

RCRA Inspection Report

1) Inspector and Author of Report

Laurie Benton
Environmental Engineer
Phone: 404-562-8948
benton.laurie@epa.gov

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

2) Facility Information

Clariant Corporation
Mount Holly West Plant
625 East Catawba Avenue
Mount Holly, North Carolina 28120

EPA ID#: NCD085074821
NAICS #: 325199 – All Other Basic Organic
Chemical Manufacturing
325611 – Soap and Other Detergent
Manufacturing
325320 – Pesticide and Other Agricultural
Chemical Manufacturing
325613 – Surface Active Agent Manufacturing

3) Responsible Officials

Dan Grieneisen, CSP
ESHA Department Safety & Security
daniel.grieneisen@clariant.com

4) Inspection Participants

Dan Grieneisen, Clariant Corporation
Jan Botha, Clariant Corporation
Lisa King, Clariant Corporation

Sean Morris, NCDEQ
Ryan Mayette, NCDEQ
Kevin Fite, NCDEQ
Jerren Rogers, NCDEQ
Laurie Benton, USEPA

5) Date of Inspection

January 16, 2025, 9:55 AM

6) Applicable Regulations¹

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; The North Carolina Solid Waste Management Law, N.C.G.S. § § 130A-17 to -28 and 130A-

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.

290 to - 310.22, and North Carolina Hazardous Waste Management Rules, 15A NCAC 13A .0101 to .0119; and Hazardous Waste Permit Number NCD085074821-R3.

Pursuant to 15A NCAC 13A .0102(b) [40 C.F.R. § 260.10], a large quantity generator of hazardous waste (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste in a calendar month.

Pursuant to 15A NCAC 13A .0119(a) [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 15A NCAC 13A .0107(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 Sections 130A-294(c) and (g) of the NCSWML, N.C.G.S. § 130A-294(c) to (g) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 15A NCAC 13A .0107(a) [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17], an LQG may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Sections 130A-294(c) and (g) of the NCSWML, N.C.G.S. § 130A-294(c) to (g) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Clariant Corporation Mount Holly West Plant’s compliance with the conditions of its RCRA Hazardous Waste Management Permit (Permit Number NCD085074821-R3), the applicable requirements of RCRA and the corresponding North Carolina regulations. This was an EPA lead inspection.

8) Facility Description

Clariant Corporation (Clariant) is a specialty chemicals company with a total of approximately 10,500 full time employees and 68 production sites, worldwide. At the subject facility, a 40-acre industrial site within the city limits of Mount Holly, North Carolina, Clariant manufactures over 300 organic specialty chemicals for a variety of major industrial end users. Products include: surfactants, which are produced for the metal, oilfield, personal care, detergent, aircraft, crop protection, and textile industries; industrial biocides, which are produced for the personal care

industry; and N,N-diethyl-m-toluamide (DEET), which is produced for the insect repellent industry. The facility operates twenty-four hours per day, seven days per week, and has approximately 150 employees. All production is done using batch processes.

Clariant Corporation has owned and operated the subject facility as a hazardous waste treatment storage or disposal facility (TSDF) and a large quantity generator (LQG) of hazardous waste since the company first notified of these activities in August 1997. Clariant most recently notified for these activities as part of its Part A RCRA Permit renewal application on April 1, 2024. Clariant Corporation is permitted to store up to 6,050 gallons of hazardous waste in containers, which are primarily 55-gallon drums, 275-gallon totes, or 30-gallon drums, in the hazardous waste Permitted Container Storage Area. The area is permitted to store only hazardous wastes that are identified with one or more of the following EPA Waste Codes: D001 (ignitable), D002 (corrosive), D003 (reactive), D005 (toxic for barium), D007 (toxic for chromium), D008 (toxic for lead), D009 (toxic for mercury), D011 (toxic for silver), D022 (toxic for chloroform), D035 (toxic for methyl ethyl ketone), D038 (toxic for pyridine), F002 (certain spent halogenated solvents), F003 (certain spent non-halogenated solvents), F005 (certain spent nonhalogenated solvents), P028 ((chloromethyl)-benzene), U007 (acrylamide), U122 (formaldehyde), U151 (mercury), and U188 (phenol).

Clariant Corporation generates hazardous waste on-site in the production areas, the research and development (R&D) laboratory, the operations laboratory, and the maintenance department. Hazardous wastes generated on-site are generally free liquids. The facility manages hazardous waste in three "Red Zones" (Plant 3, Plant 4, and Plant 5), two satellite accumulation areas (Plant 1 and the Laboratory), two central accumulation areas (Warehouse and Plant 5), and one permitted container storage area (Plant 1 Hazardous Waste Permitted Container Storage Area).

Waste materials may be generated as finished products or raw materials that have exceeded their shelf life, that no longer have a viable market, or that are off specification. Equipment clean-out and batch production activities may also generate wastes, which are placed into new or clean empty containers, in the production areas. If a waste is known to be hazardous, all appropriate hazardous waste labels must be attached to the container at the point of generation. Each container of waste that is generated in a production area is marked with the name of the process in which the waste was generated and with the date of generation. The containers are also marked with one of the following labels: hazardous waste pending analysis, non-hazardous waste pending analysis, hazardous waste, or non-hazardous waste.

For each waste that is generated on-in a production area, personnel in the department generating that waste complete a Waste Inventory Sheet, which identifies the process in which the waste was generated, the quantity of waste, the number and type of containers used, the chemical constituents of the waste, and the physical properties of the waste. Each time a waste is generated, the waste is reviewed for classification. When the generation process of a waste stream is well-known and adequate to classify the waste appropriately, generator knowledge is used as the parameter for classification. New wastes may be identified by analyses, such as pH or flash point. The production unit generating the waste is responsible for collecting a

representative composite sample of each total waste stream by sampling a minimum of 10 percent (but typically 100 percent) of the total number of containers of the waste stream. Laboratory analysis conducted at the Clariant laboratory is generally completed within 72 hours.

Partially full, as well as completely full, containers of production wastes are palletized and transferred to one of three designated “Red Zone” areas. The purpose of each Red Zone is to stage containers of waste until each waste is properly profiled, so that each container of waste can be properly marked, labeled, dated, compatible with the waste, and inventoried before it is transferred to the appropriate storage area. The actual time that a container spends in a Red Zone depends on the amount of time required for laboratory confirmation, but each Red Zone is inspected daily to ensure, in part, that the wastes are not staged in the Red Zone for longer than 72 hours. The flash point, pH, SDS, and generator knowledge of each waste material is recorded on its Waste Inventory Sheet, which is submitted to Clariant’s Environment, Safety and Health Affairs (ESHA) Department for evaluation and waste characterization. ESHA Department personnel then record the final waste characterization determination on the Waste Inventory Sheet, and update the associated waste profile records, as necessary.

When personnel receive notice of the confirmed waste characterization, the containers of that waste are transferred to the appropriate storage area. Hazardous wastes that are identified only with EPA Waste Codes that are included in the RCRA Permit may be transferred to the Hazardous Waste Container Storage Area. Unanticipated, non-routine events may generate hazardous waste that are identified with EPA Waste Codes which are not included in the RCRA Permit. All non-permitted hazardous waste and non-hazardous waste is transferred to one of the facility’s two central accumulation areas (CAAs) before it is shipped off-site.

According to Clariant’s most recent biennial report, which was submitted on February 23, 2024, and/or the quick reference guide to the contingency plan, the following hazardous wastes have been generated in the production areas:

D001	Ignitable process waste containing methanol and petroleum naphtha
D001	Ignitable chemical process byproduct containing triethylamine
D001	Ignitable out-of-date product inventory including isobutyl alcohol
D001, D002	Ignitable, corrosive spent solvent used to clean process equipment
D001, D002	Ignitable, corrosive out of date product inventory including acetic acid
D001, F003	Ignitable spent process solvent containing methanol

D002	Corrosive chemical process cleanout containing sulfuric acid, formaldehyde, and/or sodium hydroxide
D002	Corrosive out-of-date product inventory including sulfuric acid
D001, D002, D003	Ignitable, corrosive, reactive out-of-date product inventory or process waste
U007	Toxic out-of-date acrylamide raw material inventory
D002, U188	Corrosive, toxic laboratory chemicals including phenol and hydroquinone
D003, P028	Waste benzyl chloride/empty drums
U122	Toxic process waste formaldehyde

Hazardous wastes that are routinely generated in the laboratories include D001, D005, D022, D038, F002, F003, F005 ignitable, toxic spent laboratory solvents including toluene, methanol, chloroform, pyridine, and other solvents; D009 broken equipment (containing mercury); U122 waste formaldehyde; and D002, D007, D008, D009, D011 corrosive, toxic chemical oxygen demand (COD) vials containing sulfuric acid and mercury sulfate. Typically, these hazardous wastes are accumulated in small containers ($\leq$ 5-gallons) within the laboratory SAA, and subsequently transferred into larger containers (55-gallons) at the Plant 1 Hazardous Waste Container Storage Area.

Other hazardous wastes that have been generated on-site include D001 ignitable chemicals and fuels from maintenance equipment (containing methanol); D001, D035 ignitable, toxic chemicals from maintenance equipment (containing methyl ethyl ketone); D009, U151 used switches containing mercury; D008, D009 toxic waste from maintenance or laboratory; and D002 corrosive out-of-date water treatment chemical.

9) **Previous Inspection History**

The North Carolina Department of Environmental Quality (NCDEQ) has conducted at least one RCRA CEI at the subject facility every fiscal year for at least the past thirty years. Three of those RCRA CEIs have been joint CEIs with the EPA. No apparent violations of RCRA's requirements have been recorded since May 2, 2019, when inspectors noted deficiencies with requirements for managing hazardous waste containers and for revising the contingency plan.

10) **Opening Conference**

On January 16, 2025, EPA inspector Laurie Benton, accompanied by NCDEQ inspectors Sean Morris, Ryan Mayette, Kevin Fite, and Jerren Rogers, arrived at Clariant Corporation Mount Holly West Plant at approximately 9:55 AM. Dan Grieneisen, ESHA's Safety and Security Coordinator, immediately received the inspectors. Dan Grieneisen and the inspectors were

joined by Lisa King (via teleconference) for the opening conference. The inspectors introduced themselves, showed their credentials to Dan Grieneisen, 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. The EPA inspector explained that the EPA has an information sheet for small businesses, a classification found in the Small Business Regulatory Enforcement Fairness Act that is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. This information sheet is 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. The company did not assert a business confidentiality claim.

Dan Grieneisen and Lisa King 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 Dan Grieneisen led the inspectors on a tour of the Facility operations.

11) Inspection Observations

Warehouse 2:

The facility tour began in Warehouse 2 where the inspection participants observed a newly installed central filling station intended to transfer the facility's final product(s) into containers for transport to customer facilities. Mr. Grieneisen explained that the new central filling station is not in service yet, but that the facility has used aircraft de-icer fluid, a non-hazardous product, to test the equipment. The inspectors observed two 55-gallon containers, each labeled with the words "sample waste drum," in this area. One container held a liquid that was identified by Mr. Grieneisen as aircraft de-icer fluid, and the other container was empty.

Warehouse 3 CAA:

In the Warehouse #3 area designated for storing products and raw materials, the inspectors observed three 55-gallon containers with "rejected" stickers. One of these 55-gallon containers was identified with a potassium hydroxide product label and dated May 13, 2024 (Photo 1); one container was identified with a potassium hydroxide product label and dated October 17, 2024 (Photo 2); and one container was identified with a phosphoric acid product label and dated August 6, 2024 (Photo 3). In an email dated February 17, 2025, Lisa King stated that following the CEI, Clariant personnel determined that each container contained water and the contents were placed into the on-site wastewater treatment plant system.

Clariant manages a designated hazardous waste CAA along one wall within Warehouse #3. The perimeter of the CAA is defined by a red line painted on the floor, and additional lines further define individual rows for storing containers of waste with designated aisle spacing. The inspectors observed that fire extinguishers, security cameras, a spill kit, a sprinkler system, an emergency eye wash and shower station, and a fire alarm were all available for personnel

working in the CAA. In addition, Mr. Grieneisen explained that personnel who may work in this area, including security, production, maintenance, and logistics personnel, carry two-way radios for emergency communication.

In this CAA, the inspectors observed (Photo 4): one 4-foot-long cardboard cylinder, labeled 4' universal waste lamps and dated November 22, 2024; one 8-foot-long cardboard cylinder, labeled 8' universal waste lamps and dated August 16, 2024; one 5-gallon container, labeled universal waste lithium batteries and dated July 19, 2023; one 5-gallon container, labeled universal waste batteries and dated February 28, 2024; one 5-gallon container, labeled universal waste NiCad batteries and dated August 30, 2023; one 5-gallon container, labeled used ballast; one 5-gallon container, labeled used HID lamps; one 55-gallon container, labeled universal waste aerosols and dated November 29, 2023; and one cubic yard box, labeled universal waste e-waste and dated November 18, 2024. Three of the containers of universal waste were marked with an accumulation start date greater than one year old (July 19, 2023, August 30, 2023, and November 29, 2023).

Pursuant to 15A NCAC 13A .0199(b) [40 C.F.R. § 273.15(a) and (b)], a SQHUW may accumulate universal waste no longer than one year unless they have proven that accumulation for longer than one year is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal.

The inspectors also observed one 250-gallon tote and one 55-gallon container, each labeled as sodium hydroxide, in this area. In an email dated February 17, 2025, Lisa King confirmed that these containers held a sodium hydroxide solution that is used on-site in the Ethylene Oxide/Propylene Oxide scrubbers.

The 55-gallon container was staged on a wooden pallet, which also held six lead-acid batteries and one high-intensity discharge (HID) lamp (Photo 5). According to Clariant's waste profile records, lead-acid batteries are managed as universal waste. None of the seven lead-acid batteries were labeled with the words "Universal Waste;" the HID lamp was not in a container; and Clariant did not demonstrate how long these universal wastes had been accumulated.

Pursuant to 15A NCAC 13A .0199(b) [40 C.F.R. § 273.14(a)], a SQHUW must label or mark universal waste batteries, or a container in which the batteries are contained, clearly with any one of the following phrases: "Universal Waste – Battery(ies)," or "Waste Battery(ies)," or "Used Battery(ies)."

Pursuant to 15A NCAC 13A .0199(b) [40 C.F.R. § 273.13(d)(1)], a SQHUW 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.

Pursuant to 15A NCAC 13A .0199(b) [40 C.F.R. § 273.15(b)], a SQHUW 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.

Plant 4 Red Zone:

Plant 3, Plant 4, and Plant 5 are each equipped with a designated “Red Zone” for staging containers of wastes generated in their respective production areas. While staged in the Red Zone, each container of waste is marked with the name of the process generating the waste and with the date of generation. Each container is also labeled as hazardous waste pending analysis, non-hazardous waste pending analysis, hazardous waste, or non-hazardous waste. When ESHA Department personnel have performed the final waste characterization determination, personnel verify that the containers in the Red Zone are properly marked, labeled, dated, compatible with the waste, and inventoried before they are transferred to the appropriate storage area. Containers can only be staged in the Red Zone for up to 72 hours. The inspectors did not observe any waste containers in the Plant 4 Red Zone at the time of the inspection (Photo 6).

Permitted Container Storage Area:

The hazardous waste Permitted Container Storage Area (Photo 7) is located on a bermed storage pad, which is approximately 35 feet by 16 feet, is subdivided by a masonry curb, enclosed by a chain link fence, and covered by a lean-to roof. According to the RCRA Permit, up to 64 55-gallon drums (or 16 totes) of ignitable and ignitable-compatible waste can be stored on the larger, left side of the masonry curb, and up to 24 55-gallon drums (or 6 totes) of corrosive and corrosive-compatible waste can be stored on the smaller, right side. The area is identified with a “no smoking” sign, and it is equipped with a fire extinguisher, an emergency shower and eyewash station, and spill response equipment.

Because the area was secured with a padlock, the inspection participants did not enter the Permitted Container Storage Area. However, the inspectors observed the contents of the permitted area through the chain link fence (Photo 8). On the larger, left side of the masonry curb, the inspectors observed two 55-gallon containers on a secondary containment pallet. One container was labeled as hazardous waste spent lab vials and the other was labeled as hazardous waste mixed solvents. Each container was identified with a DOT flammable liquid hazard sticker. On the smaller, right side of the masonry curb, the inspectors observed two 55-gallon containers and one 5-gallon container on one secondary containment pallet, and two 55-gallon containers on another secondary containment pallet. On the first pallet, one 55-gallon container was labeled as hazardous waste sodium hydroxide solution and identified with a DOT corrosive hazard sticker; the other 55-gallon container was labeled hazardous waste COD vials and identified with DOT corrosive and toxic hazard stickers; and the 5-gallon container was labeled as non-regulated sharps. On the second pallet, each of the two 55-gallon containers was labeled hazardous waste glacial acetic acid and marked with DOT corrosive and flammable hazard stickers.

As noted above, one 55-gallon container of hazardous waste sodium hydroxide solution and one 55-gallon container of hazardous waste COD vials were observed on the same secondary containment pallet within the Permitted Container Storage Area. According to Clariant’s waste profile records, hazardous waste COD vials contain sulfuric acid and mercury sulfate. The

wastes in these containers are incompatible with one another. Mixing of sodium hydroxide with either sulfuric acid or mercury sulfate can result in heat, fire, explosion, and toxic gases.

Pursuant to Permit No. NCD085074821-R3, Part III – Storage/Treatment in Containers, H3 Special Requirements for Incompatible Waste, the Permittee shall not store a container of hazardous waste that is incompatible with any waste or material stored nearby in other containers, piles, open tanks or surface impoundments unless the container is separated from the other materials by a dike, berm, wall, or other device.

Outside Permitted Container Storage Area:

The facility generates used oil from general machinery maintenance. The inspectors observed a used oil tank just outside of the Permitted Container Storage Area. This tank was labeled with the words “used oil.”

The inspectors also observed two 55-gallon steel containers and three 55-gallon plastic containers on wooden pallets next to the used oil tank (Photo 9). The steel containers held small used tires that appeared to have been removed from golf-carts used on-site. The plastic containers held gravel that Mr. Grieneisen stated was generated from the cleanout of on-site storm sewer lines to improve the capacity and effectiveness of the on-site stormwater management system.

Plant 1 SAA:

Clariant manages a SAA in Plant 1 for accumulating hazardous waste retain samples that are generated on-site. Sample retains are stored in <½-gallon containers within the retain sample storage area until they are no longer necessary for quality assurance or quality control. Waste sample retains are periodically transferred into 55-gallon containers for consolidation, storage and disposal.

The inspectors observed three 55-gallon containers one bin of fifteen <½-gallon containers (Photo 10) in the Plant 1 SAA. One 55-gallon container was labeled as non-hazardous / non-regulated waste; another 55-gallon container was labeled as loosepacked lab retains D001 hazardous waste flammable liquid (solvent naphtha 1,2,4-trimethylbenzene) and dated December 30, 2024 (Photo 11); the last 55-gallon container, which was empty, was labeled as solvent paste loosepack D001, D035 hazardous waste, identified with a DOT flammable liquid hazard sticker, marked as toxic for RCRA only, and dated October 11, 2024 (Photo 12). Each <½-gallon container was labeled with information related to the sample retain material inside the container, and four were marked to indicate that the pH of the material was >11. None of the waste sample retain containers were labeled with the words “Hazardous Waste” or marked with an indication of the hazards of its contents.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to mark or label its containers (i) with the words “Hazardous Waste” and (ii) with an indication of the hazards of the contents.

While the SAA Permit Exemption does not prohibit a facility from managing more than one container in the same SAA, it does limit the total volume of waste in a SAA to be no more than 55 gallons. At the time of the inspection, the total capacity of the hazardous waste containers observed in the Plant 1 SAA exceeded the SAA Permit Exemption limit, but the total volume of hazardous waste observed in these containers was less than 55-gallons. Please note that, if Clariant were to accumulate hazardous waste in excess of 55 gallons at any SAA, 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15(a)(6)] requires the facility to either comply with 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)] with respect to that amount of excess waste or to remove the excess waste from the SAA within three consecutive calendar days.

Wastewater Treatment Laboratory SAA:

Clariant manages a SAA in the Wastewater Treatment Laboratory for accumulating waste COD vials and waste reagent vials. The inspectors observed two 5-gallon containers in this SAA (Photo 13). One container, labeled D002, D007, D011 hazardous waste corrosive liquid, toxic (sulfuric acid, potassium dichromate, silver), was in use at the time of the inspection. The other container, labeled D002, D007, D009, D011 hazardous waste corrosive and toxic liquid (sulfuric acid, mercuric, sulfuric), was identified as a backup accumulation container.

Plant 5 Red Zone:

The inspectors did not observe any waste containers in the Plant 5 Red Zone at to the time of the inspection (Photo 14).

Plant 5 CAA:

The inspectors observed eight 250-gallon totes of used oil, but no containers identified as hazardous waste in the Plant 5 CAA. Each tote was labeled with the words “used oil” and appeared to be in good condition.

The inspectors also observed one 55-gallon container identified as “kitty litter” and one 55-gallon container identified with a Clariant Hostacoris product label in the product storage area next to the CAA (Photo 15). The Hostacoris container was rusting, and was marked with the words, “do not inventory.” In an email dated February 17, 2025, Lisa King stated that the Hostacor is a raw material used in one of Clariant’s products, and that the container is being stored as a product.

Quality Control (QC) Laboratory SAA:

Clariant manages a SAA for managing hazardous wastes generated in the QC Laboratory. The inspectors observed a total of sixteen hazardous waste accumulation containers in this SAA. The total capacity of these containers was approximately 36-gallons. Each container holding hazardous waste was closed and in good condition.

Hazardous waste flammable liquid (toluene, methanol, isobutanol) is generated from laboratory analysis activities and accumulated in red, one-gallon containers. The inspectors

observed seven of these red containers inside a flammable cabinet along the side wall within the QC Laboratory. Three of the containers, which were full, were staged on the bottom shelf within the cabinet. The remaining four containers, which were empty, were staged on the top shelf within the cabinet. The inspectors also observed one red container in use at the Main Hood #2, one red container in use at the laboratory sink next to the Main Hood #1, and one red container in use at another laboratory sink. Each of the red containers was labeled with the words “hazardous waste” and marked with an indication that the contents are flammable and that they exhibit the RCRA hazardous waste characteristic of toxicity.

D001, D002 hazardous waste glacial acetic acid is also generated from laboratory analysis activities and accumulated in white, one-gallon containers. The inspectors observed one white container in use at a laboratory sink. The container was labeled with the words “hazardous waste”, and it was marked with an indication that the contents are flammable and corrosive.

Laboratory analysis done via HPLC units and other testing in the QC Laboratory generate D001, D002, D038, F003, F005 hazardous waste mixed solvents (toluene, methanol), which is accumulated in 5-gallon containers. The inspectors observed one 5-gallon container at HPLC #4, one 5-gallon container at HPLC #5, one 5-gallon container at HPLC #6, and one 5-gallon container in a Laboratory sink. Each container was labeled with the words “hazardous waste” and marked with an indication that the contents are flammable and that they exhibit the RCRA hazardous waste characteristic of toxicity.

D001, D022, D038, F003, F005 hazardous waste flammable liquid (toluene, methanol) is generated and accumulated in the Gas Chromatography Room within the QC Laboratory. The inspectors observed one 5-gallon container of this waste next to the door in this room. The container was labeled with the words “hazardous waste”, and it was marked with an indication that the contents are flammable and that they exhibit the RCRA hazardous waste characteristic of toxicity.

Clariant also accumulates expired chemicals and expired samples in a tray on the counter in the Gas Chromatography Room within the QC Laboratory. Containers of wastes that are accumulated in this area are periodically consolidated into a lab-pack for shipment off-site. The inspectors did not observe any containers of hazardous waste in this area at the time of the inspection.

12) Records Review

Contingency Plan and Quick Reference Guide (QRG):

The actions that facility personnel should take in response to an emergency are described in the facility’s Contingency Plan, which was last updated on January 9, 2023. A copy of the Contingency Plan (and its quick reference guide) was most recently submitted to the Mount Holly Fire Department, the CaroMont Regional Medical Center, the Novant Health Presbyterian Medical Center, Gaston County Emergency Management, the Mount Holly Police Department, the NCDEQ, and the Mount Holly City Manager on May 26, 2023.

The Contingency Plan describes actions facility personnel must take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility; it lists the names and emergency telephone numbers for persons identified as the primary emergency coordinator and four alternative emergency coordinators; and it includes an evacuation plan for personnel, references signal(s) to be used to begin evacuation, and describes evacuation routes and alternate evacuation routes. The Contingency Plan includes two maps showing the location of emergency equipment, including safety equipment and fire monitoring equipment, and a description of several other emergency response equipment, including alarm systems, spill and fire control equipment, and other emergency supplies and equipment. The description includes the location and a brief outline of the capabilities of the emergency response equipment. The Contingency Plan also includes Coordination Agreement Statements from Gaston County Emergency Management, the Mount Holly Fire Department, the Mount Holly Police Department, Novant Health Presbyterian Medical Center, and CaroMont Regional Medical Center.

The quick reference guide includes the types/names of hazardous waste in layman's terms and the associated hazard associated with each hazardous waste present at any one time; the estimated maximum amount of each hazardous waste that may be present at any one time; a map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; a street map of the facility in relation to surrounding businesses, schools and residential areas; the locations of water supply; the identification of on-site notification systems; and the name of the emergency coordinator(s) and emergency telephone number(s).

Training Records:

Clariant personnel provided job descriptions and employee names for two positions at the facility with hazardous waste management responsibilities: Environmental Coordinator and Solid Waste Technician. At the time of the inspection, Lisa King and the environmental contractor were each named with the Environmental Coordinator job description, and another employee was identified as the Solid Waste Technician.

Clariant provided hazardous waste training records to document that both individuals named as Environmental Coordinators, the individual named as the Solid Waste Technician, and the individuals identified in the Contingency Plan as the Emergency Coordinator and two of three Alternate Emergency Coordinators had all received hazardous waste management training. Lisa King, Environmental Coordinator, most recently completed training on August 3, 2023; the second named Environmental Coordinator most recently completed training on October 3, 2024; the Solid Waste Technician most recently completed training on December 15, 2023; the Emergency Coordinator most recently completed training on November 19, 2024; the first Alternate Emergency Coordinator most recently completed training on May 14, 2024; the second Alternate Emergency Coordinator most recently completed training on August 9, 2024; but the third Alternate Emergency Coordinator did not complete training within the past year.

According to the hazardous waste training records, greater than one year had passed since Lisa King, the Solid Waste Technician, and one Alternate Emergency Coordinator had most recently completed hazardous waste training. In addition, no training records were provided for the individual identified as the third Alternate Emergency Coordinator. In an email dated February 17, 2025, Lisa King stated that the third Alternate Emergency Coordinator is currently on medical leave. In an email dated January 21, 2025, Ms. King explained that the employee named as the Solid Waste Technician transferred to another position in October 2024; and that the new Solid Waste Technician, who had been assigned to this position for less than six months, was in the process of completing his hazardous waste training. Clariant personnel explained that Lisa King's annual hazardous waste training was overdue because she had been on and off of medical leave for much of the past six months. Ms. King provided documentation that she completed hazardous waste training, which was approximately five months overdue, on January 21, 2025.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(7)(iii)], which is a condition of the LQG Permit Exemption, facility personnel must take part in an annual review of the initial training required by this section.

Waste Manifest and Land Disposal Restriction (LDR) Records:

The inspectors reviewed hazardous waste manifest records that were provided for shipments sent during 2024. Manifest records indicate that the hazardous wastes Clariant sent to Univar Solutions (NCD061263315) include D001, D002 (triethylamine, N,N-Diethyl-m-toluamide), D001 flammable liquid (methanol, petroleum naphtha), D002 corrosive liquid (sulfuric acid, formaldehyde), D001, D002 waste (methanol, sulfuric acid), U147 maleic anhydride; D001, D002 acetic acid, glacial; D001, D002 waste (isopropanol, potassium hydroxide), and D001, D022, D038, F003, F005 flammable liquid (toluene, methanol); the hazardous wastes Clariant sent to AES Environmental (KYD985073196) include D001, D022, D038, F003, F005 flammable liquid (toluene, methanol), D002 sodium hydroxide solution, and D002 amines; the hazardous wastes Clariant sent to Tradebe Treatment (TND000772186) include D002 corrosive liquid (methanesulfonic acid, hypophosphorus acid, 2-ethylhexanol), D001 flammable liquid (solvent naphtha, 1,2,4-trimethylbenzene), D001 flammable liquid (1-butanol, 1-methoxy-2-propanol), D001 flammable liquid (isobutyl alcohol), and D001 2-diethylaminoethanol; and the hazardous wastes Clariant sent to US Ecology Tampa (FLD981932494) include D001 flammable solids, D001, D002 amines, and D001, D002 waste. Manifest records also indicate that Clariant sent D001, F003 methanol to Giant Resource Recovery (SCD036275626) and P028 benzyl chloride to Ross Incineration (OHD048415665).

Weekly Inspection Records:

Clariant maintains one inspection log to record observations at both CAAs and another inspection log to record observations at the Permitted Container Storage Area. The inspectors reviewed Clariant's available records of these inspections since November 29, 2023. Each log includes a place to record observations about the condition of the containers: leaking or corrosion, spills, odors, labels, storage time, segregation, pallet stacking, and aisle space; about

the emergency equipment: eyewash, fire extinguisher, and phone; about the secondary containment: debris, warning signs, cracks in dike, cracks in pad, locks, fence/gate, and spill trays; and about the spill kits: overpack, clay absorbent, oil absorbent, absorbent boom, spark-proof shovel, brooms, gloves. Each log also includes space to record information about the container inventory, including the date the waste was generated, if the waste is hazardous, the waste inventory number, the number of containers, and a description of the waste. The records include the date and time of the inspection and the name and signature of the employee conducting the inspection.

13) Closing Conference

The inspectors conducted the exit meeting at 2:30 PM with Jan Botha (Site Manager), Dan Grieneisen, and Lisa King (via teleconference). During this meeting, the inspectors stated their preliminary conclusions of the inspection and requested the manifest records for hazardous waste shipments sent during 2024, the most recent contingency plan and quick reference guide, evidence of arrangements with emergency response entities, and records of the most recent shipments of used oil and universal waste.

In two emails to Laurie Benton and Ryan Mayette on January 16, 2025, Lisa King provided the hazardous waste manifest records for shipments sent during 2024 and a copy of the January 9, 2023, Contingency Plan.

In an email to Laurie Benton and Ryan Mayette on January 17, 2025, Lisa King provided records for a shipment of universal waste to Univar Solutions Charlotte Plant (NCD061263315) on November 25, 2024, and for a shipment of used oil to VLS Environmental Solutions (SCR000762468) on June 24, 2024.

In an email to Laurie Benton and Ryan Mayette on January 21, 2025, Lisa King provided training completion reports for two employees.

In an email to Laurie Benton and Ryan Mayette on February 17, 2025, Lisa King provided follow-up information concerning the inspection and additional requested employee training records.

14) Summary of Observations

During the inspection, observations were made concerning the following RCRA requirements:

- Pursuant to 15A NCAC 13A .0199(b) [40 C.F.R. § 273.15(a) and (b)], a SQHUW may accumulate universal waste no longer than one year unless they have proven that accumulation for longer than one year is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal.
- Pursuant to 15A NCAC 13A .0199(b) [40 C.F.R. § 273.14(a)], a SQHUW must label or mark universal waste batteries, or a container in which the batteries are contained, clearly with any one of the following phrases: “Universal Waste – Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies).”

- Pursuant to 15A NCAC 13A .0199(b) [40 C.F.R. § 273.13(d)(1)], a SQHUW 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.
- Pursuant to Permit No. NCD085074821-R3, Part III – Storage/Treatment in Containers, H3 Special Requirements for Incompatible Waste, the Permittee shall not store a container of hazardous waste that is incompatible with any waste or material stored nearby in other containers, piles, open tanks or surface impoundments unless the container is separated from the other materials by a dike, berm, wall, or other device.
- Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to mark or label its containers (i) with the words “Hazardous Waste” and (ii) with an indication of the hazards of the contents.
- Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(7)(iii)], which is a condition of the LQG Permit Exemption, facility personnel must take part in an annual review of the initial training required by this section.

15) List of Attachments

Attachment 1 – Photo Log

16) Signed

ARACELI CHAVEZ

Digitally signed by ARACELI
CHAVEZ

Date: 2025.02.28 13:29:18 -05'00'

for Laurie Benton
Environmental Engineer

17) Concurrence

ARACELI CHAVEZ

Digitally signed by ARACELI
CHAVEZ

Date: 2025.02.28 13:30:10 -05'00'

Araceli B. Chavez
RCRA Enforcement Section

Attachment 1 – Photo Log

15 Photos taken on: January 16, 2025

Photos taken by: Laurie Benton

Photos taken with: DMC TS-5

EPA Property Tag: S09533



Photo 1: One of three 55-gallon containers with a “rejected” sticker in Warehouse #3. The container is identified with a potassium hydroxide product label and dated May 13, 2024.

Photo 2: One of three 55-gallon containers with a “rejected” sticker in Warehouse #3. The container is identified with a potassium hydroxide product label and dated October 17, 2024.





Photo 3: One of three 55-gallon containers with a “rejected” sticker in Warehouse #3. The container is identified with a phosphoric acid product label and dated August 6, 2024.



Photo 4: Containers of universal waste stored in the Warehouse #3 CAA.



Photo 5: Six lead-acid batteries and one HID lamp on a wooden pallet at the Warehouse #3 CAA.



Photo 6: The Plant 4 Red Zone.



Photo 7: The Permitted Container Storage Area.



Photo 8: Containers of hazardous waste stored in the Permitted Container Storage Area.



Photo 9: Two 55-gallon steel containers and three 55-gallon plastic containers on wooden pallets next to the used oil tank.



Photo 10: Fifteen $< \frac{1}{2}$ -gallon containers of retain samples in the Plant 1 SAA.



Photo 11: One 55-gallon container in the Plant 1 SAA. The container was labeled as loosepacked lab retains D001 hazardous waste flammable liquid (solvent naphtha 1,2,4-trimethylbenzene) and dated December 30, 2024.



Photo 12: Empty 55-gallon container in the Plant 1 SAA. The container was labeled as solvent paste loosepack D001, D035 hazardous waste, identified with a DOT flammable liquid hazard sticker, marked as toxic for RCRA only, and dated October 11, 2024.



Photo 13: Two 5-gallon containers in the Wastewater Treatment Laboratory SAA.



Photo 14: The Plant 5 Red Zone.



Photo 15: One 55-gallon container identified as “kitty litter” and one 55-gallon container identified with a Clariant Hostacoris product label in the product storage area next to the Plant 5 CAA.