



Region 4 Compliance Data Entry Form - Side A

(Rev. 8/97)

12/4/00

1

FACILITY INFORMATION:

EPA ID Number:

NCR00000000869

Submittal Information

RCRA Comp. Section:

Received:
Entered/
Returned:

Initial Date -

15 17 19 20 21 22 23 24 25
AUG 2000
ENTERED
RCRAIS

Corrected Date -

____/____/____
____/____/____
____/____/____

Facility Name: CHARLOTTE PLATING, INC.

City: CHARLOTTE

EVALUATION DATA: New: Change: Delete: (____ : Required)

Agency:

5

Date:

Mo. Day Year
03 / 21 / 00

Type:

C/E/Z

Control Number

Data Entry Personnel

Person:

029

Reason:

Evaluation Comments:

(74) 1 : NO VIOLATIONS - SECTOR INSPECTION

2 :

SNC DETERMINATION: If this evaluation resulted in a SNC determination, fill in this block. (NOTE: SNC determinations are SNY/SNN evaluations. The SNY/SNN evaluation can also be submitted later on a separate form.)

Facility is (Check one)
- a SNC (SNY evaluation)

Date of determination:

or - no longer a SNC (SNN eval.)

Same as above eval.: - or -

VIOLATION DATA: New: Change: Delete:

Agency: Type: Date (mdy) Determined: /____/____ Class:
Priority: Branch: Person: Seq. Number (Data Entry)
Return to Compliance: -- Scheduled -- --- Actual ---
Reg. Type: Reg. Description (30): _____
Comment (72): _____

Agency: Type: Date (mdy) Determined: /____/____ Class:
Priority: Branch: Person: Seq. Number (Data Entry)
Return to Compliance: -- Scheduled -- --- Actual ---
Reg. Type: Reg. Description (30): _____
Comment (72): _____

Agency: Type: Date (mdy) Determined: /____/____ Class:
Priority: Branch: Person: Seq. Number (Data Entry)
Return to Compliance: -- Scheduled -- --- Actual ---
Reg. Type: Reg. Description (30): _____
Comment (72): _____

Continue violation date on Side B if necessary -

*** EPA Region 4 Compliance Data Entry Form -Side B *** (8/97)

Fill out facility information on Side A, then come back to this side.

ENFORCEMENT DATA: New: Change: Delete: (==: Required)

Agency: Type: Date: / / Month Day Year Seq.# (Data Entry)

Person: Branch: Poll. Prev. Measures:

Penalty Data
 Proposed: \$ 1) Payments: \$ Date Paid: / /

Settled/Final: \$ 2) \$ / /

Enforcement Comments: 1: _____
 (74)
 2: _____

Cite violations addressed by this action below -

VIOLATION DATA: New: Change: Delete:

Agency: Type: Date (mdy) Determined: / / Class: Seq. Number (Data Entry)

Priority: Branch: Person: Return to Compliance: / / -- Scheduled -- Actual / /

Reg. Type: Reg. Description (30): _____

Comment (72): _____

Agency: Type: Date (mdy) Determined: / / Class: Seq. Number (Data Entry)

Priority: Branch: Person: Return to Compliance: / / -- Scheduled -- Actual / /

Reg. Type: Reg. Description (30): _____

Comment (72): _____

Agency: Type: Date (mdy) Determined: / / Class: Seq. Number (Data Entry)

Priority: Branch: Person: Return to Compliance: / / -- Scheduled -- Actual / /

Reg. Type: Reg. Description (30): _____

Comment (72): _____

Agency: Type: Date (mdy) Determined: / / Class: Seq. Number (Data Entry)

Priority: Branch: Person: Return to Compliance: / / -- Scheduled -- Actual / /

Reg. Type: Reg. Description (30): _____

Comment (72): _____

More violations for this enforcement action on other side ? Yes No

Conditionally Exempt Small Quantity Generator
Inspection Report

c - copies made; * - violation; P - photo taken

Facility Name: Charlotte Plating, Inc.
Address: 417 Hebron Street, Charlotte, N.C. 28273
EPA ID #: NCR 000 000 869
Inspection Date: March 21, 2000 Last Inspection: N/A
Contact: Dave Osmolski - C.E.F. Type of Inspection: CEI
Present at Inspection: Joseph Parker - NCDENR Hazardous Waste Section, Dave Osmolski - Charlotte Plating, Inc.

Type of Business: Charlotte Plating, Inc. operates as an electroplating facility utilizing the electroless nickel and hard chrome processes. The facility considers themselves as a job shop that electroplates a variety of items for different industries.

Processes: Charlotte Plating, Inc. does collect an F006 wastewater treatment sludge from their wastewater treatment system located inside the facility.

Waste Generated: The following hazardous waste is generated at Charlotte Plating, Inc.:

F006 - Hazardous Waste Solid (filter cake material) from their wastewater treatment system

D007 - Hazardous Waste Solid (chrome contaminated solids) from the cleanout of their chrome tanks.

Transporters: Ashland Chemical - NCD 061 263 315

TSDs: Ashland Chemical - NCD 061 263 315

Manifests:

Signed Copies? Yes Filled out correctly? Yes

Treatment Standards? Yes

A 12-1-99 hazardous waste manifest was reviewed during the inspection. The facility shipped off 2 containers @ 800 lbs. The facility generates their D007 chrome contaminated solids approximately every 3-5 years when a cleanout their chrome tank is necessary.

Inspection Records: All containers of hazardous waste are kept inside and are visually inspected on a daily basis.

Emergency Contacts:

Emergency Coordinator? Dave Osmolski

Info by Phones: The facility's evacuation plan is posted and personnel are instructed to call 911 in case of an emergency.

Emergency Coordinator phone? N/A Fire Department phone? -911

Location of fire/spill equipment? - N/A



Page Two - Small Quantity Generator Inspection Report

Facility Name: Charlotte Plating, Inc.

EPA ID #: NCR 000 000 869 Date: March 21, 2000

Emergency Arrangements: The facility has filed their emergency plans with the local fire department and the local police department.

Personnel Trained: The facility does conduct training sessions on spill response and hazcom for all personnel.

Annual Report: N/A

Waste Analysis: N/A

Accumulation Areas: Description: The facility generates a F006 wastewater treatment sludge from their electroplating operation. The generated material is taken from their sludge bags used to catch any solid material in their wastewater treatment system. When these bags need to be cleaned out, they are disconnected and emptied into a large tray. This tray is approximately 18" long X 12" wide X 8" high. After the material is emptied into this tray, they then place the tray into a conventional household oven. The material is placed inside this oven to dry the material out. They bake the material at 350 degrees for 24 hours. When this is completed, they empty the tray into 1-55 gallon container. The container is labeled as a hazardous waste. During the inspection, the container was noted as being open, without the ring lock secured around the top of the container. I made the recommendation that this container should be kept closed when not adding or removing waste.

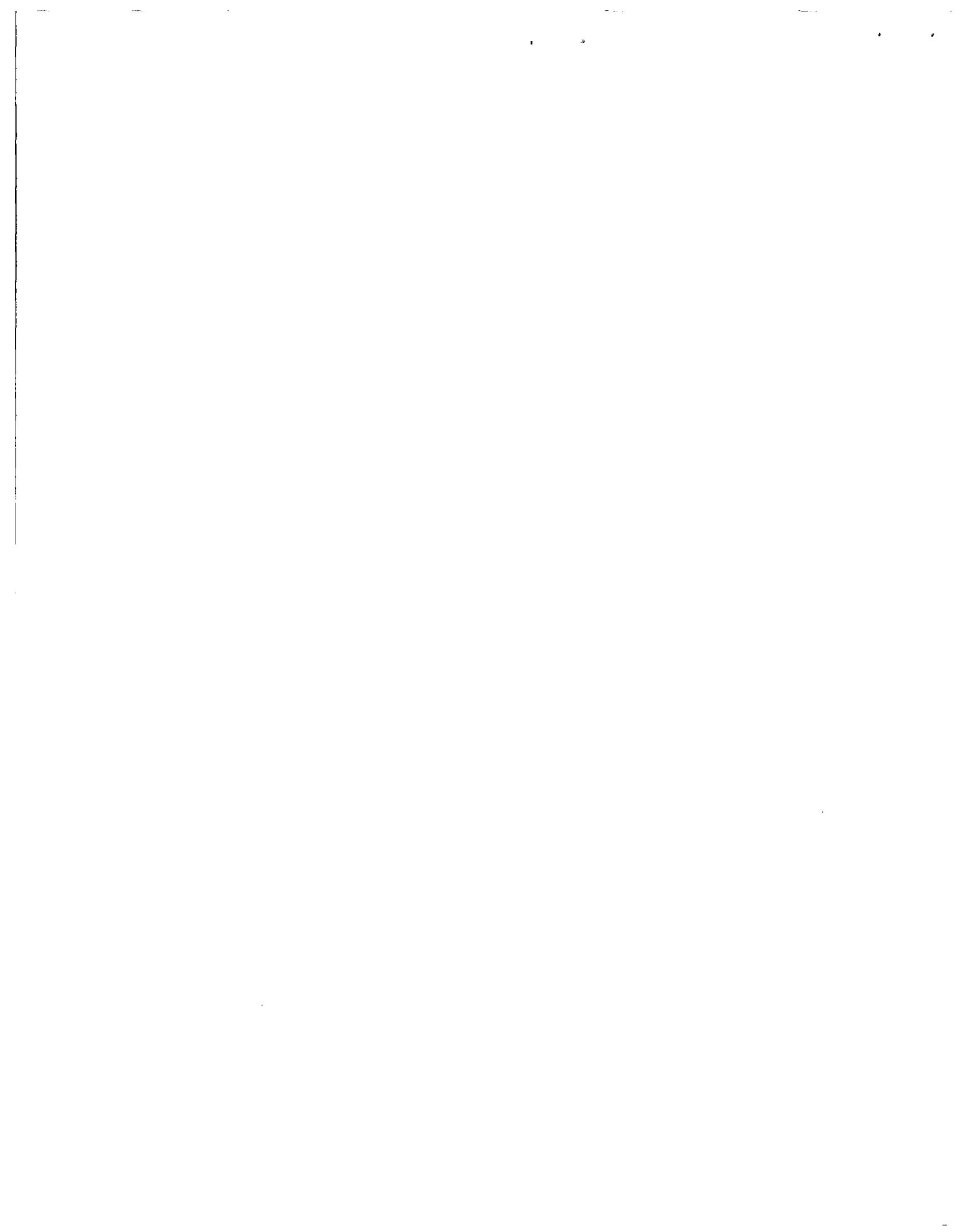
Closed/Labeled/Dated/<55 Gallons?

Evidence of Releases: None observed

July 6, 2000 -

The issue of the use of a conventional oven to de-water F006 wastewater treatment sludge has been researched by the Western Area Compliance Staff and the Raleigh Office Staff. It has been determined that Charlotte Plating Co. is currently complying with the requirements set forth within 40 CFR 261.5(g)(3)(vi). The regulation states that "A conditionally exempt small quantity generator may either treat or dispose of his hazardous waste in an on-site facility or ensure delivery to an off-site treatment, storage, or disposal facility, either of which, if located in the U.S., is... a facility which (A) beneficially uses or reuses, or legitimately recycles or reclaims its waste; or (B) treats its waste prior to beneficial use or reuse, or legitimate recycling or reclamation."

This regulation would allow Charlotte Plating, Inc. to de-water their sludge on-site as the waste generated is shipped off-site for reclamation. There is no mention in the regulation of how this treatment may occur, as long as the waste is sent for legitimate recycling, reclamation, use or reuse.



Page Three - Small Quantity Generator Inspection Report

Facility Name: Charlotte Plating, Inc.

EPA ID #: NCR 000 000 869 Date: March 21, 2000

Attached to this report is a copy of the electronic mail notes that were written in discussion of this issue. If Charlotte Plating, Inc. has any question regarding this interpretation, they may contact the following people:

Ms. Roberta Proctor, Environmental Chemist, NCDENR - Hazardous Waste Section, Asheville - (828)625-0171

Ms. Linda Culpepper, Programs Branch Head, NCDENR - Hazardous Waste Section, Raleigh - (919)733-2178 ext. 220

Storage Area: Description: The facility did not have any hazardous waste containers in storage.

Closed/Labeled/Dated/< 180 Days/Good Condition - N/A

Evidence of Releases: None observed

Less Than 6000 kg on Site? Yes

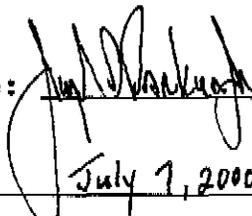
Communication Device? Yes

Site Deficiencies:

No site deficiencies noted during the inspection conducted on March 21, 2000.

Comments:

If there are any questions regarding this inspection report, please contact me at the Mooresville Regional Office (704)663-1699.

Signature: 

Facility Contact: (CERTIFIED MAIL)

Date: July 7, 2000



Subject: Re: [Fwd: CESQG treatment and Charlotte Plating]

Date: Fri, 05 May 2000 08:39:30 -0400

From: Linda Culpepper <Linda.Culpepper@ncmail.net>

To: Jesse Wells <Jesse.Wells@ncmail.net>

CC: Joe.Parker@ncmail.net, ROBERTA PROCTOR <rhp@blueridge.net>, Doug Holyfield <Doug.Holyfield@ncmail.net>, HELEN COTTON <HELEN.COTTON@ncmail.net>, DOUGLAS ROBERTS <DOUGLAS.ROBERTS@ncmail.net>, SANDRA MOORE <SANDRA.MOORE@ncmail.net>

Good morning,

I think Robin's interpretation is supportable with the context of the regulations, i.e. allowing the treatment to be on-site and the "beneficial use or reuse, or legitimate recycling or reclamation" to be off-site. I have not been able to find any other more clear guidance.

linda

Jesse Wells wrote:

> Linda: I agree with Robin's interpretation in this matter. As long as
> the treatment is done safely and in accordance with OSHA requirements
> for worker exposure. Any comments or concerns from anyone? Thanks, JW
>
> Roberta Proctor wrote:
> >
> > Jesse, here is my interpretation of the regulation.
> >
> > Conditionally Exempt Small quantity generators may treat waste on site
> > at their facility as long as their facility meets one of the
> > requirements stated in 40 CFR 261.5(g)(3) or 261.5(f)(3) for acute
> > hazardous waste. The section that will apply to most CESQG's is 40 CFR
> > 261.5(g)(3)(vi) which states "A CESQG may treat its waste on-site if it is
> > sent to a facility in the US which is... a facility which (A)
> > beneficially uses or reuses, or legitimately recycles or reclaims its
> > waste or (B) treats its waste prior to beneficial use or reuse, or
> > legitimate recycling or reclamation".
> >
> > If a CESQG is treating his waste for either on-site or off-site use,
> > reuse, legitimate recycling or reclamation, they are allowed to
> > conduct such treatment. If the waste is sent off-site for disposal,
> > they may not conduct on-site treatment without being permitted as a
> > TSD. There is no mention of limitations to this on-site treatment
> > other than it can only be for recycling-type uses. Of course the
> > facility would have to meet the other CESQG requirements for safe
> > handling, accumulation quantities, etc.
> >
> > This agrees with current EPA interpretation of this regulation, see
> > supporting documents:
> > EPA letter to Richard Sklar, Dec 9, 1987; EPA letter to Sylvia
> > Lowrance Aug. 25, 1992; EPA letter April 10-1987- number
> > 530-500-87-0321; and EPA document number 530-R-96-002B. All of these
> > documents state that a CESQG may treat their waste on-site as long as
> > their site meets one of the seven requirements of 261.5(g)(3), or
> > (f)(3) for acute hazardous waste.
> >



> > This would allow Charlotte Plating to dewater their sludge on-site as
> > the waste is shipped off-site for reclamation. There is no mention in
> > the regulation of how this treatment may occur, as long as the waste
> > is sent for legitimate recycling, reclamation, use or reuse.



261.5 Special requirements for hazardous waste generated by conditionally exempt small quantity Generators.

- (a) A generator is a conditionally exempt small quantity generator in a calendar month if he generates no more than 100 kilograms of hazardous waste in that month.
- (b) Except for those wastes identified in paragraphs (e), (f), (g), and (j) of this section, a conditionally exempt small quantity generator's hazardous wastes are not subject to regulation under Parts 262 through 266, 268 and Parts 270 and 124 of this chapter, and the notification requirements of Section 3010 of RCRA, provided the generator complies with the requirements of paragraphs (f), (g), and (j) of this section.
- (c) When making the quantity determinations of this part and 40 CFR part 262, the generator must include all hazardous waste that it generates, except hazardous waste that:
 - (1) Is exempt from regulation under 40 CFR 261.4(c) through (f), 261.6(a)(3), 261.7(a)(1), or 261.8; or
 - (2) Is managed immediately upon generation only in on-site elementary neutralization units, wastewater treatment units, or totally enclosed treatment facilities as defined in 40 CFR 260.10; or
 - (3) Is recycled, without prior storage or accumulation, only in an on-site process subject to regulation under 40 CFR 261.6(c)(2); or
 - (4) Is used oil managed under the requirements of 40 CFR 261.6(a)(4) and 40 CFR part 279; or
 - (5) Is spent lead-acid batteries managed under the requirements of 40 CFR part 266, subpart G; or
 - (6) Is universal waste managed under 40 CFR 261.9 and 40 CFR part 273.
- (d) In determining the quantity of hazardous waste generated, a generator need not include:
 - (1) Hazardous waste when it is removed from on-site storage; or
 - (2) Hazardous waste produced by on-site treatment (including reclamation) of his hazardous waste, so long as the hazardous waste that is treated was counted once; or
 - (3) Spent materials that are generated, reclaimed, and subsequently reused on-site, so long as such spent materials have been counted once.
- (e) If a generator generates acute hazardous waste in a calendar month in quantities greater than set forth below, all quantities of that acute hazardous waste are subject to full regulation under Parts 262 through 266, 268 and Parts 270 and 124 of this chapter, and the notification requirements of Section 3010 of RCRA:
 - (1) A total of one kilogram of acute hazardous wastes listed in Sections 261.31, 261.32, or 261.33(e).
 - (2) A total of 100 kilograms of any residue or contaminated soil, waste, or other debris resulting from the clean-up of a spill, into or on any land or water of any acute hazardous wastes listed in Sections 261.31, 261.32, or 261.33(e).

[Comment: "Full regulation" means those regulations applicable to generators of greater than 1,000 kg of non-acutely hazardous waste in a calendar month.]

- (f) In order for acute hazardous wastes generated by a generator of acute hazardous wastes in quantities equal to or less than those set forth in paragraph (e)(1) or (e)(2) of this section to be excluded from full regulation under this section, the generator must comply with the following requirements:
 - (1) Section 262.11 of this chapter;
 - (2) The generator may accumulate acute hazardous waste on-site. If he accumulates at any time acute hazardous wastes in quantities greater than those set forth in paragraph (e)(1) or (e)(2) of this section, all of those accumulated wastes are subject to regulation under Parts 262 through 266, 268 and Parts 270 and 124 of this chapter, and the applicable notification requirements of section 3010 of RCRA. The time period of Section 262.34(d) of this chapter, for accumulation of wastes on-site begins when the accumulated wastes exceed the applicable exclusion limit.
 - (3) A conditionally exempt small quantity generator may either treat or dispose of his acute hazardous waste in an on-site facility or ensure delivery to an off-site treatment, storage, or disposal facility, either of which, if located in the U.S., is:
 - (i) Permitted under Part 270 of this chapter;
 - (ii) In interim status under Parts 270 and 265 of this chapter;
 - (iii) Authorized to manage hazardous waste by a State with a hazardous waste management program approved under Part 271 of this chapter;
 - (iv) Permitted, licensed, or registered by a State to manage municipal solid waste and, if managed in a municipal solid waste landfill is subject to Part 258 of this chapter;
 - (v) Permitted, licensed, or registered by a State to manage non-municipal non-hazardous waste and, if managed in a non-municipal non-hazardous waste disposal unit after January 1, 1998, is subject to the requirements in Sections 257.5 through 257.30 of this chapter; or
 - (vi) A facility which:
 - (A) Beneficially uses or reuses, or legitimately recycles or reclaims its waste; or



- (B) Treats its waste prior to beneficial use or reuse, or legitimate recycling or reclamation; or
- (vii) For universal waste managed under part 273 of this chapter, a universal waste handler or destination facility subject to the requirements of part 273 of this chapter.
- (g) In order for hazardous waste generated by a conditionally exempt small quantity generator in quantities of less than 100 kilograms of hazardous waste during a calendar month to be excluded from full regulation under this section, the generator must comply with the following requirements:
 - (1) Section 262.11 of this chapter;
 - (2) The conditionally exempt small quantity generator may accumulate hazardous waste on-site. If he accumulates at any time more than a total of 1000 kilograms of his hazardous wastes, all of those accumulated wastes are subject to regulation under the special provisions of Part 262 applicable to generators of between 100 kg and 1000 kg of hazardous waste in a calendar month as well as the requirements of Parts 263 through 266, 268 and Parts 270 and 124 of this chapter, and the applicable notification requirements of Section 3010 of RCRA. The time period of Section 262.34(d) for accumulation of wastes on-site begins for a conditionally exempt small quantity generator when the accumulated wastes exceed 1000 kilograms;
 - (3) A conditionally exempt small quantity generator may either treat or dispose of his hazardous waste in an on-site facility or ensure delivery to an off-site treatment, storage, or disposal facility, either of which, if located in the U.S., is:
 - (i) Permitted under Part 270 of this chapter;
 - (ii) In interim status under Parts 270 and 265 of this chapter;
 - (iii) Authorized to manage hazardous waste by a State with a hazardous waste management program approved under part 271 of this chapter.
 - (iv) Permitted, licensed, or registered by a State to manage municipal or industrial solid waste;
 - (v) Permitted, licensed, or registered by a State to manage non-municipal non-hazardous waste and, if managed in a non-municipal non-hazardous waste disposal unit after January 1, 1998, is subject to the requirements in Section 257.5 through 257.30 of this chapter; or
 - (vi) A facility which:
 - (A) Beneficially uses or reuses, or legitimately recycles or reclaims its waste; or
 - (B) Treats its waste prior to beneficial use or reuse, or legitimate recycling or reclamation; or
 - (vii) For universal waste managed under part 273 of this chapter, a universal waste handler or destination facility subject to the requirements of part 273 of this chapter.
- (h) Hazardous waste subject to the reduced requirements of this section may be mixed with non-hazardous waste and remain subject to these reduced requirements even though the resultant mixture exceeds the quantity limitations identified in this section, unless the mixture meets any of the characteristics of hazardous waste identified in Subpart C.
- (i) If any person mixes a solid waste with a hazardous waste that exceeds a quantity exclusion level of this section, the mixture is subject to full regulation.
- (j) If a conditionally exempt small quantity generator's wastes are mixed with used oil, the mixture is subject to part 279 of this chapter if it is destined to be burned for energy recovery. Any material produced from such a mixture by processing, blending, or other treatment is also so regulated if it is destined to be burned for energy recovery.

{Note: State rules for off-site recycling are found in Rule .0113, Paragraph (m).}

261.6 Requirements for recyclable materials.

- (a) (1) Hazardous wastes that are recycled are subject to the requirements for generators, transporters, and storage facilities of paragraphs (b) and (c) of this section, except for the materials listed in paragraphs (a)(2) and (a)(3) of this section. Hazardous wastes that are recycled will be known as "recyclable materials."
- (2) The following recyclable materials are not subject to the requirements of this section but are regulated under Subparts C through H of Part 266 of this chapter and all applicable provisions in Parts 270 and 124 of this chapter:
 - (i) Recyclable materials used in a manner constituting disposal (Subpart C);
 - (ii) Hazardous wastes burned for energy recovery in boilers and industrial furnaces that are not regulated under Subpart O of Part 264 or 265 of this chapter (Subpart H);
 - (iii) Recyclable materials from which precious metals are reclaimed (Subpart F);
 - (iv) Spent lead-acid batteries that are being reclaimed (Subpart G).
- (3) The following recyclable materials are not subject to regulation under Parts 262 through 266, or Parts 268, 270 or 124 of this chapter, and are not subject to the notification requirements of Section 3010 of RCRA:

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