

RCRA Inspection Report

1) Inspector and Author of Report

Alan Newman
Environmental Engineer
Phone: 404-562-8589
newman.alan@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

Bakelite Chemicals LLC (Bakelite)
200 Ampac Road
Conway, North Carolina 27820
Northampton County

EPA ID#: NCD980559975
NAICS #: 325199 - All other basic organic
chemical manufacturing and 325211 - Plastics
material and resin manufacturing

3) Responsible Officials

Trip Van Aman
Quality Manager
Phone: (252) 585 - 3819
trip.vanaman@bakelite.com

4) Inspection Participants

Angela Smith, Bakelite
Trip Van Aman, Bakelite
Joshua Turner, Bakelite
Ken Mitchell, Bakelite
Ben Blowe, Bakelite
David Robinson, Bakelite

Andrea Stermer, NCDEQ
Autumn Romanski, NCDEQ
Alan Newman, USEPA

5) Date of Inspection

March 23, 2023, 8:30 a.m. to 4:30 p.m.

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-290 to - 310.22, and North Carolina Hazardous Waste Management Rules, 15A NCAC 13A .0101 to .0119.

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 15A NCAC 13A .0107(a) [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 .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 130A-294(c) and (g) of the NCSWML, N.C.G.S. § 130A-294(c) and (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(a)] (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 130A-294(c) and (g) of the NCSWML, N.C.G.S. § 130A-294(c) and (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”).

Pursuant to 15A NCAC 13A .0119 [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.

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Bakelite Chemicals LLC (Bakelite) compliance with the applicable requirements of RCRA and the corresponding North Carolina regulations. This was an EPA lead inspection.

8) Facility Description

Bakelite is a large quantity generator of hazardous waste (LQG), a small quantity handler of universal waste and a generator of used oil. Bakelite operates a chemical manufacturing facility in Conway, North Carolina. The facility manufactures thermosetting resins, powdered resins, and formaldehyde solutions. Products manufactured at the Conway facility service the board, protective coatings, and laminate industries. Bakelite identified as an LQG of hazardous waste in their most recent notification on July 14, 2022.

The facility’s three primary manufacturing processes incorporate five reactors (K-1, K3, K-7, K-8, and K-5) and one mixing tank. The Resin Manufacturing Process utilizes multiple raw materials to manufacture a variety of thermosetting resin products and generates hazardous waste. The Formaldehyde Manufacturing Process utilizes methanol and water to manufacture 50% liquid formaldehyde. The process can generate off-specification formaldehyde (U122)

during a malfunction event. The wastewater generated from this process is reused in the process. The Spray Dry Manufacturing process converts liquid resin by drying the liquid-oriented strand board resins into a powdered form. This process generates hazardous waste containing o-cresol (D023) and barium (D005). Process waste from resin manufacturing is discharged from the K-5 reactor to a 10,500-gallon hazardous waste tank, which is subject to 40 CFR 265 Subpart J regulations. Finished products are shipped offsite in drums, totes, and tankers.

The Bakelite facility occupies approximately 80 acres with a manufacturing footprint of about seven acres. The facility operates two 12-hour shifts 24 hours a day seven days a week and employs 72 workers. The site changed ownership to Bakelite Chemicals LLC in July 2022.

Bakelite generates the following hazardous wastes:

Waste Description	EPA Waste Codes	Source of Waste:
Waste aerosols, flammable	D001, D035, D039	Paints and adhesives
Waste combustible liquids (petroleum naphtha)	D001	Parts washers
Waste corrosive liquid, basic, inorganic (sodium hydroxide)	D002, D005, D023, D035	
Waste environmentally hazardous substances, liquid (o-cresol, barium)	D005, D023	Resin manufacturing waste from hazardous waste tank
Waste flammable liquids (isopropanol)	D001	
Waste paint	D001, D005, D006, D007, D008, D011, D035	Maintenance
Waste sodium hydroxide	D002	Reactor cleanout
Waste solids containing corrosive liquids (formaldehyde)	U122	Filters from formaldehyde manufacturing process
Waste solids containing flammable liquid (ethanol, resin solution)	D001, D005, D023, D035	Resin manufacturing waste (filter bags)

9) **Previous Inspection History**

NCDEQ has conducted three RCRA CEIs at the subject facility between 2016 and 2020 and found no violations during those inspections. On November 17, 2020, NCDEQ conducted the most recent RCRA CEI at the subject facility and found no apparent violations of RCRA's requirements.

10) **Opening Conference**

On March 23, 2023, EPA inspector Alan Newman, accompanied by NCDEQ inspectors Andrea Stermer and Autumn Romanski, arrived at Bakelite at approximately 8:30 a.m. Angie Smith, Quality Assurance and Site Environmental Technician, immediately received the inspectors.

Angie Smith and the inspectors were joined by Joshua Turner and David Robinson for the opening conference. The inspectors introduced themselves, showed their credentials to Angie Smith 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 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. The company did not assert a business confidentiality claim.

Angie Smith provided an overview of the facility's history and current operations during the opening conference. The facility provided a safety video and a general process overview of the facility. The inspection participants also discussed health and safety protocols and required personal protective equipment before Angie Smith led the inspectors on a tour of the Facility operations.

11) **Inspection Observations**

- Facility wide Satellite Accumulation Areas

Bakelite operates SAAs in five locations including the Maintenance Shop SAA (Building 202), the Truck Shop SAA, the Spray Dry SAA, the Resin Plant Laboratory SAA, and the Control Room and Laboratory SAA for managing hazardous waste. The inspectors observed:

Location	Hazardous Waste stored; EPA ID numbers; Indication of the Hazards
Maintenance Shop – Building 202 SAA (Photograph 1):	One 55-gallon blue metal container of unpunctured aerosol cans; D001/D035/D039; Ignitable and Toxic
Truck Shop SAA:	One 55-gallon container used diesel fuel; D001; Ignitable
Spray Dry SAA:	One 55-gallon of unpunctured aerosol cans, D001/D035/D039 Ignitable and Toxic
Resin Plant Laboratory SAA (Photographs 2-3):	One 5-gallon of ethylene Glycol/isopropyl alcohol (IPA); D001; Ignitable One 2.5-gallon container of hydranal; D001/D002; Ignitable and Corrosive One 5-gallon container of NIR/GC; D001/U003/U122; Ignitable and Toxic One 1-liter hydranal; D001; no indication of the hazards
Control Room and Laboratory SAA:	One 2.5-gallon container of ethylene glycol/IPA/waste; D001; Ignitable

Unless otherwise noted, all containers in SAAs were observed to be located at or near the point of generation and under control of the operator; in good condition; closed; and marked with the

words “Hazardous Waste” and the appropriate indication of the hazard(s) of the contents. None of the SAAs exceeded 55 gallons of hazardous waste.

The inspection team noted that the 1-liter container of hydranal was not marked with an indication of the hazards (Photograph 3). Facility personnel marked the container with the hazards ignitable and corrosive during the inspection.

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

In addition to the waste listed above, the Maintenance Shop was operating a red parts washer which is refilled, as necessary, by Safety-Kleen (Photograph 4). Bakelite’s records show that this waste is managed as a hazardous waste for ignitability (D001). Facility personnel stated that solvent contaminated wipes are managed under the solvent-contaminated disposable wipe exclusion and disposed of in the trash.

Bakelite was operating a blue abrasive blasting unit in the maintenance area (Photograph 4). Facility personnel stated that this blasting unit was used sparingly on unpainted parts. There were no records of disposal or waste determination with the waste from this unit. Bakelite should ensure that a waste determination is conducted prior to disposal of this waste. This was an area of concern for the inspection team.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 15A NCAC 13A .0106 [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 15A NCAC 13A .0107(a) [40 C.F.R. § 262.11].

- CAA

Bakelite was utilizing two hazardous waste container storage central accumulation areas (CAAs) on the day of the inspection. A list of the stored items is below:

Location	Size of Container; Hazardous Waste stored; EPA ID numbers; Indication of the Hazards; Accumulation Start Date (ASD)
K-1/K-5 CAA (Photographs 5-8):	One 55-gallon blue metal container storing RPPC filter bags; D001/D005/D023/D035; Ignitable; with an ASD of March 22, 2023 One 55-gallon blue metal container storing ethylene glycol/Isopropanol/water mixture; D001; irritant and oxidizer; with an ASD of March 23, 2023: One 5-gallon black plastic container storing formaldehyde beach filters; U122; acutely toxic; with an ASD of March 22, 2023.
MCCD (Photographs 9-11):	One 55-gallon blue metal container storing RPPC filter Bags; D001/D005/D023/D035; irritant, health hazard, flammable, acutely

	toxic, oxidizer, and aquatic toxic indication of hazards; with an ASD of March 15, 2023.
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Each container in the CAAs was in good condition, closed, labeled with the words Hazardous Waste, labeled with the indication of the hazard, and marked with an ASD. Each CAA was marked with “No Smoking” and “Hazardous Waste Area” signs and had emergency spill information and emergency personnel contact information posted.

- Facility Area for Universal Waste Management:

Bakelite manages universal waste (UW) batteries and lamps. Bakelite was storing its UW on the mezzanine level of the Maintenance Shop (Building 202). On the day of the inspection, Bakelite was storing one 1-gallon container of UW batteries that was labeled with an ASD of March 16, 2023; two 4-foot containers of UW lamps labeled with ASDs of September 28, 2022, and October 17, 2022, respectively; and one 30-gallon container of UW lead-acid batteries labeled with an ASD of November 17, 2022. These containers were in good condition, closed, and labeled as required (Photographs 12-16).

- Used Oil

Bakelite was generating used oil in the Truck Shop. At the time of the inspection there was one 55-gallon container of used oil filters and one 270-gallon double-walled above-ground storage tank storing used oil. The container and tank were each labeled with the words “Used Oil” and in good condition. The inspection team observed drain pans accumulating used oil that were not labeled with the words “Used Oil”. Facility personnel labeled the drain pans during the inspection (Photograph 17).

Pursuant to 15A NCAC 13A .0118(c) [40 C.F.R. § 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.”

- Facility Area with Central Accumulation Area (CAA): Hazardous Waste Tank

Bakelite manages hazardous waste distillate water in its A-7 tank farm, a tank system, in a hazardous waste tank labeled S-20. Bakelite began operating this hazardous waste tank with a 9,929-gallon capacity in 2010. S-20 is a vertical above-ground storage tank (Photographs 18-26). This tank has a fixed roof facility representatives stated in an inter-company memo dated November 16, 2020, that the vapor pressure when operating was 0.00636 psi and that the waste contains approximately 4.36% of Total Organics. This tank appears to be a Level 1 tank. Bakelite stated that the ancillary equipment to the tank is in secondary containment (double-walled piping). Bakelite conducts daily inspections of the tank and the piping leading to and from the tank. S-20 is marked with the words “Danger, Hazardous Waste”; with the EPA waste ID codes D005 (Barium) and D023 (o-Cresol); with a DOT placard to indicate the hazard of the contents; and with an ASD of March 21, 2023. Emergency information is posted on the tank. A fire extinguisher, spill kit, airhorn, and fire hydrant were available in the area. Bakelite employees utilize two-way radios or cell phones for communication.

The tank, S-20, is located in a tank farm with ten product tanks. These tanks share a concrete secondary containment area. The inspection team noted widespread residual spills of material and windblown debris covering the floor of the secondary containment. Facility personnel pointed out a remediated location in this secondary containment area that was identified by the NCDEQ representative during the previous inspection. This area was not located next to the hazardous waste tank, but it was within the secondary containment footprint. The secondary containment area has a central sump to collect spills and rainfall. This sump was full on the day of the inspection. The floor of the secondary containment area was obscured by pooled liquids, residual spills, and debris, so the inspection team was unable to determine if there were cracks or gaps in the secondary containment concrete. The debris and spilled material appeared to have been present for some time in the secondary containment; many areas of the concrete were green in color (Photographs 18-23). Subsequent to the inspection, Bakelite provided photos of the sump areas which appeared to be free of standing liquids but still appeared to be marred by debris and spilled material. Bakelite personnel stated that storm water from the secondary containment area is pumped into the process by using the manual pump located near the base of Tank S-20. Bakelite must demonstrate the hazardous waste determination used prior to reuse of this accumulated water in the process.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(2)], which incorporates Pursuant to 15A NCAC 13A .0110(j) [40 C.F.R. § 265.193(c)(4)] and is a condition of the LQG Permit Exemption, a generator accumulating hazardous waste in a tank system must at a minimum provide secondary containment systems that are sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills, or precipitation. Spilled or leaked waste and accumulated precipitation must be removed from the secondary containment system within 24 hours, or in as timely a manner as is possible to prevent harm to human health or the environment, if removal of the released waste or accumulated precipitation cannot be accomplished within 24 hours.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(2)], which incorporates to 15A NCAC 13A .0110(j) [40 C.F.R. § 265.193(e)(1)(iii)] and is a condition of the LQG Permit Exemption, the external liner system of a secondary containment system that is provided by a generator for a tank system that is accumulating hazardous waste must be free of cracks or gaps.

The inspection team inspected the top of Tank S-20 (Photographs 24-26). The manway on top of the tank was covered by a metal cover with two handles. Although the cover is designed to be affixed to the manway opening using four bolts, only one of the bolt holes was equipped with a bolt on the day of the inspection; the other three were not (Photographs 24-25). The inspectors observed a rope tied to one of the cover handles and to the railing on top of Tank S-20. This closure device was also not closed as designed because the metal cover was larger than the opening and did not appear to be the correct size to fit the manway (Photographs 24-25). The area on top of the tank was not inspected by the facility and the unsecured closure device was not in the closed position. In an email dated April 20, 2023, Emily Thompson provided documentation that this tank is subject to RCRA 265 Subpart CC, and stated *“The hazardous waste tank, S-20, at the Conway, NC Bakelite Chemical plant is not exempt from Subpart CC. I have attached documentation on assessments of Subparts AA, BB, and CC including how we meet the Level 1 tank control requirements for Subpart CC.”*

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(2)], which incorporates 15A NCAC 13A .0110(u) [40 C.F.R. § 265.1085(c)(2)(iii)(A)] and is a condition of the LQG Permit Exemption, a generator controlling air pollutant emissions from a tank using Tank Level 1 controls shall equip the tank with a fixed roof designed so that each opening in the fixed roof, and any manifold system associated with the fixed roof shall be equipped with a closure device designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps or other open spaces in the closure device or between the perimeter of the opening and the closure device.

- Tank 13

Bakelite utilizes Tank 13 (Photograph 27) to store sodium hydroxide process tank cleaning solution, which is used to clean process tanks until the material is spent. When the material can no longer be used for its intended purpose, Bakelite must make a hazardous waste determination on the solid waste in this tank. Bakelite has historically determined that this waste is hazardous when generated. At that time, this tank would be subject to regulations under 40 CFR Subpart J. Bakelite most recently shipped this waste as hazardous waste D002, on January 23, 2023. In an email dated March 24, 2023, Angie Smith responded to a question from Andrea Stermer by stating that the sodium hydroxide remains in use until it is removed by the transporter. This is an area of concern for the inspection team.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 15A NCAC 13A .0106 [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 15A NCAC 13A .0107(a) [40 C.F.R. § 262.11].

- Red Liquids

The inspection team noted pooled red liquids near K-5 and Tank S-6 during the inspection (Photograph 28). Facility personnel stated that the red liquid was non-hazardous. Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.11(f)], an LQG must maintain records supporting its hazardous waste determinations. Bakelite must provide documentation on the waste determination for these liquids accumulating on the concrete near K-5 reactor and Tank S-6.

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 RCRA Contingency Plan, which was last updated on October 4, 2022. 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. David Robinson 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 includes the location and a physical description of each item on the list, and a brief outline of its capabilities. 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 RCRA Contingency Plan (and its quick reference guide) was most recently submitted to the Halifax Memorial Hospital, Vidant Roanoke Chowan Hospital, Northampton County Sheriff's Office, Conway Police Department, and Severn, Conway, Woodland Fire Department, and Murfreesboro Volunteer Fire Departments on November 18, 2022. 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). The inspection team noted that the emergency contacts in the QRG and the RCRA Contingency Plan did not match. The inspection team requested that a revision be made to correct the misinformation. This was an area of concern for the inspection team.

Training Records:

Bakelite uses one job title and written job description for a position with duties related to hazardous waste management. The inspectors reviewed facility the job description and employee names that were provided for "Operational Personnel." This description includes the requisite skill, education, or other qualifications, and duties of facility personnel assigned to that position. Bakelite provided a written description of the type and amount of both introductory and continuing training to be given to each person filling the position listed above. The inspectors reviewed records of employee hazardous waste training completed in 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 from January 27, 2022, through February 22, 2023. There were no issues noted with the manifests or LDR records.

Weekly Container and Tank Storage Inspection Records:

The inspectors reviewed Bakelite's available records of inspections of the hazardous waste tank and container central accumulation areas (CAAs) since January 2022. Inspections are conducted twice weekly for the container storage areas and daily for the hazardous waste tank. The container inspection logs include a place to record observations about leaking containers and for deterioration of containers caused by corrosion or other factors. It includes a checklist to record observations about security, legible and complete container labeling, container condition, closed and lids secured, rings tight, any evidence of mishandling of containers which may cause leaking, rupture or spills, container storage time, aisle space, emergency equipment, fire extinguisher, spill response kit, and among other observations. The tank inspection log includes a checklist to record observations about tank volume, labeling, general conditions, tank farm drain valve, cracks and erosion, overflow pipe, tank base, tank dome lid, tank bottom load valve, and ancillary equipment. The records include the date and time of the inspection and the name, signature and initials of the employee conducting the inspection. Employees do not routinely record inspection observations and subsequent follow-up actions on the inspection log. The inspectors observed that the secondary containment area was not visible for inspection, because it was obscured by pooled liquids, residual spills, and debris, and that the tank closure device was not secure. However, neither of those conditions were noted on the inspection logs.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(2)], which incorporates 15A NCAC 13A .0110(j) [40 C.F.R. § 265.195(b)], and is a condition of the LQG Permit Exemption, a generator accumulating hazardous waste in tanks must conduct daily inspections of tank overflow/spill control equipment to ensure that it is in good working order; above ground portions of the tank system to detect corrosion or releases of waste; and the construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system to detect erosion or signs of releases of hazardous waste.

The area on top of Tank S-20 was not inspected by the facility and the unsecured closure device was not in the closed position. In an email dated April 20, 2023, Emily Thompson provided documentation that this tank is subject to RCRA 265 Subpart CC, and stated *"The hazardous waste tank, S-20, at the Conway, NC Bakelite Chemical plant is not exempt from Subpart CC. I have attached documentation on assessments of Subparts AA, BB, and CC including how we meet the Level 1 tank control requirements for Subpart CC."*

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(2)], which incorporates 15A NCAC 13A .0110 [40 C.F.R. § 265.1085(c)(4)(i) and (iii)] and is a condition of the LQG Permit Exemption, the owner or operator controlling air pollutant emissions from a tank using Tank Level 1 controls shall visually inspect the fixed roof and its closure devices to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the roof sections or between the roof and the tank wall; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (k) of this section.

The inspection team also reviewed the biennial report submitted February 23, 2022, for the 2021 reporting year, tank integrity testing, and the waste minimization plan last updated August 2022 among other records.

13) Closing Conference

The inspectors conducted the exit meeting at 4:00 p.m. with Trip Van Aman, Angela Smith, David Robinson, and Gary Saunders. During this meeting, the inspectors stated their preliminary conclusions of the inspection. Bakelite agreed to provide training records for Dylan Allen and an update to the QRG to match up the emergency coordinator designations between the QRG and the RCRA Contingency Plan, an updated site evacuation map, and a tank diagram by within two weeks. On March 24, 2023, Angie Smith provided the training records and the updated QRG in an email to Alan Newman. On March 29, 2023, Angie Smith provided the tank diagram in an email to Alan Newman. On March 31, 2023, Angie Smith provided the updated site evacuation map in an email to Alan Newman.

14) Summary of Observations

Based on the observations made during the inspection, the following RCRA requirements appear to be applicable at the subject facility:

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

- The inspection team noted that the 1-liter container of hydranal was not marked with an indication of the hazards (Photograph 3). Facility personnel marked the container with the hazards ignitable and corrosive during the inspection.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(2)], which incorporates 15A NCAC 13A .0110(j) [40 C.F.R. § 265.193(c)(4)], and is a condition of the LQG Permit Exemption, a generator accumulating hazardous waste in a tank system must at a minimum provide secondary containment systems that are sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills, or precipitation. Spilled or leaked waste and accumulated precipitation must be removed from the secondary containment system within 24 hours, or in as timely a manner as is possible to prevent harm to human health or the environment, if removal of the released waste or accumulated precipitation cannot be accomplished within 24 hours.

- The inspection team noted widespread residual spills of material and windblown debris covering the floor of the secondary containment of Tank S-20.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(2)], which incorporates 15A NCAC 13A .0110(j) [40 C.F.R. § 265.193(e)(1)(iii)], and is a condition of the LQG Permit Exemption, a generator accumulating hazardous waste in a tank system must satisfy the following requirements: an external liner system must be free of cracks or gaps.

- The inspection team was unable to determine if there were cracks or gaps in the secondary containment concrete due to debris and accumulated liquids.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(2)], which incorporates 15A NCAC 13A .0110(j) [40 C.F.R. § 265.195(b)], and is a condition of the LQG Permit Exemption, a generator accumulating hazardous waste in tanks must conduct daily inspections of tank overflow/spill control equipment to ensure that it is in good working order; above ground portions of the tank system to detect corrosion or releases of waste; and the construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system to detect erosion or signs of releases of hazardous waste.

- The inspection team noted that portions of the secondary containment were not inspected on a daily basis.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(2)], which incorporates 15A NCAC 13A .0110(u) [40 C.F.R. § 265.1085(c)(2)(iii)(A)] and is a condition of the LQG Permit Exemption, a generator controlling air pollutant emissions from a tank using Tank Level 1 controls shall equip the tank with a fixed roof designed so that each opening in the fixed roof, and any manifold system associated with the fixed roof shall be equipped with a closure device designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps or other open spaces in the closure device or between the perimeter of the opening and the closure device.

- The closure device on top of Tank S-20 was not closed.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(2)], which incorporates 15A NCAC 13A .0110 [40 C.F.R. § 265.1085(c)(4)(i) and (iii)] and is a condition of the LQG Permit Exemption, the owner or operator controlling air pollutant emissions from a tank using Tank Level 1 controls shall visually inspect the fixed roof and its closure devices to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the roof sections or between the roof and the tank wall; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (k) of this section.

- The closure device on top of Tank S-20 was not closed.

Pursuant to 15A NCAC 13A .0118(c) [40 C.F.R. § 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.”

- At the time of the inspection there was one 55-gallon container of used oil filters and one 270-gallon double-walled above-ground storage tank storing used oil. The container and tank were each labeled with the words “Used Oil” and in good condition. The inspection

team observed drain pans accumulating used oil that were not labeled with the words “Used Oil”. Facility personnel labeled the drain pans during the inspection (Photograph 17).

15) **List of Appendices**

Appendix 1 – Photo Log

16) **Signed**

ALAN NEWMAN Digitally signed by ALAN NEWMAN
Date: 2023.07.17 06:21:10 -04'00'

Alan Newman
Environmental Engineer

17) **Concurrence**

ARACELI CHAVEZ Digitally signed by ARACELI CHAVEZ
Date: 2023.07.17 10:54:49 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Appendix 1

Photograph Log:

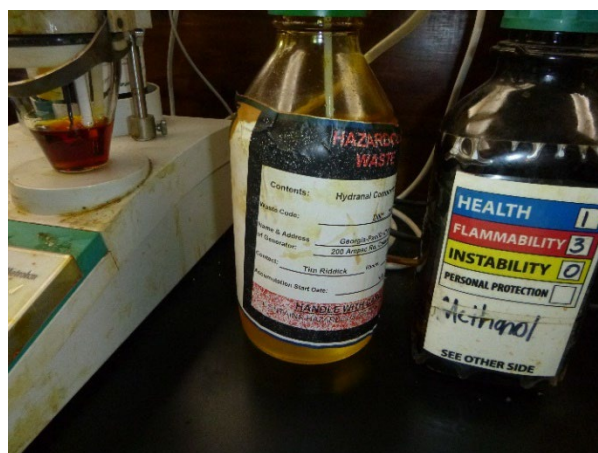
28 Photographs taken March 23, 2023
Photographs taken by Alan Newman
Photographs taken with Lumix Digital
EPA Property Tag: S75870



Photograph 1: Maintenance Shop SAA.



Photograph 2: Resin Plant Laboratory SAA.



Photograph 3: Resin Plant Laboratory SAA



Photograph 4: Abrasive blasting unit and parts washer in the Maintenance Shop.



Photograph 5: K-1/K-5 CAA.



Photograph 6: K-1/K-5 CAA.



Photograph 9: MCCD CAA.



Photograph 7: K-1/K-5 CAA.



Photograph 10: MCCD CAA.



Photograph 8: K-1/K-5 CAA.



Photograph 11: MCCD CAA.



Photograph 12: Maintenance Area Universal Waste Storage.



Photograph 15: Maintenance Area Universal Waste Storage.



Photograph 13: Maintenance Area Universal Waste Storage.



Photograph 16: Maintenance Area Universal Waste Storage.



Photograph 14: Maintenance Area Universal Waste Storage.



Photograph 17: Base CAA.



Photograph 18 Hazardous Waste Tank CAA.



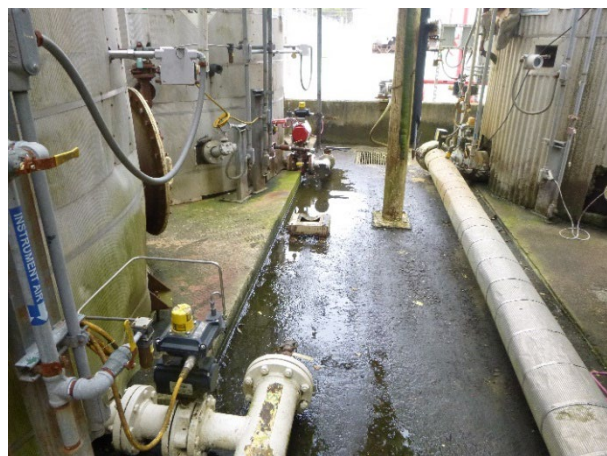
Photograph 19: Hazardous Waste Tank CAA.



Photograph 20: Hazardous Waste Tank CAA.



Photograph 21: Hazardous Waste Tank CAA.



Photograph 22: Hazardous Waste Tank CAA.



Photograph 23: Hazardous Waste Tank CAA.



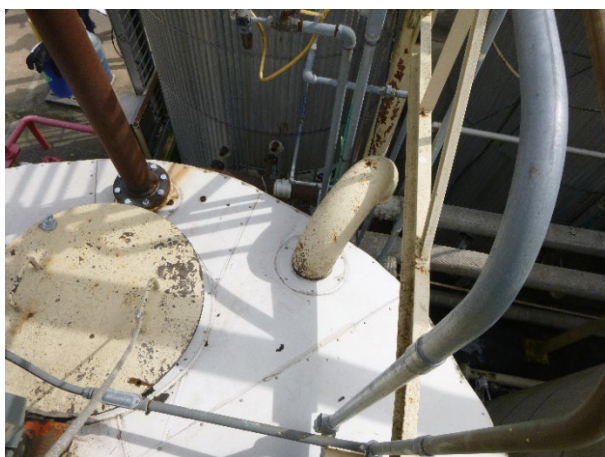
Photograph 26: Hazardous Waste Tank CAA.



Photograph 24: Hazardous Waste Tank CAA.



Photograph 27: Tank S-13.



Photograph 25: Hazardous Waste Tank CAA.



Photograph 28: Tank S-6.