RCRA Inspection Report

1) Inspector and Author of Report

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U.S. Environmental Protection Agency, Region 4
Enforcement and Compliance Assurance Division
Chemical Safety and Land Enforcement Branch
RCRA Enforcement Section
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2) Facility Information

Cycan Industries, Inc.
313 Bell Park Drive
Woodstock, Georgia 30188

EPA ID#: GAD981270812
NAICS #: 325998 - ALL OTHER MISCELLANEOUS CHEMICAL PRODUCT AND PREPARATION MANUFACTURING

3) Responsible Officials

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4) Inspection Participants

Gabe Moore, Cycan Industries, Inc.
Leigh Fragnoli, Cycan Industries, Inc.
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Andrew Matuza, GAEPD
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William Kappler, USEPA
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5) Date of Inspection

November 14, 2024, 9:00 AM

6) Applicable Regulations[1]

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 O.C.G.A. §12-8-62(15) [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 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 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. § 262.16(b) or § 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 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").

7) Purpose of Inspection

The purpose of this inspection was for the U.S. Environmental Protection Agency, Region 4, and the Georgia Department of Natural Resources, Environmental Protection Division, to conduct a joint unannounced compliance evaluation inspection (CEI) to determine Cycan Industries, Inc.'s (hereinafter, "Cycan" or "facility) compliance with the applicable requirements of RCRA and the corresponding Georgia Department of Natural Resources, Environmental Protection Division (GAEPD), regulations. This was an EPA lead inspection.

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.

8) Facility Description

Cycan Industries, Inc. was founded in April of 2000 as a Contract Packager for aerosol and chemical products. The facility operates in Woodstock, Georgia. Cycan Industries, Inc. has been the name of the company since 2022. Cycan Industries LLC had been the name of the company from 2013-2022. GAEPD last inspected the facility in 2020. The site was formerly Lasora Packing from 2009 to 2013 and Lasora from 1983 to 2009, which was involved in aerosol industry. Cycan, is an aerosol and cylinder products filler for industrial and automotive applications. There are currently 47 employees at this location. The facility has plans and is currently constructing an expansion of the warehouse space for the empty packaging containers. The warehouse expansion is located in close proximity and is planned to be 8800 square feet. The current property is leased from Cottonwood Management and Leiser, LLC. The lot is approximately 2 acres with a 1922 square foot building atop a hill. No immediate fence can be viewed from the front of the building, but a brick wall does line the back side of the property. Access is controlled with a locked front door, and office personnel checking-in individuals entering. A sign-in sheet is also kept. Cycan's parent company is Chicago Merit Capital in Chicago and Blue Ark Capital in Atlanta.

Cycan's building is comprised of an office, a laboratory, and a warehouse. The processing warehouse is divided into three main sections, the warehouse, shipping and receiving, and the production area. There is the warehouse, containing storage for the retain samples and other products, the lab spray hood, and the hand labeling production area. The shipping and receiving area is where Cycan receives and stores empty containers and products for processing and prepares shipment to customers. There is a dock which is used for both shipping and receiving the raw materials and the finished products. The production area contains aerosol production, a compounding area, two satellite accumulation areas (SAAs), one central accumulation area (CAA), the deionized water tank, and the indoor canister fill line. Cycan has three types of products consisting of water based, solvent based, and chlorinated. This generates three waste stream categories consisting of water based, flammable, and chlorinated wastes. Raw materials are received in drums, assessed, then stored in the shipping and receiving area. The raw materials are a variety of solvents, greases, and rubbers.

There are two production processes: the aerosol can fill line, and the cylinder or canister fill line. The raw materials enter through the compounding area, known as the mixing room, where the materials are mixed in large stationary totes to form the desired product. There are two fill lines, one for the aerosol cans in the production area, and one for the canisters. Both lines are located in the production area and outdoors. For the aerosol production, the empty aerosols are loaded into the equipment line where they are robotically filled. The filled aerosol cans then enter a water bath to ensure the aerosol cans can sustain high temperature and are securely closed. The aerosol cans range from 4 ounces to 20 ounces and the production equipment is programmed for each size. Once the aerosol cans exit the fill station and water bath, the cans are labeled and dated.

For the canister process, there is a small indoor fill station for the smaller canisters and an outdoor fill station for the larger canisters. The canister sizes range from 2 gallon to the jumbo size. The indoor station is made up of a conveyor belt which carries the smaller canisters to the gas house where they can be filled by facility personnel. The jumbo canister is located outside the warehouse under an overhang. The canisters are filled with hoses on the outside of the facility under the overhang.

The facility maintains two SAAs and one CAA. One SAA is maintained in the laboratory under the fume hood. Outdoors, near the jumbo canister fill station, the facility stores totes and larger empty containers as well as maintains one SAA. This SAA is under the control of the jumbo fill station operator(s). The other SAA is maintained near the aerosol production line, beside the indoor canister area. The SAA is located across the production line and slightly obstructed by process equipment but is visible from the area. The CAA is called the Main Waste Storage and is managed as both a 90-day area as well as drum storage for dated products or raw materials no longer in use.

Cycan operates as a large quantity generator with the most recent notification dated February 22, 2024. The facility does not have a RCRA Hazardous Waste Permit. Waste codes for each hazardous waste generated are D001 and F002.

9) Previous Inspection History

GAEPD conducted one desk audit at the subject facility in 2020. The facility was notified of the desk audit on August 10, 2020, and was required to send documentation by August 17, 2020. The facility sent the necessary documents August 12, 2020, and the desk audit was conducted on October 6, 2020, by GAEPD. Seven findings and one area of concern were noted during the desk audit. A Notice of Violation was sent to the facility October 23, 2020, with confirmation the facility returned to compliance based on documentation the facility sent October 14-15, 2020.

10) Opening Conference

On November 14, 2024, EPA inspectors Sarah Rowell, William Kappler, Alexis Wilson, and Devon Robinson, accompanied by GAEPD inspectors Joshua Khaleghi and Andrew Matuza, arrived at Cycan Industries, Inc. at approximately 0900. Gabe Moore, Technical Director, immediately received the inspectors. All inspectors signed in to the facility sign in sheet before entering. Gabe Moore and the inspectors were joined by Leigh Fragnoli, Chief Executive Officer for the opening conference. The inspectors introduced themselves, showed their credentials to Gabe Moore and Leigh Fragnoli, and explained the purpose of the visit.

The inspectors described the anticipated use of a 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 the EPA. The company did not assert a business confidentiality claim.

Gabe Moore and Leigh Fragnoli (Facility representatives) 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 Retention Sample Room

The inspectors began the inspection in the Laboratory. Cycan retains product samples for quality assurance and quality control of products shipped to customers. The samples contain various solvents, including isopropyl alcohol, toluene, and hexane. The inspectors observed a five-gallon SAA container in a fume hood. The exterior of the container was stained with waste from a release. The container was not kept closed, not labeled with the words "hazardous waste," and not labeled with hazard indicators (Photograph 2).

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 large quantity generator must 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.

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 container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

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 mark or label its containers (i) with the words "Hazardous Waste" and (ii) with an indication of the hazards of the contents.

The inspectors observed a small glass jar in the laboratory office that was closed and storing waste generated from a sample. The glass jar was not marked or labeled (Photograph 1). The facility transferred the content of the glass jar to a SAA waste container.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08. [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 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.

Warehouse Storage

The inspectors entered the warehouse storage area which contained a designated area for retain samples, the labeling process area, a lab spray hood, and additional storage.

Sample Retention Storage Area

Cycan retains a sample of aerosol cans filled with product that is shipped to the customer to determine the chemical quality. The samples of aerosol cans are generally stored for one year. The facility inventories the samples approximately every three months to determine if it is waste for offsite shipment. There was an approximate total of 200 aerosol retain samples. The inspectors observed an aerosol can of Q8400, lacquer dated October 30, 2023, Carpet Cleaner dated September 5, 2023, and Q8300 general purpose adhesive dated October 30, 2023. The inspectors requested the standard operating procedure for the retain samples.

Laboratory Spray Hood

Outside the laboratory, next to the Sample Retention Storage Area the facility maintains a laboratory spray hood. The facility completes laboratory test spraying inside and outside of the hood on cardboard sheets. The facility uses cardboard sheets to capture the overspray from testing the quality of various aerosol spray can products. The cardboard is disposed as trash. The inspectors asked for a waste determination, however one was not provided at the time of the inspection.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08. [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 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.

The inspectors observed a five-gallon black container storing waste solvent on the floor next to the spray hood (Photograph 10). The facility representatives identified the bucket as an SAA. The container was not closed, not labeled as hazardous waste, and not labeled with a hazard indicator.

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 container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

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 mark or label its containers (i) with the words "Hazardous Waste" and (ii) with an indication of the hazards of the contents.

In the spray hood area, the inspectors observed several blue paper shop towels (towels) (Photographs 7-9). The facility explained the towels are used to clean up solvents spilled and wipe off the exterior of samples and containers. After use, the towels are set under the spray

hood to air dry then discarded in non-hazardous waste trash. The inspectors observed one five-pound capacity cardboard box storing waste towels on top of buckets next to the spray hood. The cardboard box contained other laboratory debris and appeared to be wet. The inspectors also observed a product container with liquid pooled around the lid, the facility representatives said the blue shop towels would also be used to wipe up this release. The facility determined the towels to be solid waste but had not determined if the towels were hazardous waste or if any exclusions applied. The inspectors recommended the facility research the applicability of the Solvent Contaminated Wipe Rule. The inspectors requested the profile for the towels.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08. [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 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.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.251], a large quantity generator must 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.

Maintenance Shop

The inspectors continued to the maintenance shop where the facility holds spare parts, tools, and other necessary products to perform maintenance on process equipment. The blue paper shop towels were also observed in the maintenance shop, where they are used with solvents to conduct facility maintenance on process equipment consisting of pumps, valves, and pipelines. The inspectors observed a 40-gallon black trash can storing waste towels, gloves and debris mixed with trash.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08. [40 C.F.R. § 262.11], A person who generates a solid waste, as defined in 40 CFR 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.

Product Storage/Shipping and Receiving Area

The shipping and receiving areas are joined with the product and empty container storage areas. The empty container storage is planned to be moved to the new warehouse once the facility completes construction. The products are bulk wrapped on pallets and organized in rows ready for shipment. The facility receives and ships the products near the docking station located within this room. The inspectors observed two five-gallon dented product containers with liquid pooling on top of the containers and on the concrete floor next to the containers. The inspectors agreed the liquid pooled on top of the container and on the ground would be considered a release.

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 large quantity generator must 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.

Production Warehouse

The inspectors continued the inspection in the production warehouse. The production warehouse contains the deionized water tank, a mixing room, an aerosol production line, a gas house, two SAAs, one cylinder fill line, and the CAA.

In the production warehouse, the inspectors observed seven 55-gallon drums on their side and on shelves with a pour valve secured to each bunghole. The drums were organized as six together, with two rows of three on the first and second shelf, and with one drum farther from the rest, on the third shelf. Facility representatives stated the seventh drum on the third shelf was not used often. There were three five-gallon catch buckets placed on absorbent pads below each pour valve of the two rows of drums. At the time of the inspection, the buckets appeared to contain liquid (Photographs 22-23). The facility representatives said the buckets would be discarded as hazardous waste in the SAA at the end of each day. The catch buckets were not closed with a lid, not labeled with the words “hazardous waste”, and not labeled with a hazard indicator. At the time of the inspection the catch buckets were left unattended.

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 container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

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 mark or label its containers (i) with the words “Hazardous Waste” and (ii) with an indication of the hazards of the contents.

Deionized Water Tank

The facility maintains a deionized water tank at the facility. The inspectors observed the water tank, liquid was pooled on the ground in front of the tank. The facility representatives stated the liquid was water either from the tank or rainwater. The inspectors observed five-gallon containers of solvent consisting of acetone, toluene, ethanol, methylene chloride, and hexane. Facility representatives indicated the solvents in these buckets were used as cleaning agents to clean the tools and equipment. A blue shop towel would be dipped in the buckets according to the corresponding product blend. Facility representatives indicated the towels are air dried and then disposed as trash. Inspectors observed a 30-gallon container storing blue paper shop towels.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08. [40 C.F.R. § 262.11], A person who generates a solid waste, as defined in 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.

Mixing Room

The inspectors proceeded in the mixing room. Two large aboveground process tank mixers are located in this room. Various solvents and inactive ingredients are mixed in the tanks to formulate the product. The inspectors observed three five-gallon containers of solvent being used to clean tools and mixing equipment via soaking. Facility representatives indicated that the cleaning solvents used generally consisted of acetone, toluene, xylene, ethanol, hexane, and methylene chloride. Facility representatives reviewed the product formulation ticket for the product being mixed and indicated that hexane was the solvent used at that time to clean the tools and equipment.

Aerosol Product Line

The inspectors observed the Aerosol Product Fill Line where aerosol cans are filled with chemical product in an automated line. The inspectors observed several five-gallon containers storing possible waste. The facility explained these containers are used when cleaning out the product fill line in between product changes.

Gas House

The inspectors observed the gas house. The inspectors observed the room from the door, as this room was dangerous upon entry without proper PPE and with the use of the camera. The inspectors did not observe any waste in this room. The aerosol can is charged with a propellant after it is filled with the chemical product.

Aerosol Can Water-Bath Room

The aerosol can is then tested for heat exposure by submerging the filled aerosol can in a 140-degree Fahrenheit water-bath which was observed. The facility indicated the water bath is manifested and sent off as non-hazardous waste. The inspectors requested the manifest documents.

Product Labeling Line

The aerosol can product is then processed for labeling in an automated line and packaged for shipment to the customer.

Aerosol Product Line SAA

The inspectors observed the aerosol product line SAA. The SAA was in sight from the points of generation, but the product line and other equipment blocked a direct path. The inspectors recommended to create a less obscured path to the SAA. There were two 55-gallon containers storing waste solvent on a containment pallet. One 55-gallon container's top mounted

bunghole was not closed. The inspectors observed the container was also full. The container was labeled with the words “hazardous waste”, was marked with the word “chlorinated”, labeled with a hazard indicator, and marked with the date November 8, 2024. One 55-gallon container with a top mounted funnel and a gate valve was observed by inspectors not to be closed. The container was labeled with the words “hazardous waste”, was marked with the word “chlorinated”, labeled with a hazard indicator, and marked with the date November 11, 2024. The facility stated that one 55-gallon drum was the excess date, but the date was more than the 3-day allowable excess date. The other container was still accumulating solvent with a start date of November 11, 2024. The inspectors recommended the facility remove the date and start dating instead, once the container is full. Both drums were on secondary containment which was on top of cardboard sheets. The inspectors observed a release of waste solvent to the pallet and cardboard sheets under the pallet.

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 container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(6)(ii)], which is a condition of the SAA Permit Exemption, a generator who accumulates either acute hazardous waste listed in § 261.31 or § 261.33(e) of this chapter or non-acute hazardous waste in excess of the amounts listed in paragraph (a) of this section at or near any point of generation must remove the excess from the satellite accumulation area within three consecutive calendar days

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 large quantity generator must 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.

Cylinder Fill Area

The cylinder fill area is constructed indoors and outdoors with a concrete pad, surrounded by a two to three foot-block wall, an overhang attached to the side of the building, and for the smaller cylinders an indoor belt.

Cylinder Fill SAA

The inspectors observed the cylinder fill SAA which was in the control of the operator and within sight of the cylinder fill area. The inspectors observed seven 55-gallon containers on pallets against the block wall. Five 55-gallon containers were storing waste solvent. The inspectors observed five 55-gallon containers labeled with the words “hazardous waste” and marked with the word “chlorinated”. The inspectors observed two containers dated October 3, 2024, and two containers dated October 16, 2024. The inspectors observed one container dated October 20, 2024, with a top mounted funnel that was not closed. The inspectors

observed four 55-gallon containers stored against the block wall without aisle space. The inspectors observed two 55-gallon containers dated on October 3, 2024, one 55-gallon container dated October 16, 2024, and one 55-gallon container dated October 20, 2024, without hazard indicators. At the time of the inspection, the SAA was exceeding the 55-gallon maximum resulting in a 90-day or less storage area. The facility was not completing weekly container inspections for this area, nor was this area labeled as a CAA, and was not equipped with no smoking signs.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 CFR 262.15(a)(6)(ii)(A)], which incorporates 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, the large quantity generator must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste must be separated and protected from sources of ignition or reaction including but not limited to the following: Open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (*e.g.,* from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the large quantity generator must confine smoking and open flame to specially designated locations. "No Smoking" signs must be conspicuously placed wherever there is a hazard from ignitable or reactive waste.

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 container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1), [40 C.F.R. § 262.15(a)(5)(ii)], which is a condition of the SAA Permit Exemption, a generator must mark or label its containers 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. § 262.17(a)(6)], which incorporates Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.255], and is a condition of the LQG Permit Exemption, the large quantity generator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(6)(ii)], which is a condition of the SAA Permit Exemption, a generator who accumulates either acute hazardous waste listed in § 261.31 or § 261.33(e) of this chapter or non-acute hazardous waste in excess of the amounts listed in paragraph (a) of this section at or near any point of generation must remove the excess from the satellite accumulation area within three consecutive calendar days.

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, at least weekly, the large quantity generator must

inspect central accumulation areas. The large quantity generator must look for leaking containers and for deterioration of containers caused by corrosion or other factors.

Main Waste Storage Room - Central Accumulation Area

The inspectors proceeded to the CAA which the facility called the Main Waste Storage Room. The inspectors observed a room constructed with a concrete floor, one concrete wall and three corrugated metal walls, a corrugated metal roof attached to wooden beams. The room has noticeable large gaps between the concrete containment area (floor), walls, and roof. This room was open-air and exposed to stormwater runoff. The inspectors observed a four-inch concrete berm surrounding the 55-gallon containers storing waste. The facility representative stated that rainwater would also enter into this room. The inspectors observed the floor was wet and observed the co-mingling of rainwater and with hazardous waste released to the floor inside the berm and to the floor outside of the concrete berm. Several containers appeared to be wet or in poor condition with spills and residue on the sides (Photographs 38-42).

The inspectors observed nine 55-gallon containers storing unpunctured aerosol cans without lids. The inspectors observed eight 55-gallon containers not marked or labeled with the words "hazardous waste", not marked or labeled with the words "universal waste", not marked or labeled with hazard indicators, and not marked with a date.

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 container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a LQG 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 began on each container.

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 large quantity generator must 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.

The inspectors observed one 55-gallon container, mounted with an aerosol can puncture device storing waste solvent. The container was not marked or labeled with the words "hazardous waste". Located next to the 55-gallon container mounted with a puncture device, the inspectors observed two full 55-gallon containers storing waste solvent not marked or labeled with the words "hazardous waste", and not marked with a date.

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 container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a LQG 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 began on each container.

The inspectors observed one 55-gallon container near the room's exterior door was labeled with the words "water-based hazardous waste". A Cycan employee labeled the container with the words "hazardous waste" and marked it with the date November 14, 2024, during the inspection. The top of the 55-gallon container's bunghole was connected by a hose to a pump in a floor level concrete dead end sump. The pump and sump appeared wet. The inspectors requested the sump design plans, manifest data for this waste, and a waste determination for the contents of the sump and the contents of the drum.

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 container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

The inspectors observed 14 55-gallon containers stored on pallets inside the concrete berm. The inspectors observed the containers in this area were closed, in good condition, maintained with aisle space, labeled with the words "hazardous waste", labeled with an indication of the hazards, and marked with a storage start date of 90-days or less unless noted otherwise. The inspectors observed two 55-gallon containers of waste solvent labeled with the words "hazardous waste" that were not closed. One 55-gallon container was not labeled with the words "hazardous waste", was not closed, and was not in good condition, with the top of the container bulging. The inspectors observed one 55-gallon container of waste solvent not labeled with words "hazardous waste" with a top mounted funnel (hazardous waste solids stored in the funnel) that was not closed. The container was labeled with a hazard indicator and dated October 24, 2024.

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 container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)(A)], which is a condition of the LQG Permit Exemption, a large quantity generator must mark or label its containers with the words "Hazardous Waste."

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(1)(ii)], which is a condition of the LQG Permit Exemption, if a container holding hazardous waste is not in good condition, or if it begins to leak, the large quantity generator must immediately transfer the hazardous waste from this container to a container that is in good condition, or immediately manage the waste in some other way that complies with the conditions for exemption of this section

The inspectors observed approximately 34 55-gallon containers on metal shelves two levels high storing formulated chemicals. The containers labels and condition of the containers could not be inspected due to access issues. One 55-gallon container was observed and labeled with the words “water-based hazardous waste”. The inspectors observed the oldest date marked on a container that could be inspected was December 21, 2022. The inspectors requested the standard operating procedure for this process.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(b)], an LQG who accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of Ga. Comp. R. and Regs. 391-3-11.01 to 391-3-11.18 [40 C.F.R. Parts 124, 264 through 268 and Part 270].

12) Records Review

The inspectors concluded the physical tour and proceeded with the requested records. The inspectors provided a list of records at the beginning of the inspection. The records the facility maintained at the facility from the list of records and the additional records requested during the inspections were viewed.

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 Contingency Plan, which was last updated on September 19, 2024.
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. Gabe Moore 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 Contingency Plan was most recently submitted to the Woodstock police department, fire department, hospital, State and local emergency response teams and the Local Emergency Planning Committee on August 7, 2024. The inspectors requested to review the quick reference guide and observed the facility did not maintain one at the facility at the time of the inspection.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08. [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)(3 & 6) and is a condition of the LQG Permit Exemption, a large quantity generator that first becomes subject to these provisions after May 30, 2017 or a large quantity generator that is otherwise amending its contingency plan must at that time submit a quick reference guide of the contingency plan to the local emergency responders identified at paragraph (a) of this section or, as appropriate, the Local Emergency Planning Committee

Training Records:

The inspectors requested the facility job descriptions and employee names that handled hazardous waste, but the inspectors did not receive these records until December 3, 2024. Each description included the requisite skill, education, or other qualifications, and duties of facility personnel assigned to that position.

On December 3, 2024, the facility 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 the last three years with the most up to date training being November 14, 2023. The facility plans to complete the training by the end of November 2024.

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 2021. The facility is in the process of scanning all manifests and related documents so that the documents are digitalized. The manifests appeared to be accounted for.

Weekly Inspection Records:

The inspectors reviewed Cycan's records of inspections of the hazardous waste central accumulation area (CAA) for the last 3 years. The inspection logs from 2021 to 2022 include 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 aisle space, visible container labels, legible container labels, complete container labels, closed lids and bungs, material on outside of container, rings tight, rings turned down, condition of containers, containers compatible with waste, container grounding, control of ignition sources, container stacking, container storage time, contents of containment units, housekeeping, emergency communication, fire extinguisher, and spill response kit. The records include the date and time of the inspection and the name, signature and initials of the employee conducting the inspection. The inspection logs in 2023 includes a checklist to record observations about visible container labels, container storage time, and condition of containers. The records include the date and initials of the employee conducting the inspection. The inspection logs from 2024 includes a checklist to record observations about aisle space, visible container labels, legible container labels, complete container labels, closed lids and bungs, material on outside of container, rings tight, rings turned down, condition of containers, container storage time, contents of containment units. The records include the date 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 August 30, 2021, November 1, 2021, January 17, 2022, January 24, 2022, February 28, 2022, March 7, 2022, March 14, 2022, December 12, 2022, March 6, 2023, May 29, 2023, September 4, 2023, November 6, 2023, November 13, 2023, and December 25, 2023.

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 generator must at least weekly, the large quantity generator must inspect central accumulation areas. The large quantity generator must look for leaking containers and for deterioration of containers caused by corrosion or other factors. See paragraph (a)(1)(ii) of this section for remedial action required if deterioration or leaks are detected.

Biennial Reporting

The Biennial Report was reviewed as well as the waste minimization plan. The Biennial report was submitted on time and the waste minimization plan included the necessary information.

Waste Determinations

Several Waste Determination records were requested at the time of the inspection. The facility did not have waste determinations for the sump or the water-based hazardous waste drum connected to the sump.

13) Closing Conference

The inspectors conducted the exit meeting at 1630 with Gabe Moore, Leigh Fragnoli, and Milan Vero, Chief Financial Officer. During this meeting, the inspectors stated their preliminary conclusions of the inspection. The facility provided several records printed copies for the EPA and GAEPD inspectors at the time of the inspection. Additional records were requested, however the inspectors agreed Cycan could provide the remaining requested records by November 20, 2024. The facility initially requested an extension on items 3, 4, 12, and 14. Below are the records requested electronically.

1. Job descriptions and Job titles for the facility.
2. Main Waste Storage Room Sump
    a. Evidence documenting the Sump is a dead-end sump and there is no pathway to the ground or the environment.
    b. Profile for the sump material.
3. Profile for the Water-based Hazardous Waste Drum dated 11/14/2024 located in the Main Waste Storage Room. At the time of the inspection this drum was connected to the sump with a hose.
4. Profile for the Towels located throughout the facility at the designated points of generation.
5. Personnel training records of all RCRA training given for the last three (3) years in accordance with 40 CFR 262.17(a)(7).
6. Container inspection records for the last three (3) years.

7. Documentation notifying the local authorities (emergency responders), including the hospital of the previously revised (9/19/24) and revised Contingency Plan and the completed Quick Reference Guide in accordance with 40 CFR 262.262(a).
8. The Quick Reference Guide (QRG) in accordance with 40 CFR 262.262(b).
9. The revised Contingency Plan including: a physical description of each item in each spill kit, a brief outline of the capabilities of each item in the spill kit(s) and the location(s) in accordance with 262.261(e) and inclusion of the emergency response contractor and equipment suppliers.
10. The most recent Waste Reduction Plan located electronically at the facility at the time of the inspection.
11. Manifest – Designator Facility Copy
    a. 2024: 025423254JJK and 026124218JJK
    b. 2021: the month of November, specifically the blank manifest ending in 409JJK
12. The standard operating procedure, waste determination, and generator knowledge documentation of the testing Sheet used in the Spray Hood.
13. Waste Determination of the catch buckets used under the six active Additive Drums.
14. Containers of chemical material stored on shelves in the Waste Storage Room (CAA)
    a. Standard Operating Procedure
    b. Profile for the white plastic drum dated 12/2022
    c. Please submit a container inventory of all formulated chemical material stored on the floor and on shelves in the CAA on November 14, 2024. Please use a spreadsheet to clearly provide the retail/commercial name of the chemical material in each container. Please submit the spreadsheet with columns providing for 100 percent of the chemical ingredients in each container, the date marked on each container, the date the container was stored in the CAA (if not marked with a date), the total capacity (volume or weight) of each container, the actual volume or weight stored in each container, state the containers with material that can be used directly in a process, state the containers with material that must be treated before used directly in a process, state the containers with material that is unusable, and identify the EPA hazardous waste codes for containers with unusable material.

On November 20, 2024, the facility's consultant, Steve Hunt, contacted the EPA inspectors. Steven Hunt asked for clarity on which Job Descriptions the facility needed to provide, an additional extension request, and requested to send the EPA more documents after a compliance assessment of the facility. The extension request for all items was not granted, only on the original items. However, the EPA welcomed any additional information the facility wanted to provide. The following was received via emails dated November 20, 2024: sump information with a photo of the interior of the sump system and a letter explaining the facilities position (Deliverable 2), personnel training records (deliverable 5), inspection records (Deliverable 6), documentation of notification to the local authorities (Deliverable 7), the Quick Reference Guide (Deliverable 8), the revised Contingency Plan (Deliverable 9), the most recent Waste Reduction Plan (Deliverable 10), and the requested manifests were included and a letter explaining the manifest issues (Deliverable 11). The deliverables were sent to the EPA

inspectors Sarah Rowell and William Kappler as well as GAEPD inspectors Joshua Khaleghi and Andrew Matuza.

On December 3, 2024, the EPA and GAEPD received five emails from Gabe Moore including the job descriptions (Deliverable 1) and a Quality Assurance Plan for spray testing in the spray hood (Deliverable 12). A waste determination, nor generator knowledge documentation was not received. Steve Hunt sent the information for deliverables four, thirteen, and fourteen, and a response from the facility. In this response, the facility hazardous waste drum connected to the sump (Deliverable 3) was proposed to have the same profile as the sump itself. A separate waste profile was not provided.

14) List of Attachments

Attachment 1 – Photo Log

15) Signed

SARAH ROWELL Digitally signed by SARAH ROWELL
Date: 2025.02.24 10:38:33 -05'00'

Sarah Rowell
Environmental Engineer

ARACELI CHAVEZ Digitally signed by ARACELI CHAVEZ
Date: 2025.02.24 11:05:40 -05'00'

for William Kappler
Physical Scientist

16) Concurrence

ARACELI CHAVEZ Digitally signed by ARACELI CHAVEZ
Date: 2025.02.24 11:06:02 -05'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

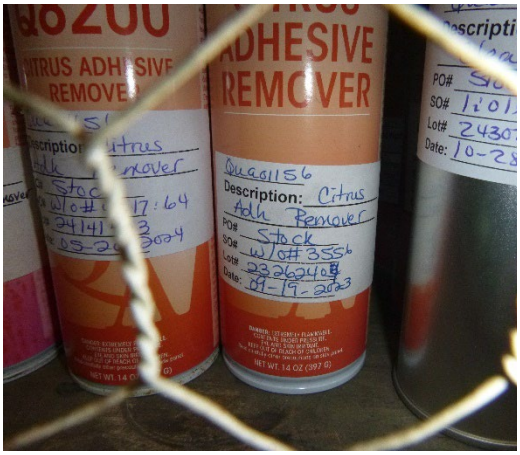
Attachment 1 – Photo Log

59 Photos taken on: November 14, 2024
Photos taken by: Sarah Rowell
Photos taken with: Panasonic Camera (Model DMC-TS20)

Photograph 1: Small sample waste jar - P1030609.JPG

Photograph 2: Laboratory SAA - P1030610.JPG

Photograph 3: Retain Samples - P1030611.JPG



Photograph 4: Retain Sample – 9/19/2023 - P1030612.JPG

Photograph 5: Retain Sample – 12/01/2022 - P1030613.JPG

Photograph 6: Pooling on product bucket - P1030614.JPG

Photograph 7: Blue paper shop towel near Spray hood - P1030615.JPG

Photograph 8: Open cardboard box of blue shop towels and other lab debris - P1030616.JPG

Photograph 9: Spray hood - P1030617.JPG

Photograph 10: Unmarked black bucket used as an SAA - P1030618.JPG

Photograph 11: unmarked black bucket used as an SAA - P1030618-L0404EWKAPPLER2.JPG

Photograph 12: Side of unmarked SAA bucket - P1030619.JPG

Photograph 13: Cylinders - P1030620.JPG

Photograph 14: Maintenance shop garbage – blue shop towels - P1030621.JPG

Photograph 15: Maintenance shop garbage, unmarked - P1030622.JPG

Photograph 16: Blue shop towels disposed - P1030623.JPG

Photograph 17: unmarked trash can filled with shop towels - P1030624.JPG

Photograph 18: garbage can - P1030625.JPG

Photograph 19: garbage can - P1030626.JPG

Photograph 20: Pooling of product on ground and container - P1030627.JPG

Photograph 21: pooling of product on ground and container - P1030628.JPG

Photograph 22: catch buckets - P1030629.JPG

Photograph 23: catch buckets - P1030630.JPG

Photograph 24: blue shop towels disposed of - P1030631.JPG

Photograph 25: Aerosol Line SAA P1030632.JPG

Photograph 26: blue shop towels disposed of - P1030633.JPG

Photograph 27: release on cardboard and secondary containment in Aerosol Line SAA - P1030634.JPG

Photograph 28: Open drums in Aerosol SAA - P1030635.JPG

Photograph 29: Open funnel and open valve in Aerosol SAA - P1030636.JPG

Photograph 30: Drum label in Aerosol SAA - P1030637.JPG

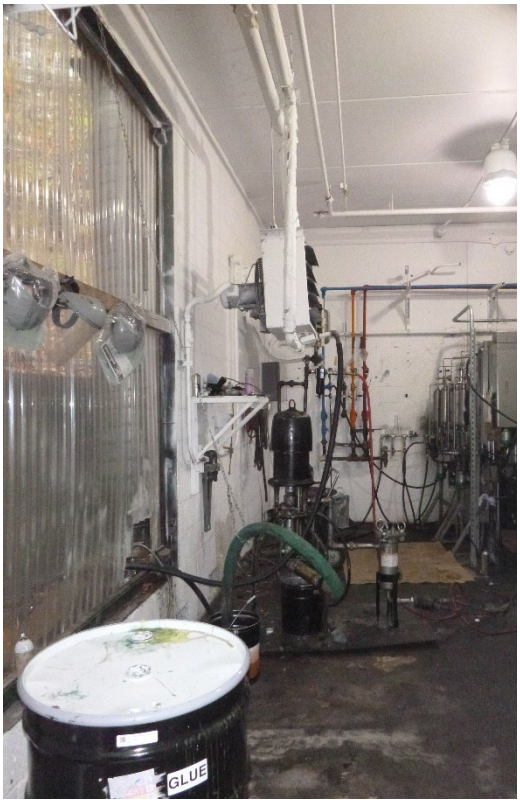
Photograph 31: Drum Label in Aerosol SAA - P1030638.JPG

Photograph 32: Cylinder SAA - P1030639.JPG

Photograph 33: Drum label in Cylinder SAA - P1030640.JPG

Photograph 34: Drum label in Cylinder SAA - P1030641.JPG

Photograph 35: Drum label in Cylinder SAA - P1030642.JPG



Photograph 36: Gas House - P1030643.JPG

Photograph 37: Open funnel in Cylinder SAA P1030644.JPG

Photograph 38: CAA – Main Waste Storage - P1030645.JPG

Photograph 39: Drums in CAA – Pooling on drum - P1030646.JPG

Photograph 40: Open budging container In CAA - P1030647.JPG

Photograph 41: Drums in CAA - P1030648.JPG

Photograph 42: Open funnel in CAA - P1030649.JPG

Photograph 43: Containers in CAA - P1030650.JPG

Photograph 44: Drums in CAA - P1030651.JPG

Photograph 45: Liquid pooling on drum in CAA - P1030652.JPG

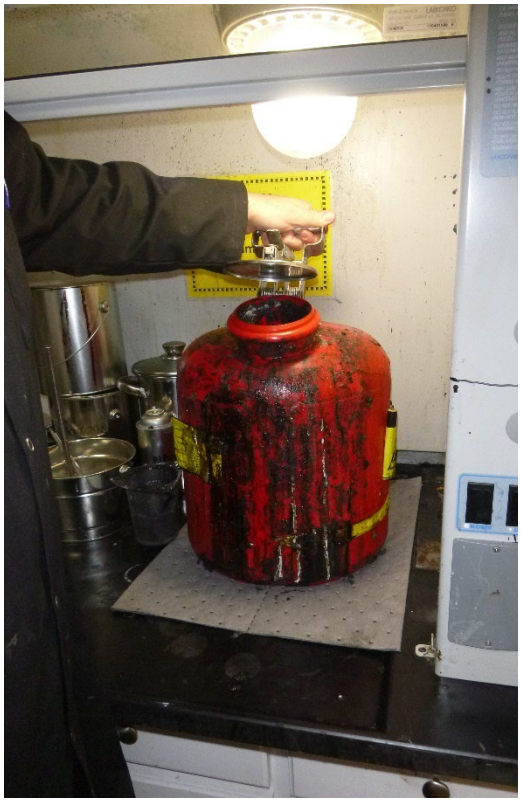
Photograph 46: Waste Drums in CAA - P1030653.JPG

Photograph 47: Waste Drums in CAA P1030654.JPG

Photograph 48: Waste Drums in CAA - P1030655.JPG

Photograph 49: CAA signs - P1030656.JPG

Photograph 50: CAA – facing to right - P1030657.JPG

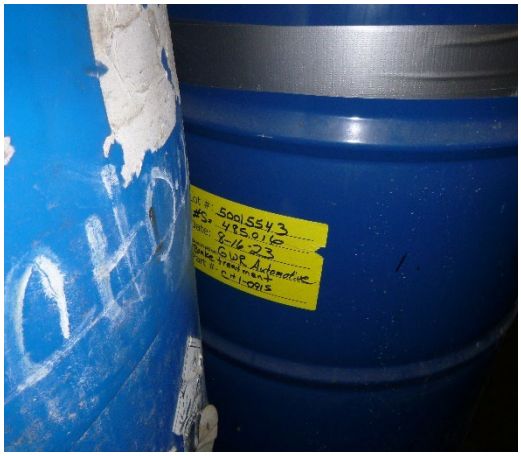


Photograph 51: clean laboratory SAA - P1030658.JPG

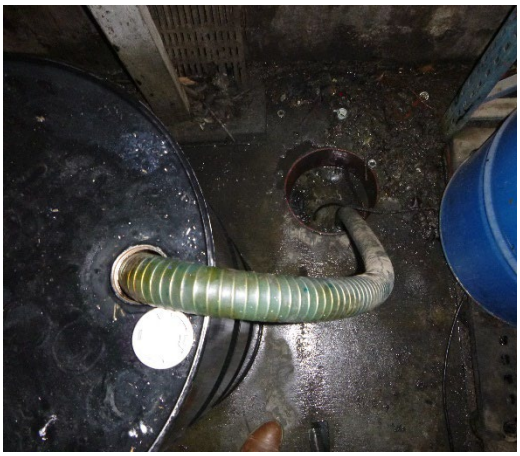
Photograph 52: Clean closed laboratory SAA- P1030659.JPG

Photograph 53: Accumulated potential product drums in CAA - P1030660.JPG

Photograph 54: Accumulated potential product drum label in CAA P1030661.JPG



Photograph 55: Accumulated potential product drum label in CAA P1030662.JPG



Photograph 56: Water based hazardous waste drum connected to the sump - P1030663.JPG

Photograph 57: Accumulated potential product drum label in CAA P1030664.JPG

Photograph 58: Hazardous Waste Drum in CAA – on shelf with the "product" drums - P1030665.JPG

Photograph 59: Open waste drum in CAA - P1030666.JPG