

**TOXIC SUBSTANCES CONTROL ACT – POLYCHLORINATED BIPHENYL (PCB)
NEUTRAL SCHEME COMPLIANCE MONITORING INSPECTION REPORT**

ECOFLO, Inc.

2750 Patterson Street
Greensboro, North Carolina 27407
EPA ID #: NCD980842132

Report Prepared By: **Kris Lippert**
U.S. Environmental Protection Agency, Region 4
TSCA Enforcement Section
Chemical Safety and Land Enforcement Branch
Enforcement and Compliance Assurance Division
61 Forsyth Street, SW
Atlanta, Georgia 30303
(404)562-8605
Lippert.kristin@epa.gov

Inspectors:	Kris Lippert (Lead)	EPA Region 4, TSCA-PCB Inspector
	Nicolas Haddad	EPA Region 4, TSCA-PCB Inspector
	Michelle Spiezio	ERG – Contractor to the EPA
	Nicholas Baylis	ERG – Contractor to the EPA

Inspection Date: **August 17, 2021**

I. Facility Information:

- A. **Facility Name:** ECOFLO, Inc.
- B. **EPA Project Identification:** NCD980842132
- C. **Year Established:** 1982
- D. **Number of employees:** 45 including sales
- E. **Is Facility Operating:** Yes
- F. **Size of Facility:** 3 acres
- G. **Type of Ownership:** Private
- H. **Last TSCA PCB Inspection:** Unknown
- I. **Nature of Business:** Commercial hazardous waste treatment and storage facility and commercial PCB storage facility
- J. **Primary NAICS/SIC Code:** 562111 and 562112 – Solid and Hazardous Waste Collection
- K. **Site Latitude and Longitude:** 36.058380, -79.838470
- L. **Parent Company Name & Address:** ECOFLO Holding, Inc
Paul A. McAllister, Sole Owner

II. Date and Time of Inspection: August 17, 2021 at 10:00am

III. Inspection Participants:

- A. U.S. Environmental Protection Agency: Kris Lippert, TSCA-PCB Lead Inspector; Nicolas Haddad, TSCA-PCB; Michelle Spiezio, ERG; and Nicholas Baylis, ERG
- B. ECOFLO: Graeme Manning and Stuart Stapleton

IV. Responsible Facility Contact:

Graeme Manning
Vice President Operations
ECOFLO, Inc.
2750 Patterson Street
Greensboro, North Carolina 27407
gmanning@ecoflo.com
336-617-2717 direct
336-517-9264 cell

V. Inspection Objectives:

The inspection was conducted to ensure compliance with Section 15 of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2614, the PCB regulations promulgated in 40 C.F.R Part 761 and the April 29, 2019, Commercial Storage PCB Approval.

VI. Credentials, Notice of Inspection, and TSCA Inspection Confidentiality Notice:

Graeme Manning signed the Notice of Inspection Form and the Confidentiality Notice.

VII. Inspection Summary:

A. History:

ECOFLO is a TSCA-Approved PCB Storage facility under 40 C.F.R. § 761.65 that also provides comprehensive waste management and industrials services. Specifically, ECOFLO is a commercial hazardous waste treatment and storage facility that conduct the following activities on-site: hazardous waste storage (container and roll-off storage), tanker loading and unloading, bulking/consolidation, blending, material mixing, filtering, physical treatment, acid neutralization, decanting, aerosols processing, and non-hazardous waste solidification. The facility originally received a Commercial PCB Storage Approval on December 10, 2002 and the current Approval became effective on April 29, 2019. ECOFLO is approved to store up to 3,520 gallons of PCBs.

ECOFLO owns and operates its own fleet of trucks, trailers, and tankers to provide local and long-distance transportation throughout the Southeastern United States. Although, the majority of vehicles used for transporting wastes to and from the facility are owned and operated by ECOFLO, the facility also occasionally uses outside common carriers for transportation needs.

Once waste is verified and received into the facility's receiving and staging area, ECOFLO creates a bar code label for each waste container. In addition to the bar code, the label includes a unique tracking number, a custom number, ECOFLO's EPA ID number, the storage start date, a physical description, the EPA waste codes, the volume, the designated treatment code, the destination information, the DOT shipping information, and a reference to the material characterization form and manifest.

B. Inspection:

At the time of the inspection, the PCB Storage Area (southeast section of the Compatibles Storage Area) had four (4) 5-gallon containers of PCB waste: Container Number 3006018 with ECOFLO Received Date 2/23/21; Container Number 3017927 with ECOFLO Received Date 3/31/21; Container Number 3056856 with ECOFLO Received Date 8/11/21; and Container Number 2565130 with ECOFLO Received Date 12/21/20.

All four (4) PCB containers were in good condition, closed, not leaking, and stored on a containment pallet. None of the four (4) containers had a removed from service date on the outside of the bucket. Container Numbers 3006018 and 2565130 did not have a PCB M_L mark.

The PCB storage area had adequate aisle space, berms, concrete flooring with no visible cracks, walls, roof, and a PCB M_L mark on one wall of the Compatibles Storage Area.

C. Records Review:

During the inspection, the inspectors reviewed the following: June 26, 2018, Renewal Application for PCB Commercial Storage Permit; October 28, 2018, PCB Closure Cost Update;

PCB Annual Report for inbound and outbound manifest numbers for 2019 and 2020; Monthly PCB inspection logs for 2020 and 2021; and the current PCB waste inventory.

The below chart was provided by ECOFLO during the inspection which was their record of the current PCB waste inventory for the day of the inspection.

Container Number	Mandatory Removal Date	Out of Service Date	Generator Ship Date	ECOFLO Received Date	Inbound Manifest Number
3006018	11/10/21	2/8/21	2/8/21	2/23/21	010128249JJK
3017927	12/25/21	3/25/21	3/30/21	3/31/21	001128097WAS
3043899	03/16/22	6/14/21	6/14/21	6/28/21	001155549WAS
3056856	03/09/22	6/7/21	8/11/21	8/11/21	001174410WAS

The contents of the 5-gallon container with Container Number 3043899 (laboratory vials) were reclassified as a flammable waste and not PCB waste prior to the day of the inspection, however this container was still on ECOFLO's current PCB waste inventory. The vials in Container Number 3043899 were consolidated with other flammable laboratory vials and placed in Container Number 3048290 and moved to the flammable storage area.

D. Potential Areas of Non-Compliance:

1. Failure to mark PCB Items with a date of removal from service for disposal

40 C.F.R. § 761.65(c)(8) and ECOFLO's Approval Condition IV.F.2 & 3 require that PCB Items must be marked with the date when they are removed from service for disposal. At the time of the inspection, ECOFLO did not mark four (4) 5-gallon containers (Containers 3056856, 3006018, 2565130, and 3017927) with a removed from service date. ECOFLO also could not obtain a removed from service date from its records for Container 2565130 at the time of the inspection.

2. Failure to mark a PCB Items with the M_L mark

40 C.F.R. § 761.40 and ECOFLO's Approval Condition IV.F.2 require that PCB Items must be marked with an M_L label in accordance with § 761.45. At the time of the inspection, ECOFLO failed to mark two (2) PCB Containers (Containers 3006018 and 2565130) stored in the Approved PCB Storage Area with a PCB M_L label.

3. Failure to have a complete and accurate inventory of PCB wastes

ECOFLO's Approval Condition III.H.1 requires ECOFLO to maintain inventory records on-site. At the time of the inspection, the PCB Containers stored in the on-site PCB Storage Area did not match the PCB inventory provided during the inspection. Container 3043899

was determined before the day of the inspection to not contain PCBs and removed from the PCB Storage Area. Container 3043899 was still in ECOFLO's PCB Inventory at the time of the inspection. PCB Container 2565130 was being stored in ECOFLO's PCB Storage Area but was not in ECOFLO's PCB Inventory at the time of the inspection.

4. Failure to conduct adequate monthly PCB inspections

40 C.F.R. § 761.65(c)(5) and ECOFLO's Approval Condition IV.J.1 require that all PCB Items in storage be checked at least once every 30 days and records of those inspections shall be maintained in accordance with § 761.180(a) and (b). ECOFLO did not **adequately** inspect and/or document the monthly inspections of PCB Items stored in the on-site Approved PCB Storage Area. The PCB Containers stored on-site during the inspection did not match the PCB inventory provided during the inspection. Container 3043899 was determined before the day of the inspection to not contain PCBs and removed from the PCB Storage Area. Container 3043899 was still in ECOFLO's PCB Inventory at the time of the inspection. PCB Container 2565130 was being stored in ECOFLO's PCB Storage Area but was not in ECOFLO's PCB Inventory at the time of the inspection. Additionally, two (2) PCB Containers were being stored in ECOFLO's PCB Storage Area without PCB ML marks on the outside of the container. ECOFLO's Approval specifically requires that container labeling must be inspected. Monthly inspections should verify that the PCB wastes stored in the PCB Storage Area are consistent with the current PCB Inventory records. ECOFLO's most recent monthly inspection of the PCB Storage Area conducted on July 30, 2021, indicated that the labeling of the containers were in order and that the following containers were in the PCB Storage Area: seventeen (17) 5-gallon pails, one (1) 12-gallon fiber drum (df), one (1) 30-gallon fiber box (cf), and three (3) 5-gallon metal drums (dm). ECOFLO incorrectly documents both PCB containers and non-PCB containers on the Monthly PCB Inspection Log.

E. Other Issues, Concerns, or Recommendations:

The EPA recommends that ECOFLO review the requirements of personnel training found in the PCB storage Approval Condition III.D. ECOFLO trains all employees on-site at least monthly in all aspects of waste management, but the facility needs to be able to document the PCB training given to new employees in accordance with the PCB storage Approval.

The EPA would like to remind the facility to review 40 C.F.R. §§ 761.65 (a)(1), 761.65(c)(8) and ECOFLO's Approval Condition IV.F.4 that require all PCBs and PCB Items to be dated with a removed from service date determined by the generator and disposed of within 1-year after they are taken out of service.

VIII. Index of Attachments

- A. Notice of Inspection and TSCA Inspection Confidentiality Notice
- B. Photographs

IX. Report Approval

Report – Primary Author

Kris Lippert
Lead TSCA – PCB Inspector
U.S. EPA Region 4
TSCA Enforcement Section

Date

Report - Approver

F. Bryce Covington
Chief
TSCA Enforcement Section

Date



U.S. ENVIRONMENTAL PROTECTION AGENCY
Washington, DC 20460

TOXIC SUBSTANCES CONTROL ACT

NOTICE OF INSPECTION

1. INVESTIGATION IDENTIFICATION:			3. FACILITY NAME
DATE 8/17/2021	INSPECTOR NO. 1	DAILY SEQ. NO. 1	EcoFlo, Inc
2. INSPECTOR'S ADDRESS 61 Forsyth Street Atlanta, GA 30303			3. FACILITY ADDRESS 2750 Patterson Street Greensboro, NC 27407

For Internal EPA Use. Copies may be provided to recipient as acknowledgment of this notice.

REASON FOR INSPECTION

Under the authority of Section 11 of the Toxic Substances Control Act:

☒ For the purpose of inspecting (including taking samples, photographs, statements, and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures, articles containing same are manufactured, processed, stored or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyances being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the ACT are applicable to the chemical substances, mixtures, or articles within, or associated with, such premise or conveyance have been complied with.

☐ In addition, this inspection extends to (check appropriate blocks):

- | | |
|--|--|
| ☐ A. Financial data | ☐ D. Personnel data |
| ☐ B. Sales data | ☐ D. Research data |
| ☐ C. Pricing data | |

The nature and extent of inspection of such data specific in A through E above is as follows:

INSPECTOR SIGNATURE: 		RECIPIENTS SIGNATURE: 	
NAME: Kris Lippeert		NAME: GRAEME MANNING	
TITLE: Env. Engineer	DATE SIGNED: 8/17/2021	TITLE: VP OPERATIONS	DATE SIGNED: 8/17/21

EPA FORM 7740-3 (REVISED JULY 1997) CORE TSCA - PREVIOUS VERSIONS ARE OBSOLETE

INSPECTOR'S COPY

PCB Inspection Logbook
RCRD-FORM-08-R0

Page 15 of 24

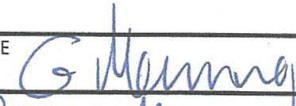
Effective Date: March 31, 2017



U.S. ENVIRONMENTAL PROTECTION AGENCY
Washington, DC 20460

TOXIC SUBSTANCES CONTROL ACT

TSCA INSPECTION CONFIDENTIALITY NOTICE

1. INVESTIGATION IDENTIFICATION			4. FACILITY NAME	
DATE 8/17/2021	INSPECTION NO. 1	DAILY SEQ. NO. 1	Ecoflo, Inc	
2. INSPECTOR'S NAME Kris Lippeart			5. ADDRESS 2750 Patterson Street Greensboro, NC 27407	
3. INSPECTOR'S ADDRESS 61 Forsyth Street Atlanta, GA 30303			6. NAME OF CHIEF EXECUTIVE OFFICER	
			7. TITLE	
For Internal EPA Use. Copies may be provided to recipient as acknowledgment of this notice.				
TO ASSERT A TSCA CONFIDENTIAL BUSINESS INFORMATION CLAIM				
It is possible that EPA will receive public requests for release of the information obtained during the inspection of the facility cited above. Such requests will be handled by EPA in accordance with provisions of the Freedom of Information Act (FOIA), 5 USC 552; EPA regulations issued thereunder, 40 CFR, Part 2; and the Toxic Substances Control Act (TSCA), Section 14. EPA is required to make inspection data available in response to FOIA requests unless the EPA Administrator determines that the data is entitled to confidential treatment, or may be withheld from release under other exceptions of FOIA. Any or all information collected by EPA during the inspection may be claimed as confidential if it relates to trade secrets, commercial, or financial matters that you consider to be confidential business information (CBI). If you assert a CBI claim, EPA will disclose the information only to the extent, and by means of the procedures set forth in the regulations (cited above) governing EPA's treatment of CBI. Among other things, the regulations require that EPA notify you in advance of publicly disclosing any information claimed as CBI. A CBI claim may be asserted at any time prior to, during, or after the information is collected. This notice was developed by EPA to assist you in asserting a CBI claim. If it is more convenient for you to assert a CBI claim on your own stationery or by making the individual documents or samples "TSCA confidential business information," it is not necessary for you to use this notice. The inspector will be glad to answer any questions you may have regarding EPA's CBI procedures. While you may claim any collected information or sample as CBI, such claims are not likely to be upheld if they are challenged unless the information meets the following criteria: 1. Your company has taken measures to protect the confidentiality of the information and it intends to continue to take such measures.			2. The information is not, and has not been, reasonable obtainable without your company's consent by other persons (other than governmental bodies), or by use of legitimate means (other than discovery based on showing of special need in a judicial or quasi-judicial proceeding). 3. The information is not publicly available elsewhere. 4. Disclosure of the information would cause substantial harm to your company's competitive position. At the completion of the inspection, you will be given a receipt for all documents, samples, and other materials collected. At the time, you may make claims that some or all of the information is CBI. If you are not authorized by your company to assert a CBI claim, this notice will be sent by certified mail, along with the receipt for documents, samples, and other materials to the Chief Executive Officer of your company within 2 days of this date. The Chief Executive Officer of your company must return a statement specifying any information which should receive CBI treatment. The statement from the Chief Executive Officer should be addressed to: and mail by registered, return-receipt requested mail within 7 calendar days of receipt of this notice. Claims may be made at any time after the inspection, but the inspection data will not be entered into the TSCA/CBI security system until an official confidentiality claim is made. The data will be handled under EPA's routine security system unless and until a claim is made.	
TO BE COMPLETED BY FACILITY OFFICIAL RECEIVING THIS NOTICE I acknowledge receipt of this notice:			If there is no one on the premise who is authorized to make CBI claims for this facility, a copy of this notice and other inspection material will be sent to the company's Chief Executive Officer. If there is another official who should also receive this information, please designate below.	
SIGNATURE 			NAME	
NAME GRAEME MANNING			TITLE	
TITLE VP OPERATIONS			DATE SIGNED 8/17/2021	
			ADDRESS	

EPA FORM 7740-4 (REVISED JULY 1997) PREVIOUS VERSIONS ARE OBSOLETE

INSPECTOR'S COPY

PCB Inspection Logbook
RCRD-FORM-08-R0

Page 16 of 24

Effective Date: March 31, 2017

Photographs



Photo 1: View of the sign outside of ECOFLO's facility.



Photo 2: View of ECOFLO's facility from the street.



Photo 3: View of 4 PCB 5-gallon containers on a containment pallet in the PCB Storage Area.



Photo 4: A closer view of the 4 PCB 5-gallon containers in Photo 3. Two containers had PCB M_L marks on the outside of the containers and 2 containers did not. None of the PCB containers had a removed from service date.

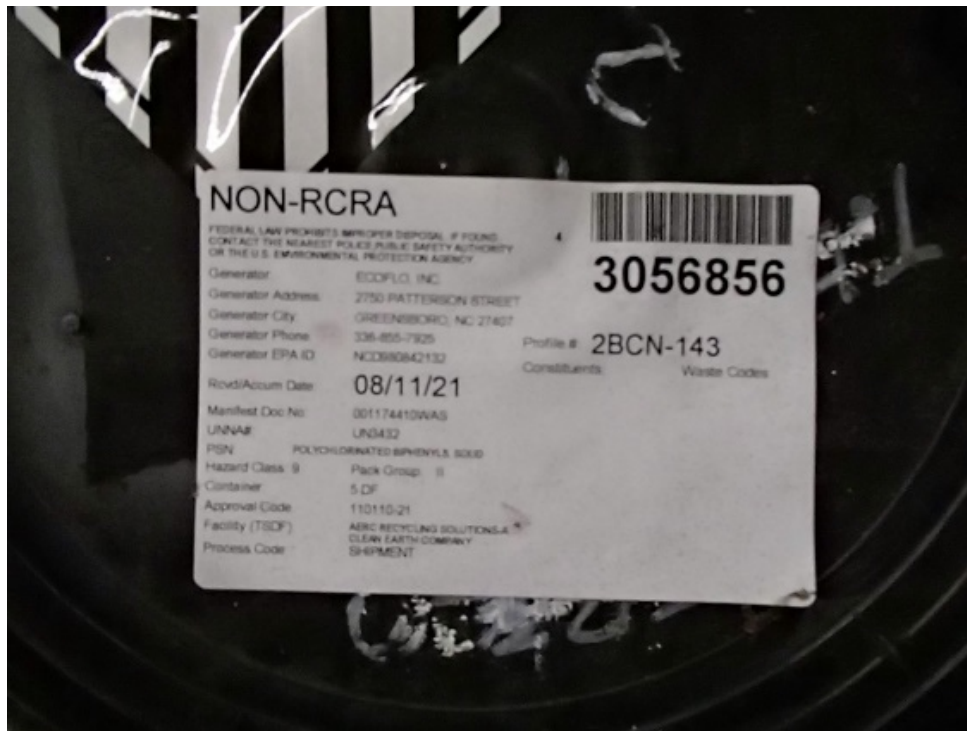


Photo 5: A view of the top label on PCB Container 3056856. The date on the container is the date ECOFLO received the container. There is no removed from service date on the container. Container 3056856 had a PCB M_L mark on the outside of the container.

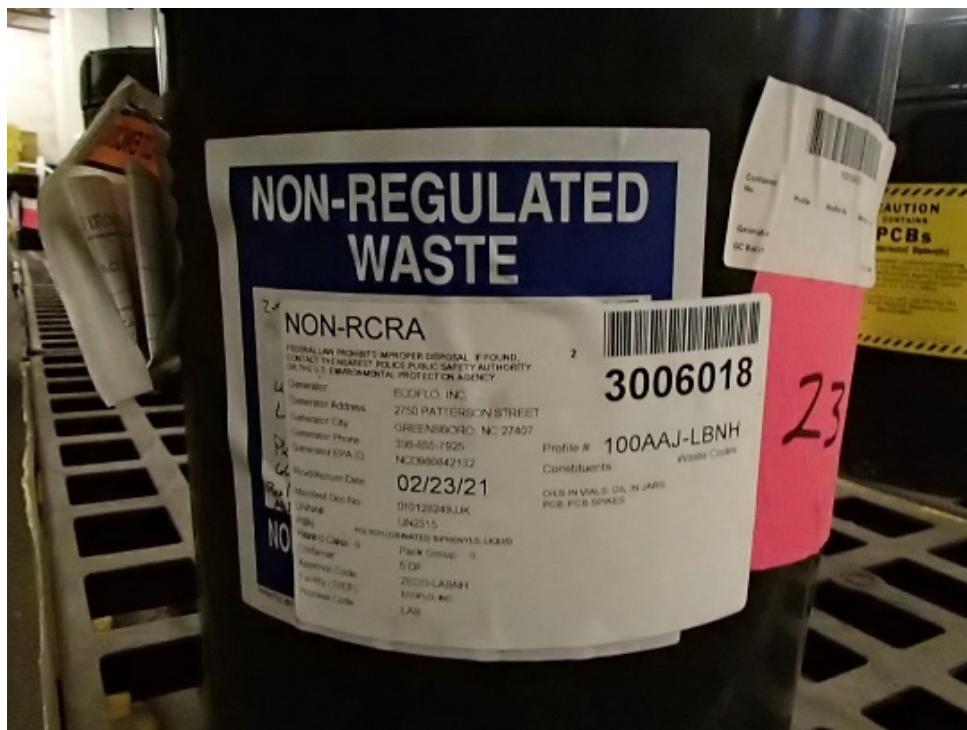


Photo 6: View of PCB Container 3006018. Container 3006018 did not have a PCB M_L label on the outside of the container. There is no removed from service date on the container only a date ECOFLO received the container.

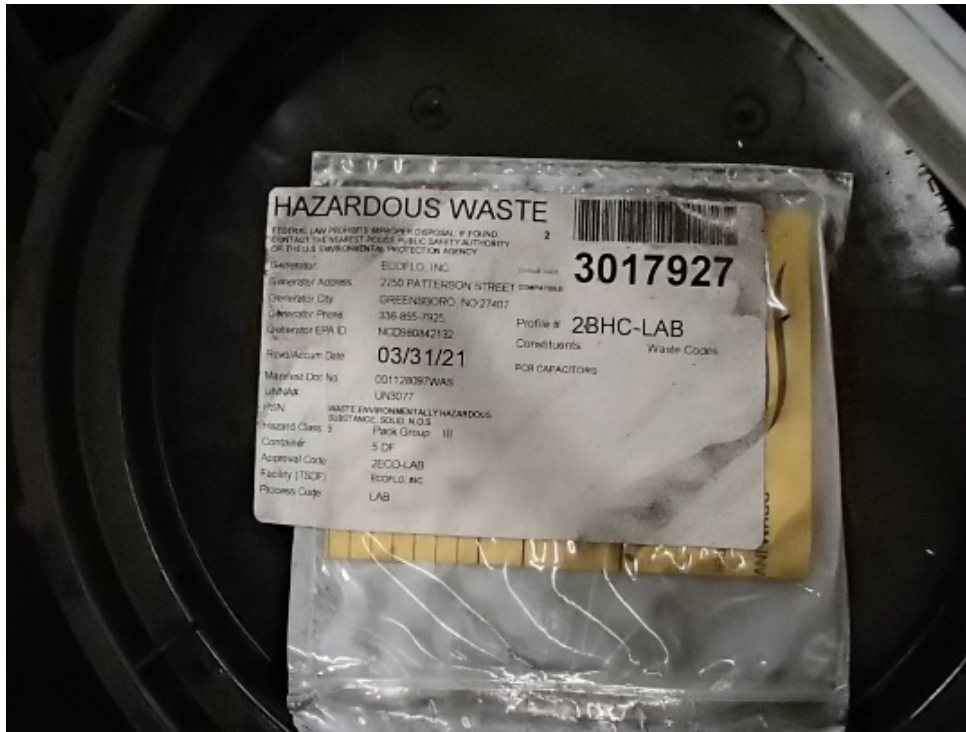


Photo 7: A view of the top label on PCB Container 3017927. The date on the container is the date ECOFLO received the container. There is no removed from service date on the container. Container 3017927 had a PCB M_L mark on the outside of the container.

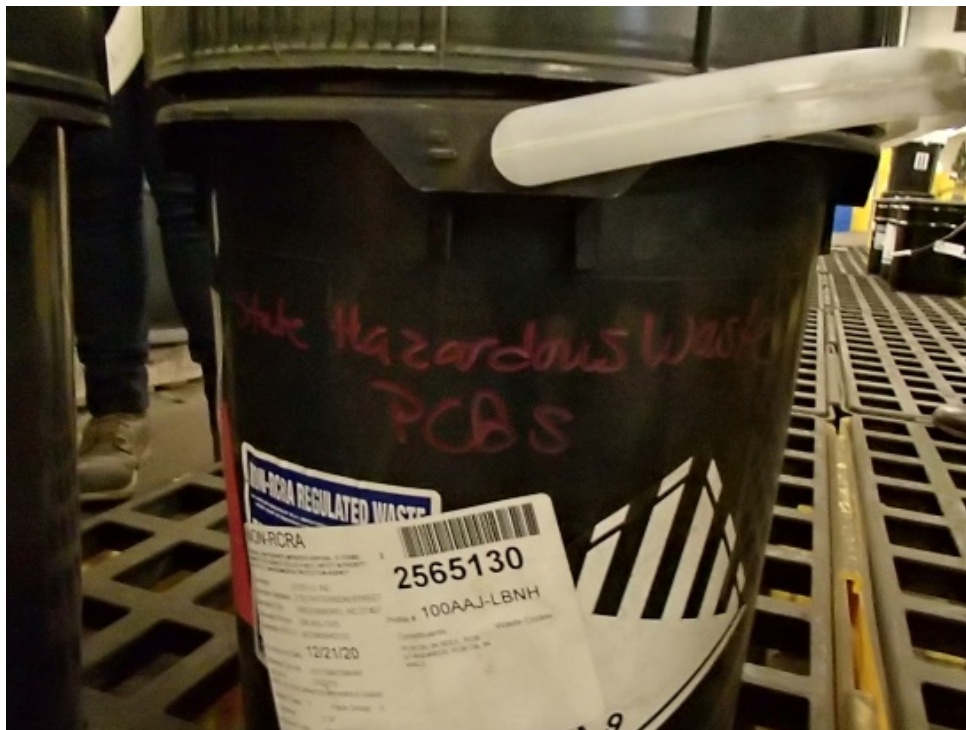


Photo 8: View of PCB Container 2565130 with a handwritten “PCBs” marking on the side of the container. Container 2565130 did not have a PCB M_L label on the outside of the container. There is no removed from service date on the container only a date ECOFLO received the container. PCB Container 2565130 was not in ECOFLO’s PCB Inventory.



Photo 9: View of the Approved PCB Storage Area from main corridor in warehouse. Four PCB containers are located in the center of the photo to left of blue drums.