

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

AMERICAN PACKAGING CORPORATION

103 W. Broad Street
Story City, Iowa 50248
515-733-1441

EPA ID Number: IAR000005710

On

May 24, 2022

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 (ECAD/CB/RCRA) 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 American Packaging Corporation (APC) at 103 W. Broad Street in Story City, 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 requirements, used oil management, and universal waste requirements, as applicable. This report and its attachments present the results of the CEI.

PARTICIPANTS

APC:

Colin Hageman, Environmental, Health and Safety Manager
Andrew Reeder, Manufacturing Manager
David Fisher, Maintenance Engineer
Kurt Bauer, Ink Lead

Toeroek Team:

Clifford Nelles, Inspector, 816-213-5192

INSPECTION PROCEDURES

Prior to the CEI at APC on March 24, 2022, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by. At approximately 0755 hours, I entered the office and informed the receptionist that I was there to conduct a CEI. The receptionist contacted Mr. Reeder, who arrived with Messrs. Fisher and Hageman approximately 10 minutes later. I introduced myself and explained that I was there to conduct a hazardous waste CEI at APC. We then went to a conference room where I conducted an entry briefing with Messrs. Reeder, Fisher, and Hageman.

During the entry briefing, I presented my business card and EPA credentials to Messrs. Reeder, Fisher, and Hageman. I explained the scope and procedures for the CEI. I explained the facility's right to make confidentiality claims for any or all the information obtained and provided a Notice Regarding Proprietary/Confidential Business Information. I stated that at the conclusion of the CEI, Mr. Hageman 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 Messrs. Reeder, Fisher, and Hageman 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, both of which they read.

A copy of each of the following documents was left with Mr. Hageman during the inspection:

- RCRA Facility Access Information Sheet
- Mr. Trevor Urban's business card
- 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
- E-Manifest Fact Sheet: Generators
- Managing your Hazardous Waste: A Guide for Small Businesses
- U.S. EPA Small Business Resources Information Sheet
- Industry Sector Notebooks
- Environmental Compliance Assistance Centers
- Solvent-Contaminated Wipes Final Rule Summary Chart
- IDNR Excluded Solvent-Contaminated Wipes Rule: Management Practices for Wipes, Rags, and Shop Towels
- Recycling Electronics: A Guide for Businesses
- Lead-Based Paint Activities: Handling and Disposal
- Battery Recycling/Disposal
- Management of Fluorescent Lamps for Businesses
- Incompatible Chemicals
- Universal Wastes – Including Aerosol Cans
- TCLP – Toxicity Characteristic Leaching Procedure
- RCRA Online: A Quick Reference Guide
- Part 279 Requirements: Used Oil Management Standards

- EPA Region 7 Emergency Response Program
- Commercial Motor Vehicle Transportation System Security and Safety
- Security Awareness
- Chemical Facility Anti-Terrorism Standards

I reviewed the Hazardous Waste Site Info Verification Report (Verification Report) with Mr. Hageman (Attachment 1). Based on this review, I updated the Site Contact information to reflect Mr. Hageman as the site contact. I added the D002 hazardous waste code to the Hazardous Wastes Handled section of the report and deleted the D007 hazardous waste code. I also added small quantity handler (SQH) of universal waste and used oil generator to the Types of Regulated Activities section of the Verification Report.

I conducted the visual inspection of the facility, accompanied by Messrs. Reeder, Fisher, and Hageman. Following the visual inspection, I reviewed facility records including hazardous waste manifests with land disposal restriction (LDR) notifications, Safety Data Sheets (SDS), contingency plan, and training documentation. Facility information gathered during the CEI is documented on the Data Gathering Worksheets and Checklists (Attachment 2).

At the conclusion of the CEI, I conducted an exit briefing with Messrs. Reeder, Fisher, and Hageman. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. Hageman signed, acknowledging receipt (Attachment 3). I provided Mr. Hageman the Notice, which he signed indicating no confidential business information had been provided (Attachment 4). I also provided Mr. Hageman a Notice of Preliminary Findings (NOPF), which he signed to acknowledge receipt (Attachment 5).

Maps of the facility obtained during the CEI are included in Attachment 6, and a Google Earth aerial photograph of the facility is included as Attachment 7. The 31 photographs taken during the CEI are included in Attachment 8. Of these, Photographs 18, 20, and 26 are not used in the report.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

According to Mr. Hageman, the facility manufactures flexographic printed roll stock and preformed bags for food products. Major raw materials used by the facility include polypropylene, polyethylene, polyester, inks, solvents, and adhesives. Both water-based and solvent-based inks are used during manufacture of the flexographic printed roll stock and preformed bags. The facility primarily uses solvent-based inks during printing processes. Operations at the facility consist of printing and laminating packaging.

The facility began operations at this location in July 1985. Mr. Reeder stated that the facility runs two 12-hour manufacturing shifts (7:00 a.m. to 7:00 p.m. and 7:00 p.m. to 7:00 a.m.), 7 days per week. The facility consists of a rectangular-shaped building of approximately 200,000 square feet under roof. APC currently employs approximately 330 full-time employees. APC's primary

North American Industrial Classification System (NAICS) code is 323111 [Commercial Gravure Printing].

Printing at the facility includes two processes. Most printing occurs by use of solvent-based inks on seven printing lines. Printing presses are cleaned by flushing the equipment with solvents after each printing process to remove excess ink. Currently, the facility uses a solvent blend with a flashpoint of 65°F and n-propyl alcohol with a flashpoint of 73°F. Copies of the SDS for Hydrite Blend 4546 and N-Propyl Alcohol are included as Attachments 9 and 10. Copies of the SDS for two of the most popular inks, INNOVA White RE-3, and GRAVURE MATTE OPV SC50 RE-1 are included as Attachments 11 and 12. This flushing procedure generates a solvent and ink waste, identified as “turbo flush” (TF), which is accumulated in 55-gallon satellite accumulation containers (SAC) and then hard-piped to a closed-loop distillation system for recycling. The facility considers waste TF solvent to be a hazardous secondary material (HSM) exempt from the definition of solid waste per requirements of Title 40 *Code of Federal Regulations* (40 CFR) 261.4(a)(23). Recycled TF solvent is reused for printing press cleaning.

APC generates still bottoms from distillation of TF, waste adhesive, ink waste, solid ink waste (consisting of dried ink scrapings), waste ink rags, plastic ink liners, and waste caustic wash solution used for parts cleaning. The facility considers these wastes to be hazardous based on product and process knowledge.

The facility also conducts a photographic printing process. A high-flash (161°F) petroleum distillate solvent is used to clean the printing equipment. The used photographic printing solvent is reclaimed at the facility in a closed-loop distillation system. The facility considers the used photograph printing solvent and the still bottoms from reclaiming this solvent to be nonhazardous based on product and process knowledge.

Facility and equipment maintenance activities generate used oil, waste lamps, waste batteries, waste aerosol cans, used parts washer solvent, and general trash. Used oil is managed according to 40 CFR Part 279. The facility manages waste lamps and waste batteries as universal wastes according to 40 CFR Part 273. Waste aerosol cans are considered to be hazardous based on product and process knowledge. The facility considers used parts washer solvent and general trash to be nonhazardous based on product and process knowledge.

APC was previously inspected by an EPA contractor, Toeroek Associates, on April 12, 2017, with the following preliminary findings:

- Failure to close an SAC when not actively adding or removing waste.
- Failure to maintain adequate aisle space in a hazardous waste central accumulation area (HWCAA).
- Failure to mark or to visibly mark containers in the HWCAA with an accumulation start date.
- Failure to label hazardous waste accumulation containers (HWAC) in the still room HWCAA with the words “hazardous waste”.
- Failure to make a hazardous waste determination on solvent-contaminated wipes.
- Failure to label universal waste lamps storage containers with the words “universal waste-lamps” or “waste lamps” or “used lamps”.

- Failure to inspect an HWCAA on a weekly basis.

Three preliminary findings (failure to keep SACs closed, failure to visibly mark HWACs with an accumulation start date, and failure to label universal waste lamps storage containers with the words “universal waste lamps” or “waste lamps” or “used lamps”) were repeated during this CEI.

2. RCRA Status

APC is 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 reviewed hazardous waste manifests generated over the last three years as well as the 2021 Biennial Report (Attachment 13). I also reviewed the facility’s hazardous waste log used to track quantities of wastes shipped (Attachment 14). Based on the 2022 waste log, the facility generated the following range of still bottoms per month in 2022: 23,500 kg in January, 27,750 kg in February, 12,500 kg in March, 23,250 kg in April, and 11,000 kg in May (Attachment 14, Page 4). Based on the generation rate of still bottoms alone, I concluded that APC is currently operating as a LQG of hazardous waste. APC is also a SQH of universal waste (accumulating less than 5,000 kg of universal waste at any time) and a generator of used oil.

The Verification Report also identified APC as a generator and on-site reclaimer of 546 tons of HSM per year. The 2021 Biennial Report listed the actual weight of HSM managed in 2021 as 951 tons (Attachment 13, Page 7).

The facility operates one less-than-90-day HWCAA located in the Ink Room.

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 conversations with Mr. Hageman, the visual inspection, and my review of waste shipping documents. Messrs. Reeder, Fisher, and Hageman accompanied me throughout the CEI.

Still bottoms are generated from distillation of TF. The distillation system has a capacity of 300 gallons per run and an approximately 86% efficiency rate, with three runs per day. The facility considers the waste to be hazardous (D001, F003) based on product and process knowledge. Copies of the SDS for TF solvents and two of the most popular inks are in Attachments 9 through 12. Based on the 2022 waste log, the facility generated the following range of still bottoms per month in 2022: 23,500 kg in January, 27,750 kg in February, 12,500 kg in March, 23,250 kg in April, and 11,000 kg in May (Attachment 14, Page 4). Still bottoms are accumulated in 55-gallon HWACs upon generation. The waste is transported by Eway Transit to Green America Recycling in Hannibal, Missouri, for energy recovery as part of a consolidated waste stream (waste flammable liquid) that includes still bottoms, solid ink waste, and adhesive waste (Attachment 15, Pages 2 and 3).

During the CEI, I observed 54 full 55-gallon HWACs in the Ink Room HWCAA that held still bottoms, solid ink waste, or adhesive waste (Attachment 8, Photographs 7 through 13). All HWACs were structurally sound, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard (flammable liquid), and marked with an accumulation start date. The earliest accumulation start date was May 17, 2022.

Solid ink waste consists of dried ink scraped off printing equipment, used PPE, and other ink wastes. The facility considers this waste to be hazardous (D001, F003) based on product and process knowledge. Based on the 2021 waste log (Attachment 14, page 3), the facility generates approximately 1,879 pounds (854 kg) of solid ink waste per month. The waste is accumulated in SACs and full SACs are transferred to the HWCAA. Solid ink waste is transported by Eway Transit to Green America Recycling in Hannibal, Missouri, for energy recovery as part of a consolidated waste stream (waste flammable liquid) that includes still bottoms, solid ink waste, and adhesive waste (Attachment 15, Pages 2 and 3).

During the CEI, I observed a 55-gallon SAC of solid ink waste at area WH-3 (Attachment 8, Photograph 28). The SAC was under the control of the operator, near the point of generation, labeled with the words “hazardous waste,” labeled with an indication of the nature of the hazard (flammable liquid), and held approximately 15 gallons of waste. However, the lid on the funnel was not completely closed. I determined the facility had failed to keep a SAC closed when not actively adding waste or temporarily venting, as required by 40 CFR 262.15(a)(4) (NOPF No. 2). I offered compliance assistance on the management of SAC.

I observed 54 full 55-gallon HWACs in the Ink Room HWCAA that held still bottoms, solid ink waste, or adhesive waste (Attachment 8, Photographs 7 through 13). All HWACs were structurally sound, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard (flammable liquid), and marked with an accumulation start date. The earliest accumulation start date was May 17, 2022.

Waste adhesive consists of mixed of turbo wash solvent and adhesive, solvent and adhesive-laden rags used to clean laminating equipment, and other adhesive-containing wastes. The facility considers this waste to be hazardous (D001, F003) based on product and process knowledge. Copies of the SDS for solvents used in this area—HYDRITE DUPLICATING FLUID 5 and ETHYL ACETATE 99.5% URETHANE GRADE are included as Attachments 16 and 17. Based on the 2021 waste log (Attachment 14, page 3) the facility generates approximately 33,833 pounds (15,379 kg) of waste adhesive per month. The waste is transported by Eway Transit to Green America Recycling in Hannibal, Missouri, for energy recovery as part of a consolidated waste stream (waste flammable liquid) that includes still bottoms, solid ink waste, and adhesive waste (Attachment 15, Pages 2 and 3).

During the CEI, I observed 55-gallon adhesive waste SACs in the Wash Room and areas WH-2, LAM-2, LAM-3, and LAM-4 (Attachment 8, Photographs 1-2, 27, and 29-31). The SACs were under the control of the operator, near the point of generation, labeled with the words “hazardous waste” and an indication of the nature of the hazard (flammable liquid), and held approximately 15 to 25 gallons of waste each. However, the lids on the SACs were not completely closed. The lids were used improperly as they could not be closed and latched to prevent volatilization or

spillage in case of the container being disturbed. I determined the facility had failed to keep SACs closed when not actively adding waste or temporarily venting, as required by 40 CFR 262.15(a)(4) (**NOPI No. 2**). I offered compliance assistance on the management of SAC. I informed Mr. Hageman that the lids on the containers have to have the ability to be securely closed and latched.

I observed 54 full 55-gallon HWACs in the Ink Room HWCAA that held still bottoms, solid ink waste, or adhesive waste (Attachment 8, Photographs 7 through 13). All HWACs were structurally sound, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard (flammable liquid), and marked with an accumulation start date. The earliest accumulation start date was May 17, 2022.

Ink waste is generated at the printing presses during the cleaning of the presses. The facility considers this waste to be hazardous (D001, F003) based on product and process knowledge. The waste ink is accumulated in 55-gallon SACs and full SACs are transferred to the HWCAA. Based on the 2021 Biennial Report (Attachment 13, Page 13), the facility generates approximately 3,227 pounds (1,467 kg) of ink waste per month. The waste is collected by Hydrite Chemical and transported to Tradebe Treatment in East Chicago, Indiana, for fuel blending.

During the CEI, I observed a 55-gallon SAC of ink waste at area WH-1 (Attachment 8, Photograph 25). The SAC was under the control of the operator, near the point of generation, labeled with the words “hazardous waste” and an indication of the nature of the hazard (flammable liquid), held approximately 5 gallons of waste, and was closed.

Waste ink rags are generated from cleaning printing equipment by use of rags and TF solvent. The facility considers the waste ink rags to be hazardous (D001, F003) by product and process knowledge. Based on the 2021 Biennial Report (Attachment 13, page 9), the facility generates approximately 34 pounds (15.3 kg) of waste ink rags per month. The waste is transported by Hydrite Chemical to Tradebe Treatment in East Chicago, IN. for solvent recovery. I asked Mr. Hageman if the facility had considered utilizing the solvent-contaminated rags exemption. He stated that it was easier to manage waste ink rags as hazardous waste. I did not observe waste ink rags in accumulation during the CEI.

Waste aerosol cans are generated from touchup painting and facility maintenance. The facility considers waste aerosol cans to be hazardous (D001) based on product and process knowledge. Because some of the waste aerosol cans are not RCRA empty, the facility conservatively manages all waste aerosol cans as hazardous waste. Based on the Biennial Report (Attachment 13, page 8), the facility generates approximately 28 pounds (12.57 kg) of waste aerosol cans per month. Waste aerosol cans are accumulated in an SAC, and full SACs are transferred to a HWCAA. The waste is collected by Hydrite Chemical and transported to either Tradebe Treatment in East Chicago, Indiana, or Tradebe Treatment in Milwaukee, Wisconsin, for fuel blending.

During the CEI, I observed a 55-gallon SAC of waste aerosol cans in the Ink Room HWCAA (Attachment 8, Photograph 6). The SAC was structurally sound, under control of the operator,

near the point of generation, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard (flammable liquid), and held approximately 5 gallons of waste aerosol cans. I noted no deficiencies regarding waste aerosol cans during the CEI.

Waste plastic ink liners are generated during the cleaning of the ink presses. The facility considers the plastic ink liners to be hazardous (D001) based on product and process knowledge. Based on the Biennial Report (Attachment 13, page 10) the facility generates approximately 1,215 pounds (525.4 kg) of waste plastic ink liners per month. The waste is transported by Hydrite Chemical to WRR Environmental Services in Eau Claire, Wisconsin, Tradebe Treatment in East Chicago, Indiana, or Tradebe Treatment in Milwaukee, Wisconsin, for fuel blending. I did not observe waste plastic ink liners in accumulation during the CEI.

Waste photographic printing solvent and still bottoms are generated when the facility cleans photographic printing equipment. The facility considers waste photographic printing solvent to be nonhazardous based on product and process knowledge. Copies of the SDS for UNIVAR BLEND IMAGSOLV R1 and FW UV AQUA CLEANER LVP used for cleaning are included as Attachments 18 and 19. The solvent is reclaimed in a closed loop distillation unit in the distillation room, and the resulting still bottoms are also considered to be nonhazardous based on product and process knowledge (Attachment 8, Photograph 5). Mr. Reeder stated that the distillery unit has a capacity of 165 gallons and a 94% efficiency rating with six runs per day. Based on Mr. Reeder’s statements, I calculated a generation rate of approximately 29,700 gallons of waste printing solvent per month and approximately 1,800 gallons of distillation bottoms per month. The distillation bottoms are collected by Waste Management and transported to Metro Park East Landfill in Mitchellville, Iowa, for disposal.

During the CEI, I observed the photographic printing solvent distillation unit (Attachment 8, Photograph 5). The two 55-gallon containers at the bottom of the distillation unit held nonhazardous still bottoms. Because the system is a closed-loop system, I did not observe any containers of waste photographic printing solvent.

Caustic wash is generated through the cleaning of parts. The facility considers the caustic wash to be hazardous (D002) based on product and process knowledge. Copies of the SDS for the cleaners used—PS 13420, PICO Defoam 5-149-01 and FW KE Cleaner L-1567 are included as Attachments 20, 21, and 22. Based on the 2022 waste log (Attachment 14, page 4), the facility generates approximately 1,560 gallons of caustic wash per month. The caustic wash is collected by Hydrite Chemical and transported to Tradebe Treatment in East Chicago, Indiana, for fuel blending.

During the CEI, I observed a 250-gallon SAC for caustic wash in the Wash Room (Attachment 8, Photographs 3 and 4). The 250-gallon container was under the control of the operator, near the point of generation, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard (flammable liquid, caustic), and is empty. I informed Mr. Hageman that when an SAC exceeds 55 gallons of hazardous waste, the SAC must be managed as a HWAC if the waste in excess of 55 gallons is not removed in 3 days. Mr. Hageman explains that it takes approximately 3 days to fill the 250-gallon container, and that it is moved to a HWCAA at that time.

Waste lamps are generated during replacement of spent fluorescent lamps. The facility manages waste lamps as universal waste according to 40 CFR Part 273. I estimated the facility generates approximately 100 waste lamps per month. Waste lamps are accumulated in universal waste lamps (UWL) accumulation containers and are collected by A-Tec Recycling in Des Moines, Iowa, for recycling.

During the CEI, I observed three UWL accumulation containers in the maintenance shop (Attachment 8, Photographs 14, 15, and 22). The UWL accumulation containers were structurally sound, closed, and held approximately 100 waste lamps each. However, the UWL accumulation containers were not labeled with the words “universal waste lamps,” or “waste lamps,” or “used lamps,” as required by 40 CFR 273.14(e) (**NOPF No. 5**).

Only one of the three UWL accumulation containers was marked with an accumulation date, and that date was December 7, 2017. I asked Mr. Hageman how long the UWL had been accumulating. He stated that the containers have been there since April 8, 2022. I asked Mr. Hageman about the date of December 7, 2017, and he stated that the container has been reused and personnel forgot to remove the old date. The other two UWL accumulation containers were undated. I determined the facility failed to date or track UWL accumulation times, as required by 40 CFR 273.15(c) (**NOPF No. 4**).

I provided compliance assistance regarding management of UWL. During the CEI, employees of APC affixed labels with dates to the three UWL accumulation containers (Attachment 8, Photographs 19, 21, and 23).

Waste batteries are generated during replacement of used batteries in facility equipment. The facility manages all waste batteries as universal waste batteries (UWB) according to 40 CFR Part 273. I estimated the facility generates approximately 15 waste batteries per month. Waste batteries are collected by A-Tec Recycling in Des Moines, Iowa, for recycling.

During the CEI, I observed a 5-gallon UWB accumulation container in the maintenance shop (Attachment 8, Photograph 16). The UWB accumulation container was labeled with the words “universal waste batteries,” held approximately 35 alkaline and nickel-cadmium (Ni-Cd) batteries, and dated April 8, 2022.

Used parts washing solvent is generated when Safety-Kleen services the parts washer in the maintenance shop. The facility considers this waste to be nonhazardous based on product and process knowledge. A copy of the SDS for Safety-Kleen Premium Solvent is included as Attachment 23. The facility generates approximately 20 gallons of used parts washing solvent every 3 months. The waste is collected by Safety-Kleen of Des Moines, Iowa for recycling. I observed the parts washer unit in the maintenance shop during the CEI and noted no deficiencies.

Used oil is generated during infrequent maintenance of facility hydraulic equipment. The facility manages used oil under provisions of 450 CFR Part 279. Based on my review of shipping documents, I estimated the facility generates approximately 55 gallons of used oil per year. Used

oil is collected by Safety-Kleen of Des Moines, Iowa and transported to Clean Harbors Environmental Services in Kimball, Nebraska for recycling.

During the CEI I observed a 55-gallon used oil storage container (Attachment 8, Photograph 17). The container appeared to be in good condition with no apparent leaks or damage and was labeled with the words “used oil.” I did not note the volume of used oil within the used oil storage container.

General trash consists of nonhazardous production wastes, packaging wastes, and general office-type refuse. The facility considers general trash to be nonhazardous based on product and process knowledge. The waste is accumulated in various containers throughout the facility. General trash is collected by Waste Management and transported to Metro Park East Landfill in Mitchellville, Iowa, for disposal. I did not observe any deficiencies related to general trash.

4. Required Response Equipment and Hazard Management

Per 40 CFR 262.15(a)(8) and 262.17(a)(6), a LQG must operate to minimize the possibility of a fire, explosion, or spill, and must maintain emergency response equipment. During the visual inspection, I observed spill response equipment comprised of mats, absorbent materials, shovels, and brooms, as well as the presence and availability of fire extinguishers. I determined that the spill and fire response equipment was adequate for the hazardous wastes generated and accumulated at the facility.

5. Container Accumulation Areas

APC maintains one hazardous waste container accumulation area (HWCAA) in the Ink Room. At the Ink Room I was introduced to Mr. Bauer. I presented Mr. Bauer with a copy of U.S.C. 1001/1002, which he read. I asked Mr. Bauer about his duties in the Ink Room. Mr. Bauer stated that he is the Ink Lead, and part of his duties included monitoring the contents of the HWCAA in the Ink Room.

I observed three HWACs of waste laminated adhesives, one waste plastic ink liners, one still bottoms, one solid ink waste, and 48 liquid ink waste in the Ink Room HWCAA (Attachment 8, Photographs 7 through 13). All HWACs were structurally sound, closed, labeled with the words “hazardous waste,” labeled with an indication of the nature of the hazard (flammable liquid), and marked with accumulation start dates ranging from May 17, 2022 to May 24, 2022. The HWACs in the Ink Room HWCAA were tightly packed and stacked three-high. However, since the HWCAA is inspected daily, all of the HWACs are palletized, and Mr. Bauer has immediate access to a fork truck to perform his inspection and management duties, I concluded during the inspection that the aisle space was adequate, subject to further review by EPA. However, some of the labels on the HWACs were not turned outward to allow inspection of the accumulation start dates. I concluded that the facility had failed to mark containers with a start date that is clearly observable for inspection as required by 40 CFR 262.14(a)(5)(i)(c) (**NOF No. 3**).

According to Mr. Bauer, the HWCAA is inspected daily and a log is maintained. I reviewed three years of inspection logs and noted no missed inspections or concerns. A copy of the inspection log for the week of May 23, 2022, is included as Attachment 24. I also inspected the

HWCAA for emergency equipment and observed sprinklers, spill kits, fire extinguishers. I asked Mr. Bauer how he would summon emergency assistance if needed. He stated that the nearest telephone was approximately 75 feet away and in a separate room. It appears that the facility does not have the capability of readily summoning emergency assistance as required by 40 CFR 262.17(a)(6) referencing 262.252(b) (**NOPF No. 6**). I provided compliance assistance regarding management of hazardous waste in a HWCAA.

6. Manifests and Biennial Report

APC generated manifests for 184 hazardous waste shipments from May 24, 2019, to May 24, 2022. During the CEI, I reviewed manifests and LDR notifications for five shipments in 2019, five in 2020, five in 2021, and three in 2022. A copy of the manifest for a shipment dated April 19, 2022, and a manifest and land disposal restriction (LDR) for a shipment dated April 27, 2022, are included as Attachment 15. I noted no deficiencies during my review of manifests.

The Hazardous Waste Biennial Report for 2021 was submitted in February 2022, and a copy is included in Attachment 13. However, it appears that the 2021 Biennial Report is incomplete. According to Mr. Hageman, the facility changed the caustic wash process in September 2021. The former material used for caustic wash was Paintex 1967 and was considered to be a D001 characteristic hazardous waste when spent. I downloaded a copy of the SDS for Paintex 1967 it is included as Attachment 25. This material is reported in the 2021 Biennial Report (Attachment 13, Page 11). However, per the 2021 waste log (Attachment 14, page 3), waste caustic wash was generated in October, November, and December 2021. The facility considers the current caustic wash waste to be D002 characteristic hazardous waste when spent (Attachment 15, Page 1). The 2021 Biennial Report does not include any D002 characteristic hazardous waste. It appears the facility did not submit a complete Biennial Report as required by 40 CFR 262.14(a) (**NOPF No. 7**). NOPF No. 7 was not on the form left at the facility but was added on June 13, 2022, and Mr. Hageman was notified by email at that time.

7. Preparedness and Prevention Plan

LQG facilities are required by 40 CFR 262.17(a) to meet the emergency preparedness, prevention, and procedures requirements including documented arrangements with response agencies. According to Mr. Hageman, APC is the subject of a regular inspection by the Story City Fire Department hazardous materials team. During those inspections, he said the fire department is shown the layout of the facility, the location of the hazardous waste HWCAA, and other facility features.

During the CEI, I reviewed the facility's Contingency Plan and noted that APC had last updated their contingency plan on February 14, 2022. Mr. Hageman is listed as the emergency coordinator and all pertinent contact information and emergency evacuation procedures were included. The contingency plan appeared to meet all content requirements except for inclusion of a Quick Reference Guide. I asked Mr. Hageman if APC has created a Quick Reference Guide for the RCRA Contingency Plan, and he stated that a Quick Reference Guide had not been created. I determined the facility had failed to create a Quick Reference Guide as required by 40 CFR 262.17(a)(6) referencing 262.262(b) (**NOPF No. 1**). A copy of the Emergency Call List from the APC Contingency Plan is included as Attachment 26.

8. 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. During the CEI, I asked Mr. Hageman if hazardous waste training is provided to employees. He stated that hazardous waste management training is provided to all employees who handle hazardous waste within six weeks of hiring or being assigned to a job that handles hazardous waste. He also stated that annual refresher training is conducted. I asked Mr. Hageman who conducts the training. He stated that Hydrite Chemical conducts the hazardous waste training. I reviewed training records for Messrs. Bauer, Hageman, and Mr. Alex Durham and noted no concerns (Mr. Hageman has only been with the facility since July of 2021). Copies of training records for Messrs. Bauer, Hageman, and Durham are included in Attachment 27 as examples of the training documentation maintained at the facility. I reviewed the written job descriptions for Messrs. Bauer, Hageman, and Durham, and noted that the job descriptions and titles were adequate. A copy of the Job Description for an Ink Technician Lead is included as Attachment 28.

9. Summary of Preliminary Findings

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

- (1) Failure to prepare a Quick Reference Guide as required by 40 CFR 262.17(a)(6)—262.262(b) (**NOPF No. 1**)
- (2) Failure to keep a satellite container closed when not adding or venting as required by 40 CFR 262.15(a)(4) (**NOPF No. 2**)
- (3) Failure to mark a hazardous waste accumulation container with a start date that is clearly observable for inspection as required by 40 CFR 262.17(a)(5)(i)(c) (**NOPF No. 3**)
- (4) Failure to demonstrate the length of time that universal waste has been accumulating as required by 40 CFR 273.15(c) (**NOPF No. 4**)
- (5) Failure to label a universal waste lamps container with the words “universal waste lamps” or “waste lamps” or “used lamps” as required by 40 CFR 273.14(e) (**NOPF No. 5**)
- (6) Failure to provide a device capable of summoning emergency assistance as required by 40 CFR 262.17(a)(6)—262.252(b) (**NOPF No. 6**)
- (7) Failure to submit a complete Biennial Report as required by 40 CFR 262.14(a) (**NOPF No. 7**)

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.

Clifford A. Nelles

Digitally signed by Clifford A.
Nelles
Date: 2022.07.20 09:33:40 -05'00'

Date: _____

Clifford A. Nelles, Inspector
CLAENE Group

AMBER WHISNANT

Digitally signed by AMBER
WHISNANT
Date: 2022.07.22 19:41:09 -05'00'

Date: _____

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

Attachments:

1. Hazardous Waste Site Info Verification Report for Inspector (2 pages)
2. Worksheets and Checklist (29 pages)
3. Receipt for Documents and Samples (1 page)
4. Confidentiality Notice (1 page)
5. Notice of Preliminary Findings (1 page)
6. Site Maps (2 pages)
7. Google Earth Photograph of Facility (1 page)
8. Photographic Documentation (Photolog and 31 Photographs) (21 pages)
9. SDS for Hydrite Blend 4546 (6 pages)
10. SDS for N-Propyl Alcohol (7 pages)
11. SDS for Isopropyl Innova White RE-3 (17 pages)
12. SDS for Gravure Matte Opv Sc RE-1 (16 pages)
13. 2021 Biennial Report (14 pages)
14. Copy of Hazardous Waste Log (4 pages)
15. Copies of Manifests and LDR for shipments on April 19, 2022, and April 27, 2022 (3 pages)
16. SDS for HYDRITE DUPLICATING FLUID 5 (7 pages)
17. SDS for Ethyl Acetate 99.5% Urethane Grade (8 pages)
18. SDS for Univar Blend Imagsolv R1 (8 pages)
19. SDS for FW UV Aqua Cleaner LVP (6 pages)
20. SDS for PS 13420 (5 pages)
21. SDS for PICO Defoam 5-149-01 (5 pages)
22. SDS for FW KE Cleaner L-1567 (7 pages)
23. SDS for Safety Kleen Premium Solvent (9 pages)
24. Copy of Inspection Log for week of May 23, 2022 (1 page)
25. SDS for Paintex 1967 (8 pages)
26. Copy of Emergency Contacts for RCRA Contingency Plan (2 pages)
27. Copies of Training Records for Kurtis Bauer, Colin Hageman, and Alex Durham (5 pages)
28. Copy of Job Description for Ink Technician Lead (4 pages)

NOTICE OF PRELIMINARY FINDINGS

FACILITY NAME: AMERICAN PACKAGING CORPORATION
ADDRESS: 103 BROAD STREET
STORY CITY, IOWA 50248
EPA ID NUMBER: IAR000005710 DATE: 5/24/2022

NOTICE: I am not an employee of the Environmental Protection Agency ("EPA"). I am a contractor for EPA retained to conduct compliance evaluation inspections. The following is a list of observations/recommendations found during this inspection which will be reported back to EPA. This is not to be construed as a complete list of observations/recommendations. The EPA will be evaluating the report prepared as a result of this inspection and making the determinations as to what violations may have occurred at your facility.

1. FAILURE TO PREPARE A QUICK REFERENCE GUIDE TO THE RCRA CONTINGENCY PLAN 40 CFR 262.17(a)(6) → 262.262 (b)
 2. FAILURE TO KEEP A SATELLITE CONTAINER CLOSED WHEN NOT ADDING WASTE OR VENTING 40 CFR 262.15(a)(4)
 3. FAILURE TO MARK CONTAINERS WITH A START DATE THAT IS CLEARLY OBSERVABLE FOR INSPECTION 40 CFR 262.17(a)(5)(i)(C)
 4. FAILURE TO DEMONSTRATE THE LENGTH OF TIME THAT UNIVERSAL WASTE HAS BEEN ACCUMULATING 40 CFR 273.15(c)
 5. FAILURE TO LABEL A UNIVERSAL WASTE LAMPS CONTAINER WITH THE WORDS "UNIVERSAL WASTE LAMPS", "WASTE LAMPS", OR "USED LAMPS" 40 CFR 273.14(e)
 6. FAILURE TO PROVIDE A DEVICE CAPABLE OF SUMMONING EMERGENCY ASSISTANCE 40 CFR 262.17(a)(6) → 262.252(b)
 7. FAILURE TO MAINTAIN ADEQUATE AISLE SPACE TO PROCESS HAZARDOUS CAN WASTE CONTAINERS 40 CFR 262.17(a)(6) → 262.255
 7. FAILURE TO FILE A COMPLETE BIENNIAL REPORT 40 CFR 262.14(a)
- NUMBER 7 ADDED ON JUNE 13, 2022. MR. HAGEMAN NOTIFIED JUNE 13, 2022 BY EMAIL
If you have any questions regarding these findings please contact TREVOR URBAN

The undersigned person hereby acknowledges receipt of a copy of this document and has read the same.

PRINTED NAME: Colin Hageman TITLE: EHS Manager
SIGNATURE: Colin Hageman

This document was prepared by CLIFFORD ALAN NELLES