

## **RCRA Inspection Report**

### **1) Inspector and Author of Report**

Kayla Acosta, Physical Scientist  
RCRA Enforcement Section  
Chemical Safety and Land Enforcement Branch  
Enforcement and Compliance Assurance Division  
U.S. Environmental Protection Agency, Region 4  
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### **2) Facility Information**

Safety-Kleen Systems, Inc.  
5610 Alpha Drive  
Boynton Beach, Florida 33426  
EPA ID No: FLD984167791

### **3) Responsible Officials**

Jeffrey Curtis, Sr. Environmental Compliance Manager  
Jeff.Curtis@safety-kleen.com

### **4) Inspection Participants**

Kayla Acosta, US Environmental Protection Agency  
Romina Lancellotti, FL Department of Environmental Protection (FDEP)  
Alannah Irwin, FDEP  
Scott Murphy, Safety-Kleen Systems, Inc.  
Ronald Rice, Safety-Kleen Systems, Inc.

### **5) Date of Inspection**

January 25, 2022

### **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.

Florida Statutes (F.S.) Chapter 403.702 et seq., and the regulations promulgated pursuant thereto and set forth at the Florida Administrative Code (Fla. Admin. Code Ann. r.), Chapters 62-710, 62-730 and 62-737.

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 Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17], a LQG may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Section 403.722 of the Florida Statutes, Fla. Stat. § 403.722 [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17] (hereinafter referred to as the "LQG Permit Exemption").

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [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 403.722 of the Florida Statutes, Fla. Stat. § 403.722 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.16(b) or §262.17(a)], except as required in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the "SAA Permit Exemption").

Pursuant to Fla. Admin. Code Ann. r. 62-730.180(1) [40 C.F.R. § 264, Subpart BB], owners and operators of hazardous waste treatment, storage, and disposal facilities 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 Fla. Admin. Code Ann. r. 62-730.180(1) [40 C.F.R. § 264.1064].

Pursuant to Fla. Admin. Code Ann. r. 62-730.180(1) [40 C.F.R. § 264, Subpart CC], owners and operators of hazardous waste treatment, storage, and disposal facilities accumulating hazardous waste in tanks must comply with the RCRA Subpart CC Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers, including, but not limited to, the recordkeeping requirements of Fla. Admin. Code Ann. r. 62-730.180(1) [40 C.F.R. § 264.1089].

FDEP Hazardous Waste Container and Tank Storage Facility Operating/Corrective Action Permit Number 49625-010-HO.

## 7) **Purpose of Inspection**

The purpose of this inspection was to conduct a compliance evaluation inspection to determine Safety-Kleen System Inc.'s (hereinafter referenced as "SKS-BB" or "the facility") compliance with the applicable requirements of RCRA and the corresponding FDEP regulations.

## 8) **Previous Inspection History**

The last RCRA compliance evaluation inspection (CEI) was conducted by FDEP on December

11, 2019. There were no violations identified.

## 9) **Facility Description**

SKS-BB has been operating at this location since 1988 and occupies approximately 76,200 sq ft of property. The facility has 17 employees and is connected to city water and sewer. The facility operates one shift, Monday-Friday, 7:00am-5:00pm.

SKS-BB first notified as a Large Quantity Generator (LQG) and transporter of hazardous waste on October 15, 1988. The facility submitted their most recent notification on February 04, 2021, and notified as a Treatment, Storage, or Disposal Facility (TSDF), LQG, transporter, and transfer facility of hazardous waste. The facility also notified as a used oil transporter and transfer facility. Hazardous wastes identified in the most recent notification include the following EPA waste codes: D001, D002, D003, 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, F001, F002, F003, F004, and F005. The facility also generates universal waste, such as spent mercury-containing lamps. SKS-BB's current Hazardous Waste Facility Operating/Corrective Action Permit was issued on November 17, 2017 and expires on November 19, 2022. SKS-BB operates under the NAICS Codes: 562211 – Hazardous Waste Treatment and Disposal, 562112 – Hazardous Waste Collection, and 562119 – Other Waste Collection.

SKS-BB is a provider of parts washer solvent and equipment leasing, product servicing, new oil sales, and hazardous/non-hazardous waste transport and storage services. Spent parts washer fluid from customers is received at SKS-BB and processed through a solvent return station. It is then stored in the facility's permitted 15,000-gallon hazardous waste above-ground storage tank (AST). Previously, parts washer solvent transported by the facility was treated as product and was used for drum washing as part of the Continued Use Program (CUP). The facility has since phased out and no longer uses the CUP, as described in Part II, Subpart B.3 of Permit No. 49625-010-HO. The facility owns two bulk oil trucks, seven box trucks, two vacuum trucks, and two lube trucks.

The facility has the following RCRA-regulated Units: Tank Storage, Solvent Return/Fill Station, Hazardous Waste Container Storage, and Non-Hazardous Waste (Non-HW) Container Storage. The facility stores and transports waste that exhibit hazardous waste characteristics described in 40 CFR 261, Subpart C, and listed hazardous wastes described in 40 CFR 261, Subpart D. Areas that were inspected include the main warehouse (solvent return/ fill station, container storage area, non-hazardous waste container storage), and tank storage.

## 10) **Opening Conference**

On January 25, 2022, EPA inspector Kayla Acosta accompanied by FDEP inspectors Romina Lancellotti and Alannah Irwin, arrived at SKS-BB at approximately 9:50 a.m. Mr. Scott Murphy, General Manager and Mr. Ronald Rice, Lead Material Handler received the inspectors. The inspectors introduced themselves, showed their credentials, and explained the purpose of the visit. The inspectors described the anticipated use of a digital camera during the inspection, and

discussed the company's ability, pursuant to 40 C.F.R. §2.203, to assert a business confidentiality claim for information submitted to the EPA. The company did not assert a business confidentiality claim.

Facility representatives provided an overview of the facility's history and current operations during the opening conference. The company does not appear to meet the Small Business Regulatory Enforcement Fairness Act's classification of a "small business," which is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. Therefore, the EPA inspectors did not provide a copy of the agency's information sheet for small businesses, which can be found at <https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf>.

The inspection participants also discussed health and safety protocols and required personal protective equipment before Mr. Murphy and Mr. Rice led the inspectors on a tour of the Facility operations.

## 11) **Findings**

### Security:

In accordance with 40 CFR 262.14, SKS-BB maintains a 24-hr surveillance system, fencing surrounding the facility, and a gate installed with signage for controlled access into the facility (Photo 1).

### Main Warehouse (Photos 2 & 3)

The Main Warehouse is comprised of the Solvent Return/ Fill Station, Container Storage Area, and Non-hazardous Waste Container Storage. Administrative offices are located in the front of the Main Warehouse. No hazardous waste was observed in the administrative offices.

### Solvent Return/ Fill Station:

The Solvent Return/ Fill Station is located by the loading dock area, on the south side of the main warehouse. The loading dock area is equipped with a secondary containment sump which is cleared of any liquid or rainwater within 24 hours. Spent or "dirty" solvent is received in 55-gallon drums from customers and then drained and pumped into the 15,000-gallon AST located in the Tank Storage Area. The drums are then thoroughly cleaned in one of the two drum washing units/ wet sumps (wet dumpsters) and refilled with new solvent product. Spent solvent is shipped to Safety-Kleen Systems, Inc. (EPA ID SCD077995488) which is a Safety-Kleen solvent recycling center in Lexington, SC. The wet dumpsters can hold up to 275-gallons of liquid waste each but are not intended for storage of liquid hazardous waste. There are two satellite accumulation areas (SAA) in the Solvent Return/ Fill station. One SAA is for hazardous waste debris from the wet sumps which is cleaned out daily and another SAA is for contaminated PPE and rags. The inspectors observed the following hazardous waste:

- One (1) 55-gallon closed SAA drum of debris labeled "Hazardous Waste" and marked with an indication of hazard for flammability and toxicity (Photo 4).
- One (1) 55-gallon closed SAA drum of PPE and rags labeled "Hazardous Waste" and marked with an indication of hazard for flammability and toxicity (Photo 5).

Inspectors also observed one red 55-gallon drum and spent solvent stored in one of the wet dumpsters (Photo 6). The inspectors asked how often the liquid and sludge in the wet dumpsters are pumped out. The facility representatives stated liquid and sludge in the wet dumpsters are pumped out weekly.

**Pursuant to Permit Condition Part II Subpart B.2 – Specific Operating Condition (15), at least once in each 24-hour period, all liquids and sludge shall be removed from each dumpster.**

UPDATE: On 02/25/2022, Mr. Curtis stated via email that he provided training to warehouse employees to empty the drum washers of liquid and sludge at least every 24 hours.

Non-hazardous Waste Container Storage:

The Non-hazardous Waste Container Storage is located within the main warehouse on the loading dock area and adjacent to the Solvent Return/ Fill Station. Used oil and used oil filters are brought to SKS-BB from customers and then shipped to Clean Harbors Bartow facility (EPA ID FLD980729610) or U.S. Foundry and Manufacturing Corporation (EPA ID FLD004128336). This area also stores new solvent product for sale as part of their Fluid Recovery Service (FRS) offered by the company for parts washers and solvent pickup. The inspectors observed the following waste (Photo 7):

- (18) 55-gallon drums of used oil, closed, and labeled “Used Oil”
- (22) 55-gallon drums of used oil filters, closed, and labeled “Used Oil Filters”

Adjacent to the Non-hazardous Waste Container Storage within the main warehouse were two SAAs. The inspectors observed the following hazardous wastes:

- One (1) 55-gallon SAA closed drum of oil shreddable debris, labeled “Hazardous Waste”, and marked with an indication of hazard.
- One (1) 55-gallon SAA closed drum of used oil samples from purges of material, labeled “Hazardous Waste”, and marked with an indication of hazard (Photo 8).

Container Storage Area (Hazardous Waste Container Storage):

The Hazardous Waste Container Storage serves as SKS-BB’s 10-day storage area/ transfer facility and used oil transfer facility. It is located on the east side of the main warehouse, adjacent to the Solvent Return/ Fill Station and two (2) 10-Day Transfer Trailer areas. The hazardous waste container storage area is a 48’ by 78’ area with a sloped floor and equipped with a secondary containment sump. The facility is permitted to store a maximum of 6,912 gallons or 126 55-gallon drums of hazardous waste, pursuant to Part II Subpart B.1 – Specific Operating Condition (1) of the facility’s permit.

SKS-BB scans incoming and outgoing hazardous waste containers and tracks the waste containers stored onsite through an online internal database called WINWEB, in order to comply with the 10-day transfer facility storage limit. Each container has the generator’s information including the EPA ID number and the manifest tracking number. The inspectors observed the following waste in this area (Photo 9 & 10):

- Two (2) 55-gallon drums of hazardous waste, closed, dated, properly labeled, and marked

with an indication of Hazard. This waste belonged to the Clean Harbors operation at this facility, as indicated by a Clean Harbors label.

- Eight (8) 5-gallon containers of hazardous waste, closed, dated, properly labeled, and marked with an indication of Hazard. This waste belonged to the Clean Harbors operation at this facility, as indicated by a Clean Harbors label.
- Two (2) 5-gallon cardboard boxes of hazardous waste, closed, dated, properly labeled, and marked with an indication of Hazard. This waste belonged to the Clean Harbors operation at this facility, as indicated by a Clean Harbors label.
- Two (2) 5-gallon containers of non-hazardous waste. This waste belonged to the Clean Harbors operation at this facility, as indicated by a Clean Harbors label.
- Six (6) 20-gallon cardboard boxes of hazardous waste, closed, dated, properly labeled, and marked with an indication of Hazard. This waste belonged to the Clean Harbors operation at this facility, as indicated by a Clean Harbors label.
- Nine (9) 55-gallon drums of non-hazardous waste. This waste belonged to the Clean Harbors operation at this facility, as indicated by a Clean Harbors label.
- One (1) 55-gallon drum of universal waste bulbs, closed, properly labeled, and dated. This waste belonged to the Clean Harbors operation at this facility, as indicated by a Clean Harbors label.
- Two (2) 4ft. long cardboard boxes of universal waste lamps closed, properly labeled, and dated. This waste belonged to the Clean Harbors operation at this facility, as indicated by a Clean Harbors label.
- One (1) 5-gallon container of universal waste closed, properly labeled, and dated. This waste belonged to the Clean Harbors operation at this facility, as indicated by a Clean Harbors label.
- One (1) 30-gallon cardboard box of universal waste closed, properly labeled, and dated. This waste belonged to the Clean Harbors operation at this facility, as indicated by a Clean Harbors label.
- One (1) 55-gallon drum of hazardous waste, closed, dated, properly labeled, and marked with an indication of Hazard. This waste belonged to SKS-BB.

The inspectors also observed four (4) 55-gallon drums of new solvent from Safety-Kleen Systems, Inc. in Lexington, SC.

At the time of the inspection, Mr. Murphy stated that waste temporarily stored in the Hazardous Waste Container Storage area that belonged to Clean Harbors was considered a separate operation not-related to SKS-BB operations. The 10-day trailer onsite was identified as the Clean Harbors operation and therefore was not inspected at the time of this inspection.

Mr. Jeffrey Curtis, Sr. Environmental Compliance Manager for SKS-BB and the Clean Harbors operation at this location confirmed that Clean Harbors Technical Services Group (Clean Harbors) has been operating at this location since September 2014. An application for a permit modification to stage a 10-day transfer facility at the SKS-BB facility for Clean Harbors operations was submitted to FDEP and approved. Incoming hazardous waste transported by Clean Harbors is staged in two 10-day transfer trailers while awaiting transport offsite by Clean Harbors Environmental Services, Inc. (EPA ID MAD03922250). The final designated facility for

Clean Harbors waste is Clean Harbors Florida, LLC. (EPA ID FLD980729610) in Bartow, FL. The 10-day transfer trailers have a maximum storage capacity of approximately 88 55-gallon containers and 100 55-gallon containers respectively. To comply with the 10-day storage limits, Clean Harbors incoming and outgoing waste is also scanned and tracked on WINWEB. Clean Harbors utilizes a swapping system for the 10-day trailer. As one trailer is filled and picked up for off-site transport, another trailer is dropped off.

Through email correspondence, the inspectors asked Mr. Curtis if the Clean Harbors waste was counted towards SKS-BB's 6,912-gallon storage limit of hazardous waste. According to a 02/25/2022 email from Mr. Curtis, the Clean Harbors waste stored in the 10-day transfer trailers is not counted towards SKS-BB's hazardous waste limit for the container storage area. However, if any hazardous waste from the Clean Harbors operation is brought inside SKS-BB's main warehouse or Container Storage Area for temporary staging and/or storage, it is counted towards the 6,912-gallon maximum storage limit.

In total, there was 335-gallons of hazardous waste stored on-site at the time of the inspection in the Hazardous Waste Container Storage Area. The facility appears to be complying with the 6,912-gallon storage limit of hazardous waste pursuant to Part II Subpart B.1 – Specific Operating Condition (1). All containers of hazardous waste had adequate aisle space and were palletized and only stacked two pallets high pursuant to Part II Subpart B.1 – Specific Operating Condition (1)(b) and (1)(c). The integrity of containment areas is inspected daily to ensure that they are free of cracks or gaps, and the concrete sealant remains impervious to leaks pursuant to Part II Subpart B.1 – Specific Operating Condition (8).

#### Tank Storage

The Tank Storage building is located north of the main warehouse. “No Smoking” signs are displayed inside and outside of the building in accordance with 40 CFR 264.17(a). All tanks are underlain by a 71’ by 32’4” by 6” deep concrete slab surrounded by a 36” high concrete wall. The containment had no visible signs of cracks or leaks coming from the ASTs. The following ASTs were observed and are authorized under the Permit:

- One (1) 15,000-gallon permitted AST for waste solvent, labeled with the words “Hazardous Waste”, and marked with a NFPA diamond as an indication of hazard (Photo 11, 12, & 13). The waste solvent is shipped periodically for reclamation. The inspectors recommended replacing the hazardous waste label since it was slightly faded.
- One (1) 20,000-gallon AST for used oil, labeled “Used Oil”, with a NFPA diamond as an indication of hazard
- One (1) 15,000-gallon AST for used oil, labeled “Used Oil”, with a NFPA diamond as an indication of hazard
- One (1) 5,000-gallon AST for oily water, labeled, and with a NFPA diamond as an indication of hazard
- One (1) 20,000-gallon AST for fresh solvent product, labeled, and with a NFPA diamond as an indication of hazard

The daily tank inspections are conducted in accordance with Part II Subpart B.2 – Specific Operating Condition (7) at 7:00 am each day and include review of the cathodic protection

systems, pressure and temperature gauges, monitoring wells, and ancillary equipment associated with the ASTs.

The waste solvent AST lines and associated equipment (flanges, pumps, valves, and end caps) are inspected daily for leaks and are tagged as required by 40 CFR 264 Subpart BB and in accordance with Part II Subpart B.2 – Specific Operating Condition (19) of the permit. Visual inspections are documented monthly for Subpart BB standards for pumps, valves, flanges, and other connectors in heavy liquid service. No issues such as leaks, or repairs have been reported since the last CEI. In accordance with 40 CFR 264 Subpart CC and Part II Subpart B.2 – Specific Operating Condition (17) of the permit, no visible cracks, holes, or gaps between the tank roof's edge and tank walls were observed. All openings appeared secured and in their closed positions. Tags were observed in place on latched manway hatch. Subpart CC tank inspections are conducted and documented annually pursuant to 40 CFR 264.1084(c)(4)(ii).

## **Records Review**

### Disposal Records:

Hazardous waste manifests were not available for review at the time of the inspections since Mr. Curtis was not onsite at the time and manages the manifests. However, Mr. Curtis submitted copies of manifests for the past three years via email after the inspection. Final signed copy of manifests along with Land Disposal Restriction notifications were reviewed.

### Contingency Plan:

The actions that facility personnel should take in response to an emergency are described in the facility's Hazardous Waste Contingency Plan. It includes a list of emergency coordinators and contact information. Equipment list and capabilities addressed including fire response, spill response, and communication. The location of fire control equipment was included in the plan and identified on an evacuation map of the facility. The map did not appear to include the location of the hazardous waste 10-day storage and other hazardous waste SAAs and generation points throughout the facility. The contingency plan did include a Quick Reference Guide (QRG). Copies of the contingency plan were submitted to Boynton Beach Police Department, Bethesda Hospital, and Boynton Beach Fire Department.

On February 4, 2022, Mr. Curtis provided a facility map from the QRG that demonstrated the hazardous waste 10-day locations, SAAs, and generations points; however, these locations did not specifically mention the word "Hazardous Waste". On February 25, 2022, Mr. Curtis provided a copy of the Quick Reference Guide facility map to demonstrate that the words "Hazardous waste" or "HW" were added to the facility maps.

### Waste Minimization Plan:

The facility's waste minimization plan was not available for review at the time of inspection. Mr. Curtis informed the inspectors via email that the plan was misplaced and therefore he prepared and submitted a new plan dated January 31, 2022. On February 25, 2022, Mr. Curtis submitted a follow up email indicating that the original Waste Minimization Plan was found and submitted it to the inspectors via email along with the last three annual certifications. The plan was last updated on November 23, 2005. It was last certified on December 3, 2021.

The inspectors provided compliance assistance and recommended that the Waste Minimization Plan, along with other records be stored in a known location readily available for review even if Mr. Curtis is not onsite.

Employee training / annual training and position descriptions:

Training records for RCRA and Hazard Communication were available for review along with employee position descriptions and are current.

Daily Inspections for Tanks and Containers:

Container and tank inspections are conducted daily at 7:00a.m. and were reviewed for the past three years. Inspections appear to document all the required inspection elements for containers and tanks. The most recent inspection was on January 25, 2022 at 7:34 a.m.

Subpart BB and Subpart CC monitoring records:

Subpart BB visual inspections are conducted monthly in accordance with 40 CFR 264 Subpart BB and were available for review. The last inspection was on January 18, 2022. Subpart CC visual inspections are conducted annually in accordance with 40 CFR 264 Subpart CC. The last inspection was on November 30, 2021.

Biennial Report:

Biennial report was last submitted on February 14, 2020 and was available for review. The 2021 biennial report is due this year.

Financial Assurance:

SKS-BB provided a Hazardous Waste Facility Certificate of Liability and Tank Insurance Endorsements issued by Great American Insurance Company under policy number PRE E603235 01, for the Safety-Kleen facilities in Florida. The Policy period is November 1, 2021 to November 1, 2022. The coverage applies at sudden accidental occurrences and limits of liability are \$1,000,000 each occurrence and \$2,000,000 annual aggregate. Closure Cost Estimate was also provided.

Acceptance and Delivery Records for 10-day Storage:

The facility keeps a written operating log that includes the description and quantity of each hazardous waste received or generated at the facility, the location of each hazardous waste within the facility, and the quantity of waste at each location pursuant to 40 CFR 264.73(b). The facility also provides records of notices to generators, as specified in 40 CFR 264.12(b) [40 CFR 264.73(b)(7)]. SKS-BB uses the internal code "INHS" to identify in-house generated containers.

SKS-BB maintains the 10-day storage logs electronically through WINWEB and can pull several different reports to track the waste from when it arrives at the facility to when it is shipped offsite. Mr. Curtis provided via email February, August, and December 2021 Truck to Truck (TTT) logs (contain manifest numbers and non-hazardous waste shipping numbers) and Waste Hub Transfer reports. Based on the TTT logs, it appeared that SKS-BB exceeded the 10-day storage limit in 28 instances in August 2021, and 37 instances in December 2021.

Upon identification of these exceedances on the TTT logs and Waste Hub Transfer Reports, Mr. Curtis sent an email on January 25, 2022 clarifying manifest and bill of lading (BOL) numbers that are differentiated between SKS-BB and Clean Harbors incoming waste. Manifest tracking numbers ending in FLE are associated with Clean Harbors operations and manifests numbers ending in SKS are associated with Safety-Kleen operations. BOL numbers reference Clean Harbors operations and shipping documents that are only numerical entries and tracking numbers beginning with HH are Safety-Kleen operations related to non-hazardous wastes. Mr. Curtis stated that non-hazardous waste is also sometimes shipped using a manifest. The inspectors submitted follow up emails on March 2, 2022 and March 15, 2022 to request manifests for those exceedances and explanation for the exceedances. Mr. Curtis was able to demonstrate that some instances that appear to be exceedances were confirmed to be non-hazardous waste shipments. Mr. Curtis also stated that there were some technical issues with the TTT logs that displayed incorrect ship-in and ship-out dates and to use the Hub Waste Transfer reports as the most accurate and primary reports used to track inbound and outbound wastes. After further review of each instance and confirmation from Mr. Curtis, it appears that SKS-BB exceeded the 10-day storage limits in the following instances:

| Manifest Numbers | Date in    | Date Out   | Number of Days |
|------------------|------------|------------|----------------|
| 016330377FLE     | 8/27/2021  | 9/9/2021   | 13             |
| 016352516FLE     | 8/26/2021  | 9/9/2021   | 14             |
| 016352518FLE     | 8/26/2021  | 9/7/2021   | 12             |
| 016330380FLE     | 8/27/2021  | 9/9/2021   | 13             |
| 016352482FLE     | 8/27/2021  | 9/9/2021   | 13             |
| 016330378FLE     | 8/27/2021  | 9/9/2021   | 13             |
| 016352513FLE     | 8/26/2021  | 9/7/2021   | 12             |
| 016352520FLE     | 8/26/2021  | 9/7/2021   | 12             |
| 016350052FLE     | 12/17/2021 | 12/28/2021 | 11             |
| 016350053FLE     | 12/17/2021 | 12/28/2021 | 11             |

**Pursuant to Fla. Admin. Code Ann. r. 62-730.171 [40 CFR 263.12(a)] and Part II Subpart B.1 – Specific Operating Conditions (18), the Transfer Waste Holding Areas shall be located as depicted in Figure 8.1-1 of the permit application. The Permittee shall operate the transfer facility in accordance with Rule 62-730.171, F.A.C., which limits storage of manifested hazardous waste on site to a maximum of ten (10) days. Those waste types identified as transfer facility wastes are the Fluid Recovery Services (FRS) wastes. Waste containers in the Transfer Waste Holding Areas shall bear information as to the date and time staged and the subsequent destination of the waste containers.**

Additional TTT logs and Hub Waste Transfer reports were requested on March 14, 2022 by the inspectors for February 2020, July 2020, July 2021, October 2020, and October 2021 to investigate if there were more instances that the facility had exceeded the 10-day storage limit. These records were provided on March 22, 2020 and are still under review. Additionally, the inspectors requested that Mr. Curtis conduct an internal audit for the past

three years for the acceptance and delivery records to investigate if there is a more serious technical issue, operational issue, or both. Mr. Curtis did state that part of the issue for the confirmed exceedances could have been the national waste back-log issues related to incinerator backlogs and trucker shortage.

Permit Renewal:

SKS-BB's Hazardous Waste Container and Tank Storage Facility Operating/Corrective Action Permit Number 49625-010-HO will expire on November 19, 2022. Certain comments related to SKS-BB and Clean Harbors operations found in this inspection report will be taken into consideration by FDEP for the new permit.

**12) Closing Conference**

An exit meeting was held at the end of the inspection with Mr. Murphy and Mr. Rice to discuss preliminary conclusions and to go over the findings. A follow up written exit interview was sent via email to Mr. Curtis on January 27, 2022.

On February 28, 2022, the EPA and FDEP representatives held a virtual meeting with SKS-BB representatives to discuss inspection findings and seek clarification with both SKS-BB and Clean Harbors operations. It was decided that the upcoming permit renewal for 2023 will incorporate clear language that addresses the Clean Harbors operation and their hazardous waste which should be counted towards the SKS-BB maximum storage limit. Both FDEP and EPA agree that the Clean Harbors operation should either 1) be registered as a 10-day hazardous waste transfer facility with its own EPA ID and separate suite number for the address; or 2) list SKS-BB as transporter 2 on manifests to demonstrate SKS-BB as the responsible party for the waste onsite at the facility.

**13) Inspection Findings**

Based on the observations made during the inspection, Safety-Kleen Systems, Inc. was apparently deficient with the following RCRA requirements:

**Pursuant to Fla. Admin. Code Ann. r. 62-730.171 [40 CFR 263.12(a)] and Part II Subpart B.1 – Specific Operating Conditions (18), the Transfer Waste Holding Areas shall be located as depicted in Figure 8.1-1 of the permit application. The Permittee shall operate the transfer facility in accordance with Rule 62-730.171, F.A.C., which limits storage of manifested hazardous waste on site to a maximum of ten (10) days. Those waste types identified as transfer facility wastes are the Fluid Recovery Services (FRS) wastes. Waste containers in the Transfer Waste Holding Areas shall bear information as to the date and time staged and the subsequent destination of the waste containers.**

**Pursuant to Permit Condition Part II Subpart B.2 – Specific Operating Condition (15), at least once in each 24-hour period, all liquids and sludge shall be removed from each dumpster.**

14) **List of Appendices**

Appendix 1 – Photo Log:  
{13} Photos taken on: [01/25/2022]  
Photos taken by: Kayla Acosta  
Photos taken with: Olympus Tough Digital Camera  
EPA Property Tag: S75903

15) **Signed**

**KAYLA ACOSTA** Digitally signed by KAYLA ACOSTA  
Date: 2022.03.29 15:44:24 -04'00'

Kayla Acosta  
Enforcement and Compliance Specialist

Date

**Concurrence**

**BROOKE YORK** Digitally signed by BROOKE YORK  
Date: 2022.03.29 16:27:16 -04'00'

for Araceli Chavez  
Chief  
RCRA Enforcement Section

Date