

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

Sitlers Supplies
111 Westview Dr.
Washington, IA 52353
(319) 653-2123

EPA ID Number: No RCRA ID

On

July 1, 2021

By

Eastern Research Group, Inc.

For

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/Chemical Branch/RCRA Section (ECAD/CB/RCRA) of the U.S. Environmental Protection Agency (EPA) Region 7, Eastern Research Group, Inc. (ERG) conducted a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Sitlers LED Supplies (Sitlers) in Washington, Iowa on July 1, 2021. The CEI was conducted under the authority of Section 3007(a) of RCRA, as amended. Throughout the CEI, data and information were collected to determine compliance with the applicable regulatory and statutory requirements. The inspection report and attachments present the results of the CEI.

2.0 PARTICIPANTS

Sitlers LED Supplies:

Jason Prochaska, President

Jessica Colby, Shipping & Receiving Manager

EPA Representative, ERG:

Janosh Wolters, Energy Engineer

3.0 INSPECTION PRECEDURES

Due to the COVID-19 pandemic, I contacted the facility via telephone and spoke with Ms. Colby approximately two weeks prior to the inspection. We discussed facility specific safety protocols to ensure the safety of all personnel involved during the inspection and I informed her when I would arrive at the facility to perform the inspection.

After arriving announced at Sitlers at approximately 08:40, I performed a drive-by visual inspection of the facility and did not note any areas of concern. I entered the main entrance. I was greeted by Mr. Prochaska. Mr. Prochaska then guided me to a conference room in the office area to begin the opening conference. Mr. Prochaska was present throughout the duration of the inspection. I initiated the opening conference with Mr. Prochaska representing Sitlers and presented him with my inspector credentials and business card, as well as the business card of the EPA Task Order Contracting Officer Representative, Mr. Trevor Urban. I then presented a copy of RCRA Section 3007(a), which contains EPA's 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 then presented Mr. Prochaska with a copy of the *Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections* and reviewed Sitlers confidentiality rights. I informed him I would provide a *Confidentiality Notice* at the end of this inspection.

The inspection consisted of a discussion of facility operations, waste generation and waste management, a review of waste management records, and a visual inspection of the waste generation and management areas. Mr. Prochaska explained facility operations conducted on site.

During the visual inspection of the facility, Mr. Prochaska guided me throughout the facility in order to conduct thorough evaluations of the facility's areas generating and accumulating hazardous waste. At the time of the inspection, the facility was not accumulating used oil or universal waste. I conducted an in-depth visual inspection of the hazardous waste accumulation containers and storage areas.

Two photographs were collected as inspection documentation and are shown in Attachments 2 and 3. Information collected during the inspection is documented on the *EPA Inspection Checklist* (see Attachment 4). I followed the inspection procedures discussed in the RCRA CEI Standard Operating Procedure (No. 2321.01D), unless noted differently. At the conclusion of the inspection, I provided Mr. Prochaska with a *Confidentiality Notice, Receipt for Documents and Samples*, and *Notice of Preliminary Findings* which he signed as acknowledgement of receipt (see Attachments 5, 6, and 7, respectively). No confidentiality claims were made by Sitlers.

The following inspection documents and compliance assistance handouts were left with Sitlers:

RCRA Section 3007(a)

Title 18 U.S. Code, Sections 1001 and 1002

Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections

Confidentiality Notice (Top page of the completed carbonless transfer set)
Receipt of Documents and Samples (Top page of the completed carbonless transfer set)
NOPF (Top page of the completed carbonless transfer set)
Instructions for Responding to a NOPF
Security Awareness
Commercial Motor Vehicle Transportation
Security Planning
EPA E-Manifest Fact Sheet U.S.
EPA Small Business Resources
U.S. EPA Publication, Managing Your Hazardous Waste
U.S. EPA Publication, Managing Used Oil-Advice for Small Businesses
PowerPoint Presentation, 2013 Solvent Wipes Final Rule
Pollution Engineering Article, 10 Common Questions for Waste Generators
Iowa Department of Natural Resources (IDNR) Waste Exchange Folder and P2 Brochures
IDNR Management of Fluorescent Lamps for Businesses Information Sheets
IDNR Aerosol Can Disposal for Businesses Information Sheet
University of Northern Iowa Waste Reduction Center Information Card
Solvent-Contaminated Wipes Final Rule Summary Chart

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

Silters began operating in 2015 and currently employs approximately 13 people. The facility operates one, 8-hour shift, five days per week. The facility operates approximately 1 acre of space across all buildings and land. Facility operations include the packaging, shipping, and selling of LED lighting. The LED lights are pre-purchased, and the facility does not conduct any manufacturing operations. At the time of the inspection, the facility operated a bulb crusher as discussed in Section 4.4 of this report. The major raw materials used in the facility are pre-purchased LED lighting and packaging materials. The following waste streams are produced: crushed universal waste lamps, universal waste batteries, used oil, wooden pallets, cardboard, and general trash.

4.2 RCRA Status

According to the *Hazardous Waste Site Info Verification Report for Inspector* (see Attachment 8), Silters did not notify EPA of hazardous waste activity and has not obtained an EPA RCRA ID number. This is further discussed in Section 4.4 of this report. I asked Mr. Prochaska to review the *Hazardous Waste Site Info Verification Report for Inspector*, which I provided during the inspection. Mr. Prochaska indicated the facility's name, mailing address, and contact information needed to be added. I made the updates to the form as shown in Attachment 8. After reviewing the records and walking through the facility, I determined that the facility is operating as a federal Very Small Quantity Generator (VSQG) of D009 hazardous waste, a generator of used oil, and a small quantity handler of universal waste. Silters has not generated more than 100 kilograms of hazardous waste monthly for approximately six months based on a review of

facility records. Prior to this, the facility appeared to be operating as a Small Quantity Generator (SQG), based on a review of records.

Silters has not been previously inspected by EPA.

4.3 Facility Waste Streams and Management

A Waste Stream and Waste Handling Table for Silters is presented below. The table describes waste streams generated, generation process/rates, hazardous waste determinations, and on-site/off-site management.

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#	WASTE STREAM	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
1	Crushed Universal Waste Lamps (Invoice included in Attachment 9)	Crushing bulbs from off-site projects	D009 (based on process knowledge and knowledge of the product)	Three, 55-gallon containers every six months	55-gallon container	Lighting Resources LLC in Greenwood, IN (IN0000351387)
2	Universal Waste Batteries	Forklift truck maintenance	Nonhazardous/ Excluded (managed as universal waste)	Serviced once per year	Serviced and hauled off-site immediately	Altorfer in Cedar Rapids, IA (IAR000502419)
3	Used Oil (Invoice included in Attachment 10)	Forklift truck maintenance	Nonhazardous (managed as used oil under 40 CFR 279)	Less than 5-gallons per year	Serviced and hauled off-site immediately	Altorfer in Cedar Rapids, IA (IAR000502419)
4	Wooden Pallets	Facility operations	Nonhazardous (based on process knowledge and knowledge of the product)	Approximately 30 pallets per year	Staged until picked up	Riverside Pallet Recyclers, Inc. in Washington, IA
5	Cardboard	Facility operations	Nonhazardous (based on process knowledge and knowledge of the product)	One 10-cubic yard container picked up weekly	One 10-cubic yard container per week	Washington Disposal in Washington, IA to SEMCO Landfill in Richland, IA
6	General Trash	Facility operations	Nonhazardous (based on process knowledge and knowledge of the product)	One 10-cubic yard container picked up weekly	One 10-cubic yard container per week	Washington Disposal in Washington, IA to SEMCO Landfill in Richland, IA

4.4 Visual Inspection

Used Oil and Universal Waste:

Silters operates an office for administrative tasks and a warehouse to assist in shipping and receiving operations. The facility does not conduct any manufacturing, and all received goods are final products that are resold and redistributed to customers. I asked Mr. Prochaska if the facility maintained their forklifts on site. Mr. Prochaska explained the forklifts are serviced by Altorfer, who provides on-site service. Mr. Prochaska stated once complete, Altorfer takes the spent forklift battery and any hydraulic used oil off site. Mr. Prochaska provided an invoice from Altofer as shown in Attachment 10. Mr. Prochaska stated besides the hydraulic used oil from the forklift maintenance, he is not aware of any other used oil being generated on site. I did not observe any used oil being stored on site. I asked Mr. Prochaska if any hand tools are used on site. Mr. Prochaska stated he was not aware of any on site. Mr. Prochaska stated the facility receives product LEDs, repackages them, and ships them off site. Mr. Prochaska stated an electrician is contracted to install LEDs for customers who do not want to install the purchased LEDs themselves. I did not observe any universal waste batteries being accumulated on site. In addition, I did not observe any universal waste lamps on-site because the facility utilized a bulb crusher, as discussed below.

Bulb Crusher:

During the visual inspection, I observed a bulb crusher in the facility's shipping and receiving area as shown on the facility layout provided in Attachment 1. Mr. Prochaska stated approximately six months ago, the facility changed its management practices to utilize this bulb crusher as frequently as possible. Mr. Prochaska stated they decided that it was in the company's best fiscal interest to no longer use the bulb crusher based on the transportation expense to dispose of the bulb crusher waste. Mr. Prochaska stated when facilities are serviced, the spent lamps are now left with the facility, unless specially requested otherwise. I asked Mr. Prochaska how many 55-gallon containers the facility has generated in 2021. Mr. Prochaska stated the facility had generated two 55-gallon containers and the third 55-gallon container was attached to the carbon canister system. During the visual inspection, I observed the two 55-gallon containers located directly behind the bulb crusher unit (see Attachment 3, Photo 2). I asked Mr. Prochaska how the system operates. Mr. Prochaska stated the operator would put the spent lamp in inlet area. The system then, when completely closed and with a carbon canister attached, crushed the lamp which should contain any mercury released. I asked Mr. Prochaska what types of lamps are placed into the 55-gallon container. Mr. Prochaska responded that the facility puts approximately 90 percent of green tipped fluorescent lamps inside the container, with the remaining 10 percent being non-green tipped fluorescent lamps. I observed the 55-gallon containers were being managed as a hazardous waste. The 55-gallon containers were closed, labeled with the indication of the nature of the hazard, labeled "Hazardous Waste", and in good condition. The hazardous waste label indicated the waste being accumulated was hazardous for D009 (mercury) as shown in Photo 2. During records review, Mr. Prochaska provided an invoice by TerraCycle, which is

the same company who provided Sitlers with the Air Cycle Corporation system. The invoice is provided in Attachment 9. I asked Mr. Prochaska if the waste was sent off site utilizing a hazardous waste manifest. Mr. Prochaska provided the manifest for a shipment of crushed lamps (see Attachment 11). The manifest also showed the waste was manifested as a hazardous waste for D009. The manifest indicated 14 drums, equivalent to 8,127 pounds of hazardous waste was shipped off-site. I asked Mr. Prochaska how long it took the facility to generate the 14 drums. Mr. Prochaska estimated it took the facility approximately 12 months, if not longer to generate this volume of waste. I explained to Mr. Prochaska, based on this volume of waste, it appears the facility was operating as a SQG prior to the change in management practices stated above. I asked Mr. Prochaska if the facility was operating as an SQG, why the facility did not notify EPA of hazardous waste activity and request an EPA RCRA ID number. Mr. Prochaska stated he was unaware of the requirements. EPA guidance released, states, the EPA considers purposefully crushing lamps to be treatment of hazardous waste. Therefore, I determined the facility could potentially be treating a hazardous waste without a RCRA permit. In addition, 40 CFR 262.18 states, "A generator must not treat, store, dispose of, transport, or offer for transportation, hazardous waste without having received an EPA identification number from the administrator." Therefore, the facility was required to obtain an EPA RCRA ID when operating as a SQG prior to offering Lighting Resources LLC in Greenwood, IN (IN0000351387) to transport the hazardous waste off site.

NOPF 1 – Treatment of hazardous waste without a permit [40 CFR 270.1(c)].

NOPF 2 – Offering transportation of hazardous waste without having received an EPA identification number from the administrator [40 CFR 262.18].

Based on conversations with Mr. Prochaska, it appeared the facility was trying to minimize harm to the environment by utilizing this machine. At the time of the inspection, the facility was operating as a VSQG, and therefore, was managing the waste in accordance with the regulations set forth in 40 CFR 262.14. Mr. Prochaska stated based on the compliance assistance provided during the inspection, the facility would cease operation of the unit and manage all spent fluorescent lamps as universal waste in the future. This would result in the facility no longer generating hazardous waste as this was the facility's only hazardous waste stream.

I observed no additional issues or findings during this inspection. However, further EPA review may add findings.

5.0 SUMMARY OF FINDINGS

During the visual inspection, I observed a bulb crusher in the facility's shipping and receiving area. EPA guidance released, states, the EPA considers purposefully crushing lamps to be treatment of hazardous waste. Therefore, I determined the facility could potentially be treating a hazardous waste without a RCRA permit.

NOPF 1 – Treatment of hazardous waste without a permit [40 CFR 270.1(c)].

The facility was required to obtain an EPA RCRA ID when operating as a SQG prior to offering Lighting Resources LLC in Greenwood, IN (IN0000351387) to transport the hazardous waste offsite.

NOPF 2 – Offering transportation of hazardous waste without having received an EPA identification number from the administrator [40 CFR 262.18].

Janosh
Wolters

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Janosh Wolters
Energy Engineer
Date: August 11, 2021

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Amber Whisnant
Section Chief
ECAD/CB/RCRA, EPA Region 7
Date: _____

Attachments:

1. Facility Layout (1 page)
2. Sitlers Supplies Photolog (1 page)
3. Sitlers Supplies Photos (2 photos/3 pages)
4. EPA Inspection Checklist (13 pages)
5. Confidentiality Notice (1 page)
6. Receipt for Documents and Samples (1 page)
7. Notice of Preliminary Findings (1 page)
8. Hazardous Waste Site Info Verification Report for Inspector (1 page)
9. TerraCycle Invoice (1 page)
10. Used Oil Invoice (1 page)
11. Manifest (1 page)

Notice of Preliminary Findings

(For Contractor Use Only)

Facility Name: Stler's Supplies

Facility Address: 111 Westview Dr. Washington, IA 52553

EPA ID#: No RCRA ID Date: 07/01/2021

Notice: I am not an employee of the Environmental Protection Agency ("EPA"). I am a contractor for the EPA retained to conduct compliance evaluation inspections. The following is a list of observations/recommendations found during this inspection which will be reported back to the EPA. This is not to be construed as a complete list of observations/recommendations. The EPA will be evaluating the report prepared as a result of this inspection and will make determinations as to what violations may have occurred at your facility.

Citation

Description of Finding

1. Treatment of hazardous
waste without a permit.
[40 CFR 270.1(c)]

2. 40 CFR 262.18(a)

1. Facility used a drum top crusher to
crush universal waste lamps.

2. A generator must not treat, store, dispose
of, transport, or offer for transportation,
hazardous waste without having received
an EPA identification number from the administrator.

If you have any questions about this Notice or wish to discuss your response, you may call me at
484-678-8675, or Trevor Urban (Compliance Officer)
at 913-551-7133.

This Notice prepared by Janosh Walters Date: 07/01/2021

The undersigned person hereby acknowledges receipt of this Notice and has read the same.

Printed Name: Taron Prochaska Date: 7/1/2021

Signature: [Signature]

Title: President

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