RCRA Inspection Report

1) Inspectors and Authors of Report

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

2) Facility Information

Everlube Products
100 Cooper Circle
Peachtree City, Georgia 30269

EPA ID#: GA0002265148

Primary NAICS: 325510 – Paint and Coating Manufacturing

3) Responsible Official

Steve A. Mills
Operations Manager
Steve_Mills@everlubeproducts.com

4) Inspection Participants

Steve A. Mills, Operations Manager, Everlube Products
Lynn Preston, Environmental Compliance Specialist, Environmental Protection Division, Georgia Department of Natural Resources
Summer Smith, Environmental Compliance Specialist, Environmental Protection Division, Georgia Department of Natural Resources
Brooke York, Environmental Engineer, U.S. Environmental Protection Agency, Region 4 (R4)
Robert Nakamoto, Environmental Engineer, EPA, R4

5) Date of Inspection

November 30, 2022, at 9:20 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), Georgia Hazardous Waste Management Act (GHWMA), Ga. Code Ann. § 12-8-60 *et seq.,* 40 Code of Federal Regulation (C.F.R.) Parts 260 - 270, 273, 278, & 279; Georgia Hazardous Waste Management Rules (GHWMR), Georgia Compiled Rules and Regulations (Ga. Comp. R. and Regs.) 391-3-11-.01 to 391-3-11-.18, adopts and incorporates by reference 40 CFR Parts 260-266, 268, 270, 273 & 279, and Georgia Hazardous Waste Facility Permit No. HW-035 (CA).

Georgia Hazardous Waste Management Act, Ga. Code Ann.
§ 12-8-60 *et seq.*, and Georgia Hazardous Waste Management Rules, Georgia Compiled Rule and Regulations (Ga. Comp. R. and Regs.) 391-3-11.01 to 391-3-11.18 (2016 and 2018)

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.02(1) [40 C.F.R. § 260.10], a large quantity generator (LQG) of hazardous waste 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 Ga. Comp. R. and Regs. 391-3-11-.18 [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 Ga. Comp. R. and Regs. 391-3-11-.08(1) [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 GHWMA, Ga. Code Ann. § 12-8-66 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)], except as required in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the "SAA Permit Exemption").

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [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 GHWMA, Ga. Code Ann. § 12-8-66 [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in Rule 391-3-11-.08(1) [40 C.F.R. § 262.17] (hereinafter referred to as the "LQG Permit Exemption").

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 Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.21(a)(1)], (a) a solid waste exhibits the characteristic of ignitability if a representative sample of the waste has any of the following properties: (1) It is a liquid, other than a solution containing less than 24 percent alcohol by volume and at least 50 percent water by weight, that has a flash point less than 60 °C (140 °F), as determined by using one of the following ASTM standards: ASTM D93-79, D93-80, D3278-78, D8174-18, or D8175-18 as specified in SW-846 Test Methods 1010B or 1020C (all incorporated by reference, see § 260.11 of this subchapter). Hereinafter referred to as the "the Alcohol Exclusion."

Pursuant to Ga. Comp. R. and Regs. 391-3-4 and 40 C.F.R. § 241.2, a Non-Hazardous Secondary Material (NHSM) is one that meets the legitimacy criteria requirements under the Air Pollution regulations. Pursuant to Ga. Comp. R. and Regs. 391-3-4 and 40 C.F.R. § 241.3(d) legitimacy criteria for NHSM used as a fuel in combustion units include but are not limited to three legitimacy criteria.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)], which incorporates Ga. Comp. R. and Regs. 391-3-11-.10 (1) [40 C.F.R. Part 265, Subpart BB], a condition of the LQG Permit Exemption, equipment that contains or contacts hazardous waste with organic concentration of at least ten (10) percent by weight for greater than 300 hours per year must comply with the RCRA Subpart BB Organic Air Emission Standards for equipment leaks.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)], which incorporates Ga. Comp. R. and Regs. 391-3-11-.10 (1) [40 C.F.R. Part 265, Subpart CC], a condition of the LQG Permit Exemption, a generator accumulation hazardous waste containing an average volatile organic concentration of great than 500 ppm at the point of waste generation in tanks must comply with the RCRA Subpart CC Organic Air Emission Standards for tanks.

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection (CEI) to determine Everlube Product's compliance with the applicable requirements of RCRA and the corresponding Georgia regulations. This was an EPA lead inspection supported by the Environmental Protection Division, Georgia Department of Natural Resources Staff.

8) Facility, Process and Regulatory Descriptions

Everlube Products is a manufacturer of solid film lubricant (SFL) and other specialty engineered coatings, for aerospace and the military, as well as the oil and gas industry. The company has over 180 formulations available for sale. Everlube Products reports that their engineered coatings improve the functional performance of metal components in lubrication, temperature, and in corrosion resistance. Everlube Products notes that these coatings were developed for use in high performance, niche applications and are

generally either "approved for use" or "specified" after extensive testing and evaluation by a customer. Customers include original equipment manufacturers (OEMs), commercial metal finishers and distributors for use in aerospace, automotive, general industrial, electronic, military and medical applications. Everlube coatings are extensively specified by OEMs, with more than 1,000 specifications currently active. Everlube Products notes that these engineered coatings are utilized in such products as automobiles, aircraft, railroads, electronics, and defense equipment. Everlube Products notes that its coatings are utilized to provide solid film lubrication, corrosion protection, wear resistance, electrical insulation, electromagnetic shielding, and/or static discharge.

The legal owner of Everlube Products is the Metal Improvement Co., LLC, located in 10 Forest Avenue; Paramus, New Jersey 07652.

Everlube Products, as reported in their last Biennial Hazardous Waste Report, in 2021, reported that they are a large quantity generator (LQG) of hazardous waste. Waste codes reported in their report include D001, D007, D008, D035, F005, and F035. Everlube Products reported three waste streams.

1) Ignitable Spent Solvents, Off-Spec Coatings and Raw Materials from Coatings Manufacturing Operations, Waste Codes D001, D035, and F005.
2) Ignitable Solids (Mats and Rags from Cleaning Mixers, Mills, and Miscellaneous Cleaning Activities with Solvent), Waste Codes D001, D035, and F035.
3) Lead and Chrome Powder Contaminated Bags, Wood, Cardboard, personal protective equipment (PPE) including Gloves, Sleeves, Respirator Cartridges and Tyvek Suits, Waste Codes D007 and D008.

The facility presently is operating under approximately 44,000 feet of production space and has approximately 18 employees, working one shift, 5 days per week (excepting some holidays). The building was built in 1998. The building has a damming system to contain spills and is also equipped with a sprinkler system.

The facility holds a synthetic minor air permit.

9) Previous Inspection History

In the past ten years, the facility was inspected by the Georgia Department of Natural Resources on January 27, 2012, April 7, 2015, and May 25, 2018. No violations were cited as a result of those three inspections.

10) Opening Conference

The inspectors introduced themselves, showed their credentials to Steve Mills.

The attendees at the opening conference were:

1) Steve Mills, Operations Manager, Everlube Products

2) Brooke York, EPA, R4
3) Robert Nakamoto, EPA, R4
4) Lynn Davis, GEPD
5) Summer Smith, GEPD

The inspectors explained the purpose of the inspection and that the site walk-through would include production areas, maintenance areas, satellite accumulation areas, central accumulation areas, and the used oil and universal waste storage areas. The inspection participants also discussed health and safety protocols, including required personal protective equipment.

The inspectors described the anticipated use of equipment digital cameras during the inspection and provided a request for records. The EPA inspector, Brooke York, 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 the EPA. The company did not assert a business confidentiality claim.

Steve Mills expressed concerns related to inventory and personal commitments the next day. The inspection team agreed, that the inspection would consist of a walk-through and that the records would be inspected after the inspection via Steve Mills emailing them the following week to the inspection team.

Steve Mills provided an overview of the process and products made at the Facility. Production is accomplished using mixing kettles (sixteen (16) 55-gallon mixing kettles and five (5) larger mixing kettles of 100 to 350 gallons) mixing the products and then utilizing a pump or gravity to fill the product containers. Cleaning is accomplished via cleaning with water or solvents (primarily, methyl ethyl ketone (MEK)) depending on whether the product is water based or solvent based. Lead is utilized in some coatings.

11) Facility Walkthrough Observations

SAA by CAA Area

The inspection team inspected a Satellite Accumulation Area (SSA) near the Central Accumulation Area (CAA) (Figure 1 and 2). The SAA had a 55-gallon container of non-hazardous waste and one 55-gallon container of hazardous waste. The containers were closed. The HW container was labeled as hazardous waste and had the indication of hazards label. This SAA container was not at or near the point of generation and was not under the control of the operator of the process who generated the waste.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)], a container holding hazardous waste in a Satellite accumulation area must be at or

near the point of generation of the waste and under the control of the operator of the process generating the waste.

CAA
The CAA has thirteen 55-gallon containers of hazardous waste (HW), one 55-gallon container of non-hazardous waste, two 55-gallon product containers, and one 55-gallon container of used oil. In one area ten of the 55-gallon HW containers were on pallets, and the pallets were stacked three high (Figure 3). The hazardous waste containers were labeled with hazardous waste labels and hazard labeling. Some dates on the hazardous waste containers were difficult to read.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)(C)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: the date upon which each period of accumulation begins clearly visible for inspection on each container.

Production Area
Steve Mills explained the process used for the cleaning of production containers after use. The inspection team observed three open unlabeled 5-gallon buckets with solvent with tools soaking in them for cleaning (Figures 4 and 5). The inspection team recommended considering a parts washer.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA Permit Exemption, a generator is required to keep containers of hazardous waste closed at all times during accumulation, except when adding, removing, or consolidating waste; or when temporary venting of a container is necessary for the proper operation of equipment, or to prevent dangerous situations, such as build-up of extreme pressure.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)(i) and (ii)], a container holding hazardous waste in a Satellite accumulation area must be marked or labeled with the words "Hazardous Waste" and an indication of the hazards of the contents.

Solvent Recycling Unit
The inspection team observed the solvent recycling unit (Figure 6). The operation of the unit was explained. MEK solvent is being reclaimed. The unit is run one (1) to two (2) times per week. No leaks or spills were observed, but two open unlabeled partially full 5-gallon buckets of waste were present. One bucket was half full of trash and the other bucket was half full of sludge (Figure 7). The inspection team observed the solvent feed drums inside of the production area (Figures 8 and 9). The solvent feed drums were not closed but had a gap around the hose leaving the container. The drums of recovered solvent were not labeled.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA Permit Exemption, a generator is required to keep containers of hazardous waste closed at all times during accumulation, except when adding, removing, or consolidating waste; or when temporary venting of a container is necessary for the proper operation of equipment, or to prevent dangerous situations, such as build-up of extreme pressure.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)(i) and (ii)], a container holding hazardous waste in a Satellite accumulation area must be marked or labeled with the words "Hazardous Waste" and an indication of the hazards of the contents.

Laboratories

The Research and Development Lab (R&D Lab) and Quality Assurance Lab (QA Lab) were inspected. The labs were generating hazardous waste but did not have a SAA. Solvent contaminated rags and used gloves are placed in red, 30-gallon containers (Figure 11). These containers were not being managed as hazardous waste or as a contaminated solvent wipes container. The containers were not labeled as "hazardous waste" or to the hazards of the contents. The QA Lab told the inspection team that they were disposing of the contents of the container in the dumpster.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.2], must make an accurate determination at the point of generation as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations.

Universal Waste

Two boxes of universal waste were present. The boxes were closed and labeled as universal waste. One container was dated September 17, 2020, and one container was dated January 5, 2021. Both containers were over one year old. Universal wastes were shipped in February 2020 and January 2021, but no universal waste shipment records were submitted for 2022.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [40 C.F.R. § 273.15(a)], a small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date that the universal waste was generated unless the conditions of Ga. Comp. R. and Regs. 391-3-11-.18 [40 C.F.R. § 273.15(b)] are met.

The facility produces a small number of products packaged with propellant in aerosol cans. The facility has been placing used aerosol cans into the dumpster. Aerosol cans are classified as universal waste and are generally hazardous. All used aerosol cans should be collected in a closed container, dated and properly labeled and disposed of as hazardous waste.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [40 C.F.R. § 273.13(e)], a small quantity handler of universal waste may accumulate universal waste must manage universal waste aerosol cans in a way that prevents releases of any universal waste or component of a universal waste to the environment.

Sample Retain Storage

The area holding sample retains was inspected. Sample retains are retained for a minimum of two years. No releases or compromised containers were observed (Figure 14). A SAA HW container was observed in this area (Figure 13). This area of the plant is not normally staffed except when processing the old containers. This SAA was not under the control of an operator. The containers were closed and was properly labeled and marked. Some of the sample retains in this area were over three years old. Sample retains from 2017, 2018, and 2019 were observed.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)], a container holding hazardous waste in a Satellite accumulation area must be at or near the point of generation of the waste and under the control of the operator of the process generating the waste.

Solid Waste Dumpster

The last area inspected was the solid waste dumpster. The dumpster had paint & liquids spilled on and near it. There was a solvent odor inside the dumpster. According to the QA lab, solvent wipes and aerosol cans were being disposed of in the dumpster (Figures 15 and 16). No hazardous waste, free liquid, aerosol cans or solvent containing items should be disposed of in the dumpster.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.2], must make an accurate determination at the point of generation as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations.

12) Records Review

Records were sent to the inspection team the week after the inspection. Records submitted included:

a) The Contingency Plan and Quick Reference Guide
b) Biennial Report and Waste Reduction Plan
c) DOT Training Certification for Shipment Technician
d) Land Disposal Restriction (LDR) Notification
e) Hazardous Waste Manifests for the Previous Year
f) Site ID Form
g) Universal Waste Shipment Records for 2019, 2020, and 2021
h) Waste Profiles

i) Weekly CAA Inspections for 2022

The weekly inspections are complete, and no missing periods were observed. No issues with hazardous waste manifests were identified. Universal waste was shipped in 2019, 2020, and 2021, but two containers were present on site over the one-year time limit.

13) Summary

A closing conference was conducted at the end of the site inspection portion of the inspection. The following personnel were present at the closing conference:

1) Steve Mills, Operations Manager, Everlube Products
2) Brooke York, EPA, R4
3) Robert Nakamoto, EPA, R4
4) Lynn Preston, GEPD
5) Summer Smith, GEPD

14) The inspectors conducted the exit meeting with the facility presenting the preliminary results of the inspection. Everlube Products was inspected as a large quantity generator of hazardous waste. List of Appendices

Appendix 1 – Photographs

15) Signed

BROOKE YORK Digitally signed by BROOKE YORK
Date: 2023.03.09 12:48:51 -05'00'

Brooke York Date
Environmental Engineer

ROBERT NAKAMOTO Digitally signed by ROBERT NAKAMOTO
Date: 2023.03.09 13:11:36 -05'00'

Robert Nakamoto Date
Environmental Engineer

16) Concurrence

ARACELI CHAVEZ Digitally signed by ARACELI CHAVEZ
Date: 2023.03.09 14:32:32 -05'00'

Araceli B. Chavez Date
Chief
RCRA Enforcement Section

Appendix 1 – Photo Log:

Photos taken on: 11/30/2022
Photos taken by: Brooke York
Photos taken with: Canon Power Shot ELPH 180
Serial Number: 922063017858

Figure 1: PB300002.JPG – Satellite Accumulation Area Near Central Accumulation Area (90-Day Area)

Figure 2: PB300005.JPG – Signage for Satellite Accumulation Area (SAA)

Figure 3: PB300004.JPG – Central Accumulation Area (CAA)/90-Day Area

Figure 4: PB300008.JPG – 5-Gallon Buckets with Part Soaking

Figure 5: PB300009.JPG – 5-Gallon Bucket with Tool Soaking in Solvent

Figure 6: PB300013.JPG – Solvent Recycling Still Unit

Figure 7: PB300014.JPG – Two 5-Gallon Buckets

Figure 8: PB300016.JPG – Solvent Feed to Solvent Recovery Still

Figure 9: PB300017.JPG – 2nd Photograph of Feed to Solvent Recovery Unit

Figure 10: PB300018.JPG – Product Sample Retains

Figure 11: PB300019.JPG – Waste Materials in Laboratory

Figure 12: PB300021.JPG – Hazardous Waste SAA 55-Gallon Container

Figure 13: PB300018 – 55-Gallon SAA Container Near Sample Retains

Figure 14: PB300027.JPG – Sample Retains Staged for Processing
Containers are from 2017 and 2018

Figure 15 – PB300030.JPG – Solid Waste Dumpster

Figure 16: PB300033.JPG – Wastes in the Solid Waste Container