

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

SAFETY-KLEEN SYSTEMS INC.

4704 NE 22nd Street
Des Moines, Iowa 50313
515-710-7821

EPA ID Number: IAD981718000

On

January 23, 2024

By

TOEROEK ASSOCIATES, INC.

For

U.S. ENVIRONMENTAL PROTECTION AGENCY

Region 7

Enforcement and Compliance Assurance Division

INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division/Chemical Branch/RCRA Section (ECAD/CB/RCRA) of the U.S. Environmental Protection Agency (EPA) Region 7, Toeroek Associates, Inc., and its subcontractor CLAENE Group (Toeroek team) conducted a hazardous waste compliance evaluation inspection (CEI) at Safety-Kleen Systems Inc. (Safety-Kleen) at 4704 NE 22nd Street, Des Moines, Iowa. The CEI was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA), as amended. The CEI covered hazardous waste generator requirements, used oil management, and universal waste requirements, as applicable. This report and its attachments present the results of the CEI.

PARTICIPANTS

Safety-Kleen:

Ben Lester, Branch General Manager

Mori Sorenson, Vice President, Environmental Compliance (correspondence after CEI)

Toeroek Team:

Clifford Nelles, Inspector, 816-213-5192

INSPECTION PROCEDURES

Prior to the CEI at Safety-Kleen on January 23, 2024, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by. At approximately 8:00 a.m., I entered the visitor's entrance, and explained the purpose of the CEI to Mr. Lester. I ask to speak with Mr. Mori Sorenson, who was listed as the RCRA site contact on the Notification Acknowledgment/Verification Report (Verification Report) provided by EPA prior to the inspection (Attachment 1). Mr. Lester explained that Mr. Sorenson was out of the office. Mr. Lester and I retired to a conference room, where I proceeded to conduct an entry briefing with him.

During the entry briefing, I presented my business card and EPA credentials to Mr. Lester. I explained the scope and procedures for the CEI. I explained the facility's right to make confidentiality claims for any or all the information obtained and provided a Notice Regarding Proprietary/Confidential Business Information. I stated that at the conclusion of the CEI, he would be presented with a Confidentiality Notice (Notice) with which he could make or not make a claim of confidentiality for the facility. I also provided to Mr. Lester a copy of U.S. Federal Codes 1001 and 1002, concerning communication of false statements and documents to federal inspectors, and RCRA Section 3007, explaining EPA's inspection authority, both of which he read.

A copy of each of the following documents was left with Mr. Lester during the inspection:

- RCRA Facility Access Information Sheet
- RCRA Section 3007
- U.S. Federal Codes 1001 and 1002
- Instructions for Responding to a Notice of Preliminary Findings
- Notice Regarding Proprietary/Confidential Business Information

I reviewed the Verification Report with Mr. Lester (Attachment 1). Based on this review, I made no changes to the Verification Report.

I conducted a visual inspection of the facility. Mr. Lester accompanied me during the visual inspection. After the visual inspection, I reviewed facility records including hazardous waste manifests with land disposal restriction (LDR) notifications, waste profiles, waste tracking and inventory records, inspection records, contingency plan and training documentation. I prepared and completed a site-specific inspection checklist to document my observations.

At the conclusion of the CEI, I conducted an exit briefing with Mr. Lester. During the exit briefing, I provided a Receipt for Documents and Samples, which Mr. Lester signed, acknowledging receipt (Attachment 2). I provided Mr. Lester the Notice, which he signed indicating no confidential business information had been provided (Attachment 3). I also provided Mr. Lester a Notice of Preliminary Findings (NOPF) which he signed to acknowledge receipt (Attachment 4).

A map of the facility obtained during the CEI is included in Attachment 5, and a Google Earth aerial photograph of the facility is included as Attachment 6. The 31 photographs taken during the CEI are included in Attachment 7, of which 27 are described in this report.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

Safety-Kleen began operations at its current location in 1993. The facility is located in northeast Des Moines, Iowa, in a heavy industrial zoned area. The facility consists of an approximately 10,000-square-foot building and three tank areas (two in enclosures, one open-air) on an approximately 3-acre site. The building is divided into Office, Return/Fill, and Warehouse areas. The northern tank enclosure includes three 15,000-gallon aboveground storage tanks (AST) within a fabric-roofed structure. A southern tank enclosure houses two 20,000-gallon ASTs within a fabric-roofed structure and the open-air tank area has two 12,000-gallon ASTs. The facility has approximately 15 full-time employees who work one shift, 7:00 a.m. to 5:00 p.m., Monday through Friday.

Safety-Kleen provides environmental services to customers in a variety of industries. These services include distribution of parts washers and solvents; maintenance of parts washers; collection of spent solvents and aqueous solutions from parts washers and painting applications; used glycol coolant (antifreeze), used oil, and used oil filter collection; vacuum truck services; and collection of containerized hazardous and nonhazardous waste. Wastes collected by Safety-Kleen personnel are transported to the facility for storage prior to shipment off site for recycling, reclamation, treatment, destruction, or disposal.

Safety-Kleen was issued a RCRA hazardous waste management permit on September 24, 2021, and the permit is effective for 10 years. RCRA Permit Condition IV.A authorizes a single container storage area (CSA) for hazardous waste storage with a capacity of 25,400 gallons (approximately 461 55-gallon containers). RCRA Permit Condition V. authorizes a single hazardous waste storage tank for spent solvent with a capacity of 15,000 gallons.

Safety-Kleen is a wholly-owned subsidiary of Clean Harbors, Inc. (Clean Harbors). Safety-Kleen shares office and outdoor space with Clean Harbors Technical Services staff; however, Safety-Kleen and Clean Harbors operate as distinct business units. Clean Harbors Technical Services operates a less-than-10-day hazardous waste transfer facility within the footprint of Safety-Kleen's 80-foot by 50-foot permitted CSA (Attachment 5).

Wastes from Safety-Kleen's primary business activities are identified as core wastes. Core wastes identified in the permit include spent parts washer solvents, aqueous parts cleaner waste, waste paint related material (WPRM), solvents from immersion cleaners, dry cleaning wastes, and photographic waste. No photographic waste was observed during this inspection, and it is not discussed further. Safety-Kleen also operates as a less-than-10-day transfer facility for hazardous wastes other than the core wastes. The Safety-Kleen less-than-10-day transfer facility is adjacent to the Clean Harbors less-than-10-day transfer facility in the same building (Attachment 5).

Core wastes are recharacterized annually, per the facility's Waste Analysis Plan. Manifests for core wastes are terminated upon arrival at the facility and placement of the waste into storage. These wastes become branch-generated wastes (that is, wastes that are generated by Safety-

Kleen and count toward the facility's hazardous waste generator status) when shipped from storage to their ultimate destination. Other branch-generated wastes include wastes from routine facility operations such as sediment from the return "dumpster," tank sediment, branch debris, and retained used oil samples that had been analyzed for used oil fuel specifications. A list of branch-generated wastes with waste codes and profile information is in the Generator Waste Report (Attachment 8), which was provided to me by email on January 23, 2024. This report details all branch-generated waste shipments from January 1, 2021 through December 31, 2023. Mr. Sorenson provided a summary of the wastes shipped in 2023 by email on February 7, 2024, by filtering the Generator Waste Report for 2023 waste shipments (Attachment 9).

Because of the number of wastes generated and managed at the facility, this report includes descriptions of only the highest volume branch-generated wastes and wastes I personally observed during the inspection. The following description of facility operations should not be considered a comprehensive description of all operations and waste streams.

Spent parts washer solvent, spent aqueous parts washer solution, WPRM, dry cleaning wastes, used oil, used oil filters, used glycol coolant, waste lamps, and used aerosol cans are transported from customer locations to the facility for storage. Spent parts washer solvent, paint wastes, and dry cleaning wastes have been determined to be hazardous by product and process knowledge and/or testing during annual recharacterization. The facility is permitted to receive spent aqueous parts cleaner solution that is hazardous, but only nonhazardous solution was received in 2023. Used glycol coolant is also managed as nonhazardous waste. Used oil and used oil filters are managed as used oil according to Title 40 *Code of Federal Regulations* (40 CFR) Part 279. Waste lamps and used aerosol can are managed as universal waste according to 40 CFR Part 273.

Facility operations generate branch debris, dumpster and tank sediment, and used oil retain samples. Branch debris consists of contaminated or potentially contaminated debris, such as personal protective equipment (PPE), absorbent paper, unwanted labeling, or any other solid wastes that may have contacted hazardous waste. Dumpster and tank sediment consists of solids removed from spent parts washer solvent containers, the return dumpster, and the spent parts washer solvent AST. Branch debris and solvent sediment have been determined to be hazardous by product and process knowledge and/or testing during annual recharacterization. Used oil retain samples have been determined to be hazardous waste by product and process knowledge as well as testing. The facility also generates typical office and warehouse trash, which it considers nonhazardous.

In March 2022, an EPA contractor conducted a CEI at Safety-Kleen with the following findings:

- Failure to maintain adequate aisle space, as required by Permit Condition III.H.5
- Failure to visibly date and label CSA containers as "hazardous waste," as required by Permit Condition IV. E.2
- Failure to visibly label CSA containers with the nature of the hazard as required by Permit Condition IV. E.3
- Failure to conduct adequate weekly inspections of the CSA, as required by Permit Condition III. E

- Failure to maintain the operating record, in particular to record and track containers as they are placed in the CSA, as required by Permit Condition III. K.1
- Storage of a container of hazardous waste other than those identified in Permit Condition IV. A and the Waste Analysis Plan.

None of these preliminary findings were repeated during this CEI.

2. RCRA Status

Safety-Kleen is identified as a large quantity generator (LQG) of hazardous waste (generating more than 1,000 kilograms [kg] of hazardous waste per calendar month or accumulating more than 1 kg of acute hazardous waste at any time); a hazardous waste transporter and transfer facility; used oil transporter and transfer facility; and a RCRA-permitted treatment, storage, and disposal facility (TSDF), on the Verification Report provided by EPA (Attachment 1). I confirmed each of these activities during the CEI. During the CEI, I reviewed manifests and operating record reports for outgoing hazardous waste shipments to confirm the facility's hazardous waste generator status. Based on my review, the facility generates approximately 35,512 pounds (14,778 kg) of spent parts washer solvent per month, in addition to other wastes. Based on the above, I concluded the hazardous waste generation rate for Safety-Kleen is well above the LQG threshold.

The facility's RCRA hazardous waste management permit identifies a single CSA, with a capacity of 24,500 gallons. The CSA held approximately eight 55-gallon HWACs and 17 5-gallon HWACs of dumpster and tank sediment, branch debris, and waste paint related material (WPRM). The total storage in the CSA at the time of the CEI was approximately 525 gallons. I inspected the CSA during the CEI and confirmed the volume of hazardous waste at the time of the CEI was well below the permit limit.

3. Waste Streams

This section of the CEI report describes the waste streams generated by the facility, including the facility's waste determination and waste codes, generation process and rate, management at the facility, and ultimate disposition. The following discussion of waste streams is based on conversations with facility representatives, the visual inspection, and my review of waste shipping documents. Mr. Lester accompanied me during the visual inspection.

Waste determinations, generation rates, and ultimate disposition of hazardous wastes described below were obtained from the facility's Generator Waste Report (Attachment 8) and the 2023 waste shipment summary (Attachment 9). For the generation rates, I divided the annual total by 12 to obtain a monthly generation rate.

Dumpster and tank sediment consists of solids cleaned from spent solvent containers, the return dumpster, and the spent parts washer solvent AST. The facility considers dumpster and tank sediment to be hazardous waste (D001, D018, D039, D040) based on product and process knowledge and on testing. Based on the facility's Generator Waste Report (Attachments 8 and 9), the facility generates approximately 1,363 pounds (620 kg) of dumpster and tank sediment per month .

Dumpster sediment is accumulated in a 55-gallon satellite accumulation container (SAC) in the Return/Fill area, and full containers are transferred to the permitted CSA. Tank sediment is generated during tank service events. It is transported to Safety-Kleen in Dolton, Illinois, for solvent recovery. During the CEI, I did not observe any dumpster sediment in the SAC. I did observe containers of dumpster sediment in the permitted CSA. A discussion of the containers in the CSA is in Section 5 of this report.

Branch debris consists of solid wastes, such as PPE, absorbent, labels, paper, and other wastes that have been or could potentially be contaminated with hazardous waste. The facility considers branch debris to be hazardous waste (D001, D004-D011, D018-D019, F002, F003, and F005, as applicable) based on product and process knowledge and on testing. Based on the facility's Generator Waste Report (Attachments 8 and 9), the facility generates approximately 1,320 pounds (600 kg) of branch debris per month. Branch debris is accumulated in a 55-gallon SAC in the Return/Fill area, and full containers are transferred to the permitted CSA. It is transported to Clean Harbors in El Dorado, Arkansas, or Kimball, Nebraska, for incineration.

During the CEI, I observed the SAC in the Return/Fill area. The SAC was closed, labeled with the words "hazardous waste" and an indication of the nature of the hazard, and was empty.

Used oil retain samples are generated when used oil samples that have been retained for confirmation analysis are discarded following expiration of the 90-day hold time. The facility considers used oil retain samples to be hazardous waste (D008, D018, D039, D040, as applicable) based on product and process knowledge and on testing. Based on the facility's Generator Waste Report (Attachments 8 and 9), the facility generates approximately 115 pounds (52 kg) of used oil retain samples per month. The waste is stored in the permitted CSA and transported to Clean Harbors in Kimball, Nebraska, for incineration.

During the CEI, I observed a 55-gallon SAC for used oil retains in the Return/Fill area, adjacent to a cabinet with unexpired retained samples. The SAC was closed, labeled with the words "hazardous waste" and an indication of the nature of the hazard, and was empty.

Spent immersion cleaner solvent is generated from servicing of customer immersion cleaners for carburetors and other parts. The facility considers spent immersion cleaner solvent to be hazardous waste (D001, D004-D011, D018-D043, as applicable) based on product and process knowledge and on testing. Based on the facility's Generator Waste Report (Attachments 8 and 9), the facility generates approximately 135 pounds (62 kg) of spent immersion cleaner solvent per month. The waste is stored in the permitted CSA and transported to Safety-Kleen in Dolton, Illinois, for solvent recovery. I did not observe any spent immersion cleaner solvent during the CEI.

Spent parts washer solvent consists of spent mineral spirits solvent collected from customers during parts washer servicing. The facility considers spent parts solvent to be hazardous waste (D001, D018, D039, D040) based on product and process knowledge and on testing. Based on the facility's Generator Waste Report (Attachments 8 and 9), the facility generates approximately 32,512 pounds (14,778 kg) of spent parts washer solvent per month. Containers of

spent parts washer solvent collected from customers are delivered to the Return/Fill area where the waste is dumped or pumped into the return dumpster. The containers are scrubbed and rinsed with solvent for reuse. Spent parts washer solvent from containers and the container rinse station is pumped from the return dumpster directly to the 15,000-gallon permitted hazardous waste storage tank. It is transported to Safety-Kleen in Dolton, Illinois, for solvent recovery.

During the CEI, I observed the permitted 15,000-gallon storage tank for spent parts washer solvent (Attachment 7, Photographs 28 through 30). The storage tank appeared to be structurally sound and no evidence of spills or leaks was observed. The storage tank was labeled with the words “hazardous waste” and “waste solvent” and held approximately 1,850 gallons of spent parts washer solvent. I noted no deficiencies with the management and storage of spent parts washer solvent during the CEI. Additional details about the hazardous waste tank is in Section 6 of this report.

Dry cleaning wastes consist of wastes collected from dry cleaning customers. The facility considers dry cleaning wastes to be hazardous waste (F002, D039, D040) based on product and process knowledge and on testing. Based on the facility’s Generator Waste Report (Attachments 8 and 9), the facility generates approximately 812 pounds (369 kg) of dry cleaning wastes per month. Dry cleaning wastes collected from customers are stored in the permitted CSA upon arrival at the facility. The waste is transported to Kimball, Nebraska, for bulking or transfer to another facility. I did not observe any dry cleaning wastes during the CEI.

Aqueous parts cleaning waste consist of wastes from customer parts washers. The facility is permitted to receive hazardous aqueous parts cleaning waste (D004-D011, D018-D019, D021-D030, D032-D043, as applicable). The facility did not receive any hazardous aqueous parts cleaning waste during 2023. According to Mr. Sorenson, the facility generates approximately 1,388 pounds (631 kg) per month of nonhazardous aqueous parts cleaning waste (Attachment 9). The waste is transported to Metro Waste Authority in Mitchellville, Iowa for treatment.

WPRM consist of spent solvent and paint wastes collected from customers. The facility considers WPRM to be hazardous waste (D001, D018, F003, F005, other codes as applicable) based on product and process knowledge. Based on the facility’s Generator Waste Report (Attachments 8 and 9), the facility generates approximately 1,909 pounds (868 kg) of paint wastes per month. WPRM collected from customers is stored in the permitted CSA upon arrival at the facility. It is transported to Safety-Kleen in Dolton, Illinois, or Clean Harbors in Kimball, Nebraska, for solvent recovery or incineration.

During the CEI, I observed containers of WPRM in the permitted CSA. A discussion of the containers in the CSA is in Section 5.

Used glycol coolant is collected from customers in containers and transported to the facility for storage. After the used coolant is tested, it is pumped into a 12,000-gallon AST on the facility. Based on the Generator Waste Report (Attachment 9), the facility shipped 252 pounds (115 kg) of customer generated used glycol coolant per month to Clean Harbors Recycling in Hebron, Ohio during 2023.

Used oil is collected from customers in tanker trucks and transported to the facility for storage. The facility manages used oil per requirements of 40 CFR Part 279. After the oil is tested, it is pumped into one of three used oil storage tanks at the facility. Based on the Generator Waste Report (Attachment 9), the facility shipped approximately 621,945 pounds (282,702 kg) per month. Used oil is transported to Safety-Kleen in Wichita, Kansas, or Catoosa, Oklahoma, for recycling.

Used oil is stored in a 20,000-gallon AST in the southern tank enclosure (Attachment 7, Photograph 31), a 15,000-gallon AST in the northern tank enclosure, and a 12,000-gallon capacity AST in the open-air area. The 20,000-gallon AST held 1,858 gallons of used oil and the 15,000-gallon AST held 13,000 gallons of used oil at the time of the CEI. The 12,000-gallon AST was empty. All used oil ASTs were labeled with the words “used oil” and appeared to be in good condition with no apparent leaks or damage.

Used oil filters are collected from customers in containers and transported to the facility for storage. The facility manages used oil filters per requirements of 40 CFR Part 279. Used oil filters are accumulated in a used oil storage container in the Return/Fill area. Based on the Generator Waste Report (Attachment 9), the facility ships approximately 10,488 pounds (4,767 kg) of used oil filters per month. Used oil filters are transported to Oil Filter Recyclers in Astoria, Illinois, for recycling.

During the CEI, I observed a 2-cubic-yard used oil storage container holding used oil filters in the Return/Fill room. The container was in good condition with no apparent leaks or damage, and held approximately 100 used oil filters. The container was labeled with the words “used oil filters.” I neglected to photograph the used oil filters container during the CEI.

Waste lamps consist of containerized fluorescent, compact fluorescent, halogen, metal halide, ultraviolet (UV), sodium, and other lamps collected from customers. Waste lamps are transported to the facility for accumulation. The facility manages all waste lamps as universal waste per requirements of 40 CFR Part 273. Based on the Generator Waste Report (Attachment 9), the facility shipped approximately 1,279 pounds (581 kg) of waste lamps per month in 2023. The waste is transported to Spring Grove Resource Recovery in Cincinnati, Ohio, or Clean Harbors in El Dorado, Arkansas, for recycling. I did not observe any waste lamps in accumulation during the CEI.

Used aerosol cans consist of unpunctured used aerosol cans collected from customers. Used aerosol cans are transported to the facility for accumulation. The facility manages all used aerosol cans as universal waste per requirements of 40 CFR Part 273. Based on the Generator Waste Report (Attachment 9), the facility ships approximately 578 pounds (272 kg) per month. The waste is transported to Spring Grove Resource Recovery in Cincinnati, Ohio, for recycling.

During the CEI, I observed one 55-gallon universal waste accumulation container for used aerosol cans (Attachment 7, Photographs 1 and 2). The container was labeled with the words “used aerosol cans” with a universal waste aerosol cans (UWAC) label on the side. It held approximately 45 gallons of used aerosol cans. The container was not marked with an accumulation start date, as required by 40 CFR 273.15(c) (**NOPF No. 1**). During the CEI,

I neglected to photograph the sides of the UWAC container. I asked Mr. Lester how long the used aerosol cans had been accumulating. He stated that the cans had been accumulating for approximately 3 months. I provided compliance assistance regarding accumulation of universal waste during the CEI.

NOPF No. 1 was inadvertently rescinded on February 7, 2024, and Mr. Sorenson was notified at the time. However, after review, the preliminary finding for not demonstrating the accumulation start date on a UWAC container, as required by 40 CFR 273.15(c), was re-added to the NOPF form (**NOPF No. 6**). Mr. Sorenson was notified of the addition by email on February 13, 2024.

General Trash consists of office-type refuse, such as waste packaging materials and food containers. The facility has determined that general trash is nonhazardous based on product knowledge. General trash is accumulated in several containers throughout the facility and then transported to Metro Waste Authority in Mitchellville, Iowa for landfill disposal.

4. Required Response Equipment and Hazard Management

RCRA Permit Condition III.H specifies that the facility must operate to minimize possibility of a fire, explosion, or spill, and must maintain emergency response equipment. During the CEI, I observed “no smoking” signs, fire extinguishers, spill response equipment, and other emergency response equipment in the permitted CSA, in the Return/Fill area, and near the hazardous waste storage tank. I noted no concerns with types and availability of emergency response equipment and materials at the permitted CSA and hazardous waste storage tank. I also noted that the CSA had adequate aisle space that allowed movement of personnel and response equipment.

5. Permitted Hazardous Waste CSA

The Permitted CSA contains spaces for several rows of containers. The northern rows are for the less-than-10-day transfer containers, and the rest of the CSA is for permitted hazardous waste storage. During the CEI, I observed approximately 25 containers (eight 55-gallon, and 17, 5-gallon containers) of permitted hazardous waste in the southern portion of the CSA (Attachment 7, Photographs 4 through 27). All of the containers were structurally sound, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard, and approximately full. The containers marked with accumulation start dates ranging from March 22, 2023, through January 23, 2024.

I initially included accumulation of hazardous waste for longer than 90 days on the NOPF form left at the facility; however, since all containers were in the permitted hazardous waste container storage area, the facility has one year of storage per the RCRA permit. I rescinded NOPF No. 5 on February 6, 2024. I also rescinded NOPF No. 2, regarding inadequate inspection of the CSA, as it related directly to NOPF No. 5. Mr. Sorenson was notified by email of the rescinded preliminary findings on February 6, 2024.

During the CEI, I asked Mr. Lester if the CSA was inspected. He stated the tanks, CSA, and Return/Fill area are inspected each business day and inspection logs are maintained electronically. I reviewed the inspection logs since the date of the previous CEI, from March 9,

2022, to the present noted no missed inspections or deficiencies. A copy of the inspection log for January 19, 2024, is included as Attachment 10.

At the time of the CEI, the less-than-10-day transfer area was empty. Mr. Lester stated that all of the containers in the less-than-10-day transfer area had been shipped off site earlier that day. A copy of the less-than-10-day transfer record from December 1, 2023, through January 23, 2023, was provided by email after the CEI and is in Attachment 11.

6. Permitted Hazardous Waste Storage Tank

Safety-Kleen has a single hazardous waste storage tank with a nominal capacity of 15,000 gallons (Attachment 7, Photographs 28-30). Based on my review of manifests and operating record reports, approximately 5,000 to 6,500 gallons of waste are removed from the tank per month. At the time of the CEI the gauge on the tank was at 1,800 gallons. The hazardous waste storage tank is included in daily inspections (Attachment 10). During my review of electronic inspections, I noted no missed inspections. Due to the fact that the RCRA permit required daily hazardous waste storage tank inspections and the facility is only manned Monday through Friday, a permit modification was issued on October 9, 2023, allowing video camera coverage of the hazardous waste storage tank. The video is broadcast to monitors in the facility and to the cell phones of Messrs. Lester and Sorenson. During the CEI, I viewed the video coverage on the monitors and on Mr. Lester's cell phone. Mr. Lester stated that if any leaks or problems were observed, he or Mr. Sorenson would react. A copy of the modification of the permit is included in Attachment 12.

I also reviewed the initial tank system installation assessment, latest integrity testing (2023), and the latest annual tank inspection reports. I noted no deficiencies during this review.

7. Manifests

Safety-Kleen scans and retains paper copies of all generated manifests, and scans all incoming manifests for branch-terminated and transfer waste containers. I reviewed paper copies of all 2023 manifests and spot checked manifest from March 9, 2022 through December 31, 2022. During the CEI I did not count the number of generator manifests created by Safety-Kleen. However the Generator Waste Report (Attachment 8) shows all manifests generated by the facility over the last three years. Copies of three manifests are in Attachment 13. In reviewing the manifests from 2023, I noted that two manifests did not include hazardous waste codes (Attachment 13, pages 1 and 2) as required by 40 CFR 262.20(a) (**NOPF No. 3**). The LDR notifications associated with these two manifests also did not include the waste codes, as required by 40 CFR 262.17(a)(9)—268.7(a)(2) (**NOPF No. 4**).

During the CEI, I reviewed Safety-Kleen's Hazardous Waste Biennial Report summary for 2021 that was provided by the EPA before the inspection (Attachment 14) and I noted no deficiencies.

8. Personnel Training Requirements

RCRA Permit Condition III.F requires personnel training as specified in 40 CFR 264.16 and the facility's Training Plan (incorporated into the permit as Attachment III-3) to ensure that

employees are thoroughly familiar with proper waste handling procedures relevant to their responsibilities. During the CEI, I asked Mr. Lester about the training provided at Safety-Kleen. He explained that every employee receives comprehensive hazardous waste handling and emergency response training (including Contingency Plan training) annually. I reviewed training content with Mr. Lester and determined that the training provided to personnel meets requirements of Permit Condition III.F. I reviewed sign-in sheets for personnel who took the training each of the last three years and noted no deficiencies. A copy of the training sign-in sheet for 2023 is in Attachment 15.

9. Contingency Plan

RCRA Permit III.I requires the facility to maintain a Contingency Plan designed to minimize hazards to human health and the environment from fires, explosions, or any sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. During the CEI, I reviewed the Contingency Plan against the content requirements of 40 CFR 264.52 and noted no deficiencies. The Contingency Plan was approved by EPA during permit renewal and was last revised on May 15, 2023. A copy of the list of emergency coordinators and contact numbers is included in Attachment 16.

10. Operating Record

The facility's operating record consists of records such as inspection logs, manifests, and training records, as well as a database maintained by operators. I reviewed the electronic Generator Waste Report (Attachments 8 and 9) during the CEI. After the CEI, Mr. Lester emailed me the Generator Waste Report, and the transfer waste record (Hub Waste Report) (Attachment 11). These records demonstrate the capability of the database system to track each container from receipt to destination facility. I noted no deficiencies with the facility's operating record during the CEI.

11. Air Emissions: 40 CFR Part 265 Subparts AA, BB, CC

EPA regulations in 40 CFR Part 264, Subparts AA, BB, and CC apply to Permitted TSDFs. If a TSDF manages hazardous waste with an organic concentration greater than 10 parts per million by weight (ppmw), the standards specified in Subpart AA apply to hazardous waste air emissions from certain process vents. A process vent used in distillation, fractionation, solvent extraction, thin-film evaporation, air stripping, or steam stripping is regulated by Subpart AA. Safety-Kleen is not subject to the Subpart AA regulations because the facility does not have any of the process vents listed above.

If a TSDF has equipment that contains or contacts hazardous waste composed of 10 percent or greater organics by weight, the facility is subject to Subpart BB standards for inspection and monitoring of the equipment. Safety-Kleen is subject to the Subpart BB regulations because the hazardous waste storage tanks (and associated appurtenances) contact hazardous waste with greater than 10 percent organics. Because of the nature and properties of the solvents managed, the hazardous waste storage tanks and appurtenances are considered to be in heavy liquid service.

All tank system components are inspected during daily inspections. I reviewed inspection records during the CEI and noted no missed inspections or identified deficiencies. I did not identify any deficiencies related to Subpart BB requirements.

The standards found in Subpart CC apply to TSDFs that manage hazardous waste in containers with organic compounds (VOC) concentration that exceeds 500 ppmw. The Subpart CC standards are applicable because the facility accumulates hazardous waste that contains VOCs in 55-gallon hazardous waste accumulation containers. During the CEI, I determined that Safety-Kleen meets the Subpart CC requirements for containers by using Container Level 1 controls (storage containers between 26 gallons and 122 gallons that are Department of Transportation [DOT]-approved). I noted no concerns with management of hazardous waste per the Subpart CC air emissions requirements.

12. Summary of Preliminary Findings

In summary, as part of the CEI, I made the following preliminary findings:

- NOPF No. 1 Rescinded (and re-added as NOPF No. 6)
- NOPF No. 2 Rescinded
- Failure to list hazardous waste codes on two manifests, as required by 40 CFR 262.120(a) (**NOPF No. 3**)
- Failure to include hazardous waste codes on two LDR notifications, as required by 40 CFR 262.17(a)(9)—268.7(a)(2) (**NOPF No. 4**)
- NOPF No. 5 Rescinded
- Failure to demonstrate the length of time that universal waste has been accumulating, as required by 40 CFR 273.15(c) (**NOPF No. 6**).

NOPF No. 6 was not left with the facility but was added on February 13, 2024. Mr. Sorenson was notified by email on February 13, 2024.

Other than items specifically noted in the narrative, I observed no additional issues. However, further review by EPA may change or add to my findings.

Clifford A.
Nelles

Digitally signed by Clifford
A. Nelles
Date: 2024.03.28
09:58:17 -05'00'

Date: _____

Clifford A. Nelles, Inspector
CLAENE Group

Whisnant,
Amber

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Whisnant, Amber
Date: 2024.04.01
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Date: _____

Amber Whisnant, Section Chief
ECAD/CB/RCRA, EPA Region 7

Attachments:

1. Notification/Acknowledgement Verification Report (2 pages)
2. Receipt for Documents and Samples (1 page)
3. Confidentiality Notice (1 page)
4. Notice of Preliminary Findings (1 page)
5. Site Map (1 page)
6. Google Earth Aerial Photograph (1 page)
7. Photographic Documentation (Photolog and 31 Photographs) (19 pages)
8. Copy of Generator Waste Report 2021-2024 (2 pages)
9. Copy of Generator Waste Report Sorted for 2023 (3 pages)
10. Copy of Inspection Log (9 pages)
11. Copy of Transfer Waste Report December 2023 to January 23, 2024 (1 page)
12. Copy of Permit Modification dated October 9, 2023 (4 pages)
13. Copies of Manifests Dated October 18, 2023, November 1, 2023, and December 7, 2023 (3 pages)
14. Copy of 2021 Biennial Report Summary (108 pages)
15. Copy of 2023 Training Records (1 page)
16. Copy of Contact Sheet for Contingency Plan (1 page)