REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

Clean Harbors of Kansas
2549 North New York Street
Wichita, Kansas 67219
(316) 269-7400

EPA ID Number: KSD007246846

On

September 19-20, 2023

By

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)
Region 7
Enforcement and Compliance Assistance Division (ECAD)

1.0 INTRODUCTION

At the request of the ECAD, I performed a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Clean Harbors of Kansas, located at 2549 North New York Street, Wichita, Kansas 67219, on September 19-20, 2023. I conducted the RCRA inspection under the authority of RCRA Section 3007(a), as amended. During the inspection, I collected the information and data necessary to make preliminary findings regarding compliance with the applicable RCRA regulatory and statutory requirements. This report and attachments present the results of the inspection. I inspected the facility as a Treatment, Storage and Disposal Facility (TSDF), Small Quantity Generator (LQG), and a Small Quantity Universal Waste Handler (SQUWH). Clean Harbors was last inspected for compliance with RCRA on April 8 – 20, 2021, by EPA Region 7. No findings or violations were cited as a result of the 2021 inspection.

2.0 PARTICIPANTS

Clean Harbors
- Andrew Rippe, Clean Harbors of Kansas, Branch Manager (7 years/13 years with company)
- James Anderson, Clean Harbors, Regulatory Compliance (2 years/30 years with company)
- Mindi Fisher, Clean Harbors of Kansas, Logistics Coordinator (3 years/10 years with company)

U.S. Environmental Protection Agency, Region 7
- Kevin D. Snowden, Environmental Scientist, ECAD/Chemical Branch/RCRA Section

3.0 INSPECTION PROCEDURES

I followed the inspection procedures discussed in the RCRA CEI Standard Operating Procedure (No. 2321.1E), unless noted differently. I completed checklists and other inspection related documents and collected photocopies that are included as attachments to this report. I collected photographs using the digital camera application on an iPad apart from two photographs that were taken by one of the facility representatives and emailed to me (discussed below). I obtained electronic copies of records from the facility as detailed in the sections that follow.

During the inspection, discussions consisted of the facility operations, wastes generated, and waste management practices. I conducted a visual inspection of hazardous waste management areas.

Documents and records were collected during the inspection. A Receipt for Documents and Samples was prepared and signed by Mr. Rippe (Attachment 1). A Confidentiality Notice in which a claim of confidential business information was not asserted by Clean Harbors and was signed by Mr. Rippe (Attachment 2). A Notice of Preliminary Findings (NOPF) was provided to Mr. Rippe which he signed as acknowledgement of receipt (Attachment 3). A total of 23 photographs were taken during the inspection including 21 photographs taken by me using an iPad digital camera application and two iPhone photographs provided by Mr. Anderson (via email) when the iPad was nonfunctioning (Attachment 4). I obtained two aerial photographs of the facility (Attachment 5). A facility map of the Clean Harbors of Kansas facility is provided in Attachment 6. I prepared and completed a site-specific inspection checklist (Attachment 7).

<u>September 19, 2023</u>

At about 13:30 on September 19, 2023, I arrived at Clean Harbors. A drive-by visual observation was completed from North New York Street (east side of the facility). No issues were identified from the drive-by visual inspection. The facility was operational with onsite vehicle traffic and personnel movement. I entered the administrative building, Building E, and asked for Mr. Rippe. Mr. Rippe was teleworking that day, so I met with Ms. Mindi Fisher, who is the Clean Harbors of Kansas, Logistics Coordinator. I introduced myself and stated that the purpose of my visit was to conduct a hazardous waste compliance evaluation inspection. Ms. Fisher led me to her office where we were soon joined Mr. James Anderson, who is with the company's Regulatory Compliance. Ms. Fisher telephoned Mr. Andrew Rippe, Clean Harbors of Kansas, Branch Manager, who participated during the entry briefing via telephone.

I presented my EPA credentials to Ms. Fisher and Mr. Anderson. I referenced RCRA Section 3007 which provides inspection authority. Mr. Rippe provided verbal consent to proceed with the inspection via telephone. I described the importance of collecting accurate information and I presented Ms. Fisher and Mr. Anderson with a copy of Title 18 United States Code, Sections 1001 and 1002, which provides for penalties if false and/or misleading information is provided to Federal representatives, and for the possession and use of fraudulent documents. Ms. Fisher and Messrs. Rippe and Anderson were made aware of Clean Harbors' confidentiality rights and informed that a Confidentiality Notice would be provided at the end of the inspection to make a confidential business information (CBI) claim. I provided Ms. Fisher and Mr.

Anderson a copy of EPA Region 7's "Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections" and reviewed the information with them and Mr. Rippe, who was on the telephone. Mr. Rippe indicated that in his onsite absence, Mr. Anderson would act as the primary facility representative during the first day of the inspection (September 19, 2023). Mr. Rippe indicated that he would be present the following day (September 20, 2023) for the remainder of the inspection.

I explained the purpose, scope, and procedures for the RCRA CEI to Messrs. Rippe and Anderson and Ms. Fisher. Following the entrance discussions on September 19, 2023, I conducted a visual inspection of the permitted storage areas in Building I, the hazardous waste transfer warehouse in Building J, Building A, a small storage building just west of Building E (administration building), Building K (maintenance building), and two recently installed trailer buildings used as employee locker rooms that were also just west of Building E where Building G was once located. I also observed the secured parking lot where loaded semi-truck van (enclosed) trailers of containerized hazardous waste, bulk containers (commonly referred to as roll-offs), and semi-truck tank trailers may be stored for less than ten days. Ms. Fisher and Mr. Anderson accompanied me during the visual inspection on September 19, 2023.

September 20, 2023

On September 20, 2023, I met with Messrs. Rippe and Anderson. I conducted a visual inspection of the maintenance building. Messrs. Rippe and Anderson accompanied me during the September 20, 2023, visual inspection. I did not observe any concerns during my visual inspection on this date.

I conducted an exit conference after completing the visual inspection and records review. I reviewed the purpose and scope of the RCRA CEI. I reviewed the notice "Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections" and provided Mr. Rippe with a Receipt for Documents and Samples which he signed as acknowledgement of receipt. Mr. Rippe signed the Confidentiality Notice without claiming any information, documents, or photographs as CBI. I provided Mr. Rippe a copies of the Receipt of Documents and Samples (Attachment 1), Confidentiality Notice (Attachment 2), and Notice of Preliminary Findings (Attachment 3). Following the exit conference, I departed the facility.

4.0 FINDINGS AND OBSERVATIONS

4.1 General Information/Facility Description

Clean Harbors as a company provides environmental and industrial services. One of the environmental services provided by the Clean Harbors company is the collection, packaging, transportation, recycling, treatment, and disposal of hazardous waste. The Clean Harbors of Kansas facility in Wichita provides hazardous waste storage and transportation services.

Clean Harbors of Kansas was issued a RCRA permit for the storage of hazardous waste on September 28, 2012, which was to remain effective until September 28, 2022, unless revoked

and reissued, or terminated or continued in accordance with Kansas Administrative Regulations (K.A.R.) 28-31-124b. Therefore, at the time of this inspection, the Clean Harbors of Kansas RCRA permit was still effective. Mr. Rippe indicated that Clean Harbors of Kansas was currently working with the Kansas Department of Health and Environment on a new RCRA permit for the facility.

The current permit authorizes storage of containers in four buildings: Building B, Building D, Building I, and Building J and storage of hazardous waste in eight storage tanks. Clean Harbors has, after the permit issuance, partially closed most of the permitted container storage units (including the demolition of Buildings B and D) such that storage of hazardous waste in containers is now only authorized in Building I. At the time of my visual inspection, Clean Harbors was not storing hazardous waste in Building I. Building J remains in use (after the partial closure) as a hazardous waste transfer area. Clean Harbors of Kansas has closed and removed the eight hazardous waste storage tanks from the facility.

The primary activity at the Clean Harbors of Kansas facility is the transfer of hazardous waste from truck to truck during the transportation of hazardous waste to the treatment, storage, and disposal facility. The facility also stores manifested shipments of hazardous waste in containers as a transfer facility for a period of ten days or less.

Mr. Rippe described the hazardous waste transportation activities at the facility. Drivers depart the facility to collect containers of hazardous waste from hazardous waste generators. Containers are loaded onto the trucks at the generator facility and the generator and initial portions of the hazardous waste manifest are completed. After collecting containers from the scheduled generator locations is completed, the drivers return to the Wichita facility. The drivers complete a cover sheet that summarizes the designated facilities to which the containers will be shipped. The drivers take the completed summary sheet and associated hazardous waste manifests to the transfer coordinator's office, collated onto a clipboard and hung on the incoming truck bulletin board.

The waste transfer coordinator will review the incoming manifest clipboards and separate the manifests according to the final treatment and disposal facility destinations and collate those with another clipboard.

Workers in the transfer facility warehouse, Building J, will unload the containers from the original transport trucks into the warehouse for storage for less than ten days and/or directly into trucks destined for the designated treatment and disposal facility. Containers stored for less than ten days in the transfer facility warehouse are later loaded onto trucks destined for the different final treatment and disposal facilities.

4.2 RCRA Status

The RCRA Site Verification Report (Attachment 8) indicates that Clean Harbors of Kansas is a TSDF and LQG. I reviewed the site verification report with Mr. Rippe who did not identify any updates.

I determined at the time of my inspection that Clean Harbors of Kansas was not currently storing hazardous waste in Building I as authorized by the RCRA permit. I reviewed the information in EPA's e-Manifest system (Attachment 9). I also obtained manifests from the facility for the past three years (Attachment 10). Hazardous wastes were not manifested during 2021, but Clean Harbors of Kansas manifested hazardous wastes during 2020, 2022, and 2023.

At the time of the inspection, I determined that Clean Harbors of Kansas was generating less than 1,000 kilograms of hazardous waste per month. I reviewed information found in the EPA's e-Manifest system and found that Clean Harbors of Kansas was generating hazardous waste at a small quantity generator (SQG) level. Based on this information, I reviewed Clean Harbors for compliance with small quantity generator (SQG) and TSDF requirements during my inspection.

4.3 Waste Streams and Management

The following table summarizes the hazardous wastes that were generated at Clean Harbors of Kansas during the past three years (since September 19, 2023) based upon the information in EPA's e-Manifest system (Attachment 9). I discussed the information in the table with Mr. Rippe. He described the waste with the DOT description "UN1325, WASTE FLAMMABLE SOLIDS, ORGANIC, N.O.S. (PPE), 4.1, PG III (D001)" is the only routinely generated waste stream. The waste is contaminated personal protective equipment (PPE) worn by workers and any other debris generated during handling of hazardous waste containers and spill cleanup. These wastes are generated inside of the transfer facility warehouse (Building J).

DOT Description on Manifest	**Quantity (lbs)**
UN1325, WASTE FLAMMABLE SOLIDS, ORGANIC, N.O.S. (GASOLINE), 4.1, PG III	
06-14-2023	917.44
UN1325, WASTE FLAMMABLE SOLIDS, ORGANIC, N.O.S. (PPE), 4.1, PG III	
03-28-2023	458.72
UN1325, WASTE FLAMMABLE SOLIDS, ORGANIC, N.O.S. (VARIES), 4.1, PG II	
03-20-2023	100.00
UN1325, WASTE FLAMMABLE SOLIDS, ORGANIC, N.O.S. (PPE), 4.1, PG III	
06-30-2022	458.72
UN1325, WASTE FLAMMABLE SOLIDS, ORGANIC, N.O.S. 4.1, PG III	
02-02-2022	458.72
NA3077, HAZARDOUS WASTE, SOLID, N.O.S. (CHROMIUM), 9, PG III	
11-18-2020	917.44

According to Mr. Rippe, occasionally hazardous wastes are generated by Clean Harbors of Kansas inside of Building J. Mr. Rippe indicated that when a release of hazardous waste occurs in Building J, Clean Harbors of Kansas facility personnel don PPE and remediate the spilled materials. Facility personnel manage the spilled materials and contaminated PPE as hazardous wastes in satellite accumulation containers as discussed in Section 4.7 of this report. Due to the variability of the generated hazardous wastes, a wide variety of RCRA characteristic and listed hazardous waste codes are determined as evidenced in the Manifest Inspectors Report (Attachment 9) and Clean Harbors of Kansas Hazardous Waste Manifests for 2022-2023 (Attachment 10). Clean Harbors of Kansas determine the appropriate hazardous waste codes for the newly generated waste by reviewing the hazardous waste codes listed on the original container and/or uniform hazardous waste manifest for the subject container. According to the Clean Harbors of Kansas Hazardous Waste Manifests for 2022-2023 (Attachment 10), the newly generated hazardous wastes are shipped offsite from the facility to Clean Harbors El Dorado LLC, 309 American Circle, El Dorado, Arkansas 71730, RCRA ID No. ARD069748192) for disposal via its transporter, Clean Harbors Environmental Services, Inc., RCRA ID No. MAD039322250.

I obtained copies of the manifests, waste determination information, and land disposal restriction information for the shipments during the past three years (Attachments 10 and 11). In addition, Mr. Anderson provided a copy of the Clean Harbors of Kansas Generator Waste Report from the facility's operating record (Attachment 12).

According to the RCRA Info v6 database, Clean Harbors of Kansas submitted the 2019 RCRA Biennial Report (Attachment 13); however, a Biennial Report was not submitted for 2021. According to the KDHE 2021 Large Quantity Generator Monitoring Fee Invoice for Clean Harbors of Kansas, the facility did not generate any hazardous waste during the 2021 calendar year (Attachment 14). Thus, a Biennial Report was not required for 2021.

During my visual inspection of a small wooden storage building located west of Building E (Attachment 4, Photograph 2), I observed two containers of concern including a red and white colored cooler containing an amber-colored one-quart glass sampling container (Attachment 4, Photographs 1 and 22) and a 15-ounce aerosol can of Ortho Hornet and Wasp Killer that was on the floor (Attachment 4, Photographs 3 and 4). The amber-colored one-quart sampling container was closed, unlabeled, undated, nearly full of an unknown liquid. Mr. Anderson told me that he thought that the one-quart amber-colored glass sampling container was something that had been left by an environmental contractor that had been conducting sampling at the Clean Harbors of Kansas facility. I asked Mr. Anderson if Clean Harbors of Kansas had conducted a hazardous waste determination on container of unknown contents. Mr. Anderson stated "No." I indicated that a hazardous waste determination must be completed on the unknown contents of this container (**NOPF 1.b.: 40 CFR 262.11 - Failure to conduct a hazardous waste determination)**.The Ortho Hornet and Wasp Killer aerosol can was observed on the floor of the storage building. This aerosol can was somewhat rusty but otherwise appeared to be in good condition, and it was closed and still had the spray nozzle. Mr. Anderson thought that Clean Harbors of Kansas employees used the Ortho Hornet and Wasp Killer to control these pests inside of the building, but he was not sure. I requested a copy of the Safety Data Sheet for the Ortho Hornet and Wasp Killer, but I did not receive a copy during my inspection. I asked Mr. Anderson if Clean Harbors

of Kansas had conducted a hazardous waste determination on Ortho Hornet and Wasp Killer. Mr. Anderson stated, "No." I indicated that based on the information provided, a hazardous waste determination must be completed on the Ortho Hornet and Wasp Killer aerosol can (**NOPF 1.c.: 40 CFR 262.11 - Failure to conduct a hazardous waste determination)**.

During my visual inspection of Building A, I observed a five-gallon plastic bucket (Attachment 4, Photograph 23) that had product labeling which read, "Hot Shot – Non-Solvent Cleaner/Degreaser/Deodorizer". This container was closed, in good condition, and stored on a shelf inside of a closet near the building's front door. I asked Mr. Anderson if Clean Harbors of Kansas used the Hot Shot chemical. He indicated that he did not know and that it may have been leftover chemical from work that previously occurred at the facility. I asked Mr. Anderson if Clean Harbors of Kansas had conducted a hazardous waste determination on 5-gallon bucket of Hot Shot. Mr. Anderson stated, "No." I was concerned about this chemical as the labeling indicated it had a high pH. I indicated that based on the information provided, a hazardous waste determination must be completed on the Hot Shot container (**NOPF 1.a.: 40 CFR 262.11 - Failure to conduct a hazardous waste determination)**.

4.4 Building J, Transfer Warehouse and Secured Lot

Clean Harbors of Kansas may accumulate hazardous waste in containers according to applicable hazardous waste generator requirements in Building J, the transfer warehouse. I visually inspected Building J on September 19, 2023.

Building J is permitted for the storage of hazardous waste. The building includes features such as floors free from cracks, secure doors to prevent unknowing entry, warning signs, fire sprinklers, handheld and trolly fire extinguishers, spill kits and an eye wash station. Mr. Rippe stated that workers managing hazardous waste in Building J would use Clean Harbors of Kansas issued mobile phones in case of an emergency.

During my visual inspection of Building J, I observed hazardous waste containers stored within the transfer building. The containers were in good condition, closed, dated, and properly labeled as required. However, I noted that there were several containers that were dated greater than 10 days prior to September 19, 2023. I photographed these containers (Attachment 4, Photographs 5 through 17). Mr. Anderson indicated to me that the containers that had dates greater than 10 days prior to the inspection had previously been to at least one other 10-day transfer facility prior to their arrival at the Clean Harbors of Kansas transfer facility. I requested Mr. Anderson to provide documentation to me regarding the amount of time these containers had been at the facility. During my records review on September 20, 2023, Mr. Anderson provided copies of multiple manifests documenting that these containers had not been stored onsite more than the 10 days allowed by the Clean Harbors of Kansas permit (Attachment 15). In addition, Mr. Anderson provided copies of the Clean Harbors of Kansas operating record showing the "Hub Waste Transfer" documentation (Attachment 16).

I observed no apparent issues or findings related to the hazardous waste storage containers in Building J.

During my visual inspection of the Clean Harbors of Kansas secured lot, I observed several large roll-off containers. The observed containers were in good condition, closed, dated, and properly labeled as required. However, I noted that there was one large roll-off container that was dated August 29, 2023, that contained a D008 RCRA characteristic hazardous waste (Attachment 4, Photographs 18 through 21). Mr. Anderson indicated to me that this container had previously been to at least one other 10-day transfer facility prior to its recent arrival at the Clean Harbors of Kansas transfer facility. I requested Mr. Anderson to provide documentation to me regarding the amount of time this container had been at the facility. During my records review on September 20, 2023, Mr. Anderson provided a copy of the manifest documenting that this container had not been stored onsite more than the 10 days allowed by the Clean Harbors of Kansas permit (Attachment 15). In addition, Mr. Anderson provided copies of the Clean Harbors of Kansas operating record showing the "Hub Waste Transfer" documentation (Attachment 16).

I observed no apparent issues or findings related to hazardous waste generator accumulation of hazardous waste in containers in the secured lot.

4.5 Subpart BB Leak Detection and Repair

The EPA promulgated requirements for the control of air emissions from equipment leaks at 40 CFR Part 264/265, Subpart BB. The State of Kansas has adopted by reference the EPA's requirements for generators of hazardous waste found at 40 CFR Part 262[1]. The requirement at 40 CFR 262.34(a)(1)(i) requires generators accumulating hazardous waste in containers to comply with in pertinent part *"… and the generator complies with the applicable requirements of subparts I, AA, BB, and CC of 40 CFR part 265…"* Subpart BB, 40 CFR 265.1050, et seq., includes requirements for monitoring equipment for leaks and repair of detected leaks.

I asked during the entrance conference if the facility had any equipment that was subject to Subpart BB. Mr. Rippe stated that the facility did not have any Subpart BB equipment remaining onsite. I did not observe any equipment onsite during my visual inspection on September 19-20, 2023, subject to Subpart BB.

4.6 Hazardous Waste Container Storage

The RCRA permit issued to Clean Harbors of Kansas authorizes container storage in Building I. The total capacity of container storage is 50,600 gallons. Building I is divided into three areas with associated maximum capacities as follows: I-100: 22,880 gallons, I-200: 3,520 gallons and I-300: 24,200 gallons.

I visually inspected Building I on September 19, 2023. At the time of my visual inspection, hazardous waste was not stored in Building I. The building was in good repair, had locked doors for security, fire sprinkler system, portable fire extinguishers, and two spill kits. Mr. Rippe stated that workers managing hazardous waste in Building I would use Clean Harbors issued mobile

[1] See K.A.R. 28-31-262. Generators of hazardous waste; adoption and modification of federal regulations. In pertinent part, Kansas has adopted the provisions of 40 CFR part 262, including the appendix, as in effect on July 1, 2006.

phones in case of an emergency. The building was being used to store supplies for use in servicing customer hazardous waste collection therefor all portions of the floor (secondary containment) was not visible for inspection. Those portions that were visible were in good repair.

I observed no apparent issues or findings related to hazardous waste container storage in Building I.

4.7 Satellite Accumulation in Containers

According to Mr. Anderson, Clean Harbors of Kansas will utilize satellite accumulation[2] of hazardous waste PPE and debris generated from the handling of hazardous waste containers in the northeast portion of Building J, the transfer warehouse. On September 19, 2023, I visually inspected the described location in Building J. I did not observe a satellite accumulation container in Building J. According to Mr. Anderson, hazardous wastes had not been recently generated inside Building J. According to RCRAInfo, the last hazardous waste shipment from the facility was on June 14, 2023 (Attachment 9).

As previously indicated, I did not observe any hazardous waste satellite accumulation inside Building J or any other location at the Clean Harbors of Kansas facility. Therefore, there were no apparent issues or findings related to hazardous waste satellite accumulation at the facility.

4.8 Subpart CC Container Air Emissions

The EPA promulgated requirements for the control of air emissions from tanks, surface impoundments, and containers at 40 CFR Part 264/265, Subpart CC (hereafter "Subpart CC"). The State of Kansas has adopted by reference the EPA's requirements for generators of hazardous waste found at 40 CFR Part 262. The requirement at 40 CFR 262.34(a)(1)(i) requires generators accumulating hazardous waste in containers to comply with in pertinent part *"… and the generator complies with the applicable requirements of subparts I, AA, BB, and CC of 40 CFR part 265…"* Subpart CC, 40 CFR 265.1086, includes requirements specific to container management. Clean Harbors is subject to Subpart CC for containers accumulating hazardous waste (large quantity hazardous waste generator requirements) with an average volatile organic concentration at the point of generation greater than 500 parts per million by weight. Clean Harbors is also subject to Subpart CC in accordance with Section IV.A of Part II of the RCRA Permit. The requirements of Subpart CC vary depending on the size of the container and the concentration and vapor pressure of organic constituents.

I visually inspected Building I on September 19, 2023. I did not observe containers of hazardous waste in storage.

[2] Satellite accumulation is a term of art for the situation where the generator accumulates hazardous waste in containers at or near any point of hazardous waste generation. The pertinent requirements are found at 40 CFR 262(c)(1), et seq. (K.A.R. 28-31-262).

On September 19, 2023, I visually inspected containers of hazardous waste in Building J, the transfer warehouse, and the secured lot subject to the transfer facility permit requirements. The containers present appeared to be in good condition, properly labeled, and were closed.

I observed no apparent issues or findings related to compliance with Subpart CC related to the hazardous waste being managed in the transfer facility.

4.9 Inspections

Clean Harbors of Kansas conducts various inspections of the facility on a routine basis. Tablet-based inspection checklists are utilized and uploaded to a Clean Harbors compliance database when completed. I obtained a log of the completed weekly hazardous waste inspections from September 19, 2020, through September 19, 2023 (Attachment 17). I reviewed the inspection checklists for the past three years and I requested copies of failed CO Safety Security Inspections from September 19, 2020, through September 19, 2023 (Attachments 18, 19, 20, and 21).

I observed no apparent issues or findings related to review of the inspection records.

4.10 Contingency Plan

I requested a copy of the current RCRA Contingency Plan (Attachment 22). The plan included required items such as emergency contacts, evacuation routes, and list and locations of emergency equipment. The plan described the actions to take in response to a fire, explosion, or release of hazardous waste. A summary of the plan was provided to local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services as evidenced by certified mail return receipts. Also, during my review, I obtained modifications to the RCRA permit (Attachment 23). Most of the RCRA permit modifications listed changes in Emergency Coordinators. The information shown in the RCRA permit modifications and the RCRA Contingency Plan agreed with each other.

While I did not observe any apparent issues or findings related to my review of the contingency plan, I discussed potential improvements that could be made to provide more detail to the evacuation routes shown in contingency plan maps with Messrs. Rippe and Anderson during the exit conference. I also indicated that some of the details shown in the contingency plan maps were difficult to read as the text was very small. Messrs. Rippe and Anderson indicated that the suggested improvements would be taken under consideration.

4.11 Job Descriptions/Training Requirements

During my records review on September 20, 2023, I requested and received copies of the Clean Harbors of Kansas job descriptions along with names of employees filling the jobs (Attachment 24). I observed no apparent issues or findings related to review of the facility job descriptions.

During my records review on September 20, 2023, Mr. Rippe indicated that personnel training was completed mostly online with some in-person instruction. He added that new hires were required to complete all the required modules before managing hazardous waste and that

refresher training was provided annually. I requested Mr. Rippe to provide the personnel training documentation for the past three years. Mr. Rippe and Mr. Anderson indicated that the facility's personnel training record documentation was stored electronically; however, it was not currently available. Mr. Anderson indicated that Clean Harbors was currently migrating its personnel training records into a new database program. Mr. Anderson indicated that Clean Harbors of Kansas could provide the personnel training documentation within the next week following the RCRA inspection. Therefore, I listed in the NOPF that Clean Harbors of Kansas was to provide personnel training documentation (initial and annual training) for the past three years (Attachment 3) as required by Permit Condition Section II – General Facility Conditions, II.F. Personnel Training (Part I, page 20). Mr. Rippe indicated that Clean Harbors of Kansas would provide the personnel training documentation when it became available.

4.12 Manifests

During the inspection, I reviewed and obtained copies of uniform hazardous waste manifests for the past three years from Clean Harbors of Kansas (Attachment 10). I observed no apparent issues or findings related to my review of hazardous waste manifests.

4.13 Universal Waste

During the inspection, I asked Mr. Rippe if Clean Harbors of Kansas generates universal waste. Mr. Rippe stated that the facility generates universal waste lamps; however, he stated that an outside party (Electricraft, 1218 East 18th Street North, Wichita, Kansas 67214, 316-264-3359) was contracted to manage the universal waste lamps generated onsite. Following the inspection, I contacted Mr. Rippe to obtain Electricraft's contact information. On October 9, 2023, Mr. Rippe responded via email. He indicated he had misspoken about Electricraft managing their universal waste lamps for offsite disposal. He indicated the Electricraft had been used by Clean Harbors of Kansas when the facility was switching over some of its lighting systems to LEDs. He also indicated that he had forgotten that Clean Harbors of Kansas had several offsite shipments of universal waste lamps during 2022 and 2023. Mr. Rippe's email and universal waste manifests are attached to this report (Attachment 25).

I did not observe the facility accumulating any universal waste lamps or other universal wastes at the time of the inspection.

4.14 Used Oil

During the inspection, I asked Mr. Rippe if Clean Harbors of Kansas generates used oil. Mr. Rippe indicated that normally the facility's equipment is taken to the "internal shop" located at Clean Harbors, 400 East 53rd Street North, Wichita, Kansas 67219. However, Mr. Rippe disclosed in his October 9, 2023, email that he had discovered two instances where Clean Harbors of Kansas had offsite shipments of used oil generated at the facility as documented in manifest numbers 017197896FLE and NHCHK011622-1 (Attachment 25) shipped on April 7, 2022, and August 17, 2022, respectively.

I did not observe the facility accumulating any used oil at the time of the inspection.

5.0 COMPLIANCE ASSISTANCE

As requested, I sent Mr. Rippe electronic copies of the following compliance assistance materials via email on September 25, 2023:

Responding to a NOPF (EPA Handout)
Section 3007 Inspections Sheet (EPA Handout)
RCRA Facility Access Information Sheet (EPA Handout)
United States Code 1001/1002 Annotated (EPA Handout)
Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections (EPA Handout)
U.S. EPA Small Business Resource Information Sheet (EPA Handout)
Industry Sector Notebooks (EPA Handout)
Environmental Compliance Assistance Centers (EPA Handout)
e-Manifest Fact Sheet (EPA Handout)
e-Manifest Fact Sheet: Generators (EPA Handout)
e-Manifest Fact Sheet: Inspectors (EPA Handout)
RCRA Online: A Quick Reference Guide (EPA Handout)
Requirements for Used Oil Management Standards (EPA Handout)
Emergency Response Program (EPA Handout)
Commercial Motor Vehicle Transportation System Security & Safety Security Awareness (EPA Handout)
Chemical Facility Anti-Terrorism Standards (Homeland Security Handout)
Hazardous Waste Generator Handbook with Attachments 1-2 (KDHE Handout)
Characteristic and Listed Hazardous Wastes (KDHE Handout)
Container Management for Hazardous Waste Generators (KDHE Handout)
Hazardous Waste Determinations and Documentation (KDHE Handout)
Management of Used Antifreeze (KDHE Handout)
Recycling and Disposal of Aerosol Cans (KDHE Handout)
Requirements for Handlers of Universal Waste (KDHE Handout)
Solid and Hazardous Waste Recordkeeping Requirements (KDHE Handout)
Solvent-Contaminated Wipes (KDHE Handout)
Spent Fluorescent Lamps Containing Mercury (KDHE Handout)
Used Oil Generators (KDHE Handout)
Tampering Pollutes Our Air (EPA Handout)

6.0 SUMMARY

I conducted an inspection of Clean Harbors of Kansas as a RCRA permitted treatment, storage, and disposal facility, SQG of hazardous waste, a used oil generator, and a small quantity handler of universal waste. Hazardous waste requirements reviewed during this inspection are discussed above and are documented on bound field notes.

The following preliminary findings/issues were noted as discussed above:

1. 40 CFR 262.11 - Failure to conduct a hazardous waste determination on the following waste streams:
   a. one 5-gallon plastic bucket labeled as Hot Shot – Non-Solvent Cleaner/ Degreaser/Deodorizer located on a shelf inside of a closet near the front door of Building A;
   b. one 1-quart amber-colored glass sampling container with unknown contents located inside of a red and white sampling cooler in the small wooden storage building, west of Building E; and
   c. one 15-ounce aerosol can of Ortho Hornet and Wasp Killer located inside the small wooden storage building, west of Building E.

The NOPF also required Clean Harbors of Kansas to provide the personnel training (initial and annual) records for the past three (3) years which are to be included in the facility's operating record as required by Permit Condition Section II – General Facility Conditions, II.F. Personnel Training (Part I, page 20) since these records were not available for review during the inspection.

Other than the items noted above, no other apparent preliminary findings were observed or cited. However, EPA post-inspection review of this report may change or add to my findings.

KEVIN SNOWDEN

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_____ Date: _____

Kevin D. Snowden
Environmental Scientist

Whisnant, Amber

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Date: 2024.01.29 12:59:06 -06'00'

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Amber Whisnant
Chief, RCRA Section, Chemical Branch
Enforcement and Compliance Assistance Division

Attachments

1. Receipt for Documents (1 page)
2. Confidentiality Notice (1 page)
3. Notice of Preliminary Findings (1 page)
4. Digital Image Log (26 pages)
5. Clean Harbors of Kansas Aerial Photograph (2 pages)
6. Clean Harbors of Kansas Facility Map (1 page)
7. Clean Harbors of Kansas RCRA CEI Checklist (65 pages)
8. Clean Harbors of Kansas RCRA Site Verification Report (2 pages)
9. Manifest Inspectors Report (4 pages)
10. Clean Harbors of Kansas – Hazardous Waste Manifests for 2022 and 2023 (20 pages)
11. Waste Material Profile Sheet for FB5 Shreddable Debris (Haz) (8 pages)

12. Clean Harbors of Kansas Operator Record Generator Waste Report documentation (10 pages)
13. 2019 Comprehensive Biennial Report for Clean Harbors of Kansas (7 pages)
14. KDHE 2021 Large Quantity Generator Monitoring Fee Invoice for Clean Harbors of Kansas (6 pages)
15. Hazardous Waste Manifests for hazardous wastes shipped from the generator facility greater than 10 days prior to the RCRA CEI (9 pages)
16. Clean Harbors of Kansas Operating Record Hub Waste Transfer electronic documentation (10 pages)
17. Clean Harbors of Kansas Operating Record – Weekly Inspection electronic documentation (printed from electronic records 2022-2023) (18 pages)
18. Clean Harbors of Kansas Operating Record – CO Safety Security Inspection documentation showing failed inspections (printed from electronic records 2022-2023) (144 pages)
19. Clean Harbors of Kansas Operating Record – CO Safety Security Inspection documentation showing failed inspections (handwritten – 2023) (15 pages)
20. Clean Harbors of Kansas Operating Record – CO Safety Security Inspection documentation showing failed inspections (handwritten – 2022) (99 pages)
21. Clean Harbors of Kansas Operating Record – CO Safety Security Inspection documentation showing failed inspections (handwritten – 2021) (180 pages)
22. Clean Harbors of Kansas Quick Reference Guide and Contingency Plan (44 pages)
23. Clean Harbors of Kansas RCRA Permit Modifications – 2016 through 2023 (77 pages)
24. Clean Harbors of Kansas Employee Names, Positions, and Job Descriptions (65 pages)
25. Email from Andrew Rippe, Technical Services Branch Manager, Clean Harbors of Kansas (7 pages)