

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

SAFETY-KLEEN SYSTEMS, INC

3035 W. 73rd Street
Davenport, Iowa 52806
(563) 386-3024

EPA ID Number: IAD098027592

On

September 5 and 6, 2023

By

TOEROEK ASSOCIATES, INC.

For

U.S. ENVIRONMENTAL PROTECTION AGENCY

Region 7

Enforcement and Compliance Assurance Division

INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division/Chemical Branch/RCRA Section of the U.S. Environmental Protection Agency (EPA) Region 7, Toeroek Associates, Inc. and its subcontractor CLAENE Group (Toeroek team) conducted a hazardous waste compliance evaluation inspection (CEI) at Safety-Kleen Systems, Inc. (Safety-Kleen) at 3035 W. 73rd Street, Davenport, Iowa. The CEI was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA), as amended. The CEI covered requirements of the facility's RCRA hazardous waste management permit, as well as hazardous waste generator, used oil, and universal waste requirements. This report and its attachments present findings of the CEI.

PARTICIPANTS

Safety-Kleen:

Jason Lingle, Branch Manager
Michelle Chillson, Senior Environmental Compliance Manager
Brian Hilsonbeck, Waste Handler

Toeroek Team:

John D. Dixon, Inspector, 703-473-8717
Steven A. Johnson, Trainee

INSPECTION PROCEDURES

Prior to the CEI at Safety-Kleen on September 5, 2023, Mr. Johnson and I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by inspection. Upon our arrival, Mr. Johnson and I entered the visitor's entrance and explained the purpose of the CEI to Mr. Lingle. We signed the visitor's log, and Mr. Lingle escorted us to his office. Mr. Lingle contacted Ms. Chillson via telephone to inform her of our arrival. I explained the purpose and scope of the CEI to Ms. Chillson. I explained that I would conduct a visual inspection with Mr. Lingle followed by a review of facility records. Ms. Chillson stated that she was approximately 3 hours away, but would be at the facility to assist with the records review. I then conducted an entry briefing with Mr. Lingle.

During the entry briefing, I presented my business card and EPA credentials to Mr. Lingle. I explained the scope and procedures for the CEI. I explained the facility's right to make confidentiality claims for any or all the information obtained and provided a Notice Regarding Proprietary/Confidential Business Information. I stated that at the conclusion of the CEI, Mr. Lingle would be presented with a Confidentiality Notice (Notice) with which he could make or not make a claim of confidentiality for the facility. I also provided Mr. Lingle a copy of U.S. Federal Codes 1001 and 1002, concerning communication of false statements and documents to federal inspectors, and RCRA Section 3007, explaining EPA's inspection authority, both of which he read.

A copy of each of the following documents was left with Mr. Lingle during the inspection:

- RCRA Facility Access Information Sheet
- Mr. Trevor Urban's business card
- RCRA Section 3007
- U.S. Federal Codes 1001 and 1002
- Instructions for Responding to a Notice of Preliminary Findings
- Notice Regarding Proprietary/Confidential Business Information
- E-Manifest Fact Sheet: Generators
- Managing your Hazardous Waste: A Guide for Small Businesses
- U.S. EPA Small Business Resources Information Sheet
- Solvent-Contaminated Wipes Final Rule Summary Chart
- IDNR Excluded Solvent-Contaminated Wipes Rule: Management Practices for Wipes, Rags, and Shop Towels
- Recycling Electronics: A Guide for Businesses
- Lead-Based Paint Activities: Handling and Disposal
- Battery Recycling/Disposal
- Management of Fluorescent Lamps for Businesses
- Incompatible Chemicals
- Universal Wastes – Including Aerosol Cans
- TCLP – Toxicity Characteristic Leaching Procedure
- Part 279 Requirements: Used Oil Management Standards
- EPA Region 7 Emergency Response Program
- Chemical Facility Anti-Terrorism Standards

- Iowa Environmental Guide for Businesses

I reviewed the Notification Acknowledgement/Verification Report (Verification Report) with Mr. Lingle (Attachment 1). Based on this review, I made no changes to the Verification Report.

I conducted a visual inspection of the facility, accompanied by Mr. Lingle. Following the visual inspection, I reviewed facility records including hazardous waste manifests with land disposal restriction (LDR) notifications, safety data sheets (SDS), contingency plan, inspection records, training documentation, and the facility's operating record. Ms. Chillson participated during the records reviews. I prepared and completed a site-specific inspection checklist to document my observations.

I completed the visual inspection and the majority of the records review on September 5, 2023. Mr. Johnson and I returned to the facility on September 6, 2023, to complete the CEI. At the conclusion of the CEI on September 6, 2023, I conducted an exit briefing with Mr. Lingle and Ms. Chillson. During the exit briefing, I provided a Receipt for Documents and Samples, which Ms. Chillson signed, acknowledging receipt (Attachment 2). I provided Ms. Chillson the Notice, which she signed indicating no confidential business information had been provided (Attachment 3). I also provided Ms. Chillson a Notice of Preliminary Findings (NOPF) which she signed to acknowledge receipt (Attachment 4).

A map of the facility obtained during the CEI is included in Attachment 5, and a Google Earth aerial photograph of the facility is included as Attachment 6. The 67 photographs taken during the CEI are included in Attachment 7, of which 61 are described in this report.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

Safety-Kleen began operations at its current location in 1984. The facility consists of an office/warehouse building, a RCRA-permitted waste storage building, a return/fill area, a tank farm with four 20,000-gallon aboveground storage tanks (ASTs) for used oil storage, and a tank farm with three ASTs (capacities ranging from 7,000 gallons to 13,500 gallons) for storage of virgin product, spent solvent, and used antifreeze on an approximately 2.4-acre site. Safety-Kleen employs 11 personnel, who work one shift, 7:00 a.m. to 5:00 p.m., Monday through Friday.

Safety-Kleen provides environmental services to customers in a variety of industries. These services include distribution of parts washers and solvents, maintenance of parts washers, collection of spent solvents and aqueous solutions from parts washers and painting applications, used oil and used oil filter collection, vacuum truck services, and collection of containerized hazardous and nonhazardous waste. Wastes collected by Safety-Kleen personnel are transported to the facility for storage or temporary holding in a 10-day transfer area prior to shipment off site for recycling, reclamation, treatment, destruction, or disposal.

Safety-Kleen was issued a RCRA hazardous waste management permit on September 30, 2021, and the permit is effective for 10 years from that date. RCRA Permit Condition IV.A authorizes

a hazardous waste capacity of 17,670 gallons, which includes a single container storage area (CSA) for hazardous waste and the 10-day transfer area. RCRA Permit Condition V.A authorizes a single hazardous waste storage tank for spent solvent with a capacity of 13,500 gallons.

Wastes from Safety-Kleen's primary business activities are identified as "core wastes" by Safety-Kleen. Core wastes include spent parts washer solvents and solutions, waste paint-related material (WPRM), solvents from immersion cleaners, and dry cleaning wastes. Core wastes are recharacterized annually, per the facility's Waste Analysis Plan. Manifests for core wastes are terminated upon arrival at the facility and placement of the waste into storage. These wastes become branch-generated wastes (that is, wastes that are generated by Safety-Kleen and count toward the facility's hazardous waste generator status) when shipped from storage to their ultimate destination. Other branch-generated wastes include wastes from routine facility operations such as solvent sludge and branch debris. A list of branch-generated wastes with waste codes and profile information for 2023 is in Attachment 8. An Operating Record report of all wastes terminated at the facility in calendar year 2023 to date is in Attachment 9, and a report of all wastes generated in calendar year 2023 to date is in Attachment 10. Ms. Chillson provided Attachments 9 and 10 by email on September 7, 2023, in response to my data request at the conclusion of the CEI.

Hazardous and nonhazardous waste that are not core wastes are managed as 10-day transfer wastes. Manifests for these wastes from the generating facility are left intact, and the wastes are transferred off site within 10 calendar days under that original manifest. The facility manages 10-day transfer wastes in the same waste storage building as the CSA. An Operating Record report of all wastes transferred from the facility in calendar year 2023 to date is in Attachment 11. Ms. Chillson provided Attachment 11 by email on September 7, 2023, in response to my data request at the conclusion of the CEI.

Because of the number of wastes generated and managed at the facility, I have included descriptions of only the highest volume branch-generated wastes and wastes I personally observed during the inspection. The following description of facility operations should not be considered a comprehensive description of all operations and waste streams.

Spent solvent, spent aqueous parts washer solvent, WPRM, used oil, and used oil filters are transported from customer locations to the facility for storage. Spent solvent and WPRM have been determined to be hazardous by product and process knowledge and/or testing during annual recharacterization. Spent aqueous parts washer solvent has been determined to be nonhazardous by product and process knowledge. However, the facility bulks spent aqueous parts washer solvent in 300-gallon containers and tests each bulk container to confirm the nonhazardous waste determination. Used oil and used oil filters are managed as used oil according to Title 40 *Code of Federal Regulations* (40 CFR) Part 279.

Facility operations generate branch debris, solvent sludge, used oil retain sample waste, oily absorbent waste, and waste aerosol cans. Branch debris consists of contaminated or potentially contaminated debris, such as personal protective equipment (PPE), paper, unwanted labeling, or any other solid wastes that may have contacted hazardous waste. Solvent sludge consists of solids removed from spent parts washer solvent containers, the return dumpster, or the spent

solvent storage tank. Branch debris and solvent sludge have been determined to be hazardous by product and process knowledge and/or testing during annual recharacterization. Used oil retain samples consist of retain samples discarded after the 90-day hold time has expired. Used oil retain samples have been determined to be hazardous waste by product and process knowledge as well as testing. Oily absorbent waste generated during cleanup of spills and leaks is managed as used oil according to 40 CFR Part 279. Waste aerosol cans consist of paint cans used for marking containers and blacking out unwanted labeling. Waste aerosol cans are managed as universal waste according to 40 CFR Part 273. Waste lamps are occasionally generated at the facility, and are added to the waste lamps collected from customers for 10-day transfer off site.

Facility maintenance generates general trash. General trash consists of office- and packaging-type wastes that are not potentially contaminated with hazardous waste. General trash has been determined to be nonhazardous by product and process knowledge, and is collected for landfill disposal.

Safety-Kleen was last inspected by an EPA contractor on March 22 and 23, 2021, as a RCRA-permitted treatment, storage, and disposal facility (TSDF) and large quantity generator (LQG) of hazardous waste (generating more than 2,200 pounds [1,000 kg] of hazardous waste per month).

The inspector made the following preliminary findings:

- Failure to document the annual inspection and maintenance of the hazardous waste tank pressure/vacuum vent (component number 101) as a closure device for the hazardous waste AST
- Failure to prepare a quick reference guide as a component of the contingency plan

These preliminary findings were not repeated during this CEI.

2. RCRA Status

Safety-Kleen is identified as a LQG of hazardous waste, transporter and transfer facility for hazardous waste and used oil, universal waste destination facility, and a RCRA-permitted TSDF on the Verification Report provided by EPA (Attachment 1). During the CEI, I reviewed manifests and operating record reports for wastes terminated and generated at the facility to confirm the facility's hazardous waste generator status. Based on my review, the facility generates approximately 42,000 pounds of spent solvent every 4 to 6 weeks. This is equivalent to approximately 19,050 kilograms (kg) every four to six weeks for this hazardous waste stream alone. Therefore, I concluded the hazardous waste generation rate for Safety-Kleen is well above LQG thresholds. In addition, the facility is operating as a small quantity handler (SQH) of universal waste (accumulating less than 5,000 kg of universal waste at any time), universal waste transporter and destination facility, hazardous waste hazardous waste and used oil transporter, and 10-day transfer facility. I confirmed each of these activities during the CEI.

The facility's RCRA hazardous waste management permit identifies a single CSA, with a total capacity of 17,670 gallons to include hazardous waste in storage and 10-day transfer wastes). The container inventory of wastes in storage at the time of the inspection is in Attachment 12, and the inventory of 10-day transfer wastes at the time of the inspection is in Attachment 13. I

inspected the CSA during the CEI and confirmed the volume of hazardous waste at the time of the CEI was well below the permit limit. I also inspected the facility's 13,500-gallon permitted hazardous waste AST.

3. Waste Streams

This section of the CEI report describes waste streams generated by the facility, including the facility's waste determination and waste codes, generation process and rate, management at the facility, and ultimate disposition. The following discussion of waste streams is based on conversations with Mr. Lingle and Ms. Chillson, as well as observations during the visual inspection and records review. Mr. Lingle accompanied me throughout the CEI, and Mr. Hilsonbeck participated during inspection of the warehouse and permitted CSA.

Spent solvent consists of spent mineral spirits solvent collected from customers during parts washer servicing. The facility considers spent solvent to be hazardous waste (D001, D018, D039, and D040) based on product and process knowledge and on testing. Based on the facility's Operating Record report of wastes generated in calendar year 2023 to date (Attachment 10), the facility generates approximately 42,000 pounds (19,050 kg) of spent solvent every four to six weeks. Containers of spent solvent collected from customers are delivered to the return/fill area where the waste is poured or pumped into the return dumpster. The containers to be reused are scrubbed and rinsed with solvent in the return/fill area. Spent solvent from containers and the container rinse station is pumped from the return dumpster directly to the 13,500-gallon permitted hazardous waste storage tank. It is transported to Safety-Kleen in Dolton, Illinois, for solvent recovery.

During the CEI, I observed the spent solvent return dumpster and container rinse station in the return/fill area (Attachment 7, Photograph 11). I also observed the permitted 13,500-gallon AST for spent solvent (Attachment 7, Photographs 15, 16, 18, and 51). The tank appeared to be structurally sound with no evidence of spills or leaks. The AST was labeled with the words "hazardous waste" and an indication of the nature of the hazard. The tank gauge was illegible at the time of the CEI due to condensation inside the gauge (Attachment 7, Photograph 19). However, the tank volume is recorded daily and the tank held 7 feet, 10 inches of waste when recorded the prior day. This measurement corresponds to a volume of 3,243 gallons. Copies of the daily tank volume log and conversion charts for the week of September 4, 2023, are in Attachment 14. I asked Mr. Lingle if the spent solvent AST is drawn down to empty. He explained that the AST is drawn down at least once each year and that the drawdown is documented. A copy of the record for the last drawdown event, dated August 5, 2023, is in Attachment 15.

The permitted spent solvent AST shares a secondary containment structure with the facility's 12,000-gallon used antifreeze AST and 7,000-gallon virgin solvent AST. The secondary containment structure appeared to be adequately sized. I observed no evidence of cracks or damage and no evidence of spills or leaks (Attachment 7, Photograph 17). I noted no deficiencies during the visual inspection of the permitted hazardous waste AST.

Branch debris consists of solid wastes, such as PPE, labels, paper, and other wastes that have been or could potentially be contaminated with hazardous waste. The facility considers branch

debris to be hazardous waste (D001, D004-D011, D018-D019, D021-D030, D032-D043, F002, F003, and F005) based on product and process knowledge. Based on the facility's 2021 Hazardous Waste Biennial Report, the facility generates approximately 1,500 pounds (680 kg) of branch debris per month, assuming a relatively constant rate of generation over the whole year. Copies of the 2021 Hazardous Waste Biennial Report Generation and Management (GM) forms are in Attachment 16. Branch debris is accumulated in 55-gallon satellite accumulation containers (SAC), and full SACs are transferred to the permitted CSA. The waste is transported to Clean Harbors in Kimball, Nebraska, for solvent recovery or incineration.

During the CEI, I observed 55-gallon SACs of branch debris in the following areas:

- Return/fill area (Attachment 7, Photographs 12 and 14)
- Near the used oil AST farm (Attachment 7, Photograph 39)
- CSA (Attachment 7, Photographs 60 and 61)

All SACs were near the point of generation, under control of the operator, in good condition, closed, and latched shut. The SACs were labeled with the words "hazardous waste" and an indication of the nature of the hazard. I noted no deficiencies with accumulation of branch debris during the CEI.

Solvent sludge consists of solids cleaned from spent solvent containers and the return dumpster. The facility considers solvent sludge to be hazardous waste (D001, D018, D039, and D040) based on product and process knowledge and on testing. Based on the facility's 2021 Hazardous Waste Biennial Report (Attachment 16), the facility generates approximately 200 to 210 pounds (91 to 95 kg) of solvent sludge per month, assuming a relatively constant rate of generation over the whole year. Solvent sludge is accumulated in a 55-gallon SAC in the return/fill area, and full containers are transferred to the permitted CSA. The waste is transported to Safety-Kleen in Smithfield, Kentucky, for fuel blending.

During the CEI, I observed the 55-gallon SAC of solvent sludge in the return/fill area. The SAC was near the point of generation, under control of the operator, in good condition, closed and latched shut, and labeled with the words "hazardous waste" and an indication of the nature of the hazard. I did not photograph the SAC, but I noted no deficiencies with accumulation of solvent sludge during the CEI.

Used oil retain sample waste is generated when used oil samples that have been retained for confirmation analysis are discarded following expiration of their hold times. The facility considers used oil retain sample waste to be hazardous waste (D008, D018, D039, and D040) based on product and process knowledge and on testing. Based on the facility's 2021 Hazardous Waste Biennial Report (Attachment 16), the facility generates approximately 550 to 600 pounds (249 to 272 kg) of used oil retain sample waste per month, assuming a relatively constant rate of generation over the whole year. The waste is accumulated in a 55-gallon SAC, and full SACs are transferred to the permitted CSA for storage. The waste is transported to Safety-Kleen in Smithfield, Kentucky, for fuel blending.

During the CEI, I observed the cabinets in the warehouse used to hold used oil retain samples (Attachment 7, Photographs 1 and 5). I also observed a 55-gallon SAC of used oil retain sample

waste adjacent to the cabinets (Attachment 7, Photographs 1, 2, and 3). The SAC was near the point of generation, under control of the operator, in good condition, closed, and labeled with the words “hazardous waste” and an indication of the nature of the hazard. I estimated that the SAC held approximately five to 10 gallons of waste.

Approximately 10 feet away from the used oil retain sample cabinets, I observed a full 55-gallon container of used oil retain sample waste (Attachment 7, Photograph 6). According to Mr. Hilsonbeck, the SAC for used oil retain sample waste recently filled and was replaced. The full container was removed from the satellite accumulation area and staged to be marked with the date of excess accumulation and moved to the CSA. I asked Mr. Hilsonbeck when the SAC was replaced. He stated that the SAC was replaced on September 1, 2023 (four days prior to the CEI). The SAC was in good condition, closed, and labeled with the words “hazardous waste” and an indication of the nature of the hazard. However, the initial label print date of June 30, 2022, had not been replaced with the date of excess accumulation (Attachment 7, Photographs 7 and 8). I determined that the facility failed to mark the date of excess accumulation on a SAC within 3 days, as required by 40 CFR 262.15(a)(6)(iii) (**NOPF No. 1**). I provided compliance assistance regarding management of SACs during the CEI.

Oily absorbent waste consists of granular absorbent material used to clean up used oil spills and leaks. The facility manages oily absorbent waste as used oil per the requirements of 40 CFR Part 279. I did not determine a generation rate for this waste during the CEI. The waste is accumulated in 5-gallon used oil storage containers when generated. Oily absorbent waste is shipped to Safety-Kleen in Dolton, Illinois, for recycling.

During the CEI, I observed a five-gallon container of oily absorbent waste near the used oil ASTs (Attachment 7, Photograph 34). The used oil storage container was structurally sound and labeled with the words “used oil.” I noted no deficiencies with management of oil absorbent waste during the CEI.

Waste aerosol cans consist of spent or unwanted paint cans used for marking containers and blacking out labeling. The facility recently began managing waste aerosol cans as universal waste per requirements of 40 CFR Part 273. Based on visual observations, I estimated the facility generates two to four waste aerosol cans per month. The waste is accumulated in a 55-gallon universal waste accumulation container. The destination facility for waste aerosol cans was not determined during the CEI, but the waste is presumed to be shipped to Safety-Kleen in Dolton, Illinois, for recycling.

During the CEI, I observed one 55-gallon container holding waste aerosol cans (Attachment 7, Photograph 45). The universal waste accumulation container was structurally sound, closed, and held approximately 10 gallons of waste. An accumulation start date was not marked on the container, but was determined to be February 1, 2023, from the operating record. I determined that the facility’s operating sufficiently tracked the accumulation start date per the requirements of 40 CFR 273.15(c). However, the container was labeled with the words “aerosol cans only” and “LCCRQ – Aerosols (Universal Waste)” (Attachment 7, Photographs 45, 46, and 48). I determined the facility failed to label the waste aerosol cans container with the specific wording

“universal waste – aerosol cans” or “waste aerosol cans” or “used aerosol cans,” as required by 40 CFR 273.14(f) (**NOPF No. 4**).

During the visual inspection of the outdoor general trash roll off container, I observed two waste aerosol cans in the container (Attachment 7, Photographs 65 and 66). The cans appeared to be black paint aerosol cans. I did not retrieve the waste aerosol cans from the general trash roll off container during the CEI to determine if they were RCRA empty due to safety concerns. However, because Mr. Lingle stated that waste aerosol cans are considered to be universal waste and general trash is collected for offsite landfill disposal, I determined the facility failed to send two universal waste aerosol cans to a universal waste handler or destination facility, as required by 40 CFR 273.18(a) (**NOPF No. 5**). I provided compliance assistance regarding management of universal waste aerosol cans during the CEI.

Spent aqueous parts washer solvent is collected from customers during routine parts washer servicing. The spent solution is transported to the facility for bulking prior to disposal. The facility considers spent aqueous parts washer solvent to be nonhazardous waste based on product and process knowledge. In addition, the facility tests each 300-gallon bulk container of spent aqueous parts washer solvent to confirm the nonhazardous waste determination. I did not determine a generation rate for this waste as it is variable. After verifying the waste is nonhazardous, spent aqueous parts washer solvent is added to the oily water storage container. Oily water is managed as used oil per requirements of 40 CFR Part 279 and is shipped to various destination facilities for recycling.

During the CEI, I observed six 300-gallon containers for accumulation of spent aqueous parts washer solvent staged along the facility’s east fenceline (Attachment 7, Photograph 23). All containers were structurally sound and labeled as nonhazardous waste (Attachment 7, Photographs 24 and 25). The containers were full and marked with accumulation start dates. None of the accumulation start dates were older than 2 months. According to Mr. Lingle, the six 300-gallon containers were awaiting confirmation analysis. I noted no deficiencies with management of spent aqueous parts washer solvent during the CEI.

WPRM consists of spent solvent and paint wastes collected from customers. The facility considers WPRM to be hazardous waste (D001, D018, F003, F005, and other waste codes as applicable) based on product and process knowledge. Based on the facility’s 2021 Hazardous Waste Biennial Report (Attachment 16), the facility generates approximately 2,200 pounds (998 kg) of WPRM per month, assuming a relatively constant rate of generation over the whole year. WPRM collected from customers is stored in the permitted CSA upon arrival at the facility. It is transported to Safety-Kleen in Dolton, Illinois, for incineration.

During the CEI, I observed a five 5-gallon containers and two 55-gallon containers of WPRM in the permitted CSA (Attachment 7, Photographs 58, 59, and 62). The WPRM containers were in in good condition, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard, and marked with accumulation start dates. I did not record the accumulation start dates, but I did note that all accumulation start dates observed were within one to two weeks of the date of the CEI. An inventory of the hazardous wastes in storage is in Attachment 12. I noted no deficiencies with management and storage of WPRM during the CEI.

Used oil is collected from customers in tanker trucks and transported to the facility for storage. The facility manages used oil per the requirements of 40 CFR Part 279. After the oil is tested, it is pumped into one of four 20,000-gallon used oil storage tanks at the facility. Based on the facility's Operating Record report of wastes generated in calendar year 2023 to date (Attachment 10), the facility collects approximately 23,000 gallons of used oil per week. Used oil is transported to Safety-Kleen in Dolton, Illinois, for recycling.

The facility also collects oily water from customers. The facility manages oily water as used oil per the requirements of 40 CFR Part 279. Oily water is accumulated in a "frac tank" container south of the used oil tank farm. Spent aqueous parts washer solvent is added to the oily water accumulation container after it is tested to confirm its nonhazardous waste profile. I did not determine a generation rate for oily water and spent aqueous parts washer solvent. The oily water mixture is shipped to various destination facilities for recycling.

Solids from cleanout of the oily water "frac tank" container and trucks is collected separately and is considered nonhazardous based on product and process knowledge. During the CEI, I observed a 55-gallon container of nonhazardous waste oily sludge in the CSA (Attachment 7, Photographs 49 and 50). The container was structurally sound and labeled as nonhazardous waste.

During the CEI, I observed the four used oil ASTs in the used oil tank farm (Attachment 7, Photographs 26 through 28). The used oil ASTs appeared to be structurally sound and were labeled with the words "used oil." The volumes of the tanks were last recorded the day before the CEI (Attachment 14). Based on the tank measurement log for September 4, 2023, the four ASTs held a total of 25,212 gallons of used oil.

I observed the "frac tank" container for accumulation of oily water and spent aqueous parts washer solvent (Attachment 7, Photographs 41 through 44). The used oil storage container appeared to be structurally sound and was labeled with the words "used oil."

I observed a used oil storage container serving as a drip pan beneath the northwest used oil AST connection port (Attachment 7, Photograph 33). The used oil storage container was structurally sound and labeled with the words "used oil."

I observed the secondary containment structure serving the four used oil ASTs. I noted the floor of the containment appeared to be weathered with some cracks present. Photographs of the secondary containment floor are in Attachment 7, Photographs 29 through 32.

I also observed evidence of a used oil leak on the secondary containment floor near the northwest used oil storage tank (Attachment 7, Photographs 35 and 36). Upon further inspection, I observed that a valve stem on piping serving the northwest used oil storage tank appeared to be leaking (Attachment 7, Photograph 37). The facility failed to stop a used oil leak, clean up the leaked used oil, and repair the used oil AST system, as required by 40 CFR 279.22(d) (**NOPE No. 3**). I provided compliance assistance regarding management of used oil and used oil leaks during the CEI.

Used oil filters are collected from customers in containers and transported to the facility for storage. The facility manages used oil filters per the requirements of 40 CFR Part 279. Used oil filters are accumulated in used oil storage containers north of the used ASTs. I did not determine a generation rate for used oil filters during the CEI. Used oil filters are shipped to Safety-Kleen in Dolton, Illinois, for recycling.

During the CEI, I observed four used oil filter accumulation containers north of the used oil ASTs (Attachment 7, Photograph 20). Two of the containers were empty, and two held used oil filters (Attachment 7, Photographs 21 and 22). The two-cubic-yard accumulation containers appeared to be structurally sound and were labeled with the words “used oil.” I noted no deficiencies with management of used oil filters during the CEI.

General trash consists of office- and packaging-type refuse generated at the facility that has not been contaminated or potentially-contaminated with hazardous waste. The facility considers general trash to be nonhazardous waste based on product and process knowledge. General trash is accumulated in several small containers throughout the office and warehouse areas and transferred to an outdoor roll off container. General trash is collected by Republic Services of Davenport, Iowa, for landfill disposal. I observed general trash accumulation containers during the CEI. I observed the presence of two waste aerosol cans in the outdoor roll off container, as described above. I noted no other deficiencies with management of general trash during the CEI.

4. Required Response Equipment and Hazard Management

RCRA Permit Condition III.H specifies that the facility must operate to minimize possibility of a fire, explosion, or spill, and must maintain emergency response equipment. During the CEI, I observed adequate aisle space for emergency response in the permitted CSA. I observed “no smoking” signs, fire extinguishers, spill response equipment, and other emergency response equipment in the warehouse, permitted CSA, and return/fill area (Attachment 7, Photographs 9, 52, and 53). I noted no concerns with types and availability of emergency response equipment and materials at the facility during the CEI.

5. Permitted Hazardous Waste CSA

During the CEI, I noted no accumulation of incompatible wastes and had no concerns with hazardous waste handling and management practices observed in the CSA. All containers I observed during the CEI were received in within a two-week period preceding the CEI. An inventory of the hazardous wastes in storage at the time of the CEI is in Attachment 12. I asked Mr. Lingle and Ms. Chillson if the hazardous waste CSA is inspected. Ms. Chillson explained that the CSA and hazardous waste AST system are inspected daily, and general site security and safety are inspected weekly. Mr. Lingle explained that the inspections are recorded electronically and sent to the facility’s operating record database for documentation of completion. During the CEI, Ms. Chillson showed me electronic records of daily and weekly hazardous waste inspections on her computer. I noted no missed inspections since the date of the last CEI or indications of severe deficiencies discovered during the inspections. A copy of the inspection log for the two weeks prior to the CEI is in Attachment 17. Copies of completed forms for inspections performed on September 4, 2023, are in Attachment 18.

6. Hazardous Waste Storage Tank

Safety-Kleen has a single hazardous waste storage tank with a nominal capacity of 13,500 gallons. Based on my review of operating record reports, approximately 42,000 pounds (19,050 kg) of spent solvent are removed from this tank every 4 to 6 weeks. The hazardous waste storage tank is included in daily inspections. A copy of the inspection log for the two weeks prior to the CEI is in Attachment 17, and copies of completed forms for inspections performed on September 4, 2023, are in Attachment 18. During my review of electronic inspection records, I noted no missed inspections or indications of severe deficiencies discovered during inspection.

During the visual inspection, I asked Mr. Lingle if the high-level alarm for the hazardous waste storage tank is tested. He stated that the high-level alarms (audible and visual alarms) are not tested. I noted that inspection of Communication and Alarm System – check for evidence of failure (for example, test function, siren, strobe) (Attachment 18, page 2) is identified as a component of the daily hazardous waste storage tank inspection. Daily alarm testing is also a requirement of the RCRA permit. I determined the facility failed to test the high level alarm on the hazardous waste storage tank on a daily basis, as required by Permit Condition III.E Referencing Permit Attachment III-2 (NOPF No. 2).

7. 10-Day Transfer Area

During the CEI, I observed 10-day transfer wastes within the CSA (Attachment 7, Photographs 57, 58, 63, and 64). All 10-day transfer waste containers were structurally sound and closed, and had been at the facility for less than 10 days. A copy of the inventory of 10-day transfer wastes at the time of the inspection is in Attachment 13. The volume of branch generated waste and 10-day transfer waste was significantly below the permitted CSA maximum capacity of 17,670 gallons. I noted no deficiencies with management of 10-day transfer wastes during the CEI.

8. Manifests and Biennial Report

Safety-Kleen scans and retains paper copies of all generated uniform hazardous waste manifests, and scans all incoming uniform hazardous waste manifests. I reviewed paper copies of all uniform hazardous waste manifests generated since the date of the previous CEI. The facility generated 68 unique uniform hazardous waste manifests in calendar year 2023 to date (Attachment 10). Copies of uniform hazardous waste manifests and associated records (such as trailer inventories and LDR notifications) are in Attachment 19 as examples.

During the CEI, I asked Ms. Chillson to query the operating record to count the number of unique uniform hazardous waste manifests used by customers to ship waste that terminated at Safety-Kleen and the number of unique uniform hazardous waste manifests used by customers to ship waste that transferred through Safety-Kleen since the date of the last CEI. According to her query, a total of 2,807 unique uniform hazardous waste manifests were terminated at the facility and 2,621 unique uniform hazardous waste manifests were transferred through the facility since March 23, 2021.

During the CEI, I reviewed Safety-Kleen's Hazardous Waste Biennial Report for 2021. The GM forms from this submittal are in Attachment 16. I noted no deficiencies or concerns during my review of the facility's manifests or the biennial report.

9. Personnel Training Requirements

RCRA Permit Condition III.F requires personnel training as specified in 40 CFR 264.16 and the facility's Training Plan (incorporated into the permit as Attachment III-4) to ensure that employees are thoroughly familiar with proper waste handling procedures relevant to their responsibilities. During the CEI, I asked Ms. Chillson about the training provided at Safety Kleen. She explained that every employee who handles waste receives comprehensive hazardous waste handling and emergency response training (including Contingency Plan training) annually. I reviewed training content with Ms. Chillson and determined that the training provided to personnel meets requirements of Permit Condition III.F. Ms. Chillson explained that Safety-Kleen recently switched database systems used to track training at the facility, and that she would need to submit a request to obtain training records maintained in the previous system. On September 7, 2023, Ms. Chillson emailed me employee training records since the date of the previous inspection (Attachment 20). I noted no deficiencies with the type and frequency of personnel training during the CEI.

10. Contingency Plan

RCRA Permit Condition III.I requires the facility to maintain a Contingency Plan designed to minimize hazards to human health and the environment from fires, explosions, or any sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. The Contingency Plan is incorporated in the permit as Attachment III-5, Module G-1. Prior to the CEI, I reviewed the Contingency Plan against the content requirements of 40 CFR 264.52 and noted no deficiencies. Specifically, I noted the Contingency Plan included a description of actions needed to respond to fires, explosions, and spills, a description of arrangements with the local emergency agencies, identification of the primary and alternate emergency coordinators, a list of emergency response equipment (including capabilities and location), and a complete evacuation plan with a description of the signals used, as required by 40 CFR 264.52(a, c, d, e, and f).

I asked Ms. Chillson if the Contingency Plan had been amended since the permit was issued. She explained that a Class I Permit Modification was initiated in 2022 to update the emergency coordinator list and revise the quick reference guide. A similar Class I Permit Modification was initiated in 2023 when Mr. Lingle became the primary emergency coordinator. Copies of the notification letters and change pages for the 2022 and 2023 Contingency Plan updates are in Attachments 21 and 22. I noted no deficiencies during my review of the Contingency Plan.

11. Operating Record

RCRA Permit Condition III.K requires the facility to maintain an operating record. The facility's operating record consists of paper records such as uniform hazardous waste manifests and tank measurement logs, as well as electronic records such as inspection records and training records maintained in the facility's database systems. During the CEI, Ms. Chillson generated several

reports from the facility's database systems (Attachments 9 through 13, 17, and 20). These records demonstrate the capability of the database system to track each container from receipt to destination facility. Based on the records and reports reviewed during the CEI, I noted no concerns with content or capability of the facility's operating record when compared to the required elements of 40 CFR 264.73.

12. Air Emissions: 40 CFR Part 264 Subparts AA, BB, CC

EPA regulations in 40 CFR Part 264, Subparts AA, BB, and CC apply to permitted TSDFs. If a TSDF manages hazardous waste with an organic concentration greater than 10 parts per million by weight (ppmw), the standards found in Subpart AA apply to hazardous waste air emissions from certain process vents. A process vent used in distillation, fractionation, solvent extraction, thin-film evaporation, air stripping, or steam stripping is regulated by Subpart AA. Safety-Kleen is not subject to the Subpart AA regulations because the facility has no regulated process vents.

If a TSDF has equipment that contains or contacts hazardous waste composed of 10 percent or greater organics by weight, the facility is subject to Subpart BB standards for inspection and monitoring of the equipment. Safety-Kleen is subject to the Subpart BB regulations because the hazardous waste storage tank (and associated appurtenances) contact hazardous waste with greater than 10 percent organics. Because of the nature and properties of the solvents managed, the hazardous waste storage tanks and appurtenances are considered to be in heavy liquid service.

Tank system components are inspected during daily inspections (Attachments 17 and 18). Monthly inspections are performed at the return/fill area to assess pumps, seals, and associated equipment supplying waste to the hazardous waste storage tank (Attachment 23). The facility also performs an annual inspection of the tank system focused on Subpart BB and CC requirements (Attachment 24). I reviewed inspection records during the CEI and noted no missed inspections. I obtained a list of Subpart BB equipment tag numbers and diagrams of locations (Attachment 25). During the CEI, I located and verified several Subpart BB equipment tags were in place as documented. Photographs of representative Subpart BB tags are in Attachment 7, Photographs 54 through 56.

The standards found in Subpart CC apply to TSDFs that manage hazardous waste in containers and tanks with volatile organic compounds (VOC) concentration that exceeds 500 ppmw. The Subpart CC standards are applicable to a variety of wastes generated and received at the facility and managed in containers. I determined that the facility meets the Subpart CC requirements for containers by using Container Level 1 controls (storage containers between 26 gallons and 122 gallons that are DOT-approved) for storage of hazardous wastes. I also determined the spent solvent tank meets the Subpart CC requirements for tanks by using Level 1 controls. I did not identify any deficiencies related to Subpart CC requirements.

13. Summary of Preliminary Findings

In summary, as part of the CEI, I made the following preliminary findings:

1. Failure to mark the date of excess accumulation on a SAC within 3 days, as required by 40 CFR 262.15(a)(6)(iii) **(NOPF No. 1)**
2. Failure to test the high level alarm on the hazardous waste storage tank on a daily basis, as required by Permit Condition III.E Referencing Permit Attachment III-2 **(NOPF No. 2)**
3. Failure to stop a used oil leak, clean up the leaked used oil, and repair the used oil AST system, as required by 40 CFR 279.22(d) **(NOPF No. 3)**
4. Failure failed to label the waste aerosol cans container with the specific wording “universal waste – aerosol cans” or “waste aerosol cans” or “used aerosol cans,” as required by 40 CFR 273.14(f) **(NOPF No. 4)**
5. Failure to send two universal waste aerosol cans to a universal waste handler or destination facility, as required by 40 CFR 273.18(a) **(NOPF No. 5).**

Other than items specifically noted in the narrative, I observed no additional issues. However, further review by EPA may change or add to my findings.

John D. Dixon

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John D. Dixon

Inspector

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Amber Whisnant

Section Chief

ECAD/CB/RCRA, EPA Region 7

Attachments

1. Notification Acknowledgement/Verification Report (2 Pages)
2. Receipt for Documents and Samples (1 Page)
3. Confidentiality Notice (1 Page)
4. Notice of Preliminary Findings (1 Page)
5. Facility Map (1 Page)
6. Google Earth Aerial Photograph (1 Page)
7. Photographic Documentation (67 Photos and Photolog) (40 Pages)
8. Core Waste Profiles 2023 (1 Page)
9. Record of Wastes Terminated at Site in 2023 (38 Pages)
10. Record of Wastes Generated at Site in 2023 (3 Pages)
11. Record of Wastes Transferred at Site in 2023 (6 Pages)
12. Container Storage Area Inventory (3 Pages)
13. Transfer Waste Inventory (1 Page)
14. Tank Measurement Log for September 4, 2023, and Conversion Charts (5 Pages)
15. Hazardous Waste Tank Drawdown Log (1 Page)
16. 2021 Biennial Report GM Forms (8 Pages)
17. Daily Inspection Log for 2 Weeks (4 Pages)
18. Completed Forms for Inspections Performed September 4, 2023 (16 Pages)
19. Manifest and Supporting Documentation (12 Pages)
20. Training Records (14 Pages)
21. Contingency Plan 2022 Update Notices and Replacement Pages (13 Pages)
22. Contingency Plan 2023 Update Notices and Replacement Pages (13 Pages)
23. Monthly Return/Fill Inspection (2 Pages)
24. Annual Subpart BB and CC Inspection (6 Pages)
25. Subpart BB Equipment ID Information (6 Pages)