

# REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

## **FLINT CLIFFS MANUFACTURING**

1600 Bluff Road  
Burlington, Iowa 52601  
319-752-2781

EPA ID Number: IAR000008466

On

November 20, 2024

By

U.S. ENVIRONMENTAL PROTECTION AGENCY

Region 7

Enforcement and Compliance Assurance Division

## **1.0 INTRODUCTION**

At the request of the Enforcement and Compliance Assurance Division (ECAD), I conducted a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Flint Cliffs Manufacturing located in Burlington, Iowa, on November 20, 2024. The CEI was conducted under the authority of Section 3007(a) of RCRA, as amended. During the inspection, I collected the information and data necessary to determine compliance with the applicable regulatory and statutory requirements. This inspection report and attachments represent the results of the CEI.

## **2.0 PARTICIPANTS**

### Flint Cliffs Manufacturing:

- Tim Bower, President (4 years with company)
- Josh Collins, Paint Room Supervisor (2 years with company)

### EPA:

- Mark Holcomb, Civil Investigator/Inspector (SEE) - Inspector

## **3.0 INSPECTION PROCEDURES**

On November 20, 2024, I arrived unannounced at the facility's main office at about 0900 hours. Initially, I conducted a limited visual reconnaissance of the facility searching for areas of concern observable from the adjacent public roadways and parking lots. I identified no environmental issues or concerns during this preliminary examination. I entered the facility through the main entrance. In the office, I introduced myself and asked for Mr. Tim Bower. I was introduced to Mr. Bower, and he escorted me to his office. Mr. Bower told me that the items

of personal protective equipment required for my visual inspection at this facility were protective boots, and eye protection.

At the opening conference, I presented my EPA ID and credentials. I next explained the purpose and procedures of the inspection. I then presented Mr. Bower with a copy of RCRA Section 3007(a), which provides inspection authority. I explained my need to collect accurate information and presented him with a copy of Title 18 U.S. Code, Sections 1001 and 1002. He was made aware of his confidentiality rights, and I informed him that a Confidentiality Notice would be provided at the end of the inspection to make a confidentiality claim if he so desired. Mr. Bower acted as the official facility representatives during the opening conference, visual inspection, and during the exit conference phase.

The CEI 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 and documents.

I conducted a visual inspection of the following areas:

- Loading Dock
- Press Room
- Machine Shop
- Assembly
- Welding Shop
- Paint Booth
- Maintenance Shop
- Paint Room

See Attachment #1 for the aerial/map views and facility diagram. Document photocopies and photographs were collected as inspection documentation (see Attachments #1-12 and Photos 1-9). The photo log is included as Attachment #2. Information collected during the inspection was documented on an Entry/Exit checklist and a hazardous waste compliance checklist. I reviewed documents including the following: Safety Data Sheets (SDS), manifests, invoices, three-year eManifest report, and invoices. I followed the inspection procedures detailed in the RCRA CEI Standard Operating Procedure 2321.01E unless noted otherwise.

At the conclusion of the inspection, I summarized my findings and recommendations with Mr. Bower. I provided Mr. Bower with a Receipt for Documents (see Attachment #3), a Confidentiality Notice (see Attachment #4), and a Notice of Preliminary Findings (NOPF) form (see Attachment #6), which he signed as an acknowledgment of receipt. No claim of confidential business information was made by Mr. Bower.

I provided inspection and compliance assistance documents to Mr. Bower, which included the following:

- *RCRA Section 3007(a) (EPA Handout)*
- *Title 18 U.S. Code, Sections 1001 and 1002 (EPA Handout)*
- *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 (EPA Handout)*

- *Receipt for Documents and Samples (Top page of the completed carbonless transfer set)*
- *NOPF with Instructions for Responding on back of form (top page of the completed carbonless transfer set)*
- *U.S. EPA Small Business Resource Information Sheet (EPA Handout)*
- *Solvent-Contaminated Wipes Final Rule Chart (EPA Handout)*
- *Recycling Electronics (Iowa Department of Natural Resources – 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 (EPA Handout)*
- *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 (IDNR Handout)*
- *How to Register for RCRAInfo Industry Application for Iowa Facilities (IDNR Handout)*

## **4.0 FINDINGS AND OBSERVATIONS**

### **4.1 Facility Information and Operations**

Flint Cliffs Manufacturing is a full service manufacturing and painting facility that produces fabricated metal products used in the commercial, agricultural, construction, and government industries. Flint Cliffs Manufacturing is a privately owned company that started operations in 1993. The facility building originally opened in 1908 and is 150,000 square feet under roof (see Attachment #1 for a facility map). The facility operates 16 hours per day, five days a week, with 40 employees. The facility produces 50-60 units per week. Mr. Bower stated that there had been no significant changes, spills, or activations of their emergency plan in the previous three years.

### **4.2 RCRA Status**

Flint Cliffs Manufacturing had not been previously inspected for RCRA compliance, but they did undergo a limited Information Request Letter (IRL) paper based review in September 2021. According to RCRAInfo, Flint Cliffs Manufacturing had most recently notified as a very small

quantity generator (VSQG) on May 1, 2001. I verified the facility address and the site contact information with Mr. Bower on the EPA RCRA Notification Acknowledgement Verification Report (see Attachment #5) with additional contact information updates made. Mr. Bower stated that he estimates they generate less than 180 pounds of hazardous waste monthly. Based on the review of recent uniform hazardous waste manifests, I determined that Flint Cliffs Manufacturing routinely generates D001, D035, U159, F003, and F005 hazardous waste. I determined the facility generates hazardous waste at the VSQG level, less than 100 kg or (220 pounds) per month, and I inspected the facility as an VSQG. In addition, I inspected the facility as a small quantity handler of universal waste and as a generator of used oil.

### **4.3 Facility Waste Streams and Management**

Mr. Bower stated that the following are waste streams generated at Flint Cliffs Manufacturing:

**Waste Paint and Solvent** - Flint Cliffs Manufacturing generates between 35-50 pounds per month of waste paint and solvent during the manufacturing process. The waste paint and solvent had been determined to be D001, D035, F003, and F005 hazardous waste based on product and process knowledge. This waste stream is listed on the Uniform Hazardous Waste Manifest as: *UN1263 Waste Paint Related Material*. See Attachment #7 for the most recent manifest from September 13, 2023, and Attachment #8 for an SDS of a commonly used green and black paint. The September 13, 2023, manifest indicates 1,500 pounds, in two containers (the transporter transferred the waste from the facility's 55-gallon drums into 750-gallon totes for shipping) being shipped by Heritage-Crystal Clean (Des Moines, Iowa) to Heritage Environmental Services (Indianapolis, Indiana) for H061 processing (fuel blending prior to energy recovery). A separate manifest on September 13, 2023, shows six 55-gallon drums, as a one-time only shipment, of 1,440 pounds of an unused *UN1193 Waste Methyl Ethyl Ketone* (MEK) used as a paint solvent. This was shipped by Heritage-Crystal Clean (Des Moines, Iowa) to Petro Chem Processing (Detroit, Michigan) for H141 processing (stored/bulked transferred). Mr. Bower stated that this was a one-time only shipment of excessive product, not required for current production, that was returned for credit. See Attachment #12 for a Heritage Waste Stream summary. Onsite this waste paint/solvent was collected in a 55-gallon a satellite accumulation area (SAA) drum located in the Paint Shop area. In the Paint Shop I observed one black 55-gallon steel drum, about 2/3 full of waste paint and solvent. The drum was in good condition with no obvious damage or leaks. The drum did not have "Hazardous Waste" or flammable labels (see Photo 9). At the time of my inspection, the most recent shipment of this waste stream was on September 13, 2023, so the 2/3 of a 55-gallon drum appears to have been the total amount generated over the previous ten months or about 34 pounds per months.

**Spent Paint Booth Air Filters** – Flint Cliffs Manufacturing generates about four spent Paint Booth Air Filters per month. The Paint Booth Air Filter were determined to be non-hazardous based on product and process knowledge. The floor exhaust air filters are changed about weekly depending on usage (see Photo 7). After removal, the spent filters are rolled up and disposed of in the trash.

**Used Oil** - Flint Cliffs Manufacturing generates less than 100 gallons of used oil annually from equipment preventive maintenance. Mr. Bower stated that the facility has five forklifts, but the preventive maintenance on these is outsourced. Mr. Bower stated that the spent oil filters (an unspecified number) are punctured, hot drained, and disposed of in the scrap metal. The used oil is picked up by Heritage Crystal Clean and transported to their facility in Des Moines, Iowa for recycling (see Attachment #10 for invoice). In the Northeast Weld Shop I observed one large white plastic drum (65-gallons) that appeared to be about ½ full of a dark liquid. Mr. Bower stated that it contained used oil and had been there for “many years”. The drum appeared to be in good condition with no obvious damage or leaks. I did not observe any labels or the words “used oil” on the drum (see Photo 3).

- **NOPF 1: Failure to mark 65-gallon plastic drum in the Weld Shop with “Used Oil”, as required in 40 CFR 279.22(c)(1)**

In the hallway between the Weld Shop and the Paint Shop, I observed two 55-gallon black steel drums full of used oil that had been accumulating for several years. The drum in the center of the photo (see Photo 5) was significantly damaged, bulging, and rusted. No leaking was observed. I did observe a hand written “Used Oil” on the drum (see Photo 6). The drum on the right was unlabeled but thought to contain used oil as well and was in good condition with no damage or leaking noted. The two drums behind those appeared to be empty.

- **NOPF 2: Failure to store used oil, located in hallway between Welding and Paint, in containers in good condition, as required in 40 CFR 279.22(b)(2)**

**Universal Waste Lamps** - Mr. Bower stated that the facility is about 90% converted to LED lamps, but occasionally generates a few waste fluorescent lamps. In the Maintenance Shop, I observed two 8-foot and one 4-foot spent fluorescent lamps sticking out of a trash container (see Photo 8). The lamps appeared to be undamaged. The lamps were not in a closed containment protective container and were not label with “Universal Waste Lamps”. Mr. Bower stated that the spent lamps had been placed in the trash can significantly less than 12 months ago, but I did not observe a written accumulation start-date or other method of tracking accumulation time.

- **NOPF 3: Failure to:**
- **Store spent fluorescent lamps in closed protective containers, as required in 40 CFR 273.13(d)(1)**
  - **Mark spent fluorescent lamps with “Universal Waste Lamps”, as required in 40 CFR 273.14(e)**
  - **Demonstrate length of time accumulating spent fluorescent lamps, as required in 40 CFR 273.15(c)**

**Powder Waste Paint** - Flint Cliffs Manufacturing generates a variable amount of waste powder paint from manufacturing operations. This waste stream had been determined to be non-hazardous based on product and process knowledge. Mr. Bower stated that the facility typically used wet paint for most projects but does occasionally use powder paint as requested. In the hallway between the Weld Shop and the Paint Shop I observed four full black 55-gallon drums

of spent powered paint. The drums were in good condition (see Photo 4). Mr. Bower stated that the drums were pending self-transport to local landfill.

**Scrap Metal** – Flint Cliffs Manufacturing generates one 40-cubic yard roll-off of scrap metal over a variable period. Alter Metal Recycling (Burlington, Iowa) picks up the roll-off as needed for recycling (see Photos 1-2). See Attachment # 11 for invoice.

**General Trash** - Flint Cliffs Manufacturing generates about one 30-cubic yard roll-off every one to two weeks of trash from general business and plant operations and disposed of by Floyd's EZ Way (Mt. Pleasant, Iowa). See Attachment #9 for invoice.

#### **4.4 Other Areas Reviewed**

**Outside Facility Perimeter** - I conducted a limited inspection of the outside perimeter of the facility and observed no hazardous waste storage tanks or containers except as noted above. See the aerial and map views in Attachment #1.

**CAA** – There was no specific area designated as a central accumulation area.

**Preparedness and Prevention** - The facility has numerous fire extinguishers, spill kits, and eye wash stations. Mr. Bower stated that the facility has a sprinkler fire suppression system. The staff receive initial and annual training in handling hazardous and universal wastes.

#### **5.0 SUMMARY OF FINDINGS**

- **NOPF 1:** Failure to mark 65-gallon plastic drum in Weld Shop with “Used Oil”, as required in 40 CFR 279.22(c)(1)
- **NOPF 2:** Failure to store used oil, located in hallway between Welding and Paint, in containers in good condition, as required in 40 CFR 279.22(b)(2)
- **NOPF 3:** Failure to:
  - Store spent fluorescent lamps in closed protective containers, as required in 40 CFR 273.13(d)(1)
  - Mark spent fluorescent lamps with “Universal Waste Lamps”, as required in 40 CFR 273.14(e)
  - Demonstrate length of time accumulating spent fluorescent lamps, as required in 40 CFR 273.15(c)

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: 2025.01.03  
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Mark Holcomb  
Civil Investigator, SEE

Amber Whisnant  
RCRA Section Chief, ECAD/Chemical Branch

**Attachments:**

- 1) Facility Aerial Map Views and Diagrams (5 pages)
- 2) Photo Log (9 photos and 10 pages)
- 3) Receipt for Documents (1 page)
- 4) Confidentiality Notice (1 page)
- 5) EPA RCRA Notification Acknowledgement/Verification Report (1 page)
- 6) NOPF (1 page)
- 7) Manifest and LDR – September 13, 2023 (2 pages)
- 8) SDS - Waste Paints (MIL Green and Black) & Solvent (20 pages)
- 9) Invoice – Trash (1 page)
- 10) Invoice – Used Oil (1 page)
- 11) Invoice – Alter Metal Recycling (1 page)
- 12) Waste Steams – Heritage Crystal Clean