

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

Arnold Tool, Inc.
2101 S. 35th Street
Council Bluffs, Iowa 51501
(712) 388-9330

EPA ID Number: IAD984621417

On

May 16, 2023

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 Arnold Tool, Inc. (Arnold), located in Council Bluffs, Iowa, on May 16, 2023. The CEI was conducted under the authority of Section 3007(a) of RCRA, as amended. The facility had not been inspected previously for RCRA compliance. 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

Arnold:

John Lucas, Co-Owner, approximately 14 years with the company, nine years as co-owner.

U.S. Environmental Protection Agency (EPA):

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

3.0 INSPECTION PROCEDURES

Prior to beginning the inspection, I conducted a visual reconnaissance of Arnold on May 16, 2023, 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 Arnold at approximately 08:40 hours, May 16, 2023. I parked outside the facility in a public parking lot. I entered the facility through the shop entrance and was greeted by an employee working on the main shop floor. The employee asked the nature of my business, to which I responded. He responded that he would summon the owner of the company, Mr. Lucas. Mr. Lucas met me near the entry door and invited me into a conference room in an administrative office area that was used throughout this inspection.

After exchanging pleasantries, I started my entrance briefing. I presented my EPA credentials to Mr. Lucas, and we exchanged business cards. I next presented Mr. Lucas 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. Lucas acted as the official Arnold representative throughout this inspection and participated in all facets of the inspection.

This inspection consisted of an entry briefing, a discussion of facility operations, waste generation and waste management, a visual inspection of the waste generation and management areas, and an exit briefing. 12 photographs were collected, all of which were used as inspection documentation recorded in a photo log with photos (Attachment 1). A site map of the facility is attached (Attachment 2). Attachment 2 was annotated to document the location of photos taken during the visual inspection of the facility in the photo log. A copy of Mr. Lucas' business card is at Attachment 3. Documentation photocopies and photos total 11 attachments to this report (Attachments 1-11). I followed the inspection procedures discussed in the RCRA Compliance Evaluation Inspection Standard Operating Procedure (No. 2321.01E), unless noted differently.

At the conclusion of the inspection, I conducted an exit briefing, during which I summarized my findings and recommendations with Mr. Lucas. I provided Mr. Lucas a *Confidentiality Notice*, which he signed, indicating no confidentiality claims were made by the facility (Attachment 4). I provided Mr. Lucas a *Receipt of Documents and Samples* which he signed acknowledging receipt (Attachment 5). I provided Mr. Lucas a *Notice of Preliminary Findings* which he signed acknowledging receipt (Attachment 6).

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)
Battery Recycling/Disposal (Iowa of Department of Natural Resources - IDNR Handout)
Excluded Solvent-Contaminated Wipe Rule (IDNR Handout)
Universal Wastes Including Aerosol Cans (IDNR Handout)
Environmental Compliance Assistance Centers (EPA Handout)
e-Manifest Fact Sheet (EPA Handout)
Emergency Response Program (EPA Handout)
Managing Your Hazardous Waste: A Guide for Small Business (EPA Handout)

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

Arnold is a custom machine shop that cuts, shapes, and polishes parts made from carbon steel, stainless steel, bronze, and aluminum. The Arnold facility is in a light-industrial area located in northern Council Bluffs, Iowa. Arnold employs approximately nine personnel working from 07:00-15:30, Monday thru Friday. The facility occupies approximately 21,000 square feet under roof. The North American Industry Classification System code for this facility is 332710-Machine Shop.

4.2 RCRA Status

The Hazardous Waste Site Info Verification Report for Inspector (Attachment 7) identifies the facility as a non-generator of hazardous waste. I determined that Arnold generates approximately 10 gallons of known hazardous waste weighing approximately 73 pounds monthly. Therefore, I inspected Arnold as a VSQG of D039 characteristic HW. Mr. Lucas explained that the facility has converted approximately 95 percent of conventional fluorescent industrial lighting in the shop to light emitting diode (LED) fixtures and continues to generate small quantities of spent fluorescent lamps in the administrative office area that are managed as universal waste (UW). Therefore, I inspected the facility as a small quantity handler of universal waste. Arnold also operates as a used oil generator.

4.3 Facility Waste Streams and Management

Parts Washer Solvent Waste: Mr. Lucas stated that Arnold operates one parts washer that generates all known HW generated by the facility. The parts washer is serviced by Safety-Kleen Systems, 12915 A Plaza, Omaha, Nebraska. The parts washer solvent product used by Arnold is described in Attachment 8. Spent parts washer solvent waste is managed as D039 characteristic hazardous waste and Arnold is currently generating approximately 30 gallons (approximately 220 pounds) of parts washer solvent waste every three months. Mr. Lucas stated that he is changing the frequency of Safety-Kleen service calls and waste solvent generation to approximately 30 gallons (approximately 220 pounds) of HW every six months, due to business cycles and parts washer usage. The following HW waste stream generated by the facility has been characterized by Arnold below:

- NA 1993, Waste Combustible Liquid, Petroleum Naphtha, managed as D039 characteristic HW.

The HW is picked up by Safety-Kleen Systems, Inc. (TXR000081205) and transported off-site to Safety-Kleen Systems (NED981495724), where it is stored/bulked and transferred with no treatment or recovery. I observed one 30-gallon parts washer partially filled with solvent located on the shop floor shown in Photo 1, Attachment 2 and did not observe any areas of environmental concern.

Waste Blast Abrasive: Mr. Lucas stated that Arnold operates two abrasive blast units to clean rust from carbon steel parts. One of the blast units is pictured in Photo 2, Attachment 2. Mr. Lucas stated that Arnold uses Black Beauty® abrasive media (Attachment 9) in the blast units and generates less than five pounds of waste blast abrasive annually. He added that the waste blast abrasive has been determined to be non-RCRA hazardous by virtue of product and process knowledge. When no longer viable, the waste blast abrasive is disposed in the general trash.

Waste Coolant: Mr. Lucas stated that Arnold uses a Q-Cool 340 cutting and grinding fluid to cool machinery during tooling processes. The product is described in Attachment 10. Mr. Lucas stated that very little waste coolant is generated during the tooling process and coolant is regularly added to the machinery to compensate for evaporation. Mr. Lucas stated that the waste coolant has been determined to be non-RCRA hazardous, by virtue of product and process knowledge. He added that Arnold generates less than five pounds of waste coolant annually and metal fragments comingled with the waste coolant are recycled as scrap metal.

Used Oil: Mr. Lucas stated that Arnold generates approximately 55 gallons of used oil annually. The used oil is hydraulic fluid generated during preventive maintenance of machining equipment. The used oil is stored in 55-gallon containers located near the loading dock as shown in Attachment 2. I observed six closed, labeled, 55-gallon containers of used oil stored in the Loading Dock Area. One closed, labeled container of used oil is shown in Photos 3 and 4, Attachment 2. Mr. Lucas is currently evaluating potential used oil recyclers. Safety-Kleen Systems previously recycled the used oil.

Waste Absorbent (Floor Dry): Mr. Lucas stated that Arnold generates approximately 200 pounds of waste absorbent (floor dry) annually. Commercial absorbent (floor dry) is shown in Photo 5, Attachment 2. The product is used to absorb hydraulic fluid spilled on the floor of the facility. I observed absorbent (floor dry) applied to the floor near machining equipment, shown in Photo 10, Attachment 2. Mr. Lucas stated that the waste absorbent (floor dry) is disposed in the general trash. I asked Mr. Lucas if Arnold had conducted a HW determination on the waste absorbent (floor dry) disposed in the general trash, to which he responded negatively. **Arnold must conduct a HW determination on the waste absorbent (floor dry) used to absorb fluids from the floor of the facility in accordance with 40 CFR §262.11 (NOPF #1a, Attachment 6).**

General Trash: Mr. Lucas stated that Arnold generates approximately one nine-cubic yard container of general trash weekly. The general trash consists of waste office paper, lunch wastes, cardboard, and miscellaneous packing materials. I observed one approximate nine-cubic yard roll-off bin used to collect general trash pictured in Photo 6, Attachment 2. Mr. Lucas 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 by Papillion Sanitation, 10810 S. 144th Street, Omaha, Nebraska, and transported off-site to the Sarpy County Landfill, 14414 SS. 156th Street, Springfield, Nebraska, for sanitary landfill disposal.

Scrap Metal: Mr. Lucas stated that Arnold generates approximately one 55-gallon container annually each of carbon steel, stainless steel, bronze, and aluminum scrap metal. The scrap metal is collected in various containers and separated by type of metal. The scrap metal has been determined to be non-RCRA hazardous, by virtue of product and process knowledge. The scrap metal is transported off-site by Arnold to Alter Metal Recycling, 2603 9th Avenue, Council Bluffs, Iowa, for recycling. During my visual inspection of the facility, I observed one 55-gallon container of carbon steel scrap metal on the shop floor, Photo 7, Attachment 2. I also observed several containers of different types of scrap metal collected along the north wall of the facility, Photo 8, Attachment 2. I also observed a small roll-off container of metal chips located near tooling machinery shown in Photo 9, Attachment 2. I did not observe any areas of environmental concern with these containers of scrap metal.

Waste Cloth Wipes: Mr. Lucas stated that Arnold generates approximately 250 waste cloth wipes every two weeks. The cloth wipes are used to clean dirt and grime from employee hands and various machine parts in the facility. Mr. Lucas explained that the waste cloth wipes are picked up and laundered by Aramark Uniform Services, 7515 D Street, Omaha, Nebraska. During my visual inspection of the facility, I observed a metal step canister shown in Photos 11 and 12, Attachment 2. When I opened the metal step canister to observe the interior of the container, I smelled a strong, pungent, distinct odor that I have sensed before that is often associated with commercial solvent products. I asked Mr. Lucas if Arnold had conducted a hazardous waste determination on the waste cloth wipes used with commercial products, to include parts washer solvent, to which he responded negatively. **Arnold must conduct a HW determination on the cloth shop rags potentially contaminated with commercial products and used to clean metal parts in the facility and laundered by Aramark in accordance with 40 CFR §261.11 (NOPF No.**

1b, Attachment 6). I provided compliance assistance by explaining how to conduct a HW determination. I also discussed the Solvent Contaminated Wipes Rule and implementation procedures if deemed appropriate. Compliance assistance literature describing the rule was provided during the exit briefing.

Waste Aerosol Cans: Mr. Lucas stated that Arnold generates approximately one waste aerosol can monthly. The waste aerosol cans include cleaners, penetrating oil, and spray paint. Mr. Lucas stated that the waste aerosol cans have been determined to be RCRA-empty, non-RCRA hazardous by virtue of process knowledge, and are currently disposed in the general trash. He added that aerosol cans that are not RCRA-empty are transported by Arnold to Under the Sink, 4001 S. 120th Street, Omaha, Nebraska, for disposal. I provided compliance assistance during my exit briefing explaining the option of managing waste aerosol cans as UW and scrap metal.

UW-Lamps: Mr. Lucas stated that Arnold generates approximately two to three four-foot UW-Lamps every six months from re-lamping activities. Mr. Lucas stated that Arnold transports UW-Lamps in the product cardboard container to Batteries Plus Bulbs, 2201 N. 90th Street, Suite 121, Omaha, Nebraska for recycling. Mr. Lucas stated that Arnold recycles the UW-Lamps as soon as they are generated and does not store UW-Lamps at the facility. I provided compliance assistance describing UW-Lamps best management practices during my exit briefing. I did not observe any UW-Lamps during my visual inspection of the facility.

4.4 Documentation

Prior to this CEI, I reviewed 21 electronic uniform hazardous waste manifests documenting HW generated by Arnold using EPA ID# IAR000501312, spanning the period of August 1, 2018, through February 23, 2023. While on site, I obtained a copy of one uniform hazardous waste manifest for Arnold's last shipment of HW which occurred on May 15, 2023 (Attachment 11) using EPA ID# IAR000501312. Attachment 11 is documentation of 14 gallons of parts washer solvent being picked up and manifested off-site by Safety-Kleen as D039 characteristic HW the day before this inspection. Prior to this inspection, I determined that Arnold was shipping HW off-site using EPA ID# IAR000501312, which was registered for the Arnold facility when the business was located at 255 29th Avenue, Council Bluffs, Iowa. This facility was condemned under eminent domain provisions and destroyed during construction of the I-29/I-80 interstate exchange in calendar year 2011. In calendar year 2011, the Arnold business located at the 29th Avenue address moved to the current location. Prior to Arnold's occupation of this facility, the previous site location owner had operated using EPA ID# 984621417. Arnold did not notify the EPA that their old facility location (IAR000501312) had closed and no longer generated HW. Additionally, Arnold did not notify the EPA that it had occupied the new facility location, but rather continued to use their old facility's EPA ID #IAR000501312 to manage HW. Therefore, EPA Forms 8700 were completed by Arnold during this inspection, notifying the EPA that regulated activity was no longer occurring at the 255 29th Avenue (IAR000501312) location and updating the on-going regulated activities that have been ongoing since 2011 at the current 2101 S. 35th Street (IAD984621417) location.

5.0 SUMMARY

I documented the following preliminary findings during this CEI:

NOPF No. 1: 40 CFR § 262.11: Failure to conduct a HW determination of (a) soiled cloth shop rags used to clean metal parts using commercial products, and (b) absorbent floor dry used to absorb fluids spilled on the shop floor and currently disposed in the general trash.

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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Date: 5/31/2023

H. D. "Doug" Bryant, CPP, PCI
Civil Investigator, SEE

AMBER WHISNANT

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

Attachments:

- 1) Photo Log and Photos (13 pages)
- 2) Site Map/Diagram (1 page)
- 3) Business Card (1 page)
- 4) Confidentiality Notice (1 page)
- 5) Receipt of Document and Samples (1 page)
- 6) Notice of Preliminary Findings (2 pages)
- 7) Hazardous Waste Site Info Verification Report for Inspector (2 pages)
- 8) Material Safety Data Sheet, Safety-Kleen Premium Solvent (Virgin and Recycled)
(7 pages)
- 9) Product Specification, Black Beauty® abrasive media (2 pages)
- 10) Safety Data Sheet, Q-Cool 340 coolant (7 pages)
- 11) Uniform Hazardous Waste Manifest #008717153SKS, dated May 15, 2023 (2 pages)