

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

BASF CORPORATION @ BROOKLYN WAREHOUSE

106 N. Orchard Street
Brooklyn, Iowa 52211
641-888-0010

EPA ID Number: IAD984622191

On

March 15-16, 2022

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 (ECAD/CB/RCRA) 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 BASF Corporation @ Brooklyn Warehouse (BASF Brooklyn), at 106 N. Orchard Street, Brooklyn, 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 requirements, used oil management, and universal waste requirements, as applicable. This report and its attachments present the findings of the CEI.

PARTICIPANTS

BASF:

Levi James, Environmental Health and Safety Specialist
Brad Graham, Logistics Supervisor
Larry Olen, Operations Manager
Jacob Johannsen, Polyesterol Supervisor (exit briefing only)
Adam McIntyre, Maintenance Supervisor (exit briefing only)
Chris Hash, Production Supervisor (exit briefing only)
Thomas Dodds, Site Manager (exit briefing only)

Toeroek Team:

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

INSPECTION PROCEDURES

Prior to the scheduled inspection of BASF Brooklyn, I reviewed available EPA file materials and conducted an internet search. Based on these reviews, I concluded that the facility contacts for BASF Corporation's Malcom, Iowa, facility (BASF Malcom) appeared to be the same as for BASF Brooklyn. I conducted a CEI at BASF Malcom on March 15, 2022. During the entry briefing, I confirmed that facility representatives for BASF Malcom were also the facility representatives for BASF Brooklyn.

During the entry briefing for BASF Malcom, I presented my business card and EPA credentials to Messrs. James, Graham, and Olen. I explained the scope of the CEI and the data gathering procedures that would be employed (for example, interviews, visual inspection, records review, and digital photography). I then informed Messrs. James, Graham, and Olen of the facility's right to make confidentiality claims for any or all of the information obtained. 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 Messrs. James, Graham, and Olen 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.

During the entry briefing, I informed Messrs. James, Graham, and Olen that my inspection schedule also included a CEI at the BASF Brooklyn facility. I explained that the same scope and procedures would be applied for both CEIs and that the entry briefing covered both sites.

I conducted the visual inspection of BASF Malcom on May 15, 2022, accompanied by the Messrs. James, Graham, and Olen. Following completion of the BASF Malcom CEI on March 15, I met Messrs. James, Graham, and Olen at BASF Brooklyn to conduct the visual inspection at that facility. Facility information gathered during the BASF Brooklyn CEI is documented on the Data Gathering Worksheets and Checklists (Attachment 1).

I returned to BASF Malcom on May 16, 2022, to conduct exit briefings for both facilities. A sign-in sheet listing BASF personnel who participated in the BASF Brooklyn exit briefing is

included as Attachment 2. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. Dodds signed, acknowledging receipt (Attachment 3). I provided Mr. Dodds the Notice, which he signed indicating no confidential business information had been provided (Attachment 4). I made no preliminary findings during the CEI, so a Notice of Preliminary Findings (NOPF) was not left with the facility at the conclusion of the CEI. However, I explained to the BASF representatives that findings may be added after EPA review of the inspection report.

Following the CEI, I reviewed the Hazardous Waste Site Info Verification Report (Verification Report) for BASF Brooklyn provided by EPA (Attachment 5). Based on observations during the CEI, I changed the facility's generator status in the Type(s) of Regulated Activity section of the Verification Report from very small quantity generator (VSQG) of hazardous waste to non-generator of hazardous waste. I also deleted hazardous waste codes D003 and U223 from the Hazardous Wastes Handled section of the Verification Report and added the word "none."

A facility map was obtained during the CEI and is included as Attachment 6. An aerial photograph of the facility was downloaded after the CEI and is included as Attachment 7. The six photographs taken during the CEI are included in Attachment 8. A photograph of the facility from N. Orchard Street is included in Attachment 8, Photograph 6.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

The first building at the site was constructed in 1972. BASF currently leases the facility for warehousing operations. The warehouse consists of three areas: cold storage (non temperature-controlled), main warehouse, and controlled storage (maintained at approximately 85°F) with a footprint of 16,776 square feet under roof. Two employees work one 8-hour shift, 8:00 a.m. to 4:30 p.m., Monday through Friday.

BASF Malcom is a manufacturer of polyurethane and polyurethane pre-polymers (isocyanates and resins) to customer specifications. Raw materials (including acetone, methanol, toluene diisocyanate [TDI], methylene bisphenyl diisocyanate [MDI], resins, and polyesterols) are received at a BASF warehouse in Grinnell, Iowa. The raw materials are transported by BASF personnel to BASF Malcom for use in manufacturing. Finished products are packaged, labeled for customer shipment, and transported by BASF personnel to BASF Brooklyn for storage prior to shipment.

According to Messrs. James, Graham, and Olen, the only waste generated at BASF Brooklyn is general trash. The facility is only used for storage of finished products. No manufacturing or production is performed. Finished products are not opened or repackaged at the facility, and no customer returns are received. Lighting is provided by light emitting diode (LED) fixtures. The fork trucks used by the facility are electric, and no used oil is generated from their use onsite. Aerosol cans or wipes are not used, and the facility does not have a parts washer or any other equipment that uses solvent.

I asked Mr. James if a spill or release has occurred at BASF Brooklyn. Mr. James stated that no spills or releases have occurred at the BASF Brooklyn in the 1.5 years he has been in his position, and Messrs. Olen and Graham could not recall any spill or release occurring at the facility. BASF Malcom retains copies of all hazardous and nonhazardous waste manifests for three years. After searching the manifest records, Mr. James stated that no waste shipments have occurred in the last three years. He also contacted the waste transporter BASF has used since 2019 (Univar Solutions), and they reported no collection of waste from BASF Brooklyn during their service period.

On May 17, 2017, EPA conducted a CEI at BASF Brooklyn. At that time, the facility was determined to be a conditionally exempt small quantity generator (CESQG) (now VSQG) of hazardous waste (generating less than 100 kilograms of hazardous waste per calendar month) due to generation of approximately 10 waste aerosol cans (WD-40 and paint) per year. The facility was also determined to be a small quantity handler (SQH) of universal waste (accumulation of less than 5,000 kg of universal waste at any time) for waste fluorescent lamps and a generator of used oil from fork truck maintenance. Following the CEI, the inspector left a NOPF at the facility for:

- Failure to date or track accumulation times for universal waste lamps
- Accumulation of universal waste lamps for longer than one year.

The preliminary findings listed above were not repeated during this CEI.

2. RCRA Status

BASF Brooklyn was identified as a VSQG of hazardous waste on the Verification Report provided by EPA (Attachment 5). During the CEI, I determined the facility is currently operating as a non-generator of hazardous waste. BASF and Univar Solutions have no records of waste shipment from BASF Brooklyn within the last three years, and I only observed general trash accumulation during the CEI. I also determined the facility does not generate universal waste or used oil.

3. Waste Streams

This section of the CEI report describes waste streams generated by the facility, including the facility's waste determination, generation process and rate, management at the facility, and ultimate disposition. The following discussion of waste streams is based on my interviews with BASF representatives and the visual inspection.

I conducted a visual inspection of the cold storage, main warehouse, and controlled storage buildings. Other than the waste described below, I observed no waste accumulation or waste generating processes. Representative photographs of final products in storage are in Attachment 8, Photographs 1-4.

General trash consists of office- and packaging-type refuse, broken pallets, plastic, banding, and cardboard generated at the facility. The facility determined general trash is nonhazardous waste based on product and process knowledge. General trash is accumulated in small containers

throughout the facility and transferred to a 2.5-cubic-yard rolloff container outside of the facility (Attachment 8, Photograph 5). The waste is collected by Audas Sanitation and Recycling in Montezuma, Iowa, for disposal at the South Central Iowa Solid Waste Authority landfill in Tracy, Iowa. During the CEI, I observed contents of the general trash containers and no deficiencies.

4. Other

According to Mr. James, all BASF personnel receive annual waste handling training. During the BASF Malcom CEI, I reviewed content of the annual waste handling training provided to all employees, and noted that the training addresses waste identification, management, and emergency response procedures. Training records are maintained in a database. A copy of the database record showing waste training received on February 10, 2022, is in Attachment 9. The two BASF Brooklyn employees, Ms. Hutt and Mr. Grandstaff, were included in the training.

5. Summary of Preliminary Findings

In summary, as part of the CEI, I made no preliminary findings. However, further review by EPA may change or add to my findings.

John D. Dixon

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Date: _____

John D. Dixon
Inspector, CLAENE Group

MICHAEL MARTIN

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Amber Whisnant
Section Chief, ECAD/CB/RCRA

Attachments:

1. Data Gathering Worksheets and Checklists (7 Pages)
2. Exit Briefing Sign-In Sheet (1 Page)
3. Receipt for Documents and Samples (1 Page)
4. Confidentiality Notice (1 Page)
5. Hazardous Waste Site Info Verification Report (1 Page)
6. Facility Map (1 Page)
7. Aerial Image of the Facility (1 Page)
8. Photographic Documentation (Photolog and 6 Images) (4 Pages)
9. Training Log for 2022 (1 Page)