United States Environmental Protection Agency

Region 6 - Enforcement & Compliance Assurance Division

INSPECTION REPORT

Inspection Date(s):	05/09/2023 – 05/11/2023	
Media Program:	Resource Conservation and Recovery Act (RCRA)	
Regulatory Status	Large Quantity Generator (LQG); Treatment, Storage, and Disposal Facility (TSDF); Environmental Justice	
Company Name:	**Denka Performance Elastomers, LLC**	
Facility Name:	**Pontchartrain Site**	
Facility Physical Location:	560 Highway 44	
(city, state, zip code)	LaPlace, LA, 70068	
Mailing address:	See facility address	
(city, state, zip code)		
County/Parish:	St. John the Baptist Parish	
Facility Phone Number		
Facility Contact:	Christopher Meyers	Sr. Consultant
	christopher-meyers@denka-pe.com	
FRS Number:	110067396669	
RCRA Identification &Permit Number:	LAR000009415	
LDEQ Agency Interest Number:	199310	
NAICS:	325110, 325212, 325199	
SIC:	2822, 2869	

Personnel participating in inspection:		
Justin Young	USEPA HQ	RCRA Inspector
John Penland	USEPA Region 6	Sr. RCRA Inspector
Van Housman	USEPA HQ	RCRA Inspector
Joseph Watson	ERG (USEPA Contractor)	Senior Chemical Engineer
Janosh Wolters	ERG (USEPA Contractor)	Energy Engineer
George Wieber	ERG (USEPA Contractor)	Chemical Engineer
Christopher Meyers	Denka Performance Elastomer, LLC (DPE)	Environmental Affairs Manager
Cory Green	Denka Performance Elastomer, LLC (DPE)	Sr. SHE Consultant

EPA Lead Inspector Signature/Date	JUSTIN YOUNG Digitally signed by JUSTIN YOUNG Date: 2023.10.25 08:51:49 -04'00'	
	Justin Young (OECA Waste Enforcement Branch)	Date
Supervisor Signature/Date	LYNNE DAVIES Digitally signed by LYNNE DAVIES Date: 2023.10.26 16:15:57 -04'00'	
	Lynne Davies (OECA Waste Enforcement Branch)	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

EPA inspectors Justin Young (USEPA HQ), John Penland (USEPA Region 6), Van Housman (USEPA HQ), Joseph Watson (Eastern Research Group, Inc. [ERG]), Janosh Wolters (ERG), and George Wieber (ERG) arrived at the Denka Performance Elastomers, LLC (DPE) Pontchartrain Site at 08:00 on May 9, 2023 for an announced case development inspection. The inspection team met with Christopher Meyers (Environmental Affairs Manager) to complete check-in at the guard shack located at the entrance to the Site. After completing the check-in process, the inspection team then proceeded to a conference room for the opening conference. The following personnel from DPE or supporting contractors/consultants were present for the opening conference in-person or virtually via a Microsoft Teams call:

- Christopher Meyers (Environmental Affairs Manager)
- Cory Green (Senior Environmental Engineer)
- Manny Lennix (Finishing Operations Lead)
- Kevin Voelkel (Bracewell – DPE Counsel)
- Bob Holden (Jones Walker – DPE Counsel)
- Jason Hutt (Bracewell – DPE Counsel)
- Kisheon Alexander (Polymer Area Engineer)
- Jorge Lavastida (Plant Manager)
- William Rose (SHS Manager)
- Michelle Helfrich (Operations Manager)
- Akihiko Kusaka (DPE Counsel)
- Bryan Schuetze (Environmental Engineer)
- Phillip Spillane (Monomer Area Lead)
- Jacob Anderson (Monomer Area Engineer)
- Junius Roussell (Polymer Area Lead)
- Timothy Brack (Monomer Area Engineer)
- Brian Luster (Environmental Engineer)

Inspector Young presented his credentials to Mr. Meyers during the opening conference, and Inspector Young also informed DPE representatives of their right to assert a Confidential Business Information (CBI) claim for records requested by EPA. The scope of the inspection is a case development inspection (CDI) to include all parts of RCRA including RCRA Air Emissions Standards (Subparts AA, BB, and CC). Representatives from the Louisiana Department of Environmental Quality (LDEQ) were present for the inspection each day. During the inspection, an EPA sampling team was present on site to collect samples for hazard characterization analyses. A separate report has been generated to describe the activities associated with the sampling event that occurred on site during the inspection.

This inspection is a follow-up to the April 18-21, 2022 and the May 5, 2022 RCRA inspections, which resulted in areas of concern. Process descriptions, observations, and findings from the April and May 2022 inspections are included in separate inspection reports. The planned activities for this follow-up inspection included, but were not limited to:

- Evaluation of the isomerization unit in the monomer production area identifying points of waste generation, storage, and waste characterization.
- Collection of poly kettle strainer waste samples from the polymer production reactors for the evaluation of hazardous waste characteristics (D001 and D003 specifically).
- Evaluation of the wastewater treatment unit and how the solid wastes are being managed in it.
- Review of the monomer production process wastes for the applicability of the F024 or F025 hazardous waste listings.
- Reassessment of the Open Brine Pit to determine its current operating status.
- On-site confirmation of activities conducted in response to the Consent Agreement between EPA and Denka from December 2022.
- Additional documentation of the facility's compliance with 40 CFR 264 Subpart CC for tanks managing hazardous waste.
- Evaluation of the waste streams generated and stored and what is the status of the process equipment associated with the injection well.

A photographic log for photographs taken during the inspection is included as Attachment 1. Sign-in sheets for each day of the inspection and for the closing conference, including personnel on the EPA sampling team, are provided in Attachment 2.

FACILITY DESCRIPTION

General Facility Description

DPE manufactures neoprene [poly(beta-chloroprene)] polymer at the Pontchartrain Site and is permitted under hazardous waste operating permit number LAD000009415. The Site is owned by DuPont de Nemours, Inc. (DuPont) DPE purchased the neoprene operations and business in 2015. DuPont de Nemours, Inc. also operates a chemical manufacturing facility on Site that produces para-phenylenediamine (PPDA). PPDA is produced in the Diamines Unit. DuPont has a Title V permit for power production for the entire Site, supplying power to Denka's Neoprene operations. The Power Unit provides steam to all of the manufacturing units at the Site. Although both companies operate on the Pontchartrain Site, DuPont's manufacturing operations are separate from DPE and do not involve the manufacture of neoprene. DPE operates its facility with 240 employees, working two shifts 24/7 for 365 days per year.

DPE manages neoprene manufacturing as three main processes: monomer synthesis, polymerization, and finishing. Additional DPE processes and operations that occur on site (excluding DuPont de Nemours, Inc. operations) include underground injection wells, a halogen acid furnace, wastewater treatment, and air pollution control devices such as the Regenerative Thermal Oxidizer (RTO). More detailed process description information was recorded in a previous RCRA compliance evaluation inspection report from the April 2022 RCRA inspection. Additional updated process information collected during this inspection is included in Section II of this report.

Permit and Compliance History

The hazardous waste operating permit for DPE lists the permitted units at the site, including container storage areas (CSAs), hazardous waste tanks, ancillary equipment, and the halogen acid production furnace.

Section II - OBSERVATIONS

May 9th, 2023

Following the opening conference, the compliance inspection team headed to the Isomerization Unit around 10:30 am. The compliance inspection team met with Jacob Anderson, a Monomer Area engineer, who provided an overview of the monomer synthesis process. The compliance evaluation inspection team revisited the Isomerization Unit after the lunch break with monitoring equipment and the process is discussed later in this section. The compliance inspection team also met with Timothy Brack, a Monomer Area Engineer, who provided additional details concerning the monomer synthesis process also discussed later in this section.

The compliance inspection team was notified of a Poly Kettle Strainer cleanout in the Polymer Unit. The compliance inspection team proceeded to the Polymer Unit to observe the Poly Kettle Strainer cleanout at approximately 11:00. The compliance inspection team observed the new pilot Poly Kettle Strainer cleanout process compared to the previous inspection; the cleanout process now includes a series of water or nitrogen gas purges (depending on the product grade) through the strainer (see operational procedures in Attachment 3) followed by removing solid and liquid material from the strainer and segregating into different containers.

Liquids removed from the Poly Kettle Strainer during cleanout were collected in a 55-gallon drum located near the Strainer at the time of the inspection. This drum was open when the compliance inspection team first entered the Unit and remained open during the full observation period and when the compliance inspection team departed the Unit at approximately 12:00.

Solids removed from the Poly Kettle Strainer were placed in a 55-gallon drum located near the Strainer. This drum was being vented to the RTO through a custom vent cover. The drum was labeled as “waste pending analysis.” After Poly Kettle Strainer Waste was placed in the drum during its removal, the drum was re-equipped with a vent cover and a steam lance was added to the drum.

Poly Kettle Strainer Waste is no longer transferred into the Open Brine Pit. Waste profile FIN-018 is now used to address Poly Kettle Strainer Waste generated in the Finishing Area or the Open Brine Pit, and waste profile POLY-102 is used to address Poly Kettle Strainer Waste solids generated in the Polymer Area. POLY-102 waste solid is shipped to Tradebe in Tennessee (TND000772186) for incineration as of January 31, 2023, with a waste determination considered in progress. Poly Kettle Strainer Waste liquids are collected into a drum and then pumped manually into an unstripped emulsion tank to go back through the process. After observing the cleanout of the Poly Kettle Strainer during the inspection, the compliance inspection team left the site for lunch.

The Flame Ionization Detector (FID) on the Toxic Vapor Analyzer (TVA) 2020 was calibrated around 12:00in the parking lot outside the DPE office building using zero air gas and methane calibration gases

with just under 500 parts per million (ppm) and 10,000ppm concentrations. The team conducted a bump test of the TVA 2020 after calibration to ensure the equipment was operating properly. All readings during the bump check were within 10 percent of the span gas concentrations.

At approximately 14:10, the compliance inspection team headed to the Isomerization Unit, which converts dichlorobutene isomers for use in the monomer synthesis process. The compliance inspection team observed the Isom Jet Effluent Tank (see Attachment 1, Photo 1), which is used to collect condensate and runoff from the Isomerization Area jet vapor condenser. Liquid from the Isom Jet Effluent Tank is transferred to the Aqueous Tank for injection in the on-site underground injection wells. The compliance inspection team also observed the Isom Purge Tank, a permitted hazardous waste tank that receives toluene rinse streams from the Isomerization Unit with waste codes D001 and F005. The vapor space of the Isom Purge Tank is routed to the Halogen Acid Production Furnace (HAPF) and the hazardous waste liquids are routed to the feed tanks for the HAPF. Sample purge containers managed as satellite accumulation area (SAA) containers from around 13 points of generation in the Monomer Area also transfer liquid hazardous waste into the Isom Purge Tank. A vacuum lance is used to pump the hazardous waste from the SAA containers into the Isom Purge Tank. This transfer process occurs in open air (see Attachment 1, Photos 5 and 6). Piping leading from the lance to the Isom Purge Tank was tagged for LDAR program monitoring. Inspector Wieber monitored three valves on the line using the TVA 2020 and did not observe any concentrations above background. A lined sump was located beneath the vacuum lance. Liquids collected in the sump are transferred to the Aqueous Area for injection in the on-site underground injection wells. The compliance inspection team also observed a collection of containers labeled as hazardous waste beneath the Isom Purge Tank in a roped-off area (see Attachment 1, Photos 2 through 4). The containers were either empty or were staged for transfer into the Isom Purge Tank. The compliance inspection team also observed a 55-gallon drum managed as a SAA container holding “Isom Coke” hazardous waste generated from an in-line filter in the isomerization process. The drum was in good condition, labeled with a hazardous waste label, dated, and closed (see Attachment 1, Photo 7).

The compliance inspection team then headed to the Aqueous Area. On the way to the Aqueous Area, the compliance inspection team observed two frac tanks close to the pipeline leading to the underground injection wells (see Attachment 1, Photo 8). The frac tanks were in good condition, labeled as “Catalyst Sludge” hazardous waste and were dated with an accumulation start date of April 22, 2023. The hazardous waste label also listed waste profile CDS-0065. Mr. Green informed the compliance inspection team that the waste is only generated during plant turnarounds, with the solids from the sludge managed as hazardous waste and the aqueous layer from the sludge decanted to the brine going to the underground injection wells. DPE had recently completed and restarted operations from a plant turnaround during the week prior to the inspection. Inspector Wieber monitored the caps on the end of each of the frac tanks using the TVA 2020 and did not observe any concentrations above background. The compliance inspection team then proceeded to the Aqueous Area and observed the primary and secondary in-line strainers for the underground injection wells (see Attachment 1, Photos 9 and 10). Waste from the filters is transferred to drums when cleaned out and managed under waste profile AW-025. The compliance inspection team then returned to the conference room at approximately 15:20.

The compliance inspection team discussed an updated list of waste streams entering the Open Brine Pit as well as management of Poly Kettle Stainer Waste on site. The compliance inspection team departed the site at 16:00 on May 9, 2023.

May 10th, 2023

The compliance inspection team arrived at the site at approximately 08:15 on May 10, 2023. The FID on the TVA 2020 was calibrated around 09:05 in the parking lot outside the DPE office building using zero air gas and methane calibration gases with just under 500 ppm and 10,000ppm concentrations. The team conducted a bump test of the TVA 2020 after calibration to ensure the equipment was operating properly. All readings during the bump check were within 10 percent of the span gas concentrations.

The compliance inspection team headed to the wastewater treatment area at approximately 09:40 following preliminary discussions. The compliance inspection team met with Chanin Gay, a wastewater treatment area operator, who provided a brief overview of the wastewater treatment process (also shown in Attachment 1, Photo 11). Mr. Gay stated during the overview that both the DAF unit and the filter press were in operation at the time of the inspection. Mr. Gay also stated that filter press solids are typically sent off site approximately once per week as non-hazardous waste. The compliance inspection team then headed to the Open Brine Pit, which is one of the inputs to the wastewater treatment process (see Attachment 1, Photos 12, 14, 15, and 21). The compliance inspection team observed the two pumps used to transfer wastewater from the Open Brine Pit to the Surge and Diversion Tanks in the wastewater treatment area (see Attachment 1, Photo 13). Adjacent to the Open Brine Pit, the compliance inspection team observed a roll-off container with a tarp cover labeled as non-hazardous waste with waste profile FIN-018 (see Attachment 1, Photos 16 through 19). Inspector Wieber monitored the tarp cover interface along the roll-off container and detected a net concentration of 635ppm at a tear in the tarp cover using the TVA 2020 (see Attachment 1, Photo 20). The roll-off container receives popcorn neoprene waste solids from the Finishing Area, including solids generated in the Open Brine Pit and in collection pans beneath the freeze rollers. The compliance inspection team also observed a 55-gallon plastic drum labeled with waste profile PLY-102 and “waste pending analysis” adjacent to the Open Brine Pit (see Attachment 1, Photo 23). Inspector Wieber monitored the lid interface of the drum and did not observe any concentrations above background using the TVA 2020. Mr. Green stated that the drum contains sparged Poly Kettle Strainer Waste from the Poly Building, and that the drum would be transferred to the permitted Container Storage Area (CSA).

The compliance inspection team then signed into the Polymer Area. The compliance inspection team observed a 55-gallon drum behind the Poly Building labeled as “Stripped Emulsion for Reuse”, dated April 9, 2023, and being pumped into the unstripped emulsion tanks (see Attachment 1, Photos 24 and 25). Inspector Wieber monitored opening of the drum and did not observe any concentrations above background using the TVA 2020. The compliance inspection team then moved inside the Poly Building and observed two 55-gallon drums generated during poly kettle strainer rinses earlier in the day on May 10, 2023 (see Attachment 1, Photos 26 through 30). One drum was labeled as “Unstripped Emulsion for Reuse”, which contained decanted liquid from the poly kettle strainers, and the other drum was labeled as “Drum for Steaming Popcorn”, which contained Poly Kettle Strainer Waste that had not yet been sparged. Inspector Wieber monitored the lid interfaces of each of the drums using the TVA 2020: the

unstripped emulsion drum showed a maximum concentration of 2,049 ppm around the lid interface and did not observe any concentrations above background for the drum for steaming popcorn neoprene solids. The background concentration in the Poly Building was measured at approximately 1ppm using the TVA 2020. The compliance inspection team also observed another 55-gallon drum in the Poly Building labeled as "Drum for Steaming Popcorn" and actively being sparged while connected to the ventilation header. Inspector Wieber monitored around the opening of the drum connection to the header using the TVA 2020, and a net concentration of 119 ppm was observed at the lid interface.

The compliance inspection team met briefly with the sampling team to discuss the RTO shutdown that occurred during the morning and any effects on sampling schedule and process areas still in operation. The RTO shutdown did not prevent the inspection team from observing areas or operations during the inspection. The compliance inspection team continued on to observe the wastewater treatment process. The compliance inspection team observed the Diversion and Surge Tanks, the Aeration Tank, the Clarifier Tank, and the dissolved air flotation (DAF) unit (see Attachment 1, Photos 31 through 34). The compliance inspection team then moved to a building north of the wastewater treatment area to where the filter press is housed for the process. Liquids from the filter press are drained into a sump within the building and pumped back to the Aeration Tank, and solids from the filter press drop into a roll-off container beneath the press and managed as non-hazardous waste (see Attachment 1, Photo 35).

The compliance inspection team then moved to observe the Finishing Building at approximately 11:30 (see Attachment 1, Photos 36 to 42). The Finishing process operates as two lines in parallel. The freeze rollers were the first process units observed. Open collection pans beneath the freeze rollers are pumped out intermittently via vacuum truck and transferred to the Open Brine Pit. Floor sumps in the Finishing Building are pumped to the Surge or Diversion Tank in the wastewater treatment process. The compliance inspection team observed the Finishing process units through to the final packaging of neoprene product. The compliance inspection team observed a box of "second quality" neoprene rope and chips, which are collected as product that falls to the floor or is collected as the first part of a batch. Inspector Wieber monitored the opening of the box of "second quality" material using the TVA 2020 and did not observe any concentrations above background. The compliance inspection team then headed back to the conference room at approximately 12:00.

At approximately 14:05, the compliance inspection team headed to the CD Heels Tank, a permitted hazardous waste tank (see Attachment 1, Photo 43). The CD Heels Tank was not equipped with an air emission control device and did not have connections to the MERP header or RTO header. The CD Heels Tank is a fixed roof tank equipped with closure devices (see Attachment 1, Photos 44, 45, and 47), so compliance with the Level 1 control standards under 40 CFR 264 Subpart CC were evaluated during the inspection. Inspector Wieber monitored closure devices on the roof of the CD Heels Tank that were accessible using the TVA 2020 and did not observe any concentrations above background. The outlets of the relief valve line and rupture disk were out of reach for monitoring. Inspector Young observed emissions while using the Forward-Looking Infrared (FLIR) on what was observed to be the outlet of a relief valve bypass line (see Attachment 1, Photos 46, 48, and 49). The compliance inspection team notified Mr. Green, and the control room for the Polymer Area was notified. A pneumatic valve located

along the relief valve bypass line was stated to be fully closed at the time of inspection. Facility personnel also closed a manual valve along the relief valve bypass line after the emissions were observed. Inspector Young viewed the outlet of the bypass line again once the manual valve was shut, and no emissions were visible using the FLIR. DPE personnel filed a work order to repair the pneumatic valve.

The compliance inspection team then headed to the Aqueous Area at approximately 15:00. Mr. Anderson and Josh Scallan, DPE Monomer Area Production Specialists, joined the compliance inspection team at the Aqueous Area. The compliance inspection team did a brief walkthrough of the Aqueous Tank and Brine Storage Tanks while in the area (see Attachment 1, Photos 51 to 53). DPE will occasionally add purchased brine from Texas Brine in order to supplement brine going to the injection wells in cases when the monomer synthesis process is not active. The compliance inspection team then returned to the office at approximately 15:20 for a debrief before departing the site at approximately 16:00.

May 11th, 2023

The compliance inspection team arrived at the site at approximately 08:50 on May 11, 2023. During the morning, the compliance inspection team discussed with facility personnel and reviewed or requested documentation, including non-hazardous manifests and profile for FIN-018 wastes, production schedule, wastewater sampling data, inputs to the Open Brine Pit, and Poly Kettle Strainer waste handling. Inspector Young also reviewed a list of questions for DPE personnel that would be included in a follow-up document request. Inspector Young then led a closing conference for the inspection which included areas of concern, and the compliance inspection team departed at approximately 12:30, following the closing conference.

Records Review

The inspection team reviewed the following compliance documents as part of the records review.

Documentation Related to Poly Kettle Strainer Waste Management:

As part of the follow-up document submittal, DPE provided standard operating procedures (SOPs) and test order documentation for the update in the Poly Kettle Strainer purging process and for removal of Poly Kettle Strainer Waste. The SOP for purging the Poly Kettles is included as Attachment 3. The SOP for pumping out the Poly Kettles and cleaning out the Poly Kettle Strainers is included as Attachment 4. The test order paperwork for updates in the Poly Kettle cleaning process are included as Attachment 5. The new methods, according to the SOPs, involve a series of nitrogen and water flushes (no water flush if the product type is “LD”) through the Poly Kettles followed by removal and steaming of the Poly Kettle Strainer waste in addition to decanted liquid. The DPE follow-up letter did state that iterative changes to the process might be made (see Attachment 6).

DPE referenced analytical test results provided during the April 2022 inspection in response to EPA’s request for analytical on Poly Kettle Strainer Waste and stripped emulsion waste. DPE also provided an objection to the request for additional Poly Kettle Strainer Waste analytical data based on attorney-client privilege.

DPE provided updated waste profiles for Poly Kettle Strainer Waste generated in the Finishing Area (FIN-018) and the Polymer Area (PLY-102), which are included in Attachment 7. The waste profiles characterize each waste stream as a nonhazardous waste.

DPE also provided shipment manifests and certificates of waste management for Poly Kettle Strainer Waste (waste profile PLY-102) being sent off site to Tradebe in Millington, TN with EPA ID TND000772186 (see compiled manifests and certificates as Attachment 8). Shipments appear to have occurred at least once per month since the start of March 2023, and waste is shipped off in 55-gallon drums.

Inputs to the Open Brine Pit:
DPE provided a document outlining the Poly Kettle Strainer Waste generation points as well as the input streams to the Open Brine Pit, included as Attachment 9. The document shows additional waste profiles for waste streams related to Poly Kettle Strainer Waste, such as waste profiles PLY-104 and FIN-104. Wastewater streams entering the Open Brine Pit include stormwater sumps and process area sumps in the Polymer Area, effluent from the Aeration Tank for the Polymer Area, and rundown from the emulsion steam strippers.

Documentation Related to Brine for Underground Injection Wells:
DPE provided invoices from Texas Brine for several brine purchases, which show specific gravity, sodium chloride content, and pH of the ordered brine that is commingled for underground injection (see Attachment 10). The pH of the ordered brine is certified within a range of 6.5 to 8.5.

DPE also provided safety data sheets for brine from Texas Brine as well as brine generated on site from the monomer synthesis process, which are compiled and included in Attachment 11. Brine from Texas Brine lists only water and sodium chloride as constituents on the safety data sheet. Brine generated from the on-site monomer synthesis process is listed with a pH greater than 14 (1 to 2 percent sodium hydroxide) and contains chloroprene, dichlorobutene, and several other volatile organic compounds on the parts per million scale based on the information provided in the safety data sheet.

DPE provided a waste profile (profile AW-001) for brine from Texas Brine and brine generated onsite that is commingled and pumped into the underground injection well (see Attachment 12) as well as analytical data for cellosolve and chloroprene content in the brine (see Attachment 13). The waste profile for AW-001 shows that it is a corrosive hazardous waste (waste code D002) with similar contents as those listed in the safety data sheet for brine generated on site. The analytical data of the brine from the past year typically showed no detection for cellosolve, and chloroprene concentrations of 1 to 2 ppm.

Work Order for Equipment Leak:
DPE provided a malfunction report for the visual leak identified using the FLIR at the CD Heels Tank relief device line (see Attachment 14). The malfunction report shows that the identified potential leak was addressed the following day by adjusting the zero setting on the valve.

Section III – AREAS OF CONCERN
The following areas of concern (AOCs) were identified as part of the compliance inspection team walkthrough and records review during and after the on-site inspection.

1. The compliance inspection team observed a potential leak while using the FLIR camera on the relief valve bypass line for the CD Heels Tank, a hazardous waste tank (see Attachment 1, Photos 46, 48, and 49). The component leak was addressed the following day based on a malfunction report provided by DPE (see Attachment 14). The CD Heels Tank is a fixed roof tank and not connected to an air pollution control device.
2. The compliance inspection team observed containers of sample purge waste generated throughout the Monomer Area accumulated beneath the Isom Purge Tank in a roped-off area (see Attachment 1, Photos 2 through 4). The containers were labeled as hazardous waste and did not have accumulation start dates. At the time of the inspection, the number of containers in the area had capacity greater than 55-gallons, though not all of the containers were full. DPE's response clarified that the containers are managed as SAAs.
3. During Method 21 monitoring, the compliance inspection team observed a roll-off container adjacent to the Open Brine Pit in the Polymer Area with a tear in the tarp covering. The roll-off container is used to accumulate neoprene waste solids generated in the Open Brine Pit and in the Finishing Area (waste profile FIN-018). The compliance inspection team used the TVA 2020 at the tarp opening and observed a concentration of 636 ppm, with a background concentration of 1.0 ppm.
4. The compliance inspection team conducted Method 21 monitoring around the lid interface of two 55-gallon drums inside the Poly Building: one 55-gallon drum was labeled as "Unstripped Emulsion for Reuse", and the other was labeled as "Drum for Steaming Popcorn" (see Attachment 1, Photos 26 through 30). The unstripped emulsion is also referred to as "decant water" and was generated during batches earlier the same day. The drum for steaming popcorn neoprene waste solids contained Poly Kettle Strainer Waste, also generated earlier the same day. The compliance inspection team used the TVA 2020 around the lid interface of the drum of unstripped emulsion and observed a concentration of 2,049ppm, with a background concentration of 1.0ppm. The compliance inspection team used the TVA 2020 around the interface of the drum for steaming popcorn neoprene waste solids and observed a concentration of 120ppm, with a background concentration of 1.0ppm.

<u>Closing Conference</u>
EPA inspectors Justin Young, John Penland, Van Housman, Joseph Watson, Janosh Wolters, and George Wieber conducted a closing conference at the DPE Pontchartrain Site at approximately 12:00 on May 11, 2023 for the inspection. A sign-out sheet listing the names of participants is included as Attachment 2.

Also present for the closing conference were the following personnel from DPE or supporting contractors/consultants in-person or virtually via a Microsoft Teams call:

- Christopher Meyers (Environmental Affairs Manager)
- Cory Green (Senior Environmental Engineer)
- Bryan Schuetze (Environmental Engineer)
- Kevin Voelkel (Bracewell – DPE Counsel)
- Bob Holden (Jones Walker – DPE Counsel)
- Jorge Lavastida (Plant Manager)
- Michelle Helfrich (Operations Manager)
- Akihiko Kusaka (DPE Counsel)
- Junius Roussell (Polymer Area Lead)

Jimbo Earles of LDEQ was also present in-person, and Lynne Davies, Negin Mostaghim, Jeffrey Yurk, and Leslie Oif of the USEPA joined virtually via a Microsoft Teams call.

Section IV – FOLLOW UP

After exiting the Facility on May 11, 2023, EPA received follow-up documentation from DPE on May 26, 2023. The response letter for the documents delivered is included in Attachment 6. Documents were delivered via file transfer protocol (FTP) site managed by Bracewell. Several responses to EPA questions or requests were provided as narrative text within the response letter from DPE. The item number listed in parentheses for each bullet below denotes the number associated with each EPA request in the follow-up email correspondence:

- (Item 1) DPE's response regarding characterizing hazardous wastes from the Monomer Area as F024 or F025 listed wastes included that the monomer synthesis process involves an ionically-catalyzed reaction as opposed to a free radical-catalyzed reaction. EPA will review the documentation for further consideration of proper waste characterization and determinations.
- (Items 6 and 11) DPE noted that chloroprene, butadiene, and ACR polymer solids (similar to Poly Kettle Strainer Waste) are "identified infrequently (typically twice a year)" in equipment in the Monomer Area. DPE stated that such material is accumulated in a drum, steamed, and then sent off site for disposal. DPE stated that butadiene polymer can potentially form at any location in butadiene service.
- (Item 9) DPE's response to their determination on decanted liquid from the Poly Kettle strainers included a description of the current recycling process where decanted liquid is sent back through the unstripped emulsion tanks for recovering monomer.
- (Item 10) DPE stated that containers managed in the area beneath the Isom Purge Tank are managed as SAA containers.
- (Item 13) DPE stated that the container of decanted liquid sampled during the inspection likely contained the liquids from 2 or 3 polymer batches. DPE also stated that the decanted liquid is transferred to the unstripped emulsion storage tanks at least at the end of each shift.

Section V – LIST OF APPENDICES

Appendix 1 – (CBI) Photo Log – 53 photos taken
Appendix 2 – Inspection Sign-in Sheets
Appendix 3 – (CBI) Poly Kettle Purge Standard Operating Procedure
Appendix 4 – (CBI) Poly Kettle Pump-out and Strainer Cleaning Standard Operating Procedure
Appendix 5 – (CBI) Test Order Documents for Poly Kettle Process Change
Appendix 6 – (CBI) DPE Response Letter dated May 26, 2023
Appendix 7 – Poly Kettle Strainer Waste Profiles
Appendix 8 – Poly Kettle Strainer Waste Non-Hazardous Manifests
Appendix 9 – (CBI) Wastewater Streams to the Open Brine Pit
Appendix 10 – Texas Brine Invoices
Appendix 11 –Brine Safety Data Sheets
Appendix 12 – Commingled Brine Waste Profile
Appendix 13 – (CBI) Commingled Brine Analytical Data
Appendix 14 – (CBI) Work Order for CD Heels Tank Equipment Repair