

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

**Your Name:** Bobby Nelms  
**Facility ID Number:** NCR000149666  
**Facility Name:** Smithfield Packing Co Inc. - Tar Heel Div.  
**Document Group:** Inspection/Investigation (I)  
**Document Type:** I - Compliance Evaluation Inspection (CEI)  
**Description for File:** Never inspected SQG. Ticket NOV 2015-008 issued.  
**Date of Document:** 11/11/2014  
**Author(s) of Document:** Bobby Nelms

**Inspector ID #:** NC036 **Suborganization:** Eastern Region

**Comments for RCRAInfo:** Never inspected SQG. Ticket NOV 2015-008 issued. The facility updated their name after this inspection was completed. The name on the report reflects the name of the facility at the time of the CEI.

**For Violations:**

**Enforcement Date:** 12/30/2014 **Docket Number:** 2015-008  
**Enforcement Type:** TNOV **How many violations were there?** 3  
**For IANOV or CO:** The facility is

**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:** 11/11/2014  
**Scheduled Return to Compliance:** 2/1/2015 **Actual Return to Compliance:** [Click here to enter a date.](#)

**Regulation Description:** 40 CFR 273.13(d)

**Comment:** Used lamps were observed not in containers and the used lamps that had been placed in boxes were not closed.

For CSE, Corrections to Violations were:

**File Room Use Only**

Date Received by File Room: 

Month	Day	Year

  
Date Scanned:  
Date Uploaded:

Scanner's Initials:

**Violation #2:**

**Date Determined:** 11/11/2014

**Scheduled Return  
to Compliance:** 2/1/2015

**Actual Return  
to Compliance:** [Click here to enter a date.](#)

**Regulation Description:** 40 CFR 273.14(e)

**Comment:** None of the containers of universal waste lamps were properly marked.

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

**Violation #3:**

**Date Determined:** 11/11/2014

**Scheduled Return  
to Compliance:** 2/1/2015

**Actual Return  
to Compliance:** [Click here to enter a date.](#)

**Regulation Description:** 40 CFR 273.15(c)

**Comment:** Facility could not demonstrate the length of time that the universal waste had been accumulated at the facility.

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

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

**COMPLIANCE EVALUATION INSPECTION (CEI) REPORT**

**1. FACILITY INFORMATION:**

Name of Facility: Smithfield Packing Co Inc. - Tar Heel Div.  
EPA ID Number: NCR000149666  
Type of Facility: Small Quantity Generator  
Facility Location: 15855 Hwy 87 W, Tar Heel, NC 28392  
Bladen County  
Mailing Address: P.O. Box 99, Tar Heel, NC 28392  
Telephone Number: 910-862-7675 ext. 605  
Facility Owner: Smithfield Foods Inc., 111 Commerce St., Smithfield, VA 23430  
Property Owner: Smithfield Packing Realty, 2800 Post Pak Blvd, Suite 4200,  
Houston, TX 77056

**2. FACILITY CONTACT:** Buddy Harris, Environmental Coordinator  
Email: Robert.harris@sf-fl.com

**3. INSPECTION PARTICIPANTS:** Jeff Musselwhite, Smithfield Foods  
Bobby Nelms, NCDENR

**4. DATE OF INSPECTION:** November 11, 2014

**5. PURPOSE OF INSPECTION:** Unannounced audit to determine compliance with regulations described at 40 CFR 261, 262, 265, 268, 273 and 279. This facility has not been previously inspected.

**6. FACILITY DESCRIPTION:**

Smithfield Packing Co Inc. - Tar Heel Div. recently underwent a name change to Smithfield Farmland. Smithfield Farmland was created in 2013 through the combination of Smithfield Packing Company and Farmland Foods. Through its Fresh Meat and Packaged Food groups, Smithfield Farmland provides a broad selection of products for retail, foodservice, and deli customers. Primary product lines include fresh pork, bacon, cooked hams, lunchmeat, sausages, and hot dogs. In addition to the Smithfield and Farmland brands, its Gwaltney, Cook's, Cumberland Gap, and Esskay products are among the leaders in their respective markets. Smithfield Farmland has a large and growing international business, exporting products to more than 40 countries across six continents.

The Tar Heel plant processes 32,500 hogs per day and employs 4500 people. It is situated on 800 acres, holds a Title V air permit, and operates its own wastewater treatment plant through Lower Cape Fear Sewer and Water which is manned by Smithfield employees. There are eight potable wells on site. The closest private residence is across the highway from the site and the closest off site well location is located at that residence.

7. **WASTE STREAMS:**

Waste Corrosive Liquid (Sulfuric Acid, Mercuric Sulfate) D001, D002, D007, D009  
Aerosol Cans  
Universal Waste Lamps  
Used Oil

8. **AREAS OF REVIEW AND INSPECTION:**

**Emergency Preparedness:** Documentation that the local authorities had been contacted was not available. Example letters were emailed to Jeff Musselwhite.

**Contingency Plan:** The required emergency information was posted next to the telephone.

**Inspection Records (storage):** No weekly inspection logs were required because the facility has no 180 day storage area. All waste is managed from satellite accumulation points.

**Manifests / LDR:** The 2013 - 2014 manifests were reviewed. I recommended that the manifests be organized and that signed copies from previous years be obtained for the facility's records.

<b>Transporters:</b>	Heritage Crystal Clean	ILR 000 130 062
	Robbie D. Wood	ALD 067 138 291
	NEIER	NJD 054 126 164
<b>TSD's:</b>	Petro Chem Processing Group	MID 980 615 298
	Tradebe Treatment	TND 000 772 196

**Training Records:** RCRA training records were reviewed for Jacob Davis (Lab Chemist) who is responsible for waste shipments.

**Satellite Accumulation:** The primary hazardous waste stream in the plant is the COD vial stream. Waste COD vials are accumulated in a five gallon container located in the lab. At the time of inspection the accumulation container was closed and properly labeled with the words "Hazardous Waste."

Hazardous waste is also generated from the puncturing of aerosol cans (see Picture 1 on page 3). The cans are punctured under a covered area which is convenient for maintenance personnel. Mr. Musselwhite and I discussed the location of the drum. I expressed concern due to its proximity to potential electrical ignition sources and its accessibility to anyone who happened by. I recommended that a better and more controlled location be identified for the container.



Picture 1: Aerosol can puncturing drum



Picture 2: Universal Waste Storage Area

The universal waste storage area was located in the main building and access was controlled via a locked door which accesses a parts room (see Picture 2, above). I observed approximately six open boxes of universal waste lamps as well as several lamps which were not in containers and/or broken. The lamps were not labeled properly and the facility could not demonstrate that the used lamps had not remained on site for more than one year. Additionally, I observed four buckets which were used to contain universal waste batteries. The buckets were all properly closed, labeled, and dated.

Used oil is accumulated in a tank located within secondary containment. The tank, which Mr. Musselwhite did not know the capacity, was properly labeled and in good condition. I commented on the area outside of the tank because there was some evidence of past incidental spills. Housekeeping in this area could be improved.

**9. VIOLATIONS:** The following violations were noted during the inspection.

**40 CFR 273.13(d):** A small quantity handler of universal waste must manage lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

- (1) A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.
- (2) A small quantity handler of universal waste must immediately clean up and place in a container any lamp that is broken and must place in a container any lamp that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment. Containers must be closed, structurally sound, compatible with the contents of the lamps and must lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment under reasonably foreseeable conditions.

*Smithfield Packing Co Inc. is in violation of 40 CFR 273.13(d) in that used lamps were observed not in containers and the used lamps that had been placed in boxes were not closed. Additionally, any broken lamps must be managed as described in 40 CFR 273.13(d)(2).*

**40 CFR 273.14(e):** A small quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste as specified below:

- (e) Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste—Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

*Smithfield Packing Co Inc. is in violation of 40 CFR 273.14(e) in that none of the containers of universal waste lamps were properly marked.*

**40 CFR 273.15(c):** A small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration by:

- (1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received;
- (2) Marking or labeling each individual item of universal waste (e.g., each battery or thermostat) with the date it became a waste or was received;
- (3) Maintaining an inventory system on-site that identifies the date each universal waste became a waste or was received;
- (4) Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received;
- (5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or
- (6) Any other method which clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

*Smithfield Packing Co Inc. is in violation of 40 CFR 273.15(c) in that the facility could not demonstrate the length of time that the universal waste had been accumulated at the facility.*

**10. ACTION ITEMS:**

- Update the facility's EPA Form 8700-12 to reflect the name change and new facility contact.
- Relocate the aerosol can puncture drum to an area away from ignition sources and in an area in which access can be controlled.
- Address the housekeeping in the used oil storage area.
- Organize all manifests and be certain signed copies from previous years are obtained for the facility's records. Also be certain to organize Land Disposal Restriction (Land Ban or LDR) forms associated with manifests.
- Address all issues noted above regarding the management of universal waste.

**11. CONCLUSION:** Ticket Notice of Violation Docket 2015-008 will be issued for the violations noted in this inspection report.



Robert K. Nelms  
Environmental Senior Specialist, NCDENR

DATE: December 30, 2014

Mailed to Buddy Harris  
FACILITY CONTACT

DATE: December 30, 2014