

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

UNIVAR SOLUTIONS USA

3002 F Street
Omaha, NE 68107
402-738-4174

EPA ID Number: NED000809483

On

June 25-26, 2024

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 Univar Solutions, located in Lincoln, Nebraska, on May 21-22, 2024. 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 represent the results of the CEI.

2.0 PARTICIPANTS

Univar Solutions:

- Jeff Flakus, Branch Operations Manager (29 years with the company)
- Jerry Realeng, Branch Operations Supervisor (16 years with the company)

EPA:

- Mark Holcomb, Civil Investigator/Inspector (SEE)

3.0 INSPECTION PROCEDURES

On June 25, 2024, I arrived unannounced at the facility'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. At the front desk, I introduced myself and asked for Christina Harris (Univar Senior Manager of Environmental Compliance and Integration), who was listed as the Univar Solutions site contact on the EPA site verification form. I was told that Ms. Harris was not located at this

facility and that Mr. Jeff Flakus, the Branch Operations Manager, was the primary contact for hazardous waste at this facility. I was introduced to Mr. Flakus, and he escorted me to a conference room. There I met Mr. Jerry Realeng, the Branch Operations Supervisor. Mr. Flakus told me that the items of personal protective equipment required for our visual inspection at this facility were protective boots, eye protection, a safety vest, and a helmet in most areas.

At the opening conference, I presented my EPA ID and credentials to Mr. Flakus. I next explained the purpose and procedures of the inspection. I then presented Mr. Flakus with a copy of RCRA Section 3007(a), which provides inspection authority. I explained my need to collect accurate information and presented them with a copy of Title 18 U.S. Code, Sections 1001 and 1002. They were made aware of their confidentiality rights, and I informed them that a Confidentiality Notice would be provided at the end of the inspection to make a confidentiality claim if they so desired. Messrs. Flakus and Realeng acted as the official facility representatives during the opening conference and visual inspection phase (both days) and during the exit conference phase on Day 2 of the inspection.

The 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 and documents. We conducted a visual inspection of the following areas:

- Warehouse
- 10-Day (Customer) Storage Area
- 90-Day (Facility) Storage Area
- Solvent Fill Room
- Corrosive Storage Area
- Outside East
- Warm Storage Room
- Tank Farm
- Quarantine Area A120

See Attachment #1 for the aerial/map views and facility diagrams. Document photocopies and photographs were collected as inspection documentation (see Attachments #1-13 and Photos 1-15). The photo log is included as Attachment #2. Information collected during the inspection was documented on an Entry/Exit checklist and a hazardous waste compliance checklist. I reviewed documents including the following: Safety Data Sheets (SDS), manifests, invoices, three-year eManifest report, 2023 biennial report, waste stream reports, contingency plan, staff training documents, inspection checklists, wastewater permit, and waste profiles. 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 Messrs. Flakus and Realeng. I provided Mr. Flakus with a Receipt for Documents (see Attachment #3), and a Confidentiality Notice (see Attachment #4), which he signed as an acknowledgment of receipt. No claim of confidential business information was made by Mr. Flakus. No Notice of Preliminary Findings (NOPF) form was left since there were no findings at the time of the inspection, but I did leave the yellow copy of the NOPF instructions in case any

findings were added post-inspection. I provided inspection and compliance assistance documents to Mr. Flakus, which included the following:

- *RCRA Section 3007(a) (EPA Handout)*
- *Title 18 U.S. Code, Sections 1001 and 1002 (EPA Handout)*
- *Confidentiality Notice (yellow 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 (yellow page of the completed carbonless transfer set)*
- *NOPF with Instructions for Responding on the back of the form (yellow page of the completed carbonless transfer set)*
- *Instructions for Responding to a NOPF (EPA Form)*

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

Univar Solutions is a chemical distribution company that provides industrial chemicals, ingredients, and specialty services. This facility is not a permitted treatment, storage, and disposal facility (TSDF), but they do provide transfer facility services. The facility is privately owned by Univar Solutions USA, with a home office in Downers Grove, Illinois, a suburb of Chicago. Univar was founded in 1924 as Van Waters & Rogers and was acquired in August 2023 by Apollo Global Management. This facility started operations in 1970. The facility is about 87,000 square feet under roof on about 10.5 acres (see Photo 1 for a Warehouse overview). They operate with 16 employees on 0600-1630 hours shift Monday-Friday. Mr. Flakus stated that their primary productivity metric is throughputs in pounds per month. He indicated that they average about 4 million pounds of throughput per month. Mr. Flakus stated that the only major change in the last few years has been a remodeling of their Warm Tank Farm in August of 2023. He also stated that they have not had any spills, fires, or activations of their emergency plan since their last EPA RCRA inspection in 2020. The facility is in an industrial area, but I did observe residential homes within about 550 feet.

4.2 RCRA Status

Univar Solutions had been previously inspected by the EPA for RCRA compliance on February 18-20, 2020. According to RCRAInfo, Univar Solutions had most recently notified as a large quantity generator (LQG) on February 19, 2024. I verified the facility address and the site contact information with Mr. Flakus on the EPA RCRA Notification Acknowledgement Verification Report (see Attachment #5). Based on the review of recent uniform hazardous waste manifests, I determined that Univar Solutions routinely generates D001, D002, D005, D035, F003, and F005 hazardous waste. A detailed review of the uniform hazardous waste manifests and eManifest report of all hazardous wastes, not including wastes listed as “hazardous materials” (HM), shows about 161,975 pounds of hazardous waste shipped in the last 36 months, for an average of about 4,499 pounds per month, with a range of about 2,195 - 25,275 pounds per month over the previous year. I determined the facility generates hazardous waste at the

LQG level (greater than 1000 kg or 2,200 pounds per month) and I inspected the facility as a LQG. The facility did not appear to be a handler of universal waste or a generator of used oil.

4.3 Facility Waste Streams and Management

Overview of Waste Generated – Mr. Flakus stated that they ship two different kinds of waste: 1) Self-Generated, and 2) Customer Generated:

- 1) The self-generated waste is predominately “line-flush”, used to clear the line between transfer of product between containers, and to a lesser degree, expired, damaged containers, or off-spec products. Self-generated hazardous waste is transferred to the 90-Day Container Accumulation Area (CAA).
- 2) The customer-generated waste is waste they transport for customers. Their primary business is providing industrial chemicals and products to customers, but to maximize efficiency and reduce empty return trips, they offer waste transporter services for the customers. Mr. Flakus stated that since they store food-grade products in their warehouse, they are very selective about what customer wastes they provide waste transport services. Mr. Flakus stated that all customer wastes must be preapproved by Univar’s internal regulatory group prior to transport. He stated that a few limitations include spontaneous combustibles, pesticides, poisons, and organic peroxides. Customer-generated hazardous wastes are transferred to their 10-Day CAA. Mr. Flakus stated that he estimates that they transport about 300,000 pounds of customer-generated waste per month.

Mr. Flakus stated that the following waste streams are managed by Univar Solutions:

Waste Hypochlorite Solution (Bleach) - Univar Solutions generates about two 270-gallon totes, or about 4,000 pounds, per month of Hypochlorite solution used as line flush between processing loads of product. This waste has been determined to be D002 hazardous waste based on process and product knowledge (see Attachment #8 for the SDS for Dixichloro Max). See Attachment A#6 for a sample uniform hazardous waste manifest for May 8, 2024, showing the waste hypochlorite (bleach) solution as line item 3, with one tote, at 2,159 pounds. The eManifest also indicates a shipment on April 10, 2024, with five totes (13,942 pounds) of this waste. Onsite this waste is stored in 270-gallon totes and transferred to the 90-Day CAA when full. Transport is by Barr Trans Network (Illinois) to Tradebe Treatment and Recycling LLC (East Chicago, Indiana), where it undergoes H141 management (stored/bulked and transferred).

Sodium Bisulfites Aqueous Solution - Univar Solutions generates about one 270-gallon tote, or about 2,000 pounds, per month of Sodium Bisulfites Aqueous Solution used as line flush. This waste has been determined to be non-RCRA hazardous waste based on process and product knowledge, but it is listed as a “hazardous material” (HM) on the manifest. See Attachment A#7 for the safety data sheet (SDS) and A#9 for the waste profile. The SDS indicates that this waste is corrosive but lists the pH as 3.0-5.0. See Attachment A#6 for a sample uniform hazardous waste manifest for May 8, 2024, showing this solution as line item 1, one tote, at 2,104 pounds. Onsite this waste is stored in 270-gallon totes in the Corrosive Storage Area and transferred to the 90-Day CAA when full (see Corrosive Storage Area section below for more visual inspection

details – also see Photo 11). Transport is by Barr Trans Network (Illinois) to Tradebe Treatment and Recycling LLC (East Chicago, Indiana), where it undergoes H141 management (stored/bulked and transferred).

Waste Flammable Liquids (Acetone, Isopropyl Alcohol) – Univar Solutions generates about 100-200 pounds, per month of Waste Flammable Liquids (Acetone, Isopropyl Alcohol) used as line flush between processing loads of product. This waste has been determined to be D001, D035, F003, and F005 hazardous waste based on process and product knowledge. The eManifest indicates this waste was being shipped by Schiber Truck Company (Illinois) to Systech Environmental Corporation (Kansas City, Kansas) during the August 2021 to June 2023 time frame (see Attachment #6). Mr. Flakus stated that they switched from Schiber to using their own Univar fleet trucks to transport this waste after December 2023. Onsite this waste is stored in 55-gallon drums in the Solvent Fill Room and then transferred to the 90-Day CAA when full. Transport is by Univar Solutions to Systech Environmental Corporation (Kansas City, Kansas), where it undergoes H020 management (solvents recovery - distillation, extraction). During the visual inspection, I observed a 55-gallon drum of this waste in the Solvent Fill Room being used as a SAA container. SAA 6 was labeled as “Line Flush” (acetone and isopropanol) and was about 1/4 full. The drum was properly labeled with both “hazardous waste” and “flammable liquid” labels and had no obvious container damage or leaks (see Photos 8-10).

Spent Aerosol Cans – Univar Solutions generates about 1/10 of a 55-gallon drum of spent or partially spent aerosol cans per year. The aerosol cans of miscellaneous products are used during production processes. This waste has been determined to be D001, D035, F003, and F005. The aerosol cans are not punctured or crushed and are not treated as universal waste. The spent and partially spent cans are collected in a 55-gallon SAA container in the Solvent Fill Room. Mr. Flakus stated that the SAA containers are dated and moved to the 90-Day CAA at least annually regardless of whether they are full or not. Mr. Flakus stated that the waste is currently shipped via their own Univar trucks to Systech Environmental Corporation (Kansas City, Kansas) for processing. Mr. Flakus stated that they previously used another transporter to transport this waste. During the visual inspection, I observed a blue 55-gallon poly drum about 1/10 full of aerosol cans. The drum was labeled with “Hazardous Waste” and “Flammable” and had no obvious damage or leaks. The CAA start date was noted as 6/25/2024 (within the 90-day limit). See Photos 3, 4 and 5.

Waste Corrosive Liquids (potassium hydroxide, 2-propenoic acid polymer) - Univar Solutions generated 239 pounds of this waste in 2023. Mr. Flakus stated that this shipment was listed as “Boiler Water Treatment” on line 2 of the 2023 Biennial Report and was a one-time shipment of a ‘discarded chemical’, possibly a damaged container or expired product. The eManifest listed it as March 15, 2023, for 239 pounds, and transported by Barr Trans Network (Illinois) to Tradebe Treatment and Recycling (East Chicago, Indiana), for H061 management (Fuel blending).

Solvent Contaminated Wipes – Univar Solutions generates about one 55-gallon drum per year of wipes that are contaminated with solvents in the Solvent Fill Room. The waste is determined to be D001, D035, F003, and F005 hazardous waste. Onsite the wipes are collected in a 55-gallon drum SAA in the Solvent Fill Room. When full this drum is dated and transferred to the

90-Day CAA. The waste is then transported by Barr Trans Network (Illinois) to Tradebe Treatment and Recycling (East Chicago, Indiana) for H020 (solvents recovery-distillation, extraction). The eManifest Three Year Report showed two shipments of this waste stream listed as UN3175 Waste Solids Containing Flammable Liquid (Acetone, Xylene), on November 8, 2023, of 148 pounds, and a previous shipment on March 30, 2022, of 78 pounds. During the visual inspection, I observed a 55-gallon drum labeled on the wall as “SAA 7” in the Solvent Fill Room. The drum was labeled as “Flammable Solids (solvent contaminated rags)” and was about $\frac{3}{4}$ full (see Photos 8-10). They treat the solvent-contaminated rags as hazardous waste. Mr. Flakus stated that it takes them about 10-12 months to fill one drum. The drum was properly labeled with no obvious damage or leaks.

Wastewater – Univar Solutions generates a variable amount of wastewater from drains in the Solvent Fill Room during the solvent-transferring processes (see Photo 10). Mr. Flakus stated that he estimates that they generate up to 1,500 gallons per day and have a permit with the City of Omaha’s publicly owned treatment works (POTW) for wastewater treatment dated 1989 under their previous name (see Attachment #10). The permit is for 1,500 gallons per day and has requirements on the pH of the discharge. The pH must be within 6.5-9.7. Univar has an Elemental Neutralization Unit (ENU) that treats the wastewater before discharge to the POTW (see Photos 13 and 14).

General Trash - Univar Solutions generates about one 8-cubic yard dumpster of general trash transported by Waste Management twice a week to Papillion Sanitation (Omaha, Nebraska). The general trash and cardboard are generated from operations and office processes. During the visual inspection, I observed a 6-yard trash container on the dock near the 90-Day CAA and a larger 8-cubic yard dumpster outside East, which had just been emptied (see Photos 6 and 12).

Universal Wastes and Used Oil - Mr. Flakus stated that they had converted completely to LEDs and did not generate any spent fluorescent lamps. He stated that they also outsource all their maintenance, so they do not generate used oil or spent batteries since these wastes are disposed of by the contractors. During the visual inspection I did not observe any spent lamps or used oil.

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. I was only able to observe outside on the south and east areas. The facility is surrounded by a six-foot chain-link security fence topped with barbwire. See the aerial, map, and facility views in Attachment #1.

Central Accumulation Areas (CAA) – During the visual inspection, I identified two areas designated as CAAs that were co-located in the Main Warehouse. The 90-Day Storage CAA and the 10-Day Storage CAA. All drums and totes in the CAAs are properly labeled and dated, and in good condition without obvious damage or leaks. There was an air horn for notifying staff in case of an emergency (see Photo 7). All staff also wore two-way radios for communication. The CAAs are inspected weekly. I reviewed several months of completed weekly inspection forms

and no issues were noted. For an example checklist (see Attachment #11). The 10-Day CAA (customer waste) included two waste streams with only one hazardous waste stream – six 5-gallon plastic buckets of chemical oxygen demand (COD) test vials, that were labeled as D002 corrosive. The buckets were all properly labeled and dated and appeared to be free of any damage or leaking. The remaining eight 55-gallon steel drums contained non-RCRA hazardous waste. The 90-Day CAA (facility generated) had three containers: one 270-gallon tote that was full and labeled as “bleach” and “line flush”. Also labeled as “Hazardous Waste” and “Corrosive” and dated 6/6/2024. The blue 55-gallon poly drum contained waste aerosol cans. The tote and drum were both properly labeled with no obvious damage or leaks. The blue 55-gallon poly drum was about 1/10 full of spent aerosol cans, labeled “Hazardous Waste” and “Flammable”, and dated 6/25/2024. The remaining black 55-gallon drum next to the blue poly drum was described as a “non-RCRA hazardous” and “line flush” (see Photos 2-5, and 7).

Corrosive Storage Area – During the visual inspection I observed a 270-gallon tote, that was about ½ full of Sodium Bisulfite 38% “Line Flush” in the Corrosive Storage Area. This tote functions as a SAA container. Mr. Flakus stated the tote was waiting for one more “line flush” before shipping (they relocated it with a forklift) and that the 270-gallon tote typically holds about two line flushes. The tote is only used for the same waste. They dated the accumulation start date (6/12/2024) – but this waste is listed as “hazardous material” by the Department of Transportation (DOT), but “non-hazardous waste” per EPA RCRA. The tote appeared to be in good condition with no obvious damage or leaks observed (see Photo 11).

Quarantine Area - Mr. Flakus stated that they also had a Quarantine Area in the Main Warehouse, Section A120 (see Photo 15). In this area damaged or expired products are stored temporarily until their deposition can be resolved, such as insurance or regulatory status. During the visual inspection, I observed two products there including a damaged package of a granular product (non-hazardous), and a blue drum of expired food product (non-hazardous) awaiting approval to be downgraded from food grade to technical grade so it may still be able to be used instead of being disposed of.

LOG Preparedness and Prevention –

Equipment - The facility has numerous fire extinguishers, spill kits, and eye wash stations. Mr. Flakus stated that all areas in the Warehouse are under sprinkler systems.

Contingency Plan - Mr. Flakus provided a copy of the facility’s Contingency Plan. The plan appeared to be comprehensive with up-to-date contact information and was last updated on August 24, 2022. Mr. Flakus provided documentation that confirmed that the most recent version of the contingency plan had been shared with the local Fire Department and other appropriate emergency agencies. Attachment #13 includes a copy of their contingency plan’s table of contents, emergency contact phone numbers, and a blank sample return receipt confirmation form.

Staff Training - Mr. Flakus stated that all facility staff, regardless of their role, must complete initial and annual hazardous waste training. He provided detailed computerized training records

(see Attachment #12 for a training records printout) that included details of the computer based online courses they require.

5.0 SUMMARY OF FINDINGS

No preliminary findings or compliance issues were observed at the time of the inspection. However, further EPA review may include findings.

MARK HOLCOMB
(Affiliate)

Digitally signed by MARK
HOLCOMB (Affiliate)
Date: 2024.07.22
13:42:12 -05'00'

Mark Holcomb
Civil Investigator, SEE

AMBER WHISNANT

Digitally signed by
AMBER WHISNANT
Date: 2024.08.08
14:10:56 -05'00'

Amber Whisnant
RCRA Section Chief, ECAD/Chemical Branch

Attachments:

- 1) Facility Aerial Map Views and Diagrams (5 pages)
- 2) Photo Log (15 photos and 18 pages)
- 3) Receipt for Documents (1 page)
- 4) Confidentiality Notice (1 page)
- 5) EPA RCRA Notification Acknowledgement/Verification Report (1 page)
- 6) Manifest- May 8, 2024 (2 pages)
- 7) SDS- Bisulphites (11 pages)
- 8) SDS- DixchorMax (6 pages)
- 9) Waste Profile- Bisulfites (16 pages)
- 10) Wastewater Permit (1 page)
- 11) Weekly CAA Inspection Checklist (1 page)
- 12) Staff Training Report (5 pages)
- 13) Contingency Plan (7 pages)