

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	07/12-13/2022	
Media Program:	RCRA Compliance Evaluation Inspection	
Regulatory Program(s)	RCRA Very Small Quantity Generator	
Company Name:	Berridge Manufacturing Company	
Facility Name:	Berridge Manufacturing Company	
Facility Physical Location:	6515 Fratt Road	
(city, state, zip code)	San Antonio, TX 78218	
Mailing address:	6515 Fratt Road	
(city, state, zip code)	San Antonio, TX 78218	
County/Parish:	Bexar County	
Facility Phone Number	(210) 650-3050	
Facility Contact:	Derek Moczygemba	Paint Line Manager
	dmoczygemba@berridge.com	
FRS Number:	N/A	
Identification/Permit Number:	N/A	
Media Identifier Number:	TXD988053773	
NAICS:	332812 – Metal Coating, Engraving (Except Jewelry and Silverware), and Allied Services to Manufacturers	
SIC:	N/A	
Personnel participating in inspection:		
John Penland	EPA Region 6 (ECDSR)	Lead Inspector
Angela Hays	EPA Region 6 (ECDSR)	Inspector
Elizabeth Pham	EPA Region 6 (ECDSR)	Inspector
Derek Moczygemba	Berridge Manufacturing, Co.	Paint Line Manager
Tom Kane	Polley-Kane and Associates	Senior Consultant
Peter Kane	Polley-Kane and Associates	Associate Consultant
EPA Lead Inspector Signature/Date		
	John Penland – Lead Inspector	Date
Supervisor Signature/Date		
	Jeff Yurk – Waste Section Chief	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

On July 12, 2022, I, John Penland, conducted an unannounced inspection of the Berridge Manufacturing, Co. facility (Berridge) located at 6515 Fratt Road in San Antonio, Texas for compliance with the Resource Conservation and Recovery Act (RCRA). I was assisted on this inspection by Environmental Protection Agency (EPA) inspectors Angela Hays and Elizabeth Pham. The inspection included a walkthrough of the facility's production, waste generation, and management units and a review of the facility records related to hazardous waste management.

The Berridge facility was targeted for inspection as part of facilities located in Environmental Justice communities and Regional and National investigation initiatives to evaluate facilities subject to RCRA Subpart AA, BB, CC, regulations related to air emissions from hazardous waste management units.

We concluded the inspection of the Berridge facility on July 13, 2022, with a closing conference where we presented our provisional areas of concern.

This report serves as documentation of all onsite activities and observations during the inspection of the Berridge Manufacturing, Co. facility. Photographs taken during the inspection to document onsite observations are included as Appendix 1. A summary of all areas of concern identified during the inspection is provided in Section III.

FACILITY DESCRIPTION

Berridge Manufacturing Company's facility is located on Fratt Road in San Antonio, Texas. Berridge operates Monday through Friday from 0600-1500 hrs. as a facility that manufactures coated metal sheeting for use in a variety of consumer markets. The facility production operations include a metal cleaning process, a pre-coating Permatreat 1500 application, primer application, topcoat application, and a metal trimming operation. The entire operation is conducted as a single continuous production process.

A general map of the plant is included in Appendix 2.

The Berridge facility was issued the EPA ID# TXD988053773. Berridge is operating as a Very Small Quantity Generator (VSQG) of hazardous waste since November 2005.

Section II – OBSERVATIONS

We conducted the onsite inspection during normal business hours from July 12-13, 2022. During the inspection, the facility was conducting normal operations and all areas of the facility were in use. Throughout the inspection we visited each of the facility's waste generation, accumulation, and management areas. We also reviewed the facility's operating records pertaining to the facility's RCRA applicability and compliance requirements.

This section provides an abbreviated description of our daily activities. Appendix 1 provides photographs of our observations. This section also provides information on our observations each day. Unless otherwise specified, the statements cited in this section reflect those claims made by facility personnel or documents reviewed during the inspection.

July 12, 2022

Angela Hays, Elizabeth Pham, and I entered the facility at approximately 1030 hrs where we presented our credentials to Mr. Moczygemba and informed him that we were there to conduct an inspection of the facility under Section 3007 of the Resource Conservation and Recovery Act (RCRA). The opening conference sheet is shown in Appendix 4. I discussed the purpose of EPA's inspection and explained the right of Berridge to assert a Confidential Business Information claim for records requested by EPA. This discussion was followed by a presentation of EPA Region 6's Confidentiality Notice (40 CFR Section 2.203). Following this introduction, we conducted an inspection opening briefing. This included a discussion of the inspection process over the course of the week, and I presented the initial request for compliance records. The meeting concluded with a safety briefing at approximately 1130 hrs. Following the opening briefing, we conducted a walkthrough of Berridge's production and associated waste management areas at approximately 1130 hrs.

Wastewater Treatment Unit

The wastewater treatment unit (WWTU) is comprised of a tank system that treats facility wastewaters prior to discharge to the POTW under a NPDES pre-treatment program. In this location, we physically inspected 7 waste oil IBC totes labeled as Used Oil. These containers were open at the time of inspection. This Used Oil is collected by Gruene Transportation and is generated at a rate of approximately 2 totes per month. Wastewater treatment sludge is generated in "SES" process tank #1 and "SES" process tank #2. This sludge is historically non-hazardous and is tested when generated. The sludge is generated in single batches when removed from the treatment tanks. The facility ships approximately 40 tons of this waste biennially.

Production Line

We walked through the production line, which consisted of a metal cleaning section, water-based chromium roller section, and primer and topcoat application section.

Metal Cleaning Section

This section removes vanishing oil, along with a small portion of galvalume (a zinc/aluminum and molten metal coating) and Chemtreat "passivation" coating using a corrosive chemical wash (Low Heat Clean 3). Wastewaters generated in this process, including suspended solids, are pumped to the WWTU for treatment. Historically, an intermediate solid waste was generated from the wash section prior to entering the WWTU before the process changed in 2021. This waste was characteristically hazardous for chromium (D007) but claimed as universal waste based on the facility's interpretation of the Paint and Paint Related Waste definition codified at 30 TAC 335.262. A rate of generation for this waste is still under review by the facility.

Water-Based Chromium Roller

Solid waste from this unit is generated when it is removed from the drip pan under the roller. A rate of generation for this waste is still under review by the facility. This waste is anticipated to be hazardous for chromium based on the facility's process knowledge, but a determination regarding its status as "Paint" is under review.

Primer And Topcoat Application

These processes generate paint contaminated solvent and used paint contaminated rags. These wastes are accumulated in small 5-gallon containers in their respective paint booths. These containers are consolidated into a pair of labeled 55-gallon metal drums and were open at the time of inspection. Spent solvent is generated at an approximate rate of 7-12 drums per calendar month and used rags are generated at an approximate rate of 1 -2 drums per month.

Production Support – Roller Grinding

The Poly-urethane rollers are passed through a lathe to remove accumulated paint residue and physical imperfections. This process generates a solid, paint contaminated residue that tests hazardous for chromium. The facility claims that this meets the definition of Paint and Paint related wastes. This waste is generated at a rate of approximately 2-3 drums per calendar month.

Documents requested during the inspection included:

- Facility map depicting the general layout of the facility.
- Process flow diagrams depicting the waste generating processes. This can be seen in Appendix 3.
- SOPs related to the generation and management of wastes.
- Manifests and Bills of Lading for the transport and disposal of wastes.
- Emergency Planning and response plans for the facility.
- Waste profiles for each identified solid waste.
- A current notice of Regulated Waste Activity (typically presented as part of a biennial waste report or as part of the STEERS submittal).

We departed the Berridge facility at approximately 1515 hrs.

July 13, 2022

Angela Hays, Elizabeth Pham, and I entered the facility at approximately 0935 hrs. We were accompanied by Derek Moczygemba and consultants for Berridge, Peter Kan and Tom Kane of Polley-Kane and Associates.

I reviewed the Daily Summary items from July 12, 2022. The facility shared the following documents:

- Waste profiles for routinely generated wastes.
- Analytical records in support of waste profiles.
- Job Safety Analysis records.
- An emergency and spill response plan.
- Call logs documenting discussions with TCEQ related to the facility's waste determinations.
- Maps and process flow diagrams for facility operations
- The Initial Notification of Hazardous Waste Activity.

Waste Identification from Pre-Painting Operations

We began a walkthrough of the wash line and WWTU to identify the specific points of generation for both currently and historically generated waste.

Chromium Sludge from Permatreat 1500

This waste is generated from the decanting of the metal sludges from the Permatreat application roller. The excess Permatreat is collected from the drip tray at the end of each day in a 5-gallon bucket. At the beginning of the next shift, the liquid in this bucket is returned to the process. The fine metal particulates that settle out of the liquid are placed into a 55- gallon drum for accumulation. The facility generates less than 55-gallons of this material every quarter. This sludge is a D007 hazardous waste. Since the Permatreat 1500 is a surface preparation chemical that causes a surface reaction but does not itself form a binder dependent coating, it does not meet the definition of paint in 30 TAC 335.262. Therefore, this waste is not a universal waste under Texas' Paint and Paint Related waste rule.

Historically Generated Chromium Sludge From The Metal Washing Stage 1 Tank

The metal washing unit is equipped with a tank that allows the wash water to recirculate through the system until it is spent and pumped to the wastewater treatment unit. A metal and oil-bearing sludge collects in this tank. Historically, the facility would remove this sludge, decant the wastewater, and allow the sludge to dry before being sent to US Ecology for disposal. The facility determined that this sludge was characteristic for chromium toxicity (D007) and asserted that the waste qualified for the paint and paint related waste definition for management under Texas' universal waste program. However, none of the three compounds being removed in this process are binder-dependent coatings and therefore would not meet the definition of paint codified at 30 TAC 335.262.

Wastewater Treatment Unit Sludge

The wastewater treatment unit sludge is accumulated in the Sludge Thickener tank. This approximately 20 foot tall, 2,000 gallon fixed-roof tank is emptied every other year and accumulates up to 40 tons of waste in that period. This sludge is tested for RCRA characteristics prior to disposal by using a dip pole to collect a liter of sludge from the bottom of the tank for analysis. Unfortunately, this sampling method does not collect a *representative sample* as that term is defined in 40 CFR 260.10.

Unidentified Wash Solids

During our walkthrough we observed a collection of 5-gallon buckets of a material that was possibly being generated from leaks and splashes of the wash water on the wash unit. This material was a solid with a greyish white appearance. According to the operator, this material was being disposed of by mixing it into the wastewater tanks. According to Tom and Peter Kane, no waste determination had been made on this material.

The closing conference began at 01:05PM. The closing conference sheet is shown in Appendix 4. I presented the remaining areas of concerns with facility representatives and together we reviewed the outstanding document requests and established a schedule for submittal.

We departed the Berridge facility at approximately 1335 hrs.

Daily e-mails were sent to facility after the end of each day of the inspection. Records of the daily e-mails are shown in Appendix 5.

Section III – AREAS OF CONCERN

The following is a list of potential areas of concern discussed with the facility representatives. See Section II for details of EPA observations.

- Incomplete waste determination on the WWTU sludge – The facility has failed to collect a representative sample of this waste in order to characterize it in accordance with the requirements of 40 CFR 262.11
- The facility has generated an unidentified waste material from the Wash unit and has not made a waste determination in accordance with the requirements of 40 CFR 262.11
- Containers of used oil – The totes used for the accumulation of used oil in the WWTU were open at the time of this inspection.
- Containers of Universal Waste -The Universal waste containers located between the 2 spray booths and used to accumulate solvent/paint waste and solvent/paint contaminated rags were open at the time of this inspection. In general containers used for the accumulation of waste must be closed by securing the closure devices in the closed position when an operator is not actively adding or removing waste. In the event that the waste in question is a volatile organic compound it is important to ensure that this closure device is capable of providing a vapor tight seal or else that waste may be released to the air. The closure device that is provided for a DOT open-head drum is a lid equipped with a bolted lock ring. If any part of this system is not in use, then the container is open, unless some alternative closure device is installed on the drum.
- Misapplication of the definition of Paint for the Texas Universal Waste program – The definition of *paint* codified at 30 TAC 335.262 states that :” Paint is a pigmented or unpigmented mixture of binder and suitable liquid which forms a closely adherent coating when spread on a surface.” This definition establishes paint as binder dependent, and therefore any surface applied chemical that does not include a binder does not meet this definition. Both historically and in the present day, Berridge has been declaring that wastes generated from its metal washing, pre-painting, and surface preparation operations qualify as Universal Waste. However, since these operations do not involve the application or removal of a binder-dependent coatings, this waste would not meet the relevant definition.
- Waste Counting – Berridge is generating waste that has either been not characterized, inadequately characterized, or improperly excluded from the waste counting procedures codified in 40 CFR 262. As a result, a proper facility generator category cannot be determined until these deficiencies have been resolved.

Section IV – FOLLOW UP

Actions taken by Berridge to resolve any areas of concern were documented by Berridge with photographs or other documentation and submitted to the EPA via the electronic secure online drive. Any information received from Berridge after the inspection was also received via the secure online drive. These documents are accessible to the EPA Enforcement Officer for review.

Section V – LIST OF APPENDICES

Appendix 1 – Photograph Log

Appendix 2 – Facility Diagram

Appendix 3 – Process Flow Diagram

Appendix 4 – Opening and closing conference sign-in sheets

Appendix 5 – EPA Daily Summary E-mails

Appendix 1

Photograph Log

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_10_09_Pro.jpg
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of north warehouse entrance	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_10_30_Pro.jpg
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of west warehouse entrance	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_12_56_Pro.jpg
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of Used Oil Area including open containers and used filters in the west warehouse	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_13_05_Pro.jpg
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Contents of open containers in Used Oil Area.	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_13_10_Pro.jpg
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Used oil filters in Used Oil Area	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_13_16_Pro.jpg
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Contents of open containers in Used Oil Area	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_13_29_Pro.jpg
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of used oil tote and open container in Used Oil Area	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_13_34_Pro.jpg
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Close up of open used oil tote in Used Oil Area	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 9

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_14_40_Pro.jpg
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of used oil tote area with eight total open containers, one red lid and seven blue lids.	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 10

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_14_47_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Open used oil tote, blue lid.	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 11

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_14_53_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Open used oil tote, blue lid.	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 12

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_14_56_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Open used oil tote, blue lid.	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 13

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_15_06_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description:	Four open used oil totes, blue lid

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 14

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_15_17_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of used oil totes	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 15

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas

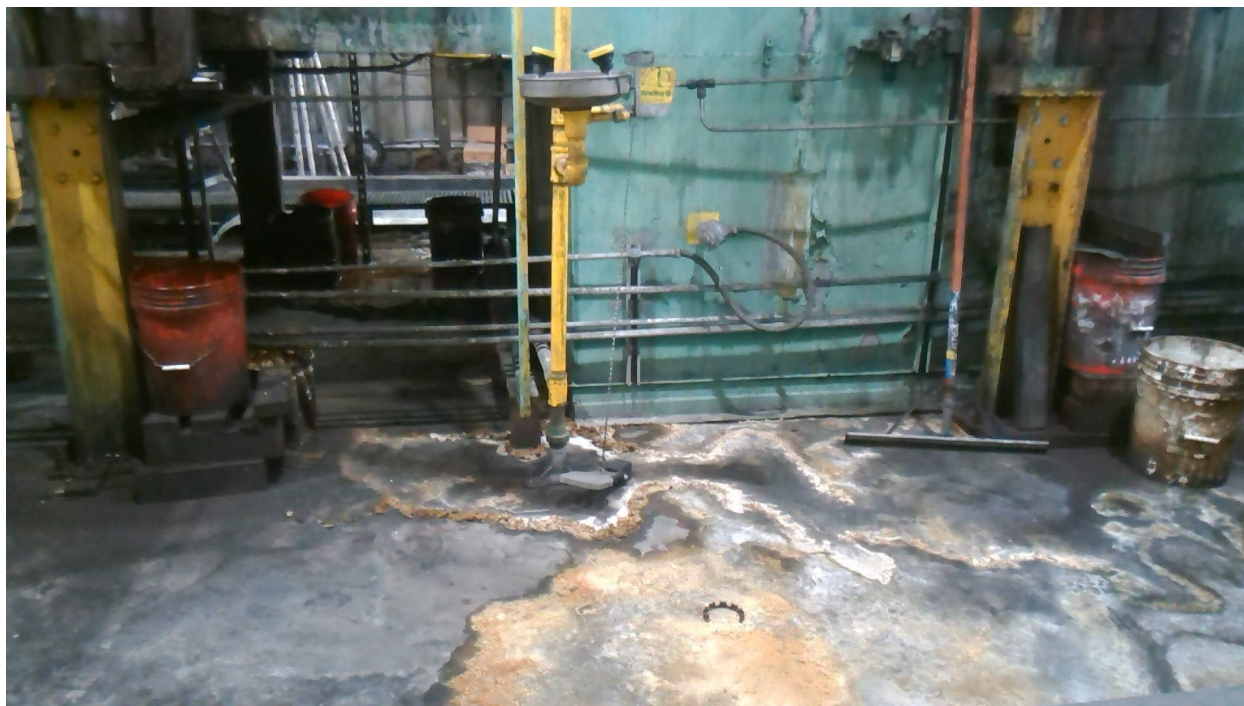


Photo #:	WIN_20220712_11_20_05_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Corrosion along front side at the beginning of the process production line	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 16

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_23_10_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description:	Overview of "Paint Booth Room" process area

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 17

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_23_39_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description:	"Paint" Booth Room process area facing back side

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 18

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_24_39_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Open universal waste containers on the front side of the process line outside "paint booth room"	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 19

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_24_47_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Close up of open universal waste containers with no sealant rings	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 20

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas

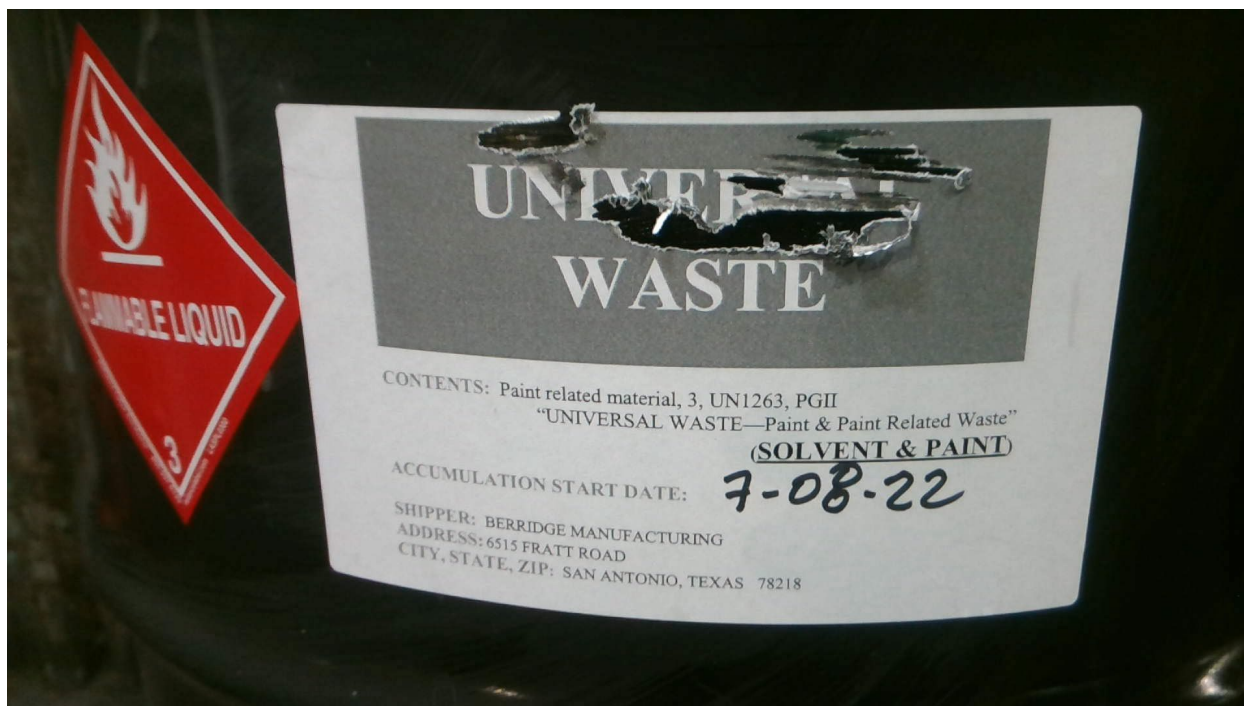


Photo #:	WIN_20220712_11_24_55_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Label on open universal waste container	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 21

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas

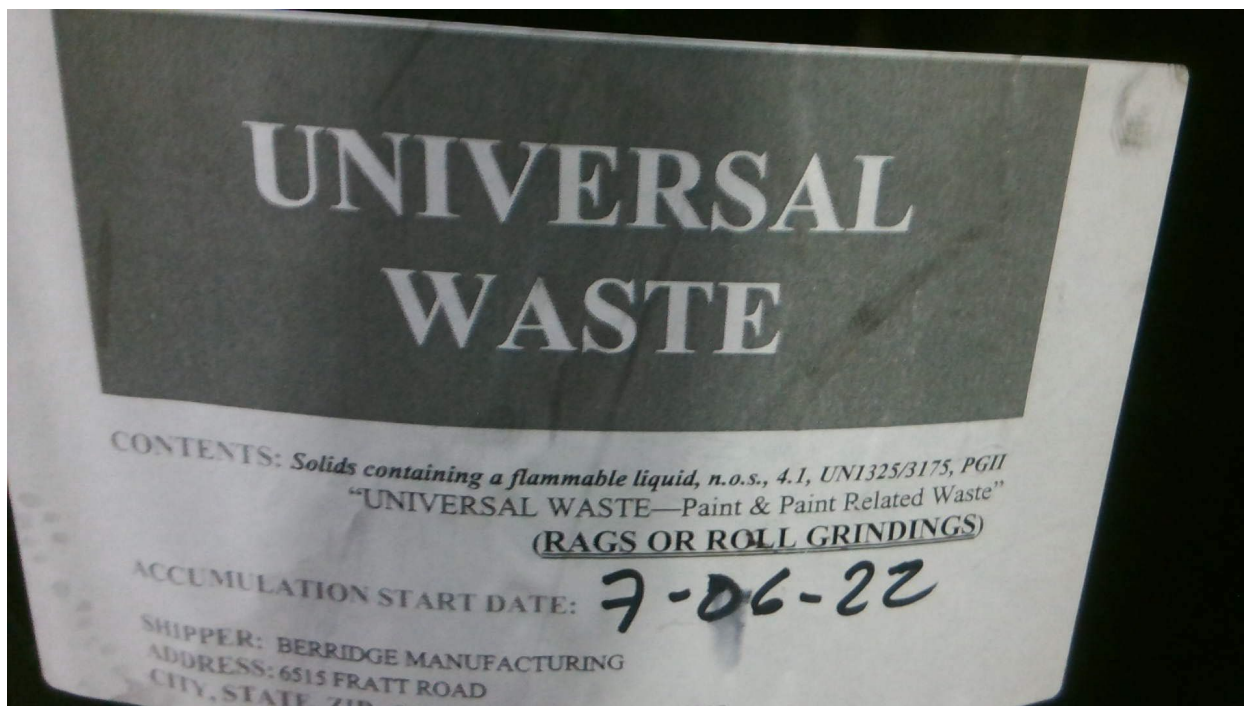


Photo #:	WIN_20220712_11_25_01_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Label on open universal waste container	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 22

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_25_12_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of open universal waste containers	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 23

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas

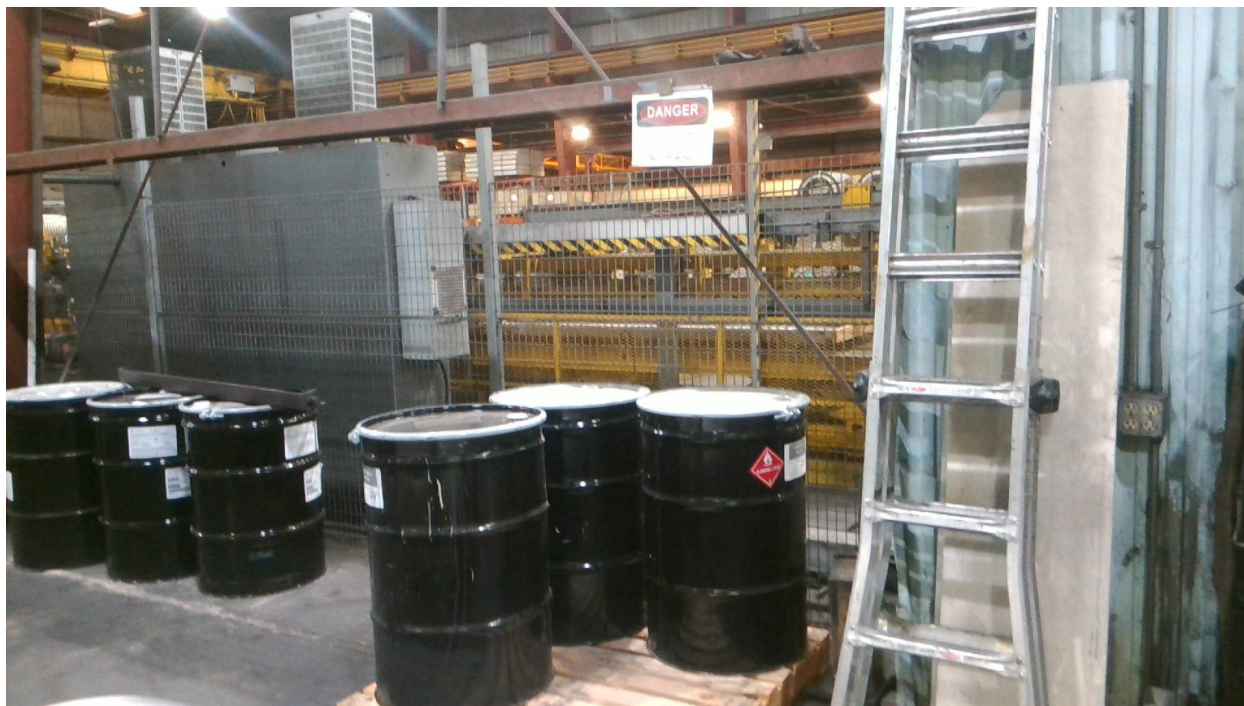


Photo #:	WIN_20220712_11_26_18_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of additional universal waste containers north of "paint booth room". Looking at the 3 drums on the pallet	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 24

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas

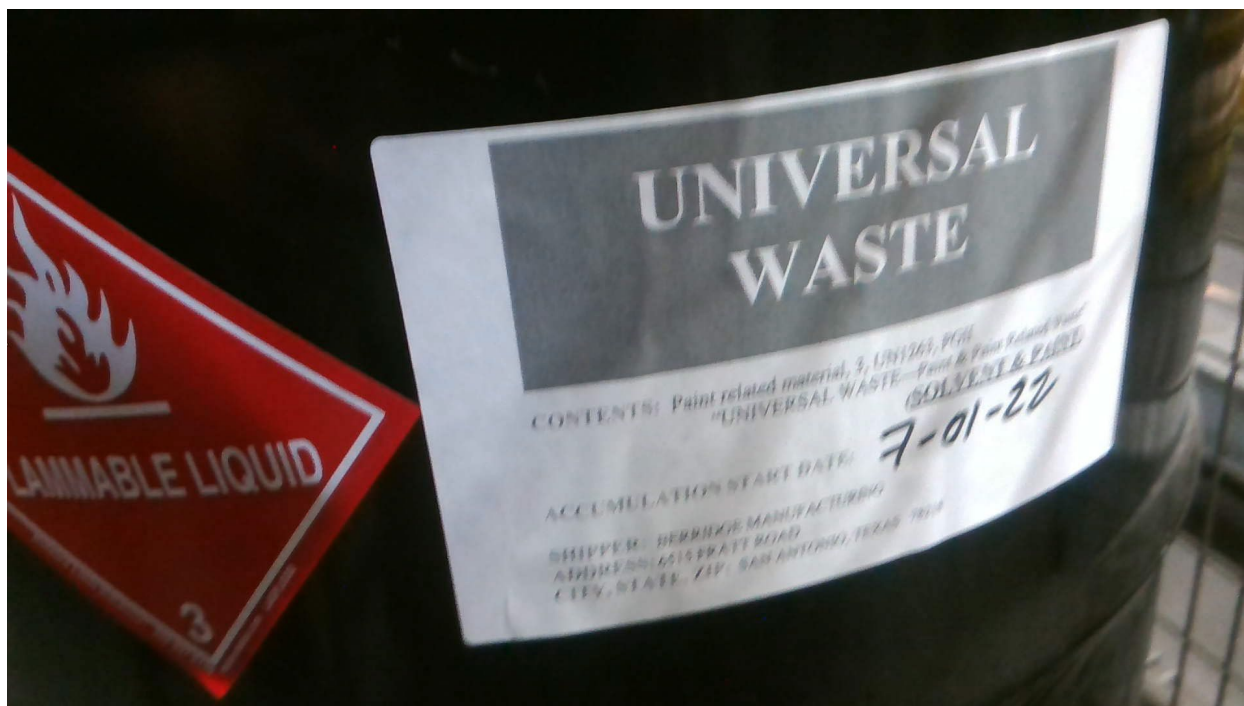


Photo #:	WIN_20220712_11_26_36_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Label on universal waste container	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 25

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_26_44_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Label on universal waste container	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 26

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_26_50_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Label on universal waste container	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 27

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_27_08_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of additional universal waste containers north of "paint booth room". Looking south at the 3 drums on the pallet	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 28

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_31_45_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of lathe process area in Production Support - Roller Grinding Area. Two lathes are in this location.	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 29

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_31_53_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Roll grindings from first lathe process	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 30

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_32_01_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Wastewater from first lathe process	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 31

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_32_06_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Waste collection drum in first lathe process in the Production Support - Roller Grinding Area	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 32

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas

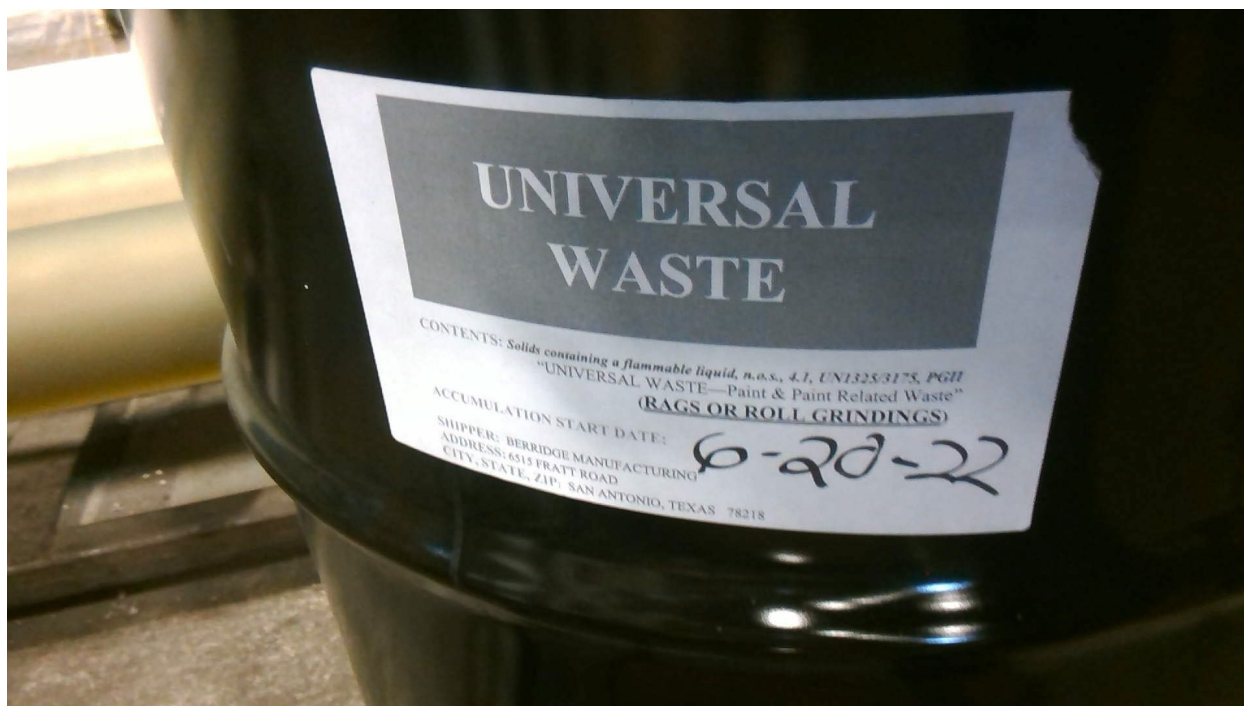


Photo #:	WIN_20220712_11_32_13_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Label on waste drum in first lathe process in the Production Support - Roller Grinding Area	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 33

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_32_24_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Second lathe process roll grindings and wastewater	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 34

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_33_04_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Rolls to be grinded	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 35

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_33_21_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Close up of lid on wastewater drum next to second lathe in the Production Support – Roller Grinding Area	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 36

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220712_11_34_10_Pro
Date:	7/12/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Roll to be grinded and cleaned	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 37

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_00_15_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview waste collection point in Permatreat 1500 area on front side of coating line	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 38

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_00_21_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description:	5-gallon collection bucket in Permatreat 1500 area

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 39

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_00_36_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview waste collection point in Permatreat 1500 area in large drum	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 40

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_00_53_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Waste collection drum in Permatreat 1500 area with ring to the side of container	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 41

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_01_08_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Waste collection drum in Permatreat 1500 area	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 42

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_09_03_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description:	pH screen result of 12 from back side near the beginning of the production line

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 43

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_09_12_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Location of collection for pH screen near the beginning of the production line	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 44

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_09_19_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of location of spill where pH was taken looking south	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 45

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_10_57_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of location of spill where pH was taken looking north	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 46

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_11_07_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Close up of waste accumulation along production line	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 47

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_11_17_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description:	Close up of waste accumulation observed along production line

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 48

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_11_30_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Four 5-gallon collection buckets of waste removed from accumulation along production line	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 49

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_18_43_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of 2000-gallon sludge thickener tank in the northwest corner of production line	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 50

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_18_50_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Labels on sludge thickener tank in the northwest corner of production line	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 51

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_27_35_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of used oil collection area in northwest back corner near end of production line.	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 52

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_27_45_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Close up of open used oil drums in northwest back corner near end of production line.	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 53

Location: Berridge Manufacturing Company, 6515 Fratt Road		
City: San Antonio	County/Parish: Bexar	State: Texas



Photo #:	WIN_20220713_10_27_56_Pro
Date:	7/13/2022
Camera:	Panasonic CF-20
Photographer:	Angela Hays
Witness:	Angela Hays, Elizabeth Pham, John Penland
Description: Overview of used oil collection area behind Production Line.	

Appendix 2

Facility Diagram

Legend

First Aid Box:



Exit Door:



Roll up Doors:



Fire Hose:



Fire Extinguisher:



Eye Wash & Shower Station:



Pager System Mike:



Chemical Waste Treatment Tanks:



Universal Waste -- Flammable:

UW-F

Universal Waste -- Corrosive:

UW-C

Confirmed underground wastewater pipe:



Presumed underground wastewater pipe:



Solvent spill capture-line:

(– no connection to sewer –)



Fence:



Outside wall:



Inside wall:



Cooling Tower:



Bathrooms:



Sewer pipe cleanout:



Stairway:



Denotes objects on 2nd floor:



Denotes water facet:



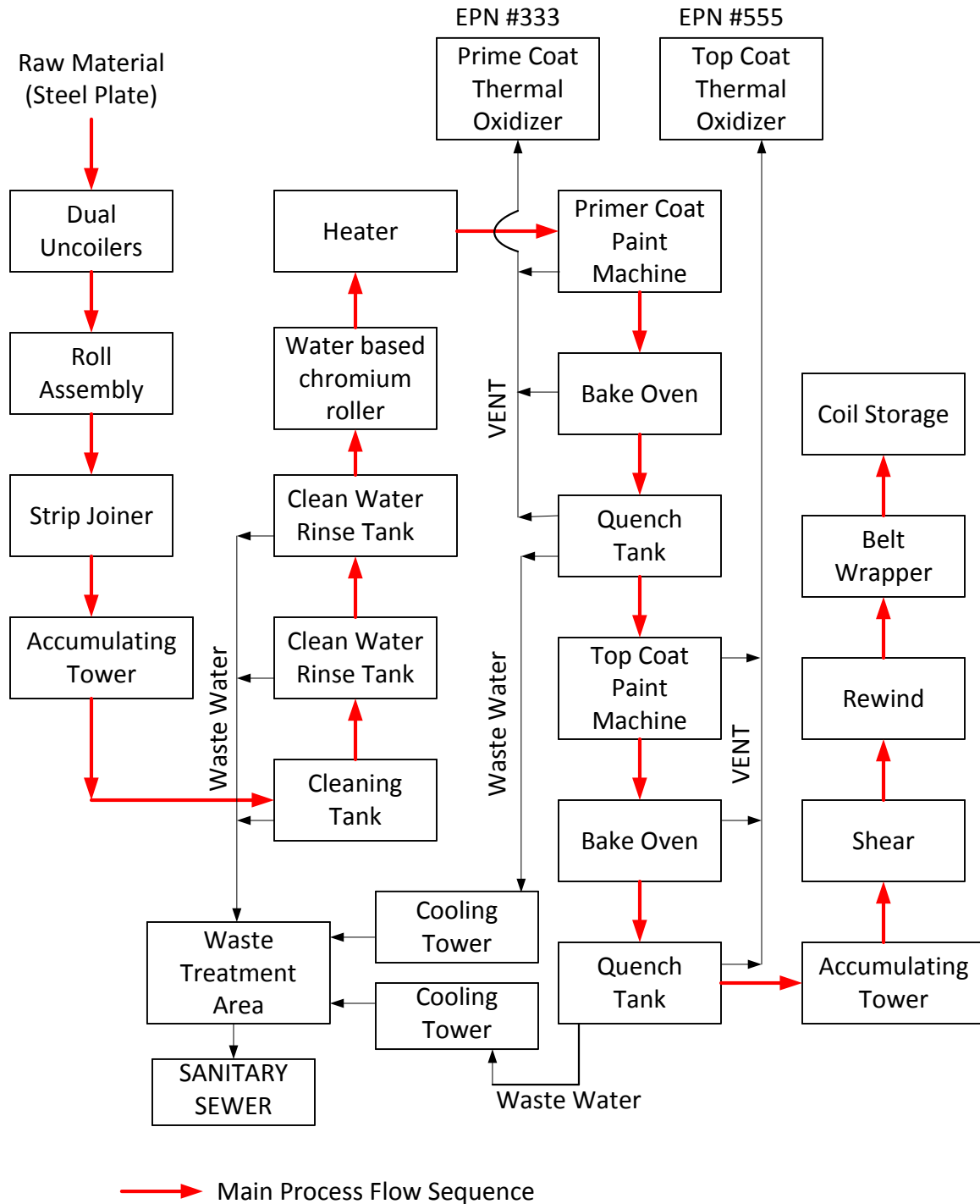
NORTH ←

[illegible]

Appendix 3

Process Flow Diagram

Figure 3: PROCESS FLOW DIAGRAM



Berridge Manufacturing Company

6515 Fratt Road, San Antonio, Texas, 78218

PREPARED BY



Appendix 4

Opening and Closing Conference Sign-In Sheets

Opening Conference: Tuesday, July 12, 2022

John Penland	US EPA Region 6	Penland.john@epa.gov
Angela Hays	US EPA Region 6	Hay.angela@epa.gov
Elizabeth Pham	US EPA Region 6	Pham.elizabeth@epa.gov
Derek Moczygemba	Berridge Manufacturing, Co.	dmoczygemba@berridge.com

Closing Conference: Wednesday, July 13, 2022

John Penland	US EPA Region 6	Penland.john@epa.gov
Angela Hays	US EPA Region 6	Hay.angela@epa.gov
Elizabeth Pham	US EPA Region 6	Pham.elizabeth@epa.gov
Derek Moczygemba	Berridge Manufacturing, Co.	dmoczygemba@berridge.com
Peter Kane	Polley-Kane and Associates	Ptk005@gmail.com
Tom Kane	Polley-Kane and Associates	tomkane@polleykane.com

Appendix 5

EPA Daily Summary E-mails

From: [Penland, John](#)
To: [Yurk, Jeffrey](#); [Hays, Angela](#); [Pham, Elizabeth](#); dmoczygemba@berridge.com; ptk005@gmail.com; tomkane@polleykane.com
Subject: Daily Summary July 12, 2022 – FY2022 RCRA Investigation at the Berridge facility located in San Antonio, Texas (TXD988053223)
Date: Tuesday, July 12, 2022 9:31 PM
Attachments: cbi form RCRA 2-19-20.pdf

All, here is a summary of my notes from today's inspection. If there are any errors or omissions please let me know.

Introduction

During the week of July 11, 2022, I, John Penland, will be conducting an unannounced inspection of the Berridge Manufacturing Co. facility (Berridge) located at 6515 Fratt Road in San Antonio, Texas for compliance with the Resource Conservation and Recovery Act (RCRA). I will be assisted on this inspection by Environmental Protection Agency (EPA) inspector Angela Hays and associate inspector Elizabeth Pham. This inspection will include walkthroughs of the facility's waste generation and management units; a review of the facility records related to waste management

Purpose

The Berridge facility was targeted for inspection as part of an ongoing investigation into the facility's waste determination and counting procedures. The investigation was initiated by EPA Region 6 during FY2021 and remains open. On September 28, 2021, Berridge provided a response that described the waste generation processes and waste determinations. This inspection is designed to validate the claims made in the Berridge response and review Berridge's waste determination process.

Inspection Attendees:

NAME	TITLE	REPRESENTING	PHONE	EMAIL
John Penland	Sr. Environmental Scientist – Lead Inspector	US EPA Region 6	214-665-9717	Penland.john@epa.gov
Angela Hays	Sr. Environmental Scientist – Asst. Inspector	US EPA Region 6	214-665-2285	Hays. Angela@epa.gov
Elizabeth Pham	Environmental Engineer – Asst. Inspector	US EPA Region 6	214-665-8354	Pham.Elizabeth@epa.gov
Derek Moczygemba	Paint Line Manager	Berridge Manufacturing, Co.	210-650-3050	dmoczygemba@berridge.com
Peter Kane	Associate Consultant	Polley-Kane and Associates	210-387-0403	ptk005@gmail.com
Tom Kane	Senior Consultant	Polley-Kane and Associates	210-317-7083	tomkane@polleykane.com

Daily Summary

- Initial Entry to the facility – 10:30am
- Opening meeting start – 10:30am
 - I presented my credentials to Mr. Moczygemba and informed him that Angela Hays, Elizabeth Pham and I were there to conduct an inspection of the facility under the authority of section 3007 of the Resource Conservation and Recovery Act
 - We discussed the authority for the inspection – RCRA Section 3007 - For purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, or upon request of any duly designated officer, employee or representative of a State having an authorized hazardous waste program, furnish information relating to such wastes and permit such person at all reasonable times to have access to, and to copy all records relating to such wastes. For the purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, such officers, employees or representatives are authorized—
 - (1) to enter at reasonable times any establishment or other place where hazardous wastes are or have been generated, stored, treated, disposed of, or transported from;
 - (2) to inspect and obtain samples from any person of any such wastes and samples of any containers or labeling for such wastes.
 - We discussed the purpose of EPA's inspection – Assessment of Berridge's compliance with its requirements under RCRA, including, but not limited to, the requirements for: waste determination and counting; waste marking; waste container management; use of the hazardous waste manifest; emergency planning; personnel training; and air pollution control requirements for hazardous waste units.
 - Discussed the right of Berridge to assert a Confidential Business Information claim for records requested by EPA (see attachment)
 - Discussed the process for transferring electronic records – EPA has set up a Microsoft OneDrive folder with access limited to John Penland, Angela Hays, Elizabeth Pham, Derek Moczygemba, Peter Kane, and Tom Kane.
 - Discussed the inspection process – the inspection will be conducted during normal business hours July 12-13, 2022. The participants will meet at the facility to conduct the onsite portion of the inspection and discuss the findings of the ongoing records review. The records review will be conducted by the inspectors independently offsite throughout the week. Daily summaries will be provided by the inspectors at the end of each day to ensure a clear communication of questions and findings. The meeting Wednesday afternoon, July 13, 2022, or Thursday morning, July 14, 2022, will be reserved for a closing conference, where EPA will summarize the overall findings of the inspection to that point and provide a plan for concluding any unfinished evaluation.
 - Meeting concluded with a safety briefing at approximately 11:30am
- General Facility Process – The Berridge facility manufactures coated metal sheeting for use in a variety of consumer markets. The facility production operations include a metal cleaning process, a pre-coating Permaseal 1500 application, primer application, top coat application, and a metal trimming operation. This entire operation is conducted as a single continuous production process.

- Facility Walkthrough
 - Beginning at approximately 11:30am
 - Waste water treatment unit –
 - The waste water treatment unit is comprised of a tank system which treats facility waste waters prior to discharge to the POTW under a NPDES pre-treatment program.
 - We physically inspected 7 waste oil, IBC Totes labeled as Used Oil. These containers were open at the time of inspection. This Used Oil is collected by Gruene Transportation and is generated at a rate of approximately 2 totes per month.
 - Waste water treatment sludge is generated in SES process tank #1 and SES process tank #2. This sludge is historically non-hazardous and is tested when generated. The sludge is generated in single batches when removed from the treatment tanks. The facility ships approximately 40 tons of this waste biennially.
 - Production line - metal cleaning section -
 - This section removes vanishing oil, along with a small portion of galvalume (a zinc/aluminum molten metal coating) and Chemtreat “passivation” coating using a corrosive chemical wash (Low Heat Clean 3). Waste waters generated in this process (including suspended) solids are pumped to the WWTU for treatment.
 - Historically (process changed in 2021), an intermediate solid waste was generated from the wash section prior to entering the WWTU. This waste was characteristically hazardous for chromium (D007) but claimed as Universal waste based on the facility’s interpretation of the Paint and Paint Related Waste definition codified at 30 TAC 335.262. A rate of generation for this waste is still under review by the facility.
 - Production line – water-based chromium roller –
 - Solid waste from this unit is generated as needed when it is removed from the drip pan under the roller. A rate of generation for this waste is still under review by the facility.
 - This waste is anticipated to be hazardous for Chromium based on the facility’s process knowledge, but a determination regarding its status as “Paint” is under review.
 - Production line – primer and top coat application
 - These processes generate paint contaminated solvent and used paint contaminated rags. These wastes are accumulated in small 5-gallon containers in their respective the paint booths. These containers are consolidated into a pair of labeled 55-gallon metal drums . These drums were open at the time of inspection.
 - Spent solvent is generated at an approximate rate of 7-12 drums per calendar month
 - Used rags are generated at an approximate rate of 1 -2 drums per month
 - Production support – Roller grinding.
 - The Poly-urethane rollers are passed through a lathe to remove accumulated paint residue and physical imperfections. This process generates a solid, paint contaminated residue that tests hazardous from chromium. The facility claims

that this meets the definition of Paint and Paint related wastes. This wastes is generated at a rate of approximately 2-3 drums per calendar month.

- Documents requested during the inspection
 - Facility map depicting the general layout of the facility
 - Process flow diagrams depicting the waste generating processes
 - SOPs related to the generation and management of wastes
 - Manifests and Bills of Lading for the transport and disposal of wastes.
 - Emergency Planning and response plans for the facility
 - Waste Profiles for each Identified Solid waste.
 - A current notice of Regulated Waste Activity (typically presented as part of a biennial waste report or as part of the STEERS submittal)
- Departed Facility at approximately 3:15pm

Topics for discussion on July 13, 2022

- Profiles associated with solid waste both current and historic (2021)
- Waste generation and counting.
- Current NOR entries for wastes generated

John Penland
Senior Environmental Scientist (ECDSR)
Enforcement and Compliance Assurance Division
Waste Enforcement Branch
EPA Region 6 1201 Elm St., Suite 500
Dallas, Texas 75270
(214) 665-9717

From: [Penland, John](#)
To: [Yurk, Jeffrey](#); [Hays, Angela](#); [Pham, Elizabeth](#); dmoczygemba@berridge.com; ptk005@gmail.com; tomkane@polleykane.com
Subject: Daily Summary July 12, 2022 – FY2022 RCRA Investigation at the Berridge facility located in San Antonio, Texas (TXD988053773)
Date: Tuesday, July 12, 2022 9:31 PM
Attachments: cbi form RCRA 2-19-20.pdf

All, here is a summary of my notes from today's inspection. If there are any errors or omissions please let me know.

Inspection Attendees:

NAME	TITLE	REPRESENTING	PHONE	EMAIL
John Penland	Sr. Environmental Scientist – Lead Inspector	US EPA Region 6	214-665-9717	Penland.john@epa.gov
Angela Hays	Sr. Environmental Scientist – Asst. Inspector	US EPA Region 6	214-665-2285	Hays. Angela@epa.gov
Elizabeth Pham	Environmental Engineer – Asst. Inspector	US EPA Region 6	214-665-8354	Pham.Elizabeth@epa.gov
Derek Moczygemba	Paint Line Manager	Berridge Manufacturing, Co.	210-650-3050	dmoczygemba@berridge.com
Peter Kane	Associate Consultant	Polley-Kane and Associates	210-387-0403	ptk005@gmail.com
Tom Kane	Senior Consultant	Polley-Kane and Associates	210-317-7083	tomkane@polleykane.com

Daily Summary

- Inspection Start – approximately 0935
- Review of Daily Summary from July 12, 2022.
 - The facility has provided a responsive documents including, but not limited to:
 - Waste profiles for routinely generated wastes
 - Analytical records in support of those profiles
 - Job Safety Analysis records
 - An emergency and spill response plan
 - Call logs documenting discussions with TCEQ related to the facility's waste determinations
 - Maps and process flow diagrams for facility operations
 - The Initial Notification of Hazardous Waste Activity
- Waste Identification from pre-painting operations

- We began walkthrough of the wash line and WWTU to identify the specific points of generation for both currently and historically generated waste.
- Chromium Sludge from Permatreat 1500 – This waste is generated from the decanting of the metal sludges from the Permatreat application roller. The excess Permatreat is collected from the drip tray at the end of each day in a 5-gallon bucket. At the beginning of the next shift, the liquids in this bucket are returned to the process. The fine metal particulates that settle out of the liquid are placed into a 55- gallon drum for accumulation. The facility generates less than 55-gallons of this material every quarter. This sludge is a D007 hazardous waste. Since the Permatreat 1500 is a surface preparation chemical that causes a surface reaction but does not itself form a binder dependent coating, it does not meet the definition of paint in 30 TAC 335.262. Therefore, this waste is not a universal waste under Texas’ Paint and Paint related waste rule.
- Historically generated Chromium Sludge from the metal washing Stage 1 tank - The metal washing unit is equipped with a tank that allows the wash water to recirculate through the system until it is spent and pumped to the waste water treatment unit. A metal and oil bearing sludge collects in this tank. Historically, the facility would remove this sludge, decant the waste water, and allow the sludge to dry before being sent to US Ecology for disposal. The facility determined that this sludge was characteristic for chromium toxicity (D007) and asserted that the waste qualified for the paint and paint related waste definition for management under Texas’ universal waste program. However, none of the three compounds being removed in this process are binder-dependent coatings and therefore would not meet the definition of paint codified at 30 TAC 335.262.
- WWTU sludge – The waste water treatment sludge is accumulated in the Sludge Thickener tank. This approximately 20 foot tall, 2,000 gallon fixed-roof tank is emptied every other year and accumulates up to 40 tons of waste in that period. This sludge is tested for RCRA characteristics prior to disposal. It is sampled using a dip pole to collect a liter of sludge from the bottom of the tank for analysis. Unfortunately this sampling method does not collect a *representative sample* as that term is defined in 40 CFR 260.10.
- Unidentified Wash Solids. – During our walkthrough we observed a collection of 5-gallon buckets of a material which was possibly being generated from leaks and splashes of the wash water on the wash unit. This material was a solid with a greyish white appearance. According to the operator, this material was being disposed of by mixing it into the waste water tanks. According to Tom and Peter Kane, no waste determination had been made on this material

Closing Conference

- Started at approximately 1300 hrs
- Areas of Concern

Important Note: Areas of Concern are those observations where the facility’s operations may constitute a violation of a standard or represent a risk of future non-compliance. In either case, I encourage representatives of Berridge to review these items and address them immediately where possible.

- Incomplete Determination on the WWTU sludge – The facility has failed to collect a representative sample of this waste in order to characterize it in accordance with the requirements of 40 CFR 262.11
- Failure to make a waste determination – The facility has generated an unidentified waste material from the Wash unit (See Unidentified Wash Solids above) but has not made a waste determination on the material in accordance with the requirements of 40 CFR 262.11
- Containers of used oil – The totes used for the accumulation of used oil in the WWTU were open at the time of this inspection.
- Containers of Universal Waste -The Universal waste containers located between the 2 spray booths and used to accumulate Solvent/Paint Waste and Solvent/Paint contaminated rags were open at the time of this inspection. In general containers used for the accumulation of waste must be closed by securing the closure devices in the closed position when an operator is not actively adding or removing waste. In the event that the waste in question is a volatile organic compound it is important to ensure that this closure device is capable of providing a vapor tight seal or else that waste may be released to the air. The closure device that is provided for a DOT open-head drum is a lid equipped with a bolted lock ring. If any part of this system is not in use, then the container is open, unless some alternative closure device is installed on the drum.
- Misapplication of the definition of Paint for the Texas Universal Waste program – The definition of *paint* codified at 30 TAC 335.262 states that :” Paint is a pigmented or unpigmented mixture of binder and suitable liquid which forms a closely adherent coating when spread on a surface.” This definition establishes paint as binder dependent, and therefore any surface applied chemical that does not include a binder does not meet this definition. Both historically and in the present day, Berridge has been declaring that waste generated from its metal washing and pre-painting, surface preparation operations qualify as Universal Waste. However, since these operations do not involve the application or removal of a binder-dependent coating, these waste would not meet the relevant definition.
- Waste Counting – As explained above, Berridge is generating waste which has either been not characterized, inadequately characterized, or improperly excluded from the waste counting procedures codified in 40 CFR 262. As a result, I am unable to properly determine the facility’s generator category until these deficiencies have been resolved.
- Follow-up
 - As agreed during the closing conference:
 - Where Berridge discovers additional documents responsive to the questions raised during this inspection, they will upload them to the electronic document repository provided on July 12, 2022.
 - Where Berridge addresses an Area of Concern, they will notify EPA and provide documentation using the Corrections folder in the electronic document repository
 - EPA will draft a final inspection report within 60 days of this inspection and provide it to Berridge 10 days prior to its publication.

Thank you very much for your cooperation during this inspection. If you have any questions or concerns please contact me using the information in my signature block.

John Penland
Senior Environmental Scientist (ECDSR)
Enforcement and Compliance Assurance Division
Waste Enforcement Branch
EPA Region 6 1201 Elm St., Suite 500
Dallas, Texas 75270
(214)665-9717