

RCRA Inspection Report

1) Inspector and Author of Report

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U.S. Environmental Protection Agency, Region 4
Enforcement and Compliance Assurance Division
Chemical Safety and Land Enforcement Branch
RCRA Enforcement Section
61 Forsyth Street, S.W.
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2) Facility Information

Nissan North America, Inc. (Nissan)
983 Nissan Drive
Smyrna, Tennessee 37167
Rutherford County

EPA ID#: TND054481205
NAICS #: 336110 – Automotive and Light
Duty Motor Vehicle Manufacturing

3) Responsible Officials

Mitch Bowling
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4) Inspection Participants

Mitch Bowling, Nissan
Shane Reece, Nissan
Jared Lynn, Nissan
Mike Haverstick, Nissan
Don Edwards, Nissan
Brian Todd, Nissan
Sue Ross, Nissan
Chris Goddard, Nissan

Terry Carrier, TDEC
Michael Horsley, TDEC
Nereida Hernandez Morales, EPA
Alan Newman, EPA

5) Date of Inspection

April 26, 2023: 1:45 P.M. - 4:30 P.M.
April 27, 2023: 8:00 A.M. - 4:30 P.M.
April 28, 2023: 8:00 A.M - 5:00 P.M.

6) Applicable Regulations¹

Resource Conservation and Recovery Act (RCRA) Sections 3002 (42 U.S. Code – Annotated U.S.C.A. 6925 and 6927), and 40 Code of Federal Regulation (C.F.R.) Parts 260 - 270, 273, 278, & 279; [State Code (see below)].

Tennessee Hazardous Waste Management Act of 1977, Tennessee Code Annotated (Tenn. Code Ann.) § 68-212-101 *et seq.*, and Chapter 0400-12-01 of the Rules and Regulations of the State of Tennessee (Tenn. Comp. R. & Regs.).

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.01(2)(a) [40 C.F.R. § 262.10], a large quantity generator (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2,200 lbs) of non-acute hazardous waste in a calendar month.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.12(1)(i) [40 C.F.R. § 273.9], a small quantity handler of universal waste (SQHUW) is a universal waste handler who accumulates less than 5,000 kilograms total of universal waste (batteries, pesticides, mercury-containing equipment, lamps, or aerosol cans, calculated collectively) at any time.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(4)(e)5.(i) [40 C.F.R. § 262.34(c)(1)], a generator may accumulate as much as 55 gallons of 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 Section 68-212-108 of the THWMA, Tenn. Code Ann. § 68- 212-108 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with Tenn. Comp. R. & Regs. 0400-12-01-.03(4)(e)2. [40 C.F.R. § 262.34(a) (2016)], provided that the generator complies with the satellite accumulation area (SAA) conditions listed in Tenn. Comp. R. & Regs. 0400-12-01-.03(4)(e)5.(i)(I)-(II) [40 C.F.R. § 262.34(c)(1)(i)-(ii)) (hereinafter referred to as the "SAA Permit Exemption").

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(4)(e)2. [40 C.F.R. § 262.34(a) (2016)], a large quantity generator (LQG) may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Section 68-212-108 of the THWMA, Tenn. Code Ann. § 68-212-108 [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in Tenn. Comp. R. & Regs. 0400-12-01-.03(4)(e)2.(i)-(v) [40 C.F.R. § 262.34(a)(1)-(4) (2016)] (hereinafter referred to as the "LQG Permit Exemption").

¹ As the State's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions will be to the authorized State program. However, for ease of reference, the federal citations will follow in brackets.

7) **Purpose of Inspection**

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Nissan compliance with the applicable requirements of RCRA and the corresponding Tennessee regulations. This was an EPA lead inspection.

8) **Facility Description**

Nissan is located at 983 Nissan Drive, Smyrna, Tennessee 37167. Nissan is an automotive assembly plant and currently assembles the following vehicle models at this facility: Murano, Maxima, Pathfinder, Rogue, LEAF, and Infiniti QX60. The automotive assembly includes metal stamping, welding, metal treatment, painting, trim and chassis assembly, inspection, and testing. The current rate of production at the facility approximately 36,000 vehicles per month. Nissan employs approximately 6,000 employees and 4,000 contract employees at this location working five days per week with 5 work shifts. The assembly plant occupies approximately 7.1 million square feet under roof on over 950 acres of land. Hazardous waste is generated during the manufacturing process. On February 23, 2022, Nissan notified as an LQG of hazardous waste, a small quantity handler of universal waste, and a generator of used oil.

Nissan generates the following wastes:

Waste Stream Number	Waste descriptions	Waste Description Hazards	EPA Waste Code(s)
7	Solvent used to clean lines and equipment	Ignitable, toxic	D001, D035 and F003
12	Solvent accumulation tank cleaning	Ignitable, toxic	D001, D035, F003 and F005
14	Contaminated gasoline	Ignitable and toxic	D001 and D035
16	Waste paint	Ignitable	D001 and F003
17	Waste liquid from paint cleaning system,	Ignitable, toxic	D001, D018, D035, D039, D040 and F003
22	Corrosive hazardous waste liquid from paint line cleaning	Corrosive	D002
26	Corrosive hazardous waste liquid from acid cleaning operations	Corrosive	D002
41	Broken thermometers	Toxic	D009
45	Hazardous waste liquids from flushing paint lines	Ignitable, toxic	D001, D035 and F003
48	Hazardous waste liquids from final pain line cleaning	Ignitable	D001
49	Hazardous waste liquids from aerosol cans	Ignitable	D001, F003 and F005

51	Hazardous waste liquids from parts cleaning	Ignitable, toxic	D001, D035, F003 and F005
57	Laboratory Debris	Ignitable, toxic	D001, D035 and F005
58	Laboratory samples	Ignitable, toxic	D001, D035 and F005
60	Unused product	Corrosive	D002
61	Hazardous waste solids from equipment cleaning	Ignitable, toxic	D001, D035, F003 and F005
74	Unused Fuel	Ignitable	D001
76	Waste Lab Pack	Corrosive and reactive	D002 and D003
81	Gasoline	Toxic	D018
84	Obsolete pretreatment additives	Corrosive	D002
95	Hazardous Waste liquids from laboratory testing	Corrosive	D002
96	Hazardous waste debris from painting operations	Listed	F005
98	Unused Pretreatment additives	Corrosive	D002
99	Hazardous waste liquid from contaminated paint	Ignitable	D001
101	Hazardous waste liquids from tank cleaning	Corrosive	D002

The facility is surrounded by a fence with access entrance gates, which are staffed with security personnel.

9) **Previous Inspection History**

TDEC has conducted two RCRA CEIs at the subject facility between 2015 and 2020 and found four violations during those inspections. On September 29, 2020, TDEC conducted the most recent RCRA CEI at the subject facility and found no apparent violations of RCRA's requirements.

10) **Opening Conference**

On April 26, 2023, EPA inspectors Alan Newman and Nereida Hernandez Morales, accompanied by TDEC inspectors Terry Carrier and Mike Horsley, arrived at Nissan at approximately 1:45 pm. Mitch Bowling, Environmental Engineer, immediately received the inspectors. Mitch Bowling, and the inspectors were joined by Shane Reece, Kyle Pitts, Chris Goddard, Don Edwards, Mike Haverstick, and Jared Lynn for the opening conference. The inspectors introduced themselves, showed their credentials to Mitch Bowling and Shane Reece, and explained the purpose of the visit.

The inspectors described the anticipated use of equipment [digital camera] during the inspection and provided a request for records. The EPA inspector explained that the Small Business Regulatory Enforcement Fairness Act's classification of a "small business" is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. A copy of the EPA's information sheet for small businesses can be found at <https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf>. The EPA inspector also discussed the company's ability, pursuant to 40 C.F.R. § 2.203, to assert a business confidentiality claim for information submitted to EPA. The company did not assert a business confidentiality claim.

Mitch Bowling and Jared Lynn provided an overview of the facility's history and current operations during the opening conference. The inspection participants also discussed health and safety protocols and required personal protective equipment before facility representatives led the inspectors on a tour of the facility operations.

11) **Inspection Observations**

The inspection observation of areas was where waste could be generated and stored. Areas of the facility observed included the Central Accumulation Area (CAA), Hazardous Waste Container Cage (CAA Cage), Dock 1A area, Paint Line 1 Mix Room, Facia Paint Line 1 Mix Room, Paint Line 2 Mix Room, ITR, Stamping area, Frame/Body Assembly area, Drop Off Station, QA Lab, Paint Line 2, NP Stores, Yates Maintenance area, Used Oil aboveground storage tank (AST) area, Trim and Chassis Line 2, ITR area, municipal trash containers, and the facility perimeter.

Unless otherwise stated below all containers appeared to be in good condition, closed, labeled, and dated with accumulation start dates within the regulated limits (if required).

Facility Process Areas with Satellite Accumulation Areas:

Nissan manages SAAs in dozens of areas where various hazardous wastes are generated by the differing automotive manufacturing processes (Photographs 1-15). Nissan utilizes a hazardous waste label with check boxes for the indication of the hazards as seen in Photographs 2 and 5 to meet labeling requirements for CAA and SAA containers.

The inspection team noted that at least one SAA container in *each of the following areas was open*: Paint Line 1 Mix Room, Facia Paint Line 1 Mix Room, Paint Line 2 Mix Room, Trim and Chassis Line 2. Some areas had more than one open SAA container. Subsequent to the inspection, Nissan documented that each of these containers were closed.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(f)1.(iv) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA Permit Exemption, a generator is required to keep containers of hazardous waste closed at all times during accumulation, except when adding, removing, or consolidating waste; or when temporary venting of a container is necessary

for the proper operation of equipment, or to prevent dangerous situations, such as build-up of extreme pressure.

The inspection team noted that at least one SAA container in the Paint Line 1 Mix Room, Stamping, Frame/Body Assembly, QA Lab, Paint Line 2, Line 2 Metal Assembly, Line 2 Metal Finishing, and Trim and Chassis Line 2 was not labeled with the indication of the hazards. Some areas had multiple containers that were not labeled with an indication of the hazard. Subsequent to the inspection Nissan documented that each container in each of these areas was labeled with the indication of the hazard.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(f)1.(v)(II) [40 C.F.R. § 262.15(a)(5)(ii)], which is a condition of the SAA Permit Exemption, a generator is required to mark or label its containers (ii) with an indication of the hazards of the contents.

During the inspection, the inspection team noted that a SAA container in the Paint Line 1 Mix room was labeled with an indication of hazard of corrosive, ignitable, toxic, and reactive. Facility representatives stated that this waste was solely ignitable. Nissan did not appear to make an accurate hazardous waste determination for this waste.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(b) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Tenn. Comp. R. & Regs. 0400-12-01-.02(1)(b) [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(b) [40 C.F.R. § 262.11].

Facility Area with Central Accumulation Area (CAA):

Nissan manages a hazardous waste CAAs in multiple areas. Each area was identified with a sign, which read “danger, hazardous waste storage.” Nissan manages ignitable and reactive waste in this CAA, and the inspectors observed “No Smoking” signs at each CAA location (Photographs 16-17).

The CAA is equipped with an internal communications or alarm system capable of providing immediate emergency instruction to facility personnel; it is equipped with a device capable of summoning emergency assistance from local police departments, fire departments, or state or local emergency response teams; it is equipped with portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment; and it is equipped with water to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray system.

- Hazardous Waste Container Storage Areas

Nissan operates the CAA Cage as a CAA for storage of hazardous and non-hazardous waste and universal waste in containers and on pallets (Photographs 16-30). This CAA has one solid wall and roof. The other three walls consist of chain-link fencing. The gate to access this area is locked. A small, covered area outside of the CAA Cage is used for waste drop off during off hours. Nissan was storing the following hazardous waste in the CAA Cage:

CAA Location: CAA Cage		
<i>Waste Container size (number of containers)</i>	<i>Waste Stream (WS) Number</i>	<i>Indication of the Hazard - Comments</i>
<i>55-gallon metal container (1)</i>	<i>WS #49</i>	<i>Ignitable SAA with a can puncturing devise affixed to bung</i>
<i>275-gallon tote (1)</i>	<i>WS #26</i>	<i>Corrosive</i>
<i>275-gallon totes (3)</i>	<i>WS #84</i>	<i>Corrosive</i>
<i>55-gallon metal container (54)</i>	<i>WS #7</i>	<i>Ignitable</i>
<i>55-gallon metal container (49)</i>	<i>WS #45</i>	<i>Ignitable and Toxic</i>
<i>55-gallon metal container (1)</i>	<i>WS #84</i>	<i>Corrosive</i>
<i>275-gallon tote (5)</i>	<i>WS #84</i>	<i>Corrosive</i>
<i>15-gallon poly container</i>	<i>WS #76</i>	<i>Toxic</i>
<i>55-gallon metal container (1)</i>	<i>WS #81</i>	<i>Ignitable</i>
<i>55-gallon metal container (3)</i>	<i>WS #48</i>	<i>Ignitable</i>
<i>55-gallon metal container (5)</i>	<i>WS #12</i>	<i>Ignitable and Toxic</i>

Unless mentioned below, each container list above was labeled, closed, and in good condition and stored within regulated timeframes.

The inspection team noted five 55-gallon containers that were not labeled with an indication of the hazard (Photographs 22-24). Nissan was storing off spec air bags in 55-gallon metal containers in the CAA Cage which were staged for recycling (Photograph 19). Nissan operates a 54-gallon solvent rag accumulation container (Photograph 54). Facility personnel stated that the solvents that collect in the bottom of the container are poured into a 3-gallon container adjacent to the solvent rag container (Photograph 55). Nissan was accumulating electronic waste in gaylord boxes in the CAA Cage (Photographs 40-41). Nissan was storing a large plastic container of hazardous waste in white fabric bags. The indication of the hazard on the label was corrosive. This plastic container did not have a lid and was considered open. Containers of hazardous waste must be closed except with adding or removing waste.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(h)1.(v)(I)II. [40 C.F.R. § 262.17(a)(5)(i)(B)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: an indication of the hazards of the contents clearly visible for inspection on each container.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(h)1.(i)(IV)I. [40 C.F.R. § 262.17(a)(1)(iv)(A)], which is a condition of the LQG Permit Exemption, (A) a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

Another hazardous waste container storage area was located at the NP Stores Drop Off Station (Photograph 31). There were two 55-gallon metal containers of WS #48 which were labeled as “Hazardous Waste”, with an ignitable indication of the hazard, and both with an accumulation start date of April 26, 2023.

- Hazardous Waste Tanks

The inspection team toured multiple tanks storing hazardous waste from the manufacturing process.

Tank Number/Location	Volume (gallons)	Waste Codes and Indication of the Hazard
Facia Paint Line 2 (near Dock 1A) Tank 402 (Photograph 32-36)	6,000	WS #7 - D001/D035/F003 – Ignitable and Toxic
Paint line 1 Mix Room	8,000	WS #7 - D001/D035/F003 – Ignitable and Toxic
Facia Paint Line 1 Mix Room	7,000	WS #7 - D001/D035/F003 – Ignitable and Toxic
Paint Line 2 Mix Room – W-2	1,100	WS #7 - D001/D035/F003 – Ignitable and Toxic
Paint Line 2 Mix Room – B-2 – Tank 614	7,000	WS #7 - D001/D035/F003 – Ignitable and Toxic

The inspection team noted that the top of the Facia Paint Line 1 Mix Room tank was equipped with two closure devise clamps. Initially, neither of the clamps were closed. Facility representatives were able to close one clamp during the inspection but were unable to close the other due to the clamp being broken.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(h)1.(ii)(I) [40 C.F.R. § 262.17(a)(2)], which incorporates Tenn. Comp. R. & Regs. 0400-12-01-.05(27), (28) and (29) [Subparts AA, BB, and CC of 40 CFR Part 265], and is a condition of the LQG Permit Exemption, a generator is required to comply with applicable organic air emission standards for tanks. Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(h)1.(ii)(I) [40 C.F.R. § 262.17(a)(2)], which incorporates Tenn. Comp. R. & Regs. 0400-12-01-.05(29) [40 C.F.R. Part 265, Subpart CC] and is a condition of the LQG Permit Exemption, a generator accumulating hazardous waste in tanks must comply with the RCRA Subpart CC organic air emission standards for tanks, requiring each opening in a fixed roof tank to be equipped with a closure devise designed to operate such that when the closure devise is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the opening and the closure devise Tenn. Comp. R. & Regs. 0400-12-01-.05(29)(f)3.(ii)(III)I. [40 C.F.R. § 265.1085(c)(2)(iii)(A)].

In the Paint Line 1 Mix Room, the inspection team noted the pump behind Tank W-2 was leaking and was surrounded with saturated absorbent pads.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(h)1.(iv)] [40 C.F.R. § 262.17(a)(6)], which incorporates Tenn. Comp. R. & Regs. 0400-12-01-.03(12)(b) [40 C.F.R. § 262.251], and is a condition of the LQG Permit Exemption, a generator is required to maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

Facility Area for Universal Waste Management:

Nissan manages universal waste lamps and batteries in multiple locations including the CAA Cage, the Yates maintenance room, and multiple accumulation containers on the production line (Photographs 37-40 and 42-53).

CAA Cage:

Multiple universal waste lead-acid batteries were stored and shrink-wrapped together on pallets in the CAA Cage (Photographs 38-40). Nissan was labeling the shrink wrap around the batteries with the words “Universal Waste Batteries” instead of each battery. Each battery is required to be labeled. Shrink-wrap does not constitute a container. There was one 5-gallon white container that was labeled as universal waste but did not indicate “batteries” on the label (Photograph 46).

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.12(2)(e)1. [40 C.F.R. § 273.14(a)], a SQHUW must label or mark each Universal Waste battery or container or tank in which the batteries are contained clearly with one of the following phrases: “Universal Waste - Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies).”

Nissan was storing universal waste batteries in five 55-gallon containers and universal waste lamps in seven boxes. Each container was in good condition, closed, labeled, and marked with an accumulation start date within the last 12 months (Photographs 37, 42-46). Nissan was storing one lithium-ion vehicle battery that was labeled and marked with an accumulation start date within the last 12 months in CAA Cage (Photograph 19) except one 5-gallon white container of universal waste batteries that was not labeled with an accumulation start date (Photograph 46).

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.12(2)(f)3.(i) [40 C.F.R. § 273.15(a) and (c)], a SQHUW may accumulate universal waste no longer than one year and must be able to demonstrate the length of time that the universal waste has accumulated from the date that it became a waste or was received.

Yates Maintenance Area:

On the day of the inspection the inspection team noted multiple fluorescent lamps that were not in structurally sound containers and were not labeled (Photographs 47-49). The available persons in this area were unable to determine how long these lamps had been on site; there were no accumulation start dates on these lamps.

Pursuant Tenn. Comp. R. & Regs. 0400-12-01-.12(2)(d)4.(i)(I) [40 C.F.R. § 273.13(d)], a SQHUW must manage universal waste lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.12(2) [40 C.F.R. § 273.14(e)], a SQHUW must label or mark each lamp or container of lamps clearly with one of the following phrases: “Universal Waste-Lamp(s),” or “Waste Lamp(s),” or “Used Lamps.”

Stamping Area:

The inspection team also noted in the Stamping Area, several buckets of universal waste batteries that were labeled with the words universal waste batteries but were not labeled with an accumulation start date. Nissan representatives stated that the method used by Nissan to track the length of time universal waste has been stored is by dating each container.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.12(2)(f)3.(i) [40 C.F.R. § 273.15(a) and (c)], a SQHUW may accumulate universal waste no longer than one year and must be able to demonstrate the length of time that the universal waste has accumulated from the date that it became a waste or was received.

Facility Area for Used Oil:

The inspection team noted multiple types of containers in Stamping area including 5-gallon buckets, 55-gallon metal containers, and 275-gallon totes, used to store used oil. Many of these containers were not labeled with the words “Used Oil.”

The inspection team toured the Used Oil Above Ground Storage Tank Area which included one 7,500 gallon and one 2,000-gallon tanks (Photographs 56-60). These tanks were labeled as used oil. Multiple containers were co-located near these tanks. Several of these containers were not labeled with the words used oil (Photographs 61-72).

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.11(3)(c)3.(i) [40 C.F.R. § 279.22(c)(1)], containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words “Used Oil.”

Recirculation Tanks:

Nissan operates multiple recirculation tanks for pumping solvent through the pipeline system (Photograph 73). The inspection team recommended that these tanks be labeled as to their purpose.

12) Records Review

The inspection team reviewed the following records: hazardous waste manifests, land disposal restriction forms, universal waste disposal records, used oil disposal records, the contingency plan, the quick reference guide, weekly and daily inspections, the annual hazardous waste reduction plan dated 3/6/2023, hazardous waste annual training records, job titles, job descriptions, and volume records of hazardous waste tanks, among other records.

Contingency Plan and Quick Reference Guide (QRG):

The actions that facility personnel should take in response to an emergency are described in the facility's Hazardous Waste Contingency Plan, which was last updated in December 2022. The plan describes actions facility personnel must take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.

The plan describes arrangements agreed to with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers, local hospitals, or the Local Emergency Planning Committee. The plan lists the names and emergency telephone numbers for persons identified as emergency coordinators. Mitch Bowling is listed as the primary emergency coordinator, and the other individuals are listed in the order in which they will assume responsibility as alternates.

The plan includes a list of all emergency equipment at the facility. The list includes fire extinguishing systems, spill control equipment, communications and alarm systems, and decontamination equipment. The list appears to be up to date. The plan includes the location and a physical description of each item on the list, and a brief outline of its capabilities.

The plan includes an evacuation plan for personnel. This plan describes signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

Within the Hazardous Waste Contingency Plan (and its quick reference guide) there is documentation that indicated that Nissan made an attempt to make arrangements for emergency services with Rutherford County EMA, Smyrna Police, Smyrna Fire Department, and Stonecrest Hospital. The quick reference guide includes the types/names of hazardous waste in layman's terms and the associated hazard associated with each hazardous waste present at any one time; the estimated maximum amount of each hazardous waste that may be present at any one time; the identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff; a map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; a street map of the

facility in relation to surrounding businesses, schools and residential areas; the locations of water supply; the identification of on-site notification systems; and the name of the emergency coordinator(s) and emergency telephone number(s). The inspection team noted that the communications to the CAA Cage was not noted in the plan. This is an area of concern for the inspection team.

Training Records:

The inspectors reviewed facility job descriptions and employee names that were provided for each job title including Solid and Hazardous Waste Environmental Engineer, Environmental Engineer, Hazardous Waste Technician Manager, Hazardous Waste Technician Safety Officer, Hazardous Waste Technicians, Hazardous Waste Management Area Inspector, Hazardous Waste Tank System Inspector, Onsite Waste Management Representative, Uniform Hazardous Waste manifest Reviewer and Environmental Compliance Managers. Each description included the requisite skill, education, or other qualifications, and duties of facility personnel assigned to that position. Nissan provided a written description of the type and amount of both introductory and continuing training to be given to each person filling the positions listed above. The inspectors reviewed records of employee hazardous waste training completed in November 2022.

Waste Manifest and Land Disposal Restriction (LDR) Records:

The inspectors reviewed available hazardous waste manifest records and land disposal restriction forms for shipments of hazardous waste sent since September 2020. Hazardous waste manifest records show that D001/D035/F003 hazardous waste Flammable liquids are routinely shipped to Gage Products (MID005338801), and the most recent shipment was made on April 26, 2023.

Daily and Weekly Inspection Records:

The inspectors reviewed Nissan's available records of inspections of the hazardous waste central accumulation area (CAA) since 2020. The inspection log includes a checklist to record observations about leaking containers and for deterioration of containers caused by corrosion or other factors. The inspection log includes a checklist to record observations about waste inventories, secure lids, labeling complete and facing aisle, leaking containers, containers in Department of Transportation (DOT) shipping condition, loading area in good condition (no spills), and containment wall in good condition. The records include the date and time of the inspection and the name, signature and initials of the employee conducting the inspection. Employees do routinely record inspection observations and subsequent follow-up actions on the inspection log.

The inspection team reviewed the daily tank inspection records. These records recorded inspections and observations of each of the tanks. On February 16, 2023, Nissan submitted a self-disclosure letter detailing a leak and their failure to perform required inspection of the tank system piping and alarm system.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(h)1.(ii)(I) [40 C.F.R. § 262.17(a)(2)], which incorporates Tenn. Comp. R. & Regs. 0400-12-01-.05(10)(f)(3) [40 C.F.R. § 265.195(c)], and is a condition of the LQG Permit Exemption, a generator accumulating hazardous waste in tanks that either use leak detection equipment to alert facility

personnel to leaks, or implement established workplace practices to ensure leaks are promptly identified, must inspect at least weekly those areas described in paragraphs (b)(1) through (3) of this section.

13) **Closing Conference**

The inspectors conducted the exit meeting at 3:25 pm with Mitch Bowling, Kyle Pitts, Shane Reece, Jared Lynn, Mike Haverstick, and Chris Goddard. During this meeting, the inspectors stated their preliminary conclusions of the inspection.

Nissan agreed to provide resolutions to the issues discussed above within 30 days of the inspection. On May 5, 2023, Mitch Bowling provided confirmation that each issue discussed during the inspection had been corrected in an email to Alan Newman and Terry Carrier.

14) **List of Appendices**

Appendix 1 – Photo Log:
73 Photographs taken April 26-28, 2023.
Photographs taken by Alan Newman
Photographs taken with Lumix Digital
EPA Property Tag: S75870

15) **Signed**

ALAN NEWMAN Digitally signed by ALAN NEWMAN
Date: 2023.07.28 17:20:14 -04'00'

Alan Newman
Environmental Engineer

16) **Concurrence**

ARACELI CHAVEZ Digitally signed by ARACELI
CHAVEZ
Date: 2023.07.31 07:55:09 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Appendix 1

Photograph Log:

73 Photographs taken April 26-28, 2023.
Photographs taken by Alan Newman
Photographs taken with Lumix Digital
EPA Property Tag: S75870



Photograph 1: SAA in Lab 1 without Indication of Hazard.



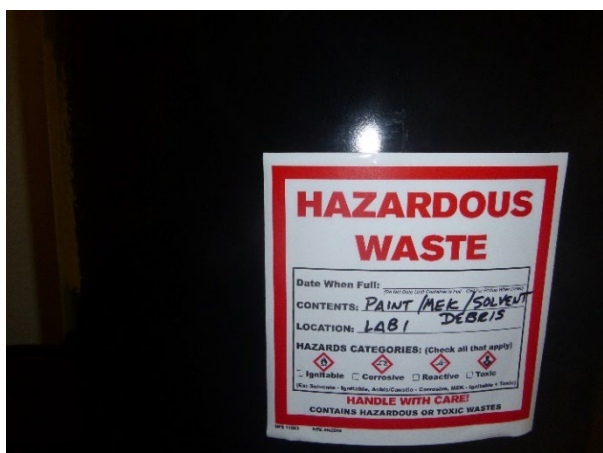
Photograph 2: SAA in Lab 1 without Indication of Hazard.



Photograph 3: Flammable Cabinet which houses an SAA for Lab 1.



Photograph 4: SAA in Lab 1 without Indication of Hazard.



Photograph 5: SAA in Lab 1 without Indication of Hazard.



Photograph 6: SAA in Lab 1 without Indication of Hazard.



Photograph 7: SAA in Lab 1 without Indication of Hazard.



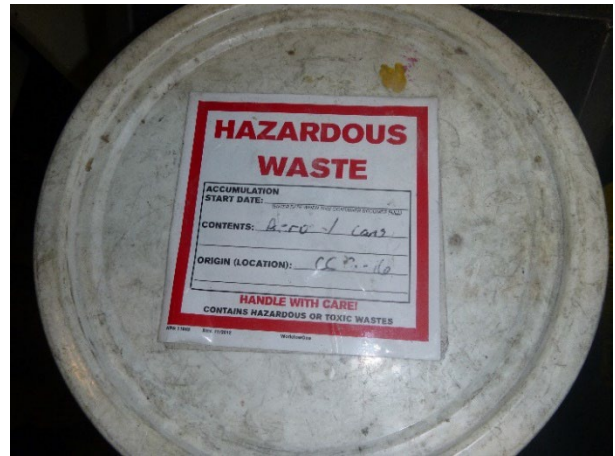
Photograph 8: SAA in Lab 1 without Indication of Hazard.



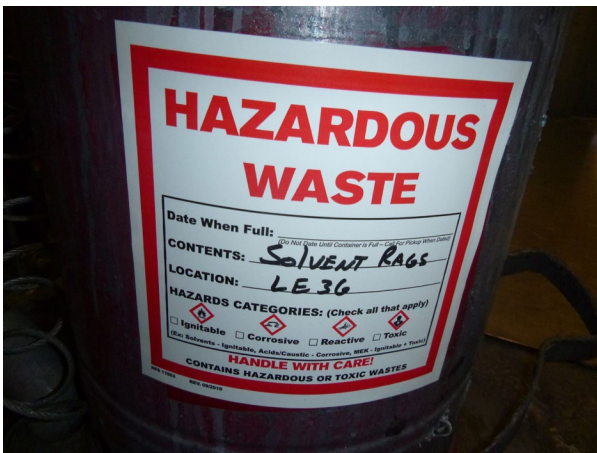
Photograph 9: SAA in Paint Line 2 without Indication of Hazard.



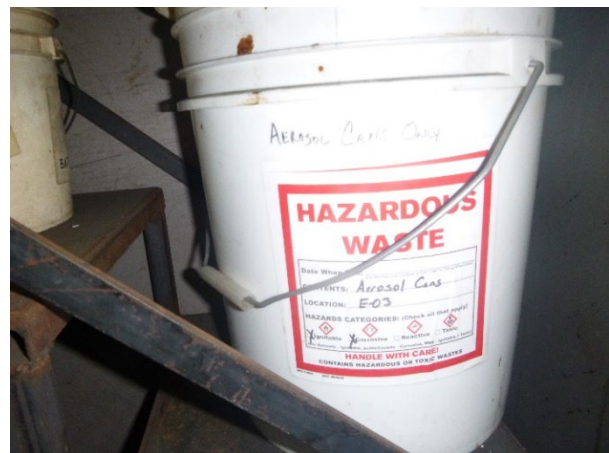
Photograph 10: SAA without Indication of Hazard.



Photograph 13: SAA at CAA Cage.



Photograph 11: SAA.



Photograph 14: SAA at CAA Cage.



Photograph 12: Touch up SAA.



Photograph 15: SAA at CAA Cage.



Photograph 17: CAA Cage.



Photograph 18: Hazardous Waste at CAA Cage.



Photograph 16: CAA Cage.



Photograph 19: Hazardous waste, universal waste battery, and off spec air bags at CAA Cage.



Photograph 20: Hazardous Waste at CAA Cage.



Photograph 23: Hazardous Waste at CAA Cage.



Photograph 21: Hazardous Waste at CAA Cage.



Photograph 24: Hazardous Waste at CAA Cage.



Photograph 22: Hazardous Waste at CAA Cage.



Photograph 25: Hazardous Waste at CAA Cage.



Photograph 26: CAA Cage.



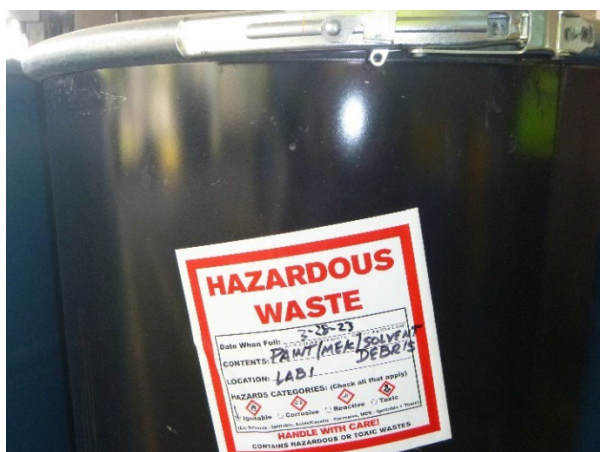
Photograph 29: CAA Cage.



Photograph 27: CAA Cage.



Photograph 30: CAA Cage.



Photograph 28: CAA Cage.



Photograph 31: CAA NP Stores.



Photograph 32: Hazardous Waste Tank CAA.



Photograph 33: Hazardous Waste Tank CAA.



Photograph 34: Hazardous Waste Tank CAA.



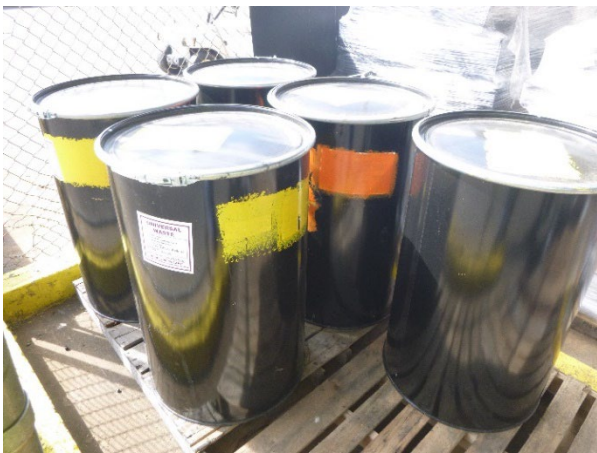
Photograph 35: Hazardous Waste Tank CAA.



Photograph 36: Hazardous Waste Tank CAA.



Photograph 39: Universal Waste at CAA Cage.



Photograph 37: Universal Waste at CAA Cage.



Photograph 40: Universal Waste and E-waste at CAA Cage.



Photograph 38: Universal Waste at CAA Cage.



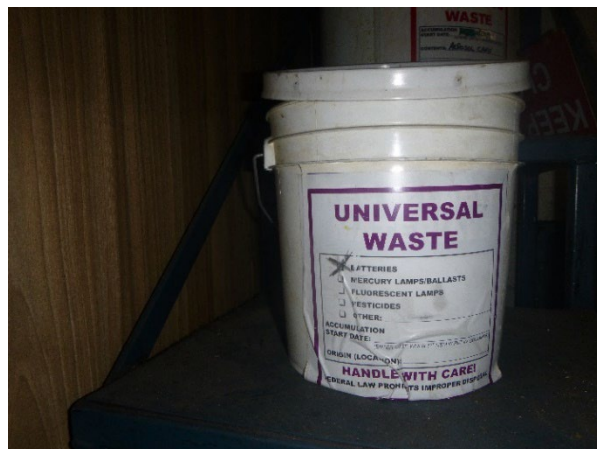
Photograph 41: E-waste at CAA Cage.



Photograph 42 Universal Waste at CAA Cage.



Photograph 43: Universal Waste at CAA Cage.



Photograph 44: Universal Waste at CAA Cage.



Photograph 45: Universal Waste at CAA Cage.



Photograph 46: Universal Waste at CAA Cage.



Photograph 49: Universal Waste at Yates.



Photograph 47: Universal Waste at Yates.



Photograph 50: Universal Waste Battery Storage.



Photograph 48: Universal Waste at Yates.



Photograph 51: Hazardous Waste Tank CAA.



Photograph 53: Tank S-6.



Photograph 54: Hazardous Waste Tank CAA.



Photograph 52: Tank S-13.



Photograph 55: Hazardous Waste Tank CAA.



Photograph 56: Used Oil Tanks.



Photograph 57: Used Oil Tank.



Photograph 58: Used Oil Tank.



Photograph 59: Used Oil Tank.



Photograph 60: Used Oil Tank.



Photograph 63: Used Oil Container.



Photograph 61: Used Oil Container.



Photograph 64: Used Oil Container.



Photograph 62: Used Oil Container.



Photograph 65: Used Oil Container.



Photograph 66: Used Oil Container.



Photograph 67: Used Oil Container.



Photograph 68: Used Oil Container.



Photograph 69: Used Oil Container.



Photograph 70: Used Oil Container.



Photograph 71: Used Oil Container.



Photograph 72 Used Oil Container.



Photograph 73: Recirculation Tank for waste solvent.