RCRA Inspection Report

1) Inspector and Author of Report

Tarin Tischler
Life Scientist
Phone: 404-562-9702
tischler.tarin@epa.gov

U.S. Environmental Protection Agency, Region 4
Enforcement and Compliance Assurance Division
Chemical Safety and Land Enforcement Branch
RCRA Enforcement Section
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

2) Facility Information

Safety Kleen Systems, Inc.
600 Central Park Drive
Sanford, Florida 32771-6690

EPA ID#: FLD984171165
NAICS #: 562112 – Hazardous Waste Collection

3) Responsible Officials

Jeffrey Curtis
Environmental Health and Safety Manager
jeff.curtis@safety-kleen.com

4) Inspection Participants

Jeffrey Curtis, SK
Gary Howard, SK

Gina Laddick, FDEP
Tarin Tischler, USEPA
Bill Kappler, USEPA

5) Date of Inspection

March 12, 2024, 9:28 AM

6) Applicable Regulations[1]

Resource Conservation and Recovery Act (RCRA) Sections 3002, 3005 and 3007 (42 U.S.C. §§ 6922, 6925 and 6927), and the regulations promulgated pursuant thereto at 40 Code of Federal Regulations (C.F.R.) Parts 260-270, 273 and 279.

Florida Statutes (F.S.) Chapter 403.702 et seq., and the regulations promulgated pursuant thereto and set forth at the Florida Administrative Code (Fla. Admin. Code Ann. r.), Chapters 62-710, 62-730 and 62-750.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17], a large quantity generator (LQG) may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Section 403.722 of the Florida Statutes, Fla. Stat. § 403.722 [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies

1 As the State's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions will be to the authorized State program. However, for ease of reference, the federal citations will follow in brackets.

with the conditions listed in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17] (hereinafter referred to as the "LQG Permit Exemption").

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [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 Section 403.722 of the Florida Statutes, Fla. Stat. § 403.722 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.16(b) or §262.17(a)], except as required in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area (SAA) conditions listed in Fla. Admin. Code Ann. r. 62-730.160(1) [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 Safety Kleen Systems, Inc. compliance with the applicable requirements of RCRA and the corresponding Florida regulations. This was an EPA lead inspection.

8) Facility Description

Safety-Kleen Systems, Inc., Sanford's location (hereinafter, "SK", or the "facility") serves as a hazardous waste and used oil transporter and transfer facility, small quantity handler of universal waste (SQHUW) and large quantity generator (LQG) of hazardous waste. SK is a wholly owned subsidiary of Clean Harbors Environmental Services, Inc. SK employs fourteen people and the facility's typical hours of operation are from 7:00 a.m. to 5:00 p.m. Monday through Friday. This facility has been operating at this location since 1993. The facility occupies 3.2 acres.

Primarily, SK is an environmental service orientated company involved in the collection of hazardous waste, used oil, oily water, used antifreeze, and industrial non-hazardous waste. The facility's main line of business is leasing parts cleaning machines (parts washers) to businesses. As part of this service, SK provides mineral spirits (petroleum naptha) solvent for use in the machines. The parts washer solvent is returned in containers to the return and fill station at the facility and dumped into solvent receptacles (wet dumpsters). The used/dirty solvent containers are cleaned on-site inside the wet dumpster which contains a drum washer. This activity generates the bulk of the facility generated hazardous waste in the form of used parts washer solvent. Although the solvent used at Safety Kleen facilities is nonhazardous, the consolidated used solvent is managed as hazardous waste due to the potential contamination of toxic metals from parts washed in the solvent at customer facilities.

Containers of hazardous waste stored at the transfer facility warehouse may include aerosol, cans, flammable liquids, flammable solids, corrosives, toxics, other hazardous and non-hazardous waste. The transfer facility is operated on behalf of Safety-Kleen Systems, Inc., which

was issued a hazardous waste storage permit, Permit Number 22198-HO-008, on April 23, 2019. This permit expires on April 23, 2024.

9) Previous Inspection History

The Florida Department of Environmental Protection (FDEP) has conducted three RCRA CEIs at the subject facility since 2019 and found two violations during these inspections.

On April 20, 2022, FDEP conducted the most recent RCRA CEI at the subject Facility and found two apparent violations of RCRA's requirements for failure to close a satellite accumulation container and failure to prepare a manifest to transport hazardous waste. As a result, FDEP issued a Warning Letter to Safety Kleen Systems, Inc. on July 11, 2022, and consent order on July 28, 2022, and later verified that the Facility had returned to compliance on December 20, 2022.

10) Opening Conference

On March 12, 2024, EPA inspector Tarin Tischler, accompanied by EPA inspector William Kappler and FDEP Inspector Gina Laddick arrived at Safety Kleen Systems, Inc. at approximately 9:28 AM. Gary Howard, Branch General Manager, immediately received the inspectors. Jeffery Curtis, EHS Regional Manager, joined the inspectors for the opening conference. The inspectors introduced themselves, showed their credentials to the facility representatives and explained the purpose of the visit.

The inspectors described the anticipated use of equipment (iPad) during the inspection and provided a request for records. The EPA inspectors explained that 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. A copy of the EPA's information sheet for small businesses can be found at https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf. The EPA inspector also discussed the company'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.

Jeffrey Curtis provided an overview of the facility's history and current operations during the opening conference. The inspection participants also discussed health and safety protocols and required personal protective equipment before Facility representatives led the inspectors on a tour of the Facility operations. The local fire inspector was on site at the time of inspectors' arrival to the facility. The fire inspector was installing a new system to alert the fire department automatically when an alarm is triggered at the facility.

11) Inspection Observations

Safety Kleen Systems, Inc. (hereinafter SK or the "facility") manages a return and fill station for the consolidation of used parts washer solvent. Inspectors observed the dump and fill station at the time of the inspection.

Return and Fill/Dump and Fill Area:

This area consisted of a raised dock with two bays on opposite sides. One bay is used for incoming trucks to off load containers of used parts washer solvent onto the dock and the other bay is used as empty drum storage. Two wet dumpsters sat side by side in the middle of the dock (Photo 1). The wet dumpster is underlain by a 78' 9" × 54' 2" containment area. After trucks pull up to the dock, drums of used parts washer solvent are dumped into the wet dumpsters and pumped into the 20,000-gallon on-site hazardous waste tank. While the wet dumpsters have a capacity of 108-gallons each, no hazardous waste is stored here – each is equipped with an automatic flow gauge that triggers as soon as liquid is added to the wet dumpster. This automatically pumps waste material into the hazardous waste tank. Facility representatives informed inspectors that sludge and debris remaining in the wet dumpster is cleaned and moved to an SAA in the wet dumpster area each day as part of personnel's daily duties.

After a drum is emptied into the wet dumpster, it is placed on a rack inside the wet dumpsters and sprayed with water to rinse out residual solvent (Photo 2). Facility representatives informed inspectors the empty drums are staged on the dock near the wet dumpsters. Inspectors observed empty red 15 and 30-gallon containers labeled as parts washer product. Containers are marked with an SK label when picked up which is removed after solvent is placed in wet dumpster. Customers generating hazardous waste solvent get a hazardous waste label and all other containers are labeled as nonhazardous.

Facility representatives informed inspectors that the parts washer solvent is continuously reused while the solvent containers are attached to parts washers at the customer facilities. The solvent is not considered a waste until it is emptied into the return and fill station. SK is the generator of used solvent waste. The only other waste generated on site includes aerosols, contaminated PPE, universal waste lamps, and used oil retained from customer samples. No truck maintenance is performed on site.

Inspectors observed that the wet dumpsters were labeled with signs that read "danger no smoking," "combustible liquid" and an NFPA diamond. The wet dumpster was not labeled as hazardous waste as it does not accumulate waste and is transferred immediately to the hazardous waste tank on site. The solvent dumped into the wet dumpsters in the return and fill station is hard piped to the facility tank farm.

SK manages a SAA near the wet dumpster for the sludge and debris cleaned from the wet dumpster. Inspectors observed a 55-gallon container that was closed and labeled with the words "hazardous waste, toxic." The container was marked with a DOT flammable liquid placard (Photo 3).

Inspectors also observed three 55-gallon drums sitting on the edge of the dock. These containers were marked as brought in 3/4/2024. Two of the containers were labeled as nonhazardous and one was marked as hazardous waste with but missing the indication of hazard of the contents (Photo 4). Facility representatives informed inspectors that this container should have been dumped into the return and fill station upon arrival. Inspectors

informed facility representatives that any container storing hazardous waste must be marked and labeled with an indication of the hazardous of its contents. The container was dumped into the wet dumpster on site.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(5)(i)(B)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with an indication of the hazards of the contents.

Inspectors observed three 275-gallon totes of aqueous parts washer solution product in the return and fill area. Facility representatives informed inspectors that they perform gas tech on their aqueous solution to sniff for tetrachloroethylene when picking up from a customer, and a TCLP is performed when solvent is bulked for disposal. This procedure is in response to a Safety Kleen consent order for a facility in EPA Region 9.

Inspectors observed a line of ten hopper containers outside of the return and fill area labeled as used oil filters. Facility representative informed inspectors that the facility operates as a used oil and used oil filter transfer station. Used oil filters are transported to a facility in Ocala, FL. Used oil is stored in the tank farm at the facility and is sent to multiple designated facilities.

Inspectors observed an eye wash station, emergency shower, sprinkler, fire extinguisher, and alarm system in this area. SK stores empty containers on one side of the dock and clean solvent containers on the other. Inspectors also observed one 55-gallon container marked “military spec solvent.” Facility representatives informed inspectors that this solvent is a more refined product for military use.

<u>Transfer Facility storage area and Branch Facility CAA and SAA:</u>

SK operates a transfer facility which stores waste up to 10-days. The 10-day storage area is in the warehouse in a room adjacent to the dump and fill staton. Half of this area contained product storage on shelves and half contained waste storage on pallets (Photo 5). All 10-day transfer facility waste is stored in this room. SK operates a branch generated hazardous waste central accumulation area (CAA) and two SAAs co-located with the transfer facility waste on separate pallets in the corner of the rooms. Inspectors recommend a clearer distinction between the transfer waste and site generated waste for inspection purposes.

Branch generated waste CAA and SAA:

SK manages two SAA containers in this room in 55-gallon containers. One container stores hazardous waste aerosol cans and the other container stores branch PPE debris. Both containers were marked with the words “Hazardous Waste” and an indication of the hazards of the contents .

Inspectors observed four pallets of wastes in the CAA. One pallet contained samples of used oil samples, one pallet contained a cubic yard box of used hoses, one pallet with four product drums and one cubic yard box of used hoses double stacked on top of the drums, and one pallet contained four drums of hazardous waste. All four hazardous waste 55-gallon containers

were labeled with the words “hazardous waste, branch debris, toxic, ignitable.” The 55-gallon containers were dated 2/20/2024, 2/28/2024, and two were dated 2/29/2024.

Transfer Facility Waste (10-day Storage):

Inspectors observed 27 pallets of waste in containers ranging from 5-gallons, 55-gallons, 275-gallon totes, to cubic yard boxes in this area. Some of this waste was hazardous waste and some nonhazardous waste. The 10-day inventory is managed through a daily inspection checklist. The CAA waste is inspected daily as part of this inspection. All containers of hazardous waste were labeled with the words “hazardous waste,” an indication of the hazard of the contents, and the date they are brought onsite. The oldest date observed on a container was dated 3/4/2024 (eight days stored).

Inspectors observed an eye wash station, fire extinguisher, and spill kit in this area. The area was marked with “danger no smoking” signs.

<u>Tank Farm:</u>

The facility tank farm contains the following tanks (Photo 6):

- One used oil tank with a 12,000-gallon capacity. This tank was labeled “used oil” and was marked with an NFPA diamond;
- Two used oil tanks with a 20,000-gallon capacity. These tanks were labeled “used oil” and were marked with NFPA diamonds. Inspectors observed a small oil spot underneath a piece of equipment on a used oil tank (Photo 7). Facility representatives explained that a leak from the pump on the used oil tank had recently been repaired and the spill would be addressed as part of personnel’s daily duties. Inspectors requested photo documentation of the spill cleaned up following the inspection. These photos were received on March 19, 2024;
- One tank of clean solvent product with a 20,000-gallon capacity labeled solvent with an NFPA diamond and no smoking sign; and
- One hazardous waste used parts washer solvent tank with a 20,000-gallon capacity. This tank was labeled with the words “hazardous waste, waste solvent, Combustible Liquid” and was marked with a faded but legible NFPA label. Inspectors recommended this label be replaced to provide clearer hazard communication.

The secondary containment area for the tank farm was free of debris and standing liquid. The secondary containment is equipped with a closed loop drain that is checked twice daily for liquid accumulation. Inspectors observed a used oil caddy for leaks from the used oil tank within the secondary containment labeled as “used oil.”

The hazardous waste tank was equipped with tagging for LDAR monitoring. Facility representatives informed inspectors that the tank is level 1 and is visually inspected daily. The tank is equipped with a pressure relief device. Inspectors observed tagging on equipment connected to the hazardous waste tank within the tank farm. Facility representatives informed inspectors that the tank is hard piped to the wet dumpster, so no connection points are tagged from the wet dumpster to the tank farm outside of the secondary containment.

12) Records Review

Air Emission Subparts AA/BB/CC:

SK performs periodic characterizations of used parts washer solvents for the purposes of RCRA organic air requirements. Inspectors reviewed SK's most recent annual characterization performed in October 2021. This analysis of five samples determined the used solvent an average vapor pressure of 0.11kPA at 20 degrees Celsius. The used solvent was determined to be in heavy liquid service because the total concentration of vapor pressure greater than 0.3 kPA at 20 degrees Celsius is less than 20% by wight of the total process stream. Previous characterizations were conducted in December 2017 and July 2019. The first determination of SK used solvent in heavy liquid service was conducted in 1990.

Inspectors also observed the schematics diagram for the return and fill station and hazardous waste tank, and a list of the 34 applicable Subpart BB equipment items connected to the hazardous waste tank (Photo 8).

Contingency Pan:

The actions that facility personnel should take in response to an emergency are described in the facility's contingency plan, which was last updated in January 2021. Facility representatives informed inspectors that the plan is reviewed annually.

The plan 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 facility.

The plan describes arrangements agreed to with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers, local hospitals or the Local Emergency Planning Committee.

The plan lists the names and emergency telephone numbers for persons identified as emergency coordinators. Gary Howard is listed as the primary emergency coordinator, and the other individuals are listed in the order in which they will assume responsibility as alternates.

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 list appears to be up to date. 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 an evacuation plan for personnel. This plan describes signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

A copy of the contingency plan and its quick reference guide was submitted to the Sanford Police, Sanford Fire Department, and Central Florida Regional Hospital.

The quick reference guide includes 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; a map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; a street map of the facility in relation to surrounding businesses, schools and residential areas; the locations of water supply; the identification of on-site notification systems; and the name of the emergency coordinators and emergency telephone numbers.

Facility Inspections:

SK records daily inspections at the 10-day storage transfer facility and the CAA on SK's internal online data base. Inspections were available for the past three years. The facility is open Monday through Friday and does not conduct inspections on weekends.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) and 62-730.160(3) [40 C.F.R. § 262.17(a)(2)], which incorporates Fla. Admin. Code Ann. r. 62-730.180(2) [40 CFR 265.195(a-b)], (a)The owner or operator must inspect, where present, at least once each operating day, data gathered from monitoring and leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design. (b) Except as noted under the paragraph (c) of this section, the owner or operator must inspect at least once each operating day:(1) Overfill/spill control equipment (e.g., waste-feed cutoff systems, bypass systems, and drainage systems) to ensure that it is in good working order;(2) Above ground portions of the tank system, if any, to detect corrosion or releases of waste; and (3) The construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system (e.g., dikes) to detect erosion or signs of releases of hazardous waste (e.g., wet spots, dead vegetation).

The CAA inspection log is titled "CO Branch Generated Hazardous Waste" and includes a checklist to record observations for leaking containers and for deterioration of containers caused by corrosion or other factors. The inspection log includes a checklist to record observations about items such as the number of containers, observations on containers or containment area, container capacity, time and date of the inspection, and the inspector signature.

The 10-day transfer facility inspection log is titled "CO CSA (container storage area) Inspection" and includes a checklist to record observations about leaking containers and for deterioration of containers caused by corrosion or other factors. The inspection log includes a checklist to record observations about items such as container placement, container seals, labeling, container integrity, storage area condition, aisle space, exit signs, spill equipment, inspector signature, and date and time of the inspection.

SK records the visual daily inspections of the facility's tank system on an internal database. The tank inspection log is titled "CO Tank Systems" and includes a checklist to record observations about leaking tank equipment and for deterioration caused by corrosion or other factors. The inspection log includes a checklist to record observations about items such as the condition of

tanks, pipes, valves, and connections, the cleanliness of secondary containment, tank liquid levels, SAA container condition, and the condition of pressure relief valves, tank labels, monitoring equipment, connection box, and ladders.

SK also records daily inspections of the return and fill station on the facility's internal database. This inspection log is titled "CO Return and Fill Area" and includes a checklist to record observations about equipment in the return and fill area. The inspection log includes a checklist to record observations about items such as pumps and pump seals, valves, hose connections, unit lid, wet dumpster, secondary containment, and SAA containers.

Training Records:

The inspectors reviewed facility job descriptions and employee names that were provided for the Sales and Service Representative, Material Handler, Branch Administrator, Customer Service Manager, Account Manager, and Branch General Manager. Each description included the requisite skill, education, or other qualifications, and duties of facility personnel assigned to that position.

SK provided a written description of the type and amount of both introductory and continuing training to be given to each person filling the positions listed above. The inspectors reviewed records of employee hazardous waste training completed since the date of the last FDEP inspection in April 2022. The most recent annual hazardous waste trainings were conducted on 9/11/2023 and 3/11/2024 for 13 personnel.

Waste Determination Documentation:

Inspectors reviewed the Safety Data Sheets (SDS) for the standard parts washer solvent and the military spec solvent. Both SDS's demonstrated a flashpoint of greater than 140 degrees Fahrenheit.

Manifests:

Inspectors reviewed incoming and outgoing uniform hazardous waste manifests for waste stored in the 10-day transfer facility and outgoing manifests for SK generated waste. Land Disposal Restriction documentation accompanied all manifests. Waste generated by very small quantity generators (VSQGs) is documented on a different shipping document than a uniform hazardous waste manifest.

13) Closing Conference

The inspectors conducted the exit meeting with Gary Howard and Jeffrey Curtis. During this meeting, the inspectors stated their preliminary conclusions of the inspection. SK agreed to provide an excel sheet of the transfer facility inspection logs by March 31. On 3/13/2024, Jeffrey Curtis provided the 2023 transfer facility inspection logs in an email to Tarin Tischler and Gina Laddick.

14) List of Attachments

Attachment 1 – Photo Log

15) Signed

TARIN TISCHLER

Digitally signed by TARIN TISCHLER
Date: 2024.05.24 12:35:40 -04'00'

Tarin Tischler
Life Scientist

16) Concurrence

ALAN NEWMAN

Digitally signed by ALAN NEWMAN
Date: 2024.05.29 08:21:47 -04'00'

Alan Newman, Acting Chief
RCRA Enforcement Section

Appendix 1 – Photo Log

8 Photos taken on: 3/12/2024

Photos taken by: Tarin Tischler

Photos taken with: EPA iPad

	Photo 1 – Labeling on Wet Dumpsters in the return and fill area
	Photo 2 – Drying rack in west dumpster in return and fill area

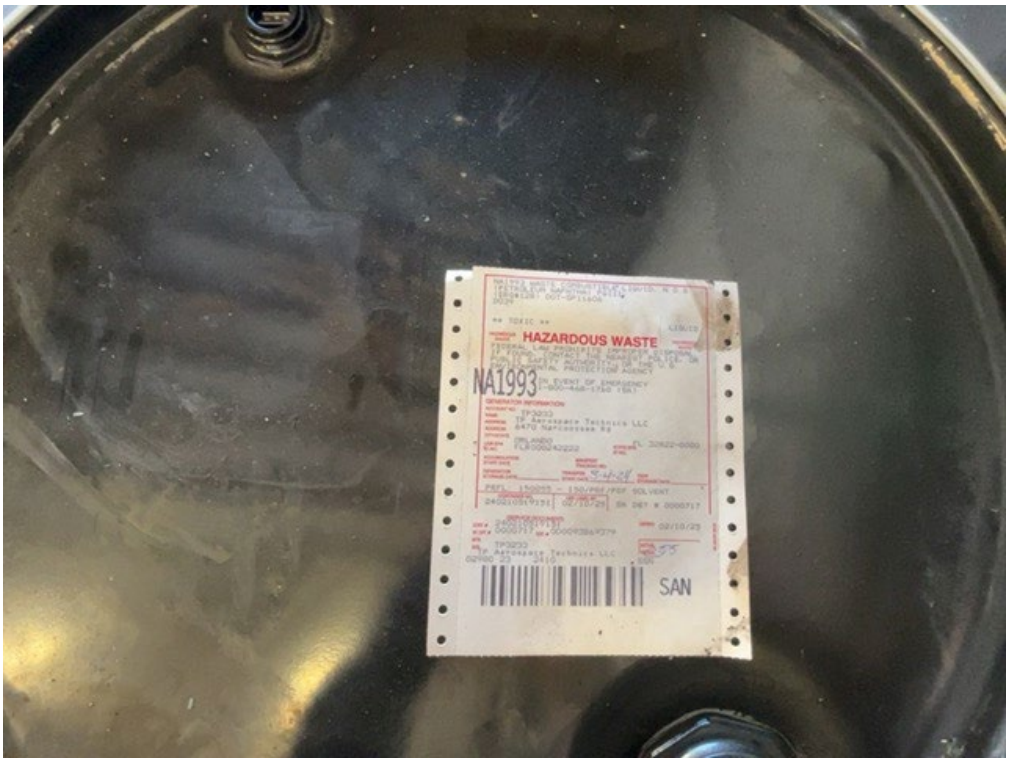
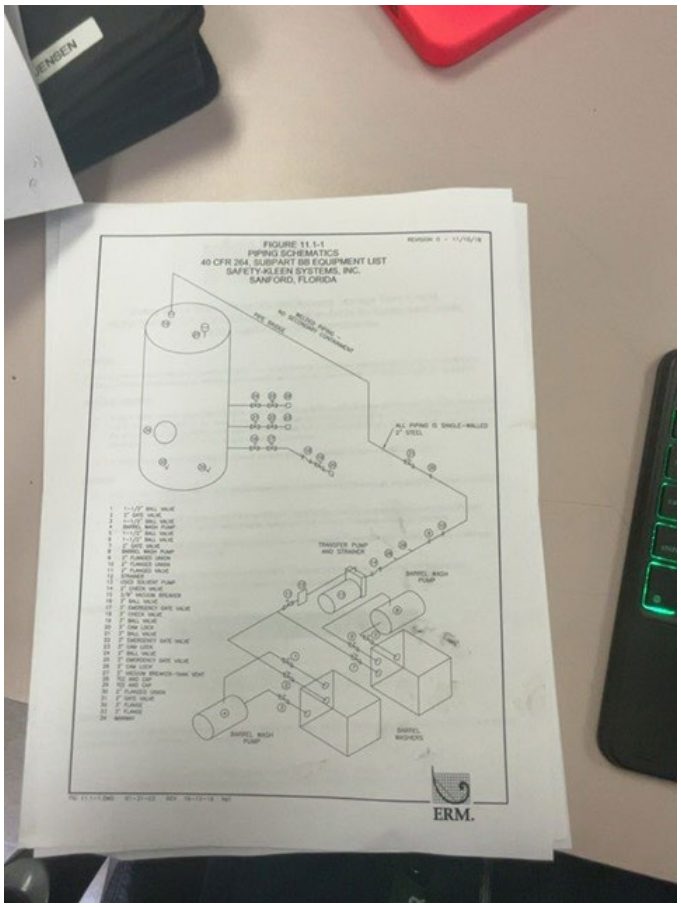
	Photo 3 – Satellite Drum in return and fill area.
	Photo 4 – Hazardous waste container in return and fill area missing indication of hazards.

	Photo 5 - 10-day and 90-day storage area
	Photo 6 - Safety Kleen Tank Farm

	Photo 7 - Oil Leak from used oil tank
	Photo 8 – Tank schematics and equipment list