

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

**Your Name:** Heather Goldman

**Facility ID Number:** NCR000145565

**Facility Name:** Henkel Corporation

**Document Group:** Enforcement (E)

**Document Type:** E- Ticket Notice of Violation (TNOV)

**File Description/Comments:** LQG. TNOV, Docket # 2016-028.

**Date of Document:** 4/18/2016

**Author(s) of Document:** Heather Goldman

**Inspector ID #:** NC111

**Suborganization:** Western Region

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

**For Violations:**

**Enforcement Date:** 4/18/2016

**Docket Number:** 2016-028

**Enforcement Type:** TNOV

**How many violations were there?** 2

**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:** 4/11/2016

**Scheduled Return to Compliance:** 5/20/2016

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

**Regulation Description:** CFR 262.34(c)(1)

**Comment:** The facility failed to accumulate hazardous waste in a satellite accumulation container.

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

**Violation #2:**

**Date Determined:** 4/11/2016

**Scheduled Return to Compliance:** 5/20/2016

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

**Regulation Description:** CFR 262.34(c)(1)(i) reference 265-171

**Comment:** The facility failed to replace a leaking container or manage the waste in another way that complied with the rules.

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



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## NOTICE OF VIOLATION

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
**7015 0640 0007 1578 3475**

To: Attn: Don Weatherbee  
Henkel Corporation  
825 Cedar Springs Road  
Salisbury, NC 28147

Docket #: 2016-028  
Date of Inspection: April 11, 2016  
Facility Type: LQG  
EPA ID#: NCR 000 145 565

On December 18, 1980, the State of North Carolina, Hazardous Waste Section (State) was authorized to operate the State RCRA hazardous waste program under the Solid Waste Management Act (ACT), N.C.G.S. 130A, Article 9 and rules promulgated thereto at 15A NCAC 13A (Rules) in lieu of the federal RCRA program. Henkel Corporation is located in Salisbury, North Carolina, is operating as a Large Quantity Generator (LQG), 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, 40 CFR 273 adopted at 15A NCAC 13A .0119, 40 CFR 279 adopted by reference at 15A NCAC 13A .0118.

On April 11, 2016, Heather Goldman, Environmental Senior Specialist, inspected your facility for compliance with North Carolina Hazardous Waste Management Rules. During that investigation, the following violations were noted:

- A. CFR 262.34(c)(1), 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 §261.31 or §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) or (d) of this section provided he:
- (i) Complies with §§265.171, 265.172, and 265.173(a) of this chapter; and
  - (ii) Marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

*Henkel Corporation is in violation of this regulation in that during the inspection, the #15 "clam" secondary containment structure that held one 55-gallon container of spent solvent hazardous waste, contained spilled hazardous waste that had leaked from the 55-gallon container. There was approximately 20-gallons of spilled hazardous waste.*



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- B. CFR 262.34(c)(1)(i) reference 265-171, adopted by reference at 15A NCAC 13A .0107, states that if a container holding hazardous waste is not in good condition, or if it begins to leak, the owner or operator must transfer the hazardous waste from this container to a container that is in good condition, or manage the waste in some other way that complies with the requirements of this part.

*Henkel Corporation is in violation in that during the inspection, the #15 "clam" secondary containment structure held one 55-gallon container of spent solvent hazardous waste. The facility had not replaced the 55-gallon container that leaked hazardous waste into the secondary containment structure or manage the waste in another way that complied with the rules.*

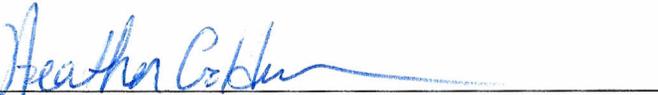
Based upon the foregoing, Henkel Corporation shall come into compliance with all applicable requirements of 40 CFR Parts 262, 265, 268, 273, and 279 by May 20, 2016 **(30 days from signing)**.

Respondent shall provide a written certification with supporting documentation on company letterhead confirming the noted compliance schedule has been completed. Mail or email this certification to Ms. Heather Goldman, Environmental Senior Specialist at P.O. Box 241001, Charlotte, NC 28224-1001 by the noted compliance date.

Compliance with this NOV will not divest the Section of its authority to issue an administrative penalty for the violations cited herein. Pursuant to N.C. General Statutes 130A-22(a) and 15A NCAC 13A .0701-.0707, an administrative penalty of up to \$32,500.00 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 Ms. Heather Goldman at 980-224-9858.

4/18/2016  
(Date)

  
Heather Goldman, Environmental Senior Specialist  
Division of Waste Management, NCDENR

I, Heather Goldman, hereby certify that I have personally served a copy of this Notice to Mr. Don Weatherbee at Henkel Corporation, by certified mail.

SENT CERTIFIED MAIL  
(Recipient Signature Required)

cc: Mr. Brent Burch, NC Hazardous Waste Section  
Central Office Files