

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

Clean Harbors Environmental Services, Inc.
2247 South Highway 71
Kimball, Nebraska 69145
(308) 235-8260

EPA ID Number: NED981723513

On

August 27-29, 2024

By

U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 7
Enforcement & Compliance Assurance Division

1.0 INTRODUCTION

I performed a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Clean Harbors Environmental Services, Inc. (CHESI Kimball), located in Kimball, Nebraska, on August 27-29, 2024. I conducted the inspection under the authority of RCRA Section 3007(a), as amended. During the inspection, I collected the information necessary to determine compliance with the applicable regulatory and statutory requirements. This report and attachments present the results of the inspection. Based on the information obtained during the inspection, I inspected the facility as a permitted hazardous waste treatment, storage, and disposal facility (TSDF); a Large Quantity Generator of hazardous waste (LQG); and a hazardous waste transfer facility. CHESI Kimball was last inspected for RCRA compliance on April 25, 2023, by the EPA and on March 19, 2024, by the Nebraska Department of Environment and Energy. Nine preliminary findings were observed or cited as a result of the 2023 EPA RCRA inspection. The days of inspection were clear and warm, but during the early morning hours of the first day of inspection, the facility experienced a large rainfall which flooded various areas of the facility.

2.0 PARTICIPANTS

Clean Harbors Environmental Services, Inc.:

Alyssa King, Compliance Manager (on-site inspection and exit briefing) (7 years at facility)
308/235-8212 king.alyssa@cleanharbors.com

Whitney Whartman, Compliance Technician (on-site inspection and exit briefing) (8 months)

Marc Poppe, Compliance Specialist (on-site inspection and exit briefing) (8 months)

Jason Popham, Incineration Manager Train 1 (on-site inspection and exit briefing)
Jesse Buss, Compliance Inspector (on-site inspection) (1 year)
Kelsey Brown, Laboratory Foreman (on-site inspection)
Zach Donnan, Building Supervisor (on-site inspection) (10 years)
Gary Klassen, Building Supervisor (on-site inspection) (5 years)
Melvin Widener, Operations Manager (on-site inspection and exit briefing) (17 years)
Rich Roylance, Laboratory Manager (exit briefing)
Kelly Dunegan, Operations Manager (on-site inspection and exit briefing)
Kenneth Redding, Maintenance Manager (exit briefing)
James Shields, Operations Manager (on-site inspection and exit briefing) (22 years)
Eric Eller, Facility Engineering Manager (exit briefing)
Lezah Saunders, Operations Manager (exit briefing)
Shawn Castagna, Operations Manager (exit briefing)
Stephanie Shoup, Operations Manager (on-site inspection and exit briefing) (17 years)
Ron Beck, Health and Safety Manager (exit briefing)

U.S. Environmental Protection Agency (EPA):

Edwin G. Buckner PE, Environmental Engineer, ECAD Region 7 (Lead Inspector)
Amy Thompson, Environmental Scientist, ECAD Region 7

3.0 INSPECTION PROCEDURES

On August 27, 2024, at about 08:45, Ms. Thompson and I arrived at the CHESI Kimball 10-day transfer area in downtown Kimball, Nebraska, adjacent to the railroad tracks. We observed there were no railcars or containers of waste on the siding. A drive-by, visual inspection was then conducted west of the facility as we entered from Highway 71. The north, south, and east perimeters of the facility are not accessible from the public right-of way. We observed multiple semi-truck trailers north and south of the facility entrance with their doors open. Later Ms. King said these were 10-Day Yards and the doors are kept open to prevent overheating the containers inside. Ms. Thompson and I then proceeded to CHESI Kimball's main facility, arriving at approximately 09:00. Ms. Thompson and I entered the security office, and asked for Alyssa King, Compliance Manager. Ms. Thompson and I signed in, were issued identification tags, then escorted to a conference room where we met with Ms. King, Ms. Whartman, and Mr. Poppe.

Ms. Thompson and I presented our credentials to the facility representatives. I then explained the purpose and procedures of the inspection. As part of the in-briefing, I presented Ms. King with a copy of the *RCRA Facility Access Information Sheet*, March 2013, which provides inspection authority. I explained our need to collect accurate information and presented Ms. King with a copy of Title 18 U.S. Code, Sections 1001 and 1002. Ms. King, Ms. Whartman, and Mr. Poppe were made aware of CHESI Kimball's confidentiality rights and informed that a *Confidentiality Notice* would be provided at the end of the inspection to make, or not to make, any claims. Ms. King, Ms. Whartman, and Mr. Poppe acted as the primary facility representatives.

During the inspection, discussions consisted of wastes generated, wastes received, and waste management practices. Ms. King said that since the last inspection the facility had added a permitted second direct feed line from the Area 70 tank farm. They expect to have the new Train 2 rotary kiln incineration system operational before the end of the calendar year.

Ms. Thompson and I conducted a visual inspection of the following areas on August 27, 2024:

- 10-Day Transfer area, Next to Railway in Kimball, Nebraska
- Area 50C Dry Solids Receiving
- Area 50E Robbe Roller Hazardous Waste Semi-Solid Tanker Storage
- Area 50D Drum/Tote Storage Building
- Train 1 Thermal Oxidizer Unit (TOU) Control Room
- Area 45 TOU
- Area 60 Air Pollution Control Devices
- Area 80 Ash Handling Area
- Area 85 Ash Management Building
- Area 90 Wastewater
- Area 70C Container Storage
- Area 70 Tank Farm and Truck Bays
- Area C 90-Day Accumulation
- Area 20 Wash and Sampling Bays
- Area 40 Container Storage
- Area D 90-Day Accumulation
- Area 55 Shredder and Solids Receiving
- Area 58 Tank Farm and Truck Bay

I conducted a visual inspection of the following areas on August 27, 2024:

- Area 95 Container Storage
- Area 50B Roll-Off Container Storage
- Area 50A Roll-Off Container Storage
- South Area A 90-Day Roll-Off Accumulation
- Area B 90-Day Accumulation

Ms. Thompson conducted a visual inspection of the following areas on August 27, 2024:

- Area 27 Container Storage
- Area 57A Container Storage
- Area 57B Container Storage
- Area 57C Container Storage
- Area 57D Container Storage Oxidizer Building
- Area 57F Thaw Building
- Area 57L Laboratory
- North 10-Day Trailer Parking

Ms. Thompson and I conducted a visual inspection of the following areas on August 28, 2024:

- Laboratory
 - Characterization Lab
 - Metals Lab
 - Semi-Volatile Lab
 - Ash Lab
 - Volatiles Lab
- Area 25 Container Storage
- Train 2 incinerator and associated areas (under construction)

Information collected during the inspection was documented in a field note logbook and on field sheets. The records that were reviewed are as noted in the field note logbook, on the field sheets, and as discussed below. I followed the inspection procedures established in the RCRA CEI Standard Operating Procedure (No. 2321.1E), unless noted differently. Any federal regulatory citations noted in this report are as adopted by reference in the authorized Nebraska regulations or the permit. I took 27 photographs during the inspection. Ms. Thompson took 13 photographs. These photographs are included as Attachment 1. Attachment 2A is an aerial view of the facility obtained from Google Earth. Attachments 2B and 2C are plant diagrams before and after adding the second incinerator at the facility.

At the conclusion of the inspection, I summarized the findings and recommendations with Ms. King and those listed above. I provided Ms. King with a Confidentiality Notice (Attachment 3), which she signed as acknowledgement of receipt. Ms. King claimed Attachments 2B, 2C, 6, 7, 8, and 10 as confidential. I provided Ms. King with a Receipt for Documents and Samples (Attachment 4), and a Notice of Preliminary Findings (NOPF) (Attachment 5), which she signed as acknowledgement of receipt. Other than photographs and EPA-generated forms, all attachments were obtained from CHESI Kimball in electronic format via email.

The following inspection documents were left with CHESI Kimball:

RCRA Facility Access Information Sheet

RCRA Section 3007

Title 18 U.S. Code, Sections 1001 and 1002

Confidentiality Notice

Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by

EPA In Connection with Inspections

Receipt of Documents and Samples

Notice of Preliminary Findings

Instructions for Responding to a Notice of Preliminary Findings

4.0 FINDINGS AND OBSERVATIONS

4.1 General Information/Facility Description/RCRA Status

CHESI Kimball is a commercial thermal oxidation facility permitted to store and treat hazardous waste in a fluidized bed incinerator. Hazardous and non-hazardous wastes arrive on site, in solid or liquid form, in various containers such as drums, IBC totes, and boxes; bulk liquid tankers; or

in solid waste roll-off containers. Waste is received from other Clean Harbors facilities or directly from generators. Railcar tankers of liquid wastes are off-loaded into tanker trucks at the Clean Harbors facility located in Sterling, Colorado, then trucked to the Kimball, Nebraska facility. Railcars of solid wastes are off-loaded via intermodal and roll-off containers at a Union Pacific Railroad rail siding, located in Kimball, Nebraska. The intermodal and roll-off containers are then trucked to CHESI Kimball. There is no rail spur connected to the facility. The facility has plans to begin utilizing a Safety-Kleen facility east of Kimball to transload liquids and roll-offs to trucks for transport to CHESI Kimball instead of the currently used locations.

Once waste is received and sampled for fingerprint analysis, bulk dry and wet solids are either immediately processed or stored on site for processing. Bulk liquids are directly fed to the incinerator or transferred from the trucks to a tank farm. Non-bulk wastes are stored in buildings or on concrete pads until they are able to be processed or shipped off-site.

Small container (drums, totes, and boxes) processing consists of shredding containers containing waste in Area 55, transferring liquids to the Area 58 tank farm, and consolidating wet and dry solids into feed batches which are stored in roll-off boxes. Some drums and totes are pumped to empty, but most are shredded.

Incinerator ash is collected by an air pollution control system. The ash is transferred to a stabilization building where it is partially solidified with water. Ash meeting delisting criteria is disposed in an on-site Subtitle D monofill. If analysis indicates the presence of organics in excess of delisting criteria, the ash is reprocessed through the incinerator. If analysis indicates the presence of leachable metals in excess of delisting criteria, the facility attempts to stabilize the ash with additives. Ash would then be reanalyzed to determine if the delisting criteria is met for the ash. Ash generated at CHESI Kimball must meet the delisting criteria, prior to being disposed in the facility monofill. Ash not able to meet delisting criteria is shipped off-site for disposal at the Deer Trail, Colorado hazardous waste landfill.

A detailed description of hazardous waste management units, facility operations, waste streams received at the facility, and waste treatment practices can be found in previous inspection reports.

CHESI Kimball is located five miles south of Kimball on Nebraska Highway 71 on one section of land. CHESI Kimball owns the facility property, which includes the treatment and storage facility, ash monofill, and storm water pond areas (see Attachment 2 for a facility aerial view and facility diagrams). CHESI Kimball is staffed by approximately 330 employees and operates 24 hours per day, seven days per week.

See the CHESI Kimball website for additional information related to facility locations, services, and history at [www. https://www.cleanharbors.com/](https://www.cleanharbors.com/).

4.2 RCRA Status

According to the RCRAInfo database, CHESI Kimball has notified as a State of Nebraska and Federal Large Quantity Generator of hazardous waste. Based upon the amount and type of hazardous waste generated at CHESI Kimball, I inspected the facility as a Large Quantity Generator of hazardous waste; hazardous waste transfer facility; and a permitted hazardous waste treatment, storage, and disposal facility.

4.3 Previous Inspection and Related Findings

The report of the EPA inspection on April 25-27, 2024, included the following potential findings or violations:

1. 40 CFR 262.11 – Hazardous waste determination not conducted for material on ground in less than 10-Day Yard. Two different types and colors of material.
2. 40 CFR 268.50(a)(2) – Storage of hazardous waste greater than one year – Area 95, one 55-gallon drum of ignitable, toxic Diphenylmethane-4, 4 Diisocyanate Methyl Ethyl Ketone (container identification A00262D0).
3. Permit Condition E.4. and E.6.a. – Containers not stored in manner to prevent rupture – Two 55-gallon drums of hazardous waste 1) Acetic Acid and Ammonium Thiosulfate 2) Acetone and Ethanol. *Addressed at time of inspection.*
4. Permit Condition E.4. – Condition of containers – leaking containers; two or three 55-gallon drums and one 40-yard roll-off containing hazardous waste. *Addressed at time of inspection.*
5. 40 CFR 262.34(a)(2) and (3) – Two 40-yard roll-offs containing hazardous waste not labeled. *Addressed at time of inspection.*
6. Permit Condition G.1. 40 CFR 264.1050(d) – Equipment not marked to distinguish readily from other pieces of equipment – Robbe Roller and TOU connectors and valve, respectively.
7. Title 128, Chapter 11, Section 005 – Transiting waste on site greater than 10 days (repeat from August 2022 EPA RCRA CEI)
8. 40 CFR 262.34(a)(4), 40 CFR 265.32(c) and (d) – Fire extinguishers and water supply not present at Area A, less than 90-day area.
9. Title 128, Chapter 10, Sections 004.01A1 & 004.01H, Chapter 17, Section 002 – Failure to maintain and operate generator site to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment (NOPF Added After Inspection). *Addressed at time of inspection.*

4.4 Changes Since Previous Inspection

Changes at the facility since the last inspection included, but were not limited to, the following:

- New construction of a hazardous waste storage warehouse, rotary kiln, and tank farm was ongoing northeast of the current facility operations. According to Ms. King, CHESI Kimball anticipates the new kiln to be operating before the end of 2024. CHESI Kimball refers to the existing fluidized bed thermal oxidation unit as Train 1 and the new rotary

kiln incineration system as Train 2.

- Whitney Whartman was hired as the new Compliance Technician in January of 2024. Marc Poppe was hired as a Compliance Specialist in January of 2024.
- The facility received a Class 3 permit modification on August 5, 2024, to include the new Train 2 and associated storage and treatment facilities.
- The Area A less than 90-day central accumulation area for hazardous waste roll-off boxes was moved from northwest of the main facility to south of the main facility outside the fenced area.

4.5 Waste Streams and Waste Management

CHESI Kimball uses an electronic system (WinWeb) for tracking hazardous waste received and generated at the facility. Waste in storage, at the time of the on-site record review, is well documented using electronic spreadsheets. Hazardous waste generated at the facility that it cannot burn is sent to the Clean Harbors hazardous waste landfill at Deer Trail, Colorado, or to other Clean Harbors facilities for incineration. Hazardous waste received at the facility that it does not incinerate may be shipped to any of the other Clean Harbors facilities nation-wide. CHESI Kimball is permitted to accept hazardous wastes listed in Appendix I of its RCRA permit.

4.5.1 Incoming Wastes

CHESI Kimball is permitted to accept, store, treat, and incinerate various types of hazardous waste. See Appendix I of the Permit for a list of these wastes. Liquid waste is either directly fed to the incinerator or transferred to a Tank Farm for blending. The liquid waste might be burned in the TOU or blended for use as fuel in a cement kiln. Dry and wet solid and hazardous wastes are blended into feed batches, stored in one of the container storage areas for eventual processing, or shipped off-site to another designated facility. CHESI Kimball burned 35,394 tons of hazardous waste in 2023.

4.5.2 Wastes Generated on Site

See the 2021 Biennial Report for the hazardous waste streams generated on site (waste descriptions, EPA hazardous waste codes, total amount of hazardous waste generated, and transporter/off-site disposal locations).

Waste streams generated on site include:

Ash/incinerator residue - Ash/incinerator residue meeting the delisting criteria is disposed in the on-site Subtitle D monofil. Ash/incinerator residue not meeting the delisting criteria is disposed by Clean Harbors (Deer Trail, Colorado) as hazardous waste.

Wastewater - Wastewater is generated from the cleaning of containers and tanks. It is also generated from the removal of water from sumps and containment areas. Hazardous wastewater is incinerated on site.

Fugitive emissions control waste - Used activated carbon is incinerated on site and baghouse dust is disposed by Clean Harbors (Deer Trail, Colorado) as hazardous waste.

Personal protective equipment (PPE) - Spent PPE is incinerated on site.

Lab waste - Acidic waste, solvent waste, glassware, and spent PPE are incinerated on site.

Maintenance waste - Maintenance waste (used oil, used oil filters, used antifreeze, RCRA empty aerosol containers, and spent fluorescent lamps) are either incinerated on site or shipped off-site for disposal by MeTech (Denver, Colorado), Clean Harbors (LaPorte, Texas), Toxco (Baltimore, Ohio), or Inmetco (Elmwood City, Pennsylvania).

Spill clean-up waste - Floor sweepings and sorbent pads are incinerated on site.

Sorted debris waste - Sorted debris (over-size solid wastes, empty crushed containers, plastic liners from roll-offs, shredded containers, and debris) is disposed by Clean Harbors (Deer Trail, Colorado) as hazardous waste. In 2023, the facility sent 1,770 tons of shredder waste to Deer Trail. In 2023, it sent 10,707 tons of oversized waste to Deer trail.

Solid tank cleanout and routine maintenance residues – This waste is incinerated on site.

Storm water – Storm water that accumulates in secondary containment areas is tested for hazardous waste characteristics. If it fails, it is stored until it can be incinerated on site. If it is not hazardous, it is placed in an evaporation lagoon.

4.5.3 Ten-day Transfer Wastes

Clean Harbors also operates the Kimball facility as a ten-day transfer facility to redistribute wastes to other Clean Harbors facilities for treatment, storage, or disposal. In 2023, 87,258 containers of hazardous waste passed through CHESI Kimball as a transfer facility. CHESI Kimball does not track the total mass of transfer waste, but that number could be obtained by reviewing manifests.

4.6 Areas Visually Inspected

Ms. King, Ms. Whartman, and Mr. Poppe accompanied Ms. Thompson and me during the initial phase of the visual inspection. We visited the following areas in this order.

4.6.1 Dry Solids Receiving (Area 50C)

We initially went to Area 50C to inspect the Dry Solids Receiving area. Mr. Jason Popham, Incineration Manager, met us there. We ascended to the second story mezzanine overlooking the waste hoppers, screen, and roll-off container for over-sized waste. An operator was actively mixing and screening waste using the overhead clam shell bucket. I observed a gap between the floor and overhead door furthest to the right. Past inspections have cited this as failure to maintain the building in compliance with the current T test. The gap can be seen in Photograph 1. I did not cite this in the Notice of Preliminary Findings because the gap was much smaller than those observed in previous inspections. I also took Photograph 2 to document use of the waste screen. I asked what the facility does about the hazardous waste debris I observed on the floor around the three hoppers, screen, and roll-off. Mr. Popham said personnel clean up the area twice each day.

4.6.2 “Robbe Roller”, waste Semi-Solid Tanker Storage (Area 50E)

The Robbie Rollers are two tank trailers located in secondary containment to the east of Area 50C. These containers are used to manage wet solids (pumpable solids) fed to the incinerator. At the time of inspection, only one trailer was located in the secondary containment. Ms. King said the other trailer was in use elsewhere in the facility. I did not see it during the inspection. We examined the hoses and piping associated with the Robbie Roller. Although we did not make a detailed inventory of the associated equipment, we saw no leaks or damaged equipment and it appeared all equipment subject to subpart BB was uniquely marked. We also examined lines associated with the Area 50 Wet Solids System, located on east side of the Area 50 building and accessible from the Robbe Roller Area. These also appeared to be managed adequately.

4.6.3 Drum Storage Building (Area 50D)

CHESI Kimball was storing hazardous waste isocyanates and waste fire-fighting foam in this area. I observed five triple-tier racks storing hazardous waste containers and two triple-tier racks storing product containers. Each rack held approximately 36 pallets with typically four 55-gallon or less containers on each pallet. I observed no issues in this area.

4.6.4 Thermal Oxidizer Unit (TOU) (Area 45) 6

We next inspected the TOU. First, we went to the TOU control room and observed the computer screens where the operator manages operational aspects of the TOU and the Area 70 tank farm such as tank levels and feed rates. Attachment 6 is a copy of the screens typically displayed in the control room. CHESI Kimball claimed Attachment 6 as confidential business information.

We then ascended the TOU to the sixth level and began a detailed inspection as we descended. While on the sixth level, I took Photographs 3-6 to document the facility from an elevated perspective. At this level, we could see the paved area leading to container storage Areas 50B

and 95 was flooded approximately six inches deep with water from the storm that occurred early that morning (Photographs 3 and 4). We also observed that container storage Area 70C was flooded approximately one foot deep (Photographs 5 and 10).

Photograph 4 was taken using the zoom feature of the camera. In that picture one can see that the tarp covering one of the roll-off containers in Area 50B is torn in an L shape approximately two feet by one foot in size. Staining on the tarp shows that water previously pooled where the hole was, but at the time of inspection, the water could pour through the hole into the container. Later in the inspection I took Photographs 16 and 17 of that same container. These photographs document which container had a hole in its tarp and that the facility had later that day replaced the damaged tarp with a new tarp. I cited this as **NOPF Number 2: Permit Conditions F.7.a. and F.12.a1. referencing Title 128 Chapter 21 009 -- Failure to close container (hole in tarp) in Area 50B.**

As we descended the TOU, we observed no aberrations until we reached the second level where lances inject liquid wastes into the TOU. It appeared hazardous waste equipment was marked to differentiate it from other equipment. A 55-gallon black plastic drum was located next to the lances on the west side of the TOU. The container was labeled “TOU CLEANOUT HAZARDOUS WASTE 8-27-24”. I asked what was in this container since such containers are typically not kept on the TOU. Ms. King identified it as left over perchloroethylene the facility was using to spike the TOU during performance testing. The next day, during our opening conference, Ms. King confirmed it was a satellite accumulation area (SAA) container of perchloroethylene spiking material.

4.6.5 TOU Air Pollution Control System (Area 60)

After descending the TOU, we walked along the air pollution control system to observe general maintenance. CHESI Kimball draws a continuous sample of the ash into a one-gallon jar prior to the emissions entering the bag house. This sampling jar is maintained in a six-feet by eight-feet hut in Area 60 to protect it from weather. I observed that secondary containment in Area 60 was kept clear of debris and ash, except that inside the ash sampling hut, ash was coating the walls, equipment and floor as seen in Photographs 8 and 9. One can also see in Photograph 9 that the bottom of the hut walls was rusted away, allowing spilled ash to exit the hut and become entrained by the wind. I cited this as **NOPF Number 1.a: Permit Conditions C.1. referencing Title 128 Chapter 21 003 -- Failure to maintain and operate facility to minimize releases to the environment a) Ash covering floor and equipment in the ash sampling hut.** At the beginning of the second day of inspection, Ms. King said this area was cleaned up during the first day of inspection.

4.6.6 Ash Storage Bins (Area 80)

We walked through the area under the ash storage bins and observed no findings.

4.6.7 Ash Processing Building (Area 85)

We inspected the ash processing building north of the ash storage bins. CHESI Kimball personnel treat the ash in this building to assure it meets the delisting criteria so it may be placed in the on-site monofill. Portable bins of ash are stored in this building until they can be treated and emptied into a roll-off box for subsequent transportation to the monofill. The facility also stores reusable TOU bed media in this building until it is needed to replace bed media in the TOU. We observed numerous portable bins of various materials as shown below. All bins were correctly labeled and dated. The bins were closed and in good condition.

<u>Quantity</u>	<u>Contents</u>
4 bins	Ash
29 bins	Reusable Bed Media
2 bins	CAT Vac material from cleaning Area 60
4 bins	Drop Box material that fell from conveyors
20 drums	Liquid Clay for monofill dust control

4.6.8 Storm Water Hazardous Waste Storage Tanks (Area 90)

CHESI Kimball tests accumulated stormwater for hazardous characteristics. Stormwater the facility determines to be hazardous, as well as hazardous process rinsates, are stored in two tanks in Area 90 until those waters are incinerated. The tanks appeared to be in good condition and were labeled with the words “Hazardous Waste.”

4.6.9 Roll-Off Storage (Area 70C)

We examined some of the roll-off containers from Area 90, but most of the area was inaccessible because the containers were sitting in about one foot of stormwater. I counted 62 roll-offs and four bins in this area. From our limited perspective these containers appeared to be in good condition. We did not verify dating and labeling. Section F.8.e. of the permittee requires the facility to remove accumulated precipitation from the sump or collection area in as timely a manner as necessary not to exceed seventy-two (72) hours. The rainwater accumulated in this area less than eight hours before the inspection.

4.6.10 South Tank Farm (Area 70)

We left the roll-off storage area and proceeded through the south truck bay of the south tank farm, examining the secondary containment and tanks. There are 12 hazardous waste tanks in this area. Some of the secondary containment areas still contained less than one inch of stormwater. A facility representative stated that this water, when removed within 24 hours, will be stored and burned in the TOU. Looking into the southeast corner of the containment area near tank T-124, I could see hairline cracks in the containment coating. I took Photograph 11 to document these cracks. Ms. Thompson took Photographs 28–35 further documenting these cracks. It is hard to identify these cracks because of the direct sunlight and reflection off the

water remaining in secondary containment. Later, Ms. King shared that CHESI Kimball's secondary containment maintenance protocols allow for hairline cracks less than 1.5 mm in width. I did not verify that statement.

In the truck loadout area, I observed black oily material on the floor and wall around the waste pump and screen. Photograph 12 illustrates the staining caused by spilled hazardous waste in this area. CHESI Kimball's September 4, 2024, response to the NOPF includes a photograph of the area demonstrating the facility's attempts to clean up the spills. I cited this as **NOPF Number 1.b: Permit Conditions C.1. referencing Title 128 Chapter 21 003 -- Failure to maintain and operate facility to minimize releases to the environment b) Spilled waste in the South Truck Bay of Area 70.**

As we proceeded through the south truck bay, we observed peeling coating in the secondary containment area near tank T-322. The area was near the wall, under the ladder, and was about eight inches long. Photograph 13 shows the peeling coating. We later checked CHESI Kimball's inspection reports and work orders. This area of damage was identified in these inspections and a work order was on file to fix this area of coating. See Attachments 7 and 8 for the inspection records and related work order. I did not cite this as a finding.

4.6.11 Central Accumulation Area (Area C)

The container typically situated in Area C was not present when we were there.

4.6.12 Truck Wash and Sampling Bays (Area 20)

We walked through the truck wash bay and the four sampling bays. The SAA in each area were closed, labeled, and in good condition. The drag-out box and giant hoe used for emptying roll-off containers was wrapped in plastic. Although documented in previous inspections, I saw no spills of hazardous waste in these areas.

4.6.13 Container Management Pad (Area 40)

Mr. Shawn Castagna, Operations Manager, and Mr. Jesse Buss, CHESI Compliance Inspector, joined us while inspecting Area 40. CHESI Kimball was storing six empty totes and approximately 320 empty drums in Area 40. It was also accumulating shredded metal from Area 55 in a 40 cubic yard roll-off box. Once full, the box will be taken to Clean Harbor's Deer Trail landfill for disposal. The box was closed, in good condition, and labeled with the words "hazardous waste." The date the hazardous waste began accumulation was not marked on the container. I provided compliance assistance indicating the accumulation start date means the date waste is first placed into the container, not the date the container becomes full. The facility dated the container prior to our concluding the inspection. I cited this as **Title 128 Chapter 10 004.01F – Failure to mark roll-off container accumulating hazardous waste in Area 40 with the date accumulation began.** At the beginning of the second day of inspection, Ms. King said this container was marked with the appropriate date accumulation began and moved to Area A CAA during the first day of inspection.

4.6.14 Central Accumulation Area (Area D)

Mr. Kelly Dunegan, Operations Manager, accompanied us in this area, Area 55, and Area 58. CHESI Kimball keeps a 30 cubic yard vacuum box and vacuum truck on the south side of Area 55 to suck liquids off the shredder in Area 55. The vacuum box was closed, labeled, dated, and in good condition.

4.6.15 Shredder and Solids Processing (Area 55)

We ascended to the operator's mezzanine to look inside the Area 55 processing building. One of the north garage doors was open. A forklift operator was moving bins of hazardous waste from inside the building and emptying them into a dump trailer. Mr. Dunegan said the waste was destined to be burned at a different Clean Harbors facility.

When we walked outside around to the north side of the building, I observed approximately 12 pallets with drums staged on the ground pending shredding in Area 55. Another approximately 12 pallets of drums were staged on the dock for the same purpose. When we came by that area the next day, those drums were no longer there.

4.6.16 North Tank Farm (Area 58)

We inspected the north tank farm Area 58. There are six hazardous waste tanks in this area. According to Mr. Dunegan, early on the morning of the inspection, rain fell in such copious quantities that a river formed flowing through the truck bay. The truck bay became full of water, so facility personnel pumped the water out of the truck bay into the secondary containment for the tanks until it could be tested for hazardous characteristics. When we observed this area, the truck bay was dry, but approximately four inches of water was in the tank secondary containment. Mr. Dunegan said after they received the test results for the water, they would pump out the secondary containment and send the water to either the hazardous storm water tanks in Area 90 or the evaporation lagoon as appropriate. From our vantage point around the tanks and outside the secondary containment, we saw no issues. The next day as we walked to other areas of the facility, we passed by Area 58 and observed that the water had been removed, although drying mud was left behind. The coating appeared to be in good condition.

At this point in the visual inspection, Ms. Thompson and I separated to inspect various areas independently. In the company of Ms. King and Ms. Whartman I inspected the following areas:

4.6.17 Roll-Off Storage (Area 95)

Ms. Stephanie Shoup, Operations Manager, joined us while inspecting the following permitted container storage areas. I observed 24 rows of 55-gallon drums and IBC totes stacked two-high on pallets. No stormwater remained in this area. These containers were awaiting shredding or decanting as appropriate to their contents. I saw no issues in this area.

4.6.18 Roll-Off Storage (Area 50B)

I counted two bins and 15 roll-offs in this area. As mentioned in section 4.6.4, Photograph 4 shows an aerial view of this area using the zoom feature of the camera. In that picture one can see that the tarp covering one of the roll-off containers in Area 50B is torn in an ell shape approximately two feet by one foot in size. Staining on the tarp shows that water previously pooled where the hole was, but at the time of inspection, the water could pour through the hole into the container. At this point in the inspection, I took Photographs 16 and 17 of that same container. The hazardous waste label on that container identified it as “FB4 SHRED BATCH #7240455 BOX #411054. One can see in Photograph 17 that facility personnel had replaced the damaged tarp with a new tarp. At the beginning of the second day of inspection, Ms. King confirmed there was a hole in the tarp and that the facility had replaced it with a new tarp. I cited this as **NOPF Number 2: Permit Conditions F.7.a. and F.12.a1. referencing Title 128 Chapter 21 009 -- Failure to close container (hole in tarp) in Area 50B.**

4.6.19 Roll-Off Storage (Area 50A)

I observed no issues in this area. Most roll-offs in this area contain spare parts. Ms. Shoup left us to join Ms. Thompson in other container storage areas.

4.6.20 Central Accumulation Area (Area A)

To reach this 90-day central accumulation area on foot, we exited through security on the west side of the facility, walked south around the perimeter fence, and then back east toward Area 95. While still near the facility fence, I asked if firefighting water was available for this area. Mr. Kole Talkington, Facility Foreman, joined us to answer these questions. Mr. Talkington said there is a fire hydrant on the west side of Area 95. They would stretch fire hose from that hydrant out to Area A which is approximately 500 feet south of the fire hydrant. I asked if the perimeter fence would be in the way. He said they would run the fire hose under the fence. This is a great distance to run a fire hose in an emergency situation, especially since the hose is not readily available and must be shoved under a fence. Photograph 18 shows the fire hydrant on the west side of Area 95. I turned 90 degrees to the south, standing in the same position and took Photograph 19 to illustrate the distance from the hydrant to Area A central accumulation. I did not cite the remoteness of firefighting water as a finding in this report, although it was cited as a finding in the previous EPA report for the previous location of Area A.

We proceeded to Area A and walked between the rows of roll-off containers seeking to find containers that were open, damaged, unlabeled, undated, overdue shipment, or otherwise not meeting the requirements for 90-day accumulation. I counted 102 roll-off containers in 21 rows. All containers had dates less than 90 days prior to the inspection date, although a couple of containers would meet the 90-day limit within one week. At the beginning of the second day of inspection, Ms. King said that overnight, the facility processed the containers nearing their 90-day limits.

I saw no leaks except for potentially under the tailgate of Box #411011 Batch #7240774, but because of the recent rain, I could not differentiate between puddles of water and a potential leak. On the next day of inspection, Ms. King said the contents of this box were processed through the TOU after we identified the potential leak.

All containers appeared to be closed with taught tarps or lids. Two containers had hazardous waste sitting on the outside of each container near their tailgates. Photographs 20-22 show the waste on top of Box #410306 Batch #7240550 “HWFB4 SHRED” dated 6/11/24 and the container label. Photographs 23-24 show the waste on top of Box #410996 Batch #7240769 “HWFB4 SHRED” dated 8/22/24 and the container label. I cited this as **NOPF Number 4: Title 128 Chapter 10 004.01H and Chapter 17 002 – Failure to operate and maintain facility to minimize releases to the environment. Two roll-off boxes in south 90-day accumulation area had hazardous waste on the outside of the container.** At the beginning of the second day of inspection, Ms. King said facility personnel had cleaned off these two containers later on the first day of inspection.

4.6.21 Laboratory Central Accumulation Area (Area B)

The 90-day accumulation area utilized by the laboratory is outside at the northeast corner of the administration/laboratory building. I observed four pallets with four drums on each pallet in a row parallel to the building. In a second row parallel to that, I saw three overpack drums containing waste and three empty overpack drums. The row of containers next to the building had adequate aisle space between the containers and the building except for in the corner where the last pallet of drums which was between the gas cylinders supplying the laboratory with gases and the building. I could still read the labels on those drums, but it was questionable if this aisle space was adequate. I provided compliance assistance to Ms. King and laboratory personnel about maintaining adequate aisle space. I saw no other issues in this area.

Ms. Thompson inspected the following areas and provided the following portion of the report. Ms. Thompson was accompanied by Mr. Poppe and Mr. Jesse Buss, CHESI Compliance Inspector, during her portion of the inspection.

4.6.22 Outdoor Container Storage (Area 27)

Area 27 is a container storage area on a sloped concrete pad. The west side of the pad is used to store roll-off containers, and the east side of the pad is used to store 55-gallon containers. Mr. Melvin Widener, Operations Manager, joined the inspection party in this area, followed by Ms. Shoup. I (Amy Thompson) observed several container labels that were nearly illegible. Mr. Buss confirmed that each of the containers labels I observed had already been noted during daily inspections to be replaced. The oldest container label I observed in this area was 1/31/2024, which is within the one-year storage timeframe specified in the permit. I observed no other concerns in this area.

4.6.23 Container Storage Building (Area 57A, B, and C)

Mr. James Shields (Operations Manager), Mr. Zach Donnan (Building Supervisor), and Mr. Gary Klassen (Building Supervisor) joined the inspection party in Area 57. Areas 57 A, B, & C are located inside one large warehouse building. Area 57 A is a receiving area for incoming wastes. All wastes that enter this area are first sampled. Once the wastes have been sampled, they are sorted and then moved into storage. Area B is a permitted storage area. Containers are stored on tiered metal shelving running in rows along the length of the building. There is a secondary containment structure at the bottom of each shelf. Each shelf contains only compatible wastes (i.e. one shelf for acids, one for bases, one for ignitable waste, etc.). Area C is used to hold 10-day transfer wastes.

In Area 57A I observed: (1) 55-gallon container of crushed glass, (1) 55-gallon container of MCH and toluene, (1) less than 5-gallon box of “toxic liquids,” and (1) cubic yard box of solvent contaminated debris that were not marked with an accumulation start date. Mr. Shields stated that when waste is received in this area, all the waste is tested, sorted, and dated and that the waste that I observed had just been received and was still being processed. The containers were labeled as such. As a result, I did not note any findings pertaining to this. See Photographs 36-40.

In Area 57B I observed a corrosive waste lab-packed in cardboard container. The corrosive waste was stored in the same secondary containment as methyl ethyl ketone and acetone, which was also part of a lab pack. Each container held less than 5-gallons of waste. Mr. Shields stated that the cardboard box was considered secondary containment and that this was allowed in the permit. Marc Poppe later confirmed that section 6.0 of the permit application stated that lab packs were exempt from segregation requirements. I considered this sufficient and did not note any findings pertaining to this.

I did not observe any concerns in Area 57C.

4.6.24 Container Storage Oxidizer Building (Area 57D)

The Oxidizer Building is a warehouse used to store oxidizer wastes in accordance with the permit. I did not observe any concerns in the Oxidizer Building.

4.6.25 Thaw Building (Area 57F)

The thaw building is used for containment of leaking roll-off containers and overflow storage for other areas of the site. During cold weather conditions, when the contents of a container will freeze, the containers are placed inside of 57F to thaw. A respirator was required for entry into the building, as a result, I did not enter the building. I looked inside of each window that was accessible to me. I did not observe any concerns from the windows. Empty roll-off containers are stored along the east side of the thaw building.

4.6.26 Laboratory (Area 57L)

There are two satellite containers of hazardous waste in the laboratory. I did not observe any concerns in the laboratory.

4.6.27 North 10-Day Trailer Parking

The North 10-day transfer trailer parking holds many trailers full of 10-day transfer waste. At the time of the inspection there were approximately 100 trailers. The trailers are kept open, to prevent the containers of hazardous waste from heating and expanding. I walked the entire area and looked inside of each trailer. I did not observe any spills, releases, or other concerns in this area.

On August 28, 2024, Ms. Thompson and I continued to visually inspect additional areas of the facility together as follows:

4.6.28 Laboratory

Ms. Kelsey Brown, Laboratory Foreman, escorted us through the laboratory. We observed SAA containers in the Characterization Lab (eight containers), Metals Lab (three containers), Semi-Volatile Lab (three containers), Ash Lab (four containers), and Volatiles Lab (three containers). We noted that small bench process containers in the laboratories are used as “day-cans” where the contents are emptied at the end of each shift into an SAA container. As an example, the small container in the Characterization Lab seen in Photograph 25 is daily emptied into the SAA container seen in Photograph 26 also in the Characterization Lab.

4.6.29 Area 25 Container Storage

Ms. Shoup accompanied us in Area 25 which is a large concrete pad used to stage containers prior to shredding. Its surface is delineated with yellow painted lines to identify where rows of containers on pallets are to be placed. Ms. Thompson started on the west side of the area, and I started on the east side, inspecting the rows of containers. We found the containers to be properly labeled and dated. It appeared there was adequate aisle space between rows. All containers were in good condition except one container, as seen in Photograph 27, was in poor condition. Ms. Shoup said they would schedule it for immediate processing.

4.6.30 Train 2 incinerator and associated areas (under construction)

CHESI Kimball is adding to its capacity to incinerate hazardous waste by constructing a rotary kiln incinerator northeast of the existing TOU. The new kiln and its associated storage and management areas is called Train 2. The original TOU and its areas are Train 1. We observed the following areas that were under construction:

Dry Solids Management Area 51

Kiln Dock Area 52 for feeding buckets of waste to the kiln

Warehouse Area 61 A-C

Drum Pad Area 28
Reactive Building and Oxidizers Area 63
Direct Burn Building Area 53
Feed Tanks Area 71 six 23,000-gallon tanks
Ignitable Liquids Area 64 for pumping off containers
Storage Tanks Area 33 five 50,000-gallon tanks
Evaporation Pond for nonhazardous stormwater
Ash Building Area 86 for hazardous ash to be shipped off site
Bag House Number Two to capture carbon added to the emission stream
CEMS Hut monitoring emissions from the 199 feet tall stack
De-NOx Unit uses selective catalytic reduction
Wet Scrubber is venturi type
Baghouse Number One
Incinerator Area 26
Bucket Feed System
Dry Solids Feed System

4.7 Records Review

4.7.1 Leak Detection and Repair (LDAR)

I reviewed the flame ionizing detector calibration records. They appeared in order. Mr. Jessie Buss conducts LDAR inspections for the facility. He inspects pumps monthly and other equipment quarterly. I reviewed the inspection records, and they appeared in order. The facility has a complete inventory of equipment subject to Subpart BB (Attachment 9).

4.7.2 Contingency Plan

I reviewed the facility's contingency plan. There are 14 emergency coordinators listed in the plan with Zachary Donnan listed as the primary. Mr. Donnan lives in Gering, Nebraska, which is a 50-minute drive from the facility. I asked Ms. King if this was a tenable arrangement. She said that at least two of the people listed as emergency coordinators are on site at any given time, so the emergency coordinators do not have to live close to the facility. The contingency plan appeared to be complete and up to date. The most recent copy had been sent to local emergency authorities.

4.7.3 Personnel Training

CHESI Kimball trains 208 people in site specific job functions and initial general hazardous waste responsibilities. It just provided 112 people with initial training. Two people are trained regarding Subparts BB and CC. It appeared that all appropriate personnel had received training, and the training curriculum appeared adequate.

4.7.4 Tank Certification

There are currently 20 hazardous waste tanks at the facility. CHESI Kimball does its own annual integrity testing of these tanks and submits the information to a third-party professional engineer for certification (Attachment 10). I reviewed these records and found them to be complete.

4.7.5 Inspection Records

Ms. Thompson reviewed the facility's inspection records. She found these records to be complete and in order.

Her review specifically included inspection records and work orders for the secondary containment for tanks T-124 and T-322 where we previously observed issues with the secondary containment coating (Attachments 7 and 8). She observed that the peeling near tank T-322 was noted in the inspection records and work orders were created to address the issue.

4.7.6 Records Not Reviewed

The inspectors did not review manifests, equipment calibration records, waste analysis, stack tests, and other operating records.

5.0 SUMMARY

I inspected CHESI Kimball as a as a permitted hazardous waste treatment, storage, and disposal facility, a Large Quantity Generator, and a hazardous waste transfer facility.

The following preliminary findings were noted as discussed above:

1. Permit Condition C.1. – Failure to maintain and operate facility to minimize releases to the environment.
 - a. Ash covering floor and equipment in the ash sampling hut. *Addressed at time of inspection.*
 - b. Spilled waste in the south truck bay of Area 70. *Addressed after the inspection.*
2. Permit Conditions F.7.a. and F.12.a.1., Title 128 Chapter 21 009 – Failure to close container (hole in tarp) in Area 50B. *Addressed at time of inspection.*
3. Title 128 Chapter 10 004.01F – Failure to mark roll-off container accumulating hazardous waste in Area 40 with the date accumulation began. *Addressed at time of inspection.*
4. Title 128 Chapter 10 004.01H and Chapter 17 002 – Failure to operate and maintain facility to minimize releases to the environment. Two roll-off boxes in south 90-day accumulation area had hazardous waste on the outside of the container. *Addressed at time of inspection.*

Other than the items noted above, no other apparent preliminary findings were observed or cited. However, EPA post-inspection review of this report may change or add to my findings.

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Edwin G. Buckner PE
Environmental Engineer
ECAD/CB/RCRA, EPA Region 7

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Amber Whisnant
Section Chief
ECAD/CB/RCRA, EPA Region 7

Attachments

1. Digital Image Log (42 pages/40 photos)
2. Facility Diagrams
 - A. Google Earth Image (1 page)
 - B. *Facility Diagram with Train 2 (1 page)
 - C. *Old Facility Diagram (1 page)
3. Confidentiality Notice (1 page)
4. Receipt for Documents and Samples (1 page)
5. NOPF (2 pages)
6. *Typical DCS Operating Screens* (11 pages)
7. *June 7, 2024, Inspection Record* (11 pages)
8. *June 7, 2024, Work Order* (1 page)
9. LDAR Inventory (38 pages)
10. *Tank Certification (4 pages)

*Document claimed confidential