REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

SILGAN CONTAINERS MANUFACTURING CORPORATION
3591 Maple Drive
Fort Dodge, Iowa 50501
(515) 955-1454

EPA RCRA ID No. IAD981718141

On: February 4, 2025

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 Silgan Containers Manufacturing Corporation (Silgan Containers), located at 3591 Maple Drive in Fort Dodge, 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

Silgan Containers:

Cody Mowrer, Plant Manager, (515) 955-1454
Kiel Patterson, Operations Manager, (515) 955-1454
Terry Wingerson, Facility Project Manager, (515) 955-1454
Mike Huff, Environmental Engineer (via telephone), (903) 782-1263

Toeroek Team:

Steve Johnson, Field Inspector, (816) 520-7009

INSPECTION PROCEDURES

Prior to the CEI at Silgan Containers on February 4, 2025, I conducted a drive-by visual inspection of the building perimeter on the paved access roads (Attachment 7, Photographs 1 through 3). I did not observe any areas of concern during the drive-by inspection. After the drive-by inspection, I entered the main office entrance and approached the window at the reception desk. I introduced myself to the reception attendant and explained the purpose of the CEI. The attendant contacted Mr. Mowrer to inform him of my arrival and asked that I sign the visitor log. Mr. Mowrer met me in the reception lobby approximately 2 minutes later. I introduced myself to Mr. Mowrer and explained the purpose of the CEI. He escorted me to an adjacent conference room. Messrs. Patterson and Wingerson arrived at the conference room approximately 2 to 3 minutes later and Mr. Huff joined the meeting via telephone. I then conducted an entry briefing with Messrs. Mowrer, Patterson, Wingerson, and Huff.

During the entry briefing, I presented my business card and EPA credentials to Messrs. Mowrer, Patterson, and Wingerson. I explained the scope and procedures for conduct of 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, the facility representative 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 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. These documents were read by Messrs. Mowrer, Patterson, and Wingerson, and copies were forwarded to Mr. Huff.

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

The following documents were provided in electronic format via email to Messrs. Huff and Patterson at the conclusion of the CEI:

- 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
- IDNR-Recycling Electronics: A Guide for Businesses
- IDNR-Battery Recycling/Disposal
- IDNR -Management of Fluorescent Lamps for Businesses

- IDNR-Incompatible Chemicals guidance document
- IDNR Lead-Based Paint Management Guide
- IDNR Guide- Universal Wastes – Including Aerosol Cans
- IDNR - TCLP – Toxicity Characteristic Leaching Procedure
- IDNR Solvent Wipes Rule Guidance
- Iowa Environmental Guide for Businesses

I reviewed the Notification Acknowledgement/Verification Report (Verification Report) with Messrs. Mowrer, Patterson, Wingerson, and Huff (Attachment 1). Based on this review and inspection observations, I made no changes to the Verification Report.

Prior to beginning the visual inspection of the facility, the Safety Manager presented a brief overview of the safety standards and alarm evacuation procedures as well as the personal protective equipment (PPE) requirements for presence on the production floor. After the safety presentation, I conducted a visual inspection of the facility, accompanied by Messrs. Mowrer, Patterson, and Wingerson. I also conducted a records review. During the records review, I reviewed facility documentation such as waste shipping records, waste profiles, Safety Data Sheets (SDS), inspection logs, RCRA Contingency Plan, training records, and waste disposal vendor information. I prepared and completed a site-specific inspection checklist to document my observations.

I conducted an exit briefing on February 4, 2025, with Messrs. Mowrer, Patterson, and Wingerson. Mr. Huff attended the exit briefing via telephone. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. Mowrer signed, acknowledging receipt (Attachment 2). I provided the Notice of Confidentiality to Mr. Mowrer, which he signed indicating no confidential business information had been provided (Attachment 3). I also provided Mr. Mowrer a Notice of Preliminary Findings (NOPF), which he signed acknowledging receipt (Attachment 4).

A facility map was obtained during the CEI and is included as Attachment 5. A Google Earth aerial photograph of the facility and a facility-provided aerial photo are included in Attachment 6. The 60 photographs taken during the CEI are in Attachment 7, of which 54 are described in this report.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

Silgan Containers is an operating unit of Silgan Containers Corporation, owned by Silgan Holdings in Woodland Hills, California. The facility is a leading manufacturer of metal cans for the food preparation and packaging industry. The Fort Dodge facility's most notable product is the tins used in the packaging of canned meats such as Spam™. The plant produces components for several different sizes of metal cans. Mr. Patterson stated that the plant production target is approximately 340,000 components per day. The facility has been operating at its current location since 1987.

Manufacturing operations include thin sheet metal stamping, coating and sealant compound mixing, coating application, and associated quality control (QC) activities. The manufacturing facility operates two discrete press departments, an aluminum can department, and a 65,000 square-foot warehouse added in 1989 that accommodates products storage and shipping functions.

The production floor has multiple automated press and forming circuits that produce several different components of cans and lids targeted for the food packaging industry. Once stamping is completed the can lid components are conveyed to a secondary process called "post-coating." In that process, an ultraviolet-sensitive coating is applied to the "scoring ring" which is best described as the perimeter of the pull-tab opening in the can. The post-coating compound is referred to as the "repair compound." The repair compound is cured with ultraviolet light to seal the microscopic openings that occur in the scoring ring. Mr. Wingerson stated that all rolled metal surfaces are initially coated by the manufacturer prior to receipt at the Silgan Containers plant. Coatings applied to the metal surfaces serve to minimize cross-contamination of the metal-product matrix and prevent corrosion of the metal components. Photographs of the materials, machinery, and finished products are in Attachment 7, Photographs 38, 39, 45, and 53.

According to Mr. Patterson, the repair coating process entails thin-film application of heptane-based epoxy/amide compound on all scored surfaces that define the pull-tab design. The exception to this process is the use of a water-base polyamide coating applied to the oblong metal cans used for products such as Spam.

The facility does not operate a wastewater treatment system. According to facility representatives, the volume of aqueous waste generated at the facility is small as the production floor has no wash sinks or floor drains except in employee change rooms and rest rooms. All wastewater discharges to the Fort Dodge municipal wastewater treatment facility under a non-categorical permit. The facility considers wastewater to be exempt from the definition of solid waste, per Title 40 *Code of Federal Regulations* (40 CFR) 261.4(a)(1)(ii).

Silgan Containers currently employs 180 full-time personnel who work one of four 12-hour shifts, seven days per week. Administrative and management personnel work one of two 10-hour shifts, Monday through Friday.

Wastes generated during manufacturing include waste flammable liquids, waste solids containing flammable liquids, used oil, spent aerosol cans, waste copper sulfate solution, scrap metal, recycled oily absorbents and personal protective equipment (PPE), cardboard, mixed paper and sheet plastic, mixed cut plastics and banding, and shipping pallets and wood dunnage.

Waste flammable liquids, waste solids containing flammable liquids, and waste copper sulfate solution are considered to be hazardous based on product and process knowledge. The facility manages used oil according to provisions of 40 CFR Part 279. Spent aerosol cans are managed as universal waste according to provisions of 40 CFR Part 273. The facility considers scrap metal to be exempt from the definition of solid waste per 40 CFR 261.4(a)(13) or exempt from the definition of hazardous waste per 40 CFR 261.6(a)(ii). Recycled oily absorbents and PPE, cardboard, mixed paper and sheet plastic, mixed cut plastics and banding, and shipping pallets

and wood dunnage are considered by the facility to be nonhazardous waste based on product and process knowledge.

Wastes generated during equipment maintenance, facility maintenance, and support operations include oily waste solids and filters, solid repair compound waste, liquid water-based press waste, waste batteries, waste lamps, electronic scrap, empty intermediate bulk containers (IBCs), spent lighting ballasts, and general trash. Waste batteries and waste lamps are managed as universal wastes according to provisions of 40 CFR Part 273. Oily waste solids and filters, solid repair compound waste, liquid water-based press waste, electronic scrap, empty IBCs, spent lighting ballasts and general trash are considered by the facility to be nonhazardous waste based on product and process knowledge.

On July 28, 2021, Silgan Containers was inspected by an EPA contractor with no preliminary findings identified.

2. RCRA Status

Silgan Containers was identified as a large quantity generator (LQG) of hazardous waste (generating more than 1,000 kilograms [kg] of hazardous waste per month) on the Verification Report provided by EPA (Attachment 1). During the CEI, I confirmed the facility's generator status through a review of current operations, interviews with facility representatives, and a review of waste disposal records (uniform hazardous waste manifests).

Based on recent manifest records, the facility generates approximately 2,750 pounds (1,244 kg) of hazardous waste flammable liquids and waste solids containing flammable liquids per month. According to Mr. Patterson, the facility generates hazardous waste relatively consistently throughout the year, with shipments going out approximately every 2 months. The facility also reported a total of 38,812 pounds (17,605 kg) of hazardous waste in their 2023 Hazardous Waste Biennial Report (Attachment 8), which equates to an average of 3,234 pounds (1,467 kg) of hazardous waste per month, assuming a consistent rate of generation over the whole year. Based on the manifest and Biennial Report review, I determined that Silgan Containers is operating as a LQG of hazardous waste and inspected the facility as such. I also inspected Silgan Containers 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.

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 off-site disposition. Silgan Containers has performed hazardous waste determinations for all waste items generated at the facility. The following discussion of waste streams is based on my interview with facility representatives, the visual inspection, and my review of available documentation.

The waste streams generated at the facility are summarized in an updated listing that facility representatives referred to as the "Quick Reference Guide." A copy of that document is included as Attachment 9. During the CEI, I did explain to facility representatives that the waste stream

Quick Reference Guide did not meet the fundamental requirements of the Quick Reference Guide cited in 40 CFR 262.262(b) for use as a supplement to the facility's RCRA Contingency Plan.

Waste flammable liquids are generated from purging and cleaning distribution lines containing heptane-based repair coating compound and the solvent wash tubs. The solvents used at the facility are heptane, Videojet printer cleaning solution, butyl cellosolve, and isopropyl alcohol. Copies of the SDSs for these solvents are in Attachments 10 through 13, respectively. This waste stream also includes spent solvents generated from servicing three parts washer units and two portable wash pots at the facility that use butyl cellosolve or and Shellsol D-60 combustible fluid. The facility generates approximately 2,475 pounds (1,119 kg) of waste flammable liquids per month. Silgan Containers considers waste flammable liquids to be hazardous (D001, D035) based on product and process knowledge.

Waste flammable liquids are accumulated in 55-gallon satellite accumulation area (SAA) containers at two SAAs and in the hazardous waste central accumulation area (CAA). The waste is collected by United Waste Systems and transported to Petrochem Processing in Detroit, Michigan, for fuel blending.

During the CEI, I observed the butyl cellosolve parts washer units on the production floor and the Shellsol D-60 parts washer unit in the maintenance area (Attachment 7, Photographs 46, 51, 59, and 60). These parts washer units are used for general degreasing applications.

I observed the two SAAs for waste flammable liquids on the production floor (Attachment 7, Photographs 41, 42, 43, 49, and 50). Both SAA containers were less than ½ full and were near the point of generation, under control of the operator, closed, labeled with the words "hazardous waste," and labeled with an indication of the nature of the hazard.

I observed the hazardous waste CAA in the Compound Room during the CEI (Attachment 7, Photographs 16 through 18 and 20 through 22). In the hazardous waste CAA, I observed three 55-gallon hazardous waste accumulation containers (HWACs) of waste flammable liquids (Attachment 7, Photographs 23 through 25 and 27). All three containers were structurally sound, closed, labeled with the words "hazardous waste" and an indication of the nature of the hazard, and dated. The earliest accumulation start date was December 31, 2024. I noted no deficiencies with accumulation or management of waste flammable liquids during the CEI.

Waste solids containing flammable liquids are generated from cleaning of the press compound systems and purge manifolds. The facility generates approximately 310 pounds (140 kg) of waste solids containing flammable liquids per month. Silgan Containers considers the waste to be hazardous (D001, D035) based on product and process knowledge. The waste is accumulated in 55-gallon HWACs in the Compound Room CAA. No SAA containers are utilized for collection of this waste stream. Waste solids containing flammable liquids are collected by United Waste Systems and transported to Petrochem Processing in Detroit, Michigan, for treatment.

I observed the hazardous waste CAA in the Compound Room during the CEI (Attachment 7, Photographs 16 through 18 and 20 through 22). In the hazardous waste CAA, I observed two 55-gallon HWACs of waste solids containing flammable liquids (Attachment 7, Photographs 26

and 29). The HWACs were structurally sound, closed, labeled with the words "hazardous waste" and an indication of the nature of the hazard, and dated. The earliest accumulation start date was November 9, 2024, which was 86 days from the date of the inspection. I pointed out the accumulation start date and explained that the facility had 90 days to ship hazardous waste off site. During the CEI, I noted no deficiencies with accumulation or management of waste solids containing flammable liquids.

Spent aerosol cans consist of empty and unwanted aerosol can products from maintenance and housekeeping in production and maintenance areas. Silgan Containers collects spent aerosol cans in dated SAA containers and ultimately manages spent aerosol cans as universal waste according to provisions of 40 CFR Part 273. The facility generates approximately 25-30 pounds of spent aerosol cans per month based on manifest records. Spent aerosol cans are accumulated in 55-gallon containers and are collected by United Waste Service for transport to Petrochem Processing in Detroit, Michigan, for recycling.

During the CEI, I observed a 55-gallon container of spent aerosol cans in the Universal Waste Storage Crib (Attachment 7, Photographs 5 and 7). The container was labeled as hazardous waste, dated June 20, 2024, and held 3 empty, spent aerosol cans. I noted no apparent deficiencies with accumulation or management of spent aerosol cans during the CEI.

Used oil consists of hydraulic oils, lubricant oils, drip pan collections, and cleanup wastes generated during equipment maintenance and operations. The facility generates approximately 450 pounds of used oil per month. Silgan Containers manages used oil according to provisions of 40 CFR Part 279. The waste is accumulated in various 55-gallon steel containers in the Compound Room. It is collected by United Waste Services and transported to Petrochem Processing in Detroit, Michigan, for recycling.

During the CEI, I observed three 55-gallon containers that held used oil (Attachment 7, Photographs 19 and 30). All three used oil storage containers appeared to be structurally sound and were labeled with the words "used oil." I noted no deficiencies with accumulation or management of used oil during the CEI.

Oily waste solids and filters consists of media contaminated with hydraulic oils from the press machines, including oily paper, rags and disposable wipes. The waste stream also includes used hydraulic oil filters. The facility considers oily waste solids and filters to be nonhazardous based on product/process knowledge and analytical testing. The waste is collected in pre-labeled containers within the Compound Room CAA. Oily waste solids and filters are collected for transport to Petrochem Processing in Detroit, Michigan. I did not confirm the oily waste solids and filters generation rate; however, based upon reviewed shipping documents, I estimated a generation rate of approximately 95 pounds per month. During the CEI, I observed several small "safety can" containers throughout the facility for accumulation of oily waste solids and filters (Attachment 7, Photograph 35). I also observed two 55-gallon containers of oily waste solids and filters in the Compound Room (Attachment 7, Photographs 32 and 33). I noted no deficiencies with accumulation or management of oily waste solids and filters during the CEI.

Solid repair compound waste is generated from mechanical cleaning of hardened compound waste from the press circuits and distribution manifolds as well as the compound mixing process.

Silgan Containers has determined the waste to be nonhazardous based upon product and process knowledge. The waste is generated at a rate of approximately 480 pounds per month. Accumulated solid repair compound waste is collected in 55-gallon containers and accumulated in the Compound Room. The waste is transported by United Waste Systems to several Subtitle C hazardous waste treatment/storage/disposal (TSD) locations at the discretion of the waste management service. I observed one 55-gallon container of solid repair compound waste in the Compound Room during the CEI and noted no deficiencies with accumulation or management of the waste.

Liquid water-based press waste is generated from cleaning of waste from the press circuits and distribution manifolds. Silgan Containers has determined the waste to be nonhazardous based upon product and process knowledge. The waste is generated at a rate of approximately 200 pounds per month. Accumulated liquid water-based press waste is collected in 55-gallon containers and accumulated in the Compound Room. The waste is transported by United Waste Systems to several Subtitle C hazardous waste TSD locations at the discretion of the waste management service. I observed two 55-gallon containers of liquid water-based press waste during the CEI and noted no deficiencies with accumulation or management of the waste.

Waste batteries are generated during equipment maintenance, and include sealed lead-acid, lithium-ion, and alkaline batteries. Silgan Containers manages all waste batteries as universal waste according to provisions of 40 CFR Part 273. The facility generates approximately 20 to 35 pounds of waste batteries per year based upon manifest records. Waste batteries are accumulated in 5-gallon pre-labeled universal waste accumulation containers in the Universal Waste Crib adjacent to the electrical room. Waste batteries are collected until the containers are filled or at least every nine months according to Mr. Patterson. Filled containers are shipped via commercial ground transportation to Tradebe Waste Systems (various locations) or Veolia Environmental Services in Port Washington, Wisconsin, for sorting and recycling.

During the CEI, I observed three waste battery accumulation containers in the Universal Waste Crib (Attachment 7, Photographs 8 through 12). The containers were structurally sound and closed. Each of the containers was empty.

Waste lamps consist of spent 4-foot fluorescent lamps generated during facility maintenance. Silgan Containers manages waste lamps as universal waste according to provisions of 40 CFR Part 273. The facility generates approximately 15 pounds of waste lamps per month based on manifest records. Waste lamps are accumulated in fiberboard containers and are shipped to Veolia Environmental Services in Port Washington, Wisconsin, or United Waste Systems in Livonia, Michigan, for recycling.

During the CEI, I observed a fiberboard waste lamps accumulation container adjacent to the Universal Waste Crib (Attachment 7, Photographs 13 and 14). The container was structurally sound but open and undated. However, the waste lamps were light emitting diode (LED) lamps and not mercury-containing lamps. Therefore, I determined that the lamps were not hazardous or universal waste and noted no concern with their accumulation. Facility representatives stated that the facility has functionally completed full retrofit of interior and exterior lighting to LED lamps and fixtures.

Copper sulfate solution is sporadically generated from quality assays conducted on site. The facility reportedly generates less than 10 pounds of copper sulfate solution per year. Silgan Containers considers the waste to be hazardous (D002) based on product and process knowledge. The waste is containerized upon generation and is collected by United Waste Services for transport to Tradebe Waste Systems for treatment. I did not observe copper sulfate solution in accumulation during the CEI.

Scrap metal is generated from stamp and maintenance activities. The waste is composed of discrete portions of ferrous/steel with a significant amount of aluminum from the container stamping and forming processes. Scrap metal includes stamp cuttings, steel banding, structural scrap, metal furnishings and the occasional punctured and hot-drained used oil filter. Scrap metal also includes crushed empty steel containers (drums) that formerly held product. Based on available facility records, the facility generates approximately 80 tons of scrap metal per month. The facility considers scrap metal excluded from the definition of solid waste according to 40 CFR 261.4(a)(13) or excluded from the definition of hazardous waste according to 40 CFR 261.6(a)(ii) when recycled. Scrap metal is accumulated in Gaylord containers within the building. Aluminum scrap is transferred to a dedicated compactor receive. Ferrous scrap is collected and then transferred to 30-yard roll off containers. Aluminum scrap is collected by Kaiser Aluminum in Jackson, Tennessee. Ferrous scrap and trimmings are collected by AMG Metals in St. Joseph, Missouri.

During the CEI, I observed accumulation of scrap metal in several containers within the facility (Attachment 7, Photographs 40, 48 and 52). I also observed the drum crusher used to compact empty 55-gallon steel drums for recycling (Attachment 7, Photographs 36 and 37). I noted no deficiencies with accumulation and management of scrap metal during the CEI.

Cardboard, mixed paper, and sheet plastic consist of packaging wastes that are segregated and baled for recycling. The facility considers cardboard, mixed paper, and sheet plastic to be nonhazardous based on product and process knowledge. According to Mr. Patterson, a full trailer of baled cardboard and plastic is shipped approximately once per month. Silgan Containers tracks generation rates for recycled commodities, and a summary sheet is included as Attachment 14. According to the summary sheet, the facility generates:

- Approximately 4,000 pounds of baled film plastics per month
- Approximately 3,600 pounds of cardboard per month
- Approximately 125 pounds of chopped plastic sheet and banding per month.

Cardboard, mixed paper, and sheet plastic are collected in separate accumulation containers and baled in a single vertical compactor. Bales are transferred to a semi-truck trailer and transported to Pioneer Recycling for recycling. During the CEI, I observed accumulation of cardboard, mixed paper, and sheet plastic (Attachment 7, Photograph 47). I also observed the baler (Attachment 7, Photograph 54). I noted no deficiencies with accumulation or management of cardboard, mixed paper, and sheet plastic during the CEI.

Mixed cut plastics and banding are generated from removal and disposal of raw stock packaging. The waste is collected in large fiberboard boxes that are staged in the solid waste/baled commodity area when filled. Filled containers are transported in the trailer along with baled cardboard, mixed paper, and sheet plastic to Pioneer Recycling for recycling. I did not

determine the generation rate for mixed cut plastics and banding during the CEI. I observed accumulation of mixed cut plastics and banding during the CEI and noted no deficiencies.

Electronic scrap is generated from routine changeout of aged or damaged electronic equipment including LED screens, computer workstations, printers, power supplies and other equipment. The estimated rate of generation is less than 50 pounds per month. Silgan Containers considers electronic scrap to be nonhazardous based on product and process knowledge. Electronic scrap is containerized upon generation and collected by United Waste Systems for transport to Veolia Environmental in Port Washington, Wisconsin, for recycling. During the CEI, I observed a 55-gallon container of electronic scrap (Attachment 7, Photograph 4). I noted no deficiencies with accumulation and management of the waste.

Empty IBCs are generated from routine materials handling within both buildings. The facility generates approximately three empty IBCs per month. Silgan Containers considers empty IBCs to be exempt from definition as a solid waste since they are returned to the original vendor for re-use. IBCs are completely emptied and staged for return to the original product supplier by contract agreement. During the CEI, I noted no deficiencies with accumulation or management of empty IBCs.

Spent lighting ballasts are sporadically generated from routine maintenance of buildings and office areas. The facility generates approximately 30 pounds of spent lighting ballasts per year. Silgan Containers considers spent lighting ballasts to be nonhazardous based on product and process knowledge. The waste is typically collected in a 55-gallon open-top container until collection and transport to Tradebe Waste Systems in East Chicago, Indiana, for recycling. Mr. Patterson stated that the transition to LED lighting will eliminate this waste stream in 2025. I did not observe spent lighting ballasts in accumulation during the CEI.

Shipping pallets and wood dunnage consists of broken pallets and other untreated wood dunnage scrap with no paint or other coating. Silgan Containers considers shipping pallets and wood dunnage to be nonhazardous based on product knowledge. The waste accumulated in small tub containers in the facility and transferred to the horizontal waste compactor for co-disposal with general trash. The waste is collected by Pederson Sanitation in Fort Dodge, Iowa, and transported to the regional Subtitle D landfill for final disposal. I did not determine the generation rate during the CEI. I noted no deficiencies with management of shipping pallets and wood dunnage during the CEI.

The facility accumulates undamaged reusable wood and plastic pallets in a designated area of the warehouse. Messrs. Patterson and Mowrer stated that all shipping dunnage and returnable transport carriers are collected by the material vendor for re-use in transport functions.

Recycled oily absorbent pads and PPE consist of absorbent pads, booms, and drop cloths used for general cleaning and spill mitigation of nonhazardous materials (primarily hydraulic oils). Discrete containers are used to collect soiled gloves and cut-resistant forearm sleeves used in the sheet metal stamping areas. Absorbents and rags used for cleaning equipment generating organic solvents are managed separately as hazardous waste solids with flammable liquids. Silgan Containers retains a commercial laundry service to clean recycled oily absorbent pads and PPE

articles and return the items for re-use. I did not determine the generation rate during the CEI but Mr. Patterson estimated the weekly pick-up total at approximately 250 pounds.

During the CEI, I observed recycled oily absorbents and PPE in accumulation in four locations (Attachment 7, Photographs 55 and 56). The accumulation containers were structurally sound, labeled to identify the contents, and held absorbents or PPE that were dry to touch. No free liquids were observed in the accumulation containers. I noted no deficiencies with management of recycled oily absorbent pads and PPE during the CEI.

General trash consists of general office type refuse, other than cardboard, mixed paper and plastic packaging wastes, generated during production and maintenance. Silgan Containers considers general trash nonhazardous based on product and process knowledge. General trash is accumulated in several types of containers throughout the facility and is transferred to an onsite compactor. The compactor is equipped with hydraulic pressure-sensing alarm that sends an electronic signal to the hauler dispatch office when filled and ready to transport. Mr. Wingerson estimated that the 42-yard rolloff receiver is collected weekly and held 3 to 5 tons of waste. The waste is transported by Pederson Sanitation in Fort Dodge, Iowa, to the regional Subtitle D landfill for final disposal.

During the CEI, I observed general trash in accumulation (Attachment 7, Photographs 15 and 34). I noted no deficiencies with accumulation and management of general trash.

4. Required Response Equipment and Hazard Management

Per 40 CFR 262.15(a)(8) and 262.17(a)(6), a LQG must operate to minimize possibility of a fire, explosion, or spill, and must maintain emergency response equipment. During the CEI, I observed adequate aisle space for emergency response in the hazardous waste CAA, and no evidence of spills or leaks. I observed two spill carts with absorbent pads, booms, diatomaceous earth, PPE, and bags near the coil stock storage area and near the hazardous waste CAA. I observed Type B/C dry-chemical fire extinguishers (5 to 20 pounds) readily available throughout the facility. The facility also has fire sprinkler systems in all administrative and production areas. The sprinkler systems and alarm annunciators are maintained annually by a third-party service. I noted no deficiencies with required response equipment and hazard management during the CEI.

5. CAA

At the time of the CEI, the CAA held three waste flammable liquids HWACs and two HWACs of waste solids contaminated with flammable liquids. The HWACs in the CAA were structurally sound, closed, grounded, labeled with the words “hazardous waste” and an indication of the nature of the hazard, and dated. I did observe one HWAC with an accumulation start date of November 9, 2024 (86 days from the date of the inspection). The observation was shared with Messrs. Patterson and Wingerson during the inspection and I reminded them that a LQG facility has 90 days to ship hazardous waste off site.

I asked Mr. Patterson if the CAA is inspected. He stated that one of two trained operators routinely conduct weekly inspections of the CAA and that Mr. Wingerson was also authorized to

complete them. Inspections are conducted at all solid waste and hazardous waste accumulation areas and recorded on an electronic log. Operators also conduct daily inspections of the Compound Room, including the waste accumulation containers. Copies of the daily Compound Room inspection logs from December 29, 2024, to January 25, 2025, are in Attachment 15. During the CEI, I reviewed weekly hazardous waste inspection logs for 2023 and 2024 and noted no missed inspections or indication of significant findings. I noted no deficiencies with management of HWACs in the CAA during the CEI.

6. Manifests, Bills of Lading, Biennial Report

Silgan Containers generated approximately 28 uniform hazardous waste manifests over the past 3 years (35 documents total including nonhazardous waste). I reviewed 17 manifests and associated LDR notifications during the CEI (including all 2023 and 2024 uniform hazardous waste manifests). Copies of representative manifests from 2022 through 2024 are included in Attachment 16. I completed a cursory review of the facility's 2023 Hazardous Waste Biennial Report that was provided electronically by Mr. Huff following the visual inspection (Attachment 8). I noted no deficiencies during my review of manifests and the Biennial Report.

7. Personnel Training Requirements

Personnel training is required by LQG regulations specified in 40 CFR 262.17(a)(7) to ensure that employees are thoroughly familiar with proper waste handling procedures relevant to their responsibilities. During the records review, I discussed personnel training requirements with Messrs. Mower and Patterson. They provided a training plan outline for my review, which appeared to be a full catalog of training module slides and a summary of personnel to be trained. Based on the material provided, I concluded that the plan failed to include:

- Job titles and names of employees filling those positions, as required by 40 CFR 262.17(a)(7)(iv)(A) **(NOPF No. 3)**
- Written description of skills, education or qualification, and duties required for each position, as required by 40 CFR 262.17(a)(7)(iv)(B) **(NOPF No. 4)**
- Written description of the type and amount of introductory and continuing training required for each position, as required by 40 CFR 262.17(a)(7)(iv)(C) **(NOPF No. 5)**

I explained NOPF Nos. 3, 4, and 5 during the exit briefing. Mr. Huff, who attended the exit briefing via teleconference, indicated that he had the documentation I concluded was missing from the training plan documentation reviewed during the records review. After the exit briefing, Mr. Huff forwarded copies of written job descriptions that contained the elements listed above (Attachment 17). I initially included NOPF Nos. 3, 4, and 5 on the NOPF form because the facility did not have the documentation available at the time of the inspection. However, because I received the information immediately after the CEI and it appeared to be adequate, I rescinded NOPF Nos. 3, 4, and 5 on February 26, 2025. I notified Mr. Huff of the revised NOPF via email.

I reviewed content of the RCRA Awareness training modules during the CEI. The training covered topics such as waste identification, management, labeling, and initial response to emergencies. An example of a training slide page is included as Attachment 18. Mr. Patterson provided copies of training sign-in logs and quizzes for hazardous waste training conducted over

the last 3 years. Copies of select sign-in logs and quizzes for 2024 training are included in Attachment 19. Based on the documentation reviewed during and after the CEI, I noted no deficiencies with personnel training.

8. Preparedness and Prevention and Contingency Plan

As an LQG, Silgan Containers is required to arrange for emergency response with local emergency agencies, to designate an emergency coordinator (EC) for the facility, and maintain a RCRA Contingency Plan. Silgan Containers' RCRA Contingency Plan was last updated in March 2024. A copy of the Contingency Plan is included as Attachment 20. I noted that the Contingency Plan included (1) a description of actions needed to respond to fires, explosions, and spills, (2) a description of arrangements with the local emergency agencies, and (3) a list of emergency response equipment (including capabilities and location), as required by 40 CFR 262.17(a)(6) referencing 262.261(a, c, and e). The Contingency Plan also included names and telephone numbers of the primary and alternate emergency coordinators, as required by 40 CFR 262.17(a)(6) referencing 262.261(d).

The Contingency Plan included an evacuation plan. Section 9 of the Contingency Plan provides a brief description of the signals to be used to initiate evacuation of personnel to designated safety areas. However, the description does not provide specific details of the signals such as the tones or patterns for these signals. These details are included in the safety orientation I took prior to the CEI and are posted at the facility; however, they are not in the Contingency Plan. I determined that the facility failed to include an adequate description of the evacuation signals in the Contingency Plan, as required by 40 CFR 262.17(a)(6) referencing 262.261(f) **(NOPF No. 2)**. I explained this preliminary finding during the CEI and provided compliance assistance regarding content of the Contingency Plan.

I discussed formal arrangement made with local emergency response agencies during the records review. The Contingency Plan was submitted to local emergency response agencies. Updates to the plan were also submitted. Copies of the cover letters and updated emergency contact list submitted to emergency response agencies are included in Attachment 21.

I reviewed the facility's Quick Reference Guide presented by the facility representatives (Attachment 9). The facility's Quick Reference Guide is a listing of the types of chemical wastes generated at the facility and the maximum amounts that could be expected. However, the 1-page Quick Reference Guide did not include maps showing where hazardous wastes are generated and managed, access routes, and surroundings; locations of water supplies; identification of onsite notification systems or alarms; or the name and 24/7 telephone number for the emergency coordinator. I included each of these into a single preliminary finding for failure to prepare and maintain a Quick Reference Guide for emergency responders, as required by 40 CFR 262.17(a)(6) referencing 262.262(b) **(NOPF No. 1)**.

I explained NOPF No. 1 to facility representatives during the CEI and provided compliance assistance regarding content of the Quick Reference Guide.

9. Air Emissions: 40 CFR Part 265 Subparts AA, BB, CC

EPA regulations in 40 CFR Part 265, Subparts AA, BB, and CC apply to LQGs. If a LQG manages hazardous waste with an organic concentration greater than 10 parts per million by weight (ppmw), the standards specified in Subpart AA apply to hazardous waste air emissions from certain process vents. A process vent used in distillation, fractionation, solvent extraction, thin-film evaporation, air stripping, or steam stripping is regulated by Subpart AA. Silgan Containers is not subject to the Subpart AA regulations because the facility does not have any of the process vents listed above.

If a LQG has equipment that contains or contacts hazardous waste composed of 10 percent or greater organics by weight, the facility is subject to Subpart BB standards for inspection and monitoring of the equipment. Silgan Containers is not subject to the Subpart BB regulations because it does not have waste handling equipment that contains or comes in contact with hazardous waste.

The standards found in Subpart CC apply to LQGs that manage hazardous waste in containers with organic compounds (VOC) concentration that exceeds 500 ppmw. The Subpart CC standards are applicable because the facility accumulates hazardous waste that contains VOCs in 55-gallon hazardous waste accumulation containers. During the CEI, I determined that Silgan Containers meets the Subpart CC requirements for containers by using Container Level 1 controls (hazardous waste accumulation containers smaller than 122 gallons that are Department of Transportation [DOT]-approved). I noted no concerns with management of hazardous waste per the Subpart CC air emissions requirements.

10. Summary of Preliminary Findings

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

1. Failure to prepare and maintain a Quick Reference Guide for emergency responders, as required by 40 CFR 262.17(a)(6) referencing 262.262(b) **(NOPF No. 1)**

2. Failure to include an adequate description of the evacuation signals in the Contingency Plan, as required by 40 CFR 262.17(a)(6) referencing 262.261(f) **(NOPF No. 2)**

3. RESCINDED

4. RESCINDED

5. RESCINDED

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.

Steve A. Johnson

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Steve Johnson
Field Inspector
CLAENE Group, LLC.

AMBER WHISNANT

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

ATTACHMENTS

1. Notification Acknowledgement/Verification Report (1 Page)
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. Aerial Photographs (2 Pages)
7. Photographic Documentation (Photolog and 60 Photos) (35 Pages)
8. 2024 Biennial Report (4 Pages)
9. Waste Stream Quick Reference Guide (1 Page)
10. SDS for Heptane (13 Pages)
11. SDS for Videojet Cleaning Solution (10 Pages)
12. SDS for Butyl Cellosolve (12 Pages)
13. SDS for Isopropyl Alcohol (6 Pages)
14. Recycled Commodities Summary Sheet (1 Page)
15. Compound Room Daily Inspection Logs (5 Pages)
16. Manifest Copies (32 Pages)
17. Job Descriptions (18 Pages)
18. Example Training Slide for Hazardous Awareness Training (1 Page)
19. Select Employee Training Attendance Logs/Quizzes for 2024 (10 Pages)
20. RCRA Contingency Plan (32 Pages)
21. Emergency Responder Contingency Plan Update Notifications (8 Pages)