

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

Greenbrier Rail Services
4901 South 28th Street
Omaha, Nebraska 68107
877-295-1693

EPA RCRA Identification Number: NED986369098

On

May 4, 2021 – July 1, 2021

By

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

1.0 INTRODUCTION

I performed a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) remote virtual and a visual inspection at Greenbrier Rail Services (GRS), located in Omaha, Nebraska, beginning May 4, 2021, with the on-site review and concluding July 1, 2021, when I issued a Notice of Preliminary Findings. I conducted the inspection under the authority of RCRA Section 3007(a), as amended. During the inspection, I collected the information necessary to determine compliance with the applicable regulatory and statutory requirements. This report and attachments present the results of the inspection. Based on the information obtained during the inspection, I inspected the facility as a large quantity generator of hazardous waste, used oil generator, and small quantity handler of universal waste.

The State of Nebraska last inspected the facility for RCRA compliance on July 15, 2003. The EPA last inspected on May 17, 2016. The EPA inspection became part of a multi-facility enforcement action against GBW Rail Services, the facility operator at that time.

This inspection is part of the national compliance initiative for RCRA air emissions as identified by headquarters' list. It is also part of the EPA's routine inspection schedule.

2.0 PARTICIPANTS

Greenbrier Rail Services:

Ron Howard, Plant Superintendent (10 years with company)
877-298-1693 x301311 Ron.Howard@gbrx.com

Thomas Hannon, Facility EHS Manager (6 years with company)

877-298-1693 x301324 Thomas.Hannon@gbrx.com

Keith Motter, Corporate Regional EHS Manager (9 years with company)

402-926-6368

Tactical Cleaning Company

Anthony Arencibia, Manager (2 years with company)

U.S. Environmental Protection Agency (EPA):

Edwin G. Buckner PE, Environmental Engineer, ECAD

3.0 INSPECTION PROCEDURES

On May 3, 2021, at approximately 09:40, I called 877-295-1693 x301324 and left a message for Thomas Hannon, the site contact listed in RCRAInfo. At approximately 11:40 I called back and spoke to Mr. Hannon. I introduced myself and explained the purpose of the call. I informed Mr. Hannon that I intended to conduct a RCRA inspection on Tuesday May 4, 2021. I asked if GRS practiced any special protocols in response to the COVID-19 pandemic. He said when I arrived, to call him from the locked gate and he would take my temperature and ask typical health screening questions prior to admittance. GRS requires anyone on site to wear a mask, which I agreed to do. Regarding other safety equipment, GRS requires steel-toed boots, hardhat, reflective vest, and safety glasses. I informed Mr. Hannon that during the inspection, I would want a copy of the facility's RCRA contingency plan and training records. I would also like a copy of a facility plan for review. The facility operates from 07:00 to 16:30. I agreed to conduct the inspection within that timeframe and informed Mr. Hannon I would arrive between 08:00 and 09:00.

Upon arrival in Omaha around 17:20 on May 3, I drove to the facility and observed it from surrounding city streets. Since the facility is behind another large building and along the railroad, it was difficult to view from public rights of way. I saw nothing of concern during this drive-by screening.

On May 4, I arrived at the facility at approximately 08:00. I called Mr. Hannon and he drove to the gate and let me in to drive to the office after following COVID screening protocols. At the office I also met Mr. Howard and Mr. Motter in a conference room for the in-briefing. I showed Messrs. Hannon, Howard, and Motter my credentials and we exchanged business cards (Attachment 1). I explained Section 3007 of RCRA which provides inspection authority. I also explained my need to collect accurate information and provided Mr. Hannon with a copy of Title 18 U.S. Code, Sections 1001 and 1002. As part of the in-briefing, Messrs. Hannon, Howard, and Motter were made aware of GRS's confidentiality rights and informed that a Confidentiality Notice would be provided at the end of the inspection to make, or not to make, any claims. Messrs. Hannon, Howard, and Motter acted as the facility representatives for the CEI. I showed Mr. Hannon a copy of the most recent (March 18, 2020) notification to RCRAInfo for the facility (Attachment 2). Mr. Hannon confirmed that the information in that notification is current and correct.

During the inspection, discussions addressed wastes generated and waste management practices. I conducted a visual inspection of the valve shop, paint shop, six repair shops, and central accumulation area. We also drove to and inspected Tactical Cleaning Company which cleans out railcars on the northern end of the GRS property for GRS.

Information collected during the inspection was documented in my notes, on the Nebraska Department of Environment and Energy (NDEE) Large Quantity Generator Checklist (Attachment 3), and as discussed below.

At the conclusion of the on-site portion of the inspection, I summarized the findings and recommendations with Messrs. Hannon, Howard, and Motter. I asked Mr. Hannon to send various documents to me for review in order to minimize time spent at the facility. I provided Mr. Hannon with a *Confidentiality Notice* (Attachment 4) which he signed as acknowledgement of receipt. Mr. Hannon made no confidentiality claims. I also provided Mr. Hannon with a Receipt for Documents and Samples (Attachment 5). I did not issue a Notice of Preliminary Findings (NOPF) during the concluding meeting, but did so on July 1, 2021, via email. The following inspection documents and compliance assistance handouts were provided to GRS:

Inspection Documents

Confidentiality Notice

Receipt of Documents and Samples

EPA Compliance Assistance Handouts

EPA Compliance Assistance Centers

NDEE Compliance Assistance Handouts

Solvent-Contaminated Shop Towels, Rags, and Wipes

On May 28, 2021, Mr. Hannon sent an email to me that included various documents and answers to posed questions. On June 1 and 17, 2021, Mr. Hannon provided additional information in emails.

I followed the inspection procedures discussed in the RCRA CEI Standard Operating Procedure (No. 2321.1D), unless noted differently. Any federal regulatory citations noted in this report are as adopted by reference in the authorized Nebraska regulations.

4.0 FINDINGS AND OBSERVATIONS

4.1 General Information/Facility Description/RCRA Status

Greenbrier Rail Services is part of Greenbrier Management Services, LLC, which is a wholly owned subsidiary of The Greenbrier Companies, Inc. The larger corporation is involved internationally in railcar leasing, manufacturing, and maintenance and marine manufacturing. According to its website, Greenbrier Management Services owns a railcar lease fleet of more than 8,500 railcars and provides fleet management services to owners of more than 368,000

railcars. Railcars in the owned and managed fleets receive approximately 175,000 repair and maintenance hours per year. GRS has 12 shops nationwide that repair and refurbish railcars for various customers. The South Omaha Facility was established around 1970 as Rail Car of Nebraska (not to be confused with Nebraska Rail Car, a separate entity). It became GRS on September 11, 2006. In 2014, GRS and Watco combined to form GBW Rail Services in an effort to capitalize on an anticipated increase in tank car use. EPA's last inspection May 17, 2016, occurred while the facility was owned by GBW. Because the expected increase in tank car usage did not materialize, August 20, 2018, GBW split apart into its former companies of Watco and GRS, leaving this facility a GRS facility.

On August 8, 2018, the EPA filed a Consent Agreement and Final Order with GBW for RCRA violations at four facilities in Kansas and two facilities in Nebraska including the South Omaha facility. Violations at this facility included: failure to make a hazardous waste determination on eight waste streams, failure to label and date accumulation containers, failure to familiarize emergency authorities, improper disposal of hazardous waste, unlabeled used oil containers, and an open universal waste container.

The South Omaha facility employs approximately 25 people and operates from 07:00 to 16:30, Monday through Friday. This facility is in a light industrial district along the railroad referred to as the Stockyards Business Park, but communities near the facility are potentially environmental justice areas. The total area under GRS control is about 22.7 acres with 48,500 square feet under roof. GRS leases the facility from Gunderson Rail Services, LLC except for the shop buildings and rails south of the shops which are leased from Omaha Market Associates, LLC. See the facility maps provided by GRS in Attachment 6.

GRS receives many different types of railcars from various owners including hoppers, tanks, gondolas, etc. I saw predominately hopper cars and tank cars on site. These cars arrive via BNSF and Union Pacific. Incoming railcars are staged on sidings on the northwest portion of the facility east of and parallel to Dahlman Avenue north of L Street. When a railcar is cleared for receipt, it is moved to sidings C1, C2, or C3 for cleaning (Photograph 2). These sidings are at the north end of the facility, north of L Street. Tactical Cleaning Services (TCS) does the cleaning for GRS. TCS has twelve employees on site. If necessary, TCS will unload product from railcars, but GRS typically rejects railcars holding significant quantities of product. Typically, what TCS will remove from railcars will be small quantities of products, water-based rinsate, or debris.

Empty, clean railcars then proceed to the GRS shops south of L Street. These shops are located between the rails to the east and Phillips Manufacturing to the west. GRS's entrance is at the south end of Phillips Manufacturing's facility. Depending upon the service requested for each railcar, it may have structural, mechanical, or aesthetic repairs performed. GRS repairs, on average, about 675 railcars per year. GRS has a building for blasting paint from railcars, a shop for repairing valves associated with tank cars, a paint shop, and four tracks in a building where repairs are performed. GRS's offices are in three double-wide trailers on the west side of the property. Two more trailers are being set up for offices. A large fenced area north of the offices is used for materials storage. The hazardous waste central accumulation area (CAA) is in the northeast corner of this area. It consists of a curbed concrete pad covered with an aluminum carport surrounded by chain link with a locked gate (photograph 7). At the time of the inspection,

only one 55-gallon drum of paint waste was accumulating in the CAA. The current generation rate was below 1000 kg per month, but because the facility frequently generates greater than 1000 kg in one month, GRS elected to maintain status as a large quantity generator (LQG).

4.2 Waste Streams and Waste Management

At the time of the inspection, facility personnel were unable to quickly provide solid waste generation rates but agreed to email that information to me later. Information related to waste streams is listed in the following Waste Stream Table.

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Solid Waste Stream	Hazardous	Department	Description of Waste Stream	Disposal	Generation Rate
Office Trash	No	Offices	General office waste	Papillion Sanitation	twice monthly*
Shop Trash	No	Repair Shop	General shop waste	Papillion Sanitation	twice monthly*
Punctured Aerosol Cans	No	Paint Shop	Punctured aerosol cans	Alter Metal Recycling	With scrap metal
Aerosol Can Waste	Hazardous	Paint Shop	Waste drained from aerosol cans	Safety-Kleen	Not recently disposed
Shop Rags	Hazardous	Maintenance	Spent solvent contaminated rags	Safety-Kleen	Not recently disposed
Used Oil	Used Oil	Maintenance	Used oil cogenerated by maintenance company	Hatcher Mobile Svc.	84 quarts annually
Oil Filters	Used Oil	Maintenance	Oil filters cogenerated by maintenance company	Hatcher Mobile Svc.	28 filters annually
Equipment Batteries	Part 266, Subpart G	Maintenance	Pb-acid batteries cogenerated by maintenance company	Hatcher Mobile Svc.	Zero to date
Tool Batteries		Throughout	Lithium-Ion batteries		Zero to date
Spent Metal Blast Media	No	Blast Booth	Spent metal blast media	Papillion Sanitation	20 yd ³ per quarter
Paint/Blast Tyvek Suits & PPE	No	Paint Shop/Blast House	Paint/blast used PPE	Papillion Sanitation	20 yd ³ per quarter
Paint Filters	No	Paint Shop	Spent air filters from painting	Papillion Sanitation	20 yd ³ per quarter
Paint Wipe Rags	Hazardous	Paint Shop	Spent-paint contaminated rags	Safety-Kleen	Not recently disposed
Waste Paint	Hazardous	Paint Shop	Waste paint from painting D039	Safety-Kleen	188 kg/month
Paint Gun Flush	Hazardous	Paint Shop	Spent paint gun solvent – Petroleum Naphtha D039	Safety-Kleen	27 kg/month
Spent Glass Blast Media	No	Valve Shop	Spent glass blast media	Papillion Sanitation	once quarterly*
NDT Wastewater / Dye Penetrant	No	Valve Shop	Mixture from testing repair parts on valves	Safety-Kleen	Annually*
Valve Shop Rags	Hazardous	Valve Shop	Solvent contaminated rags	Safety-Kleen	Not recently disposed*
Waste Parts Washer Solvent	No	Valve Shop	Spent parts washer solvent	Safety-Kleen	Monthly*
Waste Lamps	Universal	Throughout	Lamps cogenerated by electrical contractor	Hatcher Mobile Svc.	Annually*
Scrap Metal	No	Throughout	Scrap metal	Alter Metal Recycling	30 yd ³ bi-weekly
Rail Car Rinsate (Hazardous)	Hazardous	Cleaning Rack	Hazardous liquids rinsed from rail cars	Aqua/Fuel Services, Inc.	Unknown

Rail Car Sludge (Hazardous)	Hazardous	Cleaning Rack	Hazardous sludges removed by hand from rail cars	Aqua/Fuel Services, Inc.	5909 kg once in 2019
Rail Car Debris (Hazardous)	Hazardous	Cleaning Rack	Hazardous solid debris removed from rail cars.	Aqua/Fuel Services, Inc.	Unknown
Rail Car Rinsate	No	Cleaning Rack	Liquids rinsed from rail cars	Aqua/Fuel Services, Inc.	Monthly*
Rail Car Sludge	No	Cleaning Rack	Sludges removed by hand from rail cars	Aqua/Fuel Services, Inc.	Monthly*
Rail Car Debris	No	Cleaning Rack	Solid debris removed from rail cars.	Aqua/Fuel Services, Inc.	Monthly*

*This data was provided by GRS personnel in an email on June 17, 2021, and did not specify quantities of waste.

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During the inspection, GRS personnel said they had not disposed of crude oil, cleaned from tank cars, in the past couple of years. Manifest review indicates GRS disposed of 25 drums of crude oil (11,400 pounds) on April 15, 2019, using manifest number 012224239FLE (Attachment 7) as D001 and D018 hazardous waste. The facility sent me a waste profile for crude oil dated May 19, 2021, (Attachment 8) that stated, “The material comes from cleaning petroleum crude railcars. When the material is removed from the cars it is solid most of the time, occasionally we will add some sawdust to it to stiffen the material up if it is sludgy. This waste stream is exempt according to 40 CFR 261.4b5 (sic) for the following reasons: The crude oil came from directly down-hole explorations and production. The crude oil was stored in the railcar tank until filled and then the railcars were shipped to the refinery. The railcars were then delivered to the refinery and the railcars were unloaded. When the railcars left the refinery there was crude oil left in them that did not get unloaded (this is waste material from the production of Crude oil, that could not be removed from the railcar while unloading at the refinery). Custody was not transferred to the refinery or back to the well location. That being said we know that this is a waste related to the production of crude oil and is exempt material.” In an email dated June 4, 2021, I informed Mr. Hannon that the exploration and production exemption in 40 CFR 261.4(b)5 does not apply to crude oil in transportation such as heels in a railcar. Contrary to the incorrect waste profile, GRS manifested the crude oil waste as a hazardous waste.

4.3 Areas Visually Inspected

The following sections of the report describe what I observed while visually inspecting the facility. Messrs. Hannon and Howard escorted me at the beginning of the tour. Mr. Motter joined us when we went to the Cleaning Racks.

4.3.1 Valve Shop

In the Valve Shop, personnel repair and recondition valves for use on tank cars. These include the inlet/outlet valves and pressure relief valves. There is one satellite accumulation area in the valve shop for waste rags. The container was closed and labeled with the words hazardous waste. There was a parts washer in the Valve Shop, but it used Safety-Kleen Premium 150 solvent which has a flash point higher than 140 °F.

4.3.2 Paint Shop

An aerosol can puncturing device was attached to the top of a 55-gallon drum in the southeast corner of the Paint Shop. Paint was splattered on the drum, device, and walls. Otherwise, the container appeared to be in good condition, closed, and had a new hazardous waste label attached to its side. Mr. Hannon said the SAA for aerosol waste had been there at least two years because this waste stream accumulates slowly. Next to the container was another container with a round hole cut in its lid. This container was used to accumulate the punctured empty aerosol cans for recycling.

Along the east wall of the Paint Shop were the filters used to capture air-borne paint released during the painting process. I asked Mr. Hannon if GRS used any metal-based paints when painting railcars. He said although the paints use an oil-based or aqueous carrier, the paints do

not contain metals such as lead or chromium. I did not obtain safety data sheets for the paints. When spent, the filters are placed in roll-off boxes located to the north of the materials lot. Mr. Hannon said the waste filters were not hazardous. Papillion Sanitation removes the roll-offs and disposes of the waste at a sanitary landfill. Upon my review of hazardous waste manifests for waste paints generated by GRS, I noted the following waste codes on the manifests indicative of hazardous metals: D005, D006, D007, and D008. These are the paints that would be on the paint filters. **Notice of Preliminary Finding #1, 40 CFR 262.11, Failure to make a hazardous waste determination for waste paint filters.** GRS did not account for metals content in the paint filters, thus making an inadequate hazardous waste determination on the manifests incorrectly listed metals waste codes.

In the northeast corner of the Paint Shop, GRS maintains two SAAs for paint waste and spent rags. The SAAs are in a large metal secondary containment structure (Photograph 1). The spent rags accumulate in an approximately 15-gallon steel container. This container was in good condition, closed, and labeled with the words hazardous waste.

The waste paint accumulates in a steel 55-gallon drum. The drum was in good condition, closed, and labeled with the words hazardous waste. The container appeared to be nearly full. Next to that drum was an unlabeled, empty, closed drum. I advised the facility representatives that although having the capacity to exceed 55 gallons in a SAA is not a violation, actually exceeding that amount for longer than three days would be a violation. Mr. Howard said they would be careful to not place an empty container in the SAA unless the full container was first removed to the CAA.

On the west side of the Paint Shop, GRS stores paint in a room approximately 15 feet by 30 feet. The containers of paint in this room appeared to be in good condition and stored in a manner indicating pending use. The contents of the containers were clearly written thereon and writing on the wall behind each stack of containers indicated what should be stored in that location. I did not see any material in this room that appeared to be waste. Mr. Hannon stated that GRS disposes of any paint that passes its expiration date.

4.3.3 Repair Shops

The Valve Shop and Paint Shop are attached to the east side of the main repair shop building. Four rail tracks pass through this building which is subdivided into six repair shops. No hazardous wastes are generated on a consistent basis in this area. If hazardous waste was generated such as an aerosol can or solvent contaminated wipe, it would be taken to the paint shop for accumulation. As we walked through the Repair Shops, I looked in various waste containers and looked for spills or discarded materials. The shop areas, although worn, were generally free of waste and clutter.

4.3.4 Cleaning Racks – Tactical Cleaning Company

Since the cleaning racks were at the northern end of the facility and would require walking along and across railroad tracks, Messrs. Hannon and Howard and I drove to this part of the facility. Mr. Motter walked to this location and joined us there. Upon arrival we met Anthony Arencibia

who manages Tactical Cleaning Company's on-site operations. Mr. Arencibia said they clean from two to four railcars per day depending on demand and the contents of the cars. They determine if the contents of railcars are hazardous by reviewing the safety data sheets with GRS personnel. Typically, hopper cars do not require cleaning, but TCC can do so if necessary. Mr. Arencibia told us personnel were preparing the railcar in Photograph 2 to be cleaned out. He said it had contained tallow.

In this area, cleaning occurs on three different sidings designated C1, C2, and C3. Each siding can accommodate eight railcars. During the inspection there were no cars on C1, seven tank cars on C2, and four tank cars on C3. There is a vac box and a frac tank on site to accumulate liquid wastes. Aqua/Fuel Services, Inc. removes waste from the cleaning racks on a monthly basis.

To clean the railcars, they first determine what was in the railcar. If it was a liquid, and not a hazardous substance, they will rinse it out with water and collect the rinsate in totes. Photograph 3 shows empty totes ready for that use. The rinsate is then transferred to one of four poly-tanks (Photograph 4) on site from which the wastewater disposal contractor will pump the liquid.

If the material left in the tank car cannot be rinsed out with water, then personnel must enter the tank car to remove the sludge by hand. It is then hoisted out the top hatch using five-gallon buckets. The material is then placed in a roll-off box (Photograph 5) for transportation to a landfill under a special waste permit.

According to Mr. Arencibia, since TCC began performing cleaning operations for GRS two years ago, they have not received a railcar that contained waste that would be considered hazardous. Mr. Motter said GRS is careful to reject railcars that contain material that would be hazardous. Mr. Motter gave the example of a tank car that contained Bakken crude oil. Mr. Motter said it is common knowledge in the industry that Bakken crude can be ignitable and contains benzene. Mr. Arencibia said they could handle hazardous waste if it was generated. They would containerize the waste in 55-gallon drums and dispose of it through a hazardous waste contractor, but to date that has not been necessary. According to manifest records, April 15, 2019, was the last time GRS manifested waste crude oil off site as hazardous waste.

4.3.5 Central Accumulation Area

The CAA is located inside the fenced and locked material storage area west of the repair shops and north of the offices. The CAA itself (Photograph 7) is a locked, fenced aluminum carport sitting on a curbed concrete slab. There was only one container in the area (Photograph 6) and I could read the label from outside the fence, so we did not enter the carport. The 55-gallon steel drum contained paint waste. It was in good condition, closed, labeled with the words hazardous waste, and had an accumulation start date written on the label of April 30, 2021.

4.4 Document Review

As part of the pandemic hybrid inspection protocol, I limited my time in GRS's offices reviewing documents. GRS had various documents ready for my review, but others were sent to me via email after the on-site portion of the inspection.

4.4.1 Contingency Plan

GRS had its contingency plan (Attachment 9) copied and ready for me to take. Upon reviewing the contingency plan after returning to the office, I observed that while equipment is described in the plan, those descriptions lack specificity. Although a facility map is included in the plan that identifies rally points during an emergency, the plan does not specify evacuation routes or alternative evacuation routes to be used during an emergency. The map especially does not identify evacuation routes out of buildings. The maps are overly simple and difficult to interpret. Title 40 CFR 265.52(f), states regarding contingency plans, “The plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).” **Notice of Preliminary Finding #2, 40 CFR 265.52(f), Evacuation routes were inadequately described in the contingency plan.**

4.4.2 Training Records

GRS also had a training record sheet (Attachment 10) and the waste management program curriculum (Attachment 11) copied and available for me to take. I later reviewed GRS’s training records. They appear to be current, adequate, and in order.

4.4.3 Manifests

I observed that Mr. Hannon was able to obtain a copy of any GRS hazardous waste manifest by logging onto Safety-Kleen’s web site, making manifests available on site when needed. Attachment 12 is a screen print of Safety-Kleen’s web site where the facility may access hazardous waste manifests. I chose to review the facility’s manifesting records using RCRAInfo at my home office. Attachment 13 is part of GRS’s May 28, 2021, response to my request for documents. It includes several manifests for paint waste and petroleum naphtha as well as weekly inspection checklists. Attachment 14 is a summary of manifest data I reviewed in RCRAInfo. I found no issues during my review of these manifests other than the discrepancy regarding hazardous metals noted in the above section discussing paint waste.

4.4.4 Accumulation Area Inspections

Mr. Hannon provided a copy of the weekly hazardous waste inspection checklist for April 26, 2021, (Attachment 15) but did not have the last three years of records readily at hand because GRS’s system recently changed. Rather than waiting for those records, I requested they send me copies of April and October inspections since 2018. On May 28, 2021, and June 1, 2021, Mr. Hannon emailed copies of several inspections to me. Those are included with this report as Attachments 13 and 16. Review of those check sheets indicate inspections were conducted consistently. In his June 17, 2021, email, Mr. Hannon stated that inspections were not performed in October 2020 because no waste was present in the CAA.

5.0 SUMMARY

I determined GRS to be operating as a large quantity generator of hazardous waste, a used oil generator, and a small quantity handler of universal waste lamps based upon the amount and type of waste generated at the time of my inspection. Hazardous waste requirements reviewed during this inspection are discussed above and are noted on the NDEE Large Quantity Generator Checklist included as Attachment 3.

I did not issue a Notice of Preliminary Findings while at the facility. On July 1, 2021, I sent an email (Attachment 17) to Mr. Hannon identifying the following preliminary findings:

- 1. 40 CFR 262.11, Failure to make a hazardous waste determination for waste paint filters.**
- 2. 40 CFR 265.52(f), Evacuation routes were inadequately described in the contingency plan.**

Other than the items noted above, no other preliminary findings were observed or cited. The EPA will be reviewing my findings further after the inspection and may change or add to these findings.

**Edwin G.
Buckner**

Digitally signed by Edwin G.
Buckner
Date: 2021.07.08 08:41:41
-05'00'

Edwin G. Buckner PE
Environmental Engineer
ECAD/CB/RCRA, EPA Region 7
Date:

**AMBER
WHISNANT**

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WHISNANT
Date: 2021.08.29 19:39:18
-05'00'

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

Attachments

1. Business Cards (1 page)
2. RCRAInfo March 18, 2020 Notification (7 pages)
3. NDEE Large Quantity Generator Checklist (4 pages)
4. Confidentiality Notice (1 page)

5. Receipt for Documents and Samples (1 page)
 6. Facility Maps (7 pages)
 7. Manifest 012224239FLE (5 pages)
 8. Waste Crude Profile (6 pages)
 9. Contingency Plan (39 pages)
 10. Hazardous Waste Training Record (1 page)
 11. Hazardous Waste Training Program (59 pages)
 12. Safety-Kleen Manifest Webpage (1 page)
 13. Manifests and Waste Accumulation Inspection Checklists (37 pages)
 14. Manifest data summary (4 pages)
 15. April 26, 2021 Hazardous Waste Accumulation Inspection Checklists (2 pages)
 16. Waste Accumulation Inspection Checklists (14 pages)
 17. July 1, 2021 Email Notice of Preliminary Findings (1 page)
- Photo Log (1 page)
- Photos (7 pages/7 photos)

Buckner, Edwin

From: Buckner, Edwin
Sent: Thursday, July 1, 2021 14:12
To: Hannon, Thomas
Cc: R7RCRA-Enforcement
Subject: Notice of Preliminary Findings Following May 4, 2021, RCRA Compliance Inspection of Greenbrier Rail Services

Mr. Hannon,

On May 4, 2021, I initiated a RCRA compliance evaluation inspection at the Greenbrier Rail Services facility at 4901 South 28th Street, Omaha, Nebraska, 68107. Upon touring the facility and reviewing documentation provided in response to the inspection, I am issuing the following Notice of Preliminary Findings. This notice is provided to call your attention to the following preliminary findings regarding state and federal regulations. This notice does not constitute a compliance order and may not be a complete listing of all findings resulting from the inspection.

1. 40 CFR 262.11, Failure to make a hazardous waste determination for waste paint filters. Review of waste codes on manifests for waste paints identified D005, D006, D007, and D008 codes associated with various hazardous waste metals. These metals may exist on waste paint filters in sufficient concentration to make the filters a hazardous waste.
2. 40 CFR 265.52(f), Evacuation routes were inadequately described in the contingency plan. Although a facility map is included in the plan that identifies rally points during an emergency, the plan does not specify evacuation routes or alternative evacuation routes to be used during an emergency. The map especially does not identify evacuation routes out of buildings.

As a continuation of the inspection performed at your facility, you are asked to submit a written response within 14 calendar days of receipt of this notice. Your response should include a description of all corrective actions taken and/or a schedule for completing the necessary corrective actions. The response should be submitted to me and the following email address: R7RCRA-enforcement@epa.gov.

If you have any questions, please contact me via email or as shown below.

Edwin G. Buckner, PE
RCRA Section
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11201 Renner Boulevard
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