

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

Your Name: Heather Goldman

Facility ID Number: NCR000145565

Facility Name: Henkel Corporation

Document Group: Inspection/Investigation (I)

Document Type: I - Compliance Evaluation Inspection (CEI)

File Description/Comments: LQG. TNOV, Docket # 2016-028 to be issued with report.

Date of Document: 4/11/2016

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:

North Carolina Department of Environment and Natural Resources
Division of Waste Management Hazardous Waste Section
Large Quantity Generator Inspection Report*

Facility Name: Henkel Corporation Date 4/11/2016/
 Site Address: 825 Cedar Springs Road, Salisbury, NC 28147 (Verified in RCRAInfo? Yes No
 Mailing Address: 825 Cedar Springs Road, Salisbury, NC 28147
 EPA ID #: NCR000145565
 Site Contact: Don Weatherbee Title: SHE Manager
 Phone Number: (704) 647-3534
 Email: don.weatherbee@henkel.com
 Inspector: Heather Goldman
 Participants: Don Weatherbee
 Legal Owner of Business: Henkel Corporation
 Legal Owner of Property: Henkel Corporation
 Generator Status: LQG

Determined by: Statement from: _____ Manifests: HW on-site (amt):

Facility Description: Site acreage: 32 Operating shift(s): 24/7 # Employees: 185
Water supply: Well Municipal Waste water treatment: Municipal Septic: On Site Treatment
Distance to on-site/off-site wells: _____ Closest private residence: _____

Facility Description (No. of buildings, size of buildings, operations conducted, locations HW is generated):

Henkel is an electronics component manufacturer, specializing in synthetic chemicals for use in various adhesives and intermediates. The facility's primary hazardous waste generation comes from their spent solvents from cleaning, as well as various batch wastes and some heavy metals waste.

Waste Streams (hazardous waste, universal waste, used oil, non-RCRA regulated waste, non-hazardous waste):

TYPE WASTE	COMMON NAME	WASTE CODE
Waste Flammable Liquid	Ethyl Acetate, Toluene	D001, F003, F005
Waste Flammable Liquid	Ethyl Acetate, Toluene	D001, D018, D035, F003, F005
Waste Flammable Liquid, Toxic	Methylene Chloride, Toluene	D001, F002
Waste Adhesives		D001

*NOTE: This document is for assistance only. For complete regulations refer to Title 40 of the Federal Code of Regulations Part 260-279. This form does not contain all of the North Carolina Hazardous Waste Regulations and many of the regulations described are paraphrased. Division website located at: <http://portal.ncdenr.org/web/wm/hw>

Document Review

- **262.11- Hazardous Waste Determination** Compliance Yes No
Generators must determine if their waste is hazardous.

- **261.2(f) – Documentation of claims material is not solid waste** Compliance Yes No
*Generators must document claims that materials are not solid wastes or are conditionally exempt from regulations.
The facility generates silver waste that is reclaimed offsite. The new 2015 Definition of Solid Waste rules were discussed.

- **262.12- EPA ID Numbers** Compliance Yes No
(a) Generators must acquire an EPA ID Number before they offer hazardous waste for shipment or disposal
(c) Generators must use approved TSDF's and Transporters with valid EPA ID numbers.

- **262.20- Manifest** Compliance Yes No
Manifests must be properly filled out for all hazardous waste shipments.

TSD Facilities:

Facility Name	EPA ID #
Nexeo Solutions	NCD061263315

Transporters:

Transporter Name	EPA ID #
Nexeo Solutions	OHR000162800

- **268.7 (a)(4)- LDR Certification** Compliance Yes No
Land Disposal Restrictions must accompany all waste streams sent to TSDF.

- **262.42- Exception Reports** Compliance Yes No
(a) (1) Facility must contact the transporter/designated facility if a manifest is not received within 35 days.
(2) Generator must submit an Exception Report if a manifest is not received within 45 days.

NA

- **262.27 & GS 130A-294(k) Waste Minimization Certification** Compliance Yes No

A generator who ships hazardous waste must certify on their manifest a waste minimization program and have a written description of any program to minimize or reduce the volume and quantity or toxicity of waste.

The facility has a written waste minimization plan that was reviewed on 2/24/2014.

- **262.34(a)(1)(i) ref 265.174- Weekly Inspections** Compliance Yes No

Storage Areas must be inspected weekly for leaking containers and for deterioration of containers caused by corrosion.

- **15A NCAC 13A .0107(d) – Documented Weekly Inspections** Compliance Yes No

The generator must keep records of the inspections and results of the inspections for at least three years from the date of the inspection.

- **262.40- Recordkeeping** Compliance Yes No

a) Manifest must be kept for three years
 b) Biennial Reports must be kept for three years. (does not apply to SGQ)
 c) Waste analyses or test results must be kept for three years
 d) If enforcement actions are taken these time periods are extended.

- **262.41- Biennial Report** Submitted 12/8/2015 Compliance Yes No

Generators who ship hazardous waste in the US must prepare a Biennial Report by March 1 of each even numbered year.

Subpart C – Preparedness and Prevention

Compliance Yes No

- **265.33- Testing and Maintenance of Equipment** *

All equipment listed in this section should be tested and maintained to assure operation in case of an emergency.

- **265.37- Arrangements with Local Authorities** Compliance Yes No

(A) Arrangement for services should be made with the following:

 - 1) Arrangements to familiarize police, fire departments and emergency response teams with the facility layout, properties of hazardous waste handled and associated hazards, places where people normally work, entrance roads and evacuation routes.
 - 2) Primary response agencies should be established with all emergency responders. All others will support.
 - 3) Arrangements with state emergency response teams, contractors, and equipment suppliers.
 - 4) Arrangements to familiarize local hospitals with the properties of hazardous waste handled and types of injuries or illnesses which could result from fires, explosions or releases at the facility.

(B) Documentation from any local authorities that decline any of the emergency arrangements

—NA—

Arrangement letters were mailed on 9/21/2015 by Certified Mail.

Subpart D – Contingency Plan and Emergency Procedures

- **265.51- Contingency Plan** Last Revised 9/21/2015 Compliance Yes No

(a) Each owner or operator must have a contingency plan for their facility.
 (b) Plan must be carried out in the event of a fire, explosion, or release of hazardous waste that could threaten health or environment.

265.16- Personnel Training & Job Description

Compliance Yes No

- a) (1) Facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way to ensure compliance with these sections requirements.
- (2) Training must be conducted by a person trained in hazardous waste management procedures and training must include hazardous waste management training relevant to each employee's position (including contingency plan implementation).
- (3) Training should be designed to ensure that personnel can respond properly to emergencies.
- b) Personnel must complete the training within six months of their hire date or when they change job responsibilities.
- c) Personnel must take part in an annual review of the initial training.
- d) The following documents must be maintained at the facility:
 - (1) Job title and person filling position for each position related to hazardous waste management.
 - (2) A job description for each position listed above, including requisite skills, education, and qualifications. Position duties should also be recorded.
 - (3) A written description of the type and amount of initial and continuing training that will be given for each position.
 - (4) Records that document that the training or job experience have been completed by personnel.
- e) Training records on current personnel must be kept until closure of the facility. Training records on all former employees must be kept for at least three years from date of separation

Name of Employee	Job Title	Hazardous Waste Job Duties	Date of Annual RCRA Review	Date of Previous Annual RCRA Review	RCRA Job Description (including requisite skills, education and qualifications) Yes/No	Date of Contingency Plan Review
Don Weatherbee	SHE Manager	Signsmanifest			Yes	
185 Employees	Various	Various	11/11 & 12th/2015		Yes	11/11/2015

Facility Walkthrough

- | | |
|---|--|
| <ul style="list-style-type: none">• <u>262.30- Proper DOT Containers</u> <p>Waste must be packaged in accordance with applicable DOT regulations 49 CFR 173, 178, 179.</p> <hr/> | Compliance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none">• <u>262.34 (a)- Accumulation Time</u> <p>A generator may accumulate hazardous waste on-site for 90 days or less without a permit.</p> <hr/> | Compliance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none">• <u>262.34 (a)(1)(i)- Storage Container Spills/Releases</u> <p>Waste must be placed <u>in</u> containers.</p> <hr/> | Compliance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none">• <u>262.34(a)(1)(i) ref 265.176- Waste Placement</u> <p>Ignitable or reactive waste must be stored at least 50 feet from the property line</p> <hr/> | Compliance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none">• <u>262.34(a)(1)(i) ref 265.177- Incompatible Waste</u> <p>(a) Incompatible waste/materials must not be placed in the same container
(b) Hazardous waste must not be placed in an unwashed container that previously held an incompatible waste
(c) Incompatible waste must be separated while in storage</p> <hr/> | Compliance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none">• <u>262.34 (a)(2)- Accumulation Start Dates</u> <p>Containers in storage must be dated when accumulation begins.</p> <hr/> | Compliance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none">• <u>262.34 (a)(3)- Storage Container Labeling</u> <p>Containers in storage area must be labeled "Hazardous Waste".</p> <hr/> | Compliance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none">• <u>262.34(c)(1)- Satellite Container Spills/Releases</u> <p>No more than 55-gallons may be placed <u>in</u> containers at or near the point of generation under the control of the operator. No spills of haz. waste on/around satellite accumulation containers.
#15 "clam" secondary containment container, that housed one 55-gallon container, contained approximately 20-40 gallons of spilled waste.</p> <hr/> | Compliance <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <ul style="list-style-type: none">• <u>262.34(c)(1)(i) ref 265.171- Container Condition</u> <p>Container in poor condition must be replaced.
55-gal container inside #15 clam secondary containment container leaked.</p> <hr/> | Compliance <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <ul style="list-style-type: none">• <u>262.34(c)(1)(i) ref 265.172- Container Compatibility</u> <p>Containers must be compatible with the waste they hold.</p> <hr/> | Compliance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none">• <u>262.34(c) (1) (i) ref 265.173(a)- Container Management</u> <p>Containers must be maintained in a closed position unless adding or removing waste.</p> <hr/> | Compliance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none">• <u>262.34(c) (1) (ii) - Satellite Container Labeling</u> <p>Satellite containers must be marked with the words "Hazardous Waste" or other words to describe the contents.</p> <hr/> | Compliance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

- **265.31- Maintenance and Operation of Facility** Compliance Yes No

Facility must be operated to minimize the possibility of a fire or any unplanned sudden or non-sudden release of hazardous waste that threatens health or environment.

- **265.32- Required Equipment** Compliance Yes No

Facilities must have the following equipment unless not needed.

- (a) Internal communications or alarm system that provides emergency instruction to personnel.
- (b) A telephone or two-way radio must be available at the scene of operation to summon emergency assistance.
- (c) Fire extinguishers and fire control equipment spill control, and decontamination equipment.
- (d) Adequate water volume and pressure to supply fire hoses, automatic sprinklers, or water spray systems.

- **265.34- Access to Communications** Compliance Yes No

- (a) Whenever hazardous waste is being handled, all personnel involved must have access to an alarm or communication device. Visual or voice contact is allowed.
- (b) If there is just one person at the facility, while in operation, they must have immediate access to a telephone or two-way radio capable of summoning emergency assistance.

- **265.35- Required Aisle Space (15A NCAC 13A .0110 (c))** Compliance Yes No

Two feet of aisle space must be maintained to allow unobstructed movement of personnel or safety equipment.

Used Oil (Generator)

- **279.22- Used Oil Storage** Compliance Yes No

- (a) Used oil must be stored in tanks or containers
- (b) Used oil containers must be in good condition and not leaking
- (c) (1) Used oil tanks and containers must be labeled with the words "Used Oil".
(2) Fill lines for used oil UST's must be labeled with words "Used Oil"
- (d) When a used oil release is found the release must be:
 - (1) Stopped
 - (2) Contained
 - (3) Cleaned and managed properly
 - (4) Tanks or containers must be repaired before reuse.

One 55-gallon container of used oil was observed in the UIC Hot Oil Room.

Universal Waste – Small Quantity Handler (Lamps & Batteries)

- **273.13 (a)- Used Battery Management** Compliance Yes No

All used batteries must be contained if damaged.

- **273.14 (a)- Used Battery Labeling** Compliance Yes No

Each battery/container of batteries must be labeled w/ the words "Universal Waste-Batteries", "Waste Batteries", or "Used Batteries".

- **273.13 (d)- Used Lamp Management** Compliance Yes No

Used lamps must be properly containerized to prevent breakage and containers of lamps must be properly closed.

Digital Photo Log:

Weather: Sunny Cloudy Rain Storm

<u>Picture Location</u>	<u>Time</u>	<u>Notes</u>
Pic #1:		
Pic #2:		
Pic #3:		
Pic #4:		
Pic #5:		
Pic #6:		
Pic #7:		
Pic #8:		
Pic #9:		
Pic #10:		

Documents Copied During Inspection:

Site Deficiencies:

- 262.34(c)(1) Satellite Container Spills/Releases
 - 262.34(c)(1)(i)ref265-171 Container Condition
-
-
-
-
-
-
-

Recommendations/Area of Concern/Action Items:

The facility manages spent solvent through a Continued Use program through K-Com Environmental who sells the material to Lone Star Industries dba Buzzi Unicem USA to clean out tankers. Henkel is required to notify the Hazardous Waste Section that program conditions are met (9/9/2009 e-mail). The solvent is stored inside an 5,000-gallon tank that was labeled as "Continual Use Solvent B24"

It is a reminder that each hazardous waste employee must receive annual training, including the person providing hazardous waste training.

The Section received a complaint regarding waste in a secondary structure near building 117, as well as unlabeled containers. It is recommended that the facility ensure all product containers, buckets and any other chemical container are properly labeled. All hazardous waste containers observed at the time of inspection were labeled.

 4/15/2016
Inspector (Date)

Facility Contact (Date)

Required Records/Document Checklist

Company Name: Henkel Corporation

EPA ID Number: NC R000145565

Date: 4/11/2016

The generator must provide and make available, but not limited to, any persons knowledgeable of your HW management program and the following records/documents at the time of inspection:

- 1. Records of weekly inspection of containers stored in designated Hazardous Waste Storage Areas.
- 2. Records of daily inspection of tanks containing hazardous waste. *
- 3. Records of weekly inspection of drip pads (and after storms). *
- 4. Job titles for each position related to hazardous waste management and the name of the employee filling each job.
- 5. Job description of positions related to hazardous waste management.
- 6. Written description of type and amount of introductory and continuing training that will be given to each hazardous waste management position.
- 7. Records of annual or introductory hazardous waste training for each employee managing hazardous waste.
- 8. Copies of signed hazardous waste manifests.
- 9. Copy of land ban notification for each hazardous waste transported from facility.
- 10. Copy of latest facility contingency plan.
- 11. Copy of latest Biennial Report. *
- 12. Copy of written, description of or other type of Waste Minimization program/method.

*** If applicable**

I acknowledge or certify that the noted records/documents requested above are required to be maintained at the facility. All records currently available and staff cognizant of these records were made available at the time of the inspection.



Facility Contact or Representative Signature

4/11/2016

Inspection Date

LARGE GENERATOR INSPECTION REPORT Facility Name: Henkel Corporation

Date 4/11/2016

VIOLATIONS IDENTIFIED:

1) 262.34(c)(1) Satellite Container Spills/Releases

Notes Hazardous waste spill inside #15 "clam" secondary containment container.

2) 262.34(c)(1)(i)ref265-171 Container Condition

Notes 55-gal container inside #15 clam secondary containment container leaked.

3) _____

Notes _____

4) _____

Notes _____

5) _____

Notes _____

6) _____

Notes _____

7) _____

Notes _____

8) _____

Notes _____

9) _____

Notes _____

10) _____

Notes _____

11) _____

Notes _____

12) _____

Notes _____