

Hazardous Waste Compliance Data Entry Form

Jim Edwards

EPA ID Number: ~~None~~ NCS 00000 697

(Page 1 of 2)

Facility Name: Mumford Restoration

Street: 8813 Gulf Court

City: Raleigh ZIP: 27617

County: Wake

Contact Name: Bernard Mumford

Phone#: (919) 795-6429

EVALUATION DATA New: Change: Delete:

Date: 03/25/09 Evaluation Type: CEI

Date: ___/___/___ Evaluation Type: ___

Inspector ID #: 028

Evaluation Comments: see attached SOG (never inspected) report - Referred to Programs for Enforcement Non-notifier

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 # 2009-074
or no longer a SNC (SNN evaluation)

YES / NO	CSE ONLY					
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

Date Determined: 03/25/09

Branch: ___ Person: 028

Return to Compliance: 05/20/09 Scheduled Actual

OVER

Regulation Description: 40 CFR 262.12(a)

Comment: SOG facility was storing haz waste onsite ~~30 days~~ and does not have an EPA ID#

2

Date Determined: 03,25,09

Branch: _____

Person: 028

Return to Compliance:

05,20,09

____/____/____
Actual

Regulation Description:

40 CFR 262.34 (d)(2)

Comment: 6 containers of haz waste ^{on site} were not closed.

3

Date Determined: 03,25,09

Branch: _____

Person: 028

Return to Compliance:

05,20,09

____/____/____
Actual

Regulation Description:

40 CFR 262.34(d)(4) - 262.34(a)(2)

Comment: Nine containers of haz waste were not labeled with accumulation start date

4

Date Determined: 03,25,09

Branch: _____

Person: 028

Return to Compliance:

05,20,09

____/____/____
Actual

Regulation Description:

40 CFR 262.34(d)(4) - 262.34(a)(3)

Comment: Nine containers of haz. waste were not labeled "hazardous waste".

5

Date Determined: 03,25,09

Branch: _____

Person: 028

Return to Compliance:

05,20,09

____/____/____
Actual

Regulation Description:

40 CFR 262.34(d)(4) - 265.37(a)

Comment: No arrangements had been made w/ local authorities (ie: emergency response)

Date Determined: 03,25,09

Branch: _____

Person: 028

Return to Compliance: _____

05,20,09

Actual

Regulation Description: 40 CFR 262.34(d)(5)(ii)

Comment: (modified contingency plan) Emer. Info was not posted on site near telephone.

7) Date Determined: 03,25,09

Branch: _____

Person: 028

Return to Compliance: _____

05,20,09

Actual

Regulation Description: 40 CFR 262.34(d)(5)(iii)

Comment: staff was no familiar (trained) with proper waste handling and emergency procedures.

8) Date Determined: 03,25,09

Branch: _____

Person: 028

Return to Compliance: _____

05,20,09

Actual

Regulation Description: 40 CFR 265.174

Comment: Facility failed to document weekly inspections of 180 day haz waste storage area

9) Date Determined: 03,25,09

Branch: _____

Person: 028

Return to Compliance: _____

05,20,09

Actual

Regulation Description: 15 A NCAC 13A.0109(a)

Comment: ^{The facility} stored haz waste onsite for > 180 days without having a permit

OVER

10

Date Determined: 03/25/09

Branch: _____

Person: 028

Return to Compliance: _____

05/20/09

_____/_____/_____

Scheduled

Actual

Regulation Description: 15 A NCAC 13A .0110(c)

Comment: facility did not maintain adequate aisle space (at least 2 feet) in haz waste (180day) storage area.

Date Determined: ____/____/_____

Branch: _____

Person: _____

Return to Compliance: _____

_____/_____/_____

_____/_____/_____

Scheduled

Actual

Regulation Description: _____

Comment: _____

Date Determined: ____/____/_____

Branch: _____

Person: _____

Return to Compliance: _____

_____/_____/_____

_____/_____/_____

Scheduled

Actual

Regulation Description: _____

Comment: _____

Date Determined: ____/____/_____

Branch: _____

Person: _____

Return to Compliance: _____

_____/_____/_____

_____/_____/_____

Scheduled

Actual

Regulation Description: _____

Comment: _____

**State Of North Carolina
Department of Environment and Natural Resources
Hazardous Waste Section**

SMALL QUANTITY GENERATOR INSPECTION FORM

Facility Name: Mumford Restoration

Inspection Date: March 25, 2009

EPA ID #: not assigned/not applied for

County: Wake

Physical Address: 8813 Gulf Ct., Suite B
Raleigh, NC 27617

Contact/Phone #: Bernard Mumford, Owner
(cell) 919-795-6429

Facility telephone #: (919) 510-6319

Present at Inspection: Rachel McKinney, Office Manager – Mumford Restoration
Miguel Cordero, Shop Manager – Mumford Restoration
Ted Cashion, Jenne S. Walker - NC DENR

Purpose of Inspection: Unannounced audit to determine compliance with regulations described at 40 CFR 261, 262, 265, 268, 273, and 279.

Type of business: Mumford Restoration provides the following types of restoration services: fire and water damage, metals, pianos, artwork, photographs, and furniture restoration and re-upholstery. Furniture repairs, stripping and re-finishing (staining and/or painting) is performed on-site.

Approximately 7 individuals are employed at the facility plus two delivery drivers. The on-site staff includes six shop workers and one office manager. Mr. Mumford, visits the facility routinely but does not work at the location on a daily basis. He is primarily responsible for sales and customer service in addition to other duties.

The facility has been at the current location for approximately two years. According to Ms. McKinney, furniture stripping (and the generation of hazardous waste) began on-site on approximately August 29, 2008. Mr. Cordero stated that approximately one 55-gallon drum of waste is generated every one to two (1-2) months. This is consistent with the presence of seven 55-gallon and two 30-gallon containers generated in approximately seven (7) months (from August 29, 2008 – March 25, 2009). Mumford Restoration is classified as a Small Quantity Generator of hazardous waste.

Mumford Restoration has not notified the Division (NC Division of Waste Management - DWM, NC DENR), that hazardous waste is generated at the facility and has not obtained an EPA ID number, as required. *The facility is required to immediately submit the completed form 8700-12 titled "RCRA Subtitle C Site Identification Form" to provide initial notification of regulated waste activity and to obtain an EPA ID Number for hazardous waste and universal waste. This form was given to Ms. McKinney during the inspection.*

Waste generated:

D001 – waste flammable liquids (gun and brush cleaner)

F002, F003, F005 – paint and finish stripper/remover (F002-methylene chloride; F003-methanol; F005-toluene)

Universal Waste: Fluorescent lamps are used on-site but have not been changed out yet. No used lamps were on-site at the time of the inspection. Used oil is not generated at the facility.

Manifests: To date, the facility has not shipped any waste off-site. Therefore, no manifests were available for review.

Signed copies within 60 days?
LDR notification attached?

Approved transporters?
Approved TSD's?

TSD(s): none listed at the time of inspection

Transporter(s): none listed at the time of inspection

Mumford Restoration
8813 Gulf Ct., Suite B
Raleigh NC 27617
EPA ID #: not assigned
CEI – March 25, 2009

Weekly Inspection records: Mr. Cordero stated that he has conducted some inspections of the hazardous waste storage area but he has not documented any of the inspections. **Non-compliant**

Emergency information /#s posted by phone?(name & # of emergency coordinator, fire dept., location of fire extinguisher, fire alarm, spill control): Emergency information (modified contingency plan) was not posted on-site by the telephone at the time of the inspection as required. Inspectors provided Ms. McKinney with an example Modified Contingency Plan form which can be completed and posted by the telephone on-site or used as guidance. **Non-compliant**

Emergency coordinator (must be onsite or on call): Mr. Bernard Mumford is the Emergency Coordinator. He can be reached by telephone if he is not on-site. His cell number is saved in the speed dial of each on-site telephone and all employees know how to reach him in case of an emergency.

Spill kit/fire extinguishers? yes
Alarm system for emergencies? yes

Adequate water volume and pressure? yes
Access to alarm/phone when handling hazardous waste? Yes, telephone

Personnel familiar w/waste handling & emergency procedures? No. Mr. Cordero is primarily responsible for management and handling of hazardous waste generated on-site. He stated that he has not attended training since he began working at Mumford but has attended OSHA training in the past (approximately 2 years ago). Based on the number of violations cited and improper management of hazardous waste, Mr. Cordero is not familiar with proper waste handling and emergency procedures as required by the regulations. **Non-compliant**

Local authorities (fire, police, hospital) familiar with facility/hazards: (send all copy of layout, location of HW areas, copy of MSDS, send certified and keep receipt) The facility has not made arrangements with local authorities as required. DWM Example letters were given to Ms. McKinney during the inspection. *Please use the example letters provided during the inspection as guidance to make arrangements with local authorities. It is strongly recommended that you send letters via certified mail and keep copies of the letters and return receipts filed on-site. This documentation will be requested for review by inspectors during future inspections.* **Non-compliant**

SATELLITE AREAS No Satellite Accumulation Areas (SAA's) were utilized at the time of the inspection.

STORAGE AREAS

One 180-day storage area is located outside and to the left when exiting the back door of the facility. At the time of the inspection, seven 55-gallon drums and two 30-gallon drums of liquid hazardous waste (D001; F002-methylene chloride; F003-methanol; F005-toluene) were in storage behind the facility. Six of the nine hazardous waste containers were not closed. A rag was stuffed in bung holes of five containers and the cap on one container was not closed tightly. None of the nine containers of hazardous waste were labeled with the words "hazardous waste" or labeled with an accumulation start date as required. The containers were stored two drums deep outside the back of the building. This set-up did not allow for the required minimum 24 inches of aisle space. In addition, hazardous waste generated between August 29, 2008 and September 25, 2008 has been stored on-site for greater than 180 days. Mumford Restoration is not a permitted hazardous waste Treatment, Storage and Disposal (TSD) facility, and has therefore been operating as a TSD without a permit.

Containers: closed? **No, six out of nine hazardous waste (D001, F002-methylene chloride, F003-methanol, F005-toluene) containers were not closed.**
Aisle space? **No, drums were stored against the building, two containers deep, which did not allow for the required minimum 24" aisle space.**
clean? yes
evidence of release? no
labeled? **No. None of the nine containers of hazardous waste (D001, F002-methylene chloride, F003-methanol, F005-toluene) were labeled with the words "Hazardous Waste".**
Dated? **No. None of the nine containers of waste were labeled with an accumulation start date.**
<180 days? **No, waste generation began on 8-29-2008. Waste generated between August 29, 2008 and September 25, 2008 has been stored on-site for greater than 180 days.**
good condition? yes

Mumford Restoration
8813 Gulf Ct., Suite B
Raleigh NC 27617
EPA ID #: not assigned
CEI - March 25, 2009



180-day hazardous waste storage area located behind Mumford Restoration contained seven 55-gallon drums and two 30-gallon drums of liquid hazardous waste (D001; F002-methylene chloride; F003-methanol; F005-toluene). **None of the containers of hazardous waste were labeled or dated. Six of the containers were not closed. Inadequate aisle space was maintained (less than the required minimum of two feet) in the storage area.** (Note: all of the small 5-gallon containers in front of the larger drums were empty as well as some of the larger drums).



180-day hazardous waste storage area showing open containers of hazardous waste (D001; F002-methylene chloride; F003-methanol; F005-toluene). **Rags were stuffed in the bung holes of the containers rather than utilizing appropriate container caps. None of the hazardous waste containers were labeled "Hazardous Waste" or marked with an accumulation start date. The facility did not maintain aisle space of at least two feet.**



One 30-gallon open drum of liquid hazardous waste (D001; F002-methylene chloride; F003-methanol; F005-toluene) which was not labeled or dated was located in the hazardous waste storage area.

Spill kit in vicinity? Yes. Rags were available to clean up spills.

Fire extinguisher? yes

Immediate access to alarm or communication device when handling hazardous waste? yes

UNIVERSAL WASTE STORAGE:

Lamps: No lamps were in storage at the time of the inspection.

Containers: closed?
 labeled?
 < 1 year?

VIOLATIONS:

A. 40 CFR 262.12(a) A generator must not treat, store, dispose of, transport, or offer for transportation, hazardous waste without having received an EPA identification number from the Administrator.

Mumford Restoration generates greater than 220 pounds of hazardous waste in a calendar month and is therefore a Small Quantity Generator of hazardous waste. Mumford Restoration is in violation of 40 CFR 262.12(a) in that the facility was storing hazardous waste on-site at the time of the inspection but the facility had not applied for or received an EPA Identification number at that time.

B. 40 CFR 262.34(d)(2) adopted by reference at 15A NCAC 13A .0107. A generator who generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, provided that: The generator complies with the requirements of Subpart I of part 265 of this chapter, except for Sections 265.176 and 265.178.

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

Mumford Restoration is in violation of 40 CFR 262.34(d)(2) in that six containers of hazardous waste (D001; F002-methylene chloride; F003-methanol; F005-toluene) stored on-site were not closed. A rag was in bung holes of five containers and the screw cap was not tightly secured on the sixth container.

C. 40 CFR 262.34(d)(4), adopted by reference at 15A NCAC 13A .0107. Pursuant to this section, a generator who generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, provided that the generator complies with the requirements of paragraphs (a)(2) and (a)(3) of this section, the requirements of subpart C of part 265, the requirements of 40 CFR 268.7(a)(5).

- 1. 40 CFR 262.34(a)(2), adopted by reference at 15A NCAC 13A .0107.** Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, provided that the date upon which each period of accumulation begins is clearly marked and visible for inspection on each container.

Mumford Restoration is in violation of 40 CFR 262.34(d)(4) in that none of the nine containers of hazardous waste (D001; F002-methylene chloride; F003-methanol; F005-toluene) stored on-site were labeled with an accumulation start date.

- 2. 40 CFR 262.34(a)(3) adopted by reference at 15A NCAC 13A .0107.** Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, provided that while being accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste".

Mumford Restoration was in violation of 40 CFR 262.34(d)(4) in that none of the nine containers of hazardous waste (D001; F002-methylene chloride; F003-methanol; F005-toluene) in storage on-site were labeled with the words "hazardous waste".

- 3. 40 CFR 265.37(a) adopted by reference at 15A NCAC 13A .0110.** The owner or operator must attempt to make the following arrangements, as appropriate for the type of waste handled at his 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 fires, explosions, or releases at the facility.

Mumford Restoration is in violation of 40 CFR 262.34(d)(4) in that the facility had not made arrangements with local authorities.

D. 40 CFR 262.34(d)(5)(ii) adopted by reference at 15A NCAC 13A .0107. A generator who generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, provided that the generator complies with the following requirements:

- (ii) 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.

Mumford Restoration is in violation of 40 CFR 262.34(d)(5)(ii) in that the required information was not posted on-site by the telephone.

- E. **40 CFR 262.34(d)(5)(iii) adopted by reference at 15A NCAC 13A .0107.** A generator who generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, provided that the generator complies with the following requirements:

- (iii) 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:

Mumford Restoration is in violation in that its employees were not familiar with the proper waste handling procedures as was evident by the condition of the hazardous waste containers and the overall condition of the hazardous waste storage areas.

- F. **15A NCAC 13A .0107(d)** A generator shall keep records of inspections and results of inspections required by §262.34 for at least three years from the date of the inspection.

Mumford Restoration is in violation of 15A NCAC 13A .0107(d) in that the facility failed to document weekly inspections that were conducted at the 180-day hazardous waste storage area.

- G. **15A NCAC 13A .0109(a)** states that any person who treats, stores or disposes of hazardous waste shall comply with the requirements set forth in this section. The treatment, storage or disposal of hazardous waste is prohibited except as provided in 40 CFR Parts 264 and 265, adopted by reference in 15A NCAC 13A .0109 and .0110.

Mumford Restoration is in violation of 15A NCAC 13A .0109(a) in that the facility has stored containers of hazardous waste (D001; F002-methylene chloride; F003-methanol; F005-toluene) in the facility's hazardous waste storage area from approximately August 29, 2008 to September 25, 2008 without complying with the requirements set forth in this section. Specifically:

- 1. **40 CFR 270.10(a), adopted by reference at 15A NCAC 13A .0113(b),** states that any person who is required to have a permit shall complete, sign and submit an application to the Hazardous Waste Section which meets the requirements of 270.10 and 270.70 through 270.73.

Mumford Restoration is in violation of 40 CFR 270.10(a), adopted by reference at 15A NCAC 13A .0113(b) in that the facility was required to have a permit to store containers of hazardous waste (D001; F002-methylene chloride; F003-methanol; F005-toluene) from approximately August 29, 2008 to September 25, 2009. The facility failed to complete and submit an application for a permit in accordance with the requirements of 270.10 and 270.70 through 270.73.

- H. **15A NCAC 13A .0110(c)** The owner or operator must maintain aisle space of at least 2 feet to allow the unobstructed movement of personnel, fire prevention equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency.

Mumford Restoration is in violation of 15A NCAC 13A .0110(c) in that the facility failed to maintain aisle space of at least two feet in the 180-day storage area. Hazardous waste containers were stored directly outside the back of the building, two containers deep.

Jenne S. Walker
Senior Environmental Specialist

Date

Facility contact

Date

Mumford Restoration
8813 Gulf Ct., Suite B
Raleigh NC 27617
EPA ID #: not assigned
CEI - March 25, 2009

Small Quantity Generator Requirements

General Requirements:

- 1) Hazardous waste determination must be properly performed. Any testing results must remain on-site for 3 years.
- 2) Facility must have an EPA Identification Number and pay annual fees.
- 3) Quantity of waste accumulated on-site must never exceed 6000 kilograms (approximately thirty 55-gallon containers)
- 4) Can not store hazardous waste on-site for more than 180 days

Manifests:

- 1) Hazardous waste must be manifested properly (complete with Land Disposal Restrictions (LDRs)) and signed, returned copy from designated disposal facility must remain on-site for 3 years. Exception reports on file if manifest if signed manifest is not returned from disposal facility within 60 days of receipt from transporter.

Container Management:

- 1) Hazardous waste must be *inside* the hazardous waste container. All spills/releases of hazardous waste must be responded to appropriately.
- 2) Hazardous waste containers must be closed unless waste is being added or removed.
- 3) All hazardous waste containers in the 180 day storage area must be labeled with the words "hazardous waste" and marked with an accumulation start date.
- 4) Hazardous waste containers located at a satellite accumulation area must be marked with the words "hazardous waste" or other words identifying the contents of the container.
- 5) *Weekly inspections (looking for leaks and for corrosion) of hazardous waste containers in less than 180 day storage area must be performed and documented.
- 6) All containers must be in good condition and if it is not in good condition, the hazardous waste must be transferred to another container that is in good condition.
- 7) Containers used to store hazardous waste must be compatible with the material stored in the container.
- 8) Incompatible wastes must not be placed in the same container.
- 9) Facility must have adequate aisle space to provide unobstructed movement in the less than 180-day storage area in order to respond to an emergency.
- 10) Comply with 40 CFR 265.201 in Subpart J if the facility stores hazardous waste in tanks.

Emergency Preparedness and Prevention:

- 1) Facility must be operated and maintained to minimize the possibility of fire, explosion or any unplanned sudden or non-sudden release of hazardous waste to the environment.
- 2) Facility must have the following equipment unless none of the hazards posed by waste handled at the facility could require the kind of equipment specified:
 - a) internal communications or alarm system capable of providing immediate emergency instruction
 - b) external communication device (such as a telephone or two-way radio) that is capable of summoning emergency assistance
 - c) Portable fire extinguishers, fire control equipment, spill control material and decontamination equipment
 - d) Water in adequate volume and pressure to supply water hose streams or foam producing equipment or automatic sprinklers.
- 3) Emergency equipment must be tested and maintained to operate properly in an emergency.

- 4) Emergency Coordinator on premises or on-call and must respond to emergencies.
 - 5) Employees must be thoroughly familiar with proper waste handling and emergency procedures.
 - 6) Arrangements must be made with local police, fire departments, and emergency response teams with the layout of facility, properties of hazardous waste handled at the facility and associated hazards, places where personnel would normally be working, entrances to roads inside the facility and possible evacuation routes.
 - 7) Arrangement must be made with the local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses that could result from fires, explosions or releases at the facility.
 - 8) *Emergency Information posted by a phone, which includes:
 - Name and telephone number of emergency coordinator(s)
 - Location of fire extinguishers and spill control equipment and fire alarm (if present)
 - Telephone number of fire department
- * Paperwork requirement

Fluorescent Lamps

1. Spent fluorescent lamps containing mercury must be stored in containers that are closed at all times, unless lamps are being added to or removed from the container.
2. Containers of lamps containing mercury must be labeled "Universal Waste – Lamps", or "Waste Lamps", or "Used Lamps".
3. Containers of lamps containing mercury must be marked with an accumulation start date when the first lamp was placed in the container.
4. Lamps containing mercury may be accumulated onsite for up to 1 year.