

RCRA Inspection Report

1) Inspector and Author of Report

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2) Facility Information

U.S. Department of Veterans Affairs
Atlanta VA Health Care System
1670 Clairmont Road
Decatur, Georgia 30033
DeKalb County

EPA ID No.: GA7360015450

3) Responsible Officials

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4) **Inspection Participants**

Terry Elliott, Atlanta VA Health Care System
Ada Pabon, Atlanta VA Health Care System
John Heppel, Atlanta VA Health Care System
Jasmine Flournoy, GA Department of Natural Resources, Environmental Protection Division
William Kappler, U.S. Environmental Protection Agency, Region 4

5) **Date and Time of Inspection**

July 14, 2021, at 9:00 a.m.

6) **Applicable Regulations**

Georgia Hazardous Waste Management Act, as amended, O.C.G.A. § 12-8-60 *et seq.* [Resource Conservation and Recovery Act (RCRA) Sections 3005 and 3007 (42 U.S.C. §§ 6925 and 6927)] and the Georgia Hazardous Waste Management Rules (GHWMR), Ga. Comp. R. and Regs. 391-3-11.01 to 391-3-11.18 (2016 and 2018) [40 Code of Federal Regulation (C.F.R.), Parts 260 - 270, 273, 278, & 279].

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**

On July 8, 2021, EPA inspector William Kappler contacted the U.S. Department of Veterans Affairs, Atlanta VA Health Care System, (hereinafter, "Atlanta VA" or the "facility") to discuss a joint RCRA compliance evaluation inspection (CEI) with the Georgia Department of Natural Resources, Environmental Protection Division (GAEPD). The inspector introduced himself and explained the purpose of the RCRA CEI, including the date and time of the RCRA inspection, notification procedures due to the Covid-19, the EPA health and safety procedures, general areas for inspection and RCRA records needed for review. The Atlanta VA explained health and safety procedures and the RCRA records for review.

On July 8, 2021, the EPA inspector sent an email to the Atlanta VA to confirm the date and time of the RCRA inspection, with the inspector's business card, a list of the RCRA records needed for review and an EPA small business resources information sheet. The Atlanta VA was not able to electronically submit the RCRA records but requested the inspector complete an online COVID 19 questionnaire in an email to the EPA on June 13, 2021.

On July 14, 2021, William Kappler accompanied by GAEPD inspector Jasmine Flournoy conducted an announced CEI at the Atlanta VA, to determine the compliance status of the facility with the RCRA and the State of Georgia regulations. This was an EPA-lead inspection. The inspectors arrived at the Atlanta VA and were greeted and introduced to numerous Atlanta VA representatives during an opening conference. The inspectors introduced themselves, showed credentials, provided business cards, explained the purpose of the visit, discussed the physical

inspection, the RCRA record review, possible equipment to be used, and discussed the small business resource information and CBI.

Following the opening conference, the inspectors were escorted by the Atlanta VA Safety Office staff to a conference room for an overview of the facility's history, current operations, areas where hazardous waste is generated and its handling and management. The inspectors described the possible use of a digital camera during the inspection and the facility's ability, pursuant to 40 C.F.R. §2.203, to assert a business confidentiality claim for information submitted to the EPA. The facility did not assert a business confidentiality claim. Atlanta VA 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. Health and safety protocols and required personal protective equipment were discussed. Ms. Terry Elliott, Ms. Ada Pabon and Mr. John Heppel, of Atlanta VA led the inspectors on a tour of the facility.

8) Facility Description

Atlanta VA is located at 1670 Clairmont Road, Decatur, Dekalb County, Georgia. The facility has been at this location since 1960 and consists of 26.2 acres of property associated with the VA Medical Center. The U.S. government owns the property. The facility employs 4,800 to 5,000 people and operates seven days per week, 24 hours per day. The regular hours of operation are Monday through Friday from 8:00 a.m. to 5:00 p.m. The facility consists of one main building ("Medical Center") consisting of 1.6 million square feet of space. Potable water and domestic waste services is provided by Dekalb County. The primary NAICS code for the facility is 622110, general medical and surgical hospital.

Atlanta VA's most recent notification of its regulated waste activity to GAEPD was on June 9, 2021, notifying as a large quantity generator of hazardous waste (LQG) and a small quantity handler of universal waste (SQHUW).

9) General Process Description

The Atlanta VA is a full-service 363 bed hospital providing veterans with emergency care, outpatient/inpatient surgery, long term care, chemotherapy treatment, physical therapy, mental health services, and research operations. The facility provides a full range of patient care services with state-of-the-art technology, education, and research. Comprehensive health care is provided through primary care, medicine, surgery, psychiatry, psychology, neurology, oncology, dentistry, geriatrics, extended care, and physical medicine and rehabilitation. The facility is not a trauma center.

The Atlanta VA operates a maintenance shop, conducting plumbing, electrical, biomedical equipment, renovations, general painting, and boiler maintenance operations.

The Medical Center – Building 1 is comprised of four wings (A, B, C, and D). Wing A was constructed between 1991 and 1994. Wing A includes the administration functions, research laboratories and hemodialysis services. Wing B – "Ambulatory Care" ground floor and first floor were constructed in 1980, the second floor in 1986, and the third floor in 2016. Wing B includes all clinical laboratories and operating rooms. Wing C – Main Tower was constructed in 1966.

Wing C includes the inpatient pharmacy, respiratory services, physical and occupational therapies, nutrition, and food services. Wing D – a 120 bed Community Living Center was constructed in 1983. Wing D includes safety services and engineering services. The Community Living Center is no longer operational.

10) Previous Inspection History

The Atlanta VA was last inspected by the GAEPD on May 30, 2018, as a small quantity generator of hazardous waste (SQG). The facility was cited for accumulating hazardous waste on-site for more than 180 days without obtaining a hazardous waste storage permit, for not maintaining aisle space in the hazardous waste storage building, for not marking or labeling containers in the hazardous waste storage building with the words “Hazardous Waste”, for not marking or labeling containers in the hazardous waste storage building with an indication of the hazard of the container content, for not marking or labeling containers in the hazardous waste storage building with the start date of accumulation, and for not marking or labeling the containers of universal waste lamps with the earliest date that the container of universal waste lamps became a waste.

Atlanta VA was last inspected by the EPA on December 4, 1995 for compliance with the federal and the State of Georgia hazardous waste regulations.

11) Findings

The information in this RCRA inspection report is based on the EPA’s July 14, 2021, RCRA CEI.

Central Accumulation Area (CAA 90-Day)

The CAA 90-Day is located outdoors between Parking Deck F and Parking Deck E. Hazardous waste is accumulated in containers for 90-days or less. The CAA is a 1,050 square foot portable steel shed constructed with double steel doors. The shed is constructed with a steel secondary containment system and covered with a grated steel floor. The inspectors observed an overhead wet chemical fire suppression system. The inspectors observed signs on the doors with the words, “No Smoking” and “Hazardous Materials Storage Building, contact the Industrial Hygienist at Ext 206115 or (404) 538-6703 (GEMS)” (Photograph 2).

The inspectors observed nine 18-gallon containers accumulating hazardous waste solvents and corrosives. The containers were closed, in good condition with aisle space, labeled with the words hazardous waste and marked with dates in June or July 2021. The inspectors observed the containers were not labeled or marked indicating the hazards of the container contents (Photograph 1). At the time of the CEI, the facility placed new labels on each container and marked each label indicating the corrosive hazard of the container contents (Photographs 15 and 16).

The inspectors observed a yellow overpack container accumulating “clean up spill diesel”. The container was closed, in good condition with aisle space, labeled with the words hazardous waste and marked with the date July 8, 2021. The inspectors observed the container was not labeled or marked indicating the hazards of the container contents. At the time of the CEI, the facility marked the container with the word “Flammable” (Photograph 17). The inspectors observed spill

control and emergency equipment and an eye wash and shower station. Communications are conducted by radio and cell phone.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17], a generator of 1,000 kilograms or greater of hazardous waste in a calendar month is a Large Quantity Generator (LQG) and may accumulate hazardous waste on-site for 90 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. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)(B)], which is a condition of the LQG Permit Exemption, a large quantity generator must mark or label its containers with the following: 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).

Universal Waste Accumulation Shed

The Universal Waste Accumulation Shed (UW Shed) is located outdoors between Parking Deck F and Parking Deck E. The UW Shed is a 1,050 square foot portable steel shed constructed with double steel doors. The shed is constructed with a steel secondary containment system and covered with a grated steel floor.

The inspectors observed 23 containers accumulating four-foot waste lamps and two containers accumulating U-shaped waste lamps that were closed and in good condition. Twenty-one containers were labeled with the words universal waste and marked with the dates October 2, 2020 or October 20, 2020. The inspectors observed two containers of waste lamps were not marked or labeled with the words universal waste and not marked with a date (Photograph 3). The inspectors observed three five-gallon containers accumulating waste batteries that were not marked or labeled with the words universal waste and not marked with a date (Photograph 5 and 6). At the time of the CEI, the facility labeled the two containers of waste lamps and the three containers of waste batteries with the words universal waste and marked the containers with the date October 2, 2020 (Photographs 4 and 7).

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) means a universal waste handler who does not accumulate 5,000 kilograms or more total of universal waste (batteries, pesticides, mercury-containing equipment, or lamps, calculated collectively) at any time.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18, [40 C.F.R. § 273.14(e)], a SQHUW must label or mark each lamp or container of lamps clearly with one of the following phrases: “Universal Waste-Lamp(s),” or “Waste Lamp(s),” or “Used Lamps.”

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18, [40 C.F.R. § 273.14(a)], a SQHUW must label or mark each battery or container of batteries clearly with one of the following phrases: “Universal Waste-Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies).”

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18, [40 C.F.R. § 273.15(a) and (c)], a SQHUW may accumulate universal waste no longer than one year and must be able to demonstrate the length of time that the universal waste has accumulated from the date that it became a waste or was received.

Wing A - Research Department Fifth Floor 90-Day or Less Accumulation Area

Hazardous waste generated in the research laboratories is transferred from the satellite accumulation areas (SAA) to a 90-Day or Less Accumulation Area located in Room 5A-178.

The inspectors observed a multi-level metal shelf accumulating a one-gallon container, a one-quart container and a small bottle accumulating hazardous waste. The containers were closed, in good condition with aisle space, labeled with the words hazardous waste, marked with dates in July 2021, and labeled with an indication of the hazards of the container contents. The inspectors observed eight one-liter containers of non-hazardous waste.

Located next to the metal shelf the inspectors observed a yellow fire cabinet accumulating four four-liter containers, two one-quart containers, three one-gallon containers, three small bottles and three two-liter containers of assorted waste solvents (methanol, xylene, isopropyl alcohol, acetonitrile). The containers were closed, in good condition with aisle space, labeled with the words hazardous waste, marked with dates in July 2021, and labeled with an indication of the hazards of the container contents (Photograph 8).

The inspectors observed a blue cabinet labeled with words “hazardous waste acids only”, accumulating five containers ranging from about 100-milliliters to 500-milliliters of corrosive, reactive and toxic waste (HCL, acetic acid, silver nitrate). The containers were closed, in good condition with aisle space, labeled with the words hazardous waste, marked with dates in July 2021, and labeled with an indication of the hazards of the container contents (Photograph 9).

Wing B – Clinical Department Second Floor 90-Day or Less Accumulation Area

Hazardous waste generated in the histology, cytology, hematology, and microbiology laboratories is transferred from the SAA to a 90-Day or Less Accumulation Area located in Room 2B-176. Each laboratory has a supervisor. The inspectors observed a 55-gallon container accumulating spent solvents and water. The container was closed, in good condition with aisle space, labeled with the words hazardous waste, marked with date June 20, 2021, and labeled with an indication of the hazards of the container contents (Photograph 10 and 11). The hazardous waste label on the top of the container was beginning to deteriorate.

Cytology Laboratory – Second Floor

The Cytology Laboratory is in Room 2B-186. The laboratory processes wet tissue samples to determine the growth of cancer and other infectious diseases. The tissue sample is received in a small container preserved with methanol. The sample is centrifuged and then a thin preparation is placed on a slide. The slide is processed in 95 percent ethanol and then stained in an automated “Varistain Gemini” instrument. The stains contain a mixture of alcohol, methanol, and xylene. Approximately 40 slides can be stained per a 300-milliliter container of stain. The stains are

emptied from the instrument approximately once a week and accumulated in a container. The inspectors observed a SAA with a yellow fire cabinet accumulating an empty one-gallon container labeled with the words hazardous waste. The container was closed, in good condition with aisle space. The container was not labeled or marked with an indication of the hazards of the container contents (Photograph 12). A container accumulating hazardous must be labeled or marked with an indication of the hazards of the container contents.

Maintenance Shop

General facility repair and maintenance operations are conducted. Jack Tibadeau is the maintenance shop supervisor. The inspectors observed a storage cabinet containing aerosol products (Photographs 13 and 14). The aerosols are used at the locations where the repair and maintenance work are performed and returned to the maintenance shop cabinet. Spent aerosols are disposed as municipal solid waste (MSW). Mr. Tibadeau indicated the aerosol cans are empty when disposed. The inspectors reviewed the information on several aerosols and requested the safety data sheets (SDS) for review. Aerosol cans should be managed in accordance with the applicable regulations.

12) Waste Management Practices

Hazardous waste is generated from the laboratory operations and general facility maintenance operations (D001, D002, D003, D005, D009, D011, D022, F003, P001, P042, P075, P105, U002, U003, U010, U044, U058, U154, U162, U188, U219, U248). The facility generates spent laboratory solvents, waste paint and solvent, water-based paint waste, waste medications and pharmaceuticals (Warfarin P001 and U248), used oil, waste aerosol cans, and universal waste fluorescent lamps and batteries. Warfarin is the most generated pharmaceutical at the facility. Most Warfarin at a concentration ≤ 0.3 percent is determined to be a U248 hazardous waste. Warfarin at a concentration of ≥ 0.3 percent (P001) is also generated at a rate that could exceed the acute hazardous waste amount for a large quantity generator in a calendar month.

The facility manages the hazardous waste in containers in designated satellite accumulation areas and transfers hazardous waste to the 90-day or less accumulation area, prepares the hazardous waste for packaging and on-site management, prior to shipping the hazardous waste using the manifest system to a treatment, storage, or disposal facility (TSDF).

Atlanta VA used the following transporters in 2018 through 2021.

American Transportation Solutions, LLC – PAR000521740

Atlanta VA used the following TSDF in 2018 through 2021.

MKC Enterprises, Inc. – GAD000616367

13) Record Review

The inspectors conducted the RCRA record review at the facility.

Manifests

The manifests for the shipment of hazardous waste were reviewed from June 2018 to May 2021.

Universal Waste Manifests

The universal waste manifests for the shipment of lamps and batteries were reviewed.

Waste Profiles and Safety Data Sheets

The inspectors reviewed waste profiles and safety data sheets (SDS). The inspectors reviewed the SDS for the aerosols Eversolv 143, Lift Off, Foremost 1201 HD Cutting Oil, DRI penetrating compound, PEN penetrating oil, and PGR paint remover used in the maintenance shop. The inspectors observed the following from review of the SDSs.

DRI penetrating compound contains perchloroethylene at 60 to 100 percent by weight, PEN penetrating oil contains perchloroethylene at less than 80 percent by weight and PGR paint remover contains methylene chloride at 40 to 70 percent by weight and methanol at 7 to 13 percent by weight. Perchloroethylene is RCRA regulated for the toxicity characteristic at the concentration equal to or greater than 0.7 milligrams/Liter. Perchloroethylene, methylene chloride and methanol may meet the listing from non-specific sources pursuant to 40 C.F.R. § 261.31.

The facility should conduct an audit of the aerosols and chemicals used in the maintenance shop to determine the potential waste streams, hazardous waste handling and management operations and comply with all requirements of the RCRA regulations.

Contingency Plan

The contingency plan (Plan) was reviewed. The Plan was revised on June 8, 2021. The inspectors observed the Plan did not have a description of the emergency and decontamination equipment's capability. The Plan did not provide evacuation routes and alternative evacuation routes for employees to use.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1), [40 C.F.R. § 262.261(e)], which is a condition of the LQG Permit Exemption, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1), [40 C.F.R. § 262.261(f)], which is a condition of the LQG Permit Exemption, this plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).

Quick Reference Guide

The quick reference guide (QRG) was reviewed. The inspectors observed the QRG did not include the water supply flow rates.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1), [40 C.F.R. § 262.262(b)(6)], which is a condition of the LQG Permit Exemption, The locations of water supply (e.g., fire hydrant and its flow rate).

Arrangements with Local Authorities

The records on arrangements with the local authorities were reviewed.

Weekly Container Inspection Records

The weekly container inspection records from June 2018 to July 7, 2021 were reviewed. A record of the weekly container inspection from August 27, 2020 to September 21, 2020 and from September 21, 2020 to October 15, 2020 were not observed in the records reviewed.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1), [40 C.F.R. § 262.17(a)(1)(v)], which is a condition of the LQG Permit Exemption, a generator is required to, at least weekly, inspect central accumulation areas looking for leaking containers and for deterioration of containers caused by corrosion or other factors.

Personnel Training

The inspector reviewed the training certificates for RCRA training given to employees handling and managing hazardous waste for 2019, 2020, and 2021. The job titles and position descriptions were reviewed.

Land Disposal Restriction Notice

The land disposal restriction documents were reviewed.

14) Closing Conference

Upon conclusion of the inspection, a closing conference was conducted in the presence of the U.S. Department of Veterans Affairs, Atlanta VA Health Care System representatives. The facility was informed of the findings at the time of the inspection.

15) Sampling Overview

Sampling was not conducted at this facility.

16) Conclusion/Summary of Violations

Based on the CEI conducted on July 14, 2021, the U.S. Department of Veterans Affairs, Atlanta VA Health Care System was inspected as a large quantity generator of hazardous waste and a small quantity handler of universal waste.

17) Signed

WILLIAM KAPPLER Digitally signed by WILLIAM KAPPLER
Date: 2021.08.27 14:12:16 -04'00'

William Kappler
Physical Scientist
RCRA Enforcement Section

Date

18) **Concurrence**

ARACELI
CHAVEZ

Digitally signed by
ARACELI CHAVEZ
Date: 2021.08.30
09:57:50 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Date

Atlanta VA Health Care System
GA7360015450
July 14, 2021
RCRA CEI Photographs
Photographs by William Kappler
Camera Model: Samsung WB250F
Property Tag #: S75917



Atlanta VA Health Care System (Atlanta VA). Central Accumulation Area (CAA 90-Day). The inspectors did not observe a hazard indicator on the containers. Photograph 1 taken at 10:19 a.m.



Atlanta VA. 2 CAA 90-Day. The inspectors observed signs posted on CAA. Photograph 2 taken at 10:22 a.m.



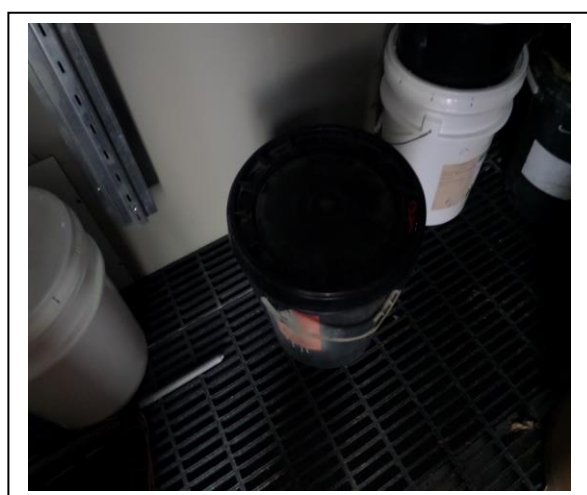
Atlanta VA. Universal Waste Shed. The inspectors did not observe the words universal waste and a date. Photograph 3 taken at 10:30 a.m.



Atlanta VA. Universal Waste Shed. The facility labeled and dated the containers. Photograph 4 taken at 10:35 a.m.



Atlanta VA. Universal Waste Shed. The inspectors did not observe the words universal waste and a date. Photograph 5 taken at 10:36 a.m.



Atlanta VA. Universal Waste Shed. The inspectors did not observe the words universal waste and a date. Photograph 6 taken at 10:36 a.m.



Atlanta VA. Universal Waste Shed. The facility labeled & dated the containers. Photograph 7 taken at 10:42 a.m.



Atlanta VA. Research Laboratory Room 5A-178 90-Day Area. The inspectors observed labeled and dated containers accumulating waste solvent. Photograph 8 taken at 10:58 a.m.



Atlanta VA. Research Laboratory Room 5A-178 90-Day Area. The inspectors observed labeled and dated containers accumulating waste corrosives. Photograph 9 taken at 11:04 a.m.



Atlanta VA. Clinical Laboratory Room 2B-176 90-Day Area. The inspectors observed the container accumulating waste solvents. Photograph 10 taken at 11:16 a.m.



Atlanta VA. Clinical Laboratory Room 2B-176 90-Day Area. The inspectors observed the label on the container appeared to be deteriorating. Photograph 11 taken at 11:16 a.m.



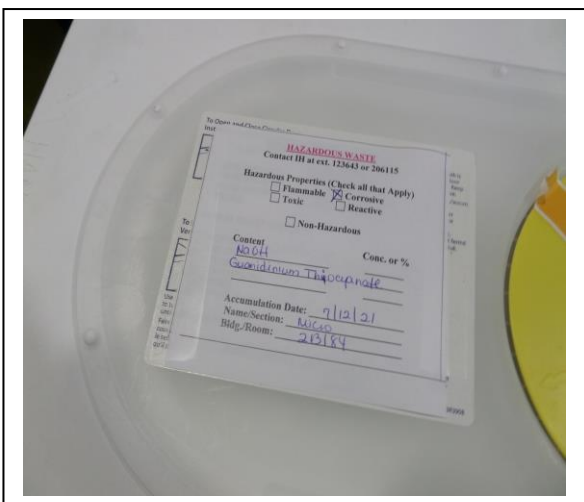
Atlanta VA. Cytology Laboratory Room 2B-186. Satellite Accumulation Area. The inspectors observed the container is used to accumulate spent solvents. The container is empty. Photograph 12 taken at 11:35 a.m.



Atlanta VA. Maintenance Shop. The inspectors observed aerosol products stored in the flammable cabinet. Photograph 13 taken at 11:59 a.m.



Atlanta VA. Maintenance Shop. The inspectors observed aerosol products stored in the flammable cabinet. Photograph 14 taken at 11:59 a.m.



Atlanta VA. CAA 90-Day. The facility marked a hazard indicator on the containers. Photograph 15 taken at 2:55 p.m.



Atlanta VA. CAA 90-Day. The facility marked a hazard indicator on the containers. Photograph 16 taken at 2:56 p.m.

