

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

FEDEX FREIGHT DSM

5890 NE 22nd Street
Des Moines, Iowa 50313
(515) 264-0233

EPA RCRA ID No. IAR000512525

On

March 28, 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 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 FedEx Freight DSM (FedEx), at 5890 NE 22nd Street, Des Moines, 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, used oil, and universal waste requirements as applicable. This report and its attachments present the findings of the CEI.

PARTICIPANTS

FedEx:

Justin McVey, Operations Supervisor
Jim Shrout, Fleet Maintenance Manager
Nate Dixon, Service Center Manager
Kevin Cunningham, Emergency Response Specialist, Midwest Region (via teleconference)

Toeroek Team:

John D. Dixon, Inspector, (703) 473-8717

INSPECTION PROCEDURES

Prior to the CEI at FedEx on March 28, 2024, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by inspection. After the drive-by inspection, entered the Main Office and approached the reception desk. I introduced myself and explained the purpose of the CEI. The employee at the reception desk contacted Mr. McVey to inform him of my arrival. Mr. McVey met me in the reception area approximately 5 minutes later. I introduced myself to Mr. McVey and explained the purpose of the CEI. Mr. McVey escorted me to a conference room where I conducted an entry briefing with him.

During the entry briefing, I presented my business card and EPA credentials to Mr. McVey. I explained the scope and procedures for the CEI. I explained the facility's right to make confidentiality claims and provided a Notice Regarding Proprietary/Confidential Business Information. 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. McVey 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 contact information (a business card was not available)
- 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
- U.S. EPA Small Business Resources Information Sheet
- Chemical Facility Anti-Terrorism Standards
- E-Manifest Fact Sheet: Generators
- Managing Your Hazardous Waste: A Guide for Small Businesses
- Part 279 Requirements: Used Oil Management Standards
- EPA Region 7 Emergency Response Program
- Recycling Electronics: A Guide for Businesses
- Battery Recycling/Disposal
- Management of Fluorescent Lamps for Businesses
- Incompatible Chemicals
- Universal Wastes – Including Aerosol Cans
- TCLP – Toxicity Characteristic Leaching Procedure
- Iowa Environmental Guide for Businesses

I reviewed the Notification Acknowledgement/Verification Report (Verification Report) with Mr. McVey (Attachment 1). Based on my review with Mr. McVey and inspection observations, I made no changes to the Verification Report.

I conducted the visual inspection and records review at FedEx on March 28, 2024. Mr. McVey accompanied me during the visual inspection of the Cross Dock, and Mr. Shrout accompanied me during the visual inspection of the Fleet Maintenance Garage. Messrs. Dixon and Cunningham participated during the records review for the Cross Dock. All participants were provided a copy of U.S. Federal Codes 1001 and 1002, which they read.

During the records review, I reviewed facility documentation such as waste shipping records, waste profile information, Safety Data Sheets (SDS), inspection logs, RCRA Contingency Plan, training records, and written job descriptions. Messrs. McVey, Dixon, Shrout, and Cunningham participated during the records review. I prepared and completed a site-specific inspection checklist to document my observations.

I conducted an exit briefing on March 28, 2024, with Messrs. McVey, Shrout, and Cunningham. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. McVey signed, acknowledging receipt (Attachment 2). I provided Mr. McVey the Notice, which he signed indicating no confidential business information had been provided (Attachment 3). I also provided Mr. McVey a Notice of Preliminary Findings (NOPF), which he signed to acknowledge receipt (Attachment 4).

A diagram of the facility was obtained during the CEI and is in Attachment 5. An aerial photograph of the facility was downloaded after the CEI and is in Attachment 6. The 48 photographs taken during the CEI are in Attachment 7; of these, 45 are discussed in this report.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

FedEx is a freight transportation facility that has operated at the NE 22nd Street facility since 2001. The facility handles less-than-truckload shipments as well as truckload shipments as a service for customers moving freight. The facility consists of two separate buildings on contiguous property—the Cross Dock building and the Fleet Maintenance Garage. At the Cross Dock building, FedEx receives shipments from customers and loads packages into different trucks or tractor trailers based on shipping destination. After loading, the trucks and tractor trailers depart the facility for delivery. The Cross Dock building includes administrative support for transportation. Vehicle maintenance activities are performed in the Fleet Maintenance Garage north of the Cross Dock building. FedEx maintains 105 facility-owned trucks and 75 other trucks not owned by the facility. No manufacturing is performed at FedEx.

The Cross Dock building encompasses approximately 140,000 square feet under roof. The Fleet Maintenance Garage encompasses approximately 10,000 square feet under roof. FedEx currently employs approximately 225 personnel, who work staggered shifts to cover operations 7 days per week.

During the entry briefing and visual inspection, Mr. McVey described facility operations and waste generation processes. Mr. McVey explained that wastes generated at the Cross Dock consist of damaged packages and cleanup materials (damaged goods). Packages can be damaged

in transit or during trailer loading/unloading operations. When a damaged package is encountered, facility personnel contain the spill and secure the damaged package. The container is transferred to an accumulation area for nonhazardous wastes. A pink “salvage container contents” label is applied to the waste documenting the date and contents. FedEx then contacts the shipper and requests a SDS for the contents. The facility sends the SDS and spill information to the Chemical Management Team based in Little Rock, Arkansas, to make a hazardous waste determination. The Chemical Management Team instructs FedEx personnel how to re-label and manage the damaged containers or cleanup materials if the waste is determined to be hazardous. Hazardous wastes are marked with an accumulation start date (the date of the hazardous waste determination) and transferred to the less-than-90-day hazardous waste container accumulation area (HWCAA) in the Cross Dock Building. According to Mr. McVey, most shippers request disposal of damaged containers and product rather than having the containers or product shipped back to them.

According to Mr. Shrout, vehicle maintenance and light repair are performed at the Fleet Maintenance Garage. Large-scale painting and repairs are not performed at the facility. Fleet Maintenance Garage wastes include waste aerosol cans, waste propylene canisters, waste methylacetylene-propadiene propane (MAPP) canisters, spent parts washer solvent, used oil, used oil filters, used antifreeze, spent lead-acid batteries, and wash bay sump waste. The facility considers waste aerosol cans, waste propylene canisters, and waste MAPP canisters to be hazardous based on product and process knowledge. The facility considers spent parts washer solvent, used antifreeze, and wash bay sump waste to be nonhazardous based on product and process knowledge. The facility manages used oil and used oil filters according to provisions of Title 40 *Code of Federal Regulations* (40 CFR) Part 279, and spent lead-acid batteries according to provisions of 40 CFR Part 266 Subpart G.

Wastes generated during facility-wide maintenance or housekeeping include waste lamps and general trash. Waste lamps are managed according to provisions of 40 CFR Part 273. General trash is considered to be nonhazardous based on product and process knowledge.

On August 27, 2019, FedEx was inspected by an EPA contractor as a small quantity generator (SQG) of hazardous waste (generating between 100 and 1,000 kilograms [kg] of hazardous waste per month). The inspector made no preliminary findings during previous CEI.

2. RCRA Status

FedEx was identified as a large quantity generator (LQG) of hazardous waste (generating more than 1,000 kilograms [kg] of hazardous waste per month) on the Verification Report provided by EPA (Attachment 1). During the CEI, I confirmed the facility’s LQG status through a review of current operations, interviews with Mr. McVey and Shrout, and a review of waste shipping records (uniform hazardous waste manifests) and the 2023 Hazardous Waste Biennial Report.

FedEx submitted a 2023 Hazardous Waste Biennial Report on February 13, 2024 (Attachment 8). This report identified the facility as a LQG of hazardous waste with a total of 16,429 pounds (7,452 kg) of hazardous waste shipped off site in 2023. Mr. McVey explained that the facility operates as a SQG of hazardous waste or a very small quantity generator (generating less than 100 kg of hazardous waste per month) during most months. However,

the facility crosses into LQG status when 250- or 330-gallon containers (totes) are damaged and require disposal.

I reviewed uniform hazardous waste manifests for wastes shipped in 2023. Based on the manifest waste records, FedEx operated as a SQG or VSQG from January 2023 through September or October 2023. However, the facility shipped more than 4,000 pounds (1,814 kg) of hazardous waste in November 2023 and more than 5,000 pounds (2,268 kg) of hazardous waste in December 2023. In January 2024, the facility shipped 350 pounds (159 kg) of hazardous waste that was also generated in December 2023. Copies of the uniform hazardous waste manifests from November and December 2023 and January 2024 are in Attachment 9. Mr. McVey explained that disposal of damaged or leaking totes determined to hold hazardous waste was the primary reason for the facility's LQG status in November and December 2023.

No hazardous waste was shipped off site in February 2024. I observed six hazardous waste accumulation containers (HWAC) in the HWCAA, each with an accumulation start date in March 2024. The HWAC sizes ranged from 16-gallon to 95-gallon. Container weights were not marked on the HWACs, but the facility appeared to be approaching the LQG threshold for March 2024. Based on the facility's LQG status in November and December 2023, and the potential LQG status in March 2024, I inspected FedEx as a LQG of hazardous waste. I also inspected the facility as a small quantity handler (SQH) of universal waste (accumulating less than 5,000 kg of universal waste at any time) and a used oil generator.

FedEx accumulates hazardous waste in one satellite accumulation area (SAA) in the Fleet Maintenance Garage and one HWCAA in the Cross Dock building. I inspected both hazardous waste accumulation areas 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. McVey and Shrout, the visual inspection, and my review of available documentation.

Hazardous waste determinations for damaged goods are made by the FedEx Chemical Management Team in Little Rock, Arkansas, based on SDS information provided by the shipper. Labeling and handling requirements for damaged goods are dictated by the Chemical Management Team based on the hazardous waste determinations. Copies of the documentation submitted to the Chemical Management Team (completed Chemical Spill Checklist and SDS) for a Tridex Formula TX spill on March 15, 2024, is in Attachment 10 as an example.

Hazardous waste determinations, labeling, and handling requirements for wastes generated in the Fleet Maintenance Garage are prescribed in written procedures titled "Shop Hazardous Waste Disposal Procedure" and "Shop Compliance Guide." A copy of the "Shop Hazardous Waste Disposal Procedure" is in Attachment 11.

Damaged goods - hazardous consist of products remaining in or transferred from damaged containers that have been determined to be hazardous waste. The waste also includes cleanup materials, such as pads and booms, generated during spill response. The generation rate varies significantly from month to month. Based on the 2023 Hazardous Waste Biennial Report (Attachment 8), the facility shipped approximately 16,000 pounds of damaged goods – hazardous in 2023. Hazardous waste determinations are made for each waste by the Chemical Management Team. If determined to be hazardous waste, the damaged goods containers are re-labeled as HWACs and transferred from the nonhazardous waste accumulation area to the adjacent HWCAA. Damaged goods – hazardous are collected by Clean Harbors Environmental Services (Clean Harbors) and transported to various Clean Harbors or Safety-Kleen Systems (Safety-Kleen) destination facilities depending on the type of waste.

During the CEI, I observed six HWACs in the Cross Dock building HWCAA (Attachment 7, Photograph 7). These included:

- One 16-gallon HWAC of damaged goods (waste paint related materials [WPRM]), dated March 25, 2024 (D001, D035) (Attachment 7, Photographs 8 and 9)
- One 30-gallon HWAC of damaged goods (WPRM), dated March 15, 2024 (D001) (Attachment 7, Photographs 10 and 11)
- One 95-gallon HWAC of damaged goods (waste aerosols), dated March 22, 2024 (D001) (Attachment 7, Photographs 12 and 13)
- One 55-gallon HWAC of damaged goods (waste organic peroxide), dated March 23, 2024 (D001, D003) (Attachment 7, Photographs 14 and 15)
- One 30-gallon HWAC of damaged goods (waste oxidizing solid), dated March 18, 2024 (D001) (Attachment 7, Photographs 16 and 17)
- One 55-gallon HWAC of damaged goods (waste oxidizing solid), dated March 18, 2024 (D001) (Attachment 7, Photographs 18 and 19)

Each of the HWACs was structurally sound, closed, labeled with the words “hazardous waste,” and labeled with an indication of the nature of the hazard. I noted no deficiencies with management of damaged goods – hazardous during the CEI.

Damaged goods - nonhazardous consist of products remaining in or transferred from damaged containers that have been determined to be nonhazardous waste. The waste also includes cleanup materials, such as pads and booms, generated during spill response. The generation rate varies significantly from month to month. Based on the 2023 manifest records, the facility shipped approximately 3,000 pounds of damaged goods – nonhazardous in 2023. Hazardous waste determinations are made for each waste by the Chemical Management Team. If determined to be nonhazardous waste, the damaged goods containers are left in the nonhazardous waste accumulation area with the pink “salvage container contents” label intact. If determined to be hazardous waste, the containers are re-labeled as HWACs and transferred to the adjacent HWCAA. Damaged goods – nonhazardous are collected by Clean Harbors and transported to various Clean Harbors or Safety-Kleen destination facilities depending on the type of waste.

During the CEI, I observed three containers of damaged goods – nonhazardous in the Cross Dock building nonhazardous waste accumulation area (Attachment 7, Photograph 2). These included:

- One 30-gallon container of damaged goods (gluten free oat flour), 65 pounds, dated March 22, 2024 (Attachment 7, Photograph 4)
- One 16-gallon container of damaged goods (inverted marking paint), 15 pounds, dated March 28, 2024, and awaiting a hazardous waste determination (Attachment 7, Photograph 5)
- One 16-gallon container of damaged goods (TRI Flow industrial lubricant), 51 pounds, dated March 28, 2024, and awaiting a hazardous waste determination (Attachment 7, Photograph 6)

Each of the containers was structurally sound and closed. I noted no deficiencies with management of damaged goods – nonhazardous during the CEI.

Waste aerosol cans consist of empty and unwanted aerosol can products (paints, lubricants, cleaners) generated at the Fleet Maintenance Garage during vehicle maintenance. The facility generates approximately 55 gallons of waste aerosol cans per month. FedEx considers waste aerosol cans to be hazardous (D001) based on product and process knowledge. Waste aerosol cans are accumulated in a 55-gallon SAA container in the Fleet Maintenance Garage. The waste is collected from the SAA by Clean Harbors and transported to Clean Harbors in El Dorado, Arkansas, for incineration.

During the CEI, I observed a 55-gallon SAA container of waste aerosol cans in the Fleet Maintenance Garage (Attachment 7, Photograph 39, 42, and 43). The SAA container was near the point of generation, under control of the operator, and structurally sound. It was closed and held approximately 40 gallons of waste aerosol cans. The SAA container was labeled with the words “hazardous waste” and an indication of the nature of the hazard. I noted no deficiencies with accumulation of waste aerosol cans during the CEI.

Two 10-gallon SAA containers were also present in the Fleet Maintenance Garage SAA. The 10-gallon containers were labeled for accumulation of waste propylene canisters and waste MAPP canisters. Although the total quantity of hazardous waste in accumulation was less than 55 gallons, I provided compliance assistance regarding the 55-gallon limit for satellite accumulation. Specifically, I explained that the 55-gallon limit applies to the total volume of hazardous waste within the SAA, and that the three containers present at the time of the CEI had a potential accumulation volume of 75 gallons. I also provided compliance assistance regarding management of waste aerosol cans as universal waste.

Waste propylene canisters consist of empty and unwanted propylene canisters used for welding applications in the Fleet Maintenance Garage. The facility generates approximately 10 to 20 pounds of waste propylene canisters per year. FedEx considers waste propylene canisters to be hazardous (D001) based on product and process knowledge. Waste propylene canisters are accumulated in a 10-gallon SAA container in the Fleet Maintenance Garage. The waste is collected from the SAA by Clean Harbors and transported to Clean Harbors in El Dorado, Arkansas, for incineration.

During the CEI, I observed a 10-gallon SAA container for accumulation of waste propylene canisters (Attachment 7, Photographs 39 and 40). The SAA container labeled with the words “hazardous waste” and an indication of the nature of the hazard. It was empty at the time of the CEI.

Waste MAPP canisters consist of empty and unwanted MAPP canisters used for welding applications in the Fleet Maintenance Garage. The facility generates approximately 10 to 20 pounds of waste MAPP canisters per year. FedEx considers waste MAPP canisters to be hazardous (D001) based on product and process knowledge. Waste MAPP canisters are accumulated in a 10-gallon SAA container in the Fleet Maintenance Garage. The waste is collected from the SAA by Clean Harbors and transported to Clean Harbors in El Dorado, Arkansas, for incineration.

During the CEI, I observed a 10-gallon SAA container for accumulation of waste MAPP canisters (Attachment 7, Photographs 39 and 41). The SAA container labeled with the words “hazardous waste” and an indication of the nature of the hazard. It was empty at the time of the CEI.

Spent parts washer solvent is generated during quarterly servicing of the parts washer unit in the Fleet Maintenance Garage. The parts washer is used for general degreasing of parts and tools. FedEx considers spent parts washer solvent to be nonhazardous based on product and process knowledge. The parts washer unit uses Safety-Kleen Premium Solvent, which is a high flash point petroleum distillate (flashpoint > 152°F). A copy of the SDS is in Attachment 12. Based on the SDS and the use of the solvent for general degreasing, it appears the hazardous waste determination is adequate. Approximately 15 gallons of spent parts washer solvent are generated during each quarterly servicing event. The waste is containerized and transported offsite by Safety-Kleen in Des Moines, Iowa, for recycling. A copy of the Safety-Kleen receipt for the last parts washer unit servicing event, dated November 9, 2023, is in Attachment 13.

During the CEI, I observed the parts washer unit in the Fleet Maintenance Garage (Attachment 7, Photograph 38) and noted no deficiencies.

Used oil is generated during vehicle maintenance at the Fleet Maintenance Garage. FedEx manages used oil according to provisions of 40 CFR Part 279. The facility generates an estimated 225 to 430 gallons of used oil per month based on 2024 collection receipts (Attachment 14). Used oil is accumulated in various sized containers and pumped to a 500-gallon used oil storage tank in an outdoor storage trailer west of the Fleet Maintenance Garage. Used oil is collected by Safety-Kleen in Des Moines, Iowa, for recycling.

During the CEI, I observed several used oil storage containers in the Fleet Maintenance Garage, ranging from 2-gallon drain pans and 5-gallon buckets to 55-gallon containers (Attachment 7, Photographs 25 through 29). Each used oil storage container was structurally sound and labeled with the words “used oil.” I observed piping through the west wall of the facility for pumping used oil to the outdoor storage trailer and the 500-gallon used oil storage tank in the storage trailer (Attachment 7, Photographs 30, 31, 34, 35, and 37). The piping was labeled as “used oil” where it penetrated the wall. The used oil storage tank appeared to be structurally sound and was

labeled with the words “used oil.” According to the tank level gauge, the used oil storage tank was less than ⅛ full. I noted no deficiencies with management of used oil during the CEI.

Used oil filters are generated during vehicle maintenance at the Fleet Maintenance Garage. FedEx manages used oil filters according to provisions of 40 CFR Part 279. The facility generates an estimated 1 cubic yard of used oil filters every 2 months based on 2024 collection receipts (Attachment 15). Used oil filters are drained into a used oil storage container upon generation, then placed into a 1-cubic-yard used oil storage container. Used oil filters are collected by Safety-Kleen in Des Moines, Iowa, for recycling.

During the CEI, I observed the used oil filter draining station (Attachment 7, Photographs 25 and 26). The container accumulating used oil drained from the filters was structurally sound and labeled with the words “used oil.” I observed the 1-cubic-yard container for accumulation of drained used oil filters (Attachment 7, Photographs 20, 21, and 23). The used oil filters storage container was structurally sound and labeled with the words “used oil.” I noted no deficiencies with management of used oil filters during the CEI.

Used antifreeze is generated during vehicle maintenance at the Fleet Maintenance Garage. FedEx considers used antifreeze to be nonhazardous based on product and process knowledge. The facility generates an estimated 40 to 50 gallons of used antifreeze per month based on 2024 collection receipts (Attachment 14). Used antifreeze is accumulated in various sized containers and pumped to a 250-gallon used antifreeze accumulation container in an outdoor storage trailer west of the Fleet Maintenance Garage. Used antifreeze is collected by Safety-Kleen in Des Moines, Iowa, for recycling.

During the CEI, I observed a 55-gallon container for reusable used antifreeze in the Fleet Maintenance Garage (Attachment 7, Photograph 24). Mr. Shrout explained that antifreeze with light or no contamination is accumulated for reuse at the facility. I observed used antifreeze drain pans in the Fleet Maintenance Garage (Attachment 7, Photographs 28 and 29). The drain pans were structurally sound and labeled with the words “used coolant.” I observed piping through the west wall of the facility for pumping used antifreeze to the outdoor storage trailer and the 250-gallon used antifreeze accumulation container in the storage trailer (Attachment 7, Photographs 30 through 33). The piping was labeled as “used antifreeze” where it penetrated the wall. The used antifreeze accumulation container was structurally sound and was labeled with the words “used antifreeze.” I noted no deficiencies with management of used antifreeze during the CEI.

Spent lead-acid batteries are generated during vehicle maintenance at the Fleet Maintenance Garage. FedEx manages spent lead-acid batteries as universal waste while onsite, but ultimately disposes of the waste according to requirements of 40 CFR Part 266 Subpart G. The facility generates approximately 26 spent lead-acid batteries per month based on receipt records (Attachment 16). Spent lead-acid batteries are accumulated on a rack in the Fleet Maintenance Garage and are collected by Interstate Battery in Altoona, Iowa, for reclamation.

During the CEI, I observed spent lead-acid batteries in accumulation in the Fleet Maintenance Garage (Attachment 7, Photograph 44). The spent lead-acid battery casings were intact and no evidence of leaking was observed. Each battery was individually labeled with the words

“universal waste batteries” and an accumulation start date (Attachment 7, Photographs 45 and 46). The earliest accumulation start date was February 28, 2024. I noted no deficiencies with management of spent lead-acid batteries during the CEI.

Wash bay sump waste consists of wastewater and solids accumulated in the sump beneath the vehicle wash bay at the Fleet Maintenance Garage. FedEx considers wash bay sump waste to be nonhazardous based on product and process knowledge. The wash bay sump is pumped out as needed. According to Mr. Shrout, the wash bay is typically pumped out twice per year, however, the sump was pumped out twice in 2024 to date (Attachment 17). FedEx generates approximately 1,600 gallons of wash bay sump waste per pumpout event. The waste is pumped out by Safety-Kleen in Des Moines, Iowa, and transported off site for treatment.

During the CEI, I observed the wash bay and sump (Attachment 7, Photographs 47 and 48) and noted no deficiencies.

Waste lamps are generated during facility maintenance. The facility generates waste lamps in batches, changing multiple spent lamps at one time. I did not determine a generation rate during the CEI. FedEx manages waste lamps as universal waste according to provisions of 40 CFR Part 273. Waste lamps are containerized upon generation and immediately shipped to Waste Management in Blaine, Minnesota, through the LampTracker program for recycling. I did not observe any waste lamps in accumulation during the CEI.

General trash consists of general office and packaging type refuse generated in the Cross Dock building and Fleet Maintenance Garage. I did not determine a generation rate during the CEI. FedEx considers general trash to be nonhazardous based on product and process knowledge. General trash is accumulated in several containers throughout the facility. The waste is collected by Republic Services and transported to the Metro Park East Landfill for disposal. During the CEI, I observed general trash accumulation containers and noted no deficiencies.

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 possibility of a fire, explosion, or spill, and must maintain emergency response equipment. During the CEI, I observed adequate aisle space for emergency response in the HWCAA, and no evidence of spills or leaks (Attachment 7, Photograph 7). I observed adequate spill response materials readily available near the Cross Dock building HWCAA, Fleet Maintenance Garage SAA, and the Fleet Maintenance Garage waste storage trailer (Attachment 7, Photograph 36). I noted no deficiencies with required response equipment and hazardous management during the CEI.

5. HWCAA

At the time of the CEI, the HWCAA held six HWACs of damaged goods - hazardous. Each HWAC was structurally sound, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard, and marked with an accumulation start date. The oldest accumulation start date was March 15, 2024.

I asked Mr. McVey if the HWCAA is inspected. He stated that he performs weekly inspections of the HWCAA and that the inspections are documented. I reviewed the inspection logs for the last 3 years and noted no missed inspections or identification of significant findings. Copies of the inspection logs for 2024 are in Attachment 18. I noted no deficiencies with management of HWACs in the HWCAA during the CEI.

6. Manifests, Bills of Lading, Biennial Report

FedEx generated approximately 103 uniform hazardous waste manifests over the past 3 years. I reviewed approximately 70 manifests and associated LDR notifications during the CEI (including all 2024 and 2023 manifests and approximately 15 manifests from 2022 and 2021). Copies of the manifests from November and December 2023 and January 2024 are in Attachment 9. I also reviewed the facility's 2023 Hazardous Waste Biennial Report (Attachment 8). I noted no deficiencies during my review of manifests and the Biennial Report.

7. Personnel Training Requirements

Personnel training is required by LQG regulations specified in 40 CFR 262.17(a)(7) to ensure that employees are thoroughly familiar with proper waste handling procedures relevant to their responsibilities. During the CEI, I discussed personnel training requirements with Mr. McVey. He explained that all personnel who handle hazardous materials receive hazardous materials training. Personnel with job positions identified as handling hazardous waste received initial and annual RCRA training. According to Mr. McVey, the online RCRA training covers waste handling and emergency response. Copies of the RCRA and hazardous materials training records for the last 3 years are in Attachment 19.

8. Preparedness and Prevention and Contingency Plan

As a LQG, FedEx is required to arrange for emergency response with local emergency agencies, to designate an emergency coordinator (EC) for the facility, and maintain a RCRA Contingency Plan. A copy of the Contingency Plan is in Attachment 20.

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 list of the names and telephone numbers of the primary EC (Mr. Dixon) and alternate ECs, as required by 40 CFR 262.17(a)(6) referencing 262.261(a, c, and e). The Contingency Plan did include an evacuation plan (Section 5.2), but the evacuation plan did not include a description of the signals used to initiate evacuation or descriptions/maps of the evacuation routes. I determined the facility failed to include a complete evacuation plan in the RCRA Contingency Plan, as required by 40 CFR 262.17(a)(6) referencing 262.261(f) (**NOPF No. 1**).

A complete evacuation plan was included in the facility's Emergency Action Plan (Attachment 21). However, the Emergency Action Plan was not included as an attachment to the Contingency Plan or sent to emergency response agencies. I provided compliance assistance regarding content of the Contingency Plan during the CEI.

A Quick Reference Guide is included as Attachment 1 of the Contingency Plan. I reviewed content of the facility's Quick Reference Guide, required by 40 CFR 262.17(a)(6) referencing 262.262(b). The Quick Reference Guide included a list with descriptions and maximum quantities of hazardous wastes onsite; identification of special hazards; maps showing hazardous wastes locations, overall facility location, and water supplies; identification of notification systems; and EC contact information.

The RCRA Contingency Plan was sent to emergency response agencies in September 2021. Mr. McVey provided copies of the cover letters and shipping labels for the Contingency Plan submittals (Attachment 22).

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. FedEx 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. FedEx 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 organic compounds (VOC) concentration that exceeds 500 ppmw. The Subpart CC standards are applicable because the facility accumulates hazardous waste that contains VOCs in HWACs. During the CEI, I determined that FedEx meets the Subpart CC requirements for containers by using Container Level 1 or Level 2 controls (HWACs that are Department of Transportation [DOT]-approved). I noted no concerns with management of hazardous waste per the Subpart CC air emissions requirements.

10. Summary of Preliminary Findings

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

1. Failure to include a complete evacuation plan in the RCRA Contingency Plan, as required by 40 CFR 262.17(a)(6) referencing 262.261(f) (**NOPF No. 1**)

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.

John D.
Dixon

Digitally signed by John D. Dixon
DN: cn=John D. Dixon, gn=John D. Dixon,
c=US, United States, l=US, United States
Reason:
Location:
Date: 2024-05-01 14:18-05:00

Date: _____

John D. Dixon
Inspector
CLAENE Group, LLC.

EDWIN
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Date: _____

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

Attachments

1. Notification Acknowledgement/Verification Report (2 Pages)
2. Receipt for Documents and Samples (1 Page)
3. Confidentiality Notice (1 Page)
4. Notice of Preliminary Findings (1 Page)
5. Facility Diagram (1 Page)
6. Google Earth Aerial Photograph (1 Page)
7. Photographic Documentation (48 Photos and Photolog) (28 Pages)
8. 2023 Hazardous Waste Biennial Report (10 Pages)
9. Manifests from November and December 2023 and January 2024 (9 Pages)
10. Spill Documentation and SDS for March 15, 2024 Spill (10 Pages)
11. Shop Hazardous Waste Disposal Procedure (4 Pages)
12. SDS for Safety-Kleen Premium Solvent (8 Pages)
13. Safety-Kleen Receipt for Parts Washer Unit Servicing, Dated November 9, 2023 (1 Page)
14. Safety-Kleen Receipts for Used Oil and Used Antifreeze in 2024 (3 Pages)
15. Safety-Kleen Receipt for Used Oil Filters, Dated February 6, 2024 (1 Page)
16. Spent Lead-Acid Battery Receipts from February 2024 (4 Pages)
17. Safety-Kleen Receipts for Wash Bay Sump Waste Cleanouts in 2024 (2 Pages)
18. Weekly HWCAA Inspection Logs for 2024 (3 Pages)
19. RCRA and Hazardous Materials Training Records (4 Pages)
20. RCRA Contingency Plan (7 Pages)
21. Emergency Action Plan (7 Pages)
22. RCRA Contingency Plan Cover Letters and Shipping Labels (6 Pages)