



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
RESOURCE CONSERVATION AND RECOVERY ACT**

BASIC INFORMATION

Facility Name: Clean Harbors Environmental
Services – Ironton

RCRA ID: COR000219089

Facility Location:
4721 Ironton St, Unit B
Denver, CO 80239

Facility Contact:
James Marti
Technical Services District Manager
636-251-0059 (cell)

Notification Status:
Small Quantity Generator

Date of Inspection: May 17, 2022
Arrival Time: 9:45 a.m.
Departure Time: 12:00 p.m.

Weather Conditions: All parts of the facility that were inspected were indoors.

Lead Inspector: Kristin McNeill, U.S. EPA RCRA Inspector

Other Attendees:

1. Annette Maxwell, U.S. EPA RCRA Inspector
2. David Foster, Colorado Department of Public Health and Environment (CDPHE) RCRA Inspector
3. James Marti, Clean Harbors Technical Services District Manager
4. Brandon Rountree, Clean Harbors Technical Services Branch Manager

Type and Purpose of Inspection: Compliance Evaluation Inspection
Compliance with RCRA Subtitle C

Facility Type: NAICS 562119 - Other Waste Collection

Applicable Regulations to Inspection: 6 CCR 1007-3 Parts 260-279

Inspection Type: Announced Inspection per CDPHE's inspection notification requirement
Joint EPA and State Inspection

Disclaimer

This report is a summary of observations and information gathered from the facility at the time of the inspection. The information provided does not constitute a final decision on compliance with RCRA regulations, nor is it meant to be a comprehensive summary of all activities and processes conducted at the facility.

Facility Location: 4721 Ironton St, Unit B, Denver CO

Date of Inspection: May 17, 2022

OPENING CONFERENCE

We met Mr. Rountree and Mr. Marti in the Clean Harbors Environmental Services (CHES) – Ironton office located at 4721 Ironton St, Unit B, and we met in Mr. Rountree’s office for the opening conference. Ms. Maxwell and I presented our credentials to Mr. Rountree and Mr. Marti. We were not denied access to the facility and were allowed to inspect all areas that we selected for inspection. Mr. Rountree and Mr. Marti accompanied us throughout the inspection.

☒ Credentials Presented to Brandon Rountree and James Marti

☒ CBI warning to facility provided

☐ Small Business Resources Information Sheet provided to facility contact (only applicable for small businesses)

☐ CBI was provided or discussed during the inspection

The following information was obtained verbally during the inspection from Mr. Rountree and Mr. Marti unless otherwise noted.

Company Ownership: Clean Harbors Environmental Services – Ironton is owned by Clean Harbors.

General Facility and Process Description:

During the opening conference of the inspection, Mr. Rountree and Mr. Marti explained the facility’s hazardous waste generation and management.

Regulatory Status

According to RCRAInfo, CHES-Ironton notified as a transporter and a 10-day transfer facility in 2008. In July 2015, a notification was submitted that it was no longer operating as a transporter or a transfer facility. In this notification, CHES-Ironton was identified as a small quantity generator (SQG) of hazardous waste.

During the inspection, Mr. Rountree stated that the facility was a transporter and a very small quantity generator of hazardous waste. He also stated that the facility was not a 10-day transfer facility.

Based on my observations of waste generation and the amount of waste on-site, the facility appeared to be generating under 100 kg of hazardous waste per month and was therefore a very small quantity generator at the time of the inspection. Based on my observations and discussion with Ms. Maxwell and Mr. Foster, CHES-Ironton appeared to be operating as a 10-day hazardous waste transfer facility at the time of the inspection.

DESCRIPTION OF INSPECTION

Site Hazardous Waste Information:

According to Mr. Rountree, the general process at CHES-Ironton is to pick up containerized hazardous waste from generators on box trucks and consolidate the waste into different semi-trailers bound for various Clean Harbors treatment, storage, and disposal (TSD) facilities; mainly Aragonite (Utah incinerator), Deer Trail (Colorado landfill), and Kimball (Nebraska incinerator). He said that they

normally send a trailer to Kimball on a Monday/Wednesday/Friday basis, while shipments to Deer Trail are not as frequent, and shipments to Aragonite are in between. Mr. Marti said that they generally ship 2-5 loads per week to each TSD. He explained that the length of time that a trailer was parked at CHES-Ironton could vary based on how much waste was bound for each TSD and that a trailer could remain at CHES-Ironton until it was full. Jermaine Muckle, who is a warehouse worker that processes the hazardous waste, said that if a full truck comes in when there is not space in the warehouse to unload it, that it may sit for a couple of days before it is unloaded. Mr. Rountree said that there is generally a 24-48 hour turnaround time from when the waste arrives at CHES-Ironton until it is shipped out to a TSD.

Mr. Rountree explained that when receiving waste, facility personnel check the labels on each container (photos 6 and 7) against information on the manifest to ensure they match and label each container with a Clean Harbors barcode for internal tracking. He said that they use Clean Harbors' tracking system to build each load electronically before the containers arrive at CHES-Ironton, and that once the containers arrive, they prep each load in the warehouse before loading it on the trailers. Mr. Marti said that waste containers are not opened and waste is not transferred to different containers at this facility; however, small containers may be consolidated onto a pallet for ease of transport. Mr. Rountree explained that manifests are not terminated at this facility for hazardous waste picked up from generators; CHES-Ironton signs manifests as the second transporter. Mr. Marti said that they do not send shipments to TSDs if the TSDs do not have capacity for the waste; however, Mr. Rountree said that occasionally waste is shipped from one TSD to another to avoid the 10 day limit and that sometimes the loads shipped by CHES-Ironton may come back.

Mr. Rountree explained that they generally do not hold waste containers in the building, and each night and weekend, they put the containers into the trailers parked at their loading docks. According to Mr. Marti and Mr. Rountree, when the waste is held in the trailers, it is considered "in transit." In this way, they differentiate between waste being held in trailers from waste that has been unloaded into the warehouse. Because any waste held overnight or over a weekend is in the trailers and therefore "in transit," their explanation was that CHES-Ironton was not considered to be holding any hazardous waste and was therefore not a 10-day facility. Mr. Marti explained that they had permission from the landlord to resume activities as a 10-day transfer facility, however, they had not moved forward with that process due to staffing. Mr. Foster recommended that they notify as a 10-day facility.

Mr. Marti explained that CHES-Ironton contracts with the Colorado PaintCare program, which is a program to facilitate paint recycling by consumers. He said that consumers drop off paint at certain retail locations, and then CHES-Ironton picks up the paint and consolidates it into shipments of non-hazardous latex paint, which go to Green Sheen for recycling, or hazardous oil-based paint, which go to Clean Harbors' incinerator in Kimball, NE for disposal. Mr. Foster said that consumers' paint related material is considered household hazardous waste by CDPHE. Mr. Marti stated that PaintCare waste currently comprises approximately 10% of the total material that they process, but that it used to be a much larger amount. He said that PaintCare waste is brought in under Bills of Lading because it is household hazardous waste, but is then manifested to Clean Harbors-Kimball under CHES-Ironton's EPA ID number. Mr. Marti said that CHES-Ironton has a limit of only picking up approximately two gaylord boxes of PaintCare waste at a time (photos 1 and 2).

Regarding universal waste, Mr. Marti said that none is generated at this facility. He explained that truck and forklift maintenance is not done onsite, so no used oil is generated at this facility either. He also said that they only rarely accept universal waste or e-waste from customers.

Areas of the facility toured:

Mr. Rountree and Mr. Marti led us on a tour of the facility. We looked at the facility's processes, including hazardous waste management practices, the area in the warehouse where the waste is processed and segregated for transfer between trailers (photos 3 and 4), and the trailers parked at the loading docks. Only those areas in which we observed potential compliance concerns or noted pertinent activities are further discussed below.

Records Review:

We reviewed records and manifests related to the tracking of waste through CHES-Ironton, and the dates that it was received at and shipped from this facility. Jermaine Muckle, who processes the hazardous waste in the warehouse, discussed their paperwork and tracking process. Mr. Foster asked if the dates on the Clean Harbors barcode labels are the date that the waste is received at the facility. Mr. Muckle answered that the date is when the label is printed, which can occur before the waste is received at the facility.

CLOSING CONFERENCE

We held a closing conference with Mr. Rountree and Mr. Marti in which Mr. Foster and I summarized the concerns that we had noted during the walk-through inspection and the records review.

Concerns or Deficiencies:

Mr. Foster requested that CHES-Ironton update their notification status to reflect that they are operating as a 10-day transfer facility. He also explained that 10-day transfer facilities must follow certain requirements from 6 CCR 1007-3 Part 263, including:

- maintaining documentation that the ten-day storage requirement has been met
- conducting weekly inspections of areas where containers are stored
- contacting local emergency response authorities to make arrangements for emergency situations
- posting signs that read "Danger – Unauthorized Personnel Keep Out" at each entrance to the active portion of the transfer facility
- designating an emergency coordinator and posting their contact information

These deficiencies are detailed in CDPHE's Compliance Advisory (Attachment B) and the response from CHES-Ironton is in Attachment C.

INSPECTION FOLLOW-UP

EPA and CPDHE agree that containers of hazardous waste held on trailers parked at the loading docks are being held on the physical property of CHES-Ironton and are therefore not distinct from hazardous waste held in the warehouse.

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Date of Inspection: May 17, 2022

SIGNATURES

Lead Inspector: **KRISTIN MCNEILL** Digitally signed by KRISTIN MCNEILL
Date: 2022.08.15 14:55:55 -06'00'

RCRA/OPA Branch Chief: **JANICE PEARSON** Digitally signed by JANICE PEARSON
Date: 2022.08.15 15:19:29 -06'00'

ATTACHMENTS

Attachment A: Photo log

Attachment B: CDPHE Compliance Advisory to Clean Harbors-Ironton emailed May 27, 2022

Attachment C: Clean Harbors-Ironton response to CDPHE Compliance Advisory emailed June 27, 2022