

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

**Elantas PDG, Incorporated
5200 North 2nd Street
Saint Louis, Missouri 63147**

EPA ID Number: MOD006274732

On

August 12 - 27, 2021

By

U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 7
Enforcement and Compliance Assistance Division (ECAD)

1.0 INTRODUCTION

I performed a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Elantas PDG, Incorporated (Elantas), located at 5200 North 2nd Street, Saint Louis, Missouri, on August 12 – 27, 2021. The inspection was a joint inspection with the Missouri Department of Natural Resources (MoDNR). I conducted the RCRA inspection under the authority of RCRA Section 3007(a), as amended. During the inspection, I collected the information and data necessary to make preliminary findings regarding compliance with the applicable RCRA regulatory and statutory requirements. This report and attachments present the results of the inspection.

I inspected the facility as a Large Quantity Generator (LQG), a Small Quantity Universal Waste Handler (SQUWH), Used Oil generator, and Hazardous Secondary Material Activity (HSM). Elantas was last inspected for compliance with RCRA on May 3, 2018, by the MoDNR. The report of the 2018 inspection identified findings including container labeling, contingency plan information, and continued use of still bottoms (see referenced report for details regarding the findings).

2.0 PARTICIPANTS

Elantas

Mark Grisham, Head of Regulatory Affairs and Safety
Todd Thomas, Manager Regulatory Affairs
Brett Richardson, Environmental Safety Specialist II

Missouri Department of Natural Resources

Brandon Backus, Environmental Specialist
Tyler Rowden, Environmental Specialist

Environmental Protection Agency Region 7

Kenneth Herstowski, Environmental Engineer, ECAD/Chemical Branch/RCRA Section

3.0 INSPECTION PROCEDURES

Due to the COVID-19 pandemic, I contacted the facility via telephone August 9, 2021, prior to the intended onsite inspection date. The purpose of the initial contact was to identify the appropriate facility representative, ensure the representative would be available during the CEI, and to discuss protocols, procedures, and other requirements adopted by the facility to mitigate the spread of COVID-19.

I followed the inspection procedures discussed in the RCRA CEI Standard Operating Procedure (No. 2321.1D), unless noted differently. I completed checklists and other inspection related documents and collected photocopies that are included as attachments to this report. I collected photographs with a digital camera. I monitored for volatile organic emissions with a Thermo Fisher Scientific TVA2020 organic vapor analyzer with a flame ionization detector (hereafter referred to as the “EPA FID”). I viewed potential organic vapor emission sources with a FLIR® Model GF320 optical gas imaging camera (hereafter the “MoDNR IR Camera”). The MoDNR monitored for volatile organic emissions with a Thermo Fisher Scientific TVA2020 organic vapor analyzer with a flame ionization detector (hereafter referred to as the “MoDNR FID”). I obtained electronic copies of records from the facility as detailed in the sections that follow.

During the physical on-site inspection, which occurred on August 17, 2021, discussions consisted of the facility operations, wastes generated, and waste management practices. I conducted a visual inspection of hazardous waste management areas. Mr. Rowden and I monitored for organic vapor emissions during the inspection following 40 Code of Federal Regulations (CFR) Part 60, Appendix A, Method 21 procedures (hereafter referred to as “Method 21”) utilizing the EPA FID. Mr. Backus and I viewed potential organic vapor emission sources with the MoDNR IR Camera.

Electronic copies of documents and records requested during the inspection were uploaded by Elantas to a Microsoft 365 SharePoint folder that I established for the inspection. I provided a Receipt for Documents and Samples via email with a listing of the documents uploaded by Elantas prior to the exit conference (attachment 1). Mr. Grisham signed a Confidentiality Notice

in which a claim of confidential business information was not asserted by Elantas at the conclusion of the site visit on August 17, 2021 (attachment 2). Mr. Grisham did not make any additional confidentiality claims as of the exit conference on August 27, 2021. I prepared a Notice of Preliminary Findings (attachment 3). Twenty-four photographs were taken during the inspection with a digital camera (attachment 4). Two video recordings were made with the MoDNR IR Camera (attachment 5). I prepared a photographic log for the digital camera images and video recordings (attachment 6). I obtained four aerial photographs of the facility using Google Earth Pro (attachment 7). I obtained a facility map of Elantas (attachment 8). I prepared and completed a site-specific inspection checklist (attachment 9).

August 9, 2021

I contacted Messrs. Grisham and Thomas by telephone to establish the inspection schedule and to discuss any facility-specific COVID-19 safety protocols to ensure the safety of all personnel involved during the inspection. A remote entrance conference was scheduled for August 12, 2021, a site visit was scheduled for August 17, 2021, and an exit conference was scheduled for August 27, 2021. I established a target document production date of August 20, 2021. Following the telephone call, I emailed an information and records request (attachment 10), sent a Microsoft Teams meeting requests and provided a link to a Microsoft SharePoint folder in which to upload electronic facility records.

August 12, 2021

I conducted an entrance conference using Microsoft Teams beginning at 14:00. Present at the entrance conference was Messrs. Grisham, Thomas, Richardson, Backus and me. I reviewed the EPA's RCRA Section 3007 authority to conduct inspections, Title 18 United States Code, Sections 1001 and 1002, regarding false and/or misleading information, and Elantas's confidentiality rights regarding confidential business information (CBI). Mr. Thomas gave verbal consent to proceed with the inspection. I discussed the scope of the inspection, reviewed my information and records request, discussed personnel training, and the Elantas contingency plan. I confirmed an onsite visual inspection date of August 17, 2021.

August 17, 2021

At about 07:29 on August 17, 2021, I arrived at Elantas. A drive-by visual observation was completed from Adelaide Avenue (north side of the facility), Hall Street (east side of the facility), and De Soto Avenue (south side of the facility). The facility was operational with onsite vehicle traffic and personnel movement. I observed no apparent issues or findings related to the drive by visual inspection.

I entered the facility main entrance and stopped to check in at the security office with MoDNR personnel, Mr. Backus, who had arrived simultaneously with me. We parked adjacent to the administration building. We were met in the parking area by Mr. Grisham and entered the administrative offices and proceeded to a conference room for opening discussions. We were joined in the conference room with Messrs. Thomas and Richardson. Mr. Backus and I introduced ourselves and presented our credentials. Mr. Grisham provided background

information on the facility and reviewed the solvent recovery process. Mr. Rowden arrived during this briefing. Following the briefing, Messrs. Backus and Rowden calibrated the MoDNR FID onsite in the parking area.

I presented my EPA credentials to Messrs. Grisham and Thomas. I referenced RCRA Section 3007 which provides inspection authority. Mr. Thomas provided verbal consent to proceed with the inspection. I described the importance of collecting accurate information and I presented Mr. Thomas with a copy of Title 18 United States Code, Sections 1001 and 1002, which provides for penalties if false and/or misleading information is provided to Federal representatives, and for the possession and use of fraudulent documents. Messrs. Grisham and Thomas were made aware of Elantas's confidentiality rights and was informed that a Confidentiality Notice would be provided at the end of the inspection to make a confidential business information (CBI) claim. I reviewed EPA Region 7's "Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections" with Messrs. Grisham and Thomas. Mr. Thomas acted as the primary facility representative during the inspection.

I explained the purpose, scope, and procedures for the RCRA CEI. I reviewed with Messrs. Grisham and Thomas the planned monitoring with the EPA FID and MoDNR FID and the MoDNR IR Camera. After the entrance discussions, I conducted a visual inspection of the facility with Messrs. Grisham, Thomas, Richardson, Backus, and Rowden. We visually inspected production areas, two less than 90-day hazardous waste accumulation areas, five less than 90-day hazardous waste accumulation tanks, and hazardous waste satellite accumulation areas located throughout the facility. Mr. Rowden and I conducted monitoring of hazardous waste containers, hazardous waste tanks and equipment in contact with hazardous waste.

After completing the visual inspection, I reviewed with Messrs. Grisham and Thomas the information collected for any CBI concerns. Mr. Grisham signed the Confidentiality Notice without claiming any information, documents, or photographs as CBI. I provided Mr. Grisham a copy of the Confidentiality Notice (yellow copy of the completed carbonless transfer set). I confirmed a target date Friday, August 20, 2021, to complete the electronic submittal of requested records and an exit conference via Microsoft Teams for 13:00 on Friday, August 27, 2021. Messrs. Backus, Rowden, and I then departed the facility.

August 24, 2021

I held a video conference using Microsoft Teams beginning at 09:00 to discuss records uploaded to the Microsoft SharePoint folder established for the inspection.

August 27, 2021

I conducted an exit video conference using Microsoft Teams beginning at 13:00. Present at the exit conference was Messrs. Grisham and Thomas, Backus, and me. I reviewed with Messrs. Grisham and Thomas the purpose and scope of the inspection, the records provided by Elantas, and CBI status of photographs, videos, records, and information provided. I reviewed and discussed my findings detailed in a Notice of Preliminary Findings (NOPF). I emailed both the

NOPF and the Receipt of Documents and Samples to Messrs. Grisham and Thomas prior to the exit conference. I discussed providing a response to the NOPF and provided a copy of the instructions “Instructions for Responding to a Notice of Preliminary Findings (NOPF)” that are on the reverse of the NOPF. I described my process and timeline for converting field and record review observations into an inspection report. I provided and discussed compliance assistance information and concluded the video conference.

August 27, 2021

I contacted Mr. Thomas by telephone at approximately 08:33. I discussed with Mr. Thomas an additional preliminary finding added to the NOPF. I emailed Messrs. Grisham and Thomas a copy of the additional preliminary finding after the conclusion of our discussion.

4.0 FINDINGS AND OBSERVATIONS

4.1 General Information/Facility Description

Elantas as a company manufactures and provides specialty resins for use as wire enamel, electrical coatings, electronic coatings and engineered materials. The Elantas facility is located in an industrial area of downtown St. Louis, Missouri, approximately one-half mile west of the Mississippi River. The facility has operated at this location since 1919. The facility was originally known as the P.D. George Company and initially manufactured varnishes. The facility was acquired by Altana AG, a specialty chemical company headquartered in Wesel, Germany, in 1996. The facility was renamed Elantas PDG in 2007. The facility is bordered on the west by an active rail corridor and is surrounded by commercial or industrial businesses. A residential area is located approximately one quarter mile west of the facility on the west side of Interstate I-70. The facility is located on approximately 21.56¹ acres. Elantas employs approximately 170 persons and operates two shifts, Monday through Thursday, 07:00 to 15:30 and 15:00 to 01:00, and one shift on Fridays, 07:00 to 15:30.

Elantas is a global supplier of specialty resins for applications in the electrical and electronic industries. Elantas manufactures resins on site that are used to produce the specialty resin products sold to its customers. The facility receives both liquid and solid raw materials used on site. Raw materials include various glycols, solvents, resins, pigments, and additives. Solvents received include cresylic acid, methyl ethyl ketone and xylene. Some liquid materials arrive in bulk tank trailers and are stored in above ground storage tanks or arrive in intermediate bulk containers. Solid raw materials arrive in bags including bulk bags.

Polyester resin is produced using a batch process. Elantas has four reactors used to produce resins which are primarily polyester resins. Xylene is used in the production process to aid in the refluxing of the polyester batch. Cresylic acid and xylene are used to thin the resulting polyester resin to product specifications. A cresylic acid and xylene mixture is used when it is necessary to clean the reactors between batches. The production produces a hazardous wastewater. The

¹ Estimated using Google Earth Pro based upon the facility boundary description provided by Mr. Thomas.

facility reclaims spent solvent from cleaning activities using the reactors to distill the dirty waste solvent, which produces a clean solvent for reuse on site.

The facility manages three hazardous waste less than 90-day container accumulation areas and four hazardous waste less than 90-day accumulation tanks. A fifth hazardous waste tank is used to facilitate the transfer of hazardous wastewater from the process reactors to one of the aforementioned accumulation tanks. Satellite accumulation containers are used in various locations throughout the facility and in the laboratories to manage hazardous waste at the point of generation.

4.2 RCRA Hazardous Waste Generator Status

The RCRA Site Verification Report (attachment 11) indicates that Elantas is a large quantity generator and an onsite recycler of hazardous waste. I reviewed the site verification report with Messrs. Grisham and Thomas who did not identify any updates to waste codes or facility activities. I reviewed the hazardous waste manifest information in EPA's E-Manifest system and found Elantas routinely ships quantities of hazardous waste indicative of hazardous waste generation greater than 1,000 kilograms of hazardous waste per month. On that basis, I determined at the time of my inspection that Elantas was generating greater than 1,000 kilograms of hazardous waste per month.

4.3 Waste Streams and Management

I reviewed the 2019 RCRA Biennial Report and hazardous waste manifests for Elantas from the EPA RCRAInfo v6 database which is consistent with the waste generation I observed. I prepared the waste table beginning on the following page based upon the information reviewed. I reviewed the waste table with Mr. Thomas during the opening conference.

Remainder of page intentionally blank

#	Waste Stream	Generating Process	Hazardous Waste Codes	Estimated Generation Rate	On-site Management	Off-site Management
1.	Spent Reflux Water contaminated with cresol and xylenes	Water removed from reactor during polyester production	D001 D026 D035	657,820 pounds (2021)	Hazardous waste storage tank T-67	Rineco Chemical Industries Benton, AR ARD981057870
2.	Spent solvent – mixture of cresylic acid and xylene	Reactor cleaning	D001 D026 D035 F003 F005		Hazardous waste storage tank T-72	Recycled on-site - solvent recovery process or shipped as continued use material to: Lone Star Industries ² Cape Girardeau, MO MOD981127319
3.	Still Bottoms from solvent recovery process	Still bottoms from resource recovery of spent solvents	D001 D018 D026 F003 F005	52,181 pounds (2019) 18,839 pounds (2020) Inclusive of other wastes combined into Tank T-46	Transferred in containers to tank T-46	Lone Star Industries ³ Cape Girardeau, MO MOD981127319
4.	Hazardous waste solids from contaminated filters, PPE, rags, buckets etc.	Spent filters and other solid debris	D026 D035 D040 F003 F004 F005	33,340 pounds (2021)	30 yard roll off container	Michigan Disposal Waste Treatment Plant Belleville, MI MID000724831

² The hazardous waste spent solvent in Tank T-72 is sometimes shipped to Lone Star Industries, Cape Girardeau, Missouri, EPA RCRA ID# MOD981127319, as a non-hazardous waste with a Bill of Lading for use in Lone Star's Continued Use Program (CUP)

³ The hazardous waste in Tank T-46 is sometimes shipped to Lone Star Industries, Cape Girardeau, Missouri, EPA RCRA ID# MOD981127319, as a non-hazardous waste with a Bill of Lading for use in Lone Star's Continued Use Program (CUP)

#	Waste Stream	Generating Process	Hazardous Waste Codes	Estimated Generation Rate	On-site Management	Off-site Management
5.	Ignitable toxic solvent	Clean up operations throughout the plant	D001 D018 D026 D035 D040 F003 F004 F005	130,500 pounds (2021)	55-gallon containers; satellite accumulation during generation	Systech Environmental Corporation Fredonia, KS KSD980633259
6.	Waste Corrosives	Waste corrosives from various plant operations	D001 D002 D005 D040	2,200 pounds (2021)	55-gallon containers	Veolia Technical Solutions Sauget, IL ILD098642424
7.	Ignitable/reactive organic peroxides	Laboratory process	D001 D003	28 pounds (2021)	Small containers in a flammable cabinet at the waste process area	Veolia Technical Solutions Sauget, IL ILD098642424
8.	Off-Spec Material	Resin batches that do not meet specifications and cannot be reworked	Varies	Varies	55-gallon containers or bulk containers transferred to tank T-46	Systech Environmental Corporation Fredonia, KS KSD980633259

Waste quantities from e-manifest system (7/12/2021)

4.4 Less than 90-day Hazardous Waste Accumulation Containers

Elantas accumulates hazardous waste in containers for less than 90-days in three separate areas.

North Storage Lot (attachment 7, page 4)

The container accumulation area is located in the north central portion of the facility. The facility consolidates hazardous waste from production and satellite accumulation into the area. The containers observed were 55-gallon drums (attachment 4, photograph 14). I visually inspected the container accumulation area on August 17, 2021. The containers were labeled “hazardous waste,” labeled with the waste hazard, dated with the accumulation start date and were in good condition. The area had no smoking signs, spill kit, and hand-held fire extinguisher. I observed repaired cracking in the secondary containment (attachment 4, photograph 15). Mr. Thomas stated that maintenance/repair of cracking is performed in the spring and fall.

I observed no apparent issues or findings related to my visual evaluation of hazardous waste accumulation in the North Storage Lot less than 90-day hazardous waste accumulation.

My review of RCRA air emission controls for containers is in Section 4.8.

Tank Farm TF51 Storage Lot (attachment 7, page 4)

The container accumulation area is located in the east central portion of the facility at the south end of Tank Farm TF51. I visually inspected the container accumulation area on August 17, 2021. The containers were labeled “hazardous waste,” labeled with the waste hazard, dated with the accumulation start date and were in good condition except for one container that had a bulging bottom (attachment 4, photograph 12). Mr. Thomas stated the container had been brought to the accumulation area that morning from the T-46 loading area where it was used to hold the waste transfer lance. Mr. Richardson stated the drum was to be overpacked that day after they received their shipment of overpack drums. I observed a container with an accumulation start date of April 8, 2021 (attachment 4, photograph 13). Mr. Thomas stated that the April 8, 2021, date was a satellite accumulation start date and the container had been brought to the Tank Farm TF51 Storage Lot that morning. He stated the less than 90-day accumulation start date would be labeled over the satellite accumulation start date.

The area had no smoking signs, spill kit, and hand-held fire extinguisher. I observed the secondary containment was in good condition.

I observed no apparent issues or findings related to my visual evaluation of hazardous waste accumulation in the Tank Farm TF51 Storage Lot less than 90-day hazardous waste accumulation.

My review of RCRA air emission controls for containers is in Section 4.8.

Roll Off Container (attachment 7, page 4)

A 30-cubic yard bulk container was located in the east central portion of the facility on the west side of Building 14. The container accumulates solid hazardous waste such as filters, rags, personnel protective equipment, etc. I obtained a copy of the waste profile for the hazardous waste accumulated in the container (attachment 12). The container was labeled “hazardous waste,” labeled with the waste hazard, dated with the accumulation start date. The container was tightly covered with a tarp and was in good condition. The area had no smoking signs, spill kit, and hand-held fire extinguisher. The bulk container was on a concrete surface that was in good condition.

I observed no apparent issues or findings related to my visual evaluation of hazardous waste accumulation in the bulk container located on the west side of Building 14 less than 90-day hazardous waste accumulation.

My review of RCRA air emission controls for containers is in Section 4.8.

4.5 Hazardous Waste Satellite Accumulation

Elantas utilizes satellite accumulation⁴ of hazardous waste in various locations at the facility. The containers included 55-gallon metal containers and 5-gallon containers. I visually inspected satellite accumulation containers in their various locations at the facility on August 17, 2021. I did not observe missing hazardous waste or waste hazard labels from the satellite accumulation containers during my visual inspection.

Notice of Preliminary Finding (NOPF) 1: 40 CFR 265.173(a) – Satellite accumulation container not closed (latched R & D Lab Room 219).

The State of Missouri has adopted by reference the EPA’s requirements for generators of hazardous waste found at 40 CFR Part 262⁵. The requirements for satellite accumulation are found at 40 CFR 262.34(c). In pertinent part, 40 CFR 262.34(c)(1)(i) requires generators utilizing satellite accumulation to comply with 40 CFR 265.173(a). The regulation at 40 CFR 265.173(a) requires “*A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.*” I observed a 5-gallon satellite accumulation container in a fume hood in the R & D Lab Room 219 containing flammable hazardous waste that was not closed. The funnel located in the opening of the container used to add hazardous waste to the container was not latched closed (attachment 4, photograph 24). The R & D labs are located in Building 10 (attachment 7, page 3).

⁴ Satellite accumulation is a term of art for the requirements under which a generator may accumulate hazardous waste in containers at or near any point of [hazardous waste] generation. The pertinent requirements are found in 10 CSR 25-5.262(1), *incorporated by reference from* 40 CFR 262.34(c).

⁵ See 10 CSR 25-7.262(1) which incorporates by reference 40 CFR Part 262 as in effect on July 1, 2013.

I observed the facility utilizing the Missouri Option⁶ satellite accumulation procedure with three 55-gallon containers located at the loading rack near the south end of Building 56 (attachment 7, page 3). The three containers were closed, labeled “Hazardous Waste,” and included the dates upon which satellite accumulation began. The satellite accumulation start dates were less than one year prior to the visual inspection.

I observed satellite accumulation at the following locations:

- Outside the blending building (two different areas)
- Second floor of the reactor building, Building 39
- Third floor of the reactor building, Building 39
- Raw material preparation area, Building 26 (three different areas)
- Cleaning room, Lab 114, Building 10 (three different areas)
- R & D Lab, Room 241, Building 10
- R & D Lab, Room 237, Building 10
- R & D Lab, Room 222, Building 10 (three different areas)
- R & D Lab, Room 219, Building 10 (see preliminary finding discussion above)
- R & D Lab, Room 220, Building 10
- R & D Lab, Room 218, Building 10

I observed no additional apparent issues or findings related to hazardous waste satellite accumulation other than the preliminary finding discussed above.

4.6 Less than 90-day Hazardous Waste Accumulation Tanks

Elantas accumulates hazardous waste in five tanks for less than 90-days in three separate areas.

Tank Farm 51 (TF51) – Tank T-67 (attachment 7, page 4)

Tank T-67 is an aboveground vertical 12,000-gallon tank used to accumulate reflux water generated as a byproduct during the production of polyester resin in Building 39. The reflux water is a flammable hazardous waste primarily due to methanol which is also a byproduct of polyester resin production. The reflux water is first accumulated in the Tank T-67 charging vessel (see following discussion of the charging vessel) and transferred to Tank T-67 via hard piping.

I visually inspected Tank T-67 on August 17, 2021. The tank is insulated preventing visual inspection of the tank shell (attachment 4, photograph 3). A local tank level indicator for the tank showed a hazardous waste level in the tank of 20 inches (attachment 4, photograph 2). The tank was labeled “Hazardous Waste” and indicating flammable contents. I was able to view the top of the tank from a catwalk accessed via stairs that runs between the two rows of tanks in TF51 (attachment 4, photograph 8).

⁶ Missouri Option requirements are found at 10 CSR 25-5.262(2)(C)3

I observed a water hydrant to supply water for fire response, portable fire extinguishers, and spill response supplies in the TF51 area. I observed the secondary containment for TF51 appeared to be in good condition.

I observed no apparent issues or findings related to my visual inspection of hazardous waste accumulation in Tank T-67.

My review of RCRA air emission controls for Tank T-67 is in sections 4.7 and 4.9.

Tank T-67 Charging Vessel, Building 39 (attachment 7, page 3)

The Tank T-67 Charging Vessel is a tank located on a mezzanine level of Building 39. It is a welded steel vessel of approximately 336-gallon capacity. The tank accumulates reflux water generated as a byproduct during the production of polyester resin in Building 39. The reflux water is a flammable hazardous waste primarily due to methanol which is also a byproduct of polyester resin production. The accumulated reflux water is transferred to Tank T-67 via hard piping.

I visually inspected Tank-67 Charging Vessel on August 17, 2021 (attachment 4, photograph 21). The tank was labeled “Hazardous Waste.” The tank appeared to be in good condition. The tank is located in Building 39 which provides secondary containment for the tanks and reactors located therein.

I observed no apparent issues or findings related to my visual inspection of hazardous waste accumulation in Tank T-67 Charging Vessel.

My review of RCRA air emission controls for Tank T-67 Charging Vessel is in sections 4.7 and 4.9.

TF51 – Tank T-72 (attachment 7, page 4)

Tank T-72 is an aboveground vertical 16,000-gallon tank used to accumulate spent solvent prior to recycling from cleaning reactors and equipment used for polyester resin production. The spent solvent is a mixture of cresylic acid and xylene and is a flammable hazardous waste. The spent solvent is first pumped into an intermediate bulk container for liquids (attachment 4, photograph 22) on the south side of Building 39 (attachment 7, page 3). The container is moved to the TF51 loading rack (attachment 7, page 4) where it can be pumped into Tank T-72. I obtained a screen shot of the TF51 tank levels showing 2,701 pounds of hazardous waste in the tank (attachment 13).

When the facility determines to run a recycling campaign for the spent solvent, the solvent is pumped from the tank into intermediate bulk container for liquids at the TF51 loading rack, the filled containers are moved to the south side of Building 39 where the contents of the container is pumped into one of the reactors used for polyester resin production where it is distilled. The resulting still bottoms are transferred into an intermediate bulk container for liquids which is then staged next to Tank T-46 where the contents are pumped into Tank T-46. The piping in TF51

traces back to a common location at the TF51 loading rack. The individual tank piping can be connected to pumps and/or tank trailers using flexible hoses (attachment 4, photographs 10 and 11).

I visually inspected Tank T-72 on August 17, 2021. The tank appeared to be in good condition (attachment 4, photograph 5). The tank was labeled “Hazardous Waste” and indicating flammable contents. I was able to view the top of the tank from a catwalk accessed via stairs that runs between the two rows of tanks in TF51 (attachment 4, photograph 6).

NOPF 3: 40 CFR 265.31 – Operation of T-72 does not minimize emissions of VOCs – manway on top of tank has only 2 bolts with emissions visible with MoDNR IR Camera

The State of Missouri has adopted by reference the EPA’s requirements for generators of hazardous waste found at 40 CFR Part 262. The requirements for less than 90-day accumulation are found at 40 CFR 262.34. In pertinent part, 40 CFR 262.34(a)(4) requires generators to comply with 40 CFR Part 265, Subpart C – Preparedness and Prevention. The requirements in the aforementioned subpart at 40 CFR 265.31, Maintenance and operation of facility, states *“Facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.”* I observed the manway on the top of Tank T-72 during my visual inspection. The cover to the manway was secured with only two bolts in the 20 bolt holes in the manway (attachment 4, photograph 6). I viewed the manway with the MoDNR IR Camera and observed volatile organic vapor emissions from the perimeter of the manway (attachment 5, video file “MOV_0007”). Vapor emissions from unsecured tank closures are considered a significant release to the environment. I was unable to monitor the emissions with the EPA FID due to the absence of fall arrest features on the top of the tank.

I observed a water hydrant to supply water for fire response, portable fire extinguishers, and spill response supplies in the TF51 area. I observed the secondary containment for TF51 appeared to be in good condition.

I observed no additional apparent issues or findings related to my visual inspection of hazardous waste accumulation in Tank T-72.

My review of RCRA air emission controls for Tank T-72 is in sections 4.7 and 4.9.

TF51 – Tank T-73 (attachment 7, page 4)

Tank T-73 is an aboveground vertical 16,000-gallon tank used to accumulate spent solvent from cleaning reactors and equipment used for polyester resin production. According to Mr. Thomas, the tank has not been used to accumulate hazardous waste since December 2013. The spent solvent that would be accumulated in the tank is a mixture of cresylic acid and xylene and is a flammable hazardous waste. Hazardous waste transfers into and out of Tank T-73 are managed in the same manner described above for Tank T-72. I obtained a screen shot of the TF51 tank levels showing zero pounds of hazardous waste in the tank (attachment 13).

I visually inspected Tank T-73 on August 17, 2021. The tank appeared to be in good condition (attachment 4, photograph 4). The tank was labeled “Hazardous Waste” and indicating flammable contents. I was able to view the top of the tank from a catwalk accessed via stairs that runs between the two rows of tanks in TF51 (attachment 4, photograph 7).

I observed a water hydrant to supply water for fire response, portable fire extinguishers, and spill response supplies in the TF51 area. I observed the secondary containment for TF51 appeared to be in good condition.

I observed no additional apparent issues or findings related to my visual inspection of hazardous waste accumulation in Tank T-73.

My review of RCRA air emission controls for Tank T-73 is in sections 4.7 and 4.9.

Tank T-46 (attachment 7, page 3)

Tank T-46 is an aboveground vertical 4,500-gallon tank located adjacent to the northwest corner of Building 25 and is used to accumulate hazardous waste. The hazardous wastes accumulated include spent solvent still bottoms, off specification materials and products, spent solvent and waste oil. I obtained an inspection report for the tank dated December 5, 2017 (attachment 14). Wastes are pumped into the tank with a pump and ancillary equipment located at the tank from intermediate bulk container for liquids and/or 55-gallon drums.

I visually inspected Tank T-46 on August 17, 2021. The tank appeared to be in good condition (attachment 4, photograph 18). The tank was labeled “Hazardous Waste” and indicating flammable contents. I observed a tank level of 60 inches from a local tank level display (attachment 4, photograph 16). I was able to view the top of the tank accessed via a ladder attached to the tank.

I observed a water hydrant to supply water for fire response, portable fire extinguishers, and spill response supplies in the area. I observed the secondary containment for Tank T-46 appeared to be in good condition.

I observed no additional apparent issues or findings related to my visual inspection of hazardous waste accumulation in Tank T-46.

My review of RCRA air emission controls for Tank T-46 is in sections 4.7 and 4.9.

4.7 Subpart BB – Air Emission Standards for Equipment Leaks

The EPA promulgated requirements for the control of air emissions from equipment leaks at 40 CFR Part 265, Subpart BB (hereafter “Subpart BB”). The State of Missouri has adopted by reference the EPA’s requirements for owners and operators of hazardous waste treatment,

storage, and disposal facilities found at 40 CFR Part 265⁷. Elantas, as a large quantity generator of hazardous waste, is subject to the requirements of Subpart BB.

Elantas has determined the organic concentration of the hazardous waste in contact with piping and ancillary equipment (valves, connectors, pumps, sampling systems, and open-ended lines) associated with the tanks is greater than 10% by weight using process knowledge. Elantas has distinguished between equipment in light liquid/vapor service and those in heavy liquid service using process knowledge. I obtained an electronic list of Subpart BB equipment and prepared a listing of select information (attachment 15). Elantas conducts equipment leak detection and repair under the Clean Air Act (CAA) pursuant to the requirements of 40 CFR Part 63, Subpart FFFF – National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing. Elantas keeps records of the CAA leak detection and repair activities as documentation of compliance with Subpart BB leak detection and repair recordkeeping. I did not identify issues from my review of the CAA monitoring and repair records for 2018, 2019, 2020, and 2021, provided to document compliance with Subpart BB.

Messrs. Backus, Rowden, and I visually inspected Subpart BB equipment on August 17, 2021. I observed that equipment subject to Subpart BB was provided with tags showing the unique equipment number (attachment 4, photograph 1). During the visual inspection, Mr. Rowden and I monitored equipment accessible from the ground that is subject to Subpart BB with the MoDNR FID and the EPA FID. During the visual inspection, Mr. Backus or I viewed the portion of the hazardous waste storage/treatment tanks and the ancillary equipment visible from the ground with the MoDNR IR CAMERA for volatile organic emissions. I tallied the types and number of equipment I monitored on field sheets (attachment 16). The equipment monitoring conducted by Mr. Rowden and I did not identify volatile organic emissions above leak definition levels.

NOPF 8: 40 CFR 265.1056(a) – Open ended lines at TF51 loading pump & Tank T-46 loading pump not equipped with cap/plug seals.

The State of Missouri has adopted by reference the EPA's requirements for generators of hazardous waste found at 40 CFR Part 262. The requirements for less than 90-day hazardous waste accumulation are found at 40 CFR 262.34(a). In pertinent part, 40 CFR 262.34(a)(1)(ii) requires generators accumulating hazardous waste in tanks to comply with Subpart BB. The requirements for open-ended valves or lines are found at 40 CFR 265.1056. The requirement at 40 CFR 264.1056(a) states *“(1) Each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve. (2) The cap, blind flange, plug, or second valve shall seal the open end at all times except during operations requiring hazardous waste stream flow through the open-ended valve or line.”* I visually inspected the pump located at the TF51 loading rack used to pump hazardous waste into Tanks T-72 (attachment 4, photograph 9). The pump had a flexible hose attached (the two ends of the hose are shown in the photograph). The outlet piping from the pump had a valve in the closed position. The attached hose did not have a cap or

⁷ See 10 CSR 25-7.265(1) which incorporates by reference 40 CFR Part 265, Subpart BB– Air Emission Standards for Equipment Leaks. Missouri has adopted the provisions of 40 CFR Part 265, as in effect on July 1, 2013.

plug at its end. I visually inspected the pump located at Tank T-46 used to pump hazardous waste into the tank (attachment 4, photograph 19). The pump had a flexible hose attached (the two ends of the hose are shown in the photograph). The outlet piping from the pump had a valve in the closed position. The attached hose did not have a cap or plug at its end.

4.8 Subpart CC - Air Emission Standards for Containers

The EPA promulgated requirements for the control of air emissions from tanks, surface impoundments, and containers at 40 CFR Part 265, Subpart CC (hereafter “Subpart CC”). The State of Missouri has adopted by reference the EPA’s requirements for owners and operators of hazardous waste treatment, storage, and disposal facilities found at 40 CFR Part 265⁸.

North Storage Lot and Tank Farm TF51 Storage Lot

I visually inspected containers accumulating hazardous waste for less than 90-days at the North Storage Lot and Tank Farm TF51 Storage Lot on August 17, 2021. I observed both 5-gallon and 55-gallon containers accumulating hazardous waste. The 5-gallon containers are not subject to Subpart CC control for air emissions. I observed the 5-gallon containers were all closed. The 55-gallon containers are subject to Subpart CC Level 1 controls. The 55-gallon containers were US Department of Transportation (DOT) shipping containers to meet the Level 1 requirements. The 55-gallon containers were closed. Mr. Rowden and I randomly monitored containers with the EPA FID to determine if volatile organic emissions were greater than 500 parts per million by volume above background. I did not identify containers with volatile organic emissions greater than 500 parts per million by volume above background.

I observed no apparent issues or findings related to compliance with Subpart CC related to the hazardous waste containers accumulating hazardous waste for less than 90-days at the North Storage Lot and Tank Farm TF51 Storage Lot.

Roll Off Container

I visually inspected the 30-cubic yard bulk container accumulating solid hazardous waste such as filters, rags, personnel protective equipment, etc., on August 17, 2021. The facility has determined the hazardous waste accumulated in the container is not in light material service. I obtained a copy of the waste profile for the hazardous waste accumulated in the container which is consistent with the Elantas’ “not in light material service” determination (attachment 12). Containers that are not in light material service that are larger than 0.46 cubic meters (0.6 cubic yards) in volume are subject to Subpart CC Level 1 controls. The container was tightly covered with a tarpaulin with no visible cracks or gaps in the coverage of the container opening and was in good condition. Mr. Rowden and I monitored the container with the MoDNR and EPA FIDs. We did not observe volatile organic emissions greater than background levels.

⁸ See 10 CSR 25-7.265(1) which incorporates by reference 40 CFR Part 265, Subpart CC – Air Emission Standards for Containers. Missouri has adopted the provisions of 40 CFR Part 265, as in effect on July 1, 2013.

I observed no apparent issues or findings related to compliance with Subpart CC related to the 30-cubic yard container for less than 90-days at next to Building 14.

Level 2 Container Waste Transfers

Elantas utilizes intermediate bulk containers to transfer hazardous into and out of hazardous waste accumulation tanks.

NOPF 6: 40 CFR 265.1087(d)(2) – Hazardous waste transfer into Level 2 container does not minimize emissions (no submerged fill) – container filling at Building 39.

The State of Missouri has adopted by reference the EPA's requirements for generators of hazardous waste found at 40 CFR Part 262. The requirements for less than 90-day hazardous waste accumulation are found at 40 CFR 262.34(a). In pertinent part, 40 CFR 262.34(a)(1)(ii) requires generators accumulating hazardous waste in tanks to comply with Subpart CC. Elantas operates T-67 as a Level 1 tank. The requirements waste transfers with Level 2 containers are found at 40 CFR 265.1087(d)(2). In pertinent part, 40 CFR 265.1087(d)(2) requires "*Transfer of hazardous waste in or out of a container using Container Level 2 controls shall be conducted in such a manner as to minimize exposure of the hazardous waste to the atmosphere...*" The regulation goes further to provide examples of techniques that could be used to meet the requirement such as "*A submerged fill pipe or other submerged-fill method to load liquids into the container.*" I observed the location on the south side of Building 39 where Level 2 containers are filled with hazardous waste. Present was the filling apparatus and an empty Level 2 container (attachment 4, photograph 22). The filling apparatus as configured does not utilize submerged fill. I asked Mr. Thomas if the facility utilized submerged fill for Level 2 hazardous waste containers and he responded in the negative.

4.9 Subpart CC - Air Emission Standards for Tanks

The EPA promulgated requirements for the control of air emissions from tanks, surface impoundments, and containers at 40 CFR Part 265, Subpart CC (hereafter "Subpart CC"). The State of Missouri has adopted by reference the EPA's requirements for owners and operators of hazardous waste treatment, storage, and disposal facilities found at 40 CFR Part 265.

The regulation at 40 CFR 265.1080(b)(7) provides the requirements of Subpart CC do not apply to tanks the owner or operator certifies is equipped with and operating air emission controls in accordance with the requirements of an applicable CAA regulation codified under 40 CFR part 60, part 61, or part 63. Elantas has the potential to emit oxides of nitrogen, volatile organic compounds and hazardous air pollutants that exceeds the thresholds above which a CAA operating permit is required. The MoDNR has issued a CAA Title V Operating Permit, Operating Permit Number OP2013-025, with an effective date of April 24, 2013 (hereafter "Title V Permit"). The Title V Permit is continued past its expiration date of April 23, 2018, in accordance with the governing permit regulations.

Within the Title V Permit, in the section titled "Tank Farm 51 Storage Tanks" includes a list of tanks inclusive of Tanks T-67, T-72, T-73 that are subject to CAA requirements. However, the

required controls on the tanks are implemented pursuant to 10 CSR 10-5.390 Control of Emissions From the Manufacturing of Paints, Varnishes, Lacquers, Enamels and Other Allied Surface Coating Products that are not a 40 CFR part 60, part 61, or part 63 requirements. Therefore, I reviewed Tanks T-67, T-72 and T-73 for compliance with Subpart CC since the controls installed and operated are not subject to the exemption at 40 CFR 265.1080(b)(7).

Tank T-67, TF51

Tank T-67 is located in TF51. I visually inspected Tank T-67 on August 17, 2021. I was able to view the top of the tank from a catwalk accessed via stairs that runs between the two rows of tanks in TF51 (attachment 4, photograph 8). The tank manway cover appeared to be closed although I observed that none of the securing bolts had been installed in the cover. I viewed the manway cover and conservation vent with the MoDNR IR Camera and did not observe emissions visible in infrared or high sensitivity infrared modes. I was unable access the top of the tank due to lack of fall protection features to monitor the tank closure devices. I obtained a process instrumentation diagram (PID) for the tank (attachment 17).

Tank T-67 Charging Vessel, Building 39

The Tank T-67 Charging Vessel is a tank located on a mezzanine level of Building 39. I visually inspected Tank-67 Charging Vessel on August 17, 2021 (attachment 4, photograph 21). The tank covers were in place and bolted. I viewed the tank and covered tank openings with the MoDNR IR Camera and did not observe emissions visible in infrared or high sensitivity infrared modes. I monitored accessible covers and connectors with the EPA FID with no volatile organic emissions observed above background.

NOPF 7: 40 CFR 265.1085(c)(2)(iii) – T-67 Charging Vessel does not have closure device or control on vent.

The State of Missouri has adopted by reference the EPA's requirements for generators of hazardous waste found at 40 CFR Part 262. The requirements for less than 90-day hazardous waste accumulation are found at 40 CFR 262.34(a). In pertinent part, 40 CFR 262.34(a)(1)(ii) requires generators accumulating hazardous waste in tanks to comply with Subpart CC. Elantas operates T-67 as a Level 1 tank. The requirements for Level 1 tanks are found at 40 CFR 265.1085(c). In pertinent part, 40 CFR 265.1085(c)(2)(iii) requires *"Each opening in the fixed roof, and any manifold system associated with the fixed roof, shall be either: (A) Equipped with a closure device..., or (B) Connected by a closed-vent system that is vented to a control device. The..."* I observed a vent line at the T-67 Charging Vessel. The discharge exit of the vent line was not visible to me at the tank location. I obtained a process instrumentation diagram (PID) for the tank (attachment 17). The PID does not show that the vent line is provided with a closure device or that it is routed to a control device through a closed vent system.

Tank T-72, TF51

Tank T-72 is located in TF51. I visually inspected Tank T-72 on August 17, 2021. I was able to view the top of the tank from a catwalk accessed via stairs that runs between the two rows of

tanks in TF51 (attachment 4, photograph 8). The tank manway cover appeared to be closed although I observed that only two of twenty securing bolts had been installed in the cover (**NOPF 3**). I viewed the manway cover and conservation vent with the MoDNR IR Camera and observed volatile organic emissions. I was unable access the top of the tank due to lack of fall protection features to monitor the tank closure devices. I obtained a process instrumentation diagram (PID) for the tank (attachment 17).

See section 4.6 for my finding regarding the volatile organic emissions from the tank.

Tank T-73, TF51

Tank T-73 is located in TF51. I visually inspected Tank T-73 on August 17, 2021. I was able to view the top of the tank from a catwalk accessed via stairs that runs between the two rows of tanks in TF51 (attachment 4, photograph 8). The vent line of the tank did not include a closure device. I viewed the manway cover and vent with the MoDNR IR Camera and observed no volatile organic emissions. The tank manway cover appeared to be closed although I observed that only two of twenty securing bolts had been installed in the cover. I was unable access the top of the tank due to lack of fall protection features to monitor the tank closure devices. I obtained a process instrumentation diagram (PID) for the tank (attachment 17). The PID indicated that the tank vent include a flame arrestor which is not a closure device designed to operate with no detectable emissions.

I did not prepare a finding regarding the absence of a control device for this tank since Mr. Thomas stated that the tank had been empty since December 2013 and I verified the tank level as empty at the time of my inspection. It should also be noted that the CAA Title V Permit would appear to require the use of closure device on the vent line of the tank.

Tank T-46, Building 25

Tank T-46 is located adjacent to the northwest corner of Building 25. I was able to view the top of the tank accessed via an attached ladder (attachment 4, photograph 18).

NOPF 5: 40 CFR 265.1085(c)(3) – T-46 tank closure (hatch on top) not latched with emissions greater than 500 ppmv. (note that NOPF incorrectly cited 1085(c)(2)(iii)(A))

The State of Missouri has adopted by reference the EPA's requirements for generators of hazardous waste found at 40 CFR Part 262. The requirements for less than 90-day hazardous waste accumulation are found at 40 CFR 262.34(a). In pertinent part, 40 CFR 262.34(a)(1)(ii) requires generators accumulating hazardous waste in tanks to comply with Subpart CC. Elantas operates T-46 as a Level 1 tank. The requirements for Level 1 tanks are found at 40 CFR 265.1085(c). In pertinent part, 40 CFR 265.1085(c)(3) requires "*Whenever a hazardous waste is in the tank, the fixed roof shall be installed with each closure device secured in the closed position...*" I observed a tank manway cover tagged with equipment number 2412. The tank manway cover, although in a closed position, did not have any of the six bolting latches in place (attachment 4, photograph 17). I viewed the manway cover with the MoDNR IR Camera and observed volatile organic emissions around the perimeter (attachment 5, video file

“MOV_0008”). I monitored the perimeter of the manway cover with the EPA FID observing the maximum volatile organic emission concentration of 6,824 parts per million by volume. The presence of volatile organics in the vicinity of the manway was discernable with olfactory means. I obtained a process instrumentation diagram (PID) for the tank (attachment 17).

4.10 Method 21 Monitoring

I calibrated the EPA FID used for Method 21⁹ monitoring the morning of August 17, 2021, prior to my arrival at the facility (attachment 18). MoDNR personnel calibrated the MoDNR FID onsite at Elantas prior to beginning the visual inspection. Both the EPA FID and MoDNR FID are a Thermo Fisher Scientific TVA-2020 which has both a photoionization detector and a flame ionization detector to measure organic vapor concentrations. Only the flame ionization detector was calibrated and operated for the Method 21 monitoring, i.e., the photoionization detector was switched off.

Elantas utilizes an outside firm, Montrose Environmental, to manage the facilities leak detection and repair records and Method 21 monitoring. I did not identify issues from my review of the leak detection monitoring records for 2018, 2019, 2020, and 2021, which were provided electronically by Elantas.

4.11 Hazardous Secondary Materials

The EPA regulations provide an exclusion to the definition of a solid waste for hazardous secondary materials that are reclaimed onsite by the generator. Elantas submitted a Notice of Regulated Waste Activity notification of onsite solvent reclamation activity dated August 2, 2021. Mr. Backus and I provided compliance assistance to Messrs. Grisham and Thomas for the hazardous secondary material requirements. Mr. Grisham stated that Elantas would continue to manage the spent solvent as hazardous waste until MoDNR receives authorization for hazardous secondary materials exemptions.

4.12 Inspections

Elantas conducts various inspections of the facility on a routine basis. The inspections are recorded on paper checklists that are maintained by the facility. I requested copies of inspection checklists for 2018, 2019, 2020 and 2021 documenting the required inspections of less than 90-day hazardous waste container accumulation areas and less than 90-day hazardous waste accumulation tanks.

NOPF 4: 40 CFR 265.174 – Less than 90-day container accumulation area not inspected weekly – roll-off bulk hazardous waste container west of Building 14.

The State of Missouri has adopted by reference the EPA’s requirements for generators of hazardous waste found at 40 CFR Part 262. The requirements for less than 90-day hazardous

⁹ Method 21 – Determination of Volatile Organic Compound Leaks is found at 40 CFR Part 60, Appendix A.

waste accumulation are found at 40 CFR 262.34(a). In pertinent part, 40 CFR 262.34(a)(1)(i) requires generators accumulating hazardous waste in tanks to comply with 40 CFR Part 265, Subpart I. Elantas accumulates hazardous waste in a 30-cubic yard roll-off bulk container located on the west side of Building 14 subject to 40 CFR Part 265, Subpart I. In pertinent part, 40 CFR 265.174 requires “*At least weekly, the owner or operator must inspect areas where containers are stored ...*” I reviewed the inspection records provided by Elantas and did not observe any records related to weekly inspections of the 30-cubic yard roll-off bulk container located on the west side of Building 14. I asked Mr. Thomas if weekly hazardous waste accumulation container inspections of the 30-cubic yard roll-off bulk container were conducted and he replied in the negative.

I observed no additional issues or findings related to review of the inspection records.

4.13 Contingency Plan

I requested a copy of the current RCRA Contingency Plan (attachment 19). The plan described the actions to take in response to a fire, explosion or release of hazardous waste, emergency equipment and emergency contacts. A summary of the plan was provided to local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services as evidenced by certified mail return receipts.

I observed no apparent issues or findings related to my review of the contingency plan.

4.14 Training Requirements

I reviewed personnel training with Messrs. Grisham and Thomas.

Messrs. Grisham and Thomas described the training required for Elantas employees consists of classroom and on the job training.

NOPF 2: 40 CFR 265.16(a) –RCRA training not conducted in 2020.

The State of Missouri has adopted by reference the EPA’s requirements for generators of hazardous waste found at 40 CFR Part 262¹⁰. Large quantity generators are required to conduct training for employees that manage hazardous waste. In pertinent part, 40 CFR 262.34(a)(4) requires training comply with 40 CFR 265.16. The requirement at 40 CFR 265.16(c) states “*Facility personnel must take part in an annual review of the initial training required...*” I requested training records for 2018, 2019, 2020, and 2021. Elantas provided electronic copies of training records for 2018, 2019, and 2021 stating that training was not completed in 2020 due to social distancing requirements related to COVID-19 protocols.

4.15 Manifests

¹⁰ See 10 CSR 25-7.262(1) which incorporates by reference 40 CFR Part 262 as in effect on July 1, 2013.

I reviewed hazardous waste manifest information for 195 shipments of hazardous waste available in EPA's E-Manifest system from June 30, 2018, to the date of my query, July 12, 2021.

I observed no apparent issues or findings related to my review of hazardous waste manifest information.

4.16 Universal Waste

Elantas manages waste bulbs generated at the facility as universal wastes. The universal wastes are accumulated in the north end of Building 14 (attachment 7, page 4). I visually inspected the universal waste accumulation area on August 17, 2021. I observed four boxes of universal waste lamps. The boxes were closed, labeled with the appropriate universal waste item, and dated with accumulation start dates. The oldest accumulation start date that I observed was June 1, 2021.

I observed no apparent issues or findings related to the management of universal waste lamps.

4.17 Used Oil

Elantas generates used oil from maintenance of onsite equipment. Mr. Grisham stated that the used oil is transferred from containers utilized to collect the used oil into Tank T-46.

5.0 COMPLIANCE ASSISTANCE

I provided and reviewed with Messrs. Grisham and Thomas the following compliance assistance materials:

Responding to a NOPF (EPA)

Section 3007 Inspections Sheet (EPA)

United States Code 1001/1002 Annotated (EPA)

Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections (EPA)

Tampering Pollutes Our Air (EPA)

Clean Air Act Vehicle Aftermarket Defeat Devices and Tampering (EPA)

EPA Enforcement Alert National Compliance Initiative Focus on RCRA Air Emissions June 2020 (EPA)

COMPLIANCE ADVISORY Reduction of Hazardous Waste Air Emissions April 2018 (EPA)

Leak Detection and Repair: A best Practices Guide (EPA)

6.0 SUMMARY

I conducted an inspection of Elantas as a large quantity generator of hazardous waste, a small quantity handler of universal waste, and a used oil generator. The following apparent preliminary findings were noted as discussed above:

NOPF 1: 40 CFR 265.173(a) – Satellite accumulation container not closed (latched R & D Lab Room 219).

NOPF 2: 40 CFR 265.16(a) –RCRA training not conducted in 2020.

NOPF 3: 40 CFR 265.31 – Operation of T-72 does not minimize emissions of VOCs – manway on top of tank has only 2 bolts with emissions visible with MoDNR IR Camera

NOPF 4: 40 CFR 265.174 – Less than 90-day container accumulation area not inspected weekly – roll-off bulk hazardous waste container west of Building 14.

NOPF 5: 40 CFR 265.1085(c)(3) – T-46 tank closure (hatch on top) not latched with emissions greater than 500 ppmv. (note that NOPF incorrectly cited 1085(c)(2)(iii)(A))

NOPF 6: 40 CFR 265.1087(d)(2) – Hazardous waste transfer into Level 2 container does not minimize emissions (no submerged fill) – container filling at Building 39.

NOPF 7: 40 CFR 265.1085(c)(2)(iii) – T-67 Charging Vessel does not have closure device or control on vent.

NOPF 8: 40 CFR 265.1056(a) – Open ended lines at TF51 loading pump & Tank T-46 loading pump not equipped with cap/plug seals.

Remainder of page intentionally blank

Other than the items noted above, no other preliminary findings were observed or cited. However, the EPA may review my findings further after the inspection, which may change or add to my findings.

Herstowski, Ken Digitally signed by Herstowski, Ken
Date: 2021.09.07 13:20:08 -05'00'

Date: _____

Kenneth Herstowski
Environmental Engineer

CANDACE BEDNAR Digitally signed by CANDACE
BEDNAR
Date: 2021.09.09 10:22:51 -05'00'

Date: _____

Amber Whisnant
Chief, RCRA Section, Chemical Branch
Enforcement and Compliance Assistance Division

Attachments

1. Receipt for Documents (3 pages)
2. Confidentiality Notice (1 page)
3. Notice of Preliminary Findings (4 pages)
4. Inspection [24] Photographs (25 pages)
5. Video Recordings (electronically stored)
6. Photographic and Video Log (2 pages)
7. Elantas Aerial Photographs (4 pages)
8. Elantas Facility Maps (1 page)
9. Elantas CEI Checklist (96 pages)
10. Information and Records Request (3 pages)
11. RCRA Site Verification Report (1 page)
12. Waste Profile Solid Waste in Roll Off Container (3 pages)
13. TF51 Tank Levels (1 page)
14. Tank T-46 Inspection Report (13 pages)
15. Subpart BB Equipment List (5 pages)
16. Monitoring Field Sheet (2 pages)
17. Tank PIDs (5 pages)
18. EPA FID Calibration (4 pages)
19. Contingency Plan (28 pages)