

RCRA Inspection Report

1) Inspector and Author of Report

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U.S. Environmental Protection Agency, Region 4
Enforcement and Compliance Assurance Division
Chemical Safety and Land Enforcement Branch
61 Forsyth Street, S.W.
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2) Facility Information

Safety-Kleen Systems, Inc.
120 Richardson Drive
Jackson, MS 39209

EPA ID# MSD000776765

3) Responsible Officials

Michael Jansa
Branch General Manager
jansa.michael@cleanharbors.com

Paul Andrews
Senior Environmental Compliance
Manager
andrews.paul@cleanharbors.com

4) Inspection Participants

Michael Jansa, Safety-Kleen Systems,
Inc. (Safety-Kleen)

William Rider, Mississippi Department of
Environmental Quality (MDEQ)
Mark Anthony Relon, USEPA

5) Date of Inspection

February 28, 2023 8:44am

6) Applicable Regulations¹

Resource Conservation and Recovery Act (RCRA) Sections 3002 (42 U.S. Code – Annotated U.S.C.A. 6925 and 6927), and 40 Code of Federal Regulation (C.F.R.) Parts 260 - 270, 273, 278, & 279; Mississippi Code of 1972, Miss. Code Ann. § 17-17-1 et seq., and Mississippi Hazardous

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

Waste Management Regulations, 11 Miss. Admin. Code Pt. 3, R. 1.1-1.24; and Hazardous Waste Permit HW-89-765-01.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.1 [40 C.F.R. § 260.10], a large quantity generator of hazardous waste (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste in a calendar month.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.21 [40 C.F.R. § 273.9], a small quantity handler of universal waste (SQHUW) is a universal waste handler who does not accumulate 5,000 kilograms or more of universal waste (batteries, pesticides, mercury-containing equipment, lamps, or aerosol cans, calculated collectively) at any time.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or without having interim status, as required by Section 17-17-27(4) of the Mississippi Code of 1972, Miss. Code Ann. § 17-17-27(4) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17], an LQG may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Section 17-17-27(4) of the Mississippi Code of 1972, Miss. Code Ann. § 17-17-27(4) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Safety-Kleen’s compliance with the conditions of its RCRA Hazardous Waste Facility Operating Permit HW-89-765-01, the applicable requirements of RCRA and the corresponding Mississippi regulations. This was an EPA lead inspection.

8) Facility Description

Safety-Kleen owns and operates a hazardous waste collection facility in Hinds County, Mississippi. The facility has approximately 2.0 acres with the following structures:

- a. An approximately 6,250 square foot building with offices and a container storage area used for permitted storage and 10-day transfer waste.
- b. A tank farm area containing four aboveground storage tanks (two permitted for the storage of parts washer wastes and two for product storage) with concrete diking.
- c. Two loading units that are ancillary equipment to the permitted storage tanks are also used to

- transfer parts washer wastes to the tank.
- d. A flammable storage shelter used for containerized flammable storage.
 - e. One nominal 20,000-gallon storage tank for used oil, oily/water, used antifreeze.
 - f. An approximately 4,800-square feet building with offices and 2,300-square feet contained area to be used for product storage; and
 - g. An approximately 1,600 square feet building for storage and oil services activities.
 - h. An enclosed flammable shed to be used for product storage.

Currently, 3 employees work at the facility. The facility's days and hours of operation are from Monday to Friday, 7am-5pm. Access to the facility is controlled through a locked, security door at the front entrance.

The facility is a Large Quantity Generator (LQG) and Treatment, Storage, and Disposal Facility (TSDF) with their latest notification dated February 3, 2023. Hazardous wastes generated at the facility include, but are not limited to, the EPA waste codes D001, D004-D011, D018, D019, D021-D030, D032-D043, F002, F003, F005. Safety-Kleen's Hazardous Waste Facility Permit (MSD000776765) was issued on August 31, 2012 and expired on August 30, 2022. Safety Kleen submitted a permit renewal application in February 2022 and, it is currently under review by MDEQ. The NAICS Number for this facility is 562112 – Hazardous Waste Collection.

Safety-Kleen provides environmental services, oil re-finishing, and cleaning solutions. The facility's parts washer provides services such as removing and replenishing used solvents. The facility reclaims used oil and offers solvent collection and reclamation services to customers. Safety-Kleen Systems Inc. (Safety-Kleen) is an international service-oriented company whose customers are primarily engaged in automotive repair, industrial maintenance, and dry cleaning. The company has been operating since 1968 offering solvent collection and reclamation services for over 400,000 customers.

Currently, Safety-Kleen offers several services, two of which involve the accumulation and storage of spent solvents, fluids, and other wastes at service centers (such as the Jackson, Mississippi Service Center) throughout the United States, Canada, and Puerto Rico. These wastes are shipped from the service centers to one of Safety-Kleen's recycle centers, to an independent permitted reclaimer, or to another authorized facility and then may be returned to customers as usable product. The hazardous wastes accepted by Safety-Kleen include spent parts washer solvent, spent immersion cleaner, spent antifreeze, paint waste, paint booth filters, gasoline filters, and metal halide light bulb parts. The Jackson facility has been in operation since 1979. In December 2012, Safety-Kleen was purchased by Clean Harbors, Inc. The City of Jackson supplies the potable water and provides domestic waste service.

9) Previous Inspection History

MDEQ has conducted 2 RCRA CEIs at the subject facility between 2020 and 2022.

During the November 18, 2020 RCRA CEI, MDEQ found 2 apparent violations of RCRA's requirements for labeling and marking of containers and tanks [40 C.F.R. § 262.17(a)(5)(i)]; and lack of inspections at least once each operating day data gathered from monitoring and leak

detection equipment [40 C.F.R. § 264.195(b)]. As a result, MDEQ issued a written informal enforcement action (Notice of Violation) to Safety-Kleen on January 28, 2021, and later verified that the facility had returned to compliance on January 28, 2021.

10) Opening Conference

On February 28, 2023, EPA inspector Mark Anthony Relon, accompanied by MDEQ inspector William Rider, arrived at Safety-Kleen at approximately 8:45am. Michael Jansa, Branch General Manager, immediately received the inspectors. Michael Jansa, and the inspectors were joined by Paul Andrews (via phone), for the opening conference. The inspectors introduced themselves, showed their credentials to Michael Jansa, and explained the purpose of the visit.

The inspectors described the anticipated use of a digital camera during the inspection and provided a request for records. The EPA inspector explained that the Small Business Regulatory Enforcement Fairness Act's classification of a "small business" is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. A copy of the EPA's information sheet for small businesses can be found at <https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf>. The EPA inspector also discussed the company's ability, pursuant to 40 C.F.R. §2.203, to assert a business confidentiality claim for information submitted to EPA. The company did not assert a business confidentiality claim.

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

11) Inspection Observations

Retain Storage Area

Safety-Kleen manages a satellite accumulation area (SAA) in the Retain Storage Area for managing hazardous waste combustible liquids that are generated by sampling their customers' waste (Figure 1). The inspectors observed one 55-gallon container in this SAA. The drum was located adjacent to flammable cabinets storing the temporary retained samples (Figure 4), and it was equipped with a latching lid (for draining into an open head drum), which was closed (Figure 2). The drum was marked as "SAMPLES-JAB", labeled D001, D006, D007, D008, D018, D039, D040 hazardous waste Retain/Oil Samples, and identified with a US Department of Transportation (DOT) flammable placard (Figure 3).

Permitted Storage Area

Safety-Kleen manages a permitted storage area containing a central accumulation area (CAA), a 10-day transfer area, and waste pending analysis for managing hazardous waste toxic liquids, bleach products, etc. that is generated by customers' waste. The inspectors observed two 55-gallon containers and one 5-gallon container of hazardous waste in this CAA. The drums were located on the left section of the storage area, and they were equipped with drum cover lids, which were closed (Figure 5). The first 55-gallon container was marked as "HAZL-TOXIC,"

labeled D005, D006, D008, D010, D011, D016, D018, D022, D027, D035, D039, U129 hazardous waste toxic liquids – loose pack, and identified with a DOT Class 9 Miscellaneous placard (Figure 6). The second 55-gallon container was marked as “HAZL-HYPOCHLOR,” labeled corrosive hazardous waste liquid hypochlorite bleach products, and identified with a DOT corrosive placard (Figure 7). The 5-gallon container was marked as “HAZS-FLAMREACT,” labeled D001, D008, D011 hazardous waste flameless ration heater or snaps, and identified with a DOT Class 9 Miscellaneous placard (Figure 10).

Inspectors observed two 55-gallon containers with hazardous waste labels (Figure 8). Facility personnel stated the two 55-gallon containers were not hazardous waste (Figure 9). Inspectors notified facility personnel to relabel containers that were not hazardous waste and was corrected at the time of the inspection.

Inspectors notified facility personnel that the indication of hazards respective to Class 9 Miscellaneous placarding is not within EPA guidance and are needed to be changed respective to the responsible party. Since the container(s) were from Amazon and stored within the 10-day transfer area, the generator is therefore responsible for properly labeling containers with an indication of hazards compliant to RCRA standards.

The CAA was identified with a sign which read “danger, hazardous waste storage.” Safety-Kleen manages ignitable waste ignitable waste in this CAA, and the inspectors observed “No Smoking” signs posted on the wall where the permitted storage area stores the containers (Figure 5).

The CAA is equipped with an internal communications or alarm system capable of providing immediate emergency instruction to facility personnel; it is equipped with a device capable of summoning emergency assistance from local police departments, fire departments, or state or local emergency response teams; it is equipped with portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment; and it is equipped with water to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray system.

Waste Pending Analysis Area:

Within the permitted storage area was waste pending analysis, universal waste, and non-hazardous waste located in the middle section (Figure 11 through 16).

Safety-Kleen manages universal waste lamps within the permitted storage area located in the middle section in front of the waste pending analysis area. The inspectors observed 8 containers of universal waste lamps in this area during the inspection. Eight 4-foot boxes of lamps, which were closed and marked with an accumulation start date, were labeled universal waste lamps (Figure 11). The oldest date observed on any container of lamps was February 23, 2023.

Tank Farm

The tank farm consists of two hazardous waste tanks and one product tank containing clean solvent. One hazardous waste tank was offline/not in service (Figure 17). Inspectors observed

multiple instances within the tank farm displaying hazardous waste tank tags rusted and illegible due to weathering (Figure 18 through 20). From the permit application, it states “The inspection items have been properly tagged in accordance with 40 CFR 264.1050(d) and are inventoried on the environmental piping schematic diagrams included in Appendix E.9.”

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.17(a)(2)], which incorporates 11 Miss. Admin. Code Pt. 3, R. 1.11 [40 C.F.R. Part 265, Subpart BB], and is a condition of the LQG Permit Exemption, a generator accumulating hazardous waste in tanks must comply with the RCRA Subpart BB organic air emission standards for equipment leaks, including, but not limited to, each piece of equipment to which this subpart applies shall be marked in such a manner that it can be distinguished readily from other pieces of equipment. 11 Miss. Admin. Code Pt. 3, R. 1.7 [40 C.F.R. § 264.1050(d)].

Inspectors observed welded piping outside the secondary containment area respective to the tank farm (Figures 21 through 23). Therefore, they were not subject to Subpart BB requirements such as tagging/markings of equipment.

Return and Fill Station

Safety-Kleen manages a SAA in the Return and Fill Station for managing hazardous waste branch debris that is generated by the filling and cleaning process of containers from customer waste. The inspectors observed one 55-gallon container in this SAA. The drum was located adjacent to the metal box for filling and cleaning containers, and it was equipped with a latching lid (for draining into an open head drum), which was closed (Figure 24). The drum was labeled hazardous waste branch debris and identified with a DOT flammable placard (Figure 25).

Non-Hazardous Waste Frac Tank Area

Safety-Kleen manages a SAA in the non-hazardous waste frac tank area for managing hazardous waste branch debris that is generated by extracting, filling, and cleaning (e.g., spills) the non-hazardous waste frac tank. The inspectors observed one 55-gallon container in this SAA. The drum was located adjacent to the frac tank, and it was equipped with a latching lid (for draining into an open head drum), which was closed (Figure 26). The drum was labeled hazardous waste branch debris and identified with a DOT flammable placard (Figure 27).

Inspectors observed the area surrounding the frac tank (Figures 28 and 29). MDEQ inspector William Rider asked facility personnel if there were sufficient documentation in determining that the facility is a “zero discharge” system with respect to their frac tank. Facility personnel stated they believed they have sufficient containment to provide zero discharge. William Rider recommended that the facility follow up with permit writers to potentially apply for an industrial stormwater permit so they can review their current secondary containment and their stormwater conveyance for minimizing release of potential pollutants.

Flammable Storage Shelter

This area contained flammable product set for storage (Figure 31). Inspectors noticed the storage shelter signs were deteriorating due to weathering and sun damage (Figure 30). Inspectors notified facility personnel to replace the label.

Used Oil Tank

Safety-Kleen manages a SAA in the Used Oil Tank area for managing hazardous waste branch debris that is generated by used oil rags and cleanup (Figure 32). The inspectors observed one 55-gallon container in this SAA. The drum was located near the used oil tank, and it was equipped with a latching lid (for draining into an open head drum), which was closed (Figure 33). The drum was labeled hazardous waste branch debris and identified with a DOT flammable placard (Figure 34).

Contingency Plan:

The actions that facility personnel should take in response to an emergency are described in the facility's Contingency Plan, which was last updated on November 24, 2020.

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

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

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

The plan includes a list of all emergency equipment at the facility. The list includes fire extinguishing systems, spill control equipment, communications and alarm systems, and decontamination equipment. The list appears up to date. The plan includes the location and a physical description of each item on the list, and a brief outline of its capabilities.

The plan includes an evacuation plan for personnel. This plan describes signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

A copy of the Contingency Plan (and its quick reference guide) was most recently submitted to the police department, fire department, hospital, State and local emergency response teams and the Local Emergency Planning Committee on November 24, 2020.

The quick reference guide includes the types/names of hazardous waste in layman's terms and the associated hazard associated with each hazardous waste present at any one time; the estimated maximum amount of each hazardous waste that may be present at any one time; the identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff; a map of the facility showing where hazardous wastes are generated,

accumulated and treated and routes for accessing these wastes; a street map of the facility in relation to surrounding businesses, schools and residential areas; the locations of water supply; the identification of on-site notification systems; and the name of the emergency coordinator(s) and emergency telephone number(s).

Training Records:

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

Safety-Kleen provided a written description of the type and amount of both introductory and continuing training to be given to each person filling the positions listed above. The inspectors reviewed records of employee hazardous waste training completed in 2020 through 2023.

Waste Manifest Records:

The inspectors reviewed available hazardous waste manifest records and land disposal restriction forms for shipments of hazardous waste sent since 2020. Hazardous waste manifest records show that D001, D018, D035, D040 hazardous waste combustible liquid (spent solvent), D039 hazardous waste Petroleum Naptha, and D001, D004, D005 – D008 hazardous waste Branch Debris, are routinely shipped to Safety-Kleen Systems, Inc. (ILD980613913) and Clean Harbors Baton Rouge LLC (LAD010395127), and the most recent shipment was made on February 17, 2023.

Inspection Records:

The inspectors reviewed Safety-Kleen available records of inspections of the hazardous waste central accumulation area (CAA) since calendar year 2020. The inspection log includes a checklist to record observations about leaking containers and for deterioration of containers caused by corrosion or other factors. The inspection log includes a checklist to record observations about locks, containers, explosive signs, housekeeping, etc. The records include the date and time of the inspection and the name, signature and initials of the employee conducting the inspection. Each week, the employee records notations of observations and necessary follow-up actions for the inspected areas.

The inspectors also reviewed Safety-Kleen's available records of inspections of the hazardous waste tanks between November 2020 and December 2022. The inspection log includes a checklist to record observations about leaking tanks and for deterioration of tanks caused by corrosion or other factors. The inspection log includes a checklist to record observations about appropriate tank labeling/markings; leaks from tanks, valves, and fittings/hose connections; secondary containment; monitoring equipment; etc. The records include the date and time of the inspection and the name of the employee conducting the inspection. Each week, the employee records notations of observations and necessary follow-up actions for the inspected areas.

12) **Closing Conference**

The inspectors conducted the exit meeting at approximately 12:12pm with Michael Jansa and Paul Andrews (through telephone). During this meeting, the inspectors stated their preliminary conclusions of the inspection. Safety-Kleen agreed to provide manifest records by April 1, 2023. On March 21, 2023, Paul Andrews provided manifest records in an email to Mark Anthony Relon and William Rider.

13) **List of Appendices**

Appendix 1 – Photo Log:

34 Photos taken on: February 28, 2023

Photos taken by: Mark Anthony Relon

Photos taken with: Kodak PixPro Digital Camera

EPA Property Tag: SX9088

14) **Signed**

MARK ANTHONY
RELON
Digitally signed by MARK
ANTHONY RELON
Date: 2023.05.04 08:34:03 -04'00'

Mark Anthony Relon
Environmental Engineer

Concurrence

ARACELI CHAVEZ
Digitally signed by ARACELI
CHAVEZ
Date: 2023.05.04 10:56:16 -04'00'

Araceli B. Chavez
RCRA Enforcement Section

Appendix 1
Safety-Kleen
RCRA CEI Photographs
Mark Anthony Relon, US EPA



Figure 1: 9:21 AM Retain Storage Area



Figure 2: 9:22 AM Retain Storage Area

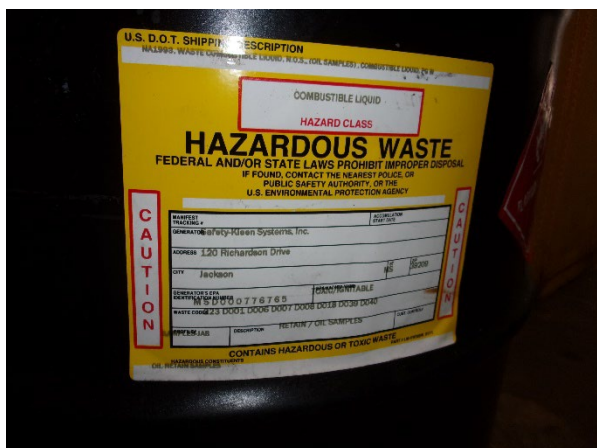


Figure 3: 9:22 AM Retain Storage Area



Figure 4: 9:23 AM Retain Storage Area



Figure 5: 9:27 AM Permitted Storage Area



Figure 6: 9:29 AM Permitted Storage Area

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Figure 7: 9:30AM Permitted Storage Area



Figure 8: 9:32 AM Permitted Storage Area

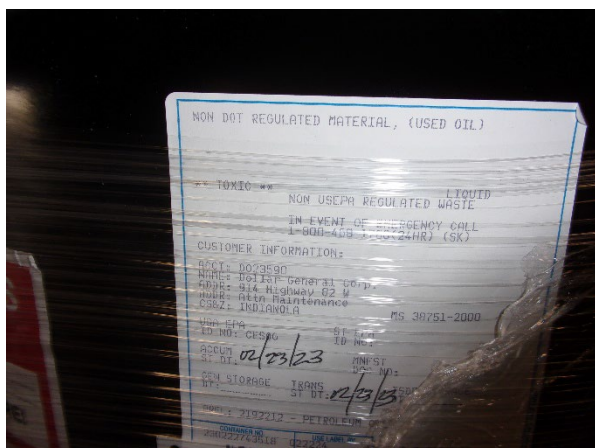


Figure 9: 9:33 AM Permitted Storage Area



Figure 10: 9:34 AM Permitted Storage Area



Figure 11: 9:41 AM Permitted Storage Area



Figure 12: 9:44 AM Permitted Storage Area

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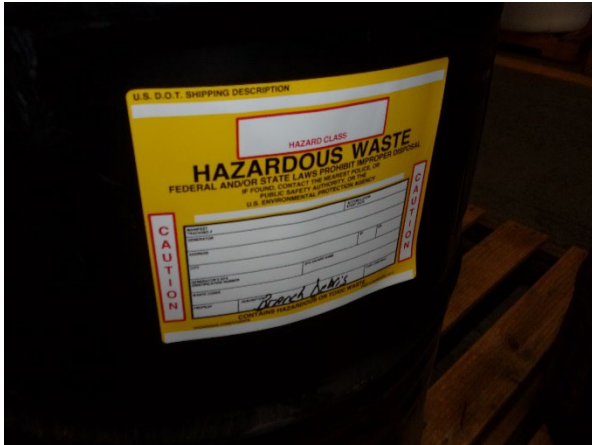


Figure 13: 9:45 AM Permitted Storage Area

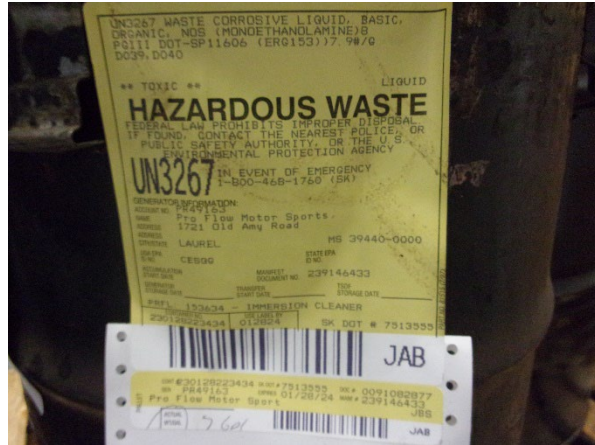


Figure 14: 9:46 AM Permitted Storage Area



Figure 15: 9:50 AM Permitted Storage Area



Figure 16: 9:51 AM Permitted Storage Area



Figure 17: 10:01 AM Tank Farm



Figure 18: 10:38 AM Tank Farm

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Figure 19: 10:38 AM Tank Farm



Figure 20: 10:40 AM Tank Farm



Figure 21: 10:37 AM Tank Farm



Figure 22: 10:37 AM Tank Farm



Figure 23: 10:38 AM Tank Farm



Figure 24: 10:08 AM Return and Fill Station

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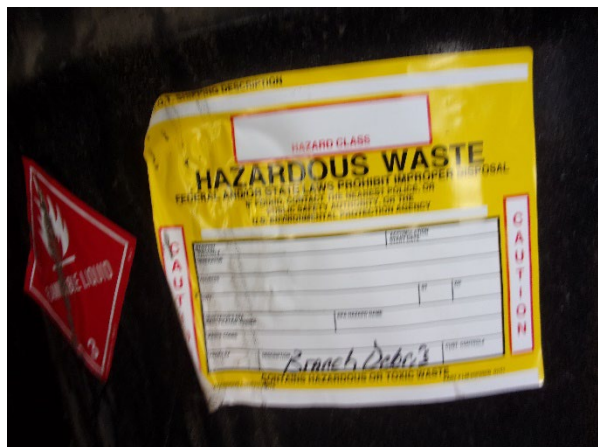


Figure 25: 10:08 AM Return and Fill Station



Figure 26: 10:14 AM Non-Hazardous Waste Frac Tank Area

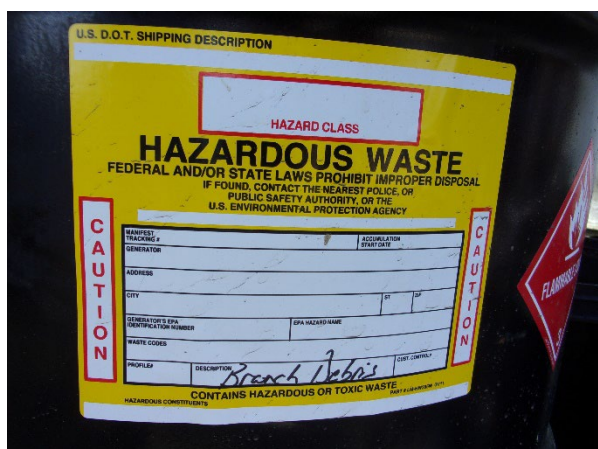


Figure 27: 10:14 AM Non-Hazardous Waste Frac Tank Area



Figure 28: 10:17 AM Non-Hazardous Waste Frac Tank Area



Figure 29: 10:17 AM Non-Hazardous Waste Frac Tank Area



Figure 30: 10:20 AM Flammable Storage Shelter

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Figure 31: 10:20 AM Flammable Storage Shelter



Figure 32: 10:25 AM Used Oil Tank Area



Figure 33: 10:26 AM Used Oil Tank Area



Figure 34: 10:26 AM Used Oil Tank Area