

Hazardous Waste Section
File Room Document Transmittal Sheet

Your Name: Sean Morris
EPA ID: N C D 0 6 1 2 6 3 3 1 5
Facility Name: Nexeo Solutions, LLC
Document Group: Inspection/Investigation (I)
Document Type: Compliance Schedule Evaluation (CSE)
Description: Follow-Up to Ticket Notice of Violation, Docket #2013-012
Date of Doc: 1/30/2013
Author of Doc: Sean Morris

File Room Use Only

Date Recieved by File Room:
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NCD061263315

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COMMERCIAL FACILITY REPORT
Resident Inspector Program
 Division of Waste Management
 Department of Environment and Natural Resources
 North Carolina

DOCKET #: 2013-012

INSPECTION AND EVALUATION

EPA ID#: NCD061263315		FACILITY NAME: NEXEO SOLUTIONS, LLC	
ADDRESS: 3930 Glenwood Drive		CITY: Charlotte, NC	
NEW <input checked="" type="checkbox"/>	UPDATE <input type="checkbox"/>	DATE OF INSPECTION: 01/30/13	STAFF ID# 46

EVALUATION TYPE: 5	1 - Compliance Evaluation (CEI for HWS) 2 - Sampling / Monitoring 3 - Record Review (Logs, Annual Report) 4 - Air / Water Permit Requirements 5 - Reinspection (Compliance Schedule) 6 - Cont Plan / Prep & Prev (Safety/OSHA)	7 - Part B Permit 8 - Manifests / LDR 9 - General 10 - Waste Analysis Plan 11 - Complaint Investigation 12 - BIF 80 - Informal Meeting
JOINT / SUB <input checked="" type="checkbox"/> OFF SHIFT <input type="checkbox"/> DURATION (Hrs) _____ HRS		

REINSPECTION ONLY - Date of Initial Evaluation: 12/19/12

Original Docket #: 2013-012

CLASS OF VIOLATION / DEFICIENCY

Class	O2 / H2O	Safety/CP	Fin	Part B	Comp Sch	Man	LB	Other	W Mgt	BIF
SNC				O					O	
SV				O					O	

Acceptable Codes

RSZO H	XSZOHR	XSZO HI*	XSZO H	XSZOH	XSZO H	XSZ OH	XSZH O	XSZO H	XSZOH
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KEY: SNC = Significant Noncomplier
 SV = Secondary Violation

X - Violation(s)

O - No Violation

R - Referral to DEM or OSHA

H - HPV Violations Present

Z - Pending

S - Same Violation (Repeated)

I - No Insurance Only

* - Class I Only

ENFORCEMENT ACTIONS: Area of Violation(s) - CP, PP, FI, PB, CS, MA, LB, OT, WM, BIF

Class	Area of Violation	Type Code	Date Action Taken	Compliance Dates		Penalty Asses. Coll.	Resp. Ag
				Sched.	Actual		
	WM/Part B	02	12/19/12	12/19/12	12/19/13		

Codes for Types of

Enforcement Actions:

01 - Warning Letter

02 - Ticket NOV

03 - Draft NOV

04 - Admin, Complaint

05 - Final Admin. Order

10 - Informal

11 - Filed Civil Action

12 - Filed Criminal Action

13 - Civil Referral to AG

90 - Hearing

Comments / Recommendations: see report

Date Determined: 12 / 19 / 12

Branch: 01

Person: 046

Return to Compliance:

01 / 30 / 13

12 / 19 / 12

Scheduled

Actual

Regulation Description: 40 CFR 273.13 (d)(1) AND PART B APPLICATION, SECTION D-4d

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: _____



NORTH CAROLINA DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES
 DIVISION OF WASTE MANAGEMENT
 HAZARDOUS WASTE SECTION (HWS) / COMPLIANCE BRANCH

RESIDENT INSPECTOR FOLLOW-UP REPORT

1) Facility Information:

Nexeo Solutions, LLC
 3930 Glenwood Avenue
 Charlotte, NC 28208

EPA ID#: NCD061263315

Permit Status: RCRA
 Air
 Water

2) Facility Contact:

Mr. Mike Trull, Nexeo Plant Manager
 704.392.2121

Arrived: N/A
Departed: N/A

3) Date of Re-Inspection:

January 29, 2013 – Report Prepared By: Sean Morris

Shift: 1st
 2nd
 3rd
 Wkend

4) Facility Participants:

N/A

5) Inspector:

Mr. Sean Morris, HWS-Environmental Senior Specialist

6) Facility Description Changes:

None

7) Report:

A Compliance Scheduled Evaluation (CSE) was conducted to determine compliance with Ticket Notice of Violation (TNOV), Docket #2013-012. The TNOV was issued on January 17, 2013 for deficiencies cited during a Focused Compliance Inspection (FCI) that was conducted on December 19, 2012. On January 25, 2013 I received a written response, from Mr. Mike Trull with Nexeo Solutions, LLC, which summarized the events that lead to the deficiencies and explained that key personnel are properly trained and aware of universal waste and hazardous waste container management regulations.

Each of the deficiencies was corrected at the time of the December 19, 2012 inspection and the facility has demonstrated their commitment to following all applicable NC Hazardous Waste Section Rules & Regulations. The deficiencies noted on TNOV, Docket #2013-012 will be closed.

8) Follow-Up to Deficiencies Noted on December 19, 2012 Inspection (Ticket Notice of Violation, Docket #2013-012):

(*Note: Facility Corrective Actions Taken are Listed in Bold Following Each Deficiency Description Below)

- **NC Hazardous Waste Management Permit ID# NCD061263315-R2, Permit Condition Part III H.3, adopted by reference at 15A NCAC 13A and Nexeo Solutions, LLC Part B Application, Section D-1d.** Nexeo Solutions, LLC is in violation of this requirement/regulation in that during the inspection containers of incompatible hazardous waste, being stored in Hazardous Waste Storage Area #1 – Bay #4, were observed being stored in the same bay without any means of separation from one another. Specifically, there was one plastic 55-gallon container and one plastic 5-gallon container of D002/D007 acidic hazardous waste (Waste Profile #95-8218, DOT Shipping Name: Waste Corrosive Liquid, Acidic, Inorganic, N.O.S Potassium Fluorozirconate) and one metal 55-gallon container of D002/F006 acidic hazardous waste (Waste Profile #95-8106, DOT Shipping Name: Waste Corrosive Liquid, Acidic, Inorganic, N.O.S. Hydrochloric Acid, Sulfuric Acid) being stored in Bay #4 with eleven plastic 55-gallon containers of D002 caustic hazardous waste labeled as "Waste Corrosive Liquid, Potassium Hydroxide, Potassium Silicate". Additionally, the 55-gallon of D002/D007 hazardous waste, Profile #95-8218, was observed with a small amount of liquid on the lid around the bung cap. It was not determined at the time of the inspection if the liquid was actually hazardous waste from the container or from some other source. Nexeo Solutions, LLC shall not store a container of hazardous waste that is incompatible with any waste or material stored nearby in other containers, piles, open tanks or surface impoundments unless the container is separated from the other materials by a dike, berm, wall, or other device.

Nexeo Solutions, LLC has corrected this deficiency in that the containers of incompatible hazardous waste were re-located to proper storage bays at the time of December 19, 2012 inspection. Additionally, Nexeo Solutions submitted a written explanation of the events that lead to this deficiency, which also verified that facility personnel are aware of applicable NC Hazardous Waste Section Rules & Regulations involving the storage of incompatible hazardous waste streams. Violation corrected.

- **40 CFR Part 273.13 (d)(1), adopted by reference at 15A NCAC 13A .0119 and NC Hazardous Waste Management Permit ID# NCD061263315-R2, Nexeo Solutions, LLC Part B Application, Section D-4d.** Nexeo Solutions, LLC is in violation of this requirement/regulation in that during the inspection, we observed two cardboard boxes of universal waste fluorescent lamps, being stored on the upper 10-day waste transfer area, that were not properly closed. The containers cardboard flaps were not securely closed and used lamps were visible. Nexeo Solutions, LLC is a small quantity handler of universal waste and has failed to comply with both 40 CFR 273.13 (d)(1) and with the facility's Part B Application, Section D requirements. Nexeo Solutions, LLC must manage universal waste lamps in containers that are maintained closed.

Nexeo Solutions, LLC has corrected this deficiency in that the containers of universal waste were properly closed at the time of the December 19, 2012 inspection. Additionally, Nexeo Solutions submitted a written explanation of the events that lead to this deficiency and confirmed the facility's commitment to following all applicable NC Hazardous Waste Section Rules & Regulations involving the management of universal waste containers. Violation corrected.

Report Submitted to Mr. Mike Trull by E-Mail on January 30, 2012
Nexeo Solutions, LLC Representative **Date**

 **JAN. 30, 2013**
J. Sean Morris, HWS-Environmental Senior Specialist **Date**