

**Hazardous Waste Compliance Date Entry Form**

*119107*

EPA ID Number No EPA ID Number *NC 5 000020 305*  
 Facility Name Elite Marble City: Winston-Salem, NC 27107

EVALUATION DATA New: **X** Change: \_\_\_\_\_ Date: 12/13/2006

Mo. Day Yr. Type:  
 Date: 10/19/2006 CEI  
 Date: 12/6/2006 ~~CEI~~ **CSE** *Tu*

RECEIVED  
 ENTERED  
 FEB 07 2007

Inspector ID # 043 Reason: \_\_\_\_\_

**Evaluation Comments**

NOV issued  
 Re-inspection

**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) \_\_\_\_\_ **Docket #2007-010**  
 - no longer a SNC (SNN eval.) \_\_\_\_\_

Waste Involved	Volume	Exposure Media (a,gw,sw,s)	Distance to Residences	Number of People Involved	Distance to On-Site Wells	Distance to Off-Site Wells
<i>D001</i>	<i>55G</i>	<i>a</i>	<i>unk</i>	<i>&lt; 10</i>	<i>unk</i>	<i>unk</i>

# 1 Type: \_\_\_\_\_ Date Determined 10/19/2006 Class: \_\_\_\_\_

Priority: \_\_\_\_\_ Branch: \_\_\_\_\_ Person: \_\_\_\_\_

Return to Compliance: 12/6/2006 12/6/2006  
 \*Scheduled\* \*Actual\*

Reg.Type SR Reg.Description 40 CFR 261.5

Comments: Did not demonstrate disposal of HW at an approved facility

Re-inspection: Demonstrated disposal at an approved facility

# 2 Type: \_\_\_\_\_ Date Determined 10/19/2006 Class:: \_\_\_\_\_

Priority: \_\_\_\_\_ Branch: \_\_\_\_\_ Person:: \_\_\_\_\_

Return to Compliance: **12/6/2006** **12/6/2006**  
\*Scheduled\* \*Actual\*

Reg.Type **SR** Reg.Description 40 CFR 262.11

Comments: No waste determination

**Re-inspection:** Waste determination made

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DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

DIVISION OF WASTE MANAGEMENT

HAZARDOUS WASTE SECTION  
ACTIVITY REPORT

Monday, October 23, 2006

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**SUBJECT:** Elite Marble

**REASON FOR VISIT:** Complaint Investigation

**ADDRESS:** 2362 Motsinger Road

**CITY, STATE, ZIP:** Winston-Salem, NC 27107

**BY WHOM:** Ernest Lawrence - Waste Management Specialist

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**DATE INVESTIGATION OPENED** 10/19/2006

**TIME SPENT**

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**PERSON CONTACTED** Mark Tolton

**EPA ID NUMBER** No EPA ID Number

**REPORT:**

The Forsyth County Health Department forwarded an anonymous complaint to the Water Quality Section regarding waste management at Elite Marble at 2362 Motsinger Road in Winston-Salem. The complaint was referred to the Hazardous Waste Section. The complaint alleged that the facility uses lacquers and may be dumping chemicals.

I visited the facility on October 19 and met with Mark Tolton. Mr. Tolton stated that lacquers are not used, but that the facility does generate waste acetone, which is shipped as hazardous waste. Acetone is used to wash tools.

Other chemical products used at the facility were gelcoat and resin. Mr. Tolton said that no waste is generated from these products, and the empty containers are picked up by the suppliers – Mahogany, HK, and Mauser-NJ.

There was one closed 55-gallon container that was half-filled with a liquid waste on the loading dock. Mr. Tolton said he was not sure what the waste was. An employee told Mr. Tolton that it had previously been open and had collected some rainwater. Mr. Tolton said he believed it contained rainwater with some residue of resin. I told him that the liquid would have to be properly characterized before disposal. The dumpster was filled with only general solid waste.

I viewed the property outside the building and did not see any evidence of dumping. The facility had one container of waste acetone at the time of inspection. It was about half-filled, and Mr. Tolton said it had taken about 4 or 5 months to accumulate this amount. Mr. Tolton said their hazardous waste is picked up by a disposal company, but he did not remember the name of the company. I told him I would need to view some recent manifests but he was unable to find any. I told him it would be necessary to forward them to me to document proper disposal of their waste and he said he would fax them.

Mr. Tolton said waste acetone was their only hazardous waste I explained to Mr. Tolton that if conditions change and the facility generates more than 220 pounds of hazardous waste in a month it will be necessary to be classified as a small quantity generator.

Update November 1, 2006

Documentation of proper disposal of hazardous waste at Elite Marble has not been forwarded to the Hazardous Waste Section. Two follow-up phone calls were made to request the manifests.

#### **CONCLUSIONS:**

Elite Marble must provide documentation of proper disposal of its hazardous waste. The unknown waste on the loading dock must be characterized and disposed in accordance with applicable local, state, and federal regulations.

A NOV (Docket Number 2007-010) will be issued for two violations:

- 40 CFR 261.5 – Generators of hazardous waste must dispose their waste at an approved facility. Elite Marble has not demonstrated that it is in compliance with this requirement.
- 40 CFR 262.11 – A waste determination was not made for one 55-gallon container of a liquid waste on the loading dock.

#### **RE-INSPECTION:**

Elite Marble stated in December 4 correspondence that a waste determination was made on the liquid waste on the loading dock was characterized as D001 waste and will be disposed as hazardous waste. The facility provided a copy of a manifest to document proper disposal of its acetone waste. The facility also described its generation rate and showed that it is a CEG.

The facility is in compliance with NOV 2007-010. No further action is planned regarding the allegations of chemical dumping made in the complaint in October 2006.