U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION IV

MEMORANDUM

DATE: NOV 29 1988

SUBJECT: Inspection of Bio-Lab Incorporated in Conyers, Georgia

FROM: Carlton D. Hailey
Technical Assistant

TO: Melvin Russell, Chief
Special Programs Section
Pesticides & Toxic Substances Branch

Attached please find a copy of the field inspection Report for the Bio-Lab Incorporated in Conyers, Georgia, It was concluded from the inspection that the facility was in violation of the §313 Reporting requirements for the 1987 releases of phosphoric acid and copper sulfate. Therefore, it is my recommendation, based upon the documentation in the attached report, that a Civil Complaint be prepared against the corporation.

If you have any questions, please do not hesitate to contact me at x5014.

Attachment

10114945

Emergency Planning and Community Righ-to-Know Act of 1986
Section 313 - Toxic Chemical Release Inventory
Inspection Report

Introduction:

Facility: Bio-Lab Incorporated

Location: 1739 Dogwood Drive
Conyers, Georgia 30207

Date of Inspection: August 11, 1988

Inspectors: Carlton D. Hailey, U.S. EPA
Jill T. Perry, U.S. EPA

Facility Contact: Monty Eckles, Vice President - Manufacturing
Nicholas W. Lee, Manager - Environmental Affairs

Purpose: To conduct an on-site inspection for the purpose of determining compliance with the §313 reporting requirements.

Summary:

The Bio-Lab Inc. was selected under the neutral administrative selection scheme of potential sources that fall within Standard Industrial Classification (SIC) codes 20 through 39 and with 10 or more full time employees projected. This inspection was conducted to determine compliance with the Emergency Planning and Community Right-to-Know Act of 1986, Section 313 of Title III [40 C.F.R. Part 372, Toxic Chemical Release Reporting]. A Form R should be submitted for each 313 chemical meeting reporting criteria, estimating releases to the air, water, or land by the covered facility. Each report must be submitted on or before July 1, for activities during the previous calander year.

Bio-Lab Inc. has been at its present location since 1955, with its headquarters in the metro Atlanta area. There are approximately 250 employees working at this facility at the present time.

Monty Eckles, Vice President of Manufacting, Ron Pasdon, Director of Manufacturing, William T. Donnelly, Vice President Safety and Governmental Affairs, and Nicholas W. Lees, Manager of Environmental Affairs, were the persons of Bio-Lab that assisted Carlton D. Hailey and Jill T. Perry of the U.S. EPA, Special Programs Section, with this compliance inspection.

Person(s) Interviewed:

The credentials, Notice of Inspection and Receipt for Samples and Documents were presented to Monty Eckles, Vice President of Manufacturing, by Carlton D. Hailey, Chemist and Jill T. Perry, Chemical Engineer, along with a copy of the

the Form R and Instructions and §313 Fact Sheet. The initial opening conference and overview of the Section 313 requirements were discussed with the company representatives. Nicholas W. Lees, Manager of Environmental Affairs was very familiar with the reporting requirements under §313, and he informed the EPA staff that a Form R had been submitted prior to July 1, 1988 deadline for benzyl chloride.

Inspection Results:

The facility did meet the reporting requirements by having 10 or more full time employees and having a primary SIC code of 28 - "Chemicals and Allied Products." It was confirmed by EPA Headquarters, that a Form R had been submitted for benzyl chloride. An additional determination was conducted by the EPA Staff by reviewing the Bio-Lab records. A list of the chemical inventory (all raw materials purchased), Material Safety Data Sheets (MSDS) and shipping records were thoroughly reviewed.

The facility's records indicated that 75,340 lbs. of copper sulfate pentahydrate (product code-R27200) and 380,776 lbs. of phosphoric acid (75%) (product code-R69001) was shipped after process activities (See attached document-Bio-Lab Product History Report For Plant 4). The determination of the actual quantity of phosphoric acid (75%) shipped is calculated in Table I.

Table I:

Phosphoric Acid (75%) [Cas# 7664-38-2] (507,701)x(.75) = 380,776

Conclusion:

Bio-Lab was familiar with the reporting requirements under §313. The reporting criteria for submitting a Form R for phosphoric acid and copper sulfate were met (processing threshold of 75,000 for 1987). It was concluded that the facility was in violation of 40 C.F.R. §372.30 "Reporting requirements and schedule for reporting". Copies of the Form R for phosphoric acid and copper sulfate were received by Region IV , Special Programs Section on October 31, 1988, 4 months after July 1 deadline.

Carlton D. Hailey
Carlton D. Hailey

11-29-88
Date