

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	08/08-11/2022		
Media:	RCRA Compliance Evaluation Inspection		
Regulatory Program(s)	RCRA Large Quantity Generator		
Company Name:	Choctaw Manufacturing and Defense Contractors		
Facility Name:	Choctaw Manufacturing and Defense Contractors McAlester		
Facility Physical Location:	1 Skyway Drive		
(city, state, zip code)	McAlester, OK - 74501		
Mailing address:	1 Skyway Drive		
(city, state, zip code)	McAlester, OK - 74501		
County/Parish:	Pittsburg		
Facility Contact:	Kevin Martin	Environmental Health and Safety Manager	
	kmartin@choctawdefense.com		
FRS Number:	NA		
Identification/Permit Number:	NA		
Media Number:	OKD982289647		
NAICS:	336992- Military Armored Vehicle, Tank and Tank Component Manufacturing 332992- Small Arms Ammunition Manufacturing		
SIC:	NA		
Personnel participating in inspection:			
John Penland	EPA Region 6 (ECDSR)	Lead Inspector	
Angela Hays	EPA Region 6 (ECDSR)	Inspector	
Elizabeth Pham	EPA Region 6 (ECDSR)	Inspector	
Sandesh Thapa	EPA Region 6 (ECDSR)	Inspector	
Kevin Martin	Choctaw Defense Manufacturing	Environmental Health and Safety Manager	
Mark T. Smith, PG	Choctaw Nation of Oklahoma – Environmental Compliance	Compliance Officer	
Jonathon Shufeldt	Choctaw Defense Manufacturing	Compliance Officer	
EPA Lead Inspector Signature/Date		11/3/2022	
	John Penland – Lead Inspector	Date	
Supervisor Signature/Date			
	Jeff Yurk – Waste Section Chief	Date	

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

During the week of August 8, 2022, I, John Penland, conducted an unannounced inspection of the Choctaw Manufacturing and Defense Contractors facility (Choctaw) located at 1 Skyway Drive in McAlester, Oklahoma for compliance with the Resource Conservation and Recovery Act (RCRA). I was assisted on this inspection by Environmental Protection Agency (EPA) inspectors Angela Hays, Sandesh Thapa and Elizabeth Pham. The inspection included a walkthrough of the facility's production, waste generation, and management units and a review of the facility records related to hazardous waste management.

The Choctaw facility was targeted for inspection as part of facilities located in Environmental Justice communities and Regional and National investigation initiatives to evaluate facilities subject to RCRA Subpart AA, BB, CC, regulations related to air emissions from hazardous waste management units.

We concluded the inspection of the Choctaw facility on August 11, 2022, with a closing conference where we presented our provisional areas of concern.

This report serves as documentation of all onsite activities and observations during the inspection of the Choctaw McAlester facility. Photographs taken during the inspection to document onsite observations are included as Appendix 1. A summary of all areas of concern identified during the inspection is provided in Section III.

FACILITY DESCRIPTION

Choctaw Manufacturing and Defense Contractor's facility is located on Skyway Drive, McAlester, Oklahoma. Choctaw operates Monday through Friday from 6:00AM-4:30PM. There are sixty employees employed at the facility. It manufactures aviation components, fuel and water systems, military ground support systems, ordinance shipping containers and tactical trailers. The facility has over 350,000 square feet in its' manufacturing footprint. Choctaw services range from metal fabrication and forming, welding, computer numerical control machining, mechanical and electric assembly, and painting to chemical finishing.

A general map of the plant is included in Appendix 2. A process flow diagram is included in Appendix 3.

The Choctaw McAlester facility was issued the EPA ID# OKD982289647. Choctaw has been operating as a Large Quantity Generator (LQG) of hazardous waste since September 2009.

Section II – OBSERVATIONS

We conducted the onsite inspection during normal business hours from August 8-11, 2022. During the inspection, the facility was conducting normal operations and all areas of the facility were in use. Throughout the week, we visited each of the facility's waste generation, accumulation, and management areas. We also reviewed the facility's operating records pertaining to the facility's RCRA applicability and compliance requirements.

This section provides an abbreviated description of our daily activities. See appendix 4. Appendix 1 provides photographs of our observations. This section provides information on our observations each day. Unless otherwise specified, the statements cited in this section reflect those claims made by facility personnel or documents reviewed during the inspection.

August 8, 2022

Angela Hays, Sandesh Thapa, Elizabeth Pham, and I entered the facility at 1005hrs. We presented our credentials to Mr. Martin and informed him that we were there to conduct an inspection of the facility under Section 3007 of the Resource Conservation and Recovery Act (RCRA). I also explained the right of Choctaw to assert a Confidential Business Information claim for records requested by the EPA. This discussion was followed by a presentation of EPA Region 6's Confidentiality Notice (40 CFR Section 2.203). Following this introduction, we conducted an inspection opening briefing with Kevin Martin. This included daily inspection schedules and a request for compliance records.

Following the opening briefing, we conducted a safety brief and a walkthrough of Choctaw's production and associated waste management areas. The walkthrough began in Building 5 of Choctaw's facility. Kevin Martin, the Environmental, Health and Safety Manager for the Choctaw, accompanied us on the walkthrough.

Building 5:

Metal Treating Process:

The metal treating process is used for Zinc Phosphate Coating. The process contains eight tanks. We observed an item being processed through eight stages. EPA requested a process flow diagram and detailed walkthrough of the unit for August 9, 2022.

Satellite Accumulation Area (SAA)

We observed waste drums, marked as hazardous waste, staged at the south side of Building 5. A few of these drums were missing accumulation start dates. Two full drums with spent solvent paint waste had no origination dates. Another undated third drum with a spent solvent was found with an open funnel. Also, a fourth drum with paint waste was present at the SAA without an origination date. We observed a drum with aerosol cans marked as hazardous waste.

Sandblasting Process

The facility contained a sandblasting area inside Building 5. According to Mr. Martin, most metal prep was for aluminum, Choctaw uses aluminum oxide for sandblasting media for surface penetration before painting.

Building 7:

We observed Building 7 was used as a machine shop.

Building 6:

Hex Line

The Hex line is comprised of six tanks. During our walkthrough, the Hex line was not operational. According to the facility representative, the line was last operational in July 2020. Tank 1 was labeled as Aluminum Cleaner 61 B and marked as pH 9-13. It contained 2 feet of liquid. We requested the facility to run a pH test and the test read pH of 9.98. Tank 2 was labeled as Water Rinse and contained 1.5 feet of liquid.

Tank 3 and tank 5 was labeled as deoxidizer and Chemon TCP HF which were empty. In addition, Tank 4 and Tank 6 were labeled as water rinse. These tanks contained 1.5 feet and 2 feet of liquid.

Bag House Unit for Laser Cutter

We observed a new bag house installed at the site which was not in operation during the inspection. Also, an unlabeled open drum containing unidentified material in a solid state was staged near the baghouse unit.

Less than 90 days Central Accumulation Area (CAA)

The CAA is located on the west side of Building 6. The area is gated and secured for the accumulation of hazardous waste containers. We observed 3, 55 gallons drums of paint waste, one drum of corrosive waste and 2 overpack drums of corrosive waste being stored at the CAA. All the stored waste containers were within the less than 90 days RCRA storage limit.

We departed the Choctaw facility at 3:00 pm.

August 9, 2022

Angela Hays, Sandesh Thapa, Elizabeth Pham, and I entered the facility at 1015hrs. We conducted our preliminary document review on this day, including a review of notes from August 8, 2022.

Team reviewed the following documents:

- Waste profiles and manifests
- Phosphate Coating Process
- Less than 90-day inspections
- Waste counting process

We requested the following documents from Choctaw's representatives:

- Waste Profiles
 - Aluminum Cleaning Tank Waste
 - Chemeon TCP-HF/Deoxidizer LNC Waste
 - Zinc Wastewater
 - Spent Aresta Pickling Solution 302
 - Waste Aresta 401 Cleaner
 - Waste Aresta 601 Passivator
 - Dried Primer Paints
 - Acid Spill Cleanup Residues
 - Waste Paint and Thinners
- Phosphate Coating Process Information
- Less than 90-day inspections records from 3 years
- Contingency plan with attachment
- Record of distribution of Contingency plan
- Training records for Kevin Martin and Jonathon Shufeldt

Waste Counting

We observed the variable rate of waste generation at Choctaw which affected its generator status. During the review, I discussed solutions to create a log for monthly waste generation which could determine the correct generator status.

Manifest Review

During manifest review, we observed a LDR for manifest 01165903WAS was missing waste code D008. We requested Choctaw to provide a LDR for the manifest.

Less than 90-day Inspection Forms

We observed the regulatory citations in the weekly inspection and identified the form needs to be updated to reflect the revised RCRA generator improvement rules.

We departed the Choctaw facility at 3:00 pm.

August 11, 2022

Angela Hays, Sandesh Thapa, Elizabeth Pham, and I entered the facility at 1019 hrs. We were accompanied by Kevin Martin, Mark Smith, and Jonathon Shufeldt. We continued our discussions and review of the documents submitted by the facility. As a Large Quantity Generator, Choctaw is subject to comply with training standards requirements listed in 40 CFR 262.17(a)(7). We requested Kevin Martin's training records specific to handling of Hazardous waste. In addition, we reviewed manifests which were submitted in response to request from August 9, 2022. All manifest and LDR issues were resolved except for manifest 001165903WAS.

Waste determination for Zinc Phosphate Coating

During the review process, we went inside Building 5 and observed a sample collection of zinc rinse water for waste determination. A Choctaw contractor collected a single grab sample using a 1000ml beaker. We discussed the representative sampling method specified in Appendix I of 40 CFR 261 is COLIWASA for containerized liquid waste.

I facilitated a closing meeting with facility representatives at 1300 hrs. We discussed the areas of concern, outstanding document requests and established a timeline for document submittal.

Section III – AREAS OF CONCERN

The following is a list of potential areas of concern discussed with the facility representatives. See Appendix 4 for details of EPA observations.

- Multiple observations of unmarked, undated, open, or unsecured containers containing hazardous waste were observed at the designated satellite accumulation area of Building 5.
- In Building 6, the pickling line and Hex line contains materials no longer in use and there was no plan for immediate disposal. These lines have been out of service since May 2019 and June 2020, respectively. This activity is in line with Storage in-lieu of disposal 40 CFR 261.2(b)(3).
- Manifest discrepancies were observed during the records review. Waste code noted on manifest 001165903WAS did not match the attached LDR form.
- Based on our observation, the contingency plan, which was revised in January 2020, did not update its list of personnel, despite the change in personnel and operations. The facility needs to provide proof of arrangements with authorities.

- Exceedance of storage limit of hazardous waste was observed in Satellite Accumulation Area (SAA). There were four 55 gallons drums staged in the SAA of Building 5. Two of them were full and the other two were half full which exceeded the limits of 55 gallons per 40 CFR 262.15.
- We observed an incorrect sampling method used at zinc rinse water tank. The facility contractor took a grab sample from the tank for liquid. However, samples collected for the purpose of waste determination under 40 CFR 262.11 must be representative of the waste being sampled per 40 CFR 260.10.
- Based on our inspection, the facility failed to make a waste determination on the material contained in an unmarked container near the bag house area 40 CFR 262.11.
- Based on our observation, there may be an issue with record keeping. A cursory review of the records provided by Choctaw Manufacturing shows missing records of weekly inspections. Both Large and Small Quantity Generators of Hazardous Waste are required to conduct weekly inspections of hazardous waste containers 40 CFR 262.17(a)(1)(v). This will require additional review.
- Facility training records require further review. Initial assessment of the facility training records and interviews with facility personnel was unable to provide documents related to hazardous waste management training 40 CFR 262.17(a)(7).

Section IV – FOLLOW UP

Actions taken by Choctaw to resolve any areas of concern were documented by Choctaw with photographs or other documentation and submitted to the EPA via the electronic secure online drive. Any information received from Choctaw after the inspection was also received via the secure online drive. These documents are accessible by the EPA Enforcement Officer, as applicable.

Section V – LIST OF APPENDICES

Appendix 1 – Photo Log – 22 photos taken 8/8/2022

Appendix 2 – Facility Diagram

Appendix 3 – Process Flow Diagram

Appendix 4 – EPA Daily Summary E-mails

Appendix 1

Photograph Log



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 1

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0737.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description:	SAA overview inside Building 5



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 2

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0738.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Acetone Drums inside Building 5	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 3

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0745.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: SAA overview inside Building 5. Note drum with unsecured lid.	



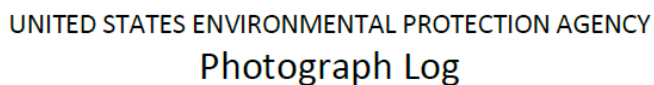
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Photograph Log

Photo No. 4

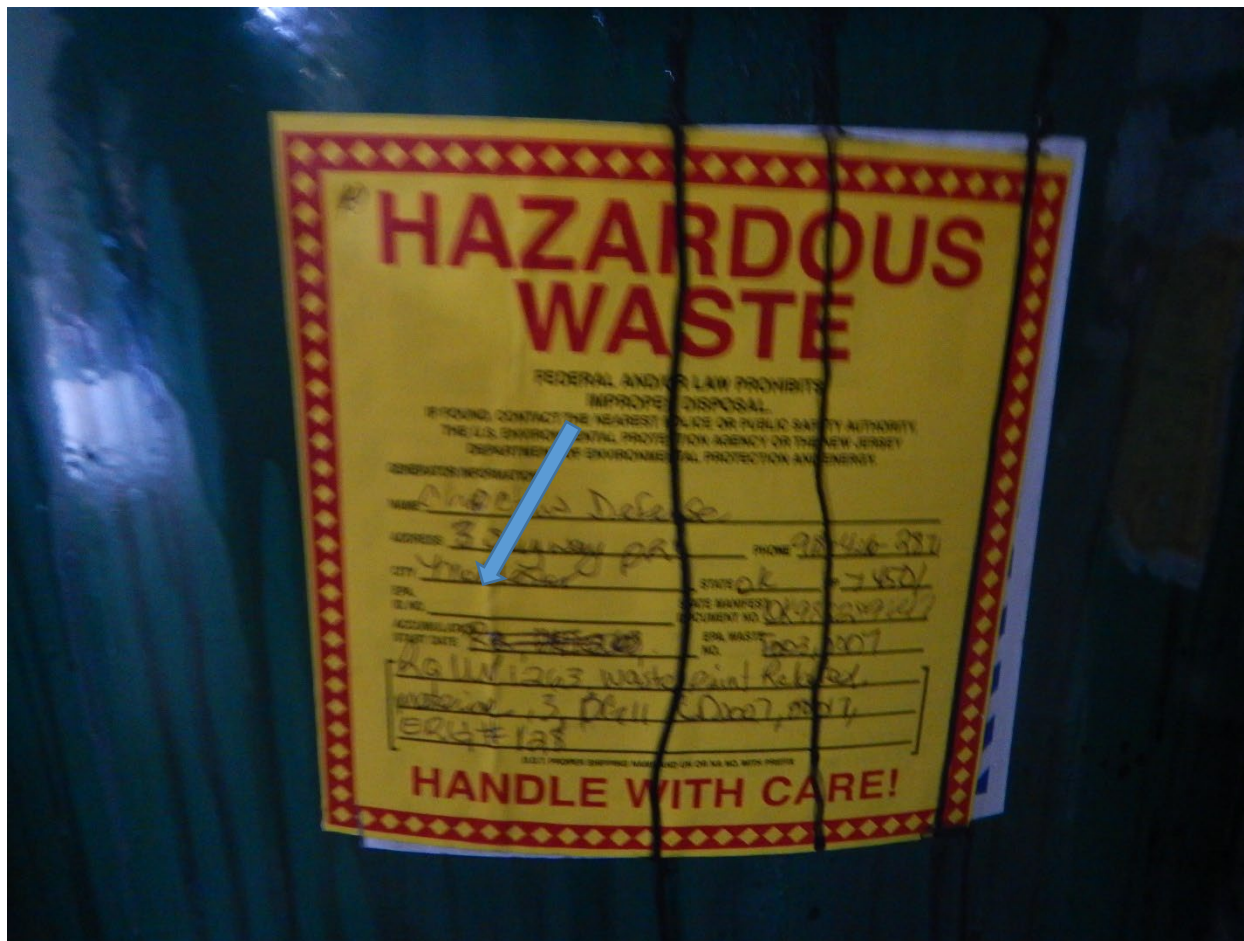
Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0746.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Label of paint waste drum #1 located at SAA inside Building 5. Note missing accumulation start date.	



Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 6

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0754.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Label of paint waste drum #3 located at SAA inside Building 5. Note missing accumulation start date.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 7

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0759.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Paint waste drum #4 and waste drum with spent solvent located at SAA inside Building 5.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Photograph Log

Photo No. 8

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma

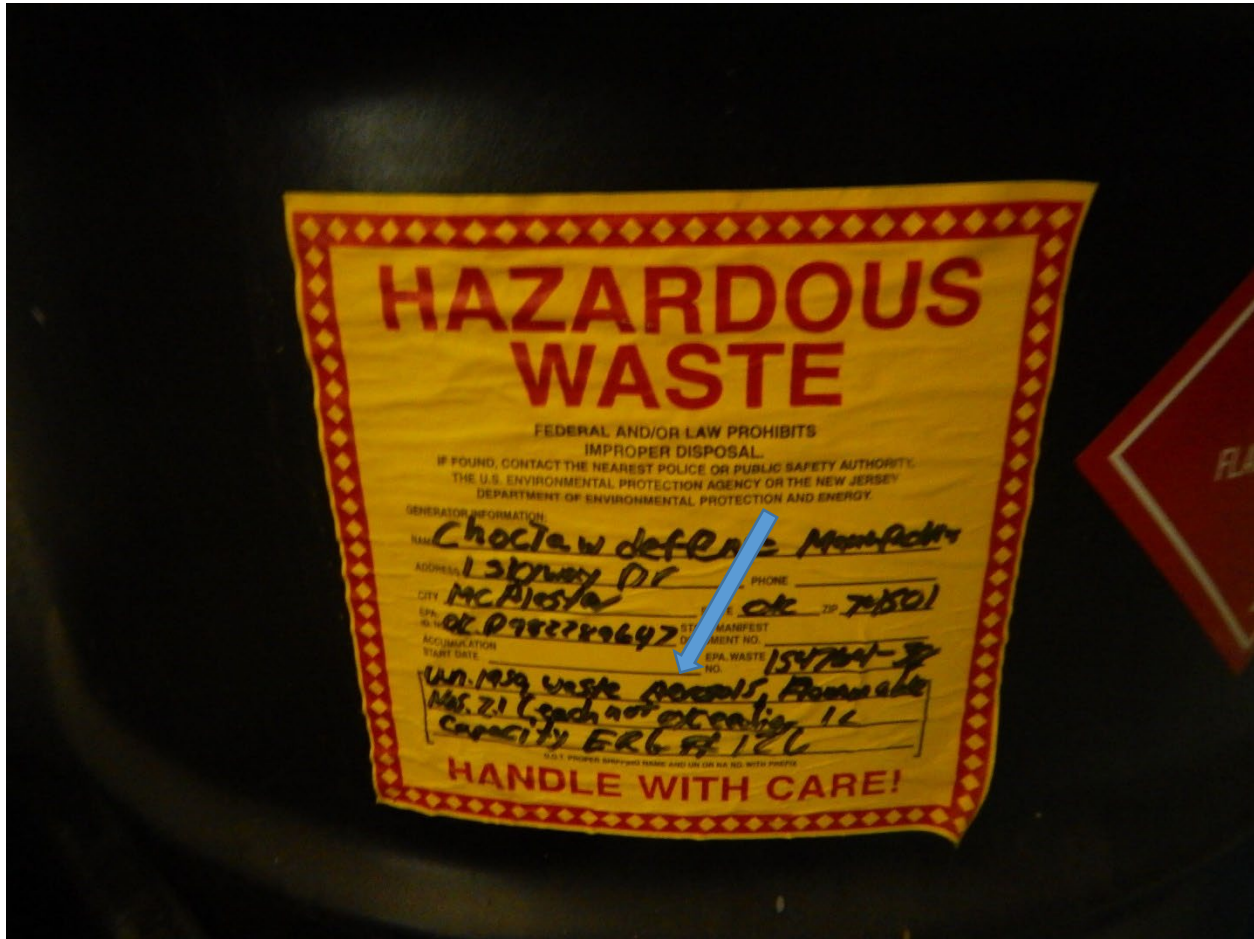


Photo #:	DSCN0760.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Label of spent solvent waste drum located at SAA inside Building 5. Note missing accumulation start date.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Photograph Log

Photo No. 9

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0761.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Label of paint waste drum #4 located at SAA inside Building 5. Note missing accumulation start date.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 10

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0769.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Overview of SAA inside Building 6	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 11

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0773.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Label of paint waste drum located at SAA inside Building 6. Note missing accumulation start date.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 12

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0774.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Close view of hazardous waste drum with open lid in SAA inside Building 6	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 13

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0775.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Front view of less than 90 days CAA in front of Building 6	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 14

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0777.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Two overpack drums and one 55 gallons drum with hazardous waste stored inside less than 90 days CAA	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 15

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0780.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Close up view of unknown waste stored in a bucket inside less than 90 days CAA.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 16

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0781.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Overview of Hex line with six tanks inside Building 6. Note last operational in July 2020.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 17

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0782.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Tank #1 (Aluminum Cleaner) label of hex line inside Building 6.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 18

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0783.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Close view, Tank #1 (Aluminum Cleaner) of hex line inside Building 6 with liquid. Note last operational in July 2020.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 19

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0785.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Close view, Tank #4 water rinse (Oakite deox) of hex line inside Building 6 with liquid. Note last operational in July 2020.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 20

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0793.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Close view, Tank #6 water rinse (TCP-HF) of hex line inside Building 6 with liquid. Note last operational in July 2020.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 21

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



Photo #:	DSCN0794.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Drum without label containing unknown waste located near baghouse outside Building 6.	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 22

Location: Choctaw Manufacturing and Defense Contractors, 1 Skyway Drive		
City: McAlester	County/Parish: Pittsburg	State: Oklahoma



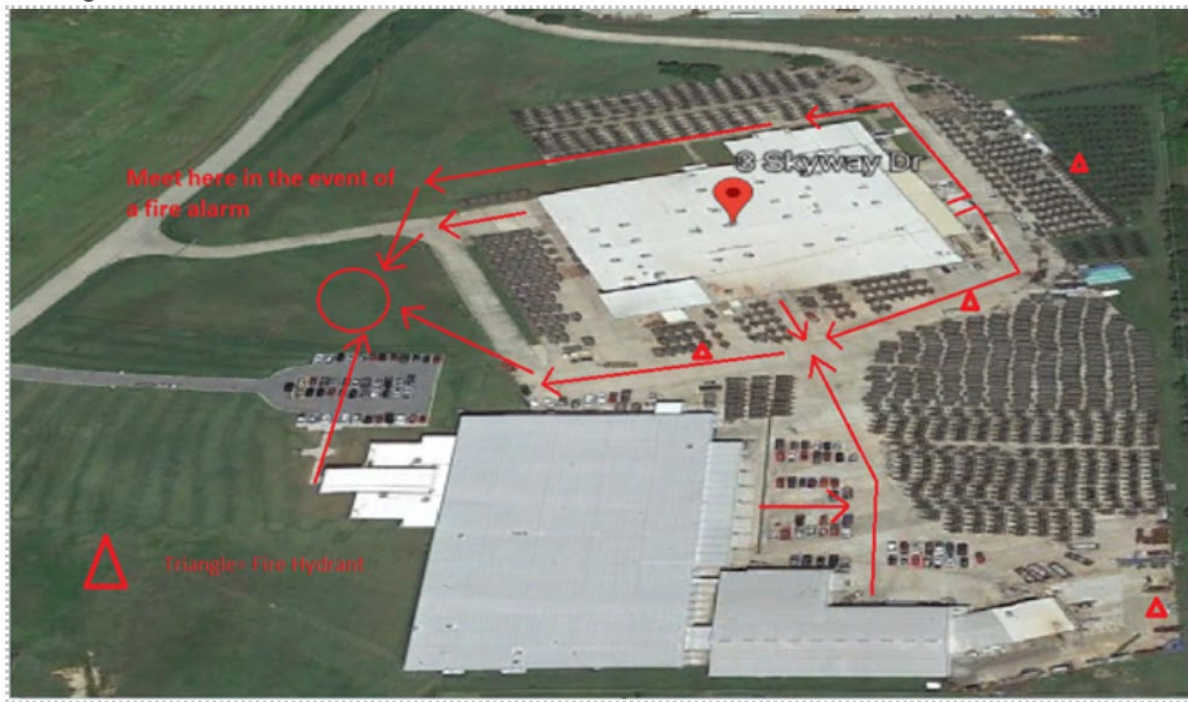
Photo #:	DSCN0797.JPG
Date:	8/8/2022
Camera:	Nikon COOLPIX AW120
Photographer:	Elizabeth Pham
Witness:	Angela Hays, Sandesh Thapa, Elizabeth Pham, John Penland
Description: Close view of unknown waste inside a drum near baghouse.	

Appendix 2

Facility Diagram

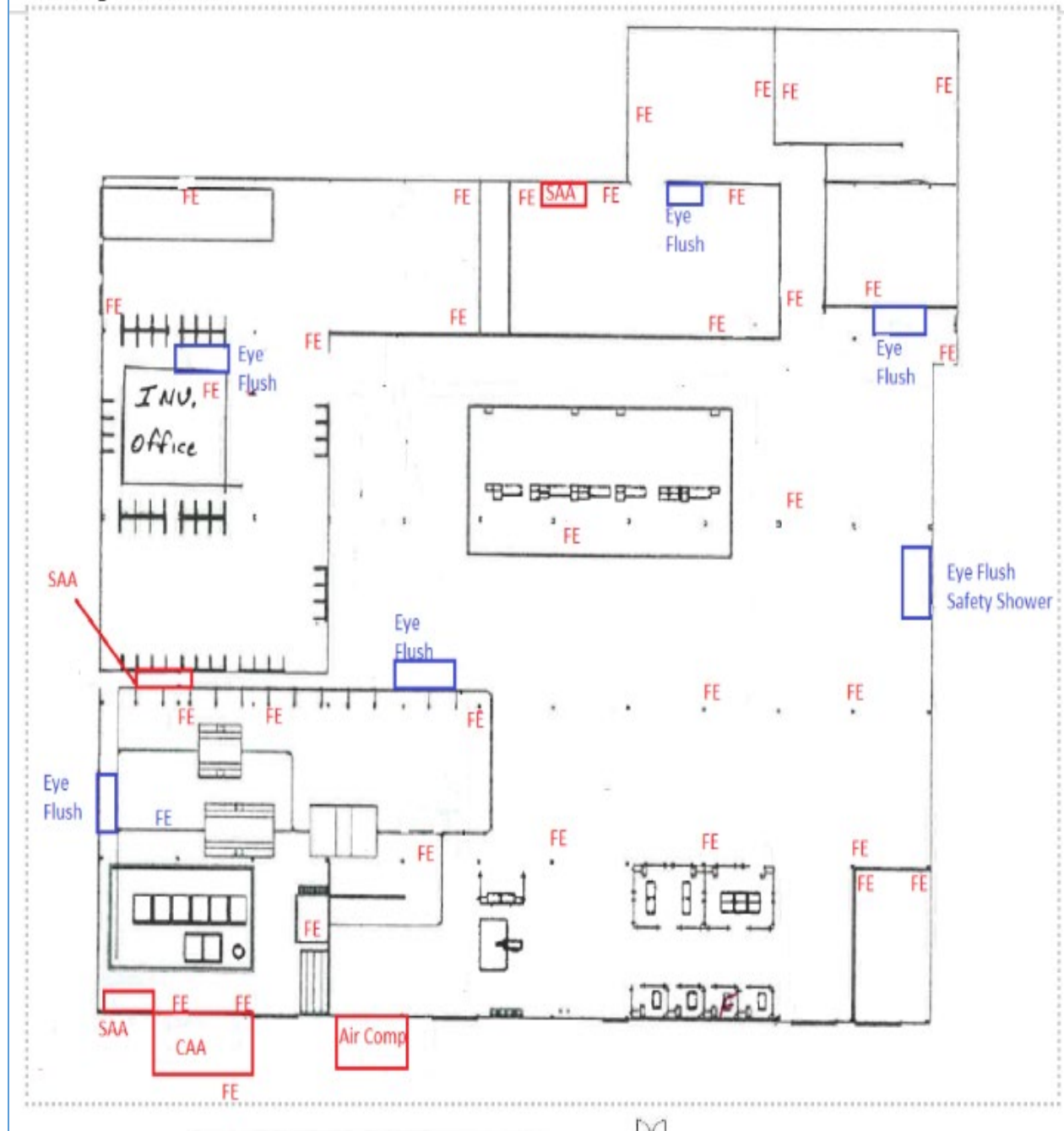


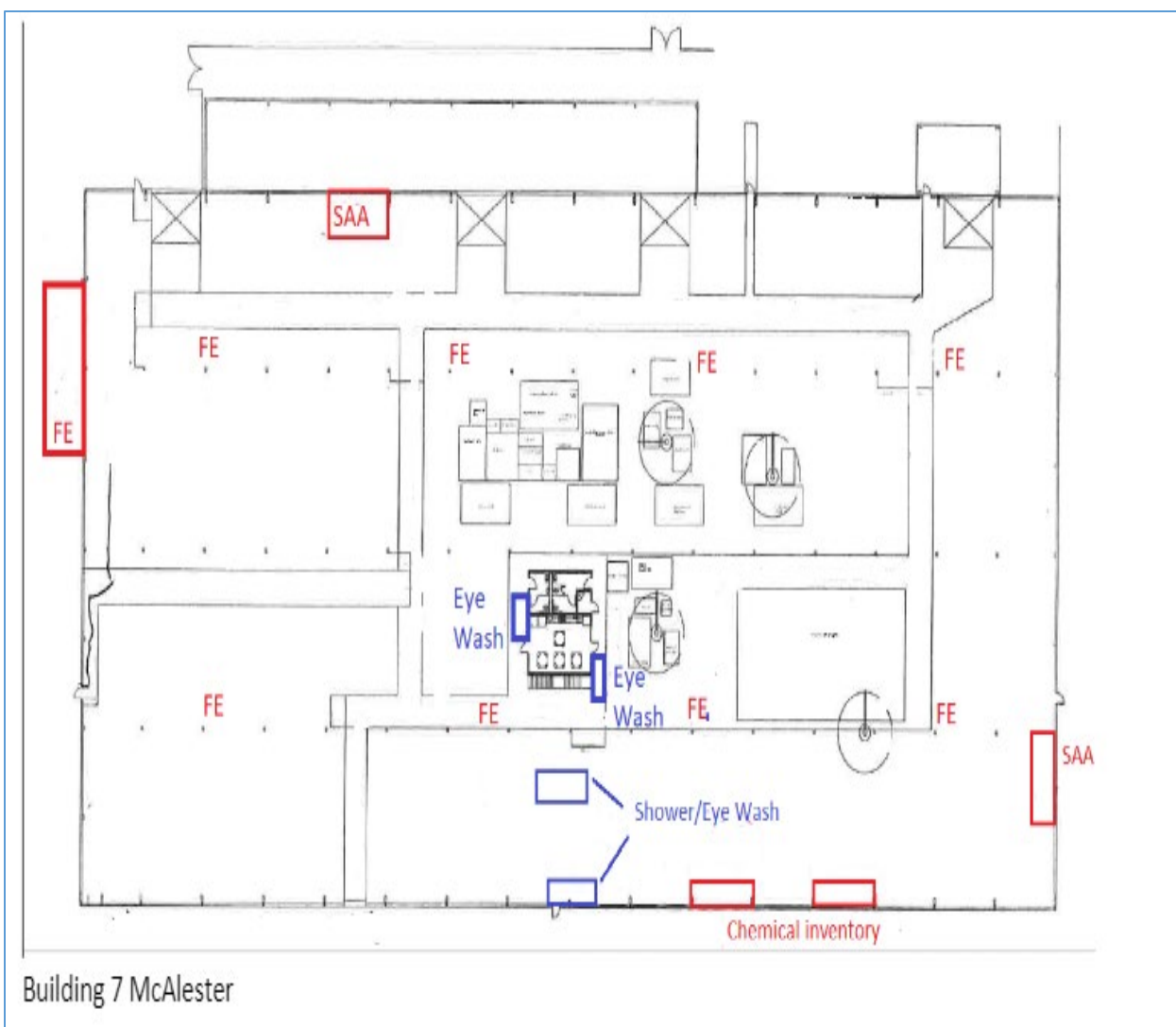
Building 5 McAlester



McAlester Complex

Building 6 McAlester

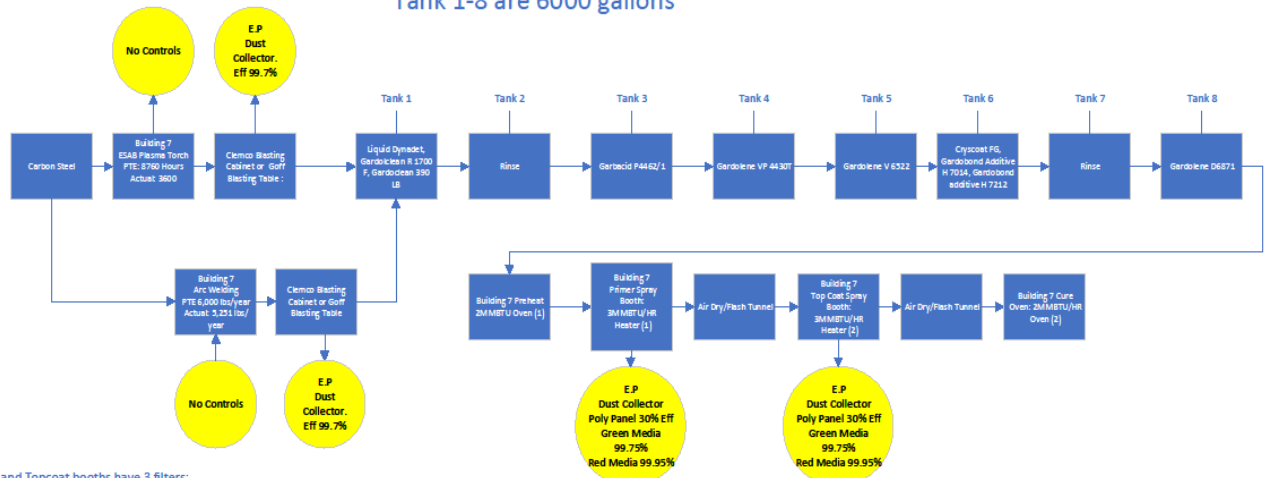




Appendix 3

Process Flow Diagram

Carbon steel parts are processed through zinc phosphate coating to prep for priming and top coat
Tank 1-8 are 6000 gallons



Primer and Topcoat booths have 3 filters:

- Poly Panel with a 30% efficiency,
- E.P. Green Media with an average removal efficiency of 99.75%
- E.P. Red Media with an average removal efficiency of 99.95%
- Black Poly, Tan Poly, Green Poly, Zinc Rich Primer, Catalyst-Zinc Primer White Primer are used in these booths

Clemco Blast Cabinet:

- "Zero RP" dust collector system that traps 99.7% of dust up to .5 microns,
- Additionally the cabinet has a initial fractional efficiency of 100% filter up to 10 microns. Filter is made of Merv 9 Cellulose Blend
- VBFA 46 Abrasive Media used in Clemco

Goff Blast Table:

- 1616 Dust Collector system
- Additionally the cabinet has Torit Ultra-Web Cartridge Filter made of Merv 13 filtration efficiency which is 99.9% efficient on .2-2 micrometers of dust.
- VBFA 46 Abrasive Media Used in Goff Blast Table

ESAB Plasma Torch: No Controls

Welding: No Controls

Zinc Phosphate Chemical line and Paint Line

Appendix 4

EPA Daily Summary E-mails

From: [Penland, John](#)
To: [Hays, Angela](#); [Thapa, Sandesh](#); mtsmith@choctawnation.com; [Pham, Elizabeth](#); [Kevin Martin](#)
Cc: [Yurk, Jeffrey](#)
Subject: Daily Summary for August 8, 2022 - RCRA CEI for Choctaw Defense Manufacturing (OKD982289647)
Date: Monday, August 8, 2022 10:59:10 PM
Attachments: [image001.png](#)
[cbi form RCRA 2-19-20.pdf](#)
[FY2022 Choctaw Defense Initial Document Request.pdf](#)

All,
here is a summary of my notes from today's inspection. If there are any errors or omissions please let me know.

Introduction

During the week of August 8, 2022, EPA inspectors will be conducting an unannounced inspection of the Choctaw Defense Manufacturing facilities located at 1 Skyway Drive in McAlester, Oklahoma and 203 Choctaw Industrial Drive in Hugo, Oklahoma for compliance with the Resource Conservation and Recovery Act (RCRA). This inspection is being conducted as part of the National Compliance Initiatives for air emissions from hazardous waste management and facilities located in Environment Justice communities. This inspection will include walkthroughs of the facility's waste generation and management units and a review of the facility records related to waste management

Inspection Attendees:

NAME	TITLE	REPRESENTING	PHONE	EMAIL
John Penland	Sr. Environmental Scientist – Lead Inspector	US EPA Region 6	214-665- 9717	Penland.john@epa.gov
Angela Hays	Sr. Environmental Scientist – Lead Inspector	US EPA Region 6	214-665- 2285	Hays.angela@epa.gov
Elizabeth Pham	Environmental Engineer – Asst. Inspector	US EPA Region 6	214-665- 8354	Pham.Elizabeth@epa.gov

Sandesh Thapa	Environmental Scientist – Asst. Inspector	US EPA Region 6	214-665-2265	Thapa.sandesh@epa.gov
Kevin Martin	Environmental Health and Safety Manager	Choctaw Defense Manufacturing	918-426-2871 x8124	kmartin@choctawdefense.com
Mark T. Smith, PG	Compliance Officer	Choctaw Nation of Oklahoma – Environmental Compliance	580-642-7506	mtsmith@choctawnation.com

Daily Summary

- Initial Entry to the facility – 10:05am
- Opening meeting start – 10:15am
 - I presented my credentials to Mr. Martin and informed him that we were there to conduct an inspection of the facility under the authority of section 3007 of the Resource Conservation and Recovery Act
 - We discussed the authority for the inspection – RCRA Section 3007 - For purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, or upon request of any duly designated officer, employee or representative of a State having an authorized hazardous waste program, furnish information relating to such wastes and permit such person at all reasonable times to have access to, and to copy all records relating to such wastes. For the purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, such officers, employees or representatives are authorized—
 - (1) to enter at reasonable times any establishment or other place where hazardous wastes are or have been generated, stored, treated, disposed of, or transported from;
 - (2) to inspect and obtain samples from any person of any such wastes and samples of any containers or labeling for such wastes.
 - We discussed the purpose of EPA’s inspection – Assessment of Choctaw Manufacturing’s compliance with its requirements under RCRA, including, but not limited to, the requirements for: waste determination and counting; waste marking; waste container management; use of the hazardous waste manifest; emergency planning; personnel training; and air pollution control requirements for hazardous waste units.

- Discussed the right of Choctaw Manufacturing's to assert a Confidential Business Information claim for records requested by EPA (see attachment)
- Discussed the process for transferring electronic records – EPA has set up a Microsoft OneDrive folder with access limited to the inspection participants and other designated Choctaw Manufacturing employees
 - One Drive Link: #####
- Discussed the inspection process – the inspection will be conducted during normal business hours (10:00am to 3:00pm) August 8-11, 2022. The participants will meet at the facility to conduct the onsite portion of the inspection and discuss the findings of the ongoing records review. The records review will be conducted by the inspectors independently offsite throughout the week. Daily summaries will be provided by the inspectors at the end of each day to ensure a clear communication of questions and findings. The meeting Thursday afternoon, August 11, 2022, will be reserved for a closing conference, where EPA will summarize the overall findings of the inspection to that point and provide a plan for concluding any unfinished evaluation.
- Presented the initial request for compliance records, including:
 - Hazardous waste notification form: 8700-12
 - A current Hazardous Waste Contingency Plan
 - Facility Maps
 - A facility process Diagram
 - Facility Waste Profiles
 - Any Hazardous Waste Manifests not previously uploaded to E-manifest
 - Any contract or agreement between the facility and any waste management company (TSDF)
 - Facility SOPs related to the generation or management of hazardous waste
 - RCRA Unit inspection records
 - CAA Title V and NSR permits for hazardous waste management units
- Meeting concluded at approximately 10:30am
- Facility Walkthrough
 - Beginning at approximately 10:45 am
 - Building 5
 - Observed the operations of the metal treating process and painting operations.
 - Requested a process flow diagram and operator walkthrough. Scheduled for August 9.
 - Waste accumulation drums for the painting area were staged on the South end of the building near the spray booth. At the time of this inspection, we found five, 55-gallon drums marked as hazardous waste in this accumulation area.
 - 2 full drums of spent solvent paint waste. Undated
 - 1 drum accumulating spent solvent paint waste. Funnel open. Undated
 - 1 drum aerosol cans, labeled hazardous. In December of 2019, EPA promulgated a final rule adding aerosol cans to the universal waste program.
 - 1 drum of solid paint waste. Drum open. Undated
 - Sandblasting – Facility uses aluminum oxide as sandblasting media for surface

preparation before painting. Most metal prep is for aluminum.

- Building 7 – Machine Shop
- Building 6 –
 - Out of service “Hex Line”, since 6/2020
 - Tank 1 – Aluminum Cleaner 61 B – 2 ft full – marked as pH 9-13 – tested pH = 9.98
 - Tank 2 – Water Rinse – 1.5 ft full
 - Tank 3 – Deoxidizer – Empty
 - Tank 4 – Rinse – 1.5 ft full
 - Tank 5 – Chemeon TCP-HF – Empty
 - Tank 6 – Water Rinse – 2 ft full
 - Out of service Pickle Line, since 5/2019
 - Tank 1 – Passivation 601 – 1.5 ft full
 - Tank 2 – Pickling 302 – 3 ft full
 - Tank 3 – Cleaner 401 – 3 ft full
 - Tank 4 – Rinse mixed acids – 4.5 ft full – pH7.4
 - Baghouse for Laser Cutter
 - No determination yet, but new unit so no generation
 - Nearby an open drum of unidentified material, no label
 - <90-day Central Accumulation Area
 - Gated and roofed enclosure used for the accumulation of hazardous waste containers
 - Inventory
 - Three, 55-gallon drum of paint waste dated 7-11-2022
 - One drum and 2 overpack drums of corrosive waste dated 6/22/22
- Departed Facility at approximately 3:00pm

Planned activities for August 9, 2022

- Walkthrough for metal treatment process
- Review of records request and identification of responsive records.
- Offsite review of Waste profiles

Small Business Information Resources: <https://www.epa.gov/resources-small-businesses>

John Penland

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(214)665-9717

From: [Penland, John](#)

To: [Hays, Angela](#); [Pham, Elizabeth](#); [Thapa, Sandesh](#); [Kevin Martin](#); mtsmith@choctawnation.com; tbaker@choctawnation.com

Subject: Daily Summary for August 9, 2022 - RCRA CEI for Choctaw Defense Manufacturing (OKD982289647)

Date: Wednesday, August 10, 2022 4:39:10 PM

All, here is a summary of my notes from the August 9 inspection day. If there are any errors or omissions please let me know.

Inspection Attendees:

NAME	TITLE	REPRESENTING	PHONE	EMAIL
John Penland	Sr. Environmental Scientist – Lead Inspector	US EPA Region 6	214-665-9717	Penland.john@epa.gov
Angela Hays	Sr. Environmental Scientist – Lead Inspector	US EPA Region 6	214-665-2285	Hays.angela@epa.gov
Elizabeth Pham	Environmental Engineer – Asst. Inspector	US EPA Region 6	214-665-8354	Pham.Elizabeth@epa.gov
Sandesh Thapa	Environmental Scientist – Asst. Inspector	US EPA Region 6	214-665-2265	Thapa.sandesh@epa.gov
Kevin Martin	Environmental Health and Safety Manager	Choctaw Defense Manufacturing	918-426-2871 x8124	kmartin@choctawdefense.com
Mark T. Smith, PG	Compliance Officer	Choctaw Nation of Oklahoma – Environmental Compliance	580-642-7506	mtsmith@choctawnation.com
Johnathon Shufeldt	Operations Manager – Hugo facility	Choctaw Defense Manufacturing		

Daily Summary

- Inspection start – 10:15am
 - Review of notes from August 8, 2022
- Review of Waste Profiles and manifests

- Requested copies of Profiles for:
 - Aluminum Cleaning Tank Waste
 - Chemeon TCP-HF/Deoxidizer LNC Waste
 - Zinc Waste Water
 - Spent Aresta Pickling Solution 302
 - Waste Aresta 401 Cleaner
 - Waste Aresta 601 Passivator
 - Dried Primer Paints
 - Acid Spill Cleanup Residues
 - Waste Paint and Thinners
 - Reviewed and requested copies of the Phosphate Coating Process
 - Reviewed a sample of the weekly <90-day inspections
 - Citations in the form need to be updated to reflect the revised generator rules
 - We are requesting these records for the 3 prior years
 - Contingency Plan
 - We are requesting this plan and its attachments for review
 - In addition we need to have a record of distribution for this plan
 - Training Records
 - We need to review the current training for Kevin Martin and Johnathon Shufeldt
 - Manifest Review
 - We reviewed manifest records for the McAlester facility and identified issues for Kevin Martin to follow-up
 - Waste Counting
 - Choctaw Defense generates waste at a variable rate and can fluctuate in its generator status. We discussed the creation of a log to count wastes and determine the facility's generator status on a monthly basis.
- Departed Facility at approximately 3:00pm

Planned activities for August 10, 2022

- Inspection of the Hugo Facility – Lead by Angela Hays

Planned activities for August 11, 2022

- Discussion of document submittal
- Training requirements
- Close Out meeting.

Small Business Information Resources: <https://www.epa.gov/resources-small-businesses>

From: [Penland, John](#)
To: [Kevin Martin](#); snichols@choctawdefense.com; mtsmith@choctawnation.com; [Pham, Elizabeth](#); [Hays, Angela](#); [Thapa, Sandesh](#)
Cc: [Yurk, Jeffrey](#)
Subject: Daily Summary for August 11, 2022 - RCRA CEI for Choctaw Defense Manufacturing (OKD982289647)
Date: Thursday, August 11, 2022 8:43:25 PM

All,
here is a summary of my notes from today's inspection. If there are any errors or omissions please let me know.

Inspection Attendees:

NAME	TITLE	REPRESENTING	PHONE	EMAIL
John Penland	Sr. Environmental Scientist – Lead Inspector	US EPA Region 6	214-665-9717	Penland.john@epa.gov
Angela Hays	Sr. Environmental Scientist – Lead Inspector	US EPA Region 6	214-665-2285	Hays.angela@epa.gov
Elizabeth Pham	Environmental Engineer – Asst. Inspector	US EPA Region 6	214-665-8354	Pham.Elizabeth@epa.gov
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Kevin Martin	Environmental Health and Safety Manager	Choctaw Defense Manufacturing	918-426-2871 x8124	kmartin@choctawdefense.com
Mark T. Smith, PG	Compliance Officer	Choctaw Nation of Oklahoma – Environmental Compliance	580-642-7506	mtsmith@choctawnation.com
Stephen Nichols	President	Choctaw Defense Manufacturing		

Daily Summary

- Inspection start – 10:19am
- Review of document submittal to date
- Sample collection for Waste determinations.
 - A Choctaw Defense contractor was collecting a sample of the Zinc Rinse Water from the Building 7 chem line for the purpose of making a waste determination.
 - This contractor was collecting a single grab sample using a 1000mL beaker. The representative sampling method specified in Appendix I of 40 CFR 261 is “COLIWASA”.
 - Choctaw Defense will need to demonstrate that its sample collection method is adequate for the purposes of collecting a representative sample of this waste.
- Training documentation review.
 - Based on Choctaw Defense Manufacturing’s declared status as a large quantity generator, the facility will need to comply with the requirements of 40 CFR 262.17(a)(7) Kevin Martin has provided records for training at the facility which will require additional review.
- Contingency Plan
 - The Contingency Plan for the facility is currently being revised.
 - I am still waiting for documentation showing that the facility has provided the previous contingency plan to the local emergency responders
- Unresolved Manifests Issue
 - Following our review of the facility’s manifests on Tuesday, August 9, 2022, we identified a selection of manifests which were incomplete or did not match their LDR notices.
 - All manifests issues were resolved with the exception of Manifest #001165903WAS which did not match its attached LDR form

Closing Conference

- Beginning at 1300
- Reiterated the purpose and authority of the inspection as described during the opening conference on August 8, 2022.
- Preliminary Areas of Concern
 - Undated containers of hazardous waste
 - On August 8, 2022, we identified 2 containers of hazardous waste which were present in the designated satellite area of building 7 near the paint line. These 2 containers were full but did were not marked with an accumulation start date.
 - Open containers of hazardous waste
 - On August 8, 2022, we identified 2 containers of hazardous waste which were open at the time of this inspection.
- Storage in-lieu of disposal
 - The Pickling Line in building 6 has been out of service since May 2019. The 4

tanks on this process line still contain material which is no longer in use but has not been disposed. See 40 CFR 261.2(b)(3)

- The Hex Line in building 6 has been out of service since June 2020. Four of the six tanks on this process line still contain material which is no longer in use but has not been disposed.
- Manifest/LDR discrepancy
 - The waste codes noted on Manifest #001165903WAS do not match the attached LDR form
- Contingency Plan
 - The hazardous waste contingency plan maintained by the facility has not completed its update despite changes in personnel and operations that have occurred since the plan was last revised in January 2020

The facility has not provided a record of distribution of the contingency plan
- SAA Excess accumulation
 - The Satellite Accumulation Rules of 40 CFR 262.15 limit total amount of hazardous waste in a SAA to 55 gallons.
 - On August 8, 2022, we identified 4 x 55 gallon containers (2 of which were full, the other 2 half full) of hazardous waste accumulated in the SAA in Building 7 near the Paint line.
- Representative Sampling for Waste Determination
 - Samples collected for the purpose of waste determination under 40 CFR 262.11 must be representative of the waste being sampled. See 40 CFR 260.10 for the definition of representative sample.
- Failure to make a waste determination
 - One container of an unknown material was identified near the baghouse of Building 6. See 40 CFR 262.11
- Weekly Inspection Records
 - Both Large and Small Quantity Generators of Hazardous Waste are required to conduct weekly inspections of hazardous waste containers. See 40 CFR 262.17(a)(1)(v)
 - A cursory review of the records provided by Choctaw Manufacturing show missing records of weekly inspections.
 - Additional review will be necessary to identify specific missing dates.
- Facility Training
 - Personnel Training for Large Quantity Generators of Hazardous Waste require a program that meets the requirements of 40 CFR 262.17(a)(7)
 - Initial assessment of the training records provided by the facility and our interviews with facility personnel indicate that Choctaw Defense Manufacturing does not fully meet these standards
 - A more complete assessment of the records provided by the facility will be required to fully evaluate the facility's level of compliance.

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