RCRA Inspection Report

1) Inspector and Author of Report

Kayla Acosta
Physical Scientist
Phone: 404-562-8451
acosta.kayla@epa.gov

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

2) Facility Information

Clean Harbors Florida LLC
7001 Kilo Ave.
Bartow, Florida 33830

EPA ID#: FLD980729610

NAICS #: 562112 – Hazardous Waste Collection

3) Responsible Officials

Paul Andrews
Senior Environmental Compliance Manager
andrews.paul@cleanharbors.com

4) Inspection Participants

John Bosek, Clean Harbors Florida LLC
Leslie Pedigo, Florida Department of Environmental Protection (FDEP)
Warren McNelley, FDEP
Betsy Loaiza, FDEP
Brandon Miller, FDEP
Kayla Acosta, USEPA

5) Date of Inspection

March 13, 2024

6) Applicable Regulations[1]

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; Chapter 403 of the Florida Statutes, Fla. Stat. § 403.702 et seq., and rules 62.710.210 -.901, and 62-730 et seq. of the Florida Administrative Code Annotated (Fla. Admin. Code Ann.); and Hazardous Waste Permit No. 64247-HO-018.

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 Fla. Admin. Code Ann. r. 62-730.020(1) [40 C.F.R. § 260.10], a large quantity generator of hazardous waste (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste in a calendar month.

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 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 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] (hereinafter referred to as the "SAA Permit Exemption").

Pursuant to Section 403.722 of the Florida Statutes, Fla. Stat. § 403.722 [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 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 Section 403.722 of the Florida Statutes, Fla. Stat. § 403.722 [40 C.F.R. § 262.17] (hereinafter referred to as the "LQG Permit Exemption").

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Clean Harbors Florida LLC's compliance with the conditions of its RCRA Hazardous Waste Facility Operating Permit No. 64247-HO-018, the applicable requirements of RCRA and the corresponding Florida regulations. This was an EPA lead inspection.

8) Facility Description

Clean Harbors Florida LLC (known hereinafter as "CHF" or "the facility") is a subsidiary of Clean Harbors, a provider of environmental and industrial services to a variety of customers including manufacturing companies, chemical companies, and government agencies. Services include end-to-end hazardous waste management, emergency spill response, industrial cleaning and maintenance, and recycling services. Clean Harbors is also a used oil re-refiner, used oil recycler, and parts washer and environmental services provider through their subsidiary Safety-Kleen. The company was founded in 1980 and is based in Massachusetts. Clean Harbors operates facilities in the United States, Canada, and Puerto Rico.

CHF is located on 10 acres of land owned by the City of Bartow Municipal Airport. The facility consists of several buildings and areas including the following: Operations Office and Laboratory Building, Maintenance Building, North Container Storage Building, Fuel Blending Pump Station, Low Explosives Magazine Building, Boiler Building, South Tank Farm, and South Container Storage Building. The facility operates Monday through Friday from 7:00 am to 5:00 pm and since mid-December began operating on Saturdays and Sundays from 7:00 am to 12:00 am. CHF manages approximately 75 employees including drivers, with 41 employees strictly

working at the facility. As required by the RCRA permit, CHF has a perimeter fence for controlled access with signs that read "Danger—Unauthorized Personnel Keep Out" posted at each entrance and along the perimeter fence. The facility maintains 24-hour surveillance system.

CHF operations include container storage and storage in hazardous waste tanks (which are subject to the Organic Air Emissions Requirements of 40 C.F.R. 264, Subpart BB and CC), fuel blending operations, and consolidation of lab packs. Hazardous waste is then shipped to one of several Clean Harbor incinerator facilities for final disposition such as Clean Harbors El Dorado in El Dorado, Arkansas and Clean Harbors Deer Park in La Porte, TX. CHF also operates a permitted solid waste shredder and mixing tub, Solid Waste Permit No. 64247-SO-020, expiration date December 10, 2026.

Waste Pre-acceptance: Prior to initiating a shipment of waste to CHF, a potential customer must provide CHF with a description of the process generating each individual waste stream, along with pertinent chemical and physical data, a representative sample (if requested), and other supporting documentation [i.e., Safety Data Sheets, sample analysis, and Land Disposal Restriction (LDR) form]. This information is used to determine if the waste can be accepted for on-site treatment or storage or if it must be rejected because it does not match the identity of the waste designated in the pre-acceptance description or on the accompanying manifest. This pre-acceptance evaluation is repeated when greater than one year has passed since the evaluation was completed; when a generator notifies CHF that the process generating the waste has changed; or when the results of inspection or analyses indicate that the waste received at the facility does not match the identity of the waste designated in the pre-acceptance description or on the accompanying manifest.

Waste Acceptance: All unloading operations take place in designated unloading zones. Arriving shipments are visually inspected to ensure that the manifest accurately describes the contents of the vehicle (i.e. truck weight or drum count), and that the waste identity conforms to the description provided on the manifest and the corresponding waste profile. The appropriate management area for each container is selected during the waste identification and verification process based on whether or not the container holds free liquids, an ignitable or reactive waste, and whether the contents of the container are incompatible with any other materials. Each waste container received a unique barcode linked to Clean Harbor's WIN Web database which is used to track waste containers and associated waste information such as manifests. CHF conducts sampling of incoming shipments of containerized waste to be bulked, consolidated, or treated on-site. To confirm that the parameters match the associated waste profile, samples are subject to a fingerprint screen analysis for physical description, pH, water reactivity, reactive sulfide screen, ignitability, reactive cyanides screen, oxidizer screen, and radioactivity screen.

CHF is permitted as a hazardous waste treatment and storage facility. Permit No. 64247-HO-018 was issued on November 16, 2021, and expires on December 10, 2026. CHF is also a LQG of hazardous waste and first notified as a LQG on March 01, 1990. CHF's most recent notification was submitted on February 23, 2024, along with the facility's 2023 biennial report. The facility

generates a variety of waste streams as a result of their permitted activities. These waste streams and associated waste codes include:

Type of Wastes	**Waste Codes**
Ignitable Wastes	D001
Corrosive Wastes	D002
Reactive Wastes	D003
Toxic Wastes	D004 D005 D006 D007 D008 D009 D010 D011 D013 D014 D015 D016 D017 D018 D019 D020 D021 D022 D023 D024 D025 D026 D027 D028 D029 D030 D031 D032 D033 D034 D035 D036 D037 D038 D039 D040 D041 D042 D043
Hazardous Wastes from Non-specific Sources	F001 F002 F003 F004 F005 F006 F007 F008 F019 F027 F032 F034 F035 F037 F038
Hazardous Wastes from Specific Sources	K022 K049 K050 K051 K169 K170 K171
Discarded Commercial Chemical Products: Acutely Toxic	P001 P008 P012 P015 P022 P024 P028 P029 P030 P034 P037 P039 P042 P044 P050 P066 P070 P075 P077 P081 P087 P098 P099 P105 P106 P108 P119 P120 P121 P122 P123 P188 P194 P199 P204
Discarded Commercial Chemical Products: Toxic	U001 U002 U003 U004 U006 U007 U008 U009 U010 U012 U019 U020 U022 U026 U028 U029 U030 U031 U035 U036 U037 U039 U041 U043 U044 U045 U048 U050 U051 U052 U055 U056 U057 U058 U059 U061 U066 U067 U068 U069 U070 U071 U072 U076 U077 U078 U079 U080 U081 U082 U084 U088 U089 U092 U102 U103 U105 U107 U108 U112 U113 U114 U115 U117 U118 U121 U122 U123 U125 U127 U128 U129 U131 U132 U133 U134 U135 U138 U140 U144 U146 U147 U150 U151 U154 U155 U159 U160 U161 U162 U164 U165 U166 U168 U169 U170 U185 U187 U188 U190 U196 U197 U200 U201 U205 U206 U207 U208 U209 U210 U211 U213 U218 U219 U220 U223 U226 U227 U228 U236 U237 U239 U240 U244 U247 U248 U249 U271 U278 U279 U328 U353 U359 U404 U411

Additionally, CHF has the following registrations and permits:

- Registered Hazardous Waste Transporter, registration expires on June 30, 2024;
- Registered Transporter of Universal Waste Lamps and Devices, Transfer facility for Universal Waste Lamps and Universal Waste Devices and a Large Quantity Handler Facility for Universal Waste Lamps and Devices. Registration expires on March 1, 2025;
- Registered for Pharmaceutical Destruction, registration expires on March 31, 2025;
- Registered Florida Used Oil/Used Oil Filter Transporter, Used Oil/Used Oil Filter Transfer Facility, and Used Oil Marketer. Registration expires on June 30 1, 2024;
- TSCA Permit for PCBs #FLD980729610, expired on June 13, 2023. However, the facility is currently in the renewal process and operating under the current permit conditions; and

- DEA Pharmaceutical Reverse Distribution, expiration date is on August 31, 2024.

CHF's permitted waste container storage areas and maximum container storage capacity is listed below:

Location	Maximum Storage Capacity in Gallons
Fenced and Paved Road Areas	32,320-gallons
North Container Storage Building	136,400-gallons
South Container Storage Building	106,920-gallons
South Tank Farm (10 tanks)	6,000-gallons per tank
Low Explosive Magazine	2,000-gallons

NON-CONFORMING WASTE INCIDENT OCTOBER 2023

On December 12, 2023, FDEP was notified by Clean Harbors that non-conforming waste from their facility had been disposed of at the Cedar Trail Landfill in Bartow, FL. Jeff Curtis, Sr. Environmental Compliance Manager for Safety-Kleen, provided FDEP with a follow-up email on December 13, 2023, and provided the following timeline of the incident:

- October 5, 2023: Clean Harbors collected 12 drums of dried paint in cans from AAR Landing Gear Services, 9371 NW 100th St., Medley FL 33178 (FLD982101933), under hazardous waste manifest number 018751157FLE, using profile number 133029. This manifest identified 5,103 pounds of non-hazardous paint cans along with 1,800 pounds of hazardous waste.
- October 30, 2023: The 5,103 pounds of paint cans along with numerous other non-hazardous waste that was processed in the Solid Waste Material Processing mix pit at Clean Harbors was sent to the Republic Services Cedar Trail Landfill in Bartow, Florida for disposal.
- December 11, 2023: The Clean Harbors account manager for AAR Landing Gear Services received an e-mail from their EHS Manager stating that the 5,103 pounds of paint cans collected on October 5, 2023, had been sampled and analyzed. Trace amounts of Barium (1.7 mg/L), Cadmium (3.8 mg/L), Chromium (119 mg/L), Lead (0.021 mg/L), Lead (0.021 mg/L), Selenium (0.039 mg/L), and Silver (0.010 mg/L) were detected. Cadmium and Chromium were over their hazardous waste regulatory levels of 1.0 mg/L and 5.0 mg/L, respectively.
- December 11, 2023: At approximately 3:00 pm, Harris Flanagin, Cedar Trail Landfill, was notified by Clean Harbors, of the shipment of two roll-off containers of solidification waste to them that contained hazardous waste. Mr. Flanagin indicated that they would immediately begin internal protocols at the facility for this event after receiving our notification.

FDEP met with representatives of Cedar Trail Landfill on December 19, 2023, to discuss the removal of the hazardous waste from the landfill. FDEP requested additional information regarding how the location of the hazardous waste was identified within the landfill and the submittal of an excavation plan for the waste. The Excavation Plan was submitted on January

26, 2024. Following review, the plan was approved with caveats on January 31, 2024. Based on an email from Tetra Tech, excavation of the hazardous waste was scheduled to commence on February 7, 2024. Tetra Tech provided the Waste Removal Summary Report to the Department on April 11, 2024; the confirmation samples collected document that the hazardous waste was successfully removed from the landfill. The removed hazardous waste was placed into four lined 25 cubic yard roll-off containers and shipped by Clean Harbors Environmental Services, Inc. (EPA ID #MAD039322250) to Clean Harbors Lone Mountain, LLC (EPA ID #OKD065438376), under the following Uniform Hazardous Waste Manifests:

- #018401781FLE - shipped on February 16, 2024, and received at the designated facility on March 1, 2024;
- #018401825FLE - shipped on February 20, 2024, and received at the designated facility on February 22, 2024;
- #018401834FLE - shipped on February 16, 2024, and received at the designated facility on February 22, 2024; and
- #018401838FLE - shipped on February 20, 2024, and received at the designated facility on February 29, 2024.

9) Previous Inspection History

FDEP has conducted two RCRA CEIs at the subject facility between 2019 and 2024 and found no violations during those inspections.

10) Opening Conference

On March 13, 2024, EPA inspector Kayla Acosta, accompanied by FDEP inspectors Leslie Pedigo, Warren McNelley, Betsy Loaiza, and Brandon Miller, FDEP Environmental Manager arrived at CHF at approximately 9:30 A.M. John Bosek, Facility General Manager, immediately received the inspectors. Mr. Bosek, and the inspectors held an opening conference where the inspectors introduced themselves, showed their credentials, and explained the purpose of the visit.

The inspectors described the anticipated use of equipment (iPad) during the inspection and provided a request for records. The EPA inspector explained that the Small Business Regulatory Enforcement Fairness Act's classification of a "small business" is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. A copy of the EPA's information sheet for small businesses can be found at https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf. The EPA inspector also discussed the company's ability, pursuant to 40 C.F.R. § 2.203, to assert a business confidentiality claim for information submitted to EPA. The company did not assert a business confidentiality claim.

Mr. Bosek provided an overview of the facility's history and current operations during the opening conference. The inspection participants also discussed health and safety protocols and required personal protective equipment before Mr. Bosek led the inspectors on a tour of the Facility operations.

11) Inspection Observations

Maintenance Building:

This building is used to store field equipment and supplies for CHF's field services and facility maintenance. No hazardous waste, used oil, or universal waste was observed in this area.

Low Explosive Magazine:

The Low Explosives Magazine is located across from the Maintenance Building and is used to store waste fireworks from retail stores. It is identified with signage on the front which reads "Explosives Keep Fire Away". The inspectors observed two 10-gallon containers, 17 5-gallon containers, and one 16-gallon container of small arms ammunition wastes (Photos 1 and 2). All of the containers were closed, labeled "Hazardous Waste", dated, and marked with a placard for explosives and labeled toxic, ignitable, and reactive. The oldest date recorded was 10/09/2023. Additionally, there were several cardboard boxes of liners towards the back of the magazine.

North Container Storage Building:

The North Container Storage Building consists of a graded reinforced concrete slab 8" thick and at least 3 feet above the surrounding grade. The floor is divided into 17 separate cells (A-Q) which allow segregated storage of incompatible wastes. The building is typically used to store containers ranging in size from 5 to 55 gallons, 250-gallon totes, and cubic yard boxes. The building was equipped with fire extinguishers, a fire suppressant system, spill control equipment, "No Smoking" signs, and emergency shower stations. The secondary containment appeared to be in good condition and free of cracks.

Cell G is designated as the hazardous waste 10-day transfer facility. These containers are barcoded into the WIN WEB system and relabeled with a new accumulation start date in order to track the number of days the waste is stored at the facility along with additional waste information. None of the hazardous waste containers in the 10-day transfer facility appeared to be stored over 10 days.

All of the containers were observed to be closed, labeled "Hazardous Waste" along with the description of the waste, dated, and marked with an indication of the hazard of the contents.

Several containers in the North Container Storage Building were observed to be dented and improperly stacked to where some containers of waste were tilted or leaning from pallets (Photos 4, 10, 11, 14, and 18). Insufficient aisle space was observed in some areas (Photos 7, 8, 9, 13, and 20). Four containers of hazardous waste with the following Clean Harbors barcode numbers had accumulation start dates beyond one year: A0056Z6Y dated 09/02/22, A006T3IO dated 12/14/22, A0055584 dated 08/30/22, and A00ERIZQ dated 08/05/22 (Photos 12, 16, 17, and 19).

Pursuant to Permit Condition I. 27, the Permittee shall maintain compliance with the requirements of 40 C.F.R. § 268, which incorporates 40 C.F.R. § 268.50(c), which states an

owner/operator of a treatment, storage or disposal facility may store such wastes beyond one year; however, the owner/operator bears the burden of proving that such storage was solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment, or disposal.

Pursuant to Permit Condition II.B.1.d., containers in storage shall be on pallets or otherwise elevated so that any liquids on the floor will not come into direct contact with the containers. The maximum container volume that may be placed on one pallet shall not exceed 255 gallons in drums or 330 gallons in one bulk container. Containers may be stacked up to two pallets high. Aisle space between pallet rows or between pallet rows and adjacent walls shall not be less than 30 inches.

Pursuant to Permit Condition II.B.1.e., containers and roll-off boxes shall be kept closed expect when adding or removing waste and shall be handles in a manner that will not allow the containers to rupture or leak. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition pursuant to 40 § C.F.R 264.171 and 40 § C.F.R 261.173.

The North Container Storage Building maximum permitted volume is 136,400 gallons (equivalent to 2,480 55-gallon drums). CHF keeps records of daily container inventories. The container inventory was requested for the day and demonstrated 37,879 gallons of hazardous waste was stored in the North Container Storage Building.

Solid Waste Shredder and Mix Tub:
As part of the solid waste permit, the facility operates a solid waste shredder and solidification tub. Solid waste is laboratory tested monthly. No hazardous waste was observed in this area.

Boiler Building:
The boiler has been removed from this building which is now used for storage of off-specification baby diapers (Photo 21). This material is used in the solid waste solidification proves. No hazardous waste was observed in this area.

Used Oil Tanks – Fuel Blending:
Tanks T-700 and T-701 are both 5,800-gallon aboveground storage tanks that used to be used for fuel blending. This process is no longer being conducted at the facility and the tanks are mostly empty except for some residual used oil sludge.

South Container Storage Building:
This building is mainly used to store consolidated non-hazardous waste, consolidated hazardous wastes that are compatible, and universal wastes. The building consists of a graded six-inch thick reinforced concrete slab with a dike beginning flush with the highest point of the slab and extending around the perimeter of the building, maintaining the same elevation as the highest point of the slab. The building was equipped with fire extinguishers, a fire suppressant system, spill control equipment, “No Smoking” signs, and emergency shower stations. The secondary containment appeared to be in good condition and free of cracks.

All of the containers were observed to be closed, labeled "Hazardous Waste" along with the description of the waste, dated, and marked with an indication of the hazard of the contents.

Several containers in the South Container Storage Building were observed to be dented and improperly stacked to where some containers were tilted or leaning from pallets (Photos 30 and 33). Insufficient aisle space was observed in some areas.

Nine containers with the following Clean Harbors barcode numbers had accumulation start dates beyond one year (Photos 25-29): A007MRWE dated 02/07/23, A00822CN dated 03/02/23, A007WWIE dated 02/22/23, A007U4YH0 dated 02/15/23, A002A2A2R8 dated 04/04/22, A007U4YF dated 02/15/23, A007U4YG dated 02/15/23, A007U4YL dated 02/15/23, and A007PKDK dated 02/09/23.

A container with a barcode number of A002A2A2R8 and a received date of 04/04/22, was determined to be a rejected load that returned to the facility on 09/13/2023. Additionally, the following containers with barcode numbers had received dates that were over a year but were determined to have been at the facility for less than a year based on the WIN WEB tracking system: AOOOEQ0NR, AOOEQ3IM, AOOE4IBD, AOOEWD6, and AOOERIZQ.

Pursuant to Permit Condition I. 27, the Permittee shall maintain compliance with the requirements of 40 C.F.R. § 268, which incorporates 40 C.F.R. § 268.50(c), which states an owner/operator of a treatment, storage or disposal facility may store such wastes beyond one year; however, the owner/operator bears the burden of proving that such storage was solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment, or disposal.

Pursuant to Permit Condition II.B.1.d., containers in storage shall be on pallets or otherwise elevated so that any liquids on the floor will not come into direct contact with the containers. The maximum container volume that may be placed on one pallet shall not exceed 255 gallons in drums or 330 gallons in one bulk container. Containers may be stacked up to two pallets high. Aisle space between pallet rows or between pallet rows and adjacent walls shall not be less than 30 inches.

Pursuant to Permit Condition II.B.1.e., containers and roll-off boxes shall be kept closed expect when adding or removing waste and shall be handles in a manner that will not allow the containers to rupture or leak. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition pursuant to 40 § C.F.R 264.171 and 40 § C.F.R 261.173.

The South Container Storage Building maximum permitted capacity is 106,920 gallons (equivalent to 1,944 55-gallon drums). The container inventory of the South Storage Building was found to be at 49,078 gallons.

Fuel Blending Area—South Container Storage Building:
This area is used to pump waste fuel and lean water (aqueous solution contaminated with solvent or listed waste) from containers to one of five hazardous waste tanks in the South Tank Farm. The tank ancillary equipment in the fill station is tagged pursuant to subpart BB of the organic air emissions (Photos 35-39).

This area also containers a small container crusher (Photo 34) for waste hand sanitizer bottles. The waste hand sanitizer is consolidated into one container to be sent for recycling. Empty 55-gallon drums are stored near this area and are sent for recycling to Mauser Packaging Solutions in Tampa, FL. Larger containers are sent to TR Drum, LLC in Plant City, FL for recycling.

South Tank Farm:
The South Tank Farm consists of Tanks T-101 through T-110. All ten aboveground storage tanks have a storage capacity of 6,000 gallons, have cone-shaped bottoms, and are situated in concrete secondary containment. Hazardous wastes in these tanks are pumped into bulk tankers and transported to a permitted disposal facility or sent to the CSX Transflo international transfer facility and loaded onto rail cars to be sent to a permitted disposal facility.

Tanks T-103 and T-104 have been placed out of service due to failed thickness tests. According to Mr. Bosek, the remaining eight tanks are in service and contain waste; however, the fuel gauges were not working, and so hazardous waste was not being added to the tanks. The facility is in the process of repairing the fuel gauges.

All tanks contained a hazardous waste label and an NFPA diamond to indicate the hazard of the contents. The tanks appeared in good condition and all tank pumps, valves, and flanges appeared to be marked. Nuts and bolts did not appear to be missing on the tanks and end caps were secure on piping (Photos 40-50).

Based on the most recent certified annual tank inspection conducted on January 18, 2024, tanks T-101, 102, 107, 108, and 110 determined to be in fair condition while T-105 was determined to be in poor condition and should be replaced. Tanks T-106 and 109 were determined to have internal corrosion and did not pass the thickness tests.

Roll-off Container Storage:
Hazardous waste stored in cubic yard roll-off boxes is allowed in four designated paved areas (south of the North Container Storage Building, west of the used oil tanks, west of the Stormwater Surge area and stormwater tanks. The maximum permitted volume is 32,320 gallons (equivalent to four 40-cubic yard roll-off boxes). No hazardous waste roll-off boxes were observed.

Laboratory:
The laboratory is used to conduct onsite waste analysis. Laboratory samples are barcoded for tracking purposes. Samples are disposed of into one of three satellite accumulation areas (SAA) after wastes have been analyzed. The inspectors observed the following wastes (Photos 51-53):

- One 20-gallon container of waste flammable liquids. The container was closed, labeled "Hazardous Waste—Flammable Liquids", and marked with an indication of the hazard of the contents;
- Two 55-gallon containers of flammable solids/ solid debris contaminated with solvents. The container was closed, labeled "Hazardous Waste—Flammable Solids/ Solid Debris Contaminated with Solvents, and marked with an indication of the hazard of the contents; and
- One 5-gallon container of lab waste broken vials. The container was closed, labeled "Hazardous Waste—Lab Waste Broken Vials", and marked with an indication of the hazard of the contents.

12) Records Review

Contingency Plan and Quick Reference Guide (QRG):

The actions that facility personnel should take in response to an emergency are described in the facility's contingency plan, which was last updated in January of 2023.

The plan describes actions facility personnel must take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility. The plan describes arrangements agreed to with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers, local hospitals, and the Local Emergency Planning Committee. The plan lists the names and emergency telephone numbers for persons identified as emergency coordinators identified as Wes McDuffie and John Whyte and John Bosek as alternates.

The plan includes a list of all emergency equipment at the facility. The list includes fire extinguishing systems, spill control equipment, communications and alarm systems, and decontamination equipment. The list appears to be up to date. The plan includes the location and a physical description of each item on the list, and a brief outline of its capabilities. The plan includes an evacuation plan for personnel. This plan describes signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

A copy of the contingency plan (and its quick reference guide) was most recently submitted to the Polk County Emergency Management on 01/30/23, Bartow Regional medical Center on 02/06/23, Polk County Fire 02/06/23, Bartow Fire Department 02/06/23, and Bartow Police Department 02/03/23.

The quick reference guide includes the types/names of hazardous waste in layman's terms and the associated hazard associated with each hazardous waste present at any one time; the estimated maximum amount of each hazardous waste that may be present at any one time; the identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff; a map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; a street map of the facility in relation to surrounding businesses, schools and residential areas; the locations of

water supply; the identification of on-site notification systems; and the name of the emergency coordinator(s) and emergency telephone number(s).

Training Records:

The inspectors reviewed facility job descriptions and employee names that were provided for Wes McDuffie, John Bosek, John Whyte, Jordan Ford, Robert Piatt, Paul Leisep, and Christopher Schumacher. Each description included the requisite skill, education, or other qualifications, and duties of facility personnel assigned to that position.

The provided a written description of the type and amount of both introductory and continuing training to be given to each person filling the positions listed above. The inspectors reviewed records of employee hazardous waste training completed in 2023-2024.

Waste Manifest and Land Disposal Restriction (LDR) Records:

The inspectors reviewed available hazardous waste manifest records and land disposal restriction forms for inbound and outbound shipments of hazardous waste sent since 2021. No issues were noted.

Daily Inspection Records:

Permitted container storage areas, hazardous waste tanks, and the perimeter fencing, and security are inspected daily through the facility's WIN Web system and date back to over three years. Daily tank inspections are not being conducted on the weekends even though the facility has been operating on weekends since mid-December. Tanks should be inspected once each operating day per the FDEP permit application schedule.

Pursuant to Permit Condition II.1 which incorporates Fla. Admin. Code Ann. r. 62-730.180(1) [40 C.F.R. § 264.195(b)], the owner or operator must inspect at least once each operating day data gathered from monitoring and leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design.

Inspection Records:

Safety equipment and emergency equipment (spill control, fire equipment, and emergency shower stations) are inspected weekly and are tracked through the WIN Web system while safety and security devices are inspected monthly. Records were available for review.

Tank Documents:

Tank thickness tests were conducted on 01/18/24 in-house by Benjamin Cook using the Internal Recommended practice no. SNT-TC-1A 2016 Edition Personnel qualification and certification.

Clean Harbors conducts organic air emissions monitoring on the hazardous waste tanks using a RAE System by Honeywell MiniRAE 3000, Model Name: Pam-7320 s/n 592-926030 which is calibrations monthly. Calibration records were available for review.

The pressure relief devices and ancillary equipment included pumps, flanges, and connectors are inspected monthly. Records were available for review. Organic air emissions monitoring is conducted by John Whyte and Wes McDuffie.

Annual visual tank inspections are conducted by Benjamin Cook of Clean Harbors and was available for review.

Quarterly overfill protection device testing is conducted by John Whyte and was available for review.

P.E. Certifications for hazardous waste tanks were available for review for tank T-106 only.

Pursuant to Fla. Admin. Code Ann. r. 62-730.180(1) [40 CFR § 264.191(b)] Assessment of Existing Tank System's Integrity: This assessment must determine that the tank system is adequately designed and has sufficient structural strength and compatibility with the waste(s) to be stored or treated, to ensure that it will not collapse, rupture, or fail. At a minimum, this assessment must consider the following listed in 40 CFR § 264.191(b)(1-5).

Waste Analysis Plan:

The waste analysis plan was available for review and last updated on 06/13/2021.

Financial Records:

The facility provided their certificate of liability insurance: Willis Towers Watson Northeast, Inc. Certificate of Insurance dated 10/20/23, FDEP Certificate of Insurance dated 01/15/2024, Great American Insurance Company Certificate of Insurance Policy# CPC-E601070-03 Effective 7/31/23 $1,096,485.

13) Closing Conference

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

14) List of Attachments

Attachment 1 – Photo Log:

15) Signed

KAYLA ACOSTA

Digitally signed by KAYLA ACOSTA
Date: 2024.05.22 09:18:38 -04'00'

Kayla Acosta
Physical Scientist

16) Concurrence

ALAN NEWMAN

Digitally signed by ALAN NEWMAN
Date: 2024.05.22 11:59:50 -04'00'

Alan R. Newman
RCRA Enforcement Section

Attachment 1 – Photo Log

[53] Photos taken on: March 13, 2024
Photos taken by: Kayla Acosta
Photos taken with: iPad
EPA Property Tag: SS8386

Photo 1	IMG-20240313101014101430637 93.jpg
03/13/2024 10:10 AM (ET)	Photographer: Kayla Acosta
Low Explosives Magazine	27.95587519, -81.77924176

Photo 2	IMG-20240313101216121628731 72.jpg
03/13/2024 10:12 AM (ET)	Photographer: Kayla Acosta
Low Explosives Magazine	27.95603231, -81.77917144

Photo 3	IMG-20240313101350135013502542164.jpg
03/13/2024 10:13 AM (ET)	Photographer: Kayla Acosta
Low Explosives Magazine	27.95587813, -81.77922097

Photo 4	IMG-20240313101746174626944436.jpg
03/13/2024 10:17 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.9562282, -81.77927889

Photo 5			IMG-20240313101752175225665998.jpg
03/13/2024 10:17 AM (ET)			Photographer: Kayla Acosta
North Container Storage Building - SWMU 13			27.95621298, -81.77928702

Photo 6	IMG-20240313102303233259316 8.jpg
03/13/2024 10:23 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95622606, -81.77926196

Photo 7	IMG-20240313103031303124683 94.jpg
03/13/2024 10:30 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95622212, -81.77934427

Photo 8	IMG-20240313103042304225583 87.jpg
03/13/2024 10:30 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95621864, -81.77936598

Photo 9	IMG-20240313103059305926478 91.jpg
03/13/2024 10:30 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95619446, -81.77935567

Photo 10	IMG-20240313103413341321633 89.jpg
03/13/2024 10:34 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95617568, -81.7795006

Photo 11	IMG-20240313103533353323881 59.jpg
03/13/2024 10:35 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95628012, -81.77942365

Photo 12	IMG-20240313103834383424248 26.jpg
03/13/2024 10:38 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95637391, -81.7794094

Photo 13	IMG-20240313103952395227462 35.jpg
03/13/2024 10:39 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95606119, -81.77952163

Photo 14	IMG-20240313104559455924898 62.jpg
03/13/2024 10:45 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95620355, -81.77961861

Photo 15	IMG-20240313104615461527168 61.jpg
03/13/2024 10:46 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.9561409, -81.77958852

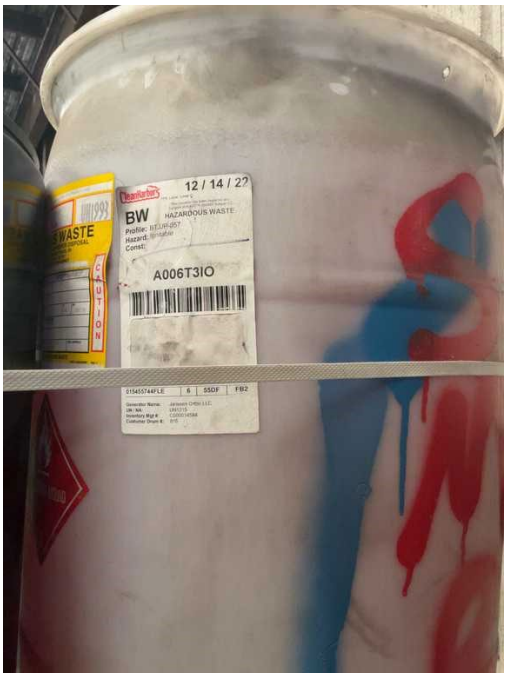

Photo 16	IMG-20240313105321532125517 50.jpg
03/13/2024 10:53 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95603515, -81.77921431

Photo 17	IMG-20240313105726572624963337.jpg
03/13/2024 10:57 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95609471, -81.77959246

Photo 18	IMG-20240313110033033287231 8.jpg
03/13/2024 11:00 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95606714, -81.77935835

Photo 19	IMG-20240313110238238253212l.jpg
03/13/2024 11:02 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95605335, -81.77962448

Photo 20	IMG-20240313110328328240854 8.jpg
03/13/2024 11:03 AM (ET)	Photographer: Kayla Acosta
North Container Storage Building - SWMU 13	27.95593825, -81.77934155

Photo 21	IMG-20240313111703173380310 4.jpg
03/13/2024 11:17 AM (ET)	Photographer: Kayla Acosta
Boiler Building	27.95574452, -81.77982749

Photo 22	IMG-20240313112517251726727 17.jpg
03/13/2024 11:25 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.95508771, -81.77977879

Photo 23	IMG-20240313112520252025202574718.jpg
03/13/2024 11:25 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.95502849, -81.77977292

Photo 24	IMG-20240313112523252327181 57.jpg
03/13/2024 11:25 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.95508474, -81.77973579

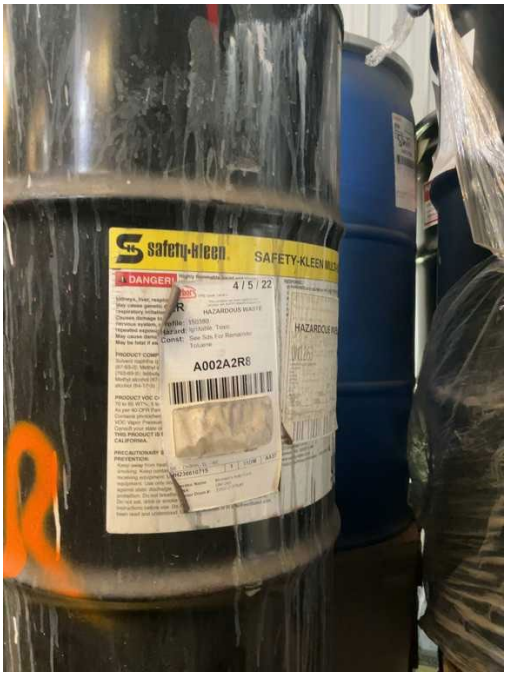

Photo 25	IMG-20240313113836383625384 02.jpg
03/13/2024 11:38 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.95550312, -81.77975063

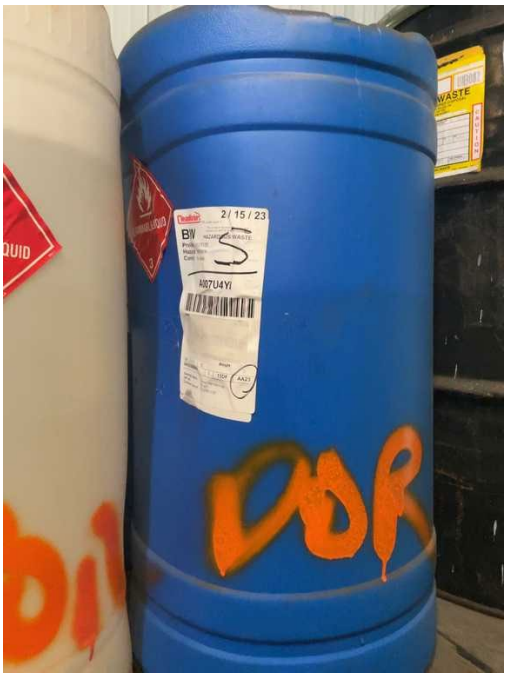

Photo 26	IMG-20240313113923392325290 83.jpg
03/13/2024 11:39 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.95513872, -81.77969179

Photo 27	IMG-20240313113926392622805 96.jpg
03/13/2024 11:39 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.95513633, -81.77964116

Photo 28	IMG-20240313114150415023842 18.jpg
03/13/2024 11:41 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.95511336, -81.77957813

Photo 29	IMG-20240313114422442229344 56.jpg
03/13/2024 11:44 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.95519404, -81.77940177

Photo 30	IMG-20240313114829482918 72846.jpg
03/13/2024 11:48 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.9550124, -81.77948869

Photo 31	IMG-20240313114912491219419 81.jpg
03/13/2024 11:49 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.95507107, -81.77931913

Photo 32	IMG-20240313115031503123122 44255.jpg
03/13/2024 11:50 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.9550308, -81.77951602

Photo 33	IMG-20240313115101511234981l.jpg
03/13/2024 11:51 AM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.95503482, -81.77956053

Photo 34	IMG-20240313120344344233586 3.jpg
03/13/2024 12:03 PM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2	27.95528192, -81.77946355

Photo 35	IMG-20240313121148114813593 02.jpg
03/13/2024 12:11 PM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2/Fuel blending pump station	27.95523117, -81.7795498

Photo 36	IMG-20240313121153115314165 75.jpg
03/13/2024 12:11 PM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2/Fuel blending pump station	27.95526851, -81.7795296

Photo 37	IMG-20240313121211121114431 98.jpg
03/13/2024 12:12 PM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2/Fuel blending pump station	27.95531499, -81.77953957

Photo 38	IMG-20240313121215121514169 16.jpg
03/13/2024 12:12 PM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2/Fuel blending pump station	27.95531256, -81.77953429

Photo 39	IMG-20240313121235123513696 86.jpg
03/13/2024 12:12 PM (ET)	Photographer: Kayla Acosta
South Container Storage Building - SWMU 2/Fuel blending pump station	27.95529998, -81.77953169

Photo 40	IMG-20240313121550155015016850 08.jpg
03/13/2024 12:15 PM (ET)	Photographer: Kayla Acosta
South Tank Farm	27.95541296, -81.77945677

Photo 41	IMG-20240313121620162016201605616.jpg
03/13/2024 12:16 PM (ET)	Photographer: Kayla Acosta
South Tank Farm	27.95535162, -81.77941694

Photo 42	IMG-20240313121722172217221865587.jpg
03/13/2024 12:17 PM (ET)	Photographer: Kayla Acosta
South Tank Farm	27.95543766, -81.77936565

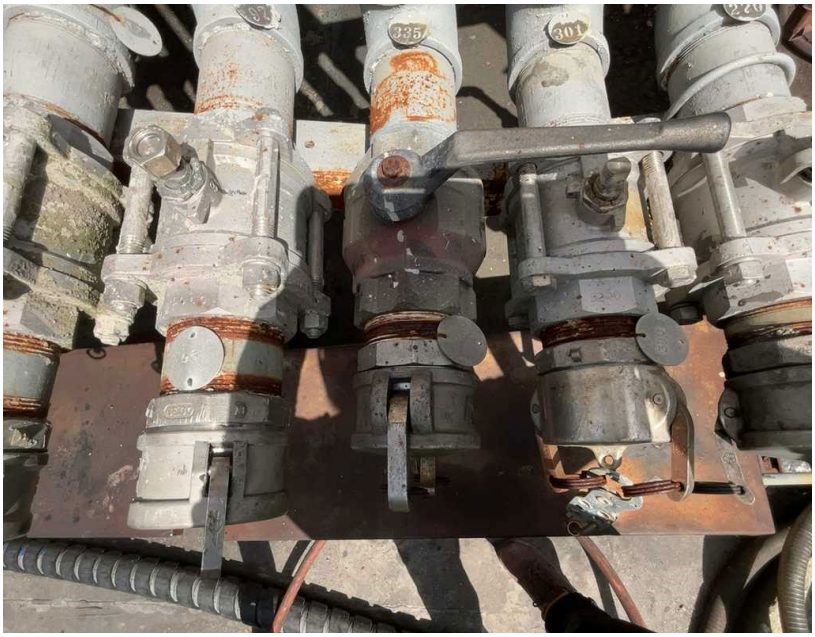

Photo 43	IMG-20240313121842184218421761218.jpg
03/13/2024 12:18 PM (ET)	Photographer: Kayla Acosta
South Tank Farm	27.95542093, -81.7793757

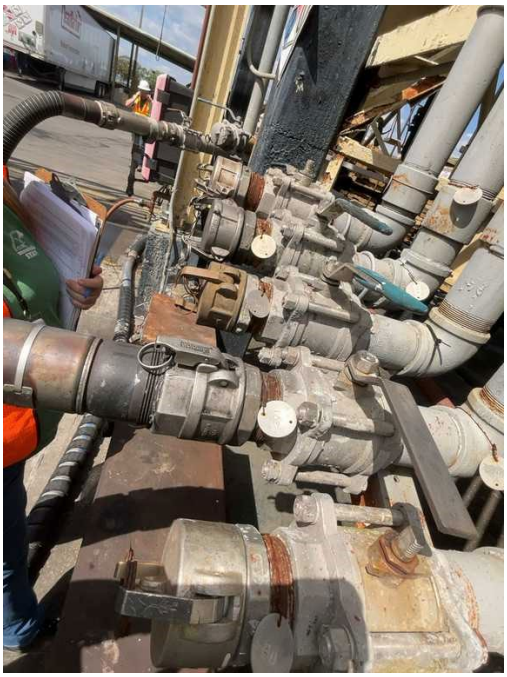

Photo 44	IMG-20240313121855185518551956377.jpg
03/13/2024 12:18 PM (ET)	Photographer: Kayla Acosta
South Tank Farm	27.95548082, -81.77933866

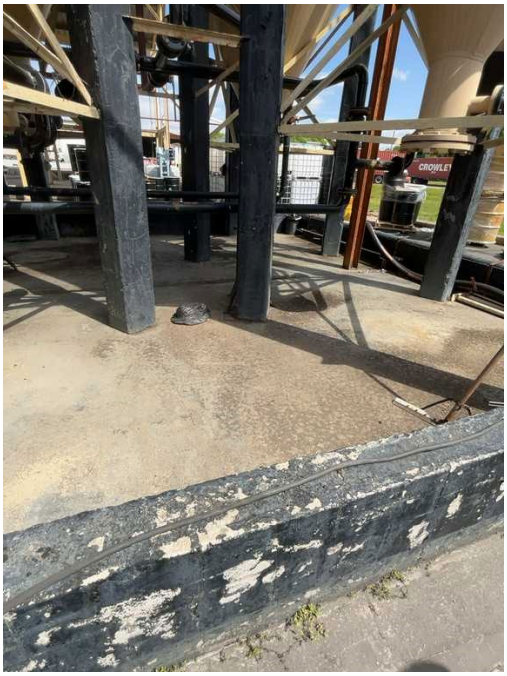

Photo 45	IMG-20240313121958195820522263.jpg
03/13/2024 12:19 PM (ET)	Photographer: Kayla Acosta
South Tank Farm	27.95546729, -81.77936196

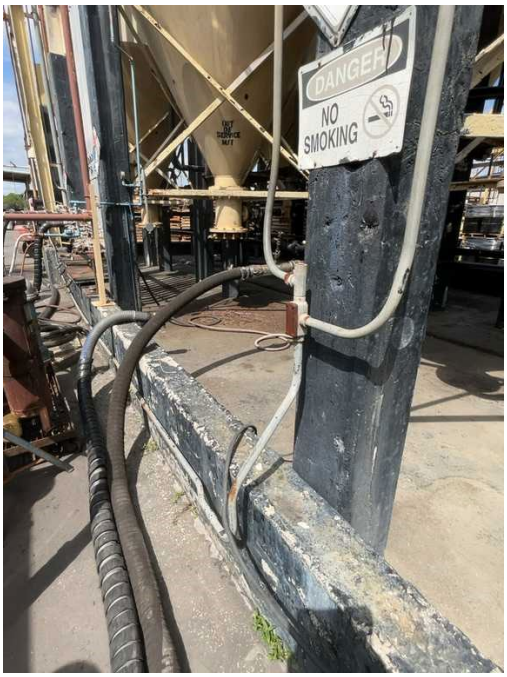

Photo 46	IMG-20240313122000200202288.jpg
03/13/2024 12:20 PM (ET)	Photographer: Kayla Acosta
South Tank Farm	27.95540723, -81.77931686

Photo 47	IMG-20240313122040204020401580968.jpg
03/13/2024 12:20 PM (ET)	Photographer: Kayla Acosta
South Tank Farm	27.95542072, -81.77932508

Photo 48	IMG-20240313122318231813060 49.jpg
03/13/2024 12:23 PM (ET)	Photographer: Kayla Acosta
South Tank Farm	27.95547533, -81.77927428

Photo 49	IMG-20240313122450245014142 56.jpg
03/13/2024 12:24 PM (ET)	Photographer: Kayla Acosta
South Tank Farm	27.9555861, -81.77936422

Photo 50	IMG-20240313122511251114956 07.jpg
03/13/2024 12:25 PM (ET)	Photographer: Kayla Acosta
South Tank Farm	27.95555393, -81.77942258

Photo 51	IMG-20240313123203323105813 6.jpg
03/13/2024 12:32 PM (ET)	Photographer: Kayla Acosta
Laboratory	27.95569417, -81.77849897

Photo 52	IMG-20240313123342334211454 08.jpg
03/13/2024 12:33 PM (ET)	Photographer: Kayla Acosta
Laboratory	27.95567875, -81.77844897

Photo 53	IMG-20240313123438343812068 90.jpg
03/13/2024 12:34 PM (ET)	Photographer: Kayla Acosta
Laboratory	27.95569211, -81.77848239