Hazardous Waste Compliance Data Entry Form

EPA ID Number: ~~NONE~~ NCS000001180

Facility Name: T + L ENGINE DEVELOPMENT, INC

Street: 12307-A RENEE FORD RD.

City: STANFIELD **ZIP:** 28163 **County:** STANLY

Contact Name: LLOYD MCCLEARY **Phone#:** 704-988-8111

EVALUATION DATA New: X Change: ____ Delete: ____

Date: 08/20/2008 Evaluation Type: FCI | CMP

Date: 12/15/2008 Evaluation Type: CSE

Inspector ID #: 046

Evaluation Comments:

COMPLAINT INVESTIGATION. DOCKET # 2008-127. VIOLATIONS CORRECTED

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 #

or

_____ no longer a SNC (SNN evaluation)

YES / NO Waste Involved	CSE ONLY Volume	Exposure Media (a, gw, sw, s)	Distance to Residences	Number of People involved	Distance to On-site wells	Distance to Off-site wells
OIL / GAS	350-GALLONS	POTENTIAL FOR ALL	@ >1000'	AT LEAST 10	NONE	UNK

Date Determined: 08/20/08

Branch: 01 Person: 046

Return to Compliance: 09/24/08 (Scheduled) 12/15/08 (Actual)

Regulation Description: 40 CFR 262.11

Comment:

Date Determined: 08/20/08

Branch: 01 Person: 046

Return to Compliance: 09/24/08 (Scheduled) 12/15/08 (Actual)

Regulation Description: 40 CFR 279.22(c)(1)

Comment:

Date Determined: __/__/__

Branch: 01 Person: 046

Return to Compliance: __/__/__ (Scheduled) __/__/__ (Actual)

Regulation Description:

Comment:

Date Determined: __/__/__

Branch: 01 Person: 046

Return to Compliance: __/__/__ (Scheduled) __/__/__ (Actual)

Regulation Description:

Comment:

Date Determined: __/__/__

Branch: 01 Person: 046

Return to Compliance: __/__/__ (Scheduled) __/__/__ (Actual)

Regulation Description:

Comment:

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

RCRA FOLLOW-UP REPORT

1. **Facility Information:** T&L Engine Development, Inc
12303-A Renee Ford Road
Stanfield, NC 28163

2. **Facility Contact:** Mr. Lloyd McCleary, Owner
704-888-8111

3. **Survey Participants:** Mr. Sean Morris, Environmental Senior Specialist

4. **Date of Inspection:** December 15, 2008

Date of Report: December 15, 2008

5. **Purpose of Inspection:** To determine compliance with Notice of Violation, Docket # 2008-127

6. **Facility Description:**

On December 15, 2008 I spoke with Mr. Lloyd McCleary with T&L Engine Development, Inc by phone. Mr. McCleary faxed me a copy of the disposal receipt demonstrating that T&L Engine Development, Inc has complied with Notice of Violation, Docket # 2008-127. Mr. McClearly also certified that the facility's used oil tank has been properly labeled.

7. **Site Deficiencies & Corrective Actions:**

- **40 CFR 262.11** – T&L Engine Development, Inc is in violation of this regulation in that there were eight (8) 55-gallon containers of waste liquids located behind the facility and information was not available to show that a hazardous waste determination had been conducted. The materials must be properly disposed. **On December 5, 2008 Haz-Mat Environmental Service collected 350-gallons of used oil/gas for disposal from the containers located at T&L Engine Development, Inc. Violation corrected.**

- **40 CFR 279.22 (c)(1)** - T&L Engine Development, Inc is in violation of this regulation in that there was one (1) approximately 500-gallon used oil tank located behind the facility and the tank was not properly labeled with the words "Used Oil". **On December 15, 2008 Mr. Lloyd McCleary certified that the facility's used oil tank has been properly labeled. Violation corrected.**

12/15/08
INSPECTOR (DATE)

(SENT BY US MAIL)
FACILITY CONTACT

cc:
MRO Files
Brent Burch, Western Area Compliance Supervisor
Central Office Files
Lloyd McCleary, T&L Engine Development, Inc

COPY

NCDENR

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: T&L Engine Development, Inc
12303-A Renee Ford Road
Stanfield, NC 28163
Attn: Lloyd McCleary

Docket #: 2008-127
Date of Inspection: August 20, 2008
Facility Type: LQG
EPA ID#: NCD 057 927 857

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 August 20, 2008, Mark Burnette, Environmental Senior Specialist, and Sean Morris, Environmental Senior 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.

   T&L Engine Development, Inc is in violation of this regulation in that there were eight (8) 55-gallon containers of waste liquids located behind the facility and information was not available to show that a hazardous waste determination had been conducted. The materials must be properly disposed.

2. **40 CFR 279.22 (c)(1), adopted by reference at 15A NCAC 13A .0118,** states that containers used to store used oil must be labeled with the words "Used Oil".

T&L Engine Development, Inc is in violation of this regulation in that there was one (1) approximately 500-gallon used oil tank located behind the facility and the tank was not properly labeled with the words "Used Oil".

Based upon the foregoing, T&L Engine Development, Inc shall come into compliance with all applicable requirements of 40 CFR Parts 262, 265, 268, 273, and 279 by September 24, 2008 **(30 days from signing)**.

Respondent 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, Environmental Senior Specialist at Mooresville Regional Office, 610 East Center Avenue, Suite 301, Mooresville, NC 28115 by the noted compliance date.

Compliance with this NOV will not divest the Section of it's authority to issue an administrative penalty for the violations cited herein. Pursuant to N.C. General Statutes 130A-22(a) and 15A NCAC 13A .0701-.0707, an administrative penalty of up to $32,500.00 per day may be assessed for violation of the hazardous waste law or regulations.

If you have any questions concerning this matter, you may contact Mr. Sean Morris at (704) 663-1699 at extension 2155.

August 25, 2008
(Date)

N.C. Hazardous Waste Section

I, J. Sean Morris, hereby certify that I have personally served a copy of this Notice on:
Mr. Lloyd McCleary at T&L Engine Development, Inc by certified mail.

SENT CERTIFIED MAIL
(Recipient Signature)

cc: Brent Burch, NC Hazardous Waste Section
Central Files
MRO files

COPY

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

RCRA COMPLAINT INVESTIGATION REPORT

1. **Facility Information:** T&L Engine Development, Inc
   12303-A Renee Ford Road
   Stanfield, NC 28163

2. **Facility Contact:** Mr. Lloyd McCleary, Owner
   704-888-8111

3. **Survey Participants:** Mr. Lloyd McCleary
   Mr. Mark Burnette, Environmental Senior Specialist
   Mr. Sean Morris, Environmental Senior Specialist

4. **Date of Inspection:** August 20, 2008

   Date of Report: August 22, 2008

5. **Purpose of Inspection:** To determine compliance with 40 CFR 260-279.

6. **Facility Description:**

On 7/3/08 a complaint was issued through EPA Region IV. On 8/6/08 I received the complaint referral via email. The complainant stated that the facility does not properly accumulate used oil, but instead pours the oil out in a shop drain and behind the facility. The complainant did not leave any contact information.

On 8/20/08 Mark Burnette and I conducted a complaint investigation at T&L Engine Development located in Stanfield, NC. The facility has around 10-employees and has been in operation at this location since the early 1990s. The facility builds race engines for the general public. The facility generates used oil from the engine-dyno process. Used oil is gravity feed from four sinks located within the building, to an approximately 500-gallon used oil tank located behind the facility. The used oil tank was not properly labeled at the time of the inspection (see deficiency section). The facility also generates empty paint aerosol cans from painting operations. The facility operates two part washer units that use varsol solvent. Mr. McCleary explained that spent varsol is placed in the used oil tank. The facility is connected to municipal water but not municipal sewer. Mr. McCleary stated that the facility uses Safety-Kleen Systems to collect used oil, and that the last collection was over a year ago. Receipts were not available at the time of the inspection (see recommendation section).

During the investigation we walked around the outside perimeter of the facility. There was not any evidence of used oil disposal. There were eight (8) 55-gallon containers of liquid located behind the facility. The containers appeared to have been onsite for a long period of time. Mr. McCleary explained that several of the containers held a dirty water mixture from a filtering unit that is not longer used. At least two (2) of the containers were labeled as racing fuel. Mr. McCleary stated that the containers were empty but has since filled with rainwater. We removed one of the caps and noted a strong fuel smell from the rainwater. The facility must determine if the waste in each of the containers is hazardous waste (see deficiency section).

7. **Site Deficiencies:**

- **40 CFR 262.11** – T&L Engine Development, Inc is in violation of this regulation in that there were eight (8) 55-gallon containers of waste liquids located behind the facility and information was not available to show that a hazardous waste determination had been conducted. The materials must be properly disposed.

- **40 CFR 279.22 (c)(1)** - T&L Engine Development, Inc is in violation of this regulation in that there was one (1) approximately 500-gallon used oil tank located behind the facility and the tank was not properly labeled with the words "Used Oil".

8. **Recommendations:**

- It is strongly recommended that receipts for all used oil collections be maintained onsite. It is also a reminder that waste fluorescent lamps generated at the facility are subject to hazardous waste determination requirements and must be properly recycled.

8/25/08
INSPECTOR (DATE)

(SENT BY CERTIFIED MAIL)
FACILITY CONTACT

cc:
MRO Files
Brent Burch, Western Area Compliance Supervisor
Central Office Files
Lloyd McCleary, T&L Engine Development, Inc