

RCRA Inspection Report

1) Inspector and Author of Report

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U.S. Environmental Protection Agency, Region 4
Enforcement and Compliance Assurance Division
Chemical Safety and Land Enforcement Branch
RCRA Enforcement Section
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2) Facility Information

T G Kentucky LLC
633 East Main St.
Lebanon, Kentucky 40033

EPA ID#: KYR000018572
NAICS #: 336390 – Other Motor Vehicle Parts
Manufacturing

3) Responsible Officials

Wes Graybeal
EHS Specialist
Westley.graybeal@toyodagosei.com

4) Inspection Participants

Wes Graybeal, TG Kentucky LLC
Chris Spurling, TG Kentucky LLC

Brian Schrader, KDEP
Scott Gerstner, KDEP
Kayla Acosta, USEPA

5) Date of Inspection

August 3, 2023 at 9:00 AM

6) Applicable Regulations¹

Resource Conservation and Recovery Act (RCRA) Sections 3002 (42 U.S. Code – Annotated U.S.C.A. 6925 and 6927), and 40 Code of Federal Regulation (C.F.R.) Parts 260 - 270, 273, 278, & 279; Kentucky Revised Statutes Title XVIII, Chapter 224, Subchapter 46-Hazardous Waste *et seq.* (2006), and Title 401 of the Kentucky Administrative Regulations (K.A.R.) Chapters 30 through 38, 43 and 44 (2006)

Pursuant to 401 KAR 39:005, Section 1 [40 C.F.R. § 260.10], a very small quantity generator of hazardous waste (VSQG) is a generator who generates less than or equal to 100 kilograms (220 pounds) of non-acute hazardous waste in a calendar month.

Pursuant to 401 K.A.R. 39:060, Section 3(1) [40 C.F.R. § 261.4(a)(24)], the following materials are not solid wastes for the purpose of this part: Hazardous secondary material that is generated and then transferred to another person for the purpose of reclamation is not a solid waste, provided that the generator comply with all of the conditions listed in 401 K.A.R. 39:060, Section 3(1) [40 C.F.R. § 261.4(a)(24)(i-vii)].

¹ As the State's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions will be to the authorized State program. However, for ease of reference, the federal citations will follow in brackets.

Pursuant to 401 K.A.R. 39:060, Section 3(1) [40 C.F.R. § 261.4(b)(18)], solvent-contaminated wipes, except for wipes that are hazardous waste due to the presence of trichloroethylene, that are sent for disposal are not hazardous wastes from the point of generation, provided that the conditions listed in 401 K.A.R. 39:060, Section 3(1) [40 C.F.R. § 261.4(b)(18)] are met (hereinafter referred to as the “Solvent-Contaminated Disposable Wipe Exclusion”).

Pursuant to 401 KAR 39:080, Section 1(1) [40 C.F.R. § 262.14], a VSQG is not subject to the requirements of parts 124, 262 (except §§ 262.10 through 262.14) through 268, and 270 of this chapter; and may accumulate hazardous waste on-site without a permit or without having interim status, as required by KRS § 224.46-520 [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in 401 KAR 39:080, Section 1(1) [40 C.F.R. § 262.14] (hereinafter referred to as the “VSQG Permit Exemption”).

Pursuant to 401 KAR 39:080, Section 1(1) [40 C.F.R. § 262.231], episodic event means an activity or activities, either planned or unplanned, that does not normally occur during generator operations, resulting in an increase in the generation of hazardous wastes that exceeds the calendar month quantity limits for the generator's usual category.

Pursuant to 401 KAR 39:080, Section 1(1) [40 C.F.R. § 262.232(a)], a very small quantity generator may maintain its existing generator category for hazardous waste generated during an episodic event provided that the generator complies with the conditions listed under KAR 39:080, Section [40 C.F.R. § 262.232(a)(1-7)].

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

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine T G Kentucky, LLC’s (known hereinafter as “TGKY” or “the facility”) compliance with the applicable requirements of RCRA and the corresponding Kentucky regulations. This was an EPA lead inspection.

8) Facility Description

TGKY is a part of the global parent company Toyota Gosei Group which was founded in 1949 and is headquartered in Aichi, Japan. According to their website, the company has provided high functioning, high quality products and services based on synthetic rubber and plastics and associated mixing technology primarily for the automotive industry. The company has 40,000 employees and has offices and manufacturing plants in 16 countries and regions world-wide.

TGKY is a tier 1 and tier 2 automotive supplier, producing a variety of interior, exterior, and functional components. The facility specializes in manufacturing rubber hoses and various plastic components for the automotive industry such as brake components, glove boxes, cupholders, splash guards, spoilers, fuel caps, rubber hoses, cushions and grills. Approximately 60% of the finalized product goes to the company Toyota. TGKY also acts as a warehouse distribution center. Plastic interior and exterior parts are produced through a machine injection

molding process. Some of the parts are painted onsite. The facility operates three paint booths and uses dry filters. Used lacquer thinner is shipped to Reclaimed Energy Indiana for reclamation and in return the facility receives new product. The facility occasionally experiences a planned episodic event for a chemical cleanout of expired paint products.

TGKY was established in 1997 and employs over 1,000 team members. The facility operates on 20 acres of land with an administrative office building, one main campus building (two assembly areas and a manufacturing area), and one warehouse. Operations occur Monday-Friday with three shifts (6:00AM-2:30 PM, 2:00PM-10:30PM, and 4:30AM-1:00PM). The facility is gated, and visitors must use the gate intercom in order to be let into the property.

The facility first notified of its regulated waste activity on 12/16/1999 as a large quantity generator (LQG) of hazardous waste. Since 07/21/2017, the facility has registered as a VSQG with a most recent notification for a planned episodic event dated 10/2/2019. TGKY most recently notified on 06/20/2023 as a VSQG and as a hazardous secondary material (HSM) generator. The facility generates HSM from paint-related products (specifically lacquer thinner) that carry EPA waste codes for (D001—ignitability, D035—methyl ethyl ketone, F003—solvents, F005 solvents). Waste generated onsite includes waste aerosol cans and waste ink (D001), used oil, and universal waste: waste fluorescent bulbs and waste batteries.

9) Previous Inspection History

KDEP has conducted two RCRA CEIs at the subject facility between 2018 and 2023 and found one violation in the 2018 RCRA CEI. On June 23, 2020, KDEP conducted the most recent RCRA CEI at the subject facility and found no apparent violations of RCRA's requirements.

10) Opening Conference

On August 3, 2023, EPA inspector Kayla Acosta, accompanied by KDEP inspectors Brian Schrader and Scott Gerstner, arrived at TGKY at approximately 9:00 AM. Wes Graybeal, EHS Specialist, immediately received the inspectors. Wes Graybeal and the inspectors were joined by Chris Spurling, Facility Development Manager, for the opening conference. The inspectors introduced themselves, showed their credentials and explained the purpose of the visit.

The inspectors described the anticipated use of equipment (EPA-issued iPad tablet) during the inspection and provided a request for records. The EPA inspector explained that the Small Business Regulatory Enforcement Fairness Act's classification of a "small business" is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. A copy of the EPA's information sheet for small businesses can be found at <https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf>. The EPA inspector also discussed the company's ability, pursuant to 40 C.F.R. § 2.203, to assert a business confidentiality claim for information submitted to EPA. The company did not assert a business confidentiality claim.

Wes Graybeal provided an overview of the facility's history and current operations during the opening conference. The inspection participants also discussed health and safety protocols and required personal protective equipment before Wes Graybeal led the inspectors on a tour of the facility operations.

11) Inspection Observations

Since the facility is a VSQG, it is not subject to the requirements of parts 124, 262 (except §§ 262.10 through 262.14) through 268, and 270 as described in 401 KAR 39:080, Section 1(1) [40 C.F.R. § 262.14(a)], provided that the facility meet all of the conditions for exemption listed in 401 KAR 39:080, Section 1(1) [40 C.F.R. § 262.14]. The facility does have designated areas for universal waste, hazardous waste accumulation, and accumulation for hazardous secondary material. These areas are listed below along with observations.

Universal Waste Storage Area and Satellite Accumulation Area:

The facility has a dedicated room within the Main Campus Building for universal waste storage and for storing waste ink and punctured aerosol cans. The inspectors observed the following waste:

- One (1) 55-gallon container of waste ink (Photo 1). The container was closed, labeled “Hazardous Waste”, and marked with an indication of the hazard of the contents (flammable liquid).
- One (1) 55-gallon container with a puncture device for draining remaining hazardous waste liquid from waste aerosol cans (Photo 2). The container was closed, labeled “Hazardous Waste”, and marked with an indication of the hazard of the contents (flammable liquid).
- Two (2) 4ft cardboard boxes of spent fluorescent bulbs (Photo 3). The containers were closed were both labeled “Universal Waste”. The containers had start accumulation dates of 08/01/2023 and 02/24/2023 respectively.
- One (1) 8ft cardboard box of spent fluorescent bulbs. The container was closed and labeled “Universal Waste” with a start accumulation date of 02/24/2023 (Photo 4).

Accumulation Area for Used Oil, Non-hazardous Waste, and Episodic Events:

This area is located within the Main Campus Building where they store non-hazardous waste, used oil, and hazardous waste during an episodic event. Paint sludge and the spent dry filters from the paint booth are managed as non-hazardous waste. TCLP tests for the paint sludge and spent dry filters were conducted by Environmental Science Corp. The TCLP tests were submitted to the inspectors via email. The inspectors observed the following waste:

- 10 55-gallon containers labeled “non-hazardous waste” (Photo 5).
- One (1) 250-gallon tote of used oil. The tote was staged under a sign that was labeled “Used Oil” but the container itself was not labeled with the words “Used Oil” (Photo 6).

Pursuant to 401 KAR 39:080, Section 4(1) [40 C.F.R 279.22(c)(1)], containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words “Used Oil”.

Paint B Storage Room:

There are three paint booths located inside the Main Campus Building. In each paint booth control room, there is a staging area for one (1) 55-gallon container that is used to collect HSM. HSM is then taken to an area called Paint B Storage Room. Once four (4) 55-gallon containers of

HSM have been accumulated, the containers are placed on a pallet and moved to a designated HSM storage area located outside of the Main Campus Building. The inspectors observed:

- Two (2) 55-gallon containers of lacquer thinner that were closed and labeled “Hazardous Secondary Material” with a hazard indication for flammable liquid (Photo 7).

Next to Paint B the inspectors observed two (2) 5-gallon closed containers of solvent-contaminated rags labeled “Soiled Rags” (Photo 8). There was also no accumulation date for the solvent-contaminated rags.

Pursuant to 401 K.A.R. 39:060, Section 3(1) [40 C.F.R. § 261.4(b)(18)(i)], the solvent-contaminated wipes, when accumulated, stored, and transported, are contained in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.” The containers must be able to contain free liquids, should free liquids occur. During accumulation, a container is considered closed when there is complete contact between the fitted lid and the rim, except when it is necessary to add or remove solvent-contaminated wipes. When the container is full, or when the solvent-contaminated wipes are no longer being accumulated, or when the container is being transported, the container must be sealed with all lids properly and securely affixed to the container and all openings tightly bound or closed sufficiently to prevent leaks and emissions.

Pursuant to 401 K.A.R. 39:060, Section 3(1) [40 C.F.R. § 261.4(b)(18)(ii)], the solvent-contaminated wipes may be accumulated by the generator for up to 180 days from the start date of accumulation for each container prior to being sent for disposal.

HSM Storage Area:

Located outside of the Main Campus Building under a roofed enclosure is the HSM storage area. The inspectors observed one pallet holding four (4) 55-gallon containers of HSM Lacquer Thinner (Photo 8). All of the containers were closed, labeled “Hazardous Secondary Material”, and marked with a hazard indication for flammable liquid.

12) Records Review

Waste Manifest and Land Disposal Restriction (LDR) Records:

Waste manifests were available for review for the past three years along with LDR certifications. Hazardous Waste is sent to Clean Harbors El Dorado, LLC (EPA ID ARD069748192) in El Dorado, AR. The last shipment of hazardous waste was from an episodic event and was shipped on 12/27/2022 and was for 200 pounds of waste formaldehyde (U122, D001).

Occasionally the facility does use hazardous waste manifests to ship HSM to Reclaimed Energy (EPA ID IND000780403) in Connersville, IN and indicated the material is HSM under line 14. of the manifests.

Hazardous Secondary Material Bill of Ladings (BOLs) and Certificates of Reclamation:

BOLs for HSM shipped to Reclaimed Energy and signed Certificates of Recycling from Reclaimed Energy were available for review. The last shipment of HSM was on 07/02/2023 for 4,400 gallons of paint-related material.

Emergency Preparedness and Response for Management of Excluded HSM:

The facility appears to be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous secondary materials or hazardous secondary material constituents to air, soil, or surface water which could threaten human health or the environment.

The facility is equipped with an alarm system capable of providing immediate emergency instruction to facility personnel and dispatch to local emergency response if needed. Production supervisors carry portable phones that can request emergency response. The facility has approximately 240 various types of fire extinguishers throughout the facility that are identified with a red pole and signage. The facility also has water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems. The facility also has spill control equipment inside kits located at all docks and at all chemical storage areas throughout the facility. In the spill control kits, the facility has an emergency call list in order of contact including the name of the emergency coordinator and alternates. Adequate aisle space was observed for HSM storage areas.

Contingency Plan for HSM Generators Accumulating More than 6,000 kg of HSM:

Actions facility personnel must take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous secondary material or hazardous secondary material constituents to air, soil, or surface water are described in the facility's contingency plan named Crisis Management Plan, dated 03/03/2018. Chris Spurling is listed as the emergency coordinator onsite with Wes Graybeal and Wayne Bryant listed as alternates.

The plan includes evacuation maps with primary and alternate evacuation routes. The plan describes arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services. The Crisis Management Plan is submitted electronically to Lebanon Fire Department and the Marion County Local Emergency Planning Committee annually along with the facility's Tier II Emergency and Hazardous Chemical Inventory. Last submission was on 02/28/2023.

The plan also includes maps that show locations of emergency equipment such as fire extinguishers, spill kits, and eyewash station. The facility does not appear to include a list of all emergency equipment at the facility and a physical description of each item on the list, and a brief outline of its capabilities. The facility does go through the types of emergency equipment onsite and its capabilities during training.

Pursuant to 401 K.A.R. 39:060, Section 3(1) [40 C.F.R. § 261.420(b)(5)], the plan must include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.

Wes Graybeal began working on an equipment list with physical descriptions and a brief outline of capabilities. The draft list was sent to Kayla Acosta via email on 09/28/2023 for review and the finalized list will be provided to the inspectors.

Training:

The facility uses Safety-Kleen for RCRA training and DOT Hazardous Materials Training. Records were available for review for Chris Spurling and Wes Graybeal for the past three years.

13) Closing Conference

The inspectors conducted the exit meeting with Wes Graybeal and Chris Spurling. During this meeting, the inspectors stated their preliminary conclusions of the inspection. The facility representatives agreed to provide TCLP tests for nonhazardous waste via email. The documents were provided on August 4, 2023.

14) List of Appendices

Appendix 1 – Photo Log:

15) Signed

KAYLA ACOSTA Digitally signed by KAYLA ACOSTA
Date: 2023.10.02 16:33:51 -04'00'

Kayla Acosta
Physical Scientist

16) Concurrence

ARACELI CHAVEZ Digitally signed by ARACELI
CHAVEZ
Date: 2023.10.03 13:57:37 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Appendix 1 – Photo Log

[9] Photos taken on: August 3, 2023
Photos taken by: Kayla Acosta
Photos taken with: iPad Tablet
EPA Property Tag: N/A



Photo 1: 55-gal container of waste ink. Container was closed, labeled “Hazardous Waste”, and marked with an indication of the hazards of the content.



Photo 2: 55-gal container of aerosol can liquid with puncture device on top. Container was closed, labeled “Hazardous Waste”, and marked with an indication of the hazards of the content.



Photo 3: 4ft. Universal Waste lamps. Closed, labeled “Universal Waste”, and dated.



Photo 4: 8 ft. Universal Waste lamps. Closed, labeled “Universal Waste”, and dated.



Photo 5: Non-hazardous waste storage area.



Photo 6: 250-gal tote with used oil. Container is not labeled “Used Oil”.



Photo 7: Two (2) 55-gal containers of HSM—Lacquer Thinner.



Photo 8: Solvent-contaminated rags, labeled “Soiled Rags”.



Photo 9: Four (4) 55-gallon containers of HSM in HSM Storage Area.