

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
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

2) Facility Information

Apollo Petroleum
190 Street A
Picayune, Mississippi 39466

EPA ID# MSR000109181

3) Responsible Officials

Gil Stroud
Site Manager
gstroud@apollopetro.com

4) Inspection Participants

Gil Stroud, Apollo Petroleum
Cliff Roe, Apollo Petroleum

Brad Justice, MDEQ
Laurie Benton DiGaetano

5) Date of Inspection

January 6, 2023

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; and Mississippi Code of 1972, Miss. Code Ann. § 17-17-1 *et seq.*, and Mississippi Hazardous Waste Management Regulations, 11 Miss. Admin. Code Pt. 3, R. 1.1-1.24.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.1 [40 C.F.R. §260.10], a small quantity generator (SQG) of hazardous waste is a generator who generates greater than 100 kilograms (220 lbs) but less than 1,000 kilograms (2200 lbs) of 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 11 Miss. Admin. Code Pt. 3, R. 1.1 [40 C.F.R. § 260.10], a large quantity generator (LQG) of hazardous waste is a generator who generates greater than or equal to 1,000 kilograms (2,200 lbs) of non-acute hazardous waste in a calendar month.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.21 [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 11 Miss. Admin. Code Pt. 3, R. 1.3 [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 Section 17-17-27(4) of the Mississippi Code of 1972, Miss. Code Ann. § 17-17-27(4) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.16], a SQG may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, as required by Section 17-17-27(4) of the Mississippi Code of 1972, Miss. Code Ann. § 17-17-27(4) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.16] (hereinafter referred to as the “SQG Permit Exemption”).

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [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 Section 17-17-27(4) of the Mississippi Code of 1972, Miss. Code Ann. § 17-17-27(4) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in 11 Miss. Admin. Code Pt. 3, R. 1.3 [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 (CEI) to determine Apollo Petroleum’s compliance with the applicable requirements of RCRA and the corresponding Mississippi regulations. This was an EPA lead inspection.

8) Facility Description

Company Description:

Apollo Petroleum Services, LLC (Apollo) began operations about six years ago and has been at the subject facility for about two years. The company has worked with universities and scientists to develop a patented technology intended to convert sour oil to sweet oil by mitigating H₂S and other aromatic compounds. The terms sweet and sour are a reference to the sulfur content of

crude oil, and sweet crude is easier to refine and safer to transport than sour crude. In order to achieve the transition from sour to sweet crude, Apollo's customers inject very small amounts of the company's patented chemical blend, Apcotane, into the crude oil product.

Facility Description:

The subject facility, which consists of a 25,000 square foot building on a 1.5 to 2-acre property that is owned and operated by Apollo, is the company's only location. The facility operates under the NAICS Code 325998 for All Other Miscellaneous Chemical Product and Preparation Manufacturing, and operations run five days per week using one shift. Apollo has less than ten employees, and the facility houses several laboratories, a warehouse area, a tank farm, and a production blending room. Before starting operations at the subject facility, Apollo's operations were performed in the field at the customer's location.

Apollo's refinery and oil well producer customers send oil samples to the subject facility via package delivery service. These samples may arrive in container sizes ranging from a laboratory vial up to a 5-gallon bucket. Employees perform laboratory analysis on the incoming samples and those results are used to design an Apcotane formula solution that will mitigate the specific concentrations and structure of aromatic compounds present in the sour crude. To confirm and optimize the designed formula solution, a small-scale amount of the specific Apcotane formula is generated in the laboratory and used to treat the oil sample. The results of laboratory analysis for the original and the treated samples are then compared to verify the effectiveness of the solution. Once the specific Apcotane formula is designed and verified for a given customer, Apollo manufactures the product for that customer on a larger scale by blending the raw materials in the production tanks. The Apcotane product is typically delivered to the customer in an intermediate bulk container (IBC) tote for use at the customer's location.

Waste Description:

Apollo's laboratories routinely generate small volumes of hazardous waste flammable liquids, and the manufacturing process occasionally generates hazardous waste off-spec blending formulations. The facility first notified as an SQG of hazardous waste on July 14, 2021. This notification included an episodic generator addendum, and the facility submitted a biennial report for wastes generated in 2021 on February 25, 2022. As part of the biennial report, Apollo re-notified as a SQG of hazardous waste. Hazardous wastes identified on the biennial report included:

Hazardous Waste	Waste Code	Volume
Sodium hydroxide	D002	11,504 pounds
Ferric chloride	D002	8,226 pounds
Sulfuric acid	D002	9,510 pounds
Potassium hydroxide	D002	3,480 pounds
Aluminum sulfate	D002	598 pounds

According to the eManifest database, Apollo sent a total of 24,590 kilograms of hazardous waste in six shipments from the facility between February and May in 2022 and sent another 3,329 kilograms of hazardous waste from the facility in August 2022. Therefore, it appears that Apollo may have been operating as an LQG of hazardous waste for one or more months between

December 2021 and August 2022. The manifest records indicate that Apollo has generated and shipped the following hazardous wastes off site during 2022:

- D001, D002, D005, D006, D007, D008 combustible liquid
- D001, D002, D005, F005 waste flammable liquids (hexane, crude oil, sodium hydroxide)
- D001, D018 waste petroleum crude oil
- D002 waste corrosive liquid (aluminum sulfate)
- D002 waste sulfuric acid
- D002 waste ferric chloride solution, and
- D002 waste corrosive liquid (potassium hydroxide, sodium hydroxide)

9) **Previous Inspection History**

Apollo Petroleum first notified as an SQG of hazardous waste at this location on July 14, 2021. This is the first RCRA CEI at this facility.

10) **Opening Conference**

On January 6, 2023, EPA inspector Laurie Benton DiGaetano, accompanied by Mississippi inspector Brad Justice, arrived at the Apollo Petroleum facility at approximately 10:00 AM. Cliff Roe, Director of Research Operations, immediately received the inspectors. Gil Stroud, Apollo's employee who conducts the hazardous waste management duties, was away from the facility and joined the inspection later in the day. The inspectors introduced themselves, showed their credentials to Cliff Roe, and explained the purpose of the visit.

The inspectors described the anticipated use of equipment (digital camera) during the inspection. The EPA inspector 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. The EPA inspector also 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>.

Cliff Roe 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 and Cliff Roe led the inspectors on a tour of the Facility operations.

11) **Inspection Observations**

Main Laboratory:

Apollo manages a SAA in the main laboratory for managing hazardous waste samples that are generated in this area. Although Apollo personnel stated that they plan to dispose of waste laboratory samples as a hazardous waste exhibiting the characteristic of ignitability, it did not appear that the facility had conducted a complete hazardous waste determination to identify all

applicable EPA hazardous waste numbers or maintained records supporting the waste determination.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 11 Miss. Admin. Code Pt. 3, R. 1.2 [40 C.F.R. § 261.2], must use the steps articulated in 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.11] to make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations. A generator must maintain records supporting its hazardous waste determinations, and if the waste is determined to be hazardous, a generator must identify all applicable EPA hazardous waste numbers.

The inspectors observed one two-gallon glass container on a laboratory bench next to the wall in this SAA (Photo 1). The container was open, and a laboratory employee stated that they were collecting used samples from laboratory benches and transferring them to the container. Please note that pursuant to the SAA Permit Exemption, a generator is required to keep containers of hazardous waste closed at all times during accumulation, except when adding, removing, or consolidating waste; or when temporary venting of a container is necessary for the proper operation of equipment, or to prevent dangerous situations, such as build-up of extreme pressure. The container was labeled “laboratory waste,” but it was not labeled hazardous waste or identified with an indication of the hazards of its contents.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to mark or label its containers (i) with the words “Hazardous Waste” and (ii) with an indication of the hazards of the contents.

The inspectors also observed a small parts washing-type sink in the corner of the laboratory (Photo 2). According to facility personnel, solvent in this unit is used and reused until it is no longer effective for cleaning. When the spent solvent is removed from the unit, it is managed as hazardous waste and new solvent is added to the unit.

Hazardous Waste Central Accumulation Area (CAA):

Hazardous waste samples and spent solvents generated in the laboratory are transferred into an IBC tote (Photo 3), which is typically kept outside of the laboratory in the warehouse area. Facility personnel did not definitively identify the solvent used in the parts washing unit. However, it appears that Apollo had determined that lab sample wastes and spent solvents are hazardous wastes that exhibit the characteristic of ignitability. Pursuant to [40 C.F.R. § 261.31], certain spent halogenated and non-halogenated solvents are listed hazardous wastes from non-specific sources unless they are excluded. If the spent solvent generated in the parts washing-type sink is a listed hazardous waste, the mixture of spent solvents and laboratory samples must be managed as a listed hazardous waste with the EPA hazardous waste number associated with the spent solvents.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 11 Miss. Admin. Code Pt. 3, R. 1.2 [40 C.F.R. § 261.2], must use the steps articulated in 11 Miss. Admin. Code Pt. 3, R. 1.3 [40

C.F.R. § 262.11] to make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations. A generator must maintain records supporting its hazardous waste determinations, and if the waste is determined to be hazardous, a generator must identify all applicable EPA hazardous waste numbers.

Although a hazardous waste generator may manage more than one container within the same SAA, the SAA Permit Exemption limits the total volume of waste accumulated in a SAA at any given time to be no more than 55 gallons. Furthermore, the SAA must be located 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. As a result, it appears that the 300-gallon tote of hazardous waste observed in the warehouse should have been managed in a CAA.

The tote was labeled with the words “lab waste.” It was not labeled with the words “hazardous waste;” it was not marked with an indication of the hazards of its contents; and it was not marked with an accumulation start date. Cliff Roe explained that facility personnel mark the tote with an accumulation start date when they have accumulated approximately 250 gallons of hazardous waste in the tote, and that they do not place more than 250 gallons in the tote in order to provide sufficient head space in case something volatilizes in the container. Cliff Roe estimated that it takes the facility approximately six months to accumulate 250 gallons of hazardous waste in the tote. The tote was equipped with a funnel sitting on top of the tote, and the inspectors observed that the funnel and the container were open.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: the words “Hazardous Waste”; an indication of the hazards of the contents; and the date upon which each period of accumulation begins clearly visible for inspection on each container.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17(a)(1)(iv)], which is a condition of the LQG Permit Exemption, (A) a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste; and (B) A container holding hazardous waste must not be opened, handled, or stored in a manner that may rupture the container or cause it to leak.

Facility personnel working in the CAA use voice commands to provide immediate emergency instruction to facility personnel, and the area is equipped with telephones capable of summoning emergency assistance from local police departments, fire departments, or state or local emergency response teams. The CAA is also equipped with portable fire extinguishers, spill control equipment, and an emergency shower and eyewash station.

Warehouse Area:

The inspectors observed several totes organized in rows within the warehouse area. Cliff Roe explained that these totes contain chemical blends of Apollo’s final product which are ready for transport to the customer’s site.

Gas Laboratory:

The inspectors observed tanks of natural gas stored in the gas laboratory. Cliff Roe explained that the company performs laboratory testing of natural gas samples in order to resolve challenges similar to those faced by the sour oil samples.

Inductively Coupled Plasma (ICP) Laboratory:

Apollo personnel perform laboratory testing on samples to identify the molecular structure of the sample and to determine in which phase each contaminant appears in the ICP Laboratory. The analytical results are used to design the appropriate treatment formula. Cliff Roe stated that this laboratory may generate approximately one gallon of hazardous waste over the course of a calendar year, and that the waste would be added to the IBC tote in the CAA. The inspectors did not observe any containers of hazardous waste in the laboratory during the inspection.

Gas Chromatography and Mass Spectroscopy (GCMS) Laboratory:

Apollo personnel perform laboratory testing on sample liquids (oil) and on the headspace in sample vials in the GCMS laboratory. The resulting analysis provides information on the presence of contaminants in the sample that appear in both the liquid and vapor phases. Cliff Roe stated that hazardous waste used samples and hazardous waste spent solvents are generated in this laboratory. When laboratory testing is complete, the samples are poured from the vials into the IBC tote in the CAA and the empty vials are then placed into a container for storage. The inspectors did not observe any containers of hazardous waste in the laboratory at the time of the inspection.

Blending Facility:

The inspectors observed tanks T201A, T201B, and T202 in the back room of the building. Personnel explained that these tanks are used to produce Apcotane products specific to each customer by blend formulations that are specifically designed using the results of laboratory analysis. Because each Apcotane product contains the same ingredients at varying concentrations, the blending tanks are not rinsed or cleaned between batches and waste is not routinely generated in the blending process. However, Gil Stroud stated that Apollo has needed to dispose of some batches of off-spec Apcotane product. Generation of hazardous waste off-spec Apcotane product may qualify as an episodic event as defined by 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.231].

Pursuant to 40 C.F.R. § 262 Subpart L, an SQG may maintain its existing generator category during an episodic event provided that the generator complies with the conditions listed in 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.232(b)]. However, the SQG is limited to one episodic event per calendar year unless a petition is granted under 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.233]. According to the records reviewed during the inspection, Apollo submitted a notification on July 14, 2021, for an unplanned episodic event in which the facility generated D002 hazardous waste sodium hydroxide and D001 hazardous waste lab waste (fuel solvents). However, the hazardous waste manifest records did not appear to document that this waste was shipped offsite within sixty days of the episodic event.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.233], an SQG must treat hazardous waste generated from an episodic event on site or manifest and ship

such hazardous waste off site to a designated facility within sixty (60) calendar days from the start of the episodic event.

The inspectors observed a floor scrubber machine near the blending facility area. The recovery tank appeared to be about half-full of liquid. Facility personnel explained that the machine is used to clean anything that drips onto the floor in the blending tank, and that drips may occur when a blender is removed from an IBC tote. Personnel stated that the machine has not been emptied, and the inspectors noted that a hazardous waste determination should be performed on the liquid before it is disposed.

Tank Farm:

The inspectors observed seven storage tanks next to the warehouse building. The tanks were located inside a bermed concrete area that was adjacent to the building, open on two sides, and covered with a roof. Four tanks (T100-A, T100-B, T200-A and T-200B) were labeled, and three were not labeled. Cliff Roe explained that the tanks are used to store raw materials, and the unlabeled tanks were brand new. The inspectors did not observe evidence of liquids inside the unlabeled tanks.

Facility Yard:

The inspectors observed several empty totes stored in the facility yard (Photos 4 and 5). Facility personnel stated that most of these totes have been returned from the field. Some are in good condition and will be used again in the field and others will be reconditioned for reuse in the field. The inspectors also observed five storage tanks laying on the ground in the back of the facility yard. Facility personnel stated that those tanks are empty.

The inspectors observed one 330-gallon IBC tote, which was not empty, staged beneath a roof on a concrete pad just outside of the blending facility area (Photo 6). Gil Stroud explained that this tote is the first full container of hazardous waste laboratory waste that has been generated at the facility; that the facility began accumulating the waste approximately 1.5 years ago; and that they contacted Crystal Clean to pick up the container about one year ago. Gil Stroud stated that the container was moved to this location from the CAA about one week prior to the inspection, because the facility had received additional raw materials and was running out of room in the warehouse. Crystal Clean has performed a waste profile analysis on the laboratory waste and determined that it exhibits the characteristic of ignitability. According to Gil Stroud, Crystal Clean plans to sample the contents of this tote to confirm the profile before they pick it up. The container was closed, but it was not labeled with the words “hazardous waste,” identified with an indication of the hazards of its contents or marked with an accumulation start date.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17(b)], an LQG who accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of 11 Miss. Admin. Code Pt. 3, R. 1.1-1.24 [40 C.F.R. Parts 124, 264 through 268 and Part 270].

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: the words “Hazardous Waste”; an indication of the

hazards of the contents; and the date upon which each period of accumulation begins clearly visible for inspection on each container.

Contingency Plan:

The facility did not provide records documenting the arrangements or the attempts to make arrangements with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17(a)(6)], which incorporates 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.256], and is a condition of the LQG Permit Exemption, a generator must: (a) attempt to make arrangements with the local authorities identified, as appropriate for the type of waste handled at the Facility and the potential need for the services of these authorities, and (b) maintain records documenting the arrangements made.

Apollo did not have a contingency plan or quick reference guide for the facility.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17(a)(6)], which incorporates 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.260], and is a condition of the LQG Permit Exemption, a generator must have a contingency plan for the Facility.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17(a)(6)], which incorporates 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.262], and is a condition of the LQG Permit Exemption, an LQG that first becomes subject to these provisions must submit a quick reference guide of the contingency plan to the local emergency responders identified at paragraph (a) of this section or, as appropriate, the Local Emergency Planning Committee. The quick reference guide must include the elements listed in 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.262(b)(1)-(8)].

Training Records:

The facility did not provide a program of classroom instruction, online training, or on-the-job training that teaches facility personnel to perform their duties in a way that ensures compliance with RCRA, and the facility did not maintain records of the job title(s), employee name(s), job description(s), and description of the type and amount of introductory and continuing training for each position at the facility related to hazardous waste management.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17(a)(7)], which is a condition of the LQG Permit Exemption, facility personnel must successfully complete a program of classroom instruction, online training, or on-the-job training that teaches them to perform their duties in a way that ensures compliance with this part. The LQG must ensure that this program includes all the elements described in the document required under paragraph (a)(7)(iv) of this section.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17(a)(7)(iv)], which is a condition of the LQG Permit Exemption, the LQG must maintain the following

documents and records at the facility: the job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; a written job description for each such position; a written description of the type and amount of both introductory and continuing training that will be given to each person filling such position; and records that document that the required training or job experience has been given to, and completed by facility personnel.

Waste Manifest Records:

The inspectors reviewed all available hazardous waste manifest records and land disposal restriction forms for shipments of hazardous waste sent off site. It appears that shipments related to the episodic event were sent offsite on August 18, 2021, under manifest number 006171566GBF, on September 14, 2021 under manifest number 006171609GBF, and on October 26, 2021 under manifest number 006171591GBF.

Apollo's records did not include a signed return copy for each of the following hazardous waste manifests, and did not include documentation that the facility had contacted the initial transporter or submitted an Exception Report:

Manifest Number	Shipping Date
006171476GBF	January 07, 2022
006171616GBF	February 04, 2022
007017495GBF	March 04, 2022
007017613GBF	November 11, 2022
007017457GBF	December 09, 2022

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.42(a)(1)], an LQG 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 transporter and/or the owner or operator of the designated facility to determine the status of the waste.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.42(a)(2)], an LQG must submit an Exception Report to the EPA Regional Administrator for the Region in which the generator is located if he has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date the waste was accepted by the initial transporter.

Inspection Records:

Gil Stroud stated that he inspects the CAA looking for housekeeping issues on and around the tote, but he does not keep a record of those inspections.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17(a)(1)(v)], which is a condition of the LQG Permit Exemption, a generator is required to, at least weekly, inspect central accumulation areas looking for leaking containers and for deterioration of containers caused by corrosion or other factors.

12) **Closing Conference**

The inspectors conducted the exit meeting with Gil Stroud. During this meeting, the inspectors stated their preliminary conclusions of the inspection.

13) **List of Appendices**

Appendix 1 – Photo Log:

Six Photos taken on: January 6, 2023

Photos taken by: Laurie Benton DiGaetano

Photos taken with: Panasonic DMC TS-5 Digital Camera

EPA Property Tag: S09533

14) **Signed**

LAURIE
DIGAETANO

Digitally signed by LAURIE
DIGAETANO

Date: 2023.02.16 08:56:43 -05'00'

Laurie Benton DiGaetano
Environmental Engineer

Concurrence

ARACELI CHAVEZ

Digitally signed by ARACELI
CHAVEZ

Date: 2023.02.17 13:58:09 -05'00'

Araceli B. Chavez
RCRA Enforcement Section



Photo 1: One 2-gallon glass container in Main Laboratory SAA. The container was not labeled as hazardous waste or identified with an indication of the hazards of its contents.

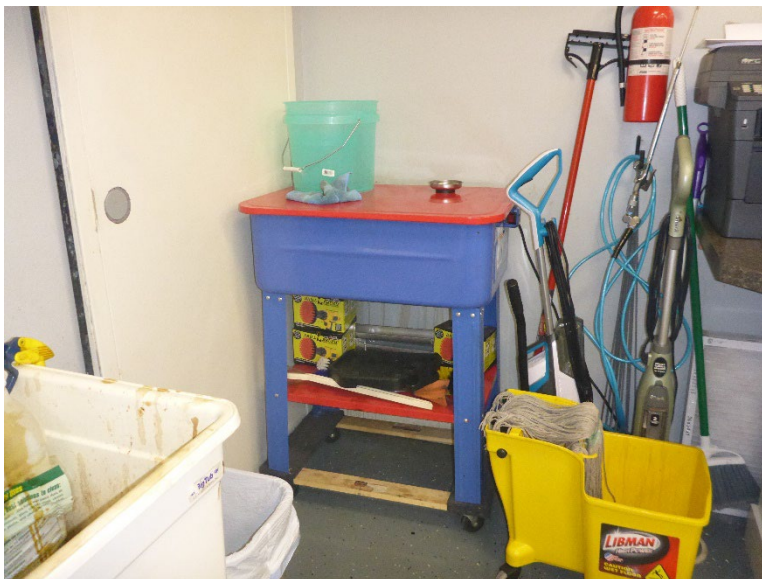


Photo 2: Small parts washing-type sink in the Main Laboratory.



Photo 3: One 300-gallon tote of hazardous waste in a CAA just outside of the Main Laboratory. The container was labeled "lab waste." The container was not labeled with the words "hazardous waste;" it was not marked with an indication of the hazards of its contents; and it was not marked with an accumulation start date. The container was equipped with a funnel sitting on top of the tote, but the funnel and the container were both open.

Apollo Petroleum
RCRA CEI Photographs
Laurie Benton DiGaetano, USEPA



Photo 4: Empty totes staged in the facility yard.



Photo 5: Empty totes staged in the facility yard.



Photo 6: One 330-gallon tote of hazardous waste staged beneath a roof on a concrete pad just outside of the blending facility area. According to facility personnel, this is the first full tote of laboratory hazardous waste that has been generated at the facility, and it was moved to this area approximately one week prior to the inspection. The container was not labeled with the words “hazardous waste,” it was not marked to indicate the hazards of its contents, and it was not marked with an accumulation start date.