

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

GXO WAREHOUSE COMPANY INC.

3901 Dixon St
Des Moines, Iowa 50313
515-265-8949 Installation Phone Number
515-650-7915 Site Contact Phone Number

EPA ID Number: IAR000501916

On

March 30, 2022

By

U.S. ENVIRONMENTAL PROTECTION AGENCY

Region VII
Enforcement and Compliance Assurance Division

1.0 INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division (ECAD), I performed a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at GXO Warehouse in Fairfield, Iowa. The inspection was conducted on March 30, 2022. The CEI was conducted under the authority of RCRA Section 3007(a), as amended. During the inspection, I collected the information and data necessary to determine compliance with the applicable regulatory and statutory requirements. This report and attachments present the results of the CEI. Based on the information obtained during the inspection, I inspected GXO Warehouse as a non-generator of hazardous waste (HW), and a small quantity handler of universal waste (SQHUW) lamps and batteries. According to the U.S. Environmental Protection Agency (EPA) RCRAInfo database, the facility had been previously inspected by the EPA on July 25, 2011.

2.0 PARTICIPANTS

GXO Warehouse:

David Bartine, Manager Site Operations (11 years in current position)
Danielle Heaney, Corp Environmental Compliance Manager (1 year in current position)

EPA:

Mark Holcomb, Civil Investigator (SEE) (Lead Inspector)
Trevor Urban, Environmental Scientist/Investigator (Training Preceptor)

3.0 INSPECTION PROCEDURES

On March 30, 2022, Mr. Urban and I arrived unannounced at the facility's main entrance at about 1000 hours. Initially I conducted a visual reconnaissance of the building/facility searching for areas of concern observable from the adjacent public roadway and parking lot. I identified no environmental issues or concerns during this preliminary examination. On the front door intercom, I introduced myself and I asked for David Bartine, who is listed on the RCRAInfo Notification Verification Report as the site contact (last updated on June 9, 2021). Mr. Urban and I were told they would contact Mr. Bartine and have him meet us. A few minutes later, Mr. Bartine arrived and invited us into the office area. Once inside the building we were processed in by security and Mr. Bartine escorted us to a nearby conference room that he said we could use as our staging location for the day. Mr. Bartine stated that he had been with GXO Warehouse for over 11 years in his current role as the Manager, Site Operations. Mr. Bartine told us there were currently no specific COVID-19 staff or visitor requirements and the only safety personal protective equipment (PPE) requirements at this facility were safety shoes, high visibility vest, and protective glasses. Mr. Bartine stated that he needed to contact his Corporate Environmental Compliance Manager, Ms. Danielle Heaney, via phone. Ms. Heaney stated she had been with the company for one year in the current role. Ms. Heaney was on speaker phone (cell phone) with us for the opening, exit, and the visual part of our inspection.

At the opening conference, I again introduced myself and presented my EPA ID. I also introduced my colleague Mr. Urban. I explained that I was the lead investigator, but I was also in training and that Mr. Urban was my trainer and our credentialed inspector. Mr. Urban presented his credentials. I explained the purpose and procedures of the inspection. I presented Mr. Bartine with a copy of RCRA Section 3007(a), which provides inspection authority. I explained my need to collect accurate information and presented them with a copy of Title 18 U.S. Code, Sections 1001 and 1002. I made Mr. Bartine and Ms. Heaney aware of their confidentiality rights and informed them that a Confidentiality Notice would be provided at the end of the inspection to make a confidentiality claim if they so desired.

The RCRA inspection consisted of a discussion of facility operations, waste generation, and waste management; a visual inspection of active waste generation and management areas; and a review of waste management records. During the visual inspection, Mr. Bartine and Ms. Heaney (via cell phone) were present throughout the inspection and opening and exit conferences.

I conducted a visual inspection of the following:

- General warehouse areas – Buildings 1-5
- Hazardous Waste Storage area in Building 5 (there was no hazardous waste onsite)
- Universal waste storage area (spent lamps and batteries) in Building 3

See Attachments #1 and #2 for the aerial view and facility diagram.

Document Photocopies and Photographs were collected as inspection documentation (see Attachments #1-17 and Photos 1-8). The photo log is included in Attachment #3. Information collected during the inspection is documented on an Entry/Exit checklist and hazardous waste compliance checklists and notebook. I reviewed documents including the following: Safety Data Sheets (SDS); bills of lading; waste profiles; and manifests.

On March 30, 2022, at the conclusion of the inspection, I held a closing conference. Participants included Mr. Bartine, Ms. Heaney (via phone) and Mr. Urban. I provided Mr. Bartine with a Receipt for Documents (see Attachment #4) and a Confidentiality Notice (CBI) (see Attachment #5), which he signed as acknowledgement of receipt. No confidential business information (CBI) claims were made. I summarized my findings and recommendations and provided Mr. Bartine with a Notice of Preliminary Findings (NOPF), which he signed to acknowledge receipt (see Attachment #6). I provided inspection and compliance assistance documents during the inspection, some as paper versions and some in electronic PDF via email, that included the following:

- *RCRA Section 3007(a)*
- *Title 18 U.S. Code, Sections 1001 and 1002*
- *Confidentiality Notice (Top page of the completed carbonless transfer set)*
- *Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA In Connection with Inspections Receipt for Documents and Samples*
- *Notice of Preliminary Findings (NOPF) with Instructions for Responding on back of form (top page of the completed carbonless transfer set)*
- *Instructions for Responding to a Notice of Preliminary Finding (NOPF) (EPA Handout)*
- *U.S. EPA Small Business Resource Information Sheet (EPA Handout)*
- *Solvent-Contaminated Wipes Final Rule Chart (EPA Handout)*
- *Recycling Electronics (IDNR Handout)*
- *Lead-Based Paint Activities (IDNR Handout)*
- *Excluded Solvent-Contaminated Wipe Rule (IDNR Handout)*
- *Battery Recycling/Disposal (IDNR Handout)*
- *Management of Fluorescent Lamps for Businesses (IDNR Handout)*
- *Incompatible Chemicals (IDNR Handout)*
- *Universal Wastes Including Aerosol Cans (IDNR Handout)*
- *TCLP Waste Determination Testing (IDNR Handout)*
- *Industry Sector Notebooks (EPA Handout)*
- *Environmental Compliance Assistance Centers (EPA Handout)*
- *e-Manifest Fact Sheet (EPA Handout)*
- *RCRA Online A Quick Reference Guide (EPA Handout)*
- *Requirements for Used Oil Management Standards (EPA Handout)*
- *Emergency Response Program (EPA Handout)*
- *Commercial Motor Vehicle Transportation System Security & Safety*
- *Security Awareness (EPA Handout)*
- *Chemical Facility Anti-Terrorism Standards (Homeland Security Handout)*
- *Iowa Life/Changing Iowa Department of Economic Development – Iowa Environmental Guide for Business*
- *Email from Kevin Snowden regarding episodic generation: 40 CFR 262 Subpart L - Alternative Standards for Episodic Generation for GXO Warehouse*

I followed the inspection procedures detailed in the RCRA CEI Standard Operating Procedure (SOP) 2321.1, unless noted otherwise. On May 5, 2022, I called Mr. Bartine, and had a brief

conference phone call, that included Mr. Bartine and Ms. Heaney, so I could ask a few more questions and clarify my notes.

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

Mr. Bartine stated that this GXO Warehouse facility at this location began operations in 1995. GXO Warehouse specializes in general warehousing and storage of agricultural chemical products for several dozen clients such as BASF, Behr, DuPont Chemical, and Dow Chemical. GXO Warehouse has 10 employees working mostly Monday–Friday day schedules. GXO Warehouse has approximately 200,000 square feet of warehouses and administrative office space.

4.2 Facility RCRA Status

RCRAInfo lists a previous RCRA compliance evaluation inspection (CEI) for “BASF Jacobson Warehouse” (now known as: GXO Warehouse Company Inc.), conducted on July 25, 2011. The report stated they were a non-generator of hazardous waste at that time and there were no NOPFs cited.

According to the RCRAInfo Notification Acknowledgement/Verification Report, GXO Warehouse last notified as a Small Quantity Generator (SQG) on June 9, 2021. I provided Mr. Bartine with the Notification Acknowledgement/Verification form, which he reviewed and returned with changes for the company name and site contact email (see Attachment #7). At the time of the previous notification, they listed their name as: “Jacobson Warehouse Company DBA XPO Logistics”. Mr Bartine and Ms. Heaney stated that the company had changed its name last August 2021 to: **GXO Warehouse Company Inc.** Mr Bartine made this update on the paper version of the Notification Acknowledgement/ Verification Report Form. He also updated his contact email from xpo.com to gxo.com (David.Bartine@gxo.com).

As noted above, GXO Warehouse is not a routine generator of hazardous waste. They store and ship chemical products for other clients. The only time they would have hazardous waste onsite is if they are storing expired or outdated materials or have damaged goods in transit that are returned. GXO Warehouse also stores empty containers to be provided to the companies for filling upon request. They also store any materials damaged while in storage or during shipping. Mr. Bartine and Ms. Heaney stated that GXO Warehouse does not become the generator of the hazardous waste until the product becomes expired or damaged, at which point GXO Warehouse then takes the responsibility to manage and make arrangements to dispose of the waste. Mr. Bartine stated the facility strives to never damage any chemical products being housed or to house expired chemical products. However, once the chemical products expire, additional on-site management is required. Mr. Bartine stated that when chemical products become expired, the expired products are relocated to the hazardous waste storage area as shown in Photos 1 and 2 in Building 5 pending a waste determination. Once a waste determination is made by the chemical manufacturer, the facility manages the wastes

accordingly. Mr. Bartine stated that the facility is currently reviewing their procedures to eliminate chemical product from expiring while being managed/housed onsite.

A recent RCRAInfo eManifest report dated February 15, 2022, indicates GXO Warehouse generated D001 and D002 waste codes with three hazardous waste shipments in the last 18 months. Mr. Bartine stated that these were all episodic shipments of expired chemicals in large 280-gallon plastic tote containers. When GXO Warehouse was first made aware that they had product that was expired, they notified the EPA of the pending episodic event during December 2020. They then shipped the expired product under two manifests on January 13, 2021, with 675 lbs, and two days later on January 15, 2021, with 2222 lbs. In May 2021 they had three more IBC (Intermediate Bulk Containers) of hazardous waste of expired chemicals, for a total of 6665 lbs, which was shipped on May 28, 2021. Mr. Bartine stated they were unsure if this could be consider another episodic event shipment or if this would bump them up to LQG status, so they elected to meet the LQG requirements and developed a contingency plan, notified the fire department, developed and conducting hazardous waste training for their staff, implemented a weekly inspection checklist for the HW area, and posting emergency contact and contingency plan info near the hazardous waste area (see Photos 1 and 2). Mr. Bartine stated that during May 2021 GXO Warehouse notified the EPA of their change to a LQG status and then in June 2021, after the May 28, 2021 shipment, they again notified the EPA of their change back to SQG status. Since the May 2021 shipment, the facility has not had any hazardous waste onsite.

At the time of the inspection, based on the facility's hazardous waste generation rate of zero (except for the hazardous waste handled as universal waste) in the last 10 months, I determined GXO Warehouse to be a non-generator of hazardous waste. In addition, I determined GXO Warehouse to be a small quantity handler of universal waste-lamps and batteries. Their hazardous waste generation events in January 2021 and May 2021 appear to have been episodic events but may not have been fully reported or treated as such. Since they thought the May 2021 shipment of 6665 lbs of expired chemicals “bumped them up into the LQG level for one week”, they developed processes to meet the LQG requirements. I contacted Kevin Snowden at the Region 7 EPA office and he emailed me additional episodic compliance assistance information to share with the facility, such as: 40 CFR 262 Subpart L - Alternative Standards for Episodic Generation (i.e., 40 CFR 262.230 – 262.233) - “Frequent Questions About Implementing the Hazardous Waste Generator Improvements Final Rule”, which I shared with Mr. Bartine.

4.3 Facility Waste Streams and Management

The following waste streams are/have been managed by GXO Warehouse:

Fastac CS Insecticide (UN1993 Waste Flammable Liquid) – Mr. Bartine stated GXO Warehouse generated this hazardous waste when the product expired during storage in their warehouse facility. It was shipped twice last year (2021). The January 15, 2021, Manifest (see Attachment #8) indicates that one tote of 2222 lbs was shipped and classified as a Flammable Liquid with a waste code of D001. For the Waste Stream Identification Form and the Safety Data Sheet (SDS) see Attachments #11 and #13. The second shipment for the expired Fastac CS Insecticide chemical was on May 28, 2021, as indicated by Manifest (see Attachment #10) for

three totes at 6655 lbs. The expired chemicals were relocated to the hazardous waste storage area shown in Photos 1 and 2 and facility diagram in Attachment #2, in Building 5 pending a waste determination. Mr. Bartine stated the waste chemicals were determined to be hazardous waste and managed accordingly. Mr. Bartine stated he arrange for disposal of the hazardous waste chemicals and that the off-site transportation was provided by Tradebe Transportation. The hazardous waste chemicals were transported to Tradebe in East Chicago, Indiana, with the management code of H061(fuel blending prior to energy recovery).

Genosol 50 (UN3267 Waste Corrosive Liquid) - GXO Warehouse generated this hazardous waste when the product expired during storage in their warehouse facility. The January 13, 2021, Manifest (see Attachment #9) indicates that one tote of 675 lbs was shipped and classified it as a Corrosive Liquid with a waste code of D003 (D002 was listed on the LDR form). The Waste Stream Identification Form and Safety Data Sheet (SDS), see Attachments #12 and #14, indicates that it is highly corrosive and toxic and lists the waste code as D002. The on-site management procedure is to relocate the expired chemicals to the hazardous waste storage area shown in Photos 1 and 2 in Building 5 pending a waste determination. Mr. Bartine stated the waste chemicals were determined to be hazardous waste and managed accordingly. Mr. Bartine stated he arrange for disposal of the hazardous waste chemicals and that the off-site transportation was provided by Univar Solutions USA Inc. The hazardous waste chemicals were transported to Tradebe in East Chicago, Indiana, with the management code of H061(fuel blending prior to energy recovery).

Spent Universal Waste Lamps and Batteries – GXO Warehouse generates a small number of spent Universal Waste lamps and batteries. During the visual inspection, I observed spent florescent lamps and batteries stored in Building 3 near I33. The universal waste lamps were in a 5-foot by 2-foot cardboard container. The container was closed and in good condition. The box contained approximately a dozen spent lamps. The box was labeled with “Universal Waste Lamps”, and with accumulation start date of “1/8/2021” (which was greater than one year). The universal waste batteries were in the same area in a two-gallon plastic bucket container. The container was closed and in good condition. The bucket contained three spent batteries, labeled with “Universal Waste Batteries”, and an accumulation start date of “1/8/2021” (which is greater than one year). (See Photos 5, 6, 7, and 8).

- **Do not accumulate universal waste lamps and batteries for greater than one year as required in 40 CFR 273.15(a), NOPF 1**

General Trash – General trash is generated by routine operations. Mr. Bartine stated the trash consists of paper and plastic shipping wastes and food containers from employees and that it is non-hazardous. Their general trash is collected weekly and transported to the local landfill.

4.4 Other Regulatory Requirements

Outside Facility Perimeter - I did a limited inspection of the outside perimeter of the facility and observed no hazardous waste storage tanks, containers, or other stored waste. See the aerial photo and map in Attachment #1.

Central Accumulation Area (CAA) – A space in Building 5 near the south wall is designated as the hazardous waste storage area. See Attachment #2 for a facility diagram and Photos 1 and 2. The area is well equipped with fire extinguishers, spill kits, and communication devices (see Photo 3 and 4). They had documentation of weekly inspections when hazardous waste was stored in the warehouse pending transport (see Attachment #17). See facility diagram for more details and locations of emergency equipment (see Attachment #2).

Preparedness and Prevention – GXO Warehouse developed a Contingency Plan (see Attachment #15) along with a Quick Reference Guide when they assumed they were temporarily a LQG status.

Biennial Report – Mr. Bartine stated that GXO Warehouse completed and submitted a biennial report for 2021.

Personnel Training – GXO Warehouse developed and implemented a training program for staff that would be working with the hazardous waste when they assumed they were temporarily a LQG status. The manager attended a 4-hour hazardous waste training program (see Attachment #16 for job descriptions, training certificate, and training rosters).

5.0 SUMMARY OF FINDINGS

NOPF 1: Do not accumulate universal waste lamps and batteries for greater than one year as required in 40 CFR 273.15(a).

Other than the items specifically noted in this narrative, I observed no additional issues or potential findings. However, further EPA review may change or add to my findings.

MARK HOLCOMB
(Affiliate)

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HOLCOMB (Affiliate)
Date: 2022.05.11 14:20:36 -05'00'

Mark Holcomb
Civil Investigator

MICHAEL MARTIN

Digitally signed by MICHAEL MARTIN
Date: 2022.05.12 12:17:50 -05'00'

Amber Whisnant
RCRA Section Chief, ECAD/CB

Attachments:

1. Facility Aerial Photo (1 page)
2. Facility Diagram (5 pages)
3. Photo log (4 pages/ 8 photos)
4. Receipt for Documents (1 page)
5. Confidentiality Notice CBI (1 page)
6. Notice of Preliminary Findings NOPF (1 page)
7. EPA RCRA Notification Acknowledgement/Verification Report (2 pages)

8. Manifest- 1.15.2021 (2 pages)
9. Manifest – 1.13.2021 (3 pages)
10. Manifest – 5.28.2021 (1 page)
11. Waste Profile Fastac (3 pages)
12. Waste Stream ID NaOH (5 pages)
13. SDS Fastac (16 pages)
14. SDS Genesol 50 (8 pages)
15. Contingency Plan (44 pages)
16. HW Training (5 pages)
17. Weekly Inspections (3 pages)