

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

CHEMTREAT INC.

200 East Trails Road
Eldridge, Iowa 52748
563-203-1506

EPA ID Number: IAD000004242

On

October 15, 2024

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 Chemtreat Inc. (Chemtreat) at 200 East Trails Road in Eldridge, Iowa. The CEI was conducted under the authority of Section 3007 of the 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

Chemtreat:

Scott McCarl, Environmental Health and Safety (EHS) Specialist
Carmen Avendano, Plant Manager
Jayne Deal, Global Environmental Manager (Exit briefing only via conference call)
Kevin Nance, Director of Manufacturing (Exit briefing only via conference call)
Noel Parker, Director of Veralto Enterprise System (VES) and EHS (Exit briefing only via conference call)

Toeroek Team:

Clifford Nelles, Inspector, 816-213-5192

INSPECTION PROCEDURES

Prior to the CEI at Chemtreat on October 15, 2024, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by. At approximately 8:00 a.m., I approached the main entry and was met by Ms. Avendano. I explained the purpose of inspection and asked to speak with Mr. McCarl, who was listed as the site contact on the Notification Acknowledgement/Verification Report provided by EPA (Attachment 1). Ms. Avendano escorted me to Mr. McCarl's office, where I introduced myself and explained the purpose of the CEI. Mr. McCarl, Ms. Avendano and I adjourned to a conference room where I conducted an entry briefing with them.

During the entry briefing, I presented my business card and EPA credentials to Ms. Avendano and Mr. McCarl. 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. McCarl 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 Ms. Avendano and Mr. McCarl 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 they read.

A copy of each of the following documents was left with Mr. McCarl during the inspection:

- RCRA Facility Access Information Sheet
- 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

The following documents were emailed to Mr. McCarl after the inspection:

- 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. McCarl (Attachment 1). Based on this review and my observations during the CEI, I made no changes to the Verification Report.

I conducted the visual inspection of the facility, accompanied by Mr. McCarl and Ms. Avendano. 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 Ms. Avendano and Mr. McCarl. Messrs. Nance, Parker, and Ms. Deal participated during the exit briefing via conference call. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. McCarl signed, acknowledging receipt (Attachment 2). I provided Mr. McCarl the Notice, which he signed indicating no confidential business information had been provided (Attachment 3). I also provided Mr. McCarl 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 as Attachment 5, and a Google Earth aerial photograph of the facility is included as Attachment 6. The 9 photographs taken during the CEI are included in Attachment 7, all of which are described in this report.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

Chemtreat blends and formulates anti-corrosion and scaling water treatment products for industrial water heating or cooling applications, such as boilers and water treatment systems. Raw chemicals (biocides, corrosives, surfactants, and flocculates) are stored in 32 aboveground storage tanks (ASTs), located inside the facility and ranging in capacity from 6,500 gallons to 8,500 gallons (Attachment 5). Chemicals are blended to customer specifications in three blending tanks, monitored for quality, and then pumped directly into tanker trucks in the Loading/Unloading Area for delivery to the customer. Mr. McCarl stated that in 2022, Chemtreat changed their process and updated equipment with new technology. Prior to the change, Chemtreat operated as a nongenerator of hazardous waste. With the change in process, Chemtreat renotified as a large quantity generator (LQG) of hazardous waste.

Chemtreat operates one hazardous waste central accumulation area (HWCAA) near the Loading/Unloading area. Hazardous wastes generated during routine facility operations include waste corrosive liquids from the cleaning of the blending tanks and International Organization for Standardization (ISO) sample bottles from the laboratory testing of products. The facility considers these wastes to be hazardous based on product and process knowledge. Hazardous wastes are accumulated in the less-than-90-day HWCAA and are collected for offsite incineration or bulking/transfer.

Nonhazardous wastes generated during routine facility operations include used oil, waste lamps, waste batteries, and general trash. Used oil is generated during fork truck maintenance performed by Hupp Toyota Lift and is managed according to Title 40 *Code of Federal Regulations* (40 CFR) Part 279. Equipment and facility maintenance generate waste lamps and waste batteries, which are managed as universal waste according to 40 CFR Part 273. General trash is considered nonhazardous and is accumulated in various containers. General trash is collected for landfill disposal.

Chemtreat is in an industrial area on the north side of Eldridge, Iowa, and consists of one building with approximately 47,500 square feet under roof. The facility began operations in 1997, and currently employs approximately 20 people who work one shift (6:00 a.m. to 3:00 p.m.) Monday through Friday. Chemtreat's primary North American Industry Classification System (NAICS) code is 325998 (All Other Miscellaneous Chemical Product and Preparation Manufacturing).

Chemtreat was last inspected by EPA on December 28, 2015, with no findings.

2. RCRA Status

Chemtreat is identified on the Verification Report provided by EPA (Attachment 1) 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). During the CEI, the facility provided a copy of the 2023 Hazardous Waste Biennial Report (Attachment 8). Based on the Biennial Report, the facility generated a total of 62,747 pounds of waste corrosive liquid in 2023. This waste is generated relatively consistently throughout the year, and corresponds to approximately 5,229 pounds (2,777 kg) of waste corrosive liquid per month. Based on the generation rate of waste corrosive liquid, I determined that Chemtreat is operating as a LQG of hazardous waste and inspected the facility as such. I also inspected the facility as small quantity handler (SQH) of universal waste (accumulating less than 5,000 kg of universal waste at any time) and 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 determinations 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. McCarl and Ms. Avendano 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 corrosive liquid is generated from the cleaning of product mixing tanks between order changes. The waste is liquid and contains constituents such as sodium hydroxide, cyclohexylamine and sulfuric acid. Copies of representative SDS for Chem Treat RM21, Chem Treat RM29, SD9019 and Chem Treat RM89 are included as Attachments 9 through 12. The facility considers waste corrosive liquid to be hazardous (D002) based on product and process

knowledge. Based on the Biennial Report, the facility generates approximately 5,229 pounds (2,777 kg) of corrosive liquid per month. The waste is accumulated in 55-gallon or 300-gallon hazardous waste accumulation containers (HWACs) in the facility's HWCAA. Waste corrosive liquid is transported to Clean Harbors Environmental Services in El Dorado, Arkansas, for incineration, or Tradebe Treatment and Recycling in East Chicago, Indiana, for bulking and offsite transfer.

During the CEI, I observed three HWACs of waste corrosive liquid in the HWCAA. One 300-gallon and one 55-gallon HWAC held sulfuric acid-contaminated waste and one 55-gallon HWAC held RM58 waste. All three HWACs were structurally sound and closed. The 300-gallon HWAC held approximately 150 gallons of waste, was labeled with the words "hazardous waste" and an indication of the nature of the hazard, and was dated October 3, 2024 (Attachment 7, Photograph 5). The two 55-gallon HWACs held approximately 40 gallons of waste each, were labeled with the words "hazardous waste," and were dated October 7 and 11, 2024 (Attachment 7, Photographs 6 through 9). However, the two 55-gallon HWACs of waste corrosive liquid were not labeled with an indication of the nature of the hazard, as required by 40 CFR 262.17(a)(5)(i)(B) (**NOPF No. 2**).

I provided compliance assistance regarding labeling of HWACs during the CEI.

I initially included NOPF No. 3 for failure to label a hazardous waste container with the words "hazardous waste" on the NOPF form left with the facility at the conclusion of the CEI. However, during subsequent review of my notes and photographs, I determined that all HWACs observed during the CEI were labeled with the words "hazardous waste." Therefore, I rescinded NOPF No. 3 on October 25, 2024, and Ms. Avendano was notified by email at that time.

ISO sample bottles are generated during laboratory testing of samples from the mixing tanks. ISO sample bottles are only generated when the laboratory is cleaned out approximately every two years. The facility generates between 1,000 and 1,500 pounds of ISO sample bottles per generation event. Chemtreat considers ISO sample bottles to be hazardous (D001) based on product and process knowledge. The waste is accumulated in 55-gallon HWACs and is transported to Tradebe Treatment and Recycling in East Chicago, Indiana, for incineration.

During the CEI, I observed three 55-gallon HWACs of ISO sample bottles in the HWCAA. All three containers were structurally sound, closed, and labeled with the words "hazardous waste." One HWAC was dated "9/1," one was dated "July 2024," and the third was dated October 9, 2024 (Attachment 7, Photographs 1 through 4). I determined the facility failed to adequately mark an accumulation start date on two HWACs, as required by 40 CFR 262.17(a)(5)(i)(C) (**NOPF No. 1**). I asked Mr. McCarl how long the two inadequately-dated containers had been accumulating waste. He stated that both HWACs were started on July 31, 2024.

I also noted that the three HWACs of ISO sample bottles were not labeled with an indication of the nature of the hazard, as required by 40 CFR 262.17(a)(5)(i)(B) (**NOPF No. 2**).

I provided compliance assistance regarding labeling of HWACs during the CEI.

Waste lamps are generated by replacement of spent lamps during facility maintenance. According to Mr. McCarl, the facility was re-lamped with light emitting diode (LED) lamps in 2022. The facility generates approximately two waste lamps per year. Chemtreat manages waste lamps as universal waste according to provisions of 40 CFR Part 273. The waste is accumulated in universal waste lamps accumulation containers and is transported to Clean Harbors Environmental Services in El Dorado, Arkansas, for recycling. The last offsite shipment of waste lamps occurred on January 23, 2024. I did not observe waste lamps in accumulation during the CEI.

Waste batteries are generated by replacement of spent batteries during maintenance of equipment such as radios and pagers. The facility generates approximately two pounds of waste batteries per year. Chemtreat manages waste batteries as universal waste according to provisions of 40 CFR Part 273. The waste is accumulated in universal waste batteries containers and transported to Spring Grove Resource Recovery in Cincinnati, Ohio, for recycling. The last offsite shipment of waste batteries occurred on January 23, 2024. I did not observe waste batteries in accumulation during the CEI.

Used oil is generated during onsite maintenance of the fork trucks by Hupp Toyota Lift personnel. The facility generates approximately 10 gallons of used oil per year. I considered Chemtreat and Hupp Toyota Lift to be co-generators of the used oil. Used oil is managed according to provisions of 40 CFR Part 279. Used oil is not accumulated at Chemtreat. Hupp Toyota Lift personnel remove all used oil generated during fork truck servicing for offsite consolidation and recycling. I did not observe used oil in accumulation during the CEI.

General trash consists of office-type refuse, such as waste packaging materials and food containers. The facility has determined that general trash is nonhazardous based on product and process knowledge. General trash is accumulated in several containers throughout the facility. General trash is collected weekly by Millennium Waste, Inc. in Rock Island, Illinois, for disposal at the Scott County Landfill. I observed accumulation of general trash during the CEI and noted no deficiencies or concerns.

4. Required Response Equipment and Hazard Management

Per 40 CFR 262.17(a)(6) referencing Subpart M, 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 such as 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

The HWCAA is adjacent to the Loading/Unloading area of the facility. During the CEI, I observed adequate aisle space between HWACs and no proximate accumulation of incompatible wastes or materials. I asked Mr. McCarl how someone would summon emergency assistance to the HWCAA. He stated that all employees carry two-way radios and that the HWCAA has a working telephone.

I asked Mr. McCarl if the HWCAA is inspected. He stated that he conducts HWCAA inspections on a weekly basis and that he maintains an inspection log. I reviewed three years of inspection logs and noted no missed inspections. I did note that recent inspection logs were marked to indicate that HWACs were marked with accumulation start dates and an indication of the nature of the hazard. However, five of the six HWACs observed during the CEI were not labeled to indicate the nature of the hazard and/or were marked with inadequate accumulation start dates. A copy of the inspection log dated October 14, 2024, is included as Attachment 13. I determined that the facility failed to conduct adequate weekly inspections of the HWCAA, as required by 40 CFR 262.17(a)(1)(v) (**NOPI No. 4**). I provided compliance assistance regarding weekly inspections at a HWCAA during the CEI.

6. Manifests and Biennial Report

Chemtreat generated manifests for 15 hazardous waste shipments from August 19, 2022, to October 15, 2024. During the CEI, I reviewed all 15 manifests and LDR notifications. A copy of the manifest and LDR for a hazardous waste shipment on May 24, 2024, is included in Attachment 14 as examples. Chemtreat submitted a Hazardous Waste Biennial Report for 2023 on February 29, 2024 (Attachment 8). I noted no deficiencies during my review of the facility's manifests and Biennial Report.

7. Preparedness and Prevention Plan

LQG facilities are required by 40 CFR 262.17(a)(6) to meet the emergency preparedness, prevention, and procedures requirements including documented arrangements with response agencies. According to Mr. McCarl, Chemtreat is the subject of a regular inspection by the Eldridge 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 March 4, 2022. 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. Avendano, and the alternate emergency coordinators, as required by 40 CFR 262.17(a)(6) Referencing 262.261(d). A copy of the contact page from the Contingency Plan is included as Attachment 15.

The Contingency Plan also included a Quick Reference Guide, as required by 40 CFR 262.17(a)(6) Referencing 262.262(b). I noted no deficiencies with the facility's emergency preparedness, prevention, and procedures during the CEI, including content of the Contingency Plan and Quick Reference Guide.

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. Chemtreat provides annual training to personnel who handle and manage hazardous waste. Copies of the 2024 training records for Mr. McCarl are included in Attachment 16.

I reviewed the written job descriptions for Quality Control personnel during the CEI (Attachment 17). The job description includes a list of training courses; however, the description does not specify the type and amount of introductory and continuing training, as required by 40 CFR 262.17(a)(7)(iv)(C) (**NOPF No. 5**). NOPF No. 5 was not left with the facility at the time of the CEI, but was added on October 29, 2024. Ms. Avendano was notified of its addition by email on October 29, 2024.

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. Chemtreat 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. Chemtreat is not subject to the Subpart BB regulations because it does not have equipment that contains or comes in contact with organic hazardous waste.

The standards found in Subpart CC apply to LQGs that manage hazardous waste in containers with volatile 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 HWACs. During the CEI, I determined that Chemtreat meets the Subpart CC requirements for containers by using Container Level 1 controls (HWACs smaller than 122 gallons that are Department of Transportation [DOT]-approved) for accumulation of VOC-containing wastes. 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 mark two HWACs with adequate accumulation start dates, as required by 40 CFR 262.17(a)(5)(i)(C) (**NOPF No. 1**)
- (2) Failure to mark five HWACs with an indication of the nature of the hazard, as required by 40 CFR 262.17(a)(5)(i)(B) (**NOPF No. 2**)
- (3) **RESCINDED**
- (4) Failure to conduct adequate weekly inspections, as required by 40 CFR 262.17(a)(1)(v) (**NOPF No. 4**)
- (5) Failure to identify continuing training in the job description, as required by 40 CFR 262.17(a)(7)(iv)(C) (**NOPF No. 5**)

NOPF #5 was not left with the facility at the end of the CEI, but was added on October 29, 2024. Ms. Avendano was notified of its addition by email on October 29, 2024.

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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Clifford A. Nelles, Inspector
CLAENE Group

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

Attachments:

1. Notification Acknowledgment/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 9 Photographs) (7 pages)
8. Copy of 2023 Biennial Report (18 pages)
9. Copy of SDS for Chem Treat RM21 (10 pages)
10. Copy of SDS for Chem Treat RM29 (10 pages)
11. Copy of SDS for SD9019 (6 pages)
12. Copy of SDS for Chem Treat RM89 (10 pages)
13. Copies of Inspection Log Dated October 14, 2024 (3 pages)
14. Copy of Manifest and LDR Dated May 24, 2024 (2 pages)
15. Copy of Contingency Plan Contact Page (1 page)
16. Copies of Training Records for Scott McCarl (2 pages)
17. Copy of Job Description for Quality Control Personnel (1 page)