

RCRA Inspection Report

1) Inspector and Author of Report

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2) Facility Information

Safety-Kleen Systems, Inc.
550 Bluesky Parkway
Lexington, Kentucky 40509
Fayette County

EPA ID#: KYD981027469
NAICS #: 532490 - Other Commercial and
Industrial Machinery and Equipment Rental
and Leasing

3) Responsible Officials

Bryan Crain
Branch Manager
Crain.Bryan@CleanHarbors.com

4) Inspection Participants

Bryan Crain, Safety-Kleen Systems, Inc.
Ryan Pritchard, Safety-Kleen Systems,
Inc.

Amy McCracken, KDEP
Paula A. Whiting, USEPA
Novelle Y. Smith, USEPA

5) Date of Inspection

February 13, 2025

6) Applicable Regulations¹

Resource Conservation and Recovery Act (RCRA) Sections 3002 (42 U.S. Code – Annotated U.S.C.A. 6925 and 6927), and 40 Code of Federal Regulation (C.F.R.) Parts 260 - 270, 273, 278, & 279

Hazardous Waste Permit KYD981027469

Kentucky Revised Statutes Title XVIII, Chapter 224, Subchapter 46-Hazardous Waste et seq. (2006), and Title 401 of the Kentucky Administrative Regulations (K.A.R.) Chapters 30 through 38, 43 and 44 (2006).

¹ As the State's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions will be to the authorized State program. However, for ease of reference, the federal citations will follow in brackets.

Pursuant to 401 KAR 39:005, Section 1(1) [40 C.F.R. § 260.10], a large quantity generator of hazardous waste (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste in a calendar month.

Pursuant to 401 KAR 39:080, Section 3(1) [40 C.F.R. § 273.9], a small quantity handler of universal waste (SQHUW) is a universal waste handler who does not accumulate 5,000 kilograms or more of universal waste (batteries, pesticides, mercury-containing equipment, lamps, or aerosol cans, calculated collectively) at any time.

Pursuant to 401 KAR 39:080, Section 1(1)(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 any 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 KRS § 224.46-520(1) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 401 KAR 39:080, Section 1(1) [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in 401 KAR 39:080 Section 1(1) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in 401 KAR 39:080, Section 1(1) [40 C.F.R. § 262.15] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to 401 KAR 39:080, Section 1(1) [40 C.F.R. § 262.17], an LQG may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by KRS § 224.46-520(1) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in 401 KAR 39:080 Section 1(1) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

Pursuant to 401 KAR 39:080 Section 1(1) [40 C.F.R. § 261.4(a)(8)], secondary materials that are reclaimed and returned to the original process or processes in which they were generated where they are reused in the production process are not solid wastes provided that the conditions listed in 401 KAR 39:080 Section 1(1) [261.4(a)(8)] (hereinafter referred to as the “Closed-Loop Recycling Exemption”) are met.

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection (CEI) to determine if Safety-Kleen Systems, Inc. is in compliance with the conditions of its RCRA Hazardous Waste Facility Operating Permit KYD981027469, the applicable requirements of RCRA and the corresponding Kentucky regulations. This was an EPA lead inspection.

8) Facility Description

Safety-Kleen Systems, Inc. is a service-oriented company whose customers are primarily engaged in automotive repair, industrial maintenance, and dry cleaning. Safety-Kleen’s parent company Clean Harbors, Inc. acquired Safety-Kleen in December 2012. Clean Harbors has been a provider of environmental and industrial services since 1980, specializing in hazardous waste disposal, solvent collection and reclamation. Its customer base includes businesses of various industries including small waste generators, and government entities at all levels across the

U.S., Canada and Mexico. Each year the facility collects and reclaims more than 200 million gallons of contaminated waste fluids. The Lexington, KY location has been in operation since 1968.

Safety-Kleen provides part washers, solvents, cleaning solutions, leases solvents; collects used motor oil and vacuums production surfaces. Most of their waste stream is generated from cleaning parts and processing leftover materials found in various clients' containers shipped to Safety-Kleen.

The facility consists of an office building, warehouse, wet dumpster, a satellite accumulation area (SAA) beside the Wet Dumpster, two tank farms (two 15,000 gallon tanks with one containing spent solvent waste and the other containing product, and three-20,000 gallon above ground used oil storage tanks), a 53-foot tractor-trailer serving as a 90-day transfer station, and two portable metals storage sheds (one for storage of flammable material and the other for storage of miscellaneous items).

Safety-Kleen sits on 2.68 acres of property and currently has approximately seven employees and operates one shift, 7 a.m. to 5 p.m. five days a week, Monday through Friday.

Safety-Kleen's most recent Hazardous Waste Generator Notification (EPA Form 8700-12) dated May 7, 2024 characterized the facility as a Large Quantity Generator (LQG), and Operating Treatment, Storage and Disposal Facility (TSDF) of hazardous waste. Safety-Kleen Systems may generate hazardous waste streams, spent aerosol cans, used solvent, used oil, universal lamps and batteries, paint waste and other wastes. The waste codes for each hazardous waste are D001, D002, 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.

The hazardous waste management permit (KYD-981-027-469) issued on January 9, 2019 by Kentucky Division of Waste Management expires on January 9, 2029.

The treatment process takes place in the Wet Dumpster on the loading dock. The maximum treatment capacity is 1200 gallons per hour. Safety-Kleen's warehouse wastes and used oil are collected and transferred through the facility within 10 days to the designated facilities or recycle/processing facilities. The hazardous wastes accepted by Safety-Kleen include spent parts washer solvent, spent immersion cleaner, spent antifreeze, paint waste, used paint booth filters, gasoline filters, and used metal halide light bulb parts.

9) **Previous Inspection History**

The facility was previously inspected by KDEP on August 20, 2024. No RCRA violations were reported. The EPA last inspected the facility on August 31, 2022, with 2 violations reported.

Safety-Kleen has had a total of 141 violations since 1987. KDEP has cited 139 of these violations and has conducted 331 CEIs since September 1987 to Dec 2024.

10) **Opening Conference**

On February 13, 2025, EPA inspectors Novelle Smith and Paula Whiting, accompanied by Kentucky inspector Amy McCracken, arrived at Safety-Kleen Systems at approximately 10:10 a.m. Bryan Crain, Branch Manager, immediately received the inspectors. Mr. Crain, and the inspectors were later joined by Ryan Pritchard, Sr. Environmental Compliance Manager, for the opening conference. The inspectors introduced themselves, showed their credentials to both Mr. Crain and Mr. Pritchard, and explained the purpose of the visit.

The inspectors described the anticipated use of a digital camera during the inspection and provided a list of records to be reviewed as part of the inspection. The EPA inspector did not provide the form that stated 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. However, a copy of the EPA's information sheet for small businesses 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.

Mr. Crain provided an overview of the facility's history and current operations during the opening conference. The inspection participants also discussed health and safety protocols and required personal protective equipment before the Facility representatives led the inspectors on a tour of the facility's operations.

11) **Inspection Observations**

10-Day Transfer Storage Area

The inspectors followed Mr. Crain and Mr. Pritchard into the warehouse through a door at the back of the office foyer. The inspectors observed the 10-day storage area where there were eight 55-gallon containers of used oil recently received from various customers (Pictures 1-5). All containers appeared to be closed, labeled and in good condition. Across the walkway in this area, thirty-two 55-gallon containers containing aqueous mixtures of non-hazardous waste or used oil. The containers were stacked no more than two high and shrink-wrapped for shipment to recycling and/or processing facilities. Also, in this area were two 275-gallon totes of hazardous waste. All containers appeared to be closed, labeled and in good condition. There was no evidence of spills or leaks from any of the containers in the area.

IC Room

Opposite the 10-Day Transfer Storage Area was the "IC Room". This room was used to store universal waste lamps and used batteries in cardboard boxes, as well as cabinets holding representative sample bottles from incoming waste shipments. Mr. Crain explained that the samples were retained for analyses if the used oil received at the processing facility tested positive for hazardous waste characteristics (Pictures 6-8). The samples were taken from each incoming load for analyses for the purpose of determining a source of contamination. The universal waste containers were observed to be closed, labeled with the oldest date of January 28, 2025.

Loading Dock with Satellite Accumulation Area (SAA)

Safety-Kleen manages a hazardous waste SAA on the loading dock, which is a dedicated area at the back of the warehouse where trucks and other delivery vehicles load and unload various containers. It has a raised platform, designed to align with the height of most of their delivery truck beds allowing for easy transfer of cargo. The dock is sheltered by an overhang roof. On the loading dock is the Wet Dumpster where the technicians dump the contents of the incoming hazardous waste solvent containers. When Wet Dumpster is full, the hazardous waste solvent is pumped into the 15,000-gallon hazardous waste tank. The Wet Dumpster was equipped with a drum washer that is used to clean out the residual waste from the containers before they are spritzed with clean solvent and sent back to their clients.

Safety-Kleen manages their wet dumpster in this area. The loading dock was nearly covered with wet dumpster containers (Pictures 9-11). The inspectors observed “No Smoking” signs on a door and the wall within the area (Picture 12).

Personnel that works on the loading dock have a paging system in place for providing immediate emergency instruction to facility personnel; it is equipped with a device that summons emergency assistance from local police departments, fire departments, or state or local emergency response teams; it is equipped with portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment; and it is equipped with water to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray system.

Tank Farms and Used Oil Can Storage Bins

The inspectors followed Mr. Crain and Mr. Pritchard outside towards the rear of the property and observed the two tank farms (Pictures 14-16) and overflow transfer station (Picture 17). The 14,256-gallon hazardous waste tank was labeled “Used Mineral Spirits Hazardous Waste” was inside a high-wall secondary containment structure. The tank was marked with carcinogen and irritant pictograms. The ancillary piping which originated from the Wet Dumpster was marked for Subpart BB and did not appear to be leaking. The floor of the secondary containment appeared to be clean, and the floor and sides appeared to be free and clear of cracks and gaps.

Three 55-gallon used oil containers were next to the overflow transfer station for collection of any excess used oil that would spill while being transferred from the tank to a truck (Pictures 18-19). Three 19,000-gallon used oil tanks sat across from the hazardous waste tank in their secondary containment storage area. Two of the tanks were marked as Used Oil and the third tank was Used Oily Water. The inspectors did not observe any leaks or stains in the secondary containment. The floor of the secondary containment appeared to be clean, and the floor and sides appeared to be free and clear of cracks and gaps.

While returning to the front office, the inspectors observed used oil filters were stored in four blue metal bins with gray flip lids (Pictures 20-22). Two of the bins had used oil pads to capture any potential leaks, but the inspectors did not observe any spill or releases. The inspectors also observed ‘Used Oil’ marked on all the bins.

12) Records Review

Contingency Plan and Quick Reference Guide (QRG)

The actions that facility personnel should take in response to an emergency are described in the facility's Contingency Plan, which was last updated in April 2018.

The plan describes actions facility personnel must take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.

The plan describes arrangements agreed to with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers, local hospitals or the Local Emergency Planning Committee.

The plan lists the names and emergency telephone numbers for persons identified as emergency coordinators. Mr. Crain is listed as the primary emergency coordinator, and the other individuals are listed in the order in which they will assume responsibility as alternates.

The plan includes a list of all emergency equipment at the facility. The list includes fire extinguishing systems, spill control equipment, communications and alarm systems, and decontamination equipment. The list is up to date. The plan includes an evacuation plan for personnel appears up to date.

The quick reference guide includes the types/names of hazardous waste in layman's terms and the associated hazard associated with each hazardous waste present at any one time; the estimated maximum amount of each hazardous waste that may be present at any one time; the identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff; a map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; a street map of the facility in relation to surrounding businesses, schools and residential areas; the locations of water supply; the identification of on-site notification systems; and the name of the emergency coordinator(s) and emergency telephone number(s).

Training Records

The inspectors reviewed facility job descriptions and employee names that were provided for Branch Manager, Material Handler Lead, Sales and Service Representatives. Each description included the requisite skill, education, or other qualifications, and duties of facility personnel assigned to that position.

Safety-Kleen Systems, Inc. provided a list of course names of the type of both introductory and continuing hazardous waste training completed by each person filling the positions listed above. The inspectors reviewed records of employee hazardous waste training completed from March 2024 and February 2025.

Waste Manifest and Land Disposal Restriction (LDR) Records

The inspectors reviewed available hazardous waste manifest records and land disposal restriction forms for shipments of hazardous waste sent since January 2024, digitally. Hazardous waste manifest records show that hazardous waste categorized with the codes D001, D018, D039 and D040 hazardous waste are routinely shipped to Safety-Kleen Systems, Inc. (EPA ID# ILD980613913) in Dalton, IL; Safety-Kleen Systems, Inc. (EPA ID # KYD053348108) in Smithfield, KY and Spring Grove Resource Recovery, Inc. (EPA ID #OHD000816629) the most recent shipment was made on 02/03/2025.

Daily Tank Inspection Records

The inspectors reviewed Safety-Kleen's daily digital records of inspections of the hazardous waste tank since January 2024. Paper copies for days in April and July 2024 were also provided. The inspection log included a checklist to record observations about leaking tanks and for deterioration of tanks caused by corrosion or other factors. The inspection log included a checklist to record observations about visible tank labels, legible container labels, complete container labels, condition of tanks, tanks compatible with waste and maintenance work done on tanks. The records included the date and time of the inspection and the name, signature and initials of the employee conducting the inspection. Employees do routinely record inspection observations and subsequent follow-up actions in the inspection log.

At the time of the inspection, the tank integrity assessment was not available. Per the inspectors' request Mr. Crain emailed on February 13, 2025, to the inspectors the Safety-Kleen Systems Lexington, KY, STI SP001 Formal Internal Inspection for T-213, Inspection Date: 05/26/2021 assessment report. The report stated that *"Areas with coating failure should be cleaned, properly prepped and re-coated. The cracks in the containment should be cleaned and sealed."* These repairs were conducted, and the tank was returned to service. However, during the inspection, the inspectors observed rusted areas on the hazardous waste tank. Mrs. McCracken has already stated this concern from previous inspections, and Mr. Crain indicated that the facility is waiting for the budget for the maintenance of this issue.

Pursuant to the Hazardous Waste Permit (KYD-981-027-469), Section F Preparedness and Prevention Plan, F-2 Inspection Procedures – The Facility Inspection Schedule requires the facility to note any repairs that are needed and assure that they are completed. The inspection requires to check the tank for corrosion, leaks or any other damage that might affect the integrity of the storage tank. The inspection also includes checking of piping and secondary containment of the tanks for leaks, cracks, or other deterioration. The facility failed to properly inspect the hazardous waste tank system and identify areas of rust, corrosion, and cracks in the secondary containment.

13) Closing Conference

The inspectors conducted the exit meeting at approximately 12:40 p.m. with Mr. Crain and Mr. Pritchard. During this meeting, the inspectors stated their preliminary conclusions of the inspection. Safety-Kleen agreed to provide personnel training and tank inspection records by the end of the business week. On 02/13/25, Mr. Crain provided tank inspections records and on 02/14/25, Mr. Pritchard provided training records in an email to Inspectors Ms. Smith, Mrs. McCracken, and Ms. Whiting.

- 14) **List of Attachments**
Attachment 1 – Photo Log

- 15) **Signed**

NOVELLE SMITH Digitally signed by NOVELLE SMITH
Date: 2025.04.25 12:49:05 -04'00'

Novelle Y. Smith
Life Scientist

PAULA WHITING Digitally signed by PAULA WHITING
Date: 2025.04.25 13:00:08 -04'00'

Paula A Whiting
Senior Inspector

- 16) **Concurrence**

ARACELI CHAVEZ Digitally signed by ARACELI CHAVEZ
Date: 2025.04.25 16:33:31 -04'00'

Araceli B. Chavez
RCRA Enforcement Section

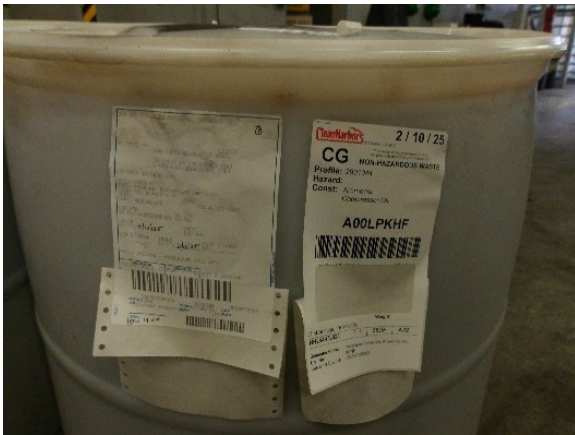
Attachment 1 – Photo Log

[22] Photos taken on: 02/13/25

Photos taken by: Novelle Y. Smith and Paula A. Whiting

Photos taken with: Kodak Pixpro WPZ2 and Olympus Tough

EPA Property Tag: S50238 and SC7374



Picture 1: Label on 55-gallon used oil drum in warehouse



Picture 4: 10 day storage area



Picture 2: 55-gallon drums of used oil on top of pallet



Picture 5: Labeled 55-gallon drums in 10 day storage area



Picture 3: 55-gallon drums of used oil in warehouse



Picture 6: IC Room – cabinet with samples retained for analyses



Picture 7: UW Lamps box in IC Room



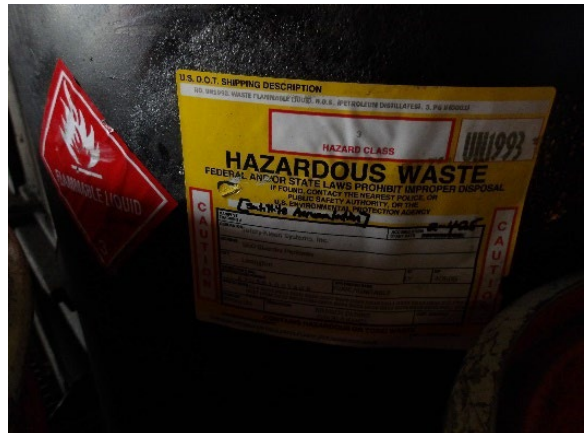
Picture 8: UW batteries in IC Room



Picture 9: Wet dumpster containers in SAA



Picture 10: Wet dumpsters in SAA



Picture 11: Wet dumpster container labeling



Picture 12: Labeled door in SAA



Picture 13:Wet dumpster in SAA



Picture 16: Hazardous Waste Tank



Picture 14 : Spent parts cleaner solvent and clean parts cleaner solvent tanks



Picture 17: Overflow transfer



Picture 15: Used oil/oily water tanks (2) and cleaner solvent tank



Picture 18: Spilled used oil containers from overflow transfer



Picture 19: Labeled used oil collection drum



Picture 22: Used oil filters within bin



Picture 20: Used oil filter collection bins



Picture 21: Opened used oil filter bin