

RCRA Inspection Report

1) Inspector and Author of Report

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U.S. Environmental Protection Agency, Region 4
Enforcement and Compliance Assurance Division
Chemical Safety and Land Enforcement Branch
RCRA Enforcement Section
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

2) Facility Information

Flexco Corporation
1401 East 6th Street
Tuscumbia, Alabama 35674

EPA ID#: ALR000000984
NAICS #: 32619 – Other Plastics Product
Manufacturing

3) Responsible Officials

Marcus N. Hyde
Sustainability Coordinator
Flexco Corporation
mhyde@flexcofloors.com

4) Inspection Participants

Marcus N. Hyde, Flexco Corporation

Andrea Slay, ADEM
Robert Nakamoto, U.S. EPA, Region 4

5) Date of Inspection

03/19/2024 at 8:30 a.m.

6) Applicable Regulations¹

Alabama Hazardous Waste Management and Minimization Act of 1978 (AHWMMA), Ala. Code § 22-30-1 *et seq.*, [Resource Conservation and Recovery Act (RCRA) Sections 3002 - 3005, (42 U.S. Code - Annotated U.S.C.A. 6925 and 6927)] and rules 335-14-1 to 335-14-17 (2016 and 2018) of the Alabama Department of Environmental Management (ADEM) Administrative Code (ADEM Admin. Code) [40 Code of Federal Regulation (C.F.R.) Parts 260-270, 273 and 279].

Pursuant to ADEM Admin. Code r. 335 14-1-.02-(1)(a)323 [40 C.F.R. § 260.10], a very small quantity generator (VSQG) of hazardous waste is a generator who generates less than or equal

¹ As the State's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions will be to the authorized State program. However, for ease of reference, the federal citations will follow in brackets.

100 kilograms (220 lbs) of non-acute hazardous waste; and 1 kilogram (2.2 lbs) of acute hazardous waste; and 100 kilograms (220 lbs) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous waste.

Pursuant to ADEM Admin. Code r. 335 14-1-.02-(1)(a)261 [40 C.F.R. § 260.10], a small quantity generator (SQG) of hazardous waste is a generator who generates greater than 100 kilograms (220 lbs) but less than 1,000 kilograms (2200 lbs) of non-acute hazardous waste in a calendar month.

Pursuant to ADEM Admin. Code 335-14-1-.02-(1)(a)158 [40 C.F.R. § 260.10], a large quantity generator of hazardous waste (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste in a calendar month.

Pursuant to ADEM Admin. Code r. 335-14-11-.02(a)(a)262 [40 C.F.R. § 273.9], a small quantity handler of universal waste (SQHUW) is a universal waste handler who does not accumulate 5,000 kilograms or more of universal waste (batteries, pesticides, mercury-containing equipment, lamps, or aerosol cans, calculated collectively) at any time.

Pursuant to ADEM Admin. Code r. 335-14-17 [40 C.F.R. § Part 279], a generator may generate, accumulate, and manage used oil provided that the used oil is managed in accordance with the requirements of that section.

Pursuant to ADEM Admin. Code r. 335-14-17-.03(4)(c)1. [40 C.F.R. § 279.22(c)(1)] containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words “Used Oil”.

7) Purpose of Inspection

The purpose of this inspection was to conduct a joint unannounced compliance evaluation inspection to determine Flexco Corporation’s compliance with the applicable requirements of RCRA and the corresponding Alabama regulations. This was an EPA lead inspection supported by ADEM staff.

8) Facility Description

Flexco Corporation (“the company” or “the facility”) is owned by the Roppe Corporation (EPA ID#: OHD0041076905), which is a privately owned company headquartered in Fostoria, Ohio. The Roppe Corporation has been producing commercial flooring for nearly seventy years. The Roppe Corporation manufactures such products as rubber flooring, vinyl flooring, stair treads, and wall base. Roppe Corporation in Fostoria, Ohio, is a very small quantity generator (VSQG) of hazardous waste. Roppe Corporation became a VSQG in 2014 and had formerly been an SQG. The Red List is a list of chemical categories published by the International Living Future Institute that contains chemical categories that are recommended to be avoided in products that will be

utilized building industry due to the risk of harm to the environment and human health. Roppe Corporation avoids Red List chemicals in manufacturing its products and its products are designed to last for longer periods. Identified hazards include organ toxicity, persistence, ozone depletion, cancer risks, and reproductive toxicity. Products are also designed to promote recycling at the end of the products life cycle. Roppe Corporation has distributors throughout all fifty states and in Canada.

Flexco Corporation is a manufacturing company that produces flooring and flooring related products. The company was started in 1941. The company was purchased by the Roppe Holding Company on 9/11/2001. Its present products include wall base, rubber flooring, vinyl flooring, specialty flooring, stair treads, and related accessories. These products are typically sold to customers in education, healthcare, government, workplaces, retail, hospitality, and the marine sectors. The facility is located on 14 acres and has approximately 270,000 square feet under roof. The company presently employs 176 staff members.

Flexco Corporation has received a recognized international environmental certification and is certified to ISO 14001:2015 for their environmental management system. The company received its original ISO 1001:2015 certification in 2017. Flexco Corporation also has the Greenguard Gold and NSF/ANSI 332 certifications on their products reference reducing indoor air pollution. Products are also “Red List” free.

Flexco Corporation has notified as a Very Small Quantity Generator (VSQG) since its original recorded notification on 9/11/1997. The facility has notified on an annual basis since 2005 and has always notified as a non-generator or VSQG. Accordingly, no Biennial Reports are on file in RCRAInfo. Flexco has a permit as a Synthetic Minor under the Clear Air Act (AL0000000103300043) and a water permit (AL0050377).

9) Previous Inspection History

Flexco Corporation had never received a RCRA Compliance Evaluation Inspection (CEI) from either ADEM or EPA.

10) Opening Conference

On Tuesday, 3/19/2024, EPA inspector Robert Nakamoto, accompanied by ADEM inspector Andrea Slay, arrived at Flexco Corporation at approximately 8:30 a.m. Marcus Hyde, the Flexco Corporation Sustainability Coordinator, immediately received the inspectors. The inspectors introduced themselves, showed their credentials to Marcus Hyde and explained the purpose of the visit. An opening conference was conducted.

The inspectors briefed the general nature of a Compliance Evaluation Inspection (CEI). The inspectors described the anticipated use of equipment as limited to a digital camera (EPA) and cell phone (ADEM) to take photographs during the inspection. The EPA inspector explained that the Small Business Regulatory Enforcement Fairness Act’s classification of a “small business” is generally set by the Small Business Administration using the business’ SIC/NAICS code and annual receipts or number of employees. A copy of the EPA’s information sheet for small

businesses was provided to the company. The EPA inspector also discussed the company's ability, pursuant to 40 C.F.R. § 2.203, to assert a business confidentiality claim for information submitted to EPA. A copy of the EPA CBI guidance was also provided to the company. The company did not assert a business confidentiality claim.

Marcus Hyde provided an overview of the facility's history and current operations during the opening conference. He briefed that used oil was generated and a very limited amount of hazardous waste are generated resulting from aerosol can puncturing by the facility's maintenance section. The plant was originally constructed in the 1940s and initially made inner tubes for tires and made tents. Over the years, the facility has transitioned to producing flooring. The facility was purchased by the Roppe Holding Company on September 11, 2001. The facility currently has 269,695 square feet under roof. The company was located on 14 acres, but additional land has recently been purchased.

The ISO 14000 certification history was briefed. The facility received its original certification on August 9, 2017, and recertifications on August 9, 2020, and August 9, 2023. The plant has periodic third-party environmental audits. New employees are trained in safety, spill control and countermeasures, and best management practices. The company conducts an annual spill drill. The facility is utilizing water instead of hydraulic fluid in its machinery.

Flexco Corporation performs a life cycle analysis (LSA) on its products to minimize waste generation and maximize end of life recycling. The company is not utilizing Red list chemicals (chemicals determined to be carcinogens or with a similar hazard level). The products are designed to be ultralow in VOCs. Flexco Corporation products are also International Maritime Organization (IMO) certified for low fumes for use in ships. It was briefed that the company last shipped hazardous waste in 2018. The inspection participants also discussed health and safety protocols and required personal protective equipment before Facility representative led the inspectors on a tour of the Facility operations.

11) Inspection Observations

Following the opening conference, the facility's representative, Marcus Hyde, accompanied the inspection team on a walk-through inspection of the facility.

Outside of Production Building

Marcus Hyde escorted the inspectors to the outside of the production building. The facility had encountered a spill of calcium carbonate in an outside loading area the morning of the inspection. Facility staff were in the process of cleaning up this spill. This material has been determined by the facility to be non-hazardous and was being loaded into a general waste roll-off (Photograph 1).

Baghouses Outside of Tufflex Building

The inspectors then observed the outside area of the baghouse area utilized for the Tufflex building (Photograph 2). This area was well kept; and no spills or releases were observed. Dust from the baghouses is collected and reinserted into the production process (Photographs 3).

Glue Line Wall Flex Area

The inspectors were escorted to the Glue Line Wall Flex Area. This area had scrap material that is reused in the product. The facility uses rags to clean the flex lines and products. The Safety Data Sheet (SDS) for the mineral spirits used for the rags for this cleaning was submitted to the inspection team on 03/19/2024 and the information in the SDS supported Flexco Corporation's determination that the material would be a non-hazardous waste if spent or discarded.

Quartz Tile Area

The inspectors were escorted to the quartz tile area. This area was decommissioned in March 2023. There were two opened containers of by-product leftover from this production line (Photographs 4 and 5). Flexco Corporation had determined that the material was non-hazardous. No other waste was observed in this area.

Scrap Metal and Used Oil Area

The inspectors were escorted to the Scrap Metal and Used Oil area. This area had one 25 cubic yard roll-off for scrap metal (Photograph 6) and two 250-gallon containers of used oil (Photograph 7). The used oil containers were closed, elevated off the ground, and were within a secondary containment system that appeared adequate to contain the volume of either container in case of complete release. One container was labeled as "Used Oil" but one container was missing the Used Oil label. There was a "Used Oil" sign for the area, but it had been broken off and had fallen into the containment area. This compliance observation was corrected during the inspection and a photograph was sent by the facility to the inspection team (Photograph 15).

Pursuant to ADEM Admin. Code r. 335-14-17-.03(4)(c)1. [40 C.F.R. § 279.22(c)(1)] containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil".

Maintenance Shop

The inspectors were escorted to the maintenance shop. This area stores the facility's universal waste and hazardous waste aerosol puncture station. One cardboard container of universal waste lamps was closed, labeled with the words "Universal Waste-Lamps", and had a start accumulation date of 11-01-2023 (Photograph 8). Another cardboard box of universal waste lamps was dated 2/20/2024, closed, and properly labeled. This area also had several small containers of universal waste batteries in 2-3-gallon size plastic containers that were in an outer cardboard box (Photograph 9). The containers were closed, labeled with the words "Universal Waste-Batteries", and were dated 3/20/2023, 8/8/2023, and 3/11/2024. A hazardous waste aerosol puncture station was in operation. The hazardous waste satellite accumulation container was closed, in good condition and was labeled with the words "Hazardous Waste", and during the inspection a hazard marking was added (Photograph 10).

Laboratory

The facility operates a laboratory area with bench scale (scaled down) production processes for testing and development and product testing. This area was not producing hazardous waste but was collecting materials for recycling or solid waste disposal (Photograph 14).

Observation Conclusions

No generation of hazardous waste, excepting the hazardous waste from the aerosol can puncturing unit, was identified. Flexco Corporation's waste minimization and raw material selection appeared to have nearly eliminated to generation of hazardous waste. The facility was also recycling scrap either back into its production processes, into other products, or via third parties (examples are scrap metal and used oil). The inspectors observed additional facility recycling areas (Photographs 11-13).

12) Records Review

The inspection team reviewed used oil shipment records for 2023 and 2022. The facility had three shipments of used oil in 2023 and three shipments of used oil in 2022. The universal waste shipment records for 2023 were reviewed. The facility had nine shipments of universal waste in 2023.

Waste determination information and a corresponding ADEM certification packet to manage the material as solid waste, dated 6/27/2022, was provided to the inspection team. This document was reviewed and no compliance issues of concern were identified. New analytical data, dated 4/10/2023, was provided and reviewed. The ADEM 8700-12 form and copies of weekly inspections were also provided. All documents appeared to be satisfactory.

A copy of Corporate Sustainability Goals was also provided. The facility has cut water usage by approximately 67% over the past few years. Goals for the 2016-2025 period were a 20% reduction in Energy Intensity, Greenhouse Gases, Water Use, and a 25% reduction in waste to landfill.

13) Closing Conference

A closing conference was held after the walk-through and records review portion of the inspection. No compliance observations of concern were identified excepting the one used oil label that was corrected during the inspection.

14) List of Attachments

Attachment 1 – Photo Log

15) **Signed**

ROBERT NAKAMOTO

Digitally signed by ROBERT
NAKAMOTO
Date: 2024.05.15 17:12:58 -04'00'

Robert S. Nakamoto
Environmental Engineer
RCRA Enforcement Section

16) **Concurrence**

ALAN NEWMAN

Digitally signed by ALAN
NEWMAN
Date: 2024.05.21 13:37:51 -04'00'

Alan R. Newman
Acting Chief
RCRA Enforcement Section

Attachment 1 – Photo Log

Photos taken on: 3/19/2024
Photos taken by: Robert Nakamoto
Photos taken with: Kodak PixPro FZ53
EPA Property Tag: SX9091

Final Photograph of Corrected Used Oil Label
Provided by Marcus Hyde
Sustainability Coordinator
Flexco Corporation
Photo taken on: 3/19/2024



Photograph 1: Spilled calcium carbonate from a 3/19/2023 spill that has been loaded into a hopper.



Photograph 2: Picture of Facility Baghouses.



Photograph 3: Materials from the air pollution control baghouses that will be reinserted into the production process.



Photograph 4: Material from the inactive Quartz Production Process.



Photograph 5: Material from the inactive Quartz Production Process.



Photograph 6: Scrap Metal Roll-Off Container



Photograph 7: Picture of Used Oil Containers Above Secondary Containment. One container Is Missing the “Used Oil” Label.



Photograph 8: Universal Waste Container for Lamps. Box is closed and dated.



Photograph 9: Universal Waste Batteries Container. Container was labeled, closed, and also enclosed in an outer cardboard box.



Photograph 10: Hazardous Waste Satellite Accumulation Container. Container is Labeled as Hazardous Waste and has a Hazard Marking.



Photograph 11: Example of Facility Recycling.



Photograph 12: Facility Recycling Area.



Photograph 13: Facility Recycling Staging Area.



Photograph 14: Photograph of Laboratory Testing Waste.



Photograph 15: Picture of Corrected Used Oil Labeling Provided by Flexco Corporation on 3/19/2024 (day of inspection).