REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

HAWKINS INC – CAMANCHE
2619 Camanche Industrial Park Road
Camanche, Iowa 52730
563-243-2117

EPA ID Number: IAR000520098

On

May 22, 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 Hawkins Inc – Camanche (Hawkins) at 2619 Camanche Industrial Park Road in Camanche, Iowa. The CEI was conducted under the authority of Section 3007 of 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

Hawkins:
Kevin Mortensen, Plant Manager
Brian Petersen, Maintenance Technician
Travis Haus, Senior Environmental Specialist (entry and exit briefing) (via teleconference)

Toeroek Team:
Clifford Nelles, Inspector, 816-213-5192

INSPECTION PROCEDURES

Prior to the CEI at Hawkins on May 22, 2023, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by. At approximately 8:00 a.m., I entered the security building and informed the guard that I was there to conduct a CEI. The guard contacted Mr. Mortensen. Mr. Mortensen arrived at the security building in approximately 15 minutes. He asked to see my credentials and then stated that he would have to contact the corporate office to ask about allowing my access. After discussion with the corporate office, Mr. Mortensen contacted the security guard and granted access. The security guard gave me directions to the main office, where I was met by Messrs. Mortensen and Petersen. After brief introductions, I explained the purpose and scope of the CEI to Messrs. Mortensen and Petersen. We then adjourned to Mr. Mortensen's office where I proceeded to conduct an entry briefing with Messrs. Mortensen and Petersen. Mr. Haus participated in the entry briefing via telephone.

During the entry briefing, I presented my business card and EPA credentials to Messrs. Mortensen and Petersen. 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. Mortensen 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. Mortensen and Petersen 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.

A copy of each of the following documents was left with Messrs. Mortensen and Petersen during the inspection:

- RCRA Facility Access Information Sheet
- Mr. Trevor Urban's business card
- 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
- E-Manifest Fact Sheet: Generators
- Managing your Hazardous Waste: A Guide for Small Businesses
- U.S. EPA Small Business Resources Information Sheet
- 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
- Generator Improvements Rule Episodic

I reviewed the Notification Acknowledgement/Verification Report (Verification Report) with Messrs. Mortensen and Petersen (Attachment 1). Since he was not listed as the site contact on the Verification Report, I asked Mr. Mortensen how long he had been the Plant Manager. He stated that he had been the Plant Manager for 5 weeks. Mr. Petersen stated that he had been the Maintenance Technician for 2 years. Based on my review of the Verification Report with Messrs. Mortensen and Petersen, I changed the site contact section of the Verification Report to reflect Mr. Mortensen's name and contact information. I also changed the facility's hazardous waste generator status from large quantity generator (LQG) to nongenerator on the Verification Report.

I conducted a visual inspection of the facility, accompanied by Messrs. Mortensen and Petersen. Following the visual inspection, I reviewed available facility records including hazardous waste manifests with land disposal restriction (LDR) notifications and safety data sheets (SDS). 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. Mortensen and Petersen. Mr. Haus participated in the exit briefing via telephone. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. Mortensen signed, acknowledging receipt (Attachment 2). I provided Mr. Mortensen the Notice, which he signed indicating no confidential business information had been provided (Attachment 3). I also provided Mr. Mortensen a Notice of Preliminary Findings (NOPF), which he signed to acknowledge receipt (Attachment 4).

Maps of the facility obtained during the CEI are included in Attachment 5, and a Google Earth aerial photograph of the facility is included as Attachment 6. All 4 photographs taken during the CEI are included in Attachment 7.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

Hawkins is located in a business/industrial area on a shared site with Clysar (a plastic fabrication company). Hawkins owns approximately l6 acres and has been operating at its current location since 1995. The facility has eight employees and operates from 2:00 a.m. to 6:00 p.m. Monday through Friday and 2:00 a.m. to 12:00 p.m. Saturday and Sunday. The facility consists of a 9,094 square-foot (sq. ft.) warehouse and a 74,595 sq. ft. manufacturing building and wastewater treatment plant.

Hawkins is a manufacturer of sodium hypochlorite (bleach). Bleach is manufactured by mixing chlorine received by rail, sodium hydroxide received by barges or rail, and water in one of three mixing tanks. The bleach is filtered by use of diatomaceous earth and stored in one of seven onsite storage tanks. Hawkins produces approximately 18,000 to 20,000 gallons of bleach per day. The bleach is distributed to customers via transport tankers.

The facility also transloads sulfuric and hydrochloric acids. Sulfuric acid is transloaded from rail directly to transport tankers. Hydrochloric acid is transloaded from rail to storage tanks to transport tankers. Hawkins also receives, warehouses, and distributes sodium hydroxide and other chemicals including potassium hydroxide, bleach (packaged off-site), salt, and water softener chemicals. The facility's primary North American Industrial Classification System (NAICS) codes are 325180 (Other Basic Inorganic Chemical Manufacturing) and 424690 (Other Chemical and Allied Products Merchant Wholesalers).

Hawkins was last inspected by EPA on September 15, 2015. The inspector left a Notice of Violation (NOV) for failure to make a hazardous waste determination for the following eight waste streams:

- Spent batteries
- Waste lamps
- Unknown 55-gallon drum outside Truck Building
- Bleach load out filters (64 filters)
- Two bag filters on bleach storage tanks
- Old pond wastes
- Old clarifier waste
- Unknown 5-gallon pail in acid loading area

Of these, waste lamps were the only waste I observed during the CEI. The facility no longer uses the ponds or the clarifier in their process.

2. RCRA Status

The Verification Report (Attachment 1) indicates that Hawkins is registered with EPA, under EPA ID IAR000520098, as a LQG of hazardous waste (generating more than 1,000 kilograms [kg] of hazardous waste per calendar month). Through review of current operations, interviews, and a review of waste disposal records, I determined that Hawkins currently generates one hazardous waste stream—waste lamps. Waste lamps are D009 characteristic hazardous waste; however, the facility manages waste lamps as universal waste according to provisions of Title 40 *Code of Federal Regulations* (40 CFR) Part 273. Since universal waste is not counted toward a facility's generator status and the facility currently generates no other hazardous wastes, I inspected the facility as a nongenerator of hazardous waste and a small quantity handler (SQH) of universal waste (accumulating less than 5,000 kg on site at any time).

Hawkins generates sodium hydroxide waste approximately every 10 years during cleanout of the sodium hydroxide tanks. The facility considers sodium hydroxide hazardous (D002) based on product and process knowledge. A copy of the SDS for sodium hydroxide is in Attachment 8. The last cleanout event began on April 4, 2022, and ended April 11, 2022. Copies of the manifests for shipment of sodium hydroxide generated during the April 2022 cleanout are in Attachment 9. The manifests and estimated weights are summarized below:

Manifest No.	Waste	Phase	Quantity	Estimated Weight
022114083 JJK	Waste sodium hydroxide	Solution	1,500 gallons	19,155 pounds*
022114084 JJK	Waste sodium hydroxide	Solution	2 tons	4,000 pounds
022114085 JJK	Waste sodium hydroxide	Solution	2,000 gallons	25,540 pounds*
022114339 JJK	Waste sodium hydroxide	Solution	500 gallons	6,385 pounds*
024661769 JJK	Waste sodium hydroxide	Solution	375 gallons	4,789 pounds*
022114138 JJK	Waste sodium hydroxide	Solids	5 cubic yards	12,500 pounds**
			Total:	72,369 pounds

* Per the SDS, specific gravity of sodium hydroxide solution is 1.531. Weight of sodium hydroxide calculated as weight of water (8.34 pounds/gallon) x 1.531 = 12.77 pounds/gallon.
** Weight of waste sodium hydroxide solids estimated as 2,500 pounds/cubic yard.

Based on the manifests, the facility generated 72,369 pounds (32,826 kg) of sodium hydroxide waste during the April 2022 cleanout event. A total of 48,695 pounds (22,088 kg) were shipped off site on June 16, 2022 (Attachment 9, Pages 1 through 3). A total of 6,385 pounds (2,896 kg) were shipped off site on August 31, 2022 (Attachment 9, Page 4). The remaining 17,289 pounds (7,842 kg) of waste were shipped off site on January 31, 2023 (Attachment 9, Pages 5 and 6). The waste generated in April 2022 easily exceeded the LQG threshold of 2,200 pounds (1,000 kg) per month and was subject to LQG management standards. I calculated a duration of 295 days between April 11, 2022, and January 31, 2023. Therefore, the facility stored hazardous waste for longer than 90 days without a RCRA permit, as required by Section 3005 of RCRA **(NOPF No. 5)**.

NOPF No. 5 was not initially included on the NOPF form left at the facility during the CEI. NOPF No. 5 was added on May 31, 2023, and Mr. Mortensen was notified of its addition by email at that time. I provided compliance assistance regarding planned and unplanned episodic generation during the CEI.

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. Messrs. Mortensen and Petersen accompanied me during the visual inspection.

Sodium hydroxide is generated approximately every 10 years during cleanout of the sodium hydroxide storage tanks. The facility considers the waste hazardous (D002) based on product and process knowledge. Sodium hydroxide waste was last generated during the April 4, 2022, through April 11, 2022, tank cleanout event. An estimated 72,369 pounds (32,826 kg) of sodium hydroxide waste was during the April 2022 cleanout event. The waste was containerized upon generation in 300 gallon polyethylene totes and accumulated on site next to the manufacturing building until collection for offsite shipment. The waste was shipped to US Ecology Detroit South in Detroit, Michigan, for neutralization/stabilization prior to disposal.

The last of the sodium hydroxide waste generated during the April 2022 tank cleanout event was shipped off site on January 31, 2023. I did not observe sodium hydroxide waste in accumulation during the CEI. Additional discussion of this waste stream and applicable LQG requirements during its accumulation is in Section 5 of this report.

Used oil is generated during maintenance of the facility's trucks. The facility's trucks are serviced by K&K Tank Service at the K&K Tank Service facility. K&K Tank Service retains all used oil generated during truck servicing. A copy of an invoice from K & K for services on May 3, 2023, is included as Attachment 10. I did not observe used oil in accumulation on site during the CEI.

Waste lamps are generated by maintenance personnel replacing spent fluorescent lamps. The facility manages waste lamps as universal waste according to provisions of 40 CFR Part 273. Hawkins generates approximately 10 waste lamps per year. Waste lamps are shipped to Lighting Resources LLC for recycling. A copy of the certificate of recycling from Lighting Resources LLC for the last shipment of waste lamps, dated December 8, 2020, is in Attachment 11.

During the CEI, I observed an 8-foot universal waste lamps accumulation container in the maintenance shop (Attachment 7, Photographs 3 and 4). The universal waste accumulation container was labeled with the words "Universal Waste Lamps." However, the universal waste accumulation container was not dated or otherwise tracked to demonstrate length of accumulation time, as required by 40 CFR 273.15(c) (**NOPF No. 2)**. The universal waste accumulation container was not closed, as required by 40 CFR 273.13(d)(1) (**NOPF No. 3**).

I asked Mr. Petersen how long the universal waste lamps had been accumulating. He stated that he did not know how long they had been accumulating. Based on the certificate of recycling from the last shipment of waste lamps (dated December 8, 2020), I concluded that the facility had accumulated universal waste lamps longer than 1 year, as prohibited by 40 CFR 273.15(a) (**NOPF No. 1**). Based on the number of preliminary findings associated with universal waste management, I concluded that the facility had failed to train employees in the handling and management of universal waste, as required by 40 CFR 273.16 (**NOPF No. 4**).

Diatomaceous earth is used as a filtering agent for the bleach manufactured by Hawkins. After the filtration stage, the bleach and diatomaceous earth solution is processed through a press to separate diatomaceous earth from the final product. The facility considers diatomaceous earth to be nonhazardous based on product and process knowledge. Diatomaceous earth is collected in container beneath the filter press and transferred to a 20 cubic yard roll-off container. The roll-off container is collected by Environmark of Davenport, Iowa, and transported to the Clinton County Solid Waste Agency Landfill in Clinton, Iowa, for disposal.

During the CEI, I observed the filter press and diatomaceous earth collection container (Attachment 7, Photograph 1). I also observed the 20 cubic yard roll-off container used for accumulation of diatomaceous earth (Attachment 7, Photograph 2). I noted no deficiencies with accumulation and management of diatomaceous earth during the CEI.

General trash consists of office-type refuse, such as waste packaging materials and food containers. The facility has determined that general trash is nonhazardous based on product and process knowledge. General trash is accumulated in several containers throughout the facility and transferred to a 4-cubic-yard roll-off container or compactor. General trash is collected by Republic Services and transported to the Clinton County Solid Waste Agency Landfill in Clinton, Iowa. During the CEI, I observed accumulation of general trash and noted no deficiencies.

4. Manifests

Hawkins generated manifests for six hazardous waste shipments during the last three years, all for waste generated during the April 2022 sodium hydroxide tanks cleanout event. I reviewed each of the manifests and associated LDR notifications during the CEI. Copies of the six manifests, dated June 16, 2022, through January 30, 2023, are in Attachment 9.

5. LQG Requirements April 4, 2022, through January 30, 2023

The hazardous waste generated during the sodium hydroxide tanks cleanout event in April 2022 easily exceeded the LQG threshold of 2,200 pounds (1,000 kg) per month and was subject to LQG management standards while on site. The waste was in accumulation from April 4, 2022 through January 30, 2023. During that time, the facility stored hazardous waste for longer than 90 days without a RCRA permit, as required by Section 3005 of RCRA **(NOPF No. 5)**. The facility also failed to provide hazardous waste training to employees who handled the hazardous waste, as required by 40 CFR 262.17(a)(7)(i)(A) **(NOPF No. 6)**.

NOPF Nos. 5 and 6 were not initially included on the NOPF form left at the facility during the CEI. NOPF No. 5 was added on May 31, 2023, and NOPF No. 6 was added on June 8, 2023. Mr. Mortensen was notified of their addition by email at the time of addition.

During the April 4, 2022, through January 30, 2023, period of hazardous waste accumulation, the facility did not meet the preparedness, prevention, and emergency prevention requirements 40 CFR 262 Subpart M for LQG facilities. Specifically, the facility had not designated an emergency coordinator, as required by 40 CFR 262.17(a)(6) Referencing 262.264; and did not have a contingency plan, as required by 40 CFR 262.17(a)(6) Referencing 262.260(a). I did not include preliminary findings related to 40 CFR Subpart M requirements on the NOPF form left at the facility. If it is determined that the provisions of 40 CFR Subpart M were applicable due to the accumulation of sodium hydroxide tank cleanout hazardous wastes, the preliminary findings discussed above would also be applicable.

6. Summary of Preliminary Findings

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

1) Accumulation of universal waste lamps longer than 1 year, as prohibited by 40 CFR 273.15(a) (**NOPF No. 1**)
2) Failure to date or otherwise track universal waste in order to demonstrate length of accumulation time, as required by 40 CFR 273.15(c) (**NOPF No. 2)**
3) Failure keep a universal waste accumulation container closed, as required by 40 CFR 273.13(d)(1) (**NOPF No. 3**)
4) Failure to train employees in the handling and management of universal waste, as required by 40 CFR 273.16 (**NOPF No. 4**)
5) Storage of hazardous waste for longer than 90 days without a RCRA permit, as required by Section 3005 of RCRA **(NOPF No. 5)**
6) Failure to provide hazardous waste training to employees who handled the hazardous waste, as required by 40 CFR 262.17(a)(7)(i)(A) **(NOPF No. 6)**

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 Digitally signed by Clifford A. Nelles Date: 2023.07.12 16:46:37 -05'00'

_____ Date:_____

Clifford A. Nelles, Inspector
CLAENE Group

KEVIN SNOWDEN Digitally signed by KEVIN SNOWDEN Date: 2023.07.14 13:35:08 -05'00'

_____ Date: _____

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

Attachments:

1. Notification/Acknowledgement Verification Report (2 pages)
2. Receipt for Documents and Samples (1 page)
3. Confidentiality Notice (1 page)
4. Notice of Preliminary Findings (1 page)
5. Site Maps (4 pages)
6. Google Earth Aerial Photograph of Facility (1 page)
7. Photographic Documentation (Photolog and 4 Photographs) (3 pages)
8. Copy of SDS for Sodium Hydroxide (9 pages)
9. Copies of Manifests from June 16, 2022 through January 30, 2023 (6 pages)
10. Copy of Invoice from K & K Tank Service dated May 9, 2023 (1 page)
11. Copy of Certificate of Recycling from Lighting Resources dated December 8, 2020 (2 pages)