

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

**Safety-Kleen Systems, Inc.
2700 West Second Street
Grand Island, Nebraska 68803**

EPA ID Number: NED053316535

On

February 1, 2022

By

**U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 7
Environmental Sciences and Technology Division**

1.0 INTRODUCTION

I performed a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Safety-Kleen Systems, Inc., (Safety-Kleen) located in Grand Island, Nebraska, on February 1, 2022. I conducted the RCRA inspection under the authority of RCRA Section 3007(a), as amended, and the RCRA hazardous waste management permit issued to Safety-Kleen. During the inspection, I collected the information and data necessary to determine compliance with the applicable RCRA regulatory and statutory requirements. This report and attachments present the results of the inspection. Safety-Kleen was last inspected for compliance with RCRA on June 15, 2021, by the Nebraska Department of Energy and Environment (NDEE). Two RCRA violations were identified from the NDEE inspection.

- Failure to keep a hazardous waste container closed.
- Failure to maintain chemical resistant sealant on the secondary containment for the hazardous waste storage tank.

2.0 PARTICIPANTS

Safety-Kleen

Howard Williams, Branch Manager

Mori Sorenson, Vice President Environmental Compliance (exit conference)

James Anderson, Senior Environmental Compliance Manager (exit conference)

Environmental Protection Agency Region 7

Kenneth Herstowski, Environmental Engineer, ECAD/CB/RCRA (Lead Inspector)

INSPECTION PROCEDURES

At about 08:35, I arrived at Safety-Kleen. A drive-by visual observation was completed from Second Street with no findings. I proceeded to the Safety-Kleen office to ask for Mr. Williams as the facility contact. Mr. Williams arrived shortly thereafter, and I introduced myself and explained the purpose of my visit was to conduct a RCRA CEI. We adjourned to Mr. Howard's office where I proceeded with the entrance conference.

I explained the purpose and procedures of the RCRA CEI to Mr. Williams. I provided a copy of RCRA Section 3007 which provides inspection authority. I presented Mr. Williams with a copy of Title 18 United States Code, Sections 1001 and 1002, which provides for penalties if false and/or misleading information is provided to Federal representatives, and for the possession and use of fraudulent documents. Mr. Williams was made aware of his confidentiality rights and was informed that a Confidentiality Notice would be provided at the end of the inspection for them to make a confidential business information claim. Mr. Williams acted as the primary facility representative during the inspection.

I followed the inspection procedures discussed in the RCRA CEI Standard Operating Procedure (No. 2321.1D), unless noted differently. I completed checklists and other inspection related documents and collected photocopies that are included as attachments to this report. I collected two photographs with a digital camera.

During the inspection, discussions consisted of the facility operations, wastes generated, waste management practices, and an evaluation of RCRA air emissions compliance. I conducted a visual inspection of the hazardous waste storage tank including ancillary equipment and facilities, the hazardous waste container storage area, used oil tanks and railroad tank car.

A Notice of Preliminary Findings (NOPF) was issued to the facility at the conclusion of the inspection (attachment 1). Documents and records were collected during the inspection and a Receipt for Documents and Samples was prepared and signed by Mr. Williams (attachment 2). A Confidentiality Notice in which the facility did not claim any records or documents as confidential business information was prepared and signed by Mr. Williams (attachment 3). Two photographs were taken during the inspection (attachment 4). A photographic log was prepared (attachment 5). I obtained aerial photographs of the facility using Google Earth (attachment 6). An annotated facility map is included (attachment 7). A site-specific inspection checklist was prepared and completed.

February 1, 2022

At about 08:30, I arrived at the Safety-Kleen facility and conducted a drive by inspection. No issues were identified from the drive by inspection. I proceeded to the facility parking lot and entered the office entrance. I introduced myself, stated my purpose to conduct a RCRA CEI, and asked to see Mr. Williams. Mr. Williams was summoned and arrived shortly after. I introduced myself and stated the purpose of my visit was to conduct a RCRA CEI. I went to Mr. Williams's office and presented my EPA credentials and explained the purpose and procedures of the inspection. After the entrance discussions, I conducted a visual inspection of the facility. Mr. Williams accompanied me during the visual inspection. The areas reviewed included:

- Spent solvent return and fill area.
- Hazardous waste container storage area.
- Hazardous waste storage tank.
- Used oil storage tanks.
- Used oil railroad tank car.

Following the visual inspection, I requested and reviewed records (attachment 8).

After completing the records review, I summarized my findings and recommendations in an exit conference with Messrs. Williams, Sorenson, and Anderson. I provided Mr. Williams with a Confidentiality Notice and a Receipt for Documents and Samples which he signed as acknowledgement of receipt. I provided Mr. Williams with a copy of the Confidentiality Notice (yellow copy of the completed carbonless transfer set) and Receipt of Documents and Samples (yellow copy of the completed carbonless transfer set). I reviewed and discussed my findings detailed in the NOPF. I provided Mr. Williams the NOPF which he signed as acknowledgement of receipt. I provided a copy of the NOPF with "Instructions for Responding to a Notice of Preliminary Findings (NOPF)" printed on the reverse of the copy to Mr. Williams (yellow copy of the completed carbonless transfer set). I discussed providing a response to the NOPF. I described my process and timeline for converting field and record review observations into an inspection report. I provided and discussed compliance assistance information.

3.0 FINDINGS AND OBSERVATIONS

3.1 General Information/Facility Description

Safety-Kleen is located in Grand Island, Nebraska, in an area zoned for commercial use. The facility began operations in 1992. The site has one building that contains Safety-Kleen's offices, product/inventory storage area and a hazardous waste storage area. The site has one tank farm containing the 12,000-gallon hazardous waste storage tank, one 20,000-gallon [clean] parts washer solvent tank, two 20,000-gallon used oil tanks and one 20,000-gallon oily water tank. Adjacent to the tank farm is the solvent return and fill dock. The facility is surrounded by security fencing with locked access gates.

Safety-Kleen is a wholly owned subsidiary of Clean Harbors, Inc. Clean Harbors through the Safety-Kleen brand offers an array of environmental services and complementary products to a range of customers including automobile repair shops, car and truck dealers, metal fabricators, machine manufacturers, fleet maintenance shops and other automotive, industrial, and retail customers. Safety-Kleen business offers a line of specially designed parts washers to customer locations and then delivers recurring service that includes machine cleaning and maintenance and the disposal of the spent solvent. Safety-Kleen picks up and transports hazardous and non-hazardous containerized waste for recycling or disposal, primarily through Clean Harbors' network of recycling and waste treatment and disposal facilities. Safety-Kleen collects used oil which serves as feedstock for oil refineries. Safety-Kleen markets and sells the re-refined oil.

At the Grand Island facility, the core activities include distribution of parts washer machinery and degreasing solvents and washes, paint solvents, collection of spent parts washer solvent and washes, used oil collection, and containerized waste services (photographic wastes, spent paint solvents and paint wastes, dry cleaning wastes, and spent carburetor cleaners). The Grand Island facility operates a less than 10-day transfer facility for containerized hazardous waste.

3.2 RCRA Status

The Notification Acknowledgement/Verification Report (attachment 9) indicates that Safety-Kleen is a large quantity generator of hazardous waste, a hazardous waste transfer facility, and a treatment/storage/disposal facility. Additionally, Safety-Kleen is a small quantity handler of universal waste. Safety-Kleen was issued the current RCRA hazardous waste management permit (RCRA Permit) for storage of hazardous wastes at one container storage area and in one above ground storage tank on October 13, 2017. The RCRA Permit will expire

October 13, 2022, unless an application for a new hazardous waste permit is submitted in accordance with 40 Code of Federal Regulation (CFR) 270.51.

3.3 Hazardous Waste Streams and Management

Safety-Kleen generates hazardous wastes which exhibit one or more hazardous waste characteristics of ignitability, corrosivity, or toxicity. The EPA hazardous waste codes managed by Safety-Kleen are shown on the Notification Acknowledgement/Verification Report (attachment 9). Mr. Williams did not identify changes to the information in the Notification Acknowledgement/Verification Report during this inspection. The following table summarizes the wastes with the highest generation rates.

Waste Stream and Waste Handling Table Safety-Kleen Systems, Inc. – Grand Island, NE					
Name of Waste Stream	Generating Process	Hazardous Determination	Estimated Annual Generation Rate	On-Site Management	Off-Site Management
1) Spent Solvent	Pickup of spent solvent from customers; in drums - bulked into spent solvent storage tank	Hazardous (D001, D018, D039, D040) by product/process knowledge and/or testing	300,890 pounds (2021)	Stored in 12,000-gallon hazardous waste tank upon receipt; shipped offsite about every two months	Safety-Kleen Dolton, IL ILD980613913 (recycling)
2) Branch Debris	Adsorbents, rags and personal protective equipment waste from customer pickups and onsite waste management	Hazardous (D001, D018, D039, D040) by product/process knowledge and/or testing	2,293 pounds (2021)	55-gallon satellite accumulation drum at return/fill dock, transferred to container storage area when full; shipped offsite	Clean Harbors Environmental Systems, Inc., Kimball, NE NED981723513 (incineration)
3) Dumpster Sludge	Sludge removed from the spent solvent return dumpster	Hazardous (D001, D018, D039, D040) by product/process knowledge and/or testing	458 pounds (2021)	55-gallon satellite accumulation drum at return/fill dock, transferred to container storage area when full; shipped offsite quarterly	Clean Harbors Environmental Systems, Inc., Kimball, NE NED981723513 (incineration)

Waste Stream and Waste Handling Table Safety-Kleen Systems, Inc. – Grand Island, NE					
4) Used Oil Retain Samples	Samples of used oil collected from customers	Hazardous (D008, D018, D039, D040) by product/process knowledge and/or testing	1,375 pounds (2021)	Individual samples are held in cabinets in the container storage area, consolidated into 55-gallon drums and shipped offsite quarterly	Clean Harbors Environmental Systems, Inc., Kimball, NE NED981723513 (incineration)

Safety-Kleen annually recharacterizes hazardous wastes in accordance with a waste analysis plan in the RCRA Permit. The annual recharacterization completed each year is used as the basis for the hazardous waste codes used in the following year. I obtained the hazardous waste recharacterization reports for 2020, 2021, and 2022 (attachment 10).

I observed no apparent issues or findings related to hazardous waste characterization.

Safety-Kleen is a small quantity handler of universal waste which is discussed in Section 3.11.

Safety-Kleen manages used oil collected from customer which is discussed in Section 3.12.

3.4 Container Storage Area

The container storage area is located at the north half of the office/warehouse (attachment 7). The RCRA Permit container storage capacity limit is 10,240 gallons. I visually inspected the Container Storage Area on February 2, 2022. I was accompanied by Mr. Williams. I observed containers of hazardous and non-hazardous waste in the Container Storage Area. Mr. Williams stated that the observed waste containers in the Container Storage Area were transfer wastes. I obtained copies of hazardous waste manifests and bills of lading for the containers of transfer wastes (attachment 11). The containers of wastes observed were consistent with the manifests and bills of lading. I visually inspected the condition of the secondary containment which was in good condition. I observed the secondary containment collection sumps were free of liquids.

NOPF #1: Permit Condition D.9.c. Incompatible waste not separated – flammable liquids stacked on oxidizer containers.

I observed two five-gallon containers of “Waste Paint Related Material” stacked on top of containers of “Waste Oxidizing Solid” (attachment 4, photograph 1). I obtained a copy of the “Hazardous Materials Load and Segregation Chart” used by Safety-Kleen (attachment 12). In accordance with the chart, oxidizers and flammable liquids must be separated when stored. After taking photographs of the containers, Mr. Williams relocated the flammable waste containers thus separating them from the oxidizer containers.

3.5 Hazardous Waste Tank

The Hazardous Waste Tank is located in a tank farm on the east side of the facility (attachment 7) in a concrete secondary containment with four other tanks. The Hazardous Waste Tank has a capacity of 12,000 gallons and is located in the northwest corner of the tank farm. The tank is nominally filled to a maximum of 11,438

gallons. I read the tank level gauge on February 1, 2022, as 7 feet 8 inches. The maximum fill level used by Safety-Kleen is 16 feet 6 inches corresponding to a volume of 11,438 gallons.

Each of the other [four] tanks in the tank farm have a capacity of 20,000 gallons. One tank in the southeast corner of the tank farm is used to store clean parts washer solvent for distribution to customers. One tank in the northeast corner of the tank farm is used to store oily water. The remaining two tanks store used oil. Piping to transfer hazardous waste into the tank from the spent solvent return dumpster is above ground between the return/fill dock and the tank farm and is insulated.

The Hazardous Waste Tank is a vertical carbon steel fixed roof tank designed and constructed to Underwriter Laboratories Standard 142. The tank is nominally 12,000 gallons capacity and is 10 feet 6 inches in diameter and has a vertical shell height of 18 feet 5 inches. The tank has a dished bottom and flat top and is installed on a 2-foot-high tank skirt. The tank has two 24-inch manways for access into the tank – one shell manway near the base of the tank and one manway in the roof of the tank and various threaded couplings for equipment and piping connections. The tank is equipped with mechanical [tape] level indicator and buzzer and strobe light high-level alarm. Hazardous waste is pumped into the hazardous waste storage tank from the spent solvent return dumpster through a fill pipe extending through the top of the tank. Hazardous waste is removed from the hazardous waste storage tank via piping attached near the base of the tank. The Hazardous Waste Tank was last inspected for tank integrity on April 26, 2021.

The hazardous waste storage tank is equipped with a pressure/vacuum vent located on the roof of the tank to relieve pressure from working and breathing losses. The 24-inch manway on the top of the tank is gasketed and is provided with 4-inch-long shoulder bolts to allow for emergency venting of the tank. The hazardous waste storage tank has no ladder or other means to access the top of the tank. The portion of the tank visible from the ground and secondary containment were in good condition. The secondary containment was free of liquids.

I observed no apparent issues or findings related to the hazardous waste tank.

3.6 Satellite Accumulation in Containers

Safety-Kleen has two satellite accumulation containers located adjacent to the spent solvent return dumpsters. One container is used for sludge removed from the sump in the spent solvent return dumpster which is referred to as “dumpster sludge.” The second container is used for absorbents, rags, and personal protective equipment, used at the spent solvent return and the fill area and from servicing parts washes at customer locations. The satellite containers were closed with the lid openings bolted and marked with a hazardous waste label, hazardous waste description, hazardous waste codes, and indication of the hazard (flammable) label. When full, satellite accumulation containers are transferred to the Container Storage Area for subsequent shipment off site.

I observed no apparent issues or findings related to compliance with the two observed satellite accumulation containers.

3.7 Inspections

Safety-Kleen conducts inspections of the facility in accordance with an inspection schedule in the RCRA permit. The inspections are electronically recorded and uploaded to the Clean Harbors inspection system for storage and retrieval. I obtained a log of the electronically recorded inspections conducted for the period of June 15, 2021, through January 31, 2022 (attachment 13). I obtained copies of inspection checklists for January 31, 2022 (attachment 14).

I reviewed the inspection log following the February 1, 2022, onsite inspection of Safety-Kleen. I observed instances where daily inspections of the Hazardous Waste Tank (inspection checklist “CO Tank System Inspection”), and piping and equipment ancillary to the tank (inspection checklist “CO Tank Sys BB Equipment”) do not appear as conducted in the electronically recorded inspection log. I contacted Mr. Williams via email on February 4, 2022, carbon copying Messrs. Sorenson and Anderson. Mr. Sorenson replied to my email describing the missing electronically logged inspections were completed and that hard copy records were available. Mr. Williams provided copies of the hard copy inspections via email on February 7, 2022.

I observed no apparent issues or findings related to my review of the inspection records.

3.8 Contingency Plan

I asked Mr. Williams if the contingency plan had been implemented or updated since the NDEE inspection of June 15, 2021. Mr. Williams stated that neither event had occurred. I reviewed the contingency plan while I was on site on February 1, 2022.

I observed no apparent issues or findings related to my review of the contingency plan.

3.9 Training Requirements

Safety-Kleen has hired one new personnel in 2021. I reviewed annual RCRA training records for 2021 (attachment 15). The training records were complete.

I observed no apparent issues or findings related to my review of the inspection records.

3.10 Manifests

I discussed hazardous waste manifest recordkeeping with Mr. Williams. Safety-Kleen maintains copies of hazardous waste manifests on site. These include manifest where Safety-Kleen is the generator, manifests where Safety-Kleen is the designated treatment, storage, and disposal facility (TSDF), and manifests where Safety-Kleen is the transporter.

Since June 30, 2018, the Grand Island facility has submitted TSDF manifests to the EPA’s E-Manifest system. I reviewed the manifest information in the E-Manifest system from June 15, 2021, through February 1, 2022.

I observed no apparent issues or findings related to my review of Safety-Kleen’s hazardous waste manifests.

3.11 Universal Waste

The Grand Island facility is a small quantity handler of universal waste and universal waste transporter. Safety-Kleen collects universal waste from customer facilities, transports and stores the universal waste at the Grand Island facility and ships the waste to a destination facility. Mr. Williams stated that the Grand Island facility does not handle universal waste pesticides or universal waste electronics.

Universal waste lamps are generated at Safety-Kleen. At the time of my inspection on February 1, 2022, no onsite generated universal waste lamps were being accumulated.

I visually inspected the Container Storage Area on February 1, 2022. I was accompanied by Mr. Williams. I observed three containers of universal waste batteries and one container of universal waste lamps. The universal waste containers were in good condition, closed and labeled with the universal waste contents.

I observed no apparent issues or findings related to the management of universal waste.

3.12 Used Oil

Safety-Kleen collects used oil and oily wastewater from customer facilities in a tanker truck. Safety-Kleen off-loads the used oil into a railroad tank car at the Grand Island facility. If no railroad tank cars are available, the used oil is off-loaded into above ground used oil tanks. When a railroad tank car is available again for loading, the used oil in the 20,000-gallon tanks is transferred via truck to an available railroad tank car. Safety-Kleen ships the filled railroad tank cars to the Safety-Kleen re-refinery located in East Chicago, Indiana.

NOPF #2: 40 CFR 279.45(g)(1). Title 128, Chapter 7, 009.04A3¹. Railcar not labeled “Used Oil.”

I observed one railroad tank car at Safety-Kleen used to store used oil. Safety-Kleen collects bulk used oil with vacuum trucks from customers, transports the used oil back to the facility and off-loads the used oil into the railroad tank car. Note above the process if a railroad tank car is not available for off-loading used oil.

Mr. Williams provided the inventory of used oil in the railroad tank car as 24,645 gallons. I visually inspected the rail car on February 1, 2022. I was accompanied by Mr. Williams. I observed the railroad tank car was not labeled “Used Oil.” The requirements for used oil storage at transfer facilities are found at 40 CFR 279.45. The requirement for labeling is at 40 CFR 279.45(g)(1), “Containers and aboveground tanks used to store used oil at transfer facilities must be labeled or marked clearly with the words “Used Oil.” The railroad tank car was otherwise in good condition with no other observed issues.

Two used oil tanks are located in the tank farm each with a capacity of 20,000 gallons. I visually inspected the used oil tanks on February 1, 2022. I was accompanied by Mr. Williams. At the time of this inspection, Mr. Williams stated the two 20,000-gallon used oil tanks were empty. The tanks were labeled “Used Oil” and were in good condition.

One used oily water tank is located in the tank farm with a capacity of 20,000 gallons. Oily wastewater collected from customer facilities is off-loaded into the tank (attachment 7). The oily wastewater is shipped by truck tank trailer to Valicor Environmental Services in Kansas City, Missouri. Valicor operates a centralized wastewater treatment facility for treatment of oily wastewater. I visually inspected the used oily water tank on February 1, 2022. I was accompanied by Mr. Williams. Mr. Williams provided the quantity of oily water in the tank as 6,673 gallons. The tank was labeled “Used Oil” and was in good condition.

Safety-Kleen collects a sample of each customer’s used oil and oily wastewater and retains the sample for possible future analysis for a minimum of 90 days. The retain samples are containerized and managed as hazardous waste in the Container Storage Area before they are shipped off site for disposal. Safety-Kleen collects a sample from each filled railroad tank car and oily water tanker that is shipped off-site. The sample is sent to an offsite laboratory for analysis.

I visually inspected the two used oil tanks, the one oily water tank, and one railroad tank car, ancillary equipment, and secondary containment. Apart from NOPF #2, I observed no apparent issues or findings related to the management of used oil.

¹ Title 128, Chapter 7, 009.04A3 is the labeling requirement for used oil generators in the Nebraska Administrative Code

4.0 COMPLIANCE ASSISTANCE

I provided Safety-Kleen with the following compliance assistance information:

Section 3007 Inspections Sheet (EPA Handout)

United States Code 1001/1002 Annotated (EPA Handout)

Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections (EPA Handout)

Tampering Pollutes Our Air (EPA Handout)

Clean Air Act Vehicle Aftermarket Defeat Devices and Tampering (EPA Handout)

5.0 SUMMARY

I conducted an inspection of Safety-Kleen as a large quantity generator of hazardous waste, a treatment/storage/disposal facility, transfer facility, small quantity handler of universal waste, and used oil transfer facility. The following preliminary findings are noted as discussed above:

NOPF #1: Permit Condition D.9.c. Incompatible waste not separated – flammable liquids stacked on oxidizer containers.

NOPF #2: 40 CFR 279.45(g)(1). Title 128, Chapter 7, 009.04A3². Railcar not labeled “Used Oil.”

Other than the items noted above, no other preliminary findings were noted. However, the EPA may review my findings further after the inspection, which may change or add to my findings.

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² Title 128, Chapter 7, 009.04A3 is the labeling requirement for used oil generators in the Nebraska Administrative Code

KENNETH
HERSTOWSKI

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HERSTOWSKI
Date: 2022.02.08 07:44:49 -06'00'

Date: _____

Kenneth Herstowski
Environmental Engineer

AMBER WHISNANT

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WHISNANT
Date: 2022.02.10 16:58:21 -06'00'

Date: _____

Amber Whisnant
Chief, RCRA Section, Chemical Branch
Enforcement and Compliance Assistance Division

Attachments

1. Notice of Preliminary Findings (2 pages)
2. Receipt for Documents (1 page)
3. Confidentiality Notice (1 page)
4. Inspection [2] Photographs (3 pages)
5. Photograph Log (1 page)
6. Safety-Kleen Aerial Photographs (4 pages)
7. Safety-Kleen Annotated Facility Map (3 pages)
8. Records Request (2 pages)
9. Notification Acknowledgement/Verification Report (2 pages)
10. Annual Recharacterization Reports (4 pages)
11. Transfer Waste Manifests and Bills of Lading (18 pages)
12. Hazardous Material Load and Segregation Chart (2 pages)
13. Inspection Log (40 pages)
14. Inspection Checklists (10 pages)
15. Training Records (5 pages)

Notice of Preliminary Findings

Media: RCRA

Facility Name: Safety Klean Systems
 Facility Address: 2700 W 2nd Street
Grand Island NE 68803
 EPA ID#: NED053316535 Date: 2/1/22

This notice is provided to call your attention to the following preliminary findings regarding state and federal regulations. This notice does not constitute a compliance order and may not be a complete listing of all findings resulting from the inspection.

Citation

Description of Finding

- 45 Feb 21/22
- ① 40CFR 279.12(g)(2)(1) Rail car not labeled "Used Oil"
Title 128, Chapter 7 009.04A3
 - ② Permit Condition D.9.C Incompatible waste not
separated - Flammable Liquids
stacked on oxidizer containers

As a continuation of the inspection performed at your facility, you are asked to submit a written response within 14 calendar days of receipt of this notice. Your response should include a description of all corrective actions taken and/or a schedule for completing the necessary corrective actions. The response should be submitted to: via email

U.S. Environmental Protection Agency RTCRRA-Enforcement@EPA.GOV
 Region 7, Enforcement & Compliance Assurance Division (ECAD)
 11201 Renner Boulevard, Lenexa, KS 66219
 ATTN: Ken Herstowski Inspector

If you have any questions about this Notice or wish to discuss your response, you may call me at 9135517631, or herstowski.ken@epa.gov (Compliance Officer) at _____.

This Notice prepared by Kenneth Herstowski Date: 2/1/22

The undersigned person hereby acknowledges that he/she has received a copy of this Notice and has read same.

Printed Name: Howard Williams
 Signature: Howard Williams
 Title: Branch Manager
 Date: 2-1-2022

Instructions for Responding to a Notice of Preliminary Findings (NOPF)

Note: The instructions below are being provided to assist you if you choose to submit a written response to the preliminary findings identified in the EPA's NOPF. This is an opportunity for you to provide to the EPA any and all information that you believe is relevant to these preliminary findings and your efforts to return to compliance with the regulatory requirements. The EPA will consider information submitted by you in determining our enforcement response to the preliminary findings identified at your facility, but please be advised that any information you submit may be used in a subsequent enforcement action.

1. Identify the person(s) responding to the NOPF authorized to make statements for the facility, including the person's name, title, and telephone numbers, if different from the facility's telephone number. For each numbered preliminary finding, identify all persons consulted in the preparation of the answer.
2. Your answers should address and reference each numbered preliminary finding separately.
3. Each of your answers should identify all documents consulted, examined, or referred to in the preparation of the response, or that contain information responsive to the preliminary finding. Please provide legible copies of all such documents. For each document provided, indicate on the document (or in some similar manner) the number of the preliminary finding to which it responds.
4. Describe all actions taken by you to correct the preliminary findings identified in the NOPF and/or a schedule for completing the necessary corrective actions for each numbered preliminary finding. If the preliminary finding has been corrected, please provide the date the preliminary finding was corrected.
5. Your responses should include documentation, photographs, drawings, etc. of corrected preliminary findings where applicable (for example, photographs of properly labeled containers). The information submitted should indicate the number of the preliminary finding to which it corresponds.
6. If information responsive to a preliminary finding is not in your possession, identify the person(s) from whom the information may be obtained.
7. If different or new procedures are put in place to prevent the same or similar preliminary findings, provide a description of those procedures.
8. If you want to make a confidentiality claim pursuant to 40 C.F.R. Part 2, Subpart B covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential." Refer to the Confidentiality Notice provided to you at the time of the inspection.
9. If you choose to respond, and plan to submit your response after 14 calendar days, please discuss your plans with the compliance officer noted on the NOPF.

RCRA Inspected Facilities:

If your facility was cited for hazardous waste determination preliminary findings, provide the following information for each waste stream and/or each waste unit listed:

- a. specify the waste name;
- b. indicate whether the waste is hazardous, non-hazardous, used oil, universal waste, or exempt from regulation (if you claim the waste is exempt from regulation, include the regulatory reference that you believe is applicable to the exemption for the waste);
- c. state whether process knowledge or analytical testing was used to make the determination (attach all supporting documentation, i.e., the specific documents (e.g., Safety Data Sheets) used as process knowledge);
- d. if the waste is a hazardous waste, list all applicable RCRA waste code(s) and the hazardous properties (Ignitable, Reactive, Corrosive, Toxic);
- e. if the waste is a hazardous waste, used oil, or universal waste,
 - i. indicate the quantity or monthly generation rate of this waste at your facility;
 - ii. indicate the length of time the waste has been generated at your facility, and how long the waste has been stored at your facility;
 - iii. state how you plan to handle or manage the waste at your facility;
 - iv. if applicable, describe your facility's plans for disposing the waste (attach all supporting documentation, e.g., any shipping documents or arrangements made for shipping documents); and
- f. if the waste is non-hazardous or if you believe it is exempt from regulation, provide information on how it will be disposed, recycled, or used, and where these activities will occur.