

RCRA Inspection Report

1) Inspector and Author of Report

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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.
125 Sommerville Park Road
Raleigh, NC 27603

EPA ID#: NCD000776740
NAICS #: 532490 – Other Commercial and
Industrial Machinery and Equipment Rental
and Leasing; 484220 – Specialized Freight
(Except Used Goods) Trucking, Local; 484230
– Specialized Freight (Except Used Goods)
Trucking, Long-Distance; 562112 – Hazardous
Waste Collection

3) Responsible Officials

Todd M. Blake
Sr. Environmental Compliance Manager
todd.blake@safety-kleen.com

4) Inspection Participants

Todd Blake, Safety-Kleen
Beau Wildenhain, Safety-Kleen

Robert Nelms, North Carolina Department of
Environmental Quality (NCDEQ)
Jack Kitchen, NCDEQ
Mark Anthony Relon, USEPA

5) Date of Inspection

July 13, 2023, 8:55am

6) Applicable Regulations¹

Resource Conservation and Recovery Act (RCRA) Sections 3002 (42 U.S. Code – Annotated U.S.C.A. 6925 and 6927), and 40 Code of Federal Regulation (C.F.R.) Parts 260 - 270, 273, 278, & 279; The North Carolina Solid Waste Management Law, N.C.G.S. § § 130A-17 to -28 and 130A-290 to - 310.22, and North Carolina Hazardous Waste Management Rules, 15A NCAC 13A .0101 to .0119; and Hazardous Waste Permit NCD000776740R3.

Pursuant to 15A NCAC 13A .0102(b) [40 C.F.R. § 260.10], a large quantity generator of hazardous waste (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste in a calendar month.

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.

Pursuant to 15A NCAC 13A .0119(a) [40 C.F.R. § 273.9], a small quantity handler of universal waste (SQHUW) is a universal waste handler who does not accumulate 5,000 kilograms or more of universal waste (batteries, pesticides, mercury-containing equipment, lamps, or aerosol cans, calculated collectively) at any time.

Pursuant to 15A NCAC 13A .0107(a) [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 any 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 Sections 130A-294(c) and (g) of the NCSWML, N.C.G.S. § 130A-294(c) to (g) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 15A NCAC 13A .0107(a) [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.15] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17], an LQG may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Sections 130A-294(c) and (g) of the NCSWML, N.C.G.S. § 130A-294(c) to (g) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG 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. (hereinafter, “SK”) compliance with the conditions of its RCRA Hazardous Waste Facility Operating Permit [NCD000776740R3], the applicable requirements of RCRA and the corresponding North Carolina regulations. This was an EPA lead inspection.

8) Facility Description

SK owns and operates a hazardous waste collection facility in Wake County, North Carolina. The facility has an area of approximately 3 acres consisting of three (3) container storage areas and a tank farm. Approximately 12 employees work at the facility. The facility’s days and hours of operation are from Monday to Friday, 6am-6pm. Access to the facility is controlled through a locked, security door at the front entrance.

The facility is a Large Quantity Generator (LQG) and Treatment, Storage, and Disposal Facility (TSDF) with their latest notification dated February 4, 2022. Hazardous wastes generated at the facility include, but are not limited to, the EPA waste codes D001, D004-D011, D018, D019, D021-D030, D032-D043, F002, F003. Safety-Kleen’s Hazardous Waste Facility Permit (NCD000776740R3) was issued on August 14, 2019, and expired on August 18, 2024.

Safety-Kleen provides environmental services, oil re-finishing, and cleaning solutions. The facility’s parts washer provides services such as removing and replenishing used solvents. The facility reclaims used oil and offers solvent collection and reclamation services to customers. Safety-Kleen Systems Inc. (Safety-Kleen) is an international service-oriented company whose

customers are primarily engaged in automotive repair, industrial maintenance, and dry cleaning. The company has been operating since 1968 offering solvent collection and reclamation services for over 400,000 customers.

Currently, Safety-Kleen offers several services, two (2) of which involve the accumulation and storage of spent solvents, fluids, and other wastes at service centers throughout the United States, Canada, and Puerto Rico. These wastes are shipped from the service centers to one of Safety-Kleen's recycle centers, to an independent permitted reclaimer, or to another authorized facility and then may be returned to customers as usable product. The hazardous wastes accepted by Safety-Kleen include spent parts washer solvent, spent immersion cleaner, spent antifreeze, paint waste, paint booth filters, gasoline filters, and metal halide light bulb parts. The Raleigh facility has been in operation since 1977. In December 2012, Safety-Kleen was purchased by Clean Harbors, Inc.

9) Previous Inspection History

North Carolina Department of Environmental Quality (NCDEQ) has conducted three (3) RCRA CEIs at the facility between 2020 and 2023 and found no violations during those inspections.

On June 28, 2022, NCDEQ conducted the most recent RCRA CEI at the facility and found no apparent violations of RCRA's requirements.

10) Opening Conference

On July 13, 2023, EPA inspector Mark Anthony Relon, accompanied by NCDEQ inspectors Robert Nelms and Jack Kitchen, arrived at SK at approximately 8:55am. Beau Wildenhain, Branch Manager, immediately received the inspectors. Beau Wildenhain, and the inspectors were joined by Todd Blake, for the opening conference. The inspectors introduced themselves, showed their credentials to Beau Wildenhain and Todd Blake, and explained the purpose of the visit.

The inspectors described the anticipated use of equipment (digital camera) during the inspection and provided a request for records. The EPA inspector 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.

Beau Wildenhain and Todd Blake 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.

11) **Inspection Observations**

West Drum Storage Room

SK manages a permitted storage area in the West Drum Storage Room for managing immersion cleaner wastes, aqueous parts washer solvent, Perchloroethylene waste, new project and empty containers that is generated by various processes such as received waste from generators, cleaning washer parts, etc. The inspectors observed one 55-gallon container in this area. The container was equipped with a latching lid, which was closed (Figure 2). The container was marked as “SAMPLES-RAL”, labeled D008, D018, D039, D040 hazardous waste “Retain/Oil Samples,” and identified with an indication of the hazards of the contents (Figure 1).

Inspectors observed a no smoking sign within the permitted storage area (Figure 3).

Clean Mineral Spirits Area

SK manages a SAA in the Clean Mineral Spirits Area for managing hazardous waste branch debris that is generated by materials such as rags used to clean and move product along the process. The inspectors observed one 55-gallon container in this SAA. The container was located near the entrance to the Clean Mineral Spirits Area, and it was equipped with a latching lid, which was closed (Figure 4). The container was marked as “DEBRIS-RAL”, labeled D001, D004 through D007, D009 through D011...D043 hazardous waste “Branch Debris (Solid)”, and identified with an indication of the hazards of the contents (Figure 5).

Return and Fill Station

SK manages a SAA in the Return and Fill Station for managing hazardous waste debris from parts washer that is generated by cleaning the container washer/dumpster units. The inspectors observed one 50-gallon container in this SAA (Figure 9). The container was located adjacent to the container washer, and it was equipped with a latching lid, which was closed. The container was marked as “SOLVSLDG-RAL”, labeled D001, D006, D008, D018, D039, D040 hazardous waste “Solvent Sludge – Branch Generated, and identified with an indication of the hazards of the contents (Figure 8).

Inspectors also observed one 35-gallon container to be emptied into the drum washer unit where it is sent to Tank No.3 in their tank farm (Figures 6 and 7). The container was labeled hazardous waste and included an accumulation/storage start date.

Tank Farm

SK manages a total of five (5) above ground storage tanks (AST) in their tank farm area; four (4) 15,000-gallon ASTs and one 10,000-gallon AST. One AST (Tank No.3) in their tank farm area is for managing hazardous waste mineral spirits that is generated by various processes such as received wastes from generators and maintenance (Figure 10). Three (3) AST stores used oil (Tank No. 1, 4, and 5) and one AST stores clean mineral spirits (Tank No.2).

The inspectors observed one 55-gallon container in this area. The container was located outside the secondary containment, and it was equipped with a latching lid, which was closed. The container was labeled hazardous waste and identified with an indication of the hazards of the contents.

Inspectors observed tag numbers 1, 4, 6, 13, and 14 for Tank No. 3 (Figures 11 through 14). The tags observed were weathered and partially illegible. Inspectors recommended facility personnel to replace the tags.

Pursuant to 15A NCAC 13A .0107(a) [40 C.F.R. § 262.17(a)(2)], which incorporates 15A NCAC 13A .0110(t) [40 C.F.R. Part 265, Subpart BB], and is a condition of the LQG Permit Exemption, a generator accumulating hazardous waste in tanks must comply with the RCRA Subpart BB organic air emission standards for equipment leaks, including, but not limited to, each piece of equipment to which this subpart applies shall be marked in such a manner that it can be distinguished readily from other pieces of equipment. 15A NCAC 13A .0109 [40 C.F.R. § 264.1050(d)].

Inspectors observed Tank No.5 labeled Used Oil (Figure 15). Tank No. 1 and 4 were also labeled Used Oil.

10-Day Transfer Area/90-Day Area

SK manages a hazardous waste Central Accumulation Area (CAA) in the 90-Day Area. This area also includes the 10-Day Transfer Area but is separated into separate sections. The area was identified with a sign which read “danger, hazardous waste storage.” SK manages ignitable waste in this CAA, and the inspectors observed “No Smoking” signs posted on the wall.

The CAA is equipped with an internal communications or alarm system capable of providing immediate emergency instruction to facility personnel; it is equipped with a device capable of summoning emergency assistance from local police departments, fire departments, or state or local emergency response teams; it is equipped with portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment; and it is equipped with water to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray system.

SK manages universal waste aerosol cans in this area (Figure 16). The inspectors observed one 55-gallon container of universal waste aerosol cans in this area during the inspection. The container was closed and marked with an accumulation start date, was labeled universal waste aerosol cans. The date observed on the container was July 9, 2023.

12) Records Review

Contingency Plan and Quick Reference Guide (QRG):

The actions that facility personnel should take in response to an emergency are described in the facility’s Contingency Plan.

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. Robert (Beau) Wildenhain 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 signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

A copy of the Contingency Plan (and its quick reference guide) was most recently submitted to the police department, fire department, hospital in July 2021.

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 coordinator(s) and emergency telephone number(s).

Training Records:

The inspectors reviewed facility job descriptions and employee names. 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 in 2022.

Waste Manifest and Land Disposal Restriction (LDR) Records:

The inspectors reviewed available hazardous waste manifest records and land disposal restriction forms for shipments of hazardous waste sent since 2022. Hazardous waste manifest records show that D039 hazardous waste combustible liquid (petroleum naphtha) routinely shipped to Safety-Kleen Systems, Inc. (KYD052248108), Safety-Kleen Systems, Inc. (SCD077995488), or Clean Harbors (TXD055141378); and the most recent shipment was made on July 7, 2023.

The facility's records did not include a signed return copy of hazardous waste manifest number 008641611SKS for a shipment of D001, D018, D039, D040 hazardous waste combustible liquid (petroleum naphtha) to Safety-Kleen Systems, Inc. (KYD053348108) on January 11, 2023. No records were provided to show that SK contacted the transporter or the owner or operator of the designated facility to determine the status of this waste, and SK did not submit exception reports

for these missing manifests. Facility provided a written exception report after creating one during the time of the records review.

Pursuant to 15A NCAC 13A .0107 [40 C.F.R. § 262.42(a)(1)], a generator of 1,000 kilograms or greater of hazardous waste in a calendar month, or greater than 1 kg of acute hazardous waste listen in § 261.31 or § 261.33(e) in a calendar month, who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 35 days of the date the waste was accepted by the initial transporter must contact the transport and/or the owner or operator of the designated facility to determine the status of the hazardous waste.

Weekly Inspection Records:

The inspectors reviewed SK's available records of inspections of the hazardous waste central accumulation area (CAA) since 2022 calendar year. The inspection log 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 aisle space, container stacking, legible container labels, closed lids and bungs, condition of containers, housekeeping, emergency communication, fire extinguisher, spill response kit, etc. The records include the date and time of the inspection and the name, signature and initials of the employee conducting the inspection. Employees do routinely record inspection observations and subsequent follow-up actions on the inspection log.

13) Closing Conference

The inspectors conducted the exit meeting at 12:15pm with Todd Blake and Beau Wildenhain. During this meeting, the inspectors stated their preliminary conclusions of the inspection. SK agreed to provide the facility operating log. On August 4, 2023, Todd Blake provided facility operating log in an email to Mark Anthony Relon, Robert Nelms and Jack Kitchen.

14) List of Attachments

Attachment 1 – Photo Log:

15) Signed

MARK ANTHONY RELON Digitally signed by MARK ANTHONY RELON
Date: 2023.09.29 12:09:51 -04'00'

Mark Anthony Relon
Environmental Engineer

16) Concurrence

BROOKE YORK Digitally signed by BROOKE YORK
Date: 2023.09.29 12:18:20 -04'00'

for Araceli B. Chavez
RCRA Enforcement Section

Attachment 1 – Photo Log

16 Photos taken on: July 13, 2023

Photos taken by: Mark Anthony Relon

Photos taken with: Kodak PixPro Digital Camera

EPA Property Tag: SX9088

Attachment 1- Safety-Kleen Systems, Inc.
RCRA CEI Photographs



Figure 1: 9:38 AM West Drum Storage Room
One 55-gallon container with hazardous waste label, and indication of the hazards of the contents.



Figure 2: 9:38 AM West Drum Storage Room
One 55-gallon container with hazardous waste label, and indication of the hazards of the contents.



Figure 3: 9:43 AM West Drum Storage Room
No smoking sign in permitted storage room.



Figure 4: 9:51 AM Clean Mineral Spirits Area
One 55-gallon container with hazardous waste label, and indication of the hazards of the contents.

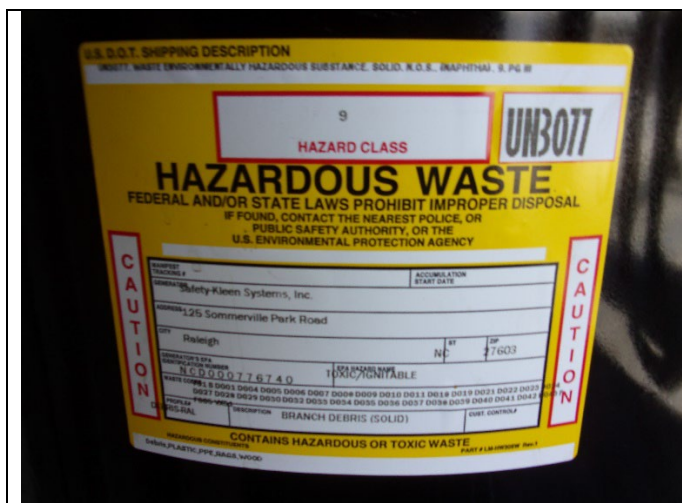


Figure 5: 9:51 AM Clean Mineral Spirits Area
One 55-gallon container with hazardous waste label, and indication of the hazards of the contents.



Figure 6: 9:57 AM Return and Fill Station
One 35-gallon container with hazardous waste label, and indication of the hazards of the contents.



Figure 7: 9:57 AM Return and Fill Station
One 35-gallon container with hazardous waste label, and indication of the hazards of the contents.

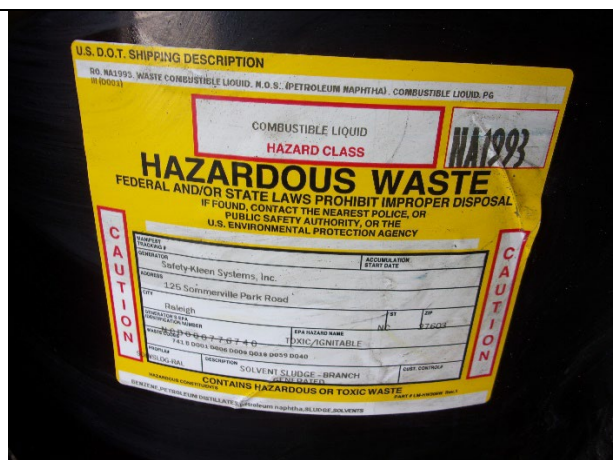


Figure 8: 9:58 AM Return and Fill Station
One 50-gallon container with hazardous waste label, and indication of the hazards of the contents.

	
Figure 9: 9:58 AM Return and Fill Station One 50-gallon container with hazardous waste label, and indication of the hazards of the contents.	Figure 10: 10:00 AM Tank Farm Hazardous waste parts washer solvent tank (Tank #3) with Hazardous Waste label and National Fire Protection Association (NFPA) label.

	
Figure 11: 10:02 AM Tank Farm Tag number partially illegible.	Figure 12: 10:02 AM Tank Farm Tag #6 weathered and partially illegible.



Figure 13: 10:04 AM Tank Farm
Tag #4 partially illegible.



Figure 14: 10:04 AM Tank Farm
Tag #4 partially illegible.



Figure 15: 10:06 AM Tank Farm
Tank #5 labeled Used Oil.



Figure 16: 10:20 AM 10-Day Transfer Area/90-Day Area
One 55-gallon container labeled Universal Waste Aerosol Cans.