

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
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

2) Facility Information

Chemical Products Corporation (CPC) EPA ID# GAD003275468
102 Old Mill Road
Cartersville, Georgia 30120

3) Responsible Officials

Joshua Parr
Environmental Manager
jparr@cpc-us.com

4) Inspection Participants

Matt Graves	CPC
Joshua Parr	CPC
David Crews	CPC
Jerry Cook	CPC
Deadre Embry	GAEPD
Sharon Priyadarshini	GAEPD
Daryl Himes	US EPA
Parvez Mallick	US EPA
Paula Whiting	US EPA

5) Date of Inspections

October 6, 2022 and January 18, 2023

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; Georgia Hazardous Waste Management Act (GHWMA), Ga. Code Ann. § 12-8-60 *et seq.*, and Georgia Hazardous Waste Management Rules, Ga. Comp. R. and Regs. 391-3-11.01 to 391-3-11.18 (2016 and 2018); and Hazardous Waste Permit # HW-26(T&CA)-3

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.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.02(1) [40 C.F.R. § 260.10], a large quantity generator (LQG) of hazardous waste is a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste in a calendar month.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(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 Section 12-8-66 of the GHWMA, Ga. Code Ann. § 12-8-66 [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

7) **Purpose of Inspection**

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine CPC’s compliance with the conditions of its RCRA Hazardous Waste Facility Operating Permit HW-26(T&CA)-3, the applicable requirements of RCRA and the corresponding Georgia Environmental Protection Division (GA EPD) regulations. This was an EPA lead inspection.

8) **Facility Description**

Chemical Products Corporation’s Cartersville facility manufactures barium compounds, primarily barium sulfide, barium chloride and barium carbonate from barium sulfate mined on property owned by the facility. Hazardous waste is generated in four processes in which the acid soluble barium content of waste streams generated exhibit the hazardous waste characteristic for barium toxicity. Three hazardous wastes are treated immediately or shortly after generation by neutralizing the acid-soluble barium to render the wastes nonhazardous. The fourth is collected in a permitted wastewater treatment unit where the solids are allowed to settle, and water is decanted before treatment takes place. The permit allows for the treatment of 720 tons per day of hazardous waste in containers. The facility has changed their treatment process to utilize tank treatment of wastes streams. Treatment of wastes generated by the facility includes the addition of gypsum which results in the generation of a barium. All treated wastes are transported and disposed of as nonhazardous in Chemical Products permitted solid waste landfill.

The facility is currently in the process of attempting to amend its hazardous waste permit so that treatment of hazardous wastes at its facility will no longer be done in containers (cement mixers) but rather in a tank.

9) **Previous Inspection History**

GA EPD conducted a focused RCRA CEI at the subject facility on September 6, 2018. Generator violations were observed during the inspection.

10) **Opening Conference**

On October 6, 2022, EPA inspectors Daryl Himes and Parvez Mallick, accompanied by GA EPD inspectors Deadre Embrey and Sharon Priyadarshini, arrived at CPC at approximately 9:00 a.m. Matt Graves, President of CPC, immediately received the inspectors. The EPA and GA EPD inspectors listed above were joined by the remaining facility representatives, also listed above, in a conference room for the opening conference. The inspectors introduced themselves, showed their credentials to Matt Graves and explained the purpose of the visit.

The inspectors described the anticipated use of equipment a digital camera during the inspection and provided a request for records. 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.

The facility representatives listed above 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 representative led the inspectors on a tour of the Facility operations.

11) **Inspection Observations**

Central Accumulation Area (CAA)

This area is used by the facility to accumulate materials managed as hazardous wastes which are generated by CPC as a result of ongoing and routine equipment and tank cleaning activities. The materials managed in this area have been removed from equipment and tanks during routine and systematic cleanouts. They are placed into metal cubic yard bins, which are moved throughout the facility using forklifts. These materials are designated as hazardous wastes until they can be fed back into the facility's process tanks for recovery of useful barium compounds. The metal bins are managed in the CAA.

Small amounts of cleanout material were observed within two of the metal cubic yard containers at the time of the inspection which appeared to meet the definition of "RCRA" empty (Photos 1 and 2).

Eight of the metal cubic yard containers, described above, containing hazardous waste were observed in this area at the time of the inspection. The containers were closed with metal lids, labeled with the words "Hazardous Waste" and marked with accumulation start dates of less than 90-days. The containers were not labeled with markings which identified the hazard contents of the waste.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: the words “Hazardous Waste”; an indication of the hazards of the contents; and the date upon which each period of accumulation begins clearly visible for inspection on each container.

In an area adjacent to where the containers identified above were located, the facility was managing sludges from its barium chloride settler tank which were deemed by the facility to be nonhazardous (Photos 4 and 5). The sludges were maintained behind concrete road barriers. On October 13, 2022, EPA’s Laboratory Services and Applied Science Division (LSAD) took a sample of the materials present in this area. The toxicity characteristic leaching procedure (TCLP) levels present for barium in the sample taken was less than 20 micrograms per liter and was deemed to be nonhazardous as shown in the report forwarded to Joshua Parr via electronic message on January 30, 2023.

Truck Filling Area

At the time of this inspection, the facility had transitioned from treating its hazardous waste in seven cement mixers in accordance with Section D of its hazardous waste permit and was now treating its wastes in a tank system. The facility is currently in the process of a permit modification with GA EPD to document this transition. The wastes treated in the tanks are deposited into dump trucks (Photo 6) and transported to the facility’s on-site solid waste landfill. No evidence of spillage of material was observed in the area where the wastes are deposited into the dump trucks.

Dump Trucks

The facility has previously employed the use of seven dump trucks for the treatment of hazardous wastes generated by the facility. The trucks, according to Joshua Parr, were last used in July of 2022. Since that time the facility has employed the use of a wastewater treatment tank system to treat its hazardous waste. The tank system is part of a wastewater treatment system which is exempt pursuant to 40 C.F.R. § 261.4 (a)(2). It was noted during a visit to the facility on January 18, 2023, that the dump trucks have not been emptied, cleaned and closed pursuant to the requirements of the closure plan. Any waste remaining in the trucks, at a minimum, would need to be shown to be nonhazardous.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in O.C.G.A. §12-8-62(20) [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 Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11].

Used Oil Unloading Area

Used oil generated by facility equipment is collected within 275-gallon totes in this area. Six 275-gallon totes were in this area at the time of the inspection (Photos 7–9). Four of the totes

contained used oil. Each of these totes was labeled with the words “Used Oil.” Oil had been spilled or released onto the concrete floor in the area where the totes were situated (Photo 9).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.17(1) [40 C.F.R. § 279.22(d)], upon detection of a release of used oil to the environment, the facility must clean up and manage properly the released used oil and other materials.

Maintenance Building

Four boxes of universal waste lamps were observed in this area. Each of the boxes was closed, labeled with appropriate universal waste language and dated with an accumulation start date of less than one year.

East Kiln Area

One 55-gallon drum of liquid aerosol can hazardous waste (Photo 10) was observed within a satellite accumulation area (SAA). The container was labeled with the words “Hazardous Waste” and a placard indicating the hazards associated with the contents of the container.

Area of Former AQ Building

In 2016, a fire damaged the AQ Building which was located on the Chemical Products Corporation facility. A contractor operated within this building manufacturing chemicals for the pulp and paper industry. A bead blast operation was operated in area on the ground outside of the former AQ Building for cleaning debris from equipment (Photos 11 & 12).

On October 13, 2022, EPA’s LSASD sampling team took a soil sample in the area of the former bead blast operation. The results for total barium in the soil sample were found to be 6600 parts per million. The results of TCLP analysis performed on the sample indicated a barium level of 110 parts per million. This level is in excess of the TCLP level for barium of 100 parts per million. In comparison to the totals level of barium detected, a background threshold value for barium in silt/sands surface soils, an acceptable value of 6030 ppm was observed. *As the totals value for barium found by EPA in its sample of 6600 parts per million is not significantly greater than acceptable levels of barium for this area, EPA is recommending that Georgia EPD, address the barium levels found in this area in accordance with the corrective action requirements of the facility’s permit.*

12) Closing Conference

The inspectors conducted the closing conferences with the inspection participants listed above on October 6, 2022 and January 18, 2023. During these meetings, the inspectors stated their preliminary conclusions of the walkthrough inspection and summary of EPA LSASD’s sampling results.

13) **Sampling Overview**

A copy of the results of analysis performed on samples taken on October 13, 2022, was forwarded to Joshua Parr on January 30, 2023.

14) **Signed**

DARYL HIMES Digitally signed by DARYL HIMES
Date: 2023.02.21 09:33:12 -05'00'

Daryl R. Himes
Environmental Engineer

Date

Concurrence

**ARACELI
CHAVEZ** Digitally signed by
ARACELI CHAVEZ
Date: 2023.02.21
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Araceli B. Chavez
RCRA Enforcement Section

Date



Photo 1 – Material in one of the metal cubic yard boxes in the CAA



Photo 2 - Material in one of the metal cubic yard boxes in the CAA



Photo 3 – Metal cubic yard boxes of hazardous waste in CAA



Photo 4 – Barium chloride settler sludge



Photo 5 – Barium chloride settler sludge



Photo 6 – Dump truck fill area for treated wastes



Photo 7 – Use oil collection area



Photo 8 – Used oil collection area



Photo 9 – Floor with used oil release in collection area



Photo 10 – SAA for the collection of aerosol can waste



Photo 11 – Area outside of AQ Building



Photo 12 - Area outside of AQ Building