

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

**Your Name:** Phil Orozco

**Facility ID Number:** NCR000152504

**Facility Name:** CVS Pharmacy #4444

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

**Document Type:** I - Compliance Evaluation Inspection (CEI)

**File Description/Comments:** CVS was operating as a LQG. Five violations cited in TNOV Docket #2016-018 issued on 2/17/16

**Date of Document:** 1/21/2016

**Author(s) of Document:** Phil Orozco

**Inspector ID #:** NC018

**Suborganization:** Eastern Region

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

**For Violations:**

**Enforcement Date:** 2/17/2016

**Docket Number:** 2016-018

**Enforcement Type:** TNOV

**How many violations were there?** 5

**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:** 1/21/2016

**Scheduled Return to Compliance:** 3/28/2016      **Actual Return to Compliance:** [Click here to enter a date.](#)

**Regulation Description:** 15A NCAC 13A .0107(d)

**Comment:** twelve of eighteen weekly inspections were not recorded.

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

**Violation #2:**

**Date Determined:** 1/21/2016

**Scheduled Return to Compliance:** 3/28/2016      **Actual Return to Compliance:** [Click here to enter a date.](#)

**Regulation Description:** 15A NCAC 13A .0110(c)

**Comment:** The generator did not maintain a 24 inch aisle space.

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

**Violation #3:**

**Date Determined:** 1/21/2016

**Scheduled Return to Compliance:** 3/28/2016      **Actual Return to Compliance:** [Click here to enter a date.](#)

**Regulation Description:** 262.34(a)(2)

**Comment:** The start date was not visible on 3 boxes of HW.

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

**Violation #4:**

**Date Determined:** 1/21/2016

**Scheduled Return to Compliance:** 3/28/2016      **Actual Return to Compliance:** [Click here to enter a date.](#)

**Regulation Description:** 262.34(a)(3)

**Comment:** Three boxes were not marked clearly with the words "Hazardous Waste".

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

**Violation #5:**

**Date Determined:** 1/21/2016

**Scheduled Return to Compliance:** 3/28/2016      **Actual Return to Compliance:** [Click here to enter a date.](#)

**Regulation Description:** 262.34(a)(4) – 265.32(c)

**Comment:** No spill kit was present on the day of inspection.

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

**North Carolina  
Department of Environmental Quality  
Hazardous Waste Section**

**Compliance Evaluation Inspection (CEI) Report**

**FACILITY INFORMATION:**

Facility Name: **CVS Pharmacy #4444**  
EPA ID Number: **NCR000152504**  
Type of Facility: **Large Quantity Generator (LQG)**  
Facility Location: **3737 N. Roxboro Rd., Durham, NC 27704**  
Telephone Number: **Store: 919-471-4166; District Office: 919-981-6253**

**FACILITY CONTACTS:**

Adriana Morales, Environmental Specialist, Corporate Environmental, CVS Health;  
One CVS Drive, Mail Code 2340, Woonsocket, RI 02895;  
Office: 401-770-8980; [Adriana.Morales@CVSHealth.com](mailto:Adriana.Morales@CVSHealth.com)  
Towanda Barnes, Store Manager, CVS Pharmacy #4444; 919-471-4166

**DATE OF SITE VISIT: January 21, 2016**

**PARTICIPANTS:** Towanda Barnes and Phil Orozco, Environmental Senior Specialist (Inspector)

**PURPOSE OF SITE VISIT:**

Compliance Evaluation Inspection (CEI) to determine compliance with the North Carolina Hazardous Waste Management Rules (Rules), including the regulations described at 40 CFR 261, 262, 264, 265, 268 and 273. The store was previously inspected on 6/6/14. At that time it was operating as a Conditionally Exempt Small Quantity Generator (CESQG)

**FACILITY DESCRIPTION:**

CVS Pharmacy Store #4444 operates as a retail pharmacy also selling groceries and a variety of household items. It is part of a national chain and is provided guidance for compliance with the hazardous waste (HW) management regulations by the CVS corporate office and by Stericycle, its contracted waste management company. The store notified as a LQG on 7/1/13.

The inspection finds that this store was operating as a LQG of hazardous waste based on two shipments of P-Listed waste greater than 2.2 pounds. The shipments occurred on 11/5/15 and 1/28/16.

The Store and Shift Managers are the waste handlers. The hazardous waste determination for all items (other than prescription drugs) is made in the hazardous waste storage area. The waste determination for prescription drugs is done at the Satellite Accumulation Area (SAA) within the pharmacy. CVS employees use a "TELZON" bar code system when making the hazardous waste determination. The system identifies each individual item as "hazardous waste", "trash" or one that will be returned to distribution warehouse. Waste deemed as hazardous waste is placed into "strong pack" clear plastic "zip lock" bags that are preprinted with labels identifying their contents as hazardous waste. If the material packaging is broken and the material is leaking, it is double bagged. The bags are placed into plastic lined 10-gallon cardboard boxes for storage.

The facility notified the Hazardous Waste Section (Section) as a Large Quantity Generator (LQG) of hazardous waste based on periodically accumulating greater than 2.2 pounds of acute hazardous waste on-site at any time. P-listed waste generally consists of empty Warfarin (P001) containers holding residue that

is generated in the pharmacy. In addition, over-the-counter nicotine products are sometimes discarded as P075.

**General Information:**

**Legal operator of business:** North Carolina CVS Pharmacy, LLC

**Legal owner of property:** North Carolina CVS Pharmacy, LLC

**Employees:** 30 total; 9 store front and 21 pharmacy

**Hours of Operation:** 7 a.m. to 10 p.m., seven days/week

**Store Square Footage:** Approximately 13,000 sq. ft.

**Water Supply/Sanitary sewer:** City of Durham

**Groundwater wells onsite:** None

**Distance to closest off-site well:** Unknown

**Distance to closest residence:** 100 ft.

**WASTE STREAMS:**

Hazardous waste is generated primarily from returned, defective or broken merchandise from the sales floor or from the pharmacy in the form of expired, returned or off-specification pharmaceuticals. Waste streams typically generated include:

- Waste Aerosols D001
- Naphthalene, Sulfur D001/U165
- Sodium Hydroxide, Potassium Carbonate D002
- Waste Flammable Liquids D001
- Waste Compressed Gas D001
- Waste Flammable Solids D001/U165
- Waste Toxic Solids (Pyrethroids, Selenium) D010
- Waste Toxic Solids (M-Cresol) D024
- Waste Toxic Solids (warfarin, nicotine) P012/P075/P188/P081/P024/P108
- Hazardous Waste Silver, Ammonium Thiosulfate D011
- Universal Waste Lamps
- Universal Waste Batteries

**AREAS OF REVIEW AND EVALUATION:**

**Manifests and Land Disposal Restriction (LDR):**

Manifest were not maintained in an orderly fashion.

Manifest #007418174FLE indicated that 18 lbs. of P075 waste nicotine and P001 warfarin waste was transported from this store on 11/5/15.

Manifest #008499872FLE indicated that 14 lbs. of P075 waste nicotine and P001 warfarin waste was transported from this store on 1/28/15.

**HW Transporters:**

Stericycle Specialty Waste Solutions	EPA ID#: MNS000100924
Republic Environmental Systems (PA) LLC	EPA ID#: PAD982661381
Freehold Cartage	EPA ID#: NJD054126164

**HW Destination Facilities (TSDF's):**

Stericycle, Inc.	EPA ID#: INR000110197
Republic Environmental Systems (PA) LLC	EPA ID#: PAD085690592

**Emergency Preparedness/Arrangements with Local Authorities:**

The facility has a fire suppression system, fire extinguishers, Public Announcement (PA) system and audible fire alarms. *The spill clean-up supplies could not be found at the time of inspection. Ms. Brnes believed*

*there was a spill kit somewhere in the stock room. However, after looking for it was clear that no spill kit was readily available if an emergency had occurred.*

*The written documentation indicating that arrangements (as described at 40 CFR 265.37) have been made with the local emergency authorities is held by the corporate office. The corporate office is currently revising these letters and plans to send them out at the end of February, 2016.*

**Training Records/Job Descriptions:**

The facility has four computer based hazardous waste training /course modules for associates: Store Front HW Management (Course #500149 for managers or #500146 for the front store team); Pharmacy HW Management (Course #500147) and Photo HW Management (Course #500148). A hard copy of training Course #500149 has been reviewed during past inspections in 2014 and 2015. It appeared to be fairly comprehensive at that time.

Ms. Barnes completed course #500149 on 6/3/15.

Scott Petwimoulx completed course #500146 on 6/21/13 and 6/1/15.

Isaac Hart completed course #500146 on 5/28/14 and 6/4/15.

*The inspector assisted Ms. Barnes in printing out the job descriptions from Target's internal website. The document was placed in the environmental management binder.*

**Contingency Plan:**

*The inspector assisted Ms. Barnes in printing out the March 2015 plan. It was placed in the environmental management binder. The corporate office is currently revising/amending the plan and will send it to the store by the end of February, 2016.*

**Inspection Records (storage):** *Refer to Deficiencies.*

“Weekly Hazardous Waste Inspection Logs” for the facility’s hazardous waste storage area were not complete.

**Satellite Accumulation Areas:**

The store has one satellite accumulation area for hazardous waste located in the pharmacy.

One 10-gallon plastic lined, StrongPak cardboard box is used for the accumulation of hazardous waste.

**Hazardous Waste (HW) Storage Area:** *Refer to Deficiencies.*

The Hazardous Waste storage area was observed in the stock room at the back of the store. CVS employees DO NOT segregate the HW by hazard class when placing in the cardboard containers. A Stericycle employee segregates the waste before transporting it from the store.

*On the day of the inspection, five 10-gallon StrongPak boxes containing hazardous waste were observed. One box was not properly labeled and dated in the hazardous waste storage area. Proper aisle space was not being maintained.*



One StrongPak box holding hazardous waste was not marked or labeled with a start date of accumulation or with the words “Hazardous Waste”.

The dates were not visible on the 2 boxes that were blocked by merchandise and display racks.

Proper aisle space was not maintained.

#### **Universal Waste:**

No used lamps or batteries were observed during the inspection.

#### **Waste Minimization Plan:**

The facility has a written waste minimization plan on file at the site.

#### **SITE DEFICIENCIES:**

**15A NCAC 13A .0107(d)** A generator shall keep a written record of inspections for at least three years from the date of inspection. During the time period between October 2015 and the end of January 2016, twelve of eighteen weekly inspections were not recorded. Inspections for the following weeks were not documented: 10/12/15; 10/19/15; 10/26/15; 11/2/15; 11/9/15; 11/30/15; 12/7/15; 12/14/15; 12/28/15; 1/4/16; 1/11/16; and, 1/18/16. The store was operating as a Large Quantity Generator during this time.

**15A NCAC 13A .0110(c)** The owner & operator must maintain an aisle space of at least two feet (24”) to allow for the unobstructed movement of personnel, fire prevention equipment, etc. during an emergency. On the day of inspection, no aisle space existed on three sides of the containers. Five 10-gallon StrongPak boxes containing hazardous waste were blocked on three sides by stock items. The remaining side was directly in front on the emergency exit.

**40 CFR 262.34(a)(2)** The start date of accumulation must be clearly marked and visible for inspection on each container of hazardous waste. The dates were not visible on 2 boxes containing hazardous waste due to the fact that they were blocked by merchandise and display racks. One box holding hazardous waste that was visible did not have a start date marked on the box. A total of five boxes were in storage at the time of inspection.

**40 CFR 262.34(a)(3)** While in storage, each container holding HW must be marked clearly with the words “Hazardous Waste”. No label was visible on 2 boxes containing hazardous waste due to the fact that they were blocked by merchandise and display racks. One box holding hazardous waste that was visible was not marked with the words “Hazardous Waste”.

**40 CFR 262.34(a)(4) – 265.32(c)** The facility must be equipped with certain emergency equipment which includes a spill kit. On the day of inspection, a spill kit could not be found. All shelves and possible locations of where the spill kit might be were blocked by a very large amount of stock in the store room.

### COMMENTS/ACTION ITEMS:

It is the responsibility of the generator to comply with all applicable Rules.

In order to comply with the North Carolina Hazardous Waste Management Rules as a LQG, the following actions at CVS Pharmacy #4444 should be taken:

1. Arrangements in accordance with 40 CFR 265.37 must be made with local emergency authorities. These records are currently being revised. Please ensure that this store, and all stores, have this documentation on site.
2. The store's contingency plan is being revised. Ensure that this store, and all stores, have written documentation on site indicating that the contingency plan was sent to the local police and fire departments, or the local hospital/medical center.
3. Weekly inspections of the hazardous waste storage area must be done and recorded every seven days. Three years of inspection records must be readily available for inspection. These records should be maintained in chronological order. A separate binder may be needed to maintain these records.
4. Hazardous waste manifests for the past three years should be maintained on-site for inspection. Land Disposal Restriction Notices must also be made available for inspection. These documents should be in order and complete. Please ensure that this store, and all stores, have their manifests in order. These records should be maintained in chronological order. A separate binder may be needed to maintain these records.
5. Per 40 CFR 265.16, ensure that a copy of the job descriptions are on site and readily available for inspection.
6. Training records for current personnel must be kept until closure of the facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the facility. It is recommended that the past three years of training records be immediately accessible for review by the inspector.

  
Phillip G. Orozco

Environmental Senior Specialist, NCDEQ

Date: February 17, 2016

Phil Orozco  
DWM - NCDEQ  
1646 Mail Service Center  
Raleigh, NC 27699  
919-212-2501

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

ERTS #110152010\_SFR

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST	1. Generator ID Number NCR000152504	2. Page 1 of 3	3. Emergency Response Phone 8009246804	4. Manifest Tracking Number 007418174 FLE
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5. Generator's Name and Mailing Address: CVS#04444  
 Generator's Site Address (if different than mailing address):

9194714166 3737 N. Roxboro St.  
 Durham, NC 27704  
 Generator's Phone:

6. Transporter 1 Company Name: Stericycle Specialty Waste Solutions Inc  
 U.S. EPA ID Number: MNS000110924

7. Transporter 2 Company Name: Republic Env Sys (Trans Group) LLC  
 U.S. EPA ID Number: PAD982661381

8. Designated Facility Name and Site Address: Stericycle, Inc.  
 2670 Executive Drive  
 Indianapolis, IN 46241  
 Facility's Phone: 3175245617  
 U.S. EPA ID Number: INR000110197

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
		No.	Type					
X	UN2811, Waste Toxic solids, organic, n.o.s. (Warfarin, Nicotine), 6.1, PG II, ERG#154	2	CF	00018	P	P001	P075	
X	UN2811, Waste Toxic solids, organic, n.o.s. (Chromium, Selenium), 6.1, PG II, ERG#154	1	CF	00013	P	D007	D010	
X	UN3249, Waste Residue Last Contained, Medicine, solid, toxic, n.o.s. (Warfarin), 6.1, PG II, ERG#151	1	CF	00001	P	P001		
	Non-Hazardous, Non-Regulated Liquids & Solids	1	CF	00001	P			

14. Special Handling Instructions and Additional Information: 1. 007-CVS (Acute Toxic Solids) 2. 009-CVS (RX Toxic Solids) 3. 007-CVS (Residue weight does not exceed 0.0436 lbs) CNT:41 4. 013-CVS (RX Non Hazardous)

15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: X Towanda Barnes  
 Signature: X [Signature]  
 Month Day Year: 11 05 2015

16. International Shipments:  Import to U.S.  Export from U.S.  
 Port of entry/exit: \_\_\_\_\_  
 Date leaving U.S.: \_\_\_\_\_

17. Transporter Acknowledgment of Receipt of Materials  
 Transporter 1 Printed/Typed Name: Daniel Perdue  
 Signature: [Signature]  
 Month Day Year: 11 05 2015

Transporter 2 Printed/Typed Name: Travis Wilson  
 Signature: [Signature]  
 Month Day Year: 11 09 15

18. Discrepancy  
 18a. Discrepancy Indication Space:  Quantity  Type  Residue  Partial Rejection  Full Rejection  
 Manifest Reference Number: \_\_\_\_\_

18b. Alternate Facility (or Generator): \_\_\_\_\_  
 U.S. EPA ID Number: \_\_\_\_\_  
 Facility's Phone: \_\_\_\_\_

18c. Signature of Alternate Facility (or Generator): \_\_\_\_\_  
 Month Day Year: \_\_\_\_\_

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)  
 1. 1141 2. 1124 3. 1141 4. 1141

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in item 18a  
 Printed/Typed Name: Paige Crist  
 Signature: P. Crist  
 Month Day Year: 12 13 15







UNIFORM HAZARDOUS WASTE MANIFEST 1. Generator ID Number NCR000152504 2. Page 1 of 2 3. Emergency Response Phone 8009246804 4. Manifest Tracking Number 008499872 FLE

5. Generator's Name and Mailing Address CVS#04444 3194714166 3737 N. Roxboro St. Durham, NC 27704  
 Generator's Site Address (if different than mailing address)

6. Transporter 1 Company Name Stericycle Specialty Waste Solutions Inc U.S. EPA ID Number MNS000110924

7. Transporter 2 Company Name Republic Env Sys (Trans Group) LLC U.S. EPA ID Number PAD982661381

8. Designated Facility Name and Site Address Stericycle, Inc. 2670 Executive Drive Indianapolis, IN 46241 U.S. EPA ID Number INR000110197  
 Facility's Phone: 3175245617

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes	
		No.	Type				
X	UN2811, Waste Toxic solids, organic, n.o.s. (Chromium, Selenium), 6.1, PG II, ERG#154	1	CF	000012	P	0007	0010
X	UN3249, Waste Residue Last Contained, Medicine, solid, toxic, n.o.s. (Warfarin), 6.1, PG II, ERG#151	1	BA	000001	P	0001	
X	UN2811, Waste Toxic solids, organic, n.o.s. (Warfarin, Nicotine), 6.1, PG II, ERG#154	1	CF	000014	P	0001	0075
	Non-Hazardous, Non-Regulated Liquids & Solids	1	LF	000001	P		

14. Special Handling Instructions and Additional Information 1. 009-CVS (RX Toxic Solids) 2. PRG-CF:007-CVS (Residue weight does not exceed 0.0436 lbs) CNT:30 3. 007-CVS (Acute Toxic Solids) 4. 013-CVS (RX Non Hazardous)

15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offero's Printed/Typed Name: JOWANNA BARRO Signature: [Signature] Month: 01 Day: 28 Year: 2016

16. International Shipments  Import to U.S.  Export from U.S. Port of entry/exit: Date leaving U.S.:

17. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name: Jamar Jackson Signature: [Signature] Month: 01 Day: 28 Year: 2016

Transporter 2 Printed/Typed Name: [Signature] Signature: [Signature] Month: 11 Day: 29 Year: 2016

18. Discrepancy 18a. Discrepancy Indication Space  Quantity  Type  Residue  Partial Rejection  Full Rejection

18b. Alternate Facility (or Generator) Manifest Reference Number: U.S. EPA ID Number:

Facility's Phone: 18c. Signature of Alternate Facility (or Generator) Month: Day: Year:

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1. H141 2. H141 3. H141 4. H141

20. Designated Facility Owner or Operator. Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a  
 Printed/Typed Name: Grace Damas Signature: [Signature] Month: 03 Day: 16 Year: 2016

