

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

INTEGRATED DNA TECHNOLOGIES

1710 Commercial Park
Coralville, Iowa 52241
319-582-3081

EPA ID Number: IAD984567818

On

May 24, 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 Integrated DNA Technologies (IDT) at 1710 Commercial Park, Coralville, 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

IDT:

Jerry Brown, Environmental Program Manager

Eric Bauer, Chemical Compliance Specialist

Chris Rozak, Facilities Director (Entry and Exit Briefing only)

Alexis Ruden, Environmental Assistant Manager

Jason Jackson, EHS

Jacob McCulley, Director of Chemical Manufacturing

Neal Denharog, Assistant Manager Chemical Processing

Toeroek Team:
Clifford Nelles, Inspector, 816-213-5192

INSPECTION PROCEDURES

Prior to the CEI at IDT on May 24, 2023, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by. At approximately 7:55 a.m., I entered the security office and informed the officer of my intent to conduct a CEI. The officer contacted Mr. Bauer, who met me in the security office. After brief introductions, I explained the purpose and scope of the CEI to Mr. Bauer. Mr. Bauer and I adjourned to a conference room where we were joined by Messrs. Brown, Ruden, Rozak, and McCulley. I proceeded to conduct an entry briefing with them.

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

A copy of each of the following documents was left with Mr. Brown 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. Brown (Attachment 1). Based on this review, I updated the site contact section to include Mr. Brown's name and contact information. I made no other changes to the Verification Report.

I conducted a visual inspection of the facility, accompanied by Messrs. Brown, Jackson and McCulley. Following the visual inspection, I reviewed facility records including hazardous waste manifests with land disposal restriction (LDR) notifications, safety data sheets (SDS), contingency plan, inspection records, and training documentation. 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. Brown, McCulley, Jackson, Rozek, Denharog and Ms. Ruden. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. Brown signed, acknowledging receipt (Attachment 2). I provided Mr. Brown the Notice, which he signed indicating no confidential business information had been provided (Attachment 3). I also provided Mr. Brown 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 24 photographs taken during the CEI are included in Attachment 7.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

IDT manufactures custom-designed strands of nucleic acids (oligonucleotides) for research and diagnostic testing applications. IDT performs in-house research and development and manufactures oligonucleotides via a wet chemistry process using automated synthesis machines. Raw materials used for oligonucleotide manufacturing include a variety of chemicals and solvents (primarily acetonitrile, ethyl acetate, and toluene), as well as a plastic/glass structural support for oligonucleotide synthesis. IDT also manufactures reagents and consumables, such as buffers.

Wastes generated during oligonucleotide manufacturing include lab pack and spill cleanup wastes, aqueous waste with trace solvent, waste rags, and waste glass bottles. Lab pack wastes consist of expired, contaminated, or otherwise unwanted products, and spill cleanup wastes are generated during response to chemical spills. Lab pack wastes and spill cleanup waste, which are generated infrequently, are considered hazardous or nonhazardous based on product knowledge. Aqueous waste with trace solvent is generated in several manufacturing areas and is ultimately accumulated in 275-gallon hazardous waste accumulation containers (HWACs) in a hazardous waste container accumulation area (HWCAA) identified as the HAZPAD area. IDT determined aqueous waste with trace solvent is hazardous based on product and process knowledge. Aqueous waste with trace solvent is shipped off site for fuel blending.

Waste rags are generated through wipe cleaning of work stations and equipment with bleach. The facility determined waste rags are hazardous based on product and process knowledge. Waste rags are initially accumulated in several containers throughout the facility and transferred to 55-gallon containers in the HAZPAD area. Waste rags are shipped off site for bulking and off site transfer. Silica powder waste is generated during spill cleanup and is considered hazardous based on product and process knowledge. Silica powder waste is shipped off site for bulking and offsite transfer. IDT determined waste empty glass bottles are nonhazardous based on product and process knowledge. Waste glass bottles are accumulated in 55-gallon containers in the HAZPAD area and shipped off site for recycling.

Equipment and facility maintenance activities generate used oil, spent aerosol cans, waste lamps, waste batteries, and general trash. Used oil is generated from equipment servicing, such as changing vacuum pump oil. The facility manages used oil according to provisions of Title 40 *Code of Federal Regulations* (40 CFR) Part 279. The waste is accumulated in a 55-gallon used oil accumulation container and shipped off site for recycling. Spent aerosol cans are considered hazardous based on product and process knowledge and are shipped off site for fuel blending. Waste lamps generated from facility maintenance and waste batteries are generated from equipment maintenance are managed as universal wastes according to provisions of 40 CFR Part 273. Waste lamps and waste batteries are accumulated in universal waste accumulation containers and shipped off site for recycling. General trash consists of food, office-type, and other solid wastes not contaminated with chemicals. General trash is accumulated in several containers throughout the facility, compacted, and collected for offsite landfill disposal.

IDT began operations at its current location in 1993. The facility consists of a complex of interconnected buildings with 147,897 square feet under roof. IDT operates 24 hours per day, 7 days per week. The facility currently employs approximately 1,400 full-time personnel who work one of several unique shifts covering the 7 operating days.

IDT was last inspected by an EPA contractor on August 9, 2018, with the following preliminary findings:

- Failure to accumulate universal waste lamps in a closed container, as required by 40 CFR 273.13(d)(1)
- Failure to date a universal waste accumulation container or otherwise track accumulation start date for universal waste batteries, as required by 40 CFR 273.15(c)

Of the preliminary findings above, failure to keep a universal waste lamps accumulation container closed was repeated during this CEI.

2. RCRA Status

The Verification Report (Attachment 1) indicates that IDT is registered with EPA, under EPA ID IAD984567818, as a large quantity generator (LQG) of hazardous waste (generating more than 1,000 kilograms [kg] or 2,200 pounds of hazardous waste per month). I confirmed the facility's generator status through review of the facility's 2021 Hazardous Waste Biennial Report, current operations, interviews, and review of waste disposal records.

IDT's 2021 Biennial Report summary, provided by EPA prior to the inspection, is in Attachment 8. The 2021 Biennial Report included 721,538 pounds (327,971 kg) of D001 oligo processing waste (Attachment 8, Page 6), which the facility identified as aqueous waste with trace solvent. The facility's 2022 and 2023 manifests indicate similar generation rates for this waste. The generation rate for this one hazardous waste is easily above the LQG threshold of 1,000 kg per calendar month; therefore, I determined that the facility was a LQG of hazardous waste and inspected the facility as such.

Universal wastes are shipped off site for recycling using pre-paid shipping containers. Approximately two containers are shipped per year. Based on the quantities of universal waste lamps and batteries accumulated onsite between shipments, I determined that IDT 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 IDT as a SQH of universal waste. I also inspected IDT 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. Messrs. Brown, Jackson and McCulley accompanied me during the visual inspection. All inspection participants were provided a copy of U.S. Federal Codes 1001 and 1002, which they read.

Waste rags are generated during cleanup of labs and work stations. Mr. Brown explained that cleaning involves use of bleach and rags, and that solvents are not used for cleaning. The facility considers waste rags hazardous (D002, D028, D038) based on product and process knowledge. Based on the 2021 Biennial Report, the facility generates approximately 1,513 pounds of waste rags per month (Attachment 8, Page 4). Waste rags are accumulated in satellite accumulation containers (SACs) throughout the facility and consolidated in 55-gallon HWACs in HAZPAD South. Full containers are transferred to the facility's outdoor HAZPAD dock. The waste is collected by Tradebe Transport and transported to Tradebe Treatment and Recycling in East Chicago, Indiana, for bulking and offsite transfer.

During the CEI, I observed nine satellite accumulation areas utilized for accumulation of waste rags. Two 5-gallon SACs were located in each satellite accumulation area. Each 5-gallon SAC was near the point of generation, under control of the operator, structurally sound, labeled with the words "hazardous waste" and an indication of the nature of the hazard, and closed. A photograph of one satellite accumulation area on the west side of the main production lab is in Attachment 7, Photograph 20, as an example.

I observed a 55-gallon HWAC of waste rags in HAZPAD South (Attachment 7, Photographs 4 and 5). The HWAC was structurally sound, closed, labeled with the words "hazardous waste" and an indication of the nature of the hazard, and held approximately 35 gallons of waste. The HWAC was marked with an accumulation start date of May 21, 2023. I noted no deficiencies with management of waste rags during the CEI.

Lab pack/spill cleanup wastes include expired, contaminated, or otherwise unwanted products, as well as spill cleanup wastes from various areas. The facility makes a hazardous waste determination on each waste stream component based on product and process knowledge (for example, U007 or other waste codes as applicable). Upon generation, the waste is containerized and transferred to the HAZPAD. Based on the 2021 Biennial Report, the facility generates approximately 24 pounds of lab pack/spill cleanup wastes per month (Attachment 8, Pages 5 and 6). The waste is collected by Tradebe Transport and transported to Tradebe Treatment and Recycling in East Chicago, Indiana, for bulking and offsite transfer.

During the CEI, I observed two HWACs of spill cleanup waste on the HAZPAD dock (Attachment 7, Photographs 17 and 18). The HWACs were structurally sound, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard, and dated. The accumulation start dates were April 7 and 28, 2023. I noted no deficiencies with management of lab pack/spill cleanup wastes during the CEI.

Aqueous waste with trace solvent (AWTS) is generated during various manufacturing operations. The facility considers AWTS hazardous (D001) based on product and process knowledge. The trace solvent contamination is from solvent products used during production and not spent solvents. Copies of the SDSs for the solvents used during production (ethyl acetate, acetonitrile, pyridine, and toluene used during production are included as Attachments 9 through 12. The waste is accumulated in small containers throughout the facility and pumped directly from the laboratory into 275-gallon HWACs (tote) in HAZPAD South. Full totes are transferred to the HAZPAD dock. Based on the 2021 Biennial Report, the facility generates approximately 60,128 pounds of AWTS per month (Attachment 8, Page 6). AWTS is transported to Beaver Oil Company in Hodgkin, Illinois, for fuel blending.

During the CEI, I observed a 275-gallon AWTS tote in HAZPAD South (Attachment 7, Photographs 2 and 3). The tote was structurally sound, closed, labeled with the words “hazardous waste,” dated May 21, 2023, and held approximately 200 gallons of AWTS. However, the tote was not labeled with an indication of the nature of the hazard, as required by 40 CFR 262.17(a)(5)(i)(B) (**NOPF No. 1**).

I observed a second AWTS tote in HAZPAD South (Attachment 7, Photograph 6). The tote was structurally sound, closed, labeled with the words “hazardous waste,” dated May 21, 2023, and empty. I asked Ms. Ruden why the tote was dated. She stated that when the first tote fills, the filling machine automatically starts filling a second tote and this could happen when no one is around to monitor it. Therefore, when two new totes are placed in HAZPAD South, both are labeled and dated at that time. I noted the second AWTS tote was also not labeled with an indication of the nature of the hazard; however, I noted no deficiency as the tote was empty.

I provided compliance assistance regarding labeling requirements for HWACs. During the CEI, employees of IDT affixed labeling identifying the nature of the hazard to the tote (Attachment 7, Photographs 13 and 14).

During the CEI, I observed six 275-gallon AWTs totes on the HAZPAD dock (Attachment 7, Photographs 7 through 12). All of the totes were structurally sound, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard, and marked with an accumulation start date. The earliest accumulation start date was May 13, 2023.

Waste glass bottles consist of empty glass bottles and broken glassware generated at the facility. The facility considers waste glass bottles nonhazardous by product and process knowledge. Based on manifest records, I estimated the facility generates 3,600 pounds every 2 to 4 weeks. The waste is accumulated in containers at lab stations and in 55-gallon containers in the HAZPAD. The waste is shipped to Tradebe in East Chicago, Indiana, for recycling. I did not observe waste glass bottles in accumulation during the CEI.

Used oil is generated during equipment maintenance, such as changing the oil in vacuum pumps. The facility manages used oil according to provisions of 40 CFR Part 279. Used oil is stored in a 55-gallon used oil storage container in HAZPAD South. Used oil is shipped to Tradebe Treatment and Recycling in East Chicago, Indiana, for fuel blending. Based on facility records and interviews, I estimated the facility generates 55 gallons of used oil per month. A copy of a manifest from Tradebe Treatment and Recycling, dated February 7, 2022, is included as Attachment 13 as an example.

During the CEI, I observed a 55-gallon used oil storage container in HAZPAD South (Attachment 7, Photograph 1). The used oil container appeared to be structurally sound with no evidence of leaks, was labeled with the words “used oil,” and held approximately 30 gallons of used oil. I noted no deficiencies with management of used oil during the CEI.

Spent aerosol cans are generated by during facility maintenance. The facility considers spent aerosol cans hazardous (D001) based on product and process knowledge. I estimated the facility generates approximately 15 gallons of spent aerosol cans per month. The waste is accumulated in a 55-gallon HWAC in the HAZPAD area. Spent aerosol cans are collected by Tradebe Transport and transported to Tradebe Treatment in East Chicago, Indiana for fuel blending.

During the CEI, I observed one 55-gallon HWAC of spent aerosol cans on the HAZPAD dock (Attachment 7, Photograph 19). The HWAC was full, structurally sound, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard, and dated March 2, 2023. I noted no deficiencies with management of spent aerosol cans during the CEI.

Silica powder waste is generated during incidental spills in the laboratories. The facility considers silica powder waste hazardous (D001) based on product and process knowledge. Based on the 2021 Biennial Report, the facility generates approximately 33 pounds per month (Attachment 8, Page 5). The waste is accumulated in 55-gallon HWACs in the HAZPAD area when generated. Silica powder waste is collected by Tradebe Transport and transported to Tradebe Treatment and Recycling in East Chicago, Indiana, for fuel blending.

During the CEI, I observed two 55-gallon HWACs of silica powder waste on the HAZPAD dock (Attachment 7, Photographs 15 and 16). The HWACs were structurally sound, closed, labeled with the words “hazardous waste and an indication of the nature of the hazard, and dated

March 18, 2023, and April 20, 2023. I noted no deficiencies with management of silica powder waste during the CEI.

Waste batteries are generated during equipment maintenance. Waste batteries are primarily alkaline and lithium-ion batteries; however, other batteries such as nickel-cadmium batteries are occasionally generated. IDT manages all waste batteries as universal waste batteries according to provisions of 40 CFR Part 273. Waste batteries are accumulated in a 3-gallon EasyPak universal waste accumulation container in the maintenance shop. These waste batteries are shipped to Battery Solutions in Howell, Michigan, for recycling. Based on visual observations during the CEI, I estimated that IDT generates approximately 1.5 gallons of waste batteries every month.

During the CEI, I observed a universal waste batteries accumulation container in the maintenance shop (Attachment 7, Photograph 21). The 3-gallon container held approximately 2 gallons of waste batteries. The container was structurally sound, labeled with the words “universal waste batteries,” and dated March 9, 2023. I noted no deficiencies with management of waste batteries during the CEI.

Waste lamps are generated by maintenance personnel replacing spent fluorescent lamps throughout the facility. The facility manages waste lamps as universal waste according to provisions of 40 CFR Part 273. Waste lamps are accumulated in universal waste accumulation containers in the maintenance shop. Based on interviews, the facility generates approximately five waste lamps per month. The waste is shipped to Veolia in Port Washington, Wisconsin, for recycling. IDT ships approximately two universal waste lamps accumulation containers per year.

During the CEI, I observed a 4-foot universal waste lamps accumulation container in the maintenance shop (Attachment 7, Photographs 22 through 24). The container was structurally sound, labeled with the words “universal waste lamps,” and dated March 24, 2023. However, the container was not closed, as required by 40 CFR 273.13(d)(1) (**NOPF No. 2**). I provided compliance assistance regarding management of universal waste lamps accumulation containers during the CEI.

General trash consists of food, office-type, and other solid wastes not contaminated with chemicals. The facility considers general trash nonhazardous based on product and process knowledge. General trash is accumulated in several containers throughout the facility and is compacted on site. Compacted general trash is collected by ABC Disposal of Iowa City, Iowa, for landfill disposal. I noted no concerns with management of general trash during the CEI.

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

IDT maintains one HWCAA at the HAZPAD, which includes an area identified as HAZPAD South and the HAZPAD dock. Ms. Ruden participated in the CEI during inspection of the HAZPAD. I observed three HWACs in HAZPAD South and 12 HWACs on the HAZPAD dock. The earliest accumulation start date for any of the HWACs was March 2, 2023.

I asked Mr. Brown if the HWCAA is inspected. He stated that Ms. Ruden conducts daily inspections of the HWCAA. I asked Mr. Brown if an inspection log is maintained and he confirmed that inspection records are maintained. I reviewed the daily inspection records and noted no weeks where an inspection was not performed. A copy of the inspection log dated May 22, 2023, is included as Attachment 14. I asked Mr. Brown how someone would summon emergency assistance in the HWCAA. He stated that all of the workers that handle hazardous waste carry two-way radios. I also observed telephones readily available at or near waste accumulation areas for summoning emergency assistance.

6. Manifests and Biennial Report

IDT generated manifests for 159 hazardous waste shipments over the last 3 years. During the CEI, I reviewed manifests and LDR notifications for five shipments in 2020, five in 2021, five in 2022, and five in 2023. Copies of the manifests for waste shipments on April 17, 2023, and May 15, 2023, are included as Attachment 15. The facility submitted its 2021 Biennial Report on February 25, 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. Brown, IDT is the subject of a regular inspection by the Coralville Fire Department hazardous materials team. He explained the fire department is shown the layout of the facility, the location of the hazardous waste HWCAAs, and other facility features during inspections.

The facility's Contingency Plan was last updated December 15, 2022. A copy of the Contingency Plan is in Attachment 16. I reviewed the Contingency Plan against the content requirements of 40 CFR 262.261. I noted the Contingency Plan included a description of actions needed to respond to fires, explosions, and spills, a description of arrangements with the local emergency agencies, a list of emergency response equipment (including capabilities and location), and a complete evacuation plan with a description of the signals used, as required by 40 CFR 262.17(a)(6) Referencing 262.261(a, c, e, and f). The Contingency Plan included telephone numbers of the primary emergency coordinator, Ms. Emily James, and the alternate emergency coordinators, as required by 40 CFR 262.17(a)(6) Referencing 262.261(d). I asked Mr. Brown about Ms. James. He explained that Ms. James was the previous emergency coordinator and that she left the company on March 17, 2023. Mr. Brown also stated that he was appointed as the primary emergency coordinator on March 20, 2023, and that the Contingency Plan is in the revision process. I provided compliance assistance regarding updates to the

Contingency Plan when the list of emergency coordinators change. I did not make a preliminary finding for failure to update the Contingency Plan since the change was relatively recent and the plan is being updated.

I asked Mr. Brown if IDT prepared a Quick Reference Guide. He stated that IDT did not have a Quick Reference Guide. The facility failed to prepare a Quick Reference Guide, as required by 40 CFR 262.17(a)(6) Referencing 262.262(b) (**NOPF No. 3**). I provided compliance assistance regarding preparation and submittal of the Quick Reference Guide during the CEI.

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. Brown if hazardous waste training is provided to employees. He stated that hazardous waste management training is provided to all employees who handle hazardous waste within six months of hiring or being assigned to a job that handles hazardous waste. He also stated that annual refresher training is conducted. I asked Mr. Brown who conducts the training. He stated that all training is conducted by Univar Solutions in person. I reviewed the training records for the last three years for Messrs. Brown, Jackson, McCulley and Ms. Ruden. Copies of 2020 through 2022 training records for Ms. Ruden are included in Attachment 17 as an example of the records maintained.

I reviewed the written job descriptions for Messrs. Brown, Jackson, McCulley and Ms. Ruden, and noted that the job descriptions appeared to meet requirements of 40 CFR 262.17(a)(7)(iv). A copy of the job description with training requirements for a Chemical Processing Specialist within the Reagents Group is included as Attachment 18. I noted no deficiencies with the type and frequency of RCRA training provided to employees during the CEI.

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. IDT 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. IDT is not subject to the Subpart BB regulations because it does not have equipment that contains or comes in contact with hazardous waste with greater than 10 percent organics. The pumps that transfer hazardous waste to 275-gallon totes in HAZPAD South handle AWTs, which is an aqueous waste stream with trace organic concentration.

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 IDT 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) and Container Level 2 controls (hazardous waste accumulation containers larger than 122 gallons that are DOT-approved). I noted no concerns with management of hazardous waste per the Subpart CC air emissions requirements.

10. Summary of Preliminary Findings

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

- (1) Failure to label one HWAC with an indication of the nature of the hazard as required by 40 CFR 262.17(a)(5)(i)(B) (**NOPF No. 1**)
- (2) Failure to keep a universal waste lamps accumulation container closed as required by 40 CFR 273.13(d)(1) (**NOPF No. 2**)
- (3) Failure to prepare a Quick Reference Guide as required by 40 CFR 262.17(a)(6) Referencing 262.262(b) (**NOPF No. 3**)

NOPF No. 2 was 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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Clifford A. Nelles, Inspector
CLAENE Group

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Date: _____

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

Attachments:

1. Notification/Acknowledgement Verification Report (2 pages)
2. Receipt for Documents and Samples (1 page)
3. Confidentiality Notice (1 page)
4. Notice of Preliminary Findings (1 page)
5. Site Map (1 page)
6. Google Earth Aerial Photograph (1 page)
7. Photographic Documentation (Photolog and 24 Photographs) (16 pages)
8. Copy of 2021 Biennial Report (6 pages)
9. Copy of SDS for Ethyl Acetate (11 pages)
10. Copy of SDS for Acetonitrile (11 pages)
11. Copy of SDS for Pyridine (11 pages)
12. Copy of SDS for Toluene (13 pages)
13. Copy of Manifest for used oil (1 page)
14. Copy of Inspection Log dated May 22, 2023 (4 pages)
15. Copies of Manifests for shipments dated April 17, 2023 and May 15, 2023 (2 pages)
16. Copy of Contingency Plan (36 pages)
17. Copy of Training Records for Alexis Ruden (3 pages)
18. Copy of Job Description for Specialist (Chemical Processing-Reagents Group) (6 pages)