

RCRA Inspection Report

1) Inspector and Author of Report

Paula A. Whiting
Environmental Engineer
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2) Facility Information

Dura Coat Products, Inc.
26655 Peoples Road
Madison, AL 35756
Limestone County
EPA ID Number: ALR000027383

3) Responsible Official

Angela Hong
EHS Advisor
Dura Coat Products, Inc.
26655 Peoples Road
Madison, AL 35756
angela.hong@axalta.com

4) Inspection Participants

Angela Hong	Dura Coat Products, Inc.
Tommy Taggart	Dura Coat Products, Inc.
Corey Holmes	ADEM Land Division
Paula Whiting	US EPA Region 4 Atlanta

5) Date and Time of Inspection

January 23, 2024, at 9:35 a.m. CST

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.

Alabama Hazardous Waste Management and Minimization Act of 1978, Ala. Code § 22-30-1 et seq., and rules 335-14-1 to 335-14-17 (2016 and 2018) of the Alabama Department of Environmental Management (ADEM) Administrative Code (ADEM Admin. Code).

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.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a) [40 C.F.R. § 262.17], a large quantity generator (LQG) 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 AHWMMMA, 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-.01(7)(a) [40 C.F.R. § 262.17] (hereinafter referred to as the "LQG Permit Exemption").

Pursuant to ADEM Admin. Code r. 335-14-3-.01(5)(a) [40 C.F.R. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste in containers at or near the point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or without having interim status, as required by KRS 224.46-520(1) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with ADEM Admin. Code r. 335-14-3-.01(6) (b) or (7)(a)) [40 C.F.R. § 262.16(b) or §262.17(a)], except as required in ADEM Admin. Code r. 335-14-3-.01(5)(a)7 and 8) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in ADEM Admin. Code r. 335-14-3-.01(5)(a) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the "SAA Permit Exemption").

Pursuant to ADEM Admin. Code r. 335-14-11-.02(1)(a)244. [40 C.F.R. § 273.9], a "Small Quantity Handler of Universal Waste" (SQHUW) is a Universal Waste handler who does not accumulate 5,000 kilograms or more of Universal Waste (batteries, pesticides, mercury-containing equipment, or lamps, calculated collectively) at any time.

7) Purpose of Inspection

The purpose of the inspection was to conduct an unannounced RCRA compliance evaluation inspection (CEI) to determine the compliance of Dura Coat Products, Inc., EPA ID Number: ALR000027383 with the applicable regulations.

8) Facility Description

Dura Coat Products Inc., an Axalta Coating Systems company, specializes in the development and manufacture of industrial coatings (coil coatings and extrusion coatings) for the protection of metal substrates. The coatings are metal coil paints which are used for building exteriors, roofs, side panels, appliances, hardware, HVAC components, vehicles (recreational vehicles and trucks). Dura Coat makes baked on spray paints for general industrial use, and for aluminum extrusion made into window frames and storefronts. Dura Coat also makes paints for the inside and outside of

galvanized tubing.

Dura Coat has been in operation since 2002 at the Peoples Road location. The site is approximately 62,000 square feet and consists of an office area, manufacturing area, and two retention ponds. The facility operates 24 hours per day, 5 days per week in three 8-hour shifts. Dura Coat Products, Inc. employs approximately 70 full time employees with 35 employees handling hazardous waste.

Dura Coat Products, Inc.'s most recent Hazardous Waste Generator Notification (EPA Form 8700-12) dated February 21, 2023, characterized the facility as a Large Quantity Generator (LQG) of hazardous waste. Dura Coat may generate hazardous waste streams, spent aerosol cans, used solvent, used oil, universal lamps and batteries, paint waste and other wastes. The hazardous waste may be designated the following EPA Waste Codes D001, D007, D008, D035, F003 and F005.

9) Previous Inspection History

This facility was previously last inspected on August 20, 2019, by ADEM. Deficiencies of waste determination and container management were noted.

10) Findings

On January 23, 2024, EPA inspector Paula Whiting, accompanied by Alabama Department of Environmental Management (ADEM) inspector Corey Holmes arrived at Dura Coat Products at approximately 9:35 a.m. CST. Mrs. Angela Hong, EHS Advisor received the inspectors. The inspectors introduced themselves, showed their credentials to Mrs. Hong, and explained the purpose of the visit. The inspectors described the anticipated use of a digital camera during the inspection and provided a request for records.

Mrs. Hong provided an overview of the facility's history and current operations during the opening conference. The inspection participants also discussed health and safety protocols and required personal protective equipment before facility representatives led the inspectors on a tour of the facility operations. Below is a description of the observations made during the inspection.

10.1 Shipping and Receiving

The walk-through began in Shipping and Receiving where all the products and raw materials are stored. The universal waste storage area was located here but at the time of the inspection no universal waste was observed due to a pickup in December. The inspectors observed a blue 55-gallon drum of acid/soda waste beside the battery charging station (Pictures 1-2). The ground around the battery was wet, potentially caused by an overspill. The inspectors asked if the drum was hazardous waste and Mrs. Hong stated that the contents would be tested.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(2) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in ADEM Admin. Code r. 335-14-2-.01(2) [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in ADEM Admin. Code r. 335-14-3-.01(2) [40 C.F.R. § 262.11].

On March 26, 2024, Mrs Hong provided via email the analytical test results of the battery clean-up material. Mrs. Hong's email stated *"The Toxic Characteristic Leaching Procedure (TCLP) results show all metals are lower than Regulatory Limits and pH 9.9, which means it is non-hazardous waste since the EPA defines Corrosive wastes are acids or bases (pH less than or equal to 2, or greater than or equal to 12.5)."*

The inspectors observed in the maintenance area a 55-gallon drum of universal waste ballasts that was not closed or labeled but dated December 19, 2023. The drum was immediately closed. The inspectors also observed a 65-gallon drum of wash solvent that was in use, a 55-gallon drum of used oil that was closed and labeled, a gaylord box of non-hazardous baghouse dust, and spill kits.

10.2 Less than 90-Day Central Accumulation Area (CAA)

The CAA is located outside and in the rear of the facility. The inspectors observed the CAA was enclosed in a chain fence, locked with signs along the fence (Pictures 3-4). The hazardous waste drums sat on wooden pallets inside a bermed area. The inspectors counted 38 55-gallon drums of hazardous paint waste, solid, liquid and sludge. All containers were observed closed, labeled, and dated.

10.3 Production 2 Area

The inspectors observed in the Gravity Still/Small Batch Filling Area, a satellite accumulation area (SAA) with an empty 55-gallon drum staged for spent filter bags, a 55-gallon drum of paint waste and a full 55-gallon drum of spent filter bags ready to be moved to the CAA and dated January 24, 2024. No pictures were taken in the production area because it was intrinsically unsafe to do so.

The Makeup Area had a SAA with a 55-gallon drum of hazardous waste lead and chromium debris, and a 55-gallon drum of paint waste solids.

The Solvent Recycler Still Unit had been down for two weeks at the time of the inspection due to a clog and was under repair. In this area, the inspectors observed three 350-gallon stainless steel totes of dirty solvent to be distilled. The totes were closed, labeled, and dated but the dates were unreadable due to solvent streaks. In addition, no waste codes, pictograms, or placards were observed on the totes.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)5.(i)(b-c) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: the words "Hazardous Waste"; an indication of the hazards of the contents; and the date upon which each period of accumulation begins clearly visible for inspection on each container.

The inspectors explained that three totes stored in that area, even if temporarily, were considered a CAA and must be managed as a CAA with signage, weekly inspections, secondary containment, and secured from unauthorized access. Mrs. Hong explained that due to the recent ice storm the totes were not moved into the CAA for storage but left inside the production area.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7) [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 22-30-12(b) of the AHWMMMA, 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-.01(7) [40 C.F.R. § 262.17].

On March 26, 2024, Mrs. Hong provided via email that “*Updates on Solvent Recovery Area will be sent shortly. The distillation unit is now back to normal operation. Therefore, as of now, the area is not a 90-day area. However, as a satellite accumulation area, we upgraded the labeling and marking on waste holding containers. Will send you some photos from the area. As you recommended, we will treat the area as 90-day area only when the distillation unit is down, and when we are unable to run solvent recovery operation.*

Here are some more photos in Solvent Recovery Area. As stated in the previous email, the distillation unit is back to normal operation. Therefore, all totes staged in the area had been removed to recover solvents and new totes (three of them) are now staged in front of the distillation unit for a normal recovery operation. Dirty Solvent Totes are labeled and marked with hazard ID and indication as below. Going forward, we will manage the area as 90-day area only when the solvent recovery unit is not operable.



As for the Waste Determination on a battery acid clean-up material in 55-gal drum, we had sent a sample to a lab for analytical test, waiting on the results. See attached. I will send you the results upon receiving.”

Near the totes was a SAA with a 55-gallon drum for Recycler Still Unit clean out solids. The floor of production area contained runoff trenches covered by grates. Mrs. Hong explained that when the trenches were cleaned out the contents were disposed of as hazardous waste.

The Shading Area had a SAA with a 55-gallon drum of wash solvent, and one of waste solids. This SAA supports not only the Shading Area but also the Quality Control/Color Labs. The lab SAA drum received wash solvent twice a week and was previously kept inside the lab but was moved outside of the lab near the door due to corporate requirements.

Unless specified, the SAA containers were observed closed and labeled.

11) Records Review

The inspectors requested the training records, the contingency plan, the weekly inspection records, the waste minimization plan, the annual waste report, the 2020-2023 hazardous, non-hazardous, and used oil manifests. The generator status notification (EPA Form 8700-12) was last updated February 21, 2023.

The inspectors requested the training records for the employees handling hazardous waste. Training certificates for Mrs. Hong, Todd Osborne and Jason Arndt were provided. Mr. Osborne and Mr. Arndt received Hazardous Waste Management training for 2021, 2022 and 2023. Mrs. Hong received Hazardous Waste Management – The Complete Course (RCRA) training on February 11, 2019. At the time of the inspection, the inspectors did not observe any annual 8-hour refresher training for Mrs. Hong. Job titles and descriptions were provided and reviewed.

The inspectors requested the Contingency Response Plan dated August 2, 2019, for review. The plan included a current emergency contact list, an evacuation map, a fire extinguisher inspection list, and a list of emergency response equipment. However, documentation (i.e., green return receipt cards, emails) that copies of the current contingency plan were provided to the local emergency response agencies (i.e., fire, police, hospital) was not available at the time of the inspection. On January 23, 2024, Mrs. Hong sent to the inspectors via email the copies that were provided to the local emergency response agencies on June 28, 2019.

In addition, the updated regulation under the Generator Improvement Rule, requires that the generator amending its contingency plan submit a Quick Reference Guide of the contingency plan to the local emergency responders to include the following information:

- (1) The types/names of hazardous wastes in layman's terms and the associated hazard associated with each hazardous waste present at any one time (e.g., toxic paint wastes, spent ignitable solvent, corrosive acid);
- (2) The estimated maximum amount of each hazardous waste that may be present at any one time;
- (3) The identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff;
- (4) A map of the facility showing where hazardous wastes are generated, accumulated and treated, and routes for accessing these wastes;
- (5) A street map of the facility in relation to surrounding businesses, schools and residential areas to understand how best to get to the facility and also evacuate citizens and workers;
- (6) The locations of water supply (e.g., fire hydrant and its flow rate);
- (7) The identification of on-site notification systems (e.g., a fire alarm that rings off site, smoke alarms); and

- (8) The name of the emergency coordinator(s) and 7-day/24-hour emergency telephone number(s) or, in the case of a facility where an emergency coordinator is continuously on duty, the emergency telephone number for the emergency coordinator.

At the time, of the inspection, the current contingency plan had been updated after May 2017, and the Quick Reference Guide was not available at this time. On March 26, 2024, Mrs. Hong provided via email the DCP/Axalta-HSV – Contingency Plan Quick Reference Guidance.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)6. [40 C.F.R. § 262.17(a)(6)], which incorporates ADEM Admin. Code r. 334-14-3-.14(10) [40 C.F.R. § 262.262(b)(1-8) and is a condition of the LQG Permit Exemption, a generator amending its contingency plan submit a Quick Reference Guide of the contingency plan to the local emergency responders to have all the required information.

The weekly inspection records for the outside CAA from 2020 to 2023 were reviewed. No issues were observed. The Recycler Still Unit CAA did not have inspection records for the two weeks the totes were being stored in the area.

Pursuant to ADEM Admin. Code r. 335-14-3-.01 (7)(a)1.(v) [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.

The 2021 Hazardous Waste Biennial Report was reviewed.

Hazardous and non-hazardous manifests were reviewed for 2020-2023. Hazardous wastes were shipped to Giant Resource Recovery Attalla (EPA ID ALD070513767) in Attalla, AL and VLS Armor (EPA ID TND981920119) in Mount Pleasant, TN. The land disposal restriction forms were reviewed.

12) Summary

The inspectors conducted the exit meeting with Mrs. Hong and Mr. Taggart. During this meeting, the EPA and ADEM presented the preliminary results of the inspection. Dura Coat Products, Inc. was inspected as a LQG of hazardous waste.

13) Signed

PAULA WHITING

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WHITING
Date: 2024.04.04 13:09:50 -04'00'

Paula A. Whiting
Environmental Engineer

Date

14) Concurrence

ALAN NEWMAN

Digitally signed by ALAN
NEWMAN
Date: 2024.04.05 12:55:47 -04'00'

for Araceli B. Chavez
Chief
RCRA Enforcement Section

Date

ATTACHMENT A

DURA COAT PRODUCTS, INC.

MADISON, ALABAMA

COMPLIANCE EVALUATION INSPECTION PHOTOGRAPHS

January 23, 2024

Photos taken by Paula A. Whiting

Camera Type: Olympus Tough

Serial Number: SC7374



Picture 1 – Battery Charging Station overspill drum



Picture 2 – Battery Charging Station overspill drum



Picture 3 – 90-Day Storage CAA



Picture 4 – 90-Day Storage CAA