

LB 9-402

Jpe

Jesse

Joe 8/22/02

Region 4 Compliance Data Entry Form - Side A

(Rev. 8/97)

NCS 000000565

Submittal Information

Initial By- Date -

Corrected By- Date -

FACILITY INFORMATION:

EPA ID Number:

CE5216-N10101#

RCRA Comp. Section:

Received: Entered/Returned:

Facility Name: ~~Area 800 Shop~~

City: Ashkeboro

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

Agency: [S] Date: Mo. Day Year

08 12 02

Type: [CE5216]

Control Number Data Entry Personnel

Person: [01219]

Reason: [011]

CSE

Evaluation Comments:

(74) 1: ~~Ticket NOV DOCKET # 2000-141~~

2: ~~In Compliance with Ticket NOV DOCKET # 2000-141~~

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:

#1 Agency: [S] Type: [G/P/T] Date (mdy) Determined: [05]/[16]/[02] Class:

Priority: Branch: [011] Person: [01219] Seq. Number (Data Entry)

Return to Compliance: -- Scheduled -- Actual [08]/[12]/[02]

Reg. Type: [S/R] Reg. Description (30): 40 CFR 262.11

Comment (72): WASTE DETERMINATION ~~In Compliance~~

#2 Agency: [S] Type: [G/P/T] Date (mdy) Determined: [05]/[16]/[02] Class:

Priority: Branch: [011] Person: [01219] Seq. Number (Data Entry)

Return to Compliance: -- Scheduled -- Actual [08]/[12]/[02]

Reg. Type: [S/R] Reg. Description (30): 40 CFR 261.5(g)(3)

Comment (72): CESA Requirement ~~In Compliance~~

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):

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
HAZARDOUS WASTE SECTION

COMPLAINT INVESTIGATION REPORT

SUBJECT: Auto Body Shop
LOCATION: Randolph Co.
ADDRESS: 1737 Gold Hill Road TIME SPENT: 1 hr
CITY: Asheboro STATE: NC ZIP: 27203

INVESTIGATION DATE: May 16, 2002
FOLLOW-UP VISIT DATE: August 12, 2002

BY WHOM: Joseph Parker - Waste Management Specialist
 Brian Polk - Health & Safety Officer
PERSONS CONTACTED: Anthony Greene - Owner
REASON FOR VISIT: Complaint Investigation
COPIES TO: Jesse Wells - Western Area Supervisor
 Anthony Greene - Auto Body Shop

Follow-up visit comments will be made in bold type.

REPORT:

On the above day, Joseph Parker, Waste Management Specialist with the NCDENR - Hazardous Waste Section conducted a complaint investigation concerning allegations forwarded to this Office by the NCDENR - Customer Service Center. The allegations involved activities at the above name facility, Auto Body Shop, located in Asheboro, NC. The information received indicated that employees of this business engaged in the illegal disposal of waste paint and thinners by burning them in a barrel onsite.

I arrived onsite to meet with Mr. Anthony Greene, owner of Auto Body Shop. Auto Body Shop is a commercial auto paint and body shop. The facility generates waste paint/thinner as a result of their paint operation. The waste paint/thinner is generated from the cleaning of their spray lines and guns, which are used in the painting process. I asked Mr. Greene about his waste disposal method for his waste paint/thinner. He told me that he collects the waste paint/thinner in a container after it is generated, and uses small amounts of the waste material to start fires in a barrel onsite. This burn barrel is used to burn a variety of items including cardboard, paper and brush materials. After further discussion of the allegations, I asked Mr. Greene to show me this burn barrel which is used for this activity.

The burn barrel was located in a front area of the property,

along side the entrance to the site. The barrel was a cut down version of a fifty-five gallon size container. It was approximately 1/3 of its original size. The barrel had some evidence of rusting on the outside of the container, which is consistent with the amount of heat that would be generated by burning material inside the container. An undetermined amount of sludge/water material was noted inside the barrel. Mr. Greene indicated that approximately ½ gallon of waste paint/thinner is used to start the fire when he burns materials. Mr. Greene reported placing the waste paint/thinner inside the container and adding other solid materials to be burned to the pile. Mr. Greene reported that no waste paint/thinner had been disposed on the ground in this area. During the site visit, several pieces of cardboard and tree limbs lay near the container. I instructed Mr. Greene not to burn any material in the future. I then requested MSDS for the types of thinners and reducers the facility uses to clean their spray guns.

Mr. Greene promptly retrieved these documents and provided copies of their MSDS' for the thinner and reducer material they use for cleanup. The material does have percentage amounts of butyl acetate, acetone, toluene, isopropanol and naptha contained within their waste reducers and thinners. I instructed Mr. Greene to immediately containerize the sludge/water material observed inside the burn barrel for proper characterization and disposal in the future. Mr. Greene requested information about local companies that may be able to assist him in the proper disposal of this material and other wastes generated in the future. I told him that I would fax him three names of companies on the following day.

Prior to leaving the site, I again instructed Mr. Greene not to conduct any burning of materials onsite, especially waste thinners and reducers. Additionally, I instructed him to containerize the sludge/water material that was observed in the burn barrel for future characterization and disposal. I then told him that I would be able to send him a report of my findings within the next week. Based upon my findings, it was determined that the Auto Body Shop is generating hazardous waste amounts consistent with the CESQG classification.

May 17, 2002

On the above day, Joseph Parker, Waste Management Specialist with the NCDENR - Hazardous Waste Section faxed the requested information to Mr. Anthony Greene, owner of the Auto Body Shop. The fax transmission described the deficiencies noted during the site visit conducted the previous day and the names of three contractors that could help Mr. Greene come into compliance with

the deficiencies. A copy of this letter will be attached to this report for review.

Site Deficiencies:

The following site deficiencies were noted during the Complaint Investigation conducted on May 17, 2002.

1. 40 CFR 262.11, adopted by reference at 15A NCAC 13A .0107, states that a person who generates a solid waste, as defined in 40 CFR 261.2, must determine if that waste is a hazardous waste using the following method:
 - (a) He should first determine if the waste is excluded from regulation under 40 CFR 261.4.
 - (b) He must then determine if the waste is listed as a hazardous waste in Subpart D of 40 CFR Part 261.
 - (c) For the purposes of compliance with 40 CFR part 268, or if the waste is not listed in subpart D of 40 CFR part 261, the generator must then determine whether the waste is identified in subpart C of 40 CFR part 261 by either:
 - (1) Testing the waste according to the methods set forth in Subpart C of 40 CFR Part 261, or according to an equivalent method approved by the Administrator under 40 CFR 260.21; or
 - (2) Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.
 - (d) If the waste is determined to be hazardous, the generator must refer to Parts 261, 264, 265, 266, 268, and 273 of this chapter for possible exclusions or restrictions pertaining to management of the specific waste.

During the complaint investigation, a sludge/water material was observed inside a burn barrel located at the front of the property. Mr. Greene indicated that waste thinners and waste reducers are used to initiate any fires started inside this barrel. Mr. Greene was unable to confirm whether the material found in the barrel was a hazardous waste. Additionally, Mr. Greene was unable to determine whether the waste paint, waste thinners and waste reducers generated as result of their painting operation were hazardous wastes. Auto Body Shop must perform a waste determination to evaluate the contents of the burn barrel and the characteristics of their waste paint, waste thinners and waste reducers generated on-site.

With the help of Garco, Inc., the Auto Body Shop has determined that the waste liquid paint/solvent they generate from the painting of automobiles is a hazardous waste. All waste materials associated with their painting operation and

the former burn barrel will be disposed of through Garco, Inc. In Compliance.

2. 40 CFR 261.5(g)(3), adopted by reference at 15A NCAC 13A .0106, 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:
- (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 it 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.

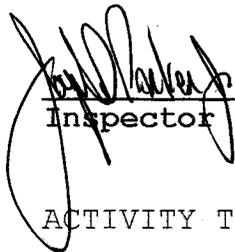
During the complaint investigation, it was noted that the facility disposes of their waste paint, waste thinners and waste reducers by using them to start fires in their burn barrel. The facility must cease this activity and contract with an environmental company to handle their hazardous waste in proper manner in the future.

During the follow-up site visit it was noted that the facility currently has 1-55 gallon container set up for the accumulation of this waste material. This container was approximately ½ full at the time of the follow-up site visit. Since the initial investigation, the facility has also accumulated a full 55 gallon container of waste paint/solvent. I told Mr. Greene during our visit that he would be considered a CESQG for the amount of hazardous waste he currently generates. As long as he does not exceed the 220 lbs. per month criteria, he would stay a CESQG. Garco, Inc. has been

contracted to handle any hazardous waste generated at the site in the future.

Comments:

The Auto Body Shop was found in compliance with the Ticket Notice of Violation Docket #2002-141, issued for the site deficiencies noted during the Complaint Investigation conducted on May 16, 2002. If there are any questions regarding this report, please contact Joseph Parker at (919)303-8955.


Inspector

8-12-2002

US MAIL
Facility Contact

ACTIVITY TYPE: CHECK MOST APPROPRIATE

- | | |
|---|-----------------|
| 1. COMPLAINT - X | 5. PRESENTATION |
| 2. SPILL | 6. TRAINING |
| 3. TECHNICAL ASSISTANCE | 7. MEETING |
| 4. REMEDIAL ACTION
(other than WPCA) | 8. OTHER |