

NC DEPT OF ENVIRONMENT & NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
HAZARDOUS WASTE SECTION

RCRA RE-INSPECTION REPORT

1. **Facility Information:** Prism Laboratories, Inc
449 Springbrook Road
Charlotte, N.C. 28224
NCR 000 000 356, CESQG

PO Box 240543
Charlotte, N.C. 28224-0543
2. **Facility Contact:** Mr. Steven Guptill, Organics Manager
704-529-6364
3. **Survey Participants:** Mr. Sean Morris, Waste Management Specialist
4. **Date of Re-Inspection:** February 20, 2006

Date of Report: February 20, 2006
5. **Purpose of Inspection:** To determine compliance with 40 CFR 260-279
6. **Facility Description:**

On January 19, 2005 Mark Burnette and I conducted an unannounced compliance inspection at Prism Laboratories, Inc. located in Charlotte, NC. We met with Mr. Steven Guptill during the inspection. I explained that the purpose of my visit was to conduct a hazardous waste compliance inspection. Prism Laboratories operates as an analytical laboratory and provides a wide range of analytical analysis. The facility has been in operation at the current location since 1992 and is 10,000 square feet in size. There are approximately 40-employees at the facility.

Prism Laboratories generates hazardous waste solvents from analytical testing equipment and cleaning operations. The primary waste stream is F002/D022 and D001/F003 waste generated in the semi-volatile and volatile laboratories. Pace Analytical also generates hazardous waste from excess samples, analytical residues, and expired standards. These items are lab packed prior to transportation and disposal.

The facility is listed as a conditionally exempt small quantity generator (CESQG) and generated approximately 790 pounds of hazardous waste over the past 5-months. During the inspection a large amount of excess samples were noted in the Sample Storage Room and the Hazardous Waste Building. Mr. Guptill stated that the sample containers located in each of the areas contained excess samples being held for clients and samples that are awaiting a waste determination (see deficiency section). Mr. Guptill stated that Prism Laboratories would contract with Heritage Environmental for lab packaging. The facility would also need to renotify to a small quantity generator classification if more than 220 pounds of hazardous waste are generated in any calendar month and to a large quantity generator if more than 2200 pounds of hazardous waste are generated in any calendar month. A copy of a small quantity generator checklist and an EPA Form 8700-12 were given to Mr. Guptill at the time of the inspection.

Prism Laboratories currently conducts weekly inspections on hazardous waste storage containers. There were (4) satellite accumulation containers within the lab and each was labeled and closed. There were (4) 30-gallon containers being used to accumulate hazardous waste solvents, and (3) full 10-gallon containers of waste mercury in the Hazardous Waste Building. Each of the containers is stored on spill collection pallets and all containers were labeled, closed, and dated.

7. Waste Type:

- F003/F005/D035, waste flammable solid
- F003/D001, waste flammable liquid (acetone, hexane)
- F002/D001, waste flammable liquid (methylene chloride, hexane)
- D001/F005, waste pyridine
- D022?F002, waste toxic liquids (methylene chloride, chloroform)
- Lab packs

8. Areas of Inspection:

Manifests:

Hazardous waste manifests were reviewed for the past three years. All manifests documented approved transporters and TSD facilities. The manifests looked to be completed correctly.

Transporters: CW Specialties Inc – NCR 000 139 188

TSD's: Clean Harbors Environmental – NCD 000 648 451

9. Site Deficiencies:

- **40 CFR 262.11** – Prism Laboratories is in violation of this regulation in that during the inspection a large amount of excess samples were noted in the Sample Storage Room and the Hazardous Waste Building. Mr. Guptill stated that the sample containers located in each of the areas contained excess samples being held for clients and samples that are awaiting a waste determination. A waste determination must be conducted on all excess samples, analytical residues, or expired samples that are not being held under an analytical sample exemption found at 40 CFR 261.4 (d).

10. Recommendations:

- It is a reminder that all waste fluorescent lamps generated at the facility are subject to hazardous waste determination requirements. A container should be established for the collection of broken waste lamps and for waste batteries generated at the facility. All hazardous/universal waste lamps must be sent to a proper disposal facility.
- It is a reminder that all waste personnel protective equipment and waste rags generated at the facility are subject to waste determination requirements and maybe hazardous waste when contaminated with listed hazardous waste.
- It is recommended that the facility designate specific staging areas for samples that are being stored for possible re-testing, waste samples that are non-hazardous and waste samples that are hazardous waste.

11. Follow Up Actions:

On February 17, 2006 I received a written certification of compliance from Mr. Steven Guptill with Prism Laboratories. The facility renotified to a small quantity generator on January 30, 2006. On February 2, 2006 excess samples were lab packed and removed from site. The facility has also developed a new SOP for handling of excess lab samples.

 2/20/06
INSPECTOR (DATE)

SENT VIA US MAIL
FACILITY CONTACT

cc:
MRO Files
Jesse Wells, Western Area Compliance Supervisor
Central Office Files
Steven Guptill, Prism Laboratories



COPY

North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor

William G. Ross Jr., Secretary

WASTE MANAGEMENT DIVISION
HAZARDOUS WASTE SECTION

NOTICE OF VIOLATION

To: Prism Laboratories, Inc
449 Springbrook Road
Charlotte, NC 28224
Attn: Steven Guptill

Docket #: 2006-088
Date of Inspection: January 19, 2006
Facility Type: CESQG
EPA ID#: NCR 000 000 356

On December 18, 1980, the State of North Carolina, Hazardous Waste Section (State) was authorized to operate the State RCRA hazardous waste program under the Solid Waste Management Act (ACT), N.C.G.S. 130A, Article 9 and rules promulgated thereto at 15A NCAC 13A (Rules) in lieu of the federal RCRA program.

On June 23, 2004, Mark Burnette, Waste Management Specialist and Sean Morris, Waste Management Specialist, inspected your facility for compliance with North Carolina Hazardous Waste Management Rules. During that investigation, the following violations were noted:

Citation

Specifics

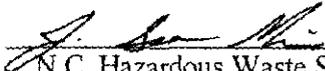
1. 40 CFR 262.11, adopted by reference at 15A NCAC 13A .0107, states that a generator must determine if solid waste is a hazardous waste. This may be done by either testing the waste or by applying knowledge of the hazardous characteristic of the waste.

Prism Laboratories is in violation of this regulation in that during the inspection a large amount of excess samples were noted in the Sample Storage Room and the Hazardous Waste Building. Mr. Guptill stated that the sample containers located in each of the areas contained excess samples being held for clients and samples that are awaiting a waste determination. A waste determination must be conducted on all excess samples, analytical residues, or expired samples that are not being held under an analytical sample exemption found at 40 CFR 261.4 (d).

You are hereby required to comply with the noted violations by February 23, 2006 at which time a follow up visit will be performed. If compliance with the violations noted above are not met, pursuant to N.C.G.S. 130A-22 (a) and 15A NCAC 13A .0701-.0707, an administrative penalty of up to \$25,000.00 per day may be assessed for violation of the hazardous waste law or regulations.

In further satisfaction of Docket #2006-088, Prism Laboratories, Inc shall provide a written certification with supporting documentation on company letterhead confirming the noted compliance schedule has been completed. Mail this certification to Mr. Sean Morris – Waste Management Specialist at NCDENR-Division of Waste Management, Hazardous Waste Section, 610 East Center Avenue, Suite 301, Mooresville, North Carolina 28115.

JAN. 23, 2006
(Date)


N.C. Hazardous Waste Section

I, J. Sean Morris, hereby certify that I have personally served a copy of this Notice on: Mr. Steven Guptill at Prism Laboratories, Inc by certified mail.

SENT CERTIFIED MAIL
(Recipient Signature)

Cc: Mr. Jesse Wells, NC Hazardous Waste Section
Central Files
MRO files

GOPY

NC DEPT OF ENVIRONMENT & NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
HAZARDOUS WASTE SECTION

RCRA INSPECTION REPORT

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704-529-6364
3. Survey Participants: Mr. Steven Guptill
Mr. Mark Burnette, Waste Management Specialist
Mr. Sean Morris, Waste Management Specialist
4. Date of Inspection: January 19, 2006

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 1/23/06
INSPECTOR (DATE)

SENT VIA CERTIFIED MAIL
FACILITY CONTACT

cc:
MRO Files
Jesse Wells, Western Area Compliance Supervisor
Central Office Files
Steven Guptill, Prism Laboratories



Full Service Analytical & Environmental Solutions

February 16, 2006

Mr. Sean Morris
Waste Management Specialist
NCDEHNR – Division of Waste Management, Hazardous Waste Section
610 East Center Avenue, Suite 301
 Mooresville, NC 28115



Main Office
449 Springbrook Road
P.O. Box 240543
Charlotte, NC 28224-0543
Phone: 704/529-6364
1/800/529-6364
Fax: 704/525-0409
info@prismlabs.com

RE: Follow-up to Hazardous Waste Inspection of January 19, 2006

Dear Sean:

This letter is to provide follow-up information for the inspection you performed at our facility on January 19, 2006.

A waste determination was completed on all samples not being held under an analytical sample exemption found in 40 CFR 261.4 (d). Hazardous excess samples were removed by Heritage Environmental Services by lab-packing on February 2, 2006 (see attached copies of shipping manifests). Additionally, our Standard Operating Procedure has been updated to reflect the current regulations found in 40 CFR 261 and 262. The updated paragraph from our current SOP reads as follows:

Samples are held in the proper storage coolers for at least 30 days after the date of receipt by the laboratory. Based upon contractual requirements, this sample holding time in the cooler may be as long as one year from the date of receipt. After the cooler holding time is completed for samples, they are removed from the coolers and brought to an appropriate staging area for hazardous waste determinations. This hazardous waste determination is to be accomplished immediately. Based upon generator knowledge and testing results obtained, the samples are identified and segregated based upon hazard class. Samples that need further testing to determine the hazard are segregated and labeled "Hazardous Pending Analysis". Additional testing is to be performed as soon as possible after sample removal from the cooler. All sample shelves holding hazardous expired samples shall be labeled with the date removed from the cooler, and the hazard class. Physical separation of samples is required for incompatible hazard types. Samples that are to be returned to the generator must be given back within 90 days of the date removed from the cooler. Samples to be disposed of in the hazardous waste streams must be shipped within 180 days of removal from the cooler.

Please feel free to contact me at 704-529-6364 if any additional information is needed concerning this matter.

Sincerely,
PRISM LABORATORIES, INC.

Steven H. Guptill
Assistant Laboratory Director

Attachment: Copy of manifests 20206 and 20207