

Hazardous Waste Section  
File Room Document Transmittal Sheet

# #

Your Name: Carl Utterback  
EPA ID: N C 2 7 5 0 8 9 0 0 0 4  
Facility Name: Clariant West Mount Holly  
Document Group: Permit (P)  
Document Type: Notice of Deficiency (NOD)  
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Date of Doc: 1/12/2012  
Author of Doc: Carl Utterback

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North Carolina Department of Environment and Natural Resources  
Division of Waste Management

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Director

Dee Freeman  
Secretary

January 12, 2012

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Paul Johnson  
NIEHS Hazardous Waste Manager  
NIEHS & EPA Waste Handling Facility  
P.O. Box 12233  
Research Triangle Park, NC 27709-2233

Re: Part B Application--Hazardous Waste Management Permit  
NIEHS & EPA Waste Handling Facility  
First Notice of Deficiency  
EPA ID No. NC2 750 890 004

Dear Mr. Johnson:

An initial review has been performed on your Part B Application. The attached Notice of Deficiency identifies specific deficiencies that must be corrected before the application can be determined complete. One hardcopy of an addendum addressing these deficiencies and six (6) complete electronic copies must be submitted by February 29, 2012. Failure to submit these addenda on or before the compliance date can result in enforcement actions or a decision to deny the permit.

NIEHS should be aware that all hazardous waste management facilities bear the burden to maintain compliance with all of the applicable RCRA regulations. Every effort is made to review the permit application completely to verify the manner in which the facility intends to maintain compliance. However, when a discrepancy exists between the wording of an item in the facility's application and the RCRA regulations, the regulations take precedence over the application.

If you have any questions or need a clarification of any item on the attached list, please contact me at [carl.utterback@ncdenr.gov](mailto:carl.utterback@ncdenr.gov) or 919-707-8212.

Sincerely,

Carl Utterback  
Facility Management Branch  
Hazardous Waste Section

Attachment

cc: Jon D. Johnston, US EPA, Region 4  
Phil Orozco  
Alan Call, EPA RTP

rc: ✓ Bud McCarty *pmc*  
Carl Utterback *CU*

**LIST OF DEFICIENCIES**  
**NIEHS & EPA Waste Handling Facility**  
RTP, North Carolina  
EPA ID# NC2 750 890 004  
January 12, 2012

**PART A - APPLICATION**

**[40 CFR 270 as adopted in 15A NCAC 13A .0113]**

**HAZARDOUS WASTE PERMIT INFORMATION FORM**

Item 7. Process Codes and Design Capacities

1. Provide the total number of permitted hazardous waste storage rooms in the column for "C. Process Total Number of Units" on page 3 of 6.  
{40 CFR 270.13(a)}

Item 12. Photographs

2. Provide photographs of building interiors to clearly delineate all existing permitted units (rooms) for storing and treating hazardous waste and include the process codes.  
{40 CFR 270.13(h)(2)}

**PART B - FACILITY DESCRIPTION**

**[40 CFR 270 as adopted in 15A NCAC 13A .0113]**

B-1 General Description

3. Provide a short discussion or list of the permitted hazardous waste storage and treatment units (rooms) on site.  
{270.14(b)(1)}
4. Provide a short general description similar to this: "*the majority of waste generation occurs in small quantities in various research labs.*"  
{270.14(b)(1)}
5. EDITTING COMMENT: NIEHS should remove the paragraph near the bottom of page B-2 which discusses past history as a small quantity generator and the 1987 request to change to a large quantity generator.  
{270.14(b)(1)}

B-3 Traffic Information

6. NIEHS should revise the traffic information on page B-6 to only refer to movement of hazardous waste at the facility.  
{270.14(b)(10)}

**PART C - WASTE CHARACTERISTICS**

**[40 CFR 264 as adopted in 15A NCAC 13A .0109]**

**[40 CFR 268 as adopted in 15A NCAC 13A .0112]**

7. EDITTING COMMENT: On page C-1, reference is made to 270.62 (hazardous waste incinerator regulations). Please check for and remove references to 270.62 in the permit application.

**C-1a Waste Management Processes and Activities**

8. On page C-18, please clarify the steps taken at the point of waste generation to determine if the waste to be managed by the "chemical pick-up process" is, or is not, a hazardous waste. Discuss if the waste is labeled as hazardous waste before pick up. The RCRA regulations place the burden on the waste generator to determine whether a solid waste is hazardous. {264.13(a)}

**PART D - PROCESS INFORMATION**

**[40 CFR 264 as adopted in 15A NCAC 13A .0109]**

**[40 CFR 268 as adopted in 15A NCAC 13A .0112]**

9. EDITTING COMMENT: Please clarify which rooms in Building 108 will be considered permitted storage areas by adding "Permitted Storage (S01)" to the title lines at the beginning of the appropriate room descriptions.

**PART G - CONTINGENCY PLAN**

**[40 CFR 264 as adopted in 15A NCAC 13A .0109]**

**[40 CFR 270 as adopted in 15A NCAC 13A .0113]**

10. EDITTING COMMENT: As previously discussed, NIEHS should replace the pages in PART G with a completed review checklist referring to the full facility contingency plan in APPENDIX I.

**PART H - PERSONNEL TRAINING**

**[40 CFR 264 as adopted in 15A NCAC 13A .0109]**

**[40 CFR 270 as adopted in 15A NCAC 13A .0113]**

**H-3 Training Content**

11. The training content information provided in Appendix IV contains too much specific detail. Please revise and provide a more general outline of the training similar to that provided in Appendix III. {270.14(b)(12)}

**PART I - CLOSURE PLANS, POST-CLOSURE PLANS, AND FINANCIAL  
REQUIREMENTS**

**[40 CFR 264 as adopted in 15A NCAC 13A .0109]**

**I-1e Closure Procedures**

**I-1e(1) Inventory Removal, Disposal, or Decontamination of Equipment**

12. The criteria for determining decontamination should be non-detect levels of any hazardous constituents managed in the units being closed. Revisions should be made to the text on page I-4 concerning the initial goal for decontamination.

{264.111 and 264.112(b)(4)}