EPA United States Environmental Protection Agency

Region 6 - Enforcement & Compliance Assurance Division

INSPECTION REPORT

Inspection Date(s):	8/29/2022 – 9/2/2022	
Media Program:	RCRA Compliance Evaluation Inspection	
Regulatory Program(s)	RCRA Large Quantity Generator	
Company Name:	**The Sherwin-Williams Company**	
Facility Name:	**Sherwin-Williams W Miller Road**	
Facility Physical Location:	2802 W Miller Rd	
(city, state, zip code)	Garland, TX 75041	
Mailing address:	2802 W Miller Rd	
(city, state, zip code)	Garland, TX 75041	
County/Parish:	Dallas County	
Facility Phone Number	(469) 246-2141	
Facility Contact:	Anthony Cade, MBA	Area EHS Manager
	Anthony.d.cade@sherwin.com	
FRS Number:	110000456248	
Identification/Permit Number:	New Source Review (NSR) permit #74886	
Media Identifier Number:	TXD052131323	
NAICS:	32551 – PAINT AND COATING MANUFACTURING	
SIC:	2851 (SIC) – PAINTS	
Personnel participating in inspection:		
John Penland	USEPA R6/ECDSR	Lead Inspector
Bill Mansfield	USEPA R6/ECDSR	Sr. Inspector
Erin Young-Dahl	USEPA R6/ECDSR	Inspector
Karen Juliussen	Texas Commission on Environmental Quality – R4	Environmental Investigator
Anthony Cade	Sherwin-Williams	Area EHS Manager
Matthew Patton	Sherwin-Williams	EHS Specialist
Luis Menendez	Sherwin-Williams	Plant Manager
EPA Lead Inspector Signature/Date	ERIN YOUNG-DAHL Digitally signed by ERIN YOUNG-DAHL Date: 2022.11.08 08:32:20 -06'00'	
	John Penland – Lead Inspector	Date
Supervisor Signature/Date	JEFFREY YURK Digitally signed by JEFFREY YURK Date: 2022.11.08 09:10:33 -06'00'	
	Jeffrey Yurk – Waste Section Chief	Date

Section I – INTRODUCTION

PURPOSE

During the week of August 29, 2022, I, John Penland, conducted an unannounced inspection of the Sherwin-Williams W Miller Road facility (Sherwin-Williams) located at 2802 W Miller Rd in Garland, Texas for compliance with the Resource Conservation and Recovery Act (RCRA). I was assisted on this inspection by Environmental Protection Agency (EPA) inspectors William Mansfield and Erin Young-Dahl along with Texas Commission on Environmental Quality (TCEQ) investigator Karen Juliussen. The inspection included a walkthrough of the facility's production process and waste generation and management units as well as a review of the facility records related to hazardous waste management.

The Sherwin-Williams facility was targeted for inspection as part of Environmental Justice and Regional and National investigation initiatives to evaluate facilities subject to RCRA Subpart AA, BB, CC regulations related to air emissions from hazardous waste management units.

We concluded the inspection of the Sherwin-Williams facility on September 2, 2022, with a closing conference where we presented our provisional areas of concern.

This report serves as documentation of all onsite activities and observations during the inspection of the Sherwin facility. Photographs taken during the inspection to document onsite observations are included as Appendix 1. A summary of all areas of concern identified during the inspection is provided in Section III.

FACILITY DESCRIPTION

The Sherwin-Williams facility was issued the EPA ID# TXD052131323. Sherwin-Williams is operating as a Large Quantity Generator (LQG) of hazardous waste and has done so since March 1, 1990.

The facility operates under a New Source Review (NSR) permit #74886 issued by the Texas Commission on Environmental Quality (TCEQ).

Section II – OBSERVATIONS

Bill Mansfield, Erin Young-Dahl, Karen Juliussen, and I conducted the onsite inspection during normal business hours from August 29 through September 2, 2022. During the inspection, the facility was conducting normal operations and all areas of the facility were in use. Throughout the week, we visited each of the facility's waste generation, accumulation, and management areas, and reviewed the facility's operating records pertaining to the facility's RCRA applicability and compliance requirements.

This section provides an abbreviated description of our daily activities (see Appendix 2). Appendix 1 provides photographs of these observations. Unless otherwise specified, the statements cited in this section reflect those claims made by facility personnel or documents reviewed during the inspection.

August 29, 2022

I, John Penland, along with Bill Mansfield, Erin Young-Dahl, and Karen Juliussen, entered the facility at 1045 hrs., where I presented credentials to Mr. Anthony Cade (Area EHS Manager), and informed him that we were there to conduct an inspection of the facility under the authority of Section 3007 of RCRA. I explained the right of Sherwin-Williams to assert a Confidential Business Information claim for records requested by the EPA, followed by a presentation of EPA Region 6's Confidentiality Notice (40 CFR Section 2.203). I then conducted an opening briefing at 1100 hrs. with Anthony Cade, Matthew Patton (EHS Specialist), and Luis Menendez (Plant Manager).

Following the opening briefing, we conducted a walkthrough of the Sherwin-Williams facility production and associated waste management areas. The facility walkthrough began at the water-based paint line. We were accompanied by Anthony Cade, Matthew Patton, and Luis Menendez of Sherwin-Williams.

Water-Based Paint Line

We walked through the operations of the water-based paint manufacturing process, including formulation, blending, and packaging. No hazardous waste generation or accumulation was identified in this operational area.

Container Draining and Crushing Area

Next, we walked through the container draining and compacting area, where Sherwin-Williams empties containers prior to compacting them for scrap metal recycling. The area is outside under a three-sided shelter. Here, open 55-gallon drums are tipped vertically to allow solvent residues to drain into 5-gallon buckets. The residues collected in the buckets are then consolidated into a 55-gallon drum labeled as a Satellite Accumulation container.

At the time of the inspection, I noticed five containers were open and tipped to drain. However, the area was unattended, and the containers had already finished draining. I requested an SOP describing operations in this area (see 40 CFR 265.1087(c)(3)(ii)).

Central Waste Accumulation Area

The facility's Central Waste Accumulation Area is located outdoors under a large, metal-covered three-sided shelter within a concrete secondary containment structure. Sherwin-Williams operates this area for the accumulation of hazardous and non-hazardous solid waste. The area is secured with a gate, posted identification, and warning signs. I identified spill response equipment, alarms, and fire extinguishers in the area.

Containers were stacked on pallets two drums high and at the time of inspection shared a single containment area. Containers were labeled and dated with an accumulation start date within the 90-day limit. Containers and pallets appeared to be in good condition.

I identified a container of hydrogen peroxide, an oxidizer, in the southeast corner of the shelter. This material is incompatible with the flammable wastes also stored in this area (see 40 CFR 262.17(a)(1)(vii)(C)).

Solvent-Based Paint Line

The walkthrough of this area began at approximately 1415 hrs. The solvent-based paint line is a three-story gravity flow process. At the time of inspection, this process was being remodeled to manufacture water-based paints. I requested the date the solvent-based line was taken out of service.

On the third floor, I identified one drum marked as a Satellite Accumulation container.

On the second floor, I identified one drum of solvent wipes, which was open at the time of this inspection. The bung opening on the container was covered with a paper drinking cup. Other paper cups were observed on product storage containers in this area (see 40 CFR 261.4(a)(26)).

On the first floor, I observed two drums in use for solvent parts washing. The lids for these containers had been placed on the containers but were not secured.

We departed the facility at approximately 1500 hrs.

August 31, 2022

We conducted preliminary document review on this day, including a review and discussion of the facility's waste profiles and waste determinations. We also inspected tanks T-5 and S-13.

Tank T-5

This tank was empty and out of service at the time of inspection. I requested operating records indicating waste thruput and last in-service dates.

Tank S-13

At the time of the inspection, tank S-13, a cone-bottom tank, contained residual wastes from the solvent-based Dallas Emulsion Plant, though it was in the process of being decommissioned. The pump for this tank had been disconnected. Using Method 21 monitoring, I identified emissions of 16,000 ppm from the manway hatch on top of the tank and observed that the manway was equipped with incorrect bolts. I was unable to determine whether a gasket was in place. I requested operating records for waste thruput.

The inspection team departed the facility at 1445.

September 1, 2022

The inspection was conducted remotely on this day via Microsoft TEAMS and included discussions on the inspection team's outstanding questions.

September 2, 2022

I, John Penland, facilitated a closeout meeting with facility representatives to review the areas of concern. We also reviewed outstanding document requests with Sherwin-Williams representatives.

Section III – AREAS OF CONCERN

The following is a list of potential areas of concern discussed with facility representatives. See Appendix 2 for details of EPA observations.

- Based on EPA's monitoring, an emissions leak from the manway hatch of Tank S-13 was detected with a reading of 16,000 ppm, more than the 500 ppm regulatory limit for access ports. Inspection and operation records for tanks S-13 and T-5 will be reviewed to confirm <90-day thruputs.
- One drum containing solvent rags was missing a bung and was instead covered by a paper cup.
- In the satellite accumulation area, open, unattended containers were present after drums had been tipped and emptied. Facility to provide SOPs.
- The Sherwin-Williams facility's emergency response plan will be reviewed for compliance with the standards codified at 40 CFR 262 Subpart M to ensure proper plan contents and distribution records to emergency services. Sherwin-Williams was able to provide a list of equipment capabilities when asked.
- In the Central Waste Accumulation Area, some drums had labels that indicated >90-day residency. Sherwin-Williams will provide records on those drums' fill dates versus start dates.
- An incompatible waste (oxidizer) was stored in the Central Waste Accumulation Area adjacent to containers of flammable wastes. These wastes are incompatible and were stored on the same pallet with no dividing structure between them.
- One overpack drum in the Central Waste Accumulation Area was unlabeled.
- Training records for RCRA-applicable employees will be reviewed and assessed for their completeness and compliance with LQG training and recordkeeping requirements.

Section IV – FOLLOW UP

Actions taken by Sherwin-Williams to resolve any areas of concern were documented by the facility with photographs or other documentation medium and submitted to the EPA via the shared OneDrive folder. Any information received from the facility after the inspection was also received in this way. These documents are accessible to the assigned EPA Enforcement Officer as applicable.

Section V – LIST OF APPENDICES

Appendix 1: Photo Log – photos taken 8/29/2022 and 8/31/2022

Appendix 2: EPA Daily Summary Emails

APPENDIX 1

Photo Log

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: Sherwin-Williams Garland Manufacturing Plant		
City: Garland	County/Parish: Dallas	State: Texas

Photo File Name: DSCN0798.jpg	**Date of Photo**: 08/29/2022	**Time:** 1213 hrs
Photographer: Erin Young-Dahl, EPA Inspector **Witness**: Bill Mansfield, EPA Inspector		
Description: Overview of the container draining and compacting area. Secured and labeled satellite accumulation drum located in the foreground on a pallet.		

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: Sherwin-Williams Garland Manufacturing Plant		
City: Garland	County/Parish: Dallas	State: Texas

Photo File Name: DSCN0799.jpg	**Date of Photo**: 08/29/2022	**Time:** 1218 hrs
Photographer: Erin Young-Dahl, EPA Inspector **Witness**: Bill Mansfield, EPA Inspector		
Description: Closer view of draining and compacting area. Five containers are open and tipped over open 5-gallon buckets, but have finished draining.		

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: Sherwin-Williams Garland Manufacturing Plant		
City: Garland	County/Parish: Dallas	State: Texas

Photo File Name: DSCN0800.jpg	**Date of Photo**: 08/29/2022	**Time:** 1234 hrs

Photographer: Erin Young-Dahl, EPA Inspector
Witness: Bill Mansfield, EPA Inspector

Description:
Overview of central accumulation area. Area is secured by a locking gate and warning signs.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: Sherwin-Williams Garland Manufacturing Plant		
City: Garland	County/Parish: Dallas	State: Texas

Photo File Name: DSCN0801.jpg	**Date of Photo**: 08/29/2022	**Time:** 1234 hrs
Photographer: Erin Young-Dahl, EPA Inspector **Witness**: Bill Mansfield, EPA Inspector		
Description: View of aisle spacing in central accumulation area.		

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: Sherwin-Williams Garland Manufacturing Plant		
City: Garland	County/Parish: Dallas	State: Texas

Photo File Name: DSCN0802.jpg	**Date of Photo**: 08/29/2022	**Time:** 1234 hrs
Photographer: Erin Young-Dahl, EPA Inspector **Witness**: Bill Mansfield, EPA Inspector		
Description: Two containers in central accumulation area without easily visible labels.		

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: Sherwin-Williams Garland Manufacturing Plant		
City: Garland	County/Parish: Dallas	State: Texas

Photo File Name: DSCN0803.jpg	**Date of Photo**: 08/29/2022	**Time:** 1235 hrs
Photographer: Erin Young-Dahl, EPA Inspector **Witness**: Bill Mansfield, EPA Inspector		
Description: A container of hydrogen peroxide, an oxidizer, stored in the same area as ignitable hazardous waste without any barrier between the two types of hazardous waste.		

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: Sherwin-Williams Garland Manufacturing Plant		
City: Garland	County/Parish: Dallas	State: Texas

Photo File Name: DSCN0804.jpg	**Date of Photo**: 08/29/2022	**Time:** 1235 hrs
Photographer: Erin Young-Dahl, EPA Inspector **Witness**: Bill Mansfield, EPA Inspector		
Description: Unlabeled overpack drum in central accumulation area.		

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: Sherwin-Williams Garland Manufacturing Plant		
City: Garland	County/Parish: Dallas	State: Texas

Photo File Name: DSCN0805.jpg	**Date of Photo**: 08/31/2022	**Time:** 1352 hrs
Photographer: Erin Young-Dahl, EPA Inspector **Witness**: Bill Mansfield, EPA Inspector		
Description: Manway hatch at the top of tank S-13 secured with incorrect bolts. The inspection team determined there was a leak here of 16,000 ppm using Method 21 monitoring.		

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 9

Location: Sherwin-Williams Garland Manufacturing Plant		
City: Garland	County/Parish: Dallas	State: Texas

Photo File Name: DSCN0806.jpg	**Date of Photo**: 08/31/2022	**Time:** 1352 hrs
Photographer: Erin Young-Dahl, EPA Inspector **Witness**: Bill Mansfield, EPA Inspector		
Description: Closeup of TVA monitoring process. Measurements ranged from 100 ppm to 16,000 ppm around the manway hatch.		

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 10

Location: Sherwin-Williams Garland Manufacturing Plant		
City: Garland	County/Parish: Dallas	State: Texas

Photo File Name: DSCN0807.jpg	**Date of Photo**: 08/31/2022	**Time:** 1352 hrs

Photographer: Erin Young-Dahl, EPA Inspector
Witness: Bill Mansfield, EPA Inspector

Description:
Closeup of TVA monitoring process. Measurements ranged from 100 ppm to 16,000 ppm around the manway hatch.

APPENDIX 2

Daily Summaries

From: Penland, John
To: Mansfield, William; Young-Dahl, Erin; Karen Juliussen; anthony.d.cade@sherwin.com; matthew.patton@sherwin.com; luis.h.menendez@sherwin.com
Cc: Yurk, Jeffrey; Erin Gorman
Subject: EPA RCRA Inspection of Sherwin Williams - Miller Road (TXD052131323) - Daily Summary August 29, 2022
Date: Tuesday, August 30, 2022 2:22:36 PM

All,
here is a summary of my notes from yesterday's inspection. If there are any errors or omissions plea se let me know.

Introduction
During the week of August 29, 2022, EPA inspectors will be conducting an unannounced inspection of the Sherwin-Williams Manufacturing facility located at 2802 Miller Road in Garland, Texas for compliance with the Resource Conservation and Recovery Act (RCRA). This inspection is being conducted as part of the National Compliance Initiatives for air emissions from hazardous waste management and facilities located in Environment Justice communities. This inspection will include walkthroughs of the facility's waste generation and management units and a review of the facility records related to waste management

Inspection Attendees:

NAME	TITLE	REPRESENTING	PHONE	EMAIL
John Penland	Sr. Environmental Scientist – Lead Inspector	US EPA Region 6	214-665-9717	Penland.john@epa.gov
Bill Mansfield	Sr. Environmental Scientist – Asst Inspector	US EPA Region 6	214-665-8321	Manfield.william@epa.gov
Erin Young-Dahl	Environmental Scientist – Asst. Inspector	US EPA Region 6	214-665-3166	Youngdahl.erin@epa.gov
Karen Juliussen	Environmental Investigator	Texas Commission on Environmental Quality - Region 4	817-588-5800	Karen.Juliussen@tceq.texas.gov
Anthony Cade, MBA	Area EHS Manager	Sherwin-Williams	469-246-2141	Anthony.d.cade@sherwin.com
Matthew Patton	EHS Specialist	Sherwin-Williams	469-246-2179	Matthew.patton@sherwin.com
Luis Menendez	Plant Manager	Sherwin-Williams	513-453-2587	Luis.h.menendez@sherwin.com

Daily Summary

- Initial Entry to the facility – 10:45am
- Opening meeting start – approximately 11:00am
    - I presented my credentials to Mr. Cade and informed him that we were there to conduct an inspection of the facility under the authority of section 3007 of the Resource Conservation and Recovery Act
    - We discussed the authority for the inspection – RCRA Section 3007 - For purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, or upon request of any duly designated officer, employee or representative of a State having an authorized hazardous waste program, furnish information relating to such wastes and permit such person at all reasonable times to have access to, and to copy all records relating to such wastes. For the purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, such officers, employees or representatives are authorized—
        - (1)to enter at reasonable times any establishment or other place where hazardous wastes are or have been generated, stored, treated, disposed of, or transported from;
        - (2)to inspect and obtain samples from any person of any such wastes and samples of any containers or labeling for such wastes.
    - We discussed the purpose of EPA's inspection – Assessment of Sherwin Williams' compliance with its requirements under RCRA, including, but not limited to, the requirements for: waste determination and counting; waste marking; waste container management; use of the hazardous waste manifest; emergency planning; personnel training; and air pollution control requirements for hazardous waste units.
    - Discussed the right of Sherwin Williams to assert a Confidential Business Information claim for records requested by EPA (see attachment)
    - Discussed the process for transferring electronic records – EPA has set up a Microsoft OneDrive folder with access limited to the inspection participants and other designated Choctaw Manufacturing employees
        - One Drive Link : Sherwin Williams Miller Rd
    - Discussed the inspection process – the inspection will be conducted during normal business hours August 29 – September 2, 2022. The participants will meet at the facility to conduct the onsite portion of the inspection and discuss the findings of the ongoing records review. The records review will be conducted by the inspectors independently offsite throughout the week. Daily summaries will be provided by the inspectors at the end of each day to ensure a clear communication of questions and findings. The meeting Friday morning, September 2, 2022, will be reserved for a closing conference, where EPA will summarize the overall findings of the inspection to that point and provide a plan for concluding any unfinished evaluation.
    - Presented the initial request for compliance records, including:
        - Hazardous waste notification form: 8700-12
        - A current Hazardous Waste Contingency Plan

Facility Maps
        - A facility process Diagram
        - Facility Waste Profiles
        - Any Hazardous Waste Manifests not previously uploaded to E-manifest
        - Any contract or agreement between the facility and any waste management company (TSDF)
        - Facility SOPs related to the generation or management of hazardous waste
        - RCRA Unit inspection records
        - CAA Title V and NSR permits for hazardous waste management units
    - Meeting concluded at approximately 11:30am
- Facility Walkthrough
    - Beginning at approximately 11:45 am
    - Water-based paint line
        - Observed the operations of the water based paint manufacturing operations including: formulation, blending, and packaging
        - No hazardous waste generation or accumulation was identified in this operation.
    - Container Draining and Compacting Area
        - Sherwin Williams operates this area to empty containers prior to compacting them for scrap metal recycling.
        - Open containers are tipped vertically to allow residues to drain into buckets.
        - Residues collected in these buckets are consolidated into a 55-gallon drum labeled as a "Satellite Accumulation" container
        - At the time of this inspection, 5 containers were open and tipped to drain. However, the area was unattended and the containers had already finished draining.
        - Please refer to the closure standards for removing material from containers, specifically 40 CFR 265.1087(c)(3)(ii) (https://www.law.cornell.edu/cfr/text/40/265.1087)
        - I am requesting an SOP describing operations in this area.
    - <90-day Central Accumulation Area
        - Sherwin Williams operates this area for the accumulation of hazardous and non-hazardous solid waste.
        - The area is secured with a gate with identifying and warning signs.
        - The area is located within a concrete secondary containment structure and covered by metal roof.
        - Spill response equipment, Alarms, and fire extinguishers were located in the area.
        - Containers are stacked on pallets 2 high and at this time on this inspection shared a single containment area
        - All containers were labeled and dated with an accumulation start date
        - All start dates where within the 90-day limit
        - We identified on container of hydrogen peroxide (oxidizer) located in the southeast corner of the area. This material is incompatible with the flammable wastes also stored in this area.
            - See 40 CFR 262.17(a)(1)(vii)(C)

https://www.law.cornell.edu/cfr/text/40/262.17

- Solvent-based paint line
  - Walkthrough of this area began at approximately 2:15 after a lunch break
  - The solvent-based paint line is a 3 story gravity flow process which is currently being remodeled to manufacture water-based paints.
  - We need the date when the solvent-based line was taken out of service
  - On the third floor we identified one drum marked as a "Satellite Accumulation" container
  - On the second floor we identified one drum of excluded solvent wipes which was open at the time of this inspection
    - Notably, the bung opening on the container was covered with a paper drinking cup. Other paper cups where observed on product storage containers in this area
    - See 40 CFR 261.4(a)(26) https://www.law.cornell.edu/cfr/text/40/261.4
  - On the first floor, we observed 2 drums in use for solvent washing of parts. The lids for these containers had been placed on the containers but not secured.

- Departed Facility at approximately 3:00pm

Planned activities for August 30, 2022

- Offsite review of Waste profiles and other documents
- Onsite inspection will recommence at 9:00am on Wednesday, August 31, 2022

John Penland
Senior Environmental Scientist (ECDSR)
Enforcement and Compliance Assurance Division
Waste Enforcement Branch
EPA Region 6 1201 Elm St., Suite 500
Dallas, Texas 75270
(214)665-9717

Young-Dahl, Erin

From: Penland, John
Sent: Wednesday, August 31, 2022 8:53 PM
To: anthony.d.cade@sherwin.com; Mansfield, William; Young-Dahl, Erin; luis.h.menendez@sherwin.com; matthew.patton@sherwin.com; Karen Juliussen
Cc: Erin Gorman; Yurk, Jeffrey
Subject: EPA RCRA Inspection of Sherwin Williams - Miller Road (TXD052131323) - Daily Summary August 31, 2022

All, here is a summary of my notes from today's inspection. If there are any errors or omissions please let me know.

Inspection Attendees:

NAME	TITLE	REPRESENTING	PHONE	EMAIL
John Penland	Sr. Environmental Scientist – Lead Inspector	US EPA Region 6	214-665-9717	Penland.john@epa.gov
Bill Mansfield	Sr. Environmental Scientist – Asst Inspector	US EPA Region 6	214-665-8321	Manfield.william@epa.gov
Erin Young-Dahl	Environmental Scientist – Asst. Inspector	US EPA Region 6	214-665-3166	Youngdahl.erin@epa.gov
Karen Juliussen	Environmental Investigator	Texas Commission on Environmental Quality - Region 4	817-588-5800	Karen.Juliussen@tceq.texas.gov
Anthony Cade, MBA	Area EHS Manager	Sherwin-Williams	469-246-2141	Anthony.d.cade@sherwin.com
Matthew Patton	EHS Specialist	Sherwin-Williams	469-246-2179	Matthew.patton@sherwin.com
Luis Menendez	Plant Manager	Sherwin-Williams	513-453-2587	Luis.h.menendez@sherwin.com

Daily Summary

- Inspection Start approximately 0900
- Review of Daily Summary from Monday, August 29, 2022
    - Incompatible waste drums identified in Central Accumulation Area moved to separate spill pallet. Photo provided.
    - Unlabeled overpack drum in Central Accumulation Area labeled. Photo provided
    - Open container of solvent wipes closed. Photo provided.
    - In-process solvent wash containers equipped with new lids. Photo provided.
- Review of waste determinations
    - 17126-4 : Universal Waste Fluorescent bulbs
    - 17126-6 : Spent Solvent from Dallas Emulsion Plant (DEP)
        - D001, D035, F003, F005
        - Accumulated for reclamation in tank S-13
    - 17126-8 : Still Bottoms from the reclamation of Spent Solvent in S-13
        - D001, D035, F003, F005
        - Accumulated for disposal in tank T-5
    - 17126-9 : Discarded Aerosols
        - D001

        - Could qualify for Universal Waste definition
        - Hazard characterization needs to be made on a batch basis to evaluate for U-code applicability
    - 17126-10 : Water-based paint waste
        - Non-haz
    - 17126-11 : Waste mopheads
        - D001, D035, F003, F005
        - Generated on each process floor of DEP and accumulated in Satellite accumulation drums
    - 17126-14 : Water-based paint waste
        - Non-haz
    - 17126-16 : Still bottoms (0078602H)
        - Same as 17126-8 except for different transportation packaging (bulk vs drum)
    - 17126-21 : Sodium Hydroxide (0085119H)
        - D002
        - No disposal profile provided
    - 17126-22 : Sulfuric Acid (0084119H)
        - D002
        - No disposal profile provided
    - 17126-26 : Biocide
        - Claimed non-haz
        - SDS indicates a potential pH range of 1.7-3.7. The low-end of this range would qualify as D002
    - 17126-28 : Non-haz Resin
    - 17126-29 : Resin Solution (0089606H)
        - D001
    - 17126-30 : Combustible Liquid (0091219H)
        - Unused commercial chemical product – 2-butoxyethanol
        - <0.5% MEK
        - Clarification on the EPA waste code needed
    - 17126-31 : Methanol
        - U154, D001
        - Where in the process was this used?
    - 17126-32 : Petroleum Distillates (0092211H)
        - D001
        - Generated from the disposal of Unused solvents from DEP
    - 17126-33 : Xylene (0095203H)
        - D001
        - Missing U239 code as unused commercial chemical product
    - 17126-34 and 35 : Unused Toluene
        - Need clarification on these wastes streams
    - Notable exception: No profile has been provided for the consolidated product and waste residues in the waste container located in the drum draining and crushing area
- Inspection of Tank T-5
    - Currently empty and out of service
    - Requested last in service dates
    - Requested operating records indicating waste thruput
- Inspection of Tank S-13
    - Currently contains residual wastes from the DEP
    - Requested operating records indicating waste thruput
    - In the process of being decommissioned but still contains waste residues
    - Pump for this cone-bottom tank has been disconnected
    - Method-21 monitoring identified emissions of 16,000ppm from the manway hatch on the top of this tank. The manway was equipped with the incorrect bolts. We were unable to determine whether a gasket was in place.

- Departed facility at approximately 1445

Planned activities for September 1, 2022

- Morning offsite review of records
- 1300 onsite inspection
    - Review of training program
        - Requesting identification and training records for the following employees:
            - Christopher Barto
            - Jason Ward
            - Keith McVay
            - Matoaka Johnson
            - Matthew Patton
            - Peter Adeoti
            - Robert Radulescu
            - Shawn Fesmire
        - Please note that these people are signatories to the facility's waste manifests but may not be employees of Sherwin Williams. This is expected where TSD and transporters are acting as agents of the generator. Where this is the case, there is no expectation that Sherwin Williams would provide training records, but instead a record of communication authorizing the third-party to act on behalf of the generator is needed.
    - Review of Emergency procedures
    - Review of Facility Inspection records
    - Review of the current status of records production

John Penland
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EPA Region 6 1201 Elm St., Suite 500
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Young-Dahl, Erin

From: Penland, John
Sent: Thursday, September 1, 2022 7:51 PM
To: Mansfield, William; Young-Dahl, Erin; Karen Juliussen; anthony.d.cade@sherwin.com; luis.h.menendez@sherwin.com; matthew.patton@sherwin.com
Cc: Erin Gorman; Yurk, Jeffrey
Subject: EPA RCRA Inspection of Sherwin Williams - Miller Road (TXD052131323) - Daily Summary September 1, 2022

All, here is a summary of my notes from today's inspection. If there are any errors or omissions please let me know.

Inspection Attendees:

NAME	TITLE	REPRESENTING	PHONE	EMAIL
John Penland	Sr. Environmental Scientist – Lead Inspector	US EPA Region 6	214-665-9717	Penland.john@epa.gov
Erin Young-Dahl	Environmental Scientist – Asst. Inspector	US EPA Region 6	214-665-3166	Youngdahl.erin@epa.gov
Anthony Cade, MBA	Area EHS Manager	Sherwin-Williams	469-246-2141	Anthony.d.cade@sherwin.com
Matthew Patton	EHS Specialist	Sherwin-Williams	469-246-2179	Matthew.patton@sherwin.com
Luis Menendez	Plant Manager	Sherwin-Williams	513-453-2587	Luis.h.menendez@sherwin.com

Daily Summary

- Inspection Start approximately 1300
- Inspection discussion conducted remotely via Microsoft TEAMS
- Review of Daily Summary from Monday, August 31, 2022
    - Waste Determinations
        - Sodium Hydroxide Waste disposal profile uploaded
        - Sulfuric Acid Waste disposal profile uploaded
        - Profile 17126-35 corrected
    - Tank S-13
        - Replacement of bolts and seal on manway being replaced. Photos will be uploaded when complete.
- Review of Emergency Response Plan incorporating the RCRA Contingency Plan
    - Reviewed for compliance with the standards codified at 40 CFR 262 Subpart M (https://www.law.cornell.edu/cfr/text/40/part-262/subpart-M)
    - The emergency equipment list in the document does not include a description of the equipment's capabilities as required by 40 CFR 262.261(e)
    - The facility was able to provide an existing list with equipment capabilities immediately when this issue was raised.
- Facility Inspection Records
    - These records will be reviewed to ensure that Sherwin Williams conducted all of the required inspections
    - Central Accumulation Area

        - Inspection records do not address waste compatibility, an issue that was identified in the area on August 29, 2022.
        - Inspection records from June 2022 indicate that waste may have been stored for more than 90-days.
            - For this instance and any additional instances, Sherwin Williams will need to provide additional information related to this waste showing the generation and storage timeline for the waste.
    - Tanks T5 and S13
        - The inspection records will be reviewed for completeness
        - The inspection records have a space for the operators to document waste thruput for the tanks, but I was unable to identify a record that completed this space.
        - I have requested that Sherwin Williams provide records showing that waste is not being stored in the tanks for more than 90-days; in whatever form these records might take.
- Training Records
    - The training program will be evaluated for compliance with the standards codified at 40 CFR 262.17(a)(7) - https://www.law.cornell.edu/cfr/text/40/262.17
    - Sherwin Williams provides all employees with a comprehensive RCRA training class. A copy of the training materials has been provided.
    - Requesting training records for the following employees:
        - Christopher Barto (manifests)
        - Jason Ward (manifests)
        - Keith McVay (manifests)
        - Matoaka Johnson (manifests)
        - Matthew Patton (manifests and inspection records)
        - Peter Adeoti (manifests)
        - Robert Radulescu (manifests)
        - R. Boszor (inspection records)
        - J. Merit (inspection records)
        - Gable Belle (inspection records)
        - J. Johnson (inspection records)
        - Luis Menendez (Contingency Plan)
        - Anthony Cade (Contingency Plan)
        - Danny Badeaux (Contingency Plan)
        - Michael Philipp (Contingency Plan)
        - Jason Herington (Contingency Plan)
        - Shawn Fesmire (manifests)
    - For each employee we will need to review the job title, job description, list of initial and ongoing training, and documentation showing that training was completed.
- Planned activities for September 2, 2022
    - Closing Conference at 0900

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