

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

AMCOR FLEXIBLES NORTH AMERICA INC. – CENTERVILLE

1400 E. O’Neal Street
Centerville, Iowa 52544

EPA ID Number: IAD041580721

On

November 17, 2021

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 Tetra Tech Inc. (Toeroek team) conducted a hazardous waste compliance evaluation inspection (CEI) at AMCOR Flexibles North America Inc. – Centerville (AMCOR), at 1400 E. O’Neal Street in Centerville, 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 findings of the CEI.

PARTICIPANTS

AMCOR:

Mitch Cohrs, Environmental, Health, and Safety (EHS) Manager

Toeroek Team:

Heather K. Wood, Inspector, 816-412-1768

INSPECTION PROCEDURES

Due to the spread of coronavirus disease 2019 (COVID-19) at the time of the CEI, I contacted Mr. Cohrs by email on November 1, 2021. The purpose of the initial contact was to identify the appropriate facility representatives, ensure the representatives would be available during the CEI, and to discuss protocols, procedures, and any other requirements adopted by the facility to mitigate the spread of COVID-19. Mr. Cohrs replied to my email confirming the proposed inspection date.

Prior to the CEI at AMCOR on November 17, 2021, I conducted a drive-by visual inspection of the facility. I did not observe any areas of concern during the drive-by. Upon arrival at 8:30 am I entered the visitor's entrance, completed the self-survey for COVID-19, and contacted Mr. Cohrs by interoffice phone to inform him of my arrival. He met me in the lobby and escorted me to a conference room where we conducted the entry briefing.

During the entry briefing, I presented my business card and EPA credential letter to Mr. Cohrs. I explained the scope of the CEI and the data gathering procedures that would be employed (for example, interviews, visual inspection, records review, and digital photography). I then informed Mr. Cohrs of the facility's right to make confidentiality claims for any or all of the information obtained. I stated that at the conclusion of the CEI, he 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 Mr. Cohrs 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 he read.

A copy of each of the following documents was left with the facility 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
- Managing your Hazardous Waste: A Guide for Small Businesses
- U.S. EPA Small Business Resources Information Sheet
- Industry Sector Notebooks
- Environmental Compliance Assistance Centers
- Solvent-Contaminated Wipes Final Rule Summary Chart
- IDNR Excluded Solvent-Contaminated Wipes Rule: Management Practices for Wipes, Rags, and Shop Towels
- Universal Wastes – Including Aerosol Cans
- RCRA Online: A Quick Reference Guide
- Part 279 Requirements: Used Oil Management Standards
- EPA Region 7 Emergency Response Program
- Commercial Motor Vehicle Transportation System Security and Safety
- Security Awareness
- Chemical Facility Anti-Terrorism Standards

I reviewed the Hazardous Waste Site Info Verification Report (Verification Report) with Mr. Cohrs (Attachment 1). Based on this review and observations during the CEI, I updated Mr. Cohrs's email address and added small quantity handler (SQH) of universal waste and used oil generator to the Type(s) of Regulated Activity section of the report.

I conducted the visual inspection of the facility, accompanied by Mr. Cohrs. I reviewed available facility records, including manifests with land disposal restriction (LDR) notifications, waste profile and analytical testing records, safety data sheets (SDS), inspection records, emergency procedures documentation, and other documentation related to waste generation and management. Facility information gathered during the CEI is documented on the Data Gathering Worksheets and Checklists (Attachment 2).

At the conclusion of the CEI, I conducted an exit briefing with Mr. Cohrs. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. Cohrs signed, acknowledging receipt (Attachment 3). I provided Mr. Cohrs the Notice, which he signed indicating no confidential business information had been provided (Attachment 4). I provided Mr. Cohrs a Notice of Preliminary Findings (NOPF), which he signed to acknowledge receipt (Attachment 5).

A facility map obtained during the CEI is included in the Contingency Plan collected during the inspection (Attachment 6, Page 17). An aerial photograph of the facility was downloaded after the CEI and is included in Attachment 7. The 32 photographs taken during the CEI are included in Attachment 8.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

AMCOR manufactures flexible plastic packaging for food products. The facility began operation at its current location in the mid 1960s and consists of a single building with approximately 250,000 square feet under roof. AMCOR employs approximately 220 personnel who work one of four 12-hour shifts, 7 days a week. Raw materials include powder and pellet resins, powder starch, nylon, solvent-based ink, and solvents. According to documents from the EPA RCRAInfo database reviewed by me during my pre-inspection review, the facility operated as Bemis Corporation until November 2020, when the facility began operating as AMCOR.

AMCOR blends resin in a hopper which is fed to an extruder where the mixture is melted, extruded through a die and blown to the size needed. The bubble is then collapsed, wound on a core, and processed through an electron beam curing unit (EBCU). According to Mr. Cohrs, the manufacturing process does not generate any industrial waste.

The plastic packaging is then printed with customer logos and other product information. AMCOR utilizes a central impression flexographic printing system. AMCOR has six printing presses, but, according to Mr. Cohrs, only four are in regular use. The printing presses use solvent-based inks and flexible plates that imprint on the plastic as it passes on a rotating drum.

Printing presses are cleaned between each batch order print cycle using a solvent that is a 20 % n-propyl acetate and 80% n-propanol blend. Wastes from the printing process include a waste ink/solvent mixture, which is typically managed as a hazardous secondary material (HSM) and waste flammable solids (a D001 hazardous waste). Waste flammable solids consist of used mops, absorbents, personal protective equipment (PPE), and some kinds of wipes (identified as the “white rags” by the facility). The facility also has a different class of wipes that are laundered and reused. These are managed to be excluded from the definition of hazardous waste as excluded solvent-contaminated wipes (called “purple wipes” or “ink towels” by the facility). According to Mr. Cohrs, the difference between these two types of wipes is their absorbency.

The waste ink/solvent mixture is reclaimed at the facility using a Renzmann RotamaX e-15 distillation unit (still) (Attachment 8, Photograph 27). The waste-ink solvent mixture is brought to the Ink Room for reclamation. It is decanted into a 55-gallon container, which is hard-piped to a holding tank connected to the still (Attachment 8, Photographs 23 and 24). The still is operated two or three times a week, and the reclaimed solvent is decanted into another tank (Attachment 8, Photograph 26). According to Mr. Cohrs, the reclaimed solvent is reused for cleaning and can be used for any application at the facility other than thinning ink.

According to Mr. Cohrs, the previous distillation unit was offline from August 2019 through March 2021. During that time, the HSM was considered D001 hazardous waste and sent offsite for disposal. The facility purchased the new unit in February 2021 and began reclaiming the waste ink/solvent the next month. Reclaiming HSM generates still bottoms, which the facility considered hazardous waste, and flammable solids.

Building and equipment maintenance generates used oil and used oil debris (including absorbents and filters), both of which are managed as used oil according to Title 40 *Code of Federal Regulations* (40 CFR) Part 279. Equipment maintenance also generates used batteries, which are managed as universal waste according to 40 CFR Part 279. Mr. Cohrs said the facility had been retrofitted for light-emitting diode (LED) lighting two or three years earlier. AMCOR has a parts washer for degreasing facility equipment. The parts washer uses a high-flash point solvent (Safety-Kleen Premium Solvent), and the facility considers the spent parts washer solvent to be nonhazardous waste.

Aerosol paints are used for spray painting and spray lubricants. Used aerosol cans are punctured and drained into a satellite accumulation area (SAA) container. The aerosol can residue is considered by the facility to be hazardous waste based on product and process knowledge. Punctured and drained cans are added to the facility’s scrap metal accumulation containers. Scrap metal generated at the facility is collected for recycling. Because it is recycled, the facility considers scrap metal to be exempt from the definition of solid waste.

General trash consists of office-type refuse, packaging, and other nonhazardous items. General trash is compacted onsite and collected for landfill disposal.

On July 12, 2017, an EPA contractor conducted a CEI at AMCOR, when it was still operating as Bemis Corp. During the CEI, the inspector made the following preliminary findings:

1. Failure to include a description of arrangements with local emergency agencies in the RCRA Contingency Plan
2. Failure to describe the emergency equipment capabilities in the RCRA Contingency Plan
3. Failure to prepare a written description of the type and amount of introductory and continuing education provided
4. Failure to conduct annual refresher RCRA training for employees
5. Failure to label a SAA container with the words “hazardous waste”
6. Failure to label a SAA container with an indication of the nature of the hazard
7. Failure to label used oil storage container with the words “used oil”
8. Failure to label universal waste lamps with the words “universal waste lamps,” or “waste lamps,” or “used lamps”
9. Failure to close a hazardous waste SAA container
10. Failure to date or otherwise track the accumulation time of universal waste lamps and batteries
11. Accumulation of universal waste lamps for longer than one year
12. Failure to adequately train employees responsible for management of universal waste lamps and batteries
13. Failure to store universal waste lamps in a structurally sound container.

Of the violations listed above, NOPF Nos. 4 and 7 were repeated during this inspection.

2. RCRA Status

AMCOR is identified as a large quantity generator (LQG) of hazardous waste, generating more than 1,000 kilograms (kg) of hazardous waste per calendar month on the Verification Report provided by EPA (Attachment 1). During the CEI, I reviewed manifests for outgoing hazardous waste shipments and the facility’s waste log (Attachment 9) to confirm the facility’s hazardous waste generator status. Based on my review of documents, the facility generates approximately 1,000 kg of flammable solids and 1,000 gallons of still bottoms per month. Assuming approximately 7 pounds per gallon of still bottoms, the facility generates approximately 3,000 kg of still bottoms per month. The waste ink/solvent is currently managed as exempt HSM. Based on the above, I concluded the hazardous waste generation rate for AMCOR is well above LQG thresholds. In addition, the facility is a used oil generator and a SQH of universal waste (accumulating less than 5,000 kg of universal waste at any time). I confirmed each of these activities during the CEI.

3. Waste Streams

This section of the CEI report describes 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 my interviews with Mr. Cohrs, the visual inspection, and my review of available documentation.

The visual inspection included maintenance areas, the universal waste shed, the hazardous waste container accumulation area (HWCAA) enclosure, the ink room, and the press areas. I observed five SAAs during the visual inspection and did not observe accumulation of more than 55 gallons of hazardous waste in any SAA. Mr. Cohrs accompanied me throughout the visual inspection.

Waste ink and solvent consists of spent solvent and ink generated from cleaning printing equipment. The solvent used at the facility is a 20-80 n-propyl acetate and n-propanol solvent blend. I reviewed a copy of the SDS for the solvent during the inspection and confirmed that it had a flashpoint of 65°F. According to Mr. Cohrs, none of the inks contain any toxic ingredients as the facility is printing food packaging. The facility typically manages the material as HSM exempt from the definition of solid waste according to 40 CFR 261.4(a)(23).

However, according to Mr. Cohrs, the facility's still was largely offline from August 2019 through March 2021. He said that the facility made several attempts to repair the still, and that it operated briefly several times, only to again break down. He also said that the facility attempted on multiple occasions to get parts to restart the unit, which was hampered by supply chain issues related to the COVID pandemic. The facility finally decided to purchase a new still. Because the facility was attempting for the whole period to restart solvent reclamation, they did not notify EPA that they had ceased HSM recovery, nor did they re-notify when the new still came on-line.

During the time that the still was not operating, the waste ink and solvent was considered D001 hazardous waste and sent offsite for disposal. Based on the waste logs (Attachment 9), the facility generates approximately 2,200 gallons, or 7,000 kg, of waste ink and solvent per month. When it is sent offsite for disposal, it was sent to Hydrite Chemical in Cottage Grove, Wisconsin, for solvent recovery. It was most recently manifested on March 4, 2021 (Attachment 10, Page 5).

Now that the new still is operating, the facility reclaims the solvent onsite, according to the requirements of 40 CFR 261.4(a)(23). The solvent is brought directly from the press lines to the 55-gallon container attached to the still (Attachment 8, Photograph 23). The container was closed, labeled as "hazardous secondary material," and in good condition. According to Mr. Cohrs, the solvent is reclaimed two or three times a week, and a still log is maintained. Attachment 11 provides an example page from the log. He said that solvent awaiting reclamation is not accumulated and that the distillation cycle is started as soon as the tank is full. I did not observe any solvent awaiting reclamation other than the 55-gallon container and the tank, nor did I observe any signs that multiple containers are staged awaiting reclamation in the ink making room.

The reclaimed solvent is held in a tank in good condition and labeled as "distilled wash solvent" (Attachment 8, Photograph 26). Mr. Cohrs said that the reclaimed solvent is used immediately

for all the same cleaning purposes as the virgin solvent and only excluded from being used to thin inks. Mr. Cohrs also provided the facility's documentation of legitimate recycling, describing how the solvent is reclaimed and reused (Attachment 12). The facility notified EPA of HSM activity with its 2019 Biennial Report.

I did not identify any deficiencies related to waste ink and solvent during the inspection.

Flammable solids are generated through cleanups of spills of solvent and disposal of used mops, absorbents, PPE, and some kinds of wipes (the "white rags"). The facility considers flammable solids to be hazardous waste (D001) based on product and process knowledge. Based on the waste logs (Attachment 9) and my review of manifests, the facility generates approximately 1,000 kg of flammable solids per month. Flammable solids are transported to Tradebe Treatment and Recycling (Tradebe) in East Chicago, Indiana, for solvent recovery. The waste was last collected on November 10, 2021 (Attachment 10, Page 1).

During the CEI, I observed a 55-gallon SAA container of flammable solids in the ink room and two SAAs in the press room (Attachment 8, Photographs 22, 29, and 32). One of the SAAs is at the operator station for the two press lines on the east side of the room, and the other is for operator station for the two press lines on the west side of the press room. The SAA containers were near the point of generation, under control of the operator, structurally sound, closed, labeled with the words "hazardous waste," and labeled with an indication of the nature of the hazard ("flammable solid"). The SAA container in the ink room held approximately 30 gallons of waste, and the two containers in the press room each held approximately 5 gallons of waste.

During the CEI, I observed eight 55-gallon containers of flammable solids in the HWCAA (Attachment 8, Photographs 15 and 16). They were all in good condition, closed, dated, labeled with the words "hazardous waste," and labeled with an indication of the nature of the hazard ("flammable solid"). The oldest container was dated September 28, 2021. I did not identify any deficiencies related to flammable solids during the inspection.

Excluded solvent-contaminated wipes are generated during some cleaning activities in the press room (the "purple rags" or "ink towels"). Based on my review of shipping documents (Attachment 13), Cintas collects approximately 5,000 wipes ("ink towels") for laundry per week. The wipes are laundered and reused. According to Mr. Cohrs, the facility is on a weekly collection plan (frequency 01 on Attachment 13), and all wipes are collected every week. He also provided the contract with Cintas and AMCOR's corporate headquarters confirming that all ink towels were to be collected every week.

The facility claimed that the solvent-contaminated wipes were exempt from the definition of solid waste as described in 40 CFR 261.4(a)(26). During the inspection, I observed multiple containers of solvent-contaminated wipes in the ink room and press areas (Attachment 8, Photographs 28, 30, and 31). All were closed, in good condition, and labeled as "excluded solvent-contaminated wipes." I observed the contents of the containers and did not see any liquids. Mr. Cohrs said the facility had a standard operating procedure to ensure that free liquids were not put in the containers. I did not identify any deficiencies related to excluded solvent-contaminated wipes during the inspection.

Still bottoms are generated through distillation of waste ink and solvent when the still is operational. The facility considers still bottoms to be hazardous waste (D001) based on product and process knowledge. Based on the waste logs (Attachment 9) and my review of manifests, the facility generates approximately 1,000 gallons, or 3,000 kg, of still bottoms per month. Still bottoms are transported to WRR Environmental Services in Eau Claire, Wisconsin, for energy recovery. The waste was last collected on November 10, 2021 (Attachment 10, Page 2).

During the CEI, I observed a 55-gallon SAA container of still bottoms in the ink room, under the still (Attachment 8, Photograph 25). The SAA container was near the point of generation, under control of the operator, structurally sound, closed, labeled with the words “hazardous waste,” and labeled with an indication of the nature of the hazard (“flammable liquid”). The SAA container held approximately 30 gallons of still bottoms.

During the CEI, I observed seven 55-gallon containers of still bottoms in the HWCAA (Attachment 8, Photographs 12 and 13). They were all in good condition, closed, dated, labeled with the words “hazardous waste,” and labeled with an indication of the nature of the hazard (“flammable liquid”). The oldest container was dated November 2, 2021 (Attachment 8, Photograph 14). I did not identify any deficiencies related to distillation bottoms during the inspection.

Used oil is generated from maintenance of equipment. Used oil is managed by the facility according to requirements of 40 CFR Part 279. Used oil is stored in a 55-gallon used oil storage container in the maintenance area. Used oil is collected for recycling by Tradebe in East Chicago, Indiana. Based on the waste logs (Attachment 9), I estimated the facility generates as much as 600 gallons of per year. Used oil was last collected on November 10, 2021 (Attachment 10, Page 3).

During the CEI, I observed the 55-gallon used oil storage container in the maintenance area (Attachment 8, Photographs 1 and 2). The used oil storage container was structurally sound and in good condition, but was labeled as “waste oil.” It held approximately 5 gallons of used oil that had just been drained from used oil filters. I concluded that the facility had failed to label the container as “used oil,” as required by 40 CFR 279.22(c)(1) (**NOPF No. 1**). I provided compliance assistance regarding labeling of used oil. This finding was repeated from the previous inspection.

Used oil debris is generated from maintenance of equipment. It includes oily absorbents and used oil filters, which the facility does not puncture or crush. Used oil debris is managed by the facility according to requirements of 40 CFR Part 279. It is stored in a 55-gallon used oil storage container in the maintenance area. Used oil debris is collected for recycling by EMCO Waste Services in Kenosha, Wisconsin. Based on the waste logs (Attachment 9), I estimated the facility generates as much as 165 gallons of per year. Used oil debris was last collected on November 10, 2021 (Attachment 10, Page 4).

During the CEI, I observed the 55-gallon used oil storage container for used oil debris in the maintenance area (Attachment 8, Photographs 3 and 4). The used oil storage container was

structurally sound and in good condition, but was labeled as “waste oil.” I concluded that the facility had failed to label the container as “used oil,” as required by 40 CFR 279.22(c)(1) (**NOPF No. 1**). The container held several used oil filters and had several unpunctured used oil filters sitting on the lid. I provided compliance assistance regarding labeling of used oil. This finding was repeated from the previous inspection.

Aerosol can residue is generated from puncturing empty and unwanted aerosol cans, including those that contained paint, adhesives, and lubricants. Maintenance staff at the facility puncture and drain used aerosol cans in the maintenance shop. Aerosol can residue drained from used aerosol cans is considered to be hazardous waste (D001) by product and process knowledge. Aerosol can residue is accumulated in a 55-gallon SAA container beneath the puncturing unit. According to Mr. Cohrs, he could not remember the last time the SAA container for aerosol residue had been sent for disposal, but he estimated it had been longer than 10 years.

During the CEI, I observed the SAA container for accumulation of aerosol can residue (Attachment 8, Photographs 6 and 7). The SAA container held approximately 15 gallons of aerosol residue and was at the point of generation (that is, under the puncture unit), under control of the operator (maintenance staff who puncture the cans), structurally sound, closed, and labeled with the words “hazardous waste.” The SAA container was also labeled with the words “flammable liquid.” I did not observe any deficiencies related to aerosol can residue during the inspection.

Scrap metal is generated throughout the facility and includes broken equipment, banding, and other scrap (including punctured aerosol cans). The facility considers scrap metal to be exempt from the definition of solid waste per 40 CFR 261.4(a)(13) or exempt from hazardous waste regulation per 40 CFR 261.6(a)(3)(ii) when recycled. Scrap metal is accumulated in several containers throughout the facility and is collected by Centerville Iron in Centerville, Iowa, for recycling. Mr. Cohrs estimated that the facility generated approximately 10 cubic yards of scrap metal per month. During the CEI, I observed scrap metal accumulation containers at the facility (Attachment 8, Photographs 8 and 11). I did not observe any deficiencies related to scrap metal during the inspection.

Spent parts washer solvent is generated during servicing of the facility’s parts washer unit in the maintenance area. The unit uses virgin Safety-Kleen Premium Gold mineral spirits solvent, which has a flashpoint of 147°F. As a result, the facility considers spent parts washer solvent to be nonhazardous based on product and process knowledge. The parts washer units are serviced by Safety-Kleen on a 16-week schedule, generating approximately 25 gallons of spent parts washer solvent per service call (Attachment 14). Spent parts washer solvent is containerized during servicing and transported to Safety-Kleen in Des Moines, Iowa, for recycling or disposal. I observed one parts washer unit in the maintenance area during the CEI (Attachment 8, Photograph 9). I did not observe any deficiencies related to spent parts washer solvent during the inspection.

Used batteries are generated during maintenance of small equipment. The facility manages used batteries as universal waste according to requirements of 40 CFR Part 273. Used batteries are accumulated in universal waste accumulation containers in the maintenance area and in the

universal waste shed. The waste is collected by A-TEC of Des Moines, Iowa, for recycling. Based on the volume of waste in accumulation and the accumulation start dates, I estimated the facility generates approximately 10 gallons of used batteries per year. I did not note the date of last collection.

During the CEI, I observed two 5-gallon universal waste batteries accumulation containers in the maintenance area (Attachment 8, Photographs 5 and 10). The universal waste accumulation containers were structurally sound and closed. Both were labeled with the words “used batteries” and marked with accumulation start dates (May 5, 2021, and January 12, 2021). I also observed a single lead-acid used battery in the universal waste shed. It was labeled with the words “used batteries” and marked with accumulation start date of September 22, 2021. I did not photograph of the battery in the shed.

I did not observe any deficiencies related to used batteries during the inspection.

General trash consists of office- and packaging-type refuse generated at the facility. The facility determined that general trash is nonhazardous waste based on product and process knowledge. The waste is compacted on site and is collected for landfill disposal at the South Central Iowa Solid Waste Agency in Tracy, Iowa. During the CEI, I observed the general trash compactor. I did not observe any deficiencies related to general trash during the inspection.

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 of the HWCAA and SAAs, I observed telephones for summoning emergency assistance if needed. I observed emergency response materials and equipment such as sprinkler systems, emergency eye wash stations, brooms, and spill response kits with absorbent materials. Photographs of emergency response materials near the HWCAA are in Attachment 8, Photographs 17 through 20. I did not observe any deficiencies related to emergency response equipment during the inspection.

5. HWCAAs

The facility maintains a central HWCAA, which was inspected during the CEI. During the inspection, I observed seven 55-gallon HWACs of distillation bottoms and eight 55-gallon HWACs of flammable solids. All containers were closed, dated, in good condition, and appropriately labeled.

I also reviewed weekly inspection checklists for the HWCAA for the last three years. During my review, I observed multiple gaps in inspections in the previous year. I asked Mr. Cohrs if personnel conducting the inspections are required to fill out the checklist, and he said that they were. He said that the missing inspection checklists likely indicated that the HWCAA had not been inspected. In particular, inspections did not appear to have been conducted on or around November 11, December 9, and December 23 in 2020 and the weeks of June 2, June 30, and October 20 in 2021. Copies of the inspection checklists for the previous year are included in Attachment 15. I pointed out to Mr. Cohrs that a number of the missed inspections were near

major holidays. I concluded that the facility had failed to conduct weekly inspections of the HWCAA, as required by 40 CFR 262.17(a)(1)(v) (**NOPF No. 4**). I provided compliance assistance regarding weekly inspections of HWCAAs.

6. Manifests and Biennial Report

Hazardous wastes are collected approximately biweekly at the facility. During the CEI, I reviewed approximately 25 manifests and LDR notifications (including all 2021 manifests and spot checks of manifests from 2020 and 2019). I leafed through all 2018 and 2019 manifests to verify that the facility had 3 years of manifests available for review. The Hazardous Waste Biennial Report for 2019 was submitted in February 2020, and a copy is maintained at the facility. I did not observe any deficiencies related to manifests or the Biennial Report during the inspection.

7. Preparedness and Prevention, and Contingency Plan

LQG facilities are required by 40 CFR 262.17(a)(6) to meet the emergency preparedness, prevention, and procedures requirements outlined in 40 CFR 262 Subpart M, including preparation of a RCRA Contingency Plan and documented arrangements with response agencies. During the CEI, I reviewed the facility's Contingency Plan (Attachment 6) and several policies incorporated by reference and appended to the base plan. I reviewed the Contingency Plan and the included referenced policies against content requirements of 40 CFR 262.261. During my review, I observed that the Contingency Plan did not include procedures to respond to fire or explosions. Mr. Cohrs said that the facility did have a fire response procedure, but that it was not referenced in the Contingency Plan. I concluded that the facility had failed to include description of response to fires and explosions in the Contingency Plan, as required by 40 CFR 262.17(a)(6) referencing 262.261(a) (**NOPF No. 3**). During the inspection, Mr. Cohrs provided a draft of the amended Contingency Plan which had been revised to refer to the fire procedures (Attachment 16). I provided compliance assistance regarding Contingency Plan contents.

The facility's Contingency Plan was updated in November 2021. At that time, the facility also prepared and submitted a Quick Reference Guide (QRG) to emergency response agencies with the updated Contingency Plan. I reviewed the QRG against the content requirements of 40 CFR 262.262(b). During my review, I observed that the QRG did not provide the location of water supplies, as required by 40 CFR 262.17(a)(6) referencing 262.262(b)(6) (**NOPF No. 2**). I provided compliance assistance regarding QRG contents.

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. AMCOR provides training covering hazardous waste awareness, management, and labeling to all hazardous waste employees, and that training is required annually, according to their job descriptions (Attachment 17). AMCOR also provides training to all employees on emergency response procedures and responsibilities. These trainings are provided as part of an employee's initial training and annually thereafter. The job descriptions provided by Mr. Cohrs included a description of duties, education, skills, and qualifications. They did not include Mark

Becker, Scott Clark, or Brad Wade, who were identified as alternate emergency coordinators (EC).

According to Mr. Cohrs, he provides training in small groups or in a one-on-one setting. He said that he personally received annual refresher training from Lion, and he provided certificates. The most recent certificate is in Attachment 18 (Page 1). I asked him if the alternate ECs receive annual RCRA training, and he said that they do not. I reviewed the training documentation for the previous years. I did not observe any training documentation for 2020, and Mr. Cohrs said that no training was conducted in 2020 due to the COVID-19 pandemic. When I reviewed training records for 2019 and 2021, I observed multiple staff members who had not received training, including no training for the ECs, no training for Todd Bunnell (one of the primary personnel conducting container inspections) in 2021, and no training for Shawn Bradshaw (the other primary person conducting container inspections) in 2019. I concluded that the facility had failed to conduct annual refresher training for hazardous waste personnel, as required by 40 CFR 262.17(a)(7)(iii) (**NOPI No. 5**). I provided compliance assistance regarding annual RCRA refresher training. This finding was repeated from the previous inspection.

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 found 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. AMCOR is not subject to the Subpart AA regulations because the facility's distillation unit is used to process HSM that is exempt from the definition of hazardous waste, and the facility does not otherwise manage hazardous waste in equipment with 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. AMCOR is not subject to the Subpart BB regulations because it does not have equipment that contains or comes in contact with 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 at AMCOR because the facility accumulates hazardous waste that contains VOCs in containers larger than 26 gallons in capacity. During the CEI, I determined that the facility complies with the Subpart CC requirements for 55-gallon containers by using Container Level 1 controls (containers smaller than 122 gallons that are U.S. Department of Transportation [DOT]-approved). I did not observe any deficiencies related to the Subpart CC air emissions requirements during the inspection.

10. Summary of Preliminary Findings

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

1. Failure to label a used oil storage container with the words “used oil,” as required by 40 CFR 279.22(c)(1) (**NOPF No. 1**).
2. Failure to include the location of water supplies in the Contingency Plan QRG, as required by 40 CFR 262.17(a)(6) referencing 262.262(b)(6) (**NOPF No. 2**).
3. Failure to include description of response to fires and explosions in the Contingency Plan, as required by 40 CFR 262.17(a)(6) referencing 262.261(a) (**NOPF No. 3**).
4. Failure to conduct weekly inspections of the HWCAA, as required by 40 CFR 262.17(a)(1)(v) (**NOPF No. 4**).
5. Failure to conduct annual refresher training for hazardous waste personnel, as required by 40 CFR 262.17(a)(7)(iii) (**NOPF No. 5**).

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.



Digitally signed by Heather Wood
Date: 2022.01.11 10:21:31 -06'00'

Date: 1/11/2022

Heather K. Wood
Inspector, Tetra Tech Inc.

AMBER WHISNANT

Digitally signed by AMBER
WHISNANT
Date: 2022.01.14 17:07:39 -06'00'

Date: 1/14/2022

Amber Whisnant
Section Chief, ECAD/CB/RCRA

Attachments:

1. Hazardous Waste Site Info Verification Report (2 Pages)
2. Data Gathering Worksheets and Checklists (46 Pages)
3. Receipt for Documents and Samples (1 Page)
4. Confidentiality Notice (1 Page)
5. Notice of Preliminary Findings (1 Page)
6. Contingency Plan (30 Pages)
7. Aerial Image of the Facility (1 Page)
8. Photographic Documentation (Photolog and 32 Images) (19 Pages)
9. Waste Logs (3 Pages)
10. Manifests (5 Pages)
11. Still Log (1 Page)
12. Documentation of Legitimate Recycling (3 Pages)
13. Cintas Invoice (1 Page)
14. Safety-Kleen Invoice for Parts Washer Service (2 Pages)
15. Weekly Inspection Logs (49 Pages)
16. Corrected Draft Contingency Plan (7 Pages)
17. Job Description (3 Pages)
18. Training Documentation (13 Pages)

NOTICE OF PRELIMINARY FINDINGS

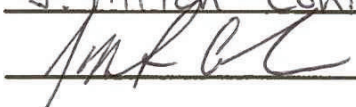
FACILITY NAME: AMCOR FLEXIBLES NORTH AMERICA INC. - CENTERVILLE
ADDRESS: 1400 E. O'NEAL ST CENTERVILLE IA 52544
EPA ID NUMBER: IA D041580721 **DATE:** 11/17/21

NOTICE: I am not an employee of the Environmental Protection Agency ("EPA"). I am a contractor for EPA retained to conduct compliance evaluation inspections. The following is a list of observations/recommendations found during this inspection which will be reported back to EPA. This is not to be construed as a complete list of observations/recommendations. The EPA will be evaluating the report prepared as a result of this inspection and making the determinations as to what violations may have occurred at your facility.

1. FAILURE TO LABEL USED OIL STORAGE CONTAINERS AS "USED OIL" (40 CFR 279.22(c)(1))
2. FAILURE TO INCLUDE LOCATION OF WATER SUPPLIES IN QUICK REFERENCE GUIDE (40 CFR 262.17(a)(6) → 262.262(b)(6))
3. FAILURE TO INCLUDE DESCRIPTION OF RESPONSE TO FIRE AND EXPLOSION IN CONTINGENCY PLAN (40 CFR 262.17(a)(6) → 262.261(a))
4. FAILURE TO CONDUCT WEEKLY INSPECTIONS OF 90-DAY CONTAINER ACCUMULATION AREA (40 CFR 262.17(a)(1)(v))
5. FAILURE TO CONDUCT ANNUAL REFRESHER TRAINING FOR HAZARDOUS WASTE PERSONNEL (40 CFR 262.17(a)(7)(iii))
6. _____
7. _____

If you have any questions regarding these findings please contact TREVOR URBAN, EPA REGION 7

The undersigned person hereby acknowledges receipt of a copy of this document and has read the same.

PRINTED NAME: J. Mitch Cohrs **TITLE:** EHS Manager
SIGNATURE: 

This document was prepared by HEATHER K. WOOD