

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

Glasforms Inc. BLDGS #1-4
3943 Valley East Industrial Dr.
Birmingham, Alabama 35217
EPA ID No: ALR000013128

3) Responsible Officials

John Day, Regional EHS Manager
John.Day@Avient.com

4) Inspection Participants

Kayla Acosta, US EPA
Marlon McMillian, ADEM
John Day, Glasforms, Inc.
Joseph (Harry) Shaver, Glasforms, Inc.

5) Date of Inspection

November 02, 2021

6) Applicable Regulations

Resource Conservation and Recovery Act (RCRA) Sections 3002 (42 U.S. Code–Annotated U.S.C.A. 6925 and 6927), 40 Code of Federal Regulation (C.F.R.), Parts 260 270, 273, 278, & 279. Alabama Hazardous Waste Management and Minimization Act of 1978 (AHWMMA), Ala. Code §§ 22-30-1 et seq. 40 Code of Federal Regulation (C.F.R.), Parts 260 - 270, 273 & 279, and Rules 335-14-1 to 335-14-17 of the ADEM Admin. Code.

Pursuant to ADEM Admin. Code r. 335-14-3-.03(5)(a) [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 22-30-12(b) of the AHWMMA, Ala. Code § 22-30-12(b) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in ADEM Admin. Code r. 335-14-3-.03(5)(a)1.-6. [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

Pursuant to ADEM Admin. Code r. 335-14-3-.03(5)(c)1. [40 C.F.R. § 262.34(c)(1) (2016)], a generator may accumulate as much as 55 gallons of 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 22-30-12(b) of the AHWMMA, Ala. Code § 22-30-12(b) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with ADEM Admin. Code r. 335-14-3-.03(5)(a) [40 C.F.R. § 262.34(a) (2016)], provided that the generator complies with the satellite accumulation area (SAA) conditions listed in ADEM Admin. Code r. 335-14-3-.03(5)(c)1.(i)-(ii) [40 C.F.R. § 262.34(c)(1)(i)-(ii) (2016)] (hereinafter referred to as the “SAA Permit Exemption”).

7) **Purpose of Inspection**

The purpose of this inspection was to conduct a compliance evaluation inspection to determine Glasforms Inc. BLDGS #1-4 (Glasform’s) compliance with the applicable requirements of RCRA and the corresponding ADEM regulations.

8) **Previous Inspection History**

The last RCRA CEI was conducted by ADEM on 04/26/2018 with no violations identified.

9) **Facility Description**

Glasforms is comprised of four corrugated metal buildings: Building #1 (located adjacent to Valley East Industrial Drive), Building #2 (located right behind Building #1 on the east side), Building #3 (south of building #2), and Building #4 (north of Buildings #1 and #2). The facility has been in operation since 1998. Facility operations are based on production needs. The following is the operating schedule for each building. Buildings #1, #2, and #4 operate three 8-hour shifts Monday-Friday. Building #3 operates 12-hour shifts four days a week. The facility currently has 184 employees. Glasforms also operates two separate buildings that are not contiguous to Buildings #1-4. Building #5 is registered with ADEM as a Very Small Quantity Generator (VSQG) of hazardous waste and Building #6 (EPA ID ALR000053165) is registered as a Small Quantity Generator (SQG) of hazardous waste.

Glasforms first notified as a Large Quantity Generator (LQG) of hazardous waste in 2009. The facility submitted their biennial report on 02/21/2020 and their most recent notification of regulated waste activities in June 2021. Hazardous wastes identified in the report include: D001 and F003. The facility also generates universal wastes such as spent fluorescent bulbs. Glasforms operates under the NAICS Code: 326199 – All other plastics product manufacturing.

Glasforms manufactures pultruded rods, tubes, and custom profiles. Examples include fiberglass-reinforced plastic products such as insulated rods, support posts, ballistic panels, arrow shafts, and high-power electric insulators. Hazardous wastes consist primarily of spent acetone used in cleaning and resin waste (D001, F003). Glasforms' operations include a pultrusion process where spools of fiberglass are pulled through a bath containing activated resin mixed with hardening agents. The resin-coated fibers are pulled through a heated dye which molds the fiberglass into customized shapes and cures the resin. Products are then cut to desired lengths. Acetone is used when cleaning machinery and changing out the dye baths. Excess activated resin is removed from resin baths when maintenance is performed and placed into 55-gallon drums referred to as "kickover drums" and moved to a "kickover shed" where they solidify and are then disposed of as non-hazardous waste. Waste profiles were available and reviewed for the kickover drums.

10) **Opening Conference**

On November 02, 2021, EPA inspector Kayla Acosta accompanied by ADEM inspector Marlon McMillian, arrived at Glasforms at approximately 9:45 a.m. Mr. John Day, Regional EHS Manager and Mr. Joseph (Harry) Shaver, Senior EHS Specialist 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.

Facility representatives 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 Mr. Day and Mr. Shaver led the inspectors on a tour of the Facility operations.

11) **Findings**

Building #1:

Building #1 contains five pultrusion lines and a resin room which stores resin products. Resin is activated in the resin room. The resin room also has a satellite accumulation area (SAA). The inspectors observed the following hazardous waste in the resin room:

- One (1) 55-gallon SAA hazardous waste drum containing waste acetone sludge. The container was closed and labeled with the words "Hazardous Waste"; however, the container was not marked with an indication of hazard. This was corrected immediately onsite (Photo #1).

Acetone Recovery:

Next to the facility's 90-day hazardous waste central accumulation area (CAA) is the acetone recovery unit (located just behind Building #4) (Photo #2). Spent acetone is processed into reusable product. A 55-gallon drum labeled hazardous waste was observed on the pavement next to the reclamation area but was empty. No hazardous waste was observed in this area.

Central Accumulation Area (CAA):

The CAA is a small storage building equipped with secondary containment, a fire extinguisher, and signage (Photo #3). It is located next to the Acetone Recovery unit and behind Building #4. The doors to the CAA were open for routine cleaning and were later closed by janitorial staff after cleaning. The inspectors observed the following hazardous wastes:

- One (1) 55-gallon drum of waste acetone. The container was closed and labeled with the words "Hazardous Waste" and marked with an indication of hazard. The drum was dated 6/4/2021, which was over the 90-day accumulation storage limit. (Photo #4)
- One (1) 55-gallon drum of waste acetone. The container was closed and labeled with the words "Hazardous Waste" and marked with an indication of hazard. The drum appeared to be bulging and the date was not clearly legible but appeared to be written as 05/ 2021. Mr. Shaver indicated the start accumulation date was over 90-days as well. Mr. Shaver stated he was awaiting overpack drums which were ordered for the hazardous waste containers which appeared to be damaged, in order to have them safely transported and properly disposed of. (Photo #5 and #6)

Pursuant to ADEM Admin. Code r. 335-14-3-.01 (7)(a)1.(ii) [40 CFR 262.17(a)(1)(ii)], if a container holding hazardous waste is not in good condition, or if it begins to leak, the large quantity generator must immediately transfer the hazardous waste from this container to a container that is in good condition, or immediately manage the waste in some other way that complies with the conditions for exemption of this section.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(b) [40 CFR 262.17(b)], a large quantity generator who accumulates hazardous waste for more than 90 days is subject to the requirements of 40 CFR parts 124, 264 through 268, and part 270 of this chapter, and the notification requirements of section 3010 of RCRA, unless it has been granted an extension to the 90-day period. Such extension may be granted by EPA if hazardous wastes must remain on site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Regional Administrator on a case-by-case basis.

UPDATE: Mr. Shaver submitted photos on 11/03/2021 of both 55-gallon drums in overpack drums. Disposal of these drums was scheduled for 11/24/2021. (Photo #7)

Kickover Shed:

The kickover shed is where excess resin is stored until completely solidified and then managed as non-hazardous waste. Non-hazardous waste manifests and waste profiles were requested and

reviewed. No hazardous waste was observed in this area.

Building #2:

Building #2 contains five pultrusion lines and a resin room which stores resin products. Resin is activated in the resin room. The resin room also has a SAA. The inspectors observed the following hazardous waste in the resin room:

- One (1) 55-gallon drum of waste acetone. The container was closed and labeled with the words “Hazardous Waste”. The drum was not marked with the indication of hazard. This was corrected immediately onsite (Photo #8).

There was another SAA inside Building #2 for spent aerosol cans. Spent aerosol cans were stored in a container which did not have a hazardous waste label or marked with an indication of hazard. (Photo #9)

Pursuant to ADEM Admin. Code r. 335-14-3-.01(6)(b)6.(i) [40 CFR 262.15(a)(5)], a generator must mark or label its container with the following: (i) The words “Hazardous Waste” (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).

Outside of Building 2:

Used oil and universal waste is stored in between Buildings #1 and #2 under a roof and on a concrete surface. The inspectors observed the following:

- One (1) 250-gallon tote of used oil which was labeled “Used Oil” and inside secondary containment (Photo #10).
- Eleven (11) boxes of Universal Waste (UW) fluorescent lamps. The boxes of UW were open, not labeled, and not dated. (Photo #11)
- One (1) aerosol can puncture device attached to a waste container. The container was not labeled with the words hazardous waste or marked with an indication of hazard. (Photo #12)

Pursuant to ADEM Admin. Code r. 335-14-11-.02(4)(d) [40 CFR 273.13(d)], a small quantity handler of universal waste must manage lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows: (1) A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. (2) A small quantity handler of universal waste must immediately clean up and place in a container any lamp that is broken and must place in a container any lamp that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment. Containers must be closed, structurally sound, compatible with the contents of the lamps and must lack evidence of

leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment under reasonably foreseeable conditions.

Pursuant to ADEM Admin. Code r. 335-14-11-.02(5)(e) [40 CFR 273.14(e)], each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: “Universal Waste - Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s)”.

Pursuant to ADEM Admin. Code r. 335-14-11-.02(6)(c) [40 CFR 273.15(c)], a small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration by:

Pursuant to ADEM Admin. Code r. 335-14-3-.01(6)(b)6.(i) [40 CFR 262.15(a)(5)], a generator must mark or label its container with the following: (i) The words “Hazardous Waste” (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).

UPDATE: Mr. Shaver submitted photos of universal waste fluorescent bulbs contained in closed boxes which were all labeled and dated. Photos of both containers of spent aerosol cans were submitted showing the containers labeled “Hazardous Waste”. (Photo #13 and #14)

Building #3:

Building #3 contains two pultrusion lines for manufacturing ballistic panels for various security applications. Building #3 does not have a resin room or mixing area. There is a metal flammable cabinet dedicated to new acetone product which is stored in a 55-gallon drum and waste acetone which is also stored in another 55-gallon drum. The inspectors observed one empty 55-gallon drum for acetone waste which was labeled with the words “Hazardous Waste” and an indication of hazard ready for future use.

Building #4:

Building #4 contains four pultrusion lines for larger profiles and contains a resin room which stores resin products. Resin is activated in the resin room. The resin room also has a SAA. The inspectors observed the following hazardous waste in the resin room:

- One (1) 55-gallon drum of spent solvents. The container was closed but was missing a hazardous waste label. This was corrected immediately onsite (Photo #15). The container was marked with an indication of hazard.

Records Review

Disposal Records:

Hazardous waste manifests were available for review going back to 2018. Original generator signed copy and final signed copy of manifests along with Land Disposal Restriction notifications were available for review.

Contingency Plan:

The actions that facility personnel should take in response to an emergency are described in the facility's Hazardous Waste Contingency Plan. It includes a list of emergency coordinators and contact information. Equipment list and capabilities addressed include fire response, spill response, and communication. The location of fire control equipment was included in the plan and identified on an evacuation map of the facility. The map also included the location of the CAA. The contingency plan also includes a Quick Reference Guide (QRG). Copies of the contingency plan with the QRG were submitted to emergency responders including the Birmingham Fire Department via email.

Employee training / annual training and position descriptions:

Training records for online hazardous waste training and position descriptions were available for review and are current for 2021.

Weekly Inspections:

Weekly container inspections were reviewed for 2019, 2020, and parts of 2021. The last documented weekly inspection for 2021 was for August 13, 2021. The facility is missing weekly inspections for each week after.

Pursuant to ADEM Admin. Code r. 335-14-3-.01 (7)(a)1(v) [40 CFR 262.17(a)(1)(v)], At least weekly, the large quantity generator must inspect central accumulation areas. The large quantity generator must look for leaking containers and for deterioration of containers caused by corrosion or other factors. See paragraph (a)(1)(ii) of this section for remedial action required if deterioration or leaks are detected.

Waste Minimization Plan:

A copy of the facility's waste reduction plan was available for review.

12) Closing Conference

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

13) Inspection Findings

Based on the observations made during the inspection, Glasforms Inc. BLDGS #1-4 was apparently deficient with the following RCRA requirements:

Pursuant to ADEM Admin. Code r. 335-14-3-.01(6)(b)6.(i) [40 CFR 262.15(a)(5)], a generator must mark or label its container with the following: (i) The words "Hazardous Waste" (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 ADEM Admin. Code r. 335-14-3-.01 (7)(a)1.(ii) [40 CFR 262.17(a)(1)(ii)], if a container holding hazardous waste is not in good condition, or if it begins to leak, the large quantity generator must immediately transfer the hazardous waste from this container to a container that is in good condition, or immediately manage the waste in some other way that complies with the conditions for exemption of this section.

Pursuant to ADEM Admin. Code r. 335-14-3-.01 (7)(a)1(v) [40 CFR 262.17(a)(1)(v)], At least weekly, the large quantity generator must inspect central accumulation areas. The large quantity generator must look for leaking containers and for deterioration of containers caused by corrosion or other factors. See paragraph (a)(1)(ii) of this section for remedial action required if deterioration or leaks are detected.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(b) [40 CFR 262.17(b)], a large quantity generator who accumulates hazardous waste for more than 90 days is subject to the requirements of 40 CFR parts 124, 264 through 268, and part 270 of this chapter, and the notification requirements of section 3010 of RCRA, unless it has been granted an extension to the 90-day period. Such extension may be granted by EPA if hazardous wastes must remain on site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Regional Administrator on a case-by-case basis.

Pursuant to ADEM Admin. Code r. 335-14-11-.02(4)(d) [40 CFR 273.13(d)], a small quantity handler of universal waste must manage lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows: (1) A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. (2) A small quantity handler of universal waste must immediately clean up and place in a container any lamp that is broken and must place in a container any lamp that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment. Containers must be closed, structurally sound, compatible with the contents of the lamps and must lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment under reasonably foreseeable conditions.

Pursuant to ADEM Admin. Code r. 335-14-11-.02(5)(e) [40 CFR 273.14(e)], each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: “Universal Waste - Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s)”.

Pursuant to ADEM Admin. Code r. 335-14-11-.02(6)(c) [40 CFR 273.15(c)], a small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration by:

14) **List of Appendices**

Appendix 1 – Photo Log:
{15} Photos taken on: [11/02/2021]
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: 2021.12.22 11:32:17
-05'00'

Kayla Acosta
Enforcement and Compliance Specialist

Date

Concurrence

ARACELI
CHAVEZ

Digitally signed by ARACELI
CHAVEZ
Date: 2021.12.22 13:34:23
-05'00'

Araceli Chavez
Chief
RCRA Enforcement Section

Date



Photo 1: One (1) 55-gallon SAA hazardous waste drum containing waste acetone sludge. The container was closed and labeled with the words “Hazardous Waste”; however, the container was not marked with an indication of hazard. This was corrected immediately onsite.



Photo 2: Acetone Recovery Unit. Not currently operating.

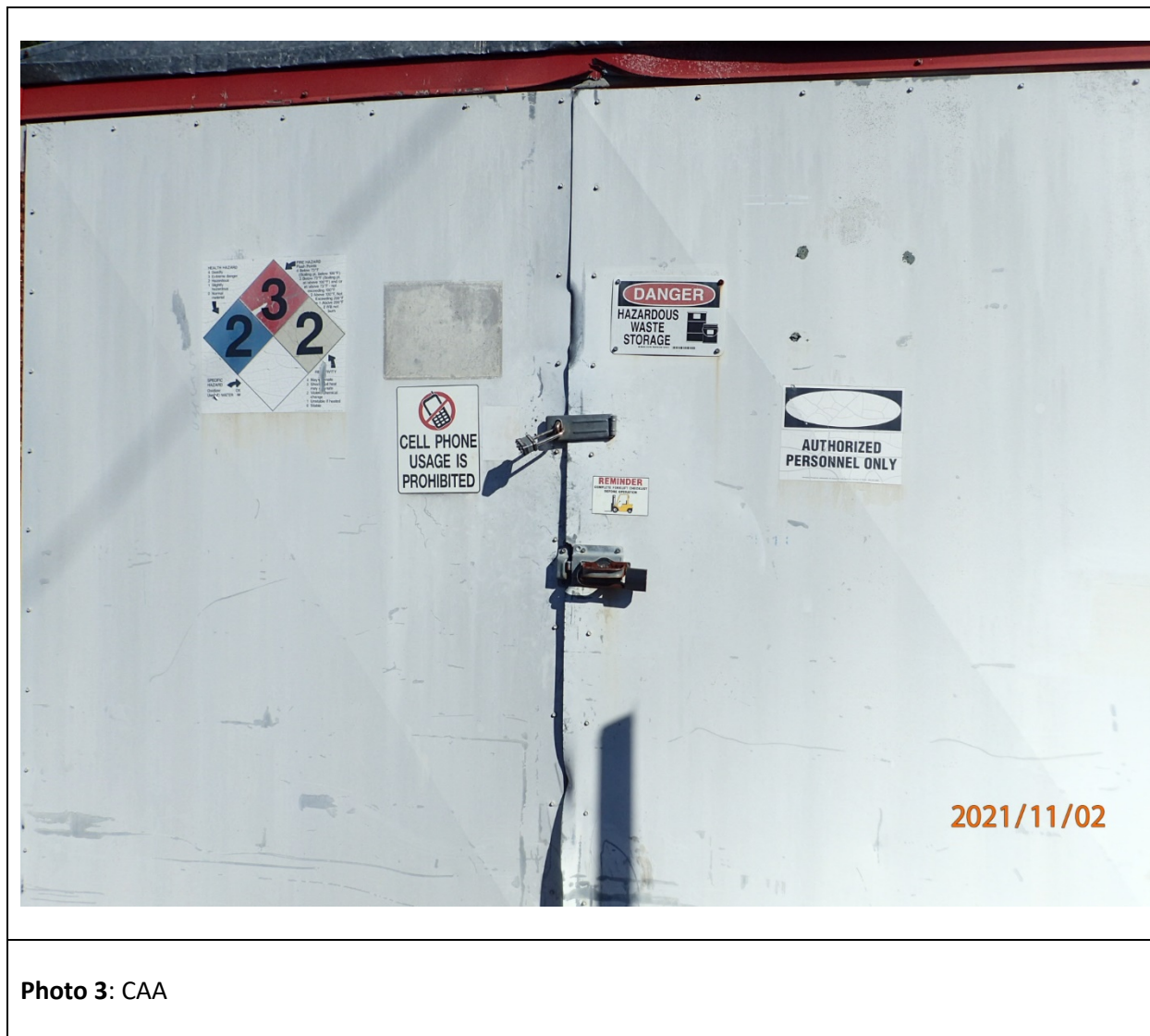


Photo 3: CAA



Photo 4: One (1) 55-gallon drum of waste acetone. The container was closed and labeled with the words “Hazardous Waste” and marked with an indication of hazard. The drum was dated 6/4/2021, which was over the 90-day accumulation storage limit.



Photo 5: One (1) 55-gallon drum of waste acetone. The container was closed and labeled with the words “Hazardous Waste” and marked with an indication of hazard. The drum appeared to be bulging and the date was not clearly legible but appeared to be written as 05/ 2021. Mr. Shaver indicated the start accumulation date was over 90-days as well.



Photo 6: Close-up of drum with partial date of 5/21.



Photo 7: Both 55-gallon drums over 90-days containerized in overpack drums, awaiting disposal on 11/24/21.



Photo 8: One (1) 55-gallon drum of waste acetone. The container was closed and labeled with the words "Hazardous Waste". The drum was not marked with the indication of hazard. This was corrected immediately onsite.



Photo 9: Spent aerosol cans were stored in a container which did not have a hazardous waste label or marked with an indication of hazard.



Photo 10: 250-gallon used oil tote.



Photo 11: Eleven (11) boxes of Universal Waste (UW) fluorescent lamps. The boxes of UW were open, not labeled, and not dated.



Photo 12: One (1) aerosol can puncture device attached to a waste container. The container was not labeled with the words hazardous waste or marked with an indication of hazard.

Glasforms, Inc. BLDGS #1-4
RCRA CEI Photographs
Kayla Acosta, USEPA

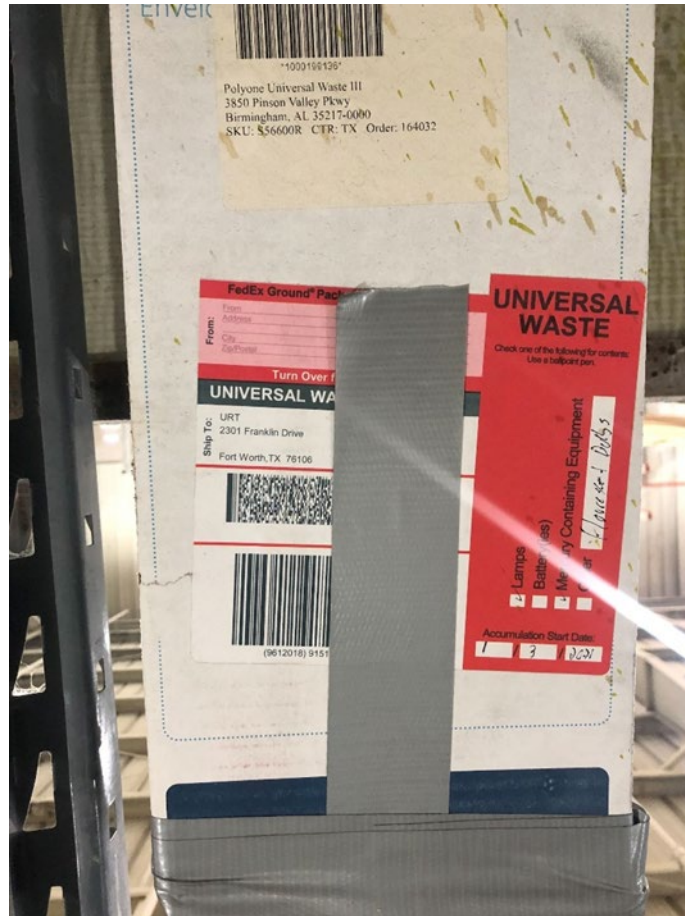


Photo 13: Mr. Shaver submitted photos of universal waste fluorescent bulbs contained in closed boxes which were all labeled and dated.



Photo 14: Photos of both containers of spent aerosol cans were submitted showing the containers labeled "Hazardous Waste".



Photo 15: One (1) 55-gallon drum of spent solvents. The container was closed but was missing a hazardous waste label. This was corrected immediately onsite (Photo #15). The container was marked with an indication of hazard.