

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

SUTHERLAND PRINTING

525 N. Front Street
Montezuma, IA 50171
(641) 623-5115

EPA RCRA ID No. IAD984601013

On

June 28, 2023

By

TOEROEK ASSOCIATES, INC.

For

U. S. ENVIRONMENTAL PROTECTION AGENCY

Region 7

Enforcement and Compliance Assurance Division

INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division/Chemical Branch/RCRA Section (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 Sutherland Printing (Sutherland) at 525 N. Front Street, Montezuma, Iowa. The CEI was conducted under the authority of Section 3007 of 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

Sutherland:

Jared Latcham, Purchasing Manager

Mike Bodart, Controller

Marilyn D'Aguanno, Mail Tech Coordinator

Toeroek Team:

Clifford Nelles, Inspector, 816-213-5192

INSPECTION PROCEDURES

Prior to the CEI at Sutherland on June 28, 2023, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by. At approximately 7:50 a.m., I approached the entrance to the office and informed Mr. Bodart that I was there to conduct a CEI. Mr. Bodart contacted Mr. Latcham, who arrived approximately 5 minutes later. After brief introductions, I explained the purpose and scope of the CEI to Mr. Latcham. Mr. Latcham and I adjourned to his office where I proceeded to conduct an entry briefing with him.

During the entry briefing, I presented my business card and EPA credentials to Mr. Latcham. 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. Latcham would be presented with a Confidentiality Notice (Notice) with which he could make or not make a claim of confidentiality for the facility. I also provided Mr. Latcham 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 he read.

A copy of each of the following documents was left with Mr. Latcham 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
- 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
- Part 279 Requirements: Used Oil Management Standards
- EPA Region 7 Emergency Response Program
- Chemical Facility Anti-Terrorism Standards
- Iowa Environmental Guide for Businesses

I reviewed the Notification Acknowledgement/Verification Report (Verification Report) with Mr. Latcham (Attachment 1). Based on this review, I changed site contact section to reflect Mr. Bodart contact information. I made no other changes to the Verification Report.

I conducted a visual inspection of the facility, accompanied by Mr. Latcham. Following the visual inspection, I reviewed facility records including hazardous waste manifests with land disposal restriction (LDR) notifications, safety data sheets (SDS), and training documentation. Ms. D'Aguanno participated during the records review. I prepared and completed a site-specific inspection checklist to document my observations.

At the conclusion of the CEI, I conducted an exit briefing with Messrs. Latcham and Bodart. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. Latcham signed, acknowledging receipt (Attachment 2). I provided Mr. Latcham the Notice, which he signed indicating no confidential business information had been provided (Attachment 3). I also provided Mr. Bodart a Notice of Preliminary Findings (NOPF), which he signed to acknowledge receipt (Attachment 4).

A map of the facility obtained during the CEI is included in Attachment 5, and a Google Earth aerial photograph of the facility is included as Attachment 6. The 20 photographs taken during the CEI are included in Attachment 7, of which 15 are referenced in this report.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

Sutherland is a publication and catalog printing facility. The printing process consists of transferring digital images and then printing the images onto paper by use of one of two sheet-fed Heidelberg offset printing presses. Printed pages are then cut/trimmed as needed, bound, and shipped. Sutherland has a printing capacity of more than 9,600,000 pages per week.

During the entry briefing and visual inspection, Mr. Latcham described facility operations and waste generation processes. Image files to be printed are received electronically, and are proof-read and reviewed for quality control (QC). Once the files have been fully reviewed, the images are transferred onto sheets of paper at the printing presses. A thin coating of acrylic can be applied over the printed sheets if desired, though Mr. Latcham explained that most printing at Sutherland does not include acrylic coating. Wastes generated during printing include waste press wash, ink waste and dirty wipes used for cleaning.

Press wash is a mixture of water and a water-miscible petroleum naphtha solvent used for cleaning the presses. The facility considers waste press wash hazardous based on product knowledge. Waste press wash is accumulated at the presses in 2-gallon satellite accumulation containers (SACs). Waste press wash SACs are emptied at least daily into a hazardous waste accumulation container (HWAC) in the facility's hazardous waste container accumulation area (HWCAA). Waste press wash is shipped off site as hazardous waste.

Ink waste and waste aqueous acrylic coating generated at the facility are considered nonhazardous wastes based on product knowledge. These wastes are accumulated in separate

55-gallon containers and shipped off site as nonhazardous waste. Cloth wipes are used for general cleaning at and around the presses. According to press operators, the rags are primarily used for wiping ink trays, spot cleaning, and wiping hands. Rags that have been used and are soiled (dirty wipes) are considered nonhazardous by product and process knowledge. Dirty wipes are accumulated in containers and are picked up weekly for laundering.

Facility and equipment maintenance generate spent parts washer solvent, used oil, waste lamps, and general trash. Spent parts washer solvent is generated during quarterly maintenance of Sutherland's parts washer unit. The facility considers spent parts washer solvent nonhazardous based on product and process knowledge. Spent parts washer solvent is shipped off site immediately upon generation during quarterly servicing events. Used oil is generated during equipment maintenance and is managed according to provisions of Title 40 *Code of Federal Regulations* (40 CFR) Part 279. Used oil is self-transported to a local used oil collection center upon generation. Waste lamps are considered universal wastes and are managed according to provisions of 40 CFR Part 273. They are shipped off site for recycling. General trash is accumulated in several containers, consolidated into an outdoor roll-off container, and collected weekly for landfill disposal.

Sutherland began operations at its current location in 1988. The facility consists of a single building with approximately 35,000 square feet under roof. Sutherland has approximately 55 employees who work one of three shifts Monday through Friday. The primary work shift is 6:00 a.m. to 2:00 p.m. Skeleton crews work the second and third shifts (2:00 p.m. to 10:00 p.m. and 10:00 p.m. to 6:00 a.m.).

Sutherland was last inspected by an EPA contractor on June 1 and 2, 2016, with the following findings:

- Failure to keep SACs closed
- Failure to label SACs with the words "hazardous waste"
- Failure to mark an accumulation start date on a HWAC
- Failure to accumulate universal waste lamps in closed containers
- Failure to label universal waste lamps with the words "universal waste-lamps" or "waste lamps" or "used lamps"
- Failure to date or otherwise track accumulation start dates for universal waste lamps
- Failure to inform employees of proper handling requirements for universal waste
- Failure to post locations of fire extinguishers and spill control materials by a telephone

Of the above findings, failure to label SACs with the words "hazardous waste," failure to mark an accumulation start date on a HWAC, failure to label universal waste lamps containers with the words "universal waste-lamps" or "waste lamps" or used lamps, failure to date or otherwise track accumulation start dates for universal waste lamps, and failure to inform employees of proper handling requirements for universal waste were repeated during this inspection.

2. RCRA Status

The Verification Report (Attachment 1) indicates that Sutherland is registered with EPA, under EPA ID IAD984601013, as a large quantity generator (LQG) of hazardous waste (generating

more than 1,000 kilograms [kg] of hazardous waste per calendar month). During the CEI, I determined Sutherland's hazardous waste generation rate through a review of current operations, interviews with Messrs. Latcham and Bodart and a review of waste disposal records (manifests).

Sutherland's 2021 Hazardous Waste Biennial Report summary (Attachment 8) includes a total of 49,049 pounds (22,292 kg) of hazardous waste (waste press wash) generated and shipped offsite in 2021. Since waste press wash is generated at a relatively consistent rate throughout the year, I calculated a hazardous waste generation rate of approximately 4,087 pounds (1,854 kg) per month. Copies of hazardous waste manifests for wastes shipped in 2023 to date are in Attachment 9 and generally support this waste generation rate. Therefore, I inspected the facility as a LQG of hazardous waste.

Based on the quantities of universal waste lamps (UWL) accumulated onsite between shipments, it appears that Sutherland is operating below the small quantity handler (SQH) accumulation threshold of 5,000 kilograms (11,000 pounds) of universal waste onsite at any time. Therefore, I inspected Sutherland as a SQH of universal waste. I also inspected Sutherland as a used oil generator.

3. Waste Streams

This section of the CEI report describes the 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 facility representatives, the visual inspection, and my review of waste shipping documents. Mr. Latcham accompanied me during the visual inspection.

Waste press wash is generated at the presses and drains into SACs beneath the presses. Sutherland has two presses with a total of eleven 2-gallon SACs for accumulation of press wash. According to press personnel, press wash is a mixture of water and a water-miscible petroleum naphtha solvent (approximately 70 percent water and 30 percent solvent). The facility considers waste press wash hazardous (D001) based on product and process knowledge. A copy of the SDS for Saphira Presswash 1995 WM is included as Attachment 10. According to the 2021 Biennial Report summary (Attachment 8), Sutherland generates approximately 4,087 pounds (1,854 kg) of waste press wash per month. The press wash SACs are emptied each day into a 55-gallon HWAC in the facility's hazardous waste container accumulation area (HWCAA). The waste is collected by Safety-Kleen Systems, Inc. (Safety-Kleen) and transported to Clean Harbors in Kimball, Nebraska, or Safety-Kleen in Smithfield, Kentucky, for fuel blending.

During the CEI, I observed 11 SACs—six on Printing Press 1 and five on Printing Press 2 (Attachment 7, Photographs 6 and 9). Each SAC was at the point of generation, under control of the operator, structurally sound, closed, and labeled with an indication of the nature of the hazard (Attachment 7, Photographs 5, 7, and 8). However, none of the SACs were labeled with the words "hazardous waste," as required by 40 CFR 262.15(a)(5)(i) (**NOPF No. 5**).

I provided compliance assistance regarding labeling of SACs. During the CEI, employees of Sutherland affixed revised hazardous waste labels (with the words "hazardous waste" added) to all of the waste press wash SACs (Attachment 7, Photograph 18).

I also observed one 55-gallon HWAC of waste press wash in the facility's HWCAA. The HWAC was structurally sound and labeled with an indication of the nature of the hazard (flammable liquid) (Attachment 7, Photographs 11 and 12). However, the HWAC was not labeled with the words "hazardous waste," as required by 40 CFR 262.17(a)(5)(i)(A) (**NOPF No. 1**). The HWAC was not marked with an accumulation start date, as required by 40 CFR 262.17(a)(5)(i)(C) (**NOPF No. 2**). In addition, the small bung hole on top of the HWAC was open (Attachment 7, Photograph 13). Therefore, the HWAC was not closed, as required by 40 CFR 262.17(a)(1)(iv)(A) (**NOPF No. 3**).

I asked Mr. Latcham how long the HWAC had been accumulating waste. He stated that the HWAC was started on Monday, June 26, 2023. I provided compliance assistance regarding management of HWACs. During the CEI, employees of Sutherland affixed a hazardous waste label with the words "hazardous waste" and an accumulation start date June 26, 2023, to the waste press wash HWAC (Attachment 7, Photograph 19). Employees also closed the small bung hole on top of the HWAC during the CEI (Attachment 7, Photograph 20).

Ink waste is generated from emptying the ink trays on the presses. The facility considers ink waste nonhazardous waste based on product and process knowledge. A copy of the SDS for Saphira Ultimate 900 is included as Attachment 11. Based on the SDS, the waste determination appears to be adequate. Based on interviews, Sutherland generates approximately 120 to 200 pounds of nonhazardous ink waste per month. The waste is collected by Safety-Kleen and transported to Clean Harbors in Kimball, Nebraska, for incineration. I did not observe any ink waste in accumulation during the CEI.

Dirty wipes are generated by equipment cleaning. A press operator explained that the cloth wipes are primarily used for wiping ink trays, wiping ink from hands, and other general cleaning activities. I asked if the wipes would be used to wipe press wash or press wash waste, and if the wipes would then be potentially ignitable. The operator explained that wipes could be used for wiping press wash or press wash waste; however, the press wash is 70 percent water so the wipes would not be ignitable. The facility considers dirty wipes nonhazardous based on product and process knowledge. Dirty wipes are accumulated in four 10-gallon containers (three on the press floor and one near the ink waste accumulation container). The facility generates approximately 850 dirty wipes per week. The wipes are collected weekly by Aramark for laundering and are returned to the facility for reuse.

During the CEI, I asked the operator if wipes are wet when placed in the accumulation containers. He explained that the wipes may be damp, but not wet. I observed an Aramark truck at the loading dock when I arrived at the facility to begin the CEI. Mr. Latcham explained that Aramark had collected dirty wipes earlier in the day. During the CEI, I observed three accumulation containers for dirty wipes and all were empty.

Waste aqueous acrylic coating is generated at the presses when acrylic coating is used in printing. The facility considers waste aqueous acrylic coating nonhazardous waste based on product and process knowledge. Waste acrylic coating is accumulated in a 55-gallon container near the press that generates the waste. Based on interviews, the facility generates approximately

20 pounds of waste aqueous acrylic coating per month. The waste is collected by Safety-Kleen and transported to Clean Harbors in Kimball, Nebraska, for incineration. I did not observe any waste aqueous acrylic coating in accumulation during the CEI.

Spent parts washer solvent is generated during quarterly servicing of the facility's parts washer unit. The parts washer is primarily used for cleaning equipment contaminated with nonhazardous ink (for example, ink trays from presses). The parts washer unit utilizes Safety-Kleen Premium Solvent, which is a petroleum hydrocarbon naphtha solvent with a flash point greater than 148°F. Spent parts washer solvent is considered nonhazardous waste by product and process knowledge. A copy of the SDS for Safety-Kleen Premium Solvent is included as Attachment 12. Based on the SDS, the waste determination appears to be adequate. The facility generates approximately 80 gallons of spent parts washer solvent every 3 months. During the CEI, I observed the parts washer unit and noted no deficiencies.

Used oil is generated during equipment maintenance. The facility manages used oil according to provisions of 40 CFR Part 279. The facility generates approximately 10 gallons of used oil every 3 months. Used oil is taken to NAPA Auto Parts in Montezuma, Iowa (a used oil collection center), upon generation for recycling. The facility self-transportes used oil, using its own vehicles, in quantities less than 55 gallons at a time. I did not observe any used oil in accumulation during the CEI.

Universal waste lamps are generated by maintenance personnel replacing spent fluorescent lamps. The facility manages spent lamps as universal waste lamps according to provisions of 40 CFR Part 273. The facility generates approximately 525 universal waste lamps per year. The waste is accumulated in universal waste accumulation containers in the boiler room. Universal waste lamps are collected by ATEC Recycling in Des Moines, Iowa, for recycling.

During the CEI, I observed one 8-foot universal waste lamps accumulation container in the boiler room (Attachment 7, Photographs 14 and 15). The container held approximately 100 to 150 universal waste lamps. The container was structurally sound, closed, and marked with an accumulation start date of April 16, 2020. However, the container was only labeled with the words "universal waste," and not the words "universal waste lamps" or "waste lamps" or "used lamps," as required by 40 CFR 273.14(e) (**NOPF No. 14**). Based on the accumulation start date marked on the container, the facility accumulated universal waste lamps longer than 1 year, prohibited by 40 CFR 273.15(a) (**NOPF No. 13**).

I also observed a 4-foot universal waste lamps accumulation container in the boiler room (Attachment 7, Photographs 16 and 17). The container held approximately 200 universal waste lamps. The container was structurally sound and closed (I opened the container to observe the contents before taking the photograph). However, the container was not labeled with the words "universal waste lamps" or "waste lamps" or "used lamps," as required by 40 CFR 273.14(e) (**NOPF No. 14**). The container was not dated or otherwise tracked to demonstrate the length of time of accumulation, as required by 40 CFR 273.15(c) (**NOPF No. 12**). I asked Mr. Latham how long the universal waste lamps have been accumulating. He stated that the universal waste lamps have been accumulating at least as long as the other universal waste lamps container. Based on the accumulation start date marked on the other container (April 16, 2020), the facility

accumulated universal waste lamps longer than 1 year, prohibited by 40 CFR 273.15(a) (NOPF No. 13).

NOPF #12 was inadvertently rescinded during the exit briefing, but was reinstated on July 12, 2023 and Mr. Latcham was notified by email at that time.

During the records review, I asked Mr. Latcham if employees who handle universal waste lamps are given training on universal waste handling and management requirements. He stated that he thought they were. However, based on the number of preliminary findings associated with universal waste management, I determined that the facility had failed to adequately inform employees of proper handling requirements for universal waste, as required by 40 CFR 273.16 (NOPF No. 15).

I provided compliance assistance to Mr. Latcham regarding universal waste management requirements during the CEI. Specifically, I explained that universal waste lamps must be accumulated in structurally sound, closed containers labeled with the words “universal waste-lamps” or “waste lamps” or “used lamps.” I also explained that universal waste lamps can be accumulated for only 1 year, and that the accumulation start date must be clearly demonstrated (for example, by marking the date on the container when the first waste lamp is placed inside).

General trash includes office- and packaging-type wastes. The facility considers general trash nonhazardous waste based on product and process knowledge. General trash is accumulated in several containers throughout the facility and transferred to an outdoor roll-off container. General trash is collected weekly by Audas Sanitation and transported to the South Central Iowa Solid Waste Agency (SCISWA) Landfill in Tracy, Iowa, for landfill disposal. I observed accumulation of general trash during the CEI and noted no deficiencies.

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

Sutherland maintains one HWCAA in the storage area. I asked Mr. Latcham if the HWCAA was inspected. He stated that he did not think it was inspected. Based on this statement, I included failure to inspect the HWCAA on a weekly basis, as required by 40 CFR 262.17(a)(1)(v), on the NOPF form as NOPF No. 4. However, during the exit briefing, Mr. Bodart stated that he inspects the HWCAA daily. I asked Mr. Bodart if he maintains an inspection log and he stated that a log is maintained. I reviewed the inspection log for the last 3 years and noted inspections were performed each week. Therefore, NOPF No. 4 was rescinded on June 28, 2023. A copy of the inspection log for 2023 is included at Attachment 13.

I asked Mr. Latcham if there was a phone near the HWCAA or if the operators carried two-way radios or company supplied cell phones to summon emergency assistance. He stated that a phone was not located near the HWCAA and that operators do not carry two-way radios or company supplied cell phones. I determined the facility failed to provide a device for summoning emergency assistance, as required by 40 CFR 262.17(a)(6), referencing 262.252(b) (NOPF No. 11).

6. Manifests and Biennial Report

Sutherland generated manifests for 66 hazardous waste shipments from June 28, 2020, to June 28, 2023. During the CEI, I reviewed manifests and LDR notifications for five shipments in 2020, five in 2021, five in 2022, and seven in 2023. Copies of the manifests for shipments in 2023, and the LDR for the May 22, 2023, shipment are included in Attachment 9. The facility submitted its 2021 Biennial Report on March 1, 2022 (Attachment 8). I noted no deficiencies during my review of manifests, LDR notifications, and the Biennial Report.

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. Latcham, Sutherland is the subject of a regular inspection by the Montezuma Fire Department. He explained the fire department is shown the layout of the facility, the location of the hazardous waste HWCAA, and other facility features during inspections.

I asked Mr. Latcham if Sutherland has a RCRA Contingency Plan. He stated that Sutherland does not have a Contingency Plan. Based on this statement, the facility failed to prepare and submit a RCRA Contingency Plan, as required by 40 CFR 262.17(a)(6) referencing 262.260(a) (NOPF No. 7).

I asked Mr. Bodart if Sutherland has a Quick Reference Guide. He stated that Sutherland does not have a Quick Reference Guide. Based on this statement, the facility failed to prepare and submit a Quick Reference Guide, as required by 40 CFR 262.17(a)(6) referencing 262.262(b) (NOPF No. 8).

I asked Mr. Latcham if Sutherland has an emergency coordinator. He stated that he didn't think that an emergency coordinator has been identified. Based on this statement, I included failure to appoint an emergency coordinator, as required by 40 CFR 262.17(a)(6) referencing 262.264, on the NOPF form as NOPF No. 6. However, during the exit briefing, Mr. Bodart stated that he was the emergency coordinator as identified in the facility's Employee Emergency Preparedness Plan (Attachment 14). NOPF #6 was rescinded during the exit briefing. I briefly reviewed the Employee Emergency Preparedness Plan and noted that it did not meet requirements for a RCRA Contingency Plan.

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. Latcham if hazardous waste training is provided to employees. He stated that training is provided within 90 days of employment, but he did not know if continuing training was provided. During the exit briefing, Mr. Bodart stated that training was provided annually. Copies of the Hazmat Training description and 2023 Annual Safety Training Quiz for Tyler McKee (operator who handles hazardous waste) are included in Attachment 15. Based on the description, it appears the content of the training is adequate. However, it appears that the annual training provided to employees is only safety training. The HAZMAT description states that recurring training on material and waste handling topics is provided every three years. I determined the facility failed to conduct annual RCRA training, as required by 40 CFR 262.17(a)(7)(iii) (**NOPF No. 9**).

I asked Mr. Bodart if Sutherland tracks job titles and names of persons filling each position, and maintains written job descriptions for specific job titles. He stated that job titles and names are not tracked, and written job descriptions are not maintained. Based on this statement, the facility failed to track job titles and maintain written job descriptions associated with each job title, as required by 40 CFR 262.17(a)(7)(iv)(A) through (C) (**NOPF No. 10**).

9. Air Emissions: 40 CFR Part 265 Subparts AA, BB, CC

EPA regulations in 40 CFR Part 265, Subparts AA, BB, and CC apply to LQGs. If a LQG manages hazardous waste with an organic concentration greater than 10 parts per million by weight (ppmw), the standards specified in Subpart AA apply to hazardous waste air emissions from certain process vents. A process vent used in distillation, fractionation, solvent extraction, thin-film evaporation, air stripping, or steam stripping is regulated by Subpart AA. Sutherland is not subject to the Subpart AA regulations because the facility does not have any of the process vents listed above.

If a LQG has equipment that contains or contacts hazardous waste composed of 10 percent or greater organics by weight, the facility is subject to Subpart BB standards for inspection and monitoring of the equipment. Sutherland is not subject to the Subpart BB regulations because it does not have equipment that contains or comes in contact with hazardous waste.

The standards found in Subpart CC apply to LQGs that manage hazardous waste in containers with organic compounds (VOC) concentration that exceeds 500 ppmw. The Subpart CC standards are applicable because the facility accumulates hazardous waste that contains VOCs in 55-gallon hazardous waste accumulation containers. During the CEI, I determined that Sutherland meets the Subpart CC requirements for containers by using Container Level 1 controls (hazardous waste accumulation containers smaller than 122 gallons that are Department of Transportation [DOT]-approved). However, the one 55-gallon HWAC observed during the CEI was not closed. Refer to Section 3 of this report for additional discussion.

10. Summary of Preliminary Findings

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

1. Failure to label a HWAC with the words “hazardous waste,” as required by 40 CFR 262.17(a)(5)(i)(A) **(NOPF No. 1)**
2. Failure to mark a HWAC with an accumulation start date, as required by 40 CFR 262.17(a)(5)(i)(C) **(NOPF No. 2)**
3. Failure to keep a HWAC closed, as required by 40 CFR 262.17(a)(1)(iv)(A) **(NOPF No. 3)**
4. Rescinded
5. Failure to label 11 SACs with the words “hazardous waste,” as required by 40 CFR 262.15(a)(5)(i) **(NOPF No. 5)**
6. Rescinded
7. Failure to prepare and submit a RCRA Contingency Plan, as required by 40 CFR 262.17(a)(6) referencing 262.260(a) **(NOPF No. 7)**
8. Failure to prepare and submit a Quick Reference Guide, as required by 40 CFR 262.17(a)(6) referencing 262.262(b) **(NOPF No. 8)**
9. Failure to conduct annual RCRA training, as required by 40 CFR 262.17(a)(7)(iii) **(NOPF No. 9)**
10. Failure to track job titles and maintain written job descriptions associated with each job title, as required by 40 CFR 262.17(a)(7)(iv)(A) through (C) **(NOPF No. 10)**
11. Failure to provide a device for summoning emergency assistance, as required by 40 CFR 262.17(a)(6), referencing 262.252(b) **(NOPF No. 11)**
12. Failure to date or otherwise track universal waste lamps to demonstrate the length of time of accumulation, as required by 40 CFR 273.15(c) **(NOPF No. 12)**
13. Accumulation of universal waste lamps longer than 1 year, prohibited by 40 CFR 273.15(a) **(NOPF No. 13)**
14. Failure to label a universal waste accumulation container with the words “universal waste lamps” or “waste lamps” or “used lamps,” as required by 40 CFR 273.14(e) **(NOPF No. 14)**
15. Failure to adequately inform employees of proper handling requirements for universal waste, as required by 40 CFR 273.16 **(NOPF No. 15)**

NOPF Nos. 2, 5, 12, 14 and 15 are repeated from the previous inspection.

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

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A. Nelles
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Date: _____

Clifford A. Nelles, Inspector
CLAENE Group

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Amber

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

Attachments:

1. Notification/Acknowledgement Verification Report (1 page)
2. Receipt for Documents and Samples (1 page)
3. Confidentiality Notice (1 page)
4. Notice of Preliminary Findings (2 pages)
5. Site Map (1 page)
6. Google Earth Photograph of Facility (1 page)
7. Photographic Documentation (Photolog and 20 Photographs) (13 pages)
8. Copy of 2021 Biennial Report Summary (4 pages)
9. Copies of 2023 Manifests (9 pages)
10. Copy of SDS for Saphira Presswash 1995 WM (5 pages)
11. Copy of SDS for Saphira Ultimate 900 (5 pages)
12. Copy of SDS for Safety-Kleen Premium Solvent (9 pages)
13. Copy of Inspection Log for 2023 (1 page)
14. Copy of Employee Emergency Preparedness Plan EC Page (1 page)
15. Copies of Training Records (3 pages)