

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

Your Name: Phil Orozco

Facility ID Number: NCR000153403

Facility Name: CVS Pharmacy #1395

Document Group: Inspection/Investigation (I)

Document Type: I - Compliance Evaluation Inspection (CEI)

File Description/Comments: No Violations cited. Listed as a LQG operating as a CESQG on the day of inspection.

Date of Document: 1/29/2016

Author(s) of Document: Phil Orozco

Inspector ID #: NC018

Suborganization: Eastern Region

County (if not on report): DURHAM

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

Compliance Evaluation Inspection (CEI) Report

FACILITY INFORMATION:

Facility Name: **CVS Pharmacy #1395**
EPA ID Number: **NCR000153403**
Type of Facility: Notified as a Large Quantity Generator (LQG) on 3/18/13;
Operating as a Conditionally Exempt Small Quantity Generator
(CESQG)
Facility Location: 5111 Wake Forest Hwy., Durham, NC 27703
Telephone Number: Store: 919- 957-4512; District Office: 919-981-6253

FACILITY CONTACTS:

Adriana Morales, Environmental Specialist,
Corporate Environmental, CVS Health;
Mailing Address: One CVS Drive, Mail Code 2340, Woonsocket, RI 02895;
Telephone: 401-770-8980;
E-mail: Adriana.Morales@CVSHealth.com
Store Manager: John (Sean) Johnston
Shift Supervisor: Julie Lambias
E-mail: The store manager cannot receive outside emails

DATE OF SITE VISIT: January 29, 2016

PARTICIPANTS:

Representing CVS #1395: Dee Lambias
Representing NCDEQ: Phil Orozco, Environmental Senior Specialist (Inspector), NCDEQ

PURPOSE OF SITE VISIT:

To conduct a 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 facility was previously inspected on January 29, 2016.

FACILITY DESCRIPTION:

CVS Pharmacy Store #1395 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 Manager and Shift Supervisors are the primary 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 NC DWM as a Large Quantity Generator (LQG) of hazardous waste based on the possibility of the facility accumulating greater than 2.2 pounds of acute hazardous waste on-site at any time. P-listed waste generally consists of Warfarin generated in the pharmacy and discarded Nicotine products. The inspection finds that this store appears to be operating as a CESQG of hazardous waste based on the conclusion that no shipments of P-Listed waste greater than 2.2 pounds occurred during the time period coinciding with the dates on the hazardous waste manifests reviewed during the inspection. Specific information pertaining to the weight of the P-listed waste was shown in Box 14 of the manifest.

General Information:

Legal operator of business: CVS Durham 1395, LLC

Legal owner of property: 98 Sherron Road Partners

Employees: 8 store front; ~ 5 pharmacy

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

Store Square Footage: 11,000 sq. ft.

Acres: Unknown

Water Supply/Sanitary sewer: City of Durham

Groundwater wells onsite: None

Distance to closest off-site well: Unknown

Distance to closest residence: ~ 200 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
- Universal Waste Lamps
- Batteries

AREAS OF REVIEW AND EVALUATION:

If the facility was operating as a LQG, some of the records required to be readily available on site at the time of inspection are not maintained at the store itself. These documents may be produced by the CVS Corporate contact.

HW Manifests and Land Disposal Restriction (LDR):

Manifests indicated that on 9/2/15 six lbs. of P075 and on 11/19/15 eight lbs. of P075 was transported from this store. On 3/7/16, Adriana Morales emailed the inspector a copy of the shipment of hazardous waste that occurred on 2/11/16. No P-listed waste was transported from the store at that time. Therefore, it would appear that the store was operating as a CESQG in December 2015 and January, 2016.

HW Transporters:

Freehold Cartage

EPA ID#: NJD054126164

Stericycle Specialty Waste Solutions

EPA ID#: MNS000100924

HW Destination Facilities (TSDF's):

Facilities that treat, store and/or dispose of hazardous waste from the subject site include:

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, spill clean-up supplies, fire extinguishers, Public Announcement (PA) system, audible fire alarms and emergency information posted by most phones.

Written letters indicating that arrangements (as described at 40 CFR 265.37) have been made with the local emergency authorities were dated 11/1/13. The corresponding return receipts (Green Cards) were dated 11/22/13.

Training Records/Job Descriptions:

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

As a Shift Supervisor, Julie Lambias could only access his training record. Ms. Lambias last completed Course #500149 on 5/16/15

Contingency Plan: *The contingency Plan could not be found at the time of inspection.*

Inspection Records (storage): In good order.

Satellite Accumulation Area (SAA):

The store has one satellite accumulation area for hazardous waste. It is located in the pharmacy. One 10-gallon plastic lined cardboard box is used for the accumulation of hazardous waste.



Empty bottles of Warfarin with residue, along with other small containers were observed loose in the strong-pak box. The State allows the box in this SAA to remain open provided the smaller containers are in a closed baggie marked Hazardous Waste.

A violation would have been cited if the generator had been a LQG or SQG at the time of inspection. However, as a CESQG a Notice of Violation was not issued.

This fact was explained to those present.

Hazardous Waste (HW) Storage Area:

The Hazardous Waste storage area is a designated area within the stock room at the back of the store. The area was equipped with a fire extinguisher, spill kit and telephone. 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.

A 24" aisle space was not being maintained. Not all of the strong-pak boxes could be inspected because the area was completely blocked by incoming stock. It was questionable as to how the hazardous waste boxes could be inspected if this had been the situation for more the seven days.

Multiple violations would have been cited if the store had been operating as a LQG or SQG.



A 24" aisle space was not being maintained.
The inspector could not view all of the strong-pak boxes containing hazardous waste.



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The inspector could not view all of the strong-pak boxes containing hazardous waste.

Universal Waste:

Universal Waste – Lamps- none were observed. Batteries are not managed as Universal Waste on-site. Batteries are put in strong pack plastic bags and stored in the hazardous waste storage area in the same 10-gallon cardboard boxes containing hazardous waste.

Waste Minimization Plan:

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

CONCLUSION:

Manifests indicated that on 9/2/15 six lbs. of P075 and on 11/19/15 eight lbs. of P075 was transported from this store. On 3/7/16, Adriana Morales emailed the inspector a copy of the shipment of hazardous waste that occurred on 2/11/16. No P-listed waste was transported from the store at that time. Therefore, it would appear that the store was operating as a CESQG in December 2015 and January, 2016.

Empty bottles of Warfarin with residue, along with other small containers were observed loose in the strong-pak box located in the pharmacy. As a satellite accumulation area, the State allows the box in this SAA to remain open provided the smaller containers are in a closed baggie marked Hazardous Waste.

Not all of the strong-pak boxes could be inspected in the 180-day hazardous waste storage area because the area was completely blocked by incoming stock. A 24" aisle space was not being maintained. It was questionable as to how the hazardous waste boxes could be inspected if this had been the situation for more than the seven days.

Multiple violations would have been cited if the store had been operating as a LQG or SQG.
However, as a CESQG, a Notice of Violation was not issued.

Due to the fact that the facility fluctuates between a CESQG and a LQG, it may be re-inspected in a few months.



Phillip G. Orozco
Environmental Senior Specialist, NCDEQ

Date: March 15, 2016