



Department of Environmental Protection

Lawton Chiles
Governor

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

Virginia B. Wetherell
Secretary

January 23, 1996

CERTIFIED MAIL-RETURN RECEIPT

Mr. Raymond Whittle, Facilities Manager
Perma-Fix of Florida, Inc.
1940 N.W. 67th Place
Gainesville, Florida 32653

Dear Mr. Whittle:

RE: Warning Letter #WL96-0699HW01NED
FLD 980 711 071
Alachua County - Hazardous Waste

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste program field inspection conducted on August 30, 1995 indicates that violations of Florida Statutes and Rules may exist at the Perma-Fix of Florida, Inc. facility. Department of Environmental Protection personnel made observations described in the attached inspection report. The "Summary of Violations" section of the report lists the alleged violations of Department rules.

Section 403.727 Florida Statutes provides that it is a violation to fail to comply with rules adopted by the Department. The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Department Rules should be ceased.

You are requested to contact Patricia M. Correa (904) 448-4320, within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

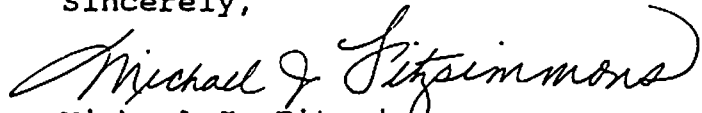
PLEASE BE ADVISED that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), Florida Statutes. If after further investigation, the Department's preliminary findings are verified, this matter may be resolved through the entry of Consent Order which

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will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In accordance with the RCRA Civil Penalty Policy of 1990, the penalties which could be assessed in hazardous waste cases are up to \$25,000 per day per violation. If this matter cannot be resolved within 90 days, under the Department's agreement with the United States Environmental Protection Agency (EPA), a formal administrative complaint or "Notice Of Violation" (NOV) must be issued against you within 150 days of the date of the attached inspection report. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,



Michael J. Fitzsimmons
Waste Program Administrator


MJF:pmc

Enclosure



Virginia B. Wetherell
Secretary

1. REPORT TYPE COMPLAINT XX ROUTINE FOLLOW-UP PERMITTING
FACILITY NAME Perma-Fix of Florida, Inc. DEP/EPA ID FLD 980 711 071
STREET ADDRESS 1940 N.W. 67th Place Gainesville, Florida 32653
MAILING ADDRESS same
COUNTY Alachua PHONE (904) 373-6066 DATE 08/30/95 TIME 9:00 A.M.

<u>Generator Status</u>	<u>Storage</u>	<u>Treatment</u>
<u>Conditionally</u>	<u>XX</u> Container	<u>Tank</u>
<u>Exempt(<100 kg/mo)</u>	<u>XX</u> Tank	<u>Land Treatment</u>
<u>SQG (100-1000 kg/mo)</u>	<u>Waste Pile</u>	<u>Thermal</u>
<u>XX Generator(>1000 kg/mo)</u>	<u>Surface</u>	<u>Chem/Phys/Bio.</u>
<u>Non-Handler</u>	<u>Impoundment</u>	<u>Incinerator</u>
<u>XX Hazardous Waste</u>		<u>Surface</u>
<u>Fuel Marketer</u>		<u>Impoundment</u>

<u>Transporter</u>	<u>Disposal</u>
<u>___</u> Transporter	<u>___</u> Landfill
<u>___</u> Transfer Facility	<u>___</u> Surface Impoundment
	<u>___</u> Waste Pile

 40 CFR 261.5 XX 40 CFR 262 40 CFR 263 XX 40 CFR 264
XX 40 CFR 265 XX 40 CFR 266 XX 40 CFR 268 XX 40 CFR 279

3. Responsible Official: Mr. Raymond Whittle, Facilities Manager

4. Survey Participants & Principal Inspector: Mr. Whittle, Perma-Fix
Mr. Warren, Perma-Fix
Pamela Fellabaum, FDEP
Patricia M. Correa, FDEP

5. Facility UTM: 17/369641/3286370

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Permit No.: HO 01-169480 Date Issued: 9/28/90 Exp. Date: 9/27/95

8. Pre-arranged Inspection: Yes XX No

PROCESS DESCRIPTION

Perma-Fix Environmental Services purchased Quadrex Environmental in June, 1994 and renamed the facility Perma-Fix of Florida, Inc. Perma-Fix of Florida, Inc. purchased the adjacent lot and warehouse building on the west side of the facility and received a permit modification on May 18, 1995, to operate a transfer facility in the warehouse. An analytical laboratory has also been established in this building. A map of the entire Perma-Fix facility is enclosed as Attachment 1 and clearly delineates the three lots that make up the 7 1/2 acre facility.

LOT 1

Lot 1 has no permanent structures. Two trailers are located adjacent to the north fence and are used by the Alachua County Collection Center, which coordinates household hazardous waste collections. This area has its own EPA identification number and is maintained by Alachua County. Perma-Fix has some storage trailers along the north fence used for emergency response equipment.

LOT 2

Lot 2 contains the main building which is comprised of office space, the liquid scintillation fluids (LSF) processing area/radiation lab and warehouse. Behind the main building is a covered, bermed, permitted TSD Storage Area.

Liquid Scintillation Fluid Processing

Perma-Fix of Florida, Inc. is primarily a waste processing and liquid bulking operation for LSF. These fluids are used by researchers to detect small amounts of radioactivity from samples of research materials that have been immersed in the fluid. The LSF contain small amounts of xylene and toluene, and are therefore, regulated under RCRA as F003/F005 hazardous waste and are subject to the land ban regulations. Perma-Fix is also subject to the NRC regulations due to the potential radioactivity of the LSF. Brokers throughout the United States ship the LSF to this facility in drums containing either small glass or plastic vials or bulk liquids. Approximately ninety percent (90%) of the LSF arrives in vials, and the remaining ten percent (10%) arrives in bulk liquids in lined drums. Both types of drums contain cushioning packing material, usually vermiculite. The facility processes an average of 550 drums of vials of LSF per month.

After the paperwork corresponding to each drum has been checked, the drums are assigned a number and taken to the temporary holding area before processing. Drums are segregated by generator, and each generator's waste is processed separately. The drums lids are removed, the drums are lifted by an air hoist and the contents are emptied onto a shaker screen. The packing materials that fall into

a catch basin are radiologically tested and then put into a roll-off. This F001/F002/F003/F005/D001/D004/D005/D006/D007/D008/D009/D010/D011/D018/D019/D027/D028/D029/D035/D039/D040/D043 waste packing material is shipped by A.R. Paquette to Chief Supply in Haskell, Oklahoma or to Essex Waste Management in Kingsville, Missouri. According to Mr. Whittle, the facility will be sending the packing material to Marine Shale in Morgan City, Louisiana in the near future. At the time of the inspection there were nine (9) 55-gallon drums on the conveyer waiting to enter the LSF processing area. Beside the conveyer, there were sixty-three (63) 55-gallon drums awaiting processing. Drums in both areas were observed with labels partially torn off. There were also a number of drums with intact labels that were missing the generator accumulation date. Pursuant to 40 CFR 268.50(a)(2)(i), the owner/operator of a hazardous waste treatment, storage or disposal facility must ensure that each container is clearly marked with the date each period of accumulation begins.

The glass and plastic vials that remain on top of the shaker table are conveyed to a crusher. The fluid in the vials is drained into a basin, radiologically tested and then pumped to a 3,000 gallon above-ground tank in the permitted storage area. The broken glass and plastic are caught in a catch basket and rinsed in a solution of alcohol and water which is in turn radiologically tested then pumped to the 3,000 gallon tank.

The crushed, rinsed plastic/glass is visually inspected to remove any uncrushed plastic/glass containers and is placed in a drum where any residual liquids drain to the bottom of the drum. The accumulated liquid is then drained off, tested and pumped to the 3,000 gallon tank. The remaining triple-rinsed waste glass/plastic is handled as non-hazardous material and is sent to Ogden Martin Systems WTE in Okahumpka, Florida.

The bulk liquids that are brought to the facility arrive in both tanker trucks and containers. The liquids that test negative radiologically are pumped to the 3,000 gallon tank. The packing material and empty drums are tested and transported to Drum Service in Zellwood, Florida. Presently, all solid hazardous waste, such as rags used at the facility, is manifested and shipped to Essex in Kingsville, Missouri. Mr. Whittle stated that the next shipment of solid hazardous waste will be to Marine Shale in Morgan City, Louisiana.

Liquids that test negative radiologically and have waste codes D001/F003/F005 are either pumped to the 3,000 gallon tank or bulked into a tote before being pumped into a tanker truck. The F003/F005/F001/F002/D004/D005/D006/D007/D008/D009/D010/D011/D018/D019/D027/D028/D029/D035/D040/D043/U122 waste fuel is then manifested to Giant Cement Company in Harleyville, South Carolina.

Liquids with waste codes that Giant Cement is not permitted to accept remain in the drums for transportation to either Detrex

Corporation in Bowling Green, Kentucky or Holnan in Artesia, Mississippi. Hazardous waste liquids that test positive radiologically are put into drums and placed in the main hazardous waste storage area for additional radiological decay. These drums were closed and were properly labeled. Non-hazardous radioactive waste is placed in drums outside of the permitted area and allowed to decay. All empty drums are radiologically tested and then loaded onto a trailer and sent to Drum Service of Florida in Zellwood.

Since the last inspection, Perma-Fix has changed, or is in the process of changing, the disposal facilities for most of their hazardous waste streams.

Main Building Warehouse Space

Perma-Fix of Florida, Inc. is registered as a used oil transporter, transfer facility, marketer, oil filter transporter, oil filter transfer facility and oil filter processor. The current registration was issued on June 22, 1995 and expires on June 30, 1996.

In the southeast corner of the warehouse building, there is a 7,000 gallon aboveground storage tank used for non-hazardous oily water. This oily water is processed at Perma-Fix in Ft. Lauderdale, a used oil processing facility. This area is also used for storage of other non-hazardous waste, such as non-hazardous paint waste, oily water and contaminated absorbent. At the time of the inspection there were over one-hundred (100) 55-gallon drums of oil filters, oily water and household hazardous waste accumulating. The facility is reminded that used oil and oily water may only be stored for a maximum of thirty-five (35) days or the facility must be registered as an oil processing facility.

There is an oil filter crusher in the northwest corner of the warehouse. No filters were being processed at the time of the inspection. The facility processes approximately 300-400 drums of oil filters a month. Spent crushed oil filters are containerized and sent to U.S. Foundry in Miami, Florida for recycling. At the time of the inspection, sixteen (16) used oil filters of various sizes were observed in the oil filter crusher. The facility is reminded to crush and collect all used oil filters upon completion of filter crushing operations.

The used oil from the filter crushing process is collected in 55-gallon drums. The used oil is sent to the permitted storage area to be consolidated into the waste fuel blend in either a tote or directly to the 3000-gallon storage tank. The practice of mixing used oil with the fuel blend increases the volume of hazardous waste, contrary to the waste minimization goals of Specific Condition 18, Part I of HO 01-169480.

At the time of the inspection, there were forty (40) 55-gallon drums

of used antifreeze and water accumulating in the middle of the warehouse. Used antifreeze and water is sent to Howco in Clearwater, Florida as non-hazardous waste. According to facility personnel, they do not require Toxicity Characteristic Leaching Procedure (TCLP) analysis prior to accepting used antifreeze from generators. The facility is reminded that if the Department analyzes the accumulating antifreeze and finds it to be hazardous waste, the facility will be in violation of its permit for storing waste not approved in the permit. Attachment 2 to this report is the "Florida Fact Sheet on the Management of Waste Antifreeze", dated 4/20/95. The Department suggests that Perma-Fix pass along the fact sheet to generators and require TCLP from their generators, so that the generators of waste antifreeze are not in violation of 40 CFR 262.11.

The northeast corner of the building has a laundry room with a dry cleaning machine. The dry cleaning machine formerly used freon to launder aprons, gloves and booties for the facility. In early 1993 the machine was retrofitted to use water in place of freon. The machine is still in use, and the wastewater collected is in 55-gallon drums which are sampled before disposal. The water has been repeatedly found to be non-hazardous and is sent to Perma-Fix in Ft. Lauderdale. The machine generates approximately two (2) 55-gallon drums of wastewater per month as well as sock-type fabric filters which are washed and reused, and then finally disposed of in the solid hazardous waste stream.

Permitted Storage Area

Quadrex Environmental Company was issued Operating Permit #HO 01-169480 on September 28, 1990 for a Hazardous Waste Storage Facility. On June 14, 1994, the operation permit was transferred to Perma-Fix of Florida, Inc. from Quadrex Environmental Company. The expiration date of the permit is September 27, 1995. The renewal application was submitted on June 1, 1995 and the Department is in the process of reviewing it. Perma-Fix of Florida, Inc. is currently operating under the old permit, since the renewal application was submitted on time.

The hazardous waste storage area consists of a covered, bermed concrete storage structure with secondary containment and sumps. The facility appears to be operating within its permitted storage capacity. There were approximately three-hundred and ten (310) 55-gallon drums of hazardous waste inside the storage area. All of the containers were closed and labeled, and had been dated with the storage start date. Generator accumulation dates were missing on at least thirty (30) drums in the permitted storage area. Adequate aisle space had been provided for the containers. Pallets are used for stacking drums a maximum of two (2) high, with a maximum of four (4) 55-gallon drums per pallet. At the time of the inspection, some of the top drums were leaning at an angle. Some were leaning due to mismatched drums on the bottom layer, i.e., three (3) 55-gallon drums and one (1) 85-gallon overpack. A number of pallets were

observed to be in poor condition and could not adequately support the weight of the drums. This is a violation of 40 CFR 264.31, which states that facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

One (1) 55-gallon drum that was observed in the permitted storage area was leaking a small amount of liquid from the top onto the floor. This is also a violation of 40 CFR 264.31.

The majority of the consolidation and fuel blending occurs in the east side of the permitted TSD building where there is a 3,000 gallon tank. The tank has 100% secondary containment and a sump to contain any spillage. Tanker trucks back up to the dock and waste fuel is transferred to the 3,000 gallon aboveground storage tank. Drums of waste fuel are also consolidated into the 3,000 gallon tank or transferred into totes for blending. When 55-gallon drums contain thick hazardous waste sludge at the bottom, Perma-Fix employees blend "good solvent" into the 55-gallon drums to make the mixture liquid enough to pump out of the drum. The "good solvent" is liquid hazardous waste taken from either the 3,000 gallon tank or one of totes.

During the previous inspection on February 23, 1995, there was a paint consolidation operation in progress on the west side of the permitted building. At the time of this inspection, no paint consolidation was being performed and the large can crusher was covered with a tarp and rope.

Waste fuel blend from the 3,000 gallon tank is transferred directly to a tanker truck for transportation. The tanker truck of waste fuel blend is manifested to Giant Cement Co. in Harleyville, SC.

Around the periphery of the permitted storage area there were a number of gondolas used to temporarily hold hazardous waste, non-hazardous waste, oil and vermiculite. Gondolas are dedicated to particular waste streams. The gondolas have been clearly stenciled to indicate hazardous or non-hazardous with appropriate hazard labels.

LOT 3

The only permanent structure on Lot 3 is a warehouse. Perma-Fix of Florida, Inc. has received a permit modification to operate a transfer facility in the newly acquired warehouse space. This permit modification was approved on May 18, 1995. At the time of the inspection, no waste was accumulating in the transfer facility.

The southeast corner of the building is currently occupied by Perma-Fix Analytical Services. Perma-Fix Analytical Services performs thumbprint analysis on each incoming waste for 75 compounds

to confirm that waste received at Perma-Fix of Florida, Inc. is the same as the waste profiled. The lab has the capability of performing analysis for ignitability, toxicity, PCBs, TCLP and VOC.

The facility also has an ICAP machine. Under the ICAP machine there was one (1) 1-gallon plastic satellite container collecting D002/D006/D007/D008/D009/D010 waste nitric acid. The container was properly labeled and closed.

In the PCB room of the laboratory all testing for PCBs is performed. Testing for PCBs involves placing samples containing either hexane or acetone in vials and perforating the septum to test the contents. The used vials are placed in one (1) 5-gallon plastic container. The open septum on each vial allows for evaporation of the hexane or acetone solvent in the samples. The following open containers were accumulating in the PCB room: one (1) 5-gallon container of D001/F003 used plastic, one (1) 5-gallon container of F003/F005 used glass and two (2) 1000-ml containers of D001/F003 PCB waste. These containers do not qualify for the satellite exemption pursuant to 40 CFR 262.34(c) because they are open. One (1) 5-gallon satellite container of D001/F003 PCB waste that was closed and properly labeled was also accumulating in this area.

In the Gas Chromatography (GC) room, 1-gallon satellite containers of D001/F003/F005 waste solvent, D002/D006/D007/D008/D009/D010 waste acid, F001/F002/F003/F005 used glass and F001/F002/F003/F005 used plastic were accumulating. The containers were properly labeled and closed.

Outside of the laboratory door, in the warehouse, steel shelves are used to store profile samples that have been received from generators. These samples are stored for up to six weeks and then placed in a 55-gallon satellite drum. The drum of samples is then taken next door and processed in the LSF area. The liquid is bulked, and the jars are then crushed and rinsed. One (1) 55-gallon satellite drum of sample jars waiting to be taken to the LSF area was accumulating. The container was closed, but not labeled.

Outside of the lab is the lab waste accumulation area. The following properly closed, labeled and dated containers of hazardous waste were accumulating in this area:

One (1) 85-gallon overpack drum of D002/D006/D007/D008/D009/D010 acid waste from the ICAP machine dated 7/25/95.

One (1) 55-gallon drum of F001/F002/F003/F005 plastic waste dated 8/25/95.

One (1) 55-gallon drum of F001/F002/F003/F005 glass waste dated 7/25/95.

One (1) 5-gallon container of D001/F001/F002/F003/F005 used vials dated 7/25/95.

One (1) 30-gallon poly drum of D002/D006/D007/D008/D009/D010 acid waste from the ICAP machine dated 7/25/95.

One (1) 30-gallon blue poly drum of D001/F003/F005 flammable waste dated 7/25/95.

One (1) polyethylene storage enclosure that contained drummed PCB contaminated waste solvents. The enclosure was labeled and dated 4/25/95. Inside the enclosure there was one (1) 55-gallon drum of D006/D008/F002/F003/PCB2 solid waste and one (1) 30-gallon container of D001/D006/D008/F002/F003/PCB2 liquid waste. Both containers were closed, labeled and dated 4/25/95. The PCB contaminated waste must be dated and managed as both hazardous waste under RCRA and toxic waste under TSCA. These containers have accumulated beyond the 90-day limit, pursuant to 40 CFR 262.34(a).

RECORD REVIEW

Perma-Fix of Florida, Inc. is currently a Large Quantity Generator of hazardous waste. A review of the facility's operating records found them to be in order. A Biennial Report had been filed. Arrangements with local authorities had been documented. Personnel training records including job titles and descriptions were in order.

A review of the container inspection logs in the 90-day accumulation area located outside the laboratory revealed that container inspection logs do not require the legibly printed name of the inspector or the number of drums, and container inspections have not been documented on a weekly basis for the eleven (11) weeks prior to this inspection. This is a violation of F.A.C. 62-730.160(6), which details the requirement items on the inspection log, and states that generators shall keep written documentation of the weekly inspections required under 40 CFR 265.174.

A review of manifests and accompanying land ban documents revealed that the Land Disposal Restriction Form (LDR) for manifest number 95171 was missing treatment standards for the underlying hazardous constituents. This is a violation of 40 CFR 268.7(a)(1) requiring the generator to notify the treatment or storage facility in writing of the appropriate treatment standards.

AREA OF CONCERN:

At the time of the inspection, there were forty (40) 55-gallon drums of used antifreeze and water accumulating. Used antifreeze and water is sent to Howco in Clearwater, Florida as non-hazardous waste. According to facility personnel, they do not require Toxicity Characteristic Leaching Procedure (TCLP) analysis prior to accepting used antifreeze from generators. The facility is reminded

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that antifreeze may be a hazardous waste and should require verification from the generators that the waste is non-hazardous. Attachment 2 is the Department's latest guidance on waste antifreeze.

SUMMARY OF VIOLATIONS

The following are violations of the Florida Administrative Code Sections 62-730.160, 62-730.180, and 62-730.183 which adopt and incorporate by reference Title 40 Code of Federal Regulations (CFR) Parts 262, 264, 265 and 268.

40 CFR 262.34(a) - Accumulation Time

- (a) Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status provided that:

VIOLATION: One (1) 55-gallon drum of D006/D008/F002/F003/PCB2 PCB contaminated solid waste and one (1) 30-gallon container of D001/D006/D008/F002/F003/PCB2 PCB contaminated liquid waste were accumulating outside the laboratory. Both drums had an accumulation date of 4/25/95. The drums have been accumulating for 127 days.

40 CFR 262.34(a)(2) - Accumulation Time

- (a) Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status provided that:
- (2) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;

VIOLATION: Facility failed to date the following open containers accumulating in the PCB room of the laboratory: one (1) 5-gallon container of used plastic, one (1) 5-gallon container of used glass and two (2) 1000-ml containers of PCB waste.

40 CFR 262.34(a)(3) - Accumulation Time

- (a) Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status provided that:
- (3) While being accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste"; and

VIOLATION: Facility failed to label or clearly mark the words "Hazardous Waste" on one (1) 55-gallon satellite drum of sample jars waiting to be taken to the LSF area.

40 CFR 264.31 Maintenance and Operations

Facilities must be designed, constructed, maintained, and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

VIOLATION: Facility allowed drums of hazardous waste to be stacked such that drums on the top were leaning over due to a mismatch of drums on the bottom.

Facility failed to maintain in good condition the pallets on which hazardous waste drums were stored in the permitted storage area.

The facility failed to replace one (1) 55-gallon drum in the permitted storage area that was leaking a small amount from the top onto the floor.

40 CFR 265.173(a) - Management of Containers

(a) A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

VIOLATION: The following open containers were accumulating in the PCB room: one (1) 5-gallon container of used plastic, one (1) 5-gallon container of used glass and two (2) 1000-ml containers of PCB waste.

40 CFR 265.174 - Inspections

The owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors.

(Comment: See 40 CFR 265.171 for remedial action required if deterioration or leaks are detected.)

VIOLATION: Facility failed to document weekly inspections for eleven (11) weeks prior to this inspection, in the 90-day accumulation area located outside the laboratory.

40 CFR 268.7(a)(1) - Waste Analysis

(a) Except as specified in 40 CFR 268.32 or section 268.43 of the part, the generator must test his waste, or test an extract developed using the test method described in Appendix I of this part, or use knowledge of the waste, to determine if the waste is restricted from land disposal under this part.

- (1) If a generator determines that he is managing a restricted waste under this part and the waste does not meet the applicable treatment standards set forth in Subpart D of this part or exceeds the applicable prohibition levels set forth in 40 CFR 268.32 or RCRA Section 3004(d), with each shipment of waste the generator must notify the treatment or storage facility in writing of the appropriate treatment standards set forth in Subpart D of this part and any applicable prohibition levels set forth in 40 CFR 268.32 or RCRA Section 3004(d). The notice must include the following information.

VIOLATION: Facility failed to include the treatment standards for the underlying hazardous constituents on the Land Disposal Restriction Form (LDR) for manifest number 95171.

40 CFR 268.50(a)(2)(i) - Prohibitions on Storage of Restricted Wastes

- (a) Except as provided in this section, the storage of hazardous wastes restricted from land disposal under Subpart C of this part of RCRA section 3004 is prohibited, unless the following conditions are met:
 - (2) An owner/operator of a hazardous waste treatment, storage, or disposal facility stores such wastes in tanks or containers solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal and:
 - (i) Each container is clearly marked to identify its contents and the date each period of accumulation begins;

VIOLATION: Facility failed to require generator accumulation dates on at least thirty (30) drums accepted into the permitted storage area.

RECOMMENDED CORRECTIVE ACTIONS

40 CFR 262.34(a)

- Within thirty (30) days, facility shall manifest the drums of PCB contaminated waste that have been in storage over 90 days. An approved hazardous waste transporter shall be used to transport the waste to an approved hazardous waste treatment, storage or disposal facility. A copy of the manifest shall be submitted to the Department within the thirty (30) day time frame.

40 CFR 262.34(a)(2)

- Within one (1) day, the facility shall mark the following open containers accumulating in the PCB room of the laboratory with the date of accumulation or maintain the containers as satellite pursuant to 40 CFR 262.34(c):
 - one (1) 5-gallon container of used plastic.
 - one (1) 5-gallon container of used glass.
 - two (2) 1000-ml containers of PCB waste.

40 CFR 262.34(a)(3)

- Within one (1) day, facility shall label all hazardous waste containers with the words "Hazardous Waste."

40 CFR 264.31

- Within one (1) day, facility shall remove and replace all pallets that are not in good condition and correct all instances of top drums leaning by placing only drums of the same size on the bottom tier.
- Within one (1) day, facility shall clean the top, sides and areas around the one (1) 55-gallon drum in the permitted storage area that was leaking a small amount from the top onto the floor.

40 CFR 265.173

- Within one (1) day, and henceforth, facility shall keep all containers holding hazardous

waste closed except when adding or removing waste.

40 CFR 265.174

- Effective immediately and henceforth, facility shall inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion and other factors.

40 CFR 268.7(a)(1)

- Within thirty (30) days, facility shall provide documentation to the Department that waste was treated to the appropriate levels before land disposal of the waste.

40 CFR 268.50(a)(2)(i)

- Effective immediately and henceforth, facility shall require generator accumulation dates on all drums accepted into the permitted storage area.