

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

EUROFINS SCIENTIFIC – NUTRITION ANALYSIS CENTER

2200 Rittenhouse Street Suite 175

Des Moines, Iowa 50321

(515) 265-1461 ext. 6904

EPA RCRA ID No. IAR000514836

ON

November 13-14, 2023

By

TOEROEK ASSOCIATES, INC.

For

U.S. ENVIRONMENTAL PROTECTION AGENCY

Region 7

Enforcement and Compliance Assurance Division

INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division/Chemical Branch/RCRA Section of the U.S. Environmental Protection Agency (EPA) Region 7, Toeroek Associates, Inc. and its subcontractor CLAENE Group (Toeroek team) conducted a hazardous waste compliance evaluation inspection (CEI) at Eurofins Scientific – Nutrition Analysis Center (Eurofins), at 2200 Rittenhouse Street Suite 175, Des Moines, Iowa. The CEI was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA), as amended. The CEI covered hazardous waste generator, used oil, and universal waste requirements as applicable. This report and its attachments present the findings of the CEI.

PARTICIPANTS

Eurofins:

Daniel Morice-Quijada, Environmental Health and Safety (EHS) Manager

Veronica Morrone, Laboratory Technician III

Laura Hinkel, EHS Specialist

Jordon Perryman, Facilities Support Specialist

Toeroek Team:

William F, Starks, Environmental Consultant, (816) 286-6951

INSPECTION PROCEDURES

Prior to the CEI at Eurofins on November 13, 2023, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by. Upon my arrival, I entered the main entrance, and explained the purpose of the CEI to the receptionist. I asked to speak with Mr. Morice-Quijada, identified on the Notification Acknowledgement/Verification Report (Verification Report) as the site contact. The receptionist asked me to complete an electronic visitor's sign-in, after which she issued a visitor's badge to me. The receptionist contacted Mr. Morice-Quijada, who arrived approximately three minutes later. After a brief introduction, I explained to Mr. Morice-Quijada the purpose of the CEI. We then adjourned to a conference room where I proceeded to conduct an entry briefing with him.

During the entry briefing, I presented my business card and EPA credentials to Mr. Morice-Quijada. I explained the scope and procedures for the CEI. I explained the facility's right to make confidentiality claims and provided a Notice Regarding Proprietary/ Confidential Business Information. I stated that at the conclusion of the CEI, he would be presented with a Confidentiality Notice (Notice) with which he could make or not make a claim of confidentiality for the facility. I also provided Mr. Morice-Quijada a copy of U.S. Federal Codes 1001 and 1002, concerning communication of false statements and documents to federal inspectors, and RCRA Section 3007, explaining EPA's inspection authority. Mr. Morice-Quijada read both of these documents.

During the CEI, I spoke with Ms. Morrone and Hinkel, and Mr. Perryman. I provided each individual a copy of U.S. Federal Codes 1001 and 1002, both of which they read.

A copy of each of the following documents was left with the facility during the inspection:

- RCRA Facility Access Information Sheet
- Mr. Trevor Urban's contact information
- RCRA Section 3007
- U.S. Federal Codes 1001 and 1002
- Instructions for Responding to a Notice of Preliminary Findings
- Notice Regarding Proprietary/Confidential Business Information
- Chemical Facility Anti-Terrorism Standards
- E-Manifest Fact Sheet: Generators
- Managing your Hazardous Waste: A Guide for Small Businesses
- Part 279 Requirements: Used Oil Management Standards
- EPA Region 7 Emergency Response Program
- Recycling Electronics: A Guide for Businesses
- Battery Recycling/Disposal
- Management of Fluorescent Lamps for Businesses
- Incompatible Chemicals
- TCLP – Toxicity Characteristic Leaching Procedure
- Iowa Environmental Guide for Businesses

I reviewed the Verification Report with Mr. Morice-Quijada (Attachment 1). Based on this review, as well as observations during the CEI, I updated the Suite number to 175 in the facility address. I also updated the e-mail addresses for Mr. Morice-Quijada, Mr. Ardin Backous

(Owner), and Mr. Anders Thomsen (Operator). I made no other updates or changes to the Verification Report.

I conducted the visual inspection and a majority of the records review on November 13, 2023, accompanied by Mr. Morice-Quijada. I returned to Eurofins on November 14, 2023, to complete the records review and conduct an exit briefing. During the records review, I reviewed facility documentation such as inventory reports, inspection logs, RCRA Contingency Plan, training records, shipping records, and hazardous waste determination records. I prepared and completed a site-specific inspection checklist to document my observations.

At the conclusion of the CEI on November 14, 2023, I conducted an exit briefing with Mr. Morice-Quijada. Joining the exit meeting were Ms. Kim Martinez (Quality Manager), Mr. Alex Buttermore (Director of Operations), Mr. Christian Lentz (President of Food and Chemistry), and Mr. Brad Eggers (Business Unit Manager Macronutrients).

During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. Morice-Quijada signed, acknowledging receipt (Attachment 2). I provided Mr. Morice-Quijada the Notice, which he signed indicating no confidential business information had been provided (Attachment 3). I then provided Mr. Morice-Quijada a Notice of Preliminary Findings (NOPF), which he signed to acknowledge receipt (Attachment 4).

Diagrams of the facility were obtained during the CEI and are in Attachment 5. An aerial photograph of the facility was downloaded after the CEI and is in Attachment 6. The 43 photographs taken during the CEI are included in Attachment 7.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

The Eurofins facility at Des Moines is a laboratory (lab) that specializes in analyzing feed, commodities, pet food, human food and dietary supplements for nutritional content. Eurofins has another building at 2120 Rittenhouse Street, which is contiguous to the subject property. The second building has three suites (A, B, and C). Suite A is utilized as Eurofins corporate office. Suite B is utilized as a lab for Eurofins. Suite C is leased to various businesses not associated with Eurofins. Suites A and C were not included in the CEI. Suite B was included in the CEI.

Lab testing generates waste flammable liquid, waste high performance liquid chromatography (HPLC) vials, expired/unused chemicals, biohazardous waste, empty 55-gallon containers, and various nonhazardous wastes (such as testing samples, testing liquids, recyclables, general trash). The facility has written procedures for handling hazardous waste and nonhazardous solid waste. These procedures are included in Attachments 8 and 9, respectively.

Waste flammable liquid is accumulated in 13-liter satellite accumulation containers (SACs) below HPLC testing equipment. Prior to completely filling (approximately 10 liters), SACs are transferred to a 55-gallon hazardous waste accumulation container (HWAC) in the hazardous waste container accumulation area (CAA). The CAA is a structure outside of the main building

at the southeast corner of the facility. The CAA has grated floors over a blind sump and serves as a containment structure.

Waste HPLC vials are accumulated in 2.5-gallon SACs below HPLC testing equipment. When full, the SACs are transferred to a 55-gallon HWAC in the maintenance area. Waste HPLC vials are typically placed into a vial crusher to reduce the volume of hazardous waste shipped offsite. The liquid contents of the vials are collected in a 13-liter SAC. The crushed glass is then triple rinsed and disposed into a waste glass recycling container. Rinse water is collected in the same 13-liter SAC used to collect waste flammable liquid. The SAC is transferred to a HWAC located in the CAA. However, if the vial crusher is inoperable due to breakdown, the waste HPLC vials are transferred intact to the CAA and shipped offsite in 55-gallon HWACs.

Expired/unused chemicals are disposed into the sink (to the city sewer system), transferred to a 55-gallon HWAC in the CAA, or labeled as hazardous waste and lab packed.

The lab at 2120 Rittenhouse Street, Suite B (Prox II department) has been in operation for approximately 2 months. Its sole focus is soybean testing. These samples are tested for moisture, protein, ash, and crude fiber. Moisture testing involves weighing sample, placing in an oven, and performing weigh-back of the dried portion. Ash testing involves cooking the sample in furnaces and measuring the amount of residual ash in the crucible. Protein digest involves burning the sample and measuring the amount of nitrogen using a LECO Protein Analyzer. Crude fiber testing involves cooking the sample in sodium hydroxide and neutralizing with sulfuric acid to generate sodium sulfate salt and sample.

The microbiology lab generates biohazardous waste and non-biohazardous waste during lab testing. Non-biohazardous waste is considered nonhazardous based on product/process knowledge, and disposed into the general trash. Biohazardous waste consists of food samples that may or may not contain pathogenic food organisms (such as listeria, salmonella, or botulin). The facility considers biohazardous waste nonhazardous based on product/process knowledge. All biohazard waste is transferred to red, biohazard containers. Full biohazard waste containers are transferred to the decontamination area or processed through one of two autoclave units in the decontamination area. The facility generates approximately 1,200 pounds of biohazardous waste per week. The waste is transported three times per week by Stericycle to its facility in Eagan, Minnesota, 3 times per week for incineration. I did not observe biohazardous waste during the CEI, and the waste is not discussed further in this report.

Nonhazardous waste includes testing samples, testing liquids, waste glass, waste fiberboard, and office type general trash. Testing samples are disposed in the break room garbage disposal or placed into the general trash. Nonhazardous testing liquid is generated in the Ion Chromatography department during vitamin testing. Ms. Morrone stated that nonhazardous testing liquid is saltwater and disposed in the lab sink drains. She estimated that 1 liter of nonhazardous testing liquid is generated every 3 days. Nonhazardous testing liquid was not observed during the CEI and is not discussed further in this report.

Waste glass (for example, jars, bottles, and lab glassware) are rinsed and disposed in recycling containers prior to shipment for offsite recycling. Waste fiberboard is collected and transferred to

a 4- or 8-cubic-yard recycling container located on the south side of both facilities (2180 and 2200 Rittenhouse Street).

General trash is accumulated and transferred to a 4- or 8-cubic-yard general trash container located on the south side of both facilities. General trash is transported to Metro Waste East Landfill in Mitchellville, Iowa, for landfill disposal.

Facility maintenance generates used oil, used lamps, and used batteries. Used oil is generated during maintenance of the facility lawn mower and lab instruments. Used oil is managed as used oil according to provisions of Title 40 *Code of Federal Regulations* (40 CFR) Part 279. Used oil is self-transported to a local Jiffy Lube for recycling.

Eurofins has been converting existing lighting from nonhazardous “green tip” fluorescent lamps to light-emitting diode (LED) lamps. The facility is approximately 80 percent complete on the conversion. Used lamps (fluorescent and LED) are managed as universal waste according to provisions of 40 CFR Part 273. Used batteries include nonhazardous alkaline (90 percent), nickel cadmium, and lithium (10 percent, combined). Used batteries are managed as universal waste according to provisions of 40 CFR Part 273. Used lamps and used batteries are transported to A-Tec Recycling in Des Moines, Iowa, for recycling.

Eurofins began operations at this location in 2004. Mr. Morice-Quijada estimated that the main facility (2200 Rittenhouse St.) has approximately 60,000 square feet of floor space under roof, on approximately 5.6 acres. He added that Suite B of 2180 Rittenhouse St. has approximately 7,300 square feet of floor space under roof. Mr. Morice-Quijada estimated the facility employs approximately 200 full-time personnel, covering three shifts for continuous operation 24 hours per day, seven days per week. Eurofins’ primary North American Industrial Classification System (NAICS) code is 541380 (Testing Laboratories and Services).

On September 16, 2019, Eurofins was inspected by an EPA contractor. During the CEI, the inspector left the following preliminary findings:

- Accumulation of universal waste longer than one year, as required by 40 CFR 273.15(a).
- Failure to demonstrate length of time universal waste has been accumulating, as required by 40 CFR 273.15(e).
- Failure to keep universal waste lamps in a closed container and did not label the container, as required by 40 CFR 273.13(d)(1) and (2).
- Failure to have a contingency plan or quick reference guide, as required by 40 CFR 262.17(a)(6) referencing 262.260(a) and (b).
- Failure to close satellite accumulation container, as required by 40 CFR 262.15(a)(4).

These preliminary findings were not repeated during this inspection.

2. RCRA Status

Eurofins was identified as a large quantity generator (LQG) of hazardous waste (generating more than 1,000 kilograms [kg] of hazardous waste per month) on the Verification Report provided by EPA (Attachment 1). During the CEI, I confirmed Eurofins’ LQG status through a review of

current operations, interviews with Mr. Morice-Quijada, and a review of waste disposal records (manifests) and summary reports.

During the CEI, I reviewed uniform hazardous waste manifests from January 15, 2021 through November 3, 2023. I noted that the facility had hazardous waste transported off site bi-monthly. The monthly totals for 2023 ranged from 3,263 to 6,400 pounds (1,480 to 2,900 kg) per month. I also reviewed the 2021 Hazardous Waste Biennial Report summary, provided by EPA, prior to the CEI (Attachment 10). Based on the biennial report, the facility generated 71,620 pounds (32,486 kg) of waste flammable liquids in 2021. The generation rate of waste flammable liquids alone exceeded the 1,000 kg per month LQG threshold. Therefore, I determined that Eurofins is currently operating as a LQG of hazardous waste (D001, D002, D003, D018, D022, D038 characteristic; and F001, F002, F003, F005, P105, U125, U154, U159, U188 listed hazardous wastes), and inspected the facility as such.

I also reviewed the universal waste bills of lading for 2021, 2022 and 2023. I determined that Eurofins generates approximately 250 to 700 universal waste lamps and 45 pounds (20 kg) to 230 pounds (104 kg) of universal waste batteries per year. Based on the universal waste generation rates and on-site accumulation observed during the CEI, I inspected Eurofins as a small quantity handler (SQH) of universal waste (accumulating less than 5,000 kg of universal waste at any time). I also inspected Eurofins as a generator of used oil.

3. Waste Streams

This section of the CEI report describes waste streams generated by the facility, including the facility's waste determination and waste codes, generation process and rate, management at the facility, and ultimate disposition. The following discussion of waste streams is based on my interviews with Mr. Morice-Quijada and Mr. Sanders, the visual inspection, and my review of available documentation.

Waste flammable liquid is generated during sample testing. The waste is accumulated in 13-liter SACs containers below HPLC testing equipment. SACs are transferred to a 55-gallon HWAC in the CAA on Mondays, Wednesdays, and Fridays. Waste flammable liquid is considered hazardous waste (D001, D002, D018, D038 characteristic, and F002, F003, F005 listed) based on product/process knowledge. A copy of the Waste Material Profile Sheet for waste flammable liquid is included in Attachment 11. Based on this profile, the waste determination for waste flammable liquid appears to be adequate.

Based on the 2023 uniform hazardous waste manifests, the facility generates from 3,263 pounds to 6,400 pounds (1,480 kg to 2,900 kg) of waste flammable liquid per month. Waste flammable liquid is collected by Clean Harbors Environmental Services and transported to Clean Harbors Aragonite LLC in Grantville, Utah for incineration. Waste flammable liquid was last collected on November 3, 2023 (Attachment 12).

During the CEI, I observed 40, 13-liter (3.5-gallon) SACs of waste flammable liquid in eight satellite accumulation areas (SAAs) in Rooms 104, 114, 117, 121, 122, 133, 134, and Maintenance. All 40 SACs were at the point of generation, under control of an operator, structurally sound, closed, and labeled with the words "hazardous waste" and an indication of the

nature of the hazard. The total potential volume of each SAA was below 55 gallons due to the removal of waste flammable liquid on Mondays, Wednesdays, and Fridays. Photographs of representative waste flammable liquid SACs are in Attachment 7, Photographs 1, 2, 12, 14, 16, 42, and 43. The table below lists the SAA Room Number, number of SACs, and total volume in liters and gallons.

SAA Room Number	Number of 13-liter (3.5-gallon) SACs	Volume Liters (L) / Gallons (G)	Photograph Numbers
104	1	2 L / 0.5 G	
114	2	14 L / 3.7 G	16
117	2	14 L / 3.7 G	14
121	7	46.5 L / 12.3 G	
122	7	55 L / 14.5 G	
133	8	18 L / 4.8 G	
134	12	37 L / 9.8 G	1, 2, 12
Maintenance	1	8 L / 2 G	41, 42, 43

HWACs of waste flammable liquid are discussed in the CAA section of this report (Section 4).

Waste HPLC vials are generated during the testing processes and accumulated in 2.5-gallon SACs at the point of generation. Full SACs are transferred to a 55-gallon HWAC in the maintenance area on Mondays, Wednesdays, and Fridays. Waste HPLC vials are crushed, with the waste liquid collected in a 13-liter SAC under the vial crusher. If the vial crusher is inoperable, full HWACs of waste HPLC vials are transferred to the CAA. The facility considers waste HPLC vials hazardous (D001 characteristic, and F001, F003 listed) based on product/process knowledge. A copy of the Waste Material Profile Sheet for waste HPLC vials is included in Attachment 13. Based on this profile, the waste determination for waste HPLC vials appears to be adequate.

Based on 2021 biennial report (Attachment 10), the facility generates approximately 1,500 pounds of waste HPLC vials per year. The waste was last transported to Clean Harbors in Kimball, Nebraska, for incineration, on July 28, 2023.

During the CEI, I observed five, 2.5-gallon (9.5-liter) SACs of waste HPLC vials in SAA Room 134. All five SACs were at the point of generation, under control of an operator, structurally sound, closed, and labeled with the words “hazardous waste” and an indication of the nature of the hazard. Photographs of representative waste HPLC vials SACs are included in Attachment 7, Photographs 3, 12, and 13.

I also observed two SACs of waste HPLC vials in SAA Room 134 (Attachment 7, Photographs 5 and 8). Both SACs were at the point of generation, under control of an operator, structurally sound, and closed. However, the two SACs were not labeled with the words “hazardous waste” and were not labeled with an indication of the nature of the hazard as required by 40 CFR 262.15(a)(5)(i and ii) (Attachment 7, Photographs 4 through 11) (**NOPF Nos. 1 and 2**).

I explained these preliminary findings to Mr. Morice-Quijada during the visual inspection. Prior to the conclusion of the CEI, I returned to the area and observed that facility personnel labeled

the two SAC with the words “hazardous waste” and an indication of the nature of the hazard (Attachment 7, Photographs 36 and 37). The facility requested a copy of Photographs 36 and 37 for use in their NOPF response. The raw photographs were emailed to Eurofins on November 24, 2023.

In SAA Room 133, I observed one, 2.5-gallon (9.5-liter) SAC of waste HPLC vials. The SAC was at the point of generation, under control of an operator, structurally sound, closed, and labeled with the words “hazardous waste” and an indication of the nature of the hazard.

HWACs of waste HPLC vials are discussed in the CAA section of this report (Section 4).

Waste glass is generated during lab testing and when chemical containers are emptied. Waste glass from lab testing (for example, test tubes, small sharps, and broken glass) is placed into fiberboard broken glass disposal boxes. Waste glass from empty containers is triple rinsed, disposed in general trash bins, and transferred to general trash containers located outside of the south side of the facility. The facility generates approximately 240 pounds of waste glass per week. The facility considers the waste nonhazardous based on product/process knowledge. The waste is transported to the Metro Waste East Landfill in Mitchellville, Iowa, for landfill disposal.

During the CEI, I observed two fiberboard containers of waste glass in Room 117 (Attachment 7, Photograph 15). I noted no RCRA concerns with the management of waste glass.

Empty containers are generated when 55-gallon containers of diluent are RCRA emptied during lab testing. The containers are transferred to the shipping area upon generation. The facility considers the waste nonhazardous based on product/process knowledge. A copy of the Waste Material Profile Sheet for empty containers is included in Attachment 14. Based on this profile, the waste determination for empty containers appears to be adequate.

The facility generates approximately 15 empty containers per month. The waste is transported to Clean Harbors (Deer Trail, Colorado) for landfill disposal. Empty containers were not observed during the CEI. I noted no RCRA concerns with the management of empty containers.

Soy bean testing waste is generated during soy bean testing in the Prox II department. The waste is accumulated in 55-gallon containers and transferred to the general trash container on the south side of the 2180 Rittenhouse Street building. The facility considers soy bean testing waste to be nonhazardous based on product/process knowledge. The facility generates approximately 55 gallons of soy bean testing waste weekly. The waste is transported to the Metro Waste East Landfill in Mitchellville, Iowa, for landfill disposal. I noted no RCRA concerns with the management of soy bean testing waste.

Hazardous unwanted/expired chemicals are generated when chemicals from lab activities are no longer needed or expire. They are transferred to the CAA upon generation. If the unwanted/expired chemical is a flammable liquid, it is transferred to a HWAC in the CAA. If the unwanted/expired chemical is not a flammable liquid, it is labeled as hazardous waste, dated, and the EHS Manager is notified of its placement in the CAA. The waste is considered hazardous (waste codes dependent on chemical) based on product knowledge. Based on 2021 biennial report (Attachment 10), the facility generates approximately 376 pounds of unwanted/expired

chemicals per year. The waste is transported to Clean Harbors in Grantsville, Utah, for incineration. The waste was last collected on February 13, 2023. Hazardous unwanted/expired chemicals were not in accumulation during the CEI. I noted no RCRA concerns with the management of hazardous unwanted/expired chemicals.

Nonhazardous unwanted/expired chemicals are generated when chemicals from lab activities are no longer needed or expire. They are disposed in a lab sink to the city sewer system. Nonhazardous unwanted/expired chemicals are considered nonhazardous waste based on product knowledge. The generation rate is unknown, and not tracked. The waste is discharged to the City of Des Moines, Iowa, publicly owned treatment works (POTW), which is permitted by city regulation. Nonhazardous unwanted/expired chemicals were not in accumulation during the CEI. I noted no RCRA concerns with the management of nonhazardous unwanted/expired chemicals.

Used oil is generated during facility equipment maintenance. Used oil is collected and transferred to a 5-gallon used oil storage container in the maintenance area. Used oil is managed according to provisions of 40 CFR Part 279. The facility generates approximately 1.5 gallons of used oil per year. Used oil is self-transported to Jiffy Lube in Des Moines, Iowa, for recycling. Used oil was last transported in 2021.

During the CEI, I observed two, 5-gallon used oil storage containers in the maintenance area (Attachment 7, Photographs 26 and 27). The used oil storage containers appeared to be structurally sound with no apparent leaks, were marked with the words “used oil,” and held approximately 6.5 gallons of used oil, cumulatively. I noted no RCRA concerns with the management of used oil.

Waste aerosol cans are generated during facility equipment maintenance; and consist of empty and non-empty aerosol cans. Empty aerosol cans are transferred to a general trash container upon generation. Non-empty waste aerosol cans are transferred to the CAA as lab pack waste. Empty aerosol cans are considered nonhazardous waste based on product knowledge. Non-empty waste aerosol cans are considered hazardous (waste codes dependent on product) based on product knowledge. The facility generates approximately one or two empty aerosol cans per month, and one non-empty waste aerosol can every one to two years. Empty aerosol cans are transported to the Metro Waste East Landfill (Mitchellville Iowa), for landfill disposal. Non-empty aerosol cans are transported to Clean Harbors in Grantsville, Utah, for storing/bulking and transferring the waste with no treatment or recovery (H010-H129), fuel blending (H061), or disposal (H131-H135) at that receiving site. Waste aerosol cans were not observed during the CEI. I noted no RCRA concerns with the management of waste aerosol cans.

Waste batteries are generated during facility equipment maintenance. They are collected in one-gallon universal waste battery accumulation container in the office area. Waste batteries are managed as universal waste according to provisions of 40 CFR Part 273. The facility generates approximately 45 to 230 pounds of universal waste batteries per year. The waste is transported to A-Tec Recycling in Pleasant Hill, Iowa, for recycling. The last shipment of universal waste batteries was on April 26, 2023 (Attachment 15, Page 3).

During the CEI, I observed a 1-gallon universal waste battery accumulation container in the office area (Attachment 7, Photograph 38). The universal waste battery accumulation container

was labeled with the words “used batteries,” a February 14, 2023, accumulation start date, and held approximately 50 waste batteries. I noted no RCRA concerns with the management of waste batteries.

Waste lamps are generated during facility maintenance. They are transferred to universal waste lamp accumulation containers upon generation in the Sprinkler and Electrical Room. The facility manages waste lamps as universal waste according to provisions of 40 CFR Part 273. The facility generates approximately 250 to 700 waste lamps per year. The waste is transported to A-Tec Recycling in Pleasant Hill, Iowa, for recycling. The last shipment of universal waste lamps was on September 25, 2023 (Attachment 15, Page 4).

During the CEI, I observed one universal waste lamp accumulation container in the Sprinkler and Electrical Room. The universal waste lamp accumulation container was closed, labeled with the words “used lamps,” marked with accumulation start date of September 25, 2023, and held approximately 25 waste lamps. I noted no deficiencies with management of waste lamps during the CEI.

Waste fiberboard is generated during sample unpacking and facility maintenance. It is transferred to a four-cubic-yard waste fiberboard container on the south side of the 2180 Rittenhouse Street building, or an eight-cubic-yard waste fiberboard container on the south side of the 2200 Rittenhouse Street building. Waste fiberboard is considered nonhazardous waste based on process/product knowledge. The facility does not track waste fiberboard, and a generation rate was not obtained. Waste fiberboard is transported daily to Metro Waste East Landfill in Mitchellville, Iowa, for recycling. I noted no RCRA concerns with the management of waste fiberboard.

General trash is generated during sample testing and facility maintenance. It is accumulated in various containers throughout the facility and transferred to a 4- or 8-cubic-yard general trash container. General trash is considered nonhazardous based on product/process knowledge. The facility does not track general trash, and a generation rate was not obtained. General trash is transported daily to Metro Waste East Landfill in Mitchellville, Iowa, for landfill disposal.

During the CEI, I observed a four-cubic-yard container of general trash on the south side of the 2180 Rittenhouse Street building (Attachment 7, Photograph 25). I also observed a four-cubic-yard and eight-cubic-yard general trash containers on the south side of the 2200 Rittenhouse Street address. I noted no RCRA concerns with the management of general trash.

4. Container Accumulation Area

Eurofins maintains one less-than-90-day CAA outside of the south side of the facility. It is in a locked containment structure (Attachment 7, Photographs 17 through 20). Upon entering the structure, I observed six 55-gallon HWACs of waste flammable liquid, two empty 55-gallon containers, and a device to assist personnel in the transference of waste flammable liquid to a 55-gallon HWAC (Attachment 7, Photograph 21). However, the accumulation start dates on three of the HWACs were not visible for inspection, as required by 40 CFR 262.17(a)(5)(i)(C) (NOPF No. 3).

I explained this preliminary finding to Mr. Morice-Quijada during the visual inspection. Prior to leaving the area, Mr. Morice-Quijada re-arranged the HWACs so all accumulation start dates were visible for inspection (Attachment 7, Photographs 23 and 24). The facility requested a copy of Photographs 23 and 24 for use in their NOPF response. The raw photographs were emailed to Eurofins on November 24, 2023.

All six HWACs were closed, in good condition, labeled with the words “hazardous waste” and an indication of the nature of the hazard, with approximately 297 gallons of waste flammable liquid in accumulation. The oldest accumulation start date was November 3, 2023.

I noted that the flooring was grated to contain spills in the structure. I also observed sorbent pads, floor dry, and personnel protective equipment (for example, aprons, gloves, and sleeves) for use in emergency response (Attachment 7, Photograph 22).

I asked Mr. Morice-Quijada if the CAA is inspected. Mr. Morice-Quijada stated that inspections are performed weekly by Ms. Hinkel and documented on a Chemical Waste Storage Checklist. According to Mr. Morice-Quijada, Ms. Hinkel inspects the CAA and uses a buddy system to summon emergency assistance if needed. During the records review, I obtained a copy of the inspection log from December 23, 2021 to November 8, 2023 (Attachment 16).

I noted that inspections were documented from December 23, 2021 through September 30, 2022; May 13, 2023 through June 23, 2023; and on October 27, 2023 and November 8, 2023. I asked Ms. Hinkel how long she has been inspecting the CAA. Ms. Hinkel stated that she started performing the inspections the last week of September. I asked Ms. Hinkel if she documents every inspection. Ms. Hinkel stated that she performs the inspections every Monday, Wednesday, and Friday when she transfers hazardous waste to the CAA, but does not document every inspection.

I asked Mr. Morice-Quijada who performed the inspection prior to Ms. Hinkel. Mr. Morice-Quijada stated that Mr. Perryman performed the inspections previously. I asked Mr. Perryman if he documented every inspection. Mr. Perryman stated that he performed inspections every Monday, Wednesday, and Friday when he transferred hazardous waste to the CAA, but did not document every inspection. It appears that Eurofins performed weekly inspections of the CAA. I advised Messrs. Morice-Quijada and Perryman, and Ms. Hinkel that if the facility documents weekly CAA inspections, that they should be diligent in documenting all inspections.

During the CEI, I observed two containers of waste HPLC vials in the maintenance area adjacent to the glass crusher (Attachment 7, Photograph 28). As the waste HPLC vials are not generated in the maintenance area, I advised Mr. Morice-Quijada that I would view the containers as HWACs.

One HWAC was closed, in good condition, and held approximately 25 gallons of waste HPLC vials. However, the HWAC was not labeled with the words “hazardous waste” and an indication of the nature of the hazard, and was not dated with an accumulation start date (Attachment 7, Photographs 30, 31, and 35), as required by 40 CFR 262.17(a)(5)(i)(A, B, and C) (**NOPF Nos. 3, 4, and 5**).

The other HWAC was closed, in good condition, labeled with the words “hazardous waste” and an indication of the nature of the hazard, with approximately 50 gallons of waste HPLC vials in accumulation (Attachment 7, Photograph 29). However, the HWAC did not have an accumulation start date on the container (Attachment 7, Photographs 32, 33, and 34), as required by 40 CFR 262.17(a)(5)(i)(C) (**NOPF No. 3**).

The NOPF form left at the facility cited the both HWACs as not labeled with the words “hazardous waste” and an indication of the nature of the hazard. However, after further review, the second HWAC was labeled with the words “hazardous waste” and an indication of the nature of the hazard. NOPF Nos. 4 and 5 were amended to reflect this update on November 23, 2023. The facility was notified by email on November 23, 2023 of the amendment.

I explained these preliminary findings to Mr. Morice-Quijada during the CEI. I asked Mr. Morice-Quijada how long the HWACs had been in accumulation. Mr. Morice-Quijada stated that he was unsure, but the HWACs had been in the area longer than three days. Prior to the conclusion of the CEI, I returned to the area and observed that facility personnel applied a label with the words “hazardous waste” and an indication of the nature of the hazard, and an October 30, 2023, accumulation start date to the HWAC in Attachment 7, Photograph 30 (Attachment 7, Photograph 40). I also observed that personnel had labeled the HWAC in Attachment 7, Photograph 29 with an accumulation start date of September 29, 2023 (Attachment 7, Photograph 39). The facility requested a copy of Photographs 39 and 40 for use in their NOPF response. The raw photographs were emailed to Eurofins on November 24, 2023.

I advised Mr. Morice-Quijada that I would need to consider the area to be a CAA due to the length of time the waste had been accumulating. I asked Mr. Morice-Quijada if the area is inspected. Mr. Morice-Quijada stated that the area is not inspected on a weekly basis. As such, it appears that Eurofins has failed to perform weekly inspections of a CAA, as required by 40 CFR 262.17(a)(i)(v) (**NOPF No. 6**). I explained this preliminary finding to Mr. Morice-Quijada during the CEI.

5. Manifests, Bills of Lading, Biennial Report

The facility generated 71 uniform hazardous waste manifests from January 13, 2021, through November 3, 2023. I reviewed all 71 uniform hazardous waste manifests (24 in 2021, 23 in 2022, and 24 in 2023 to date) and associated land disposal restriction (LDR) notifications during the CEI. A copy of manifest 018428484FLE and the associated LDR notification, dated July 14, 2023, are in Attachment 17, as an example.

Eurofins submitted the 2021 Hazardous Waste Biennial Report in February 2022 (Attachment 10). I noted no deficiencies during my review of manifests, LDR notifications, or the Biennial Report during the CEI.

6. Preparedness and Prevention and Contingency Plan

As a LQG, Eurofins is required to arrange for emergency response with local emergency agencies, to designate an emergency coordinator (EC) for the facility, and maintain a RCRA

Contingency Plan (Attachment 18). I reviewed the contingency plan, dated October 26, 2023, during the CEI.

I noted the RCRA Contingency Plan included a description of arrangements with the local emergency agencies, a list of emergency response equipment (including capabilities and location), and a complete evacuation plan with a description of the signals used, as required by 40 CFR 262.17(a)(6) Referencing 262.261(c, e, and f).

Mr. Morice-Quijada stated the Des Moines Fire Department had recently been to Eurofins to conduct its Annual Permit Review. He provided a copy of Eurofins permit from the Des Moines Fire Department (Attachment 19).

The RCRA Contingency Plan included a description of actions needed to respond to spills, However, the RCRA Contingency Plan did not include a description of actions needed to respond to fires and explosions, as required by 40 CFR 262.17(a)(6) Referencing 262.261(a) (**NOPF No. 7**). I explained this preliminary finding to Mr. Morice-Quijada during the CEI.

The RCRA Contingency Plan included the telephone numbers of the primary EC (Mr. Morice-Quijada) and listed alternate ECs in the order they would assume the EC position, as required by 40 CFR 262.17(a)(6) Referencing 262.261(d).

Mr. Morice-Quijada stated that the RCRA Contingency Plan, dated October 26, 2023, was in the process of being delivered to all emergency agencies (Des Moines fire and police departments, Iowa Methodist Medical Center, and Polk County Emergency Management). He added that the emergency agencies have previous version as required by 40 CFR 262.17(a)(6) Referencing 262.262(a).

Mr. Morice-Quijada provided a copy of the RCRA Quick Reference Guide (Attachment 20). He also provided a copy of the email he sent to the Des Moines Fire Department with the Quick Reference Guide attached (Attachment 21).

I noted the RCRA Quick Reference Guide included a list and description of hazardous waste, an estimated maximum amount of each hazardous waste, the identification of any hazardous waste that would result in unique or special medical issues, a map showing where hazardous waste is generated or managed and access routes to these locations, a map of the facility in relation to surrounding businesses, schools, and residential areas to allow access and evacuation planning, identification of on-site notification systems or alarms, and the name and telephone number for the ECs, as required by 40 CFR 262.17(a)(6) Referencing 262.262(b)(1 through 5) and (7 and 8).

However, the Quick Reference Guide did not include the locations of water supplies, as required by 40 CFR 262.17(a)(6) Referencing 262.262(b)(6) (**NOPF No. 8**). I explained this preliminary finding to Mr. Morice-Quijada during the CEI.

7. Personnel Training Requirements

Personnel training is required by LQG regulations specified in 40 CFR 262.17(a)(7) to ensure that employees are thoroughly familiar with proper waste handling procedures relevant to their responsibilities. I did not request copies of all documents reviewed.

I asked Mr. Morice-Quijada what training is provided to Eurofins employees who manage or transfer hazardous waste. Mr. Morice-Quijada stated Eurofins provides environmental training to all employees who manage or transfer hazardous waste. I reviewed the training materials and noted the training included RCRA Contingency Plan emergency response procedures as well as management of hazardous waste, as required by 40 CFR 262.17(a)(7)(i)(C).

I asked Mr. Morice-Quijada who transfers hazardous waste to the CAA. He stated that the waste is transferred by members of the waste crew. I reviewed the job descriptions for two members of the waste crew, Mr. Seth Taylor (Sample Registration Senior Group Lead) and Mr. Anthony Zoutte (Evening Manager), and noted both the job descriptions included the skills, education, and duties associated with each job, as required by 40 CFR 262.17(a)(7)(iv)(B).

I reviewed the training records for Messrs. Taylor and Zoutte in Eurofins' training database and noted it included their names and job titles, as well as the introductory and annual training refresher courses needed, as required by 40 CFR 262.17(a)(7)(iv)(A and C). Mr. Taylor completed environmental training on October 12 and 13, 2021, and December 13 and 19, 2022. Mr. Zoutte completed environmental training on November 8, 2021, and December 13 and 19, 2022. A copy of the training certificates for Messrs. Taylor and Zoutte are included as Attachments 22 and 23. I asked Mr. Morice-Quijada if he had received environmental training. Mr. Morice-Quijada provided a copy of his training certificates for 2021 and 2022 (Attachment 24). Mr. Morice-Quijada stated that due to Covid-19 restrictions, environmental training was not conducted in 2020.

I noted no deficiencies with RCRA personnel training during the CEI.

8. Summary of Preliminary Findings

In summary, as part of the CEI, I made the following preliminary findings:

- (1) Failure to label two SACs with the words "hazardous waste," as required by 40 CFR 262.15(a)(5)(i) (**NOPF No. 1**).
- (2) Failure to label two SACs with an indication of the nature of the hazard, as required by 40 CFR 262.15(a)(5)(ii) (**NOPF No. 2**).
- (3) Failure to mark accumulation start date visible for inspection on three HWACs, and failure to mark two HWACs with an accumulation start date, as required by 40 CFR 262.17(a)(5)(i)(C) (**NOPF No. 3**).
- (4) Failure to label one HWAC with the words "hazardous waste," as required by 40 CFR 262.17(a)(5)(i)(A) (**NOPF No. 4**).

- (5) Failure to label one HWAC with an indication of the nature of the hazard, as required by 40 CFR 262.17(a)(5)(i)(B) **(NOPF No. 5)**.
- (6) Failure to perform weekly hazardous waste container accumulation area inspections, as required by 40 CFR 262.17(a)(1)(v) **(NOPF No. 6)**.
- (7) Failure to include a description of actions needed to respond to fires and explosions in the RCRA Contingency Plan, as required by 40 CFR 262.17(a)(6) Referencing 262.261(a) **(NOPF No. 7)**.
- (8) Failure to include the location of water supplies in the RCRA Quick Reference Guide, as required by 40 CFR 262.17(a)(6) Referencing 262.262(b)(6) **(NOPF No. 8)**.

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

William F
Starks

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Date: _____

William F. Starks
Environmental Consultant
CLAENE Group, LLC.

Mike Martin - signing
for Amber Whisnant

Digitally signed by Mike Martin -
signing for Amber Whisnant
Date: 2024.01.31 11:31:18 -06'00'

Date: _____

Amber Whisnant
Section Chief
ECAD/CB/RCRA, EPA Region 7

Attachments:

1. Notification Acknowledgement/Verification Report (2 Pages)
2. Receipt for Documents and Samples (1 Page)
3. Confidentiality Notice (1 Page)
4. Notice of Preliminary Findings (NOPF) (2 Pages)
5. Facility Diagram (2 Pages)
6. Google Maps Aerial Image of the Facility (1 Page)
7. Photographic Documentation (43 Photos and Photolog) (29 Pages)
8. Hazardous Waste Handling Plan (5 Pages)
9. Solid Waste Handling Plan (2 Pages)
10. 2021 Hazardous Waste Biennial Report Summary (5 Pages)
11. Waste Flammable Liquid Waste Material Profile Sheet (6 Pages)
12. Uniform Hazardous Waste Manifest 018767551FLE, Dated November 3, 2023 (1 Page)
13. Waste HPLC Vials Waste Material Profile Sheet (6 Pages)
14. Empty Containers Waste Material Profile Sheet (5 Pages)
15. Universal Waste Bills of Lading for 2021, 2022, and 2023 (4 Pages)
16. Chemical Waste Storage Checklist Log, Dated December 23, 2021 Through November 8, 2023 (5 Pages)
17. Uniform Hazardous Waste Manifest 018428484FLE and Associated LDR Notification Form, Dated July 14, 2023 (4 Pages)
18. RCRA Contingency Plan, Dated October 26, 2023 (13 Pages)
19. Eurofins Permit From the Des Moines Fire Department, Dated August 10, 2023 (1 Page)
20. RCRA Quick Reference Guide (11 Pages)
21. RCRA Quick Reference Guide Email to the Des Moines Fire Department, Dated June 8, 2020 (1 Page)
22. Seth Taylor Certificates of Training, Dated October 12 and 13, 2021, and December 13 and 19, 2022 (2 Pages)
23. Anthony Zoutte Certificates of Training, Dated November 8, 2021, and December 13 and 19, 2022 (2 Pages)
24. Daniel Morice-Quijada Certificates of Training, Dated October 12 and 13, 2021, and December 13 and 19, 2022 (2 Pages)