STATE OF HAWAII: DEPARTMENT OF HEALTH
ENVIRONMENTAL MANAGEMENT DIVISION
SOLID AND HAZARDOUS WASTE BRANCH
919 ALA MOANA BOULEVARD, ROOM 212
HONOLULU, HAWAII 96814

INSPECTION REPORT

Purpose:	State Hazardous Waste Compliance Evaluation Inspection
Facility:	DriveLine Components, Inc. 1006 Mikoole Street Honolulu, HI 96819
EPA Identification Number:	N/A
Report Number:	HW-1176-A
Dates of Inspection:	March 9, 2005
State Inspectors:	Rogeitte Bernardino Alphonse Allen Environmental Health Specialists (808) 586-4226
Facility Representatives:	Mr. Michael Pelekai, Assistant (808) 839-9771
Report Prepared By:	Rogeitte Bernardino (808) 586-4226
Report Date:	October 31, 2005

Background

DriveLine Components, Inc. (DLC) is located at 1006 Mikoole Street, Honolulu, Hawaii. The facility is in a cul-de-sac in the industrial area of Sand Island, Honolulu (facility). The industrial area is leased from the Department of Land and Natural Resources by Sand Island Business Association (SIBA) and then subleased to individual tenants. SIBA subleased the site at 1006 Mikoole Street to Michael Chock (Chock). Chock subleased the facility to William Mahas (Mahas) of DLC.

In October 2000, Department of Health's (DOH) solid and hazardous waste branches conducted a joint compliance inspection (CEI) at the Mikoole Street facility and noted potential solid and hazardous waste violations.

During July 1995 and September 2000, Mahas was also managing another solid waste operation named Storage Services, Inc., located at 91-543 Nukuawa Street, Kapolei, Hawaii (SSI). SSI was a salvage operation that stored derelict and damaged vehicles. In May 2000, a solid waste inspection was conducted at SSI, at which inspectors observed SSI to be in non-compliance with its solid waste permit requirements. In August 2000, DOH noted potential violations during a hazardous waste CEI of SSI that eventually resulted in an enforcement action.

Inspection

On March 9, 2005, a Hazardous Waste/Used Oil CEI was conducted at DLC, in accordance with sections 342-J-6 and 342-J-55 of the Hawaii Revised Statutes (HRS) and Title 11, Chapter 260-279 of the Hawaii Administrative Rules (HAR). DOH inspectors Rogeitte Bernardino (Bernardino) and Alphonse Allen (Allen) conducted the inspection and were accompanied by facility representative, Mr. Michael Pelekai (Pelekai).

The CEI was conducted at approximately 9:30 a.m. in conjunction with an inspection conducted by Elizabeth Galvez (Galvez), DOH Hazard Evaluation and Emergency Response Office (HEER), and Jennifer Doi (Doi), DOH Clean Water Branch. There was a reported release of used oil entering a nearby drain located at the Sand Island State Recreation Area that came directly from DLC. A separate report, prepared by Doi, pertaining to the used oil release, was provided to Bernardino. (See Exhibit A). The facility partially borders the Sand Island Recreation Area that is managed by the State of Hawaii Parks Division (See Exhibit B). At the time of inspection, DLC was in the business of selling used vehicle parts.

Entrance to the Facility's Office

Before the entrance to the facility, along the public sidewalk but within the facility itself, the inspectors observed a lead-acid battery. Bernardino observed dark stains on the ground and sidewalk in the same area (See Exhibit C). Located to the right of the office was a stockpile of between 150-200 tires. (See Exhibit D)

Left Front Area of the Facility

Located to the right was a warehouse filled with various vehicle parts. Inspectors observed vehicle parts stacked on metal racks approximately 5-tiers high and also on the floor within the warehouse. The floors showed dark stains and signs of oil spillage throughout the warehouse. Also in the warehouse, towards the back, were lead-acid batteries piled one on top of the other, up to 3-stacks high. There were more than 150 batteries stacked haphazardly, some with cracked casings. (See Exhibit E)

There were approximately 8, 55-gallon drums of used oil stored outside against the warehouse near its entry/exit door. The drums were labeled "used oil" and stored on the bare ground. Next to the 8, 55-gallon drums of used oil were approximately 15 lead-acid batteries that were stacked haphazardly on the bare ground. Vehicle parts and two wooden pallets were observed stacked on 3 of the 8, 55-gallon drums of used oil. One of the used oil drum was stacked unevenly on another used oil drum. (See Exhibit F)

Along the fence that divides the state recreation area from the facility, the inspectors observed trash mixed with vehicle parts. The ground under and around the engine parts showed dark stains and signs of oil spillage. (See Exhibit G)

Left Back Area of the Facility

Inspectors also observed a boat, in the left back area of the facility, parked along the fence that separates the facility from the recreation area. Stored under the boat were 2 tote containers (approximately 250 gallon totes) filled with used oil and labeled with the words used oil. Pelekai was not sure how long the filled totes had been stored under the boat. Also stored under the boat were 3, 55-gallon drums of used oil. One of the drums was dented and the other was severely rusted and dented. All 3 drums were labeled with the words "used oil". (See Exhibit H)

HAR 11-279-22(a)(b) provides:

Used oil generators shall not store used oil in units other than tanks, containers, or units subject to regulation under chapter 11-264 and 11-265.

Containers and aboveground tanks used to store used oil at generator facilities must be: (1) In good condition (no severe rusting, apparent structural defects or deterioration)...

HAR 11-264-171 and 11-265-171, Condition of Containers, provides:

If a container holding hazardous waste is not in good condition, or if it begins to leak, the owner or operator must transfer the hazardous waste from this container

to a container that is in good condition, or manage the waste in some other way that complies with the requirements of this chapter.

HAR §11-279-22 provides:

Used oil generators are subject to all applicable federal Spill Prevention, Control, and Countermeasures (40 CFR Part 112). Used oil generators are also subject to the State's standards and any applicable federal standards for used oil stored whether or not the used oil exhibits any characteristics of hazardous waste...

40 CFR §112.7(c) provides:

Appropriate containment and/or diversionary structures or equipment to prevent discharged oil from reaching a navigable water course should be provided.

Two of the 3, 55-gallon drums of used oil were in poor condition and should not be utilized for storing used oil. The 2 drums need to be overpacked or replaced with drums that are in good condition. Appropriate containment would preclude leaks to the ground.

The ground area under the parked boat showed signs of oil spillage possibly from pouring functions. A funnel was left in one of the 55-gallon drums for pouring used oil.

HAR 11-264-173(a) and 11-265-173(a), Management of Containers, provides:

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

The funnel was left in the drum until drum became full. The funnel must be removed and the drum secured with the bung and kept closed during storage, except when adding or removing used oil.

The inspectors observed a trail of dark, oil-like stains coming from the area where the boat was parked and leading to the nearby drain. (See Exhibit I)

HAR 11-279-22(d) provides:

Response to releases. Upon detection of a release of used oil..., a generator must perform the following cleanup steps:
(1) Stop the release;
(2) Contain the released used oil;
(3) Clean up and manage properly the released used oil and other materials; and
(4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

DLC did not properly respond to releases of used oil throughout the facility, particularly in the area under the boat in light of the boat's proximity to the drain located in the recreation area.

Also, in the left back area of the facility, inspectors observed 3, opened 5-gallon buckets containing used oil. The area around the buckets and a nearby 35-gallon drum of used oil showed signs of oil spillage. The three buckets and 35-gallon drum were not labeled with the words "used oil". (See Exhibit J)

HAR 11-279-22(c)(1) provides:

Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil".

The 5-gallon buckets must be closed during storage except when adding or removing used oil, and the 5-gallon buckets and 35-gallon drum must be labeled with the words "Used Oil".

Records Review

The following documents were not available for review:

-- Used oil pick-up receipts
-- Battery pick-up receipts

Outbrief

Bernardino and Allen conducted an informal outbrief with Pelekai and informed him of the following list:

POTENTIAL VIOLATIONS

(Any omission from this list does not constitute a waiver of any violations not listed.)

1. HAR 11-279-22(a)(b) provides:

Used oil generators shall not store used oil in units other than tanks, containers, or units subject to regulation under chapter 11-264 and 11-265.

Containers and aboveground tanks used to store used oil at generator facilities must be: (1) In good condition (no severe rusting, apparent structural defects or deterioration)...

HAR 11-264-171 and 11-265-171, Condition of Containers, provides:

If a container holding hazardous waste is not in good condition, or if it begins to leak, the owner or operator must transfer the hazardous waste from this container to a container that is in good condition, or manage the waste in some other way that complies with the requirements of this chapter.

HAR 11-279-22 provides:

Used oil generators are subject to all applicable federal Spill Prevention, Control, and Countermeasures (40 CFR Part 112). Used oil generators are also subject to the State's standards and any applicable federal standards for used oil stored whether or not the used oil exhibits any characteristics of hazardous waste...

40 CFR §112.7(c) provides:

Appropriate containment and/or diversionary structures or equipment to prevent discharged oil from reaching a navigable water course should be provided.

Two of the 3, 55-gallon drums of used oil were in poor condition and should not be utilized for storing used oil. The 2 drums need to be overpacked or replaced with drums that are in good condition. Appropriate containment would preclude leaks to the ground.

2. HAR 11-279-22(d) provides:

Response to releases. Upon detection of a release of used oil..., a generator must perform the following cleanup steps:
(5) Stop the release;
(6) Contain the released used oil;
(7) Clean up and manage properly the released used oil and other materials; and

(8) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

Facility did not properly respond to releases of used oil throughout the facility, particularly in the area under the boat, due to the nearby drain located in the recreation area.

3. HAR 11-279-22(a) provides:

Used oil generators shall not store used oil in units other than tanks, containers, or units subject to regulation under chapter 11-264 and 11-265.

HAR 11-264-173(a) and 11-265-173(a), Management of Containers, provides:

A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste; and

Funnel was left in the drum until drum became full. The funnel must be removed, drum secured with the bung and kept closed during storage, except when adding or removing used oil.

The 5-gallon buckets must be secured with a lid and kept closed during storage except when adding or removing used oil.

4. HAR 11-279-22(c)(1), provides:

Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used oil".

5-gallon buckets and 35-gallon drum containing used oil must be labeled with the words "Used Oil".