**HAZARDOUS WASTE SECTION - COMPLIANCE BRANCH**
**FILE TRANSMITTAL & DATA ENTRY FORM**

**Your Name:** Heather Goldman
**Facility ID Number:** NCD048461370
**Facility Name:** Haz-Mat Transportation & Disposal, Inc.
**Document Group:** Inspection/Investigation (I) **Document Type:** I - Compliance Evaluation Inspection (CEI)
**Description for File (for CARA):** Compliance Order issued.
**Date of Document:** 1/21/2015
**Author(s) of Document:** Heather Goldman

**Inspector ID #:** NC111 **Suborganization:** Western Region

**Comments for RCRAInfo:**Compliance Order issued.

**County (if not on report): Mecklenburg**

**For Violations:**

**Enforcement Date:** Click here to enter a date. **Docket Number:** 2015-030

**Enforcement Type:** Compliance Order **How many violations were there?** 11

**For IANOV or CO: The facility is** a SNC (SNY Evaluation)

**Outcome Measures for CSE for IANOV or CO:**

| 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 |
|---|---|---|---|---|---|---|
| | | | | | | |

**Violation #1:**
**Date Determined:** 1/21/2015

**Scheduled Return to Compliance:** Click here to enter a date. **Actual Return to Compliance:** Click here to enter a date.

**Regulation Description:** 40 CFR 263.12
**Comment:** Failure to store waste at a transfer facility for a period of 10 days or less.

**For CSE, Corrections to Violations were:**

**Violation #2:**

**Date Determined:** 1/21/2015

**Scheduled Return to Compliance:** Click here to enter a date. **Actual Return to Compliance:** Click here to enter a date.

**Regulation Description:** 40 CFR 263.22(a)
**Comment:** Failure to keep a copy of the manifest signed by the generator, himself, and the next designated transporter for a period of three years from the date the hazardous waste was accepted by the initial transporter.
**For CSE, Corrections to Violations were:**

**Violation #3:**

**Date Determined:** 1/21/2015

**Scheduled Return to Compliance:** Click here to enter a date. **Actual Return to Compliance:** Click here to enter a date.

**Regulation Description:** 40 CFR 270.10(a)
**Comment:** Failure to apply for a permit.
**For CSE, Corrections to Violations were:**

**Violation #4:**

**Date Determined:** 1/21/2015

**Scheduled Return to Compliance:** Click here to enter a date. **Actual Return to Compliance:** Click here to enter a date.

**Regulation Description:** 40 CFR 270.10(a)
**Comment:** Failure to apply for a permit.
**For CSE, Corrections to Violations were:**

**Violation #5:**

**Date Determined:** 1/21/2015

**Scheduled Return to Compliance:** Click here to enter a date. **Actual Return to Compliance:** Click here to enter a date.

**Regulation Description:** 40 CFR 279.52(a)(6)(i)
**Comment:** Failure to make emergency arrangements with a local police department and hospital.
**For CSE, Corrections to Violations were:**

**Violation #6:**

**Date Determined:** 1/21/2015

**Scheduled Return to Compliance:** Click here to enter a date. **Actual Return to Compliance:** Click here to enter a date.

**Regulation Description:** 40 CFR 279.52(b)(1)(i)
**Comment:** Failure to have a contingency plan for the facility.
**For CSE, Corrections to Violations were:**

**Violation #6:**

**Date Determined:** 1/21/2015

**Scheduled Return to Compliance:** Click here to enter a date. **Actual Return to Compliance:** Click here to enter a date.

**Regulation Description:** 40 CFR 279.54(a)
**Comment:** Failure to store used oil in tanks or containers.
**For CSE, Corrections to Violations were:**

**Violation #8:**

**Date Determined:** 1/21/2015

**Scheduled Return to Compliance:** Click here to enter a date. **Actual Return to Compliance:** Click here to enter a date.

**Regulation Description:** 40 CFR 279.54(d)
**Comment:** Failure to provide secondary containment for a used oil tank.
**For CSE, Corrections to Violations were:**

**Violation #9:**

**Date Determined:** 1/21/2015

**Scheduled Return to Compliance:** Click here to enter a date. **Actual Return to Compliance:** Click here to enter a date.

**Regulation Description:** 40 CFR 279.54(f)(1)
**Comment:** Failure failed to label these tanks as "Used Oil".
**For CSE, Corrections to Violations were:**

**Violation #10:**

**Date Determined:** 1/21/2015

**Scheduled Return to Compliance:** Click here to enter a date. **Actual Return to Compliance:** Click here to enter a date.

**Regulation Description:** 40 CFR 279.54(g)(3)
**Comment:** Failure to clean up and manage properly the released used oil and other materials.
**For CSE, Corrections to Violations were:**

**Violation #11:**

**Date Determined:** 1/21/2015

**Scheduled Return to Compliance:** Click here to enter a date. **Actual Return to Compliance:** Click here to enter a date.

**Regulation Description:** 15A NCAC 13A .0109
**Comment:** Failure to obtain a permit for the storage of hazardous waste onsite for greater than 10-days.
**For CSE, Corrections to Violations were:**

NCDENR
North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

April 17, 2015

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

Mr. Neil Danziger
Haz-Mat Transportation & Disposal, Inc.
PO Box 37392
Charlotte, NC 28237

SUBJECT: Compliance Evaluation Inspection
Haz-Mat Transportation & Disposal, Inc.
EPA I.D. # NCD 048 461 370
Mecklenburg County

Dear Mr. Neil Danziger:

On January 21, 2015 and February 9, 2015, the Hazardous Waste Section inspected the subject facility for compliance with the North Carolina Hazardous Waste Management Rules. Your cooperation continues to be appreciated.

Enclosed is a copy of the inspection report. The facility was found to be in violation of several regulations. If Haz-Mat Transportation & Disposal, Inc. has additional information on how Haz-Mat Transportation & Disposal, Inc. has resolved these deficiencies, **please provide this information in writing by May 17, 2015**. Please mail or email your response to: Heather Goldman (heather.goldman@ncdenr.gov).

Due to the nature and number of violations noted in this inspection, the Compliance Branch has notified the Programs Branch of the Section to pursue an enforcement action against Haz-Mat Transportation & Disposal, Inc. for violations of the Hazardous Waste Regulations.

Please call me at 980.219.8537 if you have any questions concerning this report or if you need any assistance in complying with the Hazardous Waste Regulations.

Sincerely,

Heather Goldman
Environmental Senior Specialist

# STATE OF NORTH CAROLINA
# DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
# DIVISION OF WASTE MANAGEMENT
# HAZARDOUS WASTE SECTION

## USED OIL TRANSPORTER, PROCESSOR, MARKETER; HAZARDOUS WASTE TRANSPORTER INSPECTION
## COMPLIANCE EVALUATION INSPECTION (CEI) REPORT

**1. FACILITY INFORMATION:**

| | |
|---|---|
| Name: | **Haz-Mat Transportation & Disposal, Inc.** |
| EPA ID Number: | **NCD 048 461 370** |
| Type of Facility: | Used Oil Transporter, Processor, Marketer; Hazardous Waste Transporter |
| Facility Location: | 210 Dalton Avenue & 221 Dalton Avenue, Charlotte, NC 28206 |
| Facility Address: | PO Box 37392, Charlotte, NC 28237 |
| Telephone Number: | 704-332-5600 |
| County: | Mecklenburg |

**2. AUTHOR OF REPORT:** Heather Goldman, Environmental Senior Specialist, NCDENR
980-219-8537, heather.goldman@ncdenr.gov
Date of Report: April 17, 2015

**3. FACILITY CONTACT:** Neil Danziger, General Manager
Office: 704-332-5600

**4. SURVEY PARTICIPANTS:**
Neil Danziger – General Manager, Carrie Reavis – Business Development, Andrew Martin – ESS NCDENR, Heather Goldman - ESS NCDENR

**5. DATE OF INSPECTION:** 1/21/2015; An announced CDI was conducted on 2/9/2015.

**6. PURPOSE OF EVALUATION:**
An unannounced evaluation to determine compliance with regulations described at 40 CFR 261, 262, 263, 265, 268, 273 and 279; and the North Carolina Hazardous Waste Management Rules (Rules).

**DESCRIPTION OF FACILITY:** Haz-Mat Transportation & Disposal, Inc. (facility) is an emergency response, used oil processing, and transportation facility. The facility is operated from two parcels, 210 Dalton Avenue (northern parcel) and 221 Dalton Avenue (southern parcel) that are geographically contiguous properties, which are divided by Dalton Avenue, a public right of way, where entrance and exit between the properties is at a cross-roads intersection, and access is by crossing the right-of-way.
The facility operates one 10-day storage area pad for hazardous waste and parking area for hazardous waste trailers on the 221 Dalton Avenue parcel. There is no 10-day pad or parking area for hazardous waste on the 210 Dalton Avenue parcel. The facility transports hazardous waste, yet does not offer final disposal of hazardous waste. The facility operates as a broker for hazardous waste, and has a disposal agreement with Ecoflo and Chemtron for any containerized hazardous waste. All bulk shipments of hazardous wastes are delivered on the same day it is picked up from the generator. There is a total of 147 "rolling stock" vehicles that are owned and operated by the facility, with approximately 50 diesel fuel vehicles.

The facility conducts used oil processing at the 210 & 221 Dalton Avenue locations. Used oil filter recycling (draining and crushing) and non-hazardous waste solidification is conducted on the 221 Dalton Avenue parcel.

The facility operates an industrial waste water pre-treatment system on the 210 Dalton Avenue parcel, which accepts small amounts of underground storage tank petroleum contaminated groundwater for treatment.

The facility is in the process of constructing a glycol distillation unit. In this process, they will take waste antifreeze, distill it to get the glycol to a 50/50 blend, add a dye and sell the finished material.

**General Information:**

- Legal owner of facility: ARC Industries, LLC
- Legal owner of property: Cutter Family Properties, LLC
- Number of Employees: 64 with two shifts, 6:00 a.m. to 4:00 a.m., Monday – Friday. Weekend shifts vary with work load.
- Number of onsite wells: Inactive monitoring wells from prior release.
- Distance to closest off-site well: Approximately 0.25 miles – Mecklenburg County Well Information System 3.0
- Water supply (municipal or well): Charlotte-Mecklenburg Utilities
- Municipal sewer/septic/onsite treatment facility: Charlotte-Mecklenburg Utilities, permitted industrial waste water pre-treatment system
- Closest private residence: Approximately 80 feet – Mecklenburg County POLARIS
- Site Acreage: 221 Dalton Avenue – approximately 5 acres; 210 Dalton Avenue – approximately 2.3 acres

## 7. HAZARDOUS WASTE (HW) GENERATED:

The facility has not offered hazardous waste generated by the facility for shipment in the past three years.

## 8. AREAS OF REVIEW AND INSPECTION:

- **<u>40 CFR 263 – Hazardous Waste Transporter:</u>** The facility was notified under two EPA identification numbers as a hazardous waste transporter and transfer facility: 221 Dalton Avenue NCR000003186, NCFT00000010 and 210 Dalton Avenue NCD048461370, NCFT00000011. However, at the February 9, 2015 visit confirmed an updated 8700-12 form would be submitted to deactivate NCR000003186 and update NCD048461370 to cover both facility parcels, including 210 & 221 Dalton Avenue, Charlotte, NC. The facility operates one 10-day storage area pad for hazardous waste and parking area for hazardous waste trailers on the 221 Dalton Avenue parcel. At the time of inspection when inquired where the shipments of hazardous waste is kept during the 10-day transfer, Mr. Neil Danziger explained that hazardous waste is stored on the 221 Dalton Avenue side only and not on the 210 Dalton Avenue side. On February 23, 2015, Mr. Neil Danziger provided an e-mail that detailed Ms. Carrie Reavis explaining that there was a miscommunication during the initial meeting and that waste was kept in transit at both addresses.

  On February 9, 2015, Mr. Neil Danziger further explained that hazardous waste may be transferred between facility owned trucks. Ms. Heather Goldman voiced concern regarding the facility storing hazardous waste for greater than 10 days on the 221 Dalton Avenue side of the facility. The facility failed to apply for and obtain a permit. The facility stored waste at a transfer facility for a period of 10 days or more. After further review of hazardous waste manifest where Haz-Mat Transportation and Disposal was the transporter, NCR000003186 is the primary EPA ID number that is utilized. A second EPA ID number, NCD048461370, has been utilized for hazardous waste transportation, exceeding more than 10 transfer storage days for the facility. Examples manifest:

  - Manifest 005033830 FLE, in transport by Haz-Mat Transportation and Disposal for 15 days from 1/14/2014 to 1/29/2014. 55 gallons D001, F005, F003.
  - Manifest 006200424 FLE, in transport by Haz-Mat Transportation and Disposal for 11 days from 3/21/2014 to 4/1/2014. 920 pounds D008.
  - Manifest 000498134WAS, in transport by Haz-Mat Transportation and Disposal for 21 days from

3/27/2014 to 4/17/2014. 5098 pounds D003, F003, U112.

- Manifest 006200429FLE, in transport by Haz-Mat Transportation and Disposal for 20 days from 4/4/2014 to 4/24/2014. 230 pounds D008.
- Manifest 006200476FLE, in transport by Haz-Mat Transportation and Disposal for 13 days from 11/21/2014 to 12/4/2014. 1540 pounds, D022 U211, U210, U228, U044, U083, U079, D039, D019, D028.

There was no hazardous waste stored on the 10-day transfer pad at the time of inspection. Mr. Neil Danziger also explained that there were no hazardous wastes stored in trailers onsite either. The facility has agreements to transports or transfers hazardous waste to both Ecoflo and Chemtron.

Hazardous Waste 10-day Transfer Area: The facility maintains one hazardous waste 10-day transfer area on a raised and covered concrete pad. At the time of inspection there was no hazardous waste observed in this area.

- **40 CFR 279 Subpart E – Standards for Used Oil Transporter and Transfer Facilities:** The facility is as a used oil transporter. Mr. Neil Danziger explained that facility owned vehicles will pick up used oil from customers. Each load may contain used oil from several customers. Each truckload is sampled upon arrival at the facility to determine water content and halogen concentration.
- **40 CFR 279 Subpart F – Standards for Used Oil Processors and Re-Refiners:** The facility is notified as a used oil processor. Used oil processing is conducted at both the 210 & 221 Dalton Avenue locations.

  Preparedness and Prevention: The facility maintains ABC fire extinguishers; however there are no sprinklers or other water suppression systems. Mr. Neil Danziger explained that the Charlotte Fire Department is planning to move a fire hydrant closer to the facility along Dalton Avenue after the tank farm project is complete. It is a reminder that the facility is required to maintain adequate water supply water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems per 40 CFR 279.52(a)(2)(iv). The facility maintains spill control materials and vacuum trucks as part of their business operations. Telephones and voice is used to communicate throughout the facility. Facility personnel are provided business owned mobile phones. The facility does not have overhead speakers or fixed alarms. Mr. Neil Danziger explained that an evacuation would be initiated through cell phone alerts. Tanks are monitored via sonic wave system that sends out e-mail alert text based on tank levels. The facility is planning to install a tank video monitoring system. Fire extinguishers are tested annually by Reliable Fire and checked monthly by facility personnel. Aisle space was provided throughout the facility.

  The fire department was last onsite in November/December 2014. The facility was inspected by the fire department in August 2014. Request for emergency arrangements documentation was requested for review. The facility has failed to make emergency arrangements with a local police department and hospital. Mr. Neil Danziger explained that the facility had not requested emergency arrangements with the local Police Department or hospital. Example emergency arrangement letters used by Large Quantity Generators were provided to Mr. Neil Danziger via e-mail on January 23, 2015.

  Contingency Plan: The facility maintains a SPCC plan for 210 & 221 Dalton Avenue that was prepared on November 16, 2011. The plan was written as required by 40 CFR 112. The SPCC plan has not been amended to incorporated used oil management provisions that are sufficient to comply with the requirements. It is a reminder that copies of the contingency plan and all revisions must be maintained at the facility and submitted to all local police departments, fire departments, and hospitals that may be called upon to provide emergency services.

  The facility is undergoing a renovations project to move used oil tanks at least 100 feet from the property line and plan to revise the SPCC plan when the project is completed. During the inspection, a copy of the facility's Contingency Plan was requested, as required by 40 CFR 279 Subpart F. The facility failed to have a contingency plan for the facility. The November 16, 2011 SPCC plan was provided for review. However, the

SPCC plan has not been amended to incorporate used oil management provisions that are sufficient to comply with the contingency plan requirements.

Rebuttable Presumption: The facility samples each truckload of used oil that enters the facility to determine if the halogen content is below 1000 ppm. Analytical records were reviewed and appeared to be in order.

Used Oil Management: Used oil storage on the 221 Dalton Avenue side includes high water content, greater than 10% water, used oil that is stored in four ASTs: one 20,000-gallon, one 12,000-gallon, and two 8,000-gallon tanks. Used oil and water are physically separated in these tanks. The undesirable intermediate "rag" layer (dispersed oil, water, and solids layer) is removed and mixed with sawdust for solidification on the 221 Dalton Avenue side prior to disposal. The used oil is sent to the 210 Dalton Avenue side for further processing and the waste water is sent to the industrial waste water pre-treatment system located at 210 Dalton Avenue.

The facility failed to label four high water used oil tanks as "Used Oil" in that the tanks were labeled as "Used Fuel/Water Mixture".

Figures 1 & 2: Used oil tanks that are not labeled as "Used Oil".

These tanks were located inside a concrete block containment structure. The facility failed to clean up and manage properly released used oil and other materials in that at the time of inspection, used oil was observed spilled to a concrete area (approximately 16 $ft^2$ area) and released to an adjacent grassy area (approximately 10 $ft^2$ area). The impacted grassy area abuts a storage trailer. Mr. Neil Danziger explained that the discharge may have occurred during the unloading of used oil into the ASTs earlier in the day. During the February 9, 2015 visit, the spill and release appeared to be cleaned up.

Figures 3 & 4: Used oil release to the ground observed on January 21, 2015.

Used oil filter draining and crushing, and non-hazardous waste solidification is conducted on the 221 Dalton Avenue parcel. The facility collects used oil filters from customers which are drained and crushed in inside a building. Used oil that drains from the filters is pumped into an above ground 3,000-gallon tank. The accumulated used oil is processed onsite. Waste material, such as oil covered rubber gaskets and metal rings, that fall off during the crushing process are collected and mixed with sawdust for solidification prior to

disposal. The crushed filters are sent for metal recycling. It is a reminder that the facility must conduct waste determinations, per 40 CFR 262.11, on all waste streams.

Figure 5: Used oil and solids located beneath the used oil filter crusher observed on January 21, 2015.

One 3,000-gallon, single walled used oil tank is located in the building where used oil filters are crushed and used oil is accumulated prior to processing. The facility failed to provide secondary containment in that, at the time of inspection, secondary containment was not provided for the 3,000-gallon used oil tank. During the February 9, 2015 visit the tank was labeled as "Used Oil" and Mr. Neil Danziger explained that they were planning on replacing the tank with a double walled tank in the near future.

Figures 6 & 7: 3,000-gallon Used Oil above ground tank observed on January 21, 2015 (left) and February 9, 2015 (right) without secondary containment.

Used oil processing on the 210 Dalton Avenue side occurs in above ground storage tanks. At the time of inspection there were eleven 30,000-gallon tanks (four waste water and seven used oil); one 20,000-gallon empty tank; one 150,000-gallon processed oil; one 120,000-gallon processed oil, one 30,000-gallon process oil, and one 25,000-gallon used antifreeze oil. Heat, filtration, chemicals, and water removal are used to process the oil. Used oil is processed in 20,000-gallon batches at a time.

Used oil ASTs located on the 210 Dalton Avenue parcel are all located within areas with secondary containment. At the time of inspection, the tank renovation project was not complete. Used oil tanks located along the northern side of the property had been emptied in preparation to be moved. The facility failed to store used oil in tanks or containers. Approximately 400 $ft^2$ of standing used oil was observed spilled inside the secondary containment area. Potential cracks were observed in the floor of the containment area.

Figures 8 & 9: 1/21/2015: (Left) Standing used oil was observed spilled inside the secondary containment area. 2/9/2015: (Right) Spilled used oil cleaned up, tanks and concrete wall removed.

Figure 10: 1/21/2015: Floor of concrete secondary containment area appears to have potential cracks.

The facility failed to clean up and manage properly the released used oil and other materials in that at the time of inspection used oil was observed released to the ground on the eastern side of the used oil secondary containment area, adjacent to the spilled used oil inside the containment area. Used oil and darkened soil was observed in the area which appeared to originate from the used oil spilled inside the secondary containment structure. During the site visit on February 9, 2015 the used oil spills and releases had been cleaned up. Mr. Neil Danziger explained that he thought there may also be ground water coming up to the surface in the area. During the February 9, 2015 visit, there was no evidence of groundwater or other wet soils in the area. The facility should take steps to ensure there are no other releases of used oil to the ground from the used oil tank secondary containment structure.

Figures 11 & 12: 1/21/2015 - Used oil appears to be released to the outside of the secondary containment area to the ground.

Figures 13 & 14: 2/9/2015 - Used oil release to ground cleaned up.

Analysis Plan: The facility maintains an analysis plan that was written in February 2013. The plan was reviewed and appeared to be in order.

Tracking: Documents used to track used oil shipments were reviewed through December 2014. It is a reminder that records for each used oil shipment received must include the name and address of the transporter and generator, EPA ID numbers for the transporter and used oil processor, the quantity of accepted, and date of acceptance. Records for used oil sent to burners were reviewed.

Operating Record & Reporting: It is a reminder that used oil processors are required to submit a biennial report to the Hazardous Waste Section per 40 CFR 279.57(a)(b).

- **40 CFR 279 Subpart H – Standards for Used Oil Fuel Marketers:** The facility is notified as a used oil fuel marketer who directs shipments of off-specification used oil to off-specification used oil burner. However, the facility conducts an analysis of each batch of processed oil to determine if it meets the fuel specifications of 279.11. Analytical results were reviewed through January 2012. Results were included for Arsenic, Cadmium, Chromium, Lead, Nickel, and flash point. Off-specification and on-specification was discussed with the facility. It is recommended that the facility re-notify as a used oil fuel marketer who first claims the used oil meets the specifications.
- **Drum Crusher:** The facility maintains one drum crusher in the same room as the used filter crusher. Mr. Neil Danziger explained that the facility utilizes 55-gallon containers until they cannot be used any further. These drums are rinsed and then crushed in the drum crusher. It is a reminder that the facility must conduct waste determinations, per 40 CFR 262.11, on all waste streams. Containers are not sent off site to be refurbished. Crushed containers are sent for metal recycling. At the time of inspection, used oil was observed staining the outside of the building wall just opposite of where the drum crusher sits. During the February 9, 2015 visit, the drum crusher was placed inside a metal catch pan. The wall adjacent to the drum crusher was cleaned and sealed. The area outside the building was cleaned up.

Figure 15: Used oil from the drum crusher leaking through the building wall to the outside as observed on January 21, 2015.

Figures 16 & 17: (left) Used oil cleaned up from outside of building and (right) the orange drum crusher placed inside a new catch pan with building walls sealed.

- **Other Waste Streams** – Industrial waste water pre-treatment system. The facility operates an industrial waste water pre-treatment system on the 210 Dalton Avenue parcel, which accepts small amounts of underground storage tank petroleum contaminated groundwater for treatment. Water separated from used oil processed on both 221 & 210 Dalton Avenue is sent to the industrial waste water pre-treatment system which is permitted under Charlotte Mecklenburg Utilities (Permit #5012). Treated waste water is discharged into the POTW for further treatment. At the head of the pre-treatment system, debris is filtered out. This debris is sent over to the 221 Dalton Avenue parcel and mixed with sawdust for solidification prior to disposal. Sludge and final polishing waste that is removed from the treated waste water is sent over to the 221 Dalton Avenue parcel and mixed with sawdust for solidification prior to disposal. It is a reminder that the facility must conduct waste determinations, per 40 CFR 262.11, on all waste streams.

Figure 18: Industrial waste water pre-treatment system sludge tank and final polishing.

- **Solidification Pit** – The facility operates a solidification pit for mixing non-hazardous materials with sawdust. Waste materials generated onsite are solidified prior to disposal. Solidified waste materials include: waste collected from customers, residues removed from containers, "rag" layer from used oil processing, waste from the onsite oil filter crushing activities, tank cleaning (industrial fixed tanks, trenches, etc.) tractor trailer wash water, car wash oil/water separator sludge, etc. It is a reminder that the facility must conduct waste determinations, per 40 CFR 262.11, on all waste streams. At the time of inspection, it was discussed that the solidified material is sent to Republic Services landfill in Concord, NC. Mr. Neil Danziger explained that analytical test of the solidified material is taken every three years based on the criteria set forth by Republic Services. Analytical results from samples taken on February 22, 2012 were provided for review. All results were below hazardous waste levels or non-detect. The facility generates and transports approximately 18 tons of solidified material to Republic Services two to four times a day.
- **Training** – The facility provides initial 40-hour and annual 8-hour HAZWOPER training to employees.

Employees also receive annual RCRA and DOT training.

- **Universal Waste** – The facility utilizes Cleanlights, located in Spartanburg, SC, to pick up and recycle used lamps and used batteries. At the time of inspection a Cleanlights representative was onsite. Haz-Mat Transportation & Disposal, Inc. collects used lamps from customers and stores them in the 10-day area until picked up by Cleanlights. Used lamps generated by the facility are also accumulated in the 10-day area. At the time of inspection, there were no universal wastes stored in the 10-day area.
- **Electronic Equipment** – The facility collects computer and electronic equipment from customers. The equipment is sent for recycling by Cleanlights located in Spartanburg, SC or Greentek Recycling located in Charlotte, NC. Mr. Neil Danziger explained that no computer monitors or cathode ray tubes monitors are managed by the facility.

## 9. SITE DEFICIENCIES:

- 40 CFR 263.12 – Failure to store waste at a transfer facility for a period of 10 days or less. Hazardous waste manifest reviewed, where the facility was listed as the first and second transporter, demonstrated that the facility stored hazardous waste for a period greater than 10 days.
- 40 CFR 270.10(a) – Failure to apply for a permit. Hazardous waste manifest reviewed, where the facility was listed as the first and/or second transporter, demonstrated that the facility stored hazardous waste for a period greater than 10 days without applying for the required permit.
- 40 CFR 279.52(a)(6)(i) – Failure to make emergency arrangements with a local police department and hospital. Mr. Neil Danziger explained that the facility had not requested emergency arrangements with the local Police Department or hospital. No other documents were provided to demonstrate compliance.
- 40 CFR 279.52(b)(1)(i) – Failure to have a contingency plan for the facility. The facility maintains a SPCC plan for 210 & 221 Dalton Avenue that was prepared on November 16, 2011. The plan was written as required by 40 CFR 112. The SPCC plan has not been amended to incorporated used oil management provisions that are sufficient to comply with the requirements. No other documentation was presented to meet the requirements of the contingency plan.
- 40 CFR 279.54(a) – Failure to store used oil in tanks or containers. During the 1/21/2015 inspection, approximately 400 $ft^2$ of standing used oil was observed spilled inside the secondary containment area.
- 40 CFR 279.54(d) – Failure to provide secondary containment for a used oil tank. At the time of inspection, there was one 3,000-gallon, single walled used oil tank where used oil from crushed used oil filters is accumulated prior to processing. There was no secondary containment provided for this tank.
- 40 CFR 279.54(f)(1) – Failure to label four used oil tanks as "Used Oil". At the time of inspection there were four above ground storage tanks that were not labeled as "Used Oil", including one 20,000-gallon, one 12,000-gallon, and two 8,000-gallon tanks where used oil and water are physically separated.
- 40 CFR 279.54(g)(3) – Failure to clean up and manage properly released used oil and other materials.
    - At the time of inspection there was an area of discharged used oil that was spilled to a concrete area (approximately 16 $ft^2$ area) and released to an adjacent grassy area (approximately 10 $ft^2$ area). During the February 9, 2015 visit, the spill and release appeared to be cleaned up.
    - At the time of inspection there was a release of used oil to the ground outside of the used oil processing tank secondary containment area on the 210 Dalton Avenue parcel. During the February 9, 2015 visit, the spill and release appeared to be cleaned up.
- 15A NCAC 13A .0109 – Failure to obtain a permit for the storage of hazardous waste onsite for greater than 10-days. Hazardous waste manifest reviewed, where the facility was listed as the first and/or second transporter, demonstrated that the facility stored hazardous waste for a period greater than 10 days without obtaining the proper permit.

## 10. COMMENTS AND RECOMMENDATIONS:

- It is a reminder that the facility must conduct waste determinations, per 40 CFR 262.11, on all waste streams.
- It is a reminder that records for each used oil shipment received must include the name and address of the transporter and generator, EPA ID numbers for the transporter and used oil processor, the quantity of accepted, and date of acceptance.
- It is a reminder that used oil processors are required to submit a biennial report to the Hazardous Waste Section per 40 CFR 279.57(a)(b).
- It is a reminder that copies of the contingency plan and all revisions must be maintained at the facility and submitted to all local police departments, fire departments, and hospitals that may be called upon to provide emergency services.
- It is a reminder that the facility is required to maintain adequate water supply water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems per 40 CFR 279.52(a)(2)(iv).
- The facility should take steps to ensure there are no other releases of used oil to the ground from the used oil tank secondary containment structure.
- The facility should refer to the NCDENR Hazardous Waste Section Technical Assistance Guidance page located at http://portal.ncdenr.org/web/wm/hw/Technical for more guidance documents, specifically, the Generator Compliance Manual. This document provides examples that will assist as a reference for compliance.

Heather Calder 4/17/2015 — By Certified Mail

**INSPECTOR (DATE)** — **FACILITY CONTACT**

cc: Neil Danziger – Haz-Mat Transportation & Disposal, Inc.
Brent Burch, Western Area Compliance Supervisor
Central Office Files