



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

Finalized Date: *Dated as shown on electronic signature*

Subj: Inspection Report
Clean Water Act - National Pollutant Discharge Elimination
System ("NPDES")
Clean Harbors of Braintree

From: David Turin, Environmental Scientist

Turin, David

Digitally signed by Turin, David
Date: 2022.10.24 14:23:28
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Thru: Solanch Pastrana-Del Valle, Environmental Engineer

To: File

I. Facility Information

- A. *Facility Name:* Clean Harbors of Braintree
- B. *Facility Location:* 1 Hill Ave
Braintree, MA 02185
- C. *Facility Contacts:* David Medina, Facility Operations Manager
Don Smith, Environmental Compliance Manager
- D. *NPDES ID No(s):* MA0031551

II. Background Information

- A. *Date(s) of inspection:* August 25, 2022
- B. *Weather Conditions:* Low 80s and mostly sunny
- C. *US EPA Representative(s):*
David Turin
- D. *State/Local Representative(s):*
Gerald Podlisny, MassDEP
- E. *Federally Enforceable Requirements Covered During the Inspection:*
NPDES Permit No. MA0031551, issued February 1, 2021
Clean Water Act Sections 301(a) (33 U.S.C. § 1311(a)) and 311 (33 U.S.C §
1321)

F. Previous Enforcement Actions:

N/A

III. Type and Purpose of Inspection

Evaluation of the Facility's compliance with its National Pollutant Discharge Elimination System (NPDES) permit and EPA's Spill Prevention, Control, and Countermeasure (SPCC) program.

IV. Facility Description

From the NPDES permit Fact Sheet: The Permittee operates a treatment, storage, and disposal facility (TSDF) for hazardous wastes at this location. The Facility functions primarily as a hazardous waste storage and consolidation center, though some treatment does occur on-site, including: stabilization of contaminated soils (mostly stabilization of lead); solidification by adding cardboard or saw dust; neutralization of weak acidic and caustic solutions, primarily by blending waste streams, gravity phase separation (mainly for gas, oil and water); and on-site PCB storage. Most wastes that are handled at this Facility are regulated under the Federal Resource Conservation and Recovery Act (RCRA), Subtitle C and the Massachusetts General Law chapter 21C, Massachusetts Hazardous Waste Management Act.

The stormwater that collects on the property, including within secondary containment areas that are emptied using submersible pumps, flows via gravity to a stormwater treatment system located in the northeast corner of the site. The discharges from the stormwater treatment system is regulated by a NPDES permit issued by EPA, NPDES No. MA0031551 (2021 Permit).

V. Inspection

The inspection was announced to the facility on or around August 15, 2022 by MassDEP. While the MassDEP inspection was primarily intended to evaluate the facility waste storage, handling, and treatment activities, EPA's purpose was to assess the Facility's compliance with its NPDES permit and its compliance with EPA's SPCC program.

A. Opening Conference

I arrived at approximately 10 am and I presented my credentials and provided a copy of the Small Business Resources Information Sheet. I explained the purpose of the inspection for EPA. Representing the facility were David Medina, the Facility Operation Manager; Don Smith, Senior Environmental Compliance Manager; and, Stephan Ganley, General Manager.

The Facility described its ongoing construction of a new building to replace Building 2. The new building would house maintenance facilities and the environmental lab. We discussed sampling regimes. Mr. Medina stated that routine samples are collected at the

stormwater treatment plant and whole effluent toxicity dilution water and control samples are collected from the receiving water. Mr. Medina indicated that one sample per quarter is taken during discharge events from the tank farm secondary containment basin to comply with the permit requirement that at least one sample per year be taken that includes discharges of stormwater from the dike/tank farm secondary containment area. Mr. Medina does not know if the NPDES Discharge Monitoring Report (DMR) indicates when it reflects a discharge from the tank farm secondary containment tank. We discussed the benefits for compliance and process control of recording these samples in the applicable DMR or cover letter. Mr. Medina reported that the facility is not currently conducting lead soil stabilization in the tank farm area but indicated that it may conduct should activity in the future.

I provided a printout of DMR data since the 2021 Permit was issued and discussed the relatively high levels of bacteria reported (enterococci up to 4520 MPN/100mL and fecal coliforms of up to 9800 MPN/100 mL). I acknowledged that while the 2021 Permit does not include numeric limits, the reporting required is to enable the Permit Office to assess the need for bacteria limitations in the future and that it might be appropriate for the facility to begin to assess the source(s) of bacteria in its wastewater.

B. Facility Tour

The facility tour began at the stormwater treatment system [see photos 1 and 2] and Mr. Medina described the treatment process. I checked the ISCO composite sampler refrigerated sample compartment but there is no bulb thermometer. Mr. Medina believed (and subsequently confirmed) that the ISCO sampler monitors and records the temperature in the sample compartment.

Leaving the treatment system, we walked by a conventional solid waste dumpster [photo 3]. I recommended that these types of containers be covered when not in active use as a general good housekeeping practice to prevent exposure to stormwater.

In Building #4, we observed hazardous waste and oil drums. Mr. Medina did not know if the oil storage at this location is recorded in the facility Spill Prevention, Control and Countermeasure plan. A subsequent review of the SPCC plan confirmed that this storage was included in the plan.

We inspected a #2 fuel oil tank with secondary containment outside building #5 [see photos 4 and 5]. No issues with either the tank or secondary containment were evident.

Under the roofed area tank farm, there are 9 waste storage tanks within secondary containment walls. Also under the roofed area, outside of the tank containment area, were approximately 10 tanker trucks, presumably offloading or unloading waste materials to or from the tanks. At the north side of the roofed area is an old fuel dispenser [see photo 6]. I was told that this dispenser and an associated tank, located within the tank secondary containment area, are no longer used and have been replaced by a new fuel tank and dispenser located just south of the tank farm. I was told that the old dispenser and tank are going to be removed.

We proceeded to the fuel tank and dispenser located to the south of the tank farm. According to the SPCC Plan, this is a double-walled 12,000 gallon #2 fuel oil tank [see photo 7].

Following the site tour, we inspected the laboratory. The pH calibration solutions dates were current and the pH probe was stored in deionized water. I saw that the facility had a container of storage solution and I was told that this solution was likely used for longer-term storage of the probe. Recommended practice is to always store the probe in storage solution to prolong the life of the probe.

C. Records Review

Preliminary review of Stormwater Pollution Prevention Plan (SWPPP), as facility had not provided attachments to the SWPPP at the time of this review.

1. The plan was revised in Aug 2022.
2. The updated plan does not contain all of the monitoring requirements of the 2021 Permit, such as monthly bacteria (fecal coliform and enterococcus), and does not accurately reflect the monitoring frequency for several pollutants.
3. Outdated copies of the NPDES permit and SPCC plan in the appendices were replaced during the inspection.

The SPCC plan updated in Aug 2022, was briefly reviewed on site. The body of the SPCC plan was sent to me by email following the inspection, but it did not contain the attachments, which are necessary for a complete review; this review will be completed after receiving a complete plan.

D. Closing Conference

I summarized the inspection by noting the following observations:

1. The facility should confirm documentation of temperature control in the ISCO sampler refrigerator; I recommend adding a calibrated bulb thermometer to the unit for spot temperature checks.
2. I recommended that the dumpster(s) be covered when not in active use.
3. The pH probe should be stored in appropriate storage solution.
4. The facility should record and report when the DMR reflects discharges from tank farm secondary containment basin.
5. The facility should consider investigating elevated bacteria results reported in its DMRs.

6. I indicated that I would send a copy of an SPCC inspection form and copies of the photos that I took during the inspection. I provided this information in an email to Mr. Smith in an email on 9/2/22.
7. I indicated that I would review the SWPPP and SPCC plans in more detail. I will do this after receiving complete versions of the documents, including the attachments, which were not included in the submissions provided after the inspection.

I departed the facility at approximately 11:45 am.

Unless otherwise noted, this report describes conditions at the facility/property as observed by EPA inspector(s), and/or through records provided to and/or information reported to EPA inspector(s) by facility representatives and as understood by the inspector(s). This report may not capture all operations or activities ongoing at the time of the inspection. This report does not make final determinations on potential areas of concern. Nothing in this report affects EPA's authorities under federal statutes and regulations to pursue further investigation or action.

Photo 1: Intake to Stormwater Treatment System



Photo 2: Portion of the Stormwater Treatment System

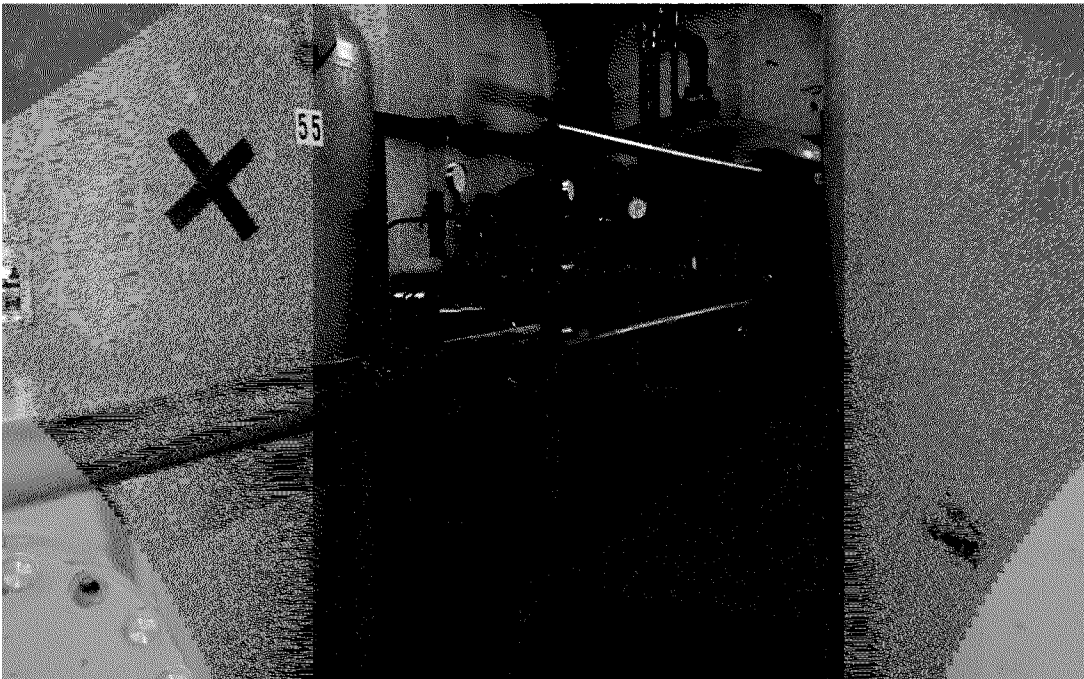


Photo 3: Uncovered Solid Waste Dumpster



Photo 4: No. 2 Fuel Oil Tank Outside Building #5



Photo 5: Oil Tank Outside Building #5



Photo 6: Old Fuel Dispenser



Photo 7: 12,000 gallon #2 Fuel Oil Tank

