

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

AURA CACIA A DIVISION OF FRONTIER DISTRIBUTION LLC

5398 31st Ave
Urbana, Iowa 52345
319-227-7996 ext. 4728

EPA ID Number: IAR000527663

On

October 25, 2023

By

TOEROEK ASSOCIATES, INC.

For

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

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, Toeroek Associates, Inc., and its subcontractor CLAENE Group (Toeroek team) conducted a hazardous waste compliance evaluation inspection (CEI) at Aura Cacia a Division of Frontier Distribution LLC (Aura) at 5398 31st Ave., Urbana, Iowa. The CEI was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA), as amended. The CEI covered hazardous waste generator requirements, used oil management, and universal waste requirements, as applicable. This report and its attachments present the results of the CEI.

PARTICIPANTS

Aura:

Andy Hunt, Plant Superintendent
Matthew Ballway, Director of Engineering (Entry Briefing only)
Matt Tucker, Safety Manager
Donald Ravin, Executive Vice President of Operations (Exit Briefing only)

Toeroek Team:

Clifford Nelles, Inspector, 816-213-5192

INSPECTION PROCEDURES

Prior to the CEI at Aura on October 25, 2023, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by. At approximately 8:15 a.m., I entered the facility and explained the purpose of the CEI to the receptionist. I asked to speak with Mr. Andy Hunt, who was listed as the RCRA site contact on the Notification Acknowledgment/ Verification Report (Verification Report) provided by EPA prior to the inspection (Attachment 1). The receptionist contacted Mr. Hunt to inform him of my arrival. Messrs. Hunt and Ballway arrived at the reception area approximately 5 minutes later. I introduced myself to Messrs. Hunt and Ballway and explained the purpose and scope of the CEI. Messrs. Hunt, Ballway and I adjourned to a conference room in the mezzanine, where I proceeded to conduct an entry briefing with them. Mr. Hunt stated that Mr. Tucker would be joining us later as he was in transit from the Norway, Iowa, facility.

During the entry briefing, I presented my business card and EPA credentials to Messrs. Hunt and Ballway. I explained the scope and procedures for the CEI. I explained the facility's right to make confidentiality claims for any or all the information obtained and provided a Notice Regarding Proprietary/Confidential Business Information. I stated that at the conclusion of the CEI, Mr. Hunt would be presented with a Confidentiality Notice (Notice) with which he could make or not make a claim of confidentiality for the facility. I also provided Messrs. Hunt and Ballway a copy of U.S. Federal Codes 1001 and 1002, concerning communication of false statements and documents to federal inspectors, and RCRA Section 3007, explaining EPA's inspection authority, both of which they read.

Copies of the following documents were left with Mr. Hunt during the inspection:

- RCRA Facility Access Information Sheet
- RCRA Section 3007
- U.S. Federal Codes 1001 and 1002
- Instructions for Responding to a Notice of Preliminary Findings
- Notice Regarding Proprietary/Confidential Business Information

The following handouts were provided electronically to Mr. Hunt:

- E-Manifest Fact Sheet: Generators
- Managing your Hazardous Waste: A Guide for Small Businesses
- U.S. EPA Small Business Resources Information Sheet
- Solvent-Contaminated Wipes Final Rule Summary Chart
- IDNR Excluded Solvent-Contaminated Wipes Rule: Management Practices for Wipes, Rags, and Shop Towels
- Recycling Electronics: A Guide for Businesses
- Lead-Based Paint Activities: Handling and Disposal
- Battery Recycling/Disposal
- Management of Fluorescent Lamps for Businesses
- Incompatible Chemicals
- Universal Wastes – Including Aerosol Cans

- TCLP – Toxicity Characteristic Leaching Procedure
- Part 279 Requirements: Used Oil Management Standards
- EPA Region 7 Emergency Response Program
- Chemical Facility Anti-Terrorism Standards
- Iowa Environmental Guide for Businesses

I reviewed the Verification Report (Attachment 1) with Mr. Hunt during the entry briefing. Based on this review, I made no changes to the Verification Report.

I conducted a visual inspection of the facility. Mr. Hunt accompanied me during the visual inspection. After the visual inspection, I reviewed facility records including hazardous waste manifests with land disposal restriction notifications, safety data sheets (SDS), inspection records, and training documentation. I prepared and completed a site-specific inspection checklist to document my observations.

At the conclusion of the CEI, I conducted an exit briefing with Messrs. Hunt, Tucker and Ravin. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. Hunt signed, acknowledging receipt (Attachment 2). I provided Mr. Hunt the Notice, which he signed indicating no confidential business information had been provided (Attachment 3). I also provided Mr. Hunt a Notice of Preliminary Findings (NOPF) which he signed to acknowledge receipt (Attachment 4).

A map of the facility obtained during the CEI is included in Attachment 5, and a Google Earth aerial photograph of the facility is included as Attachment 6. All 12 photographs taken during the CEI are included in Attachment 7, all of which are described in this report.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

Aura manufactures skin products and aromatherapy products by purchasing essential oils in bulk, adding fragrances to the oils, and bottling finished products into smaller containers. Aura has been operating at its current location on the south side of Urbana, Iowa, since 1993. The facility currently employs approximately 30 full time personnel who work one of two shifts—7:00 a.m. to 3:00 p.m. Monday through Friday or 9:00 p.m. to 7:00 a.m. Tuesday through Friday. The Aura facility consists of a single building with approximately 25,500 square feet under roof.

Fragrances are mixed with the essential oils using machinery in room BM2 or room MBB. After mixing, the products are then bottled and packaged. When fragrance changes are needed, the facility conducts a cleaning process to ensure no cross-contamination from one fragrance to another. The cleaning process includes a system purge with water, soapy water flush, surfactant and wetting agent flush, rinse water flush, and ethanol flush. Copies of the SDS for Tego Solve 90 MB, Alkest TW 20 K and ethanol are included as Attachments 8, 9 and 10 respectively. The soapy water, surfactant/wetting agent, and rinse water flushes are discharged to the sanitary sewer system for treatment at the City of Urbana publicly-owned treatment works (POTW). The first flush (water/oil) and final flush (waste ethanol) are collected separately and are managed as

hazardous waste (D001). A copy of an Analytical Report from Eurofins characterizing the facility's waste streams, dated October 31, 2022, is included as Attachment 11.

Aura had not been previously inspected for RCRA compliance.

2. RCRA Status

The Verification Report (Attachment 1) indicates that Aura is registered with EPA, under EPA ID IAR000527663, as a large quantity generator (LQG) of D001 hazardous waste. Aura was granted EPA ID number IAR000527663 on February 9, 2023. I asked to review all uniform hazardous waste manifests for the last three years. The only hazardous waste shipments ever initiated at the facility occurred after issuance of the EPA ID number, on June 7, 2023, August 14, 2023 and October 11, 2023. Copies of these manifests are included in Attachment 12.

The facility generates two D001 hazardous waste streams—water/oil and waste ethanol. I asked Mr. Hunt how a facility that has been in operation since 1993 had no hazardous waste shipments until 2023. He stated that the facility stored waste ethanol and water/oil waste onsite since 1993, with no disposal. They did not make a hazardous waste determination until they ran out of storage space and required a waste profile. They got the results of the analytical report on October 31, 2022 (Attachment 11). The facility shipped 2,000 gallons of hazardous waste on June 7, 2023, 865 gallons of hazardous waste on August 14, 2023, and 675 gallons of hazardous waste on October 11, 2023.

Based on the quantity of hazardous waste generated between August 14, 2023, and October 11, 2023 (and assuming 8.34 pounds per gallon), I calculated a generation rate of approximately 2,816 pounds of hazardous waste per month. Therefore, I inspected the facility as a LQG of hazardous waste (generating more than 2,200 pounds or 1,000 kilograms [kg] of hazardous waste per calendar month). The facility does not generate universal waste or used oil.

The facility made hazardous waste determinations after receiving the Eurofins analytical report on October 31, 2022. They received their EPA ID number on February 8, 2023, and initiated the first shipment of accumulated waste on June 7, 2023. Based on these dates, it appears that Aura accumulated hazardous waste beyond 90 days without a RCRA permit, as prohibited by Section 3005 of RCRA (**NOPI No. 4**).

3. Waste Streams

This section of the CEI report describes the waste streams generated by the facility, including the facility's waste determination and waste codes, generation process and rate, management at the facility, and ultimate disposition. The following discussion of waste streams is based on conversations with facility representatives, the visual inspection, and my review of waste shipping documents. Mr. Hunt accompanied me during the visual inspection.

Waste ethanol (alcohol/oil) is generated during the final stage of the cleaning process when the bottling system changes fragrances. The facility considers waste ethanol to be hazardous waste (D001) based on analytical testing. Waste ethanol is initially accumulated in 55-gallon satellite accumulation containers (SAC) in rooms BM2 and MBB. Full SACs are transferred to hazardous

waste accumulation containers (HWAC) in one of the facility's two hazardous waste container accumulation areas (HWCAAs). Based on the volume of waste generated and shipped between August 14, 2023, and October 11, 2023, I estimated a generation rate for both waste ethanol and water/oil to be 2,816 pounds per month combined. The waste is collected by Brenntag Great Lakes and transported to WRR Environmental Services in Eau Claire, Wisconsin, for fuel blending.

During the CEI, I observed a 55-gallon SAC of waste ethanol in the BM2 room (Attachment 7, Photographs 1 and 2). The SAC was structurally sound, closed, under control of the operator, near the point of generation, and held approximately 15 gallons of waste. However, the SAC was not labeled with the words "Hazardous Waste," as required by 40 CFR 262.15(a)(5)(i) (**NOPF No. 1**) or an indication of the nature of the hazard, as required by 40 CFR 262.15(a)(5)(ii) (**NOPF No. 2**). During the CEI, employees of Aura affixed labeling with the words "Hazardous Waste" and indication of the nature of the hazard to the SAC (Attachment 7, Photographs 11 and 12). I provided compliance assistance regarding management of SACs during the CEI.

I observed another 55-gallon SAC of waste ethanol in the MBB room (Attachment 7, Photograph 5). The SAC was structurally sound, closed, under control of the operator, near the point of generation, labeled with the words "Hazardous Waste" and an indication of the nature of the hazard, and held approximately 10 gallons of waste.

I observed a 300-gallon HWAC of waste ethanol in the South Dock HWCAA (Attachment 7, Photographs 3 and 4). The HWAC was structurally sound, closed, labeled with the words "Hazardous Waste" and an indication of the nature of the hazard, marked with an accumulation start date of September 20, 2023, and held approximately 250 gallons of waste.

I also observed a 300-gallon HWAC of waste ethanol in the MBB room HWCAA (Attachment 7, Photographs 8 and 9). The HWAC was structurally sound, closed, labeled with the words "Hazardous Waste" and an indication of the nature of the hazard, marked with an accumulation start date of October 24, 2023, and held approximately 10 gallons of waste.

Water/oil is generated during the first stage of the cleaning process when the bottling system changes fragrances. The water/oil is contained in a 300-gallon tote upon generation, where it is allowed to separate. After separation, the water is drained off for sanitary sewer disposal. The facility considers the remaining water/oil waste to be hazardous waste (D001) based on analytical testing. Based on the volume of waste generated and shipped between August 14, 2023, and October 11, 2023, I estimated a generation rate for both waste ethanol and water/oil to be 2,816 pounds per month combined. The waste is collected by Brenntag Great Lakes and transported to WRR Environmental Services in Eau Claire, Wisconsin, for fuel blending.

During the CEI, I observed one 300-gallon HWAC of water/oil in the MBB room HWCAA (Attachment 7, Photographs 6 and 7). The HWAC was structurally sound, closed, labeled with the words "Hazardous Waste" and an indication of the nature of the hazard, marked with an accumulation start date of October 17, 2023, and held approximately 150 gallons of waste.

General trash is generated during facility maintenance and manufacturing. The facility has determined that general trash is nonhazardous waste based on product and process knowledge. General trash includes, but is not limited to, floor sweepings, paper, and cardboard packaging. General trash is collected by Allied Waste of Marion, Iowa, and transports it to the Cedar Rapids/Linn County Solid Waste Agency landfill in Marion, Iowa, for disposal. During the CEI, I observed accumulation of general trash and noted no deficiencies.

4. Required Response Equipment and Hazard Management

Per 40 CFR 262.17(a)(6) referencing 262.251, a LQG must operate to minimize the possibility of a fire, explosion, or spill, and must maintain emergency response equipment. During the visual inspection, I observed spill response equipment such as mats, absorbent materials, shovels, and brooms, as well as the presence and availability of fire extinguishers. I determined that the spill and fire response equipment was adequate for the hazardous wastes generated and accumulated at the facility.

5. Container Accumulation Areas

Aura maintains a HWCAA in the BM2 and MBB rooms. I asked Mr. Hunt if the HWCAAs were inspected. He stated that Ms. Brelynn Primmer conducts a weekly inspection of all HWCAAs and SACs. I asked Mr. Hunt if he maintains an inspection log. He stated that an inspection log is maintained. During the records review, I viewed the inspection log for the year 2023 and noted no missed inspections. No other inspection logs were available because Aura did not conduct inspections prior to receiving their EPA ID in February 2023. A copy of the inspection log and example inspection form for the week of October 20, 2023, is included in Attachment 13. I asked Mr. Hunt how someone would summon emergency assistance. He stated that there are telephones at each HWCAA (Attachment 7, Photograph 10). During the CEI, I observed the telephones and adequate aisle space for inspection and emergency response at each HWCAA.

6. Manifests

Aura generated three uniform hazardous waste manifests over the last three years. from October 25, 2020, to October 25, 2023. During the CEI, I reviewed all three uniform hazardous waste manifests generated by the facility (dated June 7, August 14, and October 11, 2023) and noted no deficiencies. Copies of these manifests are included in Attachment 12.

7. Preparedness and Prevention

LQG facilities are required by 40 CFR 262.17(a)(6) to meet the emergency preparedness, prevention, and procedures requirements including documented arrangements with response agencies. According to Mr. Hunt, Aura is the subject of a regular inspection by the Urbana Fire Department hazardous materials team. He explained the fire department is shown the layout of the facility, the location of the hazardous waste HWCAAs, and other facility features during inspections. The RCRA contingency plan was last updated on June 9, 2023. Mr. Hunt is listed as the Emergency Coordinator. A copy of the list of Emergency Coordinators from the contingency plan is included as Attachment 14.

I reviewed the contingency plan against the content requirements of 40 CFR 262.261. I noted the contingency plan included a description of actions needed to respond to fires, explosions, and spills, a description of arrangements with the local emergency agencies, a list of emergency response equipment (including capabilities and location), and a complete evacuation plan with a description of the signals used, as required by 40 CFR 262.17(a)(6) referencing 262.261(a, c, e, and f).

I asked Mr. Hunt if Aura prepared a Quick Reference Guide. He stated that the facility prepared a Quick Reference Guide. A copy of the Quick Reference Guide, which was last updated in June 2023, is included as Attachment 15. Based on my review, the contingency plan and Quick Reference Guide appeared to contain all of the required elements.

8. Personnel Training Requirements

Personnel training is required by LQG regulations specified in 40 CFR 262.17(a)(i)(A) to ensure that employees are thoroughly familiar with proper waste handling procedures relevant to their responsibilities. Aura did not receive an EPA ID until February 9, 2023; therefore, they did not conduct any training until 2023. Copies of the training records for Messrs. Hunt and Tucker and Ms. Primmer (who signs the manifests and conducts weekly inspections) are included in Attachment 16. The written job descriptions and training requirements for Operations Assistant (Ms. Primmer) and Plant Superintendent (Mr. Hunt) are included in Attachment 17. I noted that the written job descriptions failed to include a description of the type and amount of introductory and continuing training, as required by 40 CFR 262.17(a)(7)(iv)(C) (**NOPF No. 3**).

9. Air Emissions: 40 CFR Part 265 Subparts AA, BB, CC

EPA regulations in 40 CFR Part 265, Subparts AA, BB, and CC apply to LQGs. If a LQG manages hazardous waste with an organic concentration greater than 10 parts per million by weight (ppmw), the standards specified in Subpart AA apply to hazardous waste air emissions from certain process vents. A process vent used in distillation, fractionation, solvent extraction, thin-film evaporation, air stripping, or steam stripping is regulated by Subpart AA. Aura is not subject to the Subpart AA regulations because the facility does not have any of the process vents listed above.

If a LQG has equipment that contains or contacts hazardous waste composed of 10 percent or greater organics by weight, the facility is subject to Subpart BB standards for inspection and monitoring of the equipment. Aura is not subject to the Subpart BB regulations because it does not have equipment that contains or comes in contact with hazardous waste.

The standards found in Subpart CC apply to LQGs that manage hazardous waste in containers with organic compounds (VOC) concentration that exceeds 500 ppmw. The Subpart CC standards are applicable because the facility accumulates hazardous waste that contains VOCs in 300-gallon hazardous waste accumulation containers. During the CEI, I determined that Aura meets the Subpart CC requirements for containers by using Container Level 2 controls (hazardous waste accumulation containers larger than 122 gallons that are Department of Transportation [DOT]-approved). I noted no concerns with management of hazardous waste per the Subpart CC air emissions requirements.

10. Summary of Preliminary Findings

In summary, as part of the CEI, I made the following preliminary findings:

- Failure to label a SAC with the words “Hazardous Waste,” as required by 40 CFR 262.15(a)(5)(i) (**NOPF No. 1**)
- Failure to label a SAC with an indication of the nature of the hazard, as required by 40 CFR 262.15(a)(5)(ii) (**NOPF No. 2**)
- Failure to prepare a written description of the type and amount of introductory and continuing training, as required by 40 CFR 262.17(a)(7)(iv)(C) (**NOPF No.3**)
- Accumulation of hazardous waste longer than 90 days without a RCRA permit (RCRA 3005) (**NOPF No.4**)

Other than items specifically noted in the narrative, I observed no additional issues. However, further review by EPA may change or add to my findings.

Clifford A.
Nelles

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A. Nelles
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Clifford A. Nelles, Inspector
CLAENE Group

Mike Martin - signing
for Amber Whisnant

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

Attachments:

1. Notification/Acknowledgement Verification Report (1 page)
2. Receipt for Documents and Samples (1 page)
3. Confidentiality Notice (1 page)
4. Notice of Preliminary Findings (1 page)
5. Site Map (1 page)
6. Google Earth Aerial Photograph (1 page)
7. Photographic Documentation (Photolog and 12 Photographs) (8 pages)
8. Copy of SDS for Tego Solve 90 MB (10 pages)
9. Copy of SDS for Alkest TW 20 K (8 pages)
10. Copy of SDS for Ethyl Alcohol (7 pages)
11. Copy of Analytical Report from Eurofins dated October 31, 2022 (17 pages)
12. Copies of Manifests from Shipments dated June 7, 2023, August 14, 2023 and October 11, 2023 (3 pages)
13. Copy of Inspection Log Dated October 20, 2023 (1 page)
14. Copy of Contingency Plan (1 page)
15. Copy of Quick Response Guide (2 pages)
16. Copies of Training Records (2 pages)
17. Copies of Job Descriptions for Operations Assistant and Plant Superintendent (7 pages)