

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.
Atlanta, Georgia 30303

2) Facility Information

Hyster-Yale Group Inc.
355 Cooper Drive
Lexington, Kentucky 40506-0314

EPA ID#: KYD068331735

3) Responsible Officials

Tim White, Senior Director – Manufacturing

4) Inspection Participants

Geoff Mooney, Hyster-Yale Group
Rex Rose, Hyster-Yale Group
Tiffany Preston, Hyster-Yale Group
Nicole Galavotti, Shield Environmental
Associates, Inc.

Heather Jordan, KDEP
Raj Aiyar, USEPA

5) Date of Inspection

July 30, 2024, at 9:00 a.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; Kentucky Revised Statutes Title XVIII, Chapter 224, Subchapter 46-Hazardous Waste *et seq.* (2006), and Title 401 of the Kentucky Administrative Regulations (K.A.R.) Chapters 30, 39 and 40.

Pursuant to 401 KAR 39:005, Section 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 401 K.A.R. 32:080 Section 1(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

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.

KRS § 224.46-520 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 401 KAR 39:080, [40 C.F.R. § 262.16(b)], except as required in 401 KAR 39:080, Section 1(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(1) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to 401 KAR 39:080, Section 1(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 [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(1) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

Pursuant to 401 KAR 39:080, Section 3(1) [40 C.F.R. § 273.9], a small quantity handler of universal waste (SQHUW) is a universal waste handler who does not accumulate 5,000 kilograms or more of universal waste (batteries, pesticides, mercury-containing equipment, lamps, or aerosol cans, calculated collectively) at any time.

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Hyster-Yale Group Inc. (known hereinafter as “Hyster-Yale”, or the facility”) compliance with the applicable requirements of RCRA and the corresponding Kentucky regulations. This was an EPA lead inspection.

8) Facility Description

Hyster-Yale Group facility (Hyster-Yale or facility) is located at 2200 Menelaus Pike, Berea (Madison County), Kentucky. The facility formerly known as NACCO Materials Handling Group Inc. has been in operation since 1974. In June 2024, the Hyster-Yale did a name- change from Hyster-Yale Group to Hyster-Yale Material Handling Inc. to accurately reflect who they are and what they do. The facility has submitted paperwork for name change to KDEP on June 12, 2024, as part of the annual renewal for their hazardous waste registration.

The property encompasses approximately 52 acres, north of the City of Berea, Kentucky. The facility comprises of one main building with several outbuildings including cylinder storage, waste storage, maintenance, warehousing and fire pump houses. Hyster-Yale currently has a total of approximately 1,073 employees. The facility’s typical production schedule consist of two ten hours shifts per day (Monday-Thursday). Facility maintenance is conducted on weekends and production on Friday, if needed.

Hyster-yale manufacturers Yale and Hyster internal combustion counterbalanced forklift trucks. The facility specializes in the painting and assembly of multiple lines of lift trucks. Hazardous wastes generated at the facility includes waste paint, solvent wastes, spent aerosol cans, used oil and universal waste batteries and used lamps. The facility is registered with the Cabinet as a

Large Quantity Generator (LQG) of hazardous waste. The facility uses Giant Resource Recovery-Attala Inc. (ALD070513767) for disposing their hazardous waste and Midwest Environmental Services (OHD987029808) as transporter of hazardous waste. Used Oil and Coolants are collected by Midwest Environmental. The volume of hazardous waste shipped in 2022 and 2023 was approximately 21,319 kilograms (kgs) and 17,214 kgs, respectively.

9) Previous Inspection History

Hyster-Yale was last inspected by KDEP in 2022. No violations were observed. There was no prior inspection conducted by EPA at Hyster-Yale.

10) Opening Conference

On July 30, 2024, EPA inspector Raj Aiyar, accompanied by KYDEP inspector Heather Jordan arrived at approximately 9:00 a.m. at the facility, Geoff Mooney and Rex Rose with Hyster-yale received the inspectors. The inspectors introduced themselves, showed their credentials and explained the purpose of the visit.

The inspectors were led into a conference room for a opening conference. The following individuals joined the opening conference after it had begun Nicole Galavotti and Tiffany Preston, environmental consultants for Hyster – Yale, and Tim White, Senior Director, Manufacturing. The inspectors discussed the scope of the inspection, the anticipated use of equipment, a digital camera and requested for a list of records to be reviewed as part of the inspection.

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 facility’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.

Geoff Mooney and Nicole Galavotti 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 the required personal protective equipment before Geoff Mooney and Lee Faulkner led the inspectors on a tour of the facility’s operations.

11) Inspection Observations

Satellite Accumulation Areas (SAAs)

The facility operates two main areas, the Forklift Area, and Mainframe Area. Both areas include painting operations. The forklift area is split into three sections, the 1–3-ton, 4-7-ton, and 6-9-

ton. Each section operates touchup paint booths. The inspectors observed one 55-gallon container of hazardous waste in the 1-3-ton Section of the Forklift Area SAA (Photo-1). The container was observed to be closed, labeled with the words "Hazardous Waste" with indication of hazards of the contents. The inspectors observed one 30-gallon and one 55-gallon containers of used oil (Photo-3). Both the containers were observed to be closed and labeled as "Used Oil".

On the rear side of the Forklift Area 1–3-ton Section, the inspectors observed two SAAs. One SAA comprised of a spent aerosol can puncturing device mounted to a 55-gallon container, another container of hazardous waste paint with a funnel. Both the SAA containers were observed to be labeled with the words "Hazardous Waste" with indication of hazards of the contents. The container with the spent aerosol can puncturing device was observed to be closed. The container with an attached funnel was observed to be open during the inspection (Photo-4). The container was closed during the inspection.

Pursuant to 401 KAR 39:080, Section 1(1) [40 C.F.R. § 262.17(a)(1)(iv)], 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; and (B) A container holding hazardous waste must not be opened, handled, or stored in a manner that may rupture the container or cause it to leak.

The inspectors observed one 50-gallon used oil tank adjacent to the SAA. The tank was observed to be closed and labeled as "Used Oil". The inspectors observed a spill near the tank. The inspectors requested the facility personnel to clean up the spill and to respond to any spills and leaks promptly in the area. The spill near the tank was cleaned up during the inspection.

Pursuant to 401 KAR 39:080, Section 4(2) [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.

The inspectors then proceeded to the 6–9-ton Section of the Forklift Area. There was no activity in the 6–9-ton Section touchup paint booth area at the time of inspection. There were three SAAs in this section. The inspectors observed, one 55-gallon container of waste rags (Photo-5), and one 55-gallon SAA container of waste paint (Photo-6) in separate SAAs. Both containers were observed to be closed, labeled with the words "Hazardous Waste" with indication of hazards of the contents.

In another SAA the inspectors observed, an aerosol can puncturing device mounted to a 55-gallon container (Photo-7). The unit was not in service at the time of inspection. The container was observed to be closed, labeled with the words "Hazardous Waste." There was no indication of hazards of the contents. The container was labeled with the indication of the hazards of the contents during the inspection.

Pursuant to 401 KAR 39:080 Section 1(1) [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to mark or label its containers with an indication of the hazards of the contents.

The 4–7-ton Section of the Forklift Area was inspected. At the front end of this section, the inspectors observed two SAAs. One waste paint container had a funnel lid that would not close properly hence the container was determined to be as an open container (Photo-8) in satellite accumulation. The facility personnel replaced the funnel and sent photos documenting the newly installed lid on August 5, 2024.

Pursuant to 401 KAR 39:080, Section 1(1) [40 C.F.R. § 262.17(a)(1)(iv)], 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; and (B) A container holding hazardous waste must not be opened, handled, or stored in a manner that may rupture the container or cause it to leak.

The other SAA contained solid waste. Both the SAA containers were observed to be labeled with the words “Hazardous Waste” with indication of hazards of the contents. In the same area, the inspectors observed a 55-gallon “Used Oil” container. The container was observed to be closed.

All the section with the touch-up paint booths were observed to be equipped with fire extinguishers.

The Mainframe Area consists of two wet paint and two powder coat paint lines. There is one SAA in each wet paint area. Each SAA comprised of two 55-gallon containers of hazardous waste, one waste paint and another contained waste paint debris. All the containers in the wet paint area were observed to be closed, labeled with the words “Hazardous Waste” with indication of hazards of the contents.

Central Accumulation Area (CAA)

The facility manages one less than 90-day accumulation area. The CAA is in a storage building behind the main plant. The inspectors observed hazardous waste, used oil and universal waste stored in the CAA. At the time of inspection, the inspectors observed approximately 10 55-gallon hazardous waste containers on the pallets (Photo-9). All the containers of hazardous waste were observed to be closed, labeled, dated, and in good condition. The oldest accumulation date was observed to be July 16, 2024. There were 13 55-gallon containers of used oil container (Photo-10). All the containers were observed to be closed and labeled as “Used Oil”. There were 4 30-gallon containers of spent universal waste batteries (Photo-11). The containers were observed to be closed, labeled but were missing accumulation start dates. The universal waste containers were dated during the inspection.

Pursuant to 401 KAR 39:080, Section 3(1) [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.

There were seven containers containing spent industrial batteries and approximately 25 spent forklift batteries. The batteries were properly grounded, labeled and dated. The oldest accumulation date was observed to be June 14, 2024.

12) Records Review

Once the inspectors completed the walkthrough of the facility, the inspectors were escorted to a conference room to conduct a review of the required documentation. The records reviewed for a three-year period included the following:

- Training Records;
- Contingency Plan and Quick Reference Guide;
- Weekly Inspection Logs;
- Waste Manifest-2023 till Present; and
- Documents showing emergency arrangement with local authorities.

There were no deficiencies noted during the records review.

13) Closing Conference

An exit briefing was conducted at the conclusion of the inspection. Tiffany Preston, Geoff Mooney, Nicole Galavotti, Heather Jordan (KYDEP), and Raj Aiyar (USEPA) participated during the closing conference. The observations made during the inspection were discussed and the inspection was concluded.

14) List of Appendices

Appendix 1 – Photo Log:

15) Signed

RAJAGOPAL AIYAR Digitally signed by RAJAGOPAL
AIYAR
Date: 2024.09.24 09:36:06 -04'00'

Raj Aiyar
Environmental Engineer

16) Concurrence

BROOKE YORK Digitally signed by BROOKE YORK
Date: 2024.09.26 17:32:34 -04'00'

for Araceli B. Chavez
Chief
RCRA Enforcement Section

Appendix 1 – Photo Log

Photos taken on July 30, 2024

Photos provided by: KDEP



Photo-1 1–3-ton Paint Booth SAA



Photo-2 1–3-ton Paint Booth



Photo-3 1-3-ton Used Oil



Photo-4 1–3-ton SAA



Photo-5 6–9-ton SAA



Photo-6 6–9-ton SAA



Photo-7 6-9-ton SAA



Photo-8 4-7-ton SAA



Photo-9 CAA (Hazardous Waste)



Photo-10 CAA (Used Oil)



Photo-11 CAA (Universal Waste)