

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At
Thompson Truck and Trailer
1190 Roosevelt Extension
Dubuque, Iowa 52001
(319) 900-7625, Ext. 1171

EPA ID Number: IAD984591453

On

May 18, 2022

By

U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 7
Enforcement and Compliance Assurance Division (ECAD)

1.0 INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division, I conducted a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Thompson Truck and Trailer (Thompson), located in Dubuque, Iowa, on May 18, 2022. The CEI was conducted under the authority of Section 3007(a) of RCRA, as amended. The facility had not been previously inspected for RCRA compliance. During this inspection, 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.

2.0 PARTICIPANTS

Thompson:

Carl Bright, Safety Director, approximately 15 years in current position.

Joe Hoffman, Service Manager, approximately three years in current position.

U.S. Environmental Protection Agency (EPA):

H. D. "Doug" Bryant, CPP, PCI, Civil Investigator, SEE, ECAD/Chemical Branch/RCRA Section.

3.0 INSPECTION PROCEDURES

Prior to beginning the inspection, I conducted a visual reconnaissance of Thompson on May 18, 2022, searching for areas of concern observable from the adjacent roadway. No environmental issues or areas of concern were observed during this preliminary examination.

I arrived unannounced at Thompson at approximately 08:45 hours, May 18, 2022. I parked outside

the facility in a posted visitor parking space. I approached the main facility entrance that was posted with signage identifying the sales and service departments. I entered a lobby area and was greeted by an employee working behind a counter. I asked to meet with Mr. Carl Bright, identified as the facility point of contact. The employee stated that Mr. Bright worked in the Thompson Corporate office, located in Cedar Rapids, Iowa. The employee offered to introduce me to Mr. Hoffman, Service Manager, to discuss the details of my inspection. The employee left the entrance lobby and summoned Mr. Hoffman from his office. Mr. Hoffman and I exchanged greetings and I took a seat at a desk located behind the counter. Mr. Hoffman stated that he would “do his best” to answer my questions regarding hazardous waste (HW) management, since his Shop Foreman would have been best equipped to answer my questions but was on vacation for the week.

I started my entrance briefing in the entrance lobby area. I presented my EPA credentials to Mr. Hoffman. Mr. Hoffman and I exchanged business cards (Attachment 1). I next presented Mr. Hoffman a copy of RCRA section 3007(a), which provides inspection authority. I explained my need to collect accurate information and presented him a copy of Title 18 U.S. Code, Sections 1001 and 1002. He was made aware of his confidentiality rights and was informed that a Confidentiality Notice would be provided at the end of the inspection to make or not to make any claims. Mr. Hoffman stated that he was not familiar with HW management and suggested that we contact Mr. Bright to coordinate my inspection. We contacted Mr. Bright telephonically and determined that Mr. Bright would drive to the Dubuque facility from his Cedar Rapids office to participate in the inspection. In the meantime, Mr. Hoffman and I conducted a brief discussion of facility operations and performed a visual inspection of the facility. Mr. Hoffman left the facility for another appointment after completing a visual inspection of the facility, and I waited in the entry lobby area for Mr. Bright’s arrival from Cedar Rapids.

Mr. Bright arrived shortly after concluding my visual inspection of the facility. I presented my EPA credentials to Mr. Bright. Mr. Bright and I exchanged business cards (Attachment 1). We moved from the entry lobby area to a vacant sales office located near the entrance. This office was used for the remainder of the CEI. I next presented Mr. Bright a copy of RCRA section 3007(a), which provides inspection authority. I explained my need to collect accurate information and presented him a copy of Title 18 U.S. Code, Sections 1001 and 1002. He was made aware of his confidentiality rights and was informed that a Confidentiality Notice would be provided at the end of the inspection to make or not to make any claims. Apart from the visual inspection of the facility, Mr. Bright acted as the official Thompson facility representative throughout this inspection.

The inspection consisted of an entry briefing, 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. Bright provided a site map/diagram of the facility (Attachment 2).

Document photocopies and nine photographs were collected as inspection documentation (Attachments 1-12). Information collected during the CEI was recorded on a checklist and in field notes. I followed the inspection procedures discussed in the RCRA Compliance Evaluation Inspection Standard Operating Procedure (No. 2321.1C), unless noted differently.

At the conclusion of the inspection, I conducted an exit briefing, during which I summarized my findings and recommendations with Mr. Bright. I provided Mr. Bright a *Confidentiality Notice*,

which he signed, indicating no confidentiality claims were made by the facility (Attachment 3). I provided Mr. Bright a *Receipt of Documents and Samples* which he signed acknowledging receipt (Attachment 4). I provided Mr. Bright a *Notice of Preliminary Findings* which he signed acknowledging receipt (Attachment 5).

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

Section 3007 Inspections Sheet (EPA Handout)

RCRA Facility Access Information Sheet (EPA Handout)

United States Code Annotated (EPA Handout)

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

Notice of Preliminary Findings (EPA Handout)

Instructions for Responding to a Notice of Preliminary Findings (NOPF) (Reverse of NOPF)

U.S. EPA Small Business Resource Information Sheet (EPA Handout)

Solvent-Contaminated Wipes Final Rule Chart (EPA Handout)

Excluded Solvent-Contaminated Wipe Rule (IDNR Handout)

Battery Recycling/Disposal (IDNR Handout)

Universal Wastes Including Aerosol Cans (IDNR Handout)

Environmental Compliance Assistance Centers (EPA Handout)

e-Manifest Fact Sheet (EPA Handout)

RCRA Online A Quick Reference Guide (EPA Handout)

Emergency Response Program (EPA Handout)

Security Awareness (EPA Handout)

Managing Your Hazardous Waste: A Guide for Small Business (EPA Handout)

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

This facility is located in an industrial area located in the northeastern Dubuque metropolitan area, not far from the Dubuque Port. The facility began operations in 2003 and occupies one large building with approximately 21,680 square feet under roof. Thompson has approximately 35 employees working eight hours Monday through Friday and half days Saturday. The facility sells and services trucks and large trailers. The facility previously operated a body shop and painting booth on the premises. However, all body repair and painting operations ceased approximately eight years ago and the only HW currently generated on-site originates in five parts washers. The North American Industry Classification System (NAICS) code for this facility is 423110 – Automobile and Other Motor Vehicle Merchant Wholesalers.

4.2 RCRA Status

The facility Notification Acknowledgement/Verification Report identifies the facility as a small quantity generator (SQG) of D001, D008, D018, and D039 characteristic HW. However, Mr. Bright stated that Thompson ceased body repair and painting operations approximately eight years ago. I updated the Notification Acknowledgement/Verification Report (Attachment 6) accordingly. Mr. Bright stated that

Thompson generates spent fluorescent lamps that are managed as universal waste (UW). Mr. Bright stated that Thompson generates used oil and used oil filters. I determined that the facility generates less than 100 kg of D039 HW monthly and therefore inspected Thompson as a very small quantity generator (VSQG) of HW, a small quantity handler (SQH) of universal waste (UW), and a used oil generator.

4.3 Facility Waste Streams and Management

Thompson receives HW management support from Safety-Kleen Systems, Inc. (Safety-Kleen), 3035 W. 73rd Street, Davenport, Iowa. HW shipments are picked up and transported off-site by Safety-Kleen (EPA ID# TXR000081205). Documented HW shipments were transported to Safety-Kleen (EPA ID# IAD098027592) where the HW was stored/bulked and transferred with no reclamation, recovery, destruction, treatment, or disposal at that site.

Mr. Bright stated that Thompson is constructing a new building and will be relocating within the next year. He added that the current facility no longer performs collision body work and painting on the premises. He stated that the only HW currently generated on-site is waste parts washer solvent generated from five 15-gallon parts washers that are serviced quarterly by Safety-Kleen.

The following waste streams are managed by Thompson:

General Trash: Mr. Bright stated that Thompson generates approximately two nine-cubic yard roll-off containers of general trash weekly. The general trash consists of waste office paper, lunch wastes, and miscellaneous cardboard and packing materials. Mr. Bright stated that the general trash has been determined to be non-RCRA hazardous, by virtue of product and process knowledge. The general trash is picked up weekly by BFI Waste Services, LLC, a subsidiary of Republic Services of Dubuque, 15034 Depot Ridge, Peosta, Iowa. The general trash is transported off-site to the Dubuque Metropolitan Area Solid Waste Area, 14501 Highway 20, Dubuque, Iowa, for sanitary landfill disposal.

Waste Parts Washer Solvent: Mr. Bright stated that Thompson generates approximately 60-75 gallons of waste parts washer solvent quarterly. The waste parts washer solvent is managed as D039 characteristic HW and is profiled as NA 1993, Waste Combustible Liquid (Petroleum Naphtha). The safety data sheet (SDS) describing the parts washer solvent is attached (Attachment 7). The waste parts washer solvent is picked up and transported off-site by Safety-Kleen where the HW was stored/bulked and transferred with no reclamation, recovery, destruction, treatment, or disposal at that site.

Soiled Cloth Shop Rags: Mr. Hoffman stated that Thompson generates approximately 200 soiled cloth shop rags weekly. The cloth shop rags are used to clean automotive/truck parts, work surfaces, and operator hands. The soiled cloth shop rags are often used with commercial products to remove grease and grime from the parts. The soiled cloth shop rags are collected in a plastic bag contained inside a receptacle located in the Lubrication Bay. The soiled cloth shop rags are picked up and transported off-site, laundered, and returned by Phelps The Uniform Specialists (Phelps), 1165 Roosevelt Extension, Dubuque, Iowa. During my exit briefing, I asked Mr. Bright if Thompson had conducted a HW determination on the soiled cloth shop rags, to which he responded negatively. I asked Mr. Bright if the soiled cloth shop rags could have been contaminated with

commercial products, e.g., brake cleaner and penetrating oil, to which he responded affirmatively. **Thompson must conduct a HW determination on the soiled cloth shop rags used with commercial products in accordance with 40 CFR § 262.11 (NOPF No. 1, Attachment 5).** I provided compliance assistance literature describing the solvent-contaminated wipes rule during the exit briefing.

Waste Aerosol Cans: Mr. Bright stated that Thompson generates between five to ten RCRA-empty waste aerosol cans monthly. The waste aerosol cans include glass cleaner and similar cleaning products, brake cleaner, penetrating oil, and spray paint. Mr. Bright stated that the empty waste aerosol cans have been determined to be non-RCRA hazardous by virtue of being empty and are currently disposed in the general trash. Mr. Bright expressed interest in learning more about managing waste aerosol cans as universal waste (UW), which was addressed as compliance assistance during our exit briefing.

Scrap Metal: Mr. Hoffman stated that scrap metal is generated from scrap parts replaced during maintenance and service activities. The scrap metal is collected in a nine-cubic yard roll-off container. The scrap metal is picked up when the roll-off container is filled, which Mr. Bright stated occurs approximately every three months. The scrap metal is picked up and transported off-site by T&T Iron and Metals, Inc. (T&T), 5158 Barge Terminal Road, East Dubuque, Illinois, for recycling.

Spent Lead-Acid Batteries: Mr. Bright stated that Thompson generates approximately three spent lead-acid batteries monthly. He stated that waste lead-acid batteries are episodically generated on-site and are exchanged for new batteries at Advance Auto Parts, NAPA, and Auto Zone stores located in Dubuque, Iowa. Based upon Mr. Bright's description of these transactions, the lead-acid batteries generated within the facility are being exchanged in accordance with the provisions of the 40 CFR §266, Subpart G exemption

Used Oil: Mr. Hoffman stated that Thompson generates approximately one 250-gallon tote of used oil every six months. The used oil is collected in a 250-gallon tote that is located inside the Lubrication Bay of the facility. According to Mr. Bright, the used oil is picked up and transported off-site by Safety-Kleen for recycling.

Used Oil Filters: Mr. Bright stated that Thompson generates approximately five 55-gallon containers of used oil filters every three months. The used oil filters are drained and placed into 55-gallon containers. When full, the 55-gallon containers are emptied into a roll-off container located outside the facility. The used oil filters are being managed as used oil and are picked up and transported off-site by Safety-Kleen for recycling.

Used Oil Absorbents: Mr. Bright stated that Thompson generates approximately five-gallon step canister of used oil absorbents weekly. According to Mr. Bright, the used oil absorbents are being managed as used oil and are collected in plastic trash bags that are combined with the used oil filters and are picked up and transported off-site by Safety-Kleen for recycling.

Spent Fluorescent Lamps: Mr. Bright stated that Thompson generates approximately 24 spent four-foot fluorescent lamps annually. The spent fluorescent lamps are managed as UW and

are picked up and transported off-site by A-TEC Recycling, Inc., 5745 NE 17th Street, Des Moines, Iowa, for recycling.

Waste Wooden Pallets: Mr. Hoffman stated that Thompson generates approximately two-to-three waste wooden pallets monthly. The waste wooden pallets are removed from the facility by an employee. Viable wooden pallets are recycled by Addoco, Inc., 12678 Industrial Drive, Peosta, Iowa.

4.4 Visual Inspection of Facility Waste Stream Management

I conducted a visual inspection of the facility with Mr. Hoffman while we awaited the arrival of Mr. Bright. The visual inspection was conducted to observe waste stream management practices and document regulatory compliance. Photographs, checklists, and field notes were used to document observations made during the visual inspection. A Photo Log was created, and photos taken during the inspection appear in Attachment 8.

I observed one of five 15-gallon parts washer located inside the Diagnostics Bay (Photo 1, Attachment 2).

I observed a second 15-gallon parts washer located inside “Bay 10” (Photo 2, Attachment 2).

I observed a cardboard container located adjacent to the parts washer shown in Photo 2 (Photo 3, Attachment 2). The cardboard container was filled with 46 spent four-foot fluorescent lamps. I observed the label affixed to the cardboard container of spent fluorescent lamps, as shown in Photo 4, Attachment 2. I noted that the UW label shown in Photo 4 did NOT show an accumulation start date. I asked Mr. Hoffman when the spent lamps started accumulating, to which he responded that he “did not know.” **Failure to demonstrate the length of time the 46 spent four-foot fluorescent lamps began accumulating is inconsistent with the provisions of 40 CFR §273.15(c) (NOPF No. 2, Attachment 5).**

I observed a third 15-gallon parts washer in Bay 8 (Photo 5, Attachment 2).

I observed a 250-gallon tote approximately ½-full of a dark liquid (Photo 6, Attachment 2). I asked Mr. Hoffman what was in the tote, to which he replied, “used oil.” I noted that the tote of used oil was not labeled with the words “USED OIL” as required. **Thompson must label containers of used oil with the words “USED OIL” in accordance with 40 CFR §279.22(c)(1) (NOPF No. 1, Attachment 5, Container #1).**

I observed several used oil filters on top of the tote containing used oil. I observed an empty used oil collection grate used to collect used oil drained from used oil filters on the floor in front of the used oil tote (Photo 7, Attachment 2).

I observed a roll-off container located outside the facility that was approximately ¼-full of used oil filters (Photo 8, Attachment 2). I did NOT observe the words “USED OIL” on the container to describe contents appropriately. **Thompson must label containers of used oil with the words “USED OIL” in accordance with 40 CFR §279.22(c)(1) (NOPF No. 1, Attachment 5,**

Container #2).

I observed an approximate nine-cubic yard of scrap metal being loaded onto a truck (Photo 9, Attachment 2). Mr. Hoffman stated that the scrap metal was transported off-site by T&T for recycling.

I observed soiled cloth shop rags collected inside a plastic bag located inside a receptacle as shown in Photo 10, Attachment 2. Mr. Hoffman stated that approximately 200 soiled cloth shop rags were generated weekly by mechanics working in the facility. Mr. Hoffman stated that the rags were used to clean grease and grime from parts.

I observed a full five-gallon step canister of absorbent pads located inside Bay 4 (Photo 11, Attachment 2). The can was not labeled with the words “Used Oil” and Mr. Bright stated that the absorbent pads were managed as used oil. **Thompson must label containers of used oil with the words “USED OIL” in accordance with 40 CFR §279.22(c)(1) (NOPF No. 1, Attachment 5, Container #3).**

I observed a fourth 15-gallon parts washer inside the Tool Room (Photo 12, Attachment 2).

I observed a fifth 15-gallon parts washer located inside the “Lube Rack” area (Photo 13, Attachment 2).

I observed a 250-gallon tote containing approximately eight inches of dark fluid, located inside the “Lube Rack” (Photo 14, Attachment 2). I asked Mr. Hoffman to identify the dark fluid contained in the tote, to which he responded, “used oil.” I observed that the tote was NOT labeled with the words “USED OIL” as required. **Thompson must label containers of used oil with the words “USED OIL” in accordance with 40 CFR §279.22(c)(1) (NOPF No. 1, Attachment 5, Container #4).**

I observed a full, unlabeled, 250-gallon tote that Mr. Hoffman identified as used oil (Photo 15, Attachment 2). I observed another nearly full, unlabeled, 250-gallon tote containing used oil, according to Mr. Hoffman (Photo 16, Attachment 2). **Thompson must label containers of used oil with the words “USED OIL” in accordance with 40 CFR §279.22(c)(1) (NOPF No. 1, Attachment 5, Containers #5 and #6).**

I observed two general trash roll-off bins located outside the facility as shown in Photo 17, Attachment 2.

I observed wooden pallets located outside the facility (Photo 18, Attachment 2).

No other environmental issues or areas of concern were observed during this visual examination.

4.5 Documentation

Prior to this CEI, I reviewed 13 electronic uniform hazardous waste manifests (UHW) for HW generated by this facility, spanning the period of January 9, 2019, to present, shown below:

UHW#	DATE	Description	QTY	Unit	EPA Waste Codes
006815818SKS	1/9/2019	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
006855229SKS	3/26/2019	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
007083030SKS	6/29/2019	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
007114187SKS	10/3/2019	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
007353954SKS	12/5/2019	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
007383734SKS	2/28/2020	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
007281516SKS	5/20/2020	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
007471793SKS	10/15/2020	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
007697237SKS	1/18/2021	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
007753469SKS	5/20/2021	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
007929151SKS	9/24/2021	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
008165987SKS	12/17/2021	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039
007977375SKS	3/11/2022	NA 1993, Waste Combustible Liquid (Petroleum Naphtha)	5	DM	D039

While on site, I verified the four most recent shipment UHWs, Attachments 9-12. I did not

observe any discrepancies with the shipping documentation/manifests maintained by the facility.

5.0 SUMMARY

I documented the following preliminary findings during this CEI:

NOPF No. 1: 40 CFR §279.22(c)(1): Failure to label six containers of used oil with the words “USED OIL” (Attachment 5).

NOPF No. 2: 40 CFR §273.15(c): Failure to demonstrate the length of time the 46 spent fluorescent lamps have been accumulated (Attachment 5).

NOPF No. 3: 40 CFR §262.11: Conduct a HW determination on the cloth shop rags used with brake cleaner and other commercial products (Attachment 5).

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.

HURLEY BRYANT
(Affiliate)

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BRYANT (Affiliate)

Date: 2022.05.27 12:44:45 -05'00'

Date: 6/1/2022

H. D. “Doug” Bryant, CPP, PCI
Civil Investigator, SEE

AMBER WHISNANT

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Date: 2022.07.06 18:59:33 -05'00'

Date: _____

Amber Whisnant
Chief, RCRA Section, Chemical Branch
Enforcement and Compliance Assurance Division

Attachments:

- 1) Business Card (1 page)
- 2) Site Map/Diagram (1 page)
- 3) Confidentiality Notice (1 page)
- 4) Receipt of Document and Samples (1 page)
- 5) Notice of Preliminary Findings (1 page)
- 6) Notification Acknowledgement/Verification Report (2 pages)
- 7) Safety Data Sheet (SDS), Safety-Kleen Premium Solvent (Virgin and Recycled) (8 pages)
- 8) Photo log (2 pages) and Photos (18 pages)
- 9) Uniform Hazardous Waste Manifest (UHWM) #007977375SKS, dated 3/11/22 (1 page)
- 10) UHWM #008165987SKS, dated 12/17/21 (1 page)
- 11) UHWM #007929151SKS, dated 9/24/21 (1 page)
- 12) UHWM #007753469SKS, dated 5/20/21 (1 page)