

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

Apache Division of Motion Industries

4805 Bowling Street SW
Cedar Rapids, IA 52404
(319) 365-0471

EPA ID Number: IAR000526566

On

May 27, 2021

By

Eastern Research Group, Inc.

For

U.S. ENVIRONMENTAL PROTECTION AGENCY

Region 7

Enforcement and Compliance Assurance Division

1.0 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, Eastern Research Group, Inc. (ERG) conducted a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Apache Division of Motion Industries (Apache) in Cedar Rapids, Iowa on May 27, 2021. The CEI was conducted under the authority of Section 3007(a) of RCRA, as amended. Throughout the CEI, data and information were collected to determine compliance with the applicable regulatory and statutory requirements. The inspection report and attachments present the results of the CEI.

2.0 PARTICIPANTS

Apache Division of Motion Industries:

LaQuita Donald, Director-Safety, Environmental and OSHA Compliance
Cody Smith, Operations Manager
Katie Appleby, Safety Coordinator

EPA Representative, ERG:

Janosh Wolters, Energy Engineer

3.0 INSPECTION PRECEDURES

Due to the COVID-19 pandemic, I contacted the facility via telephone and spoke with Ms. Donald approximately one week prior to the inspection. We discussed facility specific safety protocols to ensure the safety of all personnel involved during the inspection and I informed her when I would arrive at the facility to perform the inspection. After arriving announced at Apache at approximately 09:00, I performed a drive-by of the facility and took a photograph before beginning the inspection and did not note any areas of concern. I then met Ms. Donald, Mr. Smith, and Ms. Appleby at the entrance to the office area. Ms. Donald then led us to an office to begin the opening conference at approximately 09:05. Ms. Donald, Mr. Smith, and Ms. Appleby were present throughout the duration of the inspection as Apache representatives. I initiated the opening conference by presenting them with my inspector credentials and business card, as well as the business card of the EPA Task Order Contracting Officer Representative, Mr. Trevor Urban. I then presented a copy of RCRA Section 3007(a), which contains EPA's inspection authority. I explained my need to collect accurate information and presented them with a copy of Title 18 U.S. Code, Sections 1001 and 1002. I then presented Ms. Donald, Mr. Smith, and Ms. Appleby with a copy of the *Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections* and reviewed Apache's confidentiality rights. I informed them that I would provide a *Confidentiality Notice* at the end of this inspection.

The inspection consisted of a discussion of facility operations, waste generation and waste management, a review of waste management records, and a visual inspection of the waste generation and management areas. Ms. Appleby provided a facility layout (see Attachment 1) and explained facility operations and locations of hazardous waste generation and handling.

During the visual inspection of the facility, Ms. Appleby guided me throughout the facility in order to conduct thorough evaluations of the facility's satellite accumulation areas (SAAs) and central accumulation area (CAA). At the time of the inspection, the facility was operating fifteen SAAs and one CAA. The facility also handles universal waste within the CAA. I conducted an in-depth visual inspection of the fifteen SAAs and the CAA, including the universal waste storage section. Apache uses one parts washer with a hazardous solution, and I observed the parts washer during the course of the inspection.

22 photographs were collected as inspection documentation and are shown in Attachments 2 and 3. Information collected during the inspection is documented on the *EPA Inspection Checklist* (see Attachment 4). I followed the inspection procedures discussed in the RCRA CEI Standard Operating Procedure (No. 2321.01D), unless noted differently. At the conclusion of the inspection, I provided Ms. Appleby with a *Confidentiality Notice*, *Receipt for Documents and Samples*, and a *Notice of Preliminary Findings* which she signed as acknowledgement of receipt (see Attachments 5, 6, and 7 respectively). No confidentiality claims were made by Apache.

The following inspection documents and compliance assistance handouts were left with Apache:

RCRA Section 3007(a)
Title 18 U.S. Code, Sections 1001 and 1002

Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections
Confidentiality Notice (Top page of the completed carbonless transfer set)
Receipt of Documents and Samples (Top page of the completed carbonless transfer set)
NOPF (Top page of the completed carbonless transfer set)
Instructions for Responding to a NOPF
Security Awareness
Commercial Motor Vehicle Transportation
Security Planning
EPA E-Manifest Fact Sheet U.S.
EPA Small Business Resources
U.S. EPA Publication, Managing Your Hazardous Waste
U.S. EPA Publication, Managing Used Oil-Advice for Small Businesses
PowerPoint Presentation, 2013 Solvent Wipes Final Rule
Pollution Engineering Article, 10 Common Questions for Waste Generators
Iowa Department of Natural Resources (IDNR) Waste Exchange Folder and P2 Brochures
IDNR Management of Fluorescent Lamps for Businesses Information Sheets
IDNR Aerosol Can Disposal for Businesses Information Sheet
University of Northern Iowa Waste Reduction Center Information Card
Solvent-Contaminated Wipes Final Rule Summary Chart

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

Apache began operating in 1998 and currently employs approximately 150 people. The facility primarily operates five days per week with two shifts. The first shift operates from 07:00 to 15:00 and second shift operations from 15:30 to 02:00. First shift works Monday through Friday. Second shift only works Monday through Thursday. The facility has a footprint of approximately 240,000 square feet, which does not include the total lot size. Apache is owned by Genuine Parts Company which acquired Apache in November 2017. I asked Ms. Donald if any processes changed since the acquisition that resulted in hazardous waste being generated. Ms. Donald stated, to the best of her knowledge, processes have remained the same and the facility has been generating hazardous waste before the acquisition. Apache's primary operation consists of conveyor belt manufacturing. The major raw materials used are rubber, chemicals for manufacturing, and solvents. The major manufacturing or processing operations that generate waste streams include conveyor belt manufacturing and cleaning. The following waste streams are produced: toluene and fabrication cement debris, Pangofol contaminated debris, empty or unused toluene, parts washer solvent, oil debris, used oil, used oil filters, aerosol cans, universal wastes, and general trash.

4.2 RCRA Status

According to the *Hazardous Waste Site Info Verification Report for Inspector* (see Attachment 8), Apache did not have an EPA RCRA ID and did not notify as a generator of hazardous waste. I asked Ms. Donald, Mr. Smith, and Ms. Appleby to review the *Hazardous Waste Site Info*

Verification Report for Inspector, which I provided prior to records review and visual inspection of the waste generation areas. Ms. Appleby provided updated facility contact information, operation, and owner information, and the NAICS code. I asked the Apache representatives if the facility notified EPA as being a generator of hazardous waste. Ms. Donald stated the facility did not notify EPA of the facility's generation of hazardous waste. I asked Ms. Donald why the facility did not notify EPA. Ms. Donald stated she was not aware it was a requirement. Ms. Donald stated she was aware the facility was operating as a SQG but was not aware of the notification requirement. I then asked Ms. Donald how the facility disposes of the hazardous waste generated on site. Ms. Donald stated the facility manifests hazardous waste shipments off site and uses Clean Earth Specialty Waste Solutions as the transportation company. I explained that 40 CFR 262.18 states, "A generator must not treat, store, dispose of, transport, or offer for transportation, hazardous waste without having received an EPA identification number from the administrator." I explained as a SQG, the facility must be in compliance with 40 CFR 262.18. Therefore, the facility was required to obtain an EPA RCRA ID before having Clean Earth Specialty Waste Solutions pick up the facility's hazardous waste.

NOPF 1 – Offering transportation of hazardous waste without having received an EPA identification number from the administrator [40 CFR 262.18].

Ms. Donald stated she would apply for an EPA RCRA ID after the inspection. EPA received the notification on June 8, 2021.

After reviewing the records and walking through the facility, I determined that the facility is operating as a Small Quantity Generator (SQG) of D001, D018, D040, F003, F005, and U220 hazardous waste, a generator of used oil, and a small quantity handler of universal waste. Apache generates less than 1,000 kilograms but more than 100 kilograms of hazardous waste monthly based on a review of facility records, a visual inspection of process and waste management areas, and interviewing personnel.

Apache has not been previously inspected.

4.3 Facility Waste Streams and Management

A Waste Stream and Waste Handling Table for Apache is presented below. The table describes waste streams generated, generation process/rates, hazardous waste determinations, and on-site/off-site management.

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#	WASTE STREAM	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
1	Aerosol Cans (Example safety data sheet (SDS) included in Attachment 9)	Applying products onto molds to allow for easier separation of rubber	D001 (based on process knowledge and knowledge of the product)	Two 55-gallon containers per year	5-gallon container in SAA to 55- gallon container in CAA	Clean Earth Specialty Waste Solutions (MNS000110924) to Petro Chemical (MID980615298) or Solvent Recovery, LLC (MOD000610766)
2	Toluene and Fabrication Cement Debris (Waste Profile included in Attachment 10)	Wiped onto the conveyor belts before it enters the press	D001, D018, F005 (based on process knowledge and knowledge of the product).	80 pounds per month	5-gallon container in SAA to 55- gallon container in CAA	Clean Earth Specialty Waste Solutions (MNS000110924) to Petro Chemical (MID980615298) or Solvent Recovery, LLC (MOD000610766)
3	Pangofol Contaminated Debris (Waste Profile included in Attachment 11)	Applying product coating on conveyor belt	D040 (based on process knowledge and knowledge of the product)	200 pounds per month	5-gallon container in SAA to 55- gallon container in CAA	Clean Earth Specialty Waste Solutions (MNS000110924) to Petro Chemical (MID980615298) or Solvent Recovery, LLC (MOD000610766)

#	WASTE STREAM	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
4	Empty Drums of Toluene (Waste Profile included in Attachment 12)	Empty drums of toluene with residual toluene	D001, U220 (based on process knowledge and knowledge of the product)	Two 55-gallon drums per month	55-gallon container that is has residual toluene/unused toluene	Clean Earth Specialty Waste Solutions (MNS000110924) to Petro Chemical (MID980615298) or Solvent Recovery, LLC (MOD000610766)
NOPF 2 – Failure to identify all applicable EPA hazardous waste numbers [40 CFR 262.11(g)]						
5	Parts Washer Solvent (SDS included in Attachment 13)	Cleaning small tools	D001, D018 (based on process knowledge and knowledge of the product)	20-gallons every three months	In parts washer	Northland Products Company (IAD022365480) (Invoice included in Attachment 14)
NOPF 8 – Failure to ship hazardous waste with a hazardous waste manifest [40 CFR 262.20(a)(1)]						
6	Miscellaneous Oil Debris	Oily rags	Nonhazardous (based on process knowledge and knowledge of the product)	One 55-gallon container per year	55-gallon containers	Clean Earth Specialty Waste Solutions (MNS000110924) to Petro Chemical (MID980615298) or Solvent Recovery, LLC (MOD000610766)

#	WASTE STREAM	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
7	Used Oil	Equipment maintenance	Nonhazardous (managed as used oil under 40 CFR 279)	2 gallons per month	55-gallon containers	Clean Earth Specialty Waste Solutions (MNS000110924) to Petro Chemical (MID980615298) or Solvent Recovery, LLC (MOD000610766)
8	Used Oil Filters	Equipment maintenance	Nonhazardous (managed as used oil under 40 CFR 279)	One or two per month	55-gallon containers	Clean Earth Specialty Waste Solutions (MNS000110924) to Petro Chemical (MID980615298) or Solvent Recovery, LLC (MOD000610766)
9	Universal Waste Batteries	Facility maintenance	Nonhazardous (managed as universal waste)	Two 5-gallon containers per year	5-gallon containers	Mid Iowa Tools, Inc. in Cedar Rapids, IA to Veolia ES Technical Solutions in Chicago, IL (ILD098642424)

#	WASTE STREAM	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
10	Universal Waste Lamps	Facility maintenance	Nonhazardous (managed as universal waste)	Two four-foot- tall containers per year	Accumulated in 4- ft carboard containers	Mid Iowa Tools, Inc. in Cedar Rapids, IA to Veolia ES Technical Solutions in Chicago, IL (ILD098642424)
NOPF 4 – Failure to demonstrate length of time that universal waste has been accumulated [40 CFR 273.15(c)].						
11	General Trash	Facility operations	Nonhazardous (based on process knowledge and knowledge of the product)	20 cubic yard roll off picked up once per week	20 cubic-yard roll- off containers	Republic Services in Cedar Rapids, IA

4.4 Less-Than-180-Day Hazardous Waste Accumulation Area

Apache has one Less-Than-180-Day CAA on site. The CAA is located in the northwest corner of the facility as shown in the facility layout (see Attachment 1). I visually inspected the CAA at approximately at 12:15. I observed thirteen 55-gallon containers of hazardous waste. One 55-gallon container held used aerosol cans. During the visual walkthrough and observing this waste at a SAA, I asked Ms. Donald how used aerosol cans are managed up until the point they are placed in SAA or the CAA container. Ms. Donald explained that the facility typically uses aerosol cans until RCRA empty and then are placed in the 5-gallon container SAAs throughout the facility. The 5-gallon containers are then consolidated into the 55-gallon container observed in the CAA. I explained to Ms. Donald that RCRA empty aerosol cans do not need to be managed as hazardous waste. Ms. Donald stated she is aware that RCRA empty aerosol cans are excluded from the definition of hazardous waste but based on corporate policy, the facility manages all aerosol can waste as hazardous waste. I then observed four 55-gallon containers that held toluene rags and debris. The facility was managing this waste stream as a hazardous waste. During the visual walkthrough and observing this waste as a hazardous waste at a SAA, I asked Ms. Donald if the facility manages any solvent contaminated rags under the solvent contaminated rags exclusion stated in 40 CFR 261.4(a)(26). Ms. Donald stated the facility does not manage any solvent contaminated rags under this exclusion. Ms. Donald explained it is easier for the facility to manage the little amount of debris and solvent rags in one hazardous waste stream.

I then observed an empty 55-gallon container of toluene. I asked Ms. Donald why the facility is managing this waste drum as a hazardous waste. Ms. Donald stated the company Apache uses does not accept empty 55-gallon containers of product toluene. Ms. Donald stated due to corporate constraints, the facility management practice is to manifest this waste drum off site as unused/unwanted product. Ms. Donald also stated it is possible that containers shipped off site are not completely empty. Therefore, the facility manages this waste as a hazardous waste and has shipped the container off site in the past as an unused/unwanted product. The waste profile is provided in Attachment 12. Ms. Donald stated the waste profile is used for multiple sites and one waste profile is made for all corporate owned facilities. As a result, the generator address on the waste profile is for another corporate owned site, but Ms. Donald stated the waste stream is identical. Ms. Donald stated this would be for all of Apache's waste profiles. I reviewed manifest, and observed the facility shipping this waste off as D001, U002. I asked Ms. Donald why the facility uses the U002 waste code for this waste stream. Ms. Donald stated the facility must have made an error and confused U002 with the U220 waste code. U002 is the waste code used for product acetone. U220 is the waste code used for product toluene. Therefore, the facility did not adequately identify all the applicable EPA hazardous waste numbers associated with the waste. The facility did manage the waste as a hazardous waste and appeared to have a complete understanding of the type of waste but applied the wrong U waste code to the waste.

NOPF 2 – Failure to identify all applicable EPA hazardous waste numbers [40 CFR 262.11(g)]

I then observed seven 55-gallon containers of Pangofol contaminated debris. Three of these 55-gallon containers were not labeled with an accumulation start date. Two of the 55gallon

containers were labeled “4/9” (see Attachment 3, Photos 19 and 20). One of the 55-gallon containers was not labeled with any accumulation start date (see Attachment 3, Photos 17 and 19). I asked Ms. Donald why the containers were not labeled with an accumulation date. Ms. Donald explained this must have been a mistake. Ms. Donald stated the drums that were labeled “4/9” did not contain the year because the facility shipments occur approximately every three months. Therefore, it would be impossible for a container to be left behind and be mistaken for being accumulated for longer than 180 days. I explained to the Ms. Donald, Mr. Smith, and Ms. Appleby that it is required for CAA containers to be labeled with a start accumulation date.

NOPF 4 – Failure to mark containers in CAA with accumulation start date [40 CFR 262.16(b)(6)(i)(C)].

Unless noted above, all other Less-Than-180-Day CAA containers were in good condition, closed, labeled with the indication of the nature of the hazard, labeled with an accumulation start date and labeled with the words “Hazardous Waste”. I observed adequate aisle space to allow for container inspections and access in the event of a spill. All the 55-gallon containers in the CAA are placed onto wooden pallets. I observed a fire extinguisher, spill control equipment, and related safety equipment along the northern wall of the CAA. Operators handling hazardous waste carry radios while on site and cell phones, which serve as a communication system in case of emergencies. A sign was posted in the CAA that stated, “No Smoking” and listed the facility’s emergency contact information. I asked Ms. Donald if the facility performs inspections of the CAA. Ms. Appleby responded the facility performs inspections of the CAA. During records review, I asked Ms. Appleby for the CAA inspection logs. Ms. Appleby provided the documentation provided in Attachment 15. The logs showed the facility inspected the CAA once per month. I asked Ms. Appleby how often the CAA is inspected. Ms. Appleby stated the CAA is inspected once per month. Therefore, I determined the facility was not conducting weekly inspections of the CAA as per 40 CFR 262.16(b)(2)(iv).

NOPF 3 – Failure to inspect CAA weekly [40 CFR 262.16(b)(2)(iv)].

I did not note any additional issues or findings at the facility’s CAA.

4.5 Satellite Accumulation Areas

I observed fifteen satellite areas at Apache while on site. The table below shows the SAA name or location, waste type, volume of waste observed, and container type.

SAA #	SAA Name or Location	Waste Type	Volume of Waste	Container Type
1	Press Ops Department (Pulley Station)	Pangofol Contaminated Debris	2.5 gallons	5-gallon container

2	Press Ops Department (Press 28)	Toluene Rags and Debris	2.5 gallons	5-gallon container
3	Press Ops Department (Press 27)	Toluene Rags and Debris	2.5 gallons	5-gallon container
4	Splicing	Toluene Rags and Debris	2.5 gallons	5-gallon container
5	Press Ops Department (Press 26)	Toluene Rags and Debris / Aerosol Cans	2.5 gallons per container	5-gallon container per waste stream
6	Press Ops Department (Press 11)	Toluene Rags and Debris	2.5 gallons	5-gallon container
7	Press Ops Department (Press 7)	Toluene Rags and Debris	2.5 gallons	5-gallon container
8	Press Ops Department (Press 18)	Toluene Rags and Debris	2.5 gallons	5-gallon container
9	Press Ops Department (Press 5)	Toluene Rags and Debris	2.5 gallons	5-gallon container
10	Press Ops Department (Press 9)	Toluene Rags and Debris	2.5 gallons	5-gallon container
11	Splicing	Toluene Rags and Debris	2 gallons	5-gallon container
12	Splicing	Toluene Rags and Debris / Aerosol Cans	2.5 gallons per container	5-gallon container per waste stream
13	Slitting	Toluene Rags and Debris	2 gallons	5-gallon container
14	Slitting	Pangofol Contaminated Debris	25 gallons	55-gallon container
15	Slitting	Pangofol Contaminated Debris	30 gallons	55-gallon container

When observing SAA #1, I asked Ms. Donald why the 5-gallon container was not labeled “Hazardous Waste”. Ms. Donald stated she was not aware that it was required for the facility to label hazardous waste SAA containers with the words “Hazardous Waste”. I explained per 40

CFR 262.15(a)(5)(i) that it is required to label all SAA containers with the words “Hazardous Waste”. During the visual inspection, I observed that containers in SAAs #1 through #13 were not labeled with the words “Hazardous Waste” (see Attachment 3, Photos 3-16, and 21). I asked Ms. Donald if the facility was unaware of this requirement, why the facility labeled SAA #14 and #15 with the words “Hazardous Waste”. Ms. Donald stated although these containers are managed as SAAs, they use the same labels as the containers placed in the CAA, and she believed that CAA container needed to contain the words “Hazardous Waste” on its containers. SAAs containers located in #1 through #13 containers were not labeled with the words “Hazardous Waste”. Therefore, I left a finding for not labeling SAA containers with the words “Hazardous Waste”.

NOPF 6 – Failure to label SAA containers with the words “Hazardous Waste” [40 CFR 262.15(a)(5)(i)].

In addition, when observing SAA #1, I asked Ms. Donald why the facility did not indicate the nature of the hazard of the waste on the SAA container. Ms. Donald stated she was not aware this was required. I explained per 40 CFR 262.15(a)(5)(ii) that it is required to label all SAA containers with the indication of the nature of the hazard. During the visual inspection, I observed that containers in SAA #1, #5, and #12 did not have the indication of the nature of hazard of the waste labeled on the SAA container. I asked Ms. Donald if she was unaware this was required, why the facility labeled the indication on all other SAA’s. Ms. Donald stated she believed the facility had to adequately describe what was being held in the containers, and therefore, the other SAAs were labeled, respectively. Containers located in SAA #1, #5, and #12 were not labeled with an indication of the nature of the hazard of the waste (see Attachment 3, Photos 2, 3, 8, and 15). Therefore, I left a finding for failure to indicate the nature of the hazardous of the waste in a SAA container.

NOPF 7 – Failure to labeled SAA with the indication of the nature of the hazard [40 CFR 262.15(a)(5)(ii)].

All hazardous waste accumulation containers observed in the SAAs were in good condition and closed. I did not note any additional issues or findings at the facility’s SAAs.

4.6 Universal Waste Accumulation Area

Apache manages universal waste in a designated area in the CAA. I observed on 4-foot cardboard container of universal waste lamps. The container was not labeled to demonstrate the length of time that universal waste has been accumulating (see Attachment 3, Photo 18). I asked Ms. Donald why the container was not labeled with a date. Ms. Donald stated she was not aware the container needed to be dated. I explained to Ms. Donald that the facility needs to be able to demonstrate the length of time that universal waste has been accumulating. Ms. Donald provided an invoice for the last shipment of universal waste as shown in Attachment 17 but was unable to demonstrate the length of time of the container on site was accumulating universal waste lamps. Therefore, I left a finding for a failure to demonstrate the length of time that universal waste has been accumulated.

NOPF 5 – Failure to demonstrate length of time that universal waste has been accumulated [40 CFR 273.15(c)].

I observed six 5-gallon containers staged to accumulate universal waste batteries. At the time of the inspection, the facility was not accumulating any universal waste batteries. Therefore, the universal waste battery containers were empty. All universal waste containers were labeled “Universal Waste Lamps” or “Universal Waste Batteries”, closed, and in good condition.

I did not note any additional issues or findings at the universal waste accumulation area.

4.7 Parts Washer

The facility operates one parts washer. Ms. Donald explained the facility uses the parts washer to clean small tools. I asked Ms. Donald who manages the spent parts washer solvent off site. Ms. Donald stated the facility purchases new solvent from Northland Products Company (IAD022365480) and the same company services the parts washer every three months. Approximately 20-gallons of spent solvent is generated. Ms. Donald explained that Northland Products Company uses the spent solvent and reclaims the waste off site and is recycled back into parts washer solvent solution. Ms. Donald stated she understands the parts washer waste would be considered a hazardous waste if shipped off site. I reviewed the SDS for the parts washer solvent and determined it would carry the D001 and D018 waste code as a spent solvent. The SDS is provided in Attachment 13. In addition, Ms. Donald provided an invoice which shows Northland Products Company transports the spent solvent. Lastly, I asked Ms. Donald how the spent parts washer solvent is managed. Ms. Donald stated it stays within the parts washer with the lid closed. I asked Ms. Donald if the spent solvent is shipped using the invoice provided in Attachment 15. Ms. Donald explained because same company servicing the parts washer and reclaiming the spent solvent solution, she did not use a hazardous waste manifest to ship the waste off site. Therefore, I left a finding for a failure to ship hazardous waste with a hazardous waste manifest.

NOPF 8 – Failure to ship hazardous waste with a hazardous waste manifest [40 CFR 262.20(a)(1)].

I did not note any additional issues or findings with the facility’s parts washer.

4.8 Conveyor Belt Operations

Apache manufacturers conveyor belts. The facility’s two primary hazardous waste streams are generated in the process. A product called Pangofol is applied onto conveyor belts to allow for better adhesion. It is a sticky, black substance that is brushed onto the rubber of conveyor belts. The brushes, cups, and debris are managed as a D040 hazardous waste. The SDS for the product is provided in Attachment 16. The waste profile is provided in Attachment 11. Upon reviewing the SDS, it shows the product’s composition is almost entirely trichloroethylene and is a part of a

commercial product. After viewing how the product is used as an addition to final conveyor belt manufacturing, I determined it does not need to include any F listing waste code. Although trichloroethylene as a spent solvent would be labeled with the F001, based on my observations of how the product is being used in the manufacturing process, I determined that it is not required to be managed as a F001 hazardous waste. The facility does generate spent toluene in the conveyor belt manufacturing. The spent toluene is generated by wiping down conveyor belts before entering presses. A combination of toluene and fabrication cement debris waste is generated and is managed as one hazardous waste stream. The waste profile is provided in Attachment 10. This waste stream is managed as a F005 listed hazardous waste, based on how the raw solvent is used in cleaning operations.

I did not observe any issues in the hazardous waste determinations with these hazardous waste streams.

4.9 Other Regulatory Requirements

Preparedness, Prevention, and Emergency Requirements - Safety and emergency equipment were present and in satisfactory condition in areas throughout the facility, including along the southern wall directly next to the CAA (as noted in Section 4.4 of this report). Appropriate arrangements and coordination were made with necessary State and local emergency agencies.

I reviewed the preparedness, prevention, and emergency requirements and no issues or findings were noted. Based on the visual inspection and discussions with employees, I determined the employees are familiar with waste handling and emergency procedures. The employees could have been more aware of the entirety of RCRA regulations. Upon further EPA review, it may be recommended that the facility conduct additional training related to RCRA regulations.

Manifest and Land Disposal Restriction (LDR) Requirements – Apache maintained records of manifests on site at the time of inspection dating back three years. I reviewed the 10 manifests from the last three years. Examples of manifests and LDR forms are provided in Attachment 18.

I reviewed all other manifest and LDR requirements and no issues or findings were noted.

I observed no additional issues or findings during this inspection. However, further EPA review may add findings.

5.0 SUMMARY OF FINDINGS

NOPF 1 – Offering transportation of hazardous waste without having received an EPA identification number from the administrator [40 CFR 262.18].

I asked the Apache representatives if the facility notified EPA as being a generator of hazardous waste. Ms. Donald stated the facility did not notify EPA of the facility's generation of hazardous waste. On June 8, 2021, EPA received the facility's updated EPA Form 8700-12 requesting an EPA RCRA ID number.

NOPF 2 – Failure to identify all applicable EPA hazardous waste numbers [40 CFR 262.11(g)].

The facility manages empty toluene drums as a hazardous waste and has shipped the containers off site in the past as an unused/unwanted product. I reviewed the manifest and observed that the facility was shipping this waste off as D001 and U002 hazardous waste. I asked Ms. Donald why the facility uses the U002 waste code for this waste stream. Ms. Donald stated the facility must have made an error and confused U002 with the U220 waste code.

NOPF 3 – Failure to inspect a CAA weekly [40 CFR 262.16(b)(2)(iv)].

The CAA logs showed the facility inspected the CAA once per month. I asked Ms. Appleby how often the CAA is inspected. Ms. Appleby stated the CAA is inspected once per month.

NOPF 4 – Failure to mark containers in CAA with accumulation start date [40 CFR 262.16(b)(6)(i)(C)].

I observed seven 55-gallon containers of Pangofol contaminated debris. Three of these 55-gallon containers were not labeled with an accumulation start date.

NOPF 5 – Failure to demonstrate length of time that universal waste has been accumulated [40 CFR 273.15(c)].

I observed one 4-foot cardboard container of universal waste lamps. The container was not labeled to demonstrate the length of time that universal waste has been accumulating.

NOPF 6 – Failure to label SAA containers with the words “Hazardous Waste” [40 CFR 262.15(a)(5)(i)].

SAA containers located in #1 through #13 containers were not labeled with the words “Hazardous Waste”.

NOPF 7 – Failure to label SAA with the indication of the nature of the hazard [40 CFR 262.15(a)(5)(ii)].

Containers located in SAA #1, #5, and #12 were not labeled with an indication of the nature of the hazard of the waste.

NOPF 8 – Failure to ship hazardous waste with a hazardous waste manifest [40 CFR 262.20(a)(1)].

The facility allowed Northland Products Company to transport the spent solvent from a parts washer without a hazardous waste manifest. The parts washer solution was hazardous for D001 and D018.

I observed no additional issues or findings during this inspection. However, further EPA review may add findings.

**Janosh
Wolters**

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Janosh Wolters
Energy Engineer
Date: August 9, 2021

**AMBER
WHISNANT**

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

Attachments

- 1) Attachment 1 – Facility Layout (1 page)
- 2) Attachment 2 - Motion Industries - Apache Division Photolog (1 page)
- 3) Attachment 3 - Motion Industries - Apache Division Photos (22 photos/23 pages)
- 4) Attachment 4 - EPA Inspection Checklist (23 pages)
- 5) Attachment 5 - Confidentiality Notice (1 page)
- 6) Attachment 6 - Receipt for Documents and Samples (1 page)
- 7) Attachment 7 - Notice of Preliminary Findings (1 page)
- 8) Attachment 8 - Hazardous Waste Site Info Verification Report for Inspector (1 page)
- 9) Attachment 9 - Aerosol Can SDS (18 pages)
- 10) Attachment 10 - Waste Profile for Toluene and Cement Debris (2 pages)
- 11) Attachment 11 - Pangofol Contaminated Debris Waste Profile (2 pages)
- 12) Attachment 12 - Empty Drums and Unused Product (2 pages)
- 13) Attachment 13 - Parts Washer SDS (8 pages)
- 14) Attachment 14 - Parts Washer Invoice (1 page)
- 15) Attachment 15 - CAA Logs (6 pages)
- 16) Attachment 16 - Pangofol Black SDS (13 pages)
- 17) Attachment 17 – Universal Waste Invoice (1 page)
- 18) Attachment 18 - Manifests (4 pages)