

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

**Omnium
1280 Imperial Road
Hampton, Iowa 50441**

EPA ID Number: IA0000575902

On

June 7, 2022

By

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

1.0 INTRODUCTION

I performed a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Omnium, located at 1280 Imperial Road, Hampton, Iowa, on June 7, 2022. I conducted the RCRA inspection under the authority of RCRA Section 3007(a), as amended. During the inspection, I collected the information and data necessary to make preliminary findings regarding compliance with the applicable RCRA regulatory and statutory requirements. This report and attachments present the results of the inspection.

I inspected the facility as a Large Quantity Generator (LQG), Used Oil Generator, and a Small Quantity Universal Waste Handler (SQUWH).

2.0 PARTICIPANTS

Omnium

Roger Peters, Plant Manager (entrance and exit conferences)
Justin McIntyre, Environmental Health and Safety Manager
Steve Kuhlman, Quality Supervisor
Darlene Willis-Gruver, Regulatory Coordinator
Montana McCabe, Operations Manager (entrance and exit conferences)

Environmental Protection Agency Region 7

Kenneth Herstowski, Environmental Engineer, ECAD/Chemical Branch/RCRA Section

3.0 Previous RCRA CEI

Omnium was last inspected for compliance with RCRA on July 16, 2015, by the EPA's contractor, Toeroek Associates, Incorporated. The report identified the following potential findings or violations in the following areas:

- Open satellite accumulation container
- Description of response to explosions needed in Contingency Plan

4.0 INSPECTION PROCEDURES

I followed the inspection procedures discussed in the RCRA CEI Standard Operating Procedure (No. 2321.1D), unless noted differently. The inspection was unannounced. I completed checklists and other inspection related documents and collected photocopies. I collected 12 photographs with a digital camera and prepared a photographic log (attachments 1 and 2). Photographs 3 and 4 are included but not referenced in this report. I monitored for volatile organic emissions with a Thermo Fisher Scientific TVA2020 organic vapor analyzer utilizing a flame ionization detector (hereafter referred to as the "EPA FID"). I obtained copies of records from the facility as detailed in the sections that follow. I obtained two aerial photographs of the facility using Google Earth Pro (attachment 3). I obtained a facility map of Omnium during the inspection (attachment 4). I prepared a Notice of Preliminary Findings (NOPF) as a result of my inspection (attachment 5). Documents and records were collected during the inspection and a Receipt for Documents and Samples was prepared (attachment 6). A Confidentiality Notice in which a claim of confidential business information was not asserted by Omnium (attachment 7).

During the inspection, discussions consisted of the facility operations, wastes generated, and waste management practices. I conducted a visual inspection of hazardous waste management areas. I monitored containers during the inspection following 40 Code of Federal Regulations (CFR) Part 60, Appendix A, Method 21 procedures (hereafter referred to as "Method 21") using the EPA FID.

June 7, 2022

At about 08:57 on June 7, 2022, I arrived unannounced at Omnium. A drive-by visual observation was completed from 140th Street (north side of facility) and Imperial Road (east side of the facility). No issues were identified from the drive-by visual inspection. The facility was operational with onsite vehicle traffic and personnel movement. I entered the building at the office entrance, described to the receptionist that the purpose of my visit was to conduct a CEI and identified Mr. Peters as my site contact. The receptionist stated Mr. Peters was in a meeting and Mr. McIntyre was not immediately available. Mr. Kuhlman, who was nearby in the lobby and could overhear my conversation with the receptionist, stated he could assist me. Thinking he was leading me to a conference room in another part of the facility, Mr. Kuhlman instead led me to the hazardous waste container accumulation area in the south warehouse (attachment 3). We were met at the container accumulation area by Ms. Willis-Gruver. Mr. Kuhlman asked Ms. Willis-Gruver to contact Mr. McIntyre and have him meet us at that location. Explaining that an inspection is usually started with an entrance conference where I explain the inspection authority, purpose, and scope, we determined to proceed with visual inspection of the container accumulation area and then adjourn to a conference room for an entrance conference. I presented my credentials to Ms. Ms. Willis-Gruver and Mr. Kuhlman and obtained verbal consent to conduct the CEI. I proceeded to visually inspect the hazardous waste containers and monitor the containers accumulated in the South Warehouse using the EPA FID. After a short time, we were joined by Mr. McIntyre. I presented my credentials to Mr.

McIntyre and again obtained verbal consent to proceed with the CEI. About mid-way through my visual inspection of the hazardous waste containers, we were joined by Mr. Peters. I presented my credentials to Mr. Peters and again obtained verbal consent to proceed with the CEI. Mr. Peters returned to his office shortly thereafter. Following my visual inspection of the hazardous waste containers in the South Warehouse, Ms. Willis-Gruver, Messrs. Kuhlman and McIntyre and I returned to the administrative offices to a conference room for an entrance conference.

We were joined in the entrance conference by Messrs. Peters and McCabe. I provided a copy of RCRA Section 3007 and reviewed the EPA's inspection authority. Mr. Peters provided verbal consent to proceed with the inspection. I described the importance of collecting accurate information and provided a copy of Title 18 United States Code, Sections 1001 and 1002, which provides for penalties if false and/or misleading information is provided to Federal representatives, and for the possession and use of fraudulent documents. I discussed Omnium's confidentiality rights and described a Confidentiality Notice to be provided at the end of the inspection to make a confidential business information (CBI) claim. I provided a copy of EPA Region 7's "Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections." Ms. Willis-Gruver and Mr. McIntyre acted as the primary facility representatives during the inspection activities.

I explained the purpose, scope, and procedures for the RCRA CEI. I provided my prepared records request (attachment 8). I reviewed the planned monitoring with the EPA FID and EPA Gas Imaging Camera. After the entrance discussions, I conducted a visual inspection of the Laboratory, South Warehouse Hazardous Waste and Universal Waste Accumulations, South Production, North Production, North and South Bulk Loading Unloading, and Maintenance areas. Ms. Willis-Gruver and Mr. McIntyre accompanied me during the visual inspection except as noted in the discussions below. Following the visual inspection of the facility, I returned to discuss my records request and reviewed facility records. Following my records review, I held a summary exit conference with Ms. Willis-Gruver and Messrs. Peters, McCabe, Kuhlman, and McIntyre. I reviewed the notice "Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections" after which Mr. McIntyre signed the Confidentiality Notice at the direction of Mr. Peters without claiming information or records as CBI. I provided a Receipt for Documents and Samples which Mr. Peters signed. I reviewed my findings from the NOPF which Mr. McIntyre signed at the direction of Mr. Peters. I provided Mr. McIntyre copies of the inspection forms (yellow copy of the completed carbonless transfer sets). I departed the facility following the exit conference.

5.0 FINDINGS AND OBSERVATIONS

5.1 General Information/Facility Description

Omnium is located in an industrial park southwest of the main area of the City of Hampton, in Franklin County, Iowa. Omnium occupies one approximately 150,000 square-foot structure located on approximately 40 acres of land (attachment 3). The facility began pesticide formulation at this location under a predecessor company in 1995. Omnium is wholly owned by the agricultural cooperative company Land o Lakes. Omnium employs approximately 68 full time staff working two shifts Monday through Friday (0700 – 1500 and 1500 – 2300). During the busiest production scheduling, a third shift and shifts on Saturdays can be added.

Omnium formulates pesticides by mixing technical grades of the pesticide active ingredient with emulsifiers, surfactants, dyes and other inactive ingredients to achieve the formulation that complies with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) registration for the use of the pesticide. Technical grade active ingredients include 2,4-dichlorophenoxy acetic acid (2,4-D) and s-2,3,3-trichloroallyl diisopropylthiocarbamate (Triallate). Both 2,4-D and Triallate formulations involve the use of an aromatic low

flash carrier solvent described as mineral spirits (flashpoint approximately 100 degrees Fahrenheit). Omnium formulates both pre- and post-emergent [herbicides] pesticides. The formulations are packaged into jugs (approximately two and one-half gallon plastic containers), drums (55-gallon containers), intermediate bulk packaging (330-gallon containers), or bulk carrier (cargo tank trailer or truck, or railcar).

5.2 RCRA Status

The Notification Acknowledgement/Verification Report (attachment 9) indicates that Omnium is a large quantity generator. I asked if Omnium generates universal wastes or used oil to which Ms. Willis-Gruver replied in the affirmative. I reviewed the site verification report with Messrs. Peters and McIntyre who did not identify any updates. I determined at the time of my inspection that Omnium was generating greater than 1,000 kilograms of hazardous waste per month based upon e-manifest data for 2022. Based on this information, I reviewed Omnium for compliance with large quantity generator, used oil and universal waste requirements during my inspection.

5.3 Waste Streams and Management

I reviewed the preliminary 2021 RCRA Biennial Report for Omnium from the EPA RCRAInfo v6 database. The biennial report is consistent with the hazardous waste on site and e-manifest information.

I reviewed Omnium hazardous waste generation with Ms. Willis-Gruver and Mr. McIntyre. The following major hazardous waste streams were on site during the CEI or have been shipped off site to treatment, storage, and disposal facilities in 2022.

1) Ignitable Waste from Production Procedure and Routine Cleanup Aromatic and Product¹ is generated from the cleaning of the pesticide formulation mixing tank and the associated dispensing tank (EPA waste codes D001, U240, U389). Based upon information in Omnium's Biennial Report, 82,363 pounds of this waste stream was generated in 2021. The pesticide formulation process utilized by Omnium is a batch mixing process. The technical grade pesticide active ingredient is mixed with solvent carrier, emulsifiers, surfactants, and other inert ingredients to the formulation specifications to meet the FIFRA registration for the end use pesticide being produced. The mixing tank and dispensing tank are cleaned following the mixing batch or between different products. A low flash (approximately 100 degrees Fahrenheit) mineral spirits solvent is both the carrier solvent and the wash solvent. The washing first takes place in the mixing tank and is subsequently pumped into the dispensing tank to clean the interconnecting piping and the dispensing tank. The solvent wash is retained and used as the carrier solvent in the next batch unless the next product batch has different emulsifiers. In the latter case, the wash solvent is determined to be an ignitable hazardous waste with either or both 2,4-D and Triallate. The filled drums are moved from the production area where they were filled to the less than 90-day hazardous waste container accumulation area in the South Warehouse. The waste is shipped to Clean Harbors Environmental Services, Inc., in Kimball, Nebraska, RCRA ID# NED981723513, for incineration (EPA management code H040).

2) Residual Hazardous Wastewater from Bulk Truck Loading and Unloading is generated from the removal of rainwater from the secondary containment trenches at the Bulk Loadout Areas (EPA waste code D016). Based upon information in Omnium's Biennial Report, 67,995 pounds of this waste stream was generated in 2021. Omnium manages this wastewater as hazardous waste due to the potential to contain 2,4-D. The wastewater is collected at each of the Bulk Loadout Areas in a satellite accumulation container which is moved to the less than 90-day hazardous waste container accumulation area in the South Warehouse when they

¹ Waste stream names are taken from 2021 Biennial Report

are filled. The waste is shipped to Clean Harbors Environmental Services, Inc., in Kimball, Nebraska, RCRA ID# NED981723513, for incineration (EPA management code H040).

3) Ignitable Waste from Production Procedure and Routine Cleanup Aromatic and Product containing xylene is no longer generated at Omnium (EPA waste code D001 F003). The waste was generated from the cleaning of production tanks that used xylene as a carrier solvent. Based upon information in Omnium's Biennial Report, 13,156 pounds of this waste stream was generated in 2021. Ms. Willis-Gruver stated the facility reviewed other uses for the unused xylenes but has determined to dispose of the solvent as a hazardous waste. The containers were being accumulated in the less than 90-day hazardous waste container accumulation area in the South Warehouse. In the less than 90-day accumulation area in the South Warehouse, I tallied ten 55-gallon containers of this waste stream. Based upon the information in the EPA's eManifest system, 6,454 pounds of this waste has been shipped to Clean Harbors Environmental Services, Inc., in Kimball, Nebraska, RCRA ID# NED981723513, for incineration (EPA management code H040) and 2,315 pounds of this waste has been shipped to Tradebe Treatment and Recycling, in East Chicago, Indiana, RCRA ID# IND000646943, for fuel blending (EPA management code H061) through May 26, 2022.

4) Quality Control Lab Procedure Waste Liquid is liquid waste generated from the cleaning of laboratory equipment and sample preparation (EPA waste codes D001, F003, U240, U389). Based upon information in Omnium's Biennial Report, 2,876 pounds of this waste stream was generated in 2021. The waste is accumulated in a 5-gallon metal container in the sample preparation area of the laboratory. The contents of the 5-gallon container are transferred at the end of each shift to a 30-gallon hazardous waste accumulation container outside of the laboratory. When filled, the 30-gallon container is moved to the less than 90-day hazardous waste container accumulation area in the South Warehouse. The waste is shipped to Clean Harbors Environmental Services, Inc., in Kimball, Nebraska, RCRA ID# NED981723513, for incineration (EPA management code H040).

5) Quality Control Lab Procedure Waste Solid is solid waste such as gas chromatography vials, wipes, gloves, sample cups generated from quality control sample analysis (EPA waste codes D001, D016). Based upon information in Omnium's Biennial Report, 859 pounds of this waste stream was generated in 2021. The waste is accumulated in six or ten-gallon oily waste step cans (step cans) in the laboratory. The contents of the step cans are transferred at the end of each shift to a 55-gallon hazardous waste accumulation container outside of the laboratory. When filled, the 55-gallon container is moved to the less than 90-day hazardous waste container accumulation area in the South Warehouse. The waste is shipped to Clean Harbors Environmental Services, Inc., in Kimball, Nebraska, RCRA ID# NED981723513, for incineration (EPA management code H040).

6) Solid Waste Containing Triallate from Production process Cleanup Solid is solid waste such as rags, wipes, adsorbent pads, floor dry and gloves contaminated with Triallate during formulating and packaging triallate containing pesticides (EPA waste code U389). Based upon information in Omnium's Biennial Report, 174 pounds of this waste stream was generated in 2021. The waste is accumulated in two 55-gallon satellite accumulation containers – one in the South Production area and one in the North Production Area. When filled, the satellite accumulation container is moved to the less than 90-day hazardous waste container accumulation area in the South Warehouse. The waste is shipped to Clean Harbors Environmental Services, Inc., in Kimball, Nebraska, RCRA ID# NED981723513, for incineration (EPA management code H040).

7) Xylene 2,4-D From production Process Service Activity or Routine Cleanup Debris is solid waste such as rags, wipes, adsorbent pads, floor dry and gloves contaminated with 2,4-D during formulating and packaging 2,4-D containing pesticides (EPA waste code U240). Based upon information in Omnium's Biennial Report, 13,156 pounds of this waste stream was generated in 2021. The waste is accumulated in two 55-gallon satellite

accumulation containers in the South Production area. When filled, the satellite accumulation containers are moved to the less than 90-day hazardous waste container accumulation area in the South Warehouse. The waste is shipped to Clean Harbors Environmental Services, Inc., in Kimball, Nebraska, RCRA ID# NED981723513, for incineration (EPA management code H040).

8) Ignitable Waste from Process Cleaning of Maintenance Parts is spent parts washer solvent (EPA waste codes D001, D039). Based upon information in Omnium's Biennial Report, 2,440 pounds of this waste stream was generated in 2021. The parts washer is serviced by Safety-Kleen where the container of spent parts washer fluid is swapped out with a container of new parts washer fluid. The waste is shipped to Safety-Kleen Services in Des Moines, Iowa, RCRA ID# IAD981718000, for storage, bulking, and/or transfer off site (EPA management code H141).

9) Flammable Waste from Aerosol Can Puncturing is the liquids drained after puncturing aerosol cans. Omnium has determined the drained liquid is ignitable hazardous waste (EPA waste code D001). The determination of ignitable hazardous waste is consistent with my observation of the punctured aerosol cans adjacent to the accumulating container. The cans are punctured with an apparatus attached in the bung openings of a 30-gallon collection container. The closed head container had an aerosol can puncturing/draining device in place in the two-inch bung opening and a carbon adsorber device in place in the three-quarter inch bung opening. The empty aerosol cans are considered scrap metal by Omnium. Mr. McIntyre stated very little liquids are generated from the can puncturing.

5.4 Hazardous Waste Accumulation

Omnium accumulates hazardous waste in two areas. I visually inspected hazardous waste accumulation areas on June 7, 2022. I was accompanied during my visual inspection by Ms. Willis-Gruver and Messrs. Kuhlman and/or McIntyre as noted.

See Section 5.7 for the discussion of air emission requirements for containers.

5.4.1 South Warehouse Less Than 90-Day Accumulation Area

Omnium accumulates hazardous waste at an area in the southeast portion of the South Warehouse (page 2, attachment 3). I was accompanied during my visual inspection of this area by Ms. Willis-Gruver and Messrs. Kuhlman and McIntyre. I observed containers are arranged four to a wooden pallet in rows (photograph 8, attachment 1). Lines are painted on the floor to designate the storage aisles in order to provide sufficient clearance for visual inspection of the containers. I tallied 85 filled containers of hazardous waste accumulating in the area. The containers were closed and in good condition. The container labels were visible for inspection, included the words "hazardous waste," and the nature of the hazard of the container contents. I observed a portable fire extinguisher was located at the area, overhead sprinklers in the warehouse, a telephone nearby to summon assistance, and a spill kit mounted on the wall next to the containers. The earliest container date observed was March 8, 2022, on a container of Ignitable Waste from Production Procedure and Routine Cleanup Aromatic and Product. The next earliest accumulation date on a container of this waste is April 18, 2022. At the time of my visual inspection on June 7, 2022, I did not identify that a container dated March 8, 2022, would have been onsite for 91 days exceeding the time limit² for large quantity generators to accumulate hazardous waste by one day. I did not include this in my findings at the exit conference. I did not tally the

² 40 CFR 262.17(a), Accumulation, "A large quantity generator accumulates hazardous waste on site for no more than 90 days, unless in compliance with the accumulation time limit extension or F006 accumulation conditions for exemption in paragraphs (b) through (e) of this section."

number of containers with an accumulation start date of March 8, 2022. However, it was not determined during my visual inspection if this container had started accumulating hazardous waste under the satellite accumulation regime in which case an additional three days is allowed to move the container into the accumulation area in the South Warehouse at which time the less than 90-day accumulation time limit would begin.

5.4.2 Two Containers Outside of Laboratory

Omnium accumulates hazardous waste outside of the west door to the laboratory (page 2, attachment 3). I was accompanied during my visual inspection of this area by Ms. Willis-Gruver and Messrs. Kuhlman and McIntyre. I observed two containers on a wooden pallet (photograph 1, attachment 1). I did not determine the amount of hazardous waste in each of the two containers. The containers were closed and in good condition. The container labels were visible for inspection, included the words “hazardous waste,” and the nature of the hazard of the container contents. I observed a portable fire extinguisher was located at the area, overhead sprinklers in the warehouse, a telephone nearby to summon assistance, and a spill kit nearby. The earliest container date observed was May 20, 2022.

I observed no apparent issues or findings related to review of the less than 90-day hazardous waste accumulation area outside of the laboratory.

5.5 Satellite Accumulation

Omnium utilizes satellite accumulation of hazardous waste in several areas (page 2, attachment 4). I visually inspected hazardous waste satellite accumulation areas on June 7, 2022. I was accompanied during my visual inspection by Ms. Willis-Gruver and Messrs. Kuhlman and/or McIntyre as noted. I observed the satellite accumulation containers were in good condition. With the exceptions described below, the satellite accumulation containers observed were closed, labeled “Hazardous Waste,” and indicated the nature of the hazard of the waste with a Hazardous Materials Identification System (HMIS) label.

5.5.1 Laboratory

The Laboratory is located at the north end of the facility (page 2, attachment 3). I was accompanied during my visual inspection of this area by Ms. Willis-Gruver and Messrs. Kuhlman and McIntyre.

Notice of Preliminary Finding (NOPF) 1 – 40 CFR 262.15(a)(5)(ii): Satellite accumulation containers not labeled with nature of hazard.

The requirements for satellite accumulation by a hazardous waste generator are found at 40 CFR 262.15. The requirements for container labeling found at 40 CFR 262.15(a)(5)(ii) include, in pertinent part, a marking or label communicating “*An indication of the hazardous of the contents...*”

I observed one 5-gallon steel container accumulating Quality Control Lab Procedure Waste Liquid (photograph 2, attachment 1). I did not determine the amount of hazardous waste contained in this satellite accumulation container. The container was not marked or labeled with the nature of the hazard of the waste being accumulated. The hazardous waste has EPA waste codes D001, F003, U240 and U389.

5.5.2 South Production Area

The South Production area is located between the North and South Tank Farms and west of the South Warehouse (page 2, attachment 3). I was accompanied during my visual inspection of this area by Ms. Willis-Gruver and Mr. McIntyre.

NOPF 1 – 40 CFR 262.15(a)(5)(ii): Satellite accumulation containers not labeled with nature of hazard.

The requirements for satellite accumulation by a hazardous waste generator are found at 40 CFR 262.15. The requirements for container labeling found at 40 CFR 262.15(a)(5)(ii) include, in pertinent part, a marking or label communicating *“An indication of the hazardous of the contents...”*

I observed one 55-gallon steel drum accumulating Ignitable Waste from Production Procedure and Routine Cleanup Aromatic and Product (photograph 9, attachment 1). I did not determine the amount of hazardous waste contained in this satellite accumulation container. The container was located in a dispensing area where 2,4-D containing pesticides are transferred into 55-gallon drums or intermediate bulk containers. The container was not marked or labeled with the nature of the hazard of the waste being accumulated. The hazardous waste has EPA waste codes D001, U240, U389.

5.5.3 South Warehouse

NOPF 2 – 40 CFR 262.15(a)(4): Satellite accumulation container not closed.

The requirements for satellite accumulation by a hazardous waste generator are found at 40 CFR 262.15. The requirements for container management found at 40 CFR 262.15(a)(4) include, in pertinent part, *“A container holding hazardous waste must be closed at all times during accumulation.”*

I observed one 30-gallon plastic container accumulating the contents drained from aerosol cans near the Maintenance Area in the South Warehouse (page 2, attachment 3). The container appeared to be less than ten percent filled by rocking the container. The container was dated August 20, 2020. Mr. McIntyre stated that very little liquids are drained from the aerosol can puncturing. The closed head container had an aerosol can puncturing/draining device in place in the two-inch bung opening and a carbon adsorber device in place in the three-quarter inch bung opening (photograph 6, attachment 1). The cover on the aerosol can puncturing/draining device was not fully closed (photograph 5, attachment 1).

5.6 Subpart BB Leak Detection and Repair

NOPF 3 - 40 CFR 265.1064(g)(6): Equipment in contact with hazardous waste for <300 hours not identified.

The EPA promulgated requirements for the control of air emissions from equipment leaks at 40 CFR Part 264/265, Subpart BB (hereafter “Subpart BB”). The requirement at 40 CFR 262.17(a)(1)(i) requires large quantity generators accumulating hazardous waste in containers to comply with in pertinent part *“The applicable requirements of subparts AA, BB, and CC of 40 CFR part 265...”* Subpart BB, 40 CFR 265.1050, *et seq.*, includes requirements for monitoring equipment for leaks and repair of detected leaks. 40 CFR 265.1064(g)(6), in pertinent part, requires *“Identification, either by list or location (area or group) of equipment that contains or contacts hazardous waste with an organic concentration of at least 10 percent by weight for less than 300 hours per calendar year.”*

I visually inspected the equipment used to transfer hazardous waste into containers. As described above in Section 5.3, Omnium uses an organic solvent to clean the 2,4-D and Triallate mixing and dispensing tanks and ancillary equipment in between batches of pesticides. The resulting waste stream is designated Ignitable Waste from Production Procedure and Routine Cleanup Aromatic and Product (EPA waste codes D001, U240, U389). I obtained the waste profile for the waste stream (attachment 10).

In the North Production Area, I observed a pump, piping, hose, valves, and connectors, used to transfer Ignitable Waste from Production Procedure and Routine Cleanup Aromatic and Product ancillary to Tank T52 (photograph 10, attachment 1). I requested records of equipment in contact with hazardous waste for less than 300 hours per year in the opening conference (attachment 8). Omnium was not able to provide those records for the equipment in the South Production Area. In the exit conference, Mr. Peters described that based on his knowledge of production records the equipment would be in contact with hazardous waste for less than 300 hours per year.

In the South Production Area, I observed a pump, piping, hose, valves, and connectors, used to transfer Ignitable Waste from Production Procedure and Routine Cleanup Aromatic and Product ancillary to Tank T31 (photographs 11 and 12, attachment 1). I requested records of equipment in contact with hazardous waste for less than 300 hours per year in the opening conference (attachment 8). Omnium was not able to provide those records for the equipment in the South Production Area. In the exit conference, Mr. Peters described that based on his knowledge of production records the equipment would be in contact with hazardous waste for less than 300 hours per year.

5.7 Subpart CC Container Air Emissions

The EPA promulgated requirements for the control of air emissions from tanks, surface impoundments, and containers at 40 CFR Part 265, Subpart CC (hereafter “Subpart CC”). The requirement at 40 CFR 262.17(a)(1)(i) requires large quantity generators accumulating hazardous waste in containers to comply with in pertinent part “*The applicable requirements of subparts AA, BB, and CC of 40 CFR part 265...*” Subpart CC, 40 CFR 265.1080, *et seq.*, includes requirements for containers accumulating hazardous waste with an average volatile organic concentration at the point of generation greater than 500 parts per million by weight. The compliance options of Subpart CC vary depending on the size of the container and the concentrations and vapor pressures of organic constituents.

I visually inspected and monitored containers at the South Warehouse Less Than 90-Day Accumulation Area on June 7, 2022, accompanied by Ms. Willis-Gruver and Messrs. Kuhlman and McIntyre. My monitoring followed Method 21 procedures using the EPA FID. I observed the containers were all less than 0.46 cubic meters in volume, closed, and meet the applicable U.S. Department of Transportation (DOT) regulations on packaging hazardous materials for transportation in 49 CFR part 178 - Specifications for Packaging³.

5.8 Method 21 Monitoring

I calibrated the EPA FID used for Method 21 monitoring prior to my arrival at the facility on June 7, 2022 (attachment 11). Only the flame ionization detector was calibrated and operated for the Method 21 monitoring, i.e., the photoionization detector was switched off.

³ Level 1 containers

5.9 Inspections

Omnium conducts weekly inspections of the less than 90-day hazardous waste accumulation areas. The inspections are documented using a checklist. I obtained a copy of an example checklist for the most recent inspection (attachment 12). I reviewed the inspection checklists for the period of January 2019 through the week of my CEI.

I observed no apparent issues or findings related to review of the inspection records provided.

5.10 Contingency Plan

I asked to review the current RCRA Contingency Plan. I was provided a copy of a Contingency Plan dated April 9, 2020. I obtained a copy of the Quick Reference Guide from the Contingency Plan (attachment 13.).

I observed no apparent issues or findings related to my review of the Contingency Plan provided.

5.11 Training Requirements

I reviewed personnel training with Mr. McIntyre who described the training required for Omnium employees consists of annual awareness training regarding hazardous waste management. I requested the most recent annual RCRA training for Ms. Willis-Gruver and Ms. Ranea Mulford (both of whom can conduct weekly hazardous waste container inspections and sign hazardous waste manifests) (attachment 14).

I observed no apparent issues or findings related to my review of personnel training information provided.

5.12 Manifests

I reviewed hazardous waste manifests information available in EPA's E-Manifest system from June 30, 2018, to present. I reviewed eight hazardous waste manifests for January 1, 2021, to the date of my CEI.

I observed no apparent issues or findings related to my review of the provided hazardous waste manifests.

5.13 Universal Waste

Omnium is a small quantity handler of universal waste lamps. Universal waste lamps are accumulated in the South Warehouse to the south of the less than 90-day hazardous waste accumulation area (page 2, attachment 3). I visually inspected the universal waste lamp accumulation area on June 7, 2022, accompanied by Ms. Willis-Gruver and Mr. McIntyre. I observed 4 containers of universal waste lamps – three containers for four-foot lamps and one container for eight-foot lamps (photograph 7, attachment 1). The containers were labeled "Waste Lamp(s)," and each had accumulation start date of "2/16/2022." The containers were all closed and in good condition.

I observed no apparent issues or findings related to my review of universal waste lamps in the South Warehouse.

Omnium is a small quantity handler of universal waste batteries. Universal waste batteries are accumulated near the Maintenance Area in the South Warehouse (page 2, attachment 3). I visually inspected the universal waste battery accumulation area on June 7, 2022, accompanied by Ms. Willis-Gruver and Mr. McIntyre. I observed

two empty plastic bins used to accumulate universal waste batteries. Both bins were empty of batteries, in good condition and labeled “Waste Battery(ies).”

I observed no apparent issues or findings related to my review of universal waste lamps in the South Warehouse.

5.14 Used Oil

Omnium is a generator of used oil. Used oil is generated from the servicing of forklifts by maintenance personnel. I visually inspected used oil containers in the Maintenance Area (page 2, attachment 3) on June 7, 2022, accompanied by Ms. Willis-Gruver and Mr. McIntyre. I observed used oil being accumulated in one 30-gallon container and one 55-gallon container. Both containers were in good condition and labeled “Used Oil.”

I observed no apparent issues or findings related to the management of used oil at the Maintenance Area.

6.0 COMPLIANCE ASSISTANCE

I provided and reviewed with Mr. McIntyre the following inspection documents and compliance assistance materials:

Section 3007 Inspections Sheet (EPA Handout)

RCRA Facility Access Information Sheet (EPA Handout)

United States Code 1001/1002 Annotated (EPA Handout)

Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections (EPA Handout)

U.S. EPA Small Business Resource Information Sheet (EPA Handout)

Tampering Pollutes Our Air (EPA Handout)

Clean Air Act Vehicle Aftermarket Defeat Devices and Tampering (EPA Handout)

EPA Enforcement Alert National Compliance Initiative Focus on RCRA Air Emissions June 2020 (EPA Handout)

COMPLIANCE ADVISORY Reduction of Hazardous Waste Air Emissions April 2018 (EPA Handout)

Leak Detection and Repair: A Best Practices Guide (EPA Handout)

7.0 SUMMARY

I conducted an inspection of Omnium as a large quantity generator of hazardous waste, small quantity handler of universal waste, and used oil generator. The following preliminary findings are noted as discussed above:

NOPF 1 – 40 CFR 262.15(a)(5)(ii): Two satellite accumulation containers not labeled with nature of hazard.

NOPF 2 – 40 CFR 262.15(a)(4): Satellite accumulation container not closed.

NOPF 3 - 40 CFR 265.1064(g)(6): Equipment in contact with hazardous waste for <300 hours not identified.

Uncited potential preliminary finding – 40 CFR 262.17(a): Accumulation of hazardous waste on site for greater than 90 days.

Other than the items noted above, no other preliminary findings were noted. However, the EPA may review my findings further after the inspection, which may change or add to my findings.

**KENNETH
HERSTOWSKI**

Digitally signed by KENNETH
HERSTOWSKI

Date: 2022.06.17 10:21:13 -05'00'

Kenneth Herstowski
Environmental Engineer
RCRA Section, Chemical Branch
Enforcement and Compliance Assurance Division

Date

AMBER WHISNANT

Digitally signed by AMBER
WHISNANT

Date: 2022.08.05 18:29:50 -05'00'

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

Date

Attachments

1. Inspection [12] Photographs (13 pages)
2. Photographic Log (1 page)
3. Aerial Photograph (2 pages)
4. Facility Map (2 pages)
5. Notice of Preliminary Findings (2 pages)
6. Receipt for Documents (1 page)
7. Confidentiality Notice (1 page)
8. Records Request (2 pages)
9. Notification Acknowledgement/Verification Report (1 page)
10. Waste Profile (5 pages)
11. EPA FID Calibration and Precision Information (4 pages)
12. Inspection Checklist (1 page)
13. Quick Reference Guide (4 pages)
14. Training Certifications (2 pages)