

Hazardous Waste Section
File Room Document Transmittal Sheet

17

Your Name: Scott Ross
EPA ID: NCR000143867
Facility Name: Aircraft Painting & Interiors
Document Group: Corrective Action (CA)
Document Type: RCRA Facility Investigation (RFI)
Description: RCRA Site Inspection Report
Date of Doc: 4/10/2007
Author of Doc:

File Room Use Only

NCR000143867

Date Recieved by File Room:

Month	Day	Year

Scanner's Initials:

Date Scanned:

**NC DEPT OF ENVIRONMENT & NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
HAZARDOUS WASTE SECTION**

RCRA INSPECTION REPORT (Revised)

1. **Facility Information:** Aircraft Painting & Interiors, LLC
3680 Airport Loop Road
Salisbury, NC 28147
NCR 000 143 867

2. **Facility Contact:** Mr. Ken Silverman, Part Owner

3. **Survey Participants:** Mr. Ken Silverman
Mr. Sean Morris, Senior Environmental Specialist

4. **Date of Inspection:** April 10, 2007

Date of Report: October 25, 2007

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

6. **Facility Description:**

A complaint was received on January 11, 2007 regarding the disposal of waste paint chips being disposed of behind the NAPA Autocare Center located at 889 River Hwy, Mooresville, NC. That complaint was investigated and a small pile of waste paint chips was discovered behind the facility. The owner of the NAPA center is Mr. Ken Silverman. Mr. Silverman stated that he is the part owner of Aircraft Painting & Interiors, LLC located at the Rowan County Airport in Salisbury, NC. Mr. Silverman believed that a former employee dumped the paint chips behind the NAPA store after or just before being terminated.

On April 10, 2007 an inspection was conducted at Aircraft Painting & Interiors. I met with Mr. Silverman at the time of the inspection. The facility operates one aircraft hangar at the Rowan County Airport and conducts plane paint stripping, priming, and painting services. The facility has been in operation for 2 ½ years and the hangar is 7,400 square feet in size. All painting operations are conducted within the aircraft hangar. There are 3-4 employees working at the facility. The painting operation generates waste paint chips, waste paint thinner, and waste MEK contaminated wipes. The facility has accumulated all the waste generated over the past 2½ years onsite. Employees wear respirators during the painting process.

The paint stripping process starts with applying a methylene chloride based stripper to the outside of aircraft. The stripper material is a gel that sticks to the outside surfaces of the plane. The stripper peels the paint from the aircraft. The concrete floor of the hangar is sprayed with water prior to applying the stripper. After the paint has been removed the majority of paint chips are swept up and placed in 5-gallon containers. The floor is then cleaned with water. The wastewater collects in the shop floor drain and is pumped to an outside underground concrete tank. The tank is approximately 50-gallons in size. The wastewater is then pumped, via above ground piping, to the sloped concrete pad. The wastewater is continuously circulated over the surface of the pad until all liquid has evaporated. The waste paint chips are carried to the outside pad and placed in a metal tray where most of the liquid is evaporated and the chips are then placed in 55-gallon containers.

The facility also generates waste paint thinner from the painting operation. The thinner is a toluene and methanol based solvent. Waste solvent wipes are generated when an MEK based solvent is applied to the surface of aircraft, prior to priming. The waste MEK wipes are disposed as solid waste (see deficiency section).

The wastewater evaporative process may constitute as hazardous waste disposal and treatment and the facility does not have a hazardous waste permit (see deficiency section). The facility had approximately (8) 55-gallon containers of hazardous waste on site. This amount exceeds 2,200 pounds, so therefore the facility is subject to small quantity generator regulations located at 40 CFR Part 262. The facility has failed to properly notify as a small quantity generator (see deficiency section). The facility has stored, treated and disposed of hazardous waste without obtaining a hazardous waste permit (see deficiency section). The facility would typically operate as a conditionally exempt generator. Based on the properties of methylene chloride, soil contamination may have occurred from the stripper material leaching through the concrete hangar floor, concrete underground tank and ancillary equipment, and through the sloped concrete evaporative pad (see deficiency section).

- **Digital photos were taken to document violations. Copies of the facility's MSDS for paint stripper, paint thinner, and MEK solvent were obtained at the time of the inspection. An "8700-12 Notification of Regulated Waste Activity" form was left with Mr. Silverman at the time of the inspection. An example weekly inspection document and emergency arrangement letter was also provided.**

7. Areas of Inspection:

Manifests:

The facility has not shipped any hazardous waste off site. There were not any manifests to review at the time of the inspection.

Weekly Inspections:

The facility currently does not conduct or document weekly inspections (see deficiency section).

Training:

The facility does not conduct hazardous waste training (see deficiency section).

Emergency Preparedness:

The facility is equipped with fire extinguishers and telephones. The facility's emergency coordinator is Mr. Ken Silverman. The facility has not been operated in a way that minimizes the possibility of a hazardous waste release to the environment (see deficiency section). Mr. Silverman could not provide any information to show that the facility has made emergency arrangements with local authorities (see deficiency section).

Contingency Plan:

The facility has not developed or posted a SQG hazardous waste contingency plan.

Accumulation Areas:

There were two hazardous waste satellite accumulation areas at the facility at the time of the inspection.

1. Hangar Floor Area - There were (3) 5-gallon containers of waste paint chips/stripper located inside the hangar area. The (3) 5-gallon containers of waste paint chips/stripper were observed to be leaking onto the hangar concrete floor at the time of the inspection. Mr. Silverman stated that the containers are designed to leak to promote evaporation. The containers were not properly closed or labeled (see deficiency section).
2. Painting Room Area - There was one (1) 55-gallon container of waste paint thinner located in this area. The container's funnel was not closed and the container was not properly labeled at the time of the inspection. There were spills of hazardous waste on the outside of the funnel (see deficiency section).

Hazardous Waste Storage Areas:

There were two hazardous waste storage areas at the facility.

1. Central Storage Area – There were (3) 55-gallon containers of hazardous waste paint chips/stripper, (5) 55-gallon containers of hazardous waste paint material, and (1) 2.5-gallon container of hazardous waste paint chips/stripper in the storage area at the time of the inspection. The containers were not properly labeled or dated, and the 2.5-gallon container of hazardous waste paint chips/stripper was not properly closed (see deficiency section). Mr. Silverman identified the contents of each container. A fire extinguisher is located nearby. Voice communication would be used in an emergency situation.
2. Evaporation Pad Area – There was one metal pan holding paint chips/stripper located next to the concrete evaporation pad outside. The pan was not properly closed or labeled. The container was not properly dated with an accumulation start date (see deficiency section).

8. Site Deficiencies:

- **15A NCAC 13A .0109(a)** - Aircraft Painting & Interiors, LLC is in violation of this regulation in that the facility has treated, stored, and disposed of a hazardous/solid waste and the facility does not have a permit.
 - **40 CFR 262.11** – Aircraft Painting & Interiors, LLC is in violation of this regulation in that the facility has not conducted a proper hazardous waste determination on waste paint chips/stripper, waste paint thinner, waste MEK wipes, or the wastewater from the stripping process.
- * Above violations were addressed on an Immediate Action Notice of Violation (IANOV). An Administrative Order with Penalty has been recommended as well.**
- **40 CFR 261.5 (g)(2)** - Aircraft Painting & Interiors, LLC is in violation of this regulation in that the facility has accumulated more than 1000 kilograms (2,200-pounds) of hazardous waste on site at one time and is therefore subject to regulation as a small quantity hazardous waste generator (SQG) The facility has not properly notified as a SQG using EPA Form 8700-12, Notification of Regulated Waste Activity, or paid SQG fees for 2007, as required by North Carolina General Statute 130A-294.1 (f).

- **40 CFR 262.34 (c)(1)** - Aircraft Painting & Interiors, LLC is in violation of this regulation in that the facility failed to place hazardous waste into containers. Spills of hazardous waste were noted on the outside of (3) 5-gallon containers of hazardous waste paint chips/stripper located in the Hangar Area. Spills were noted on the ground under the containers as well. Spills were also noted on the outside of the funnel on the 55-gallon container of hazardous waste paint thinner located in the Paint Room Area.
- **40 CFR 262.34 (c)(1)(i) referenced at 40 CFR 265.173 (a)** – Aircraft Painting & Interiors, LLC is in violation of this regulation in that (3) 5-gallon containers of hazardous waste paint chips/stripper, located at the Hangar Area, and (1) 55-gallon container of hazardous waste paint thinner, located at the Paint Room Area, were not properly closed at the time of the inspection.
- **40 CFR 262.34 (c)(1)(ii)** – Aircraft Painting & Interiors, LLC is in violation of this regulation in that (3) 5-gallon containers of hazardous waste paint chips/stripper, located at the Hangar Area, and (1) 55-gallon container of hazardous waste paint thinner, located at the Paint Room Area, were not properly labeled at the time of the inspection.
- **40 CFR 262.34 (d)(2) referenced at 40 CFR 265.173 (a)** - Aircraft Painting & Interiors, LLC is in violation of this regulation in that there was (1) 2.5-gallon container of hazardous waste paint chips/stripper, located in the Central Storage Area, and one metal pan holding hazardous waste paint chips/stripper, located at the Evaporation Pad Area, and the containers were not properly closed at the time of the inspection.
- **40 CFR 262.34 (d)(4) referenced at 40 CFR 262.34 (a)(2)** - Aircraft Painting & Interiors, LLC is in violation of this regulation in that there were (9) 55-gallon hazardous waste containers, located in the facility's Central Storage Area, and one metal pan holding hazardous waste paint chips/stripper, located at the Evaporation Pad Area, and the containers were not labeled with the date that accumulation began.
- **40 CFR 262.34 (d)(4) referenced at 40 CFR 262.34 (a)(3)** - Aircraft Painting & Interiors, LLC is in violation of this regulation in that there were (9) 55-gallon hazardous waste containers, located in the facility's Central Storage Area, and one metal pan holding hazardous waste paint chips/stripper, located at the Evaporation Pad Area, and the containers were not labeled with the words "Hazardous Waste".

- **40 CFR 262.34 (d)(4) referenced at 40 CFR 265.31** - Aircraft Painting & Interiors, LLC is in violation of this regulation in that the facility has failed to minimize the possibility of a release of hazardous waste to the environment. There were (3) 5-gallon containers of hazardous waste paint chips/stripper that were leaking onto the facility's hangar floor. Hazardous waste has also been released by the facility's paint stripper evaporation process.
- **40 CFR 262.34 (d)(4) referenced at 40 CFR 265.37** – Aircraft Painting & Interiors, LLC is in violation of this regulation in that Mr. Silverman did not have any knowledge or documentation to demonstrate that arrangements have been made with all local emergency response agencies.
- **40 CFR 262.34 (d)(5)(ii)** - Aircraft Painting & Interiors, LLC is in violation of this regulation in that the facility has not posted a contingency plan, next to phones, that shows the name and phone number for the emergency coordinator, or the locations of fire extinguishers, fire alarms, and spill control equipment.
- **40 CFR 262.34 (d)(5)(iii)** - Aircraft Painting & Interiors, LLC is in violation of this regulation in that the facility has failed to properly train employees with proper hazardous waste handling procedures.
- **40 CFR 270.10 (a)(3)** - Aircraft Painting & Interiors, LLC is in violation of this regulation in that the facility has operated as a treatment, storage, and disposal facility (TSDF) and has not completed a hazardous waste permit application.

9. Actions Taken After Initial Inspection:

On April 12, 2007 I spoke with Mr. Ken Silverman by phone. I explained that the facility must immediately cease the discharge of potential listed hazardous waste from the facility. I instructed Mr. Silverman to cover the concrete pad and cover the inside shop drain. I also explained that any water accumulating in the concrete pad must be containerized.

On April 24, 2007 I spoke with Mr. Ken Silverman by phone. Mr. Silverman explained that he had covered and diverted rainwater away from the concrete pad and that the facility was no longer using methylene chloride as a paint stripper. They are now using a biodegradable stripper. Mr. Silverman also stated that he is working on the NOV issued and the shop floor drain has been sealed. Mr. Silverman submitted an email with this information as well.

On May 10, 2007 I hand delivered Immediate Action Notice of Violation, Docket # 2007-100. The NOV was returned to Raleigh.

On August 2, 2007 I visited Aircraft Painting to observe soil sampling activities. I met with Mr. Ken Silverman at the site. Mr. Silverman had contracted Geological Resources, Inc to collect eleven soil samples as approved by Robin Proctor (HWS Chemist). The samples were collected using a GeoProbe.

The facility disposed of (8) 55-gallon containers (3,200-pounds) of hazardous waste on 4/20/07. The material was sent to EcoFlo NCD 980 842 132. The material was characterized as a D001 waste. Based on the paint stripping process and the use of methylene chloride as a stripper, the waste should have also been F-listed. Mr. Silverman sent a request to EcoFlo to have the manifest corrected. Mr. Silverman stated that the facility would operate as a conditionally exempt generator once remediation activities are completed. The facility is currently using a non-hazardous paint stripper and the wastewater sludge is being collected in containers for disposal. Liquid wastewater is being discharged into what is believed to be the airport's wastewater system and Mr. Ken Silverman is going to check with the City of Salisbury regarding the airport's wastewater system and any discharge permit needed.

On September 18, 2007 Robin Proctor issued Aircraft Painting a letter explaining that the analytical sample results, collected on August 2, 2007, indicate that contamination has occurred at the site. Mrs. Proctor is requiring that additional sampling be conducted as well as groundwater sampling. Mr. Silverman responded with an email that explains that he will contract Geological Resources, Inc for the remediation and sampling. An Administrative Order will be recommended.

On October 18, 2007 I visited Aircraft Painting to observe soil excavation and soil sampling. Mr. Silverman contracted Geological Resources, Inc (GRI) to excavate soil around the underground tank and to collect post-excavation samples as well as RCRA metal background samples. GRI removed approximately 17.5 tons of soil and the underground tank. GRI collected 5 samples, to be analyzed for volatile organics and RCRA metals, from the tank area. GRI also collected 5 background samples from around the facility. The excavated pit was backfilled with clean soil as requested by Mr. Silverman. During the excavation a 4" PVC pipe was found leading from the former tank to an unknown location. The outfall location from the piping was not known and will be investigated. Training records for the two GRI employees was obtained from GRI.

A facility walkthrough was also conducted. Mr. Silverman has purchased a distillation unit for the facility's waste acetone paint material. The facility has shipped two containers of hazardous waste from the facility since April 30, 2007. A copy of the manifest was obtained. The facility now generates hazardous waste MEK wipes, waste paint thinner, and hazardous waste still bottoms. Based on facility operations the facility will operate as conditionally exempt small quantity generator in the future. I reminded Mr. Silverman to label and close all hazardous waste containers. Digital photos were taken during the excavation.

INSPECTOR (DATE)

SENT BY CERTIFIED MAIL
FACILITY CONTACT

cc:
MRO Files
Brent Burch, Western Area Compliance Supervisor
Central Office Files
Ken Silverman, Aircraft Painting & Interiors, LLC



Picture shows the evaporation pad behind the facility.



Picture shows the evaporation pad from the front.



Picture shows wastewater being circulated over the evaporation pad.



Picture shows wastewater being circulated over the evaporation pad.



Picture shows paint chip sludge collected off of the evaporation pad.



Picture shows the flexible plastic tubing used to transport waste water from under ground tank to evaporation pad.



Picture shows the top of the underground tank. Water is pumped to the tank from the inside of the hangar.



Picture shows the inside of the hangar where paint stripping is conducted.



Picture shows the hangar floor drain. Wastewater from paint stripping is washed into the drain and then piped to the underground tank.



Picture shows three 5-gallon containers with waste paint chips/stripper/water collected from the hangar floor and floor drain.



Picture shows three 5-gallon containers of waste paint chips/stripper/water. The containers are leaking intentionally to promote fast evaporation.



Picture shows one 55-gallon container of waste paint material.



Picture shows one 55-gallon container of waste paint material located in the hangar.

All of the digital pictures were taken at Aircraft Painting & Interiors, LLC on 4/10/07 by Sean Morris.

SIGNATURE