

DEPARTMENT OF ENVIRONMENTAL REGULATION

INTEROFFICE MEMORANDUM

To: Pam  
To: \_\_\_\_\_  
To: \_\_\_\_\_  
To: \_\_\_\_\_

NORTHEAST DISTRICT - JACKSONVILLE

TO: Janet Ashwood  
Hazardous Waste Section, Tallahassee

THROUGH: Ashwin B. Patel, Hazardous Waste Supervisor *ABP*  
Vicky G. Valade, Environmental Supervisor *VGW*  
Hazardous Waste Section

FROM: Pamela Fellabaum, Environmental Specialist *PF*  
Hazardous Waste Section

DATE: January 27, 1994

SUBJECT: Safety Kleen Corporation  
Hazardous Waste Inspection of January 25 & 26, 1994  
Clay County - FLD 980 847 214

Attached is subject inspection report.

*PF* PF/ps

Attachments



Lawton Chiles  
Governor

# Florida Department of Environmental Protection

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7577

Virginia B. Wetherell  
Secretary

March 10, 1994

CERTIFIED MAIL - RETURN RECEIPT

Mr. Roy Stewart, Branch Facility Manager  
Safety Kleen Corporation  
161 Industrial Loop South  
Orange Park, Florida 32073

Dear Mr. Stewart:

Safety Kleen Corporation  
Warning Letter No. WL94-0445HW10NED  
High Priority Hazardous Waste Violations  
DER/EPA ID FLD 980 847 214  
Clay County - Hazardous Waste

A hazardous waste compliance inspection was conducted at your facility on January 25 and January 26, 1994. This inspection was conducted under the authority of Section 403.091, Florida Statutes, and Chapter 403, Part IV, Florida Statutes, in order to determine the compliance status of your facility with Title 40 Code of Federal Regulations Parts 260 through 268, as adopted in Florida Administrative Code Chapter 17-730.

During this inspection, possible violations of rules regarding hazardous waste management were noted. These possible violations are described in the "Summary of Violations" section of the attached inspection report.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of state statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$50,000 per violation per day pursuant to Section 403.727, Florida Statutes.

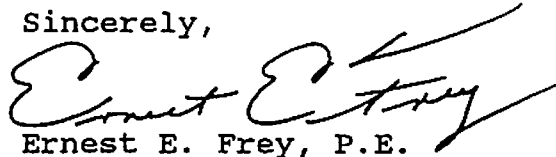
You are requested to contact Pamela Fellabaum of this office at (904) 448-4320 within 10 calendar days of receipt of this Warning Letter to arrange a meeting with Department personnel to discuss the issues raised in this Warning Letter. You may wish to consult an attorney and to have the attorney attend the meeting with the Department.

Mr. Stewart  
Warning Letter No. WL94-0445HW10NED  
Page Two

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. The purpose of this letter is to advise you of potential violations and to set up a meeting to discuss possible resolutions to any potential violations that may have occurred for which you may be responsible. 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 within 90 days of the date of the attached inspection report. The issuance of the NOV may be avoided through the entry of a Consent Order or a demonstration that the listed violations did not occur. If the Department issues a Notice of Violation, and you are named as a party, you will be informed of your rights to contest any determination made by the Department in the Notice of Violation.

If after further investigation, the Department determines that the violation occurred, this matter may be resolved through the entry of a Consent Order which will include a compliance schedule and an appropriate penalty.

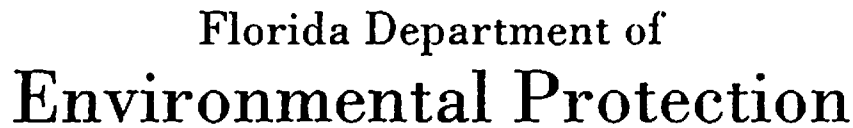
Sincerely,

A handwritten signature in dark ink, appearing to read "Ernest E. Frey". The signature is fluid and cursive, with the first name "Ernest" and last name "Frey" clearly distinguishable.

Ernest E. Frey, P.E.  
Director of District Management

VG  
EEF:pfs

Enclosure



**Virginia B. Wetherell**  
Secretary

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994

PROCESS DESCRIPTION:

Safety Kleen is a nationwide corporation that distributes mineral spirits, immersion cleaner, perchloroethylene, and lacquer thinner to its various customers. Permitted hazardous waste units include two storage tanks and a container storage area. The facility is also a Transporter/Transfer Facility. This inspection was unannounced.

The majority of Safety Kleen's business is distributing and servicing parts washers. Mineral spirits is used as a parts washer solvent. When the material becomes spent, it is picked up by Safety Kleen and replaced with new product. The waste solvent is transported from the customer back to Safety Kleen and deposited into one of the two automatic barrel washers. The solid material from the drums is retained in the hoppers while the D001 spent mineral spirits is pumped into a 15,000 gallon above ground tank. Sludge (barrel washer sludge or mineral spirits sludge) or filtered solid material (dumpster debris) from the barrel washers is placed into drums and placed in the container storage area.

Safety Kleen also handles spent perchloroethylene filters and sludge from dry cleaners, and spent immersion cleaner from auto repair shops. These wastes are received in drums and taken directly to the permitted container storage area.

The following drums were observed in the permitted container storage area:

1. Six (6) 16-gallon drums of F001/F002/D001/D006/D007/-D008/D039 barrel washer sludge. The facility generates about eight (8) such drums per week from the barrel cleaning operation. The additional F001/F002 waste codes on these drums does not coincide with a list of waste specific codes provided by the facility in its permit application. The permit application code list identifies the barrel washer sludge as being characteristic only.

On the floor adjacent to the drums of barrel washer sludge there was a spill of sludge on the floor. When this was pointed out by the inspector, the warehouseman stated that when the drums had been placed there, some of the sludge had spilled out. When he began to clean up the spill during the inspection, he did so without first donning protective clothing, even though it was readily available. It was later learned by the inspector that the drums had been moved to this area on the previous Friday, four days before the inspection.

2. Eight (8) 16-gallon drums of D006/D007/D008/D018/D021/-D027/D039/D040 immersion cleaner.

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Two

3. Three (3) 16-gallon drums of F002/D039 perchloroethylene sludge.
4. One (1) 15-gallon drum of F002/D039 perchloroethylene filters.

On the floor adjacent to this drum was another spill. When questioned by the inspector, the warehouseman stated that it was spilled sludge from one of the three perchloroethylene sludge drums. He also stated that it happens frequently, and he mops up the floor of the storage area once a week. He then went on to say that he collects the mop water from the collection area sump and then pumps it into the dirty mineral spirits tank for disposal. A later review of the facility's manifests reveals that listed spent solvent codes such as F001 or F002 have not been included on any manifests for the mineral spirits tank waste. A review of the facility's permit also revealed that waste from the container storage area must be handled according to the permit, and that it must be removed within 24 hours and then analyzed and disposed of in accordance with Attachment II.B.1 of the permit application. This had not been done in response to the spill of barrel washer sludge, either.

All of the drums were properly labeled, dated and closed. Adequate aisle space had been provided for the containers of waste.

Eleven 16-gallon drums of used oil filters were stored outside the permitted storage fenced in area. The filters will be sent for recycling.

The facility's tank farm is located outside and adjacent to the main building. The hazardous waste storage tank contains waste mineral spirits from the barrel washers' operation. The tank was properly labeled, and the tank alarms were in proper working order.

A 15,000 gallon above ground storage tank is located adjacent to the mineral spirits tank. The tank is used to store spent ethylene glycol anti-freeze mixtures. The tank was properly labeled, and the tank alarms were in proper working order. There was only a small amount of waste antifreeze in the tank, and according to Roy Stewart, branch facility manager, most antifreeze is now being handled as non hazardous waste.

A review of the facility's operating record required pursuant to the permit found numerous inconsistencies. A new computer system had been installed in November 1993, but it was difficult and time consuming to try to locate drums on the log; however, several customer records could be cross checked with the log. When this was attempted with customer records before November 1993, this was not the case. At least one half of the customer shipments before November 1993 could not be located in the operating log.

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Three

A few examples of shipments of waste that were received by the facility but could not be located on the operating log follow:

- 1) Best Packers Inc. - one (1) drum of F002/D039 waste was received on 9/8/93.
- 2) Maaco Auto Painting - one (1) drum of D001/D006/D007/D008/-F003/F005 waste was received on 9/13/93.
- 3) Food Lion Inc. - two (2) drums of D001/D018 waste were received on 9/21/93.
- 4) Al Gruber Cleaners - two (2) drums of F002 waste were received on 10/13/93.

TSD inspection logs were examined. The storage area section description on the logs was incorrectly indicated as the Northeast area of the building, instead of the Northwest area of the building.

Safety Kleen also distributes lacquer thinner containing toluene, xylene, Methyl Ethyl Ketone (MEK), and acetone. Waste lacquer thinner from customers is stored in the two small buildings behind the main facility building. Both of these small buildings are operated as transfer facilities.

One of the buildings contained the following wastes:

1. Four (4) 16-gallon drums of D001/D006/D007/D008/F003/F005 waste paint/lacquer thinner dated January 20 and January 21, 1994.
2. Four (4) 5-gallon containers of D001/D006/D007/D008/F003/-F005 waste paint/lacquer thinner dated January 21 and January 24, 1994.

All containers were labeled and dated. Adequate aisle space was provided between all of the containers of waste.

The other transfer building was empty.

The Southwest corner of the main facility building is also operated as a transfer facility. There were six (6) 55-gallon drums of D001/D018 Fluid Recovery Service (FRS) waste staged in this area. The drums were properly labeled, but were dated January 11, 1994. Review of the facility's records revealed that the drums were received on January 11, 1994, and were sent to South Carolina on January 12, 1994. The drums were rejected and sent back to Safety Kleen on January 20, 1994.

A review of the facility's transfer facility operating record found numerous inconsistencies. Several drums had neither been logged in nor logged out, and several drums had been logged out on the wrong

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Four

day. Customer numbers were provided on the log, but a list matching numbers to names could not be obtained.

The following are examples where the log indicated that waste was being stored for more than ten days at the transfer facility area. Unless indicated, these discrepancies were not resolved during the inspection by obtaining information from other Safety Kleen offices that the waste was stored for less than 10 days:

- 1) Ford Motor Company (manifest number 79385) - waste logged in on 10/29/92 and logged out on 11/12/92. A copy of the manifest from the receiving TSD indicated that the waste was received by them on 11/6/92.
- 2) Aircraft Products (manifest number 79382) - waste logged in on 10/29/92 and logged out on 11/12/92.
- 3) Direct Market Concepts (manifest number 79301) - waste was logged in on 11/12/92 and was logged out on 11/24/92.
- 4) Jerry Hamm Chevrolet (manifest number 79303) - waste was logged in on 11/12/92 and was logged out on 11/24/92. A copy of the manifest from the receiving TSD indicated that the waste was received by them on 11/20/92.
- 5) Anderson Columbia Company (manifest number 98043) - waste was logged in on 10/8/92 and logged out on 10/21/92.

The review also revealed that some drums had been logged in, but had not been logged out:

- 1) Florida East Coast Railway (manifest number 01746) - waste was logged in on 12/2/92, but was not logged out.
- 2) Ink Craft (manifest number 65283) - waste was logged in on 8/2/93, but was not logged out. A copy of the Denton Drum Manifest Log indicated that that waste was received by them on 8/13/93.
- 3) Acme Printing (manifest number 99515) - waste was logged in on 8/3/93, but was not logged out. A copy of the Denton Drum Manifest Log indicates that the waste was received on 8/13/93.
- 4) Tutwiler Cadillac (manifest number 18305) - waste was logged in on 9/9/93, but was not logged out. A copy of the manifest from the receiving TSD indicates that the waste was received by them on 9/17/93.
- 5) Container Corporation (manifest number 63741) - waste was logged in on 9/8/93, but was not logged out. A copy of the manifest from the receiving TSD indicated that it was received by them on 9/17/93.



Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Five

- 6) Georgia Pacific Corporation (manifest number 79025) - waste was logged in on 10/1/93, but was not logged out. A copy of the manifest from the receiving TSD indicated that the waste was received by them on 10/6/93.
- 7) Georgia Pacific Corporation (manifest number 90853) - waste was logged in on 10/1/93, but was not logged out. The Newcastle Drum Manifest Log indicates that the waste was received by them on 10/8/93.
- 8) Georgia Pacific Corporation (manifest number 96002) - waste was logged in on 10/1/93, but was not logged out.
- 9) Georgia Pacific Corporation (manifest number 96027) - waste was logged in on 10/1/93, but was not logged out. The Denton Drum Manifest Log indicates that the waste was received by them on 10/8/93.

The manifest and log review also revealed that the following drums had been at the transfer facility, had been rejected at the receiving TSD, but had not been logged back into the facility. No information could be found about the ultimate disposal of these drums:

- 1) Georgia Pacific (manifest number 65279) - waste was at Safety Kleen 7/30/93 through 8/5/93, and was rejected by the TSD, but not logged back in.
- 2) American Tourister (manifest number 90851) - waste was at Safety Kleen 8/24/93 through 8/26/93, and was rejected by the TSD, but was not logged back in.

Another discrepancy discovered during the record review concerned a shipment of waste from Georgia Pacific. The transfer log indicates that waste on manifest 19558 was received on 12/3/93, but manifest 19558 indicates that waste was received on 12/6/93. The facility's branch manager log also indicates that waste was received from Georgia Pacific on 12/3/93. The log then indicates that waste on manifest 19588 was received on 12/6/93, but manifest 19588 does not exist. The facility's branch manager log does not indicate that any waste was received from Georgia Pacific on 12/6/93. These discrepancies have yet to be resolved.

Safety Kleen reported to the Department that it had stored waste for longer than 10 days at a transfer facility:

- 1) One drum from Nationwide Insurance was received at the facility on 10/8/93 and was not shipped offsite until 10/22/93. This drum was also hot to the touch when it was received at Safety Kleen. The incident is documented in a letter to the Department dated November 8, 1993.
- 2) One drum from Quality Cleaners was received at the facility on 11/11/93 and was not shipped off until 12/21/93. This incident

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Six

was documented in a letter to the Department dated January 19, 1994. (Note: the letter was not received by the Department until January 31, 1994, subsequent to this inspection.)

- 3) One drum from Quality Cleaners was received at the facility on 11/29/93 and was not shipped off until 12/21/93. This incident was also documented in the January 19, 1994 letter.

Safety Kleen also reported to the Department the following the following transporter violations:

- 1) Two shipments of two drums each of D001/D018/D039 waste was transported from Florida Wire and Cable on 2/16/93 and 3/8/93. these two shipments were not accompanied by a manifest, even though Florida Wire and Cable was a large quantity generator.
- 2) One shipment of two (2) drums of F002 waste was transported from Riverside Dry Cleaners on 2/11/94 to Safety Kleen without a manifest.
- 3) Two shipments in one month (2/2/93 and 2/19/93) of 241 pounds of hazardous waste from Tresca Industries. The facility did not have an EPA/DER identification number.

Safety Kleen is also a large quantity generator of hazardous waste. Numerous manifests were examined during the generator record review portion of the facility. The following are a few examples of violations observed on the manifests examined:

- 1) Manifest number 39207 - temporary ID # FLTMP 9303992 was inserted in item 1 instead of Safety Kleen's number FLD 980847214.
- 2) Manifest number 21893 - the waste code D007 was omitted from item b (mineral spirits sludge). The LDR notification form was correct.
- 3) Manifest number 29132 - the waste code D007 was omitted from Item a (mineral spirits sludge). The LDR notification form was correct.
- 4) Manifest number 50930 - the waste codes D018, D021, D027, D039, and D040 were omitted from Item a (immersion cleaner). The waste codes D001, D006 and D007 were omitted from Item b (waste paint). The LDR notification form was correct.
- 5) Manifest number 19432 - the waste code D007 was omitted from Item a (mineral spirits sludge). The LDR notification form was correct.
- 6) Manifest number 50919 - the waste codes D018, D021, D027, D039 and D040 were omitted from Item a (immersion cleaner). The

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Seven

waste codes D001, D006, and D007 were omitted from Item b (waste paint). The LDR notification form was correct.

- 7) Manifest number 42394 - the waste code D007 was omitted from Item b (immersion cleaner). The LDR notification form was correct.
- 8) Manifest number 42394 - the waste identified in Item b contained F001/F002 waste, but the LDR notification form did not list any F001/F002 constituents.

A review of the Facility's contingency plan revealed that the Facility failed to update the plan and assign a new emergency coordinator when there was a change in Branch Managers.

SUMMARY OF VIOLATIONS

The following are violations of the Florida Administrative Code Sections 17-730.160, 17-730.170, 17-730.171, 17-730.180, and 17-730.183 which adopt and incorporate by reference Title 40 Code of Federal Regulations (CFR) Parts 262, 263, 264, 265 and 268, and/or violations of Operation Permit Number HO 10-209007 issued 2/17/93.

40 CFR 262.11 - Hazardous Waste Determination

A person who generates a solid waste, as defined in 40 CFR 261.2, must determine if that waste is a hazardous waste using the following method:

- (a) He should first determine if the waste is excluded from regulation under 40 CFR 261.4.
- (b) He must then determine if the waste is listed as a hazardous waste in Subpart D of 40 CFR Part 261.

NOTE: Even if the waste is listed, the generator still has an opportunity under 40 CFR 260.22 to demonstrate to the Administrator that the waste from his particular facility or operation is not a hazardous waste.

- (c) For purposes of compliance with 40 CFR Part 268, or if the waste is not listed in Subpart D of this part, the generator must then determine whether the waste is identified in Subpart C of 40 CFR Part 261 by either:
  - (1) Testing the waste according to the methods set forth in Subpart C of 40 CFR Part 261, or according to an equivalent method approved by the Administrator under 40 CFR 260.21; or
  - (2) Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.
- (d) If the waste is determined to be hazardous, the generator must refer to Parts 264, 265, 268 of this chapter for possible exclusions or restrictions pertaining to management of his specific waste.

VIOLATION: Facility failed to assign the waste code D007 to several shipments of dumpster sludge (manifest numbers 21893, 29132 and 19432).

Facility failed to assign the waste codes D018, D021, D027, D039 and D040 to several shipments of immersion cleaner (manifest numbers 50930, 50919 and 42394).

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Nine

Facility failed to assign the waste codes D001, D006, and D007 to several shipments of paint waste (manifest numbers 50930 and 50919).

Facility failed to include the F002 waste code on the mineral spirits tank waste after the mop water was added to the tank.

40 CFR 262 Appendix Item 1 - Generator's U.S. EPA ID Number - Manifest Document Number

Enter the generator's U.S. EPA twelve digit identification number and the unique five digit number assigned to this Manifest (e.g., 00001) by the generator.

VIOLATION: Facility failed to enter the generator's EPA ID number on manifest number 39207.

40 CFR 263.20(a) - The Manifest System

- (a) A transporter may not accept hazardous waste from a generator unless it is accompanied by a manifest signed in accordance with the provisions of 40 CFR 262.20. In the case of exports, a transporter may not accept such waste from a primary exporter or other person (1) if he knows the shipment does not conform to the EPA Acknowledgment of Consent; and (2) unless, in addition to a manifest signed in accordance with the provisions of 40 CFR 262.20, such waste is also accompanied by an EPA Acknowledgment of Consent which, except for shipment by rail, is attached to the manifest (or shipping paper for exports by water (bulk shipment)).

VIOLATION: Facility accepted and transported at two shipments of hazardous waste from Florida Wire and Cable, and one shipment from Riverside Dry Cleaners without a hazardous waste manifest.

Facility accepted hazardous waste from a Small Quantity Generator (Tresca Industries) that had not obtained an EPA/DER identification number without a manifest.

40 CFR 264.16 - Personnel Training  
and

Permit No. HO 10-209007, Part I, Specific Condition 7

- (a) (1) Facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of this part. The owner or

operator must ensure that this program includes all the elements described in the document required under paragraph (d)(3) of this section.

(Comment: Part 270 of this chapter requires that owners and operators submit with Part B of the RCRA permit application, an outline of the training program used (or to be used) at the facility and a brief description of how the training program is designed to meet actual job tasks.)

VIOLATION: Facility failed to adequately train the warehouseman that handled and attempted to clean up hazardous waste without first donning protective clothing.

40 CFR 264.31 Maintenance and Operations  
and  
Permit No. HO 10-209007, Part I, Specific Condition 1

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 failed to remove the spilled dumpster sludge and the spilled perchloroethylene hazardous waste from the floor of the container storage area that had been there since at least four days before the inspection.

40 CFR 264.54(d) [40 CFR 265.54(d)] - Amendment of Contingency Plan  
and  
Permit No. HO 10-209007, Part I, Specific Condition 10 (c)

The contingency plan must be reviewed, and immediately amended, if necessary, whenever:

(d) The list of emergency coordinators changes; or

VIOLATION: Facility failed to its amend contingency plan when list of emergency coordinators changed.

40 CFR 264.55 [40 CFR 265.55] - Emergency Coordinator  
and  
Permit No. HO 10-209007, Part I, Specific Condition 10 (d)

At all times, there must be at least one employee either on the facility premises or on call (i.e., available to respond to an

emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. This emergency coordinator must be thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristics of waste handled, the location of all records within the facility, and the facility layout. In addition, this person must have the authority to commit the resources needed to carry out the contingency plan.

(Comment: The emergency coordinator's responsibilities are more fully spelled out in 40 CFR 265.56. Applicable responsibilities for the emergency coordinator vary, depending on factors such as type and variety of waste(s) handled by the facility, and type and complexity of the facility.)

VIOLATION: Facility does not have a current emergency coordinator.

40 CFR 264.73(b)(9) - Operating Record

and

Permit No. HO 10-209007, Part I, Specific Condition 12

(b) The following information must be recorded, as it becomes available, and maintained in the operating record until closure of the facility:

- (1) A description and the quantity of each hazardous waste received, and the method(s) and date(s) of its treatment, storage, or disposal at the facility as required by appendix I;
- (2) The location of each hazardous waste within the facility and the quantity at each location. For disposal facilities, the location and quantity of each hazardous waste must be recorded on a map or diagram of each cell or disposal area. For all facilities, this information must include cross-references to specific manifest document numbers, if the waste was accompanied by a manifest;

VIOLATION: Facility's operating log did not contain the description and quantity of all waste received by the facility, or the location of each waste within the facility.

40 CFR 264.171 Condition of Containers

If a container holding hazardous waste is not in good condition, or if it begins to leak, the owner or operator must transfer the hazardous waste from this container to a container that is in good condition, or manage the waste in some other way that complies with the requirements of this part.

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Twelve

VIOLATION: Hazardous waste leaked from a container of dumpster sludge, and from a container of perchloroethylene, and the facility had not taken any steps to clean it up.

40 CFR 264.173(b) - Management of Containers

- (b) A container holding hazardous waste must not be opened handled, or stored in a manner which may rupture the container or cause it to leak.

VIOLATION: Facility moved containers of dumpster sludge and perchloroethylene in the storage area in a way that made the containers leak.

40 CFR 268.7 - 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.

(i) EPA Hazardous Waste Number;

(ii) The corresponding treatment standards for wastes F001-F005, F039, and wastes prohibited pursuant to 40 CFR 268.32 or RCRA Section 3004(d). Treatment standards for all other restricted wastes may be referenced by including on the notification the subcategory of the waste, the treatability group(s) of the waste(s), and the CFR section(s) and paragraphs where the treatment standards appear. Where the applicable treatment standards are expressed as specified technologies in 40 CFR 268.42, the applicable five-letter treatment code found in Table 1 of 40 CFR 268.42 (e.g., INCIN, WETOX) also must be listed on the notification.



Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Thirteen

(iii) The manifest number associated with the shipment of wastes; and

(iv) Waste analysis data, where available.

VIOLATION: Facility failed to include the waste code F002 from the container storage area mop water on the mineral spirits waste.

Facility failed to include treatment standards for the F001/F002 waste on several manifests.

The following are violations of Florida Administrative Code Chapter 17-730.

17-730.160 Standards Applicable to Generators of Hazardous Waste

- (4) Generators of hazardous waste shall complete the following sections of the Uniform Hazardous Waste Manifest: Items 1 through 20, D, F, H, I, and K on Form 8700-22, and Items 21 through 35, O, Q, R, and T on Form 8700-22A.

Copies of the form and instructions may be obtained by contacting the Hazardous Waste Regulation Section, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

VIOLATION: Facility failed to include the appropriate waste codes on manifest numbers 21893, 29132, 50930, 19432, 50919, 42394.

FAC 17-730.171 (1) - Transfer Facilities

- (1) 40 CFR 263.12 as adopted by reference in Rule 17-730.170, F.A.C. provides that transporters who store manifested hazardous waste in proper containers at a transfer facility for ten (10) days or less are exempt from regulation as a hazardous waste facility. If the waste is stored for more than ten (10) days, the facility is subject to the permitting requirements for a hazardous waste storage facility.

VIOLATION: Facility stored waste from Nationwide Insurance and Quality Cleaners at its transfer area for more than 10 days.

FAC 17-730.171 (2) (e) - Transfer Facilities

- (2) A transfer facility used for storage of hazardous waste for more than 24 hours but ten (10) days or less shall comply with

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Fourteen

the following requirements as adopted by reference in 17-730.180  
F.A.C.:

- (e) Transfer facility shall maintain a written record of when all hazardous waste enters and leaves the facility. This record should include the generator's name, the generator's EPA/DER identification number, and the manifest number. For conditionally exempt small quantity generators without an EPA/DER identification number, the record shall include the name and address of the generator. This recordkeeping requirement applies to all hazardous wastes including hazardous waste generated by conditionally exempt small quantity generators.

VIOLATION: Facility failed to keep an accurate operating record that included the date the waste was sent off-site, and the generator's name.

Permit No. HO 10-209007, Part II, Specific Condition 5

Spilled or leaked waste and accumulated precipitation must be removed from the collection area within 24 hours, then analyzed and disposed of in accordance with Attachment II.B.1 of the application, per the requirements of 40 CFR 264.175.

VIOLATION: Facility failed to remove the spilled barrel sludge and the spilled perchloroethylene sludge and dispose of it in accordance with this requirement.

Permit No. HO 10-209007, Part III, Specific Condition 1

The permittee is allowed to store only waste mineral spirits and waste anti-freeze in the respective tanks shown in Figure II, C. 2-1, having only those waste codes specified in Attachment A.

VIOLATION: Facility added F002 mop wash waste water to the waste mineral spirits tank.

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Fifteen

RECOMMENDED CORRECTIVE ACTION

40 CFR 262.11  
40 CFR 268.7  
17-730.160  
H0-209007, Part III  
Specific Condition 1

- Effective immediately and henceforth, facility shall assign the appropriate waste codes to all shipments of hazardous waste.

Within thirty (30) days, facility shall provide documentation to the Department that the waste mentioned in the process description section of the report was treated to the appropriate levels before land disposal of the waste.

NOTE: Further enforcement is pending Department review of the above records.

Henceforth, facility shall not store any waste that is not permitted in the storage tanks or container storage area.

40 CFR 262 Appendix  
ITEM 1

- Effective immediately and henceforth, facility shall enter the correct generator's EPA/DER identification number on all manifests.

40 CFR 263.20

- Effective immediately and henceforth, facility shall not accept or transport unmanifested shipments of hazardous waste unless facility obtains documents prior to accepting the waste certifying that the generator of the waste generates less than 100 kilograms of hazardous waste or 1 kilogram of acute hazardous waste per month.

40 CFR 264.16  
H0 10-209007, Part I  
Specific Condition 7

- Within thirty (30) days, facility shall submit to the Department documentation that all facility employees, including the warehouseman mentioned in the inspection report, have been trained in accordance with 40 CFR 264.16 and the Facility's permit.

40 CFR 264.31  
H0-209007, Part I  
Specific Condition 1  
H0-209007, Part II  
Specific Condition 5

- Effective immediately and henceforth, facility shall follow the spill management procedures outlined in the facility's permit.

Within thirty (30) days, facility shall submit to the Department a plan to ensure compliance with this specific condition of the facility's permit. Within one (1)

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Sixteen

day after Department approval of the plan, facility shall implement the plan.

40 CFR 264.54 (d)  
HO-209007, Part I  
Sp. Condition 10 (c)

- Within thirty (30) days, facility shall amend its contingency plan to update the list of emergency coordinators and submit a copy of the revised plan to the Department and the local authorities.

40 CFR 264.55  
HO-209007, Part I  
Sp. Condition 10 (d)

- Within one (1) day, facility shall designate an emergency coordinator that is, at all times, on the premises or on call and is available to respond to the facility within a short period of time.

40 CFR 264.73 (b) (9)  
HO-209007, Part I  
Specific Condition 12

- Within thirty (30) days, facility shall submit documentation to the Department that the four shipments of waste mentioned on page three in the report had been accounted for by the facility.

40 CFR 264.171  
40 CFR 264.173 (b)

- Within thirty (30) days, facility shall submit to the Department a plan to address the management of containers that may leak or spill waste, and the management of waste from containers that leak.

17-730.171 (1)

- Henceforth, facility shall not store hazardous waste in areas designated as transfer facility areas for longer than ten (10) days, unless it applies for and receives construction and operation permits for hazardous waste storage.

Within thirty days, facility shall provide documentation to the Department that identifies each of the five shipments of waste mentioned on page four in the report, the generator of the waste, the day the waste was received, the day the waste was transported from the facility, the day the waste was received by the final TSD.

17-730.171 (2) (e)

- Effective immediately and henceforth, facility shall keep a detailed, accurate log documenting when all waste enters and leaves the transfer facility. This log shall include the generator's name, the

Safety Kleen Corporation  
Hazardous Waste Inspection of  
January 25 & 26, 1994  
Page Seventeen

generator's EPA/DEP identification number, the date the waste is received, the date waste leaves the facility, and the corresponding manifest number for the shipment.

Within thirty days, the facility shall submit documentation to the Department that the nine shipments of hazardous waste mentioned on page four and five in the report, the two shipments mentioned on page five, and the Georgia Pacific shipments mentioned on page five in the report had been sent to an approved hazardous waste TSD.