

RCRA COMPLIANCE EVALUATION INSPECTION REPORT

1) **Inspector and Coauthor of Report**

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2) **Facility Information**

W.R. Meadows of Georgia
100 Riverside Drive
Cartersville, Georgia 30120
EPA ID: GAR000030486

Primary NAICS Code: 325510 Paint and Coating Manufacturing

3) **Responsible Official**

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4) **Inspection Participants**

Dillon Long, Georgia EPD
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Lynn Preston, Georgia EPD
Laura Dahlgren, EPA, Region 4
Javier García, EPA, Region 4
Mike Bentley, Plant Manager, WR Meadows
Randy Scott Nichols, Cure Plant Operator, WR Meadow

5) **Date of Inspection**

December 9, 2021

6) Applicable Regulations

Chapter 391-3-11 of the Georgia Hazardous Waste Management Act, adopts and incorporates by reference 40 CFR Parts 260 - 266, 268, 270, 273 & 279. The Georgia Hazardous Waste Management Act, O.C.G.A. 12-8-60, et seq. as amended (Act), Chapter 391-3-11 of the Georgia Rules for Hazardous Waste Management (Rules), and those portions of 40 CFR Parts 260-270, 273, and 279 that are adopted into the Rules by reference).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15], a generator may accumulate up to 55 gallons of hazardous waste at or near the point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or without having interim status, as required by Section 12-8-66 of the GHWMA, Ga. Code Ann. § 12-8-66 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17], except as required in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation management requirements listed in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.02(1) [40 C.F.R. § 260.10], a generator of greater than 100 kilograms (220 lbs) but less than 1,000 kilograms (2200 lbs) of hazardous waste in a calendar month is a Small Quantity Generator (SQG).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.16]), SQG may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, as required by Section 12-8-66 of the GHWMA, Ga. Code Ann. § 12-8-66 [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.16] (hereinafter referred to as the “SQG Permit Exemption”).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [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, or lamps, calculated collectively) at any time.

As the State’s authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions alleged herein will be to the authorized State program; however, for ease of reference, the federal citations will follow in brackets.

7) Purpose of Inspection

This announced compliance evaluation inspection (CEI) was conducted to evaluate the facility’s compliance with applicable requirements of RCRA and the corresponding Georgia Environmental Protection Division (GAEPD) regulations. This was an EPA lead inspection.

8) Previous Inspection History

On December 14, 2016, GAEPD conducted a CEI at the facility and observed two universal waste violations including open lamp boxes and missing lamp start date.

9) Facility Description

W.R. Meadows of Georgia (WR Meadows) is located in Cartersville, Georgia and employs approximately 21 full-time associates daily. Staff operations typically run 8:00 AM to 5:00 PM shifts per day and five days per week. The facility is composed of three separate buildings: Cure Plant Building, LMP Building, and Raw Materials and Products Building. Material production primarily takes place within the Cure Plant Building and the LMP Building, which include several mixing tanks and raw material storage containers.

Raw materials are delivered to above ground storage tanks from tanker trucks via remote connections. The above ground storage tanks are located outside and adjacent to the LMP Building and piped into either the Cure Plant Building or the LMP Building. Raw materials are also received in containers and stored in the Raw Material and Product Building.

At the facility, WR Meadows manufactures concrete curing additives and concrete sealers by mixing raw ingredients in tanks. In some instances, the mixing tanks are heated to improve blending efficiency. All blending is conducted in batches. Once the blending is completed, the final product is transferred to containers of either 5-gallons, 55-gallons or 275-gallons capacity. Both hazardous and nonhazardous waste are generated during the production process. In addition to mixing operations, WR Meadows cuts to size and distribute concrete joint expansion panels received from a sister facility. The panels are composed of wood fiber and contain approximately 35% asphalt. The cutting operations generate solid waste from excess panels, which are subsequently landfilled.

In its 2019 Biennial Report, WR Meadows notified as a large quantity generator (LQG) of hazardous waste. However, based on observations made during the inspection, review of the manifest provided for January 2020 and June 2021, and discussions with the facility, the inspectors determined that the facility was operating as an SQG. Refer to Section 11, Manifest and Generator Status, for further explanation.

Routine hazardous waste generated at the facility consists of spent solvent (D001 and D018) from cleaning the pail filling line (when switching between solvent-based and water-based products) and off-spec products (D001). In addition, the facility generates used oil from heat transfer units.

9) Opening Conference

Due to the Coronavirus (COVID-19), the inspection was announced via an email sent to Mr. Dave Carey, WR Meadows Vice President of Plant Operations, on December 8, 2021. The email included a list of the documents to be reviewed as part of the inspection. Upon arrival to the facility on December 9, 2021 at 9:00 AM, the inspectors met Cindy Elrod, Site Administrator, and Mike Bentley, Plant Manager. After introductions, Ms. Elrod and Mr. Bentley escorted the inspectors to a conference room.

In the conference room, the inspectors presented their credentials. Dave Carey, WR Meadows Vice President of Plant Operations, joined the inspection via teleconference. Next, the EPA inspectors explained the purpose of the inspection, indicated the use of a camera to take pictures during the inspection, discussed the company's ability, pursuant to 40 C.F.R. § 2.203, to assert a business confidentiality claim for information collected by or submitted to the EPA and confirmed the personal protection equipment required for the facility tour. The company did not assert a business confidentiality claim. Next, the facility's representatives provided a description of the facility's operations. After the briefing, Mr. Bentley led the inspectors to a tour of the facility.

10) Findings

The company does not appear to meet the Small Business Regulatory Enforcement Fairness Act's classification of a "small business," which is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. The EPA inspectors did not provide a copy of the agency's information sheet for small businesses, which can be found at <https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf>.

Product and Raw Material Building

Upon entering the building, the inspectors were informed that WR Meadows stores its finished products and raw materials in containers. No hazardous waste was observed in the building during the inspection.

Cure Plant Building

Upon entering the building, a few feet from the door, the inspectors observed two pallets with DECK-O-SEAL® (concrete pool deck sealant), one pallet with MEL-PRIME® (a solvent-based adhesive) and one pallet with REZI WELD 1000® (concrete restoration products). The inspectors noted the DECK-O-SEAL® and REZI WELD 1000® boxes were marked with an "X" (Photographs 1 and 2). Numerous MEL-PRIME® containers show evidence of releases (Photograph 3).

The inspectors discussed the operations within this area and the containers on the two pallets with Mr. Randy Scott Nichols, Cure Plant Operator. Mr. Nichols stated that the REZI WELD 1000® on the pallets were received the week before the inspection and would be discarded as hazardous waste because of expired shelf life and/or leaking containers. The inspectors noted nine 5-gallon containers of REZI WELD 1000®, totaling 45-gallons of hazardous waste. After the discussion, it appeared that the hazardous waste was under control of the operator, and therefore, appeared to be a Satellite Accumulation Area (SAA). The inspectors observed the containers of MEL-PRIME® included the hazard content (flammable) but were not marked or labeled with the words "Hazardous Waste".

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)(i)], which is a condition of the SAA Permit Exemption, a generator must mark or label its container with the words "Hazardous Waste."

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(1)], which is a condition of the SAA Permit Exemption, if a container holding hazardous waste is not in good condition, or if it begins to leak, the generator must immediately transfer the hazardous waste from this container to a container that is in good condition and does not leak, or immediately transfer and manage the waste in a central accumulation area operated in compliance with § 262.16(b) or § 262.17(a).

The tank production area was located within the Cure Plant and operates five above ground tanks, which hold materials used to produce either water-based or solvent-based concrete curing products. According to Mr. Bentley, only 10% of the concrete curing product are mixed using solvent-based material and the rest are water-based. According to Mr. Bentley, no chemical reactions occur during the mixing operations, although heat will sometimes be applied depending on the batch ticket.

Hazardous waste is generated mainly in the Cure Plant Building, where filling operations occur. During pale filling, it may be necessary to flush the lines, at which time the D001/D018 spent solvent is held in

a 55-gallon container and stored as satellite accumulation. One container was identified during the inspection, which held solvent and water-based materials (Photograph 4). The container was labeled with the words “Hazardous Waste” and the hazard contents, and the container was closed. The container was not yet full but a date of 10/16/21 was placed on the container. The inspectors explained that since the container was managed in a SAA the date should not be included until the Pale Filler area reaches 55-gallons of hazardous waste.

LMP Building

The LMP Building is used to produce water-based polymer products for use as sealants in buildings and roads, as well as to produce concrete expansion joints. The inspectors observed one tank used to produce the thickening agent, as well as excess material collected in containers and subsequently reused in the production process. The inspectors asked Mr. Bentley if any hazardous waste sludge was accumulated in the tank or the totes. Mr. Bentley stated that sludge did accumulate in the containers but had been determined to be non-hazardous waste. The inspectors walked through the production process and observed the expansion joint cutting and packaging operation. Mr. Bentley stated that only non-hazardous waste was generated during joint cutting. The inspectors, therefore, did not observe any hazardous waste within the LMP Building.

Maintenance Shop

Once the inspectors walked outside the LMP Building and toward the maintenance shop, used aerosol cans were found in unlabeled pales and on the ground (Photographs 5 and 6). The inspectors informed Mr. Bentley that the aerosol cans must follow the applicable requirements, including make a determination of whether WR Meadows would manage the aerosol cans as hazardous waste or universal waste. In response, Mr. Carey submitted a photograph on December 15, 2021, documenting that the aerosol cans had been removed from the area.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11].

Central Accumulation Area – Adjacent to the Maintenance Shop

One central accumulation area (CAA) was observed behind the Maintenance Shop, which was used to store a total of ten containers, including eight 55-gallon containers (Photographs 7 and 8) and two 275-gallon containers. One 275-gallon container was labeled as “Used Oil”. The other nine containers were not labeled. The inspectors asked whether a waste determination had been made on the materials in the containers. Mr. Bentley stated they had not made a waste determination but would discuss the issue with the CAA operator. After conferring with the CAA operator, Mr. Bentley informed the inspectors that one 55-gallon container (Photographs 9 and 10) held hazardous waste and one 275-gallon container held used oil (Photograph 11). The contents of hazardous waste were observed to be several 1-quart containers of P/G Primer. Mr. Bentley stated that the P/G Primer had been returned and were no longer usable. Facility representatives placed a hazardous waste label on the container while the inspectors were on-site (Photograph 10).

The inspectors noted that fire and spill control equipment had not been placed at the CAA and discussed the issue with Mr. Bentley. In response, Mr. Carey emailed photographs on December 15, 2021, of the spill control equipment and fire extinguisher that had been placed near the CAA.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11].

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.16(b)(8)(ii)], a SQHUW must keep at its hazardous waste accumulation areas portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.17(1) [40 C.F.R. § 279.22(c)(1)], containers used to store used oil at generator facilities must be labeled or marked clearly with the words “Used Oil.”

Satellite Accumulation Area – Adjacent to the Cure Plant

The inspectors observed five hazardous waste 55-gallon containers located adjacent to the Cure Plant. The containers were labeled as follows: one flammable waste container dated 10/27/2021, one petroleum distillate waste container dated 10/22/2021, one corrosive waste container dated 10/8/2021, one petroleum distillate waste container dated 11/3/2021, and one petroleum distillate container dated 11/24/21. The five 55-gallon containers were labeled with the words “Hazardous Waste” as well as the hazard contents. All containers were dated and closed (Photographs 12 through 15).

The inspectors discussed management of the five 55-gallon hazardous waste containers with Mr. Bentley and informed him that placement of the containers adjacent to the Cure Plant did not appear to be a suitable location for a CAA due to the lack of spill/fire control equipment, as well as the heavy vehicle traffic passing through the area. During the exit conference Mr. Carey stated the area was not intended for CAA storage adjacent to the Cure Plant, but rather should be kept in the CAA located adjacent to the Maintenance Area. On December 15, 2021, Mr. Carey emailed photographs showing that the hazardous waste containers had been moved away from the Cure Plant and into to the CAA adjacent to the Maintenance Building.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(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 Section 12-8-66 of the GHWMA, Ga. Code Ann. § 12-8-66 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.16(b) or §262.16(b)], except as required in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(7)], provided that the generator complies with the SAA Permit Exemption.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(6)(ii)], which is a condition of the SAA Permit Exemption, a generator who accumulates non-acute hazardous waste

in excess of the 55 gallons at or near any point of generation must remove the excess from the satellite accumulation area within three consecutive calendar days.

11) Records Review

Due to COVID-19 exposure concerns, the inspectors requested records for review a day prior to the inspection. The following records were submitted via email:

- Hazardous wastes manifests
- Facility contingency plan
- Weekly Inspection logs
- Hazardous waste training program records

Manifest and Generator Status

During the manifest review, the inspectors determined the amount of hazardous waste generated for the last two calendar years. The inspectors noted 1,045 gallons of hazardous waste were shipped on January 29, 2020, and 880 gallons of hazardous waste were shipped on June 12, 2021, resulting in a 550-day gap between shipments. The units were not provided in pounds. Therefore, the inspectors used the following conversions to determine the number of pounds generated: 6.4 lb/gal for petroleum distillate, 8 lb/gal for REZI WELD; and 7.3 lb/gal for xylene. Accounting for the conversions, the approximate weight of hazardous waste shipped was 7,513 pounds on January 29, 2020, and 5,652 pounds on June 12, 2021. Currently, WR Meadows has filed as an LQG with the GAEPD. However, based on the amount of hazardous waste on-site during the inspection and manifest records review, the inspectors evaluated the facility as an SQG.

As stated above, the inspectors observed an approximately 550-day (January 29, 2020, to June 12, 2021) gap prior to the shipment of 5,652 pounds of hazardous waste. The inspectors asked Mr. Carey and Mr. Bentley whether WR Meadows had accumulated greater than 2,200 pounds of hazardous waste within the 180-day timeframe (270-day timeframe if shipping a distance greater than 200 miles). Mr. Carey stated in a December 9, 2021, email that the gap between shipments was due to problems in the resin supply-chain, which halted production of their solvent-based products for the first 10-12 months of the gap. Mr. Carey noted that under normal operating conditions, WR Meadows would generate one to two 55-gallon containers per month of solvent-based hazardous waste, which would meet the requirement for an SQG.

Contingency Plan

The inspectors reviewed the contents of the contingency plan on-site, which appeared to be complete.

Weekly Inspections

The weekly inspection records for the CAA were submitted via email for the past 3-years (December 11, 2018, to September 9, 2021). The inspectors determined that weekly inspections had been missed approximately 36 instances, with some inspections being delayed by several weeks.

Pursuant to Ga. Comp. R. and Regs. Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.16(b)(2)(iv)], at least weekly, a SQHUU must inspect central accumulation areas.

Training Records

The inspectors reviewed the training material for Mr. Carey while on-site and received the training certificate via email. Both the training material and certificate were complete. However, based on the issues observed during the facility walk through, the inspectors identified the following areas of concern that necessitate retraining of facility personnel:

- Facility personnel must label and store hazardous waste containers in accordance with the SAA requirements.
- Facility personnel must make a waste determination of aerosol cans as either hazardous waste or universal waste. Based on the waste determination made, facility personnel must follow applicable rules for management of aerosol cans, including storage and labeling requirements.
- Facility personnel must make a hazardous waste determination on all waste at the point-of-generation.
- Facility personnel must store hazardous waste within the dedicated CAA, and must ensure all required equipment (i.e. spill and fire control equipment) are placed at an appropriate location.
- Facility personnel must label and store hazardous waste containers in accordance with CAA requirements.
- Facility personnel must inspect the CAA weekly.

12) Summary

The inspectors conducted an exit meeting with Mr. Bentley and Mr. Carey and provided the preliminary results of the inspection.

13) Signed

for Javier E. García
Inspector

Date

Laura Dahlgren
Inspector and Author of Report

Date

14) Concurrence and Approval

for Araceli B. Chavez
Chief
RCRA Enforcement Section

Date

**W.R. Meadows of Georgia
Cartersville, Georgia**

EPA ID No.: GAR000030486

EPA RCRA CEI Photographs

Photos taken by Javier Garcia
December 9, 2021
Camera Type: Samsun WB250F
EPA Serial Number: S75915



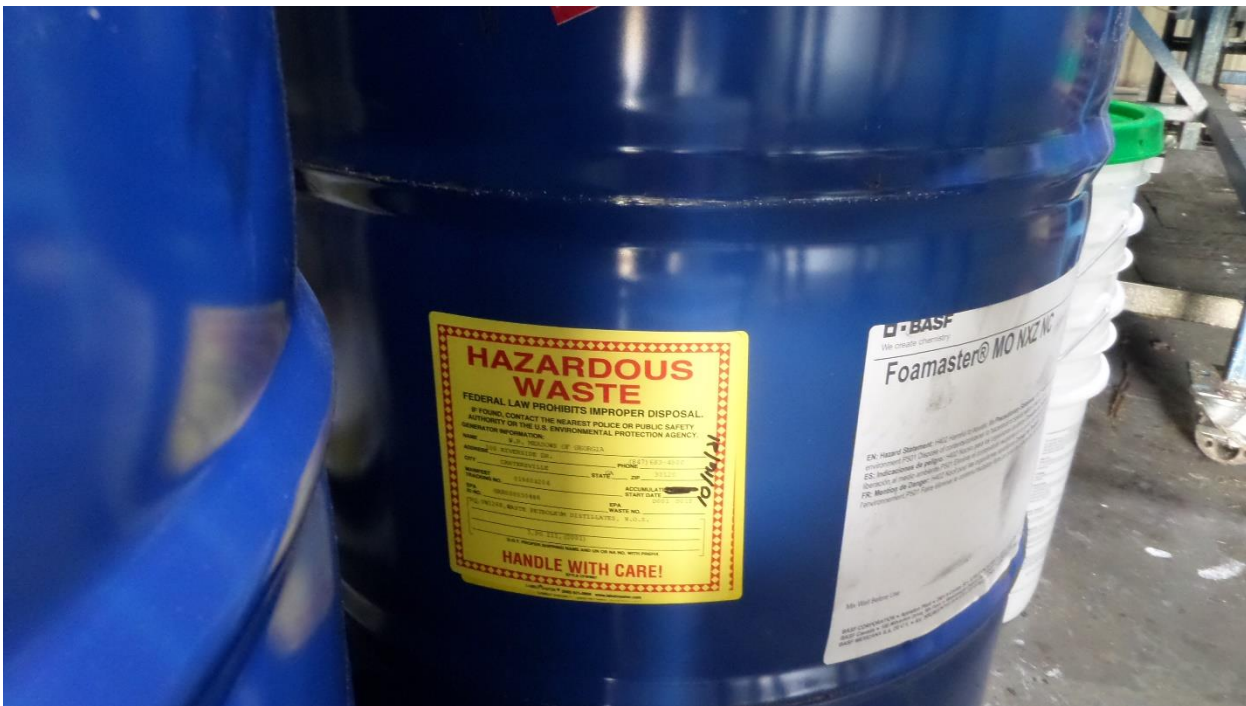
Photograph 1: View of material customer returned material in the Cure Building. Material was intended to be managed as hazardous waste at the time of the inspection.



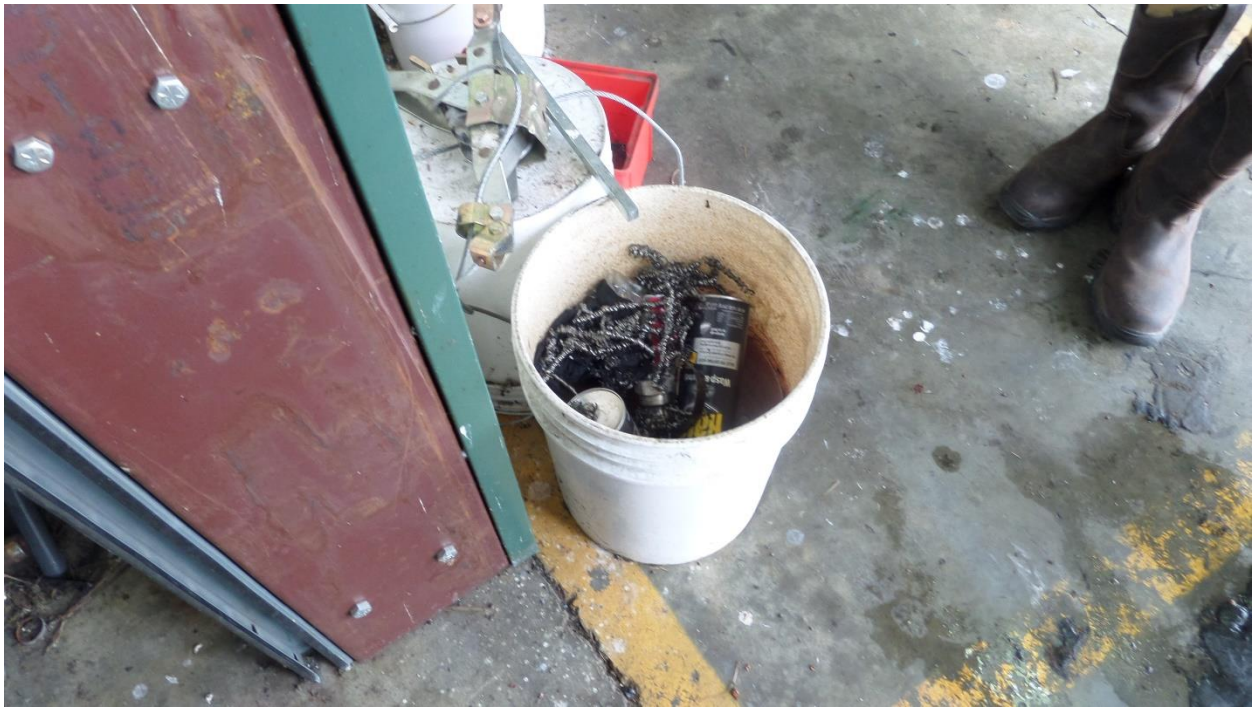
Photograph 2: View of material customer returned material in the Cure Building. Material was intended to be managed as hazardous waste at the time of the inspection.



Photograph 3: View of material customer returned material in the Cure Building. Material was intended to be managed as hazardous waste at the time of the inspection.



Photograph 4: Satellite accumulation area in the Pail Filler Area. The Pail Filler Area is located in the Cure Building.



Photograph 5: View of discarded aerosol cans located in a pale outside and adjacent to the Maintenance Shop.



Photograph 6: View of discarded aerosol cans located on the concrete outside and adjacent to the Maintenance Shop.



Photograph 7: View of nonhazardous waste located in the central accumulation storage area adjacent to the Maintenance Shop Containers. The containers were unlabeled at the time of the inspection.



Photograph 8: View of nonhazardous and hazardous waste located in the CAA adjacent to the Maintenance Shop Containers. The containers were unlabeled at the time of the inspection.



Photograph 9: View of hazardous waste, PG Primer, located in the central accumulation storage area adjacent to the Maintenance Shop Containers. The containers were unlabeled at the time of the inspection.



Photograph 10: View of PG Primer hazardous waste container located in the CAA adjacent to the Maintenance Shop Container. Containers were labeled during the inspection.



Photograph 11: View of nonhazardous waste located in the CAA adjacent to the Maintenance Shop Containers.



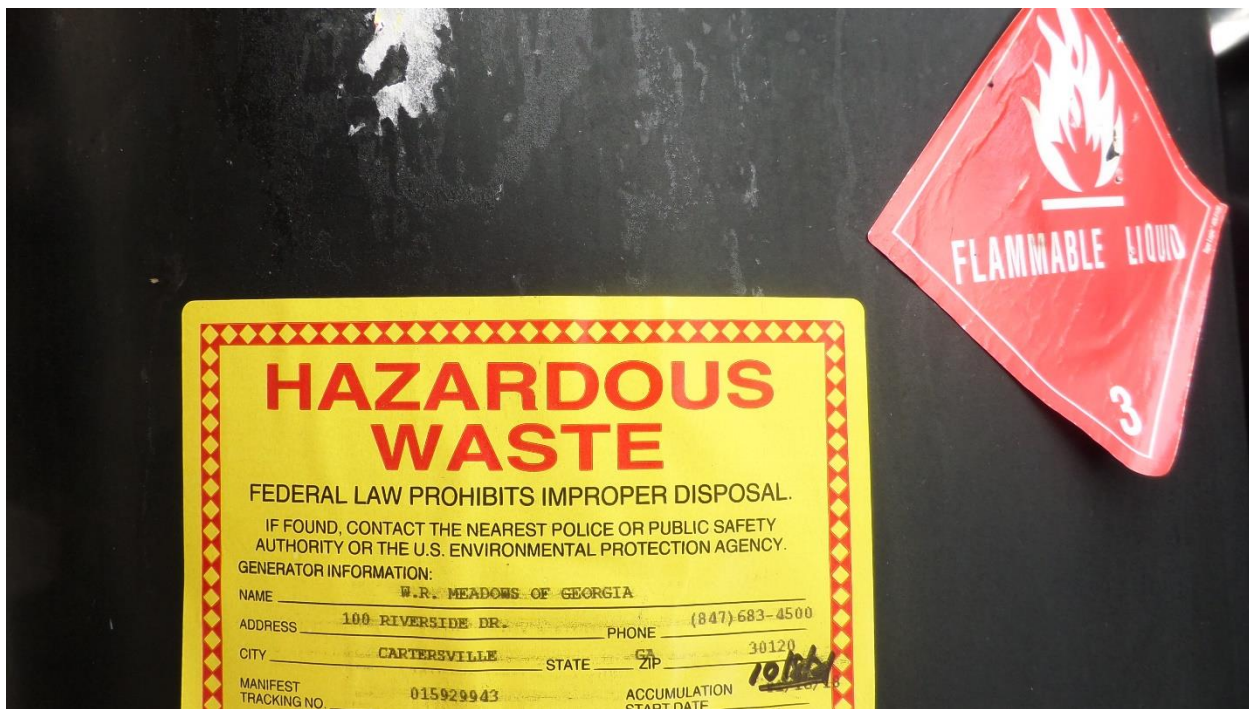
Photograph 12: View of hazardous waste container located in the CAA adjacent to the Cure Building.



Photograph 13: View of hazardous waste container located in the CAA adjacent to the Cure Building.



Photograph 14: View of hazardous waste container located in the CAA adjacent to the Cure Building.



Photograph 15: View of hazardous waste container located in the CAA adjacent to the Cure Building.