

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

McMullen Ford Inc.
3401 S Expressway
Council Bluffs, IA 51502
(712) 366-0531

EPA ID Number: IAD981701535

On

June 9, 2022

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 McMullen Ford Inc. (MFI) in Council Bluffs, Iowa on June 9, 2022. 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

McMullen Ford Inc.:
Scott McMullen, Partner
Dan McMullen, Partner

EPA Representative, ERG:
Joseph Watson, Senior Chemical Engineer

3.0 INSPECTION PRECEDURES

After arriving unannounced at MFI at approximately 09:30, I performed a drive-by visual inspection of the facility and took a photograph before beginning the inspection and did not note any areas of concern. I then entered the main lobby and I introduced myself to personnel in the lobby and met Mr. Scott McMullen. We were later joined by Mr. Dan McMullen. I then explained my reason for being on site is to conduct a RCRA CEI. Mr. Dan McMullen, Mr. Scott McMullen, and I were seated at a table in the lobby and began the inspection. I began the opening conference at approximately 09:50. I initiated the opening conference with Mr. Dan McMullen and Mr. Scott McMullen as MFI representatives. I presented 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 them with a copy of the *Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections* and reviewed MFI'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. Mr. Scott McMullen provided a facility layout (see Attachment 1) and explained facility operations and locations of hazardous waste generation and management.

During the visual inspection of the facility, Mr. Scott McMullen guided me throughout the facility in order to conduct thorough evaluations of the facility's operations. The facility also handles universal waste in one designated area on site as shown on the facility layout. The universal waste storage area was visually inspected. MFI uses three nonhazardous parts washers in the maintenance area. I conducted an in-depth visual inspection of the universal waste storage area, used oil storage area, and all manufacturing areas.

Seven 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 Mr. Scott McMullen with a *Confidentiality Notice*, and *Receipt for Documents and Samples* which Mr. Scott McMullen signed as acknowledgement of receipt (see Attachments 5 and 6, respectively). No confidentiality claims were made by MFI.

The following inspection documents and compliance assistance handouts were left with MFI

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 (Facility copy)
Receipt of Documents and Samples (Facility copy)
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

MFI began operating in 1975 and currently employs approximately 50 people. The facility operates on a six day, 8-hour shift flex schedule. The facility has a footprint of approximately 40,000 square feet on 3.99 acres. MFI's operations consist of automobile maintenance and sales. The primary raw materials used are replacement parts, sandpaper, lead and chromium free paints, oil, batteries, tires, coolant, lacquer/thinner. The following waste streams are produced: oily rags/personal protective equipment (PPE), aerosol cans, paint waste, paint booth filters, parts washer solutions, tires, scrap metal, used oil, used oil filters, universal waste batteries, and general trash.

4.2 RCRA Status

According to the *Notification Acknowledgement/Verification Form* (see Attachment 7), MFI notified as a federal Small Quantity Generator (SQG) of hazardous waste but no waste codes were identified. I asked Mr. Scott McMullen to review the *Notification Acknowledgement/Verification Form*, which I provided prior to records review and visual inspection of the waste generation areas. Mr. Scott McMullen stated the information on the form was accurate to the best of his knowledge. After reviewing the records and walking through the facility, it appears that the facility is operating as a federal Very Small Quantity Generator (VSQG) of D001, F003, and F005 hazardous wastes, a generator of used oil, and a small quantity handler (SQH) of universal waste. MFI generates approximately 120 pounds of hazardous waste monthly. based on a review of facility records, a visual inspection of process and waste management areas, and interviewing personnel. MFI was never previously inspected by the EPA.

4.3 Facility Waste Streams and Management

A Waste Stream and Waste Handling Table for MFI 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	Waste Paints	Painting operations	D001, F003, and F005 (based on process knowledge and knowledge of the product)	Three 55-gallon containers every year	55-gallon containers	Heritage Crystal Clean, LLC (ILR000130062) to Giant Resource Recovery Sumter, Inc. (SCD036275626) in Sumter, SC and Heritage Environmental Services, LLC (IND093219012) in Indianapolis, IN for energy recovery (Invoice included in Attachment 8)
2	Paint Gun Cleaner Solvent (SDS included in Attachment 9)	Paint gun cleaning unit	D001, F003, and F005 (based on process knowledge and knowledge of the product)	One 5-gallon container every quarter	5-gallon container	Heritage Crystal Clean, LLC (ILR000130062) to Giant Resource Recovery Sumter, Inc. (SCD036275626) in Sumter, SC and Heritage Environmental Services, LLC (IND093219012) in Indianapolis, IN for recycling (Invoice included in Attachment 8)
3	Oily Rags/ PPE/Other Debris	Miscellaneous solids, PPE, absorbent pads, used containers	Nonhazardous (based on process knowledge and knowledge of the product)	Unknown – not tracked	Added to general trash 8-yard containers	Waste Connections in Ceresco, NE to Loess Hills Regional Sanitary Landfill in Mitchell Malvern, IA (IAD000678185) for landfill

#	WASTE STREAM	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
4	Paint Booth Filters	Replacement of air filters in the paint booth	Nonhazardous (based on process knowledge and knowledge of the product)	Floor filters changed monthly and the ceiling filters changed annually	None – Immediately removed from site upon replacement	Filter Shop in Omaha, NE (ILR000130062) for recycling (Invoice included in Attachment 10)
5	Aerosol Cans	Facility operations	Nonhazardous (use product until RCRA empty and dispose of in metal recycling container)	Unknown – not tracked	1-yard scrap metal container	Jim Steere picks up scrap metal for recycling
6	Used Coolant	Engine coolant system repair	Nonhazardous (based on process knowledge and knowledge of the product)	Engine coolant is typically reused	275-gallon container	Not typically managed off site. Would be shipped off site and managed by Heritage-Crystal Clean
7	Nonhazardous Parts Washer Solvent (SDS included in Attachment 11)	Cleaning oil and greases off small maintenance tools and parts	Nonhazardous (based on process knowledge and knowledge of the product)	20-gallon and 30-gallon parts washers serviced quarterly	20-gallon and 30-gallon parts washers	Heritage-Crystal Clean, LLC in Omaha, NE for recycling (Invoice included in Attachment 8)
8	Used Oil	Maintenance on vehicles, including brake and transmission fluid	Nonhazardous/Excluded (managed as used oil per 40 CFR 279)	500 gallons per month	400-gallon tank	Jebro Inc. of Sioux City, IA (IAD020201604) for recycling (Invoice included in Attachment 12)

#	WASTE STREAM	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
9	Used Oil Filters	Vehicle oil changes	Nonhazardous (based on process knowledge and knowledge of the product)	350 oil filters er month	55-gallon containers	Jebro Inc. of Sioux City, IA (IAD020201604) for recycling (Invoice included in Attachment 12)
10	Scrap Metal	Facility operations	Nonhazardous (based on process knowledge and knowledge of the product)	1-yard per month	1-yard container	Jim Steere picks up scrap metal for recycling
11	Used Tires	Tire replacement	Nonhazardous (based on process knowledge and knowledge of the product)	500 tires per year	Stacked in service area	Liberty Tire Recycling, LLC Pittsburgh, PA for recycling (Invoice included in Attachment 13)
12	Sump and Oil/Water Separator Cleanout	Carwash and vehicle maintenance operations	Nonhazardous (based on process knowledge and knowledge of the product)	Sumps are cleaned out on an annual basis	Oil/Water separator and service area sumps	Council Bluffs Septic Service, Inc. of Council Bluffs, IA (Invoice included in Attachment 14) transferred to a local POTW.
13	Universal Waste Batteries	Facility maintenance	Nonhazardous/Excluded (managed as universal waste)	1-gallon container per year and approximately 20 battery cores per month	1-gallon container and on pallet	Factory Motor Parts Co. of Omaha, NE delivers to Factory Motor Parts Co. Minneapolis, MN for recycling (Invoice included in Attachment 15)

#	WASTE STREAM	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
14	General Trash	Facility operations	Nonhazardous (based on process knowledge and knowledge of the product)	8-yard container emptied three times per week	8-yard containers	Waste Connections in Ceresco, NE to Loess Hills Regional Sanitary Landfill in Mitchell Malvern, IA (IAD000678185) for landfill

4.4 Visual Inspection

Painting Operations:

During the visual inspection, I observed the painting operation. Mr. Scott McMullen explained the facility paints vehicles in the paint booth. FMI also mixes paints and cleans the paint gun in the paint room next to the paint booth. Mr. Scott McMullen stated that Filter Shop in Omaha replaces the floor filters monthly and replaces the ceiling filters annually. A service invoice is included in Attachment 10. The filters do not contain free liquids and are dry at the time of servicing. Spent paint filters are managed as nonhazardous waste. I asked Mr. Scott McMullen if there is any chrome or lead pigments in the paint. Mr. Scott McMullen stated that the facility had switched to chrome and lead-free paints several years ago. I looked at all of the labels of all of the paints in the paint room and none of the paints contained lead or chrome compounds. FMI uses solvents to thin paints and coatings, as necessary. In the paint room I observed a Heritage Clean Gun Cleaner Model 6A-000-AI (see Photo 4, Attachment 3). The unit has a 5-gallon container of Paint Gun Cleaner Super 16. According to service invoices in Attachment 9, Heritage-Crystal Clean services the unit quarterly. I contacted Mr. Portillo, the Branch Sales Manager of the Heritage-Crystal Clean, LLC in Omaha, NE. He stated that when a technician arrives, if the paint gun solvent is dirty they will replace the 5-gallon container or top off the container with solvent if it is still usable. He stated that Heritage-Crystal Clean recycles the spent solvent. Heritage-Crystal Clean also transports full 55-gallon drums of paint waste during service visits. The service receipt states that the paint waste shipments are manifested but Mr. Portillo did not provide hazardous waste manifest of the shipments. I did observe the hazardous waste shipments in RCRAInfo with D001, D007, D008, F003, and F005 waste codes. I noticed that the manifested wastes had D007 and D008 waste codes. I told Mr. Scott McMullen that since his paints no longer contained chrome or lead, that the D007 and D008 waste codes appear to no longer be required on the waste paint manifest. I observed one 55-gallon container of waste paint that was closed and labeled with an indication of the nature of the hazard. I did not note any issues or findings related to waste management from painting operations.

Parts Washers:

During the visual inspection, I observed two parts washers. Mr. Scott McMullen explained small tools and pieces of equipment could be cleaned in the parts washers. A typical parts washer is shown in Photo 2, Attachment 3. The parts washer solvent is nonhazardous and the SDS is provided in Attachment 9. Mr. Netherton stated the parts washer is serviced by Heritage-Crystal Clean on a quarterly basis. The most recent invoice is provided in Attachment 9. Mr. Netherton stated the facility ensures parts and tools cleaned with other aerosol cleaners are not comingled in the parts washer in order to avoid cross contamination of the materials. I did not note any issues or findings related to parts washer management.

Used Oil and Filters:

During the visual inspection, I observed oil changes being conducted in the service area. I asked Mr. Scott McMullen how the facility manages used oil and oil filters. Mr. Scott McMullen stated

that oil filters are punctured and hot drained and placed in 55-gallon drums. He also showed me that the used oil collection units are pumped into a 400-gallon used oil tank on the east side of the building (see Photo 3, Attachment 3). I observed the used oil tank which was closed, in good condition, and labeled "Used Oil." Mr. Scott McMullen stated that transmission oil and brake fluid are also added to the used oil tank and recycled and stated that the facility generates approximately 500 gallons per month of used oil. Mr. Scott McMullen also stated that the facility collects engine coolant during radiator repairs but typically puts the antifreeze back into the vehicle and has not had to dispose of used antifreeze in over a year. MFI uses a 275-gallon tote for managing used engine coolant. I did not note any issues or findings related to antifreeze, used oil, or oil filter management.

Used Tires:

Mr. Scott McMullen stated that MFI replaces around 500 tires per year that are recycled and that Liberty Tire recycling, LLC of Pittsburgh, PA recycles the used tires generated by MFI. I did not note any issues or findings related to used tire management.

Scrap Metal:

MFI generates scrap metal from replacement parts, other vehicle components, RCRA empty aerosol cans, and metal packaging. I asked Mr. Scott McMullen how MFI would manage an aerosol can if it was damaged and could not be emptied. Mr. Scott McMullen stated that Heritage-Crystal Clean would manage the aerosol can as a hazardous waste if necessary. Two 1-yard containers located on the southeast corner of the building accumulate the scrap steel (see Photo 6, Attachment 3). Mr. Scott McMullen stated that Jim Steere picks up scrap metal for recycling. I did not note any issues or findings related to scrap metal management.

Sump and Oil/Water Separator Cleanout:

In addition to the service area, MFI also operates a car wash. MFI also has an oil/water separator to prevent oil and other materials from discharging to the sewer. I observed these activities during the walkthrough. Mr. Scott McMullen stated that Council Bluffs Septic Service, Inc. pumps out the sumps, the car wash, and the oil/water separator on an annual basis. Mr. Scott McMullen stated that hazardous materials do not enter the sumps and the materials pumped out are nonhazardous.

Universal Waste:

MFI managed universal waste in the southern corner on the warehouse as labeled on the facility layout (see Attachment 1). Mr. Scott McMullen explained batteries are generated from replacing batteries for vehicles and key fobs. During the visual inspection I observed a one-gallon container of universal waste batteries (see Attachment 3, Photo 7). The one-gallon container was closed, in good condition, and labeled as "Universal Waste Used Batteries." The container was

labeled with an accumulation start date of “4/1/2022.” MFI does not generate or manage universal waste lamps.

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

**Joseph
Watson**

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Joseph Watson
Senior Chemical Engineer
Date: August 8, 2022

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

Attachments:

1. Facility Layout (6 pages)
2. McMullen Ford Photolog (1 page)
3. McMullen Ford Photos (7 photos/8 pages)
4. EPA Inspection Checklist (18 pages)
5. Confidentiality Notice (1 page)
6. Receipt for Documents and Samples (1 page)
7. Notification Acknowledgement/Verification Form (1 page)
8. Heritage-Crystal Clean Service Invoices (7 pages)
9. Super 16 Paint Gun Cleaner SDS (14 pages)
10. Paint Booth Filter Recycling Invoice (2 pages)
11. Parts Washer SDS (7 pages)
12. Used Oil and Oil Filter Recycling Invoice (2 pages)
13. Tire Recycling Invoice (2 pages)
14. Sump Pump Out Invoice (1 page)
15. Battery Recycling Invoice (1 page)