EPA United States Environmental Protection Agency

EPA REGION 7 Enforcement Division

INSPECTION REPORT

Inspection Entry Date/Time	03/11/2025 09:05 AM (CT)	Announced: No
Inspection Exit Date/Time	03/11/2025 04:15 PM (CT)	Access: Granted
Regulatory Program	RCRA	
Type of Inspection	Compliance Evaluation Inspection (CEI)	
Company Name	Profile Cabinet	
Facility or Site Name	Profile Cabinet	
Facility/Site Identifier	MOD985813021	
Facility/Site Physical Address	7400 E 12th St	
City, State, Zip Code	Kansas City, MO 64126-2368	
County/Borough	Jackson	
Generator Status	Small Quantity Generator (SQG)	
NAICS	33711, 33712	
Type of Operation	Cabinet Manufacturer and Granite Countertop Manufacturer	
Geographic Coordinates	39.10244, -94.49459	
Permit Number (If Applicable)	Not Applicable	

Additional Persons Participating in Inspection:

Name	**Title**	**Organization**	**Email**	**Phone**
Mike Martin	Inspector	EPA REGION 7	martin.mike@epa.gov	(913) 551-7149
Mark Urbanek	Environmental Unit Chief – Land Unit	MoDNR	mark.urbanek@dnr.mo.gov	(816) 251-0706

Lead Inspector:			
Donald Melton	DONALD MELTON Digitally signed by DONALD MELTON Date: 2025.04.04 08:04:14 -05'00' [Signature]		[Date]
	EPA REGION 7	Melton.Donald@epa.gov	(913) 551-5021

Supervisor Review:			
Amber Whisnant	AMBER WHISNANT Digitally signed by AMBER WHISNANT Date: 2025.04.04 12:49:07 -05'00' [Signature]		[Date]
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SECTION I – INTRODUCTION

Site Entry and Purpose of the Inspection

Type of inspection: CEI

At the request of the Enforcement Compliance and Assurance Division, I conducted an unannounced Resource Conservation and Recovery Act (RCRA) CEI at the Profile Cabinet (the "Site" or "Facility"), located at 7400 E 12th St, Kansas City, MO 64126-2368, at 9:05 AM (CT) on 03/11/2025. A drive-by of the facility was conducted prior to entering the building. No areas of concern were noted. Mr. Martin, Mr. Urbanek, and I entered the building's office, and I introduced myself to the office staff and requested to see Mr. Ken Wright who is listed as the site contact. Mr. Wright introduced himself and I provided my credentials to Mr. Wright, Mr. Curt Fish, and Mr. Jason Alsbury. I informed Mr. Wright that this was an EPA Region 7 inspection to determine compliance with RCRA. The CEI was conducted under the authority of Section 3007(a) of RCRA, as amended. I collected the information and data necessary to determine compliance with the applicable regulatory and statutory requirements. The inspection report and attachments present the results of the CEI. In addition, information gathered prior or subsequent to the Inspection from a review of USEPA, State, and public records may be included in this report.

The CEI consisted of a discussion of facility operations, waste generation, and waste management; a review of waste management records; and a visual inspection of waste generation and management areas. Document photocopies and photographs were collected as inspection documentation (Appendixes 1 and 2). A total of 18 photographs were collected and a photolog was prepared (Appendix 1). I followed the inspection procedures discussed in the RCRA CEI Standard Operating Procedure (No. 2321.1E), unless noted differently. Any authorized Federal regulatory citations noted in this report are adopted by reference in the authorized Missouri regulations.

Profile Cabinet was last inspected by Missouri Department of Natural Resources (MoDNR) on July 18, 2019. During the MoDNR inspection, 25 findings were cited.

1. B4 Failure to keep a container of holding hazardous waste closed during storage, except when it is necessary to add or remove waste. 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(a)(1) referencing 40 CFR 265.173(a).
2. B11 Failure to clearly mark and have visible for inspection on each container, the date of accumulation. 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(4) referencing 40 CFR 262.34(a)(2).
3. B12 Failure to clearly label or mark containers "Hazardous Waste." 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(4) referencing 40 CFR 262.34(a)(3).
4. B13A. Failure to label containers used to accumulate hazardous waste in accordance with applicable US DOT labeling requirements in 49 CFR part 172 subpart E during the entire time the waste is stored on site. 10 CSR 25-5.262(2)(C)1.A.
5. **C.a.6. Failure to mark satellite accumulation containers of hazardous waste with either the words "Hazardous Waste" or with other words identifying the contents. 10 CSR 25-5.262(2)(C)3 incorporating 40 CFR 262.34(c)(1)(ii).**
6. **D9. Failure to attempt to make arrangements with police, fire department and emergency response teams. 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(a)(4) referencing 40 CFR 265.37(a)(1)**
7. **D12. Failure to attempt to make arrangements with local hospitals. 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(a)(4) referencing 40 CFR 265.37(a)(4).**

8-17 Failure to create and maintain a personnel training plan including information as described in 40 CFR 265.15

18-25 Failure to maintain a contingency plan on site, which includes information as described in 40 CFR 265.52 and 40 CFR 265.53

Attendees

Title/Organization	Name	Phone	Email	Opening Conf.	Closing Conf.
Lead Inspector/EPA REGION 7	Donald Melton	(913) 551-5021	Melton.Donald@epa.gov	Yes	Yes

Inspector/EPA REGION 7	Mike Martin	(913) 551-7149	martin.mike@epa.gov	Yes	Yes
Environmental Unit Chief – Land Unit/MoDNR	Mark Urbanek	(816) 251-0706	mark.urbanek@dnr.mo.gov	Yes	Yes
Sr. Maintenance Technician/Profile Cabinet	Ben Anthony	(816) 231-4601	bena@profilecabinet.com	Yes	Yes
Director of operations/Profile Cabinet	Ken Price	(816) 231-4601	kenp@profilecabinet.com	Yes	Yes
Purchasing Manager/Profile Cabinet	Jason Alsbury	(816) 231-4601	jasona@profilecabinet.com	Yes	No
Manager/Profile Cabinet	Ken Wright	(816) 231-4601	kenw@profilecabinet.com	Yes	No
Finish Department Supervisor/Profile Cabinet	Curt Fish	(816) 231-4601	curtf@profilecabinet.com	Yes	Yes

Opening Conference

I explained the purpose and procedures of the inspection and presented Mr. Wright with a copy of RCRA Section 3007(a), which provides inspection authority. I explained my need to collect accurate information and presented a copy of Title 18 U.S. Code, Sections 1001 and 1002 regarding false statements and documents. I discussed Profile Cabinet confidentiality rights and informed Mr. Wright that a Confidentiality Notice would be provided at the end of the inspection to make a confidentiality claim, if desired.

I asked Mr. Fish and Mr. Alsbury to review the Notification Acknowledgement/Verification Report (Appendix 2 - Attachment 1). According to the Notification Acknowledgement/Verification Report, Profile Cabinet operates as a SQG of characteristic (D001) and listed hazardous wastes (F003 and F005). The facility indicated that there were no changes to be made to the verification report. Based on my review of their monthly hazardous waste generation rate and manifest data, Profile Cabinet generates greater than 220 pounds but less than 2,200 pounds of hazardous waste per month and is therefore operating as an SQG. I determined Profile Cabinet to be a used oil generator and a used oil fuel marketer. See Process Description Section for discussion of their monthly hazardous waste generation.

Facility/Site Information

Number of employees	120
Length of Facility at Location	1988
Operating Hours	6:30 am – 5:00 pm Monday through Thursday and Fridays when needed
Safety Training Provided to Inspector(s)?	Not required
Size of Facility	220,000 sqft.
What type of	SQG

generator facility notified?	
What type of generator facility verified as?	SQG

Process Description

Profile Cabinet makes custom cabinets and granite countertops producing a monthly revenue of approximately $900,000 to $1,300,000. Profile Cabinet has a sales staff who will put in orders for cabinets or granite countertops. Once the facility starts the orders, the cabinets are manufactured in the Pro Line or Residential line and the countertops are manufactured in the Granite Department. Raw materials are delivered via the lumber dock door and placed in the raw material storage areas. The process takes place in steps from east side of the facility moving to the west side of the facility. Each department will use the raw materials to create the custom cabinets or countertops. In the cabinet product lines of the facility, the material is cut, sanded, assembled, painted or stained and shipped to be installed. In the Granite Department, the raw materials are delivered and measured, cut, cleaned and shipped. Based on uniform hazardous waste manifests, the average hazardous waste generation rate per month is approximately 450 to 950 pounds.

Messrs. Martin, Urbanek, and I conducted visual inspection of the following areas:

Building(s)

Building/Area/Sub-area	Process Description	Area of Concern
Automotive	**General maintenance, product storage, used oil storage**	**Yes**
General dock	**Ships and receives general items, ships general trash**	**No**
Granite department	**Measure, cut, sand, clean granite countertops**	**Yes**
Lumber dock	**Receive lumber, side entrance for facility**	**Yes**
Maintenance room	**Conduct facility maintenance as needed**	**No**
Paint shop	**Paint/Stain cabinets doors**	**Yes**
Pro line	**Manufactures cabinets/door for multifamily complexes**	**Yes**
Residential Cabinets	**Custom cabinets and doors**	**Yes**
Office	**Documentation of arrangements with response agencies**	**Yes**

Facility Waste Streams and Management

Waste Description and Generation Process	Waste Type	Generation Rate	If HW, list all waste codes	Waste Determination Method	Waste amount Presently in Storage	Oldest Accumulation Start Date	Waste Disposal Location
Paint waste	HW	~900 pounds per month	D001	Process knowledge	~30 gallons	NA	Hazmat, Kansas City, MO

Paint filters	HW	~75-150 pounds per month	D001, F003, F005	Process knowledge	~100 pounds	NA	Hazmat, Kansas City, MO
Used rags	HW	~150-300 pounds per month	D001	SDS	~60 pounds	NA	General trash
Used Oil	UO	Varies	NA	NA	~60 gallons	NA	Sent to Private Citizen to be burned in a space heater
Lead-Acid Batteries (managed under 40 CFR 226 Subpart G)	EX	Varies	NA	NA	NA	NA	Batteries and bulbs, Liberty, MO
General Trash	SW	60 yards per week	NA	NA	NA	NA	GFL Kansas City, MO

Waste Types
AD = Analytical Data ND = Not Determined UO = Used Oil
EX = Exempt SW = Solid Waste
HW = Hazardous Waste UW = Universal Waste

SECTION II – OBSERVATIONS

Building: Automotive

Observation #: DM7-OB-001 **Date:** 03/11/2025 **Contains AOC:** Yes **Contains CBI:** No

Person Interviewed: Ben Anthony **Title: Sr. Maintenance Technician**

During the visual inspection, I observed two 55-gallon used oil storage drums, one used oil filter filled with oil, one used oil container with approximately two gallons of used oil in the container (photos 1, 2, and 3). The two 55-gallon drums were dented and appeared not to be in good condition **Notice of Preliminary Finding (NOPF) 11: 10 CSR 25-11.279(1) incorporating 40 CFR 279.22(b)(1) Failure to use containers in good condition.** The two 55-gallon drums were also not marked with the words "Used Oil." In addition, I observed one 2-gallon used oil collection container not marked with the words "Used Oil." **NOPF 12: 10 CSR 25-11.279(1) incorporating 40 CFR 279.22(c)(1) - Failure to label the containers were not marked with the words "Used Oil."** I observed a full used oil filter. I asked Mr. Ben Anthony what was the facility's management of used oil filters. Mr. Anthony stated that the used oil filter would be drained and the disposed of in the general trash. I asked Mr. Anthony if a hazardous waste determination had been conducted on the used oil filter. Mr. Anthony stated "No." **NOPF 1: 10 CSR 25-5.262(1) incorporating 40 CFR 262.11 - Failure to conduct a hazardous waste determination.** I informed Mr. Anthony that once the used filter is hot drained (in additon to puncturing, crushing or dismantling) it could be managed as scrap metal.

I observed three 5-gallon pails of old roof coating containers that have been accumulated for approximately two years (photo 4). The shipping label was dated in 2013. I asked Mr. Price if a hazardous waste determination had been conducted on the three 5-gallon pails of Tack Coat, Kool Seal, and Cool Elastic Primer. Mr. Price stated "No." **NOPF 1: 10 CSR 25-5.262(1) incorporating 40 CFR 262.11 - Failure to conduct a hazardous waste determination.** During the opening conference, Mr. Anthony said that the used oil is picked up by a private citizen to burn in a space heater. I informed Mr. Anthony that the facility is operating as a used oil fuel marketer by sending the facility's used oil off-site to be burned in a private citizen's space heater. **NOPF 13 a-h: 40 CFR 279 Subpart H 279.70-279.75 - Failure to comply with standards for used oil fuel marketers.** The facility did not keep record on forms provided by the department on each shipment of used oil to a used oil burner, the facility shipped off-specification used oil to a burner that did not have an EPA identification number that burned used oil in an industrial furnace or boiler. The facility did not have any shipping records of the used oil that included name and address of transporter, name and address of the burner that will receive the used oil, EPA identification number of the transporter, shipping records that include the EPA identification number of the burner, quantity of used oil shipped or the date of the shipment.

NOPF 13 – Failure to comply with standards for used oil marketers

a. **10 CSR 25-11.279(2)(H) referencing 40 CFR 279.74 - Failure to keep records on forms provided by the department on each used oil shipment to a burner.**

b. **10 CSR 25-11.279(1) incorporating 40 CFR 279.71 - Shipped off-specification used oil to a used oil burner without an EPA identification number that burns the used oil.**

c. **10 CSR 25-11.279(1) incorporating 40 CFR 279.74(a)(1) - Did not have shipping records include name and address of the transporter that delivers the used oil to the burner.**

d. **10 CSR 25-11.279(1) incorporating 40 CFR 279.74(a)(2) - Did not have shipping records include the name and address of the burner that will receive the use oil.**

e. **10 CSR 25-11.279(1) incorporating 40 CFR 279.74(a)(3) - Did not have shipping records include the EPA identification number of the transporter that delivers the used oil to the burner.**

f. **10 CSR 25-11.279(1) incorporating 40 CFR 279.74(a)(4) - Did not have shipping records that include the EPA identification number of the burner.**

g. **10 CSR 25- 11.279(1) incorporating 40 CFR 279.74(a)(5) - Did not have shipping records that included the quantify of used oil shipped.**

h. **10 CSR 25- 11.279(1) incorporating 40 CFR 279.74(a)(6) - Did not have shipping records that included the date of shipment.**

Photo(s)

1. IMG-20250311100908986995.jpg
2. IMG-20250311101254125481505.jpg
3. IMG-2025031110160316373596.jpg
4. IMG-202503111020472047113730.jpg

Building: Lumber Dock

Observation #: DM7-OB-002	**Date:** 03/11/2025	**Contains AOC:** Yes	**Contains CBI:** No
Person Interviewed: Ben Anthony, Ken Wright		**Title: : Sr. Maintenance Technician/ Director of Operations**	

I observed one 55-gallon drum of old roofing material. I asked Mr. Price and Mr. Anthony if a hazardous waste determination had been conducted on the drum. Mr. Price and Mr. Anthony both stated "No" (photo 5). **NOPF 1: 10 CSR 25-5.262(1) incorporating 40 CFR 262.11 - Failure to conduct a hazardous waste determination**. Mr. Anthony stated that the drum was from roofing repairs conducted from the building owner. Mr. Price and Mr. Anthony both stated that the facility will contact the building maintenance to conduct a hazardous waste determination on the 55-gallon drum of roofing material.

Photo(s)

1. IMG-20250311102909299138543.jpg

Building: Granite Department			
Observation #: DM7-OB-003	**Date:** 03/11/2025	**Contains AOC:** Yes	**Contains CBI:** No
Person Interviewed: Alex Wattson		**Title: Granite Department Manager**	

I observed seven fluorescent bulbs in the Material Storage Room (photo 6). I asked Mr. Wattson if he know how long the fluorescent bulbs have been in the storage room. He stated approximately three years. I asked him if the fluorescent bulbs were product or waste. He stated that facility do not use those style of lights currently. I asked him if the facility could use the fluorescent bulbs in a different area on-site. He stated that he was not sure if the fluorescent bulbs would be used. I asked him if a hazardous waste determination had been conducted on the fluorescent bulbs. He stated "No." **NOPF 1: 10 CSR 25-5.262(1) incorporating 40 CFR 262.11 - Failure to conduct a hazardous waste determination.**

Photo(s)

1. IMG-20250311103918391878597.jpg

Building: Pro Line			
Observation #: DM7-OB-004	**Date:** 03/11/2025	**Contains AOC:** Yes	**Contains CBI:** No
Person Interviewed: Dave (last name not obtained)		**Title: Pro Line Staff**	

In the Pro Line, staff will cut, sand, glue pieces of wood together, and assemble cabinets/doors. If there is any glue need to be wiped off the cabinets, rags used with mineral spirits would be used. Based on the review of the safety data sheet (SDS) of the mineral spirits, the waste rags contaminated with glue and mineral spirts would appear to exhibit the characteristic of ignitability (D001). The facility's solvent soaked rags are used until they are soiled or broken down, left out to dry, and then discarded in the general trash. At the time of inspection, no solvent-soaked rags were observed in used in the Pro Line. At the time of inspection Mr. Dave stated that in the past glue that was spilled or needed to be cleaned would be wiped up with rags with solvent and thrown in the general trash. Added 4/2/2025 upon further review a waste determination is needed on the rags that are used to clean up the glue **NOPF 1: 10 CSR 25-5.262(1) incorporating 40 CFR 262.11 - Failure to conduct a hazardous waste determination.** It appears that the glue Choice Adhesive to be a D001 (Appendix 2-Attachment 5) hazardous waste and the solvent Mineral Spirits used to be a D001 (Appendix 2-Attachment 22) hazardous waste.

Building: Residental Cabinets Area			
Observation #: DM7-OB-005	**Date:** 03/11/2025	**Contains AOC:** No	**Contains CBI:** No
Person Interviewed: Ben Anthony, Ken Price		**Title: Sr. Maintenance Technician/ Director of Operations**	

In this area, wood door and cabinet parts are sanded, cut, glued, painted, stained, and assembled. No concerns were noted in this area.

Building: Maintenance Room			
Observation #: DM7-OB-006	**Date:** 03/11/2025	**Contains AOC:** No	**Contains CBI:** No
Person Interviewed: Ben Anthony		**Title: Sr. Maintenance Technician**	

Mr. Anthony escorted us to the Maintenance Room where I observed no concerns. The room held products and equipment needed to conduct facility maintenance tasks.

Building: Residental Cabinets			
Observation #: DM7-OB-007	**Date:** 03/11/2025	**Contains AOC:** Yes	**Contains CBI:** No
Person Interviewed: Ben Anthony		**Title: Sr. Maintenance Technician**	

I asked Mr. Anthony about what would happen if the glue used in this area would spill or if it needed to be cleaned. He said that if it spilled, the staff would use rags to clean it up and let the rags dry before placing it in the general trash. Based on the review of SDS, the non-dry rags contaminated with waste glue would exhibit the characteristic of ignitability (D001). I did not observe any spills during the time of inspection. At the time of inspection Mr. Anthony stated that in the past glue that was spilled or needed to be cleaned would be wiped up with rags with solvent and thrown in the general trash. Added 4/2/2025 upon further review a waste determination is needed on the rags that are used to clean up the glue **NOPF 1: 10 CSR 25-5.262(1) incorporating 40 CFR 262.11 - Failure to conduct a hazardous waste determination.** It appears that the glue Choice Adhesive to be a D001 (Appendix 2-Attachment 5) hazardous waste and the solvent Mineral Spirits used to be a D001 (Appendix 2-Attachment 22) hazardous waste.

Building: Paint Shop			
Observation #: DM7-OB-008	**Date:** 03/11/2025	**Contains AOC:** Yes	**Contains CBI:** No
Person Interviewed: Curt Fish		**Title: Finish Department Manager**	

In this area, I observed eight work benches with 55-gallon general trash drums. The solvents used in the facility are Barsol A-5208 and Mineral Spirits and solvent contaminated rags are disposed in the general trash. Based on the review of SDS, the solvent contaminated rags would exhibit the characteristic of ignitability (D001). I observed three 55-gallon general trash drums with solvent contaminated rags that were off gassing to dry (photos 9, 10 and 12-17). I observed that some of the solvent contaminated rags were damp to touch and may have contained free liquid. **NOPF 2: Section 260.395 – Section 260.390.1(1) RSMo - Operated a hazardous waste facility without first obtaining a hazardous waste facility permit.** I asked Mr. Fish if he knew the estimated monthly generation rate of solvent contaminated rags in the Paint Shop. He stated that approximately 150 pounds of rags are used in Paint Shop and 150 pounds of rags for the rest of the facility.

The facility has four paint booths with paint booth filters. The used paint booth filters are collected in two 1-cubic yard gaylord boxes. Mr. Fish stated that the used paint booth filters are not contaminated with any solvents and are dry. He stated the used paint booth filters are managed as D001, F003 and F005 hazardous waste based on training from the previous Finish Department Manager. I observed two hazardous waste satellite containers of used paint booth filters (photo 11). One box was nearly full, and the other box was approximately ¼ full. It appeared that greater than 55-gallons of hazardous waste was exceed in the hazardous waste satellite area. **NOPF 3: 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(c)(2) - Hazardous waste in excess 55 gallons stored in a satellite area.** In additon, the hazardous waste satellite accumulation boxes of used paint booth filters were not labeled with the words "Hazardous Waste" (photo 11). **NOPF 4: 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(c)(1)(ii) - Hazardous waste satellite accumulation containers not marked either with the words “Hazardous Waste” or with other words identifying the contents.** The area is checked more than once a week by staff.

Photo(s)

1. IMG-20250311111317131790379.jpg
2. IMG-20250311111330133010165 1.jpg
3. IMG-20250311111401141104051.jpg
4. IMG-20250311111607167116888.jpg
5. IMG-20250311113649364963208.jpg
6. IMG-20250311114347434710827 5.jpg
7. IMG-20250311114352435210302 6.jpg

Building: Paint Shop			
Observation #: DM7-OB-009	**Date:** 03/11/2025	**Contains AOC:** Yes	**Contains CBI:** No
Person Interviewed: Curt Fish and Shawn Laffler		**Title: Finish Department Manager/Finish Department staff**	

I observed seven 5-gallon pails with dried paint and varnish that were dried solid (Photos 12-17). **NOPF 1: 10 CSR 25- 5.262(1) incorporating 40 CFR 262.11 - Failure to make a waste determination. NOPF 2: Section 260.395 – Section 260.390.1(1) RSMo - Operated a hazardous waste facility without first obtaining a hazardous waste facility permit.** According to Mr. Fish, the pails were a mixture of different bases, primers, catalysts, reducers, and varnishes with flash points below 140 degrees fahrenheit and there is one solvent 2-butoxyethanol product code R6K25 (Appendix 2 - Attachment 21) that could be included in the mixture (with a flash point of 143.6 fahrenheit). From my review of the SDSs, the paint mixture would appear to exhibit the characteristic of ignitability (D001) at the point of generation. See attachments 5 to 22 for the complete list of SDS. Mr. Fish stated that the facility typically saves one SDS for each type of paint or item from the manufacturers. He stated that the information in the SDS does not change except for the color of paint or type of varnish. I asked Mr. Fish how many pails of dried paint mixture is generated per year. He stated approximately 12 pails throughout a year. The facility uses a large number of empty 5-gallon pails throughout the Paint Shop and the whole facility to collect rainwater from the leaking roof.

At the time of the inspection, there was no central accumulation containers onsite. Approximately every two weeks, the facility’s hazardous waste is collected by Hazmat. The hazardous waste satellite accumulation area in the Paint Shop is near the point of generation and under the control of the operator. The area containing the satellite accumulation container of waste paint materials would be the central accumulation area and it is inspected weekly.

Below are the seven 5-gallon pails of dried paint mixture (photos 12-17):

1) Soft white 203. 1/5 full
2) H66 Kemvar 80 series conservation varnish. 3/5 full
3) Sher-wood Kemvar. 4/5 full
4) Canvar paint. 4/5 full
5) Canvar prime surface white. 1/2 full
6) Water white high performance water white conversion varnish. 1/5 full
7) Stone Enamel 206. 1/5 full

Photo(s)

1. IMG-20250311120342342118809.jpg

Building: Paint shop			
Observation #: DM7-OB-010	**Date:** 03/11/2025	**Contains AOC:** Yes	**Contains CBI:** No
Person Interviewed: Curt Fish		**Title: Finish Department Manager**	

Overview of seven 5-gallon pails of dried paint mixture (described in observation DM7-OB-009). I asked Mr. Fish if the facility had conducted a hazardous waste determination on the pails of dried paint mixture. Mr. Fish stated "No." **NOPF 1: 10 CSR 25- 5.262(1) incorporating 40 CFR 262.11 - Failure to make a waste determination.** Based on my review of the SDSs, the paint mixture would appear to exhibit the characteristic of ignitability (D001) at the point of generation. The facility appears to be treating the hazardous waste by evaporation (intentionally letting the paint mixture evaporate/dry by means of open pails). **NOPF 2: Section 260.395 – Section 260.390.1(1) RSMo - Operated a hazardous waste facility without first obtaining a hazardous waste facility permit.**

Photo(s)

1. IMG-20250311115805585114923.jpg
2. IMG-202503111158215821104396.jpg
3. IMG-202503111158315831114477.jpg
4. IMG-202503111158385838115978.jpg

SECTION III – RECORDS REVIEW

Record: Manifests and Land Disposal Restriction (LDR) Notices		**AOC:** No
Ref #: DM7-RR-001	**Reviewed By:** Donald Melton	**Reviewed Date:** 03/11/2025

I did not observe any areas of concern with the uniform hazardous waste manifests and LDR notices.

Building: Office **Record:** Documentation of arrangements with response agencies		**AOC: Yes**
Ref #: DM7-RR-002	**Reviewed By:** Donald Melton	**Reviewed Date:** 03/11/2025

During the visual inspection, I did not observe the emergency coordinator's name and phone number, the locations of emergency equipment, or the telephone number of the fire department posted next to a telephone Mr. Price said the facility did not have the emergency information posted (**NOPFs 5, 6, and 7)**. I asked Mr. Price if the facility has made or attempted to make arrangements with emergency services or response agencies. Mr. Price stated they have not (**NOPFs 8, 9, and 10).** Mr. Anthony stated that in 2023 the fire department did come on site to do a walk through, and the facility did get a receipt of that walk through. However, Mr. Anthony stated they did not have documentation besides a payment receipt. Document was not requested due to payment details.

NOPFs 5-10:

5. 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(5)(ii)(A) - Failure to post the emergency coordinator's name and phone number is posted next to the phone

6. 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(5)(ii)(B) - Failure to post locations of fire extinguishers and spill control material, and if present, fire alarm, are posted next to the phone

7. 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(5)(ii)(C) - Failure to post the telephone number of fire department is posted next to the phone

8. 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(4) referencing 40 CFR 265.37(a)(1) - Failure to make arrangements with police, fire department and emergency response teams to familiarize them with the layout of the facility

9. 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(4) referencing 40 CFR 265.37(a)(3) - Failure to attempt to make agreements with state emergency response teams, emergency response contractors and equipment suppliers

10. 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(4) referencing 40 CFR 265.37(a)(4) - Failure to attempt to make arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and types of injuries and illnesses that could result from fires, explosions or releases at the facility

SECTION IV – AREA OF CONCERN

The presentation of Area(s) of Concern does not constitute a formal compliance determination or violation.

Building: Automotive, Lumber Dock, Granite Department, Paint shop, Pro Line, Residental Cabinets
DM7-OB-001, DM7-OB-002, DM7-OB-003, DM7-OB-010
NOPF 1: 10 CSR 25- 5.262(1) incorporating 40 CFR 262.11 - Failure to conduct a waste determination on one used oil filter (photo 3), three pails of roof coating (photo 4), one 55-gallon drum of roofing material (photo 5), seven fluorescent bulbs (photo 6), used rags in Paint Shop (photo 9-10), seven 5-gallon pails in Paint Shop (photo 12-17), waste glue rags.

Building: Paint Shop
DM7-OB-008, DM7-OB-010
NOPF 2: Section 260.395 – Section 260.390.1(1) RSMo - Operated a hazardous waste facility without first obtaining a hazardous waste facility permit by (photos 9, 10 and 12-17).

Building: Paint Shop
DM7-OB-008
NOPF 3: 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(c)(2) - Hazardous waste in excess 55 gallons (or 1 quart of acutely hazardous wastes) stored in a satellite area must, with respect to that amount of excess, go to storage or be shipped within three days and container holding the excess accumulation is marked with the date the excess amount began accumulating (Photo 11).
Building: Paint Shop
DM7-OB-008
NOPF 4: 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(c)(1)(ii) - Two hazardous waste satellite containers of used paint booth filters not marked either with the words "Hazardous Waste" or with other words identifying the contents (Photo 11).
Building: Office
DM7-RR-002
NOPF 5: 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(5)(ii)(A) - Failure to post the emergency coordinator's name and phone number next to the phone.
Building: Office
DM7-RR-002
NOPF 6: 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(5)(ii)(B) - Failure to post the locations of fire extinguishers and spill control material, and if present, fire alarm, are posted next to the phone.
Building: Office
DM7-RR-002
NOPF 7: 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(5)(ii)(C) - Failure to post the telephone number of fire department is posted next to the phone.
Building: Office - Documentation of arrangements with response agencies
DM7-RR-002
NOPF 8: 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(4) referencing 40 CFR 265.37(a)(1) - Failure to make arrangements with police, fire department and emergency response teams to familiarize them with the layout of facility, properties of waste handled, associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility and possible evacuation routes.
Building: Office - Documentation of arrangements with response agencies
DM7-RR-002
NOPF 9: 40 CFR 262.34(d)(4) referencing 40 CFR 265.37(a)(3) - Failure to make agreements with state emergency response teams, emergency response contractors and equipment suppliers.
Building: Office - Documentation of arrangements with response agencies
DM7-RR-002
NOPF 10: 10 CSR 25-5.262(1) incorporating 40 CFR 262.34(d)(4) referencing 40 CFR 265.37(a)(4) - Failure to make arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility

and types of injuries and illnesses that could result from fires, explosions or releases at the facility.
Building: Automotive
DM7-OB-002
NOPF 11: 10 CSR 25-11.279(1) incorporating 40 CFR 279.22(b)(1) - Failure to use containers in good condition dented oil containers (Photos 1-2).
Building: Automotive
DM7-OB-002
NOPF 12: 10 CSR 25-11.279(1) incorporating 40 CFR 279.22(c)(1) - Failure to label three used oil storage containers with the words “Used Oil” (Photos 1-3).
Building:
DM7-OB-001
NOPF 13 a-h: 40 CFR 279 Subpart H 279.70-279.75 - Failure to comply with standards for used oil marketers. The facility did not have any documentation on shipments from MoDNR for each shipment of used oil to a burner, did not ship used oil to a used oil burner that had an EPA identification number that burned used oil in an industrial furnace or boiler. The facility did not have any shipping records of the used oil that included name and address of transporter, name and address of the burner that will receive the used oil, EPA identification number of the transporter, shipping records that include the EPA identification number of the burner, quantity of used oil shipped or the date of the shipment a. 10 CSR 25-11.279(2)(H) referencing 40 CFR 279.74 - Failure to keep forms provided by the department on each used oil shipment to a burner. b. 10 CSR 25-11.279(1) incorporating 40 CFR 279.71 - Shipped off-specification used oil to a used oil burner without an EPA identification number that burns the used oil. c. 10 CSR 25-11.279(1) incorporating 40 CFR 279.74(a)(1) - did not have shipping records include name and address of the transporter that delivers the used oil to the burner. d. 10 CSR 25-11.279(1) incorporating 40 CFR 279.74(a)(2) - did not have shipping records include the name and address of the burner that will receive the used oil. e. 10 CSR 25-11.279(1) incorporating 40 CFR 279.74(a)(3)- did not have shipping records include the EPA identification number of the transporter that delivers the used oil to the burner f. 10 CSR 25-11.279(1) incorporating 40 CFR 279.74(a)(4) - did not have shipping records that include the EPA identification number of the burner. g. 10 CSR 25- 11.279(1) incorporating 40 CFR 279.74(a)(5) - did not have shipping records that included the quantify of used oil shipped. h. 10 CSR 25- 11.279(1) incorporating 40 CFR 279.74(a)(6) - did not have shipping records that included the date of shipment.

SECTION V – CLOSING CONFERENCE AND FOLLOW UP

Closing Conference

I summarized the findings and recommendations with Mr. Price. I provided Mr. Price with a Confidentiality Notice which he signed as acknowledgement of receipt (Appendix 2 - Attachment 4); Mr. Price made no confidentiality claims. I also provided Mr. Price with a Receipt for Documents and Samples and a NOPF, which Mr. Price signed as acknowledgement of receipt (Appendix 2 - Attachment 2) Mr. Price would like to be added to the list of people to copy on the inspection report.

The following compliance assistance documents were provided to the facility at the conclusion of the CEI:

COMPLIANCE ASSISTANCE DOCUMENTS

Hazardous waste generator status guidance pub2224

Hazardous waste satellite accumulation pub2215

The universal waste rule in Missouri pub2058

Aerosol cans pub1084

Follow Up

No follow-up at this time CEI.

Communication Log

The following information received by Region 7 after exiting the facility on 03/11/2025.

Type	Point of Contact	Job Title/Organization	Description	Contains PII	Date
Email	Ken Price	Director of Operations	Email to Mr. Price requesting Mineral Spirits SDS	No	3/13/2025
Email	Ken Price	Director of Operations	Email from Mr. Price Mineral Spirits SDS	No	3/17/2025
Phone call	Ken Price	Director of Operations	Phone call to Mr. Price left a message about NOPF response and addition NOPF about waste glue rags	No	4/2/2025
Email	Ken Price	Director of Operations	Email to Mr. Price NOPF response and addition NOPF about waste glue rags	No	4/2/2025
Email	Ken Price	Director of Operations	Email from Mr. Price regarding NOPF response requesting a call to discuss	No	4/3/2025
Phone call	Ken Price	Director of Operations	Phone call to Mr. Price and I left a message on the NOPF response	No	4/3/2025
Email	Ken Price	Director of Operations	Email from Mr. Price NOPF response	No	4/3/2025

SECTION VI – SAMPLING ACTIVITIES AND ANALYTICAL RESULTS

No sampling was conducted.

SECTION VII – LIST OF APPENDICES

1. Photo Log
2. Report Attachments