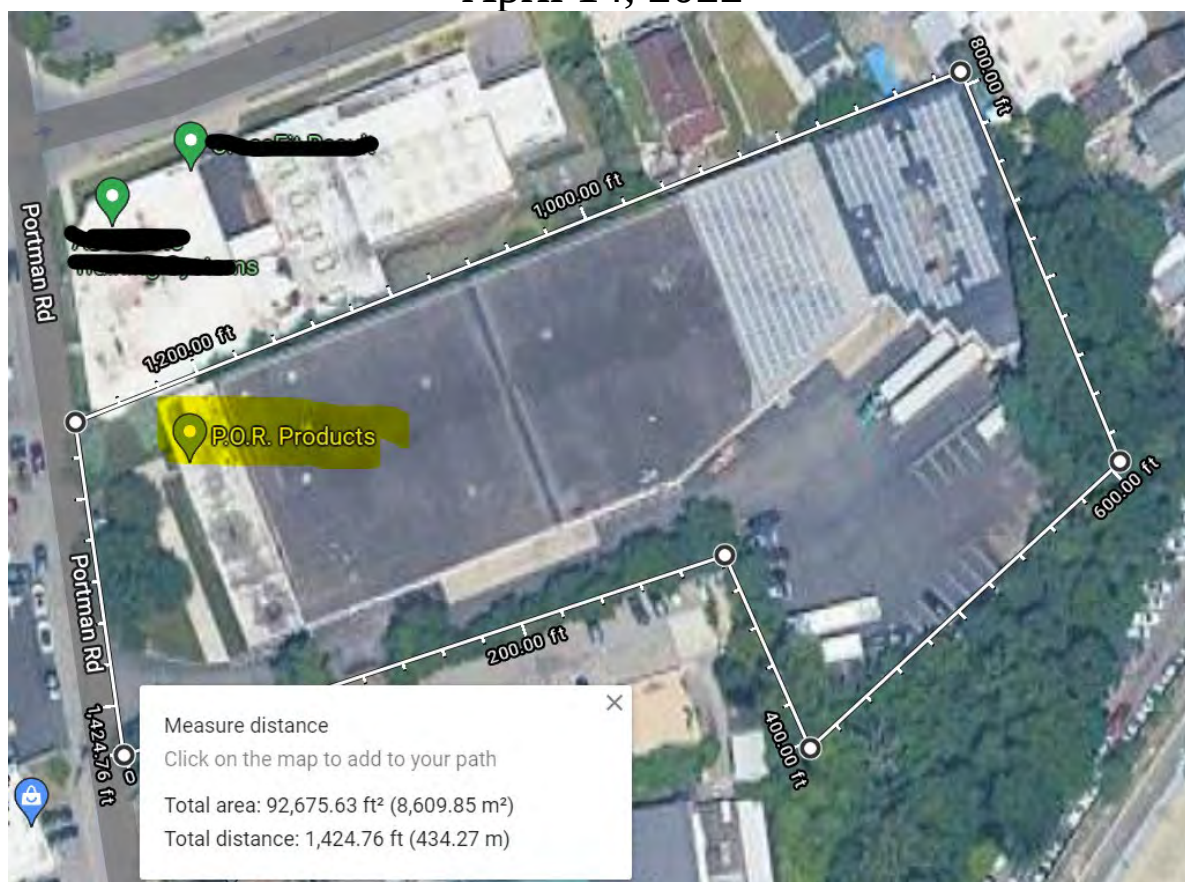


Compliance Evaluation Inspection Report
POR Products
New Rochelle, New York
April 14, 2022



Written by:

X James Sullivan
Digitally signed by James Sullivan
Date: 2022.05.02 16:04:44 -04'00'

Enforcement Officer
ECAD-CAPSB-CAS USEPA R2

Approved by:

X
Chief - Compliance Assurance Section
ECAD-CAPSB-CAS USEPA R2

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COMPLIANCE EVALUATION INSPECTION REPORT

U.S. Environmental Protection Agency, Region 2
Enforcement and Compliance Assurance Division
290 Broadway, 21st floor
New York, New York 10007-1866

Locational Information:

Facility Name: POR Products, Inc.
Facility Address: 38 Portman Road, New Rochelle, New York. 10801
Latitude & Longitude: 40.9275; -73.7718

Environmental Sensitivity Information:

Potential EJ Concerns: No (See Appendix B: EJ SCREEN)
Potential Flood-Prone Area: No (See Appendix C: Flood Map)
Sole Source Aquifer: No (See Appendix D: Sole Source Aquifer Map)

Sector Information:

Federal Facility: No
NAICS Code: 325510 - Paint and Coating Manufacturing

ICIS & other Program ID Codes:

FRS ID: 110000322945
RCRA ID: NY0001311513

Date of Inspection: April 14, 2022
Inspector(s): Jim Sullivan

Facility Representative(s):

Name	Title	Phone	Email
John Hamilton Hay	Plant Manager	914-636-0700, ext. 116	JHHay@PORproducts.com

Updates for EPA Databases: None.

Table of Contents

1. INTRODUCTION.....	5
2. FACILITY TOUR	5
3. RECORD REVIEW.....	6
4. REGULATORY CONCERNS	7
5. ENVIRONMENTAL ASSISTANCE	7
APPENDICES:.....	8
A: Photographs.....	8
B: EJ Screen	8
C: Flood Map.....	8
D: Sole Source Aquifer Map	8

1. INTRODUCTION

On April 14, 2022, the Region 2 office of the Environmental Protection Agency (EPA) inspected the Paint Over Rust Products, Inc. (P.O.R. Products) facility located at 38 Portman Road, New Rochelle, New York. The purpose of this inspection was to evaluate the facility's compliance with the Resource Conservation and Recovery Act (RCRA) requirements for hazardous waste management. The inspection was announced.

I arrived at P.O.R. Products ("POR") facility at approximately 8:30 AM. After ringing the bell, I met with Mr. John Hay, Plant Manager for POR. I informed Mr. Hay that I had a camera and would likely be taking pictures during this inspection. Thus, if there were any areas that contained Confidential Business Information, he should let me know prior to my taking the picture.

POR was originally a shellac, then polyurethane floor coatings company named Absolute Coatings. It is a family-owned business that was started in The Bronx, New York in 1923. Approximately thirty years ago, the business was moved to this location on Portman Road in New Rochelle New York. As POR, it has become a paint and coatings manufacturer serving primarily the automotive and industrial equipment sectors. Many of its products are used in auto repair and refinishing work. In 2017, the company sold off its polyurethane floor coating business to a competitor.

Per Mr. Hay and POR's website, their flagship product is the POR-15 high-performance coatings, which is a moisture cure rust preventive undercoating designed for application directly on rusted or seasoned metal surfaces and concrete. POR-15 products are applied to vehicles, heavy-duty equipment, and structures and is popular for use on classic cars, automotive restorations, and heavy-duty equipment.

Through its operations POR generates two ongoing hazardous waste streams: spent solvent from the clean out of mixing vats; and a small amount of spent solvent from its Quality Control (QC) Laboratory. Clean out via solvent is necessary due to color changes or high resin content. The spent solvent is captured in 5-gallon pails and transferred to a satellite 55-gallon drum. Once the satellite drum is full, it is moved from the satellite accumulation area and taken to a hazardous waste storage area to await shipment off-site. The typical rate at which POR generates hazardous waste indicates that they are a small quantity generator (SQG) of hazardous waste. Veolia ES Technical Solutions of Flanders, New Jersey typically picks up POR's hazardous waste each month.

2. FACILITY TOUR

We began the facility tour at the filling lines for water-based products. These products are being placed in small bottles. There were numerous aboveground storage tanks in the work area (See, Photograph #1). I counted eight in one secondary containment area and eight in another nearby (See, Photographs #1 and #3). Mr. Hay indicated that most of these tanks were empty.

We then proceeded to the Small Batch Area, which is where the main hazardous waste stream is

generated (See, Photograph #4). In this area vats are put under mixers and the final product is mixed (See, Photograph #5). The clean out of these vats generates the spent solvent hazardous waste. There was one drum being filled in the satellite accumulation area (See, Photograph #6). The drum was properly labeled, closed and on a spill pallet.

Near the satellite accumulation area was a door leading to the tank room. The tank room has approximately nine (9) horizontal aboveground storage tanks. Only two of the tanks are in service. One stores mineral spirits and the other stores high flash naphtha (See, Photograph #9).

We then walked through various warehousing spaces and inspected the highly fireproofed Aerosol Room (see, Photographs #13, #14 and #15) before coming to the shipping area in the rear, or eastern end, of the building. The hazardous waste storage area is located here. There was one drum of hazardous waste in storage. The drum was on a spill pallet (See, Photographs #10, #11 and #12). There was emergency information posted in the area and emergency equipment nearby. With respect to the Aerosol Room, it has unique firefighting systems due to the former use of aluminum powders. The New Rochelle Fire Department brings new employees to this room as a training exercise during POR's annual fire inspection.

On the way back to the office space, we visited a QC Laboratory (See, Photograph #16). Hazardous waste is generated in the laboratory in small quantities and brought to the satellite accumulation drum located in the Small Batch Area. The container used to transport hazardous waste from the QC laboratory to the satellite accumulation drum is not labeled with the words hazardous waste.

3. RECORD REVIEW

Based on a review of the manifests, POR is a small quantity generator (SQG) of hazardous waste. However, from June 2021 through January 2022, the company undertook a general clean out that bumped their generation rate up to that of a large quantity generator. POR shipped offsite discontinued products, non-saleable/off-spec products and raw material. The planned sixty (60) day cleanup took six (6) months and produced over 78,000-pounds of hazardous waste. During the same time period the year prior, the company only generated 10,000-pounds of hazardous waste. I asked Mr. Hay why the cleanup took so long, and he stated that during the cleanup he asked the contractor POR hired to do the cleanup what the holdup was, and the contractor cited an inability to get hazardous waste into incineration facilities. This response aligns with EPA's August 10th, 2021, memorandum indicating that in early June 2021, EPA became aware that some commercial hazardous waste incinerators were informing their customers (i.e., hazardous waste generators) that they would no longer accept containerized hazardous waste designated for incineration due to a backlog at their facilities. The company did file a Biennial Report with EPA on February 28th, 2022, on account of their increased hazardous waste generation.

POR does not generate used oil and has replaced most of its fluorescent lighting with light emitting diode lighting, so they generally do not generate universal waste. There are still a few fluorescent fixtures in the company's office space and Mr. Hay uses mailer boxes to recycle

those used bulbs when necessary.

Mr. Hay is the emergency coordinator for the facility. He is available 24 hours a day. There are two other emergency contacts, Steve Norat and Mike Nieves. The company conducts an annual spill response and hazardous waste handling training course. The last course took place on April 11th, 2022. There were twelve attendees. Only three people are involved in hazardous waste management: the lab technician (Bryan) and the two batch makers (Dorian and Mike). Only twenty people work in the New Rochelle building and the entire company has thirty employees.

Other trainings are offered such as OSHA Hazard Communication Standard, fire extinguisher handling and safety classes. The primary trainer is Mr. Perry Patton of the Occupational Safety and Health Associates Corporation of Centereach, New York.

4. REGULATORY CONCERNS

Based on observations made during the inspection and/or a review of records related to the inspection, the following regulatory concerns were identified:

REGULATORY, STATUTORY OR PERMIT REFERENCE	FIELD OBSERVATION
Pursuant to 6 NYCRR Part 372.2(a)8(i)(a)(2), a generator may accumulate up to 55-gallons of hazardous waste or one quart of acutely hazardous waste listed in section 371.4(b), (c) and (d)(5) of this Title 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 interim status and without complying with subparagraph (ii) of this paragraph, provided the generator: (2) marks the containers with the words "hazardous waste" and with other words that identify the contents of the containers.	At the time of the inspection, POR was using unlabeled containers to bring hazardous waste from the QC Laboratory to Satellite Accumulation Area.

5. ENVIRONMENTAL ASSISTANCE

Based on the observations made during the inspection, the facility should consider the following resources to increase their understanding and compliance with applicable environmental requirements and/or go 'beyond compliance' to reduce its overall environmental footprint:

- Review NYSDEC's "Managing Your Hazardous Waste, A GUIDE FOR SMALL BUSINESSES IN NEW YORK" to ensure that if the facility were to generate hazardous

waste at the rate of a large quantity generator in the future, they would have a starting point on how to maintain compliance:

https://www.dec.ny.gov/docs/materials_minerals_pdf/nyshazwasteguide.pdf

- Review EPA's Small Business Resources Information Sheet for relevant resources to help understand and comply with federal and state environmental laws. In addition, these resources will also help businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies:

<https://www.epa.gov/compliance/small-business-resources-information-sheet>

- Bookmark The Paints and Coatings Resource Center, which is an on-line Compliance Assistance Center developed with support from EPA to deliver regulatory and pollution prevention information either directly to businesses engaged in painting and coating or indirectly through the technical assistance community: <https://www.paintcenter.org/>

APPENDICES:

A: Photographs

B: EJ Screen

C: Flood Map

D: Sole Source Aquifer Map

Appendix A

Photograph #1 – Tanks in Water-based Area



Photograph #2 – View of packaging line



Photograph #3 – Packaging line with tanks against the wall



Photograph #4 – Small Batch Area



Photograph #5 – Close up of mixer in Small Batch Area



Photograph #6 – Satellite accumulation drum at Small Batch Area



Photograph #7 – Safety shower and fire extinguisher near Small Batch Area



Photograph #8 – Idled polyurethane product manufacturing area



Photograph #9 – High flash naphtha and mineral spirits tanks in Tank Room



Photograph #10 –Hazardous waste storage area



Photograph #11 – Label on drum at hazardous waste storage area



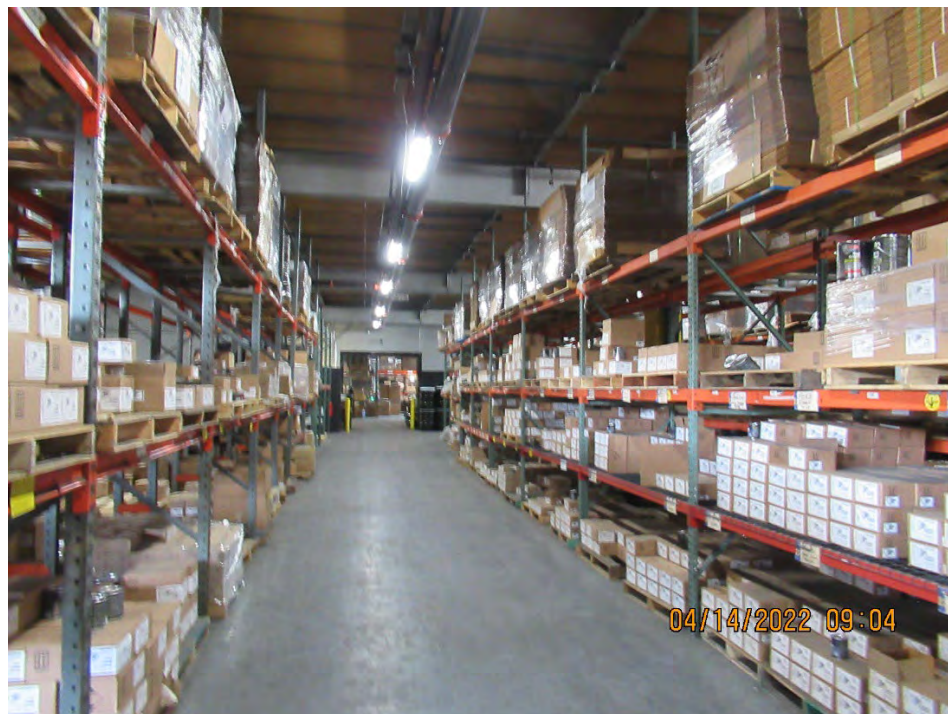
Photograph #12 – Posting by phone at hazardous waste storage area



Photograph #13 – Drums in Aerosol Room



Photograph #14 – Warehousing



Photograph #15 – Warehousing



Photograph #16 – QC Laboratory



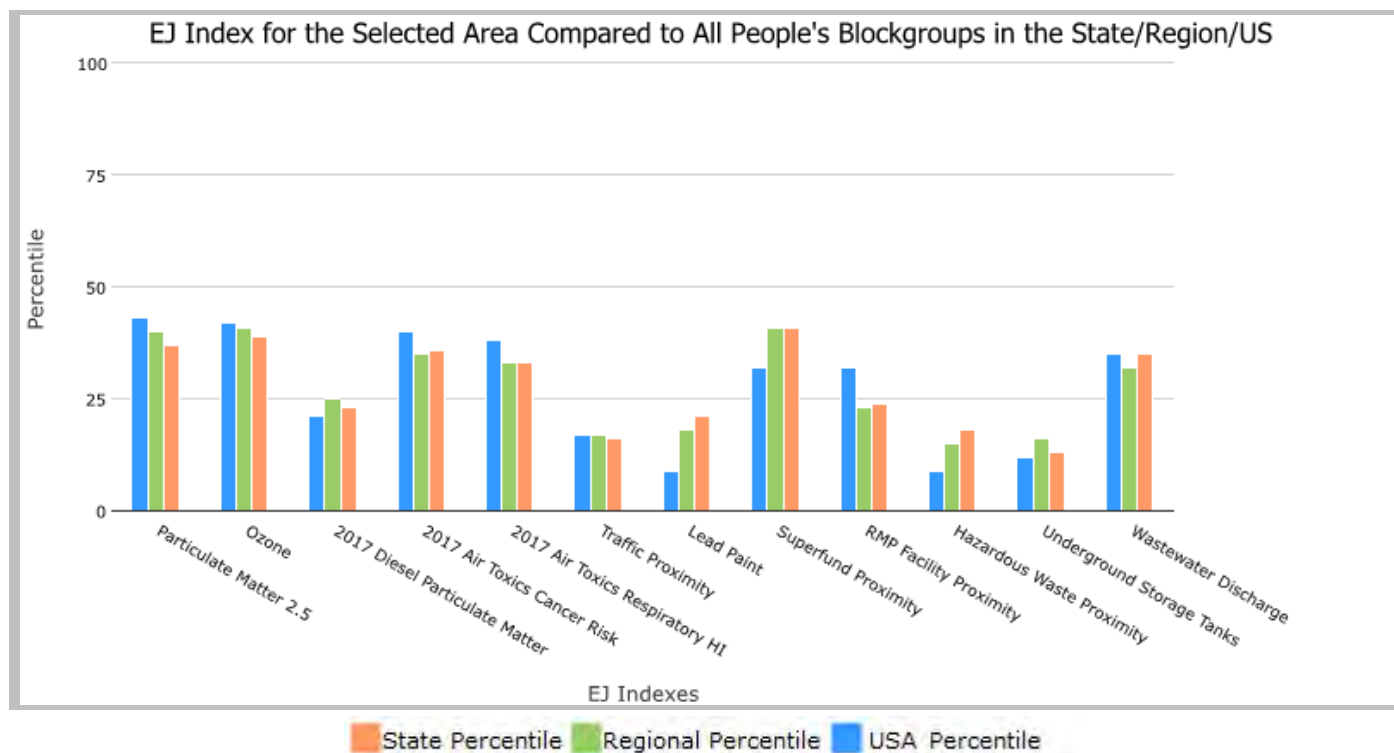
1 mile Ring Centered at 40.927943,-73.771085, NEW YORK, EPA Region 2

Approximate Population: 19,242

Input Area (sq. miles): 3.14

POR Products - EJSCREEN Report - Appendix B

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
Environmental Justice Indexes			
EJ Index for Particulate Matter 2.5	37	40	43
EJ Index for Ozone	39	41	42
EJ Index for 2017 Diesel Particulate Matter*	23	25	21
EJ Index for 2017 Air Toxics Cancer Risk*	36	35	40
EJ Index for 2017 Air Toxics Respiratory HI*	33	33	38
EJ Index for Traffic Proximity	16	17	17
EJ Index for Lead Paint	21	18	9
EJ Index for Superfund Proximity	41	41	32
EJ Index for RMP Facility Proximity	24	23	32
EJ Index for Hazardous Waste Proximity	18	15	9
EJ Index for Underground Storage Tanks	13	16	12
EJ Index for Wastewater Discharge	35	32	35



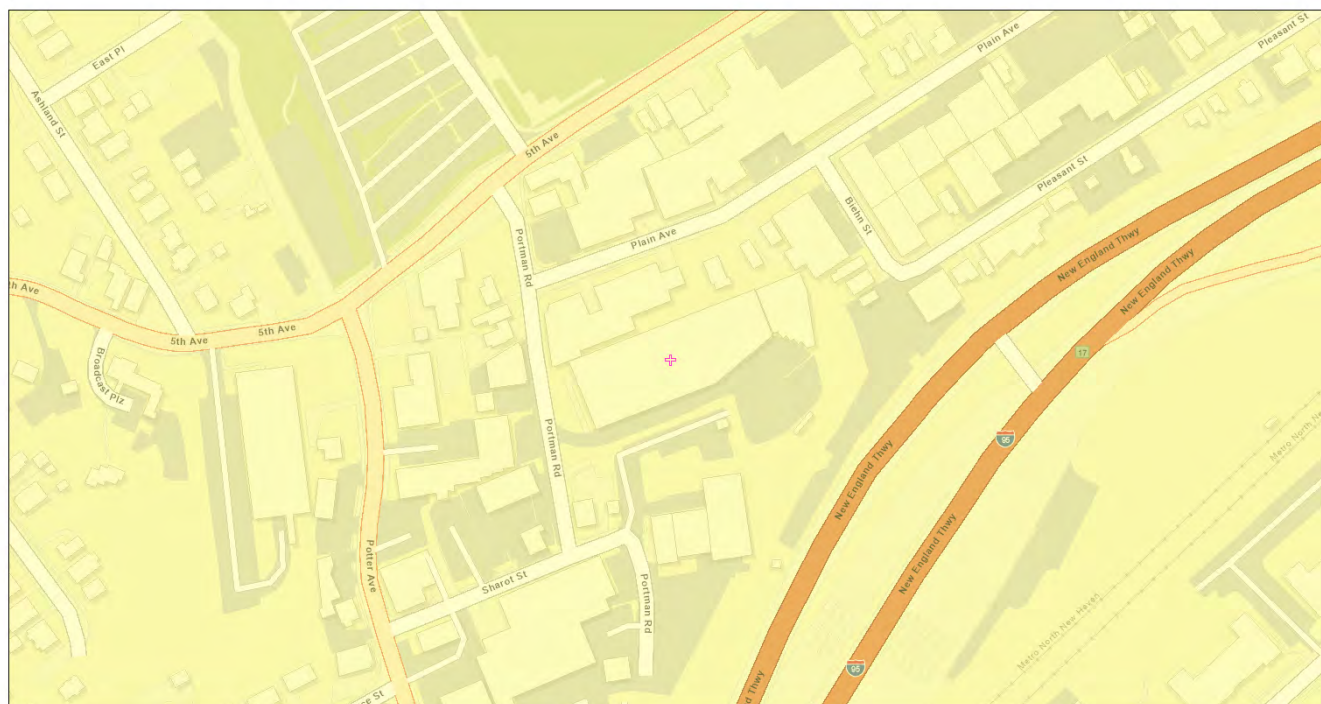
This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

1 mile Ring Centered at 40.927943,-73.771085, NEW YORK, EPA Region 2

Approximate Population: 19,242

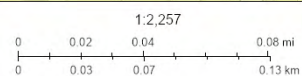
Input Area (sq. miles): 3.14

POR Products - EJSCREEN Report - Appendix B



May 2, 2022

✚ POR Products - EJSCREEN Report - Appendix B



Esri Community Maps Contributors, County of Westchester, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc. MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Sites reporting to EPA	
Superfund NPL	0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	1

EJScreen Report (Version 2.0)



1 mile Ring Centered at 40.927943,-73.771085, NEW YORK, EPA Region 2

Approximate Population: 19,242

Input Area (sq. miles): 3.14

POR Products - EJSCREEN Report - Appendix B

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
Pollution and Sources							
Particulate Matter 2.5 ($\mu\text{g}/\text{m}^3$)	8.63	7.9	64	8.03	63	8.74	50
Ozone (ppb)	44.1	41.6	96	41.8	97	42.6	68
2017 Diesel Particulate Matter* ($\mu\text{g}/\text{m}^3$)	0.559	0.646	54	0.558	60-70th	0.295	90-95th
2017 Air Toxics Cancer Risk* (lifetime risk per million)	30	29	66	29	70-80th	29	80-90th
2017 Air Toxics Respiratory HI*	0.4	0.39	60	0.37	60-70th	0.36	80-90th
Traffic Proximity (daily traffic count/distance to road)	1200	870	78	840	80	710	86
Lead Paint (% Pre-1960 Housing)	0.74	0.55	67	0.46	75	0.28	90
Superfund Proximity (site count/km distance)	0.076	0.23	28	0.28	23	0.13	57
RMP Facility Proximity (facility count/km distance)	0.3	0.5	55	0.62	52	0.75	48
Hazardous Waste Proximity (facility count/km distance)	3.8	6.2	54	4.9	62	2.2	83
Underground Storage Tanks (count/km ²)	5.2	8.1	58	9.3	58	3.9	78
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.00082	3.9	46	2.3	42	12	47
Socioeconomic Indicators							
Demographic Index	25%	37%	42	41%	39	36%	41
People of Color	37%	44%	51	49%	46	40%	55
Low Income	13%	30%	25	32%	27	31%	21
Unemployment Rate	6%	5%	66	6%	62	5%	67
Linguistically Isolated	4%	8%	56	14%	51	5%	69
Less Than High School Education	9%	13%	46	13%	47	12%	51
Under Age 5	6%	6%	59	6%	60	6%	55
Over Age 64	17%	16%	59	16%	58	16%	62

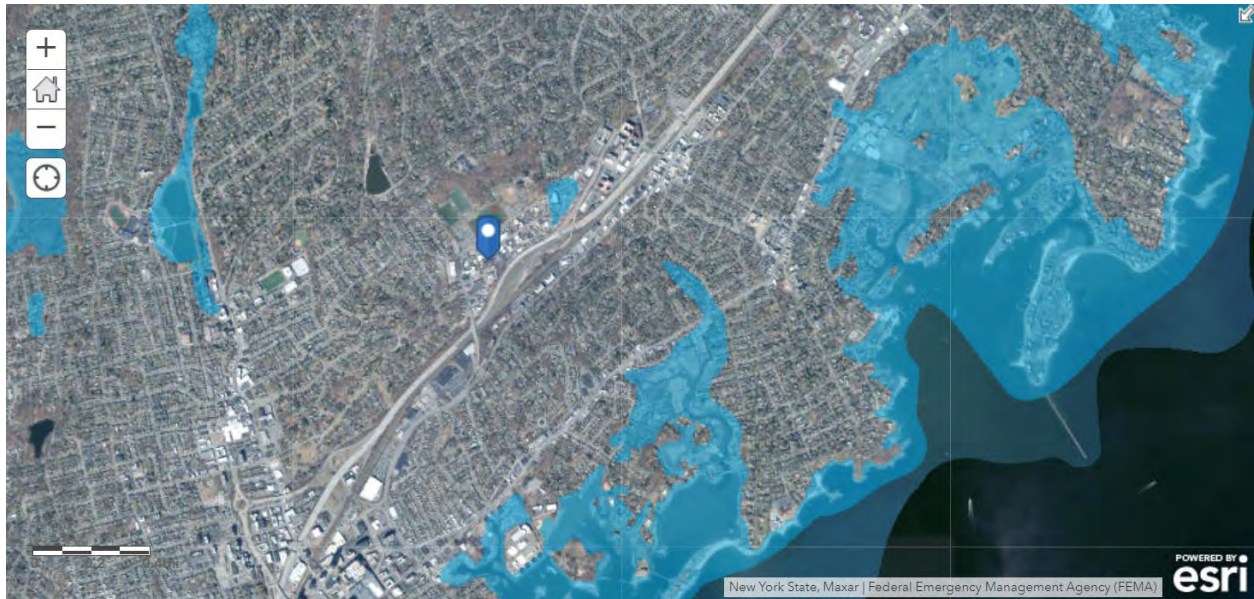
*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's 2017 Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/haps/air-toxics-data-update>.

For additional information, see: www.epa.gov/environmentaljustice

EJScreen is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJScreen documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJScreen outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.

Appendix C: Federal Emergency Management Agency (FEMA) 100 Year Flood Zone and EPA's Region 2 Composite Flood Risk Layer

Facility Name: POR Products



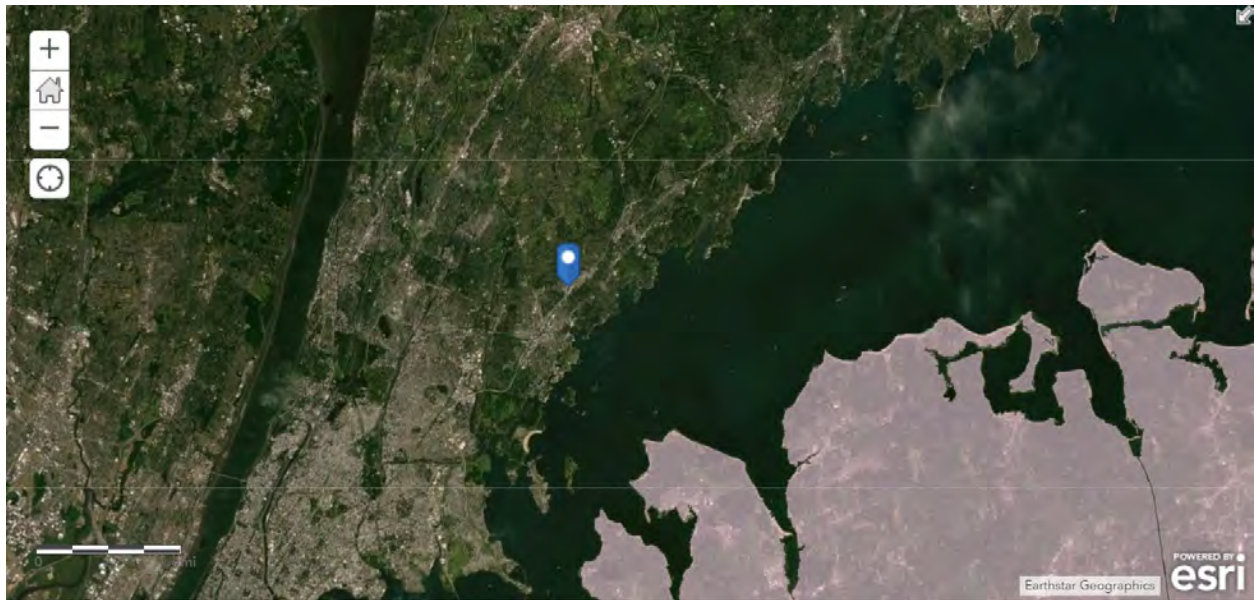
The facility is not located within a FEMA 100-year flood zone area.



The facility is not located within the EPA's Region 2 Composite Flood Risk potential risk area.

Appendix D: Sole Source Aquifer Map

Facility Name: POR Products



The facility is not located within a Sole Source Aquifer area.