

RCRA Inspection Report

1) Inspectors and Authors of Report

Parvez Mallick
Environmental Engineer
Phone: 404-562-8594
Mallick.Parvez@epa.gov

Tarin Tischler
Life Scientist
Phone: 404-562-9702
Tischler.Tarin@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, S.W.
Atlanta, Georgia 30303

2) Facility Information

American Cast Iron Pipe Company (ACIPCO)
1500 32nd Ave North
Birmingham, AL 35207

EPA ID#: ALD003397569
NAICS #: 331511 – Iron Foundries
33121 – Iron and Steel Pipe and Tube Manufacturing from Purchased Steel

3) Responsible Officials

John Batchelor
Environmental Compliance Director
Jbatchelor@american-usa.com

4) Inspection Participants

John Batchelor, ACIPCO Environmental Compliance Director
Heath Washington, ACIPCO Environmental Engineer
Corey Holmes, Alabama Department of Environmental Protection (ADEM)
Paul Searcy, ADEM
Parvez Mallick, USEPA
Tarin Tischler, USEPA
Date of Inspection

5) Date of Inspection

March 22, 2023, 8:40 a.m.

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)111. [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 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 AHWMA, 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”).

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7) [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 Section 22-30-12(b) of the AHWMA, 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] (hereinafter referred to as the “LQG Permit Exemption”).

7) **Purpose of Inspection**

The purpose of this unannounced compliance evaluation inspection (CEI) was to determine ACIPCO’s compliance with the applicable requirements of RCRA and the corresponding ADEM regulations. This was an EPA lead inspection.

8) **Facility Description**

American Cast Iron Pipe Company (hereinafter “ACIPCO” or the “facility”) is a manufacturer of pipes and valves used in the waterworks and oil and natural gas industries. Most of the facility’s

[1] Alabama’s Generator Improvements Rule (GIR) regulations were effective in Alabama as of April 6, 2018, but are not authorized by EPA, and therefore are not federally enforceable. For ease of reference and consistency with the corresponding ADEM Inspection Report, this report will cite the Alabama hazardous waste regulations in effect at the time of the inspection, and the corresponding federal regulations.

pipes are used as sewer or city water pipes, which have special coating requirements according to local ordinances. ACIPCO began operations in 1905 and employs 1500 staff. The facility is located at 32 Avenue North Birmingham, AL 35207 and occupies 2,000 acres. ACIPCO operates 24 hours a day 5-7 days a week, as needed.

ACIPCO operates under NAICS Code 331511 for Iron Foundries and 33121 for Iron and Steel Pipe and Tube Manufacturing from Purchased Steel. The facility forms steel and iron pipes through casting and coating processes. The pipes manufactured at the facility range in diameter from 4 to 64 inches. The facility purchases scrap metal and shreds it into 3-foot sections before melting the metal with coke. The metal is then cast in one of the three casting shops for 4-16-inch, 14- 36-inch, or 30-64-inch diameter pipes. Iron pipes are then coated in one of the three coating lines, while steel pipes are coated by a third-party vendor.

ACIPCO initially notified as a large quantity generator (LQG) of hazardous waste in 1980 and most recently notified on May 31, 2022. Waste generated at the facility includes acetone wipes, spent solvents, asphalt coating, and ink from production coating and labeling that all exhibit the hazardous characteristic of ignitability (EPA hazardous waste code: D001). The majority of waste generated at the facility consists of the emission control dust from the foundry melting furnaces. While the dust is typically nonhazardous, it may be managed as hazardous waste if tested to be toxic for lead and cadmium. Samples of all roll-off containers of the dust are tested in ACIPCO's on-site laboratory using the Toxic Characteristic Leaching Procedure (TCLP) method to determine if the waste is a toxic hazardous waste (EPA hazardous waste codes: D008 and D009).

9) Previous Inspection History

ADEM has conducted three RCRA CEIs at the subject facility between 2015 and 2020 and found no violations during those inspections.

ACIPCO personnel informed ADEM on December 17, 2018, that ACIPCO had placed one roll-off container of hazardous waste in its on-site foundry waste disposal area. As a result, ADEM issued a Notice of Violation to ACIPCO on January 8, 2019, and later verified that the facility had returned to compliance during a follow up inspection on July 28, 2020.

10) Opening Conference

On March 22, 2023, EPA inspectors Parvez Mallick and Tarin Tischler, accompanied by Alabama Department of Environmental Management (ADEM) inspectors Corey Holmes and Paul Searcy arrived at ACIPCO at approximately 9:05 a.m. John Batchelor, Environmental Compliance Director, immediately received the inspectors. John Batchelor and the inspectors were joined by Heath Washington, Environmental Engineer, via Microsoft Teams for the opening conference. The inspectors introduced themselves, showed their credentials to John Batchelor and Heath Washington and explained the purpose of the visit.

The inspectors described the anticipated use of equipment (digital camera) during the inspection and provided a request for records. The EPA inspectors 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 inspectors 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.

John Batchelor 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.

11) **Inspection Observations**

The facility is connected to Birmingham Water Works and has industrial water as a backup. The facility's outfall can discharge up to 1000 gallons per minute into the Village Creek. Industrial wastewater discharged into the outfall is only treated for pH and goes through several ponds to help with settling.

Casting Line #2

At the time of the inspection, inspectors observed a casting line process in casting shop #2, for 30–64-inch diameter pipes. All lines use the same equipment with the same processes, only in different sizes. Waste generated in the casting lines consists of Cupola dust in baghouses.

During the casting process, scrap metal is dropped in combustion chambers from the top and the metal is heated to 2600 degrees Fahrenheit. The metal is dropped into baths in a continuous melting process and is then diverted into one of two ladles. Water flows through the equipment shells to cool the pieces. Cores made of sand are inserted into the bale and spicket ends of the casting machines to hold shape and stretch the pipe into formation.

Baghouses in the casting areas treat cupola dust for metals, making most of the material non-hazardous. Dust is collected in roll off containers on the lower level of the casting shop and all containers are tested in the facility's in-house laboratory to determine toxicity prior to disposal. Heath Washington informed inspectors that only 0.57% of the dust generated at the facility tests hazardous for cadmium and lead. Once full, the roll off containers are moved outside for storage until the dust can be tested and disposed of. **John Batchelor informed inspectors that the facility fills about 2 roll off containers per day, and the containers are not labeled while awaiting analysis. This is an area of concern.**

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)5(i) [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.

Inspectors recommended to the Facility that the roll off containers be labeled "Hazardous Waste, Pending Analysis" to prevent unlabeled containers accumulating hazardous waste, should the lab results come back hazardous. The particulate in the baghouse is overtreated and is typically nonhazardous. The nonhazardous dust that comes back as below half of the total characteristic leaching procedure (TCLP) limits for cadmium and lead are sent to an industrial landfill on site.

Nonhazardous dust that comes back above half of TCLP limits are sent to Emelle Landfill. Most dust material is disposed of on site.

The upper level of the casting shop consists of a 1100- and 1300-ton mixer for molten metal, which goes through treatment before magnesium is plunged into the ladle. The iron then goes through a centrifuge system, then filled into a mold and cooled. The newly formed pipes are taken to the oven, then to processing for grinding and quality testing, and then finally brought to the coating lines.

ACIPCO manages a universal waste container in Casting Shop #2 for spent aerosol cans that are generated by casting process. The inspectors observed one 55-gallon drum labeled “universal waste, aerosol cans only.” The drum was located on the lower level of the casting shop near the entrance, and it was equipped with a plastic lid, which was closed.

West Coating Line:

Pipes are moved to the appropriate coating lines after casting. The insides of the pipes have a golf-ball like texture before coating. Pipes sit on a walking beam at the start of the coating lines and are rolled to the lining station. The majority of the pipes at the facility are coated on the inside with cement, but some have other coating requirements depending on the end use of the pipe. The coating mix can vary in thickness and strength. Once the lining is set, the pipes move down the coating line and the ends are pre-coated with an appropriate paint, either zinc or asphalt paint. Inspectors observed two 55-gallon drums labeled “Used Oil” in this area.

Inspectors observed one 55-gallon product oil drum, one 55-gallon used oil drum labeled “used oil,” and one 55-gallon drum labeled “Used oil, Aerosol Cans only” in the finishing area of the coating line. A parts washer was also observed in the area. John Batchelor told inspectors the parts washer uses a nonhazardous solvent.

In the touch up area of the coating line, cracks and all imperfections in the cement coating, as well as scratches in the paint, are corrected by hand. ACIPCO manages a satellite accumulation area (SAA) in this area. At the time of the CEI, inspectors observed one 55-gallon drum labeled “Hazardous Waste, Cutback Paint (Pure R17, MOS 50), Ignitable (D001),” and one drum labeled “Hazardous Waste, Waste Aerosols, Ignitable (D001), Tetrachloroethylene (D039), Trichloroethylene (D040).” This waste drum was also labeled with a universal waste label that was dirty and illegible (Photos 1 & 2).

Pursuant to ADEM Admin. Code r. 335-14-11-.02(5)(f) [40 CFR 273.14(f)] a SQHUW must label or mark each universal waste aerosol cans (i.e., each aerosol can), or a container in which the aerosol cans are contained, must be labeled or marked clearly with any of the following phrases: "Universal Waste-Aerosol Can(s)," "Waste Aerosol Can(s)," or "Used Aerosol Can(s)."

At the time of the CEI, inspectors observed 131 55-gallon drums of ZN-wire product material in this area.

On the opposite end of the coating line warehouse, inspectors observed a second satellite accumulation area. At the time of the inspection, inspectors observed one 55-gallon drum labeled “Hazardous Waste, Cutback Paint (Pure R17, MOS 50), Ignitable (D001),” and one 55-gallon

drum labeled “Hazardous Waste, MEK Methyl Ethyl Ketone Impacted Solids, D001, F005 (Ignitable, Listed Solvent)” (Photos 3 and 4). This drum did not have a ring around the lid and therefore could not be properly sealed.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(5)(a)(4) [40 CFR 262.15(a)(4)], a SAA container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste and must not be opened, handled, or stored in a manner that may rupture the container or cause it to leak.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(5)(a)5.(ii) [40 C.F.R. § 262.15(a)(5) (ii)], which is a condition of the SAA Permit Exemption, a LQG is required to mark or label its SAA containers with an indication of the hazards of the contents.

Central Accumulation Area (CAA)

ACIPCO manages a hazardous waste CAA in a warehouse in the southeastern corner of the property. This area consists of four rows of totes and 55-gallon drums of hazardous waste with aisle space between each row. The warehouse was marked with “Danger: Unauthorized Personnel Keep Out,” “Danger: Contains PCBs,” and “Danger: Flammable Liquid, No Smoking, No Open Flames” signs. ACIPCO manages ignitable waste, waste toxic for lead and cadmium (EPA Waste Codes: D008, D009), universal waste lamps, and universal waste batteries in this CAA.

At the time of the CEI, inspectors observed the following drums along the wall next to row 1:

- One (1) closed container labeled “Universal Waste Lamps, 11/11/22.”
- One (1) 55-gallon container labeled as universal waste non-PCB ballasts. This container was not marked with an accumulation date.
- One (1) box of lithium batteries that was open and unlabeled at the time of the inspection (Photo 7).
- One (1) closed box of LED lights.
- Several Universal Waste lamps leaning against the wall, not in a container (Photo 5).

Pursuant to ADEM Admin. Code r. 335-14-11-.02(4)(d)(1) [40 CFR 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.

Pursuant to ADEM Admin. Code r. 335-14-11-.02(6)(a) [40 C.F.R. § 273.15(a)], a SQHUW may accumulate universal waste no longer than one year and must to 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.

Pursuant to ADEM Admin. Code r. 335-14-11-.02(4)(a)(1) [40 CFR 273.13(a)(1)], a small quantity handler of universal waste must contain any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

Pursuant to ADEM Admin. Code r. 335-14-11-.02(5)(a) [40 CFR 273.14(a)] A small quantity handler of universal waste must label or mark label each Universal waste batteries (i.e., each battery), 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)."

At the time of the CEI, inspectors observed the following eleven containers in row 1:

- One (1) open cubic yard box half full of aerosol cans. The box was labeled with "Universal Waste, American Cast Iron Pipe Co, Waste Aerosols," and a DOT flammable liquids placard. This container was not marked with an accumulation date (Photo 7).
- Two (2) 275-gallon totes, one partially full and one full. The totes were labeled with a DOT flammable liquid placard, the words "Hazardous Waste," and an accumulation date.
- Four (4) cubic yard boxes labeled "Universal Waste, American Cast Iron Pipe Co, Waste Aerosols," and a DOT flammable liquids placard. These boxes were not marked with an accumulation date (Photo 8)
- One (1) 55-gallon drum labeled "Hazardous Waste, UN3157, Waste Solids Containing Flammable Liquids, (Naphtha Petroleum Distillates)."
- One (1) 55-gallon drum labeled "Latex DL, 2/28/2023." Facility representatives informed inspectors that this drum was nonhazardous.
- Two (2) empty 55-gallon drums

Pursuant to ADEM Admin. Code r. 335-14-11-.02(6)(a) [40 C.F.R. § 273.15(a)], a SQHUW may accumulate universal waste no longer than one year and 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.

At the time of the CEI, inspectors observed the following sixteen (16) containers in row 2:

- Eleven (15) nonhazardous 55-gallon drums.
- One (1) 55-gallon drum labeled "Hazardous waste, Cupola Dust, D006 (cadmium), D008 (Lead), 3/1/2023"

At the time of the CEI, inspectors observed the following containers of the fifteen (15) containers in row 3:

- One (1) 55-gallon drum labeled with a product label with a DOT corrosive placard. This drum was not labeled with the words "Hazardous Waste" or an accumulation date (Photo 9).
- One (1) 55-gallon drum labeled with a product label that included a DOT flammable liquid placard. This drum was not labeled with the words "Hazardous Waste" or an accumulation date (Photo 10).
- One (1) 55-gallon drum labeled with a product label with a DOT corrosive placard and dated 3/8/2023 on the container lid. This drum was not labeled with the words "Hazardous Waste."
- One (1) 55-gallon drum labeled "Hazardous Waste, UN1993 Flammable Liquids, Naphtha Petroleum Distillates, 3/8/2023."
- Two (2) 55-gallon drums of "Hazardous Waste, Cupola Dust, D006, D008, 3/1/2023." These drums were missing an indication of the hazards of its contents. One of the drums was also dented and therefore unable to be properly closed and sealed.
- One (1) 55-gallon drums of "Hazardous Waste, Cupola Dust, D006, D008, 9/30/2022." This drum was missing an indication of the hazards of its contents and has accumulation date

exceeding the 90-day accumulation time limit for large quantity generators. This drum was rusted, in poor condition, and open (Photo 11).

- One (1) 55-gallon drum labeled “Hazardous Waste, Flammable Liquids, Naptha Petroleum Distillates, 3/1/2023.”
- One (1) 55-gallon drum labeled “Cupola dust, 3/1/2023.” John Batchelor informed inspectors that the dust was swept from the floor of the baghouse area and laboratory testing found it to be nonhazardous.
- Five (5) 55-gallon nonhazardous waste drums. One of these containers was severely rusted and had hole that had leaked onto the ground. John Batchelor informed inspectors that these drums contained sewage from an overflow.
- One empty 55-gallon drum.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)1.(v) [40 C.F.R. § 262.17(a)(1)(iv)], which is a condition of the LQG Permit Exemption, a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste; and a container holding hazardous waste must not be opened, handled, or stored in a manner that may rupture the container or cause it to leak.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)5(i) [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.

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

At the time of the CEI, inspectors observed the following twenty-three (23) containers in row 4:

- Two (2) empty 55-gallon drums.
- Three (3) open 55-gallon drums of empty propane cylinders.
- One (1) 55-gallon drum labeled “Cupola Dust, 3/1/2023.” This drum’s hazardous waste label was ripped and illegible.
- Eight (8) 55-gallon drums labeled “Hazardous Waste, Cupola Dust, D006, D008, 3/1/2023.” This drum hazardous waste label was ripped and illegible (Photo 12).
- One (1) 55-gallon drum labeled “Hazardous Waste, Mercury containing crushed bulbs, D009.” This drum was connected to a bulb crusher and marked with a Class 9 DOT regulated placard. The bulb crusher lid was open at the time of the inspection.
- Two (2) 55-gallon drums labeled “Latex DL, 2/28/2023.” John Batchelor informed inspectors that these drums contained nonhazardous paint waste.
- One (1) 55-gallon drum labeled “PCB Shred, 2/28/2023.” This drum was not marked with the words “Hazardous Waste,” but was labeled with a DOT Class 3 flammable liquid placard.
- One (1) Partially full container labeled “surfactant.” John Batchelor informed inspectors that this drum contained product.

- Four (4) 5-gallon containers of grease. John Batchelor informed inspectors that these drums contained product.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)5(i) [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.

Pursuant to ADEM Admin. Code r. 335-14-3-.01 (7)(a)1.(v) [40 C.F.R. § 262.17(a)(1)(iv)], which is a condition of the LQG Permit Exemption, (A) a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste; and (B) A container holding hazardous waste must not be opened, handled, or stored in a manner that may rupture the container or cause it to leak.

The CAA is equipped with an internal communications or alarm system capable of providing immediate emergency instruction to facility personnel; it is equipped with a device capable of summoning emergency assistance from local police departments, fire departments, or state or local emergency response teams; it is equipped with portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment; and it is equipped with water to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray system.

Outside of the central accumulation area, inspectors observed five 55-gallon drums labeled as nonhazardous. John Batchelor informed inspectors that these drums were empty when left outside and now contain storm water. Inspectors requested a laboratory analysis of the contents of these drums to confirm that they contained stormwater. This is an area of concern.

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].

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 in 2023.

The 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.

The plan describes arrangements agreed to with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers, local hospitals or the Local Emergency Planning Committee.

The plan lists the names and emergency telephone numbers for persons identified as emergency coordinators. John Batchelor is listed as the primary emergency coordinator, and the other individuals are listed in the order in which they will assume responsibility as alternates.

The plan includes a list of all emergency equipment at the facility. The list includes fire extinguishing systems, spill control equipment, communications and alarm systems, and decontamination equipment. The list appears to be up to date. The plan does include a physical description of each item on the list, and a brief outline of its capabilities, but does not include the location of emergency equipment at the facility.

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)(b) [40 C.F.R. § 262.261(e)], and is a condition of the LQG Permit Exemption, the contingency plan must include a list of all emergency equipment at the facility where this equipment is required, and this list must be kept up to date.

The plan includes an evacuation plan for personnel. This plan describes signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

A copy of the contingency plan (and its quick reference guide) was most recently submitted to the local authorities including Birmingham police, fire department, and St. Vincent Hospital on March 17, 2023.

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; the identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff; 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:

Training records were not available for review at the time of the inspection but were sent via email following the inspection on April 5, 2023. Each description included the requisite skill, education, or other qualifications, and duties of facility personnel assigned to that position.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)7 [40 C.F.R. § 262.17(a)(7)], which is a condition of the LQG Permit Exemption, training records on current personnel must be kept until closure of the facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the facility.

ACIPCO provided a written description of the type and amount of both introductory and continuing training to be given to each person filling the positions listed above. The inspectors reviewed records of employee hazardous waste training completed in 2022-2023.

Waste Manifest and Land Disposal Restriction (LDR) Records:

The inspectors reviewed available hazardous waste manifest records and land disposal restriction forms for shipments of hazardous waste sent since 2020, as this was the year of the last ADEM inspection. Hazardous waste manifest records show that D006 and D008 hazardous waste solids, D001 hazardous waste naptha and petroleum distillates flammable liquids, and D001 and F003 hazardous waste ethyl acetate and acetone flammable liquids are routinely shipped to Chemical Waste Management, Inc. (EPA ID Number: ALD000622464), and the most recent shipment at the time of the inspection was made on March 2, 2023 and documented on manifest tracking number 007150358GBF.

Weekly Inspection Records:

The inspectors reviewed ACIPCO available records of inspections of the hazardous waste central accumulation area (CAA) since 2021. The inspection log includes a checklist to record observations about leaking containers and for deterioration of containers caused by corrosion or other factors. The inspection log includes a checklist to record observations about the number of containers, condition of containers, signs and security, emergency equipment in the CAA, and if all drums are within the 90-day accumulation time limit for large quantity generators. The records include the date and time of the inspection and the name, signature and initials of the employee conducting the inspection. Employees do routinely record inspection observations and subsequent follow-up actions on the inspection log. At the time of the CEI, inspectors observed that the log of weekly inspections was missing for the week of June 17, 2022.

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.

12) Closing Conference

The inspectors conducted the exit meeting following the CEI with John Batchelor. Heath Washington joined the closing conference via Microsoft Teams. During this meeting, the inspectors stated their preliminary conclusions of the inspection. ACIPCO representatives agreed to provide photo documentation of corrected labels and containers, documentation of a proper waste determination, training records, and an updated contingency plan by April 7, 2023. On April 5, 2023, John Batchelor provided all requested records in an email to Paul Searcy.

13) List of Appendices

Appendix 1 – Photo Log:
12 Photos taken on: March 22, 2023
Photos Taken By: Tarin Tischler
Photos Taken With: Canon PowerShot SD980 IS
EPA Property Tag: S75319

14) **Signed**

PARVEZ MALLICK

Digitally signed by PARVEZ
MALLICK

Date: 2023.06.06 12:51:59 -04'00'

Parvez Mallick
Environmental Engineer

ARACELI CHAVEZ

Digitally signed by ARACELI
CHAVEZ

Date: 2023.06.06 13:38:12 -04'00'

for Tarin Tischler
Life Scientist

15) **Concurrence**

ARACELI CHAVEZ

Digitally signed by ARACELI CHAVEZ

Date: 2023.06.06 13:38:48 -04'00'

Araceli B. Chavez
RCRA Enforcement Section

Appendix 1

RCRA CEI Photographs

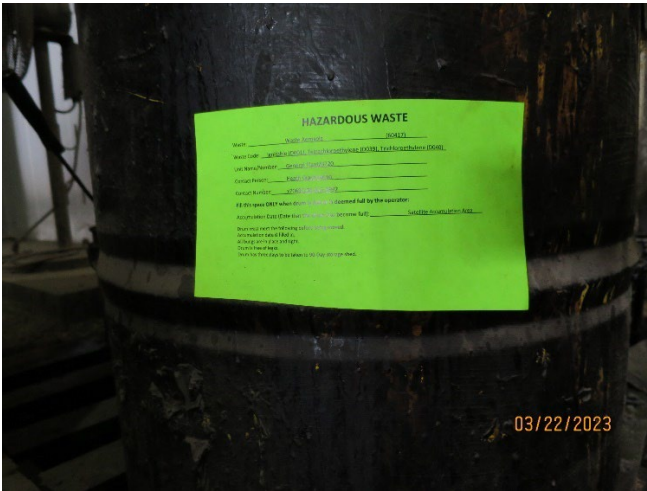


Photo 1: A hazardous waste label on a 55-gallon drum of universal waste aerosol cans. Facility representatives informed inspectors that these aerosol cans would be managed as universal waste, not hazardous waste.



Photo 2: An illegible Universal Waste label on a 55-gallon drum of waste aerosol cans.



Photo 3: A 55-gallon SAA drum of cutback paint missing an indication of the hazards of its contents in the West Coating Line.



Photo 4: A 55-gallon SAA drum of MEK missing an indication of the hazards of its contents in the West Coating Line. This drum did also not have a ring around its open top lid and therefore could not be properly sealed and closed.



Photo 5: Unlabeled box of universal waste lamps next to universal waste lamps not stored in a container in the CAA.



Photo 6: An open, unlabeled box of universal waste lithium batteries in the CAA.



Photo 7: An open cubic yard box of universal waste aerosol cans. This container was not marked with an accumulation date.



Photo 8: A cubic yard box of universal waste aerosol cans not marked with an accumulation date in the CAA.



Photo 9: Drum in the CAA that was labeled with a product label and missing the words “Hazardous Waste” and an accumulation date.



Photo 10: Drum in the CAA that was labeled with a product label and missing the words “Hazardous Waste” and an accumulation date.



Photo 11: A CAA drum that was missing an indication of the hazards of its contents and has accumulation date exceeding the 90-day accumulation time limit for large quantity generators. This drum was also rusted, in poor condition, and open.



Photo 12: A hazardous waste drum in the CAA with an illegible hazardous waste label. The lid of the drum was marked with an accumulation date.