

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

**Your Name:** Andrew Martin

**Facility ID Number:** NCD980842132

**Facility Name:** Ecoflo

**Document Group:** Inspection/Investigation (I)

**Document Type:** I - Compliance Schedule Evaluation (CSE)

**File Description/Comments:** CSE for LFNOV. Docket # should be 2016-009 for all

**Date of Document:** 2/4/2016

**Author(s) of Document:** Andrew Martin

**Inspector ID #:** NC115

**Suborganization:** Resident Inspector Program

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

**For Violations:**

**Enforcement Date:** 12/3/2015

**Docket Number:** 2015-009

**Enforcement Type:** LFNOV

**How many violations were there?** 7

**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:** 11/5/2015

**Scheduled Return to Compliance:** 1/15/2016

**Actual Return to Compliance:** 1/7/2016

**Regulation Description:** Hazardous Waste Management Permit No. NCD980842132-R3, Condition Part III, adopted by reference at 15A NCAC 13A. Permitted Storage Areas

**Comment:** Three hazardous waste containers were stored in areas of the facility that are not permitted for the storage of hazardous waste.

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

**Violation #2:**

**Date Determined:** 11/5/2015

**Scheduled Return to Compliance:** 1/15/2016      **Actual Return to Compliance:** 1/7/2016

**Regulation Description:** Hazardous Waste Management Permit No. NCD980842132-R3 Condition Part III.5 (Compatibles Storage Area), adopted by reference at 15A NCAC 13A. Storage Volume Limits

**Comment:** Exceeded the maximum storage capacity by 784-gallons in the Compatibles Storage Area. The maximum storage capacity was exceeded on 11-5-2015.

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

**Violation #3:**

**Date Determined:** 11/5/2015

**Scheduled Return to Compliance:** 1/15/2016      **Actual Return to Compliance:** 1/7/2016

**Regulation Description:** Hazardous Waste Management Permit No. NCD980842132-R3 Condition Part III.5 (Compatibles Storage Area), adopted by reference at 15A NCAC 13A. Permitted Waste Codes

**Comment:** One container of flammable hazardous waste being stored in the Compatibles Storage Area, which is not an area permitted for storage of such waste.

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

**Violation #4:**

**Date Determined:** 11/5/2015

**Scheduled Return to Compliance:** 1/15/2016      **Actual Return to Compliance:** 1/7/2016

**Regulation Description:** Hazardous Waste Permit No. NCD980842132-R3, Condition Part III.E, adopted by reference at 15A NCAC 13A. Aisle Spacing in Storage Areas

**Comment:** Hazardous waste containers observed within the Toxic Material Storage Area were arranged in rows exceeding one pallet width and with an aisle spacing of less than 24 inches.

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

**Violation #5:**

**Date Determined:** 11/5/2015

**Scheduled Return to Compliance:** 1/15/2016      **Actual Return to Compliance:** 1/7/2016

**Regulation Description:** 40 CFR 264.35, referenced at 15A NCAC 13A .0109. Aisle Space

**Comment:** The entrance way to the Alkaline Reactive Material Storage Area was obstructed by stacks of empty drums, containers of Household Hazardous Waste and other debris.

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

**Violation #6:**

**Date Determined:** 11/5/2015

**Scheduled Return to Compliance:** 1/15/2016      **Actual Return to Compliance:** 1/7/2016

**Regulation Description:** Hazardous Waste Management Permit No. NCD980842132-R3, Condition Part III.G, adopted by reference at 15A NCAC 13A. 50 foot buffer

**Comment:** Containers of flammable hazardous waste being stored in areas that are within 50-feet of the facility's property line.

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

**Violation #7:**

**Date Determined:** 11/5/2015

**Scheduled Return to Compliance:** 1/15/2016      **Actual Return to Compliance:** 1/7/2016

**Regulation Description:** Hazardous Waste Management Permit No. NCD980842132-R3, Condition Part III.H.3, adopted by reference at 15A NCAC 13A. Incompatible Materials.

**Comment:** Two containers of waste oxidizing materials discovered within the Flammable Materials Storage Area.

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

North Carolina Department of Environmental Quality

Division of Waste Management  
**RESIDENT INSPECTOR REPORT**

**Re-Inspection**

1) **Facility Information:**

Ecoflo  
2750 Patterson Street  
Greensboro, NC

**EPA ID# NCD980842132**

Permit Status:  **RCRA**

**Air**

**Water**

2) **Facility Contact:**

Ray Dudley

**Arrived:** 11:00 am

**Departed:** 3:30 pm

3) **Date of Inspection / Inspector:**

2/4/2016  
Andrew Martin  
Mark Burnette

Shift:  1st

2nd

3rd

*Wkend*

4) **Purpose:**

Re-Inspection to Determine Compliance with Notice of Violation (NOV), Docket #2015-009

5) **Nature of Violation(s) / Corrections:**

**A. Hazardous Waste Management Permit No. NCD980842132-R3, Condition Part III, adopted by reference at 15A NCAC 13A.** Pursuant to this permit condition, wastes listed in Part II.A. of this permit are sorted according to hazard class and stored in compatible containers with compatible materials in diked areas until decanted for on-site treatment, processed in the neutralization unit, bulked in the roll-off container if solid, or until a large shipment can be made to another off-site recovery, treatment, or disposal facility.

Ecoflo, Inc. is in violation of this Permit condition in that during the inspection, three hazardous waste containers were found being stored in areas of the facility that are not permitted for the storage of hazardous waste. Specifically, there was one container of flammable hazardous waste (approximately 15-gallons in size) and one container of corrosive hazardous waste (approximately 15-gallons in size) found staged along with universal waste containers in the rear portion of the West Staging Area.. The container of flammable waste was labeled with D001/F003/F005 EPA waste codes (Ecoflo Profile #2FEI-001) and the container of corrosive waste was labeled with D002/D007 EPA waste codes (Ecoflo Profile #2FEI-014). Labels on both of the containers listed the Hazardous Waste Manifest Tracking Number 000689079WAS and were marked with an accumulation start date of October 10, 2015. In addition, there was one 55-gallon container of flammable hazardous waste being stored on a concrete driveway, located outside of the facility in an area used to accumulate empty containers. The concrete driveway area is not equipped with a dike system or any other type of secondary containment. The container was labeled with D001/F003/F005 EPA waste codes (Ecoflo Profile #2FSG-002) and the Hazardous Waste Manifest Tracking Number 000688873WAS. The container was marked with an accumulation start date of October 27, 2015.

*Ecoflo, Inc. has corrected this violation by moving the above listed waste containers to their appropriate storage areas. Ecoflo personnel indicated that they will increase the inspection frequency in these areas and has provided additional training to employees.*

**B. Hazardous Waste Management Permit No. NCD980842132-R3 Condition Part III.5 (Compatibles Storage Area), adopted by reference at 15A NCAC 13A.** Pursuant to this permit condition, wastes that exhibit toxicity characteristic as described in 40 CFR 261.24 as adopted in 15A NCAC 13A .0106 or waste having the hazard code T, indicating toxicity, may be stored in the Compatibles Storage Area. Two areas bisected by a wall are used to store a variety of containers with materials which are compatible with one another.

Compatibles Storage Area Description:

Areas: 41.17 feet x 40.00 feet and 83.67 feet x 32.42 feet

Curb: 7" minimum

Total Container Volume: (34,856 gallons) maximum combined volume (633-55 gallon drums)

- 1) Ecoflo, Inc. is in violation of this Permit condition in that at the time of inspection a review of Ecoflo's Daily Storage Vault Count inspection form, dated November 5, 2015, listed that there was 35,640 gallons of hazardous waste being stored within the Compatibles Storage Area. Based on the volume of waste recorded on the daily inspection Ecoflo has exceeded the maximum storage capacity by 784-gallons. The maximum storage capacity was exceeded on 11-5-2015.

*Ecoflo, Inc. has corrected this violation in that the amount of waste being stored within the Compatibles Storage Area was found to be in compliance with permitted storage capacity limits at the time of re-inspection. In a response letter dated 1-4-2016; Ecoflo, Inc. clarified that the amount of waste reported within the subject area had not exceeded the permitted storage capacity limit as cited. The letter explained that their 11-4-2015 daily waste count had been calculated incorrectly and that the 11-4-2016 Daily Storage Vault Count inspection form listed a higher volume of waste than what was actually within the storage area. The letter explained that there were multiple cubic yard boxes within the storage area, which are considered loose-pack containers, and that only 40% of the total volume of each loose-pack container should have been used in the capacity calculations. The letter further requested that this violation be removed from the NOV. After review, it is the position of the Hazardous Waste Section (HWS) that the violation was justified based on the information and documentation available to inspectors at the time of the inspection. It is requested that the facility submit a permit modification request to the HWS-Facility Management Branch if the facility will continue to utilize a 40% calculation for loose-pack container volumes when determining compliance with storage area capacity limits.*

- 2) Ecoflo, Inc. is in violation of this permit condition in that at the time of the inspection there was one container of flammable hazardous waste being stored in the Compatibles Storage Area, which is not an area permitted for storage of such waste. The container was labeled with D001 EPA waste code (Ecoflo Profile #2FQS-002) and Manifest# 000079409WAS. The container was marked with an accumulation start date of August 25, 2015. Ecoflo, Inc. has failed to store this container of hazardous waste within the Flammable Materials Storage Area as specified within the facility's permit.

*Ecoflo, Inc. has corrected this violation in that the container has been placed into the appropriate storage vault.*

**C. Hazardous Waste Permit No. NCD980842132-R3, Condition Part III.E, adopted by reference at 15A NCAC 13A.** Pursuant to this Permit condition, at a minimum, the Permittee shall maintain aisle space as required by 40 CFR 264.35 as adopted in 15A NCAC 13A .0109. A minimum aisle space of two feet (24 inches) shall be maintained at all times except as described in Sections D-1(a)(4) and F-

3(b) of the Attachment. Less than 24 inches of aisle space is allowed only where specified in the Floor Plans in Figure D-1 of the Attachment. In these locations, stacking of storage containers on one of the two rows of pallets shall not exceed 60 inches in height except in the case of stacking totes or cubic yard boxes. Markings and labels on containers must be visible for inspection and adequate room for emergency response in these areas must be maintained.

Ecoflo, Inc. is in violation of this permit condition in that pallets, supporting various sized hazardous waste containers, observed within the Toxic Material Storage Area were arranged in rows exceeding one pallet width and with an aisle spacing of less than 24 inches. Specifically, there were three rows of palletized hazardous waste containers and one row of palletized empty containers observed in a portion of the storage area, located next to the entrance ramp leading into the area, that were staged up against one another without any aisle spacing. The manner in which the pallets were staged within these rows prohibited easy access and inspection of several hazardous waste containers and restricted access to an emergency exit, located behind the rows. Although the facility's Permit allows for a pallet spacing variance for specific rows/portions within the Toxic Material Storage Area, the rows in question were not associated with the rows specified for a variance.

*Ecoflo, Inc. has corrected this violation by moving the empty containers and waste containers out of the middle of the storage vaults. Employees have been instructed not to store empty drums in the middle of the storage bays. In a response letter dated 1-4-2016; Ecoflo, Inc. requested that this violation be removed from the NOV or cited on a Notice of Deficiency (NOD). After review, it is the position of the Hazardous Waste Section (HWS) that the violation is justified and appropriately cited within the NOV.*

- D. 40 CFR 264.35, referenced at 15A NCAC 13A .0109,** states that the owner or operator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless it can be demonstrated to the Regional Administrator that aisle space is not needed for any of these purposes. [Comment: Part 270 of this chapter requires that an owner or operator who wishes to make the demonstration referred to above must do so with Part B of the permit application.]

Ecoflo, Inc. is in violation of this regulation in that at the time of inspection the entrance way to the Alkaline Reactive Material Storage Area was obstructed by stacks of empty drums, containers of Household Hazardous Waste and other debris. Access to this area could only be achieved by stepping on and over pallets. Ecoflo, Inc. has failed to maintain adequate aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to the Alkaline Reactive Material Storage Area in an emergency.

*Ecoflo, Inc. has corrected this violation by removing the items obstructing the entrance to the Alkaline Reactive Material Storage Area. Access to the area has been restored and barriers have been installed around the area to discourage items from being stored in a manner that blocks access. In a response letter dated 1-4-2016; Ecoflo, Inc. requested that this violation be removed from the NOV or cited on a Notice of Deficiency (NOD). After review, it is the position of the Hazardous Waste Section (HWS) that the violation is justified and appropriately cited within the NOV.*

- E. Hazardous Waste Management Permit No. NCD980842132-R3, Condition Part III.G, adopted by reference at 15A NCAC 13A.** Pursuant to this permit condition, the Permittee shall not locate containers holding ignitable or reactive waste within 50 feet of the facility's property line.

Ecoflo, Inc. is in violation of this permit condition in that at the time of the inspection there were two containers of flammable hazardous waste being stored in areas that are within 50-feet of the facility's property line. One of the containers (approximately 15-gallons in size) was labeled with D001/F003/F005 EPA waste codes (Profile #2FEI-001), and was staged with containers of universal waste near the rear wall of the West Staging Area. The second container (55-gallons in size) was labeled with D001/F003/F005 EPA waste codes (Ecoflo Profile #2FSG-002), and was staged outside of the facility; on a concrete pad within an area used to accumulate empty containers. Both of the hazardous waste containers were being stored in non-permitted areas that are within 50-feet of the facility's property line.

*Ecoflo, Inc. has corrected this violation by moving these items (listed above) into the correct storage areas more than 50 feet away from the property line and placing their contents into the fuel blending tanks.*

- F. **Hazardous Waste Management Permit No. NCD980842132-R3, Condition Part III.H.3, adopted by reference at 15A NCAC 13A.** Pursuant to this permit condition, the Permittee shall not store a container of hazardous waste that is incompatible with any waste or material stored nearby in other containers, piles, open tanks or surface impoundments unless the container is separated from the other materials by a dike, berm, wall, or other device

Ecoflo, Inc. is in violation of this permit condition in that there were two containers of waste oxidizing materials discovered within the Flammable Materials Storage Area. The waste oxidizers are potentially incompatible with waste flammable liquids/materials that were also being stored within the Flammable Materials Storage Area. The labels observed on the containers of waste oxidizing materials described the waste as:

- One 5 gallon plastic bucket labeled Waste Oxidizing Liquid, Corrosive, N.O.S. (Perchloric Acid, Hydrogen Peroxide) 5.1(8) D001, D002. Container # 2071565, Ecoflo Profile #2FKQ-LAB. Manifest Document #00688792WAS
- One 5 gallon plastic bucket labeled Waste Corrosive Liquid (Nitric Acid, Silver Nitrate) 8 (5.1) D001, D002, D011. Container # 2071621, Profile # 2FKQ-LAB. Manifest Document #00688792WAS.

*Ecoflo, Inc. has corrected this violation by placing the incompatible waste containers into the proper storage locations.*

7) **Recommendations / Comments Noted During Re-Inspection:**

- Non-lab packed and over packed flammable acids and flammable bases located in the Flammable Storage Vault need to be separated by a dike, berm, wall, or other device. Distance alone is not sufficient enough to be considered as separated.
- Crushed 55-gallon hazardous waste containers were observed stored outdoors near the solidification pit. These containers were to be placed in a roll off dumpster and sent for recycling. Liquids were observed in the bottom of some of the containers and they were lacking lids. It is a reminder that contents remaining in the bottom of a RCRA empty container are only exempt from regulation as long as the contents remain in the container. If the contents are removed from the container by any means, it is then subject to full RCRA regulations. Contents that leak from crushed containers could be considered a release of hazardous waste and any contents that leak into the bottom of a roll off dumpster could also be subject to RCRA regulations.

- It is a reminder that the facility should apply sealant to the secondary containment area of the smaller tank farm as soon as possible.

**8) Follow-Up Actions from Previous Inspections:**

- Housekeeping has improved tremendously over past inspections on interior areas.

*Ray Dudley*                      *3-4-16*  
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*Facility Representative*                      *Date*

*Andrew Martin*                      *3-2-16*  
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*Andrew Martin, QEP- Resident Inspector*                      *Date*