

RCRA Inspection Report

1) Inspectors and Authors of the Report

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U.S. EPA Region 4
Resource Conservation and Recovery Act Enforcement Section
Chemical Safety and Land Enforcement Branch
Enforcement and Compliance Assurance Division
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2) Facility Information

Avantor Performance Materials, LLC.
7001 Martin Luther King Blvd.
Paris, Kentucky 40362
EPA ID # KYD084758069
NAICS Codes: 325199--All Other Basic Organic Chemical Manufacturing; 325180-Other Basic Inorganic Chemical Manufacturing; 325998-All Other Miscellaneous Chemical Product and Preparation Manufacturing

3) Responsible Official

Mr. Brent Mullins
EHS & S Manager
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4) Inspection Participants

Mr. Brent Mullins, EHS
Mr. Andrew Shuck, EHS Specialist
Ms. Heather Jordan, Kentucky Division of Waste Management, Inspector
Ms. Leslie Carr, Kentucky Division of Waste Management, Inspector
Ms. Amy McCracken, Kentucky Division of Waste Management, Inspector
Mr. David Champagne, U.S. EPA Region 4, Inspector

5) Date of Inspection

September 2, 2021, 11:00 hours

6) Applicable Regulations

Sections 3002, 3005 and 3007 of Resource Conservation and Recovery Act (RCRA) 40 Code of Federal Regulations (C.F.R). Parts 260 through 268, 270, 273 and 279 Rules Governing Hazardous Waste Management Title 401 of Kentucky Administrative Regulations (401 K.A.R.) Chapters 30 through 40 and 44.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.17], an LQG may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by KRS 224.46-520(1) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in 401 KAR 39:080 Section 1 [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste in containers at or near the point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or without having interim status, as required by KRS 224.46-520(1) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 401 KAR 39:080 Section 1 [40 C.F.R. § 262.16(b) or §262.17(a)], except as required in 401 KAR 39:080 Section 1 [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in 401 KAR 39:080 Section 1 [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

7) Purpose of Inspection

The purpose of the inspection was to conduct an unannounced hazardous waste compliance evaluation inspection (CEI) to determine the facility’s compliance with applicable RCRA regulations.

8) Facility Description

Avantor Performance Materials, LLC (Avantor or facility) operates in a 310,000 sq. ft. building on an approximately 69-acre site. The facility has approximately 250 employees that operate across three shifts, five days a week. Some production areas operate seven days a week.

Avantor is a packager and marketer of high purity chemicals for use in the pharmaceutical, microelectronics and laboratory industries. Operations consist primarily of subdividing, repackaging, labeling, and shipping of small quantities of lab reagents and pharmaceutical materials. The facility also performs some limited aqueous solution blending, bulking and some distillation for purification. These materials include both dry and liquid acids and bases, a variety of solvents and flammable liquids, and various toxic materials.

The building is subdivided into different warehouses, packaging areas, and laboratories by chemical type. Warehouses include west flammable, central flammable, east flammable, ether, and receiving. Other departments include solvent packaging, acid packaging, solvent stills, bottle room, refrigeration, can shop, dry bulking, and finished goods. Particularly dangerous chemicals also have special areas, fuming nitric and sulfuric acids are stored in outdoor containers, and hydrofluoric acid is managed in a closed room.

Hazardous wastes generated at the facility are primarily excess or off-specification products that cannot be resold or reformulated for resale. Wastes also include spilled products, and lab wastes.

The facility manages three central accumulation areas. One located at the back of the East Flammable Warehouse, one in the Can Shop, and one for flammable wastes located outside the building in a covered fenced area near the Can Shop. The most recent Hazardous Waste Generator Notification (EPA Form 8700-12) dated February 12, 2021, characterized the facility as a large quantity generator (LQG) of hazardous waste. Currently, Avantor generates D, P, and U EPA hazardous waste codes.

9) Previous Inspection/Compliance History

This facility had a compliance evaluation inspection in July 2018 where 13 violations were identified. In June 2020, the state identified over 20 violations.

10) Findings
Opening Conference

On September 2, 2021, Mr. David Champagne, EPA Inspector, and the inspectors from Kentucky Department of Waste Management, conducted an unannounced RCRA Compliance Evaluation Inspection (CEI) at Avantor. The inspectors explained the purpose of the inspection and inquired about facility COVID-19 policies and practices. The inspection team participated in a health check, presented credentials to the facility team and introductions were made. The facility provided a 10-minute overview presentation of the company before conducting a process-based walk through of the facility. The inspectors described the possible use of a digital camera during the inspection and the facility's ability, pursuant to 40 C.F.R. §2.203, to assert a business confidentiality claim for information submitted to the EPA. The facility did not assert a business confidentiality claim. Avantor does not appear to meet the Small Business Regulatory Enforcement Fairness Act's classification of a "small business," which is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees.

Dry Staging

The Dry Staging Department is used for dry or solid product down-packing. The Dry Department includes the Poison Room, Dry Suites 2-4, and the Hazard Room. The facility manages nine (9) 55-gallon satellite accumulation areas (SAAs) in this department. SAAs are separated by chemical type and were clearly marked as separate accumulation areas for separate processes. All containers were closed, labeled "hazardous waste" and labeled with the indication of the hazard contents.

Acid Room

The Acid Room is used for product chemical blending and down-packaging acids from a tanker trucks to smaller containers that can be sold to customers. There were two (2) 55-gallon SAA containers identified as corrosive CLK222 propriety blend internal computer parks and corrosive Rezi 38. Both containers were closed, labeled "hazardous waste", and labeled with the indication of the hazard contents. Within this room is a "Solutions Area" where they make micro-electronics. Hydrogen peroxide flushes are conducted. The rinse is collected and sold to Prism Resource Recovery Group, Inc. (PR2G).

Hydrofluoric (HF) Production Area

Hydrofluoric acid is managed in a separate closed room where inspectors were able to identify two (2) 55-gallon SAA containers. One of the containers is used for managing HF liquid corrosive and toxic hazardous wastes and the other for personal protective equipment (PPE) that is contaminated with HF. Both containers were labeled with the words “hazardous waste”, closed, and labeled with the indication of the hazard contents.

Solvent Packaging and Ether Room

These departments down-package various solvents for customers. At the time of the inspection, there was a 55-gallon container used for the collection of toxic and flammable solvent contaminated PPE and a 55-gallon container used to collect toxic chloroform waste samples. Both containers were labeled with the words “hazardous waste”, closed, and the indication of the hazard contents.

Central Accumulation Area

A central accumulation area (CAA) is managed in the Can Shop. There were 21 various sized containers of hazardous waste in this area. All hazardous waste containers were closed, labeled with the words “hazardous waste”, and had the indication of the hazardous contents. The oldest date identified on a storage container was July 26, 2021. Wastes consisted of hydrofluoric acid, hydrochloric acid, 33% phosphoric acid, NaOH, potassium bromate, and hydrogen sulfide. At the time of the inspection, the flammable CAA and the East Flammable Warehouse CAA held no hazardous waste.

Records

The most recent Quick Reference Guide and Contingency Plan dated June 2021 was sent to local authorities. Manifests, training, and weekly inspection logs were reviewed back to the previous CEI conducted by the state in June of 2020. The facility operates under Air Permit # F-18-038.

The facility utilizes the following hazardous waste transporters:

- Heritage Transport, LLC. TS-Louisville EPA ID IND058484114
- Veolia ES Technical Solutions NJD080621369
- Besin Transport OKR000033492

The facility utilizes the following hazardous waste designated facilities:

- Heritage Environmental Services EPA ID: IND093219012
- Veolia ES Technical Solutions EPA ID: ILD098642424

11. Summary

The inspectors conducted the exit meeting with facility team presenting the preliminary results of the inspection. Avantor Performance Materials, LLC. was inspected as a large quantity generator of hazardous waste. The inspection concluded at approximately 17:00 hours.

12) Signed
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David
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Champagne, David
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David Champagne
Physical Scientist

Date

13) Concurrence
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CHAVEZ
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ARACELI CHAVEZ
Date: 2021.10.12
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Araceli B. Chavez
Chief
RCRA Enforcement Section

Date