

RCRA Inspection Report

1) Inspector and Author of Report

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U.S. Environmental Protection Agency, Region 4
Enforcement and Compliance Assurance Division
Chemical Safety and Land Enforcement Branch
RCRA Enforcement Section
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

2) Facility Information

ServeCo North America
4432 W. Highway 80
Somerset, Kentucky 42503

EPA ID#: KYR000074310
NAICS #: 42469 – Other Chemical and Allied
Products Merchant Wholesalers

3) Responsible Officials

Jason Joyce
Director of Compliance
Jasonj@serveco.com

4) Inspection Participants

Josh Thompson, ServeCo North
America (ServeCo)
Jaqueline Carrier, ServeCo

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

5) Date of Inspection

August 1, 2023, 9:15 AM—9:51 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 39:080, 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 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.

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.

7) **Purpose of Inspection**

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine ServeCo North America's (known hereinafter as ServeCo or the facility) compliance with the applicable requirements of RCRA and the corresponding Kentucky regulations. This was an EPA lead inspection.

8) **Facility Description**

According to the company website, ServeCo North America was formed in 2015 and is a single-source provider of extended service contract programs, on-site cleaning and repair service, traffic-generating product loyalty programs, and private labeled sleep essentials.

The facility in Somerset, Kentucky is a customer service call center for furniture. The facility stores furniture parts and ships furniture parts out. The facility does not conduct any type of cleaning or treatment for furniture parts. ServeCo has 10 employees and operates Monday-Friday from 8:00 am to 6:00 pm. The property is 2.5 acres in size.

The facility submitted one notification of regulated waste activity to KDEP for an episodic event on October 26, 2021. The facility registered as a Large Quantity Generator (LQG) of hazardous waste at that time. Hazardous Waste generated at the facility during the episodic event included D001 waste: waste petroleum distillates, waste extracts, waste isopropyl alcohol, waste paint related material; D002 waste: hydrochloric acid.

9) **Previous Inspection History**

The facility has never been inspected by KDEP or EPA.

10) **Opening Conference**

On August 1, 2023, EPA inspector Kayla Acosta, accompanied by KDEP inspectors Brian Schrader and Scott Gerstner, arrived at ServeCo at approximately 9:15 am. Josh Thompson, Warehouse Manager, immediately received the inspectors. Josh and the inspectors were joined by Jaqueline Carrier, Customer Service Manager, for the opening conference. The inspectors introduced themselves, showed their credentials to Josh Thompson and Jaqueline Carrier, and explained the purpose of the visit.

The inspectors described the anticipated use of equipment (iPad tablet) during the inspection and provided a request for records. 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.

Josh Thompson provided an overview of the facility's history and current operations during the opening conference. Mr. Thompson stated that since he has worked at ServeCo, the facility has

not generated, handled, or stored hazardous waste. The episodic event that occurred in 2021 was handled by a former employee, Sandy Casler. The inspectors asked if the facility previously handled or generated hazardous waste or if they had a chemical cleanout, but to the knowledge of the current employees the facility has not handled or generated hazardous waste. No other employees currently working at the facility were involved with or could recall the episodic event.

The inspection participants also discussed health and safety protocols and required personal protective equipment before Facility representatives led the inspectors on a tour of the Facility operations.

11) Inspection Observations

Building 1:

Building 1 consists of administrative offices and an attached warehouse which stores furniture parts. The inspectors walked through the administrative offices and the warehouse to observe if there was hazardous material or hazardous waste being stored there. No hazardous waste or chemical products were observed in Building 1 (photos 1-3).

Building 2:

Building 2 is another storage warehouse that holds additional furniture parts and tools. No hazardous waste or chemical products were observed in this area (photos 4-11).

12) Records Review

Manifest:

The facility only has one shipment of hazardous waste. The manifest for this shipment was available for review: Manifest Number 001175128WAS. The hazardous waste shipped offsite included 663 pounds of waste petroleum distillates (D001), 63 pounds of waste flavoring liquid (D001), 762 pounds of waste isopropyl alcohol (D001), 35 pounds of waste paint related material (D001), and 1,592 pounds of waste hydrochloric acid (D002). The waste was picked up on 02/01/2022 and shipped to Ecoflo, Inc. in Greensboro, NC as the designated facility.

13) Closing Conference

The inspectors conducted the exit meeting with Josh Thompson. During this meeting, the inspectors stated their preliminary conclusions of the inspection. Based on the inspection walkthrough and the one manifest generated from the facility, the inspectors concluded the facility had a one-time episodic generation of hazardous waste and is no longer a generator of hazardous waste. KDEP inspectors stated that the facility will be dropped as an LQG automatically and should not be listed as a generator of hazardous waste in the next fiscal year.

14) List of Appendices

Appendix 1 – Photo Log:

15) **Signed**

KAYLA ACOSTA Digitally signed by KAYLA
ACOSTA
Date: 2023.09.07 17:35:55 -04'00'

Kayla Acosta
Physical Scientist

16) **Concurrence**

ALAN NEWMAN Digitally signed by ALAN NEWMAN
Date: 2023.09.07 22:59:43 -04'00'

for Araceli B. Chavez
RCRA Enforcement Section

Appendix 1 – Photo Log

[#11] Photos taken on: August 1, 2023

Photos taken by: Kayla Acosta

Photos taken with: iPad

EPA Property Tag: N/A



Photo 1: Building 1 Warehouse. No hazardous waste observed.



Photo 2: Building 1 Warehouse. No hazardous waste observed.



Photo 3: Building 1 Warehouse. No hazardous waste observed.



Photo 4: Building 2 Warehouse. No hazardous waste observed.

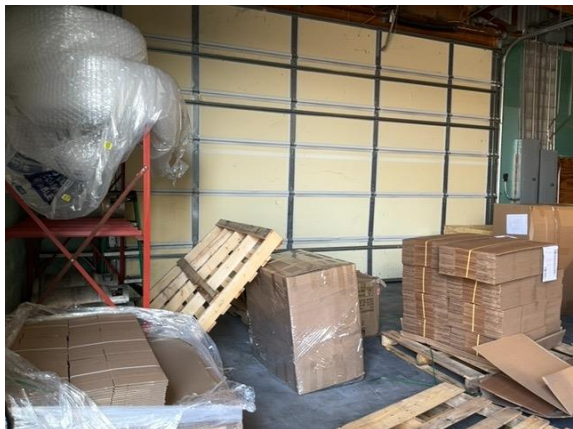


Photo 5: Building 2 Warehouse. No hazardous waste observed.



Photo 6: Building 2 Warehouse. No hazardous waste observed.



Photo 7: Building 2 Warehouse. No hazardous waste observed.



Photo 8: Building 2 Warehouse. No hazardous waste observed.



Photo 9: Building 2 Warehouse. No hazardous waste observed.



Photo 10: Building 2 Warehouse. No hazardous waste observed.



Photo 11: Building 2 Warehouse. No hazardous waste observed.