

RCRA Inspection Report

1) Inspector and Author of Report

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2) Facility Information

Allworth LLC
500 Medco Road
Birmingham, Alabama 35217
Jefferson County
EPA ID: ALD094476793

3) Responsible Official

Bryan Jones
Director EHS
CleanEarth dba Allworth LLC
500 Medco Road
Birmingham, Alabama 35217
bjones@cleaneearthinc.com

4) Inspection Participants

Bryan Jones	Allworth LLC
Doyle Crawford	Allworth LLC
Brad Phillips	Allworth LLC
Paul Searcy	ADEM Land Division
Craig Schimmer	ADEM Land Division
Amber Hicks	ADEM Land Division
Paula Whiting	US EPA Region 4 Atlanta

5) Date and Time of Inspection

January 29-30, 2024, at 9:00 a.m. CST

6) Applicable Regulations

Resource Conservation and Recovery Act (RCRA) Sections 3002, 3005 and 3007 (42 U.S.C. §§ 6922, 6925 and 6927), and the regulations promulgated pursuant thereto at 40 Code of Federal Regulations (C.F.R.) Parts 260-270, 273 and 279.

Alabama Hazardous Waste Management and Minimization Act of 1978, Ala. Code § 22-30-1 et seq., and rules 335-14-1 to 335-14-17 (2016 and 2018) of the Alabama Department of Environmental Management (ADEM) Administrative Code (ADEM Admin. Code).

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

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a) [40 C.F.R. § 262.17], a large quantity generator (LQG) may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Section 22-30-12(b) of the AHWMMMA, Ala. Code § 22-30-12(b) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in ADEM Admin. Code r. 335-14-3-.01(7)(a) [40 C.F.R. § 262.17] (hereinafter referred to as the "LQG Permit Exemption").

Pursuant to ADEM Admin. Code r. 335-14-3-.03(5)(c)1. [40 C.F.R. § 262.34(c)(1) (2016)], a generator may accumulate as much as 55 gallons of hazardous waste in containers at or near the point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or without having interim status, as required by Section 22-30-12(b) of the AHWMMMA, Ala. Code § 22-30-12(b) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with ADEM Admin. Code r. 335-14-3-.03(5)(a) [40 C.F.R. § 262.34(a) (2016)], provided that the generator complies with the satellite accumulation area (SAA) conditions listed in ADEM Admin. Code r. 335-14-3-.03(5)(c)1.(i)-(ii) [40 C.F.R. § 262.34(c)(1)(i)-(ii) (2016)] (hereinafter referred to as the "SAA Permit Exemption").

Pursuant to ADEM Admin. Code r. 335-14-3-.03(5)(a)1. (ii) [40 C.F.R. § 262.34(a)(1)(ii) (2016)], which incorporates ADEM Admin. Code r. 335-14-6-.28 [40 C.F.R. Part 265, Subpart BB], and is a condition of the LQG Permit Exemption, a generator accumulating hazardous waste in tanks must comply with the RCRA Subpart BB Organic Air Emission Standards for Equipment Leaks, including, but not limited to, the recordkeeping requirements of ADEM Admin. Code r. 335-14-6-.28 [40 C.F.R. § 265.1064].

Alabama Hazardous Waste Facility Operating Permit EPA ID# ALD094476793

Pursuant to ADEM Admin. Code r. 335-14-01-.02(1)(a)157. [40 C.F.R. § 273.9], a Large Quantity Handler of Universal Waste (LQHUW) is a universal waste handler who accumulates 5,000 kilograms or more total of universal waste (batteries, pesticides, mercury-containing equipment, or lamps, calculated collectively) at any time.

7) Purpose of Inspection

The purpose of the inspection was to conduct an unannounced RCRA compliance evaluation inspection (CEI) to determine the compliance of Allworth LLC, EPA ID Number: ALD094476793 with the applicable regulations.

8) Facility Description

Allworth LLC, in Birmingham, Alabama, is a permitted hazardous waste facility that manages hazardous and non-hazardous waste, solvent recycling, liquid fuel blending, and solids bulking. Solvents are recovered using a steam-heated falling-film evaporator (LUWA) having a design capacity of approximately 435 gallons per hour and a recovery rate of approximately 70% with the column bottoms managed as hazardous waste liquid fuels. The liquid fuel blending process utilizes spent solvents that are not economically recoverable, solvent recovery bottoms, used oils, off-specification organic chemicals and inks, and paint related material. The solids bulking are mainly wastes from big box retailers that are physically solid, semi-solid, or sludges and are not capable of being dispersed into the solvent recovery process or the liquid fuel blending process. These wastes may be bulked into containers including roll-offs, cartons, and drums, and are stored until shipped off-site to a treatment, storage, and disposal facility.

Allworth occupies approximately 1.6 acres of land which includes the following areas: six permitted container storage areas (with a combined capacity of 88,520 gallons), two permitted loading/unloading areas (with a combined capacity of 12,000 gallons), two permitted tank storage systems (with a combined capacity of 94,100 gallons), a permit-exempt solvent recovery unit, a Tank System for storage of recovered solvents, an on-site maintenance shop, and an on-site laboratory.

The facility has been in operation since 1978, and was acquired by Clean Earth Environmental Solutions, Inc. on May 1, 2020, and continues to operate under the name Allworth, LLC. The facility has controlled access into the property and secured fencing surrounding the property. The facility operates 24 hours per day, 7 days per week in three 8-hour shifts. Allworth LLC employs approximately 50 full time employees with 40 employees handling hazardous waste.

Allworth's most recent Hazardous Waste Generator Notification (EPA Form 8700-12) dated August 7, 2023, characterized the facility as large quantity generator of hazardous waste, treatment, storage and disposal facility (TSDF), a recycler of hazardous waste, a used oil generator and collector, a used oil processor and re-refiner, a used oil marketer who directs shipment of off-specification used oil to off-specification used oil burner, and large quantity universal waste handler. Allworth's current Hazardous Waste Facility Permit was issued on September 1, 2017, and expires on August 31, 2027.

9) Previous Inspection History

This facility was last inspected on July 20, 2023, by Alabama Department of Environmental Management (ADEM). Four permit violations were noted.

10) Findings

On January 29, 2024, EPA inspector Paula Whiting, accompanied by Alabama Department of Environmental Management (ADEM) inspectors Paul Searcy, Craig Schimmer, and Amber Hicks arrived at Allworth LLC at approximately 9:00 a.m. CST. Mr. Bryan Jones, Director EHS received the inspectors. The inspectors introduced themselves, showed their credentials to Mr. Jones, and explained the purpose of the visit. The inspectors described the anticipated use of a digital camera during the inspection and provided a request for records.

Mr. Jones provided an overview of the facility's history and current operations during the opening conference. Prior to entering the facility for a tour, facility representatives required inspectors to wear personal protective equipment. During the tour of the facility operations, health and safety protocols were discussed. A description of the observations made during the inspection are as follows:

10.1 Inbound Staging Area

The inspectors began by touring the perimeter fence (Picture 1) where they observed a chain-link fence with locked gate. Signs along the fence, and a personnel entrance with keypad were observed.

Next the inspectors entered the inbound staging area (Pictures 1, 3, and 4). The area allows inbound trailers to be stored up to 72 hours and then moved to unloading. At the time of the inspection, one trailer and one tanker were staged in this area, with the trailer being partially unloaded. Behind the trailer and next to the fence was a gate valve to the stormwater outfall (Picture 5). Mr. Jones explained that all the stormwater drains were interconnected, and the gate valve was installed to prevent releases. No issues were observed in the inbound staging area.

10.2 Loading/Unloading Areas (LA)

The inspectors walked through the two loading/unloading areas (LUAs) and noted two trailers being unloaded (Picture 2). LA-2 primarily stores retail wastes that are sorted and repackaged in bulk, while LA-1 stores industrial waste that was awaiting laboratory sampling and analysis (Picture 6). Each permitted area was separated by concrete berms. The secondary containment in this area appeared to be in good condition and the area had adequate aisle space.

The inspectors observed in LA-1 that some containers had been "fingerprinted" by the facility to confirm their contents. After fingerprinting, the container is labeled with an Allworth hazardous waste label to indicate it was received for processing. Some containers were still waiting to be fingerprinted at the time of the inspection. The inspectors observed three containers that were not closed but had been accessed by the facility staff for fingerprinting, and several containers that did

not have the Allworth label (Pictures 7-8, 13-15). On January 30th, inspectors were told that the inventory that was in the LA-1 on the 29th had all been fingerprinted, received, and moved to container storage.

Two 15-gallon satellite accumulation containers (SAAs) were observed along the outside wall of LA-1 (Pictures 9-12), the blue container needed a new label because streaks made the label hard to read. In addition, the SAAs had start accumulation dates, and the inspectors recommended removing the dates until the containers were full and ready to move. The facility replaced the labels on the SAA containers.

LA-2 primarily stores retail wastes that are sorted and repackaged in bulk. LA-2 consisted of two container storage areas, D and E. In Area E (Pictures 28-30), the inspectors observed that the cubic yard boxes were damaged from recent heavy rains. The facility had already marked the boxes for repacking. The remaining containers were closed, dated, and labeled. The secondary containment in this area appeared to be in good condition and the area had adequate aisle space. In Section D (Pictures 31-32), the inspectors observed that the containers were too close together and lacked aisle space, so that the inspectors could not individually view the labels on each container.

Pursuant to Permit Condition II.G.5., Required Aisle Space, the Permittee shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency (ADEM Admin. Code Rule 335-14-5 -.03(6)).

10.3 New Permitted Trailer Area

Mr. Jones explained that the new trailer area was recently equipped with an open sided structure to store outbound trailers. The facility was currently waiting on the new fire system to be installed as required for the permit. At the time of the inspection, two trailers were stored under the structure. The first trailer was empty container storage and the second trailer contained pallets and boxes of universal waste lamps.

The inspectors observed that the two universal pallets had been dumped into the trailer and one pallet crushing the other (Pictures 16, 18). Shards of broken fluorescent lamps were observed on the floor of the trailer (Picture 17). The EPA inspector requested that the pallets be removed and rearranged to prevent further damage and releases of mercury. The facility personnel immediately removed the pallets and cleaned up the broken fluorescent lamp shards. The universal waste containers were observed closed, dated, and labeled.

Pursuant ADEM Admin. Code r. 335-14-11-.03(4)(d) [40 C.F.R. § 273.33(d)], a LQHUW must manage universal waste lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment.

10.4 Tank System 1

Tank System 1 is located behind LA-1. The Tank System has six tanks sitting inside a coated concrete secondary containment structure. This Tank System consists of the following above

ground storage tanks (Picture 19):

- One 4,100-gallon above ground storage tank (O-1), not in use.
- Three 6,000-gallon above ground storage tanks (W-1, W-2, NH-2), not in use.
- Two 18,000-gallon above ground storage tanks (B-5 and B-7), which store hazardous waste fuel/sludge generated by the LUWA solvent recovery unit. These tanks were labeled with the words “Hazardous Waste”. Tanks lines and associated equipment (flanges/pumps/end caps) were tagged as required by Subpart BB.

At the time of the inspection, the inspectors observed Hazardous Waste Tank B7’s flange A013 was leaking hazardous waste inside the secondary containment (Pictures 20-23). The facility personnel immediately addressed the cause of the leak and cleaned up the release (Picture 24).

The pumphouse located between the LA-1 and Tank System 1 had four inches of rainwater inside the secondary containment (Pictures 25-26). The inspectors stated that the secondary containment had to be pumped out within 72 hours. The facility personnel immediately pumped out the area (Picture 27).

10.5 Container Storage B

Container Storage B is the upper portion of the Main Warehouse. This area primarily stores outbound waste and non-hazardous waste (Pictures 33-35). Per the permit, no hazardous waste can be stored within 50 feet of the property line. This area is separated by a red flag across the room. The inspectors observed various hazardous waste containers that were labeled, placarded, dated, and closed. Adequate aisle clearance was observed while inspecting the hazardous waste containers and the secondary containment appeared to be in good condition. No issues were observed in this area.

10.6 Container Storage F

Container Storage F is in the Main Warehouse and between the LUWA and empty container storage trailers. This area primarily stores lab pack waste stored on top of spill containment pallets. Approximately 123 containers of hazardous waste were observed on top of spill containment pallets, varying in size between 5 to 55 gallons (Pictures 36-38, 43). At the time of the inspection, the inspectors observed a 30-gallon black container dated March 1, 2022, and October 1, 2022 (Pictures 39-41). Mr. Jones and staff immediately pulled the records on the container label and discovered that the original contents of discarded flares had been shipped for disposal in 2022. The container had been repurposed, but the original labels had not been removed and/or replaced with the new label with current contents and date. A new label was placed on the container (Picture 42).

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)5(i)(I)-(IV) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: the words “Hazardous Waste”; an indication of the hazards of the contents; and the date upon which each period of accumulation begins clearly visible for inspection on each container.

The inspectors also observed three 5-gallon containers missing the start accumulation dates (Pictures 44-46) (Picture 47), and a blue 15-gallon container that was not labeled and not closed. The facility immediately labeled the blue 15-gallon container but could not get the lid to close.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)5(i)(IV) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: the words “Hazardous Waste”; an indication of the hazards of the contents; and the date upon which each period of accumulation begins clearly visible for inspection on each container.

Pursuant to ADEM Admin. Code r. 335-14-3-.01 (7)(a)1.(iv) [40 C.F.R. § 262.17(a)(1)(iv)], which is a condition of the LQG Permit Exemption, (A) a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste; and (B) A container holding hazardous waste must not be opened, handled, or stored in a manner that may rupture the container or cause it to leak.

Unless specified, the remaining containers were properly labeled, placarded, dated, and closed and the secondary containment appeared to be in good condition. However, there was not adequate aisle space between the containers.

Pursuant to Permit Condition II.G.5., Required Aisle Space, the Permittee shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency (ADEM Admin. Code Rule 335-14-5 -.03(6)).

10.7 LUWA

The LUWA is a trademarked thin-film solvent recovery system used to recover solvents and solvent blends from hazardous waste solvent streams (Pictures 48-49). The inspectors observed in the LUWA area a full 15-gallon container that was labeled but not readable due to overspill. The personnel working in the area immediately replaced the container and applied new labels and placarding to both the new and full containers.

As required by Subpart BB, the inspectors observed the piping associated with the solvent recovery unit such as the valves, flanges, and pumps for the tags and leaks. No tags were observed missing and no leaks were detected.

10.8 Tank System 2

Tank System 2 is located outside of the Main Warehouse between the maintenance storage area and the LUWA. This area consists of six fixed-roof above ground storage tanks (F-1, F-2, F-3, F-4, F-5, and F-6) inside a sealed concrete secondary containment (Pictures 50-51). The inspectors observed the secondary containment was clean, no leaks from the associated piping, tags in place, and no issues with the associated roof piping.

10.9 Laboratory

The onsite laboratory is in an enclosed room next to the office and Container Storage A. The laboratory is used to test (fingerprint) samples of incoming waste. The inspectors observed three hazardous waste SAAs in the laboratory (Pictures 52-53). Two small jars of hazardous waste were observed in the fume hood. The lab staff explained that the jarred waste is generated during the day and at the end of shift, and the jarred waste is placed in two 5-gallon SAA containers in the cabinet under the fume hood. These containers (jars and 5-gallons) were closed and labeled. Next to the fume hood was a red trash can SAA of solid hazardous waste that was closed and labeled. Outside the lab, in Container Storage B were two 55-gallon SAA drums of hazardous waste generated from the laboratory (Pictures 54-55). The containers were closed and labeled.

January 30, 2024

10.10 Monitoring Wells

The inspectors walked the site identifying the groundwater monitoring wells. The purpose of groundwater monitoring is to assess the effectiveness of the Corrective Measures, including the performance of the carbohydrate substrate in promoting natural degradation of organic compounds in the groundwater. The inspectors observed BR-2, BR-3, BR-10, NW2, POE-1 POE-2, Piezometer 1, Piezometer 2, and REM1. BR-5 and BR-6 could not be observed at that time because the wells were located on the Alabama DOT property. NW-2 needed a new label and the area cleared around it. Unless specified, all the monitoring wells were in good condition, the well caps were in place, the concrete pads were solid and not cracked and the labels were visible.

11) Records Review

The inspectors requested that the training records, the contingency plan, the weekly inspection records, the daily tank inspection records, leak detection and repair records, the annual tank integrity testing, the waste minimization plan, the 2023 hazardous, non-hazardous, and used oil manifests be provided. The generator status notification (EPA Form 8700-12) was updated on August 7, 2023.

The inspectors requested the training records for the employees handling hazardous waste. Training certificates for Cordell Stokely, Antiun Oliver and Cody Fortner were provided. Mr. Stokely and Mr. Fortner received computer-based training for the 8-hour HazWOPER refresher on December 28, 2023, and November 29, 2023, respectively. Mr. Oliver received computer-based training for 40-hour HazWOPER training on January 26, 2024. Job titles and descriptions were provided and reviewed.

The inspectors requested the Contingency Response Plan dated December 21, 2023, for review. The plan included a current emergency contact list, an evacuation map, a fire extinguisher inspection list, a list of emergency response equipment, the Quick Reference Guide and, documentation (i.e., green return receipt cards, emails) that copies of the current contingency plan were provided to the local emergency response agencies (i.e., fire, police, hospital). No issues were observed.

The daily tank inspection records and the weekly inspection records for the container storage for 2023 were reviewed. No issues were observed.

Leak detection and repair records were requested. The recent repair of flange A013 was documented in the records (Picture 56). Mr. Crawford explained that employees had to be retrained on the instrument pre-use calibration results and instrument calibration precision test because of miscalculations. The inspectors observed a memo in the records noting this issue. No issues were identified at the time of the review.

The Annual Tank Integrity Test was conducted on August 2, 2023, for eight storage tanks (Tank System 1 (B5 and B7); Tank System 2), and the secondary containment for both tank systems. No defects were detected in the secondary containment and no leaks were identified in the eight tanks. The report was signed and sealed by Ian Lundberg, PE of Resolve Environmental Engineering.

The Waste Minimization Plan dated January 10, 2024, was reviewed.

Hazardous and non-hazardous manifests were reviewed for April, September, and October 2023. The inspectors observed that Kaliyah Matthews was not signing but initialing the Designated Facility to Generator copies. Mr. Jones explained that management was aware of that issue and corrected it. In addition, the employee was no longer with the facility. The inspectors also reviewed the land disposal restriction forms to the facilities and the discrepancy forms. No issues were found with these documents.

12) Summary

The inspectors conducted the exit meeting with Mr. Jones, Mr. Crawford, Mr. Fortner, and Mr. Phillips. During this meeting, the EPA and ADEM presented the preliminary results of the inspection. Allworth LLC was inspected as a LQG and TSDF of hazardous waste.

13) Signed

PAULA WHITING Digitally signed by PAULA WHITING
Date: 2024.04.08 19:50:00 -04'00'

Paula A. Whiting
Environmental Engineer

Date

14) Concurrence

ARACELI CHAVEZ Digitally signed by ARACELI CHAVEZ
Date: 2024.04.09 13:25:54 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Date

ATTACHMENT A

ALLWORTH LLC

BIRMINGHAM, ALABAMA

COMPLIANCE EVALUATION INSPECTION PHOTOGRAPHS

January 29-30, 2024

Photos taken by Paula A. Whiting

Camera Type: Olympus Tough

Serial Number: SC7374



Picture 1 – Perimeter fence and signs



Picture 4 – Inbound Staging Area trailer to be unloaded



Picture 2 – Inbound Staging Area



Picture 5 – Inbound Staging Area gate valve to outfall



Picture 3 – Inbound Staging Area



Picture 6 – Loading Area No.1



Picture 7 – Loading Area No.1 open container



Picture 10 – Loading Area No.1 SAA



Picture 8 – Loading Area No.1 open container



Picture 11 – Loading Area No.1 SAA label



Picture 9 – Loading Area No.1 SAA needed new label



Picture 12 – Loading Area No.1 SAA label



Picture 13 – Loading Area No.1 open container



Picture 16 – Permitted Trailer Storage Area UW trailer



Picture 14 – Loading Area No.1 container waiting to be received



Picture 17 – Permitted Trailer Storage Area UW trailer broken lamp



Picture 15 – Loading Area No.1 unlabeled container



Picture 18 – Permitted Trailer Storage Area UW trailer



Picture 19 – Tank System 1



Picture 22 – Tank System 1 Tank B7 flange A013 leaking



Picture 20 – Tank System 1 Tank B7 flange leak



Picture 23 – Tank System 1 Tank B7 flange leak



Picture 21 – Tank System 1 Tank B7 flange leak



Picture 24 – Tank System 1 Tank B7 flange leak repaired



Picture 25 – Tank System 1 Pumphouse



Picture 28 – Loading Area No. 2 – Retail Waste



Picture 26 – Tank System 1 Pumphouse secondary containment flooded with rainwater



Picture 29 – Loading Area No. 2 – Retail Waste



Picture 27 – Tank System 1 Pumphouse secondary containment pumped out



Picture 30 – Loading Area No. 2 – Retail Waste



Picture 31 – Loading Area No. 2 – Retail Waste



Picture 34 – Upper Warehouse Container Storage B



Picture 32 – Loading Area No. 2 – Retail Waste



Picture 35 – Upper Warehouse Container Storage B



Picture 33 – Upper Warehouse Container Storage B



Picture 36 – Upper Warehouse Container Storage F



Picture 37 – Upper Warehouse Container Storage F



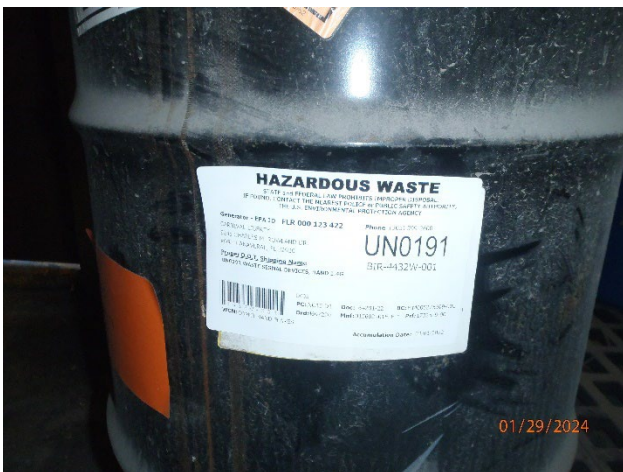
Picture 40 – Upper Warehouse Container Storage F
mislabeled drum contents – flares in water



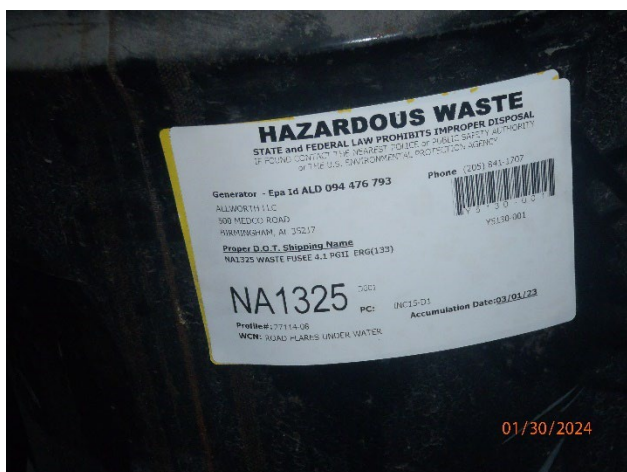
Picture 38 – Upper Warehouse Container Storage F



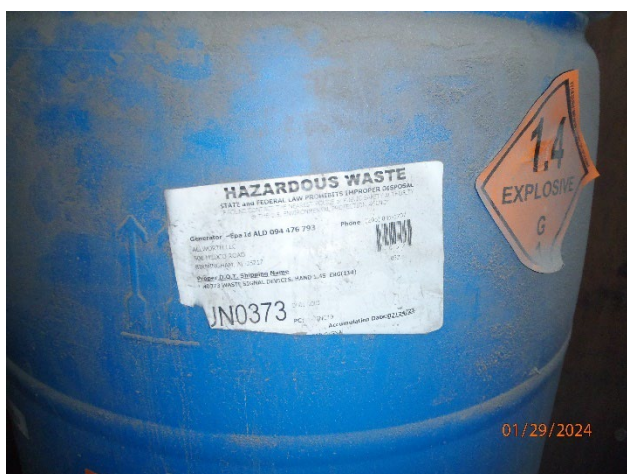
Picture 41 – Upper Warehouse Container Storage F
mislabeled drum



Picture 39 – Upper Warehouse Container Storage F
mislabeled drum



Picture 42 – Upper Warehouse Container Storage F label corrected



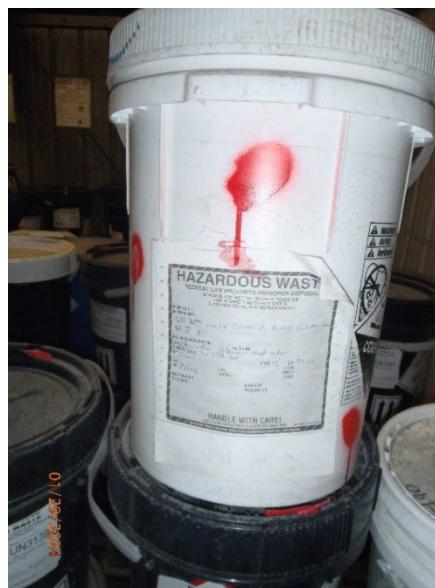
Picture 43 – Upper Warehouse Container Storage F drum label



Picture 44 – Upper Warehouse Container Storage F drum missing Allworth label



Picture 45 – Upper Warehouse Container Storage F drum missing Allworth label



Picture 46 – Upper Warehouse Container Storage F drum missing Allworth label



Picture 47 – Upper Warehouse Container Storage F open and unlabeled drum



Picture 49 – LUWA thin film solvent recovery system



Picture 48 – LUWA thin film solvent recovery system



Picture 50 – Tank System 2 top of tank



Picture 51 – Tank System 2 top of tank



Picture 52 – Laboratory SAA containers



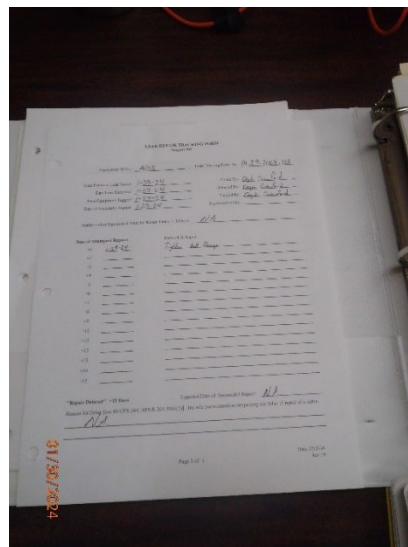
Picture 53 – Laboratory SAA solids container



Picture 54 – Laboratory SAA 55-gal drum in Storage B



Picture 55 – Laboratory SAA 55-gal drum in Storage B



Picture 56 – Tank B7 flange A013 leak repair tracking form