



# HW Generator Training & RCRA Inspections A&WMA's Louisiana Section Annual Conference 2023

Karen Brignac  
Deltech Monomers OpCo, LLC  
11911 Scenic Highway  
Baton Rouge, LA 70807

# Overview

- LQG's are subject to inspection by state agencies and EPA
- December 2020, EPA conducted a virtual RCRA inspection at Deltech's Baton Rouge facility
- Documents submitted
- EPA focus
- Results

# Inspection Process

- Document list provided and documents submitted before inspection (due to virtual nature)
- Zoom meetings daily for 5 days (2 hours max)
- Additional document requests each day after review
- Close out meeting with review of potential violations on final day

# Documents Reviewed

- Site overview:
  - Process description
  - Wastes generated
  - Facility map with location of satellite accumulation areas and <90 day container storage area
- Waste characterization
  - Profiles
  - Analytical data
- Non-hazardous secondary material determination

# More Documents

- Manifests and LDRs
- <90-day unit inspection records
- Contingency Plan
- Photographs
- Training records
  - Annual RCRA training for all site employees
  - 8 Hour HAZWOPER refresher for 40-hour HAZWOPER certified employees

# EPA Focus

- Basis of inspection was for hazardous waste storage tanks however site does not have any (bad info on EPA's part)
- VOC content of wastes properly identified on profiles to ensure proper handling at disposal facility (265 Subpart CC applicability)
- Training
- Contingency Plan

# Contingency Plan

- EPA requested that plan be updated with the following:
  - Site map with location of fire extinguishers, safety showers, eye wash stations
  - Contracts with third party responders (mutual aid, remediation contractors, etc.)
- Site could not produce documentation showing that the local emergency responders had received a copy of the plan

# Waste Profiles

- 5 of the waste profiles did not correctly identify materials as containing greater than 500 ppm VOC



# Training

- While records were available showing training for the majority of employees, there were some missing
- EPA requested specific hazardous waste job description for each job title that works with hazardous waste
- EPA requested specific procedures for each job that generates hazardous waste such as cleaning out strainers

# Enforcement

- Several discussions were held with EPA Enforcement reviewing the inspection findings and proposed violations
- A draft Consent Agreement and Final Order (CAFO) was provided for review and comment
- EPA proposed an initial penalty amount of ~\$230,000. All 3 violations included a multi-day violation which increased the penalty amount.
- Deltech successfully argued that multi-day was not warranted for the contingency plan and waste profile counts.
- Final penalty was ~\$80,000

# Lessons Learned

- Ensure training is conducted for each employee as required annually – be sure to catch employees who are out on the day training is conducted
- Develop specific HW job descriptions and procedures
- Ensure records are kept in perpetuity showing the contingency plan was shared with first responders
- Ensure waste profiles are correct and up to date – don't rely on what others may have done in the past

# Other Considerations

- An in-person inspection can happen without notice
  - Ensure all drums are kept closed and labeled
  - Ensure full drums are moved to CSA within 3 days
  - Ensure operators know how to respond to an inspector
- Universal wastes
  - Used oil
  - Batteries
  - Lamps
- Paint waste

# Questions?

[kbrignac@deltech.com](mailto:kbrignac@deltech.com)