

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

PB LEINER USA
7001 Brady Street
Davenport, Iowa 52806
563-386-8040 Installation Phone Number
563-529-0504 Site Contact Cell Phone Number

EPA ID Number IAD096524087

On

July 20, 2022

By

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

1.0 INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division (ECAD), I performed a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at PB Leiner USA, 7001 Brady St., Davenport, Iowa. The inspection was conducted on July 20, 2022. The CEI was conducted under the authority of RCRA Section 3007(a), as amended. During the inspection, I collected the information and data necessary to determine compliance with the applicable regulatory and statutory requirements. This report and attachments present the results of the CEI. Based on the information obtained during the inspection, I inspected PB Leiner USA as a very small quantity generator (VSQG) of known hazardous waste (HW), a small quantity handler of universal waste (SQHUW) lamps, and a generator of used oil. According to the U.S. Environmental Protection Agency (EPA) RCRAInfo database, the facility had been previously inspected by the EPA on June 11, 2002.

2.0 PARTICIPANTS

PB Leiner USA:

Andrew Murdock, Environmental Health & Safety Officer, (10 years with company),
andy.murdock@pbleiner.com

EPA:

Mark Holcomb, Civil Investigator/Inspector (SEE)

3.0 INSPECTION PROCEDURES

On July 19, 2022, I arrived unannounced at the facility's main security gate entrance at about 0900 hours. Initially I conducted a visual reconnaissance of the facility searching for areas of

concern observable from the adjacent public roadways and parking lots. This is a large facility with perimeter security fencing. I identified no environmental issues or concerns during this preliminary examination. There was a security desk inside the main front door. I introduced myself and asked to meet with Andrew Murdock, the environmental manager listed as the site contact on the EPA Site Verification Form. The security officer contacted Mr. Murdock. Mr. Murdock met me at the entrance and after introductions he escorted me to a conference room. Mr. Murdock stated that he had been with PB Leiner USA for over 10 years and functions as the site contact for hazardous waste. Mr. Murdock told me there were currently no specific COVID-19 visitor requirements and the safety personal protective equipment (PPE) requirements at this facility were safety shoes, safety vest, eye protection, and hearing protection in some areas.

At the opening conference, I again introduced myself and presented my EPA ID and credentials. I explained the purpose and procedures of the inspection. I presented Mr. Murdock with a copy of RCRA Section 3007(a), which provides inspection authority. I explained my need to collect accurate information and presented him with a copy of Title 18 U.S. Code, Sections 1001 and 1002. I made him aware of his confidentiality rights and informed him that a Confidentiality Notice would be provided at the end of the inspection to make a confidentiality claim if he so desired.

The RCRA inspection consisted of a discussion of facility operations, waste generation, and waste management; a visual inspection of active waste generation and management areas; and a review of waste management records. Mr. Murdock was present throughout the entire inspection including the opening, document review, visual inspection, and closing conference.

I conducted a visual inspection of the following:

- Chemistry Lab
- Maintenance Shop (parts washers)
- North Compressor Room (satellite used oil storage)
- Outside of the Boiler Room (above ground used oil tank)
- Environmental Area (CAA)
- Processing Room (cardboard baler and wood pallet storage)
- Room 112 Receiving (cardboard trucking for recycling)
- Door 17 Storage Room (satellite storage for universal waste)

See Attachment #1 for the aerial and map views of the facility and Attachment #2 for a facility diagram.

Document Photocopies and Photographs were collected as inspection documentation (see Attachments #1-17 and Photos 1-10). The photo log is included in Attachment #3. Information collected during the inspection is documented on an Entry/Exit checklist, the hazardous waste compliance checklists and in a notebook. I reviewed documents including the following: Safety Data Sheets (SDS); bills of lading; certificates of recycling; waste profiles; manifests; contingency plan; and staff training records.

On the afternoon of July 20, 2022, I held a closing conference. Participants included just Mr. Murdock. I provided Mr. Murdock with a Receipt for Documents (see Attachment #4) and a Confidentiality Notice (CBI) (see Attachment #5), which he signed as acknowledgement of

receipt. No claim of confidential business information was made. I summarized my findings and recommendations and provided Mr. Murdock with a Notice of Preliminary Findings (NOPF), which he signed to acknowledge receipt (see Attachment #6). I provided inspection and compliance assistance documents to Mr. Murdock during the inspection, some as paper versions and some in electronic PDF via email, that included the following:

- *RCRA Section 3007(a)*
- *Title 18 U.S. Code, Sections 1001 and 1002*
- *Confidentiality Notice (Top page of the completed carbonless transfer set)*
- *Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA In Connection with Inspections Receipt for Documents and Samples*
- *Notice of Preliminary Findings (NOPF) with Instructions for Responding on back of form (top page of the completed carbonless transfer set)*
- *Instructions for Responding to a Notice of Preliminary Finding (NOPF) (EPA Handout)*
- *U.S. EPA Small Business Resource Information Sheet (EPA Handout)*
- *Solvent-Contaminated Wipes Final Rule Chart (EPA Handout)*
- *Recycling Electronics (IDNR Handout)*
- *Lead-Based Paint Activities (IDNR Handout)*
- *Excluded Solvent-Contaminated Wipe Rule (IDNR Handout)*
- *Battery Recycling/Disposal (IDNR Handout)*
- *Management of Fluorescent Lamps for Businesses (IDNR Handout)*
- *Incompatible Chemicals (IDNR Handout)*
- *Universal Wastes Including Aerosol Cans (IDNR Handout)*
- *TCLP Waste Determination Testing (IDNR Handout)*
- *Industry Sector Notebooks (EPA Handout)*
- *Environmental Compliance Assistance Centers (EPA Handout)*
- *e-Manifest Fact Sheet (EPA Handout)*
- *RCRA Online A Quick Reference Guide (EPA Handout)*
- *Requirements for Used Oil Management Standards (EPA Handout)*
- *Emergency Response Program (EPA Handout)*
- *Commercial Motor Vehicle Transportation System Security & Safety*
- *Security Awareness (EPA Handout)*
- *Chemical Facility Anti-Terrorism Standards (Homeland Security Handout)*
- *Iowa Life/Changing Iowa Department of Economic Development – Iowa Environmental Guide for Business*

I followed the inspection procedures detailed in the RCRA CEI Standard Operating Procedure (SOP) 2321.01D, unless noted otherwise.

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

Mr. Murdock stated that this facility location began operations in 1979 as a Hormel Foods plant. In 1998, PB Leiner purchased the plant. In 2003, PB Leiner was acquired by the Tessenderlo Group, based in Brussels Belgium. The PB Leiner USA facility in Davenport has

approximately 130 employees operating on 24/7 shifts. The facility is over 150,000 square feet on 24 acres. PB Leiner produces food-grade gelatins from pork skins, used in the health, food, and pharmaceutical industries. Pork skins are received, ground, defatted, soaked in acid, cooked, filtered (diatomaceous earth is the filter media), evaporated, deionized, sterilized, dried, course or fine ground, blended and drummed. There is a wastewater treatment plant (WWTP) onsite that also operates as an elementary neutralization unit to treat process wastewater. Wastewater effluent is discharged to the City of Davenport publicly owned treatment works (POTW) under a current discharge permit agreement. PB Leiner USA is privately owned by the same owner and operator of the facility. See Attachment #1 for the facility aerial view and map location.

4.2 Facility RCRA Status

RCRAInfo listed a previous RCRA compliance inspection for PB Leiner USA on June 11, 2002, with no findings noted from that inspection. According to the RCRAInfo Notification Acknowledgement/Verification Report, PB Leiner USA last notified as a Very Small Quantity Generator (VSQG) on December 2, 2019. At the time of this notification, PB Leiner also requested an episodic period of November 26, 2019 – January 24, 2020, for a lab pack from a lab cleanout. I verified the Notification Acknowledgement/ Verification form with Mr. Murdock with no changes made (see Attachment #7). The RCRAInfo Notification Acknowledgement/ Verification form report listed waste codes: D001, D002, D003, and D009. PB Leiner USA appears to be a very small quantity generator (VSQG) of hazardous waste (less than 100 kg or 220 lbs of non-acute hazardous waste generated per month), based on the facility's hazardous waste generation rate at the time of the inspection. In addition, PB Leiner USA appears to be a small quantity handler of universal waste lamps and batteries, and a used oil generator.

4.3 Facility Waste Streams and Management

Mr. Murdock stated that production of product and the generation of the waste streams below are consistent from month to month with the exception of the lab cleanout back in December 2019 – January 2020. The following waste streams are managed by PB Leiner USA:

EZ COD Test Kits – The EZ COD (*Chemical Oxygen Demand*) test kits are used by the QA Lab to estimate of oxygen required for the portion of organic matter in wastewater. After the testing, the spent glass vials, which contain about 90% sulfuric acid, are placed in a 20-gallon plastic tub satellite accumulation area (SAA) located in the lab (see Photos 1 & 2). Mr. Murdock stated that the lab generates about one 20-gallon (75 lbs) container per year. This waste has been determined to be hazardous based on product knowledge. See Attachment #11 for the SDS for the EZ COD digestion fluid. When full, the SAA tub is moved to the Central Accumulation Area (CAA) located in the Environmental Area. During the visual inspection I observed one, full, 20-gallon plastic tub in the Environmental Area (see Photo 6). The tub appears to be from the original test kits manufacturer and has the original product labels, which indicates what the nature of the contents, and that it is caustic, but it does not have a label stating: “Hazardous Waste”. It also did not have a date when it was moved to the CAA, but neither of these are required for a VSQG. The tub was closed and appeared to be in good condition. Mr. Murdock

stated that the container had only been in the CAA for about a month. Heritage Transport is used to transport the waste to Heritage Environmental Services in Indianapolis, Indiana, for processing (see Attachment #8). I noted that this manifest indicates it is a: “Hazmat Bill of Lading/Manifest” and lists this waste stream with the “HM” (Hazardous Material) box checked, and it is listed as “UN3264 Corrosive Liquid, Acidic, Sulfuric Acid, Chromium, Mercury, Silver”, but it does not list any EPA hazardous waste codes or treatment codes.

Lab Pack Chemicals - Mr. Murdock stated that, back in December 2019, PB Leiner USA had an episodic generation of “two pallets” of unused and out-of-date chemicals due to laboratory and maintenance cleanouts to reduce unneeded chemicals onsite. The waste shipped was both nonhazardous and hazardous, and the hazardous waste significantly exceeded the VSQG limit of 100 kg or 220 lbs per month for that month. The waste was transported by Brenntag Great Lakes, and shipped to WRR Environmental Services in Eau Claire, Wisconsin. It is listed on the manifests dated December 18, 2019, and December 23, 2019 (see Attachments #9 & #10), and included about 720 gallons (estimated at 5500 lbs) of hazardous waste with waste codes D001, D002, D003, D007, D008, D035, F003, and F005. The episodic notification was sent to the EPA on November 25, 2019, on the document titled “RCRA Subtitle C Site Identification Form” (see Attachment #13). The manifests indicate that the waste was managed by WRR Environmental Services in Eau Claire, Wisconsin with management method codes H141 (storage and transfer), and H061 (fuel blending prior to energy recovery at another site).

Wastewater – This waste is generated from the gelatin production wet processes, including acid soaking of the pig skins, rinsing, and cooking. It is initially considered hazardous (D002) until treated onsite by the wastewater treatment plant (WWTP) elementary neutralization process. At this point the pH is kept between 6-12 and is no longer D002 and is determined to be nonhazardous. The estimated generation rate is 24 million gallons per month. Onsite management includes piping this waste directly to the WWTP for elementary neutralization prior to discharge to the City of Davenport POTW for off-site management. See Attachment #16 for the City of Davenport Water Discharge Permit.

B-Grease – This waste is generated from skimming organic material from the top of the wastewater in the WWTP skim tanks. It is determined to be nonhazardous based on testing. The generation rate is about 200,000 gallons per month. Onsite this waste stream is stored in two 6500-gallon tanks in the product storage area of the facility. Offsite management involves shipping one truck load per day of about 40,000 lbs, to the City of Des Moines, Iowa POTW, for recycling.

Pork Skin Residues – This waste stream is a by-product of the gelatin production process after the fats and proteins are removed. It is determined to be nonhazardous based on process knowledge. The estimated generation rate is 400,000 gallons per month. Onsite this waste stream is stored in two 6000-gallon tanks adjacent to the Scrubber Room. Offsite this by-product is sold to companies in Amana, Iowa, and Stockton, Iowa, for use as raw materials in their processes.

Diatomaceous Earth – This waste stream is spent filter media used in the gelatin production process. It is determined to be nonhazardous based on process knowledge. The

estimated generation rate is 20 metric tons per month. Onsite this waste is stored in two 7000-to-8000-gallon tanks in the Waste Handling Room. The waste is decanted to remove water. Offsite, after decanting, this waste is loaded on a truck daily by Environmental Land Management Inc. and taken to farms for land application.

Used Oil – Mr. Murdock stated that PB Leiner USA mechanics generate used oil during preventive maintenance of facility equipment. Mr. Murdock stated that they generate about 30 gallons per month. The used oil is collected in a 55-gallon drum usually located next to the used oil filters and used oil pig mats drums located in the North Compressor Room discussed below (see Photo 4). At the time of the visual inspection, the used oil drum was just being brought back into the room by the mechanic, empty, after being transferred into their larger aboveground 500-gallon storage tank (AST) located outside of the Boiler Room (see Photo 5). The empty 55-gallon drum was labeled “Used Oil” and appeared to be in good condition. The outside AST 500-gallon tank was about $\frac{3}{4}$ full (about 375 gallons) and appeared to be in good condition. It was labeled with a large “Used Oil” sign on the wall just above the tank. Mr. Murdock stated that once the 500-gallon tank is full, it is pumped out and transported by Environmental Management Services to Covanta Environmental Services in Cedar Rapids, Iowa, for recycling (see Manifest Attachment #14). The most recent shipment of used oil was 461 gallons on May 21, 2021.

Spent Parts Washer Solvent – Mr. Murdock stated that they have a parts washer in their maintenance area for cleaning parts, but he was not sure how much spent solvent is generated. He stated that it is serviced monthly, and they use Eversolv 143 solvent. The Eversolv 143 parts washer solvent, which has a flash point at 143 deg F, is not considered to be RCRA hazardous based on product knowledge (see Attachment # 12 for the SDS). During the visual inspection I observed a parts washer in the Maintenance Room with a gallon jug of new Eversolv 143 parts washer solvent nearby (see Photo 3). State Chemical services the unit monthly and transports the spent solvent for recycling.

Spent Lamps – Mr. Murdock stated that PB Leiner USA is still in the process of switching over to LED lamps. During the visual inspection of the universal waste storage area in Door 17 Storage Room, (see Photo 9), I observed:

- One white wooden box with eight four-foot spent florescent lamps. The box was closed and in good condition. This box was labeled as “Universal Waste Lamps” and had an “accumulation start date of 5/24/2019”, which was greater than one year (see Photo 10).
- I also observed two cardboard tube spent fluorescent lamp containers, the left one had 22 four-foot spent lamps, and the right one had 15 four-foot spent lamps. Both boxes were labeled as universal waste lamps, but had no accumulation start dates.

For the invoice and amounts of their last shipment of recycling of universal waste lamps and batteries on May 19, 2019, see Attachment #17. Their recycling vendor is Recycling Compliance Specialists LLC, in Madison, Wisconsin.

NOPF 1: Do not accumulate universal waste longer than one year as required in 40 CFR 273.15(a)

Spent Batteries - Mr. Murdock stated that PB Leiner USA generates about 50 lbs per year of alkaline and lithium batteries. During the visual inspection of the Door 17 Storage Room, I

observed four 2-gallon plastic buckets of spent batteries (see Photo 9). Each bucket was partially full, closed, and in good condition. Each bucket was labeled on the lid with the word “Batteries” and the battery type. There was no “Universal Waste Batteries” label and no accumulation start date. On August 23, 2022, I sent an email to Mr. Murdock advising him that I had added NOPF 3 after consultation with one of the case officers. This was a finding that we had discussed at the time of the inspection, and it had already been corrected and documented in the response Mr. Murdock sent to me on August 1, 2022.

NOPF 2: Failure to label spent battery containers “universal waste-batteries” or “waste-batteries or “used batteries” as required in 40 CFR 273.14(a)

NOPF 3: Failure to label an accumulation start date, or demonstrate length of time of universal waste – lamps and batteries accumulation, as required in 40 CFR 273.15(c) (added after the inspection)

Used Oil Filters / Paper Shop Wipes / Pig Mat Absorbents – Mr. Murdock stated that PB Leiner USA mechanics use paper wipes and pig mats during maintenance procedures and generate spent oil filters from oil change preventive maintenance of facility equipment. The rags are potentially contaminated with oil and grease and the pig mats with oil. Mr. Roling stated that the only solvent they routinely use is Food Grade Machine Oil. Mr. Murdock stated that they generate about two 55-gallon drums, or about 100 lbs per year, of all three waste types. They are all considered “nonhazardous special waste” and treated as used oil. They are collected in 55-gallon drums onsite (see Photo 4). At the time of the visual inspection, I observed three 55-gallon steel drums in the North Compressor Room. The drums had large labels on the wall just above each drum that indicated “Used Oil Filters” and “Used Oil Pig Mats”. Mr. Murdock stated that the used oil pig mat drums were also used to collect the spent paper shop wipes. The used oil filter drum was about ½ full and in good condition. Of the two used oil pig mat drums, one was nearly full, and the other was empty. Both were in good condition. Their most recent shipment of these wastes was on April 28, 2021, or about 15 months previous (see Attachment #15 for the Manifest). The full drums are transported by Environmental Services to Scott County Landfill.

Wood Pallets – Wood pallets are generated by routine facility operations. Mr. Murdock stated that PB Leiner USA generates about one full semitruck trailer load every other day. These are nonhazardous. Onsite wood pallets are stored in the Processing Room (see Photo 7) pending transport for recycling by Irwin Pallets, Dewitt, Iowa.

Scrap Metal - Mr. Murdock stated that PB Leiner USA generates scrap metal during facility maintenance, operations, and modifications. He estimates that they generate about 10 tons per quarter. This waste stream has been determined to be nonhazardous. Onsite, the scrap metal is stored in an open top roll-off outside on the west side of the facility. The scrap metal is processed and recycled by Dell’s Metals on Rock Island locally.

Cardboard – PB Leiner USA generates general recyclables such as cardboard from packaging. Mr. Murdock stated that they use a bailer, which processes about 240 eight-foot diameter cardboard totes per day. They generate a full semitruck load weekly, which is shipped to Quincy in Cedar Rapids, Iowa for recycling (see Photo 8).

General Trash – General trash is generated by routine business operations. Mr. Murdock stated the trash consists of paper and plastic shipping wastes and general office wastes and that it is nonhazardous. He estimates that they generate about 30-tons per month. Their general trash is placed into a trash compactor, which is collected six times per month by Republic Services in Davenport, Iowa.

4.4 Other Regulatory Requirements

Outside Facility Perimeter - I did a limited inspection of the outside perimeter of the facility and observed no hazardous waste storage tanks and containers except as noted above. The PB Leiner USA building is a large 150,000 square foot facility. I did observe security fencing and security cameras around the facility. See the aerial and map views in Attachment #1.

Central Accumulation Area (CAA) – During the visual inspection, the primary CAA was not actually a room, but a location in the environmental Area that was being used to store the only hazardous waste that I observed. See Photo 6 for more details. The only hazardous waste container was the full 20-gallon plastic bucket of EZ COD testing materials discussed earlier. During the visual inspection of the CAA, I observed the EZ COD container, which was closed and appeared to be in good condition with no visible leaks. The CAA container had the original contents label of the test kits before they were used and became waste, which indicated the nature of the contents and that it was corrosive. The container did not have a “hazardous waste” label or the date it was placed in the CAA, but these are not required for a VSQG. Mr. Murdock stated that the EZ COD container had been placed in the CAA just a month or so previous and was pending collection and transport by Heritage Transport.

Preparedness and Prevention – PB Leiner USA has numerous fire extinguishers throughout the facility. I did not ask many questions about their contingency plan since this is not required for a VSQG, but Mr. Murdock stated they do have a trained “Haz-Mat team” on site. There was no emergency contact phone listed posted near the CAA, but this is not required for a VSQG.

Personnel Training – I did not ask detailed questions about their training since this is not required for a VSQG, but Mr. Murdock stated that they do require initial and annual recurrent training for all staff having hazardous waste handling responsibilities.

5.0 SUMMARY OF FINDINGS

NOPF 1: Do not accumulate universal waste longer than one year as required in 40 CFR 273.15(a)

NOPF 2: Failure to label spent battery containers “universal waste-batteries” or “waste-batteries or “used batteries” as required in 40 CFR 273.14(a)

NOPF 3: Failure to label an accumulation start date, or demonstrate length of time of universal waste – lamps and batteries accumulation, as required in 40 CFR 273.15(c) (added after the inspection)

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.

MARK HOLCOMB
(Affiliate)

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HOLCOMB (Affiliate)
Date: 2022.08.23 11:53:50 -05'00'

Mark Holcomb
Civil Investigator

AMBER
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Amber Whisnant
RCRA Section Chief, ECAD/CB

Attachments:

1. Facility Aerial & Map View (2 pages)
2. Facility Diagram (1 page)
3. Photo Log (10 photos / 5 pages)
4. Receipt for Documents (1 page)
5. Confidentiality Notice CBI (1 page)
6. Notice of Preliminary Findings NOPF (1 page)
7. EPA RCRA Notification Acknowledgement/Verification Report (2 page)
8. Manifest 6.23.2021 Heritage EZ COD (1 page)
9. Manifest 12.23.2019 (3 pages)
10. Manifest 12.18.2019 Lab & Facility (4 pages)
11. SDS EZ COD Digestion Solution (18 pages)
12. SDS Eversolv 143 (2 pages)
13. EPA Episodic Generation Form (6 pages)
14. NH Manifest Used Oil (1 page)
15. NH Manifest Used Oil Filters & Rags (1 page)
16. City Water Discharge Permit (6 pages)
17. Recycling Invoice (2 pages)