

Hazardous Waste Compliance Data Entry Form - Side A

AW
10/31/03

EPA ID Number: NCR000001537

Facility Name: DAI NIPPON IMS (AMERICA) CORPORATION City: CONCORD, NC

EVALUATION DATA New: Change: Delete:

Mo. Day Yr. Type:
Date: 08/28/03 C E 1
Date: 10/21/03 C S E

LB
11-13-03

Inspector ID #: 046 Reason:

Evaluation Comments:

LONG FORM NOV ISSUED. VIOLATIONS CORRECTED

SNC DETERMINATION: If this evaluation resulted in a SNC determination, fill in this block. (NOTE: SNC determinations are SNY/SNN evaluations. The SNY/SNN evaluation can also be submitted later on a separate form.)

Facility is (Check one)

- a SNC (SNY evaluation)

Docket #

or

- no longer a SNC (SNN eval.)

Sean

YES / NO CSE ONLY

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
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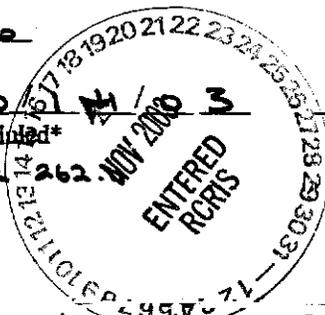
1 Type: GPT Date Determined 08/28/03 Class:

Priority: Branch: 01 Person: 046

Return to Compliance 10/21/03 10/21/03
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.20(a)

Comment:



2 Type: GPT Date Determined: 08/28/03 Class:

Priority: Branch: 01 Person: 046

Return to Compliance: 10/14/03 10/21/03
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.20(a)

Comment:

3 Type: GPT Date Determined: 08/28/03 Class:

Priority: Branch: 01 Person: 046

Return to Compliance: 10/14/03 10/21/03
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.34 (c)(1)(ii)

Comment:

4 Type: GPT Date Determined: 08/28/03 Class:

Priority: Branch: 01 Person: 046

Return to Compliance: 10/14/03 10/21/03
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.34 (d)(2) REFERENCED AT
40 CFR 265.173 (a)

Comment:

5 Type: GPT Date Determined: 08/28/03 Class:

Priority: Branch: 01 Person: 046

Return to Compliance: 10/14/03 10/21/03
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.34 (d)(2) REFERENCED AT
40 CFR 265.174

Comment:

6 Type: GPT Date Determined: 08/28/03 Class:

Priority: Branch: 01 Person: 046

Return to Compliance: 10/14/03 10/21/03
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.34 (d)(4) REFERENCED AT
40 CFR 262.34 (a)(3)

Comment:

7 Type: GPT Date Determined: 08/28/03 Class:

Priority: Branch: 01 Person: 046

Return to Compliance: 10/14/03 10/21/03
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.34 (d)(4) REFERENCED AT
40 CFR 265.87 (a)

Comment:

8 Type: GPT Date Determined: 08/28/03 Class:

Priority: Branch: 01 Person: 046

Return to Compliance: 10/14/03 10/21/03
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.34 (d)(5)(ii)

Comment:

9 Type: GPT Date Determined: 08/28/03 Class:

Priority: Branch: 01 Person: 046

Return to Compliance: 10/14/03 10/21/03
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.34 (d)(5)(iv)

Comment:

10 Type: GPT Date Determined: 08/28/03 Class:

Priority: Branch: 01 Person: 046

Return to Compliance: 10/14/03 10/21/03
Scheduled *Actual*

Reg. Type: SR Reg. Description: 40 CFR 262.34 (F)

Comment:

Type: Date Determined: / / Class:

Priority: Branch: Person:

Return to Compliance: / / / /
Scheduled *Actual*

Reg. Type: Reg. Description:

Comment:

Type: Date Determined: / / Class:

Priority: Branch: Person:

Return to Compliance: / / / /
Scheduled *Actual*

Reg. Type: Reg. Description:

Comment:

RCRA REINSPECTION REPORT

1. **Facility Information:** Dai Nippon
4524 Enterprise Drive N.W.
Concord, N.C. 28027
NCR 000 001 537, Small Quantity Generator
2. **Facility Contact:** Mr. Travis Mayes, Manufacturing Engineer
3. **Survey Participants:** Mr. Travis Mayes
Mr. Danny Erwin, Production Supervisor
Mr. Sean Morris, Waste Management Specialist *SM*
4. **Date of Inspection:** August 28, 2003
Date of Reinspection: October 21, 2003
Date of Report: October 21, 2003
5. **Purpose of Inspection:** To determine compliance with 40 CFR 260-279
6. **Facility Description:**

Dai Nippon is located in Concord, NC. The facility has 95 employees and operates on three shifts. Dai Nippon cuts and applies inks to bar code ribbons and fax machine ribbons. The facility's hazardous waste is solvent and ink waste generated from the fax machine ribbon process.

I met with the facility's manufacturing engineer Mr. Travis Mayes and the facility's Production Supervisor Mr. Danny Erwin. Mr. Mayes stated that he has only been with the company a few months. Mr. Mayes stated that orders were low and the fax machine ribbon process is only operating around 3 days a month. Mr. Mayes stated that the facility's waste generation levels were below normal but the facility still wished to maintain their Small Quantity Generator status and had just paid the Small Quantity Generator fees two weeks ago.

Mr. Travis Mayes has only been with the facility for about 3 months. He was having trouble locating the facility's hazardous waste manifests and weekly inspection records. The documents were found the day after the inspection. I returned to the facility on September 4, 2003 and reviewed the documents. Those findings are included in this report.

7. Waste Type:

- Waste MEK – D001, D035
- Waste Flammable Liquid – D001

8. Areas of Inspection:

Manifests:

All hazardous waste manifests were reviewed for the last three years. The manifests reviewed were in good order and documented approved transporters and TSD facilities. Land Disposal Restriction forms accompanied the manifests.

Transporters: American Environmental Services, Inc. – SCR 000 074 211

TSD's: Southeastern Chemical + Solvent Company – SCD 036 275 626

The facility's EPA ID number was not included on their hazardous waste manifests. I explained that the facility's EPA ID number must be indicated on each manifest (See Recommendation Section)

* A copy of the facility's hazardous waste manifests from the last three years of operation was obtained during the inspection

Weekly Inspections:

A documented log of weekly inspections at the facilities hazardous waste storage areas was available for review. All inspection records were up to date. The weekly inspection log indicated that weekly inspections were not completed on several occasions. The log indicates that weekly inspections were missed in the following months (See Deficiency Section):

October 2001, November 2001, March 2001, April 2001, July 2002, August 2002, and October 2002.

* A copy of the facility's weekly inspections was obtained during the inspection.

Training:

Mr. Mayes stated that he was in the process of developing a training program but he did not know of any training events since he had started with the company. Mr. Mayes stated that he felt that the employees handling hazardous waste were adequately trained. I expressed concern because many of the violations noted seemed to be from inadequate training (See Recommendation Section).

Biennial Report:

N/A

Emergency Preparedness:

The facility is maintained to prevent fire or releases. The emergency coordinator for the facility is Travis Mayes. The facility is equipped with fire extinguishers and spill control equipment. All fire equipment is tested annually. The facility is equipped with a sprinkler system and pull down fire alarms that are monitored by ADT. Facility personnel maintain spill control materials. Arrangements with emergency agencies have not been made (See Deficiency Section). The facility conducts routine fire drills.

Contingency Plan:

The facility had all the components required with a small quantity generator contingency plan but did not have the plan posted next to facility telephones (See Deficiency Section).

Accumulation Areas:

The facility maintains (3) satellite accumulation areas. Only two of the areas were currently accumulating hazardous waste at the time of the inspection.

1. Fax Slitting Area – (3) 10-gallon containers were noted accumulating D001, D035 hazardous waste. The containers are used to collect used hazardous waste rags. The rags are recycled by Cintas and then returned to the facility. Spills were observed and photographed on the outside of all three containers (See Deficiency Section). Plastic bags with D001, D035 waste on them, were observed to be mixed in the same accumulation container with used rags (See Deficiency Section). One of the containers also contained about 5” of dried ink/solvent mixture in the bottom of the container. These containers were not properly closed or labeled (See Deficiency Section).
2. Package Area #1 – One plastic container holding several smaller plastic containers of waste MEK and waste Ink was observed at this area. The total volume of hazardous waste accumulating at this area is less than 55 gallons. The container was closed but not properly labeled (See Deficiency Section). A hazardous waste label was placed on the container during the inspection.
3. Package Area #2 – This area was not visited during the inspection. Mr., Danny Erwin stated that waste generated in this area is immediately moved to Package Area #1 satellite container.

Hazardous Waste Storage Areas:

The facility maintains one hazardous waste storage area. There is a pull down fire alarm and fire extinguisher nearby. Spill control equipment is also available in this area.

There were (2) 55-gallon containers in the hazardous waste storage area at the time of the inspection. There was evidence of spills on and around both drums in the area. A funnel, sitting but not attached, on top of one of the drums was heavily coated with dried waste ink and dried waste rags. Spills were observed on the sides of the containers and on cardboard behind one of the drums (See Deficiency Section). One of the drums was dated 11/20/02. This drum has been in storage for more than 180 days without a permit (see Deficiency Section). One of the drums was not properly labeled (see Deficiency Section). This violation was corrected at the time of the inspection.

*Pictures are available to document the findings above. Pictures are kept with the facility file at the appropriate DENR Regional Office.

9. Site Deficiencies:

- 40 CFR 262.11 – Empty waste plastic bags are being mixed in with used rags in the accumulation containers located at the Fax Slitting Area. Mr. Mayes stated that the plastic bags are not being sent out as hazardous waste but also stated that a hazardous waste determination had not been made on the bags. **The bags have been removed and are no longer used in the process.**
- 40 CFR 262.20 (a) – The facility's manifests did not include their EPA Identification number. **Manifests have been corrected.**
- 40 CFR 262.34 (c) (1) (ii) – Satellite accumulation containers located at the Fax Slitting Area and at Package Area #1 were not properly labeled with the words "hazardous waste" or any other words that identified the contents of the containers. **There were not any satellite accumulation areas at the time of the inspection. Signs were posted that stated that satellite areas must always be labeled.**
- 40 CFR 262.34 (d) (2) referenced at 40 CFR 265.173 (a) – One of the 10-gallon satellite accumulation containers located at the Fax Slitting Area was holding around 4-5 inches of waste ink material. The container was not properly closed. **All containers were observed closed during follow up visit.**
- 40 CFR 262.34 (d) (2) referenced at 40 CFR 265.174 – The facility's hazardous waste storage area weekly inspection log indicated that several weeks of

inspections have been missed over the last three years. **Weekly inspections were documented.**

- 40 CFR 262.34 (d) (4) referenced at 40 CFR 262.34 (a) (3) – One 55-gallon container of hazardous waste located in the hazardous waste storage area was not properly labeled with the words “hazardous waste”. Violation was corrected during the inspection. **The container was properly labeled at the time of the follow up inspection.**
- 40 CFR 262.34 (d) (4) referenced at 40 CFR 265.37 – Mr. Mayes stated that he did not have any knowledge or documentation to demonstrate that arrangements have been made with local emergency agencies. **Verbal arrangements have been made with paper documentation following.**
- 40 CFR 262.34 (d) (5) (ii) – The facility failed to post the name and phone number of the emergency coordinator, the location of fire extinguishers and spill control equipment, and the location of fire alarms, next to phones at the facility. **A contingency plan has been posted next to each phone in the production areas of the facility.**
- 40 CFR 262.34 (d) (5) (iv) (B) – Spills were observed on all three hazardous waste accumulation containers located at the Fax Slitting Area. Spills were observed on both 55-gallon hazardous waste accumulation containers and on cardboard behind the containers in the facility’s hazardous waste storage area. Spills were also observed on a funnel used to pour hazardous waste into the 55-gallon hazardous waste containers. **All spills have been cleaned.**
- 40 CFR 262.34 (f) – One 55-gallon container of hazardous waste located in the facility’s hazardous waste storage area was dated for more than 180-days. The facility does not have a permit for hazardous waste storage and an extension to the 180-day limit was not requested. **The drum has been properly disposed of.**

*Violations above will be addressed in a Long Form Notice of Violation.

Violations have been corrected.

10. Recommendations:

- It is recommended that the facility’s training program stress the importance of waste and container management. Many of the violations observed, such as no hazardous waste labels, not noticing storage over 180 days, and hazardous waste spills can be contributed to a lack of adequate training. **The facility’s training program has been expanded to cover all SQG requirements.**

North Carolina
Department of Environment and Natural Resources

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary
Dexter R. Matthews, Director



September 9, 2003

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**NOTICE OF VIOLATION
DOCKET # 2003-235**

Mr. Travis Mayes
Dai Nippon IMS (America) Corp.
4524 Enterprise Drive N.W.
Concord, NC 28027

NCD 000 001 537

Dear Mr. Mayes:

On December 18, 1980, the state of North Carolina, Hazardous Waste Section (Section) was authorized to operate the State Resource Conservation and Recovery Act (RCRA) hazardous waste program under the Solid Waste Management Act (Act), North Carolina General Statute 130A, Article 9 and rules promulgated thereto at 15A NCAC 13A (Rules) in lieu of the federal RCRA program. Dai Nippon IMS (America) Corporation in Concord, North Carolina, is classified as a small quantity generator of hazardous waste and is subject to the requirements of 40 CFR 262 adopted by reference at 15A NCAC 13A .0107, 40 CFR 265 adopted by reference at 15A NCAC 13A .0110, 40 CFR 268 adopted by reference at 15A NCAC 13A .0112 and 40 CFR 273 adopted by reference at 15A NCAC 13A .0119.

On August 28, 2003, Mr. Sean Morris, Waste Management Specialist with this Office, inspected your facility for compliance with North Carolina Hazardous Waste Management Rules. During that inspection, the following violations were noted:

- A. 40 CFR 262.11, adopted by reference at 15A NCAC 13A .0107, states that a person who generates a solid waste, as defined in 40 CFR 261.2, must determine if that waste is a hazardous waste using the following method:
- a. He should first determine if the waste is excluded from regulation under 40 CFR 261.4.
 - b. He must then determine if the waste is listed as a hazardous waste in Subpart D of 40 CFR Part 261.
- [Note: Even if the waste is listed, the generator still has an opportunity under 40 CFR 260.22 to demonstrate to the Administrator that the waste from his particular facility or operation is not a hazardous waste].
- c. For purposes of compliance with 40 CFR part 268, or if the waste is not listed in subpart D of 40 CFR part 261, the generator must then determine whether the

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-733-4996 \ FAX: 919-715-3605 \ Internet: www.enr.state.nc.us

waste is identified in subpart C of 40 CFR part 261 by either:

1. Testing the waste according to the methods set forth in Subpart C of 40 CFR Part 261, or according to an equivalent method approved by the Administrator under 40 CFR 260.21; or
 2. Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.
- d. If the waste is determined to be hazardous, the generator must refer to Parts 261, 264, 265, 266, 268, and 273 of this chapter for possible exclusions or restrictions pertaining to management of the specific waste.

Dai Nippon IMS (America) Corporation is in violation of 40 CFR 262.11, adopted by reference at 15A NCAC 13A .0107, in that during the inspection empty plastic bags were observed being mixed into the accumulation containers holding used hazardous waste rags at the Fax Slitting Area. A hazardous waste determination had not been made on the plastic bags.

- B. 40 CFR 262.20 (a), adopted by reference at 15A NCAC 13A .0107, states that a generator who transports, or offers for transportation, hazardous waste for offsite treatment, storage, or disposal must prepare a Manifest OMB control number 2050-0039 on EPA form 8700-22, and, if necessary, EPA form 8700-22A, according to the instructions included in the appendix to part 262.

Dai Nippon IMS (America) Corporation is in violation of 40 CFR 262.20 (a), adopted by reference at 15A NCAC 13A .0107, in that the facility failed to include their 12 digit EPA identification number on their hazardous waste manifests.

- C. 40 CFR 262.34 (c) (1) (ii), adopted by reference at 15A NCAC 13A .0107, states that a generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste listed in 261.33(e) in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with paragraph (a) of this section provided he marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

Dai Nippon IMS (America) Corporation is in violation of 40 CFR 262.34 (c) (1) (ii), adopted by reference at 15A NCAC 13A .0107, in that hazardous waste satellite accumulation containers located in the Fax Slitting Area and in Package Area #1 were not labeled with the words "hazardous waste" or with other words that identify the contents of the containers.

- D. 40 CFR 262.34 (d) (2), adopted by reference at 15A NCAC 13A .0107, states that a generator who generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, provided that the generator complies with the requirements of Subpart I of part 265 of this chapter, except for 265.176 and 265.178.

1. 40 CFR 265.173(a) adopted by reference at 15A NCAC 13A .0110, states that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

Dai Nippon IMS (America) Corporation is in violation of 40 CFR 262.34(d)(2), adopted by reference at 15A NCAC 13A .0107 and referenced at 40 CFR 265.173(a), adopted by reference at 15A NCAC 13A .0110, in that a 10-gallon container accumulating hazardous waste located in the Fax Slitting Area was open at the time of the inspection.

2. 40 CFR 265.174, adopted by reference at 15A NCAC 13A .0110, states that the owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors.

Dai Nippon IMS (America) Corporation is in violation of 40 CFR 262.34 (d) (2), adopted by reference at 15A NCAC 13A .0107, referenced at 40 CFR 265.174, adopted by reference at 15A NCAC 13A .0110, in that inspection records showed that weekly inspections were missed on several occasions in 2001 and 2002.

- E. 40 CFR 262.34 (d) (4), adopted by reference at 15A NCAC 13A .0107, states that a generator who generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, provided that the generator complies with the requirements of (a) (2) and (a) (3) of this section, the requirements of Subpart C of part 265, and the requirements of 40 CFR 268.7 (a) (5).

1. 40 CFR 262.34 (a) (3), adopted by reference at 15A NCAC 13A .0107, states that while being accumulated on-site, each container and tank must be labeled or marked clearly with the words, "Hazardous Waste".

Dai Nippon IMS (America) Corporation is in violation of 40 CFR 262.34(d)(4), adopted by reference at 15A NCAC 13A .0107, and referenced at 40 CFR 262.34 (a) (3), adopted by reference at 15A NCAC 13A .0107, in that one 55-gallon container of hazardous waste in the facility's hazardous waste storage area was not labeled with the words, "Hazardous Waste."

2. 40 CFR 265.37 (a), adopted by reference at 15A NCAC 13A .0110, states that the owner or operator must attempt to make the following arrangements, as appropriate for the type of waste handled at his facility and the potential need for the services of these organizations:
 1. Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes;
 2. Where more than one police and fire department might respond to an emergency, agreements designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority;

3. Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and
4. Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

Dai Nippon IMS (America) Corporation is in violation of 40 CFR 262.34 (d) (4), adopted by reference at 15A NCAC 13A .0107, and referenced at 40 CFR 265.37 (a), adopted by reference at 15A NCAC 13A .0110, in that arrangements with local authorities has not been made.

- F. 40 CFR 262.34 (d) (5) (ii), adopted by reference at 15A NCAC 13A .0107, states that a generator who generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, provided that the generator post the following information next to the telephone:

- A. The names and telephone number of the emergency coordinator.
- B. Location of fire extinguishers and spill control material and, if present, fire alarms.
- C. The telephone of the fire department unless the facility has a direct alarm.

Dai Nippon IMS (America) Corporation is in violation of 40 CFR 262.34 (d) (5) (ii), adopted by reference at 15A NCAC 13A .0107, in that the required information was not posted next to telephones at the facility.

- G. 40 CFR 262.34 (d) (5) (iv) (B), adopted by reference at 15A NCAC 13A .0107, states that a generator who generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, provided that the emergency coordinator or his designee respond to any emergencies that arise. The applicable response in the event of a spill is to contain the flow of hazardous waste to the extent possible and as soon as is practicable, clean up the hazardous waste and any contaminated materials or soil.

Dai Nippon IMS (America) Corporation is in violation of 40 CFR 262.34 (d) (5) (iv) (B), adopted by reference at 15A NCAC 13A .0107, in that spills were observed on the outside of all three hazardous waste accumulation containers at the Fax Slitting Area. Spills were observed on the outside of both 55-gallon hazardous waste accumulation containers and on cardboard behind the containers located in the facility's hazardous waste storage area. Spills were also observed on a funnel used to pour hazardous waste into the accumulation containers. No attempt had been made by the facility to clean up the observed spills.

- H. 40 CFR 262.34 (f), adopted by reference at 15A NCAC 13A .0107, states that a generator who generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month and who accumulates hazardous waste in quantities exceeding 6000 kg or accumulates hazardous waste for more than 180 days (or for more

than 270 days if he must transport his waste, or offer his waste for transportation, over a distance of 200 miles or more) is an operator of a storage facility and is subject to the requirements of 40 CFR Parts 264 and 265 and the permit requirements of 40 CFR Part 270 unless he has been granted an extension to the 180-day (or 270-day if applicable) period. Such extension may be granted by EPA if hazardous wastes must remain on-site for longer than 180 days (or 270 days as applicable) due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Regional Administrator on a case-by-case basis.

Dai Nippon IMS (America) Corporation is in violation of 40 CFR 262.34 (f), adopted by reference at 15A NCAC 13A .0107, in that one 55-gallon container of hazardous waste was dated for more than 180 days and the facility has not complied with the requirements of 40 CFR Parts 264 and 265 and the permit requirements of 40 CFR Part 270 and has not been granted an extension.

COMPLIANCE SCHEDULE

By October 14, 2003, Dai Nippon IMS (America) Corporation, located at 4524 Enterprise Drive NW, Concord, NC 28027, shall comply with the following requirements:

- A. Comply with 40 CFR 262.11, adopted by reference at 15A NCAC 13A .0107. Dai Nippon IMS (America) Corporation shall conduct a hazardous waste determination on the waste plastic bags that are being mixed with used rags at the Fax Slitting Area.
- B. Comply with 40 CFR 262.20 (a), adopted by reference at 15A NCAC 13A .0107. Dai Nippon IMS (America) Corporation shall enter the facility's 12 digit EPA identification number on every hazardous waste manifest.
- C. Comply with 40 CFR 262.34 (c) (1) (ii), adopted by reference at 15A NCAC 13A .0107. Dai Nippon IMS (America) Corporation shall label all hazardous waste satellite accumulation containers with the words "Hazardous Waste" or any other words that identify the contents of the containers.
- D. Comply with 40 CFR 262.34 (d) (2), adopted by reference at 15A NCAC 13A .0107. Specifically, Dai Nippon IMS (America) Corporation shall:
 1. Ensure that containers of hazardous waste are closed at all times, except to add or remove waste as required by 40 CFR 265.173(a), adopted by reference at 15A NCAC 13A .0110.
 2. Ensure that containers of hazardous waste in storage are inspected, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors, as required by 40 CFR 265.174, adopted by reference at 15A NCAC 13A .0110.
- E. Comply with 40 CFR 262.34(d)(4), adopted by reference at 15A NCAC 13A .0107. Specifically, Dai Nippon IMS (America) Corporation shall:

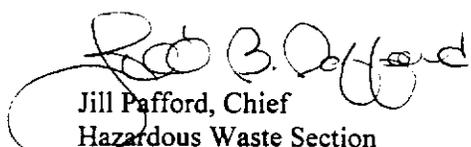
1. Ensure that all containers being accumulated on-site are labeled or clearly marked with the words "Hazardous Waste" as required by 40 CFR 262.34 (a) (3) adopted by reference at 15A NCAC 13A .0107.
 2. Ensure that all necessary arrangements with local authorities are made as required by 40 CFR 265.37 (a), adopted by 15A NCAC 13A .0110.
- F. Comply with 40 CFR 262.34 (d) (5) (ii), adopted by reference at 15A NCAC 13A .0107. Dai Nippon IMS (America) Corporation shall post the name and telephone number of the emergency coordinator next to phones at the facility. The locations of all fire extinguishers, spill control material, and fire alarms, must also be posted next to phones at the facility.
- G. Comply with 40 CFR 262.34 (d) (5) (iv) (B), adopted by reference at 15A NCAC 13A .0107. Dai Nippon IMS (America) Corporation shall clean up all hazardous waste spills located on the outside of accumulation containers. Spills must also be cleaned from the funnel and cardboard used in the facility's hazardous waste storage area. In the future all spills of hazardous waste must be addressed as soon as practicable.
- H. Comply with 40 CFR 262.34 (f), adopted by reference at 15A NCAC 13A .0107. Dai Nippon IMS (America) Corporation shall make arrangements for immediate proper disposal of the 55-gallon container of hazardous waste that is dated over 180 days.

In further satisfaction of Docket # 2003-235, Dai Nippon IMS (America) Corporation shall provide a written certification with supporting documentation on company letterhead confirming the noted compliance schedule has been completed. Mail this certification to Mr. Sean Morris, Waste Management Specialist at Mooresville Regional Office, 919 North Main Street, Mooresville, NC 28115 by the noted compliance date.

If the requirements above are not met, pursuant to N.C. General Statutes 130A-22(a) and 15A NCAC 13A .0701-.0707, an administrative penalty of up to \$25,000.00 per day may be assessed for violation of the hazardous waste law or regulations.

If you have any questions concerning this matter, you may contact Mr. Sean Morris at 704-663-1699 at extension 293.

Sincerely,


Jill Pafford, Chief
Hazardous Waste Section

cc: Doug Holyfield
Jesse Wells
Sean Morris
Central Files

COPY

RCRA INSPECTION REPORT

1. **Facility Information:** Dai Nippon
4524 Enterprise Drive N.W.
Concord, N.C. 28027
NCR 000 001 537, Small Quantity Generator

2. **Facility Contact:** Mr. Travis Mayes, Manufacturing Engineer

3. **Survey Participants:** Mr. Travis Mayes
Mr. Danny Erwin, Production Supervisor
Mr. Sean Morris, Waste Management Specialist *SM*

4. **Date of Inspection:** August 28, 2003

Date of Report: September 4, 2003

5. **Purpose of Inspection:** To determine compliance with 40 CFR 260-279

6. **Facility Description:**

Dai Nippon is located in Concord, NC. The facility has 95 employees and operates on three shifts. Dai Nippon cuts and applies inks to bar code ribbons and fax machine ribbons. The facility's hazardous waste is solvent and ink waste generated from the fax machine ribbon process.

I met with the facility's manufacturing engineer Mr. Travis Mayes and the facility's Production Supervisor Mr. Danny Erwin. Mr. Mayes stated that he has only been with the company a few months. Mr. Mayes stated that orders were low and the fax machine ribbon process is only operating around 3 days a month. Mr. Mayes stated that the facility's waste generation levels were below normal but the facility still wished to maintain their Small Quantity Generator status and had just paid the Small Quantity Generator fees two weeks ago.

Mr. Travis Mayes has only been with the facility for about 3 months. He was having trouble locating the facility's hazardous waste manifests and weekly inspection records. The documents were found the day after the inspection. I returned to the facility on September 4, 2003 and reviewed the documents. Those findings are included in this report.

7. Waste Type:

- Waste MEK – D001, D035
- Waste Flammable Liquid – D001

8. Areas of Inspection:

Manifests:

All hazardous waste manifests were reviewed for the last three years. The manifests reviewed were in good order and documented approved transporters and TSD facilities. Land Disposal Restriction forms accompanied the manifests.

Transporters: American Environmental Services, Inc. – SCR 000 074 211

TSD's: Southeastern Chemical + Solvent Company – SCD 036 275 626

The facility's EPA ID number was not included on their hazardous waste manifests. I explained that the facility's EPA ID number must be indicated on each manifest (See Recommendation Section)

* A copy of the facility's hazardous waste manifests from the last three years of operation was obtained during the inspection

Weekly Inspections:

A documented log of weekly inspections at the facilities hazardous waste storage areas was available for review. All inspection records were up to date. The weekly inspection log indicated that weekly inspections were not completed on several occasions. The log indicates that weekly inspections were missed in the following months (See Deficiency Section):

October 2001, November 2001, March 2001, April 2001, July 2002, August 2002, and October 2002.

* A copy of the facility's weekly inspections was obtained during the inspection.

Training:

Mr. Mayes stated that he was in the process of developing a training program but he did not know of any training events since he had started with the company. Mr. Mayes stated that he felt that the employees handling hazardous waste were adequately trained. I expressed concern because many of the violations noted seemed to be from inadequate training (See Recommendation Section).

Biennial Report:

N/A

Emergency Preparedness:

The facility is maintained to prevent fire or releases. The emergency coordinator for the facility is Travis Mayes. The facility is equipped with fire extinguishers and spill control equipment. All fire equipment is tested annually. The facility is equipped with a sprinkler system and pull down fire alarms that are monitored by ADT. Facility personnel maintain spill control materials. Arrangements with emergency agencies have not been made (See Deficiency Section). The facility conducts routine fire drills.

Contingency Plan:

The facility had all the components required with a small quantity generator contingency plan but did not have the plan posted next to facility telephones (See Deficiency Section).

Accumulation Areas:

The facility maintains (3) satellite accumulation areas. Only two of the areas were currently accumulating hazardous waste at the time of the inspection.

1. Fax Slitting Area – (3) 10-gallon containers were noted accumulating D001, D035 hazardous waste. The containers are used to collect used hazardous waste rags. The rags are recycled by Cintas and then returned to the facility. Spills were observed and photographed on the outside of all three containers (See Deficiency Section). Plastic bags with D001, D035 waste on them, were observed to be mixed in the same accumulation container with used rags (See Deficiency Section). One of the containers also contained about 5” of dried ink/solvent mixture in the bottom of the container. These containers were not properly closed or labeled (See Deficiency Section).
2. Package Area #1 – One plastic container holding several smaller plastic containers of waste MEK and waste Ink was observed at this area. The total volume of hazardous waste accumulating at this area is less than 55 gallons. The container was closed but not properly labeled (See Deficiency Section). A hazardous waste label was placed on the container during the inspection.
3. Package Area #2 – This area was not visited during the inspection. Mr., Danny Erwin stated that waste generated in this area is immediately moved to Package Area #1 satellite container.

Hazardous Waste Storage Areas:

The facility maintains one hazardous waste storage area. There is a pull down fire alarm and fire extinguisher nearby. Spill control equipment is also available in this area.

There were (2) 55-gallon containers in the hazardous waste storage area at the time of the inspection. There was evidence of spills on and around both drums in the area. A funnel, sitting but not attached, on top of one of the drums was heavily coated with dried waste ink and dried waste rags. Spills were observed on the sides of the containers and on cardboard behind one of the drums (See Deficiency Section). One of the drums was dated 11/20/02. This drum has been in storage for more than 180 days without a permit (see Deficiency Section). One of the drums was not properly labeled (see Deficiency Section). This violation was corrected at the time of the inspection.

*Pictures are available to document the findings above. Pictures are kept with the facility file at the appropriate DENR Regional Office.

9. Site Deficiencies:

- 40 CFR 262.11 – Empty waste plastic bags are being mixed in with used rags in the accumulation containers located at the Fax Slitting Area. Mr. Mayes stated that the plastic bags are not being sent out as hazardous waste but also stated that a hazardous waste determination had not been made on the bags.
- 40 CFR 262.20 (a) – The facility's manifests did not include their EPA Identification number.
- 40 CFR 262.34 (c) (1) (ii) – Satellite accumulation containers located at the Fax Slitting Area and at Package Area #1 were not properly labeled with the words "hazardous waste" or any other words that identified the contents of the containers.
- 40 CFR 262.34 (d) (2) referenced at 40 CFR 265.173 (a) – One of the 10-gallon satellite accumulation containers located at the Fax Slitting Area was holding around 4-5 inches of waste ink material. The container was not properly closed.
- 40 CFR 262.34 (d) (2) referenced at 40 CFR 265.174 – The facility's hazardous waste storage area weekly inspection log indicated that several weeks of inspections have been missed over the last three years.
- 40 CFR 262.34 (d) (4) referenced at 40 CFR 262.34 (a) (3) – One 55-gallon container of hazardous waste located in the hazardous waste storage area was not properly labeled with the words "hazardous waste". Violation was corrected during the inspection.

- 40 CFR 262.34 (d) (4) referenced at 40 CFR 265. 37 – Mr. Mayes stated that he did not have any knowledge or documentation to demonstrate that arrangements have been made with local emergency agencies.
- 40 CFR 262.34 (d) (5) (ii) – The facility failed to post the name and phone number of the emergency coordinator, the location of fire extinguishers and spill control equipment, and the location of fire alarms, next to phones at the facility.
- 40 CFR 262.34 (d) (5) (iv) (B) – Spills were observed on all three hazardous waste accumulation containers located at the Fax Slitting Area. Spills were observed on both 55-gallon hazardous waste accumulation containers and on cardboard behind the containers in the facility's hazardous waste storage area. Spills were also observed on a funnel used to pour hazardous waste into the 55-gallon hazardous waste containers.
- 40 CFR 262.34 (f) – One 55-gallon container of hazardous waste located in the facility's hazardous waste storage area was dated for more than 180-days. The facility does not have a permit for hazardous waste storage and an extension to the 180-day limit was not requested.

***Violations above will be addressed in a Long Form Notice of Violation.**

10. Recommendations:

- It is recommended that the facility's training program stress the importance of waste and container management. Many of the violations observed, such as no hazardous waste labels, not noticing storage over 180 days, and hazardous waste spills can be contributed to a lack of adequate training.

 9/5/03
INSPECTOR (DATE)

**SENT VIA CERTIFIED MAIL
FACILITY CONTACT**

cc:
MRO Files
Jesse Wells, Western Area Compliance Supervisor
Central Office Files
Travis Mayes, Dai Nippon