

RCRA Compliance Evaluation Inspection Report

1) **Inspector and Author of Report**

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Chemical Safety and Land Enforcement Branch
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2) **Facility Information**

Safety-Kleen Systems, Inc.
7206 Larkin Street
Dolomite, Alabama 35061
Jefferson County

EPA ID No. ALD983191537

Latitude: 33.2737° and Longitude: -86.573°

NAICS Codes: 562112 – Hazardous Waste Collection and 484220 – Specialized Freight (except Used Goods)

SIC: 4212 – Local Trucking Without Storage

Website: <https://www.safety-kleen.com>

3) **Responsible Officials**

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4) **Inspection Participants**

Parvez Mallick, U.S. Environmental Protection Agency, Region 4
Tarin Tischler, U.S. Environmental Protection Agency, Region 4
Stephen Griffith, Branch Manager, Safety-Kleen Systems, Inc.
Paul Searcy, ADEM
Carl Williams, Senior Environmental Compliance Manager, Safety-Kleen Systems, Inc.

5) **Date of Inspection**

March 23, 2023, 9:50 a.m.

6) **Applicable Regulations¹**

Alabama Hazardous Waste Management and Minimization Act of 1978 (AHWMMA), Ala. Code § 22-30-1 et seq., [Resource Conservation and Recovery Act (RCRA) Sections 3002 - 3005, (42 U.S. Code - Annotated U.S.C.A. 6925 and 6927)] 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) [40 Code of Federal Regulation (C.F.R.) Parts 260-270, 273 and 279].

Pursuant to ADEM Admin. Code r. 335-14-1-.02(1)(a)151. [40 C.F.R. § 262.34(a) (2016)], a generator of 1,000 kilograms or greater of hazardous waste in a calendar month is a large quantity generator (LQG).

Pursuant to ADEM Admin. Code r.335-14-1-.02(1)(a)285. [40 C.F.R. § 260.10], a transfer facility means any transportation-related facilities including loading docks, parking areas, storage areas, and other related areas where shipments of hazardous waste or hazardous secondary materials are held for more than 24 hours and not longer than 10 days during the normal course of transportation.

Pursuant to ADEM Admin. Code r.335-14-17-.03(1)(a), a used oil generator is any person, by individual generation site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(5)(a) [40 C.F.R. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste in containers at or near 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 Alabama Hazardous Wastes Management and Minimization Act (AHWMMA), 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-.01(6)(b) or 335-14-3-.01(7)(a) [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in ADEM Admin. Code r. 335-14-3-.01(5)(a)7. and 8. [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area (SAA) conditions listed in ADEM Admin. Code r. 335-14-3-.01(5)(a) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7) [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

¹ Alabama's Generator Improvements Rule (GIR) regulations were effective in Alabama as of April 6, 2018, but are not authorized by EPA, and therefore are not federally enforceable. For ease of reference and consistency with the corresponding ADEM Inspection Report, this report will cite the Alabama hazardous waste regulations in effect at the time of the inspection, and the corresponding federal regulations.

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) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Safety-Kleen Systems, Inc.’s compliance with the applicable requirements of RCRA and the corresponding Alabama regulations. This was an EPA lead inspection.

8) Facility Description

Safety-Kleen Systems, Inc., Dolomite’s location (hereinafter, “SK”, or the “facility”) serves as a hazardous waste and used oil transporter/transfer facility, large quantity handler of universal waste (LQHUW) and large quantity generator (LQG) of hazardous waste. SK is a wholly owned subsidiary of Clean Harbors Environmental Services, Inc. The facility in Dolomite consists of two sites, one on each side of Hoke Avenue. The first site, approximately 1.5 acres, is located on the south side of Hoke Avenue, 4180 Hoke Avenue, and consists of a small office building surrounded by a fenced asphalt parking lot and a small warehouse. The second site, approximately 1 acre, is located on the north side of Hoke Avenue, 7206 Larkin Street, and consists of one main building (warehouse/office), a small return/fill station, a tank farm and surrounded by a fenced asphalt parking lot. SK employs approximately eleven people and the facility’s typical hours of operation are from 8:00 a.m. to 5:00 p.m. on weekdays. This facility has been operating at this location longer than twenty-five years. Both sites are secured by fencing to prevent unauthorized entry.

Primarily, SK is an environmental service orientated company involved in the collection of hazardous waste, used oil, oily water, used antifreeze, and industrial non-hazardous waste. The facility’s main line of business is leasing parts cleaning machines (parts washers) to businesses. As part of this service, SK provides mineral spirits (petroleum naphtha) solvent for use in the machines. The parts washer solvent is returned in containers to the return/fill station at the facility, and then dumped into solvent receptacles (wet dumpsters) at the facility. The used/dirty solvent containers are cleaned on-site inside the wet dumpster which contains a drum washer. This activity generates the bulk of the facility generated hazardous waste.

Containers of hazardous waste stored at the transfer facility warehouse may include aerosol, cans, flammable liquids, flammable solids, corrosives, toxics, other hazardous and non-hazardous waste. The transfer facility is operated on behalf of Safety-Kleen Systems, Inc., which was issued a hazardous waste transporter permit (TXR000081205) on November 9, 2021. The permit will expire on November 8, 2024. Universal waste is transported by SK but not generated on site. The facility has six box trucks, four owned by SK and two owned by Clean Harbors.

SK identified its subject facility as a LQG of hazardous waste; a LQHUW; and a transporter/transfer facility of hazardous waste and used oil as part of the 2021 Biennial Report, which was submitted on February 1, 2022. The report described five hazardous waste profiles that are generated at the facility, and indicated that the following quantities of each profile were shipped off-site during 2021:

Waste Description	Waste Code	Volume
Combustible liquids NOS petroleum naphtha	D001, D018, D039, D040	418,581 lbs.
Combustible liquid NOS oil retain samples (process waste)	D008, D018, D039, D040	1050 lbs.
Combustible solid NOS used hoses (process waste)	D001	450 lbs.
Combustible liquid NOS Solvent Sludge (process waste)	D001, D018, D039, D040	7,750 lbs.
Combustible liquid NOS branch generated debris (cleanout)	D001, D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043, F002, F003, and F005	8,000 lbs.

9) **General Process Description**

SK personnel use the dedicated box trucks to deliver clean parts washer solvent to customers and to pick up containers of used parts washer solvent (e.g., petroleum naphtha), dry cleaning waste (e.g., perchloroethylene), paint waste, spent antifreeze and other industrial waste from customer locations. Each box truck services approximately four-to-eight customers per day. Waste containers are off-loaded at the end of the day, and each truck is then loaded with containers of clean parts washer solvent for the following day's route. After they are unloaded, waste containers are segregated in the ten-day transfer area based on how they will be shipped from the facility. The company uses long-haul trucks to continue transporting containers from this location towards the hazardous waste treatment, storage or disposal facility that is designated on the hazardous waste manifest associated with each container. One long-haul truck is scheduled for pick-up from the subject facility every Thursday, and additional trucks may be scheduled, as necessary.

SK personnel use the dedicated tanker trucks to pick up used oil from customer locations and deliver it to the subject facility. Each tanker truck holds a cardboard box of four-ounce sample jars, and drivers screen and sample used oil at each customer location before pumping it into the tanker truck. When all jars in the box have been filled with used oil retain samples, the full box is offloaded, and a new box of empty jars is loaded onto the truck. Boxes of used oil retain samples

are placed into a flammable storage cabinet inside the 3,000-square foot equipment storage warehouse at the subject facility. Personnel explained that SK's policy is to keep used oil retain samples that were collected during the current month and during the three most recent calendar months. Every thirty days used oil retain samples are removed from the flammable cabinet and accumulated as D001 hazardous waste.

Used oil is pumped from the dedicated used oil tanker into one of two on-site used oil tanks. Personnel explained that only one of the two tanks is used to receive used oil at a time. When full, the contents of the full tank are sampled, and the empty tank begins receiving incoming used oil. The contents of the full tank are then shipped off-site, and the process repeats when the second tank is filled. If the sample results from the full tank indicate that the levels of halogens, paraffins, pH, and PCBs are within the acceptable limits, the used oil is pumped from that tank and shipped offsite for re-refining.

SK personnel use the dedicated vacuum truck to pick up nonhazardous waste from approximately one-or-two customer locations each day. The nonhazardous waste is pumped from the truck into an intermediate bulk container tote on-site. The vacuum truck also holds a cardboard box of sample jars for collecting waste retain samples. However, these retain samples are managed as nonhazardous waste, because the vacuum truck is used to transport nonhazardous waste.

Clean Harbors, Inc. (Clean Harbors) acquired Safety-Kleen Systems, Inc. at the end of 2012. Clean Harbors currently uses the subject facility to house equipment and supplies that they use for emergency response activities. In addition, Clean Harbors personnel pick up containers of hazardous waste from retail customers and store those containers in the facility's ten-day transfer area.

10) Previous Inspection History

SK was inspected by the ADEM on June 30, 2016, and July 30, 2020. No violations were found during the inspections. SK Dolomite site has never been inspected by the EPA.

11) Opening Conference

On March 21, 2023, EPA inspectors Parvez Mallick and Tarin Tischler accompanied by Alabama Department of Environmental Management (ADEM) inspector Paul Searcy conducted an unannounced compliance evaluation inspection (CEI) at Safety-Kleen Systems, Inc., in Dolomite, Alabama, to determine the compliance status of the facility with the RCRA and the State of Alabama regulations. This was an EPA-lead inspection. The inspectors arrived at the facility and were greeted by Stephen Griffith, Branch Manager, of Safety-Kleen Systems, Inc. Inspectors were escorted to a conference room for an entrance briefing. The inspectors introduced themselves, showed their credentials, exchanged business cards, and explained the purpose of the visit.

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

12) **Inspection Observations**

The information in this RCRA inspection report is based on the EPA's March 23, 2023, RCRA CEI. The inspectors were first escorted to the office building located at 4180 Hoke Avenue. SK's operating records are maintained in the office building. No wastes were observed in the office building. The inspection included the following areas:

Used Oil Storage Tankers

The facility's walking tour began in the Used Oil Storage Tankers area located at 4180 Hoke Avenue. The inspectors observed two 6,000-gallon tankers containing mixture of water and used oil stored outside the office area, in a pervious asphalt parking area surrounded by asphalt berm (Photos #1-3). Both 6,000-gallon tanker containers were located at the 4180 Hoke Avenue site and were marked with the words "Used Oil Only". According to the facility representative, any spills in this area are swept with absorbents and disposed of as SK generated waste. Storm water is vacuumed and collected for disposal if water displays an oily sheen. The inspector observed that the secondary containment area did not appear to have sufficient capacity to contain 10% of the volume of the containers or the volume of the largest container, whichever is greater, and the containment area does not have an impervious coating to prevent a used oil spill from migrating out of the system to the soil, groundwater, or surface water. Used oil transporters are subject to all applicable Spill Prevention, Control and Countermeasures (40 C.F.R. Part 112) in addition to the requirements of ADEM Admin. Code r. 335-14-17-.05.

Pursuant to ADEM Admin. Code r. 335-14-17-.05(7)(f) [40 C.F.R. § 279.45(d)], Secondary containment for containers. Containers used to store used oil at transfer facilities must be equipped with a secondary containment system. (1) The secondary containment system must consist of, at a minimum: (iii) An equivalent secondary containment system; and (2) The entire containment system, including walls and floors, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.

Pursuant to ADEM Admin. Code r. 335-14-17-.05(7)(f)(4), the containment system must have sufficient capacity to contain 10% of the volume of the containers or the volume of the largest container, whichever is greater.

There was a vacuum truck parked next to the fenced area in the parking lot. The truck is used by

Safety- Kleen Systems, Inc. to transport hazardous waste, universal waste, and used oil. The following documentation was maintained in the truck: a copy of Safety- Kleen Systems, Inc.'s hazardous waste transport permit; copy of Safety-Kleen Systems, Inc.'s proof of insurance; and copy of Safety-Kleen Systems, Inc.'s contingency plan.

Warehouse C

Next the inspectors visited a locked trailer storage area Warehouse C located at 4180 Hoke Avenue. Clean Harbor uses one side of the area for general storage and SK uses the other side to store oil retain samples (Photos #4-5). The inspectors observed boxes of retain samples stored in four flammable storage cabinets inside Warehouse C. The cabinets were marked "Used Oil Truck Samples," "Vac Customer Samples," and "Used Oil Truck Samples." Individual sample jars were labeled with date and customer name. Personnel explained that SK's policy is to keep used oil retain samples that were collected during the current month and during the three most recent calendar months. Every thirty days used oil retain samples are removed from the flammable cabinet and accumulated as D001 hazardous waste. There was no signage to indicate that hazardous waste was stored in Warehouse C and there was no secondary containment for the hazardous waste containers. The inspectors observed the following two hazardous waste containers:

- One closed 55-gallon container of hazardous waste combustible liquid, NA 1993, retain oil samples (D001, D003, D018, D039, and D040); and
- One closed 55-gallon container of hazardous waste toxic/ignitable, NA 1993, solvent sludge (D001, D006, D008, D018, D039, and D040). The parts washer solvent sludge is generated from the drum washing operations and waste generated by truck drivers cleaning equipment while running routes.

The inspectors observed one 55-gallon container of parts washer solvent sludge in Warehouse C. Facility personnel stated that this container is used to consolidate hazardous waste sludge that is generated in another area of the facility, and that the facility is managing this area as an SAA. Pursuant to the SAA Permit Exemption, a satellite accumulation area (SAA) must be established "at or near" the point of generation and must be "under the control of the operator." The inspectors noted that the area where parts washer solvent sludge is brought for consolidation into a 55-gallon drum was not located at or near the point of generation or under the control of the operator of the process generating the sludge. Furthermore, the facility was not meeting the conditions of the LQG Permit Exemption, because the 55-gallon container of hazardous waste sludge was not marked with an accumulation start date, and SK was not performing weekly inspections of Warehouse C.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(5)(a) [40 C.F.R. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste in containers at or near 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 Alabama Hazardous Wastes Management and Minimization Act (AHWMMA), 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-

.01(6)(b) or 335-14-3-.01(7)(a) [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in ADEM Admin. Code r. 335-14-3-.01(5)(a)7. and 8. [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area (SAA) conditions listed in ADEM Admin. Code r. 335-14-3-.01(5)(a) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Next to the Warehouse C, the inspectors observed two metal tanks, each with the capacity of approximately 5,000 gallons, that were surrounded by metal secondary containment structures. One of the tanks contained clean parts washer solvent product. The other tank contained used oil and was marked with the words “Used Oil Only.”

Transfer Facility (10-day storage area) and Central Accumulation Area (CAA)

The inspectors observed a forklift which was used to off-load containers from trailers parked at the loading dock of the Inbound/Outbound area of the 10-day storage area and 90-day CAA located at 7206 Larkin Street. The warehouse is a metal building equipped with a coated concrete floor, and roll-up doors. Signs bearing the words “Danger”, “Hazardous Waste Storage Area”, “Unauthorized Persons Keep Out”, and “No Smoking” were posted at each entrance to the warehouse.

The containers from the loading docks were being transferred directly to their designated container storage areas. The container labels in the container storage area are marked with a two-letter marking indicating the destination facility: Reidsville (RD), Chattanooga (CH), Spring Grove (SG), Deer Park (DE). SK also uses a bar code on a label for each container for internal sorting purposes that identifies the waste as hazardous waste or non-hazardous waste and that indicates it’s hazard.

The warehouse was designed with separate areas designated for ten-day storage for waste transported from customers and for less than 90-day storage of hazardous waste generated on-site by SK. However, at the time of the inspection the containers were comingled and the areas were indistinguishable. The facility tour began in the designated ten-day transfer area of the 3,000-square foot warehouse where inspectors observed metal drums, fiber drums, poly drums, overpacks, and cardboard boxes staged on wooden pallets. The pallets were mostly arranged in rows with varying amounts of aisle space, and pallets of containers were stacked from one-to-three pallets high. The inspectors observed approximately 70 containers in this area ranging from 5-gallon to cubic-yard containers. There was not adequate aisle space in this area to inspect all hazardous waste containers (Photos #6-7). Unless mentioned below, 10-day storage area and CAA hazardous waste containers observed in this building were closed, marked with the words “Hazardous Waste,” identified with an indication of the hazards of the contents, and marked with a start accumulation date. The following containers of off-site generated wastes (wastes being transported by Safety-Kleen Systems, Inc.) were staged in the building at the time of the inspection:

- Two satellite accumulation areas (SAAs) were established for accumulating hazardous waste parts washer solvent sludge (contaminated rags/wipes) generated on each side of the warehouse. The inspectors observed one 55-gallon container in each SAA: one at the

- roll-up doors and one at the west-end of the warehouse;
- One 55-gallon container of 90-day storage hazardous waste in the CAA had no markings. The facility was not able to identify the contents at the time of the inspection. Inspectors requested a waste determination of this container;
- Four 55-gallon containers of 90-day storage hazardous waste in the CAA did not have an accumulation start date; and
- One 30-gallon container of 10-day transfer hazardous waste used parts washer solvent had no accumulation start date.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(2) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 335-14-2-.01(2), must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable AHWMA regulations.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)5.(i) [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)6. [40 C.F.R. § 262.17(a)(6)], which incorporates ADEM Admin. Code r. 334-14-3-.14(6) [40 C.F.R. § 262.255], and is a condition of the LQG Permit Exemption, a generator must 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, unless aisle space is not needed for any of these purposes.

Return and Fill Station

SK provides parts washers with a nonhazardous virgin mineral spirits (petroleum naphtha) solvent to customers and spent parts washer solvent is collected by SK and returned to the facility in containers to the Return and Fill Station. Although the solvent is nonhazardous, spent solvent from certain customers are hazardous due to contamination with materials washed with the parts washer. Safety Kleen combines nonhazardous and hazardous solvent in the Return and Fill Station and becomes the generator of the hazardous waste mixture at the point the solvents are poured into the Return and Fill Station. The hazardous waste is pumped immediately during the return and fill process to a bulk trailer truck parked just outside.

The facility’s Return and Fill Station is a shed with a roof and enclosed on three sides. The area is equipped with a metal floor grate over a containment sump which is equipped with a pump to remove any spilled material and transfer it to the bulk tanker trailer. Drums of used parts washer solvent, which are collected from customers, are off-loaded onto the Return and Fill Station. The 16- and 30-gallon drums are manually opened, and the spent parts washer solvent is dumped into a wet dumpster unit (Photos #8-9). The unit has a maximum capacity of 375-gallons. The empty drums are cleaned on-site inside the wet dumpster, which contains a drum washer. The unit is

specifically designed to empty a container and accumulate its contents in a collection reservoir. A recirculation pump lifts spent parts washer solvent from the collection reservoir and injects it inside the open-ended drum while two rotary brushes rotate the container and remove residuals from both its inside and outside surfaces.

This activity generates the bulk of the facility's hazardous waste by comingling of customers non-hazardous and hazardous waste parts washer solvents. The facility informed inspectors that waste is pumped immediately into the tanker truck and does not accumulate in the wet dumpster, however inspectors requested that personnel manage this container as a hazardous waste container prior to further review. The dumpster unit was not marked with the words "Hazardous Waste" and had no indication of the hazards of the contents. The dumpster also generates solids/sludge during the container cleaning process. The sludge is hazardous for the characteristics of ignitability and toxicity. When an empty container is removed from the drum washer/dumpster unit, it is staged in the Return and Fill Area for reuse.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(5) [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator must mark or label its containers with the following: (i) The words "Hazardous Waste" and (ii) an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 C.F.R. part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 C.F.R. 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

The spent parts washer solvent is piped/pumped to a 6,000-gallon tanker trailer for storage until transport to a Recycle center for reclamation (Photos #10-13). The tanker trailer was not labeled with the words "Hazardous Waste," was not identified with an indication of the hazards of the contents and was not marked with an accumulation start date. SK did not provide any records of weekly inspections of the hazardous waste tanker trailer, and personnel stated that inspections are not routinely conducted in this area. The inspectors did not observe a "no smoking" sign, fire extinguishers, emergency eyewash station, and spill response kit near the wet dumpster unit and the tanker trailer during the inspection.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)5(i) [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: (A) the words "Hazardous Waste"; (B) an indication of the hazards of the contents; (C) 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.(v) [40 C.F.R. § 262.17(a)(1)(v)], which is a condition of the LQG Permit Exemption, a large quantity generator must inspect central accumulation areas at least weekly, looking for leaking containers and

deterioration of containers caused by corrosion or other factors. The large quantity generator must record inspections in an inspection log or summary and keep these records for at least three years from the date of inspection. At a minimum, these records must include the date and time of the inspection, the name of the inspector, a notation of observations made, and the date and nature of any repairs or other remedial actions.

Pursuant to ADEM Admin. Code r.335-14-3-.01(7)(a)1.(vi)(B) [40 C.F.R. § 262.17(a)(1)(vi)(B)], which is a condition of the LQG Permit Exemption, a large quantity generator must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste must be separated and protected from sources of ignition or reaction including but not limited to the following: Open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (*e.g.*, from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the large quantity generator must confine smoking and open flame to specially designated locations. “No Smoking” signs must be conspicuously placed wherever there is a hazard from ignitable or reactive waste.

After the inspection, the inspectors concluded that the facility’s drum washer/wet dumpster unit must be managed under 40 C.F.R. Part 264 Subpart X (§§ 264.600-264.603). Subpart X refers to miscellaneous units, which are a unique category of hazardous waste management units, regulated under RCRA and Title 40 C.F.R. Part 264 Subpart X. These units do not fit within the definition of the more typical waste management units described in Part 264 (containers, tanks, incinerators, etc.). Miscellaneous units are required to be located, designed, constructed, operated, maintained, and closed in a manner that will prevent any unsafe releases into the groundwater, subsurface environment, surface water, wetlands, soil surface, or air. In addition, the organic air emission leak detection program applies to the miscellaneous unit (drum washer/wet dumpster), spent parts washer solvent stored in the tanker trailer, and its associated ancillary equipment. The regulations in this subpart apply to owners and operators of facilities that treat, store, dispose, or recycle hazardous wastes and apply to equipment that contains or contacts hazardous wastes with organic concentrations of at least 10% by weight that are managed in units that are subject to the permitting requirements of Title 40 C.F.R. Part 270.

All owners and operators of miscellaneous units must obtain a permit to treat, store, and/or dispose of hazardous waste. The Subpart X permitting standards require permit applicants to describe the unit and evaluate the potential environmental impacts of the unit or facility (40 C.F.R. §270.23).

It appears that the SK has not implemented a Subparts BB and CC Organic Air Emission Standards for the drum washer/wet dumpster unit, the 6,000-gallon tanker trailer storing spent parts washer solvent, and the associated ancillary equipment of the washer/wet dumpster unit and tanker trailer. The Subpart BB air emission controls for equipment leaks and specific inspection requirements contained in 40 C.F.R. §§ 265.1050 through 265.1064 and Subpart CC standards applicable to tanks and containers containing hazardous wastes specified in 40 C.F.R. §§ 265.1085, 265.1087, 265.1089, and 265.1090.

It should be noted that Safety-Kleen Systems, Inc. (EPA ID# NCD07906005), Charlotte, NC, and Safety Kleen, Archdale (EPA ID# NCD077840148), Archdale, NC, facilities drum washer/wet dumpster units and storage tanks are permitted and operating under 40 C.F.R. Part 264 Subpart X and Subpart BB and CC Organic Air Emission standards.

13) Records Review

After the walkthrough, the inspectors requested and reviewed the facility's following documents: copies of inbound and outbound manifests, records indicating that employees who handle hazardous waste have received annual hazardous waste management training, the job title and description of each position related to the facility's hazardous waste management, a copy of the contingency plan, a copy of the contingency plan's quick reference guide, documentation that the facility's contingency plan and contingency's plan quick reference guide was sent to local emergency responders, and records of weekly inspections of the facility's hazardous waste central accumulation area. The review and evaluation of these documents showed the following:

- Records documenting of the length of time that hazardous waste shipments were stored in the transfer facility from March 2021 – March 2023 were not available for review;
- The Contingency Plan did not indicate the location of the emergency equipment at the facility;
- The Quick Reference Guide was not available;
- Records documenting that the contingency plan was sent to local emergency responders was not available;
- Records documenting the arrangements with the local fire department as well as any other organization necessary to respond to an emergency were not available;
- Records indicating that the facility conducted weekly inspections of the hazardous waste central accumulation area were not available during the inspection;
- Records documenting that employees were provided with hazardous waste management training were not available. Specifically, training records for Jody Riddle were not available;
- Records that include a written description of the hazardous waste training requirements were not available. Specifically, records for Jody Riddle were not available;
- Records that include the job title for each position related to hazardous management, and the name of the employee filling each job were not available. Specifically, records for Jody Riddle were not available;
- Records that include a written job description for each position involving the generation of hazardous waste were not available. Specifically, the job description for the "Lead Material Handler" was not available.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)6 [40 C.F.R. § 262.17(a)(6)], which incorporates ADEM Admin. Code r. 334-14-3-.14(10)(b) [40 C.F.R. § 262.261(c)], and is a condition of the LQG Permit Exemption, the contingency plan must include a list of all emergency equipment at the facility where this equipment is required, and this list must be kept up to date.

Pursuant to ADEM Admin. Code r. 335-14-3.14(10)(b) [40 C.F.R. § 262.262(b)], a large

quantity generator must submit a quick reference guide of the contingency plan to the local emergency responders identified at paragraph (a) of this section or, as appropriate, the Local Emergency Planning Committee. The quick reference guide must include the following elements: (1) The types/names of hazardous wastes in layman's terms and the associated hazard associated with each hazardous waste present at any one time (*e.g.*, toxic paint wastes, spent ignitable solvent, corrosive acid); (2) The estimated maximum amount of each hazardous waste that may be present at any one time; (3) The identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff; (4) A map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; (5) A street map of the facility in relation to surrounding businesses, schools and residential areas to understand how best to get to the facility and also evacuate citizens and workers; (6) The locations of water supply (*e.g.*, fire hydrant and its flow rate); (7) The identification of on-site notification systems (*e.g.*, a fire alarm that rings off site, smoke alarms); and (8) The name of the emergency coordinator(s) and 7/24-hour emergency telephone number(s) or, in the case of a facility where an emergency coordinator is continuously on duty, the emergency telephone number for the emergency coordinator.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)6. [40 C.F.R. § 262.17(a)(6)], which incorporates ADEM Admin. Code r. 334-14-3-.14(7) [40 C.F.R. § 262.256(b)], and is a condition of the LQG Permit Exemption, a generator shall maintain records documenting the arrangements with the local fire department as well as any other organization necessary to respond to an emergency. This documentation must include documentation in the operating record that either confirms such arrangements actively exist or, in cases where no arrangements exist, confirms that attempts to make such arrangements were made.

Pursuant to ADEM Admin. Code r.335-14-3-.01(7)(a)1.(v) [40 C.F.R. § 262.17(a)(1)(v)], which is a condition of the LQG Permit Exemption, a large quantity generator must inspect central accumulation areas at least weekly, looking for leaking containers and deterioration of containers caused by corrosion or other factors. The large quantity generator must record inspections in an inspection log or summary and keep these records for at least three years from the date of inspection. At a minimum, these records must include the date and time of the inspection, the name of the inspector, a notation of observations made, and the date and nature of any repairs or other remedial actions.

Pursuant to ADEM Admin. Code r.335-14-3-.01(7)(a)7.(iii) [40 C.F.R. § 262.17(a)(7)(iii)], which is a condition of the LQG Permit Exemption, facility personnel must take part in an annual review of the initial training required in this section.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)7.(iv)[40 C.F.R. § 262.17(a)(7)(iv)], which is a condition of the LQG Permit Exemption, the generator must maintain training records that include, among others: (A) the job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; (B) a

written job description for each position; (C) a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position; and (D) records documenting that the training required has been given to and completed by Facility personnel.

14) **Closing Conference**

Upon conclusion of the inspection, a closing conference was conducted in the presence of SK staff. The facility was informed of the preliminary findings at the time of the inspection.

15) **Conclusion**

Based on the CEI conducted on March 23, 2023, Safety-Kleen Systems, Inc. was inspected as a large quantity generator of hazardous waste, a transfer facility, a transporter of hazardous waste, and a large quantity handler of universal waste.

16) **Signed**

TARIN TISCHLER Digitally signed by TARIN TISCHLER
Date: 2023.08.17 16:41:51 -04'00'

Tarin Tischler
Life Scientist
RCRA Enforcement Section

ARACELI CHAVEZ Digitally signed by ARACELI
CHAVEZ
Date: 2023.08.17 17:28:58 -04'00'

for Parvez Mallick
Environmental Engineer
RCRA Enforcement Section

17) **Concurrence**

ARACELI CHAVEZ Digitally signed by ARACELI
CHAVEZ
Date: 2023.08.17 17:29:24 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Safety-Kleen Systems, Inc., Dolomite Facility
RCRA CEI Photographs taken by Parvez Mallick, EPA Region 4
Camera: Canon PowerShot
EPA Property Tag: S75319



Photo #1 – Two used oil tanker trailers.



Photo #2 – Used oil tanker trailer.



Photo #3 – Used oil tanker marked "Used Oil."



Photo #4 – Warehouse C – 55-gallon hazardous waste containers.



Photo #5 – Warehouse C – Used oil retain samples cabinets.



Photo #6 – Transfer facility and CAA containers.

Safety-Kleen Systems, Inc., Dolomite Facility
RCRA CEI Photographs taken by Parvez Mallick, EPA Region 4
Camera: Canon PowerShot
EPA Property Tag: S75319



Photo #7 – Transfer facility and CAA.



Photo #8 – Drum washer/dumpster unit.



Photo #9 – Containers in the Drum washer/storage tanker dumpster unit.



Photo #10 – 6,000-gallon spent parts washer solvent trailer.



Photo #11 – Spent parts washer solvent storage tanker trailer.



Photo #12 – Top view of storage tanker trailer.

Safety-Kleen Systems, Inc., Dolomite Facility
RCRA CEI Photographs taken by Parvez Mallick, EPA Region 4
Camera: Canon PowerShot
EPA Property Tag: S75319



Photo #13 – Top view of storage tanker trailer's ancillary equipment.