

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

NORTHSIDE BODY SHOP, LTD

885 1st Ave NW
Sioux Center, Iowa 51250
(712) 722-2313

EPA ID Number: IA0000202390

On

November 8, 2022

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 Northside Body Shop, Ltd (hereafter Northside Body Shop), located in Sioux Center, Iowa, on November 8, 2022. 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 present the results of the CEI.

2.0 PARTICIPANTS

Northside Body Shop:

Bret Van Riessen, Owner

EPA:

Mark Holcomb, Civil Investigator/Inspector (SEE)

3.0 INSPECTION PROCEDURES

On November 8, 2022, I arrived unannounced at the shop's main entrance at about 1000 hours. Initially I conducted a 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 introduced myself to the one of the staff and asked to meet with the Store Manager or Owner. I was introduced to the Store Owner, Mr. Bret Van Riessen. Mr. Van Riessen stated that he had been with Northside Body Shop for nine years and functions as the Site Contact for hazardous waste. Mr. Van Riessen told me there

were currently no specific COVID-19 visitor requirements and no specific safety personal protective equipment requirements at this facility.

At the opening conference, I presented my EPA ID and credentials to Mr. Van Riessen. I next explained the purpose and procedures of the inspection. I then presented Mr. Van Riessen 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. I made him aware of his confidentiality rights and 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. Van Riessen acted as the official facility representative during the course of the inspection.

The inspection 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.

- I conducted a visual inspection of the following areas: Shop
- Paint Mix Room
- Parts Room
- West Outside Storage Area
- Paint Booth
- East Outside Parking Lot Storage Area

See Attachment #1 for the aerial and map views of the facility.

Document photocopies and photographs were collected as inspection documentation (see Attachments #1-14 and Photos 1-14). The photo log is included in Attachment #2. Information collected during the inspection is documented on an Entry/Exit checklist, the hazardous waste compliance checklists, and in a notebook. I reviewed documents including the following: Safety Data Sheets (SDS); invoices; and manifests. 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. Van Riessen. I provided Mr. Van Riessen with a Receipt for Documents (see Attachment #3), a Confidentiality Notice (see Attachment #4), and a Notice of Preliminary Findings (NOPF) (see Attachment #5), which he signed as acknowledgement of receipt. No claim of confidential business information was made by Mr. Van Riessen.

I provided inspection and compliance assistance documents to Mr. Van Riessen during the inspection, some as paper versions and some in electronic PDF via email, that 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)*

- *Notice of Preliminary Findings (NOPF) with Instructions for Responding on back of form (top page of the completed carbonless transfer set)*
- *Instructions for Responding to a NOPF (EPA Handout)*
- *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*
- *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*

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

Northside Body Shop is an automotive body repair shop. The facility is privately owned by Mr. Van Riessen and leased from his father, Rob A. Van Riessen. Mr. Van Riessen stated that the facility began operations originally in 1955 and then later opened at this location in 1972. The facility is one building of approximately 60-feet by 80-feet, or about 4,800-square feet. The facility has four employees, operating daytime hours, Monday through Friday. See Attachment #1 for the facility aerial map views and facility diagrams. Photo 1 shows an overview of the west side of the shop area.

4.2 RCRA Status

Northside Body Shop has not been inspected for RCRA compliance prior to this inspection. There was a limited “Site Visit” report generated from an EPA visit on October 11, 1995, with no findings listed. According to the RCRA Info Notification Acknowledgement/Verification Report (see Attachment #6), Northside Body Shop last notified as a Very Small Quantity Generator (VSQG) on October 11, 1995. I verified the Notification Acknowledgement/Verification form with Mr. Van Riessen with the addition of site contact information and

additional waste codes. At the time of this inspection, I determined Northside Body Shop to be a VSQG of D001, D035, F003, and F005 hazardous waste with less than 100 kg, or 220 lbs, of non-acute hazardous waste generated per month. In addition, I determined Northside Body Shop to be a co-generator of used oil.

4.3 Facility Waste Streams and Management

Mr. Van Riessen stated that the generation of the waste streams below are generally consistent from month to month. During the visual inspection I did not observe any spent fluorescent lamps, Mr. Van Riessen stated that they had completely switched over to LED lights. The following waste streams are managed by Northside Body Shop:

Waste Paint and Thinner - Northside Body Shop generates waste paint and thinner from automotive repair painting process. Northside Body Shop determined the waste paint and thinner to be D001, D035, F001, and F005 based on product and process knowledge. Mr. Van Riessen stated that waste paint, thinner, sealant, and clearcoat are accumulated in the same five-gallon container and it tends to fill up roughly every two months, or about two to three gallons per months, or about 16-24 pounds per month. Additionally, based on the amount of this waste onsite (roughly 30 gallons) since the last shipment in June 2021, about 17 months ago, it appears they generate about 1½ to two gallons per month, or about 12-16 pounds per month, of the waste paint and thinner. The most recent shipment for this waste is documented on the attached June 2, 2021, uniform hazardous waste manifest and land disposal restriction (LDR) form (see Attachment #7). Onsite management includes collecting the spent paint and thinner in a five-gallon can in the Paint Mix Room. See Attachment #13 for the Safety Data Sheets (SDS) of several paint products typically used onsite. Once the five-gallon container is full, the waste paint is transferred to a 55-gallon drum in the Parts Room. During the visual inspection I observed one five-gallon can satellite container for waste paint in the Paint Mix Room (see Photos 2-7). The gray five-gallon container on the right in Photo 2 is the waste paint. The container was about half full and appeared to be in good condition with no obvious leaks. Photos 8-9 show the 55-gallon drum of waste paint and thinner inside of the Parts Room. The right 55-gallon drum in Photo 8 contains the waste paint and thinner and appeared to be about half full. The drum appeared to be in good condition with no obvious leaks or damage. This drum was labeled with both “Hazardous Waste” and “Flammable” labels. Mr. Van Riessen stated that once this drum is near full, Clean Earth Specialty Waste Solutions (Blaine, Minnesota) is contacted to transport the hazardous waste. The most recent June 2, 2021, manifest indicated one drum of 273 pounds, was shipped to Petro Chem Processing in Detroit, Michigan for processing.

Waste Latex Paint - Northside Body Shop generates five to ten pounds of waste latex paint (water-based) per month from the automotive repair painting process. The waste latex paint is determined to be non-hazardous waste based on Northside Body Shop’s product and process knowledge. Onsite management includes collecting the waste latex paint in a five-gallon container in the Paint Mix Room. Once full, the waste latex paint is transferred to a 55-gallon drum in the Parts Room and disposed of by Clean Earth Specialty Waste Solutions (Blaine, Minnesota). During the visual inspection, I observed a five-gallon container for waste latex paint in the Paint Mix Room (see Photo 2). The black container on the left in Photo 2 is waste latex paint. The five-gallon container was about half full and appeared to be in good condition with no

obvious leaks. The left 55-gallon drum in Photo 8 contains waste latex paint and it appeared to be about 1/3 full. The drum appeared to be in good condition with no obvious leaks or damage.

Disposable Paper Wipes - Northside Body Shop generates disposable paper wipes during the painting and paint gun cleaning process. The disposable wipes are located in the Paint Mix Room (see Photo 3) and used with the solvents shown in Photos 5-7, SX330 solvent cleaner and SWX350 latex paint solvent cleaner. See Attachment #12 for the SDS of both SX330 and SWX350. Mr. Van Riessen stated they generate about ten disposable wipes per week. Mr. Van Riessen stated that typically the wipes, if wet, are allowed to dry and are disposed of in the general trash. I asked Mr. Van Riessen if he had conducted a hazardous waste determination on the disposable paper wipers. Mr. Van Riessen stated that there had not been a formal hazardous waste determination made on the disposable wipes. During the visual inspection, I only observed one clean disposable wipe being accumulated (shown in Photos 5 and 7).

NOPF 2: Failure to conduct a hazardous waste determination on the spent solvent contaminated paper wipes as required per 40 CFR 262.11(a)

Note, post-inspection, on November 29, 2022, I received an email from Mr. Van Riessen with an attached PDF of what was described to be a hazardous waste determination on the disposable paper wipes, conducted by Barton Solvents Inc. (Council Bluff, Iowa). The attached report was called a "Waste Material Profile" and listed the examined waste as "Non-DOT/Non-RCRA Regulated Materials", and indicated it was Exempt Waste: 40 CFR 261.4(b)(18) (see Attachment #14).

Reusable Cloth Rags - Northside Body Shop generates 30-50 reusable cloth rags per week from the vehicle cleaning and repair process (mostly cleaning glass and buffing body parts). Mr. Van Riessen stated that the no solvents are used with the reusable rags and the soiled rags are non-hazardous waste based on process knowledge. During my visual inspection, a representative for the commercial laundry service, Cintas, arrived to pick up the bag of soiled rags and drop off clean linen (see Photo 10 and see Attachment #9 for the Cintas Invoice). The dirty cloth rags appeared to be dry with no obvious free liquids. Mr. Van Riessen stated that the dirty cloth rags are collected in an open clear plastic bag hanging from a metal frame as shown in Photo 10. *On the NOPF, I left NOPFs 1A and 1B [40 CFR 261.4(b)(26)] for failing to properly label and close a container of excluded solvent-contaminated wipes. After further review, it appears that the dirty cloth rags are non-hazardous waste. NOPFs 1A and 1B have been rescinded.*

Spent Paint-Booth Air Filters - Northside Body Shop generates disposable air filters from the operation of their Blowtherm USA Ultra 2000 paint booth (see Photo 13). Paint booth ceiling air-filters are serviced annually by North Willow (Becker, Minnesota). Floor air filters are changed every couple of months as needed and are disposed of in the general trash. Mr. Van Riessen stated that the spent air filters are dry and are non-hazardous waste based on process knowledge. Northside Body Shop orders replacement air filters from Clean Works, Cedar Lake, Indiana (see Attachment #8 for the Air Filter Invoice).

Scrap Metal - Northside Body Shop generates scrap metal from their auto body repair process. The scrap metal is stored outside on the westside of the shop (see Photo 12). Mr. Van Riessen

stated that a local “scrapper guy” periodically picks up the scrap metal and takes it to the local scrap yard for recycling.

Spent Lead-Acid Batteries - Northside Body Shop generates one to two spent lead-acid batteries per year from the auto body repair process. Mr. Van Riessen stated that the spent lead-acid batteries are core exchanged for a new battery from their local auto parts store and sent for recycling. The spent lead-acid batteries generated onsite are managed per 40 CFR Part 266, Subpart G. During the visual inspection, I did not observe any spent lead-acid batteries being generated or accumulated onsite.

Used Oil - Northside Body Shop generates used oil from the annual maintenance of their air compressor. The generation rate of used oil varies. H.G. Klug and Sons (Omaha, Nebraska) services the air compressor and recycles the used oil (see Attachment #11 for the Air Compressor Invoice). At the time of the inspection, I did not observe any used oil being generated or accumulated on site.

Waste Tires - Northside Body Shop generates waste tires from the auto body repair process. The generation of waste tires varies. Mr. Van Riessen stated that the spent or damaged tires are exchanged for new tires from their local tire shop and sent for recycling. During the visual inspection, I did not observe any spent or damaged tires being generated or accumulated onsite.

General Trash - Northside Body Shop generates two-cubic yards of general trash per week from routine business operations. Mr. Van Riessen stated general trash consists of paper, cardboard, and plastic shipping wastes, air filters, and general office wastes and it is non-hazardous waste based on process knowledge. The general trash is collected in a two-cubic-yard dumpster (see Photo 14), which is collected weekly by Brommer Sanitation, Sioux Center, Iowa (see Attachment #10 for the General Trash Invoice) and transported to the local landfill. During the visual inspection, I observed the trash dumpster to be about ¼ full and in good condition.

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 and containers except as noted above. See the aerial and map views in Attachment #1.

Preparedness and Prevention - Northside Body Shop has several fire extinguishers throughout the facility (see Photo 11). The management of safety equipment appeared to be satisfactory.

5.0 SUMMARY OF FINDINGS

1. NOPFs 1 A & B - RESCINDED

2. NOPF 2: Failure to conduct a hazardous waste determination on solvent contaminated disposal wipes per 40 CFR 262.11(a)

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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Mark Holcomb
Civil Investigator, SEE

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Amber Whisnant
RCRA Section Chief, ECAD/Chemical Branch

Attachments:

- 1) Facility Aerial & Map View (4 pages)
- 2) Photo Log (14 photos and 7 pages)
- 3) Receipt for Documents (1 page)
- 4) Confidentiality Notice (1 page)
- 5) NOPF (1 page)
- 6) EPA RCRA Notification Acknowledgement/Verification Report (1 page)
- 7) Uniform Hazardous Waste Manifest & LDR - Waste Paint (2 pages)
- 8) Invoice - Paint Booth Air Filters (1 page)
- 9) Invoice - Cintas Rags (1 page)
- 10) Invoice - Trash and Cardboard (1 page)
- 11) Invoice - H.G. Klug Air Compressor Maintenance (1 page)
- 12) SDS - Solvents (29 pages)
- 13) SDS - Paints (61 pages)
- 14) Waste Material Profile - Paper Wipes (1 Page)