

EPA Region 10 Enforcement Division

INSPECTION REPORT

Inspection Entry Date/Time	10/19/2022 09:44 AM (PT)	Announced: No	
Inspection Exit Date/Time	10/19/2022 01:00 PM (PT)	Access: Granted	
Regulatory Program	RCRA		
Type of Inspection	CEI - Compliance Evaluation Inspection		
Company Name	Western Washington University (WWU)		
Facility or Site Name	WWU Physical Plant		
Facility/Site Identifier	WAD981763030		
Facility/Site Physical Address	915 26Th St		
City, State, Zip Code	Bellingham, WA 98225		
County/Borough	Whatcom		
Generator Status	Very Small Quantity Generator (VSQG)		
NAICS	611310 – Colleges, Universities, and Professional Schools		
Type of Operation	University		
Geographic Coordinates	48.72492, -122.48354		
Mailing Address/Secondary Address	Grant Whitman, MPH whitmag2@wwu.edu Laboratory Safety Consultant, Interim Hazardous Waste Contact Environmental Health and Safety Western Washington University CS132A, MS 9070 2001 Bill McDonald Parkway, Bellingham, WA 98225 (360) 650-4064		
City, State, Zip Code	Bellingham, WA 98225		
Permit Number (If Applicable)	Not Applicable		
Lead Inspector:			
Jon Jones			
	EPA Region 10	Jones.Jon@epa.gov	(907) 271-6329
Supervisor Review:			
Jen Sullivan			
	EPA Region 10	Sullivan.Jennifer.A@epa.gov	(206) 553-6978

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SECTION I – INTRODUCTION**Site Entry and Purpose of the Inspection**

Type of inspection: CEI - Compliance Evaluation Inspection

This report is based on information supplied by WWU Physical Plant Facility representatives, observations made by the EPA Region 10 inspector, and records and reports maintained by the facility and its HQ including, but not limited to: direct observations made by the EPA Region 10 Inspector(s), photographs taken by EPA Region 10 inspector(s), physical evidence collected by the EPA Region 10 inspector(s), measurements or samples taken by EPA Region 10 inspector(s), verbal or written statements made by information supplied by the facility representatives during or subsequent to the on-site Inspection, and materials, processes, data, photographs, or documents shown, demonstrated, or submitted to the EPA Region 10 inspector(s) by the facility representatives during or subsequent to the on-site Inspection. In addition, information gathered, prior and/or subsequent to the Inspection, from a review of USEPA, State, and public records, may be included in this report.

Attendees

Title/Organization	Name	Phone	Email	Opening Conf.	Closing Conf.
Lead Inspector/EPA Region 10	Jon Jones	(907) 271-6329	Jones.Jon@epa.gov	Yes	Yes
Hazardous Waste Manager/WWU /WWU	Gary Carlton	(360) 650-6527	carltog@wwu.edu	Yes	Yes
Laboratory Safety Consultant, Interim Hazardous Waste Contact/WWU /WWU	Grant Whitman	(360) 650-4064	whitmag2@wwu.edu	Yes	No
Inspector/Ecology /Ecology	Chris Teske	(360) 255-4384	ctes461@ecy.wa.gov	Yes	Yes

Opening Conference

EPA Region 10 Lead Inspector, Jon Jones, arrived at the WWU Physical Plant Facility (the “Site” or “Facility”), located at 915 26Th St, Bellingham, WA 98225, at 09:44 AM (PT) on 10/19/2022 for an unannounced inspection. EPA Region 10 Lead Inspector presented credentials to and informed Gary Carlton that this was an EPA Region 10 inspection to determine compliance with Resource Conservation and Recovery Act (RCRA).

Facility/Site Information

Weather Conditions	Cloudy and gray
Safety Training Provided to Inspector(s)?	No
What type of generator facility notified?	Very Small Quantity Generator (VSQG)
What type of generator facility verified as?	Verified VSQG by Mr. Carlton

Weather Conditions	Day 1 – Cloudy and gray
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Process Description

During the opening conference, Mr. Carlton provided the following information:

- Universal waste lamps and batteries generated on the main campus are taken to WWUs off-site Physical Plant.
- The Paint Shop generates waste paints, thinners, and aerosol can waste.

Building(s)

Building/Area/Sub-area	Process Description	Area of Concern
Marshaling Yard	Universal waste lamp accumulation	Yes
Universal waste accumulation area	Accumulation of universal waste lamps	Yes
Physical Plant	Maintenance operations that include painting and a paint booth.	Yes
Loading dock area adjacent to the Physical Plant	Waste aerosol can popping area.	Yes
Room 203A - Paint Shop	Painting operations and paint booth	No

SECTION II – OBSERVATIONS

Building: Marshaling Yard/Universal waste accumulation area			
Observation #: JJ1-OB-001	Date: 01/25/2023	Contains AOC: Yes	Contains CBI: No
Person Interviewed: Gary Carlton		Title: Hazardous Waste Manager/WWU	
While inspecting the universal waste lamp accumulation area, we observed the following: • A container, of universal waste lamps, dated 11/25/19, that had been in accumulation for greater than one year. • A container of four-foot universal waste lamps that was not closed. The container was also dated 7/8/21 and had been in accumulation for greater than one year. • There were approximately 13 containers of universal waste lamps, among approximately 65+ containers, that were not closed and at least one of the 13 containers was not labeled with either the words "Universal Waste - Lamp(s)," "Waste - Lamp(s)," or "Used - Lamp(s)." Several of the universal waste lamp containers were buried beneath other containers and we were unable to see if they were closed and dated. Training provided to WWU personnel that manage universal waste states that universal waste containers will be dated. The facility responded with information and photo documentation by way of SharePoint on 11/2/22. The information received indicated that universal waste lamp containers were closed, labeled, and shipped for disposal on 11/9/22.			

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Photo(s)

1. [IMG_0361.jpg](#)
2. [IMG_0362.jpg](#)
3. [IMG_0363.jpg](#)
4. [IMG_0364.jpg](#)
5. [IMG_0365.jpg](#)
6. [IMG_0366.jpg](#)
7. [IMG_0367.jpg](#)
8. [IMG_0368.jpg](#)
9. [IMG_0369.jpg](#)
10. [IMG_0370.jpg](#)
11. [IMG_0371.jpg](#)
12. [IMG_0372.jpg](#)
13. [IMG_0373.jpg](#)
14. [IMG_0374.jpg](#)
15. [IMG_0375.jpg](#)
16. [IMG_0376.jpg](#)
17. [IMG_0377.jpg](#)
18. [IMG_0378.jpg](#)
19. [IMG_0379.jpg](#)
20. [IMG_0380.jpg](#)

Building: Physical Plant/Loading dock area adjacent to the Physical Plant**Observation #:** JJ1-OB-002**Date:** 10/19/2022**Contains AOC:** Yes**Contains CBI:** No**Person Interviewed:** Gary Carlton**Title:** Hazardous Waste Manager

At the time of the inspection, we observed that the waste aerosol can popping process was not capturing all the waste aerosol can residue as there was evidence of overspray on both the dock area and the outside wall of the Physical Plant, adjacent to and around the bottom of the waste container that was equipped with the attached aerosol can popping device. It was unclear as to whether the overspray was due to improper use of the can popping device or lack of maintenance on the device.

Photo(s)

1. [IMG_0333.jpg](#)
2. [IMG_0334.jpg](#)
3. [IMG_0335.jpg](#)
4. [IMG_0346.jpg](#)
5. [IMG_0347.jpg](#)

SECTION III – RECORDS REVIEW**Record:** Personnel Training**AOC:** No

Ref #: JJ1-RR-001	Reviewed By: Jon Jones	Reviewed Date: 10/19/2022
A review of the training records indicated that WWU personnel managing universal waste lamps had received both hazardous waste and universal waste training. No other records were reviewed, as the WWU Physical Plant is a VSQG.		

SECTION IV – AREA OF CONCERN

The presentation of Area(s) of Concern does not constitute a formal compliance determination or violation.

Building: Marshaling Yard	Area: Universal waste accumulation area	Sub-area:
JJ1-OB-001		
While inspecting the universal waste lamp accumulation area, we observed the following: • A container, of universal waste lamps, dated 11/25/19, that had been in accumulation for greater than one year. • A container of four-foot universal waste lamps that was not closed. The container was also dated 7/8/21 and had been in accumulation for greater than one year. • There were approximately 13 containers of universal waste lamps, among approximately 65+ containers, that were not closed and at least one of the 13 containers was not labeled with either the words "Universal Waste - Lamp(s)," "Waste - Lamp(s)," or "Used - Lamp(s)."	Citations:	Sections:
Building: Physical Plant	Area: Loading dock area adjacent to the Physical Plant	Sub-area:
JJ1-OB-002		
At the time of the inspection, we observed that the waste aerosol can popping process was not capturing all the waste aerosol can residue as there was evidence of overspray on both the dock area and the outside	Citations:	Sections:

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wall of the Physical Plant, adjacent to and around the bottom of the waste container that was equipped with the attached aerosol can popping device.		
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SECTION V – CLOSING CONFERENCE AND FOLLOW UP

Closing Conference

At the conclusion of the inspection, I conducted a closing conference that was attended by those listed in the Attendees table, in Section I of this report. I thanked everyone for their time and cooperation during the inspection and began a review of the areas of concern (listed in Section III – Areas of Concern) that I observed during my inspection of the facility. I then explained the follow-up process that would take place once I finished the report. I explained they would receive a copy of the report as would a case officer. I told them the case officer would review the report to determine if any of my areas of concern are determined to be violations.

Following the inspection, Mr. Carlton emailed his facility's response to the areas of concern on 11/2/22. The documentation included photos of the corrective action and will be reviewed by an EPA Compliance Officer.

Follow Up

N/A

SECTION VI – SAMPLING ACTIVITIES AND ANALYTICAL RESULTS - No sampling was conducted.

SECTION VII – LIST OF APPENDICES

1. Photo Log
2. Document Log

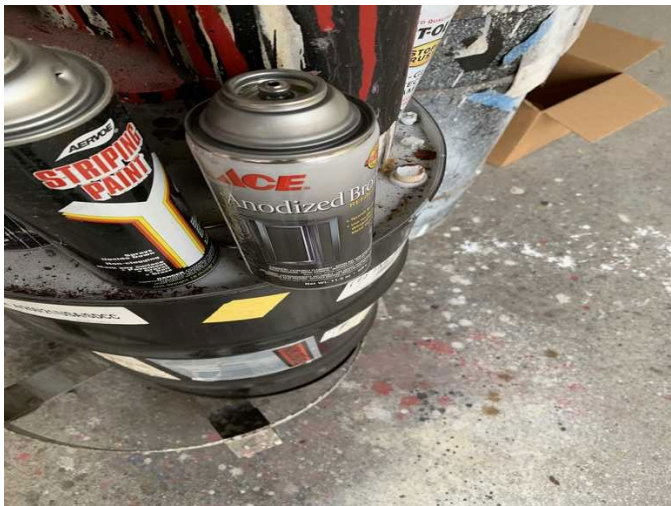
APPENDIX 1: PHOTO LOG



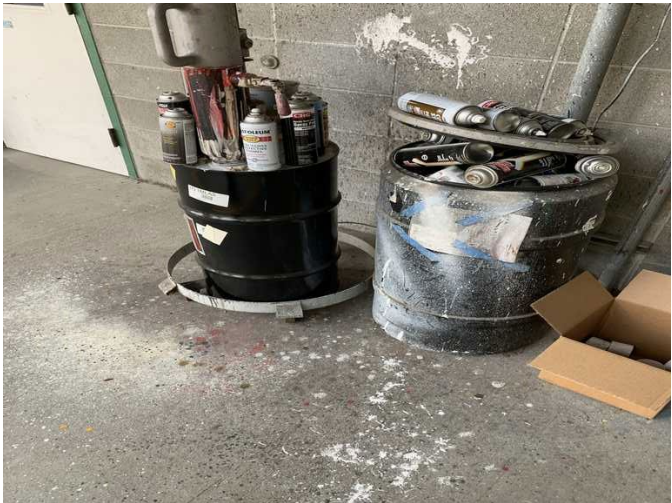
[Title]			IMG_0333.jpg
10/19/2022 09:49 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Physical Plant/Loading dock area adjacent to the Physical Plant			48.7248, -122.48311666
View of the area adjacent to and around the container with the attached waste aerosol can popping device, showing the overspray of waste paints/coatings.			



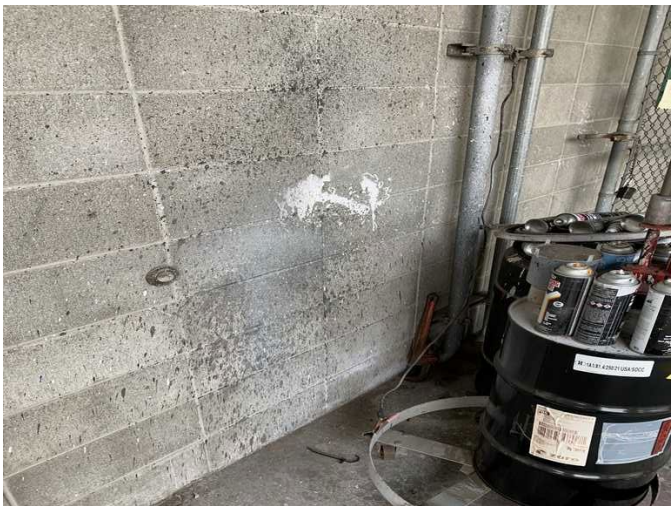
[Title]			IMG_0334.jpg
10/19/2022 09:49 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Physical Plant/Loading dock area adjacent to the Physical Plant			48.72478888, -122.48313888
Another view of the area adjacent to and around the container with the attached waste aerosol can popping device, showing the overspray of waste paints/coatings.			



[Title]			IMG_0335.jpg
10/19/2022 09:49 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Physical Plant/Loading dock area adjacent to the Physical Plant			48.72475833, -122.48326944
Another view of the area adjacent to and around the container with the attached waste aerosol can popping device, showing the overspray of waste paints/coatings.			



[Title]			IMG_0346.jpg
10/19/2022 09:54 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Physical Plant/Loading dock area adjacent to the Physical Plant			48.72473611, -122.48326111
Another view of the area adjacent to and around the container with the attached waste aerosol can popping device, showing the overspray of waste paints/coatings.			



[Title]			IMG_0347.jpg
10/19/2022 09:54 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Physical Plant/Loading dock area adjacent to the Physical Plant			48.72473888, -122.4832
Another view of the area adjacent to and around the container with the attached waste aerosol can popping device, showing the overspray of waste paints/coatings.			

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[Title]			IMG_0361.jpg
10/19/2022 10:27 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48162777
View of the universal waste lamp accumulation area, showing that several universal waste lamp containers are not closed.			

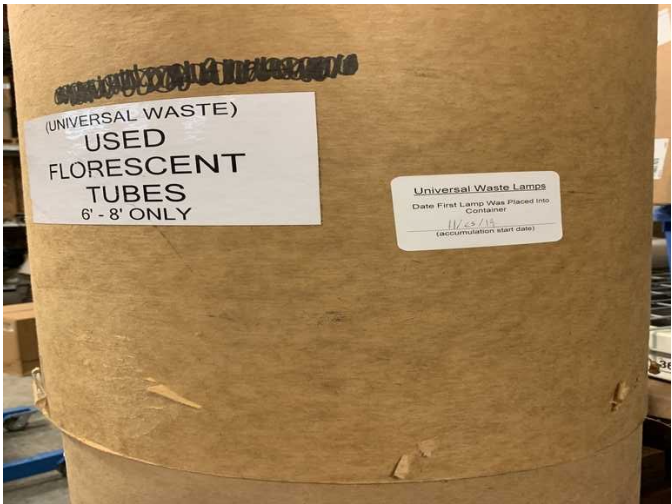


[Title]			IMG_0362.jpg
10/19/2022 10:27 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72538055, -122.48161944
Another view of the universal waste lamp accumulation area, showing that at least six universal waste lamp containers are not closed.			

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[Title]			IMG_0363.jpg
10/19/2022 10:33 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72534444, -122.48164444
View of a four-foot universal waste lamp container, seen on the left, that is not closed and an eight-foot universal waste lamp container that has been in accumulation for greater than a year.			



[Title]			IMG_0364.jpg
10/19/2022 10:33 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72536944, -122.48164444
Close-up view of the labeling on the universal waste lamp container, showing that the date the first waste lamp went into the container was 11/25/19.			

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[Title]			IMG_0365.jpg
10/19/2022 10:33 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.725375, -122.48163611
Another close-up view of the label showing the date of 11/25/19.			



[Title]			IMG_0366.jpg
10/19/2022 10:33 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.725375, -122.48163611
Another view of the four-foot universal waste lamp container, seen in IMG_0363.jpg, that is not closed.			



[Title]			IMG_0367.jpg
10/19/2022 10:33 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72534166, -122.48165
Another close-up view of the same container seen in IMG_0366.jpg.			



[Title]			IMG_0368.jpg
10/19/2022 10:34 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48163611
View of the waste lamps in the container seen in IMH_0367.jpg.			

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[Title]			IMG_0369.jpg
10/19/2022 10:34 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72539166, -122.48161944
Close-up view of the same waste lamps seen in IMG_0368.jpg.			



[Title]			IMG_0370.jpg
10/19/2022 10:35 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48164444
View of a four-foot container of universal waste lamps, seen here on the far right of the bottom shelf, that has been in accumulation for greater than a year.			

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[Title]			IMG_0371.jpg
10/19/2022 10:35 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48164444
A close-up view of the same container seen in IMG_0370.jpg.			



[Title]			IMG_0372.jpg
10/19/2022 10:35 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48164444
Close-up view of the label, showing the date of 7/8/21.			



[Title]			IMG_0373.jpg
10/19/2022 10:35 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48164444
Another close-up view of the same container seen in IMG_0372.jpg.			



[Title]			IMG_0374.jpg
10/19/2022 10:36 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72534444, -122.48165
Another view of several universal waste lamp containers, first seen in IMG_0361.jpg, that are not closed.			

Inspection Date(s): 10/19/2022



[Title]			IMG_0375.jpg
10/19/2022 10:36 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48164444
View of a universal waste lamp container that is not closed.			



[Title]			IMG_0376.jpg
10/19/2022 10:36 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48164444
View of the waste lamps seen inside of the container, first shown in IMG_0375.jpg, that is not closed.			

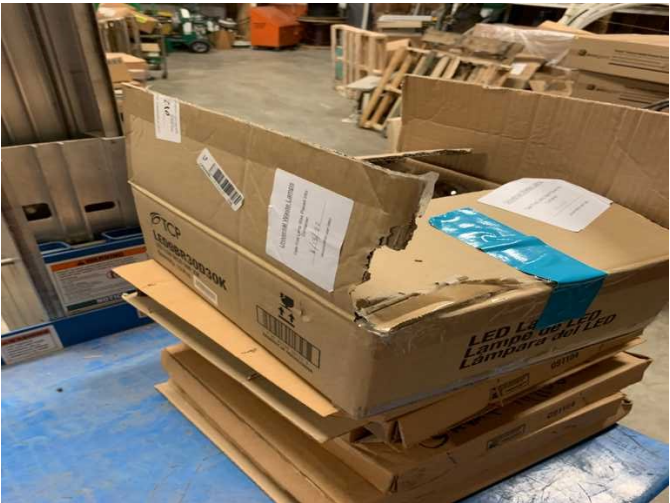
Inspection Date(s): 10/19/2022



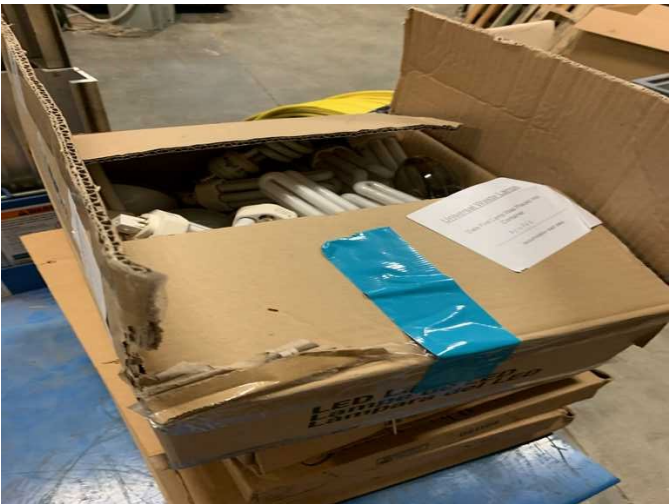
[Title]			IMG_0377.jpg
10/19/2022 10:38 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48164444
View of another universal waste lamp container that is not closed.			



[Title]			IMG_0378.jpg
10/19/2022 10:38 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48164444
View of another universal waste lamp container that is not closed.			



[Title]			IMG_0379.jpg
10/19/2022 10:38 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48164444
View of another universal waste lamp container that is not closed.			



[Title]			IMG_0380.jpg
10/19/2022 10:38 AM (PT)	No CBI	No PII	Photographer: Jon Jones
Marshaling Yard/Universal waste accumulation area			48.72537222, -122.48163611
Another view of the same open universal waste lamp container seen in IMG_0379.jpg.			

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APPENDIX 2: DOCUMENT LOG

Document Type	Document Name	Contains CBI	Contains PII	Uploaded By	Date Received
Communications	WWU Responses to EPA Inspection Findings 11_1_22.pdf	No	No	Jon Jones	02/01/2023
Communications	10.19.22 G. Whitman email content.docx	No	No	Jon Jones	02/03/2023
Personnel Training	UW training slides.pptx	No	No	Jon Jones	02/03/2023