires per year and that the spent or damaged tires are exchanged for new tires from their local tire shop – whichever shop has an opening, typically Mike's or Wayne's Tire Shop, and are sent for recycling. During the visual inspection, I did not observe any spent or damaged tires being generated or accumulated onsite.

Spent Lead-Acid Batteries - Resurrections Paint and Body generates only one to two spent lead-acid batteries per year from the auto body repair process. Mr. Rowland stated that the spent lead-acid batteries are core exchanged for a new battery from their local auto dealership specific

to the make of the vehicle being repaired and sent for recycling. The spent lead-acid batteries generated onsite are managed per 40 CFR Part 266, Subpart G. During the visual inspection, I did not observe any spent lead-acid batteries being accumulated onsite.

Reusable Cloth Rags - Resurrections Paint and Body generates about 20 cloth rags per month. Mr. Rowland stated that the reusable cloth rags are used primarily for buffing, do not contact solvents, and are non-hazardous based on process knowledge. The rags are washed inhouse about every two weeks. During the visual inspection, I did not observe any spent cloth rags.

Disposable Paper Wipes - Resurrections Paint and Body generates a small number of disposable paper wipes during the painting and paint gun cleaning process. The disposable wipes are in the Paint Detail Room (see Photo 6) and used with the paint thinner solvent. See Attachment #7 for the SDS of the thinner. Mr. Rowland stated they generate only one or two disposable wipes per month. Mr. Rowland stated that typically the wipes are reused multiple times before being disposed of in the general trash. During the visual inspection, I observed only two disposable wipes on the work bench in the Paint Detail room (shown in Photos 5 and 6). Both were dry to the touch. On March 16, 2023, I contacted Mr. Rowland and discussed the disposable wipes. Mr. Rowland confirmed that he only used one or two wipes per month. At the time of the inspection, I had left a copy of the Solvent Wipes Final Rule, in PDF form, with Mr. Rowland. I told Mr. Rowland that if the conditions for the Solvent Wipes Final Rule are met, solvent-contaminated wipes may be disposed of into Iowa's Subtitle D municipal solid waste landfills per the Iowa Department of Natural Resources. Mr. Rowland stated that the facility would manage the disposal paper wipes under the Solvent Wipes Final Rule.

Spent Paint-Booth Air Filters - Resurrections Paint and Body generates disposable air filters from the operation of their paint booth (see Photo 7). Mr. Rowland stated that the three-foot x 12-foot exhaust air filters are replaced every four months and are disposed of in the general trash. Mr. Rowland stated that the spent air filters are dry and are non-hazardous waste based on process knowledge.

Scrap Metal - Resurrections Paint and Body generates scrap metal from their auto body repair process. The scrap metal is stored on the floor in the Paint Detail Room (see Photo 10). Mr. Rowland stated that the scrap metal is occasionally taken to Courtney Car Crushing in Ottumwa, Iowa for recycling.

Cardboard Recycling - Resurrections Paint and Body generates cardboard from their auto body repair operations. The waste cardboard is stored outside in a three-foot x three-foot x four-foot metal cage. The cardboard is picked up twice a month by Basilio's Recycling in Ottumwa, Iowa for recycling. See Attachment #9 for the Recycling Invoice.

General Trash - Resurrections Paint and Body generates about a half of a four-cubic yard dumpster of general trash per week from routine business operations. The general trash consists of paper, cardboard, and plastic shipping wastes, air filters, and general office wastes. Mr. Rowland stated that the general trash is non-hazardous waste based on process knowledge. The general trash is collected in a four-cubic-yard dumpster located outside, which is collected

weekly by Bridge City Sanitation LLC and transported to the local landfill. See Attachment #10 for the General Trash Invoice.

4.4 Other Areas Reviewed

Outside Facility Perimeter - I conducted a limited inspection of the outside perimeter of the facility and observed no hazardous waste storage tanks and containers except as noted above. See the aerial and map views in Attachment #1 and outside Photos 1-2.

Preparedness and Prevention - Resurrections Paint and Body has several fire extinguishers throughout the facility. The management of safety equipment appeared to be satisfactory.

5.0 SUMMARY OF FINDINGS

1. **NOPF 1: Failure to label used oil container with “Used Oil” as required in 40 CFR 279.22(c)(1)**
2. **NOPF 2A, 2B, 2C: RESCINDED**
3. **NOPF 3: - RESCINDED**

Other than the items specifically noted in this narrative, I observed no additional issues or potential findings. However, further EPA review may change or add to my findings.

MARK HOLCOMB Digitally signed by MARK
HOLCOMB (Affiliate)
Date: 2023.03.23 16:38:08
-05'00'
(Affiliate)

Mark Holcomb
Civil Investigator, SEE

AMBER WHISNANT Digitally signed by AMBER
WHISNANT
Date: 2023.03.27 23:18:36 -05'00'

Amber Whisnant
RCRA Section Chief, ECAD/Chemical Branch

Attachments:

- 1) Facility Aerial & Map View (3 pages)
- 2) Photo Log (11 photos and 6 pages)
- 3) Receipt for Documents (1 page)
- 4) Confidentiality Notice (1 page)
- 5) NOPF (1 page)
- 6) EPA RCRA Notification Acknowledgement/Verification Report (1 page)
- 7) SDS – Thinner (10 pages)
- 8) SDS – Base Paint White (18 pages)
- 9) Recycling Invoice (1 page)
- 10) General Trash Invoice (2 pages)