RCRA COMPLIANCE EVALUATION INSPECTION REPORT

1) Inspector and Author of Report

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2) Facility Information

Nitro Quimica Corporation
2300 West Point Avenue
College Park, Georgia 30337
EPA ID # GAD064494040
Primary NAICS Code: 325510-Paint and Coating Manufacturing

3) Primary Contact

Cleveland Green
Office Analyst
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4) Inspection Participants

Cleveland Green, Nitro Quimica Corporation
Fernando Mathews, Nitro Quimica Corporation
John Smith, Nitro Quimica Corporation
Dillon Long, Georgia Environmental Protection Division
Sara Porter, Georgia Environmental Protection Division
Javier García, EPA Region 4

5) Date of Inspection

September 8, 2021

6) Applicable Regulations

Chapter 391-3-11 of the Georgia Hazardous Waste Management Act, adopts and incorporates by reference 40 CFR Parts 260-266, 268, 270, 273 & 279. The Georgia Hazardous Waste Management Act, O.C.G.A. 12-8-60, et seq. as amended (Act), Chapter 391-3-11 of the Georgia Rules for Hazardous Waste Management (Rules), and those portions of 40 CFR Parts 260-270, 273, and 279 that are adopted into the Rules by reference.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15], a generator may accumulate up to 55 gallons of hazardous waste at or near the 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 Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17], 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 management requirements listed in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15] (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], a large quantity generator (LQG) of hazardous wastes may accumulate its 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 Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17] (hereinafter referred to as the LQG Permit Exemption).

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, or lamps, calculated collectively) at any time.

As the State's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions alleged herein will be to the authorized State program; however, for ease of reference, the federal citations will follow in brackets.

7) Purpose of Inspection

This announced compliance evaluation inspection (CEI) was conducted to evaluate the facility's compliance with applicable requirements of RCRA and corresponding the Georgia Environmental Protection Division (GAEPD) regulations.

8) Facility Description

Nitro Quimica Corporation (Nitro Quimica) manufactures inks components, adhesives, cleaners, and over-the-counter pharma products (e.g., wart removal compound and liquid bandage coatings). In addition, Nitro Quimica dilutes sulfuric acid to a 35% strength for the lead acid batteries manufacturing market. The facility is in an industrial area, on a 2.51 acres lot. Nitro Quimica has 20 employees and operates Monday through Friday.

The manufacturing process consists of blending the raw materials (mainly nitrocellulose and solvents) per clients' specifications, in one of eight chemical mixers to produce the final products. The capacity of the mixers varies from 330 gallons to 1,925 gallons. Nitro Quimica cleans the mixers with acetone and methyl ethyl ketone (MEK). The spent solvent (D001, D018, D035, F003 and F005) from the cleaning of the mixers is fed by gravity into 5-gallon or 55-

gallon containers. The non-pharma final products are shipped in 55-gallon containers, while the pharma products are bottled into consumer size containers.

Nitro Quimica is registered with the GAEPD as large quantity generator of hazardous wastes (D001, D002, D018, D035, F003, and F005). Routine hazardous waste streams generated at the facility are:

- Spent solvent (D001, D018, D035, F003, and F005) from cleaning product mixers.
- Off-spec sulfuric acid (D002)
- Retained product samples and outdated/off spec products (D001 and D035)

9) Previous Inspection History

GAEPD conducted a RCRA inspection at Nitro Quimica on July 27, 2016 and observed several universal waste lamp containers that were neither closed nor labeled.

10) Findings

Due to the Coronavirus (COVID-19), the inspectors announced the inspection via an email sent to Mr Cleveland Green on September 7, 2021, which included a list of the documents to be reviewed as part of the inspection. Upon arrival to the facility on September 8, 2021, the inspectors met Mr. Green and presented their credentials.

Mr. Green led the inspectors to a conference room, where they met Fernando Mathews and John Smith. In the conference room, the EPA inspector explained the purpose of the inspection, indicated the use of a camera to take pictures during the inspection, 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 and confirmed the personal protection equipment required for the facility tour. The facility representatives indicated that due to explosion hazards no cameras were allowed in the production building. Next, the facility's representatives provided a description of the facility's operations. After the briefing, Messrs. Green, Mathews, and Smith, led the inspectors to a tour of the facility. The following are the observations made during the inspection.

Non-Flammables Warehouse:

In the warehouse, Nitro Quimica stores non-flammable raw materials and 30% strength sulfuric acid ready for shipment to clients. No hazardous waste was observed in the warehouse.

Pharma Products Bottling Room

Nitro Quimica started the pharma product bottling line in March 2021. The facility's representatives indicated no hazardous waste is generated in the room.

Flammables Warehouse:

In the warehouse, Nitro Quimica stores flammable raw materials and final products ready for shipment to clients. In an area of the warehouse designated for storage of off-spec products, the inspectors observed forty 55-gallon containers of off-spec products NQ 4008, NQ 3034, NQ Solvent 1088, and NQ 7509; and six 5-gallon containers of NQ Prisma System (nail polish ingredient). Facility representatives indicated that the off-spec products in the containers were not going to be reworked. Hence, the materials are wastes.

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 as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11].

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

Quality Assurance/Quality Control (QA/QC) Laboratory:

Nitro Quimica's representatives indicated that QA/QC product samples are retained in the laboratory for one year. After one year, the samples are declared a waste (D001/D035) and poured into a one-gallon container kept in the laboratory. Once the one-gallon container is full, the laboratory operator hand carries the container to a room (Small Mixing Room) across from the laboratory and poured into one of two five-gallon containers observed in this accumulation area. This area is not under the control of the laboratory personnel. At the time of the inspection, the one-gallon container in the laboratory was neither labeled nor marked with the words "hazardous waste," and the two 5-gallon containers in the Small Mixing Room were neither labeled "hazardous waste," nor dated.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to do the following: mark or label its containers (i) with the words "Hazardous Waste."

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

Solvent Products Mixing Area:

In a room identified as the mixing room, the inspectors observed one 55-gallon container of hazardous waste (D001) from sparkler manufacturing. The container was neither labeled nor marked with the words "hazardous waste," and the hazards of its content.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to do the following: mark or label its containers (i) with the words "Hazardous Waste" and (ii) with an indication of the hazards of the contents.

Adjacent to mixer #8, the inspectors observed two open top 5-gallon containers that were not labeled. The process operator indicated that the containers contained usable solvent. The inspectors recommended the facility to label the containers with their contents and to keep them closed.

Also in the vicinity of mixer #8, the inspectors observed one 5-gallon open container that was not labeled. The container was reported to contain solvent contaminated filter sock (D001). In addition, the inspectors observed two partially filled 55-gallon containers of spent solvent (D001, D018, D035, F003, F005) from mixer cleaning activities. The two 55-gallon containers were not closed, labeled nor dated.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to do the following: mark or label its containers (i) with the words "Hazardous Waste" and (ii) with an indication of the hazards of the contents.

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)(6)(iii)], which is a condition of the SAA Permit Exemption, a generator who accumulates non-acute hazardous waste in excess of the 55 gallons at or near any point of generation must mark or label the container(s) holding the excess accumulation of hazardous waste with the date the excess amount began accumulating.

Adjacent to mixer #7, the inspectors observed six 55-gallon hazardous waste (D001) containers. None of the containers were closed, labeled nor dated.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [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 Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(1)(iv)(A)], which is a condition of the LQG Permit Exemption, a generator must keep all containers holding hazardous waste closed, except when it is necessary to add or remove waste.

Adjacent to mixer #4, the inspectors observed one 55-gallon container reported to contain partially used solvent. The container was neither identified nor closed. The inspectors recommended the facility to label the container with their content and to keep it closed.

Adjacent to mixer #3, the inspectors observed one 55-gallon container and one 5-gallon container with spent solvent (D001, D018, D035, F003, F005) from reactor cleaning activities. The containers were neither labeled nor closed.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to do the following: mark or label its containers (i) with the words "Hazardous Waste" and (ii) with an indication of the hazards of the contents.

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.

Hazardous waste Central Accumulation Area (CAA)

Nitro Quimica's CAA is an open space, about 100 feet south of the Flammable Materials Warehouse. In the CAA, the inspectors observed twelve 55-gallon containers. The containers were closed, labeled, dated, and appeared to be in good condition. The oldest accumulation start date observed was 8/26/21. All containers were on spill containment pallets (Photographs 1 and 2). The CAA was not equipped with a spill control kit, fire extinguisher nor decontamination equipment.

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. § 262.252(c)], and is a condition of the LQG Permit Exemption, a large quantity hazardous waste generator must keep at its hazardous waste accumulation areas Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment.

Records Review

Due to COVID-19 exposure concerns, no records were reviewed onsite. The facility emailed the following documents (from 2019 through August 2021) to the inspectors:

- Hazardous waste manifests
- Hazardous waste training program records
- Facility contingency plan
- Weekly Inspection logs

All hazardous waste manifests from January 2019 to August 2021 were found to be complete. The last RCRA annual training was provide in February 2020. The weekly inspection log had no inspection records for the following timeframes:

- 12/23/20-1/8/21 (missing one week)
- 1/29/21-4/5/21 (missing nine weeks)
- 5/3/21-6/19/21 (missing five weeks)
- 6/19/21-7/3/21 (missing one week)
- 7/10/21-8/5/21 (missing three weeks)

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(7)(iii)], which is a condition of the LQG Permit Exemption, the facility's personnel must take part in an annual review of the initial facility's RCRA training.

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 large quantity hazardous waste 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.

Nitro Quimica's quick reference guide to the contingency plan does not include a map showing the location of the facility's hazardous waste satellite accumulation areas and the central accumulation areas observed indoors. In addition, Nitro Quimica did not provide documentation confirming the distribution of the quick reference guide to local emergency responders (i.e., police departments, fire departments, hospitals and State and local emergency response teams that may be called upon to provide emergency services).

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. § 262.262(b)(4)], and is a condition of the LQG Permit Exemption, a large quantity hazardous waste generator must include in its quick reference guide a map of the facility showing where hazardous wastes are generated, accumulated, and treated and routes for accessing these wastes.

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. § 262.262(b)], and is a condition of the LQG Permit Exemption, a large quantity hazardous waste generator must submit a quick reference guide of the contingency plan to the local emergency responders (i.e., police departments, fire departments, hospitals and State and local emergency response teams that may be called upon to provide emergency services).

11) Summary

The inspectors conducted an exit meeting with Cleveland Green, Fernando Mathews, and John Smith, and provided the preliminary results of the inspection.

12) Signed

JAVIER GARCIA

Digitally signed by JAVIER GARCIA
Date: 2021.11.02 09:24:38 -04'00'

Javier E. García
Inspector and Author of Report

Date

13) Concurrence and Approval

ARACELI CHAVEZ

Digitally signed by ARACELI CHAVEZ
Date: 2021.11.02 09:31:00 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Date

Nitro Quimica Corporation

College Park, Georgia

EPA ID No.: GAD064494040

EPA RCRA CEI Photographs

Photos taken by Javier García
September 15, 2021
Camera Type: Samsung WB250F
EPA Serial Number: S75915