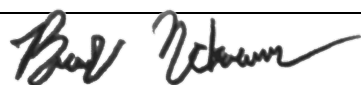


INSPECTION REPORT

Inspection Entry Date/Time	05/22/2024 08:45 (CT)		Announced: No	
Inspection Exit Date/Time	05/22/2024 12:30 (CT)		Access: Granted	
Regulatory Program	RCRA			
Type of Inspection	Focused Compliance Inspection (FCI)			
Facility or Site Name	Miller Environmental Services			
Facility/Site Identifier	TXD981056054			
Facility/Site Physical Address	401 Navigation Blvd			
City, State, Zip Code	Corpus Christi, TX 78408			
County/Borough	Nueces County			
Generator Status	None			
NAICS	None			
Type of Operation	Miller Environmental Services is a transporter of non-hazardous waste, hazardous waste, used oil, universal waste, asbestos, and naturally occurring radioactive material waste.			
Geographic Coordinates	27.791894, -97.453075			
Additional Persons Participating in Inspection:				
Name	Title	Organization	Email	Phone
Cameron Tanaka	Contractor	Eastern Research Group (ERG)	Cameron.Tanaka@erg.com	(508) 314-6432
Erin Young-Dahl	Inspector	EPA REGION 6	YoungDahl.Erin@epa.gov	(214) 665-3166
John Penland	Inspector	EPA REGION 6	Penland.John@epa.gov	(214) 665-9717
Lead Inspector:				
Brook McKeown				09/03/2024
	ERG	Brook.McKeown@erg.com		(410) 459-5811

SECTION I – INTRODUCTION**Site Entry and Purpose of the Inspection**

The Port of Corpus Christi and surrounding facilities were selected for inspection based on an Environmental Justice and Regional initiative to evaluate facilities at ports receiving or transporting Resource Conservation and Recovery Act (RCRA)-regulated hazardous wastes, and/or have an International Convention for the Prevention of Pollution from Ships (MARPOL) Annex V Certificate of Adequacy (COA) issued by the U.S. Coast Guard (USCG).

This report is based on information supplied by the facility representatives, inspector observations, and records, including photographs taken (see Appendix 1), verbal or written statements made during or after the on-site inspection, and/or materials shown, demonstrated, or submitted to the EPA during or after the on-site inspection. In addition, information gathered prior to or after the inspection from a review of EPA, State, and public records may be included in this report.

Attendees

Title/Organization	Name	Phone	Email	Opening Conf.	Closing Conf.
Lead Inspector/ Contractor/ERG	Brook McKeown	(410) 459-5811	Brook.McKeown@erg.com	Yes	No
RCRA Inspector/ Contractor/ERG	Cameron Tanaka	(508) 314-6432	Cameron.Tanaka@erg.com	Yes	No
Inspector/Enforcement Officer/EPA Region 6	Erin Young-Dahl	(214) 665-3166	YoungDahl.Erin@epa.gov	Yes	Yes
Inspector/Enforcement Officer/EPA Region 6	John Penland	(214) 665-9717	Penland.John@epa.gov	Yes	Yes

Facility General Description

Tenant/Area	Inspection Date	Process Description	Area of Concern
Miller Environmental Services	05/22/24	Miller Environmental Services (Miller) is a transporter of non-hazardous waste, hazardous waste, used oil, universal waste, asbestos, and naturally occurring radioactive material (NORM) waste. They provide industrial services including in-plant industrial cleaning services, transportation, environmental response, and spill response. Miller transports its customers' wastes via truck. The company also services pipelines, refineries, and terminals with on-site work such as hydro blasting. Miller stores hazardous and non-hazardous remediation wastes at its own site while the waste is being profiled. The company acts as a transfer facility for hazardous waste and used oil. When acting as a transfer facility, the waste containers remain on the trucks that they arrive in and leave the facility within 10 days. The company generates waste aerosol cans, used oil, and universal waste at its facility. Miller does not maintain any MARPOL COAs.	Yes

SECTION II – OBSERVATIONS

Tenant: Miller Environmental Services			
Section: 2.1	Date: 05/22/24, 8:45 AM	Contains AOC: Yes	Contains CBI: No
Lead Inspector: Brook McKeown	Attendees: Lewis Steinhagen (Waste Manager), Bill Johnson (Compliance Manager)		
Miller is a transporter of non-hazardous waste, hazardous waste, used oil, universal waste, asbestos, and naturally occurring radioactive material (NORM) waste. The company mostly transports waste via trucks and occasionally via vessels. Its tankers and vacuum trucks can take liquid and solid waste. The company's transportation services at terminals are generally for waste generated at the terminals and not for waste coming off of vessels. Miller provides industrial services including in-plant industrial cleaning services, transportation, waste profiling, environmental response, and spill response. For spill responses, Miller drums up the spilled material and handles the waste and contaminated media as transportation related waste that they do not generate. Non-hazardous spill drums are sometimes unloaded and stored at its site when Miller needs a truck to respond to another spill. The company also service pipelines, refineries, and terminals with on-site work such as hydro and sand blasting. Miller generally does not manage the wastes from its on-site work. Miller will occasionally be asked to collect samples and profile the waste generated during this work. However, if a current waste profile already exists, Miller will just transport the waste between the generator and US Ecology for disposal. Miller generates waste aerosol cans, used oil, and universal waste at its own facility. The company also have a mechanical team that builds drums. Miller also performs third party work for EOG Resources, Inc. under a corporate contract, including spill cleanups, waste profiling, and pickups of routine non-hazardous or RCRA exempt maintenance waste. Miller is registered as a transporter and used oil handler under EPA ID TXD981056054. The company transports its customers' wastes via truck. Miller generally tries to avoid bringing its customers' wastes on its site for storage, but it does store hazardous and non-hazardous remediation wastes while the waste is being profiled within its role as a transfer facility for hazardous waste and used oil. When acting as a transfer facility, the waste containers remain on the trucks that they arrive in and leave within 10 days. Wastes that Miller handles are mostly transported to US Ecology. The inspection team viewed hazardous and non-hazardous manifests for Miller and noted no issues. Miller has a permit to transport used oil and transports about one to three loads of used oil every quarter. Miller generally delivers its transported used oil to Western Gulf Recycling and the used oil it generates onsite to H&H Oil Recyclers. Miller does not maintain a MARPOL COA. Miller is also licensed by the USCG to provide spill cleanup services on the water. During the inspection, the inspection team observed the warehouse, truck bay, fueling area, yard area, and remediation waste area (see Appendix 1 – Photo 11). Observations and AOCs are organized by section below along with facility responses where relevant. Warehouse: In the warehouse, the inspection team observed universal waste lamps that were picked up by Miller between February and March 2024 (see Appendix 1 – Photos 1 and 2). Some lamps were dated from January 2023, but others were undated. The inspection team also observed over 25 spent lead acid batteries that were not properly labeled or otherwise identified as spent (see Appendix 1 – Photo 3) [AOC #1 – <i>Miller did not label batteries being managed as universal waste properly or store the batteries in a properly labeled container – 40 CFR 273.14(a)</i>]. In a response email from 06/05/2024, Mr. Johnson included a document responding to any document requests and AOCs that the inspection team identified during the inspection			

(see Appendix 2). In this response, Mr. Johnson indicated that Miller placed a sign designating the batteries as universal waste (see Appendix 2). He also included a photograph showing the sign (see Appendix 3 – Photo 1).

Truck Bay:

The inspection team also observed four additional spent lead acid batteries that were not properly labeled or otherwise identified as spent in the truck bay (see Appendix 1 – Photo 4) [see **AOC #1**]. In his response, Mr. Johnson indicated that Miller placed a sign designating the batteries as universal waste (see Appendix 2) and included a photograph showing the sign (see Appendix 3 – Photo 1). The team observed a tank of used oil generated by Miller that did not have a visible label (see Appendix 1 – Photos 5 and 6). The inspection team also observed several plastic carboys used to hold used oil that were not properly labeled (see Appendix 1 – Photo 7). [**AOC #2** – *Miller did not clearly label a tank and containers used to store used oil with the words “Used Oil” - 40 CFR 279.22(c)(1)*]. Mr. Johnson included photographs in his response email showing the used oil tank and used oil carboys with visible labels (see Appendix 3 – Photos 2 and 3).

Fueling Area:

The inspection team observed a plastic tote labeled as “Used Scrub Oil” (see Appendix 1 – Photo 8) [see **AOC #2**]. Mr. Johnson indicated that the tote is used to hold used oil generated from vacuum pumps on their trucks and that it was not accumulating used oil at the time of the inspection. Mr. Johnson included a photograph in his response email showing the used oil tote with a visible label (see Appendix 3 – Photo 4).

Yard Area:

The inspection team observed three unlabeled black poly 55-gallon drums located in the yard and an unlabeled blue poly 55-gallon drum located in on the north side of the yard (see Appendix 1 – Photos 9 and 10). The inspection team asked for clarification on the contents of the poly drums. In his response, Mr. Johnson indicated that a sample was taken from the three black drums and the blue drum and sent to Western Gulf Recycling, who confirmed that the material was recyclable water at its lab (see Appendix 2). The drums were all recycled at Western Gulf Recycling and a transportation Bill of Lading (BOL) was included as Appendix 4. The inspection team observed a heat exchanger which contained visible solids/debris that was transported to the facility from a customer and stored on the north side of the yard adjacent to the blue poly drum. The debris within the heat exchanger was also observed deposited on the concrete adjacent to the heat exchanger (see Appendix 1 – Photo 10). A waste determination on the debris had not been conducted [**AOC #4** – *Miller did not make an accurate determination as to whether its waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations. – 40 CFR 262.11*]. The inspection team asked for a waste characterization of the contents of the heat exchanger and the solids associated with it that had spilled onto the concrete. The inspection team also asked Miller for the date the heat exchanger was brought to the site, an explanation of how Miller would be managing the solids/debris associated with the heat exchanger, and any waste analytical results on the solids/debris from the heat exchanger. In his response email, Mr. Johnson indicated that the heat exchanger was brought onsite about 2 years ago, with the assumption that it was emptied and cleaned prior to shipment, to be used as a training fixture for the company’s hydro blasting personnel. Mr. Johnson’s email added that based on the manufacturer’s tag on the equipment, the unit was a Glycol Preheater manufactured in Beaumont, TX in 2002 (see Appendix 2). Mr. Johnson explained that samples of the material were collected from inside the equipment and on the concrete around it. In his 08/12/2024 email, Mr. Johnson provided the final laboratory report from Pace Analytical (see Appendix 6). Although Miller had received the final lab report, Mr. Johnson indicated that Miller personnel had not disposed of the drum because they were trying to determine whether the material was K050 listed hazardous waste (exchanger bundle cleaning sludge from a petroleum refinery) (see Appendix 5). In a second follow-up email from 08/12/2024, Mr. Johnson provided additional information

regarding the final lab report and Miller's waste determination for the material (see Appendix 7). Mr. Johnson also explained that Miller personnel removed the material from the heat exchanger and the concrete and placed it in a 55-gallon drum after sending a sample off for laboratory analysis (see Appendix 2). In a follow-up email dated 08/12/2024, Mr. Johnson stated that the cleanup generated less than 100 pounds of material (see Appendix 5). Mr. Johnson also included photographs of the side of the heat exchanger and the adjacent concrete following the cleanup (see Appendix 3 – Photos 5 and 6).

Remediation Waste Area:

No areas of concern (AOCs) were observed in the remediation waste area.

A closing conference was conducted at approximately 12:00 PM with Miller personnel. The AOCs were communicated during the closing conference; however, further EPA review may change or add to their potential AOCs.

SECTION III – RECORDS REVIEW

No RCRA-regulated records were reviewed during this focused onsite inspection.

SECTION IV – AREAS OF CONCERN

The presentation of Area(s) of Concern does not constitute a formal compliance determination or violation.

Tenant: Miller Environmental Services		
AOC #1 – Miller did not label batteries being managed as universal waste properly or store the batteries in a properly labeled container.	Citation: 40 CFR 273.14(a)	Section: 2.1
AOC #2 – Miller did not label a tank and containers used to store used oil with the words "Used Oil".	Citation: 40 CFR 279.22(c)(1)	Section: 2.1
AOC #3 – Miller did not make an accurate determination as to whether its waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations.	Citation: 40 CFR 262.11	Section: 2.1

SECTION V – FOLLOW UP

Any facility follow-up items are as discussed in the observations in Section II. Documents or files provided by the facility were transmitted via email and included responses to AOCs or provision of documents requested.

Communication Log

During and after the inspection, additional information was emailed to EPA including:

1. 06/05/24 Miller email – Bill Johnson sent an email with requested documentation, responses to AOCs, and photos showing corrective actions attached.
2. 08/12/24 Miller email – Bill Johnson sent an email with the final lab report for the material removed from the heat exchanger and concrete and an explanation of their progress in handling the waste.
3. 08/12/24 Miller email – Bill Johnson sent an email clarifying aspects of the final lab report for the material removed from the heat exchanger and his previous email explaining their progress in handling the waste.

SECTION VI – LIST OF APPENDICES

Appendix 1. Photograph Log

Appendix 2. Follow-Up Document from Miller

Appendix 3. Follow-Up Photographs from Miller

Appendix 4. Western Gulf BOL and Invoice for Poly Drums in Yard

Appendix 5. First Follow-Up Email from Miller August 12, 2024

Appendix 6. Laboratory Results for Heat Exchanger Material

Appendix 7. Second Follow-up Email From Miller August 12, 2024

APPENDIX 1.
PHOTOGRAPH LOG



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 1

Location: Miller Environmental Services		
City: Corpus Christi	County/Parish: Nueces	State: Texas



Photo File Name: DSCN1089

Date of Photo: 05/22/2024

Time of Photo: 10:34 hrs.

Photographer: Cameron Tanaka

Description: Overview of universal waste lamps in Miller's warehouse (observed).



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: Miller Environmental Services		
City: Corpus Christi	County/Parish: Nueces	State: Texas

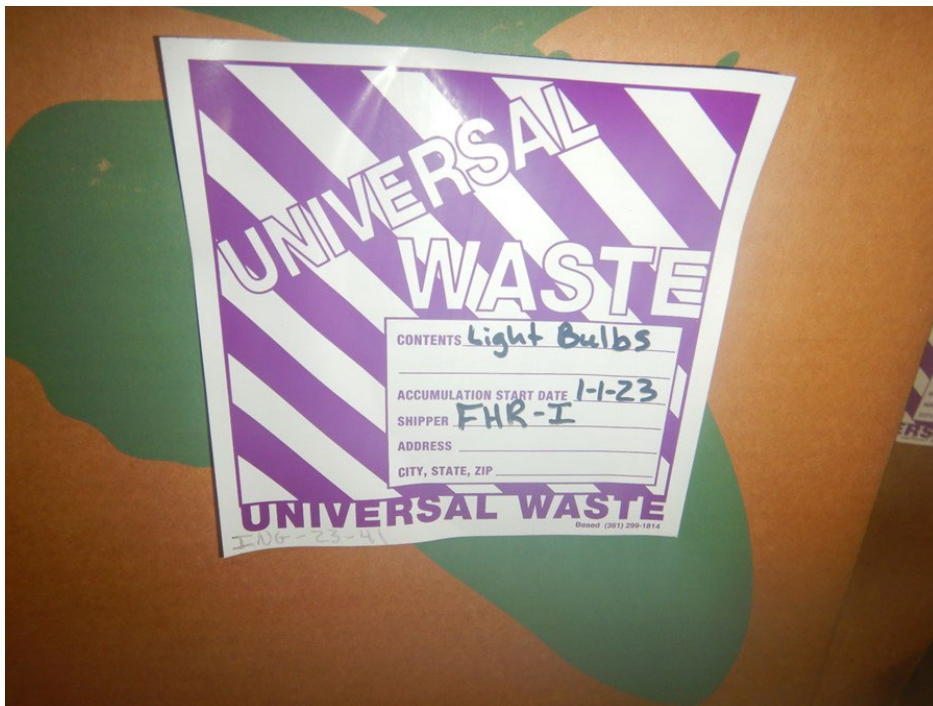


Photo File Name: DSCN1090

Date of Photo: 05/22/2024

Time of Photo: 10:34 hrs.

Photographer: Cameron Tanaka

Description: Closeup view of a universal waste lamp label dated from January 2023 in Miller's warehouse (observed).



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 3

Location: Miller Environmental Services		
City: Corpus Christi	County/Parish: Nueces	State: Texas



Photo File Name: DSCN1091

Date of Photo: 05/22/2024

Time of Photo: 10:39 hrs.

Photographer: Cameron Tanaka

Description: View of pallets of spent lead acid batteries that were not properly labeled in Miller's warehouse.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: Miller Environmental Services		
City: Corpus Christi	County/Parish: Nueces	State: Texas



Photo File Name: DSCN1092

Date of Photo: 05/22/2024

Time of Photo: 10:42 hrs.

Photographer: Cameron Tanaka

Description: View of spent lead acid batteries that were not properly labeled in Miller's truck bay.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 5

Location: Miller Environmental Services		
City: Corpus Christi	County/Parish: Nueces	State: Texas



Photo File Name: DSCN1093

Date of Photo: 05/22/2024

Time of Photo: 10:45 hrs.

Photographer: Cameron Tanaka

Description: View of used oil tank without a visible label in Miller's truck bay.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: Miller Environmental Services		
City: Corpus Christi	County/Parish: Nueces	State: Texas



Photo File Name: DSCN1094

Date of Photo: 05/22/2024

Time of Photo: 10:45 hrs.

Photographer: Cameron Tanaka

Description: Closeup view of used oil tank without a visible label in Miller's truck bay.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: Miller Environmental Services		
City: Corpus Christi	County/Parish: Nueces	State: Texas



Photo File Name: DSCN1095

Date of Photo: 05/22/2024

Time of Photo: 10:48 hrs.

Photographer: Cameron Tanaka

Description: View of one of the plastic carboys used to hold used oil in Miller's truck bay that was not properly labeled.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: Miller Environmental Services		
City: Corpus Christi	County/Parish: Nueces	State: Texas



Photo File Name: DSCN1096

Date of Photo: 05/22/2024

Time of Photo: 10:52 hrs.

Photographer: Cameron Tanaka

Description: View of plastic tote labeled as "Used Scrub Oil" containing used oil in Miller's fueling area.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 9

Location: Miller Environmental Services

City: Corpus Christi

County/Parish: Nueces

State: Texas



Photo File Name: DSCN1097

Date of Photo: 05/22/2024

Time of Photo: 11:07 hrs.

Photographer: Cameron Tanaka

Description: View of three unlabeled black poly 55-gallon drums in Miller's yard area (observed).



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 10

Location: Miller Environmental Services

City: Corpus Christi

County/Parish: Nueces

State: Texas



Photo File Name: DSCN1098

Date of Photo: 05/22/2024

Time of Photo: 11:08 hrs.

Photographer: Cameron Tanaka

Description: Overview of heat exchanger with visible solids/debris inside of it and on the adjacent concrete, and blue poly 55-gallon drum in Miller's yard area.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 11

Location: Miller Environmental Services		
City: Corpus Christi	County/Parish: Nueces	State: Texas



Photo File Name: DSCN1099

Date of Photo: 05/22/2024

Time of Photo: 11:28 hrs.

Photographer: Cameron Tanaka

Description: View of sign at Miller's remediation waste area.

APPENDIX 2.
FOLLOW-UP DOCUMENT FROM MILLER



Brook McKeown
ERG

RE: Response to Site Audit Findings from 5/22/2024

EPA Audit Findings Response

- Please confirm the contents of the following unlabeled containers we observed during the inspection:
 - Three black poly 55-gallon drums located in the yard west of the covered storage.
 - One blue poly 55-gallon drum located adjacent to the heat exchanger observed in the yard.

A sample was taken from the 3 black drums and the 1 blue drum and taken to Western gulf recycling and was confirmed to be recyclable water at their lab. All drums were recycled at western gulf recycling. BOL for transport provided.

- Please provide the following information related to the heat exchanger and the solids associated with it that were observed at the site:
 - The date the heat exchanger was brought to the site.
The exchanger was brought to our site about 2 years ago under the pretense it had been cleaned prior to shipment and was to be used as a training fixture for our hydro-blast personell.
The manufacturers tag on the equipment states that this is a Glycol Preheater and was manufactured in 2002 in Beaumont, TX.
 - How Miller will be managing the solids/debris associated with the heat exchanger (e.g. hazardous waste, non-hazardous, etc).

We are managing the material as a hazardous waste until we receive final lab results on the sample. Lab results are preliminary and final results are pending. The lab results will determine if the material will be managed as a hazardous or non-hazardous waste.

- Any waste analytical results on the solids/debris from the heat exchanger.
A sample was collected from the equipment and concrete area and sent to Pace Labs for analysis listed in 40 CFR 268.40 Treatment Standards for Hazardous Waste for K050. (Benzo(a)pyrene, Phenol, Cyanides(Total) Chromium(Total), Lead and Nickel.
At this time, we are waiting for the final report from the lab. Pace labs has had some network issues which has delayed the completion of the testing.
- We observed spent lead-acid batteries in the warehouse and in the truck bay that were not properly labeled or otherwise identified as spent.



We have placed a sign designating these as spent batteries for recycle. (photo attached)

- A heat exchanger which contained visible solids/debris was transported to the facility from a customer. The debris within the heat exchanger was also observed deposited on the concrete adjacent to the heat exchanger. A waste determination on the debris had not been conducted.
- **Upon closer inspection there are only a couple of tubes with material in them which we estimate to be <200 lbs of waste.**

We have removed the material that appears to have come from the equipment from the concrete area in front of the equipment. We have placed the recovered material and the material removed from the equipment into a 55 gallon drum prior to profiling and disposal at Republic Service US Ecology facility in Robstown, TX.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Bill Johnson", with a long horizontal flourish extending to the right.

Bill Johnson
Waste Management Manager
Miller Integrated Solutions

APPENDIX 3.
FOLLOW-UP PHOTOGRAPHS FROM MILLER

UNIVERSAL WASTE

CONTENTS: Used Batteries

ACCUMULATION START DATE: weekly pickup at

SHIPPER: Miller Environmental

ADDRESS: Cypress Creek

CITY, STATE, ZIP:

UNIVERSAL WASTE

UW547 LABELMASTER® (800) 621-5808 www.labelmaster.com



USDOT#0728026

USED
OIL









APPENDIX 4.
WESTERN GULF BOL AND INVOICE FOR POLY DRUMS IN YARD

Western Gulf Recycling
PO Box 9605
Corpus Christi, TX 78469
(361) 299-6600



Invoice CWT43314

BILL TO

MILLER ENVIRONMENTAL
SERVICES, LLC
PO BOX 5233
CORPUS CHRISTI, TX 78465

DATE
05/31/2024

PLEASE PAY
\$528.50

DUE DATE
06/30/2024

P.O. NUMBER

P95324

UNIT ID

CARR: Miller Environmental#495

PROJECT

MILLER (NAVIGATION BLVD)

SERVICE DATE	DESCRIPTION	QTY	RATE	AMOUNT
05/31/2024	CWT Water Disposal Per Gallon BOL No.: B 16818 Disposed on: 05/31/2024	80	0.50	40.00T
05/31/2024	Drum Disposal	3	150.00	450.00T
05/31/2024	Environmental Fee	1	38.50	38.50T

For payments made by credit card, a 5% processing fee applies.
Please ask for a revised invoice.

SUBTOTAL	528.50
TAX	0.00
TOTAL	528.50

EXCLUDED RECYCLABLE MATERIAL (water mix)

JOB# 24-0110

TOTAL DUE \$528.50

THANK YOU.

We appreciate your business! If you have any questions please contact us at
billing@westerngulfre recycling.com.

P56828 95324

ORIGINAL - NOT NEGOTIABLE
MILLER ENVIRONMENTAL SERVICES, LLC
P.O. Box 5233
Corpus Christi, Texas 78465
(Name of Carrier)

Shipper No. _____
Carrier No. **B 16818**
Date **5-31-24**

[illegible]

When transporting hazardous materials include the technical or chemical name for n.o.s. (not otherwise specified) or generic description of material with appropriate UN or NA number as defined in US DOT Emergency Communication Standard (HM-126C). Provide emergency response phone number in case of incident or accident in box above.

REMIT C.O.D. TO: ADDRESS:		COD Amt: \$		C.O.D. FEE: PREPAID COLLECT ☐ \$ ☐	
NOTE - Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ _____ per _____		This is to certify that the above named materials are properly classified, described, packaged, marked, and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation. _____ Signature		TOTAL CHARGES: \$ _____ FREIGHT CHARGES: _____ FREIGHT PREPAID except when box at night is checked ☐ Check box if charges are to be collected ☐	
Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges. _____ (Signature of Consignor)					

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination on or about, otherwise to deliver to and/or transfer carrier on the route to said destination. It is mutually agreed that each party shall be responsible for the proper classification of the property and for the payment of the applicable tariff and that each party at any time interested in all or any said property, that every service to be performed hereunder shall be subject to all the Bill of Lading terms and conditions in the governing classification on the date

of shipment.

Shipper hereby certifies that he is familiar with all the Bill of Lading terms and conditions in the governing classification and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

NOTICE: Freight moving under this Bill of Lading is subject to the classifications and lawfully filed tariffs in effect on the date of this Bill of Lading. This notice supersedes and negates any claimed, alleged or asserted oral or written contract, promise, representation or understanding between the parties with respect to this freight, except to the extent of any written contract which establishes lawful contract carriage and is signed by authorized representatives of both parties to the contract.

SHIPPER 	CARRIER MILLER ENVIRONMENTAL SERVICES, LLC
PER 5-31-24	PER  DATE 5-31-24

*HAZARDOUS MATERIALS MARK WITH 'X' TO DESIGNATE HAZARDOUS MATERIALS AS REFERENCED IN 49CFR § 172.202

APPENDIX 5.
FIRST FOLLOW-UP EMAIL FROM MILLER AUGUST 12, 2024

RE: Miller Environmental - POCCA Week 3 EPA RCRA Inspections

Bill Johnson <bjohnson@miller-is.com>

Mon 2024-08-12 12:24 PM

To: Cameron Tanaka <Cameron.Tanaka@erg.com>; Brook McKeown <Brook.McKeown@erg.com>; Lewis Sternhagen <Isternhagen@miller-is.com>

Cc: Penland, John <Penland.John@epa.gov>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>

 1 attachments (2 MB)

L1740531(EPA Audit Training Bundle Sludge).pdf;

CAUTION: Don't open links or attachments unless you recognize the sender and know they are safe.

Hi Cameron,

Please see attached final report for the material we removed from the training exchanger bundle in our yard. We removed the material and cleaned up the small amount from the concrete and place it in a 55 gal. drum. We generated < 100 lbs of material. We have not disposed of the drum yet as we are trying to determine whether or not it is actually K050 (Exchanger Bundle Cleaning Sludge from a Petroleum Refinery). We will get this done as soon as possible and send the profile and disposal manifest.

Thanks,

Bill

From: Cameron Tanaka <Cameron.Tanaka@erg.com>

Sent: Thursday, August 8, 2024 12:11 PM

To: Bill Johnson <bjohnson@miller-is.com>; Brook McKeown <Brook.McKeown@erg.com>; Lewis Sternhagen <Isternhagen@miller-is.com>

Cc: Penland, John <Penland.John@epa.gov>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>

Subject: Re: Miller Environmental - POCCA Week 3 EPA RCRA Inspections

Hi Bill,

Thank you for the responses. Following up on the heat exchanger material, do you all have the final lab results for that yet? Please provide a copy of those results if so. Also, if you disposed of the drum, please provide a manifest for that disposal.

Thanks,

Cameron

From: Bill Johnson <bjohnson@miller-is.com>

Sent: Wednesday, June 5, 2024 5:37 PM

To: Brook McKeown <Brook.McKeown@erg.com>; Lewis Sternhagen <Isternhagen@miller-is.com>

Cc: Penland, John <Penland.John@epa.gov>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>; Cameron Tanaka <Cameron.Tanaka@erg.com>

Subject: RE: Miller Environmental - POCCA Week 3 EPA RCRA Inspections

CAUTION: Don't open links or attachments unless you recognize the sender and know they are safe.

Brook,

Please see attached response letter and supporting pics and documents for the audit find items. Let me know if you have any questions.

Thanks,

Bill

From: Brook McKeown <Brook.McKeown@erg.com>

Sent: Wednesday, May 22, 2024 6:52 PM

To: Lewis Sternhagen <lsternhagen@miller-is.com>; Bill Johnson <bjohnson@miller-is.com>

Cc: Penland, John <Penland.John@epa.gov>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>; Cameron Tanaka <Cameron.Tanaka@erg.com>

Subject: Miller Environmental - POCCA Week 3 EPA RCRA Inspections

Bill, Lewis –

Thank you again for your time today during EPA's RCRA inspection of Miller Environmental's operations at 401 Navigation Blvd in Corpus Christi. As discussed during our closing today, below are two lists. One is a list of document requests/follow-up questions and the other is a list of areas of concern from the inspection today. Please provide the requested documents and responses to questions by no later than June 5th. Additionally, if you have any responses or documented corrective actions to any of the areas of concern listed below, you can also provide that information by June 5th and it will be incorporated into the inspection report.

Document Request

- Please confirm the contents of the following unlabeled containers we observed during the inspection:
 - Three black poly 55-gallon drums located in the yard west of the covered storage.
 - One blue poly 55-gallon drum located adjacent to the heat exchanger observed in the yard.
- Please provide the following information related to the heat exchanger and the solids associated with it that were observed at the site:
 - The date the heat exchanger was brought to the site.
 - How Miller will be managing the solids/debris associated with the heat exchanger (e.g. hazardous waste, non-hazardous, etc).
 - Any waste analytical results on the solids/debris from the heat exchanger.

Areas of Concern

- We observed spent lead-acid batteries in the warehouse and in the truck bay that were not properly labeled or otherwise identified as spent.
- We observed the following containers that were not properly labeled as "Used Oil":
 - One tank located in the truck bay
 - Several plastic carboys used to hold used oil
 - Plastic tote labeled as "Used Scrub Oil"
- A heat exchanger which contained visible solids/debris was transported to the facility from a customer. The debris within the heat exchanger was also observed deposited on the concrete adjacent to the heat exchanger. A waste determination on the debris had not been conducted.
- There were questions during the inspection about Miller Environmental's arrangement where they sign manifests as the generator on behalf of one of their customers, and whether that is a legitimate practice as the offeror. EPA will be following up on this item separately.

NOTE: during the inspection, we discussed you providing the service agreement for one of your customers as a follow-up documentation request. Please do not provide that to us via email at this time. EPA will be reaching out separately to request that information.

Please don't hesitate to reach out to me if you have any questions or concerns.

Thanks,

Brook



Brook McKeown
(She/They)

Chemical Engineer
Cell: 410-459-5811
Email: brook.mckeown@erg.com
www.erg.com

APPENDIX 6.
LABORATORY RESULTS FOR HEAT EXCHANGER MATERIAL



ANALYTICAL REPORT

June 26, 2024

¹ Cp

² Tc

³ Ss

⁴ Cn

⁵ Sr

⁶ Qc

⁷ Gl

⁸ Al

⁹ Sc

Miller Environmental Services, LLC

Sample Delivery Group: L1740531
Samples Received: 05/25/2024
Project Number:
Description: MILLER TRAINING BUNDLE SLUDGE

Report To: Bill Johnson
401 Navigation
Corpus Christi, TX 78406

Entire Report Reviewed By:

Lori A Vahrenkamp
Project Manager

Results relate only to the items tested or calibrated and are reported as rounded values. This test report shall not be reproduced, except in full, without written approval of the laboratory. Where applicable, sampling conducted by Pace Analytical National is performed per guidance provided in laboratory standard operating procedures ENV-SOP-MTJL-0067 and ENV-SOP-MTJL-0068. Where sampling conducted by the customer, results relate to the accuracy of the information provided, and as the samples are received.

Pace Analytical National

12065 Lebanon Rd Mount Juliet, TN 37122 615-758-5858 800-767-5859 mydata.pacelabs.com

ACCOUNT:
Miller Environmental Services, LLC

PROJECT:

SDG:
L1740531

DATE/TIME:
06/26/24 12:03

PAGE:
1 of 21

TABLE OF CONTENTS

Cp: Cover Page	1	¹ Cp
Tc: Table of Contents	2	
Ss: Sample Summary	3	² Tc
Cn: Case Narrative	4	
Sr: Sample Results	5	³ Ss
SAMPLE 1 - TOTALS L1740531-01	5	
SAMPLE 1 - TCLP L1740531-02	6	⁴ Cn
Qc: Quality Control Summary	7	⁵ Sr
Total Solids by Method D2974	7	
Wet Chemistry by Method 9014	8	⁶ Qc
Mercury by Method 7471A	9	
Metals (ICP) by Method 6010	10	⁷ Gl
Metals (ICP) by Method 6010B	12	
Semi Volatile Organic Compounds (GC/MS) by Method 8270C	13	⁸ Al
Gl: Glossary of Terms	15	⁹ Sc
Al: Accreditations & Locations	16	
Sc: Sample Chain of Custody	17	

SAMPLE SUMMARY

SAMPLE 1 - TOTALS L1740531-01 Solid

Collected by
LEWIS
STERNHAGEN

Collected date/time
05/23/24 15:00

Received date/time
05/25/24 09:05

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst	Location
Total Solids by Method D2974	WG2297546	1	06/03/24 14:02	06/03/24 14:10	EIG	Allen, TX
Wet Chemistry by Method 9014	WG2295421	1.01	05/30/24 15:49	05/30/24 15:49	TJG	Allen, TX
Mercury by Method 7471A	WG2300577	5	06/07/24 13:14	06/09/24 19:03	AKB	Mt. Juliet, TN
Metals (ICP) by Method 6010	WG2296188	1	05/31/24 11:30	06/01/24 09:09	TJG	Allen, TX
Semi Volatile Organic Compounds (GC/MS) by Method 8270C	WG2306936	64.4	06/19/24 22:00	06/20/24 20:53	DSH	Mt. Juliet, TN

SAMPLE 1 - TCLP L1740531-02 Waste

Collected by
LEWIS
STERNHAGEN

Collected date/time
05/23/24 15:00

Received date/time
05/25/24 09:05

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst	Location
Preparation by Method 1311	WG2305000	1	06/14/24 13:38	06/14/24 13:38	JWS	Mt. Juliet, TN
Metals (ICP) by Method 6010B	WG2306047	1	06/17/24 08:53	06/17/24 19:05	DJS	Mt. Juliet, TN
Semi Volatile Organic Compounds (GC/MS) by Method 8270C	WG2305877	1	06/15/24 20:00	06/16/24 12:35	ADF	Mt. Juliet, TN

¹ Cp

² Tc

³ Ss

⁴ Cn

⁵ Sr

⁶ Qc

⁷ Gl

⁸ Al

⁹ Sc

CASE NARRATIVE

All sample aliquots were received at the correct temperature, in the proper containers, with the appropriate preservatives, and within method specified holding times, unless qualified or notated within the report. Where applicable, all MDL (LOD) and RDL (LOQ) values reported for environmental samples have been corrected for the dilution factor used in the analysis. All Method and Batch Quality Control are within established criteria except where addressed in this case narrative, a non-conformance form or properly qualified within the sample results. By my digital signature below, I affirm to the best of my knowledge, all problems/anomalies observed by the laboratory as having the potential to affect the quality of the data have been identified by the laboratory, and no information or data have been knowingly withheld that would affect the quality of the data.



Lori A Vahrenkamp
Project Manager

¹ Cp

² Tc

³ Ss

⁴ Cn

⁵ Sr

⁶ Qc

⁷ Gl

⁸ Al

⁹ Sc

SAMPLE 1 - TOTALS

Collected date/time: 05/23/24 15:00

SAMPLE RESULTS - 01

L1740531

Total Solids by Method D2974

Analyte	Result	Units	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	92.5	%		1	06/03/2024 14:10	WG2297546

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

Wet Chemistry by Method 9014

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
Cyanide	<0.767		0.767	5.05	1.01	05/30/2024 15:49	WG2295421

6 Qc

Mercury by Method 7471A

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
Mercury	3.12		0.0900	0.200	5	06/09/2024 19:03	WG2300577

7 Gl

Metals (ICP) by Method 6010

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
Antimony	4.48		0.222	1.25	1	06/01/2024 09:09	WG2296188
Arsenic	3.38		0.254	1.00	1	06/01/2024 09:09	WG2296188
Barium	938	V	0.0780	1.00	1	06/01/2024 09:09	WG2296188
Beryllium	0.0404	J	0.00800	0.0500	1	06/01/2024 09:09	WG2296188
Cadmium	2.08		0.0460	0.500	1	06/01/2024 09:09	WG2296188
Chromium	39.2		0.245	0.500	1	06/01/2024 09:09	WG2296188
Lead	99.6	J3	0.105	0.500	1	06/01/2024 09:09	WG2296188
Nickel	38.0		0.0760	0.500	1	06/01/2024 09:09	WG2296188
Selenium	0.966	J	0.362	1.00	1	06/01/2024 09:09	WG2296188
Silver	0.173	J	0.0256	0.250	1	06/01/2024 09:09	WG2296188

8 Al

9 Sc

Semi Volatile Organic Compounds (GC/MS) by Method 8270C

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
Phenol	<0.863	T8	0.863	214	64.4	06/20/2024 20:53	WG2306936
(S) 2-Fluorophenol	81.3	J7		12.0-120		06/20/2024 20:53	WG2306936
(S) Phenol-d5	76.2	J7		10.0-120		06/20/2024 20:53	WG2306936
(S) Nitrobenzene-d5	79.2	J7		10.0-122		06/20/2024 20:53	WG2306936
(S) 2-Fluorobiphenyl	74.5	J7		15.0-120		06/20/2024 20:53	WG2306936
(S) 2,4,6-Tribromophenol	92.5	J7		10.0-127		06/20/2024 20:53	WG2306936
(S) p-Terphenyl-d14	77.9	J7		10.0-120		06/20/2024 20:53	WG2306936

Sample Narrative:

L1740531-01 WG2306936: Dilution due to matrix impact during extraction procedure. Surrogate failure due to matrix.

SAMPLE 1 - TCLP

Collected date/time: 05/23/24 15:00

SAMPLE RESULTS - 02

L1740531

Preparation by Method 1311

Analyte	Result	Qualifier	Prep date / time	Batch
TCLP Extraction	-		6/14/2024 1:38:52 PM	WG2305000
Initial pH	5.22		6/14/2024 1:38:52 PM	WG2305000
Final pH	5.98		6/14/2024 1:38:52 PM	WG2305000

1 Cp

2 Tc

3 Ss

Metals (ICP) by Method 6010B

Analyte	Result mg/l	Qualifier	RDL mg/l	Limit mg/l	Dilution	Analysis date / time	Batch
Chromium	<0.100		0.100	5	1	06/17/2024 19:05	WG2306047
Nickel	<0.100		0.100		1	06/17/2024 19:05	WG2306047

4 Cn

5 Sr

6 Qc

Semi Volatile Organic Compounds (GC/MS) by Method 8270C

Analyte	Result mg/l	Qualifier	RDL mg/l	Limit mg/l	Dilution	Analysis date / time	Batch
Benzo(a)pyrene	<0.100	Q	0.100		1	06/16/2024 12:35	WG2305877
(S) 2-Fluorophenol	25.7		10.0-120			06/16/2024 12:35	WG2305877
(S) Phenol-d5	26.9		10.0-120			06/16/2024 12:35	WG2305877
(S) Nitrobenzene-d5	67.3		10.0-127			06/16/2024 12:35	WG2305877
(S) 2-Fluorobiphenyl	57.9		10.0-130			06/16/2024 12:35	WG2305877
(S) 2,4,6-Tribromophenol	44.2		10.0-155			06/16/2024 12:35	WG2305877
(S) p-Terphenyl-d14	55.2		10.0-128			06/16/2024 12:35	WG2305877

7 Gl

8 Al

9 Sc

WG2297546

Total Solids by Method D2974

QUALITY CONTROL SUMMARY

[L1740531-01](#)

L1740527-08 Original Sample (OS) • Duplicate (DUP)

(OS) L1740527-08 06/03/24 14:10 • (DUP) R4077054-1 06/03/24 14:10

Analyte	Original Result	DUP Result	Dilution	DUP RPD	<u>DUP Qualifier</u>	DUP RPD Limits
	%	%		%		%
Total Solids	87.8	88.0	1	0.182		20

¹ Cp

² Tc

³ Ss

⁴ Cn

⁵ Sr

⁶ Qc

⁷ Gl

⁸ Al

⁹ Sc

ACCOUNT:
Miller Environmental Services, LLC

PROJECT:

SDG:
L1740531

DATE/TIME:
06/26/24 12:03

PAGE:
7 of 21

WG2295421

Wet Chemistry by Method 9014

QUALITY CONTROL SUMMARY

[L1740531-01](#)

Method Blank (MB)

(MB) R4076162-1 05/30/24 15:49

	MB Result	MB Qualifier	MB MDL	MB RDL
Analyte	mg/kg		mg/kg	mg/kg
Cyanide	<0.760		0.760	5.00

Laboratory Control Sample (LCS)

(LCS) R4076162-2 05/30/24 15:49

	Spike Amount	LCS Result	LCS Rec.	Rec. Limits	LCS Qualifier
Analyte	mg/kg	mg/kg	%	%	
Cyanide	10.0	9.09	90.9	85.0-115	

L1740531-01 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1740531-01 05/30/24 15:49 • (MS) R4076162-3 05/30/24 15:49 • (MSD) R4076162-4 05/30/24 15:49

	Spike Amount	Original Result	MS Result	MSD Result	MS Rec.	MSD Rec.	Dilution	Rec. Limits	MS Qualifier	MSD Qualifier	RPD	RPD Limits
Analyte	mg/kg	mg/kg	mg/kg	mg/kg	%	%		%			%	%
Cyanide	10.0	<0.767	9.45	9.29	94.5	93.8	1	85.0-115			1.70	20

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

WG2300577

Mercury by Method 7471A

QUALITY CONTROL SUMMARY

[L1740531-01](#)

Method Blank (MB)

(MB) R4079269-1 06/09/24 17:07

	MB Result	MB Qualifier	MB MDL	MB RDL
Analyte	mg/kg		mg/kg	mg/kg
Mercury	<0.0180		0.0180	0.0400

Laboratory Control Sample (LCS)

(LCS) R4079269-2 06/09/24 17:10

	Spike Amount	LCS Result	LCS Rec.	Rec. Limits	LCS Qualifier
Analyte	mg/kg	mg/kg	%	%	
Mercury	0.500	0.468	93.6	80.0-120	

L1743501-14 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1743501-14 06/09/24 17:13 • (MS) R4079269-4 06/09/24 17:23 • (MSD) R4079269-5 06/09/24 17:26

	Spike Amount	Original Result	MS Result	MSD Result	MS Rec.	MSD Rec.	Dilution	Rec. Limits	MS Qualifier	MSD Qualifier	RPD	RPD Limits
Analyte	mg/kg	mg/kg	mg/kg	mg/kg	%	%		%			%	%
Mercury	0.500	0.0191	0.469	0.461	90.1	88.3	1	75.0-125			1.85	20

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

WG2296188

Metals (ICP) by Method 6010

QUALITY CONTROL SUMMARY

[L1740531-01](#)

Method Blank (MB)

(MB) R4076110-1 06/01/24 09:01

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
Antimony	<0.222		0.222	1.25
Arsenic	<0.254		0.254	1.00
Barium	<0.0780		0.0780	1.00
Beryllium	<0.00800		0.00800	0.0500
Cadmium	<0.0460		0.0460	0.500
Chromium	<0.245		0.245	0.500
Lead	<0.105		0.105	0.500
Nickel	<0.0760		0.0760	0.500
Selenium	<0.362		0.362	1.00
Silver	<0.0256		0.0256	0.250

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

Laboratory Control Sample (LCS)

(LCS) R4076110-2 06/01/24 09:05

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCS Rec. %	Rec. Limits %	LCS Qualifier
Antimony	50.0	47.1	94.2	80.0-120	
Arsenic	50.0	48.5	96.9	80.0-120	
Barium	50.0	49.0	97.9	80.0-120	
Beryllium	50.0	49.5	99.1	80.0-120	
Cadmium	50.0	48.0	96.0	80.0-120	
Chromium	50.0	48.7	97.5	80.0-120	
Lead	50.0	47.1	94.1	80.0-120	
Nickel	50.0	48.6	97.2	80.0-120	
Selenium	50.0	46.5	93.0	80.0-120	
Silver	25.0	22.9	91.8	80.0-120	

L1740531-01 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1740531-01 06/01/24 09:09 • (MS) R4076110-3 06/01/24 09:13 • (MSD) R4076110-4 06/01/24 09:17

Analyte	Spike Amount mg/kg	Original Result mg/kg	MS Result mg/kg	MSD Result mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	MS Qualifier	MSD Qualifier	RPD %	RPD Limits %
Antimony	50.0	4.48	48.4	46.3	87.9	83.6	1	10.0-120			4.52	20
Arsenic	50.0	3.38	48.5	45.8	90.2	84.8	1	29.0-128			5.64	20
Barium	50.0	938	939	1130	2.36	377	1	10.0-200	V	V	18.1	20
Beryllium	50.0	0.0404	47.4	44.4	94.8	88.7	1	53.0-123			6.60	20
Cadmium	50.0	2.08	47.1	44.1	90.0	84.0	1	37.0-120			6.63	20
Chromium	50.0	39.2	86.0	92.2	93.7	106	1	38.0-137			6.96	20
Lead	50.0	99.6	129	159	59.8	119	1	17.0-138		J3	20.4	20

ACCOUNT:
Miller Environmental Services, LLC

PROJECT:

SDG:
L1740531DATE/TIME:
06/26/24 12:03PAGE:
10 of 21

WG2296188

Metals (ICP) by Method 6010

QUALITY CONTROL SUMMARY

[L1740531-01](#)

L1740531-01 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1740531-01 06/01/24 09:09 • (MS) R4076110-3 06/01/24 09:13 • (MSD) R4076110-4 06/01/24 09:17

Analyte	Spike Amount mg/kg	Original Result mg/kg	MS Result mg/kg	MSD Result mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	MS Qualifier	MSD Qualifier	RPD %	RPD Limits %
Nickel	50.0	38.0	81.4	87.7	86.8	99.5	1	40.0-123			7.51	20
Selenium	50.0	0.966	43.7	41.0	85.4	80.0	1	29.0-112			6.39	20
Silver	25.0	0.173	22.5	21.6	89.4	85.7	1	35.0-129			4.16	20

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

ACCOUNT:
Miller Environmental Services, LLC

PROJECT:

SDG:
L1740531DATE/TIME:
06/26/24 12:03PAGE:
11 of 21

WG2306047

Metals (ICP) by Method 6010B

QUALITY CONTROL SUMMARY

[L1740531-02](#)

Method Blank (MB)

(MB) R4082998-1 06/17/24 18:55

Analyte	MB Result mg/l	MB Qualifier	MB MDL mg/l	MB RDL mg/l
Chromium	<0.0333		0.0333	0.100
Nickel	<0.0333		0.0333	0.100

Laboratory Control Sample (LCS)

(LCS) R4082998-2 06/17/24 18:57

Analyte	Spike Amount mg/l	LCS Result mg/l	LCS Rec. %	Rec. Limits %	LCS Qualifier
Chromium	10.0	10.5	105	80.0-120	
Nickel	10.0	10.8	108	80.0-120	

L1744518-04 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1744518-04 06/17/24 18:58 • (MS) R4082998-4 06/17/24 19:02 • (MSD) R4082998-5 06/17/24 19:03

Analyte	Spike Amount mg/l	Original Result mg/l	MS Result mg/l	MSD Result mg/l	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	MS Qualifier	MSD Qualifier	RPD %	RPD Limits %
Chromium	10.0	<0.100	10.1	10.2	101	102	1	75.0-125			1.49	20
Nickel	10.0	0.140	10.3	10.5	102	104	1	75.0-125			1.83	20

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

WG2305877

Semi Volatile Organic Compounds (GC/MS) by Method 8270C

QUALITY CONTROL SUMMARY

[L1740531-02](#)

Method Blank (MB)

(MB) R4082494-2 06/16/24 09:44

Analyte	MB Result mg/l	MB Qualifier	MB MDL mg/l	MB RDL mg/l
Benzo(a)pyrene	<0.0333		0.0333	0.100
(S) 2-Fluorophenol	31.4			10.0-120
(S) Phenol-d5	26.2			10.0-120
(S) Nitrobenzene-d5	57.2			10.0-127
(S) 2-Fluorobiphenyl	54.1			10.0-130
(S) 2,4,6-Tribromophenol	47.8			10.0-155
(S) p-Terphenyl-d14	59.2			10.0-128

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

Laboratory Control Sample (LCS)

(LCS) R4082494-1 06/16/24 09:23

Analyte	Spike Amount mg/l	LCS Result mg/l	LCS Rec. %	Rec. Limits %	LCS Qualifier
Benzo(a)pyrene	0.500	0.365	73.0	47.0-120	
(S) 2-Fluorophenol			38.8	10.0-120	
(S) Phenol-d5			28.9	10.0-120	
(S) Nitrobenzene-d5			63.0	10.0-127	
(S) 2-Fluorobiphenyl			62.3	10.0-130	
(S) 2,4,6-Tribromophenol			60.5	10.0-155	
(S) p-Terphenyl-d14			61.2	10.0-128	

L1740531-02 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1740531-02 06/16/24 12:35 • (MS) R4082494-3 06/16/24 12:57 • (MSD) R4082494-4 06/16/24 13:18

Analyte	Spike Amount mg/l	Original Result mg/l	MS Result mg/l	MSD Result mg/l	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	MS Qualifier	MSD Qualifier	RPD %	RPD Limits %
Benzo(a)pyrene	0.500	<0.100	0.310	0.329	62.0	65.8	1	37.0-120			5.95	24
(S) 2-Fluorophenol					39.8	37.2		10.0-120				
(S) Phenol-d5					28.0	28.2		10.0-120				
(S) Nitrobenzene-d5					61.1	61.6		10.0-127				
(S) 2-Fluorobiphenyl					63.1	60.5		10.0-130				
(S) 2,4,6-Tribromophenol					61.5	61.5		10.0-155				
(S) p-Terphenyl-d14					56.0	58.6		10.0-128				

WG2306936

Semi Volatile Organic Compounds (GC/MS) by Method 8270C

QUALITY CONTROL SUMMARY

[L1740531-01](#)

Method Blank (MB)

(MB) R4084588-3 06/20/24 13:46

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
Phenol	<0.0134		0.0134	0.333
(S) 2-Fluorophenol	76.0			12.0-120
(S) Phenol-d5	71.8			10.0-120
(S) Nitrobenzene-d5	63.4			10.0-122
(S) 2-Fluorobiphenyl	70.9			15.0-120
(S) 2,4,6-Tribromophenol	54.7			10.0-127
(S) p-Terphenyl-d14	75.7			10.0-120

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R4084588-1 06/20/24 13:03 • (LCSD) R4084588-2 06/20/24 13:25

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Phenol	0.666	0.449	0.450	67.4	67.6	28.0-120			0.222	27
(S) 2-Fluorophenol				71.3	72.7	12.0-120				
(S) Phenol-d5				65.8	66.7	10.0-120				
(S) Nitrobenzene-d5				49.2	50.8	10.0-122				
(S) 2-Fluorobiphenyl				67.6	68.8	15.0-120				
(S) 2,4,6-Tribromophenol				69.5	72.8	10.0-127				
(S) p-Terphenyl-d14				68.5	71.8	10.0-120				

L1744881-35 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1744881-35 06/20/24 18:25 • (MS) R4084588-4 06/20/24 18:46 • (MSD) R4084588-5 06/20/24 19:07

Analyte	Spike Amount mg/kg	Original Result mg/kg	MS Result mg/kg	MSD Result mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	MS Qualifier	MSD Qualifier	RPD %	RPD Limits %
Phenol	0.636	<0.0134	0.179	0.249	28.1	39.3	1	12.0-120	J	J	32.7	38
(S) 2-Fluorophenol					66.7	65.9		12.0-120				
(S) Phenol-d5					23.0	36.6		10.0-120				
(S) Nitrobenzene-d5					45.6	43.8		10.0-122				
(S) 2-Fluorobiphenyl					61.3	58.4		15.0-120				
(S) 2,4,6-Tribromophenol					73.0	69.9		10.0-127				
(S) p-Terphenyl-d14					67.9	61.5		10.0-120				

GLOSSARY OF TERMS

Guide to Reading and Understanding Your Laboratory Report

The information below is designed to better explain the various terms used in your report of analytical results from the Laboratory. This is not intended as a comprehensive explanation, and if you have additional questions please contact your project representative.

Results Disclaimer - Information that may be provided by the customer, and contained within this report, include Permit Limits, Project Name, Sample ID, Sample Matrix, Sample Preservation, Field Blanks, Field Spikes, Field Duplicates, On-Site Data, Sampling Collection Dates/Times, and Sampling Location. Results relate to the accuracy of this information provided, and as the samples are received.

Abbreviations and Definitions

MDL	Method Detection Limit.
RDL	Reported Detection Limit.
Rec.	Recovery.
RPD	Relative Percent Difference.
SDG	Sample Delivery Group.
(S)	Surrogate (Surrogate Standard) - Analytes added to every blank, sample, Laboratory Control Sample/Duplicate and Matrix Spike/Duplicate; used to evaluate analytical efficiency by measuring recovery. Surrogates are not expected to be detected in all environmental media.
Analyte	The name of the particular compound or analysis performed. Some Analyses and Methods will have multiple analytes reported.
Dilution	If the sample matrix contains an interfering material, the sample preparation volume or weight values differ from the standard, or if concentrations of analytes in the sample are higher than the highest limit of concentration that the laboratory can accurately report, the sample may be diluted for analysis. If a value different than 1 is used in this field, the result reported has already been corrected for this factor.
Limits	These are the target % recovery ranges or % difference value that the laboratory has historically determined as normal for the method and analyte being reported. Successful QC Sample analysis will target all analytes recovered or duplicated within these ranges.
Original Sample	The non-spiked sample in the prep batch used to determine the Relative Percent Difference (RPD) from a quality control sample. The Original Sample may not be included within the reported SDG.
Qualifier	This column provides a letter and/or number designation that corresponds to additional information concerning the result reported. If a Qualifier is present, a definition per Qualifier is provided within the Glossary and Definitions page and potentially a discussion of possible implications of the Qualifier in the Case Narrative if applicable.
Result	The actual analytical final result (corrected for any sample specific characteristics) reported for your sample. If there was no measurable result returned for a specific analyte, the result in this column may state "ND" (Not Detected) or "BDL" (Below Detectable Levels). The information in the results column should always be accompanied by either an MDL (Method Detection Limit) or RDL (Reporting Detection Limit) that defines the lowest value that the laboratory could detect or report for this analyte.
Uncertainty (Radiochemistry)	Confidence level of 2 sigma.
Case Narrative (Cn)	A brief discussion about the included sample results, including a discussion of any non-conformances to protocol observed either at sample receipt by the laboratory from the field or during the analytical process. If present, there will be a section in the Case Narrative to discuss the meaning of any data qualifiers used in the report.
Quality Control Summary (Qc)	This section of the report includes the results of the laboratory quality control analyses required by procedure or analytical methods to assist in evaluating the validity of the results reported for your samples. These analyses are not being performed on your samples typically, but on laboratory generated material.
Sample Chain of Custody (Sc)	This is the document created in the field when your samples were initially collected. This is used to verify the time and date of collection, the person collecting the samples, and the analyses that the laboratory is requested to perform. This chain of custody also documents all persons (excluding commercial shippers) that have had control or possession of the samples from the time of collection until delivery to the laboratory for analysis.
Sample Results (Sr)	This section of your report will provide the results of all testing performed on your samples. These results are provided by sample ID and are separated by the analyses performed on each sample. The header line of each analysis section for each sample will provide the name and method number for the analysis reported.
Sample Summary (Ss)	This section of the Analytical Report defines the specific analyses performed for each sample ID, including the dates and times of preparation and/or analysis.

Qualifier Description

J	The identification of the analyte is acceptable; the reported value is an estimate.
J3	The associated batch QC was outside the established quality control range for precision.
J7	Surrogate recovery cannot be used for control limit evaluation due to dilution.
Q	Sample was prepared and/or analyzed past holding time as defined in the method. Concentrations should be considered minimum values.
T8	Sample(s) received past/too close to holding time expiration.
V	The sample concentration is too high to evaluate accurate spike recoveries.

¹ Cp

² Tc

³ Ss

⁴ Cn

⁵ Sr

⁶ Qc

⁷ Gl

⁸ Al

⁹ Sc

ACCREDITATIONS & LOCATIONS

Pace Analytical National 12065 Lebanon Rd Mount Juliet, TN 37122

¹ Cp

² Tc

³ Ss

⁴ Cn

⁵ Sr

⁶ Qc

⁷ Gl

⁸ Al

⁹ Sc

Alabama	40660	Nebraska	NE-OS-15-05
Alaska	17-026	Nevada	TN000032021-1
Arizona	AZ0612	New Hampshire	2975
Arkansas	88-0469	New Jersey-NELAP	TN002
California	2932	New Mexico ¹	TN00003
Colorado	TN00003	New York	11742
Connecticut	PH-0197	North Carolina	Env375
Florida	E87487	North Carolina ¹	DW21704
Georgia	NELAP	North Carolina ³	41
Georgia ¹	923	North Dakota	R-140
Idaho	TN00003	Ohio-VAP	CL0069
Illinois	200008	Oklahoma	9915
Indiana	C-TN-01	Oregon	TN200002
Iowa	364	Pennsylvania	68-02979
Kansas	E-10277	Rhode Island	LA000356
Kentucky ^{1 6}	KY90010	South Carolina	84004002
Kentucky ²	16	South Dakota	n/a
Louisiana	AI30792	Tennessee ^{1 4}	2006
Louisiana	LA018	Texas	T104704245-20-18
Maine	TN00003	Texas ⁵	LAB0152
Maryland	324	Utah	TN000032021-11
Massachusetts	M-TN003	Vermont	VT2006
Michigan	9958	Virginia	110033
Minnesota	047-999-395	Washington	C847
Mississippi	TN00003	West Virginia	233
Missouri	340	Wisconsin	998093910
Montana	CERT0086	Wyoming	A2LA
A2LA – ISO 17025	1461.01	AIHA-LAP, LLC EMLAP	100789
A2LA – ISO 17025 ⁵	1461.02	DOD	1461.01
Canada	1461.01	USDA	P330-15-00234
EPA-Crypto	TN00003		

Pace Analytical Services, LLC -Dallas 400 W. Bethany Drive Suite 190 Allen, TX 75013

Arkansas	88-0647	Kansas	E10388
Florida	E871118	Texas	T104704232-23-39
Iowa	408	Oklahoma	8727
Louisiana	30686		

¹ Drinking Water ² Underground Storage Tanks ³ Aquatic Toxicity ⁴ Chemical/Microbiological ⁵ Mold ⁶ Wastewater n/a Accreditation not applicable

* Not all certifications held by the laboratory are applicable to the results reported in the attached report.

* Accreditation is only applicable to the test methods specified on each scope of accreditation held by Pace Analytical.

ORIGIN ID:CRPA (361) 500-1557
CHRISTI TESCHENDORF
PACE CC
2209 N. PADE ISLAND DR.
SUITE K
CORPUS CHRISTI, TX 78408
UNITED STATES US

SHIP DATE: 24MAY24
ACTWGT: 3.00 LB
CAD: 250940442/INET4535

BILL SENDER

TO **SAMPLE RECEIVING**
PACE ANALYTICAL ALLEN
400 W BETHANY
STE. 190
ALLEN TX 75013

(877) 859-7778

REF:

INV:

PO:

DEPT:



SATURDAY 12:00P
PRIORITY OVERNIGHT

TRK# 7765 4856 1497
0201

X0 DNEA

75013

TX-US DFW



After printing this label:
CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH
1. Fold the printed page along the horizontal line.
2. Place label in shipping pouch and affix it to your shipment.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

	Document Name: Sample Condition Upon Receipt	Document Revised: 7/27/20 Page 1 of 1
	Document No.: F-DAL-C-001-rev.14	Issuing Authority: Pace Dallas Quality Office

Sample Condition Upon Receipt

☐ Dallas
 ☐ Ft Worth
 ☒ Corpus Christi
 ☐ Austin

Client Name: Miller Environmental Project Work order (place label):
 Courier: FedEX ☒ UPS ☐ USPS ☐ Client ☐ LSO ☐ PACE ☐ Other:
 Tracking #: 7705 4856 1497
 Custody Seal on Cooler/Box: Yes ☐ No ☒
 Received on ice: Wet ☒ Blue ☐ No ice ☐
 Receiving Lab 1 Thermometer Used: 1104 Cooler Temp °C: 6.3 (Recorded) -0.1 (Correction Factor) 6.2 (Actual)
 Receiving Lab 2 Thermometer Used: 1818 Cooler Temp °C: 3.6 (Recorded) +0.3 (Correction Factor) 3.9 (Actual)

Temperature should be above freezing to 6°C unless collected same day as receipt in which evidence of cooling is acceptable

Triage Person: CLT Date: 5/24/24

Chain of Custody relinquished	Yes ☒ No ☐
Sampler name & signature on COC	Yes ☒ No ☐
Short HT analyses (<72 hrs)	Yes ☒ No ☐

Login Person: CLT Date: 5/24/24

Sufficient Volume received	Yes ☒ No ☐
Correct Container used	Yes ☒ No ☐
Container Intact	Yes ☒ No ☐
Sample pH Acceptable	Yes ☐ No ☐ NA ☒
pH Strips:	
Residual Chlorine Present	Yes ☐ No ☐ NA ☒
Cl Strips:	
Sulfide Present	Yes ☐ No ☐ NA ☒
Lead Acetate Strips:	
Are soil samples (volatiles, TPH) received in 5035A Kits (not applicable to TCLP VOA or PST Program TPH)	Yes ☐ No ☐ NA ☒
Unpreserved 5035A soil frozen within 48 hrs	Yes ☐ No ☐ NA ☒
Headspace in VOA (>6mm)	Yes ☐ No ☐ NA ☒
Project sampled in USDA Regulated Area outside of Texas	Yes ☐ No ☒ NA ☐
State Sampled:	
Non-Conformance(s):	Yes ☒ No ☐ <u>oc sps</u>

Labeling Person (if different than log-in): _____ Date: _____

Time estimate: oh

Time spent: oh

Members

☒ OC Olivia Currie (responsible)  Lori Vahrenkamp

- ☐ 1. If Chain-of-custody (COC) is not received: contact client and if necessary, fill out a COC and indicate that it was filled out by lab personnel. Note issues on this NCF.
- ☐ 2. If COC is incomplete, check applicable issues below and add details where appropriate:
- ☐ *Collection date/time missing or incorrect
 - ☒ *Analyses or analytes: missing or Clarification needed
 - ☐ *Samples listed on COC do not match samples received (missing, additional, etc.)
 - ☐ *Sample IDs on COC do not match sample Labels
 - ☐ *Required trip blanks were not received
 - ☐ *Required signatures are missing
- ☐ 3. Sample integrity issues: check applicable issues below and add details where appropriate:
- ☐ *Samples: Past holding time
 - ☐ *Samples: Not Field Filtered
 - ☐ *samples: Insufficient volume received
 - ☐ *Samples: Cooler damaged or compromised
 - ☐ *Samples: contain Chlorine or Sulfide
 - ☐ *Samples: condition needs to be brought to lab personnel's attention (details below)
 - ☐ *Containers: Broken or compromised
 - ☐ *Containers: Incorrect
 - ☐ *Custody Seals: missing or compromised on samples, trip blanks or coolers
 - ☐ *Packing Material: Insufficient/Improper
 - ☐ *Preservation: improper
 - ☐ *Temperature: not within acceptance criteria (typically 0-6C)
 - ☐ *Temperature: Samples arrived frozen
 - ☐ *Vials received with improper headspace
 - ☐ *Other:
- ☐ 4. If Samples not preserved properly and Sample Receiving adjusts pH, add details below:
- Sample ID: _____
- Preserved by: _____
- Date/Time: _____
- Initial and Final pH: _____
- Amount/type preserved: _____
- Lot # of Pres added: _____
- ☐ 5. Client contact: If Client is Contacted for any issue listed above, fill in details below:
- Client: _____
- PM Initials: _____
- Contacted per: _____
- Date/Time: _____

Comments

Olivia Currie

25 May 2024 12:50 PM

ALLV8260TCLP and ALLSV8270TCLP parameters lists do not include benzo(a)pyrene; please clarify product code

Lori Vahrenkamp

10 June 2024 1:00 PM

Please add: TCLP Cr, TCLP Ni, TCLP 8270 (benzo(a)pyrene); total 8270 (for total phenol). Client requesting RUSH TAT.

APPENDIX 7.
SECOND FOLLOW-UP EMAIL FROM MILLER AUGUST 12, 2024

RE: Miller Environmental - POCCA Week 3 EPA RCRA Inspections

Bill Johnson <bjohnson@miller-is.com>

Mon 2024-08-12 6:02 PM

To: Cameron Tanaka <Cameron.Tanaka@erg.com>; Brook McKeown <Brook.McKeown@erg.com>; Lewis Sternhagen <Isternhagen@miller-is.com>

Cc: Penland, John <Penland.John@epa.gov>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>

CAUTION: Don't open links or attachments unless you recognize the sender and know they are safe.

Hi Cameron,

1. The lab used the different terms in their summary as the Totals as Solids and TCLP as Waste. I guess that is the way it is set up in their system.
2. We only ran the TCLP on the two metals that if divided by 20 was greater than the TCLP regulatory limit. All the others if divided by 20 were below the regulatory TCLP limit.
3. There are no other listed codes that would apply, and the waste material is a solid so there is no characteristic waste codes that apply.

Please let us know if you have any more questions.

Thanks,
Bill

From: Cameron Tanaka <Cameron.Tanaka@erg.com>

Sent: Monday, August 12, 2024 4:38 PM

To: Bill Johnson <bjohnson@miller-is.com>; Brook McKeown <Brook.McKeown@erg.com>; Lewis Sternhagen <Isternhagen@miller-is.com>

Cc: Penland, John <Penland.John@epa.gov>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>

Subject: Re: Miller Environmental - POCCA Week 3 EPA RCRA Inspections

Hi Bill,

Thank you for sending this along. We do have a couple of questions related to this report.

1. I see that there is one sample labelled "solids" and one labelled "waste." What is the difference between these two samples?
 2. We noticed that TCLP was only run on nickel and chromium. Did you all do any follow-up analysis for the rest of the RCRA metals? If not, why didn't you all run TCLP for all of the RCRA metals?
 3. Finally, besides the K050 code, do you plan to consider the material hazardous under any other waste codes?
- Please let me know and thank you again for getting back to us.

Best,
Cam

From: Bill Johnson <bjohnson@miller-is.com>

Sent: Monday, August 12, 2024 12:23 PM

To: Cameron Tanaka <Cameron.Tanaka@erg.com>; Brook McKeown <Brook.McKeown@erg.com>; Lewis Sternhagen <Isternhagen@miller-is.com>

Cc: Penland, John <Penland.John@epa.gov>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>

Subject: RE: Miller Environmental - POCCA Week 3 EPA RCRA Inspections

CAUTION: Don't open links or attachments unless you recognize the sender and know they are safe.

Hi Cameron,

Please see attached final report for the material we removed from the training exchanger bundle in our yard. We removed the material and cleaned up the small amount from the concrete and place it in a 55 gal. drum. We generated < 100 lbs of material. We have not disposed of the drum yet as we are trying to determine whether or not it is actually K050 (Exchanger Bundle Cleaning Sludge from a Petroleum Refinery). We will get this done as soon as possible and send the profile and disposal manifest.

Thanks,
Bill

From: Cameron Tanaka <Cameron.Tanaka@erg.com>

Sent: Thursday, August 8, 2024 12:11 PM

To: Bill Johnson <bjohnson@miller-is.com>; Brook McKeown <Brook.McKeown@erg.com>; Lewis Sternhagen <lsternhagen@miller-is.com>

Cc: Penland, John <Penland.John@epa.gov>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>

Subject: Re: Miller Environmental - POCCA Week 3 EPA RCRA Inspections

Hi Bill,

Thank you for the responses. Following up on the heat exchanger material, do you all have the final lab results for that yet? Please provide a copy of those results if so. Also, if you disposed of the drum, please provide a manifest for that disposal.

Thanks,
Cameron

From: Bill Johnson <bjohnson@miller-is.com>

Sent: Wednesday, June 5, 2024 5:37 PM

To: Brook McKeown <Brook.McKeown@erg.com>; Lewis Sternhagen <lsternhagen@miller-is.com>

Cc: Penland, John <Penland.John@epa.gov>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>; Cameron Tanaka <Cameron.Tanaka@erg.com>

Subject: RE: Miller Environmental - POCCA Week 3 EPA RCRA Inspections

CAUTION: Don't open links or attachments unless you recognize the sender and know they are safe.

Brook,
Please see attached response letter and supporting pics and documents for the audit find items.
Let me know if you have any questions.
Thanks,
Bill

From: Brook McKeown <Brook.McKeown@erg.com>

Sent: Wednesday, May 22, 2024 6:52 PM

To: Lewis Sternhagen <lsternhagen@miller-is.com>; Bill Johnson <bjohnson@miller-is.com>

Cc: Penland, John <Penland.John@epa.gov>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>; Cameron Tanaka <Cameron.Tanaka@erg.com>

Subject: Miller Environmental - POCCA Week 3 EPA RCRA Inspections

Bill, Lewis –

Thank you again for your time today during EPA's RCRA inspection of Miller Environmental's operations at 401 Navigation Blvd in Corpus Christi. As discussed during our closing today, below are two lists. One is a list of document requests/follow-up questions and the other is a list of areas of concern from the inspection today. Please provide the requested documents and responses to questions by no later than June 5th. Additionally, if you have any responses or documented corrective actions to any of the areas of concern listed below, you can also provide that information by June 5th and it will be incorporated into the inspection report.

Document Request

- Please confirm the contents of the following unlabeled containers we observed during the inspection:
 - Three black poly 55-gallon drums located in the yard west of the covered storage.
 - One blue poly 55-gallon drum located adjacent to the heat exchanger observed in the yard.
- Please provide the following information related to the heat exchanger and the solids associated with it that were observed at the site:
 - The date the heat exchanger was brought to the site.
 - How Miller will be managing the solids/debris associated with the heat exchanger (e.g. hazardous waste, non-hazardous, etc).
 - Any waste analytical results on the solids/debris from the heat exchanger.

Areas of Concern

- We observed spent lead-acid batteries in the warehouse and in the truck bay that were not properly labeled or otherwise identified as spent.
- We observed the following containers that were not properly labeled as “Used Oil”:
 - One tank located in the truck bay
 - Several plastic carboys used to hold used oil
 - Plastic tote labeled as “Used Scrub Oil”
- A heat exchanger which contained visible solids/debris was transported to the facility from a customer. The debris within the heat exchanger was also observed deposited on the concrete adjacent to the heat exchanger. A waste determination on the debris had not been conducted.
- There were questions during the inspection about Miller Environmental’s arrangement where they sign manifests as the generator on behalf of one of their customers, and whether that is a legitimate practice as the offeror. EPA will be following up on this item separately.

NOTE: during the inspection, we discussed you providing the service agreement for one of your customers as a follow-up documentation request. Please do not provide that to us via email at this time. EPA will be reaching out separately to request that information.

Please don’t hesitate to reach out to me if you have any questions or concerns.

Thanks,

Brook



Brook McKeown

(She/They)

Chemical Engineer

Cell: 410-459-5811

Email: brook.mckeown@erg.com

www.erg.com