

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

HYDRITE CHEMICAL COMPANY

2815 WCF&N Drive
Waterloo, Iowa 50703
(319) 232-9731

EPA RCRA ID No. IAT200010593

On

January 16, 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 Hydrite Chemical Company (Hydrite), at 2815 WCF&N Drive, Waterloo, 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

Hydrite:

Ryan Whitney, Plant Manager
Helen Helfer, Environmental Health and Safety (EHS) Coordinator
Ryan Arnfelt, EHS Specialist
Dan David, Office Manager

Toeroek Team:

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

INSPECTION PROCEDURES

Prior to the CEI at Hydrite on January 16, 2024, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by. Upon my arrival, I entered the Visitor's Entrance, introduced myself to the front desk attendant, and explained the purpose of the CEI. She contacted Mr. Whitney, who met me in the lobby within approximately 10 minutes. I introduced myself to Mr. Whitney and explained the purpose of the CEI. Mr. Whitney escorted me to a conference room where we were joined by Ms. Helfer and Messrs. Arnfelt and David. After brief introductions, I conducted an entry briefing with Ms. Helfer and Messrs. Whitney, Arnfelt, and David (the Hydrite group).

During the entry briefing, I presented my business card and EPA credentials to the Hydrite group. 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, they would be presented with a Confidentiality Notice (Notice) with which they could make or not make a claim of confidentiality for the facility. I also provided the Hydrite group 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 they 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 the Hydrite group (Attachment 1). Based on this review, as well as observations during the CEI, I changed the job title for the site contact (Mr. Todd Salvato) to Director of Operations. I also

changed the hazardous waste generator status from large quantity generator (LQG) of hazardous waste to small quantity generator (SQG) of hazardous waste.

I conducted the visual inspection and records review on January 16, 2024, accompanied by Ms. Helfer and Messrs. Whitney and Arnfelt. During the records review, I reviewed facility documentation such as waste shipping records, waste profiles, hazardous waste determination records, inspection logs, RCRA Contingency Plan, training records, and written job descriptions. I prepared and completed a site-specific inspection checklist to document my observations.

I conducted an exit briefing on January 16, 2024, with the Hydrite group. Mr. Charles Kovac, Regional EHS Coordinator, also participated in the exit briefing via teleconference. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. Whitney signed, acknowledging receipt (Attachment 2). I provided Mr. Whitney the Notice, which he signed indicating no confidential business information had been provided (Attachment 3). I also provided Mr. Whitney a Notice of Preliminary Findings (NOPF), which he signed to acknowledge receipt (Attachment 4).

A map of 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 39 photographs taken during the CEI are in Attachment 7; of these, 37 are discussed in this report.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

Hydrite is a manufacturer of industrial chemicals, such as bisulfites, fertilizers, cleaners and sanitizers. The chemicals are manufactured using batch reactors, packaged, and transported off site via truck and rail to a variety of customers. Hydrite also operates as a warehouse and pass-through distributor of packaged industrial chemicals manufactured by Hydrite and other companies. In addition, Hydrite operates as a hazardous waste transporter for industrial clients and maintains a 10-day hazardous waste transfer area at the facility. The majority of the facility's operations, such as bisulfite production, warehousing, maintenance, and waste accumulation, occur within the main production area. A separate, sterile production area is maintained onsite for manufacturing of peracetic acid (PAA), which is an industrial sanitizer.

The batch chemical manufacturing processes generate wastewater. All wastewater from the main production area (including reactor, laboratory, and production processes) is hard-piped directly to an elementary neutralization unit (ENU) that meets the definition of an exempt wastewater treatment unit (WWTU) in Title 40 *Code of Federal Regulations* (40 CFR 260.10). After pH adjustment, wastewater is continuously discharged to the sanitary sewer system for treatment at the City of Waterloo's publicly-owned treatment works (POTW). Wastewater generated at the PAA Plant is managed separately from the main production area wastewater. PAA Plant wastewater is hard-piped to an oxidizer neutralization unit (ONU), equalization tank, and ENU for treatment prior to discharge to the sanitary sewer system. This system also meets the definition of an exempt WWTU. No wastewater accumulation occurs prior to pretreatment in either system. Both wastewater pretreatment systems and their discharges are authorized by City of Waterloo Industrial Pretreatment Permits.

According to Mr. Whitney and Ms. Helfer, hazardous wastes are not routinely generated during manufacturing. Hazardous wastes generated at the facility consist of out-of-date or off-specification products, or wastes from tank or vessel cleanouts. Hazardous waste determinations are made for each waste at the time of generation. Hazardous production wastes are typically determined to be D002 characteristic hazardous waste.

Hazardous wastes collected from customers are transported to Hydrite and staged in a 10-day transfer area. These wastes are tracked and managed separately from Hydrite-generated waste, and are transferred off site to a RCRA-permitted destination facility within 10 days. The transporter copy of the uniform hazardous waste manifest is maintained and accompanies the waste to the destination facility.

Facility and equipment maintenance generates waste lamps, waste batteries, waste ballasts, and waste empty aerosol cans. These wastes are managed as universal wastes according to requirements of 40 CFR Part 273. Universal wastes are accumulated in a dedicated area of building WL-1700 and are collected for recycling within one year of the start of accumulation.

Maintenance of facility equipment, such as one diesel-powered fork truck, pumps, and compressors generates used oil and used oil filters. Both are managed as used oil according to requirements of 40 CFR Part 279. The wastes are accumulated in building WL-1700 and are collected for offsite recycling.

Packaging wastes, such as cardboard and plastic, and general trash are considered by the facility to be nonhazardous wastes. Packaging wastes are compacted in one of two compactors. Packaging wastes and general trash are collected for disposal at the Black Hawk County Landfill.

Hydrite began operations at its current location in the early 1980s. The facility consists of multiple buildings with 107,450 square feet under roof on approximately 76 acres. Hydrite currently employs approximately 140 personnel (including administrative, transportation, operations, and engineering personnel) who work one of three shifts. The facility operates 24 hours per day, 7 days per week.

On September 18, 2017, Hydrite was inspected by an EPA contractor as a SQG of hazardous waste. During the CEI, the inspector made the following preliminary findings:

- Failure to accumulate universal waste lamps in a closed container
- Failure to label universal waste lamp containers with the words “universal waste lamps” or “waste lamps” or “used lamps”
- Failure to label universal waste battery containers with the words “universal waste batteries” or “waste batteries” or “used batteries”
- Failure to post the emergency coordinator name near a telephone

None these preliminary findings was repeated during this CEI.

2. RCRA Status

Hydrite was identified as a 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 determined Hydrite's hazardous waste generator status through a review of current operations, waste tracking records, uniform hazardous waste manifests, and interviews with the Hydrite group.

Copies of the facility's waste tracking records for 2022 and 2023 are in Attachment 8. Copies of the uniform hazardous waste manifests for waste shipments in 2022 and 2023 are in Attachment 9. The tables below summarize the hazardous wastes shipped off site by Hydrite in 2022 and 2023 based on the uniform hazardous waste manifests.

Manifest No.	Date	Waste	Weight
016410626 FLE	03/25/22	Waste sulfuric acid (D002)	38,800 pounds (17,599 kg)
011566134 FLE	06/23/22	Waste phosphoric acid solution (D002)	5,000 pounds (2,268 kg)
020849919 JJK	10/21/22	Waste ammonia solution (D002)	7,506 pounds (3,405 kg)
017339521 FLE	11/17/22	Waste hydrogen peroxide solution (D002)	1,600 pounds (726 kg)
		Waste corrosive liquid, basic (D002)	9,700 pounds (4,400 kg)
017645127 FLE	02/10/23	Waste corrosive liquid, acidic (D002)	1,245 pounds (565 kg)
017645129 FLE	02/10/23	Waste hydrochloric acid (D002)	3,470 pounds (1,574 kg)
017645144 FLE	02/22/23	Waste chlorite solution (D002)	7,000 pounds (3,175 kg)
022863771 JJK	03/23/23	Waste phosphoric acid solution (D002)	900 gallons (est 4,082 kg)
002106139 VES	05/02/23	Waste corrosive liquid, basic (D002)	22,500 pounds (10,206 kg)
017645257 FLE	05/17/23	Waste phosphoric acid solution (D002)	2,860 gallons (est 12,973 kg)
		Waste phosphoric acid solution (D002)	1,200 gallons (est 5,443 kg)
017645295 FLE	06/12/23	Waste corrosive liquid, acidic (D002)	750 pounds (340 kg)
002270710 VES	08/16/23	Waste phosphoric acid solution (D002)	200 pounds (91 kg)

Ms. Helfer explained that Hydrite was operating as a SQG (generating between 100 and 1,000 kg of hazardous waste per month) in 2022. The facility notified EPA of an episodic generation event in early 2022, corresponding to the waste shipped on March 25, 2022. Hydrite notified EPA of a second episodic generation event on September 7, 2022 (Attachment 10). On October 3, 2022, Hydrite notified EPA that the facility was a LQG of hazardous waste (Attachment 11).

Ms. Helfer explained that the change to LQG status was due to an anticipated increase in hazardous waste generation from process equipment cleanout, and that the facility had reached the limit for episodic generation as a SQG.

Based on manifest records, Hydrite operated as a LQG of hazardous waste through May 2023. Since June 2023, the facility only shipped 750 pounds of hazardous waste on June 12, 2023, and 200 pounds of hazardous waste on August 16, 2023. Based on manifest records, the August 16, 2023 shipment was the last offsite shipment of Hydrite-generated hazardous waste. During the visual inspection, I observed no hazardous waste in the facility's hazardous waste container accumulation area (HWCAA). Ms. Helfer confirmed that the hazardous waste shipped off site on August 16, 2023, was the last hazardous waste generated by the facility. On December 19, 2023, Hydrite re-notified EPA that the facility was a SQG of hazardous waste (Attachment 12).

Ms. Helfer stated that Hydrite was a SQG at the time of the CEI, and that the facility does not anticipate crossing into LQG status in the near future. I determined that the actual hazardous waste generation rate since June 2023 has ranged from SQG to nongenerator. Because the facility anticipates operating as a SQG in the future and had notified of SQG status less than one month prior to the CEI, I inspected Hydrite as a SQG of hazardous waste (D002). I also inspected Hydrite 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.

Hydrite manages one HWCAA and a separate 10-day hazardous waste transfer area in building WL-200. I inspected both areas during the CEI, accompanied by Ms. Helfer, Mr. Whitney and Mr. Arnfelt. The facility does not accumulate hazardous wastes in satellite accumulation areas.

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 Ms. Helfer, Mr. Whitney and Mr. Arnfelt, the visual inspection, and my review of available documentation.

Process wastewater – WL-900 is generated from bisulfite production and associated processes in the main production area. All wastewater from the main production area is hard-piped directly to an ENU tank in building WL-900. After pH adjustment, wastewater is continuously discharged to the sanitary sewer system for treatment at the City of Waterloo's POTW under Industrial Pretreatment Permit No. 000010 (Attachment 13). The pretreatment permit authorizes the discharge of 300,000 gallons per day (gpd). The facility considers the wastewater to be exempt from the definition of solid waste, per 40 CFR 261.4(a)(1)(ii).

During the CEI, I observed the wastewater pretreatment system in building WL-900, including the ENU tank and discharge piping (Attachment 7, Photographs 17 through 23). I confirmed that wastewater is not accumulated or stored prior to treatment in the permitted pretreatment system. I noted no RCRA concerns with management or treatment of process wastewater in building WL-900.

Process wastewater – PAA Plant consists of wastewater generated in the PAA plant. The wastewater is hard-piped directly to an ONU tank, equalization tank, and ENU tank for pretreatment. Treated wastewater is batch discharged to the sanitary sewer system for treatment at the City of Waterloo's POTW under Industrial Pretreatment Permit No. 000187 (Attachment 14). The pretreatment permit authorizes the discharge of 100,000 gpd. The facility considers the wastewater to be exempt from the definition of solid waste, per 40 CFR 261.4(a)(1)(ii).

During the CEI, I observed the wastewater pretreatment system in the PAA Plant, including the ONU, equalization, and ENU tanks (Attachment 7, Photographs 35 through 37). I confirmed that wastewater is not accumulated or stored prior to treatment in the permitted pretreatment system. I noted no RCRA concerns with management or treatment of process wastewater in PAA Plant.

Production wastes include out-of-date or off-specification products, or wastes from tank or vessel cleanouts. Hazardous waste determinations are made for each waste at the time of generation. Hazardous production wastes are typically determined to be D002 characteristic hazardous waste. According to Mr. Whitney and Ms. Helfer, production wastes are generated sporadically. No hazardous production wastes have been generated at the facility since the waste phosphoric acid solution shipped off site on August 16, 2023. When generated, the wastes are accumulated in hazardous waste accumulation containers (HWACs) in the building WL-200 HWCAA. The wastes are transported to Tradebe Treatment and Recycling in East Chicago, Indiana, or other destination facilities based on the types of waste.

During the CEI, I observed the HWCAA in building WL-200. No production wastes were in accumulation at the time of the CEI. I did observe a dedicated area for laboratory storage in building WL-200 which included products, empty containers, and temporary accumulation of retain samples (Attachment 7, Photographs 4 through 6).

Waste lamps consist of waste fluorescent and metal halide lamps generated during facility maintenance. The facility manages all waste lamps as universal waste according to provisions of 40 CFR Part 273. Waste lamps are accumulated in fiberboard containers in building WL-1700. Universal waste lamps are shipped to Veolia North America in Port Washington, Wisconsin, for recycling. According to Ms. Helfer, universal wastes are shipped annually before the one-year accumulation limit is reached. Copies of the bills of lading for the January 18, 2023, shipment of universal waste are in Attachment 15. Based on the bills of lading, I estimated the facility generates approximately 250 pounds of waste lamps per year.

During the CEI, I observed a universal waste accumulation container for waste metal halide lamps and another universal waste accumulation container for waste fluorescent lamps (Attachment 7, Photographs 24, 26, and 27). The waste metal halide lamps container was empty and the waste fluorescent lamps container held six lamps. Both universal waste accumulation containers were structurally sound, closed, labeled with the words “universal waste” and “used lamps,” and dated January 2, 2024. I noted no deficiencies with management of wastes lamps during the CEI.

Waste batteries consist of waste lead-acid, nickel-cadmium, and lithium-polymer batteries generated during equipment maintenance. The facility manages all waste batteries as universal waste according to provisions of 40 CFR Part 273. Waste batteries are segregated and accumulated in universal waste accumulation containers in building WL-1700. Waste batteries are shipped to Veolia North America in Port Washington, Wisconsin, for recycling. According to Ms. Helfer, universal wastes are shipped annually before the one-year accumulation limit is reached. Copies of the bills of lading for the January 18, 2023, shipment of universal waste are in Attachment 15. Based on the bills of lading, I estimated the facility generates approximately 750 pounds of waste batteries per year.

During the CEI, I observed three universal waste accumulation containers for waste lead-acid, nickel-cadmium, and lithium-polymer batteries (Attachment 7, Photographs 25 and 28). All three containers were dated January 2, 2024, and were empty at the time of the CEI.

Waste ballasts are generated during maintenance or changeout of the facility's lighting fixtures. The facility considers waste ballasts to be nonhazardous based on product knowledge. Waste ballasts are accumulated in a container in building WL-1700. Waste ballasts are shipped to Veolia North America in Port Washington, Wisconsin, for recycling. A copy of the bill of lading for the January 18, 2023, shipment of waste ballasts is in Attachment 15. Based on the bills of lading, I estimated the facility generates approximately 250 pounds of waste ballasts per year.

During the CEI, I observed a universal waste accumulation container for waste ballasts (Attachment 7, Photograph 26). The container was dated January 2, 2024, and was empty at the time of the CEI.

Waste empty aerosol cans are generated during facility/equipment maintenance and light painting. The facility manages empty aerosol cans as universal waste according to provisions of 40 CFR Part 273. Waste empty aerosol cans are accumulated in a universal waste accumulation container in building WL-1700. The waste is shipped to Veolia North America in Port Washington, Wisconsin, for recycling. According to Ms. Helfer, universal wastes are shipped annually before the one-year accumulation limit is reached. I did not determine a generation rate for waste empty aerosol cans during the CEI.

During the CEI, I observed a universal waste accumulation container for waste empty aerosol cans (Attachment 7, Photograph 25). The container was dated January 2, 2024, and was empty at the time of the CEI. I did note the container was labeled with the words "universal waste" (not visible in Attachment 7, Photograph 25) and "aerosol cans."

Used oil is generated during maintenance of facility equipment, such as one diesel-powered fork truck, pumps, and compressors. The facility manages used oil according to provisions of 40 CFR Part 279. According to Mr. Whitney and Ms. Helfer, the facility generates approximately 55 to 165 gallons of used oil per year. Used oil is accumulated in 55-gallon used oil storage containers in building WL-1700. Hydrite transports used oil (55 gallons at a time) to Fix Tire Company in Waterloo, Iowa, for recycling. Fix Tire Company is a tire dealer and general automotive shop. I was not able to verify if Fix Tire Company is a registered used oil collection center. However, it shares an address with D&J Oil Company, an oil wholesale distributor.

During the CEI, I observed a 55-gallon used oil storage container in building WL-1700 (Attachment 7, Photograph 29). The used oil storage container was structurally sound, labeled with the words "used oil," and held approximately 50 gallons of used oil. I noted no deficiencies with management of used oil during the CEI.

Used oil filters are generated during contractor maintenance of process equipment, such as pumps and compressors. Based on interviews during the CEI, I estimated the facility generates five to ten used oil filters per year. The contractor drains used oil filters into a funnel over a used oil accumulation container, then takes the filters off site for recycling. While onsite, Hydrite manages used oil filters as used oil according to provisions of 40 CFR Part 279.

During the CEI, I observed one used oil filter (Attachment 7, Photographs 29 and 30). The used oil filter was draining within a funnel atop a 55-gallon used oil storage container. The filter was not punctured, however, both the funnel and the 55-gallon container were labeled with the words

“used oil.” Therefore, I considered the used oil filter to be within a structurally sound, labeled used oil storage container. I noted no deficiencies with management of used oil filters during the CEI.

Packaging wastes consist of discarded cardboard and plastic packaging. The facility considers packaging wastes to be nonhazardous based on product knowledge. Hydrite has compactors for packaging wastes from the main production area and the PAA Plant. Compacted packaging wastes are collected by Black Hawk Disposal and transported to the Black Hawk County Landfill for disposal. I did not obtain a generation rate for packaging wastes. During the CEI, I observed packaging wastes in the facility’s compactors (Attachment 7, Photographs 31 through 34) and noted no deficiencies.

General trash consists of non-packaging refuse generated during production and facility maintenance. The facility considers general trash nonhazardous based on product knowledge. General trash is accumulated in several containers throughout the facility and transferred to roll-off containers outside the facility. The waste is collected by Black Hawk Disposal and transported to the Black Hawk County Landfill for disposal. I did not obtain a generation rate for general trash.

During the CEI, I observed various containers for general trash accumulation. Each container was labeled with the words “nonhazardous waste” and an indication of the type(s) of waste acceptable for placement in the container (Attachment 7, Photographs 1 through 3). I noted no deficiencies with accumulation of general trash during the CEI.

4. Transfer Waste

According to Mr. Whitney, Hydrite drivers ensure that hazardous waste collected from customers is properly containerized and labeled prior to collection, and drivers are empowered to reject wastes that are improperly containerized or labeled. Waste collected from customers is transported to Hydrite, logged in, marked with the date of receipt at Hydrite, and staged in a dedicated 10-day hazardous waste transfer area in building WL-200. Customer waste is transported within 10 days to Tradebe Treatment and Recycling in East Chicago, Indiana, or other destinations facilities based on the types of waste. The transporter copy of the uniform hazardous waste manifest is maintained and accompanies the waste to the destination facility.

During the CEI, I observed two 55-gallon HWACs of customer waste (waste paint related materials) (D001, F003) in the 10-day hazardous waste transfer area (Attachment 7, Photographs 9 through 14). Both HWACs were structurally sound, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard, and full. The HWACs were received at Hydrite on January 16, 2024, and the receipt date was marked on each HWAC.

According to 40 CFR 263.12, as hazardous waste transporter who stores manifested shipments of hazardous waste in Department of Transportation (DOT)-compliant packaging at a transfer station for a period of 10 days or less is exempt from RCRA regulation with respect to storage of the transfer area waste. Hydrite does not consolidate or combine customer wastes stored in the transfer area. I noted no deficiencies with management of customer waste in the 10-day hazardous waste transfer area.

5. Required Response Equipment and Hazard Management

Per 40 CFR 262.15(a)(7) and 262.16(b)(8), a SQG must operate to minimize possibility of a fire, explosion, or spill, and must maintain emergency response equipment. During the visual inspection, I observed fire extinguishers and spill control materials (such as brooms, shovels, absorbents, neutralizers) at multiple locations around the facility. I also observed telephones in operating and waste management areas, as well as fire alarm pull stations.

I observed brooms and shovels near the building WL-200 HWCAA. I also observed a fire extinguisher and a working telephone for summoning emergency assistance (Attachment 7, Photographs 7 and 8). However, I did not observe absorbent materials. Ms. Helfer explained that spill control materials were not normally staged in the HWCAA, but were available within the building. I asked Ms. Helfer where the nearest spill control materials were staged. She accompanied me to an office area in the warehouse where containers of soda ash and spill kits with absorbent material were located (Attachment 7, Photographs 15 and 16). This area was approximately 300 feet from the HWCAA and across several fork truck aisles and out of the line of sight. Based on the distance to the spill kit, I determined the facility failed to provide spill control materials at the HWCAA, as required by 40 CFR 262.16(b)(8)(ii)(c) (**NOPF No. 1**).

I explained this preliminary finding to Ms. Helfer and Messrs. Whitney and Arnfelt, and provided compliance assistance regarding availability of emergency response materials. During the CEI, Hydrite personnel placed a spill kit with absorbent sock and pads in building WL-200 near the HWCAA (Attachment 7, Photographs 38 and 39).

6. HWCAA

No waste was in accumulation in the building WL-200 HWCAA at the time of the CEI. The HWCAA has not held hazardous waste since the last shipment of waste phosphoric acid solution on August 16, 2023.

According to Mr. Arnfelt, the HWCAA is inspected weekly. The inspections are documented and tracked via preventative maintenance (PM) records. I reviewed the PM records for the last three years and did not identify any gaps longer than one week.

7. Manifests and Bills of Lading

Hydrite generated 17 uniform hazardous waste manifests for facility-generated waste from January 2021 to present. I reviewed all 17 manifests and associated LDR notifications during the CEI. Copies of the uniform hazardous waste manifests for waste shipments in 2022 and 2023 are in Attachment 9. I also reviewed bills of lading for nonhazardous waste, universal waste, and used oil shipped off site in 2022 and 2023. I did not identify any deficiencies related to manifest preparation or retention.

8. Personnel Training Requirements

Per 40 CFR 262.16(b)(9)(iii), a SQG must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures relevant to their responsibilities during normal facility operations and emergencies. I asked Ms. Helfer and Mr. Arnfelt if hazardous waste training occurs. They stated said that all employees who handle or manage hazardous waste (including personnel who generate waste, perform inspections, sign manifests, and serve as emergency coordinators) receive annual hazardous waste awareness training. Mr. Arnfelt explained that the training includes proper waste handling and emergency procedures. The training is computer based training and records are maintained electronically. A copy of the 2021 to 2023 training records for warehouse personnel is in Attachment 16. I did not identify any deficiencies related to employee training.

9. Preparedness and Prevention and Contingency Plan

A SQG is not required to maintain a RCRA Contingency Plan. However, since Hydrite operated as a LQG in parts of 2022 and 2023, I asked Ms. Helfer if the facility had a Contingency Plan. She explained that the facility has a Contingency Plan and intends to maintain the plan in the future. I reviewed the RCRA Contingency Plan and the associated Quick Reference Guide for completeness, and noted that both plans adequately addressed the Contingency Plan and Quick Reference Guide content elements of 40 CFR 262 Subpart M. A copy of the Quick Reference Guide is in Attachment 17.

Per 40 CFR 262.16(b)(9)(i), a SQG must have identified an emergency coordinator (EC) familiar with facility operations. Mr. Kurt Forde, Director of Operations, is the designated EC for the facility. A copy of the EC list from the facility's Contingency Plan is in Attachment 18.

Per 40 CFR 262.16(b)(9)(ii), a SQG must post by the telephone the name of and contact information regarding the EC; the phone number of the fire department; and locations of fire extinguishers, spill response equipment, and, if present, fire alarms ("emergency response equipment"). During my inspection, I observed this information posted by the telephone near the building WL-200 HWCAA. Hydrite also has copies of the Contingency Plan available at multiple locations.

Per 40 CFR 262.16(b)(8)(vi), a SQG must make arrangements with local emergency response agencies and familiarize responders with the facility layout. The SQG must also document those arrangements. During my review of the facility's RCRA contingency plan, I confirmed that it documented arrangements made with the local emergency response agencies. I noted no deficiencies regarding preparedness and prevention during the CEI.

10. Summary of Preliminary Findings

In summary, as part of the CEI, I made a preliminary finding that the facility had failed to provide spill control materials at the HWCAA, as required by 40 CFR 262.16(b)(8)(ii)(c) (**NOFF 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
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c=US, o=United States, ou=US United States
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John D. Dixon
Inspector
CLAENE Group, LLC.

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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 Map (1 Page)
6. Google Earth Aerial Photograph (1 Page)
7. Photographic Documentation (39 Photos and Photolog) (23 Pages)
8. Waste Tracking Records for 2022 and 2023 (6 Pages)
9. Universal Hazardous Waste Manifests for 2022 and 2023 (43 Pages)
10. EPA Notification Dated September 7, 2022 (4 Pages)
11. EPA Notification Dated October 3, 2022 (4 Pages)
12. EPA Notification Dated December 19, 2023 (3 Pages)
13. Industrial Pretreatment Permit No. 000010 (16 Pages)
14. Industrial Pretreatment Permit No. 000187 (10 Pages)
15. Universal Waste Bills of Lading (5 Pages)
16. Warehouse Training Records (2 Pages)
17. Quick Reference Guide (7 Pages)
18. Emergency Coordinator List (1 Page)