RCRA Inspection Report

1) Inspector and Author of Report

Laurie Benton DiGaetano, Environmental Engineer
RCRA Enforcement Section
Chemical Safety and Land Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-8948
Email: benton-digaetano.laurie@epa.gov

2) Facility Information

Address:
Marine Corps Air Station Cherry Point
NC Highway 101
Havelock, North Carolina 28533-0003

Mailing Address:
Commanding General
Marine Corps Air Station
PSC Box 8003
Cherry Point, North Carolina 28533-0003

EPA ID# NC1170027261

3) Responsible Officials

Mr. Erik Delaney
Environmental Protection Branch Head
PSC Box 8006
Cherry Point, North Carolina 28533-0006
erik.delaney@usmc.mil

4) Inspection Participants

Erik Delaney, MCAS Cherry Point
Tim Lawrence, MCAS Cherry Point
Laurie Benton DiGaetano, U.S. EPA
Andrea Stermer, NCDEQ

5) Date of Inspection

April 4-5, 2022

6) Applicable Regulations

Resource Conservation and Recovery Act (RCRA) Sections 3002 (42 U.S. Code–Annotated U.S.C.A. 6925 and 6927), Title 15A of the North Carolina Administrative Code (NCAC), Chapter 13; Hazardous Waste Management Permit Number NC1 170 027 261 R2; and 40 Code of Federal Regulation (C.F.R.), Parts 260 - 270, 273, 278, & 279.

Pursuant to 15A NCAC 13A .0107(a) [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 130A-294(c) and (g) of the NCSWML, N.C.G.S. § 130A-294(c) and (g) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in 15A

NCAC 13A .0107(a) [40 C.F.R. § 262.17] (hereinafter referred to as the "LQG Permit Exemption").

Pursuant to 15A NCAC 13A .0107(a) [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 130A-294(c) and (g) of the NCSWML, N.C.G.S. § 130A-294(c) and (g) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 15A NCAC 13A .0107(a) [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the "SAA Permit Exemption").

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine the Marine Corps Air Station Cherry Point's compliance with the applicable requirements of RCRA and the corresponding NCDEQ regulations. This was an EPA lead inspection.

8) Previous Inspection History

NCDEQ conducts a RCRA CEI at the subject facility each fiscal year. Over the past ten years, four of those CEIs have been a joint inspection with the EPA. On April 21, 2021, NCDEQ conducted the most recent RCRA CEI at the subject facility and found no apparent violations of RCRA.

On September 20, 2021, MCAS Cherry Point provided initial (immediate) notice to NCDEQ regarding the discovery of a release of hazardous waste(s) into surface waters. Specifically, the release, which was of an unknown quantity of untreated influent for an unknown period of time, occurred due to a failed grout plug in an 8" bypass line near the Industrial Wastewater Treatment Plant (IWTP) head works. On January 18, 2022, NCDEQ issued an Immediate Action Notice of Violation to MCAS Cherry Point to address the release.

9) Facility Description

The Marine Corps Air Station (MCAS) Cherry Point is a US Marine Corps airfield with the mission of maintaining, refurbishing and operating aircraft and associated armaments and vehicles in support of military operations, and providing services and materials to meet the operational requirements of the assigned tenants and commands. The facility encompasses seventeen square miles in Havelock, North Carolina, and employs over 25,000 military and civilian personnel. MCAS Cherry Point operates under the NAICS Code 928110 for National Security, and it is home to the Second Marine Aircraft Wing and to the Marine Corps' Fleet Readiness Center (FRC) East, which performs work on aircraft and aircraft components used by the Marine Corps, Navy and other services. Other tenant commands include a US Naval Health

Clinic, a US Naval Branch Dental Clinic, Combat Logistics Company (CLC)-21, a Naval Aviation Maintenance Training Marine Unit, and the Defense Reutilization and Marketing Service.

MCAS Cherry Point operates as a large quantity generator (LQG) of hazardous waste and notified to manage hazardous waste pharmaceuticals generated by the Naval Health Clinic under 40 C.F.R. Part 266, Subpart P. On September 30, 1992, NCDEQ also first issued a Hazardous Waste Management Permit to MCAS Cherry Point for the storage of hazardous waste generated on-site. Hazardous waste streams generally consist of used petroleum oils and lubricants, waste paint and paint related materials, adhesives and sealants, waste blast media, electroplating waste (dewatered sludge cake from the IWTP), weapons cleaning waste and debris, and used rags, as well as universal waste batteries, lamps and mercury containing equipment. The current Hazardous Waste Management Permit, Number NC1170027261 R2 (The RCRA Permit), was issued on November 18, 2016, and it includes conditions for storing certain hazardous wastes in one of two permitted container storage areas: the Defense Logistics Agency Disposition Services (DLADS) permitted storage area (The Pad) and the Facilities Maintenance Department (FMD) permitted storage area. The facility primarily uses the DLADS permitted storage area for managing hazardous wastes, and the FMD permitted storage area is generally used only for additional storage capacity on an as-needed basis.

Hazardous wastes generated at MCAS Cherry Point are initially managed by the generating unit, which may establish designated satellite accumulation areas (SAAs) and/or central accumulation areas (CAAs). The Environmental Affairs Department (EAD) approves proposed SAA and CAA locations, and routinely transports containers of hazardous waste from these locations to The Pad or the FMD permitted storage area. At the time of the inspection, the base had approximately 233 SAAs and 44 CAAs. A list of SAAs and CAAs were provided to the inspectors, and areas to evaluate during the inspection were selected from the list.

10) Opening Conference

On April 5, 2022, EPA inspector Laurie Benton DiGaetano, accompanied by NCDEQ inspector Andrea Stermer, arrived at the MCAS Cherry Point guard station at approximately 8:30 a.m. The inspectors gained access to the installation and proceeded to the Environmental Protection Branch offices at approximately 9:00 a.m. The inspectors were greeted by Mr. Erik Delaney, Environmental Protection Branch Head, Mr. Tim Lawrence, Environmental Compliance Supervisor, and Mr. Dale McFarland, Environmental Affairs Officer, for the opening conference.

The inspectors introduced themselves, showed their credentials, and explained the purpose of the visit. The inspectors described the anticipated use of equipment (digital camera) during the inspection and provided a request for records. The inspectors discussed the facility's ability, pursuant to 40 C.F.R. §2.203, to assert a business confidentiality claim for information submitted to EPA. The company did not assert a business confidentiality claim. The inspection participants also discussed health and safety protocols and required personal protective equipment before Mr. Delaney and Mr. Lawrence led the inspectors on a tour of the Facility operations.

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. The EPA inspector did not provide a copy of the agency's information sheet for small businesses, which can be found at https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf.

11) Findings

Fleet Readiness Center–East (FRC-East): The facility tour began at FRC-East, where personnel perform depot level rework operations on designated aircraft, weapons systems, accessories, and equipment. FRC-East personnel may also manufacture required parts and assemblies, provide engineering services for developing hardware design changes, or furnish technical and professional services for aircraft maintenance and logistics.

The following FRC-East personnel joined the inspection activities in the FRC-East area:

- Andrew Krelie, Environmental Division Director
- Vicki Lewis, Environmental Compliance Lead
- Brian Fetzer, Hazardous Waste Program Manager

FRC-East–Building 137 CAA #19: FRC-East manages a CAA (CAA 19) in Hanger 1 of Building 137, where a full range of repair to damaged aircraft, routine maintenance, and overhaul activities are performed. Aircraft paint stripping is done in this area by applying a liquid paint stripper to the aircraft and then rinsing it off. The paint stripper contains methylene chloride and other solvents, and liquid wastes are collected in floor drains which route the liquid to the facility's IWTP. Paint chips and contaminated debris are accumulated in 55-gallon drums and managed as hazardous waste.

The inspectors observed a total of five 55-gallon drums of hazardous waste in this CAA. Four drums were observed on one wooden pallet. Each drum was labeled D001/D007/F002/F003 hazardous waste debris with stripper, identified with toxic and flammable DOT hazard placards, and marked with an accumulation start date of March 16, 2022. The fifth drum, which was located on another wooden pallet, was labeled hazardous waste with Alodine/anodize, identified with a toxic DOT hazard placard, and marked with an accumulation start date of January 27, 2022.

This CAA is identified with signs reading "danger, hazardous waste storage area," "station 19," "unauthorized personnel keep out," and "no smoking." The area is equipped with an intercom system and a fire alarm pull station. Inspectors also observed an emergency eyewash and shower station and a fire sprinkler system in this area.

FRC-East-Propeller Shop 94304 CAA #4: FRC-East manages another CAA in a flammable storage locker located outside of Building 137. The locker is equipped with three doors and a metal floor grate to prevent containers from contacting any accumulated liquid in the event of an accidental release. The locker was identified with signs reading "danger," "hazardous waste storage area," and "no smoking." The area was also equipped with a fire extinguisher and an air horn.

The inspectors observed ten 55-gallon drums in this CAA storage locker:

- One labeled D001/D006/D007/D018/D035 hazardous waste solidified paint, identified with flammable and toxic DOT hazard placards, and marked with an accumulation start date of March 23, 2022;
- One labeled universal hazardous waste empty aerosols, identified with a flammable DOT hazard placard and marked with an accumulation start date of January 4, 2022;
- One labeled D007 hazardous waste debris with alodine and anodize, identified with a toxic DOT hazard placard, and marked with an accumulation start date of January 31, 2022;
- One labeled nonhazardous oily rags and filters and marked with an accumulation start date of January 4, 2021;
- One labeled nonhazardous empty/plastic and metal containers for decon and marked with an accumulation start date of January 2, 2020;
- One labeled non-RCRA solid grease cans and marked with an accumulation start date of July 8, 2021;
- Three labeled D001/D007/D018/D035 hazardous waste debris c/w adhesive potting, identified with flammable and toxic DOT hazard placards, and each marked with an accumulation start date of March 4, 2022, March 7, 2022, or March 21, 2022; and
- One labeled D002/D007 hazardous waste debris contaminated with Pasa, identified with corrosive and toxic DOT hazard placards, and marked with an accumulation start date of January 7, 2022.

One 55-gallon container of debris contaminated with adhesive potting was wedged into the corner of the locker by two other 55-gallon containers. This configuration did not leave sufficient aisle spacing to access the container of hazardous waste debris contaminated with adhesive potting. Personnel immediately rearranged the drums to provide proper aisle spacing for this drum.

> **Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(6)], which incorporates 15A NCAC 13A .0107(i) [40 C.F.R. § 262.255] and is a condition of the LQG Permit Exemption, a generator is required to 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.**

FRC-East - Central Transfer Facility (CTF) SAA 423-A and CAA: All waste generated by FRC-East operations is brought to the CTF CAA for processing before it is transferred to the DLA Pad. Personnel submit a ticket to FRC-East's Environmental Division when material is ready to be picked up and transferred to the CTF. Wastes are sent from the CTF to the DLA Pad about once every week. The CTF is a curbed concrete pad that is surrounded by a chain link fence and covered with a metal roof. Materials are stored inside this area in rows, and lines have been painted on the floor to identify storage rows and aisle spacing. Mr. Richard Johnston joined the inspection activities in this area.

The inspectors observed "hazardous waste storage area" and "no smoking" signs, spill response equipment, an emergency shower and eyewash station, and fire extinguishers in the CTF CAA. Personnel working in this area carry two-way radios to summon help in the event of an emergency.

FRC-East managed one SAA in the CTF for managing the contents of used aerosol cans. The inspectors observed one 55-gallon drum in this SAA. The drum was located near the far end of the CTF next to a metal hopper containing empty, punctured aerosol cans. The drum was labeled D001/D005/D007/D008/D035/F002/F005 hazardous waste spray paint and adhesives, and it was identified with toxic and flammable DOT hazard placards.

The CTF also houses a drum compacting unit, which is used to consolidate and compact wastes in 55-gallon drums. Personnel explained that the unit is operated by covering a partially full drum with a plastic bag before compacting the contents of the drum, then placing additional waste on top of the compacted plastic bag and covering that waste with another plastic bag before compacting the drum again, and then repeating this process until the drum is full.

The inspectors observed waste and materials in approximately seven rows within the CTF. Containers observed in this area included:

- Two 55-gallon drums labeled hazardous waste HVOF cold spray dust pending analysis, identified with a toxic DOT hazard placard and marked with an accumulation start date of February 28, 2022;
- One 55-gallon drum labeled hazardous waste cadmium/chromium/lead pending analysis, identified with toxic and corrosive DOT hazard placards;
- Two 55-gallon drums, each labeled hazardous waste sludge pending analysis, identified with toxic DOT hazard placard and marked with an accumulation start date of March 22, 2022;
- One 55-gallon drum labeled D006/D007 hazardous waste pit sludge, identified with a toxic DOT hazard placard, and marked with an accumulation start date of February 24, 2022;
- One 55-gallon drum labeled hazardous waste unknown substance plate shop T-151 pending analysis, identified with a toxic DOT hazard placard, and marked with an accumulation start date of March 11, 2022;
- One overpack labeled hazardous waste floor paper from STA 36 exotic paint shop, identified with a toxic DOT hazard placard and marked with an accumulation start date of April 5, 2022;
- One 55-gallon drum labeled D001/D002 hazardous waste unused permanganate, identified with oxidizer and corrosive DOT hazard placards;
- Four 55-gallon drums labeled universal hazardous waste aerosol cans, and marked with an accumulation start date of January 3, 2022 or later;
- Three 55-gallon drums, each labeled hazardous waste paint curing agents catalyst, identified with toxic and flammable DOT hazard placards, and marked with an accumulation start date of March 17, 2022;
- One 55-gallon drum labeled hazardous waste unused unopened paint, identified with toxic and flammable DOT hazard placards, and marked with an accumulation start date of March 18, 2022;

- One empty 55-gallon drum;
- Four 55-gallon drums, each labeled D006/D007/D008 hazardous waste blast media, identified with toxic DOT hazard placard, and marked with an accumulation start date of February 11, 2022, March 11, 2022, March 17, 2022, or April 4, 2022;
- One 10-gallon bucket labeled hazardous waste debris with lead, identified with a toxic DOT hazard placard, and marked with an accumulation start date of April 1, 2022;
- One 10-gallon bucket labeled hazardous waste corrosive ammonia/amines, identified with a corrosive DOT hazard placard, and marked with an accumulation start date of April 2, 2022;
- One 10-gallon bucket and one 55-gallon drum, each labeled hazardous waste amino ethyl piperazine process mixture, identified with a flammable DOT hazard placard, and marked with an accumulation start date of March 31, 2022;
- One 55-gallon labeled unused, unopened hazardous waste permanganate;
- One 55-gallon labeled hazardous waste debris c/w paint;
- Three 55-gallon drums labeled hazardous waste pit sludge;
- Two 55-gallon drums labeled hazardous waste corrosive c/w cadmium, chromium, lead;
- Two 55-gallon drums labeled D035/F002/F005 hazardous waste paint;
- Four 55-gallon drums labeled D006/D007/D008 hazardous waste blast media; and
- Twelve 55-gallon drums and two 5-gallon containers with hazardous waste labels.

In addition to the waste containers, the inspectors also observed a row of approximately ten green plastic bins holding individually wrapped and labeled containers of returned hazardous materials. Personnel explained that when a unit determines that they are unable to use a hazardous material, they submit a ticket to the FRC-East Environmental Division to pick up the material and bring it here for evaluation. FRC-East personnel separate these materials into individual green bins and determine if it may be sent out for reuse by another unit or if it is a waste. Personnel estimated that it typically takes about one month to evaluate materials for potential reuse. Each small container observed in the green bins during the inspection was wrapped and labeled. Inspectors recommended tracking the date that each container is received at the CTF in order to ensure timely evaluation of the materials.

Blade Shop SAA 4F: MCAS manages a SAA in the Blade Shop for managing hazardous waste debris contaminated with adhesives and potting. The inspectors observed one 5-gallon flip-top flammable can in this SAA. The can was labeled as hazardous waste c/w adhesives and potting and identified with toxic and corrosive DOT hazard placards.

EEPS Shop SAA 6D Building 137: MCAS manages a SAA in the EEPS Shop for managing hazardous wastes generated in this area. The inspectors observed four 5-gallon flip-top flammable cans and one 10-gallon flip-top flammable can in this SAA. Each container was labeled as follows:

- One 5-gallon can of hazardous waste debris c/w paint thinner, and identified with toxic and flammable DOT hazard placards;
- One 5-gallon can of hazardous waste debris c/w adhesive / potting, and identified with toxic and flammable DOT hazard placards;

- One 5-gallon can of hazardous waste debris c/w solvent, and identified with toxic and flammable DOT hazard placards;
- One 5-gallon can of hazardous waste debris c/w Alodine, and identified with a toxic DOT hazard placard; and
- One 10-gallon can of hazardous waste Tyvek suits and pneumatic tool bags, and identified with a toxic DOT hazard placard

4035 Plating Shop SAAs: The inspectors observed four SAAs in the 4035 Building Plating Shop. SAA 4035-6 is used to manage hazardous waste generated in the electroless nickel plating process. The inspectors observed one 10-gallon can and one 30-gallon drum in this SAA. The 10-gallon can was labeled hazardous waste debris c/w anodize and it was identified with a toxic DOT hazard placard. The 30-gallon drum was labeled hazardous waste electroless nickel plating and it was identified with toxic and corrosive DOT hazard placards. The inspectors also observed one 5-gallon can, which was labeled nonRCRA debris c/w nickel, in this area.

The inspectors observed one 5-gallon flip-top flammable can in SAA 4035-1. This can was labeled hazardous waste debris c/w cadmium and it was identified with a toxic DOT hazard placard.

The inspectors observed one 55-gallon container in SAA 4035-3. The container was labeled hazardous waste debris c/w cadmium, chromium, lead, silver, and cyanide and it was identified with toxic and explosive DOT hazard placards.

The inspectors observed one 30-gallon container in SAA 4035-11. The container was labeled hazardous waste nickel strip (sodium cyanide) and it was identified with the corrosive, explosive and toxic DOT hazard placards.

Outdoor Storage Locker CAA3: MCAS manages another CAA in a flammable storage locker located outside of the Plating Shop. The locker is equipped with one door and a metal floor grate to prevent containers from contacting any accumulated liquid in the event of an accidental release. The locker was identified with signs reading “danger,” “hazardous waste storage area,” and “no smoking.” The area was also equipped with a fire extinguisher.

The inspectors observed five 55-gallon drums and one 100-gallon container in this CAA storage locker:

- One 55-gallon drum labeled nonhazardous filters and rags;
- One 55-gallon drum labeled non-RCRA blast media;
- One 100-gallon container labeled used oil;
- One 55-gallon drum labeled nonhazardous debris w/nickel;
- One 55-gallon drum labeled hazardous waste blast media c/w cadmium, chromium, lead, identified with a toxic DOT hazard placard, and marked with an accumulation start date of February 28, 2022; and
- One 55-gallon drum labeled hazardous waste debris c/w chromium, identified with a toxic DOT hazard placard, and marked with an accumulation start date of February 16, 2022.

Permitted Overflow Storage: The inspection tour included a visit to the permitted overflow storage pad. The inspectors observed evidence of construction activities occuring around this area, which was roped off with caution tape. No containers were observed in this area.

DLA Permitted Storage Pad: The Defense Logistics Agency Disposition Services (DLADS) permitted storage area (the DLA Pad) is a concrete pad surrounded by a chain link fence. The area is identified with signs that read "danger," "hazardous waste storage," and "no smoking." The concrete pad is divided into two adjoining sections: a triangular section and a rectangular section. The triangular section is designed with three curbed containment cells within a right triangular shaped concrete pad. The cells, which provide over 27,000 square feet of total storage area, are used to store incompatible wastes such as corrosive, cyanide, caustics, oxidizers, poisons, and/or toxic hazardous waste. The rectangular section is a single rectangular shaped concrete pad that leads to the adjoining triangular shaped pad. The north end of the rectangular section is used to store universal hazardous waste, and the south end is used to store emergency response equipment, including an emergency shower and trailer containing PPE and spill response equipment. The central part of this rectangular section is normally used to receive and stage hazardous wastes until they are processed and then transferred to the cells within the triangular section.

The DLA no longer performs direct waste management activities, so operations at the DLA Pad are performed under contract. The contract provides one employee to run the Pad five days per week. Joey Lowczys, the Pad contractor, joined the inspection activities in this area.

The inspection participants noted several areas of the pad where the concrete was in poor condition, or where the concrete was not visible in order to inspect or assess its condition. Specifically, grass and weeds were observed growing in cracks in the concrete of Bay 08 and Bay 03 (Photos 1-7), and an accumulation of dirt was covering a portion of the concrete in the loading / unloading bay near the emergency shower (Photos 8 and 9). Concerns about the condition of the secondary containment pad were noted in the MCAS records of inspection for the secondary containment dating back to May 24, 2018. Personnel stated that requests for corrective actions have been submitted but have not been approved or funded (See the Findings section related to Inspection Records, below).

Containers of hazardous waste observed on the Pad were stacked on wooden pallets, closed and in good condition. Each of the following containers was labeled as hazardous waste, identified with an indication of the hazards of its contents, and marked with an accumulation start date, and no containers had been stored onsite for over one year:

- three 55-gallon drums labeled hazardous waste paint debris;
- one 55-gallon drum labeled hazardous waste debris paint amentum;
- one 55-gallon drum labeled D001/D007/D008/D018/D035 hazardous waste debris c/w paint;
- one 55-gallon drum labeled D001/D018/D035/F003/F005 hazardous waste debris c/w thinner;
- one 55-gallon drum labeled D001/D007/F002/F003 hazardous waste debris c/w stripper;
- one 55-gallon drum labeled D001/D007/D018/D035 hazardous waste debris c/w adhesives potting;

- one 55-gallon drum labeled D001/D007/D008/D018/D035/F003/F005 hazardous waste paint and thinner;
- one 55-gallon drum labeled D001/D002/D007/D018/D035 hazardous waste adhesives and sealants;
- five 55-gallon drums labeled D006 hazardous waste blast media c/w cadmium;
- one 55-gallon drum labeled D006 / D007 / D008 hazardous waste Tyvek suits and vacuum bags;
- one 55-gallon drum labeled D006/D007/D008 hazardous waste blast media;
- forty-one 55-gallon drums labeled D002 acid descaler;
- one 55-gallon drum labeled D002 hazardous waste stripper;
- one 55-gallon drum labeled D002 hazardous waste debris contaminated with corrosive;
- one 55-gallon container labeled D002/D007 hazardous waste debris contaminated with Pasa;
- four 55-gallon containers labeled D002/D007 hazardous waste Alodine;
- one 55-gallon drum labeled D008/D009 hazardous waste broken fluorescent lamps;
- three 5-gallon containers of D003 medical aerosols; and
- one 55-gallon drum labeled D003/D006/D007/D008/D011 hazardous waste debris contaminated with cadmium, chromium, lead, silver, and cyanide.

The inspectors also observed seven 55-gallon drums, which were labeled D006/D007/F002/F003 hazardous waste pit sludge (strip barn Building 137) in this area (Photos 10 and 11). Each of these drums was marked with an accumulation start date and identified with a DOT toxic hazard placard, but none were identified with an indication that the contents are ignitable. Personnel immediately marked the containers with an indication that the contents are ignitable.

> **Pursuant to HW Permit NC1170027261 R2, Part VII.B.1. Land Disposal Prohibitions and Treatment Standards, which incorporates 15A NCAC 13A .0112 [40 C.F.R. § 268.50(a)(2)(i)], the storage of hazardous wastes restricted from land disposal is prohibited unless an owner / operator of a hazardous waste treatment, storage or disposal facility stores such wastes solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment or disposal and each container is clearly marked to identify its contents with the applicable EPA hazardous waste numbers, an indication of the hazards of the contents, and the date each period of accumulation begins.**

Monitoring Wells: The inspectors observed and evaluated the condition of the following selection of groundwater monitoring wells: 16GW4, 16GW40, 16GW41, 16GW42, 16GW57, 16GW59, 16GW60, 16GW61, 16GW62, 16GW63, 16GW64, 16GW65, 16GW66 and 16GW67. Concrete pads at 16GW41, 16GW57, and 16GW62 were covered with overgrown vegetation, so the condition of each pad could not be completely assessed. However, the inspectors did not observe any apparent signs of erosion beneath the pads. The well casings for monitoring wells 16GW57 through 16GW61 all appeared to be newer construction with newer identification tags. The well casings for monitoring wells 16GW62 through 16GW67 appeared to be older construction with older identification tags. Monitoring wells 16GW4, 16GW40, 16GW42 and one unidentified well near 16GW42 were not tagged. Although a number was observed on the lid

identifying monitoring well 16GW41, the well was also not tagged. In addition, monitoring wells 16GW4, 16GW42, and the unidentified well were not identified on the map; the well casing for monitoring well 16GW40 was rusting; and the unidentified well near 16GW42 was not locked.

Hazardous Materials Control Center (HMCC)–Building 149: The Defense Logistics Agency Disposition Services (DLADS) supports authorized units and customers in the receipt, control, warehousing, and preparation of excess and surplus property, and manages a program for reutilization, donation, sale, or other disposition of this property. DLADS dispenses and collects all maintenance chemical materials for the base aviation units at the HMCC. Lieutenant Tristan LeFlore joined the inspection activities at the HMCC.

DLADS manages nine SAAs for accumulating materials returned from other areas that cannot be reused or that have expired during storage at the HMCC. The inspectors observed the following containers at each SAA:

- SAA1 held four 5-gallon containers and one 10-gallon container on a portable secondary containment unit:
    - one 5-gallon container labeled D001 hazardous waste methanol, and identified as ignitable;
    - one 5-gallon container labeled D002 hazardous waste phosphoric acid, and identified as corrosive;
    - one 5-gallon container labeled D001/D011 hazardous waste coating solution (silver), and identified as toxic and ignitable;
    - one 5-gallon container labeled D001 hazardous waste liquid paint thinner, and identified as ignitable;
    - and one 10-gallon container labeled D001 hazardous waste ethylacetate and methanol, and identified as ignitable.
- SAA2 held one 55-gallon drum on a portable secondary containment unit. The drum was labeled D001/D007/D018/D035 hazardous waste adhesives and identified as toxic and ignitable.
- SAA3 held one 55-gallon drum of hazardous waste rust preventor along with two 55-gallon drums of used oil, one 30-gallon drum of used antifreeze, and one 55-gallon drum of nonhazardous waste grease portable secondary containment. The hazardous waste drum was labeled D002/D005/D018 hazardous waste rust preventor and identified as toxic and corrosive.
- SAA4 held one 55-gallon drum on a portable secondary containment unit. The drum was labeled D001/D003/D005/D035 hazardous waste aerosols and identified as toxic, reactive, and ignitable.
- SAA5 held one 55-gallon drum of hazardous waste, three 55-gallon drums of universal waste, and one empty 30-gallon drum on portable secondary containment:
    - One 55-gallon drum was labeled D002 hazardous waste stripper and identified as corrosive;
    - One 55-gallon drum was labeled universal waste lead acid batteries and marked with an accumulation start date of September 12, 2021;
    - One 55-gallon drum was labeled universal waste lithium-ion batteries and marked with an accumulation start date of November 2, 2021;

    - One 55-gallon drum was labeled universal waste nickel metal hydride batteries and marked with an accumulation start date of November 2, 2021; and
    - The 30-gallon empty drum was labeled universal waste nickel cadmium batteries.
- SAA6 held one 55-gallon drum on a portable secondary containment unit. The drum was labeled D001 hazardous waste ethyl acetate and methanol and identified as ignitable.
- SAA7 held one 55-gallon drum on a portable secondary containment unit. The drum was labeled D001/D018/D035 hazardous waste solvents and identified as toxic and ignitable.
- SAA8 held one 55-gallon drum on a wooden pallet. The drum was labeled D008/D009 hazardous waste broken bulbs and it was identified as toxic.
- SAA9 held one 55-gallon drum on a portable secondary containment pallet. The drum was labeled D001/D005/D035 hazardous waste paint and it was identified as toxic and ignitable.

The inspectors also observed several containers of universal waste fluorescent lamps in one corner of the HMCC area. One box of 8-ft universal waste fluorescent lamps was observed on the floor and twenty boxes of 4-ft universal waste fluorescent lamps were observed on wooden pallets in this area. The boxes were all closed, and each one was labeled as universal waste lamps and marked with an accumulation start date. The 8-ft box was dated March 10, 2022, and the oldest 4-ft box was dated August 19, 2021.

Hazardous Materials Control Center (HMCC)–Acid and Battery Storage Building Bay J: The inspectors observed spent lead acid batteries in the designated HMCC Bay J. These batteries will be sent off-site for recycling under 40 C.F.R. Part 266 Subpart G.

Hazardous Materials Control Center (HMCC)–Roll-offs: Solids contaminated with used oil are accumulated and stored in two roll-off containers, which were observed in the parking lot behind the HMCC Building 149. Personnel stated that the containers are used to accumulate absorbents used to clean oil spills, oily rags, and other contaminated solids.

Hazardous Materials Control Center (HMCC) CAA: DLADS also manages a CAA behind the HMCC Building 149. The area is on a curbed concrete pad surrounded by a chain link fence and covered with a metal roof. One corner of the roof had become detached, and the wind was lifting the detached section causing it to repeatedly impact the corner of the structure. Access to the area is restricted using a padlock on the gate of the chain link fence. The area was identified with signs which read “danger, hazardous waste storage area,” and “no smoking.” Personnel working in this area carry cell phones, and the area is also equipped with a fire alarm pull station to summon emergency assistance from local police departments. The area is equipped with a portable fire extinguisher, spill control equipment, and an emergency eyewash station, but the eyewash station did not contain any eye wash solution.

> **Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(6)], which incorporates 15A NCAC 13A .0107(i) [40 C.F.R. § 262.253], and is a condition of the LQG Permit Exemption, all communications or alarm system, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency.**

Containers of hazardous waste observed in the HMCC CAA were stored on wooden pallets, closed and in good condition. The observed containers included 30,55, and 85-gallon drums of either D001/D005/D035 hazardous waste liquid paint, D001/D007/D035 hazardous waste paint debris, D001/D007/D018/D035 hazardous waste paint, D010/D035 hazardous waste adhesives and sealants, D001/D007/D018/D035 hazardous waste adhesives and sealants, hazardous waste aerosols, D001/D005/D018 hazardous waste solvents, D001/D008/D011 hazardous waste flux, D008 hazardous waste EOD range residue ash and debris, or D001 hazardous waste corrosive preventative compound. Each drum was labeled hazardous waste and marked with an accumulation start date between December 3, 2021 and April 5, 2022. With the exception of one 55-gallon drum (noted below), each drum was also identified with an indication of the hazards of its contents.

MCAS personnel performed the following corrective actions for containers that were observed in this area:

- An accumulation start date was added to one 30-gallon drum, which was labeled D001/D005/D035 hazardous waste liquid paint, and identified as toxic and ignitable, but not marked with an accumulation start date;
- An indication of hazards was identified for one 55-gallon drum (Photo 12), which was labeled D001/D005/D035 hazardous waste liquid paint and marked with an accumulation start date of February 8, 2022, but not identified as being toxic or ignitable; and
- One overpack (Photo 13) and one 55-gallon drum, which were both labeled D008 hazardous waste EOD range residue ash and debris, identified as toxic, and marked with an accumulation start date of December 13, 2021, were transferred to the DLA Pad because they had exceeded the 90-day time limit for storage in the HMCC CAA under the LQG Permit Exemption.

  Pursuant to 15A NCAC 13A .0107 [40 C.F.R. § 262.17(a)(5)(i)(B) and (C)], which is a condition of the LQG Permit Exemption, a generator is required to mark or label containers with an indication of the hazards of the contents and with the date upon which each period of accumulation begins.

  Pursuant to the RCRA Permit, Part III – Storage in Containers, the Permittee may manage hazardous wastes identified in Part II.A. of this permit and Module A of the approved Permit Application in containers in the DLADS permitted storage facility and in the FMD permitted storage facility.

Industrial Wastewater Treatment Building 4381 CAAs: MCAS manages three CAAs and one SAA at the IWTP area. The area is equipped with spill control equipment and an emergency shower and eyewash system. Personnel carry hand-held radios when working in this area, and a portable air horn is also available to signal for emergency assistance.

The first CAA in this area is located on a sloped loading dock where one row of containers can be staged along each side of the sloped dock. The area is identified with signs that read “danger, hazardous waste storage area” and “no smoking,” and it is equipped with a fire extinguisher. The area is typically used to store hazardous waste cyanide generated in the Plating Area. This waste is accumulated in totes and brought to this area for storage until it can be pumped into the feed

tank, where it is released into the wastewater treatment system at a controlled rate. To transfer waste from the totes to the feed tank, they are placed one at a time onto a loading pallet in the second CAA where the tote is connected to the transfer lines and material is pumped into the feed tank. Personnel estimated that it takes about 15-20 minutes to transfer the contents of each tote, and that the feed tank can accept the contents of up to four or five totes per batch. Personnel also stated that the entire contents of each tote are transferred into the feed tank during transfer. If the system does not have sufficient capacity to accept the entire contents of a tote, that tote will not be emptied until it is time to start the next batch.

The inspectors observed four 330-gallon totes and one 55-gallon drum of hazardous waste on the sloped loading dock in the first CAA, but no waste containers in the second CAA. Each container was labeled F002/F003/F009 hazardous waste influent water and oil and identified as toxic. Each tote was marked with an analysis date of January 17, 2022 and the drum was dated March 31, 2022. The containers were not marked to indicate that the contents are ignitable.

> **Pursuant to 15A NCAC 13A .0107 [40 C.F.R. § 262.17(a)(5)(i)(B)], which is a condition of the LQG Permit Exemption, a generator is required to mark or label containers with an indication of the hazards of the contents.**

The third CAA in this area is located in a covered bay where the inspectors observed one 25-yard roll-off container for accumulating sludge generated in the wastewater treatment filter press. The area was identified with a no smoking sign and equipped with a fire extinguisher. The roll-off container was closed and labeled F002/F003/F006/F009/F019 hazardous waste IWTP sludge. The container was not marked with an accumulation start date or with an indication of the hazards of its contents (Photo 14). Facility personnel reviewed the operating records to determine that the roll-off container began accumulating hazardous waste on April 1, 2022. An indication of the hazards and the accumulation start date were added to the container (Photo 15).

> **Pursuant to 15A NCAC 13A .0107 [40 C.F.R. § 262.17(a)(5)(i)(B) and (C)], which is a condition of the LQG Permit Exemption, a generator is required to mark or label containers with an indication of the hazards of the contents and with the date upon which each period of accumulation begins.**

MCAS manages a SAA near the IWTP headworks for managing F002/F003/F006/F009/F019 hazardous waste that is generated when manually cleaning the grate and screen used to prevent solids from continuing through the IWTP system. The inspectors observed hazardous waste debris sitting on top of a metal grate in this area (Photo 16). Personnel explained that these F002/F003/F006/F009/F019 hazardous waste solids, which were not in a container, are manually removed from the grate and screen within the IWTP conveyance system and placed onto the metal grate above the system so that liquids can drain back into the IWTP conveyance system before the hazardous waste is transferred into the 25-yard roll-off container at the second CAA.

> **Pursuant to 15A NCAC 13A .0107(a) [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 the point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or**

without having interim status, as required by Sections 130A-294(c) and (g) of the NCSWML, N.C.G.S. § 130A-294(c) and (g) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 15A NCAC 13A .0107(a) [40 C.F.R. § 262.16(b) or §262.17(a)], except as required in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the "SAA Permit Exemption").

Avionics SAAs: The inspection participants visited the Avionics area where mobile maintenance centers are prepared, stored, and maintained. Hazardous materials are issued and returned through a controlled system, and hazardous wastes are accumulated inside locked trailers which are also used to store other supplies and nonhazardous waste. The 610 Wing Work Center maintains the keys to access these trailers. A total of four SAAs were observed inside three locked trailers:

- Hazardous waste aerosols are accumulated in SAA1, which is located in the first trailer. The inspectors observed one 55-gallon drum in this SAA. The drum was labeled D001/D003/D005/D035 hazardous waste aerosols, flammable and it was identified as toxic, reactive and ignitable;
- Hazardous waste adhesives and sealants are accumulated in SAA2, which is located in the second trailer. The inspectors observed one 55-gallon drum in this SAA. The drum was labeled D010/D035 hazardous waste adhesives and sealants and it was identified as toxic;
- Hazardous waste paint debris is accumulated in SAA3, which is located in the third trailer. The inspectors observed one 55-gallon drum in this SAA. The drum was labeled D001/D007/D035 hazardous waste paint debris and it was identified as toxic and ignitable;
- The inspectors also observed one 55-gallon drum of used oil in the third trailer. This drum was closed and labeled used oil;
- Broken cesium lamps are accumulated in SAA4a, which is located in the fourth trailer. The inspectors observed one 55-gallon drum in this SAA. The drum was labeled hazardous waste broken cesium lamps and it was identified as toxic.
- Broken fluorescent lamps are accumulated in SAA4b, which is also located in the fourth trailer. The inspectors observed one 55-gallon drum in this SAA. The drum was labeled hazardous waste broken fluorescent lamps and it was identified as toxic;
- Scrap lead acid batteries are also accumulated in the fourth trailer. These batteries will be sent off-site for recycling under 40 C.F.R. Part 266 Subpart G.

Air Frames Division SAAs: MCAS manages six SAAs in the Air Frames Division Area for accumulating hazardous waste that is generated by various processes in this area. The inspectors observed:

- One empty 55-gallon drum in the Workcenter 51C SAA near the entrance to this area.
- Two 55-gallon drums in the Paint Booth SAA, which is used to accumulate hazardous waste solids contaminated with paint that are generated in the paint booth. The drums were labeled D001/D007/D035 hazardous waste paint debris and identified as toxic and ignitable. One drum was full, and ready for removal from this area. The second drum was empty, so the total volume of hazardous waste in this area did not exceed 55-gallons.

Personnel stated that the paint booth filters are changed every six months, or sooner if the measured pressure differential indicates it is necessary to change the filters. Used filters are also accumulated as hazardous waste.

- One 55-gallon drum on a portable secondary containment unit in the SAA that is used to accumulate hazardous waste liquid paint. The drum was labeled hazardous waste, and it was identified with an indication of the hazards of its contents.
- One 55-gallon drum in the SAA located outside of the paint booth, which is used to accumulate used aerosol cans generated in this area. The drum was labeled D001/D003/D005/D035 hazardous waste aerosols, flammable and it was identified as toxic, reactive, and ignitable.
- One 55-gallon drum in the Workcenter 51H SAA. The drum was labeled D002/D007 hazardous waste Alodine debris and it was identified as toxic and corrosive.
- One 55-gallon drum in the Workcenter 51A SAA. The drum was labeled D001/D003/D035 hazardous waste aerosols and it was identified as toxic, reactive, and corrosive.
- Two 55-gallon drums in the Workcenter 51A SAA (Photo 17). The drums were labeled D010/D035 hazardous waste adhesive / sealant. One drum, which was identified as toxic, was full. The other drum, which was not marked to indicate the hazards of its contents, was approximately ½ full. The total volume of hazardous waste in this SAA had exceeded 55-gallons, and neither container was marked with an accumulation start date.

Pursuant to 15A NCAC 13A .0107 [40 C.F.R. § 262.15(a)(6)], which is a condition of the SAA Permit Exemption, a generator who accumulates hazardous waste in excess of 55 gallons must, with respect to that amount of excess waste, comply with 15A NCAC 13A .0107 [40 C.F.R. § 262.17(a)] or remove the excess waste from the SAA within three consecutive calendar days. The generator must mark or label the container(s) holding the excess accumulation of hazardous waste with the date the excess amount began accumulating and continue to comply with the conditions of the SAA Permit Exemption during the three-consecutive-calendar-day period.

Contingency Plan: The actions that facility personnel should take in response to an emergency are described in the facility's Contingency Plans. The facility maintains one contingency plan for the permitted hazardous waste storage areas. This plan was last updated and submitted to NCDEQ for review and permit modification approval on February 4, 2022. The facility maintains a separate contingency plan for the areas where hazardous wastes are generated and stored outside prior to transfer to the permitted hazardous waste storage areas. This plan, and it's associated quick reference guide, were both updated in March 2020.

The contingency plan for the permitted area 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 permitted areas. The plan includes a list of emergency equipment at the permitted areas. The list includes fire extinguishing systems, spill control equipment, communications and alarm systems, and decontamination equipment. 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 a plan for personnel evacuation from the

permitted areas, and the evacuation plan describes signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

In the event of an emergency, MCAS Cherry Point will provide most emergency response actions through on-site police, fire, medical, and environmental services. The contingency plan for the permitted area describes additional support arrangements agreed to with the City of Havelock, the City of New Bern, the Town of Morehead City, the Craven County Emergency Manager, the Carteret County Emergency Manager, the Craven Regional Medical Center, and the Carteret General Hospital. The plan identifies the Fire Chief as the primary emergency coordinator and indicates that an emergency cell phone is physically transferred from person-to-person as each individual assumes emergency coordinator duties.

MCAS has developed an LQG master plan for non-permitted areas where hazardous wastes are generated, accumulated, and stored, and HMCC and FRC-East each maintain site-specific contingency plans for hazardous waste management areas under their control. The inspectors highly recommend that the LQG master plan incorporate the site-specific plans so that all contingency plan information is maintained in a single consolidated document.

In the event of an emergency, MCAS Cherry Point will provide most emergency response actions through on-site police, fire, medical, and environmental services. The contingency plan for the LQG areas describes additional support arrangements agreed to with the Craven County Emergency Manager, and the Carolina East Health Systems. The plan lists the titles and emergency telephone numbers for positions identified with the responsibilities of the emergency coordinator. The facility uses a designated cellular phone for responding to emergencies, and the phone is handed off to the individual person who is on-call for fulfilling the duties of the emergency coordinator.

The contingency plan for the non-permitted areas where hazardous wastes are generated, accumulated, and stored 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 these areas. 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 plan includes the location of each item on the list, and a brief outline of its capabilities.

The LQG master plan describes signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes. Although it appears that the aggregate of all contingency plans may include information required in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(6)], which incorporates 15A NCAC 13A .0107(i) [40 C.F.R. § 262.261] and is a condition of the LQG Permit Exemption, the evacuation map in the LQG master plan did not identify FRC-East, IWTP, and HMCC as areas where hazardous wastes are generated, accumulated or stored. In addition, CAA Sites 3, 3D, and 13 were not identified on the site-specific contingency plan maintained at FRC-East.

Like the contingency plan, MCAS has developed a quick reference guide (QRG) master plan for non-permitted areas where hazardous wastes are generated, accumulated, and stored, and HMCC

and FRC-East each appear to maintain site-specific QRGs for hazardous waste management areas under their control. The QRG(s) includes a street map of the facility in relation to surrounding businesses, schools, and residential areas; the identification of on-site notification systems; and the name of the emergency coordinator(s) and emergency telephone number(s). Although it appears that the aggregate of all QRGs may include information required in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(6)], which incorporates 15A NCAC 13A .0107(i) [40 C.F.R. § 262.262(b)] and is a condition of the LQG Permit Exemption, the individual QRG(s) do not all include: the types/names of hazardous waste in layman's terms and the associated hazard associated with each hazardous waste present at any one time; the estimated maximum amount of each hazardous waste that may be present at any one time; the identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff; map(s) showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; the locations of water supply; and the identification of on-site notification systems. Specifically, The FRC-East QRG(s) do not identify all SAAs, do not include the maximum amount for each waste stream, and do not reference the location of water supplies. The HMCC QRG(s) do not include the locations of SAAs, or the name in laymans' terms, an indication of the hazards, the maximum amount and special response procedures for each hazardous waste stream. The QRG master plan does not identify FRC-East, IWTP, and HMCC as areas where hazardous wastes are generated, accumulated, or stored.

Training Records: The inspectors reviewed a sample of provided facility job descriptions and employee names that were requested for the RCRA Program Manager, Environmental Coordinators and Hazardous Waste Handlers during the inspection. Each job description included the requisite skill, education, or other qualifications, and duties of facility personnel assigned to that position. The inspectors reviewed records of hazardous waste training requested for nine employees, who were randomly selected due to identified hazardous waste management duties. The records indicated that each employee has completed the hazardous waste training as assigned.

Waste Manifest Records: The inspectors reviewed a random sample of hazardous waste manifest records and land disposal restriction forms for shipments of hazardous waste sent since April 2021. Manifest records are primarily maintained by the Environmental Protection Office, but the DLA Pad maintains copies of manifests prepared for hazardous waste shipments and the FRC-East offices maintain copies of manifests that are prepared for hazardous wastes generated in that area.

MCAS sent one shipment of descaler from the clean line to clean the tank to Clean Earth–Dart (NCD121700777) on February 3, 2022. The waste was shipped as D002 hazardous waste corrosive liquid, toxic (sulphamidic acid, chromium). However, the waste was not identified as exhibiting the characteristic of toxicity due to elevated levels of chromium, and the associated LDR form did not identify chromium as an underlying hazardous constituent. When the inspectors inquired about this shipment, MCAS personnel provided analytical data that showed the waste contained levels of chromium at levels that were below the levels associated with both the hazardous waste characteristic of toxicity and the LDR treatment standard.

Inspection Records: MCAS keeps records of inspections of hazardous waste CAAs at each unit where the CAA(s) is located. FRC-East manages a total of 27 hazardous waste CAAs and two nonhazardous waste accumulations areas. Weekly inspections for all of these areas are recorded on a single page, which is designed to record the site, building, violation code, recommended action, and corrective action for each area of concern noted during the inspection. The sheet also includes a space to record the date of the inspection and the name, title, shift and signature of the person conducting the inspection. The inspectors reviewed records of weekly inspections conducted at all FRC-East CAAs (27 CAAs and 2 nonhazardous accumulation areas) since April 23, 2021 and noted that several observations and corrective actions were recorded as intended.

The inspectors reviewed records of weekly inspections that were conducted at the HMCC CAA between June 1, 2021 and March 28, 2022 to look for leaking containers and for deterioration of containers caused by corrosion or other factors. The inspection log includes a checklist to record observations about container labels, closed containers, deterioration of containers, containers compatible with waste, container storage time, spills, aisle space, warning signs, berm secure, emergency alarm/communication, fire extinguisher, and posting of emergency procedures. The records include the date and time of the inspection and the point of contact for the employee conducting the inspection.

The inspectors reviewed records of weekly inspections that were conducted at the IWTP CAAs between October 7, 2021 and March 31, 2022 to look for leaking containers and for deterioration of containers caused by corrosion or other factors. The records also include the date and time of the inspection and the point of contact for the employee conducting the inspection.

The inspectors also reviewed records of weekly inspections that were conducted at the DLA Pad since January 2021. The inspection log includes a checklist to record observations about container labels, closed containers, deterioration of containers, containers compatible with waste, container storage time, spills, aisle space, warning signs, berm secure, emergency alarm/communication, fire extinguisher, and posting of emergency procedures. The records include the date and time of the inspection and the signature of the employee conducting the inspection. The inspectors recommended that the forms also include the printed name of the employee conducting the inspection. No weekly inspections were recorded for one week between July 15, 2021 and July 29, 2021, for one week between November 4, 2021 and November 18, 2021, for two weeks between November 18, 2021 and December 2, 2021, and for two weeks between December 16, 2021 and January 7, 2022.

> **Pursuant to HW Permit NC1170027261 R2, Part III.F. Containment, which incorporates 15A NCAC 13A .0109 [40 C.F.R. § 264.175(b)(1)] and Module D of the approved Permit Application, the Permittee must operate the containment system such that a base underlies the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed.**

Concerns about the condition of the secondary containment pad described in were noted in the MCAS records of inspection for the secondary containment dating back to May 24, 2018. Personnel stated that requests for corrective actions have been submitted but they have not been approved or funded.

Pursuant to HW Permit NC1170027261 R2, Part III.F. Containment, which incorporates 15A NCAC 13A .0109 [40 C.F.R. § 264.175(b)(1)] and Module D of the approved Permit Application, the Permittee must operate the containment system such that a base underlies the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed.

12) Closing Conference

The inspectors conducted the exit meeting at 3:40 p.m. on April 6, 2022 with Dale McFarland, Erik Delaney, Tim Lawrence, Andrew Krelie, and Brian Fetzer. During this meeting, the inspectors stated their preliminary conclusions of the inspection.

13) Inspection Findings

Based on the observations made during the inspection, MCAS Cherry Point was apparently deficient with the following RCRA requirements:

- **Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(6)], which incorporates 15A NCAC 13A .0107(i) [40 C.F.R. § 262.255] and is a condition of the LQG Permit Exemption, a generator is required to 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 HW Permit NC1170027261 R2, Part VII.B.1. Land Disposal Prohibitions and Treatment Standards, which incorporates 15A NCAC 13A .0112 [40 C.F.R. § 268.50(a)(2)(i)], the storage of hazardous wastes restricted from land disposal is prohibited unless an owner / operator of a hazardous waste treatment, storage or disposal facility stores such wastes solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment or disposal and each container is clearly marked to identify its contents with the applicable EPA hazardous waste numbers, an indication of the hazards of the contents, and the date each period of accumulation begins.**

- **Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(6)], which incorporates 15A NCAC 13A .0107(i) [40 C.F.R. § 262.253], and is a condition of the LQG Permit Exemption, all communications or alarm system, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency.**

- **Pursuant to 15A NCAC 13A .0107 [40 C.F.R. § 262.17(a)(5)(i)(B) and (C)], which is a condition of the LQG Permit Exemption, a generator is required to mark or label containers with an indication of the hazards of the contents and with the date upon which each period of accumulation begins.**

- **Pursuant to the RCRA Permit, Part III – Storage in Containers, the Permittee may manage hazardous wastes identified in Part II.A. of this permit and Module A of the approved Permit Application in containers in the DLADS permitted storage facility and in the FMD permitted storage facility.**

- **Pursuant to 15A NCAC 13A .0107 [40 C.F.R. § 262.17(a)(5)(i)(B) and (C)], which is a condition of the LQG Permit Exemption, a generator is required to mark or label containers with an indication of the hazards of the contents and with the date upon which each period of accumulation begins.**

- **Pursuant to 15A NCAC 13A .0107(a) [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 the point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or without having interim status, as required by Sections 130A-294(c) and (g) of the NCSWML, N.C.G.S. § 130A-294(c) and (g) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 15A NCAC 13A .0107(a) [40 C.F.R. § 262.16(b) or §262.17(a)], except as required in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the "SAA Permit Exemption").**

- **Pursuant to 15A NCAC 13A .0107 [40 C.F.R. § 262.15(a)(6)], which is a condition of the SAA Permit Exemption, a generator who accumulates hazardous waste in excess of 55 gallons must, with respect to that amount of excess waste, comply with 15A NCAC 13A .0107 [40 C.F.R. § 262.17(a)] or remove the excess waste from the SAA within three consecutive calendar days. The generator must mark or label the container(s) holding the excess accumulation of hazardous waste with the date the excess amount began accumulating and continue to comply with the conditions of the SAA Permit Exemption during the three-consecutive-calendar-day period.**

- **Pursuant to HW Permit NC1170027261 R2, Part III.F. Containment, which incorporates 15A NCAC 13A .0109 [40 C.F.R. § 264.175(b)(1)] and Module D of the approved Permit Application, the Permittee must operate the containment system such that a base underlies the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed.**

- **Pursuant to HW Permit NC1170027261 R2, Part III.F. Containment, which incorporates 15A NCAC 13A .0109 [40 C.F.R. § 264.175(b)(1)] and Module D of the approved Permit Application, the Permittee must operate the containment system such that a base underlies the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed.**

14) List of Appendices

Appendix 1 – Photo Log:
17 Photos taken on: April 5-6, 2022
Photos taken by: Laurie Benton DiGaetano
Photos taken with: Panasonic DMC TS-5 Digital Camera
EPA Property Tag: S09533

15) Signed

LAURIE DIGAETANO Digitally signed by LAURIE DIGAETANO
Date: 2022.05.06 11:37:38 -04'00'

Laurie Benton DiGaetano
Senior Enforcement and Compliance Specialist

Concurrence

ARACELI CHAVEZ Digitally signed by ARACELI CHAVEZ
Date: 2022.05.06 12:03:01 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Photo 1: Grass observed growing in a crack on the DLA Pad.

Photo 2: Grass observed growing in a crack on the DLA Pad.

Photo 3: Grass observed growing in a crack on the DLA Pad.

Photo 4: Grass observed growing in a crack on the DLA Pad.

Photo 5: Crack observed on the DLA Pad.

Photo 6: Grass observed growing in a crack on the DLA Pad.

Photo 7: Grass observed growing in a crack on the DLA Pad.

Photo 8: Accumulation of dirt and weeds observed on the concrete at the DLA Pad.

Photo 9: Accumulation of dirt and weeds observed on the concrete at the DLA Pad. Scuff mark to verify that concrete is beneath the dirt.

Photo 10: One of seven 55-gallon drums labeled D006 / D007 / F002 / F003 hazardous waste pit sludge (strip barn Building 137) observed at the DLA Pad. All of the drums were marked to indicate the hazards are toxic, but none were marked to indicate that the hazards are ignitable.

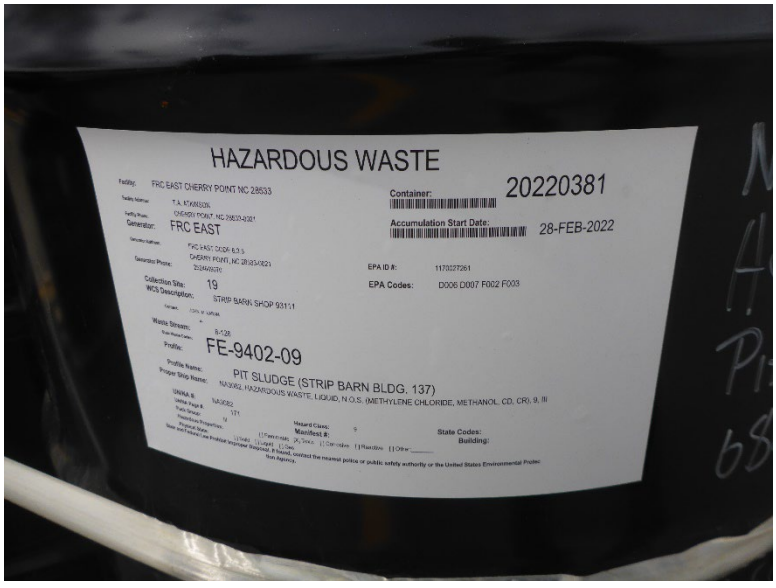

Photo 11: Close-up of label on one of seven 55-gallon drums labeled D006 / D007 / F002 / F003 hazardous waste pit sludge (strip barn Building 137) observed at the DLA Pad. All of the drums were marked to indicate the hazards are toxic, but none were marked to indicate that the hazards are ignitable.

Photo 12: One 55-gallon drum of hazardous waste liquid paint with no indication of hazards. The SOP at the facility is to either circle the indication of hazards on the pre-printed label or to cross out those hazards that do not apply to the contents of the drum.

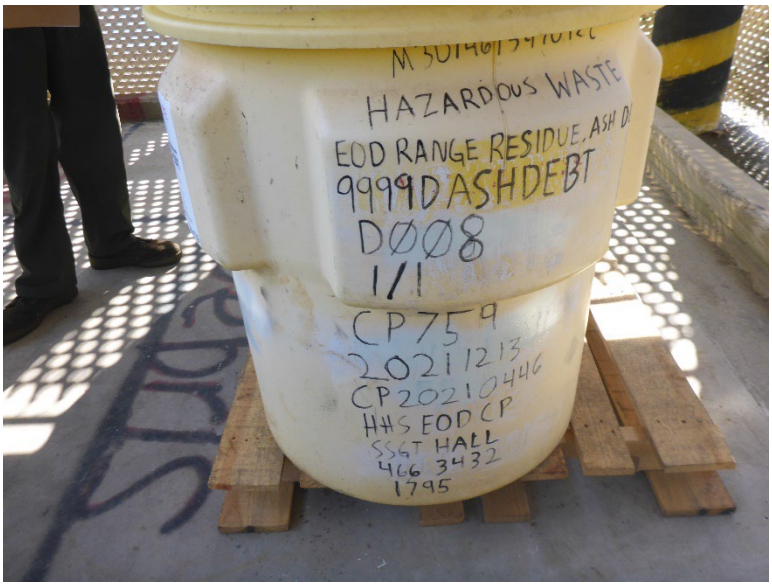

Photo 13: One overpack of D008 hazardous waste EOD range residue ah and debris stored at the HMCC CAA greater than 90 days.

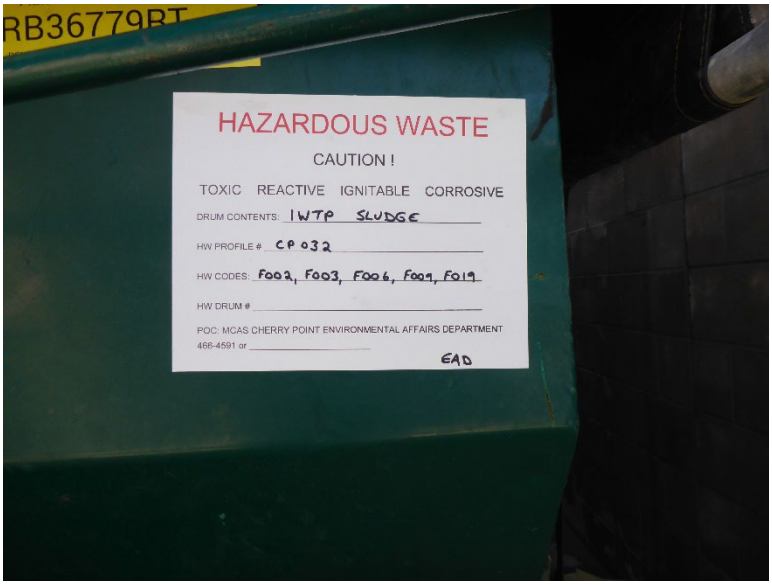

Photo 14: One 25-yard roll-off of hazardous waste IWTP sludge with no indication of hazards or accumulation start date. The SOP at the facility is to either circle the indication of hazards on the pre-printed label or to cross out those hazards that do not apply to the contents of the drum.

Photo 15: Indication of the hazards and accumulation start date added to one 25-yard roll-off of hazardous waste IWTP sludge.

Photo 16: F002 / F003 / F006 / F009 / F019 hazardous waste debris accumulating on a metal grate at the IWTP headworks rather than in a container.

Photo 17: Two 55-gallon drums of D010 / D035 hazardous waste adhesive / sealant located at the Workcenter 51A SAA in the Air Frames Division area. The total volume of waste exceeded 55-gallons at this SAA, and the excess waste was neither marked with an accumulation start date nor removed to a CAA or the permitted storage area.