

Hazardous Waste Section  
File Room Document Transmittal Sheet

17

Your Name: James Gilreath - 56  
EPA ID: N C D 0 4 9 7 7 3 2 4 5  
Facility Name: Trex Properties, LLC  
Document Group: Enforcement (E)  
Document Type: Other (O)  
Description: TSD Inspection - Notice of Deficiency. Docket #2014-025.  
Date of Doc: 2/10/2014  
Author of Doc: James Gilreath

**File Room Use Only**

Date Recieved by File Room:

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|       |     |      |
|       |     |      |

NCD049773245

Scanner's Initials:

**COMMERCIAL FACILITY REPORT**  
**Resident Inspector Program**  
Waste Management Division  
Department of Environment & Natural Resources

**DOCKET #: 2014-025**

**INSPECTION AND EVALUATION**

|   |                                 |  |                       |
|---|---------------------------------|--|-----------------------|
| EPA ID #: <b>NCD 049773245</b>          |                                 | FACILITY NAME: <b>TREX Properties, LLC</b> |                       |
| ADDRESS: <b>3114 Cullman Avenue</b>     |                                 | CITY: <b>Charlotte, NC</b>                 |                       |
| NEW <input checked="" type="checkbox"/> | UPDATE <input type="checkbox"/> | DATE(S) OF INSPECTION: <b>02/10/2014</b>   | STAFF ID #: <b>56</b> |

|   |  |   |
|---|--|---|
| EVALUATION TYPE:<br>3,6,7,9                     | 1 = Compliance Evaluation (CEI for HWS)<br>2 = Sampling / Monitoring.<br>3 = Record Review (Logs, Annual Report)<br>4 = Air / Water Permit Requirements<br>5 = Reinspection (Compliance Schedule).<br>6 = Cont. Plan / Prev & Prep (Safety/OSHA) | 7 = Part B Permit<br>8 = Manifests / LDRs<br>9 = General<br>10 = Waste Analysis Plan<br>11 = Complaint Investigation<br>12 = BIF<br>80 = Informal Meeting |
| JOINT / SUB <input checked="" type="checkbox"/> |  |   |
| OFF SHIFT <input type="checkbox"/>              |  |   |
| DURATION (Hrs) 2.5                              |  |   |

**REINSPECTION ONLY:** Date of Initial Evaluation: n/a

Original Docket #: n/a

**CLASS OF VIOLATION / DEFICIENCY**

| Class | O2/H2O | Safety/CP | FIN | Part B | Comp Sch | Man | LB | OT | W Mgt | BIF |
|-------|--------|-----------|-----|--------|----------|-----|----|----|-------|-----|
| SNC   | O      | O         |     | O      |          | O   |    | O  | O     |     |
| SV    | O      | O         |     | Z      |          | O   |    | O  | Z     |     |

SNC = Significant Noncomplier

SV = Secondary Violation

**Acceptable Codes**

|    |    |     |    |    |    |    |    |    |    |    |
|----|----|-----|----|----|----|----|----|----|----|----|
| RS | XS | XS  | XS | XS | XS | XS | XS | XS | XS | XS |
| ZO | ZO | ZO  | ZO | ZO | ZO | ZO | ZO | ZO | ZO | ZO |
| H  | HR | HI* | H  | H  | H  | H  | H  | H  | H  | H  |

**Key:**

X = Violation(s)

O = No Violation

R = Referral to DEM or OSHA

H = HPV Violations Present

Z = Pending / Deficiency

S = Same Violation (repeated)

I = No Insurance Only

\* = SNC 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. |     | RESP AG |
|-------|-------------------|-----------|-------------------|------------------|--------|----------------|-----|---------|
|       |                   |           |                   | SCHED.           | ACTUAL | COLL.          |     |         |
| SV    | PB,WM             | 01        | 02/10/2014        | 02/24/2014       |        | ---            | --- | ---     |

**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:** \_\_\_\_\_

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

**RESIDENT INSPECTOR REPORT**

**1) Facility Information**

Trex Properties, LLC  
3114 Cullman Avenue  
Charlotte, NC

**EPA ID# NCD 049773245**

**Permit Status:**       RCRA  
                                  Air  
                                  Water

**2) Facility Contact**

Jason Ridenour

**Arrived:** 8:45 a.m.**Departed:** 11:20 a.m.**3) Date of Inspection / Inspector**

02/10/2014  
James Gilreath  
Andrew Martin

**Shift:**             1st  
                          2nd  
                          3rd  
                          *Wkend*

**4) Facility Description Changes**

None

**5) Areas of Concentration**

|               |                   |            |
|---------------|-------------------|------------|
| Part B Permit | HW & DOT Labeling | Containers |
| Storage Times | Storage Areas     |            |

**6) Site Deficiencies****Docket #: 2014-025**

Facility Permit Condition Part X.A.1 requires compliance with 40 CFR 268. Within 40 CFR 268.50(b), as codified at 15A NCAC 13A. 0112, it is required that, "An owner/operator of a treatment, storage or disposal facility may store such waste for up to one year unless the Agency can demonstrate that such storage was not solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate recovery, treatment or disposal."

The facility failed to comply with the permit condition described above in that two containers of hazardous waste lead (Container #'s 67876 & 67877) and four drums containing hazardous waste methyl ethyl ketone (Drum #'s 67860, 67861, 67862 & 67863) exceeded storage time of one year. All six of the subject containers were accepted and placed into storage on 02/08/2013.

**7) Comments/Recommendations**

1. Several containers of hazardous waste are approaching the one year storage limit. The following hazardous waste containers and storage dates were noted:

Drum #'s 68088 68089 & 68090 Hazardous Waste Benzene, 2/21/2013

Drum # 68093 Hazardous Waste Hydrochloric Acid, 02/21/2013.

Drum # 67889 Hazardous Waste Sulfuric Acid, 02/11/2013.

Drum # 67952 Hazardous Waste Tetrachloroethylene, 02/13/2013.

Drum # 68054 Hazardous Waste Lead, 02/20/2013.

It is recommended that these containers be shipped off-site prior to exceeding the one-year storage time

limit.

2. Four drums were noted to have damaged, missing or conflicting labeling as follows:

Drum # 72031 located in flammable storage trailer is missing a DOT class label.

Drum of Hazardous Waste Flammable Liquid generated by Pace Analytical is missing the storage date label.

Drum #72684 was noted with both Hazardous Waste and Non-Regulated Waste labels.

The labeling on satellite hazardous waste drum located near the LUWA unit is worn/faded.

It is recommended that the facility container labeling noted above be evaluated and corrected, as necessary. Additionally, it is recommended that additional facility inspection procedure training be provided to facility staff.

3. One drum of Hazardous Waste Tetrachloroethylene (Drum # 69743, Detrex) was noted to have a small amount of liquid on the drum lid. It is recommended that this drum be evaluated for leaks and managed, as necessary.

**8) Follow up Action on Previously Noted Recommendations**

02/06/2014 Inspection:

The drum of hazardous waste flammable liquid previously noted with liquid on top of the container appears to still be leaking. It is recommended that this container be evaluated and managed, as necessary.

**9) Referrals to DAQ/DWQ/OSHA**

None

|   |             |
|---|-------------|
|  | 2/10/14     |
| _____   | _____       |
| <b>Facility Representative</b>  | <b>Date</b> |
|  | 02-10-2014  |
| _____   | _____       |
| <b>James Gilreath- Resident Inspector</b>   | <b>Date</b> |