

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
61 Forsyth Street, S.W.
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2) Facility Information

Brenntag Mid-south, Inc. TND084060086
317 Wauhatchie Pike
Chattanooga, Hamilton County, Tennessee 37419

3) Responsible Official

Byron Mason (270) 724-8380
Director, Quality, Safety, and Health, bmason@brenntag.com
Environment

4) Inspection Participants

Brett Bolton, Brenntag Mid-South, Inc.
Shawna Stuart, Brenntag Mid-South, Inc.
Cody McKinney, Brenntag Mid-South, Inc.
Jonathan Stewart, Brenntag Mid-South, Inc.
Todd Dial, Brenntag Mid-South, Inc.
Bryon Mason, Brenntag Mid-South, Inc.
Jon Warner, Brenntag Mid-South, Inc.
Gary Schafer, Tennessee Department of Environment and Conservation
Harry McCann, Tennessee Department of Environment and Conservation
William Kappler, U. S. Environmental Protection Agency, Region 4

5) Date of Inspection

May 24, 2023

6) Applicable Regulations¹

RCRA Sections 3005 and 3007; 40 Code of Federal Regulations (C.F.R.) Parts 260-266, 268, 270, 273, and 279; Tennessee Hazardous Waste Management Act (THWMA), Tennessee Code Annotated (T.C.A.) 68-212 part 1 & 3 and the Used Oil Collection Act of 1993, T.C.A. 68-21; the Tennessee Hazardous Waste Management Regulations, Tennessee Rule Chapter 0400-12-01.

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 Tenn. Comp. R. & Regs. 0400-12-01-.01(2)(a) [40 C.F.R. § 262.10], a large quantity generator (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2200 lbs) of non-acute hazardous waste in a calendar month.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(h) [40 C.F.R. § 262.17], a LQG may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Section 68-212-108 of the THWMA, Tenn. Code Ann. § 68-212-108 [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in Rule 0400-12-01-.03(1)(h) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(f)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 68-212-108 of the THWMA, Tenn. Code Ann. § 68-212-108 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with Rule 0400-12-01-.03(1)(g)2. or (h)1. [40 C.F.R. § 262.16(b) or §262.17(a)], except as required in Rule 0400-12-01-.03(1)(f)1.(vii and viii) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area (SAA) conditions listed in Rule 0400-12-01-.03(1)(f)1. [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.12(1)(i) [40 C.F.R. § 273.9], a small quantity handler of universal waste (SQHUW) is a universal waste handler who accumulates less than 5,000 kilograms total 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 for the U.S. Environmental Protection Agency, Region 4, and the Tennessee Department of Environment and Conservation to conduct a joint unannounced compliance evaluation inspection (CEI) at Brenntag Mid-South, Inc., (hereinafter, “Brenntag” or the “facility”) to determine compliance with the applicable requirements of the Resource Conservation and Recovery Act (RCRA) and the corresponding Tennessee Department of Environment and Conservation (TDEC) regulations. This was an EPA lead inspection.

8) Facility Description

Brenntag is located at 317 Wauhatchie Pike, Chattanooga, Hamilton County, Tennessee, Latitude 35.010318, and Longitude -85.373793. The facility has been at its present location for approximately 50 years and consists of approximately 12 acres of property. The property is owned by Brenntag. The facility employs approximately 45 people and operates Monday through Friday from 6:00 a.m. to 5:00 p.m. The facility sometimes operates on a Saturday. The facility consists of four buildings with approximately 53,000 square feet under roof. The Tennessee American provides potable water and the City of Chattanooga provides sanitary sewer services. The primary NAICS code for the facility is 424690, Other Chemical and Allied Products Merchant Wholesalers.

Brenntag is a wholesale distributor and redistributor of industrial chemicals. The facility conducts warehousing, blending and repackaging of the chemicals in various size containers. The facility operation also includes blending and distribution of sodium hypochlorite and reconditioning of chlorine gas cylinders and empty product drums.

Brenntag receives liquid chemicals by railroad car and tanker truck for bulk chemical storage in aboveground tanks. Chemical products that are off-loaded in bulk from railroad cars include liquid chlorine, formic acid, diethanolamine (DEA), diesel exhaust fluid (DEF), toluene, xylene, isopropyl alcohol (IPA) and methanol. The facility also receives chemicals by freight truck.

The blending and repackaging operation is conducted on various organic and inorganic solvents, acids, and caustic chemicals for distribution in 5-gallon containers to 300-gallon totes. Some distribution is conducted in tankers to its customers. The facility distributes pre-packaged chemicals in liquid and dry form to its customers.

The chemicals include but are not limited to, numerous corrosives, such as hydrochloric acid, nitric acid, sodium hydroxide, sodium carbonate, and numerous solvents, such as acetone, ethyl acetate, isopropyl alcohol, methanol, methyl isobutyl ketone (MIBK), methyl ethyl ketone (MEK) and toluene.

Blending and repackaging of the chemical product is the primary process generating hazardous waste at the facility. Fill lines are either dedicated to the product tank or when a fill line is switched over from one product to the next, the fill line is purged with nitrogen, which flushes the chemical from the line to the product tank. According to Brenntag the lines are not flush with a compatible solvent or water and hazardous waste is not generated for accumulation in satellite accumulation areas (SAA). The hazardous waste that is generated is managed in containers and accumulated in the central accumulation area (90-day or less area). Universal waste and used oil are also generated at the facility.

The facility is divided into several areas: Offices, Main Warehouse, Acid Department, Acid Wastewater Treatment Unit, Caustic Wastewater Treatment Unit, Bleach Department, Chlorine Department, Solvent Bulk Storage, Caustic Bulk Storage, Flammable Storage Building, Laboratory, and Garage/Maintenance Shop.

Hazardous waste generated at the facility may consist of waste flammable liquid (D001, D035, F003, F005) generated from the filling process, waste chlorinated solvents (U080, U226 U228) generated from VCS flushing transfer hoses, waste toxic liquid organic N.O.S. (D001) generated from off-spec or damaged material, waste xylene (D001, U239) generated from line flush/tank cleaning, waste methyl ethyl ketone (D001, U159), and waste acetone (D001, U002) generated from line flush/unsold product.

Hazardous waste generated at the facility from unsold product may consist of waste methanol (D001, U154), waste ethanolamine - Monoethanolamine (D002), waste sulfuric acid (D002, D007, D009), waste oxidizing solids (D001 and D001, D007), waste sodium fluorosilicate (D001), waste benzyl butyl phthalate (U028), waste sodium nitrate (D001), waste paraformaldehyde (D001), waste sodium metasilicate (D002), waste 2-dimethylaminoethanol (DMEA) (D002, D003), waste maleic anhydride (D002), waste hydroxylamine sulfate (D002),

waste sodium fluoride (D001), waste potassium nitrate (D001), waste resorcinol (D001, U239), waste corrosive liquid acidic inorganic (D002), waste corrosive liquid acidic organic (D002), waste amines liquid corrosive, N.O.S. (D002), waste oxidizing solid, N.O.S. (sodium nitrate) (D001), waste ammonium bifluoride (D002), waste corrosive solid acidic inorganic (D002), waste environmentally hazardous substance solid (D001), and waste corrosive liquid acidic organic UN3266 (D002).

Hazardous waste is transported by Marion Environmental, Inc. (TNR000019604) to Clean Earth of Calvert City (KYD985073196). Universal waste lamps are shipped by Marion Environmental Inc.

Brenntag submitted a RCRA Subtitle C Site Identification Form, 8700-12, of its regulated waste activity to TDEC on February 21, 2022, notifying as a large quantity generator (LQG) of hazardous waste and a small quantity handler of universal waste (SQHUW).

9) Previous Inspection History

Brenntag was last inspected by TDEC on November 9, 2020, for compliance with the RCRA regulations. The inspector observed the facility's hazardous waste reduction plan did not have specific performance goals expressed in numeric terms in accordance with the TDEC rule.

On November 11, 2020, Brenntag sent a copy of the hazardous waste reduction plan to TDEC documenting the performance goals expressed in numeric terms as required by the TDEC rule.

Brenntag was last inspected by the EPA on February 4, 2004, to determine the facility's compliance with state and federal RCRA regulations. The inspector observed container management, container inspection and universal waste issues.

10) Opening Conference

On May 24, 2023, the EPA inspector William Kappler, accompanied by TDEC inspector Gary Schafer and Harry McCann, arrived at Brenntag at approximately 9:05 a.m. The inspectors accessed Brenntag's security office located at Brenntag's front gate and identified themselves and explained the purpose of the visit to security. The inspectors were asked to sign a visitor log, while Brenntag environmental staff were contacted by security staff. Brett Bolton, Operations Manager was at an off-site meeting and Shawna Stuart, Systems Operations Manager received the inspectors and escorted them to a conference room for an opening conference. The inspectors introduced themselves, showed their credentials and explained the purpose of the visit.

The inspectors described the anticipated use of a digital camera during the inspection and provided a written list of the records needed for review. 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 provided to the EPA. Brenntag did not assert a business confidentiality claim.

Brenntag 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 prior to Shawna Stuart leading the inspectors on a tour of the facility operation. Jonathan Stewart, Solvent Warehouse Supervisor joined Shawna Stuart (Brenntag representatives) at the beginning of the tour of the facility operation.

11) Inspection Observations

Main Warehouse

Chemicals are received and shipped from the main warehouse. Brenntag stores several liquid and dry chemical material in the warehouse. Food grade chemical material is stored in a separate area of the warehouse. The facility also accumulates non-conforming product and universal waste in the main warehouse.

Non-Conforming Product Area

Brenntag has reserved an area of the warehouse for holding non-conforming product. Brenntag representatives indicated most non-conforming product is corrected for reuse or resold. Product in a broken container is transferred to a new container. Non-conforming product that cannot be reused or sold is transferred to the central accumulation area. The inspectors observed several bags of dry product on pallets. Some of the bags were observed torn. The inspectors observed one 55-gallon container of ammonium persulfate labeled with an oxidizer hazard indicator and with an orange label marked with the date April 21, 2022 (Photograph 1), one overpack container of phosphoric acid 85 percent with an orange label marked with the date August 29, 2022 (Photograph 2), two 55-gallon containers of "Clearitas 820" with an orange label marked with the date November 11, 2020 (Photograph 3) and one dented 55-gallon container not marked and not labeled to identify the container content next to the container of ammonium persulfate (Photograph 5). The inspectors observed one 55-gallon container of sodium hydroxide 50 percent stored in this area on the day of the inspection (Photograph 4). The inspectors review of Brenntag's process description manual for non-conforming material (revision date September 13, 2022) indicated non-conforming product should be evaluated in a timely manner. A one-year time limit was verbally indicated by Brenntag.

Inspectors also observed one bag of sodium nitrate and two bags of "Cream of Tarter". Brenntag representatives indicated the bags of dry material were stored in the non-conforming area on the day of the inspection.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(b) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in TN Rule 0400-12-01-.02(1)(b) [40 C.F.R. § 261.2], must use the steps articulated in TN Rule 0400-12-01-.03(1)(b) [40 C.F.R. § 262.11] to 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.

Diesel Exhaust Fluid Loading Building

The diesel exhaust fluid (DEF) is received by railcar and stored in an aboveground tank in a tank farm behind the loading building. The DEF additive is repackaged in containers and totes in the loading building. The inspectors were joined by Brett Bolton and Cody McKinney of Brenntag (Brenntag representatives).

Solvent Tank Farm and Fill Station

The solvent tank farm is located south of the main warehouse. Solvent product is stored in aboveground tanks. Brenntag stores twelve main solvents in tanks for repackaging. The solvent from the tanks is transferred to containers in a fill station for shipment to the customer.

The solvent fill station is an open-faced building for the transfer of solvent from tanks to containers. Lines used to transfer solvent into containers are dedicated to the solvent tank, or the line is purged using nitrogen to return the solvent product back to the tank. Brenntag representatives indicated using nitrogen to purge the line was implemented sometime in 2020. The solvent fill station SAA container observed by TDEC during the November 9, 2020 CEI was no longer in use and the signage indicating a SAA had been removed.

Flammable Storage Building and Central Accumulation Area

The flammable storage building receives, stores and ships containers of solvent product. Product stored in this area has been blended or packaged according to customer specifications. The hazardous waste central accumulation area (CAA) is in the flammable storage building.

The CAA is constructed of cinder block walls and a concrete floor. The inspectors observed a sign on the wall with the words “hazardous waste storage area” (Photograph 6). The inspectors observed spill, emergency and communication equipment. Inspectors did not observe hazardous waste in the CAA at the time of the inspection. Brenntag representatives indicate the facility accumulates approximately 12-16 containers of hazardous waste in the CAA for shipment.

Acid Department Building

The acid department receives approximately twelve different acid products by railcar and tanker. The acid product is transferred from tanks in a tank farm and repackaged by the weight of the product into containers ranging from 15-gallons to 330-gallon totes. Empty containers and totes are reconditioned, prepared for reuse, and filled with acid products. Empty containers are flushed with water in a wash station constructed with a drain and discharged to the acid wastewater treatment unit.

The peroxide bay filling station is located inside the acid department building. Various concentrations of peroxide are transferred from the storage tanks and repackaged into containers and totes. Empty containers are flushed with water in a wash station constructed with a drain and discharged to the acid wastewater treatment unit. The flushed containers are reconditioned for reuse.

Acid Wastewater Treatment Unit (Lower WWT)

The Lower WWT receives wastewater from the acid department container flushing operation, effluent from the Upper WWT and a lesser volume of stormwater runoff from drains and diked areas throughout the facility. The Lower WWT was constructed approximately in the mid-1970s

to 1980 and is comprised of three lined concrete tanks. Wastewater influent is received by a 41-foot long by 33-foot wide by 7-foot deep holding tank with a capacity of 71,000-gallons. The acidic wastewater is neutralized in two 32-foot long by 16-foot wide by 7-foot-deep tanks each with a capacity of 27,000-gallons (Photograph 7). The wastewater is subject to primary and secondary treatment prior to its discharge to the City of Chattanooga Moccasin Bend Wastewater Treatment facility a publicly owned treatment works (POTW). Brenntag has a wastewater discharge permit issued by the City of Chattanooga Department of Public Works that became effective on June 1, 2020 and expired on June 1, 2023.

Caustic Wastewater Treatment Unit (Upper WWT):

The Upper WWT is located near the bleach department. It receives wastewater from the sodium hypochlorite manufacturing operation, wastewater from flushing caustic tankers and stormwater drained from diked areas throughout the facility. The Upper WWT was constructed approximately in the mid-1970s to 1980 and is comprised of three lined concrete tanks. Wastewater influent is received by a 56-foot long by 32-foot wide by 4.5-foot deep holding tank with a capacity of 61,000-gallons. The caustic wastewater is neutralized in two 28-foot long by 16-foot wide by 4.5-foot-deep tanks each with a capacity of 15,000-gallons (Photograph 8). The Upper WWT treats the wastewater to prevent formation of chlorine gas and discharges to the Lower WWT. Brenntag representatives indicated the final discharge to the POTW from both WWTs is non-hazardous.

Caustic/Bleach Department Tank Farm

The tank farm stores sodium hypochlorite, sodium hydroxide and chlorine product in aboveground tanks.

Bleach Department - Powell Bleach Plant Room

The Powell Bleach Plant manufactures sodium hypochlorite (bleach) by blending sodium hydroxide, chlorine and water using a Powell machine. The process makes approximately 30,000 to 40,000-gallons of bleach a day. The bleach is stored in a dedicated 80,000-gallon tank in the caustic /bleach tank farm.

The bleach is pumped from the storage tank and packaged into 55-gallon containers in a filling station for shipment to customers. Empty containers are flushed with water in a wash station constructed with a drain and discharged to the caustic WWT. Spills of product in the filling station are flushed with water to a floor drain and discharged to the caustic WWT.

Chlorine Department

The chlorine department reconditions and fills 150 to 2,000-pound chlorine cylinders. Ken Bell is the chlorine operator in the chlorine department. The cylinders are refitted with brass valves and new seals and painted with water-based paint in a paint booth. Paint guns are cleaned in a sink with water and discharged to the sanitary sewer. Waste cloth rags contaminated with paint from cleaning the gun tips are transferred to the garage for accumulation prior to off-site laundering. The facility determined the paint booth filters as non-hazardous waste using safety data sheets (SDS) and generator knowledge. The paint booth filters were determined as special waste (TDEC confirmed Special Waste Approval) and are disposed as trash. The brass valves are cleaned and polished in a blast media cabinet using glass bead media. Clear aerosol paint is used to coat the new valves on the reconditioned cylinders. Empty aerosol cans are disposed as trash.

Inspectors observed one 55-gallon SAA container with an aerosol can puncturing unit accumulating aerosol can residue (waste paint and solvent). The container was closed and in good condition. The container was not marked or labeled with the words “hazardous waste” and not marked or labeled with a hazard indicator (Photographs 9 and 10). Brenntag representatives labeled the container with the words “hazardous waste” and marked the container with hazard indicators (Photograph 11).

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(f)1.(v)(I&II) [40 C.F.R. § 262.15(a)(5)(i&ii)], which is a condition of the SAA Permit Exemption, a generator is required to mark or label its containers (i) with the words “Hazardous Waste” and (ii) a generator must mark or label its containers with an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

Inspectors observed a blast media cabinet in the chlorine department. Brenntag representatives indicated the blast media is reused in the blast cabinet and has not been changed or disposed of since the beginning of its use.

Inspectors observed a small plastic tray accumulating blast media under the blast cabinet and one 10-gallon container accumulating blast media next to the blast cabinet. The containers were not closed and not marked or labeled (Photographs 12 and 13). Brenntag representatives indicated a waste determination had not been performed on the blast media.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(b) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in TN Rule 0400-12-01-.02(1)(b) [40 C.F.R. § 261.2], must use the steps articulated in TN Rule 0400-12-01-.03(1)(b) [40 C.F.R. § 262.11] to 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.

The inspectors returned to this area in the afternoon after the record review. Brenntag representatives transferred the blast media from the tray to the 10-gallon container, closed and marked the container with the words “hazardous waste pending analysis” (Photograph 15).

Laboratory

Kara McNabb is the laboratory technician in the laboratory. The laboratory performs small scale testing consisting of specific gravity, titrations and GC analysis on some blended products and on wastewater discharged from the WWT to the POTW. Kara McNabb indicated laboratory waste generated is poured into the sink and the sink is plumbed directly to the caustic WWT. The laboratory uses methanol, ethanol, IPA, xylene, and acetone in the laboratory and generates spent corrosives and solvents. Brenntag representatives indicated the laboratory accumulates the spent solvent in a container and the full container is transferred to the CAA. Inspectors did not observe

a SAA container in the laboratory at the time of the inspection. Outside of the laboratory, inspectors observed a small quality assurance/quality control (QA/QC) sample retention area.

The inspectors returned to this area in the afternoon after the record review. The laboratory established a SAA container in the fume hood for hazardous waste.

Garage - Maintenance Shop

The garage has a work-bay with additional workspace for tools and equipment. Maintenance is conducted on the facility vehicles and equipment. Used oil, used oil filters, and spent cloth rags are generated in this area.

Inspectors observed a 330-gallon tote of used oil, a 55-gallon container of used oil filters, and a drain pan of used oil on a cart labeled with the words “used oil”.

Inspectors observed a 21-gallon self-closing container accumulating cloth rags contaminated with grease and oil. Cloth rags contaminated with waste paint from cleaning the spray gun tip in the chlorine department are transferred to the garage and accumulated with the grease and oil contaminated rags. The cloth rags are laundered by Tritex.

Universal Waste Area

Universal waste batteries and lamps are accumulated in a designated area near the laboratory’s sample retention area. The inspectors observed a sign on the wall with the words “universal waste storage area”. The inspectors observed one 5-gallon container of universal waste batteries marked with the date January 5, 2022 and one container of four-foot universal waste lamps marked with the date January 18, 2022. The containers were closed, in good condition, and labeled with the words “universal waste” (Photograph 14).

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.12(2)(d)4.(i)(I) [40 C.F.R. § 273.15(a)], a SQHUW may accumulate universal waste for no longer than one year from the date the universal waste is generated, or received from another handler, unless the requirements of paragraph (b) of this section are met.

Record Review

RCRA Notification

Inspectors observed that Brenntag did not notify TDEC of the hazardous waste aerosol can residue waste stream.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(2)(b), existing generators except as subparagraph (a) of this paragraph provides otherwise, a person who is a generator of a waste on the effective date of the regulations established under Rule 0400-12-01-.02 which identify that waste as a hazardous waste subject to the requirements of this paragraph must notify the Commissioner within 90 days of that date. Such notification must be submitted on generator notification forms provided by the Commissioner. The form must be completed according to the instructions accompanying it.

Manifests

The hazardous waste manifests, land disposal restriction notifications and nonhazardous waste manifests for 2020 through 2023 were reviewed.

The records for shipments of universal waste, used oil and the laundering of cloth rag were reviewed.

Waste Determination/Profiles/Safety Data Sheets (SDS)

The inspector reviewed waste determination/profile records for nonhazardous waste latex paint (Profile 33007) and nonhazardous waste rags (Profile 33009).

The inspector reviewed the SDSs and waste profiles submitted by Brenntag on June 6, 2023. The waste profiles were all dated June 2, 2023 and included ammonium persulfate (D001), phosphoric acid 85 percent, "Clearitas 820", glycol ether pm acetate (D001), sodium nitrate (D001), salt dendritic, "Selvol 540" and for "Cream of Tarter". The one dented 55-gallon container of unknown material was determined as "Glycerin, USP". Brenntag submitted the SDS and waste profile for "Glycerin, USP".

Brenntag determined the waste paint booth filters were non-hazardous by reviewing SDSs and process knowledge and dispose the filters as special waste. TDEC confirmed a Special Waste Approval.

Contingency Plan

The inspectors reviewed the contingency plan.

Quick Reference Guide

The inspectors reviewed the quick reference guide (QRG)

Arrangements with Local Authorities

The inspectors reviewed the arrangements with the local authorities.

Weekly Container Inspection Records

The inspectors reviewed the weekly container inspection records from November 2020 to the present.

Personnel Training Records

The inspectors reviewed the RCRA training records. Annual RCRA refresher training given to Shawna Stuart, Cody McKinney, Jonathan Stewart and Kara McNabb exceeded one year from the previous training.

Pursuant to Tenn. Comp. R. & Regs. 0400-12-01-.03(1)(h)1.(vii)(III) [40 C.F.R. § 262.17 (a)(7)(iii)], which is a condition of the LQG Permit Exemption, facility personnel must take part in an annual review of the initial training required in paragraph (a)(7)(i) of this section.

The inspectors reviewed the POTW wastewater discharge permit from the City of Chattanooga, Department of Public Works the non-conforming product area standard operating procedures and the waste reduction plan.

12) **Closing Conference**

The inspectors conducted a closing conference with Brenntag representatives. The inspectors stated their preliminary conclusions of the inspection. Inspectors discussed additional deliverables would be requested.

The EPA inspector in an email dated June 5, 2023 requested Brenntag submit documentation and information for the materials in the non-conforming product area and the construction dimensions and capacity of the acid and caustic WWT. Brenntag responded with the documentation and information on June 6, 2023.

13) **Sampling Overview**

Sampling was not conducted.

14) **List of Appendices**

Appendix 1 – Photograph Log:
Photos taken on: May 24, 2023
Photos taken by: William Kappler
Samsung Camera (Model WB250F)
EPA Property Tag# S75917

15) **Signed**

WILLIAM KAPPLER

Digitally signed by WILLIAM
KAPPLER

Date: 2023.07.11 10:40:21 -04'00'

William Kappler
Physical Scientist

Date

Concurrence

ARACELI CHAVEZ

Digitally signed by ARACELI
CHAVEZ

Date: 2023.07.12 13:20:18 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Date

Brenntag Mid-South, Inc.
RCRA CEI Photographs



Non-Conforming Product Area. Inspectors observed container of ammonium persulfate with an oxidizing hazardous indicator and with an orange label 4/21/22. Inspectors also observed a dented container of unknown material and bags of dry material. Photograph 1 taken at 10:05 a.m.



Non-Conforming Product Area. Inspectors observed container of phosphoric acid 85% in an overpack with an orange label 8/29/22. Photograph 2 taken at 10:08 a.m.



Non-Conforming Product Area. Inspectors observed two containers of Clearitas 820. Orange label with date 11/11/20. Photograph 3 taken at 10:08 a.m.

Non-Conforming Product Area. Inspectors observed container of sodium hydroxide, 50% not marked with an orange label. Observed bags of dry material. Photograph 4 taken at 10:08 a.m.



Non-Conforming Product Area. Inspectors observed a dented container of unknown material with no labels or markings next to container of ammonium persulfate. Observed bags of dry material. Photograph 5 taken at 10:08 a.m.

Central Accumulation Area (CAA). Inspectors observed containers of waste were not stored in the CAA at the time of the inspection. Observed sign on wall with words "hazardous waste storage area". Photograph 6 taken at 10:37 a.m.



Acid Wastewater Treatment (Lower). Inspectors observed three lined concrete units to treat acidic wastewater. Effluent is discharged to the POTW. Photograph 7 taken at 11:28 a.m.



Caustic Wastewater Treatment (Upper). Inspectors observed three lined concrete units to treat caustic wastewater. Effluent is discharged to the POTW. Photograph 8 taken at 11:28 a.m.



Chlorine Packaging. Inspectors observed a 55-gallon SAA container of spent solvent from aerosol puncturing. Observed not marked or labeled with the words hazardous waste and not marked or labeled with a hazard indicator. Brenntag representatives labeled the container. Photograph 9 taken at 11:37 a.m.



Chlorine Packaging. Inspectors observed a 55-gallon SAA container of spent solvent from aerosol puncturing. Observed not marked or labeled with the words hazardous waste and not marked or labeled with a hazard indicator. Brenntag representatives labeled the container. Photograph 10 taken at 11:37 a.m.



Chlorine Packaging. Inspectors observed a 55-gallon SAA unlabeled container of spent solvent from aerosol puncturing. Brenntag representatives labeled the container. Photograph 11 taken at 11:47 a.m.



Chlorine Packaging. Blast Cabinet Area. Inspectors observed spent blast media in a small plastic tray and on the floor under the blast cabinet. Observed the blast cabinet was not operating and the container was open. Photograph 12 taken at 11:52 a.m.



Chlorine Packaging. Blast Cabinet Area. Inspectors observed spent blast media in a 10-gallon container next to blast cabinet. Observed the blast cabinet was not operating and the container was open. Photograph 13 taken at 11:53 a.m.



Main Warehouse/Universal Waste Accumulation Area. The inspectors observed a container of waste batteries dated 1/5/22 and a container of waste four-foot lamps dated 1/18/22. Photograph 14 taken at 12:17 p.m.



Chlorine Packaging. Blast Cabinet Area. Inspectors returned to this area and blast media from the plastic tray was transferred to the 10-gallon container and the container closed. Photograph 15 taken at 3:36 p.m.