# RCRA Inspection Report

## 1) Inspector and Author of Report

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U.S. Environmental Protection Agency, Region 4
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## 2) Facility Information

Return Logistics International Corp.
22 Artley Road
Savannah, Georgia 31408
EPA ID No: GAR000007997

## 3) Responsible Officials

Roshima Montgomery, Facility Manager
roshima@returnlogistics.com

## 4) Inspection Participants

Kayla Acosta, US Environmental Protection Agency, Region 4
Dillon Long, Georgia Environmental Protection Division (GAEPD)
Roshima Montgomery, Return Logistics International Corp.

## 5) Date of Inspection

April 06, 2022

## 6) Applicable Regulations

Resource Conservation and Recovery Act (RCRA) Sections 3002, 3005 and 3007 (42 U.S.C. §§ 6922, 6925 and 6927), and the regulations promulgated pursuant thereto at 40 Code of Federal Regulations (C.F.R.) Parts 260-270, 273 and 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.

The Georgia Hazardous Waste Management Act, as amended, O.C.G.A. 12-8-60, et seq. as amended (Act); and Chapter 391-3-11 of the Georgia Rules for Hazardous Waste Management (Rules), and those portions of 40 CFR Parts 260-270, 273, and 279 that are adopted into the Rules by reference.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.02(1) [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 Ga. Comp. R. and Regs. 391-3-11-.08(1) [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 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. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste and/or either one quart of liquid acute hazardous waste listed in § 261.31 or § 261.33(e) of this chapter or 1 kg (2.2 lbs) of solid acute hazardous waste listed in § 261.31 or § 261.33(e) of this chapter in containers at or near any 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 interim status and without complying with the requirements of parts 124, 264 through 267, and 270 of this chapter, provided that all of the conditions for exemption in this section are met. A generator may comply with the conditions for exemption in this section instead of complying with the conditions for exemption in § 262.16(b) or § 262.17(a), except as required in § 262.15(a)(7) and (8).

Pursuant to Ga. Comp. R. & Regs. R. 391-3-11-.19 [40 C.F.R. §266.501(e)], a reverse distributor is subject to §§ 266.505 through 266.510 of this subpart in lieu of parts 262 through 265 with respect to the management of hazardous waste pharmaceuticals.

## 7) Purpose of Inspection

The purpose of this inspection was to conduct a compliance evaluation inspection (CEI) to determine Return Logistics International Corp. (hereinafter referenced as "Return Logistics" or "the facility") in compliance with the applicable requirements of RCRA and the corresponding GAEPD regulations.

## 8) Previous Inspection History

The last RCRA CEI was conducted by GAEPD on April 26, 2017, which resulted in no violations being identified.

## 9) Facility Description

Return Logistics has been operating at this location since 1996. Return Logistics operates on

10,000 sq. ft. Operations occur in a one-story building warehouse. The facility employs 13 workers and operates one shift: Monday-Friday (8:30am-5:00pm).

Return Logistics first notified as a Large Quantity Generator (LQG) of hazardous waste on June 15, 1998. The facility submitted their most recent notification with their biennial report on April 03, 2020. Hazardous wastes identified in the report include the following EPA waste codes: D001, D002, D010, D013, P042, P058, P075, and U188. The facility also generates universal waste, such as spent mercury-containing lamps. Return Logistics operates under the NAICS Code: 424210–Drugs and Druggists' Sundries Merchant Wholesalers.

Return Logistics is a reverse distributor and service center that specializes in manufacturer returns processing of pharmaceuticals, consumer products, controlled substances. The facility also provides regulated waste disposal services for manufacturers, distributors, pharmacies, veterinarians, and third-party processors. Customers place an order for pick up to Return Logistics who creates an authorization and tracking number used to track the order during shipment to Return Logistics and during processing at Return Logistics. The tracking number is placed on a label for transport for each shipment in order to identify the contents of each shipment and track the time frames for when the shipment arrives at Return Logistics. This electronic tracking system is used to track inventory of receiving potentially credible hazardous waste pharmaceuticals, track evaluation time frames (within 30 days), quantity of hazardous waste pharmaceuticals in each order, and other detailed information. Once received at Return Logistics, the orders are staged in the Receiving Area for processing and sorting within the 30-day timeframe starting with the oldest received shipment of hazardous waste and non-hazardous waste pharmaceuticals. The date of arrival for each shipment is tracked using their electronic tracking system. Once sorted and processed the pharmaceuticals are moved to the Secured Area for storage in corresponding designated areas which will be mentioned further below. Hazardous waste is sent to Heritage Thermal Services (EPA ID OHD980613541), non-hazardous waste is shipped to Wheelabrator for incineration. Non-hazardous waste pharmaceuticals are sent to Curtis Bay Medical Services in Baltimore, MD. Hazardous wastes generated at the facility primarily consist of flammable toxic wastes, corrosive acid wastes, silver nitrate wastes, and spent aerosols. The facility also generates spent x-ray film which is recycled and spent lead acid batteries from forklifts which is serviced by Lift Power.

Areas that were inspected include the following: Administrative Offices, Receiving Area, Secured Area [90-Day Central Accumulation Area (CAA), Satellite Accumulation Area (SAA), Drug Enforcement Agency (DEA) Controlled Substance Storage Area], and DEA Controlled Substances Vault.

## 10) Opening Conference

On April 6, 2022, EPA inspector Kayla Acosta accompanied by GAEPD inspector Dillon Long, arrived at Return Logistics at approximately 9:00 a.m. Ms. Roshima Montgomery, Facility Manager received the inspectors. 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 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.

Ms. Montgomery provided an overview of the facility's history and current operations during the opening conference. The company 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. Therefore, the EPA inspectors did not provide a copy of the agency's information sheet for small businesses, which can be found at https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf.

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

## 11) Findings

Administrative Offices:
The administrative offices are located on the south side of the facility. No hazardous waste was observed in this area.

Receiving Area:
The receiving area is located on the east side of the facility north of the administrative offices. The receiving area is comprised of four (4) loading docks. The inspectors observed several rows of pallets of customer shipments that had been received and were awaiting inventory, processing, and sorting. Most of the incoming customer shipments were still shrink-wrapped and had an identification number and date received with additional labels on each order (Photo #1). It did not appear that any of the incoming shipments were staged here for longer than 30-days. DEA controlled substances are immediately places in the Secured Area in the DEA Controlled Substances storage Area or DEA Controlled Substances Vault. No hazardous waste was observed in this area.

Secured Area:
This area of the warehouse is secured by a fenced gate with secured access adjacent to the Receiving Area (Photo #2). The Secured Area is comprised of a DEA Controlled Substance storage Area, 90-Day CAA, SAA, and a DEA Controlled Substances Vault.

DEA Controlled Substance Storage Area:
This area is a caged storage area for controlled substances located within the Secured Area in the north side of the warehouse. This caged area is also equipped with an alarm system for access into the caged storage area (Photo #3). No hazardous waste was observed in this area.

90-Day CAA:
The 90-Day CAA is located inside the Secured Area on the west side of the warehouse. There appeared to be adequate aisle space to inspect hazardous waste and hazardous waste containers are placed on top of pallets. The concrete floor appeared to be impervious with no signs of cracks. Oil spill containment booms are placed around the pallets as a secondary spill control

measure. There did not appear to be any signs of leaks or spills in this area. Fire extinguishers were located near the CAA. The inspectors observed the following hazardous waste in the CAA (Photos #4 and #5):

- Four (4) 35-gallon closed drums of flammable toxic waste. The drums were all labeled with the words "Hazardous Waste", marked with an indication of hazard, and dated March 8, 2022.
- One (1) 35-gallon closed drum of flammable toxic waste. The drums were all labeled with the words "Hazardous Waste", marked with an indication of hazard, and dated March 7, 2022.

SAA:
The SAA is located adjacent to the 90-day CAA, on the west side of the warehouse. Once inventory and processing are conducted in the Receiving Area, waste is then moved to the Secured Area and identified and sorted as either hazardous waste or non-hazardous waste. Hazardous waste is then generated and accumulated in the SAA and moved to the CAA within three days once hazardous waste containers are full. Hazardous waste containers are placed on top of pallets. The concrete floor appeared to be impervious with no signs of cracks. Oil spill containment booms are placed around the pallets as a secondary spill control measure. The inspectors observed the following hazardous waste in the SAA (Photos #6-8):

- One (1) 5-gallon closed container of silver nitrate. The container was labeled with the words "Hazardous Waste" but not marked with an indication of hazard.
- One (1) 35-gallon closed drum of flammable toxic waste. The drum was labeled with the words "Hazardous Waste" but not marked with an indication of hazard.
- One (1) 35-gallon closed drum of waste aerosol cans. The drum was labeled with the words "Hazardous Waste" but not marked with an indication of hazard.
- One (1) 35-gallon closed drum of oxidizer waste. The drum was labeled with the words "Hazardous Waste" and marked with an indication of hazard.
- Two (2) 55-gallon closed drums of corrosive acid waste. The drums were labeled with the words "Hazardous Waste" and marked with an indication of hazard.
- One (1) 35-gallon closed drum of corrosive acid waste. The drum was labeled with the words "Hazardous Waste" and marked with an indication of hazard.
- One (1) 35-gallon closed drum of corrosive waste. The drum was labeled with the words "Hazardous Waste" and marked with an indication of hazard.

**Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 CFR 262.15(a)(5)(ii)], A generator must mark or label its container with the following: (ii) 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).**

CORRECTED ONSITE: Ms. Montgomery immediately marked all containers that were missing

an indication of hazard with the words for the corresponding hazard (flammable, toxic, or corrosive).

Adjacent to the CAA and Secured Area fence were six (6) pallets of non-hazardous pharmaceutical waste awaiting disposition.

DEA Controlled Substances Vault:
The DEA Controlled Substances Vault is a secured vault equipped with an alarm system (Photo #9). The secured vault is required to secure storage for schedule I & II controlled substances.

Adjacent to the DEA Controlled Substances Vault on the south side of the facility was a cubic yard box of x-ray film to be recycled by BW Recycling, Inc.

**Records Review**

Disposal Records:
Hazardous waste manifests were available for review (including the original generator signed copy and designated facility signed copy), along with Land Disposal Restriction notifications. Shipping documents for non-hazardous waste pharmaceuticals were also available for review.

Contingency Plan:
The facility's Hazardous Waste Contingency Plan dated August 2021 describes actions that facility personnel should take in response to an emergency. The facility's plan included a list of emergency coordinators with contact information, an equipment list and capabilities for fire response, spill response, and communication, and location of fire control equipment, and an evacuation plan. Emergency response arrangements have been made with Savannah Fire Department, Savannah Police Department, and St. Joseph's Candler Hospital. The facility is missing a Quick Reference Guide (QRG).

**Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40CFR 262.262(b)], a large quantity generator that first becomes subject to these provisions after May 30, 2017 or a large quantity generator that is otherwise amending its contingency plan must at that time submit a quick reference guide of the contingency plan to the local emergency responders identified at paragraph (a) of this section or, as appropriate, the Local Emergency Planning Committee.**

Employee training / annual training and position descriptions:
Records for online hazardous waste training and position descriptions were review. Records were reviewed for Roshima Montgomery whose last hazardous waste training was in January 2021.

**Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 CFR 262.17(a)(7)(iii)], Facility personnel must take part in an annual review of the initial training required in paragraph (a)(7)(i) of this section.**

Weekly Inspections:
Weekly container inspections were reviewed for the past three years. Inspections appeared to be conducted on a weekly basis and documented all the required inspection elements.

Waste Minimization Plan:
The facility's waste minimization plan was available for review.

## 12) Closing Conference

An exit meeting was held at the end of the inspection with the facility representatives to discuss preliminary conclusions and to go over the findings.

## 13) Inspection Findings

Based on the observations made during the inspection, TestAmerica was apparently deficient with the following RCRA requirements:

**Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 CFR 262.15(a)(5)(ii)], A generator must mark or label its container with the following: (ii) 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).**

**Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 CFR 262.17(a)(7)(iii)], Facility personnel must take part in an annual review of the initial training required in paragraph (a)(7)(i) of this section.**

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## 14) List of Appendices

Appendix 1–Photo Log:
{9} Photos taken on: [04/06/2022]
Photos taken by: Kayla Acosta
Photos taken with: Olympus Tough Digital Camera
EPA Property Tag: S75903

**15) Signed**

KAYLA ACOSTA

Digitally signed by KAYLA ACOSTA
Date: 2022.05.23 15:01:11 -04'00'

Kayla Acosta — Date
Enforcement and Compliance Specialist

**Concurrence**

ARACELI CHAVEZ

Digitally signed by ARACELI CHAVEZ
Date: 2022.05.23 15:57:31 -04'00'

Araceli Chavez — Date
Chief
RCRA Enforcement Section


**Photo 1**: Several rows of pallets of customer shipments that had been received and were awaiting inventory, processing, and sorting. Most of the incoming customer shipments were still shrink-wrapped and had an identification number and date received with additional labels on each order.


**Photo 2**: Photo of incoming shipment from customer (not pharmaceuticals or hazardous waste). Secured Area is behind this Receiving Area and has a gated entrance.


**Photo 3**: DEA Controlled Substance Storage Area.

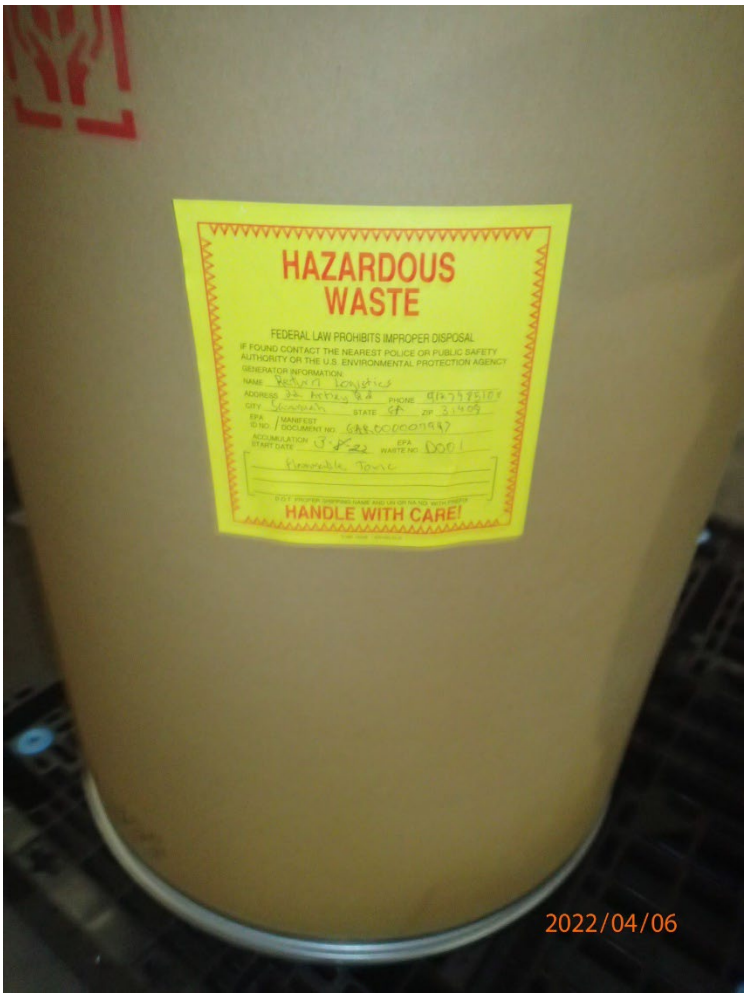


**Photo 4**: One (1) 35-gallon closed drum of flammable toxic waste. The drum was labeled with the words “Hazardous Waste”, marked with an indication of hazard, and dated 03/08/2022.


**Photo 5**: Four (4) 35-gallon closed drums of flammable toxic waste. The drums were all labeled with the words “Hazardous Waste”, marked with an indication of hazard, and dated 03/07/2022 and 03/08/2022

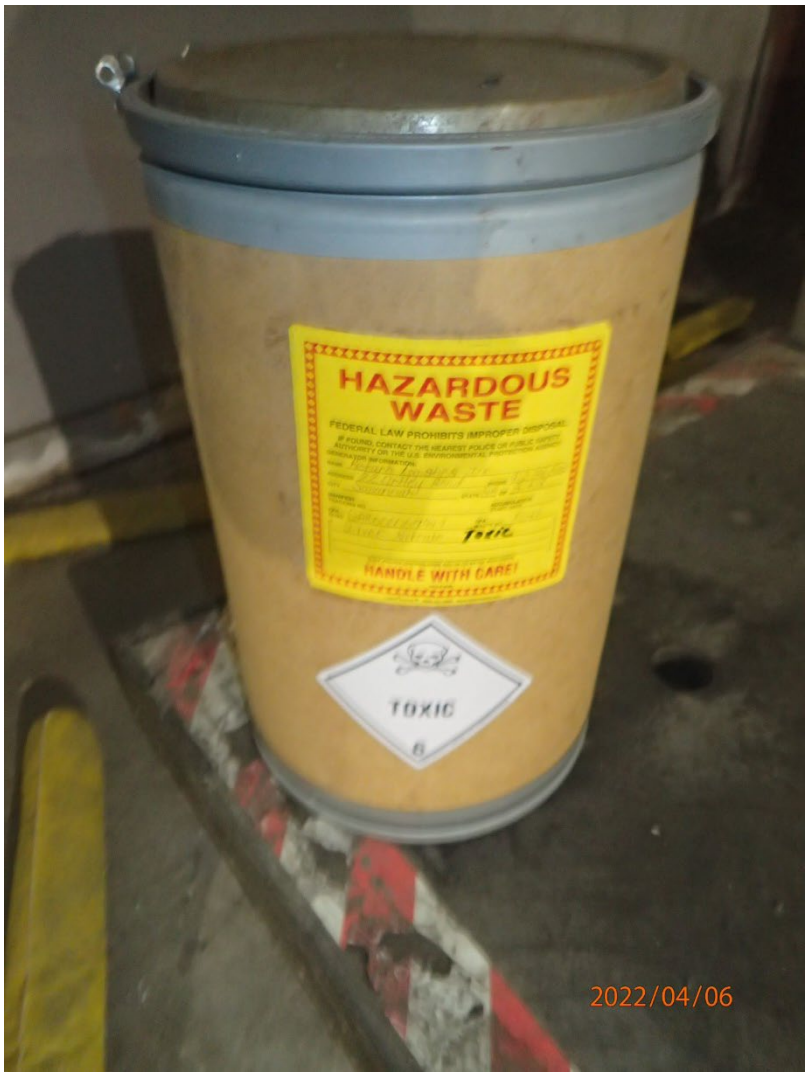


**Photo 6**: One (1) 5-gallon closed container of silver nitrate. Initially not marked with an indication of hazard. Corrected during the inspection.


**Photo 7**: One (1) 35-gallon closed drum of waste aerosol cans. The drum was labeled with the words "Hazardous Waste" but not marked with an indication of hazard.


**Photo 8**: Two (2) 55-gallon closed drum of corrosive acid waste. The drums were labeled with the words “Hazardous Waste” and marked with an indication of hazard.


**Photo 9**: DEA Controlled Substances Vault.