

Side B

EPA ID # NCR 000 001 107

3 Type: OPT Date Determined: 01107104 Class:

Priority: Branch: 07 Person: 29

Return to Compliance: 02116104 1 1
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.34(d)(5)(ii)

Comment: No emergency information posted next to the telephone

4 Type: OPT Date Determined: 01107104 Class:

Priority: Branch: 07 Person: 29

Return to Compliance: 02116104 1 1
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.34(d)(5)(iii)

Comment: NO HW TRAINING GIVEN TO THE PRINTERS

5 Type: OPT Date Determined: 01107104 Class:

Priority: Branch: 07 Person: 29

Return to Compliance: 02116104 1 1
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.34(d)(5)(iv)(B)

Comment: Spillage of HAZARDOUS WASTE - NO RESPONSE BY EMRG. COORDINATOR

Type: Date Determined: Class:

Priority: Branch: Person:

Return to Compliance:
Scheduled *Actual*

Reg. Type: Reg. Description:

Comment:

Type: Date Determined: Class:

Priority: Branch: Person:

Return to Compliance:
Scheduled *Actual*

Reg. Type: Reg. Description:

Comment:



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

Hazardous Waste Section
Compliance Branch

NOTICE OF VIOLATION

To: Mr. Mark Passmore
Reed-Lallier Chevrolet
4500 Raeford Road
Fayetteville, NC 28304

Docket #: 2004 - 067
Inspection Date: January 7, 2004
Facility Type: SQG

EPA ID#: NCR 000 001 107

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 January 7, 2004, Mr. Joseph Parker representing the North Carolina Hazardous Waste Section inspected your facility for compliance with North Carolina Hazardous Waste Management Rules. During that inspection, the following violations were noted:

Citation

Specifics

1.40 CFR 262.34(c)(1), adopted by reference at 15A NCAC 13A .0107, states that a generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste listed in 261.33(e) in containers at or near the point of generation where waste initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with paragraph (a) of this section provided he:

- (i) Complies with Sections 265.171, 265.172, and 265.173(a) of this chapter.
- (ii) Marks his containers either with the words "Hazardous Waste" or with the words that identify the contents of the containers.

40 CFR 262.34(c)(1)(i), adopted by reference at 15A NCAC 13A .0107, referenced at 40 CFR 265.173(a), adopted by reference at 15A NCAC 13A .0110, states that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

During the inspection, 1-35 gallon container at the Hazardous Waste Cleaning & Disposal Area and 1-35 gallon container located in the Paint Mixing Room were observed open. The containers were noted open, with the lids of the funnels in the upright position. Both containers were being used to accumulate waste paint and solvent that is generated at these locations.

2. 40 CFR 262.34(d)(4), adopted by reference at 15A NCAC 13A .0107, referenced at 40 CFR 265.37(a), adopted by reference at 15A NCAC 13A .0110 states that the owner or operator must attempt to make the following arrangements, as appropriate for the type of waste handled at the facility and the potential need for the services of these organizations:

- (1) Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes;
- (2) Where more than one police and fire department might respond to an emergency, agreements designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority;
- (3) Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and
- (4) Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses, which could result from the fires, explosions, or releases at the facility.

During the inspection, the facility could not provide any documentation of their efforts to inform their local emergency agencies as to Reed-Lallier Chevrolet's potential need for the services of this organization.

3. 40 CFR 262.34(d)(5)(ii), adopted by reference at 15A NCAC 13A .0107, states that the generator must post the following

information next to the telephone:

- (A) The names and telephone number of the emergency coordinator.
- (B) Location of fire extinguishers and spill control material and, if present, fire alarm; and
- (C) The telephone number of the fire department unless the facility has a direct alarm.

During the inspection, it was noted that the facility failed to have the required emergency information posted next to the telephone.

- 4. 40 CFR 262.34(d) (5) (iii), adopted by reference at 15A NCAC 13A .0107,** states that the generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies.

During the inspection, it was noted that the facility has not provided personnel handling hazardous waste with hazardous waste management training. The facility's three painters handle the majority of the hazardous waste generated on-site. Reed-Lallier Chevrolet must train these employees in their duties and emergency response actions involving hazardous waste.

- 5. 40 CFR 262.34(d) (5) (iv) (B), adopted by reference at 15A NCAC 13A .0107,** states that the emergency coordinator or his designee must respond to any emergencies that arise. In the event of a spill, contain the flow of hazardous waste to the extent possible and, as soon as is practicable, clean up the hazardous waste and any contaminated materials or soil.

During the inspection, spillage of hazardous waste was noted at several locations within the facility. Specific observations at those areas were documented as follows:

HW Cleaning & Disposal Area - Spillage of hazardous waste was observed on the outside of 1-55 gallon container used for the accumulation of waste paint & solvent. Evidence of spillage was noted on the outside of the funnel, on the top of the container, on the sides of the container, and on the floor surrounding the container. In the future, hazardous waste must be placed inside the container and not allowed to be spilled on the outside of the container and the surrounding area.

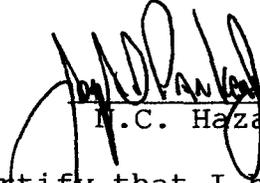
Paint Mixing Room - Spillage of hazardous waste was observed on the outside of 1-55 gallon container used for the accumulation of waste paint & solvent. Evidence of spillage was noted on the

outside of the funnel, on the top of the container, on the sides of the container, and on the floor surrounding the container. In the future, hazardous waste must be placed inside the container and not allowed to be spilled on the outside of the container and surrounding area.

You are hereby required to comply with the noted violation by **February 16, 2004**, at which time a reinspection will be performed. If compliance with the violation(s) 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 #2004-067, Reed-Lallier Chevrolet shall provide a written certification with supporting documentation on company letterhead confirming the noted compliance schedule has been completed. Mail this certification to Mr. Joseph Parker - Waste Management Specialist at NCDENR - Division of Waste Management, Hazardous Waste Section, 1646 Mail Service Center, Raleigh, North Carolina 27699-1646.

JANUARY 13, 2004
(Date)


JOSEPH PARKER - WASTE MGMT. SPECIALIST
N.C. Hazardous Waste Section

I, Joseph Parker, hereby certify that I have personally served a copy of this notice on: Mr. Mark Passmore at Reed-Lallier Chevrolet, 4500 Raeford Road, Fayetteville, NC 28304 on January 15, 2004.

MS Marl
(Recipient Signature)

cc: Mike Williford - NCDENR-HWS
Central files
Cumberland Co. files

RCRA INSPECTION REPORT

* = violation; NA = Not Applicable

Facility Name: Reed-Lallier Chevrolet
Address: 4500 Raeford Road, Fayetteville, NC 28304
EPA ID #: NCR 000 001 107
Inspection Date: January 7, 2004 **Last Inspection:** N/A
Status: SQG **Type of Inspection:** CEI

Contact/Title:

Mark Passmore - Body Shop Manager

Present at Inspection:

Joseph Parker - NCDENR Hazardous Waste Section

Mark Passmore - Reed-Lallier Chevrolet

Type of Business:

Reed-Lallier Chevrolet operates as an auto paint & body shop on the premises.

Processes:

The facility generates hazardous waste from their painting operation.

Waste Generated:

D001, D018, D035, D038, D039, D040, F003, F005 - Waste Paint Related Material - consists of waste paint and solvent generated during the cleanup of the facility's painting items and waste paint filters generated from the change out of old to new filters.

Transporters: Safety-Kleen - TXR 000 050 930

TSDs: Safety-Kleen - NCR 980 846 935

Manifests:

Signed Copies? - Yes Filled out correctly? - Yes

Treatment Standards? - Yes

The facility's hazardous waste manifests were reviewed during the inspection. It is recommended that the facility organize these manifests in a separate folder, and kept in their office.

Inspection Records:

The facility does perform a weekly walk through of their operations. During the inspection, no storage containers were noted in these areas. If the facility ever fills one of their accumulation containers, in excess of 55 gallons, they must perform and document weekly inspections on that container until it is shipped off-site. No inspections are required on containers used for accumulation purposes.

Emergency Contacts:

Emergency Coordinator? Mark Passmore

Info by Phones:

The facility has not posted the required emergency information next to the telephone.

Emergency Coordinator phone? - No Fire Department phone? - No

Location of fire/spill equipment? - No

Emergency Arrangements:

The facility has not completed the necessary arrangements with the local emergency agencies. The facility must supply these agencies with a copy of their emergency information and procedures.

Personnel Trained:

Mr. Passmore has completed online training in hazardous waste management. However, the facility's three painters have not received any training in hazardous waste management. These painters handle the majority of the hazardous waste that is generated on-site. These painters must received training in hazardous waste management and emergency procedures.

Annual Report:

The facility has paid their 2003-2004 annual fee for being a small quantity generator of hazardous waste. It is recommended that the facility notify the State of NC that Mr. Passmore is the new contact for the site. The State's records indicate that Mr. Robert Glisson is still the site contact for hazardous waste. Mr. Glisson has been gone from the site for a few years and Mr. Passmore has taken his place. A notification form will be provided to the facility for completion.

Waste Analysis:

The facility's waste analysis was performed by Safety-Kleen and is up to date.

Accumulation Areas:

1. HW Cleaning/Disposal Area - During the inspection 1-35 gallon container holding waste paint & solvent was noted in this area. This container is shown in Figure 1 of this report. The container was observed open, with the top of the funnel in the upright position. This top must be secured when waste is not being added or removed from the container. Also, evidence of hazardous waste spillage was observed on the outside of the container. This spillage was noted on the outside of the funnel, on the top of the container, on the sides of the container, and on the floor surrounding the container. Hazardous waste must be place inside the container and not allowed to be spilled on the outside of the container and surrounding area.

Additionally, the facility has a Safety-Kleen gun cleaner and 1-55 gallon container holding waste filters in the area. This gun cleaner unit is considered to be much like a parts washer, in that the solvent does not become a waste until the receiving five-gallon container is removed from the system. This gun cleaner is shown in Figure 2 of this report. The container holding waste filters was still in use as an accumulation container. The container was noted in compliance with the requirements.

All of the other containers observed in this area were either product materials or empty containers.

2. Paint Mixing Room - During the inspection 1-35 gallon container holding waste paint & solvent was noted in this area. This container is shown in Figure 3 & 4 of this report. The container was observed open, with the top of the funnel in the upright position. This top must be secured when waste is not be added or removed from the container. Also, evidence of hazardous waste spillage was observed on the outside of the container. This spillage was noted on the outside of the funnel, on the top of the container, on the sides of the container, and on the floor surrounding the container. Hazardous waste must be place inside the container and not allowed to be spilled on the outside of the container and surrounding area.

All of the other containers observed in this area were either product materials or empty containers.

Storage Area:

No containers of hazardous waste were noted in storage. However, the facility did have 1-250 gallon container of used antifreeze. The used antifreeze is considered non-hazardous waste. All requirements were met.

Less Than 6000 kg on Site? Yes

Communication Device? Yes - telephones

Site Deficiencies:

The following site deficiencies were noted during the Compliance Evaluation Inspection conducted on January 7, 2004.

1. 40 CFR 262.34(c) (1), adopted by reference at 15A NCAC 13A .0107, states that a generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste listed in 261.33(e) in containers at or near the point of generation where waste initially accumulate, which is under the control of

the operator of the process generating the waste, without a permit or interim status and without complying with paragraph (a) of this section provided he:

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the types of injuries or illnesses, which could result from the fires, explosions, or releases at the facility.

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Recommendations:

The following recommendation is offered as part of the Compliance Evaluation Inspection conducted on January 7, 2004.

1. It is recommended that the facility notify the State of NC that Mr. Passmore is the new contact for the site. The State's records indicate that Mr. Robert Glisson is still the site contact for hazardous waste. Mr. Glisson has been gone from the site for a few years and Mr. Passmore has taken his place.
2. It is recommended that the facility send a copy of their emergency telephone list and emergency procedures to their local emergency agencies to comply with Site Deficiency #2. This should be done using Certified Mail, to ensure Reed-Lallier Chevrolet has the proper documentation of their efforts to comply with the requirements.

Comments:

Reed-Lallier Chevrolet will be issued a Ticket Notice of Violation for the site deficiencies noted during the Compliance Evaluation Inspection conducted on January 7, 2004. The facility will have thirty days to comply with the requirements of this Notice of Violation. If there are any questions regarding this inspection report, please contact Joseph Parker at (919)303-8955.


Inspector

JAN. 13, 2004

U.S. MAIL
Facility Contact

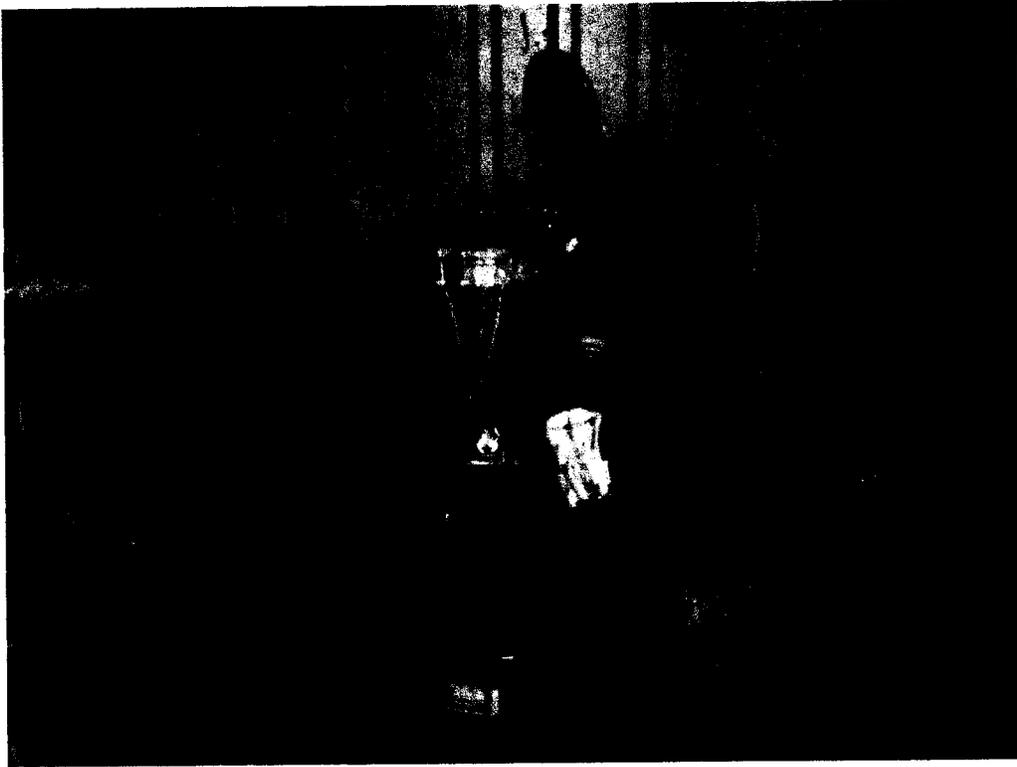


Figure 1 - HW Cleaning & Disposal Area

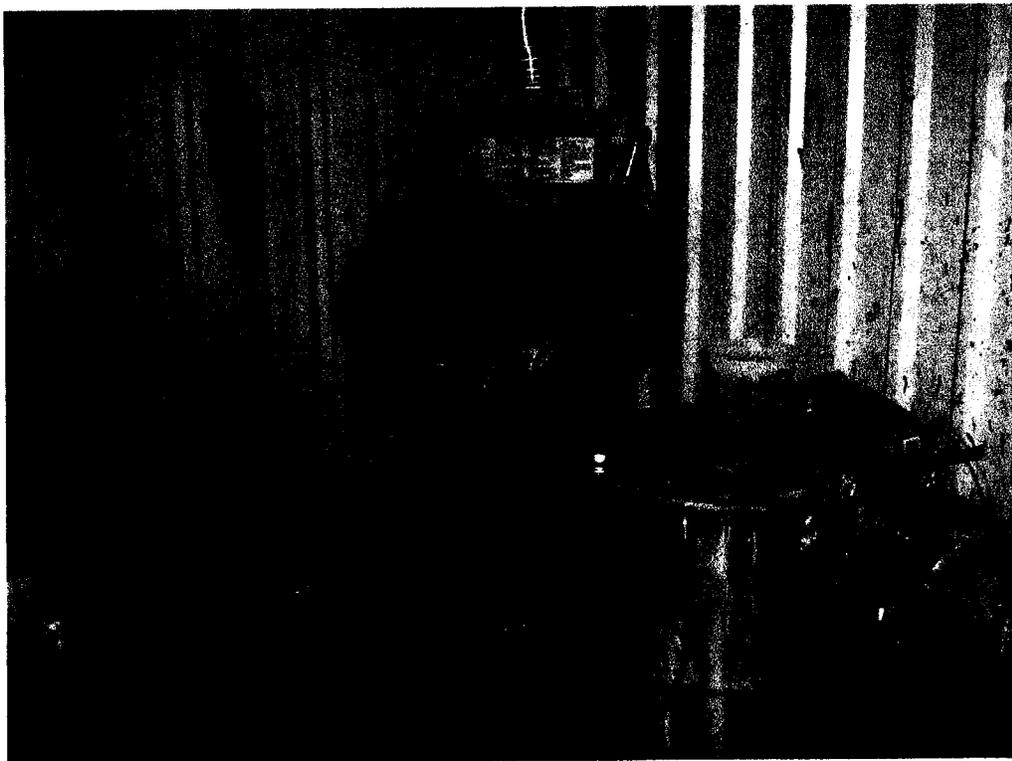


Figure 2 - HW Cleaning & Disposal Area



Figure 3 - Paint Mixing Room



Figure 4 - Paint Mixing Room