

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

Your Name: Jenne Walker

Facility ID Number: NCR000166249

Facility Name: Axis Laboratories

Document Group: Inspection/Investigation (I)

Document Type: I - Compliance Schedule Evaluation (CSE)

File Description/Comments: In Compliance with NOV Docket #2015-053, no further action required

Date of Document: 03/31/2016

Author(s) of Document: Jenne Walker

Inspector ID #: NC028

Suborganization: Eastern Region

County (if not on report): Wake

For Violations:

Enforcement Date: 09/30/2015

Docket Number: 2015-053

Enforcement Type: NOV

How many violations were there? 01

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: 08/21/2015

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

Actual Return to Compliance: 03/31/2016

Regulation Description: 40 CFR 262.11 - waste determination

Comment: Failed to conduct waste determination on discarded material

For CSE, Corrections to Violations were: Observed

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WASTE MANAGEMENT
HAZARDOUS WASTE SECTION**

COMPLIANCE SCHEDULE EVALUATION (CSE) REPORT

- 1. FACILITY INFORMATION:** **DOCKET # 2015-053**
- Name: Axis Laboratories (formerly Axis Holdings)
EPA ID Number: NCR 000 166 249
Type of Facility: Large Quantity Generator
Facility Location: 1014 S Saunders Street, Raleigh NC 27603
Mailing Address: 3701 Conquest Drive, Garner NC 27529
County: Wake
- 2. FACILITY CONTACT:** Mr. Charles E. Smith, Manager
336-596-2347; charles@livoleo.com
- Company Owner: Mr. Peyton S. Palaio
5460 Wentworth St, Atlanta GA 30342
- 3. SURVEY PARTICIPANTS:** Charles Smith – Axis Holdings
Jenne Walker, Environmental Senior Specialist - DWM,
Hazardous Waste Section, DEQ
- 4. DATE OF EVALUATION:** March 31, 2016
- 5. PURPOSE OF EVALUATION:** A Notice of Violation (Docket # 2015-053) was issued to Axis Holdings Company subsequent to the August 21, 2015 site visit and investigation conducted by Jenne Walker and Jenny Patterson (NC DEQ) at the subject facility. An on-site Compliance Schedule Evaluation conducted by Jenne Walker on March 31, 2016.
- 6. PREVIOUS VIOLATIONS / DEFICIENCIES:**
Violation(s) previously cited as the result of the August 21, 2015 Complaint Investigation pertained to the following regulations. The corrective action taken for each violation cited is noted in bold print.

- A. 40 CFR 262.11 adopted by reference at 15A NCAC 13A .0107.** Hazardous waste determination: A person who generates a solid waste, as defined in 40 CFR 261.2, must determine if the waste is a hazardous waste using the following method:

He should first determine if the waste is excluded from regulation under 40 CFR 261.4. He must then determine if the waste is listed as a hazardous waste in subpart D of 40 CFR part 261.

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

- a. 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
- b. Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.

Axis Laboratories is in violation of 40 CFR 262.11, adopted by reference at 15A NCAC 13A .0107(a), in that a solid waste was discarded as defined in 40 CFR 261.2 and a determination was not made by the generator whether that waste was a hazardous waste.

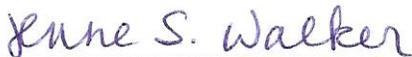
All hazardous waste generated as a result of the August 2015 facility fire has been shipped off-site for disposal or reclamation.

Axis Laboratories (previously Axis Holdings Company) submitted notification to the Division as a Small Quantity Generator on September 1, 2015. The facility submitted subsequent notification as a Large Quantity Generator dated February 9, 2016.

7. CONCLUSION:

All violations previously cited appeared to be resolved at the time of the March 31, 2016 Compliance Schedule Evaluation. No further action is required at this time.

Please contact me at (919) 707-8224 or jenne.walker@ncdenr.gov if you have any questions about this report or maintaining compliance with the hazardous waste or universal waste management (RCRA) regulations.



Jenne S. Walker

Environmental Senior Specialist, NCDEQ

Signed 04/1/2016