RCRA Inspection Report

1) Inspector and Author of Report

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U.S. Environmental Protection Agency, Region 4
Enforcement and Compliance Assurance Division
Chemical Safety and Land Enforcement Branch
RCRA Enforcement Section
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

2) Facility Information

United Parcel Service, Inc.
2401 Jackson Ferry Road
Montgomery, Alabama 36104

EPA ID#: ALD981758246
NAICS #: 492110 - COURIERS AND EXPRESS DELIVERY SERVICES

3) Responsible Officials

Walt Lynch
Facilities Engineer
wlynch@ups.com

4) Inspection Participants

Walt Lynch, Facilities Engineer
Brad Wallace, Business Manager
Castellanos Williams, Building Manager

Craig Schimmer, ADEM
Tarin Tischler, US EPA

5) Date of Inspection

9:30 AM June 15, 2013

6) Applicable Regulations[1]

Resource Conservation and Recovery Act (RCRA) Sections 3002 (42 U.S. Code – Annotated U.S.C.A. 6925 and 6927), and 40 Code of Federal Regulation (C.F.R.) Parts 260 - 270, 273, 278, & 279; and 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).Pursuant to ADEM Admin. Code 335-14-1-.02-(1)(a)258 [40 C.F.R. § 260.10], a generator of greater than 100 kilograms (220 lbs) but less than 1,000 kilograms (2200 lbs) of hazardous waste in a calendar month is a Small Quantity Generator (SQG).

Pursuant to ADEM Admin. Code 335-14-1-.02-(1)(a)258 [40 C.F.R. § 260.10], a generator of greater than 100 kilograms (220 lbs) but less than 1,000 kilograms (2200 lbs) of hazardous waste in a calendar month is a Small Quantity Generator (SQG).

1 As the State's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions will be to the authorized State program. However, for ease of reference, the federal citations will follow in brackets.

Pursuant to ADEM Admin. Code 335-14-1-.02-(1)(a)323 [40 C.F.R. § 260.10], a generator of less than 100 kilograms (220 lbs) of hazardous waste in a calendar month is a Very Small Quantity Generator (VSQG).

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, lamps, or aerosol cans, calculated collectively) at any time.

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 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 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-.01(6)(b) or 335-14-3-.01(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").

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine UPS's compliance with the applicable requirements of RCRA and the corresponding ADEM regulations. This was an EPA lead inspection.

8) Facility Description

Montgomery - UPS (UPS) is a delivery hub that receives and ships packages for delivery. Packages are delivered to UPS via package car and loaded onto a belt to be onboarded for sorting. Sorters separate the packages by zipcode. After sorting, packages are moved to the appropriate vehicle for delivery or air trailer, for packages bound for air transfer. This location sorts and ships 100,000 packages per night. The facility opened at this location in the 1970's and occupies a 200,000 square foot Warehouse on a 20-acre property The facility operations are conducted in the UPS Warehouse, which includes the Warehouse, Maintenance Shop, Auto Shop and Damage Processing Area. The fuel port and hazardous waste storage areas are located outside of the Warehouse.

UPS operated 24 hours a day, seven days a week. The facility employs approximately 500 employees. Employees operate in 3 shifts. All delivery drivers are UP employees, except some independent contractors using personal vehicles as flex drivers during peak season.

UPS initially notified the EPA as a small quantity generator of hazardous waste on November 24, 1986. The facility most recently notified as a very small quantity generator of hazardous waste, a small quantity handler of universal waste, and a generator of used oil on December 6, 2022. Hazardous Waste is generated at the facility when a packaged is broken or damaged in the sorting or delivery process. UPS drivers are trained to contain any spills that occur en route and call for assistance if needed. In the Warehouse, each shift includes three responders and managers trained to conduct waste determinations, with twelve Warehouse employees trained in

hazardous waste management total. Universal Waste lamps and batteries are generated on site, and used oil is generated in the Auto Shop. Solid waste is collected for disposal by Waste Management. Universal and Hazardous waste is shipped by Veolia.

9) Previous Inspection History

The facility has never been inspected by EPA or ADEM but was subject to a nonfinancial record review on January 15, 2022. The nonfinancial review found five violations and the facility returned to compliance on October 19, 2022.

10) Opening Conference

On June 15, 2023, EPA inspector Tarin Tischler accompanied by ADEM inspector Craig Schimmer arrived at UPS at approximately 9:30 AM. UPS Representatives, Brad Wallace, Business Manager, Castellanos Willams, Building Manager, and Walt Lynch, Facilities Engineer, immediately received the inspectors. Walt Lynch and the inspectors met in the facility's office area for the opening conference. The inspectors introduced themselves, showed their credentials to Brad Wallace, Walt Lynch, and Castellanos Williams and explained the purpose of the visit.

The inspectors described the anticipated use of iPad equipment during the inspection and provided a request for records. The EPA inspector explained that the Small Business Regulatory Enforcement Fairness Act's classification of a "small business" is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. A copy of the EPA's information sheet for small businesses can be found at https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf.

The EPA inspector also discussed the company's ability, pursuant to 40 C.F.R. § 2.203, to assert a business confidentiality claim for information submitted to EPA. Walt Lynch signed an internal UPS Confidential Business Information (CBI) Declaration claiming the right to assert a CBI claim and any use of the corporate UPS name in advertising or publicity is prohibited. Inspectors explained that the photos and information collected would be in reference to hazardous waste management at the facility and not UPS business, and the inspectors' received permission from facility representatives to proceed with the inspection.

Walt Lynch 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 representative led the inspectors on a tour of the facility operations.

11) Inspection Observations

Walt Lynch informed inspectors that although UPS renotified as a very small quantity generator (VSQG) of hazardous waste from a small quantity generator (SQG) of hazardous waste on December 6, 2023, the facility still operated under SQG requirements. Inspectors began the facility walk through in the Warehouse Hub. Facility representatives informed inspectors that packages arrive in the right corner of the north wall. Package cars line up along the wall of this area and collect packages after they are sorted. Inspectors observed showers, eye wash stations, and fire extinguishers throughout the Warehouse.

Maintenance Shop:

The Maintenance Shop is located on the west side of the Warehouse and consists of a counter area with shelves of tools and product used for maintenance of equipment in the Warehouse. Facility representatives informed inspectors that used oil and oil contaminated rags are generated in this area. Facility representatives informed inspectors that used oil is drained out of the reducer in the Maintenance Shop. Oily rags generated in this area are accumulated in a red 5-gallon container and laundered by Aramark.

Auto Shop:

The facility Auto Shop is located in the southwest corner of the Warehouse. The Auto Shop conducts routine maintenance and repair operations including oil and tire changes and engine repair for UPS fleet vehicles. Used oil, universal waste batteries, and waste spray paint and lube aerosol cans are generated in the Auto Shop. UPS generates and stores universal waste aerosol cans in a container in this area before transferring aerosol cans to the damage processing area.. The container was marke Oily rags generated in this area are laundered by Aramark. Inspectors observed four 25-gallon containers in this area labeled "nonhazardous rags for laundering," (Photo #1) and a shelf storing spent lead acid batteries (Photo #2).

Used oil is collected in caddies during fleet vehicle oil changes. A hose pumps the oil from the 35-gallon caddy to a 480-gallon used oil tank on the second floor of the Warehouse. Used oil filters are drained in a pit in the Auto Shop and stored in a hopper just outside the Auto Shop. At the time of the inspection, used oil filters were accumulating in the pit. Facility representatives informed inspectors that these filters were actively draining oil and would be moved to the hopper when finished. Inspectors observed the caddy, pit, and tank were all labeled "Used Oil," and the hopper was unlabeled. Inspectors requested that facility personnel mark the hopper with the words "Used Oil." Inspectors also observed product engine oil drums and a dumpster collected scrap metal beside the used oil filter hopper. Facility representatives provided photo documentation of this label corrected on June 23, 2023.

Pursuant to ADEM Admin. Code r. 335-14-17-.03(4)(c)(1) [40 CFR 279.22(c)(1)] Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

Damage Processing Area - Central Accumulation Area:

Waste determinations for waste generated in the Warehouse are conducted in the Damage Processing Area (DPA) in the northwest corner of the Warehouse. If a package is damaged in the sorting process, a trained responder wearing PPE transfers the material into a spill tub. The packages are then tagged with an ID number and the content's information is sent to a third party. Personnel receive a waste determination in 48 hours, which includes a waste profile, hazardous waste label, and disposal information. Waste pending analysis in separated and stored on a shelf in the hazardous waste storage area. Personnel have a list of material that are always nonhazardous, and these containers are disposed of in the solid waste dumpster. No spill tubs of waste were observed in this area at the time of the inspection.

At the time of the inspection, inspectors observed one satellite accumulation container for used aerosol cans labeled with the words "Universal Waste, Aerosol waste" and an accumulation date

of May 5, 2023. Inspectors also observed two 4-ft boxes closed boxes labeled universal waste lamps. The labels were face down on the shelf during the inspection, and facility representatives rotated the boxes so the labels could be observed.

Hazardous Waste Accumulation Area:

UPS's Central Accumulation Area was located outside of the Warehouse in a closed trailer next to a covered outside storage area. No smoking signs were observed outside of the trailer storing hazardous waste. Hazardous waste pending analysis is stored on shelves inside the trailer (Photo #4). Inspectors observed that the containers on these shelves were wrapped in green plastic wrap and marked "Pending Analysis." Inspectors observed 55-gallon drums partially of hazardous waste in the trailer. Walt Lynch informed inspectors that these containers accumulate different characteristics of waste generated in the Warehouse. When these containers are full, they are moved to the outside covered storage area for shipment and disposal. Spill kits and fire extinguishers were observed inside the trailer. Inspectors observed the following containers inside the trailer:

- One 55-gallon drum labeled "Hazardous Waste, UN3265 Waste Corrosive Liquid, Accumulation Start: April 26, 2023." This container was marked with a DOT Class 8 Corrosive placard (Photo #5).

- One 55-gallon drum labeled "Hazardous Waste, Waste Corrosive Liquid, Flammable, Accumulation Start: June 5, 2023." This container was marked with a DOT Class 8 Corrosive placard and a DOT Class 3 Flammable Liquid Placard.

- One 55-gallon drum labeled ""Hazardous Waste, Corrosive Liquid, Accumulation Start: April 6, 2023." This container was marked with a DOT Class 8 Corrosive placard.

- One 55-gallon drum labeled "Hazardous Waste, UN3264 Corrosive Liquid, Accumulation Start: February 21, 2023." This container was marked with a DOT Class 8 Corrosive placard.

One 55-gallon drum labeled "Hazardous Waste, UN3175 Solids containing Flammable Liquids, Accumulation Start: April 21, 2023." This container was marked with a DOT Class 3 Flammable Liquid placard.

- One 55-gallon drum labeled "Nonhazardous, Environmentally Hazardous liquid." Facility representatives informed inspectors that the material in these containers was not RCRA hazardous.

- One 55-gallon drum labeled "Nonhazardous, Environmentally Hazardous Solid." Facility representatives informed inspectors that the material in these containers was not RCRA hazardous.

- One 55-gallon drum labeled "Nonhazardous, Toxic Solids" Facility representatives informed inspectors that the material in these containers was not RCRA hazardous.

- One 55-gallon drum labeled "Nonhazardous Solids Containing Flammable liquid" Facility representatives informed inspectors that the material in these containers was not RCRA hazardous.

- One 55-gallon drum labeled “Nonhazardous UN2810 Toxic Organic Liquid” Facility representatives informed inspectors that the material in these containers was not RCRA hazardous.

- One 55-gallon drum labeled “Nonhazardous Corrosive Basic Liquid” Facility representatives informed inspectors that the material in these containers was not RCRA hazardous (Photo #6).

In the covered outdoor area, inspectors observed two 55-gallon containers of hazardous waste, three 55-gallons of nonhazardous waste, and one 30-gallon container of nonhazardous waste. All of the hazardous waste containers were closed, labeled with the words “Hazardous waste,” an indication of the hazards of the contents, and an accumulation date. The amount of hazardous waste (two full and five partially 55-gallon drums) observed on site was within the 1000kg accumulation limit for VSQG’s.

Fuel Port:

The Fuel Port is located just outside the Warehouse, on the same side of the building as the Auto Shop. This area consists of multiple unleaded and diesel fueling islands for UPS delivery vehicles (Photo #7). Inspectors observed a catch dock in this area to collect and reused any spilled fuel. Concrete in this area is sealed, and storm water is collected in a nearby stormwater retention pond.

12) Records Review

Following the facility walkthrough, inspectors reviewed the following records in Walt Lynch’s Office:

- Used oil shipment records. Used oil generated at the facility is shipped for disposal by Safety Kleen.

- Universal waste battery disposal documentation. Universal waste batteries are shipped for disposal by East Penn Birmingham and Capitalvolvo.

-Universal waste lamp disposal documentation. Universal waste lamps are shipped for disposal by waste management. Inspectors reviewed a certificate of recycling that demonstrated lamps are recycled by Vernon in Williamson, South Carolina.

- Waste determination records. Inspectors requested waste determination records for the containers observed in the hazardous waste storage trailer labeled “nonhazardous, toxic liquid,” “nonhazardous, flammable solids,” and “nonhazardous, corrosive” to verify that a proper waste determination was made. Waste profiles generated by the facility’s third-party contractors demonstrated that all material in these containers was not RCRA hazardous, except for the nonhazardous corrosive material, which contained muriatic acid which has a pH < 2. Inspectors requested additional documentation demonstrating that this waste was nonhazardous. On June 23, 2023, facility representatives submitted documentation that demonstrated the material was in solid form generated in a spill cleanup and was therefore not corrosive waste.

- Uniform Hazardous Waste Manifests (UHWM). Inspectors reviewed UHWM shipped for disposal in 2022 and 2023. UHWM demonstrated that the facility shipped 126 lbs of hazardous waste in January 2022; 435 lbs in June 2022; 17 lbs in August 2022; and 558 lbs in March 2023.

Training records were not available on site at the time of the inspection. This documentation was submitted on June 23, 2023, for five employees trained in hazardous waste management.

13) Closing Conference

The inspectors conducted the Closing Conference at 2pm with Walt Lynch. During this meeting, the inspectors stated their preliminary findings of the inspection. UPS agreed to provide waste determination and training records, and photo documentation of a used oil label by July 1, 2023. On June 23, 2023, Walt Lynch provided the records in an email to Craig Schimmer.

14) List of Appendices

Appendix 1 – Photo Log:

15) Signed

TARIN TISCHLER Digitally signed by TARIN TISCHLER
Date: 2023.08.31 14:24:27 -04'00'

Tarin Tischler
Life Scientist

16) Concurrence

BROOKE YORK Digitally signed by BROOKE YORK
Date: 2023.08.31 14:28:09 -04'00'

for Araceli B. Chavez
RCRA Enforcement Section

Appendix 1 – Photo Log

7 Photos taken on: June 15, 2023
Photos taken by: Tarin Tischler
Photos taken with: EPA iPad
EPA Property Tag: SS8852

Appendix 1 – Photo Log

	Photo #1 – 25-gallon container for oily rags in the Auto Shop. Rags generated in this area are laundered by Aramark.
	Photo #2 – Shelf of spent lead acid batteries observed in the Auto Shop.

	Photo #3 – Unlabeled hopper storing used oil filters.
	Photo #4 – Green packages pending a waste determination.

	Photo #5 – Partially full hazardous waste container in the hazardous waste storage area.
	Photo #6 – Containers of non-RCRA hazardous toxic and corrosive wastes

	Photo #7 – Fueling Island observed in the Fuel Port.