

RCRA Inspection Report

1) Inspector and Author of Report

Mark Anthony Relon
Environmental Engineer
Phone: 404-562-9069
relon.markanthony@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

Coca-Cola North America Atlanta
Syrup Plant
3791 Browns Mill Road
Atlanta, GA 30354
Fulton County

EPA ID#: GAD000827402
NAICS #: 311930 – Flavoring Syrup and
Concentrate Manufacturing

3) Responsible Officials

Deborah McIver
Safety, Environmental and Security
(SES) Manager
deborahmciver@coca-cola.com

4) Inspection Participants

Deborah McIver, Coca-Cola
Willie Davis, Coca-Cola
Jocelyn Gadson, Coca-Cola

Christian Touchet, Georgia Environmental
Protection Division (GAEPD)
Mark Anthony Relon, USEPA

5) Date of Inspection

May 3, 2023, 9:37am

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

Pursuant to 391-3-11-.02 [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.

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 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 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 Section 12-8-66 of the GHWMA, Ga. Code Ann. § 12-8-66 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 391-3-11-.08(1) [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in 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 391-3-11-.08(1) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to 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 Section 12-8-66 of the 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 391-3-11-.08(1) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Coca-Cola North America Atlanta Syrup Plant’s (Coca-Cola) compliance with the applicable requirements of RCRA and the corresponding Georgia regulations. This was an EPA lead inspection.

8) Facility Description

Coca-Cola operates a flavoring syrup and concentrate manufacturing facility in Fulton County, Georgia. The Coca-Cola Company has owned the Atlanta Syrup Plant since their operation date of November 19, 1973. Coca-Cola has ingredients/materials shipped to its facility, where it is then mixed in multiple concentrations into 2.5-gallon containers, 5.0-gallon containers, or 75-gallon tanks, packaged, and then transported to distribution centers for consumer use in soda vending machines, Freestyle machines, and other various concentrate equipment.

This facility has been serving the Atlanta community for more than 35 years. The facility covers 30.2 acres and includes 200,000 square feet for both the Syrup and the Freestyle production operations. Coca-Cola currently has around 305 employees operating for 24 hours a day, 5 days a week. Access to the facility is controlled through a locked, security gate at the front entrance of their facility. Security personnel in the guard tower will ask the purpose of your visit, request you to sign in, and then open the gate once finished.

The facility is a LQG with their latest notification dated May 20, 2022. Hazardous wastes generated at the facility include, but are not limited to, the EPA waste codes D001, D002, D035. Coca-Cola has an amendment to their Air Quality Permit 2086-121-0702-S-02-1 and was issued on July 22, 2014. Coca-Cola also has a water pretreatment general permit (S-084) that expires on March 14, 2026.

9) **Previous Inspection History**

On April 1, 2015, GAEPD conducted the most recent RCRA CEI at the subject facility and found no apparent violations of RCRA's requirements.

10) **Opening Conference**

On May 3, 2023, EPA inspector Mark Anthony Relon, accompanied by GAEPD inspector Christian Touchet, arrived at Coca-Cola at approximately 9:37am. Deborah McIver, SES Manager, immediately received the inspectors. Deborah McIver, and the inspectors were joined by Willie Davis III, Jocelyn Gadson, Hilton Borne, David Montgomery, Greg Jackson, Dan Anderson, and Kevin Jones, for the opening conference. The inspectors introduced themselves, showed their credentials to Deborah McIver, 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.

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

11) **Inspection Observations**

Laboratory:

Coca-Cola manages a SAA in the Laboratory for managing hazardous waste "Flammable Waste" that is generated by sampling. The inspectors observed one 5-gallon container in this SAA (Figure 5 and 6). The container was located inside a laboratory shelf, and it was equipped with a cover lid. The container was observed to be closed, labeled with the words "Hazardous Waste", and with an indication of the hazards of the contents.

Inspectors observed one 55-gallon container and one 5-gallon container of non-hazardous waste "residual syrup" and "waste from PO4 testing" generated by sample testing (Figures 1 through 4). Inspectors asked facility personnel why the 55-gallon container labeled as "non-hazardous waste," "corrosive waste" is considered non-hazardous (Figures 7 and 8). Inspectors requested the Safety Data Sheets (SDS), waste profiles, or any documentation related to their waste determination of the non-hazardous waste. After the inspection, the facility did not provide any documentation relating to the non-hazardous waste in question.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11(f)], a small or large quantity generator must maintain records supporting its hazardous waste

determinations, including records that identify whether a solid waste is a hazardous waste, as defined by 40 CFR 261.3. Records must be maintained for at least three years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal.

Hazardous Waste Central Accumulation Area (CAA):

Coca-Cola manages a hazardous waste CAA near the Hazmat Area (Figure 13). The area was identified with a sign which read “danger, hazardous waste storage.” Coca-Cola manages ignitable waste in this CAA, and the inspectors did not observe “No Smoking” signs.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(1)(vi)(B)], which is a condition of the LQG Permit Exemption, “no smoking” signs must be conspicuously placed wherever there is a hazard from ignitable or reactive waste.

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.

The inspectors observed two 275-gallon containers in this CAA (Figure 9, 10, and 15). The containers were equipped with a cover lid that were not closed at the time of the inspection. Each container had an accumulation start date, labeled with the words “Hazardous Waste” and with an indication of the hazards of the contents (Figure 9 and 14). Facility personnel were able to provide photos of corrections to one of the containers.

Pursuant to [Ga. Comp. R. and Regs. 391-3-11-.08(1)] [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 inspectors observed two 55-gallon containers and one 45-gallon container that were empty within the CAA (Figure 13). The containers were closed at time of the inspection.

Near the facility’s CAA, there were four pallets wrapped in plastic with a label “Product Returns Pending Evaluation” (Figures 11 and 12). Inspectors recommended facility personnel to label their product returns as “Hazardous Waste pending analysis” or “Hazardous waste pending waste analysis” and to treat the product returns as hazardous waste until correctly characterizing it as such.

Clean In Process (CIP) Room:

The inspectors observed raw material used for cleaning the facility’s water pretreatment system. Inspectors observed one 304-gallon container and one 55-gallon container in the CIP room. The 304-gallon container was equipped with a cover lid, which was closed. The container was labeled “Avoid II Alkaline Cleaner” (Avoid II) and identified with a United States Department of Transportation (DOT) corrosive placard (Figure 17). The 55-gallon container was equipped with

a cover lid, which was closed. The container was labeled “Cosmic K Non-Chlorinated Alkaline Cleaner” (Cosmic K) and identified with a DOT corrosive placard (Figure 18).

Inspectors observed a spill within the CIP room and asked facility personnel where it was coming from. Facility personnel responded that the spill comes from either the 304-gallon container or the 55-gallon container since it was originating from the bottom of a container (Figure 16). Inspectors asked facility personnel for a SDS and to clean up the spill; the facility corrected the incident by the end of the inspection. Inspectors reviewed the SDS and determined the Avoid II and the Cosmic K materials to be hazardous with pH ranges exceeding 12.5.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(6)], which incorporates Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.251], and is a condition of the LQG Permit Exemption, a generator is required to maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

Packaging Area:

Coca-Cola manages a SAA in their Packaging Area for managing universal waste aerosol cans that is generated by the facility’s packaging process such as the cleaning of their conveyor belts. The inspectors observed one 55-gallon container used for puncturing aerosol cans and one 45-gallon container used for punctured aerosol cans in this SAA (Figures 19, 21, 22 and 23). The containers were located near the packaging process. The 55-gallon container was equipped with an aerosol treatment device lid, which was closed. The container was labeled D001 hazardous waste aerosol cans and identified with a DOT flammable placard (Figure 20). The 45-gallon container was equipped with a cover lid, which was closed. The container was labeled “used aerosol cans” (Figure 22).

Near Battery Room Area:

Coca-Cola manages a SAA near their Battery Room Area for managing universal waste aerosol cans that is generated by the facility’s packaging process such as the cleaning of their facility equipment. The inspectors observed one 55-gallon container used for puncturing aerosol cans and one 45-gallon container used for punctured aerosol cans in this SAA (Figure 24). The container was located near the packaging process, and it was equipped with an aerosol treatment device lid, which was closed. The container was labeled hazardous waste aerosol cans and with an indication of hazards with the word “Flammable” (Figures 25 and 26).

Inspectors informed facility personnel that they can now manage aerosol cans as universal waste instead of hazardous waste under the updated universal waste rules.

Powerhouse Area:

Coca-Cola manages universal waste lamps and batteries within a docking station to have universal waste picked up. According to the records provided through email on June 2, 2023, the facility sent six shipments of universal waste offsite during calendar year 2023. The most recent shipment of universal waste lamps and batteries was sent to Veolia ES Technical Solutions, L.L.C. on May 18, 2023.

The inspectors observed a total of eight containers of universal waste lamps and batteries in this area during the inspection. Four 4-foot containers of universal waste lamps were closed; three out of four containers were not marked with an accumulation start date, and all were labeled universal waste lamps. Four 5-gallon containers of universal waste batteries were closed; all except for one 5-gallon container was marked with an accumulation start date; all 5-gallon containers were labeled universal waste batteries. The oldest date observed on any container of lamps was August 5, 2022, and on any container of batteries was April 7, 2022.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [40 C.F.R. § 273.15(a) and (c)], 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.

12) Records Review

Contingency Plan and Quick Reference Guide (QRG):

At the time of the inspection, facility personnel mentioned that their contingency plan and QRG were being updated and will provide the finished documents through email. To date, the facility has not provided a contingency plan and QRG.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(6)], which incorporates Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.260], and is a condition of the LQG Permit Exemption, a generator must have a contingency plan for the Facility.

Training Records:

The inspectors reviewed facility job descriptions and employee names regarding RCRA training. Each description included the requisite skill, education, or other qualifications, and duties of facility personnel assigned to that position.

Coca-Cola 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 2020, 2021, 2022, and 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 May 2020. Hazardous waste manifest records show that D001 hazardous waste “Waste Extracts, flavoring, liquid” and “Waste Calcium Hypochlorite,” D002 hazardous waste “Waste Corrosive liquid, acidic, organic” and “Waste Sulfuric Acid,” are routinely shipped to Ecoflo Inc (EPA ID Number: NCD9808642132), and the most recent shipment was made on April 5, 2023.

Weekly Inspection Records:

The inspectors reviewed Coca-Cola's available records of inspections of the hazardous waste central accumulation area (CAA) since May 2020. 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 visible container labels, legible container labels, closed lids and bungs, condition of containers, container stacking, container storage time, contents of container units, housekeeping, etc. 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. No inspection records were provided for the week(s) of May 1, 2020, through December 31, 2020; 2021 calendar year; and weeks 1 through 30 for 2022 calendar year.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [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.

13) Closing Conference

The inspectors conducted the exit meeting at 3:58pm with Deborah McIver, Jocelyn Gadson, and Willie Davis. During this meeting, the inspectors stated their preliminary observations of the inspection. Coca-Cola agreed to provide manifest records, contingency plan, QRG, CAA weekly inspection logs, SDS for the non-hazardous waste corrosive material, and universal waste shipment records by May 19, 2023. On May 15, May 18, and June 2, 2023, Deborah McIver provided manifest records, and universal waste shipment records in an email to Mark Anthony Relon and Christian Touchet.

14) List of Appendices

Appendix 1 – Photo Log

15) Signed

MARK ANTHONY RELON Digitally signed by MARK ANTHONY RELON
Date: 2023.07.07 15:43:59 -04'00'

Mark Anthony Relon
Environmental Engineer

16) Concurrence

ARACELI CHAVEZ Digitally signed by ARACELI CHAVEZ
Date: 2023.07.07 16:08:55 -04'00'

Araceli B. Chavez
RCRA Enforcement Section

Appendix 1 – Photo Log

[31] Photos taken on: May 3, 2023

Photos taken by: Mark Anthony Relon

Photos taken with: Kodak PixPro Digital Camera

EPA Property Tag: SX9088



Figure 1: 9:40 AM Laboratory (inside)



Figure 2: 9:40 AM Laboratory (inside)



Figure 3: 9:43 AM Laboratory (inside)



Figure 4: 9:43 AM Laboratory (inside)



Figure 5: 9:48 AM Laboratory (inside)



Figure 6: 9:49 AM Laboratory (inside)



Figure 7: 9:50 AM Laboratory (outside)



Figure 8: 9:51 AM Laboratory (outside)



Figure 9: 9:58 AM CAA



Figure 10: 9:57 AM CAA



Figure 11: 9:59AM CAA



Figure 12: 9:59 AM CAA



Figure 13: 10:04 AM CAA



Figure 14: 10:09 AM CAA



Figure 15: 10:10 AM CAA



Figure 16: 10:15 AM CIP Room



Figure 17: 10:15 AM CIP Room

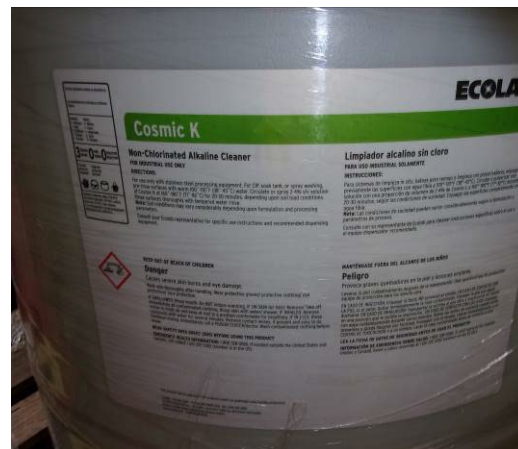


Figure 18: 10:17 AM CIP Room



Figure 19: 10:27 AM Packaging Area

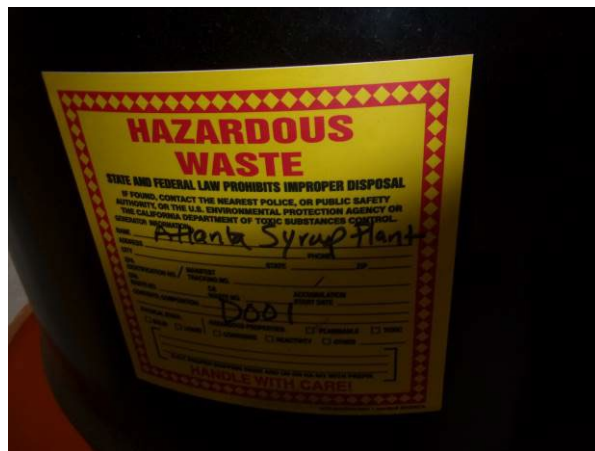


Figure 20: 10:27 AM Packaging Area



Figure 21: 10:28 AM Packaging Area



Figure 22: 10:28 AM Packaging Area



Figure 23: 10:28 AM Packaging Area



Figure 24: 10:44 AM Near Battery Area



Figure 25: 10:44 AM Near Battery Area

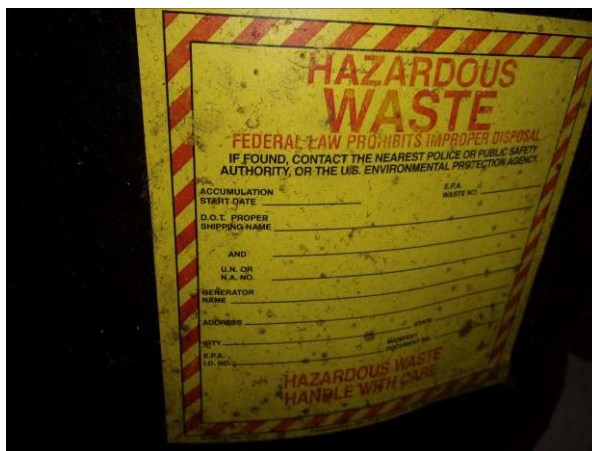


Figure 26: 10:45 AM Near Battery Area



Figure 27: 11:06 AM Powerhouse Area



Figure 28: 11:09 AM Powerhouse Area



Figure 29: 11:12 AM Powerhouse Area



Figure 30: 11:12 AM Powerhouse Area