

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

TRINITYRAILRAIL MAINTENANCE SERVICES INC 4036

30283 220th Street
Shell Rock, Iowa 50670
563-258-6906

EPA ID Number: IAR000525998

On

June 27, 2023

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 Trinityrail Maintenance Services Inc. (Trinityrail) at 30283 220th Street, Shell Rock, 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 results of the CEI.

PARTICIPANTS

Trinityrail:

Jim Ousley, Senior Director Environmental Health & Safety

Mary Wheaton, Environmental health & Safety Manager

Wesley Wright, Plant Manager Rail Car Cleaning

Nicholas Zeien, EHS Coordinator (Entry and Exit Briefings only)

Toeroek Team:

Clifford Nelles, Inspector, 816-213-5192

INSPECTION PROCEDURES

Prior to the CEI at Trinityrail on June 27, 2023, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by. At approximately 7:40 a.m., I entered the guard shack and explained to the guard that I was there to conduct a CEI at the facility. The guard instructed me to wait inside the gate while he contacted Ms. Wheaton. Ms. Wheaton arrived approximately 15 minutes later. I presented my EPA credentials to Ms. Wheaton and explained the purpose and scope of the CEI. Ms. Wheaton and I adjourned to a conference room in the Administration Building (Building 6) where we were met by Messrs. Ousley, Wright, and Zeien. I then conducted an entry briefing to Ms. Wheaton and Messrs. Ousley, Wright, and Zeien.

During the entry briefing, I presented my business card and EPA credentials to Ms. Wheaton and Messrs. Ousley, Wright, and Zeien. I explained the scope and procedures for the CEI. I explained the facility's right to make confidentiality claims for any or all the information obtained and provided a Notice Regarding Proprietary/Confidential Business Information. I stated that at the conclusion of the CEI, Ms. Wheaton would be presented with a Confidentiality Notice (Notice) with which she could make or not make a claim of confidentiality for the facility. I also provided Ms. Wheaton and Messrs. Ousley, Wright, and Zeien with 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 were read.

A copy of each of the following documents was left with Ms. Wheaton during the inspection:

- RCRA Facility Access Information Sheet
- Mr. Trevor Urban's business card
- 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
- E-Manifest Fact Sheet: Generators
- Managing your Hazardous Waste: A Guide for Small Businesses
- U.S. EPA Small Business Resources Information Sheet
- Solvent-Contaminated Wipes Final Rule Summary Chart
- IDNR Excluded Solvent-Contaminated Wipes Rule: Management Practices for Wipes, Rags, and Shop Towels
- Recycling Electronics: A Guide for Businesses
- Lead-Based Paint Activities: Handling and Disposal
- Battery Recycling/Disposal
- Management of Fluorescent Lamps for Businesses
- Incompatible Chemicals
- Universal Wastes – Including Aerosol Cans
- TCLP – Toxicity Characteristic Leaching Procedure
- Part 279 Requirements: Used Oil Management Standards
- EPA Region 7 Emergency Response Program
- Chemical Facility Anti-Terrorism Standards

- Iowa Environmental Guide for Businesses

I reviewed the Notification Acknowledgement/Verification Report (Verification Report) with Ms. Wheaton (Attachment 1). Based on this review, I changed the site contact information reflect Ms. Wheaton's information. I also changed the facility's hazardous waste generator status from large quantity generator (LQG) to small quantity generator (SQG).

I conducted a visual inspection of the facility, accompanied by Messrs. Wright, and Ousley. Following the visual inspection, I reviewed facility records including hazardous waste manifests with land disposal restriction (LDR) notifications, safety data sheets (SDS), contingency plan/emergency procedures plan, and training documentation. I prepared and completed a site-specific inspection checklist to document my observations.

At the conclusion of the CEI, I conducted an exit briefing with Ms. Wheaton and Messrs. Ousley, Wright, and Zeien. During the exit briefing, I provided a Receipt for Documents and Samples, which Ms. Wheaton signed, acknowledging receipt (Attachment 2). I provided Ms. Wheaton the Notice, which she signed indicating no confidential business information had been provided (Attachment 3). I also provided Ms. Wheaton a Notice of Preliminary Findings (NOPF) which she signed to acknowledge receipt (Attachment 4).

A map of the facility obtained during the CEI is included in Attachment 5, and Google Earth aerial photographs of the facility are included as Attachment 6. The 27 photographs taken during the CEI are in Attachment 7, of which 25 are referenced in this report.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

Trinityrail provides maintenance and repair on railcars. This includes the installation of replacement parts and checking, cleaning, and repairing interior linings if needed. When necessary, Trinityrail will paint the exterior of the railcars. Trinityrail began operations at this location in 2020 and currently has approximately 145 employees who work one shift (5:30 a.m. to 4:30 p.m.) Monday through Friday. The facility consists of five buildings—Building 1 (Cleaning Rack, 57,702 sq. ft.), Building 2 (Mechanical, 77,891 sq. ft.), Building 3 (Interior Lining, 63,763 sq. ft.), Building 4 (Exterior Coating, 107,246 sq. ft.), and Building 5 (Warehouse, 17,500 sq. ft.).

Trinityrail receives railcars for maintenance when the railcar certification is close to expiring or if a mechanical problem needs repair. Trinityrail does not accept any railcars that held hazardous materials or waste, and does not accept railcars that are not RCRA-empty. Some railcars may sit at the facility for several months before being repaired depending on the need and type of repair required.

Railcars received by Trinityrail are first sent to Building 1, where they are emptied and cleaned. Some tank railcars that are RCRA-empty may still contain some product. Residual product is emptied into 55-gallon containers that are labeled with the contents and railcar it came from. Residual product is collected by Waste Management and transported to the Butler County

landfill for disposal. After railcars are completely emptied, the interior is cleaned with water by use of an automated cleaning machine. The cleaning water is then pumped out and sent to the wastewater treatment plant at Building 1. After treatment, the wastewater is released to the Shell Rock public owned wastewater treatment works (POTW) via the sanitary sewer system. The POTW is permitted under National Pollutant Discharge Elimination System (NPDES) permit 12-86-0-01 (Attachment 8).

After draining and cleaning, railcars are sent to Building 2, where parts replacement or mechanical work is performed. The railcar is then sent to Building 3, where the interior lining is checked and repaired if necessary. If external painting is required, the railcar is then sent to Building 4. Mr. Ousley stated that Trinityrail paints at most one railcar per month and it could be several months between paintings. External railcar painting generates waste paint related material (WPRM), which consists of paint and solvent from cleaning paint guns and lines. WPRM is considered hazardous waste by the facility, and is collected by Tradebe Treatment and Recycling (Tradebe) in East Chicago, Indiana, for fuel blending or solvent recovery. After leaving Building 4, the railcar is finished and shipped out.

When the facility was built, Trinityrail had light emitting diode (LED) lights installed, which are considered to be nonhazardous when spent. The facility does not generate used batteries or any other universal waste.

Used oil is generated during equipment maintenance. The facility also adds oil emptied from railcars to the used oil waste stream. The facility manages used oil according to Title 40 *Code of Federal Regulations* (40 CFR) Part 279. Used oil is collected by Tradebe in East Chicago, Indiana, for recycling. Equipment maintenance also generates used aerosol cans, which are punctured and drained to generate WPRM and scrap metal. The WPRM is considered hazardous and is shipped out with WPRM generated during railcar exterior painting. Scrap metal from punctured aerosol cans and other maintenance activities is collected for recycling. The facility also has a parts washer, which generates nonhazardous used parts washer solvent when the unit is serviced. General trash is considered nonhazardous by the facility, and is collected for landfill disposal.

No prior RCRA inspections have been conducted at Trinityrail.

2. RCRA Status

The Verification Report (Attachment 1) indicates that Trinityrail is registered with EPA, under EPA ID IAR000525998, as a LQG of hazardous waste, generating more than 1,000 kilograms (kg) or 2,200 pounds of hazardous waste per month. I reviewed the 2021 Biennial Report summary provided by the EPA before the inspection (Attachment 9) and hazardous waste manifests from 2021 to date during the CEI. Copies of all manifests from June 2021 to present (six total) are in Attachment 10.

The 2021 Biennial Report summary in Attachment 9 indicates that the facility generated a total of 6,560 pounds (2,976 kg) of hazardous waste in 2021. Hazardous waste was shipped three times in 2022 (Attachment 10, pages 4 through 6)—February 11 (1,350 pounds [612 kg]), June 28 (2,770 pounds [1,256 kg]), and November 23 (1,650 pounds [748 kg]). No hazardous

waste has been shipped in 2023 to date; however, the facility had five 55-gallon hazardous waste accumulation containers (HWACs) of WPRM in accumulation at the time of the CEI. All HWACs were generated in May 2023. Based on previous manifests, the 55-gallon HWACs of WPRM weigh 350 to 400 pounds each. Assuming each HWAC of WPRM weighs 400 pounds, the facility generated approximately 2,000 pounds (907 kg) of hazardous waste in May 2023. Based on manifests over the last three years and the volume of waste in accumulation, I determined the facility generates up to 2,000 pounds (907 kg) of hazardous waste per month when railcar exterior painting is performed. Therefore, I inspected the facility as a SQG of hazardous waste.

Trinityrail generates used oil during routine maintenance of equipment, such as compressors and pumps, and emptying of railcars that contained oil. Therefore, I also inspected Trinityrail as a generator of used oil.

3. Waste Streams

This section of the CEI report describes the 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 conversations with facility representatives, the visual inspection, and my review of waste shipping documents. Messrs. Wright and Ousley accompanied me during the visual inspection. All inspection participants were provided a copy of U.S. Federal Codes 1001 and 1002, which they read.

Waste paint related material (WPRM) consists of waste paint and solvent generated by the cleaning of paint guns and lines during the painting of the exterior of railcars. Trinityrail considers WPRM solids to be hazardous (D001, F003, F005) by product and process knowledge. Copies of the SDS for Plasite 4550 Part A, Plasite 4550 Part B, and Hempel's Thinner 08450 are included as Attachments 11 through 13. Trinityrail only generates WPRM when railcar exteriors are painted. Based on manifest records and visual observations, Trinityrail generates up to 2,000 pounds of WPRM per month when railcar exterior painting is performed. WPRM is accumulated in 55-gallon HWACs upon generation. The waste is transported to Tradebe in East Chicago, Indiana, for fuel blending or solvent recovery.

During the CEI, I observed five 55-gallon HWACs of WPRM in the hazardous waste container accumulation area (HWCAA) adjacent to Building 1 (Attachment 7, Photographs 1 through 9). All HWACs were structurally sound, closed, labeled with the words "hazardous waste" and an indication of the nature of the hazard, and full. All HWACs were marked with accumulation start dates ranging from May 9 to May 30, 2023. However, three of the HWACs were wrapped with plastic and the accumulation start dates were not visible for inspection (Attachment 7, Photographs 1, 2, 4 and 5). Another HWAC was marked with an incomplete date of May 30 (no date). I determined the facility failed to mark accurate accumulation start dates that were visible for inspection on four HWACs, as required by 40 CFR 262.16(b)(6)(i)(C) (**NOPF No. 1**).

Aerosol cans are generated during maintenance operations at the facility. Aerosol cans of paint and lubricant are used until they meet the RCRA definition of "empty." They are then punctured and drained at satellite accumulation containers (SAC) in Buildings 2, 3, and 5. The aerosol can

residue is shipped off site as WPRM. The facility considers WPRM from aerosol can puncturing hazardous (D001) based on product and process knowledge. The waste is transported to Tradebe in East Chicago, Indiana, for fuel blending or solvent recovery. Punctured and drained aerosol cans are sold as scrap metal for recycling.

During the CEI, I observed aerosol can puncturing units atop SACs in Building 2 and Building 5 (Attachment 7, Photographs 12 through 14). The SACs were structurally sound and closed, but were not labeled with the words “hazardous waste” or an indication of the nature of the hazard. However, I noted no deficiencies as both SACs were empty. The aerosol can puncturing units atop the SACs were recently set up and had not yet been used to puncture aerosol cans. Paint observed on the side of the container was not from puncturing aerosol cans. I provided compliance assistance regarding labeling of SACs prior to use for hazardous waste accumulation. During the CEI, Trinityrail employees labeled the empty SACs with the words “hazardous waste” and an indication of the nature of the hazard (Attachment 7, Photographs 16 and 17).

Used oil is generated during maintenance of facility equipment (primarily compressors and hydraulic equipment). The facility also adds any oil drained from RCRA-empty railcars to the used oil waste stream. The volume of used oil varies from month to month, and I did not determine a generation rate. The facility manages used oil under the provisions of 40 CFR Part 279. Used oil is accumulated in 55-gallon used oil storage containers and is collected by Tradebe of East Chicago, Indiana, for recycling.

During the CEI, I observed seven 55-gallon used oil storage containers in the HWCAA (Attachment 7, Photographs 18 through 21 and 23). All used oil storage containers appeared to be structurally sound with no evidence of damage or leaks. However, none of the used oil storage containers were labeled with the words “used oil,” as required by 40 CFR 279.22(c)(1) (**NOPF No. 3**).

The used oil containers had flammable liquid labels affixed to them because the facility initially anticipated using the containers for WPRM accumulation and had not removed the flammable liquid labels. The used oil was not a flammable waste.

I provided compliance assistance regarding management of used oil storage containers. During the CEI, Trinityrail employees affixed labels with the words “used oil” to the seven used oil storage containers (Attachment 7, Photographs 24 through 27).

Spent parts washer solvent is generated by the servicing of the parts washer in the maintenance shop by Safety-Kleen. The parts washer is used to clean oily steel parts during repair of manufacturing equipment. The facility considers the spent parts washer solvent nonhazardous by product and process knowledge. A copy of the SDS for the solvent used in the parts washer (Safety-Kleen Premium Solvent) is included as Attachment 14. The parts washer is serviced approximately every 6 months, generating approximately 15 gallons of spent parts washer solvent at each servicing. During the CEI, I observed the parts washer unit and noted no deficiencies (Attachment 7, Photograph 15).

General trash consists of general office-type refuse generated during routine facility operations. The facility has determined that general trash is nonhazardous based on product and process knowledge. General trash is collected by Waste Management, and transported to the Butler County landfill in Allison, Iowa. I did not determine the generation rate for general trash. During the CEI, I observed accumulation of general trash and noted no deficiencies.

4. Required Response Equipment and Hazard Management

Per 40 CFR 262.15(a)(8) and 262.16(b), a SQG must operate to minimize the possibility of a fire, explosion, or spill, and must maintain emergency response equipment. During the visual inspection, I observed spill response equipment comprised of mats, absorbent materials, shovels, and brooms, as well as the presence and availability of fire extinguishers. I determined that the spill and fire response equipment was adequate for the hazardous wastes generated and accumulated at the facility.

5. Container Accumulation Area

Trinityrail maintains one HWCAA adjacent to Building 1. At the time of the CEI, there was approximately 1 inch of stormwater accumulation in the HWCAA containment. I asked Mr. Wright if there were any leaks in the HWCAA. He stated that the stormwater was from the previous day and that they had checked the pH of the stormwater. Mr. Wright also stated that the facility would check for an oily sheen on the water before pumping it out of the containment.

I asked Mr. Wright if the HWCAA was inspected. He stated that the HWCAA was inspected weekly. I asked Mr. Ousley if Trinityrail maintained an inspection log, and he stated that an inspection log is not maintained. I asked Mr. Wright how someone would summon emergency assistance if needed. He stated that all employees who handle hazardous waste carry a two-way radio.

6. Manifests

Trinityrail generated manifests for six hazardous waste shipments from June 27, 2020, to June 27, 2023. Copies of each manifest are included in Attachment 10. During the CEI, I reviewed the manifests and LDR notifications for these six shipments. I noted no deficiencies during my review of manifests or LDR notifications.

7. Preparedness and Prevention

SQG facilities are required by 40 CFR 262.16(b) to meet the emergency preparedness, prevention, and procedures requirements including documented arrangements with response agencies. According to Ms. Wheaton, Trinityrail is the subject of a regular inspection by the Shell Rock Fire Department. She explained the fire department is shown the layout of the facility, the location of the hazardous waste HWCAA, and other facility features during inspections.

Mr. Christian Barrios (Plant Manager) is the Emergency Coordinator, and is the primary signatory of the facility's Contingency Plan and Emergency Procedures plan (Attachment 15).

However, during the CEI, I did not observe a posting of the emergency coordinator's name and phone number, fire department's phone, and locations of fire extinguishers and spill control equipment near a phone in the office in Building 1, as required by 40 CFR 262.16(b)(9)(ii) (**NOPF No. 2**). Trinity personnel stated that the notice would be posted at the office in Building 1.

8. Personnel Training Requirements

Personnel training is required by SQG regulations specified in 40 CFR 262.16(b)(9)(iii) to ensure that employees are thoroughly familiar with proper waste handling procedures relevant to their responsibilities. A copy of the 2022 training certificate for Jarrin Santiago, who conducts HWCAA inspections and handles hazardous waste, is in Attachment 16.

9. Summary of Preliminary Findings

I issued the following Notice of Preliminary Findings to Trinityrail

- Failed to mark accurate accumulation start dates that were visible for inspection on four HWACs, as required by 40 CFR 262.16(b)(6)(i)(C) (**NOPF No. 1**)
- Failure to post emergency coordinators name and phone number, fire department's phone number, and locations of fire extinguishers and spill control equipment near a phone, as required by 40 CFR 262.16(b)(9)(ii) (**NOPF No. 2**)
- Failure to label seven used oil storage containers with the words "used oil," as required by 40 CFR 279.22(c)(1) (**NOPF No. 3**)

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.

Clifford A.
Nelles

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A. Nelles
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Clifford A. Nelles, Inspector
CLAENE Group

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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. Site Map (1 page)
6. Google Earth Aerial Photograph (2 pages)
7. Photographic Documentation (Photolog and 27 Photographs) (18 pages)
8. Copy of NPDES Permit (3 pages)
9. Copy of 2021 Biennial Report (4 pages)
10. Copies of Manifests from June 2021 to Present (6 pages)
11. Copy of SDS for Plasite 4550 Part A (10 pages)
12. Copy of SDS for Plasite 4550 Part B (10 pages)
13. Copy of SDS for Hempel's Thinner 08450 (14 pages)
14. Copy of SDS for Safety-Kleen Premium Solvent (9 pages)
15. Copy of Contingency Plan Page 1 (1 page)
16. Copy of 2022 Training Certificate for Jarrin Santiago (1 page)