

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

GREENLEAF TOBACCO AND E-CIG

1503 E San Marnan Dr, Suite C
Waterloo, Iowa 50702
319-595-1549

EPA ID Number: None

On

April 30, 2024

By

U.S. ENVIRONMENTAL PROTECTION AGENCY

Region 7

Enforcement and Compliance Assurance Division

1.0 INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division (ECAD), I conducted a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Greenleaf Tobacco and E-Cig, located in Waterloo, Iowa, on April 30, 2024. The CEI was conducted under the authority of Section 3007(a) of RCRA, as amended. During the inspection, I collected the information and data necessary to determine compliance with the applicable regulatory and statutory requirements. This inspection report and attachments present the results of the CEI.

2.0 PARTICIPANTS

Greenleaf Tobacco and E-Cigs:

- OJ Jackson, Store Manager (2 years with company)
- Trina Durin, Store Clerk (2 years with company)

EPA:

- Mark Holcomb, Civil Investigator/Inspector (SEE)

3.0 INSPECTION PROCEDURES

On April 30, 2024, I arrived unannounced at the store's main entrance at about 1300 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. This facility is a store in a small strip mall. I entered through the front door and introduced myself to Mr. OJ Jackson, the Store Manager on duty. Mr. Jackson stated that he was not very familiar with EPA and hazardous

waste requirements, but he offered to help answer my questions. There were only three store clerks on duty, and most were busy taking care of customers.

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

The CEI consisted of a discussion of facility operations, waste generation, and waste management; a visual inspection of active waste generation and management areas; and a review of waste management records and documents.

I conducted a visual inspection of the following areas:

- Front Room
- Back Room
- Cigar Room
- Storage Room

See Attachment #1 for the facility aerial/map views. Document photocopies and photographs were collected as inspection documentation (see Attachments #1-6 and Photos 1-7). The photo log is included as Attachment #2. Information collected during the inspection is documented on an Entry/Exit checklist, the hazardous waste compliance checklists, and in a notebook. 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. Jackson. I provided Mr. Jackson with a Receipt for Documents (see Attachment #3) and a Confidentiality Notice (see Attachment #4), which he signed as acknowledgement of receipt. A claim of confidential business information was not made by Mr. Jackson. On the Notice of Preliminary Findings (NOPF) form, I indicated that there were no preliminary findings observed at the time of the inspection, however, further EPA review may include findings. I left a copy of the NOPF form with the instructions on how to respond if any findings are added post inspection (see Attachment #6). I provided inspection and compliance assistance documents to Mr. Jackson during as an electronic PDF via email post-inspection, 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)*
- *NOPF with Instructions for Responding on back of form (top page of the completed carbonless transfer set)*

- *U.S. EPA Small Business Resource Information Sheet (EPA Handout)*
- *Solvent-Contaminated Wipes Final Rule Chart (EPA Handout)*
- *Recycling Electronics (Iowa Department of Natural Resources - IDNR Handout)*
- *Lead-Based Paint Activities (IDNR Handout)*
- *Excluded Solvent-Contaminated Wipe Rule (IDNR Handout)*
- *Battery Recycling/Disposal (IDNR Handout)*
- *Management of Fluorescent Lamps for Businesses (IDNR Handout)*
- *Incompatible Chemicals (IDNR Handout)*
- *Universal Wastes Including Aerosol Cans (IDNR Handout)*
- *TCLP Waste Determination Testing (IDNR Handout)*
- *Industry Sector Notebooks (EPA Handout)*
- *Environmental Compliance Assistance Centers (EPA Handout)*
- *e-Manifest Fact Sheet (EPA Handout)*
- *RCRA Online A Quick Reference Guide (EPA Handout)*
- *Requirements for Used Oil Management Standards (EPA Handout)*
- *Emergency Response Program (EPA Handout)*
- *Commercial Motor Vehicle Transportation System Security & Safety (EPA Handout)*
- *Security Awareness (EPA Handout)*
- *Chemical Facility Anti-Terrorism Standards (Homeland Security Handout)*
- *Iowa Life/Changing Iowa Department of Economic Development – Iowa Environmental Guide for Business (IDNR Handout)*
- *How to Register for RCRAInfo Industry Application for Iowa Facilities (IDNR Handout)*
- *Episodic event processing (IDNR Handout)*

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

Greenleaf Tobacco and E-Cigs is a retail store in a strip mall that sells tobacco and vape products (see Photos 1-5 for a view of their show rooms and Photo 6 for the storage room). Mr. Jackson stated that this store was one of at least 30 locations in Iowa under the same ownership. The facility is privately owned. Mr. Jackson stated that they only sell commercially available products and do not purchase bulk vape or nicotine solutions and do not produce their own vape e-juice products to sell. The shop is approximately 3,000 square feet. Mr. Jenssen stated that they have seven employees and are open seven days per week from 0830-2200 hours. This store has been open for about five years. Mr. Jenssen stated that they serve about 200 customers per day.

4.2 RCRA Status

Greenleaf Tobacco and E-Cigs had not been previously inspected for RCRA compliance. I verified the facility address and the site contact information with Mr. Jackson and updated the EPA RCRA Notification Acknowledgement Verification Report (see Attachment #5) to indicate the business's main phone number and the Manager's name and contact phone number. Mr. Jackson was not sure of the Owner's name or contact information. Based on the information

provided by Mr. Jackson, I determined Greenleaf Tobacco and E-Cigs to be a non-generator of hazardous waste, universal waste, and used oil. At the time of the inspection, I did not observe any known hazardous waste being generated or accumulated on-site.

4.3 Facility Waste Streams and Management

Mr. Jackson stated that the following waste streams are managed by Greenleaf Tobacco and E-Cigs:

Returned or Expired Store Products - Greenleaf Tobacco and E-Cigs generates about half to one plastic box monthly of retail items that are returns from customers or expired product. The items include retail products sold in their store and may contain both nicotine juice items and spent lithium battery e-cigarettes. Mr. Jenssen stated that returned items are often in their original boxes and placed in a plastic box near the front desk. He stated that a Regional Manager, about monthly, ships the box contents to the distributor to make hazardous waste determinations and issue credits, but he was not sure of the process details and did not have access to any documents. Mr. Jackson stated that he was not sure who the distributor was. During the visual inspection, I observed a plastic box about 12"x12"x18" that was less than 1/10 full of expired and returned e-liquid products over the last several days (see Photo 7). The products appeared to be in good condition with no obvious leaks. Based on a regulatory review, it appears that the returned products are commercial chemical products and not solid wastes under §261.2, if it is legitimately recycled, and therefore is not subject to hazardous waste regulations when sent for nicotine reclamation. During the visual inspection, I did not observe any spent lithium rechargeable batteries or expired or returned containers of vape or e-juice larger than about 120 ml being accumulated onsite.

Recyclable Cardboard - Greenleaf Tobacco and E-Cigs generates an unspecified amount of recyclable cardboard boxes from retail operations. This waste stream has been determined to be non-hazardous based product and process knowledge. Recyclable cardboard is collected in a dumpster (shared with several other strip mall shops), located in the outside southwest lot and transported weekly.

General Trash - Greenleaf Tobacco and E-Cigs generates an unspecified amount of general trash from store and business office operations. This waste stream has been determined to be non-hazardous based product and process knowledge. General trash is collected in a dumpster (shared with other strip mall shops) located in the outside southwest lot and transported weekly.

4.4 Other Areas Reviewed

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

5.0 SUMMARY OF FINDINGS

No preliminary findings or compliance issues were observed at the time of the inspection. However, further EPA review may include findings.

MARK HOLCOMB
(Affiliate)

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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 Views (3 pages)
- 2) Photo Log (7 photos and 8 pages)
- 3) Receipt for Documents (1 page)
- 4) Confidentiality Notice (1 page)
- 5) EPA RCRA Notification Acknowledgement/Verification Report (1 page)
- 6) NOPF (1 page)