

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

WEST LIBERTY FOODS

207 W 2nd Street
West Liberty, Iowa 52776
(319) 627-6144

EPA ID Number: IAD054916135

On

March 7-8, 2023

By

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 (ECAD), I conducted a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at West Liberty Foods, located in West Liberty, Iowa, on March 7-8, 2023. The CEI was conducted under the authority of Section 3007(a) of RCRA, as amended. During the inspection, I collected the information and data necessary to determine compliance with the applicable regulatory and statutory requirements. This inspection report and attachments present the results of the CEI.

2.0 PARTICIPANTS

West Liberty Foods:

- Anna Crock, Environmental Supervisor (5 years with company)
- Eric Runge, Plant Engineer (22 years with company)
- Michele Boney, Director of Sustainability (18 years with company) – via phone
- Deb Nyenhuis, QA Supervisor (25 years with company) – via phone

EPA:

- Mark Holcomb, Civil Investigator/Inspector (SEE)

3.0 INSPECTION PROCEDURES

On March 7, 2023, I arrived unannounced at the plant's main entrance at about 0930 hours. Initially, I conducted a visual reconnaissance of the facility searching for areas of concern observable from the adjacent public roadways and parking lots. I identified no environmental issues or concerns during this preliminary examination. I entered the facility through the main entrance and stopped at the security desk. I introduced myself and asked for Michele Miller, who was listed as the contact on the site verification form (last updated in 2005) or the current environmental supervisor. I was told that Ms. Michele Boney, formally Ms. Miller, was unavailable, but that he would contact Ms. Anna Crock, the current Environmental Supervisor. Ms. Crock escorted me to her office. Ms. Crock told me there were currently no specific COVID-19 visitor requirements but there were several items of safety personal protective equipment required for our visual inspection at this facility including protective boots, safety vest, helmet, eye and hearing protection. Ms. Crock stated that she was the primary contact for hazardous waste at this facility and had been with the company for five years and in her current role for three years.

At the opening conference, I presented my EPA ID and credentials to Ms. Crock. I next explained the purpose and procedures of the inspection. I then presented Ms. Crock with a copy of RCRA Section 3007(a), which provides inspection authority. I explained my need to collect accurate information and presented her with a copy of Title 18 U.S. Code, Sections 1001 and 1002. She was made aware of her confidentiality rights, and I informed her that a Confidentiality Notice would be provided at the end of the inspection to make a confidentiality claim if she so desired. Ms. Crock acted as the official facility representative during the inspection.

The inspection CEI consisted of a discussion of facility operations, waste generation, and waste management; a visual inspection of active waste generation and management areas; and a review of waste management records.

I conducted a visual inspection of the following areas:

- Chemical Room
- Evisceration Area
- Battery Room
- East Shipping Dock
- Outside of Shipping Office
- Recycling Room
- Maintenance Crib
- Quality Assurance (QA) Lab
- Wastewater Pretreatment Building
- Outside – Northside - Denios Chemical Storage Containers
- Well House #3 – Lamp Crusher
- Hazmat Response Unit
- Outside - Southside

See Attachment #1 for the aerial/map views and a diagram of the facility. Document photocopies and photographs were collected as inspection documentation (see Attachments #1-21 and Photos 1-24). The photo log is included as Attachment #2. Information collected during the inspection is

documented on an Entry/Exit checklist, the hazardous waste compliance checklists, and in a notebook. I reviewed documents including the following: Safety Data Sheets (SDS), manifests, invoices, contingency plan, and staff training. I followed the inspection procedures detailed in the RCRA CEI Standard Operating Procedure 2321.01E, unless noted otherwise.

At the conclusion of the inspection, I summarized my findings and recommendations with Ms. Crock. I provided Ms. Crock with a Receipt for Documents (see Attachment #3), a Confidentiality Notice (see Attachment #4), and a Notice of Preliminary Findings (NOPF) (see Attachment #5), which she signed as acknowledgement of receipt. No claim of confidential business information was made by Ms. Crock.

I provided inspection and compliance assistance documents to Ms. Crock during the inspection, some as paper versions and some in electronic PDF via email, that included the following:

- *RCRA Section 3007(a) (EPA Handout)*
- *Title 18 U.S. Code, Sections 1001 and 1002 (EPA Handout)*
- *Confidentiality Notice (Top page of the completed carbonless transfer set)*
- *Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA In Connection with Inspections (EPA Handout)*
- *Receipt for Documents and Samples (Top page of the completed carbonless transfer set)*
- *NOPF with Instructions for Responding on back of form (top page of the completed carbonless transfer set)*
- *Instructions for Responding to a NOPF (EPA Handout)*
- *U.S. EPA Small Business Resource Information Sheet (EPA Handout)*
- *Solvent-Contaminated Wipes Final Rule Chart (EPA Handout)*
- *Recycling Electronics (Iowa Department of Natural Resources - IDNR Handout)*
- *Lead-Based Paint Activities (IDNR Handout)*
- *Excluded Solvent-Contaminated Wipe Rule (IDNR Handout)*
- *Battery Recycling/Disposal (IDNR Handout)*
- *Management of Fluorescent Lamps for Businesses (IDNR Handout)*
- *Incompatible Chemicals (IDNR Handout)*
- *Universal Wastes Including Aerosol Cans (IDNR Handout)*
- *TCLP Waste Determination Testing (IDNR Handout)*
- *Industry Sector Notebooks (EPA Handout)*
- *Environmental Compliance Assistance Centers (EPA Handout)*
- *e-Manifest Fact Sheet (EPA Handout)*
- *RCRA Online A Quick Reference Guide (EPA Handout)*
- *Requirements for Used Oil Management Standards (EPA Handout)*
- *Emergency Response Program (EPA Handout)*
- *Commercial Motor Vehicle Transportation System Security & Safety*
- *Security Awareness (EPA Handout)*
- *Chemical Facility Anti-Terrorism Standards (Homeland Security Handout)*
- *Iowa Life/Changing Iowa Department of Economic Development – Iowa Environmental Guide for Business*
- *How to Register for RCRAInfo Industry Application for Iowa Facilities*

Post inspection, on March 15, 2023, at 0900, at the request of the Ms. Crock, I had a conference call with the following attendees to review questions and next steps:

- Anna Crock, Environmental Supervisor
- Michele Boney, Sustainability Director
- Sara Anderson, Corporate Environmental Manager
- Brian Melhus, General Counsel

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

West Liberty Foods is a turkey processing plant. The facility is farmer owned by the Iowa Turkey Growers Coop. West Liberty Foods was started in 1996 in the former Louis Rich Facility. The plant was “Verified Landfill-Free” in 2012 by the NSF International Strategic Registrations and is ISO 14001 Certified by the International Environmental Standards. The facility’s website indicated that over 99% of their waste is diverted from landfills with a breakdown of 94% recycled, 6% sent to waste-to-energy facilities, and only 0.05% landfilled. The West Liberty Food’s facility is 97,000 square feet on 23 acres. They have 1,200 employees working 24/7 shifts. They process about 20,000 birds per day. See Attachment #1 for the facility aerial map views and facility diagrams. See Photo 1 for an example of the multiple sorting recycle bins located throughout the facility instead of standard trash cans.

4.2 RCRA Status

West Liberty Foods has not been inspected for RCRA compliance prior to this inspection. According to RCRAInfo, West Liberty Foods had most recently notified as a very small quantity generator (VSQG) of hazardous waste on April 8, 2005. I verified the facility address and the site contact information with Ms. Crock and updated the EPA RCRA Notification Acknowledgement/ Verification Report (see Attachment #6) to indicate the primary contact’s new name. At the time of this inspection, I determined West Liberty Foods to be a VSQG of D001, D002, F003, and F005 hazardous waste with less than 100 kg, or 220 lbs, of non-acute hazardous waste generated per month. In addition, I determined West Liberty Foods to be a small quantity generator of universal waste lamps and a generator of used oil. I did note two episodic generations of larger amounts of hazardous waste over the last three years that would have increased them to a Large Quantity Generator (LQG) during the affected months: on March 31, 2020, they shipped 2,752 pounds of hazardous waste from a damaged 330-gallon tote from the previous month (February 2020). On January 12, 2021, they shipped another 1,877 pounds and 5,755 pounds from additional cleanup of the previous February 2020 spill. Ms. Crock stated that it is West Liberty Foods goal to continuously meet the higher standards of the LQG regulations regardless of their current VSQG status.

4.3 Facility Waste Streams and Management

Ms. Crock stated that the generation of the waste streams below are generally consistent from month to month except for the episodic events noted. The following waste streams are managed by West Liberty Foods:

Waste Organic Peroxide (UN3109) – Ms. Crock stated that Inspexx (see Attachment #19 for the SDS) is used as an antimicrobial in the chill water at 60-80 ppm during their production process. It is generally not a waste and is typically used up in the process. The Plant Engineer, Eric Runge, explained that in February 2020, one of the 330-gallon poly totes of unused Inspexx ruptured while in storage and began “off-gassing”. The tote was being stored in a large outside metal Denios double-tier drum and IBC non-occupancy storage building used for chemical storage. The Denios storage unit was located on top of a concrete spill containment base. This 330-gallons, or 2,752 pounds, of waste was determined to be hazardous waste and given D001 and D002 waste codes. Convanta Environmental Solutions Carriers, located in Wisconsin, was used to transport the waste to Envirite of Illinois, Inc. in Harvey, Illinois, on March 31, 2020 (see Attachment #16 for the Manifest). There was no hazardous waste report management code listed on the manifest.

I noted on my pre-inspection eManifest report another similar shipment several months later on January 12, 2021, which indicated two hazardous wastes (see Attachment #20 for the manifest): 1,877 pounds of UN3109 Waste Organic Peroxide Liquid, and 5,755 pounds of UN3244 Solids Containing Corrosive Liquids (Peroxyacetic Acid). At the time of the inspection, Ms. Crock was unable to locate the manifest for this shipment and we initially thought it may have been an error in the eManifest system. Post inspection, I was able to locate a PDF copy of the original manifest in the RCRAInfo database that confirmed that this was a correct manifest for West Liberty Foods. In a follow-up phone call with Ms. Crock on April 6, 2023, she confirmed that there had been a “delayed cleanup” of the original spill several months after the initial spill, with the delay due to administrative and insurance delays getting approval for the expensive cleanup. The two hazardous waste components of the shipment were: 1) 1,877 pounds of additional totes of Inspexx, and 2) 5,755 pounds of contaminated insulation and materials in contact with the original Inspexx spill. Ms. Crock stated that the Inspexx shipped was additional totes of the unused product that were damaged by the original spill. This shipment transport was completed by Tri-State Motor Transit Company, located in Missouri, and transported to Clean Earth of Calvert City in Calvert City, Kentucky. Ms. Crock stated that no episodic report was filed with the EPA for either episodic event. During the visual inspection I observed the Denios storage unit in the north lot (see Photos 18 and 19). The tanks appeared to be in good condition.

UN1760 Polyamines Corrosive Liquid – Ms. Crock stated that this was a one-time shipment of a polyamine corrosive liquid that is a sanitizer product used during processing and is stored in large tanks in the Chemical Room. It is not a routine waste and is generally used up in the processing phase. Prior to this shipment, the plant mechanics needed to replace one of the tanks that contained this product, but the tank needed to be emptied to disassemble it for removal. During this process most of the product was transferred to other tanks but about 100 pounds was wasted and needed to be disposed of. Hertiage Crystal Clean, located in Illinois, was used to transport the one drum to Heritage Crystal Clean in

Indianapolis, Indiana (see Attachment #12 for the May 20, 2021 manifest). West Liberty Foods was a VSQG at this time. The manifest did not list any waste codes, but Ms. Crock stated that it was determined to be hazardous waste with a D002 waste code. The manifest indicated H141 management processing (the site receiving this waste stored/bulked and transferred the waste with no reclamation, recovery, destruction, treatment, or disposal at that site). During the visual inspection I observed these tanks in the Chemical Room (see Photos 2 and 3). The tanks appeared to be in good condition.

Thermal Treated Cooking Oil (QA Lab) – The QA Lab does periodic testing of the fry oil. After testing the waste is placed in a 30-gallon satellite accumulation area (SAA) drum located in the QA Lab. Ms. Crock stated that they consider the drum's contents to be hazardous based on product and process knowledge, but she was not aware if they had ever done an actual hazardous waste determination on it. The QA lab supervisor had already left for the day, but Ms. Crock suggested we call her to get more information on the contents of the drum. I talked to Deb Nyenhuis, QA Lab Supervisor (25 years with the company) via phone. Ms. Nyenhuis stated that they add about 60 cc of ethanol, NaOH, and phenolphthalein to the fry oil sample during testing and that those additives are the toxic and/or flammable parts. She stated that most of the sample is just fryer cooking oil. Ms. Crock stated that the most recent shipment of this waste was about 13 months previously on February 2, 2022. Heritage Crystal Clean, located in Elgin, Illinois, transported 16 gallons of "Thermal Treatment Cooking Oil" (see Attachment #13 for the invoice). Note, this was an invoice instead of a uniform hazardous waste manifest, so it does not indicate destination or the management process. Additionally, a uniform hazardous waste manifest is recommended (required for SQG and LQG) for all off-site hazardous waste shipments. A uniform hazardous waste manifest is not required for a VSQG, which this facility was at the time of the inspection. During the visual inspection, I noted a 30-gallon drum in the QA Lab (see Photos 14 and 15). The drum was in good condition with no obvious damage or leaks. The drum was about ½ full. The lid was lying on the top of the drum and not secured. The label indicates it was "UN2924 Flammable Liquids, corrosive and contains Ethanol and Sodium Hydroxide". The drum had a Flammable DOT pictogram, but the Heritage Crystal Clean generated label stated "*Non RCRA or RCRA Exempt*". Note, proper labeling of hazardous waste containers with "Hazardous Waste" and the nature of the hazard, is best management practices, but it is only required for SQG and LQG, not VSQG. The ½ full 30-gallon drum would be about 15 gallons. This would calculate out to a generation rate of about 15 gallons over the last 13 months, or about 1.2 gallons or about eight pounds per month.

***NOPF 1:** Failure to make a waste determination on the contents of the 30-gallon drum in the QA Lab as required in 40 CFR 262.11(a).* Post inspection, Ms. Crock provided a copy of a waste determination for this waste stream completed by Heritage Crystal Clean, that they called a "Waste Stream Survey", dated October 27, 2008 (see Attachment #21 for the waste determination). Post inspection, this NOPF has been **RESCINDED**.

***NOPF 2:** Failure to keep the satellite accumulation SAA container (30-gallon drum in the QA Lab) securely closed except when filling as required in 40 CFR 262.15(a).* Post inspection after further review, this NOPF only applies to SQG and LQG, not VSQG,

which this generator was at the time of the inspection. This NOPF has been **RESCINDED**.

Post inspection, Ms. Crock sent a response to the NOPFs that indicated the facility had determined this waste stream to be a D001 and D002 hazardous waste based on the attached waste determination from Heritage. She provided a photo of the drum with a new clamp secured lid.

Waste Paint - West Liberty Foods generates waste aerosol paint from maintenance processes. West Liberty Foods determined the waste paint D001, F003, and F005 hazardous waste based on product and process knowledge. Ms. Crock stated that this was a new process for them, and they have not yet needed to ship a full drum of waste paint. She estimates that they are generating about “one 55-gallon drum per year”, or about five gallons, or 36 pounds per month. Ms. Crock stated that empty waste paint aerosol cans are accumulated in a 55-gallon drum in the Maintenance Crib area and disposed of as scrap metal (see Photo 11). The partially full aerosol cans are taken outside for puncturing. The waste paint is accumulated in a 55-gallon drum which is located outside on the southside of the facility and the empty cans go to scrap metal in the Recycling Room. During the visual inspection, I observed the 55-gallon drum in the Maintenance Crib to be in good condition, about ½ full, and labeled with an accumulation start date. The outside 55-gallon drum was also in good condition, about ¼ full, and on top of a containment base. The drum was labeled with both flammable and a hazardous waste label (see Photo 24). Their shipper, Heritage Crystal Clean, had added a label that indicates “*Non-RCRA*”. There are no specific labeling requirements for VSQG hazardous waste. However, it is best management practice to correctly identify hazardous waste that is sent off-site for disposal.

Universal Waste (UW) Lamps and Electronics - West Liberty Foods generates universal waste lamps from lamp replacement activities. Ms. Crock stated that they are about 25% of the way in their change over to LEDs. They generate about 30 spent lamps per month. Overall, they combine this category of waste stream together and indicate generating 1.79 tons of recyclable electronics and universal waste lamps annually. This works out to 3,580 pounds per year, or 298 pounds per month. This also includes annually about one 55-gallon drum of large bulbs, 200 pounds of miscellaneous batteries, and two 55-gallon drums of spent ballasts. This waste stream is collected and transported for recycling by Dynamic Recycling. Initially, the spent lamps are collected in boxes in the Maintenance Crib. They are later taken outside to the Well House #3 shed, which contains a lamp crusher mounted with air filters on a 55-gallon drum (see Photo 20). See Attachments #11 for a manifest of universal waste batteries, and Attachment #15 for an invoice from Dynamic for recyclable electronics.

During the visual inspection, I observed the following 55-gallon drums of universal waste in the room just outside of the Shipping Office (see Photo 7): Left to Right: 1) Blue drum: Large light bulbs (full); 2) not UW (concrete); 3) Ballasts (½ full); 4) Batteries (1/10 full). All were properly labeled and had accumulation start dates labeled within one year. In the Maintenance Crib, I observed about a half dozen boxes of spent fluorescent lamps in cardboard tubes and boxes (see Photos 12 and 13). Most of the boxes were full. The four-foot tube was open and contained about a dozen fluorescent lamps (about 1/2 full, with three green tip lamps). All the boxes had accumulation start dates of less than one year. Most of the boxes were not labeled with:

“Universal Waste Lamps”. Even though there were a few green tip lamps, Ms. Crock stated that it was their intent to treat the lamps as universal waste. Ms. Crock stated that the Maintenance Crip was just temporary storage for the lamps prior to crushing. Based on the accumulation start dates, some of the lamps had been there for one to two months.

NOFF 3A: Universal Waste lamps must be stored in closed protective containers as required in 40 CFR 273.13(d)(1)

NOFF 3B: Universal Waste lamps must be stored in a container labeled with: “Universal Waste Lamps” or “Waste Lamps” or “Used Lamps” as required in 40 CFR 273.14

Post inspection, Ms. Crock provided photos of the universal waste lamps in closed and properly labeled boxes. She also noted that all the lamps in the Maintenance Crip holding area had been moved to the lamp crusher and crushed. Additional EPA follow-up will be required to determine if the crushed lamps can be considered Universal Waste or hazardous waste.

Used Oil and Used Oil Related Products - West Liberty Foods generates used oil from multiple sources and processes, both maintenance and processing of product. Used oil filters are currently hot drained, as shown in Photo 17, and then shipped by Heritage Crystal Clean as noted on the invoice in Attachment #14. They list the following used oil waste streams, including the waste stream, generation process, annual amount in pounds, and off-site management/disposal:

<u>Waste Stream</u>	<u>Process</u>	<u>Annual (Pounds)</u>	<u>Off-Site</u>
Absorbents/Used Oil	Maintenance	4,140	Absorb Tech
Used Oil	Maintenance	2,007,800	Crystal Clean
Absorbents/Debris	Maintenance	6,450	Bucks Oil Company
Used Grease	Maintenance	250	Bucks Oil Company
Oil Filters	Maintenance	775	Bucks Oil Company
Used Fryer Oil	Production	524,120	General Grease

During the visual inspection, I observed several used oil tanks and collection processes including:

- Outside on the north lot, I observed a 550-Gallon Used Oil tank with 12 used oil filters draining (see Photo 17).
- Outside south side lot, I observed two 10,000-gallon tanks of cooking oil – one used and

one new oil (see Photo 22).

- Outside south lot, I observed 1,000-gallon tank of used oil containing approximately 350-gallons (see Photo 23).

All the tanks observed appeared to be in good condition with no obvious damage or leaks, and all were properly labeled with “Used Oil”.

It should be noted that West Liberty Foods fleet of forklifts are electric and do not generate waste used oil. See Photo 5 for a view of the battery room where computerized battery chargers are used to recharge the forklift lithium battery packs.

Scrap Metal - West Liberty Foods generates nonhazardous scrap metal from their maintenance processes, which includes punctured aerosol cans, air filters, drums, gas cylinders (punctured), metal filings from blade sharpening, and scrap machines and equipment. Ms. Crock showed me an Excel report that indicated they shipped 98,520 pounds of scrap metal from all sources last year to Petersen Iron & Metal for recycling.

Wastewater - West Liberty Foods has an extensive pre-treatment process of the wastewater. It is considered nonhazardous after pre-treatment. Their wastewater sludge from process water and after pre-treatment is about 10,390,000 pounds per year. The City Water Permit (see Attachment #10) indicates their hourly maximum flow contribution is 176,833 gallons per hour. See Attachment #7 for their Wastewater Operator’s Guide. Their pre-treatment unit (see Photo 16) includes four 350 gallon per minute units. The pre-treatment units utilize a Bubble Accelerated Flotation System and are manufactured by Clean Water Technology, Inc. The waste solids are skimmed off and removed and hauled off-site by West Liberty Foods staff to the Ft. Madison Compost Facility. Blood from turkey blood collected in the Evisceration Room (see Photo 4), is generated at about 2,423,800 pounds per year, and is sent to AgriReNew, located in Stockton, Iowa. AgriReNew is a renewable energy company that specializes in recycling farm nutrients for energy. Brine is generated from processing at about 711,300 pounds per year and is sent to the City of Muscatine, in Muscatine, Iowa, for processing in their anaerobic digester (see Photo 6).

Wood Pallets - West Liberty Foods annually generates about 287,340 pounds of nonhazardous wood pallets from production operations that are sent to Odessa Wood Products for recycling. On-site the wood pallets are stored in the Recycling Room (see Photo 8).

Cardboard Recycling - West Liberty Foods generates nonhazardous cardboard from production operations. They estimate about 1,255,200 pounds per year. The waste cardboard is sent the Recycling Room (see Photos 8, 9, and 10) where it is compacted and baled and sent to International Paper for recycling.

General Trash and General Recycling - West Liberty Foods generates mostly presorted nonhazardous recyclables that often would be landfill trash. They generate annually 14,400,000 pounds of feathers, 48,059,620 pounds of food waste, and 11,144,000 pounds of clean up-loads, all from productions, that are shipped to Darling International in Muscatine, Iowa, for processing. They annually generate over 1 million pounds of multi-layer plastics that are shipped

to Green America for recycling. These are all compressed and bundled in the Recycling Room (see Photos 8, 9, and 10).

4.4 Other Areas Reviewed

Outside Facility Perimeter - I conducted a limited inspection of the outside perimeter of the facility and observed no hazardous waste storage tanks and containers except as noted above. See the aerial and map views and facility diagram in Attachment #1.

Central Accumulation Area - Routinely generated hazardous waste is generated in small amounts and generally transported directly from their SAA location.

Preparedness and Prevention - Ms. Crock stated that West Liberty Foods has a full-time professional inhouse Environmental, Health and Safety (EHS) staff. They also have inhouse 24/7 security including a security check-in desk at the front entrance. Overhead PA system, land lines, handheld radios, and mobile phones are used onsite to alert company personnel in the event of an emergency. The facility has a centralized fire alarm system, as well as numerous fire extinguishers, and eye-wash stations. I observed adequate spill response equipment near hazardous waste and the Chemical Room. Their 24/7 security has all the necessary emergency contact information. Their local fire department visits and inspects annually. See Attachment #17 for a detailed summary of a recent Fire Department walk-through of their facility. Several of the facilities staff are also trained members of their local volunteer fire department. The emergency coordinator is available onsite or via cell phone 24/7. They have had and are in the process of restarting their onsite hazardous materials (Hazmat) team. The team was discontinued during the pandemic due to staffing issues. See Photo 21 for their Hazmat team trailer. Ms. Crock also provided a summary document of a recent Hazmat/Spill Response Drill (see Attachment #8). Page 4 of the Drill summary contains a facility map which details the locations of the: command center, water sources, evacuation locations, spill response kits, neutralizer containers, and windsocks.

Ms. Crock provided a copy of their written Contingency Plan called “West Liberty, IA Facility Emergency/Disaster Plan” (see Attachment #18 for the table of contents). The Contingency Plan was very detailed at over 50 pages and appears to contain the required information. As a VSQG they are not required to have a Contingency Plan and Quick Reference Guide. However, facility operated as a LQG during February and March of 2020 and May of 2021. In addition to a Contingency Plan, the facility did not develop a Quick Reference Guide. I noted that their Contingency Plan had been revised three times since the Quick Reference Guide requirement went into effect on May 30, 2017, with revision dates of August 1, 2019, June 1, 2020, and February 14, 2022. The revisions also occurred twice since their episodic LQG status in 2020, but the Contingency Plan did not appear to contain a Quick Reference Guide. Ms. Crock stated that they did not have a Quick Reference Guide but stated that it was a good idea and something she had been planning on developing. In their NOPF response, Ms. Crock stated that they will develop and send in a new Quick Reference Guide by April 24, 2023.

NOPF 4: Failure to develop a Quick Reference Guide as required in 40 CFR 262.262(b)

Personnel Training - As a VSQG, documented hazardous waste training (except for Universal Waste handling which is required even for VSQG), is not required. West Liberty Foods had acquired an episodic LQG status in February and March of 2020. Ms. Crock stated West Liberty Food requires initial and annual refresher hazardous waste training for all employees that handle hazardous waste and or universal waste and provided me with an Excel printout of about 80 employee's 24-hour Hazmat and 8-hour Refresher Hazmat training (see Attachment #9).

5.0 SUMMARY OF FINDINGS

NOPF 1: RESCINDED

NOPF 2: RESCINDED

NOPF 3: Universal Waste Lamps:

- A.** Universal Waste lamps must be stored in closed protective containers as required in 40 CFR 273.13(d)(1)
- B.** Universal Waste lamps must be stored in a container labeled with:
"Universal Waste Lamps" or "Waste Lamps" or "Used Lamps" as required in 40 CFR 273.14

NOPF 4: Failure to prepare a Quick Reference Guide as required in 40 CFR 262.262(b)

Other than the items specifically noted in this narrative, I observed no additional issues or potential findings. However, further EPA review may change or add to my findings.

MARK HOLCOMB
(Affiliate)

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Date: 2023.04.21 11:51:54
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Mark Holcomb
Civil Investigator, SEE

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Amber Whisnant
RCRA Section Chief, ECAD/Chemical Branch

Attachments:

- 1) Facility Aerial, Map and Diagram Views (4 pages)
- 2) Photo Log (24 photos and 12 pages)
- 3) Receipt for Documents (1 page)

- 4) Confidentiality Notice (1 page)
- 5) NOPF (1 page)
- 6) EPA RCRA Notification Acknowledgement/Verification Report (1 page)
- 7) Wastewater Operators Guide (7 pages)
- 8) Spill Response Drill (9 pages)
- 9) Employee Hazmat Training List (2 pages)
- 10) City Water Permit (5 pages)
- 11) Manifest - UW Batteries (1 page)
- 12) Manifest - Corrosive Liquid 5.19.2021 (1 page)
- 13) Invoice - QA Lab Thermal Treated Cooking Oil (1 page)
- 14) Invoice - Heritage Used Oil Filters (1 page)
- 15) Invoice Recyclable Electronics - Dynamic (2 pages)
- 16) Manifest - 3.31.2020 Waste Organic Peroxide (2 pages)
- 17) FD Walkthrough Report (4 pages)
- 18) Emergency Plan (Contingency Plan) Table of Contents (2 pages)
- 19) SDS - Inspexx (12 pages)
- 20) Manifest - 1.12.2021 Waste Organic Peroxide (1 page)
- 21) Waste Determination - QA Lab Cooking Oil (26 pages)