

RCRA Inspection Report

1) Inspector and Author of Report

Kayla Acosta, Physical Scientist
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Chemical Safety and Land Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 4
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2) Facility Information

Mosaic Fertilizer LLC–New Wales Facility
3095 County Road 640 W
Mulberry, Florida 33860
EPA ID No: FLD084717545

3) Responsible Officials

Ann Wortman, CHMM Environmental Lead
Ann.Wortman@mosaicco.com

4) Inspection Participants

Kayla Acosta, US Environmental Protection Agency
Leslie Pedigo, FL Department of Environmental Protection (FDEP)
Sarah Green, FDEP
Ann Wortman, Mosaic Fertilizer LLC
Michael Ward, Mosaic Fertilizer LLC
Dara Ford, Mosaic Fertilizer LLC

5) Date of Inspection

March 2, 2022

6) Applicable Regulations

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.

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

Pursuant to Fla. Admin. Code Ann. r. 62-730.185(1) [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 total of universal waste (batteries, pesticides, mercury-containing equipment, lamps, or aerosol cans, calculated collectively) at any time.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17], a 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 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 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 a compliance evaluation inspection (CEI) to determine Mosaic Fertilizer LLC–New Wales Facility's (hereinafter referenced as "Mosaic New Wales" or "the facility") compliance with the applicable requirements of RCRA and the corresponding FDEP regulations.

8) Previous Inspection History

The last RCRA CEI was conducted by FDEP on September 22, 2017, which resulted in no violations being identified.

9) Facility Description

Mosaic Fertilizer has been operating at this location since 2004 when Cargill Fertilizer, Inc. and IMC Phosphates merged to form Mosaic Fertilizer LLC. Previously, the facility began operating under the name New Wales Chemical, Inc. starting in August 1980 and changed its name in

August 1987 to IMC Fertilizer New Wales, then to IMC Fertilizer New Wales Chemical in August 1993. The Mosaic New Wales property operates on a 67.08-acre parcel and a 610.47-acre parcel south of County Road 640 W. Mosaic Fertilizer, LLC also owns several adjacent parcels. The facility employs 700 workers which includes an additional 100 workers that are onsite independent contractors. The facility operates 24 hours a day, seven days a week, and has four shifts.

The facility first notified as a Small Quantity Generator (SQG) of hazardous waste on January 11, 1994. On July 23, 2013, Mosaic New Wales notified as a Large Quantity Generator (LQG) of hazardous waste. The facility submitted their most recent notification with their biennial report on March 25, 2020. Hazardous wastes identified in the report include the following EPA waste codes: D001, D002, D004, D005, D006, D007, D008, D009, D035, and F005. The facility also generates universal waste, such as spent mercury-containing lamps. Mosaic New Wales operates under the NAICS Code: 325312–Phosphatic Fertilizer Manufacturing.

Mosaic New Wales is a phosphate chemical fertilizer manufacturing facility. The facility processes phosphate rock to produce merchant grade phosphoric acid, sulfuric acid, and granulated ammonium phosphate fertilizers. The facility has five sulfuric acid plants and three phosphoric acid plants. Granulated fertilizers manufactured at the facility include granulated monoammonium phosphate (GMAP), diammonium phosphate (DAP), powdered monoammonium phosphate (PMAP), and Micro-essentials (blend of phosphate fertilizer with sulfur and zinc in several different ratios). Incoming and outgoing materials can be shipped via rail, or truck.

The facility installed two systems to collect all non-mining related wastewaters as part of system modifications related to their Judicial Consent Decree with the EPA and FDEP, which is further detailed below. Wash waters from phosphoric acid production operations are routed through a series of intermediate tanks to the Big Holding Tank (BHT). Wash water from the BHT is reused in the phosphoric plant's acid production processes. This system became operational in May 2021. The facility also has a system for wash waters from the granulation operations which are routed to either the East Granular Holding Tank (GHT) or to the West GHT. The wash water collected in the GHTs are reused in the granulation production processes. This system became fully operational in September 2021.

The facility typically generates SQG amounts of waste; however, when plant equipment is serviced or undergoing maintenance (turnaround events), it can generate LQG amounts of hazardous waste. Hazardous wastes generated at the facility primarily consist of paint-related waste (D001), corrosive waste (D002), arsenic waste (D004), barium waste (D005), cadmium waste (D006), chromium waste (D007), lead waste (D008), mercury contaminated waste (D009), and methyl ethyl ketone waste (D035). Spent parts washer solvent is managed as non-hazardous waste and undergoes sampling and analysis every 5 years to verify that the spent parts washer solvent continues to be non-hazardous. The parts washer solvent was last sampled in November 2021 and continues to be non-hazardous.

The facility is currently operating under a Judicial Consent Decree (CD) with both the EPA and FDEP for issues regarding mixtures of RCRA exempt phosphoric acid production wastewater

with non-exempt RCRA wastewater. The Judicial CD was entered on August 5, 2016.

Areas that were inspected include the Sulphuric Acid Production [West Pad, Sulfur Melter/Central Accumulation Area (CAA), South Pad, Turnaround Drum Pad, Elementary Neutralization Unit (ENU) CAA,] Bunker-Main Waste Storage Area/ CAA, Sulfuric Acid Plant Maintenance, Phosphoric Acid Production (Phosphoric Acid Plant Maintenance/ Barium Chloride Lab Waste CAA), Blast Area, Locomotive, Vector Shop, Granulation Plant Maintenance, Analytical Laboratory, Catalyst Staging Area, ENI Shop, Sulfuric Acid Turnaround.

10) Opening Conference

On March 2, 2022, EPA inspector Kayla Acosta accompanied by FDEP inspector Leslie Pedigo and Sarah Green, arrived at Mosaic New Wales at approximately 9:00 a.m. Ms. Ann Wortman, CHMM Environmental Lead, Mr. Michael Ward Environmental Specialist, and Ms. Dara Ford Sr. Environmental Manager received the inspectors. The inspectors introduced themselves, showed their credentials, and explained the purpose of the visit. The inspectors described the anticipated use of a digital camera during the inspection, and 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.

Facility representatives provided an overview of the facility's history and current operations during the opening conference. The company does not appear to meet the Small Business Regulatory Enforcement Fairness Act's classification of a "small business," which is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. Therefore, the EPA inspectors did not provide a copy of the agency's information sheet for small businesses, which can be found at <https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf>.

The inspection participants also discussed health and safety protocols and required personal protective equipment before Ms. Wortman and Mr. Ward led the inspectors on a tour of the Facility operations.

11) Findings

Sulphuric Acid Production [West Pad, Sulfur Melter/Central Accumulation Area (CAA), South Pad, Turnaround Drum Pad, Elementary Neutralization Unit (ENU) CAA,] Bunker-Main Waste Storage Area/ CAA, Sulfuric Acid Plant Maintenance, Phosphoric Acid Production (Phosphoric Acid Plant Maintenance/Barium Chloride Lab Waste CAA), Blast Area, Locomotive, Vector Shop, Granulation Plant Maintenance, Analytical Laboratory, Catalyst Staging Area, ENI Shop, Sulfuric Acid Turnaround.

Sulphuric Acid Production:

Sulfuric acid production occurs on the south side of the Mosaic New Wales property. The facility has five double conversion, double absorption sulfuric acid plants (Plants No. 1, 2, 3, 4, and 5).

A wet scrubber controls emissions from the molten sulfur storage tanks and truck loading station.

West Pad:

The West Pad is a containment pad normally used for sulfuric acid turnaround events and used for staging of sulfuric acid waste. The inspectors observed one (1) 6,300-gallon poly tank within a roll-off container, which was labeled “Hazardous Waste Neutral Rinsate”. The container was also dated February 12, 2022 and had the word “Toxic” as an indication of hazard. (Photos #1 and #2).

Sulfur Melter/Central Accumulation Area (CAA):

The sulfur melter turns sulfur into molten and is located within containment. Rainwater that is collected under the sulfur tower is pumped into totes that range from 275-330 gallons. The inspectors observed five (5) empty totes used for chromium-contaminated rainwater. No hazardous waste was observed in this area (Photo #3).

South Pad:

The south pad is another sloped containment pad. The inspectors observed one (1) 250-gallon tote of caustic mix product. No hazardous waste was observed. (Photo #4).

Turnaround Drum Pad:

This containment pad is used to stage drums during turnaround events. The inspectors observed the following hazardous waste in the turnaround drum pad:

- Two (2) 250-gallon totes with low pH water. The totes were both dated February 28, 2022. There was no hazardous waste label or indication of hazard on either tote.
- Two (2) 250-gallon totes with low pH water. Labeled “Hazardous Waste”, dated December 10, 2021, and marked with an indication of hazard.
- One (1) 55-gallon drum of sulfates. The drum was closed and dated February 28, 2022. The drum was also marked with an indication of hazard but was missing a hazardous waste label.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 CFR 262.17(a)(5)(i)(A)], A large quantity generator must mark or label its containers with the following: (A) The words “Hazardous Waste”.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 CFR 262.17(a)(5)(i)(B)], A large quantity generator must mark or label its containers with the following: (B) An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

CORRECTED ONSITE: The hazardous waste labels were placed on the two totes and 55-gallon drum that were missing labels. Placards were also placed on the two totes to indicate that the wastes are corrosive (Photos #5 and #6).

ENU CAA:

The ENU is used to monitor the pH of the facility's water system. It is also used for staging of drums and is an overflow area. No hazardous waste was observed in this area.

Bunker-Main Waste Storage Area/CAA:

The bunker is the facility's main 90-day CAA. This area is located on the southeast side of the property. There is a No Smoking sign located in front of the building and a fire extinguisher and spill kit inside of the building (Photo #7). The bunker is comprised of a waste staging area inside of the bunker building towards the entrance and two secured (fenced) storage areas. From the staging area waste is moved to the main CAA. Radioactive waste is stored separately in another secured fenced area adjacent to the staging area. The inspectors observed the following waste:

Staging Area (Photos #8-12):

- One (1) 55-gallon drum of paint waste. The drum was closed, labeled with the words "Hazardous Waste", dated March 1, 2022, and marked with an indication of hazard.
- One (1) 55-gallon closed drum labeled "Oily Debris".
- Two (2) 5-gallon closed containers labeled "Used Transformer Oil".
- Two (2) 5-gallon closed containers labeled "Used Oil".
- One (1) 55-gallon closed drum labeled "Diesel-Contaminated Pipe".
- One (1) 55-gallon drum of spent aerosol cans. The drum was closed and labeled "Universal Waste". The drum did not have an accumulation start date.
- One (1) 55-gallon closed drum labeled "Used Oil".
- One (1) 55-gallon closed drum of spent compact bulbs. The drum was closed, labeled "Universal Waste", and dated March 14, 2021.
- One (1) cardboard container of 6ft spent fluorescent bulbs. The container was closed, labeled "Universal Waste", and dated March 1, 2022.
- One (1) 25-gallon drum of spent LED lights. Closed and dated June 19, 2020.
- One (1) 55-gallon drum of spent HID bulbs. The drum was closed, labeled "Universal Waste", and dated June 4, 2022.
- One (1) 55-gallon drum of broken bulbs. The drum was closed, labeled "Universal Waste", and dated December 10, 2021.
- One (1) 55-gallon drum of spent lead acid batteries. The drum was closed, labeled "Universal Waste", and dated March 1, 2022.
- Three (3) 5-gallon containers of spent batteries. The containers were all closed, labeled "Universal Waste", and dated February 23, 2022.
- One (1) 5-gallon container of mercury contaminated equipment. The containers were closed, labeled "Universal Waste", and dated March 1, 2022.
- One (1) 55-gallon closed drum of non-PCB ballast labeled "Non-Hazardous".

Pursuant to Fla. Admin. Code Ann. r. 62-730.185(1) and Fla. Admin. Code Ann. r. 62-737.400(7) [40 CFR 273.15(c)], A small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

Main CAA: (Photos #13-15)

- One (1) 55-gallon closed drum of used oil. The drum was not labeled with the words “Used Oil”.
- One (1) 55-gallon closed drum labeled “Diesel and Oil Mix”.
- Three (3) 55-gallon closed drum labeled “Oily Water”.
- Two (2) 250-gallon totes labeled “Oily Water”.
- One (1) 250-gallon tote labeled “Used Oil”.
- Three (3) 55-gallon drums of Super Sorbent product.
- Three (3) 55-gallon closed drums labeled “Sulfur Waste” to which is reclaimed.

Pursuant to Fla. Admin. Code Ann. r. 62-710.210(2) [40 CFR 279.22(c)(1)], Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words “Used Oil.”

CORRECTED ONSITE: The words “Used Oil” was written on the used oil drum missing a label (Photo #14).

Sulfuric Acid Plant Maintenance:

This area is a maintenance shop. Right across from Sulfuric Acid Plant Maintenance, the inspectors observed one (1) 500-gallon aboveground storage tank (AST). The AST was in secondary containment and labeled “Used Oil” (Photo #16). Inside the Sulfuric Acid Plant Maintenance, the inspectors observed the following waste:

- One (1) 55-gallon drum of spent aerosol cans. The drum was closed and labeled “Universal Waste”. Aerosol cans are collected monthly and moved to the Bunker–Main Waste Storage Area/90-Day CAA.
- One (1) aqueous parts washer (Photo #17).

Phosphoric Acid Production:

The Phosphoric Acid Production area is located towards the north side of the property. The facility has a dual train phosphoric acid production plant where sulfuric acid is reacted with phosphate ore to produce phosphoric acid. Ore is usually received from beneficiation plants at other Mosaic facilities by rail and occasionally by truck. Hopper cars are unloaded, and the ore is conveyed to storage piles. Ores of different grades can be blended and milled to provide the plant with a consistent feed. After the ore is reacted. The phosphoric acid is filtered from the phosphogypsum and unreacted material, and the gypsum is conveyed by process wastewater to the gyp stack. Diluted acid is then clarified and concentrated to merchant grade acid. Fluoride emissions from the process and from the acid evaporators are controlled by scrubbers.

A byproduct from the phosphoric acid concentration process is hydrofluorosilicic acid (FSA),

which is marketed as a fluoridation chemical to potable water plants. The acid is shipped either by rail or tanker to a variety of municipalities and to Harsco Chemical. Phosphoric acid is reacted with anhydrous ammonia to produce granulated MAP and DAP fertilizers in the two ammoniated phosphate manufacturing plants. Ammonia is received by pipeline. Emissions from these operations are controlled by scrubbers. Dry product emissions from material handling operations are controlled by baghouses. Dry product is also coated with a dust control agent when it is conveyed from the storage to shipping vessels. Two phosphoric acid tanks are located within secondary containment near the dock. Storm water from the containment drains to a sump and is usually pumped to a lined process water ditch. Major acid spills are supposed to be detected by a conductivity monitor so that the acid can be pumped back to the tank.

Phosphoric Acid Plant Maintenance/ Barium Chloride Lab Waste CAA:

This area is located north of the Sulfuric Acid Plant area towards the east side of the property. Waste from the Barium Chloride Laboratory is stored in this CAA. The inspectors observed the following waste:

- One (1) 55-gallon drum of Barium Chloride waste. The drum was closed, labeled “Hazardous Waste”, dated 03/01/2022, and marked with an indication of hazard (Photo #18).
- One (1) 55-gallon closed drum of spent aerosol cans. The drum was labeled “Universal Waste”. Aerosol cans are collected monthly and moved to the Bunker–Main Waste Storage Area/90-Day CAA.
- One (1) aqueous parts washer.

Blast Area:

This area is located on the northeastern part of the property. The inspectors observed the following hazardous waste in a satellite accumulation area (SAA):

- One (1) 55-gallon drum of paint waste. The drum was closed, labeled “Hazardous Waste”, but was missing a hazard identification.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 CFR 262.17(a)(5)(i)(B)], A large quantity generator must mark or label its containers with the following: (B) An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

CORRECTED ONSITE: A facility representative placed a flammables placard on the drum of paint waste (Photo #19).

Locomotive:

This area is located on the northeast side of the property. The locomotive is a maintenance/repair shop for trains (Photos #20-22). The inspectors observed the following waste:

- One (1) 500-gallon AST labeled “Used Oil” in secondary containment.
- One (1) 500-gallon AST Oily Water Separator in secondary containment.
- One (1) 500-gallon AST labeled “Locomotive Oil” in secondary containment.
- Four (4) 55-gallon closed drums labeled “Oily Debris”.
- Two (2) 55-gallon closed drums labeled “Used Oil Filters”.
- Five (5) 55-gallon drums for used oil filters (empty)
- One (1) 55-gallon closed drum of spent aerosol cans, labeled “Universal Waste”. Aerosol cans are collected monthly and moved to the Bunker–Main Waste Storage Area/90-Day CAA.
- Seven (7) lead acid batteries stacked on a pallet inside the locomotive shop.

Vector Shop:

The Vector Shop is also located on the northeastern side of the property, east of the Locomotive. It is a vehicle maintenance shop (Photos #23-26). The shop has one (1) 500-gallon AST labeled “Road Diesel” behind the shop. The inspectors observed the following waste:

- Nine (9) 55-gallon closed drums labeled “Oily Debris”.
- One (1) 55-gallon closed drum labeled “Waste Floor Dry Pig Mats”.
- Four (4) 55-gallon closed drum labeled “Used Oil Filters”.
- One (1) 55-gallon closed drum labeled “Used Coolant”.
- One (1) 55-gallon closed drum of spent aerosol cans. The drum was labeled “Universal Waste”. Aerosol cans are collected monthly and moved to the Bunker – Main Waste Storage Area / 90-Day CAA.
- One (1) 500-gallon AST labeled “Used Oil” in secondary containment.
- Three (3) large troughs for oily parts, one located between each maintenance bay labeled “Used Oil”.
- Two (2) 55-gallon closed drums labeled “Used Oil Filters”.
- One (1) 55-gallon closed drum labeled “Oily Debris/Grease Bags”.
- One aqueous parts washer.

Granulation Plant Maintenance:

This is another maintenance shop. The inspectors observed:

- One (1) aqueous parts washer
- One (1) 55-gallon drum of spent aerosol cans. The container was closed and labeled “Universal Waste”. Aerosol cans are collected monthly and moved to the Bunker–Main Waste Storage Area/90-Day CAA.

Outside of the Granulation Plant Maintenance the inspectors observed the following (Photo #27):

- One (1) 500-gallon AST labeled “Used Oil”.
- One (1) 55-gallon closed drum of used oil with no label.

- One (1) 55-gallon closed drum of used oil filters with no label.

Pursuant to Fla. Admin. Code Ann. r. 62-710.210(2) [40 CFR 279.22(c)(1)], Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words “Used Oil.”

CORRECTED ONSITE: A facility representative placed used oil labels on both containers (Photo #28).

Analytical Laboratory:

The analytical laboratory (lab) is located on the north side of the facility. The lab is mainly used for analyzing product quality for dry products and phosphoric acid (Photos #29 and #30). The inspectors observed the following hazardous waste in SAAs:

- One (1) 13-gallon closed container of used batteries. Labeled “Universal Waste”.
- One (1) 13-gallon closed container of spent aerosol cans. Labeled “Universal Waste”. Aerosol cans are collected monthly and moved to the Bunker – Main Waste Storage Area/90-Day CAA.
- One (1) 5-gallon container of methanol waste. The container was closed, labeled “Hazardous Waste”, and marked with an indication of hazard.
- One (1) 5-gallon container of halogen scrubber waste. The container was closed, labeled “Hazardous Waste”, and marked with an indication of hazard.
- One (1) 5-gallon container of magnesium perchlorate waste. The container was closed, labeled “Hazardous Waste”, and marked with an indication of hazard.

Catalyst Staging Area:

This staging area is located towards the northern side of the property. This area is for the catalyst turnaround events and a storage area for catalyst waste. No hazardous waste was observed in this area.

ENI Shop:

This is a maintenance shop (Photo #31). The inspectors observed the following waste:

- One (1) 55-gallon drum of spent aerosol cans. The drum was closed and labeled “Universal Waste”. Aerosol cans are collected monthly and moved to the Bunker–Main Waste Storage Area/90-Day CAA.
- One (1) 5-gallon container of spent batteries. The container was closed and labeled “Universal Waste”.

Sulfuric Acid Turnaround:

This staging area is used for sulfuric acid turnaround events and used to store sulfuric acid waste in roll offs. No hazardous waste was observed in this area.

Records Review

Disposal Records:

Hazardous waste manifests were available for review. Manifest copies (including the original generator signed copy and designated facility signed copy) and Land Disposal Restriction notifications were available for review.

Contingency Plan:

The facility's Hazardous Waste Contingency Plan, which describes actions that facility personnel should take in response to an emergency, were provided as part of the records review. The facility's plan included the following: list of emergency coordinators and contact information; an equipment list and capabilities addressed including fire response, spill response, and communication; location of fire control equipment; a map including the location of the CAAs and other hazardous waste SAAs and generation points throughout the facility; and a Quick Reference Guide (QRG). Copies of the contingency plan were mailed to the Polk County Fire Rescue on July 7, 2021, Polk County Sheriff's Office, Bartow Regional Medical Center on September 28, 2021, Central Florida Regional Planning Council on July 2, 2021, Hillsborough County Fire Rescue on July 6, 2021, Hillsborough County Sheriff's Office on July 2, 2021, and ACT Environmental and Infrastructure on July 21, 2021.

Employee training / annual training and position descriptions:

Training records for online hazardous waste training and position descriptions were available for review. Annual hazardous waste training was last conducted on July 15, 2021. Records were reviewed for Anne Wortman, Michael Ward, Tara Suldo, Dara Ford, John Berg, and Keith Braswell.

Weekly Inspections:

Weekly container inspections were reviewed for the past three years. Inspections appeared to be conducted on a weekly basis and documented all the required inspection elements.

Waste Minimization Plan:

The facility's waste minimization plan was available for review and last updated in March 2017.

12) Closing Conference

An exit meeting was held at the end of the inspection with Ms. Wortman and Mr. Ward to discuss preliminary conclusions and to go over the findings.

13) Inspection Findings

Based on the observations made during the inspection, Mosaic New Wales was apparently

deficient with the following RCRA requirements:

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 CFR 262.17(a)(5)(i)(A)], A large quantity generator must mark or label its containers with the following: (A) The words “Hazardous Waste”.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 CFR 262.17(a)(5)(i)(B)], A large quantity generator must mark or label its containers with the following: (B) An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

Pursuant to Fla. Admin. Code Ann. r. 62-730.185(1) and Fla. Admin. Code Ann. r. 62-737.400(7) [40 CFR 273.15(c)], A small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

Pursuant to Fla. Admin. Code Ann. r. 62-710.210(2) [40 CFR 279.22(c)(1)], Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words “Used Oil.”

14) List of Appendices

Appendix 1 – Photo Log:
{31} Photos taken on: [March 2, 2022]
Photos taken by: Kayla Acosta
Photos taken with: Olympus Tough Digital Camera
EPA Property Tag: S75903

15) Signed

Kayla Acosta
Enforcement and Compliance Specialist

Date

Concurrence

Araceli B. Chavez
Chief
RCRA Enforcement Section

Date