

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

Your Name: Andrew Martin

Facility ID Number: NCS000000515

Facility Name: Metal Recycling Services

Document Group: Inspection/Investigation (I)

Document Type: I - Focused Compliance Inspection (FCI)

File Description/Comments: MSRP Inspection. Facility was formerly named Stateline Scrap Metal. Please update facility name

Date of Document: 4/7/2016

Author(s) of Document: Andrew Martin

Inspector ID #: NC115

Suborganization: Resident Inspector Program

County (if not on report):

For Violations:

Enforcement Date: 4/7/2016

Docket Number: 2016-026

Enforcement Type: TNOV

How many violations were there? 1

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: 4/7/2016

Scheduled Return to Compliance: 5/13/2016

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

Regulation Description: 40 CFR 279.22 (d), adopted by reference at 15A NCAC 13A .0118, states that upon detection of a release of used oil to the environment that is not subject to the requirements of Part 280, subpart F of this chapter and which has occurred after the effective date of the recycled used oil management program in effect in the State in which the release is located, a generator must perform the following cleanup steps.

Comment:

Metal Recycling Services is in violation of 40 CFR 279.22 (d), in that releases of used oil were observed on the ground in multiple areas around the above ground storage tank used to collect discharges from the oil/water separator, and no effort had been taken to contain and clean up the releases observed on the land surface.

For CSE, Corrections to Violations were:

NC HAZARDOUS WASTE SECTION (NC HWS)
MERCURY SWITCH REMOVAL PROGRAM
COMPLIANCE EVALUATION CHECKLIST/REPORT

Facility Name: **Metal Recycling Services** Date of Inspection: 4/7/2016
Facility ID Number: NCS000000515
Previous Inspection date(s): **NA**
Facility Generator Status: CESQG
County: Gaston
Address: 5401 South York Highway, Gastonia, NC 28052
Phone: 704-864-9001
Mailing Address (If Different): _____
E-Mail Address: Brett.Busha@djj.com
Owner/Contact: Brett Busha
Type of Business: Scrap metal recycling

Number of Cars Dismantled Per Year? 1,000 +
Does The Facility Shred On-Site? Yes
Does The Facility Crush On-Site? No
**If YES Do They Own Their Own Crusher?* NA
Any evidence of a release (see used oil below) NA

Does The Facility OWN or OPERATE A Mobile Crusher? No

MERCURY SWITCH MANAGEMENT

Facility Collecting Mercury Switches: Yes.
Evidence of Mercury Release to Environment: 273.13(c)(2)(i) No
Switches Containerized: 273.13(c)(1) Yes
Switches In Closed Containers: 273.13(c)(1) Yes
Containers Properly Labeled: 273.14(d)(1) Yes
Facility Able To Demonstrate Accumulation Time: 273.15(c) Yes
Number of Shipments of Switches: 1. 10-30-2015
Shipping Papers Maintained: Yes
Employees Trained In Mercury Handling & Emergency Procedures: 273.13(c)(2)(vi) Yes
Mercury Switch Removal Log Maintained: Yes
Mercury Spill Kit On Site: 273.13(c)(2)(iii) Yes

USED OIL MANAGEMENT

Does Facility Generate Used Oil: 279.22(a) Yes
Stored In: Multiple Tanks
Tanks / Containers Properly Labeled: 279.22(c)(1) Yes
Evidence of Used Oil Release: 279.22(b)/279.22(d) Yes
Used Oil Disposal Receipts Maintained: Yes



LEAD / ACID BATTERY MANAGEMENT (266.80)

Does Facility Generate Lead / Acid Batteries: Yes
Batteries Properly Maintained To Prevent a Release: Yes

GASOLINE MANAGEMENT

Does Facility Generate Spent/Waste Gasoline: No
Total amount of Spent/Waste Gasoline and/or Total Amount On-Site: (3) 55-gallon Drums
Evidence of Spent/Waste Gasoline Release: No

LEAD WEIGHT MANAGEMENT

Does the Facility Generate Lead Tire Weights: Yes
Does the Facility Manage Weights for Recycling: Yes
*If Yes, How are weights stored: Bucket
Evidence of Weights on the Ground: No

INSPECTION HISTORY

NOD/NOV to Be Issued: Yes. Docket # 2016-026
Verbal Warning (See Comment Section): No
Previous Inspection Warning or NOV Issued: No
*If Yes, Type: _____

DEFICIENCIES / CITATIONS:

40 CFR 279.22 (d), adopted by reference at 15A NCAC 13A .0118, states that upon detection of a release of used oil to the environment that is not subject to the requirements of Part 280, subpart F of this chapter and which has occurred after the effective date of the recycled used oil management program in effect in the State in which the release is located, a generator must perform the following cleanup steps:

- (1) Stop the release;
- (2) Contain the release of used oil;
- (3) Clean up and manage properly the released used oil and other materials;
- (4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

- Metal Recycling Services is in violation of 40 CFR 279.22 (d), in that releases of used oil were observed on the ground in multiple areas around the above ground storage tank used to collect discharges from the oil/water separator, and no effort had been taken to contain and clean up the releases observed on the land surface. All releases of used oil to the land surface must be removed, containerized, and disposed of in accordance with all local, state, and federal regulations. Pending shipment and disposal of the oil-contaminated soil, containers holding the collected material must be labeled with the words "Used Oil". Receipts or manifests will also need to be submitted to this office documenting proper disposal of oil contaminated debris.

COMMENTS / RECOMMENDATIONS:

- The facility has one hazardous waste satellite accumulation area located in a storage shed and is used to puncture and drain aerosol cans. The container was properly labeled and closed.
- During the inspection a large discharge of white cutting fluid from the facility's oil water separator. The oil/water separator drains to a large tanker used to store the oily water prior to spraying it on the grinder as a coolant. The fluid is mineral oil based with some amines and an acid. pH is around 9 according the SDS. The fluid comes into the facility



with scrap aluminum turnings from an offsite source. The aluminum turnings with the fluid is placed into an outdoor storage area and the fluid drains into the oil/water separator. Since the fluid is water soluble it passes through to the tanker. The tanker was overflowing and discharging the cutting fluid to the ground and running offsite.

- Under the Federal used oil management standards, the cutting oils generated by a machining would be regulated as used oil. This would include cutting oils removed from the metal turnings. Regarding regulation of the used oil coated metal turnings, under 40 CFR 279.10(c) of the used oil standards, materials containing or otherwise contaminated with used oil would be regulated as used oil until the used oil is removed from the material. In technical amendments and corrections to the used oil rule, published on May 3, 1993, EPA clarified that "materials containing or otherwise contaminated with used oil, from which the used oil has been properly drained or removed to the extent possible such that no visible signs of free-flowing oil remain in or on the material and are not considered used oil unless they are to be burned for energy recovery" (58 FR 26420). The metal turnings laden with used oil coming into your facility would need to be regulated as used oil if they are visibly dripping with used oil but not if all the oil had been drained off. If the facility continues to accept, transport or processes used oil from offsite sources; notification of such activities and obtaining a EPA ID number would be necessary.
- It is a reminder that the facility must label all containers (tanks, drums, buckets, bottles, etc.) used to store or transport used oil for recycling as "Used Oil".
- It is a reminder that Universal Waste-Mercury switches must not be stored onsite for more than one year (365 days) of the date in which the first switch and or mercury bullet is placed into the container.
- Visit <http://www.epa.gov/mercury/spills/#whatnever> for information on mercury releases and spills, including information on items needed to cleanup a small mercury spill.
- A request for a replacement mercury switch bucket can be made at <http://elvsolutions.org/>.
- Additional information, regarding shipment of switches and other program guidance documents can be found at <http://elvsolutions.org> under the educational materials section and at: <http://portal.ncdenr.org/web/wm/hw/programs/mercuryswitch>

*Checklist/Report prepared by: Andrew Martin, QEP, NC HWS-Environmental Senior Specialist, NCDENR

Andrew Martin 4-7-16

NC HWS-INSPECTOR / DATE

By Mail/Email

FACILITY CONTACT / DATE

