

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

**Your Name:** J. Sean Morris

**Facility ID Number:** NCD061263315

**Facility Name:** Nexeo Solutions, LLC

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

**Description for File (for CARA):** TNOV for Violations Noted on 11-24-2015. Docket #2016-012

**Date of Document:** 12/4/2015

**Author(s) of Document:** J. Sean Morris

**Inspector ID #:** NC046

**Suborganization:** Resident Inspector Program

**Comments for RCRAInfo:**TNOV for Violations Noted on 11-24-2015. Docket #2016-012

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

**For Violations:**

**Enforcement Date:** [Click here to enter a date.](#)

**Docket Number:**

**Enforcement Type:**

**How many violations were there?**

**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:** 11/24/2015

**Scheduled Return to Compliance:** 12/18/2015

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

**Regulation Description:** Hazardous Waste Management Permit ID# NCD061263315-R2, Permit Condition, Part III H.3, adopted by reference at 15A NCAC 13A

**Comment:** Storage of Incompatible Wastes

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



PAT MCCRORY

*Governor*

DONALD R. VAN DER VAART

*Secretary*

LINDA CULPEPPER

*Director*

**DIVISION OF WASTE MANAGEMENT  
HAZARDOUS WASTE SECTION (HWS)-COMPLIANCE BRANCH**

**NOTICE OF VIOLATION**

To: Nexeo Solutions, LLC  
3930 Glenwood Drive  
Charlotte, NC 28208  
Attn: Mr. Tim Nightwine, Plant Manager

**Docket #:** 2016-012

**Date of Inspection:** November 24, 2015

**Facility Type:** RCRA Permitted, Commercial TSD Facility

**EPA ID#:** NCD 061 263 315

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.

On November 24, 2015, Mr. Sean Morris, HWS-Environmental Senior Specialists with the NC Hazardous Waste Section, inspected your facility for compliance with North Carolina Hazardous Waste Management Rules. During that inspection, the following violations were noted:

**Citation**

**Specifics**

- A. NC Hazardous Waste Management Permit ID# NCD061263315-R2, Permit Condition, Part III H.3, adopted by reference at 15A NCAC 13A.** Pursuant to Permit Condition, Part III H.3: Special Requirements for Incompatible Waste, 1. The Permittee shall not place incompatible wastes in the same container. 2. The Permittee shall not place hazardous waste in an unwashed container that previously held an incompatible waste or material. 3. 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. Additionally, pursuant to Nexeo Solutions, LLC Part B Application, Section D-1d, incompatible wastes will not be placed in the same container. Only wastes that are compatible with each other will be stored within a specific bay in the curbed storage area. These hazardous wastes may contain free liquids; therefore, the storage area is designed for containers with free liquids.

Nexeo Solutions, LLC has failed to comply with this permit condition in that containers of incompatible hazardous waste was observed being stored within the same permitted hazardous waste storage area and there was not any type of device present to separate the waste containers. Specifically, there was one metal 55-gallon container of D002 acidic hazardous waste (Nexeo Profile #80-9684), DOT Shipping Name: Waste Aluminum Chloride, Solution, being stored in Area 1 - Bay #4 at the time of the inspection. Bay #4 was also being used to store multiple containers of hazardous waste liquids having a high pH value, such as waste sodium hydroxide & potassium hydroxide solutions. The profile for the waste aluminum chloride solution listed a pH value of "<1" and therefore would not be compatible with the containers of caustic wastes also being stored within Bay #4. Nexeo Solutions, LLC 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.



Based upon the foregoing, Nexeo Solutions, LLC must maintain compliance with the facility's Hazardous Waste Management Permit (Permit ID# NCD061263315-R2) requirements and with all applicable NC Hazardous Waste Management Regulations (40 CFR Parts 260-279).

Although the citation listed on this Notice was corrected at the time of the November 24, 2015 inspection; the respondent shall provide a written response with supporting documentation on company letterhead confirming the actions taken to correct each citation as well as explanation of additional measures/procedures implemented to prevent similar citations during future inspections. Mail or email this certification to Mr. Sean Morris, Environmental Senior Specialist at P.O. Box 660, Huntersville, NC 28070-0660 within 10-working days of delivery of this Notice.

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.

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J. Sean Morris-Environmental Senior Specialist  
N.C. Hazardous Waste Section / Date

I, J. Sean Morris, hereby certify that I have personally served a copy of this Notice to: Tim Knightwine with Nexeo Solutions, LLC by electronic mail.

**ELECTRONIC COPY SENT VIA E-MAIL**  
(Recipient Signature)

cc: Brent Burch, NC Hazardous Waste Section  
Central Files  
Home Duty Office Files