

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

**Your Name:** Mark Burnette

**Facility ID Number:** NCR000166744

**Facility Name:** ELG Utica Alloys

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

**Document Type:** G - Compliance Assistance Visit (CAV)

**File Description/Comments:** This is a new LQG, who requested assistance

**Date of Document:** 3/1/2016

**Author(s) of Document:** Mark Burnette

**Inspector ID #:** NC044

**Suborganization:** Western Region

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



North Carolina  
Department of Environmental Quality  
Division of Waste Management  
Hazardous Waste Section

### Large Quantity Generator Inspection Report Compliance Assistance Visit (CAV)

Facility Name: ELG Utica Alloys, LLC

Inspection Date: 3/1/16

Site Address: 631 N. Secrest Ave, Monroe, NC 28110

(Verified in RCRAInfo? Y/N)

Mailing Address: same

EPA ID #: NCR 000 166 744

Site Contact: Phil Nahser Title: QC Manager

Phone Number: 704-776-4844

Email: phil.nahser@elguticalloys.com

Inspector: Mark Burnette

Participants: Phil Nahser, Mark Ridgeway, Mark Burnette

Legal Owner of Business: ELG Utica

Legal Owner of Property: \_\_\_\_\_

Generator Status: LQG Determined by: a. Statement from: \_\_\_\_\_

b. Manifests: \_\_\_\_\_

c. HW on-site (amount): X

Facility Description: Site acreage: \_\_\_\_\_ Operating shift(s): \_\_\_\_\_ # Employees: \_\_\_\_\_

Water supply: municipal/well Waste water treatment: municipal/septic/on-site treatment

Distance to on-site/off-site wells: \_\_\_\_\_ Closest private residence: \_\_\_\_\_

**Facility Description** (No. of buildings, size of buildings, operations conducted, and locations HW is generated):

ELG Utica Alloys, LLC (ELG) is a new facility located in Union County, which recently began processing various metals for reclamation. The facility generates large amounts of waste through their batch process which is used to clean recycled metals and ultimately generates D002 and D007 hazardous waste. This site visit was at their request, and a follow-up visit may be conducted once the facility is ready to begin full operation.

\*NOTE: This document is for assistance only. For complete regulations refer to Title 40 of the Federal Code of Regulations Part 260-279. This form does not contain all of the North Carolina Hazardous Waste Regulations and many of the regulations described are paraphrased. Division website located at: <http://portal.ncdenr.org/web/wm/hw>



Waste Streams:

<u>TYPE WASTE</u>	<u>COMMON NAME</u>	<u>WASTE CODE</u>
Hazardous Waste Liquids	chromium	D002, D007

TSD Facilities:

<u>Facility Name</u>	<u>EPA ID #</u>
_____	_____
_____	_____
_____	_____
_____	_____

Transporters:

<u>Transporter Name</u>	<u>EPA ID #</u>
_____	_____
_____	_____
_____	_____
_____	_____

Document Review

- **262.11- Hazardous Waste Determination** \*Compliance Yes/No  
Generators must determine if their waste is hazardous.
- **261.2(f) – Documentation of claims material is not solid waste** \*Compliance Yes/No  
Generators must document claims that materials are not solid wastes or are conditionally exempt from regulations.
- **262.12- EPA ID Numbers** \*Compliance Yes/No  
(a) Generators must acquire an EPA ID Number before they offer hazardous waste for shipment or disposal  
(c) Generators must use approved TSDFs and Transporters with valid EPA ID numbers.
- **262.20- Manifest** \*Compliance Yes/No  
Manifests must be properly filled out for all hazardous waste shipments.  
**Keep copies of all manifests, both hazardous and non-hazardous.**
- **268.7 (a)(4)- LDR Certification** \*Compliance Yes/No  
Land Disposal Restrictions must accompany all waste streams sent to TSDF.  
**Maintain a LDR for all waste streams**
- **262.42- Exception Reports** \*Compliance Yes/No  
(a) (1) Facility must contact the transporter/designated facility if a manifest is not received within 35 days.  
(2) Generator must submit an Exception Report if a manifest is not received within 45 days.
- **262.27 & GS 130A-294(k) Waste Minimization Certification** \*Compliance Yes/No  
A generator who ships hazardous waste must certify on their manifest a waste minimization program and have a written description of any program to minimize or reduce the volume and quantity or toxicity of waste.

- **262.34(a)(1)(i) ref 265.174- Weekly Inspections** **\*Compliance Yes/No**  
Storage Areas must be inspected weekly for leaking containers and for deterioration of containers caused by corrosion.  
**Conduct and document HW storage at least every 7 days.**
- **15A NCAC 13A .0107(d) – Documented Weekly Inspections** **\*Compliance Yes/No**  
The generator must **keep records** of the inspections and results of the inspections for at least three years from the date of the inspection.  
**See above.**
- **262.40- Recordkeeping** **\*Compliance Yes/No**
  - a) **Manifest must be kept for three years**
  - b) **Biennial Reports must be kept for three years. (does not apply to SGQ)**
  - c) **Waste analyses or test results must be kept for three years**
  - d) If enforcement actions are taken these time periods are extended.
- **262.41- Biennial Report** **Submitted: In Progress** **\*Compliance Yes/No**  
Generators who ship hazardous waste in the US must prepare a Biennial Report by March 1 of each even numbered year.

### **Subpart C – Preparedness and Prevention**

- **265.33- Testing and Maintenance of Equipment** **\*Compliance Yes/No**  
All equipment listed in this section should be tested and maintained to assure operation in case of an emergency.
- **265.37- Arrangements with Local Authorities** **\*Compliance Yes/No**
  - (A) Arrangement for services should be made with the following:
    - 1) Arrangements to familiarize **police, fire departments and emergency response teams** with the facility layout, properties of hazardous waste handled and associated hazards, places where people normally work, entrance roads and evacuation routes.
    - 2) Primary response agencies should be established with all emergency responders. All others will support.
    - 3) Arrangements with **state emergency response teams, contractors, and equipment suppliers.**
    - 4) Arrangements to familiarize **local hospitals** with the properties of hazardous waste handled and types of injuries or illnesses which could result from fires, explosions or releases at the facility.
  - (B) Documentation from any local authorities that decline any of the emergency arrangements

**All of these items need to be addressed.**

### **Subpart D – Contingency Plan and Emergency Procedures**

- **265.51- Contingency Plan** **Last Revised: June 2015** **\*Compliance Yes/No**
  - (a) Each owner or operator must have a contingency plan for their facility.
  - (b) Plan must be carried out in the event of a fire, explosion, or release of hazardous waste that could threaten health or environment.
- **265.52- Content of the Contingency Plan** **\*Compliance Yes/No**
  - a) Plan must **describe** the actions personnel must take to respond to event including fire, explosion and spills.
  - b) SPCC plan can be amended to include required content in this subpart.
  - c) Plan must **describe** arrangements agreed to by **local police, fire, hospitals, contractors, and state agencies.**
  - d) The plan must list **names, addresses, and phone numbers (home and office) for all emergency coordinators.** List must be kept up to date. **Primary coordinator and secondary coordinators** should be listed.
  - e) Plan must include a **list** of all emergency equipment and alarms at the facility. List should **show locations and physical descriptions,** and **capabilities** of equipment. List must remain up to date.
  - f) The plan must include an **evacuation** plan if evacuation may be required. The plan should **describe** signals, evacuation routes, and alternate evacuation routes.

**Make sure all of these items (a-f) are included in your contingency plan.**

- **265.53- Copies of the Contingency Plan** **\*Compliance Yes/No**  
Contingency plans and revisions must be:
  - a) Maintained at the facility.
  - b) Submitted to all local police, fire, hospitals, state agencies, and emergency response teams.

• **265.54- Amendment of the Contingency Plan**

**\*Compliance Yes/No**

Plan must be amended when:

- (a) Regulations are revised
- (b) Plan fails in an emergency
- (c) Facility changes
- (d) Emergency coordinators change
- (e) Emergency equipment changes

**Keep the CP up to date, as your business and facility changes.**

• **265.55- Emergency Coordinator**

**\*Compliance Yes/No**

An emergency coordinator should be on the premises or on call at all times. Must be able to respond in a short period of time. The coordinator must be familiar with all aspects of the contingency plan, operations, locations of haz-waste, record locations, and facility layout. Person must have the authority to commit resources needed to carry out contingency plan.

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• **265.56- Emergency Procedures**

**\*Compliance Yes/No**

- a) During an emergency event the coordinator must immediately:

See regulations described at 40 CFR 265.56 if an event occurred causing the Contingency Plan to be implemented.

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**265.16- Personnel Training & Job Description**

**\*Compliance Yes/No**

- a) (1) Facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way to ensure compliance with these sections requirements.
- (2) Training must be conducted by a **person trained in hazardous waste management** procedures and training must include hazardous waste management training relevant to each employee's position (including contingency plan implementation).
- (3) Training should be designed to ensure that personnel can respond properly to emergencies.
- b) Personnel must complete the training **within six months** of their hire date **or when they change job responsibilities**.
- c) Personnel must take part in an **annual review** of the initial training.
- d) The following documents must be maintained at the facility:
  - (1) **Job title** and person filling position for each position related to hazardous waste management.
  - (2) A **job description** for each position listed above, including requisite skills, education, and qualifications. Position duties should also be recorded.
  - (3) A written description of the type and amount of initial and continuing training that will be given for each position.
  - (4) Records that document that the training or job experience have been completed by personnel.
- e) Training records on current personnel must be kept until closure of the facility. Training records on all former employees must be kept for at least three years from date of separation

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Name of Employee	Job Title	Hazardous Waste Job Duties	Date of Annual RCRA Review	Date of Previous Annual RCRA Review	RCRA Job Description (including requisite skills, education and qualifications) Yes/No	Date of Contingency Plan Review

## Facility Walkthrough

- **262.30- Proper DOT Containers** \*Compliance Yes/No  
Waste must be packaged in accordance with applicable DOT regulations 49 CFR 173, 178, 179.
- **262.34 (a)- Accumulation Time** \*Compliance Yes/No  
A generator may accumulate hazardous waste on-site for 90 days or less without a permit.
- **262.34 (a)(1)(i)- Storage Container Spills/Releases** \*Compliance Yes/No  
Waste must be placed in containers.
- **262.34(a)(1)(i) ref 265.176- Waste Placement** \*Compliance Yes/No  
Ignitable or reactive waste must be stored at least 50 feet from the property line
- **262.34(a)(1)(i) ref 265.177- Incompatible Waste** \*Compliance Yes/No  
(a) Incompatible waste/materials must not be placed in the same container  
(b) Hazardous waste must not be placed in an unwashed container that previously held an incompatible waste  
(c) Incompatible waste must be separated while in storage
- **262.34 (a)(2)- Accumulation Start Dates** \*Compliance Yes/No  
**Containers in storage must be dated** when accumulation begins.  

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- **262.34 (a)(3)- Storage Container Labeling** \*Compliance Yes/No  
**Containers in storage area must be labeled "Hazardous Waste"**.  

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- **262.34(c)(1)- Satellite Container Spills/Releases** \*Compliance Yes/No  
No more than 55-gallons may be placed in containers at or near the point of generation under the control of the operator. No spills of hazardous waste on/around satellite accumulation containers.  

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- **262.34(c)(1)(i) ref 265.171- Container Condition** \*Compliance Yes/No  
Container in poor condition must be replaced.  

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- **262.34(c)(1)(i) ref 265.172- Container Compatibility** \*Compliance Yes/No  
Containers must be compatible with the waste they hold.  

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- **262.34(c) (1) (i) ref 265.173(a)- Container Management** \*Compliance Yes/No  
Containers must be maintained in a **closed** position unless adding or removing waste.  

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- **262.34(c) (1) (ii) - Satellite Container Labeling** \*Compliance Yes/No  
Satellite containers must be marked with the words "Hazardous Waste" or other words to describe the contents.  

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- **265.31- Maintenance and Operation of Facility** \*Compliance Yes/No  
Facility must be operated to minimize the possibility of a fire or any unplanned sudden or non-sudden release of hazardous waste that threatens health or environment.  

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- **265.32- Required Equipment** **\*Compliance Yes/No**

Facilities must have the following equipment unless not needed.

- (a) Internal communications or alarm system that provides emergency instruction to personnel.
- (b) A telephone or two-way radio must be available at the scene of operation to summon emergency assistance.
- (c) Fire extinguishers and fire control equipment spill control, and decontamination equipment.
- (d) Adequate water volume and pressure to supply fire hoses, automatic sprinklers, or water spray systems.

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- **265.34- Access to Communications** **\*Compliance Yes/No**

- (a) Whenever hazardous waste is being handled, all personnel involved must have access to an alarm or communication device. Visual or voice contact is allowed.
- (b) If there is just one person at the facility, while in operation, they must have immediate access to a telephone or two-way radio capable of summoning emergency assistance.

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- **265.35- Required Aisle Space (15A NCAC 13A .0110 (c))** **\*Compliance Yes/No**

**Two feet** of aisle space must be maintained to allow unobstructed movement of personnel or safety equipment.

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### **Used Oil (Generator)**

- **279.22- Used Oil Storage** **\*Compliance Yes/No**

- (a) Used oil must be stored in tanks or containers
- (b) Used oil containers must be in good condition and not leaking
- (c) (1) Used oil tanks and containers must be labeled with the words "Used Oil".  
(2) Fill lines for used oil UST's must be labeled with words "Used Oil"
- (d) When a used oil release is found the release must be:
  - (1) Stopped
  - (2) Contained
  - (3) Cleaned and managed properly
  - (4) Tanks or containers must be repaired before reuse.

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### **Universal Waste – Small Quantity Handler (Lamps & Batteries)**

- **273.13 (a)- Used Battery Management** **\*Compliance Yes/No**

All used batteries must be contained if damaged.

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- **273.14 (a)- Used Battery Labeling** **\*Compliance Yes/No**

Each battery/container of batteries must be labeled w/ the words "Universal Waste-Batteries", "Waste Batteries", or "Used Batteries".

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- **273.13 (d)- Used Lamp Management** **\*Compliance Yes/No**

Used lamps must be properly containerized to prevent breakage and containers of lamps must be properly closed.

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- **273.14 (e)- Used Lamp Labeling** **\*Compliance Yes/No**

Each lamp or container of lamps must be labeled with the words "Universal Waste-Lamps", "Waste Lamps", or "Used Lamps".

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- **273.15- Universal Waste Storage Time Limit** **\*Compliance Yes/No**

Universal waste must not be stored for longer than one year and must be able to demonstrate how long the waste has been onsite.  
(Time limit exemption is available if requirements at 273.15 (b) are met)

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- **273.16- Universal Waste Training** **\*Compliance Yes/No**

Universal waste handler must inform employees of proper handling and emergency procedures that are appropriate.

**Satellite Accumulation Area(s):**

None.

**Less Than 90-Day Hazardous Waste Storage Area(s):**

The <90-day hazardous waste storage area is located inside the facility, near the area the waste is currently being generated. During the inspection there were several 300-gallon totes in storage. The containers were properly closed, labeled and dated, and there was adequate aisle spacing.

**Documents Copied During Inspection:**

None.

**Recommendations/Area of Concern/Action Items:**

- Get the Biennial Report submitted.
- Get the 8700 Form submitted.
- Conduct weekly inspections & document.
- Get the contingency plan finalized.
- Send out emergency arrangements.
- Set up your training program.
- Address all other regulations that apply to your facility.
- Plan to attend a training course (<http://www.myncma.org/>)

**Site Deficiencies:**

None

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Inspector (Date)

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Facility Contact (Date)