



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

DEP
NORTHEAST DISTRICT
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JUN 09 2010

Mr. Ashwin Patel
Hazardous Waste Section
Waste Management
Florida Department of Environmental Protection
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

SUBJ: RCRA Compliance Evaluation Inspection
Safety-Kleen Systems, Inc.
EPA ID Number: FLD 980 847 214

Dear Mr. Patel:

On May 14, 2010, a Compliance Evaluation Inspection (CEI) was conducted by the United States Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (FDEP) at Safety-Kleen Systems, Inc., in Orange Park, Florida, to determine the facility's compliance status with the Resource Conservation and Recovery Act (RCRA).

Enclosed is the EPA RCRA Site Inspection Report which indicates that a deficiency of RCRA was discovered at the time of the inspection.

If you have any questions regarding the inspection, please contact William Kappler, of my staff, by phone at (404) 562-8498 or by e-mail at: kappler.william@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy McKee".

Nancy McKee, Acting Chief
North Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch

Enclosure

cc: Vicky Valade, FDEP



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REGION 4

**ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960**

JUN 09 2010

**Mr. Kevin Hamilton
Branch General Manager
Safety-Kleen Systems, Inc.
161 Industrial Loop South
Orange Park, Florida 32073**

**SUBJ: RCRA Compliance Evaluation Inspection
Safety-Kleen Systems, Inc.
EPA ID Number: FLD 980 847 214**

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Enclosed is the EPA RCRA Site Inspection Report which indicates a deficiency of RCRA was discovered at the time of the inspection. A copy of this report has also been forwarded to the State.

If you have any questions regarding the inspection, please contact William Kappler, of my staff, by phone at (404) 562-8498 or by e-mail at: kappler.william@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy McKee".

**Nancy McKee, Acting Chief
North Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch**

Enclosure

**cc: Ashwin Patel, FDEP
Vicky Valade, FDEP
Jabe A. Breland III, FDEP**

RCRA Inspection Report

1) Inspector and Author of Report

William Kappler
Environmental Scientist
RCRA & OPA Enforcement and Compliance Branch
Environmental Protection Agency, Region 4, AFC - 10th Floor
61 Forsyth Street
Atlanta, Georgia 30303
(404) 562-8498

2) Facility Information

Safety-Kleen Systems, Inc.
161 Industrial Loop South
Orange Park, Florida 32073
Clay County

EPA I.D. No: FLD 980 847 214

3) Responsible Officials

Mr. Kevin Hamilton, Branch General Manager
(904) 264-2607

4) Inspection Participants

Kevin Hamilton, Safety-Kleen Systems, Inc.
Andy Gaugler, Safety-Kleen Systems, Inc.
Gerry Friede, Safety-Kleen Systems, Inc.
Jabe A. Breland III, Florida Department of Environmental Protection
Chelsea Gross, Florida Department of Environmental Protection
Jason S. Hermening, Florida Department of Environmental Protection
William Kappler, Environmental Protection Agency

5) Date and Time of Inspection

May 14, 2010 at 8:32 am

6) **Applicable Regulations**

40 Code of Federal Regulation (C.F.R.), Parts 260-270, 273, 279; Resource Conservation and Recovery Act (RCRA) Sections 3005 and 3007; Florida Administrative Code (F.A.C.): 62-710, 62-730, 62-737.

7) **Purpose of Inspection**

The purpose of the inspection at Safety-Kleen Systems, Inc., (hereinafter, "Safety Kleen" or the "facility") was to conduct an unannounced Compliance Evaluation Inspection (CEI) and determine compliance under the Resource Conservation and Recovery Act (RCRA) regulations and statutes.

On May 14, 2010, inspectors from the U.S. Environmental Protection Agency, Region 4 (EPA) and the Florida Department of Environmental Protection (FDEP) conducted an inspection at Safety Kleen to determine the facility's compliance status with the RCRA and the State of Florida regulations. This was an EPA lead inspection. Upon entering the facility inspectors were greeted by facility representatives. EPA and FDEP were escorted to a conference room for an entrance briefing. The inspectors introduced themselves, showed their credentials, and explained the purpose of the visit.

8) **Facility Description**

Safety Kleen is located at 161 Industrial Loop South, Orange Park, Clay County, Florida, (latitude/longitude: 30 10' 46" N/81 43' 8" W). The facility owns the property, which consists of approximately one acre. The facility employs approximately 24 people and the facility consists of one large main building. The facility operates five days per week from 6:00 am to 6:00 pm and sometime during the weekend. Clay County supplies potable water and sanitary sewer services to the facility. The primary NAICS code for the facility is 562112. Safety Kleen was inspected as a large quantity generator (LQG), a transporter/transfer facility and a permitted container and tank storage facility of hazardous waste.

The Florida Department of Environmental Protection issued permit/certification number 0077130-HO-006 to Safety-Kleen on November 20, 2008. The permitted hazardous waste units include two container storage areas (the Warehouse Container Storage Area and the Paint Waste Container Storage Area) and a 15,000-gallon aboveground hazardous waste storage tank. The facility also operates two transfer facility areas (Southeast Return/Fill Area and Southern Warehouse Area).

Safety Kleen provides part washing and hazardous waste transportation services to customers in the north and south Jacksonville, Florida area and from Lake City to

Gainesville, Florida. Safety Kleen's customer base ranges from small businesses to the military bases located in Jacksonville. Safety Kleen's primary waste pickup consists of part washing fluid, paint related material, antifreeze, and used oil. The facility also manages filters, sludge, and fluorescent lamps. Hazardous waste is managed in five gallon to 55-gallon containers. Waste is also managed in 2000 pound containers (nylon sacks).

Safety Kleen drivers visit a customer on an arranged schedule to provide part washing services. The customer's part washer is cleaned, the fluid level is checked, and the operation of the unit is checked at the customer site. The paperwork is reviewed and compared to the customer's container pick-up schedule for consistency and proper management. The container is labeled as hazardous waste and transported to the facility. Containers received at Safety Kleen are removed from the truck and transferred to the solvent return/wet dumpster/fill area. Safety Kleen operates two wet dumpster/drum washers in this area. The content of the container is dumped into the wet dumpster (sump) and the container is washed with mineral spirits or with fluids managed under the "CUP". The container is refilled with clean part washing fluid for return and use by the customer. Approximately 8 to 10 percent of Safety Kleen's customer waste is managed under the "CUP". Spent mineral spirits is transferred from the wet dumpster by pump and hard line to the 15,000-gallon hazardous waste tank.

Hazardous waste other than mineral spirits is off-loaded from the truck and managed in the transfer facility area. A hazardous waste label is placed on the container and the hazardous waste information is transferred onto the label and marked with a date to indicate the start of the 10-day storage limit. Hazardous waste is also managed in the permitted Warehouse Container Storage Area and in the permitted Paint Waste Container Storage Area. A hazardous waste label is placed on the container and the hazardous waste information is transferred to the label and marked with a date to indicate the start of the one year storage date. Safety Kleen ships hazardous waste from the permitted container storage area on a 90-day schedule.

Previous Inspection History

FDEP conducted a Compliance Evaluation Inspection (CEI) at Safety Kleen on June 25, 2009. RCRA non-compliance issues were not observed.

10) Findings

Shipping/Receiving Area

In this area Safety Kleen stores chemical products and equipment.

Southern Warehouse Area - Transfer Facility

This area is located in the shipping/receiving area. It is identified by a sign on the wall with the words "Transfer Waste Storage Area", 10 Day Storage Area". Inspectors observed several 55-gallon containers and one 30-gallon container on wooden pallets. The containers were labeled as hazardous waste, marked with a date, closed, in good condition with sufficient aisle space. The containers were stored for less than the 10-day storage limit (photographs 1 through 4).

Non-Hazardous Waste Container Storage Area

This area is located next to an equipment area surrounded by a cage. Stored in this area were containers of used oil filters and other non-hazardous waste. The containers were labeled and closed.

Inspectors observed a 55-gallon container adjacent to the above mentioned storage area accumulating debris generated by Safety Kleen. The container was closed and labeled as hazardous waste.

Warehouse Container Storage Area

This is a permitted hazardous waste container storage area. The container storage area has a 25.4 foot by 24 foot concrete floor with 6 inch concrete curbing on exposed sides and two concrete containment sumps with a combined containment capacity of 255.3 gallons. The maximum storage capacity is 2,553 gallons. Hazardous waste permitted for storage in this area include immersion cleaner, dry cleaning solvent, parts washer solvent, dumpster mud, tank bottoms, and oil filters with the RCRA wastes codes D001, D004-D011, D018, D019, D021-D030, D032-D043, and F001-F005.

Inspectors observed five 15-gallon containers, seven 16-gallon containers, one 55-gallon container, and four 55-gallon containers all on wooden pallets. All containers stored in this area were labeled as hazardous waste, marked with a waste code(s), marked with a date, stored for less than one year, closed, and in good condition. The pallet of four 55-gallon containers was stored against the storage area's containment wall and some equipment. One of the 55-gallon containers did not have sufficient aisle space. Safety Kleen moved the pallet to provide sufficient aisle space (photographs 5-7).

Southeast Return/Fill Area - Transfer Facility

This area is located near the wet dumpster/drum washer and product storage area. The area is identified by a sign on the wall with the words "Transfer Waste Storage Area", 10 Day Storage Area". Inspectors observed two 55-gallon containers of hazardous waste and four 55-gallon containers of used oil on wooden pallets. The containers were labeled as hazardous waste or used oil, marked with a date, closed, in good condition with sufficient aisle space. The containers were stored for less than the 10-day storage limit.

Solvent Return/Wet Dumpster/Fill Area

The area is a 40 foot by 25 foot concrete portion of the building located between the warehouse and the waste paint container storage area. It contains two wet dumpsters and drum washers. A container of spent mineral spirits received at the facility is managed in one of two wet dumpsters. Solids from cleaning the container is accumulated in the dumpster and cleaned out daily. The solid portion (dumpster mud) is placed into a 55-gallon container. The spent liquid portion (mineral spirits) is pumped into the 15,000-gallon aboveground storage tank. Inspectors observed a 55-gallon container of contaminated debris generated by Safety Kleen next to the wet dumpster/drum washer. The container was labeled as hazardous waste and closed. Inspectors also observed a drip pan in this same area, one for each wet dumpster. The pan is connected to a 5-gallon container under the metal grated floor in the concrete containment area. The 5-gallon containers were labeled as hazardous waste.

The wet dumpster's non-continuous pipes, valves, flanges, pumps, and other equipment were marked with numbered tags.

Hazardous Waste Storage Tank

A total of five aboveground storage tanks are maintained at Safety Kleen. One 15,000-gallon tank is used for storing fresh part washer solvent. One 15,000-gallon tank is used for storing used oil. The third tank is used for storing hazardous waste. The three 15,000-gallon tanks are underlain by a 49.6 foot by 18.7 foot concrete slab surrounded by a four foot high concrete secondary containment wall.

A 12,000-gallon double walled tank is used for storing fresh solvent and is located outside the containment area. A 2,700-gallon tank located next the Solvent Return/Wet Dumpster/Fill Area is used for storing used antifreeze.

The 15,000-gallon hazardous waste tank is permitted for storing waste solvent with the RCRA waste codes D001, D004-D011, D018, D019, D021-D030, D032-D043, and F001-F005. The maximum storage capacity of hazardous waste allowed in the tank is 14,250-gallons. The tank is regulated as a Level I RCRA Organic Air Emission Subparts BB and CC tank.

Inspectors observed the tank labeled as hazardous waste and that the containment system was free of a spill or release. The tank is monitored by a sight level gauge, an automatic high level alarm, and high level shut off system. The tank has a conservation/relief vent construct on top. The facility visually monitors the tank's vent. The tank is constructed with continuous piping from the exterior portion of the building up to a valve constructed on the bottom of the tank. The valve is marked with a numbered tag (photographs 8-10). Safety Kleen maintains an inventory of the numbered tags and the location of the tags in relation to the permitted hazardous waste tank's equipment on a drawing.

Inspectors also observed a one gallon container in the covered secondary containment area, half full of used oil from drips from the used oil tank's pipe and valve system.

Florida Administrative Code (F.A.C.) 62-710.401(6) states in part, "the facility should only store used oil in containers that are clearly labeled with the words "Used Oil." The containers must be in good condition (no severe rusting, apparent structural defects, or deterioration) with no visible oil leakage. All used oil containers and tanks stored outside of a structure, regardless of size, must be closed or covered or otherwise protected from the weather and must either be double-walled or stored on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest container within the containment area."

Inspectors advised the facility to either empty the container after each use or label the container with the words "Used Oil" and to keep it closed if storing used oil.

Paint Waste Container Storage Area

This is a permitted hazardous waste container storage area. The paint waste shelter has a concrete pad underlying a 15.5 foot by 20 foot shelter with metal containment pans. This shelter is divided into a paint waste storage area and an Allied Products storage area. Allied Product inventory is all unused or virgin materials. The storage area has six metal containment pans each measuring 5 foot by 10 foot. The pans have overlapping lips, which prevent liquids from migrating between pans and onto the concrete floor. The total containment capacity is 1,222 gallons. Permissible materials for storage are Allied Products inventory and flammable paint-waste with the RCRA wastes codes D001, D004-D011, D018, D019, D021-D030, D032-D043, and F001-F005. The maximum total storage capacity is 4,800 gallons. However, only 1,222 gallons of hazardous waste paint may be stored in this area.

Inspectors observed three 5-gallon containers and one 55-gallon container of hazardous waste. The containers were labeled as hazardous waste, marked with a waste code(s), marked with a date, stored for less than one year, closed, in good condition with sufficient aisle space.

11) Waste Management Practices

Safety Kleen's environmental management staff consists of Kevin Hamilton and Andy Gaugler. Hazardous waste is stored at Safety Kleen in containers and in a tank in designated areas of the facility. Safety Kleen is permitted to store hazardous waste that consists of: ignitable, toxic, and F listed hazardous waste.

Arrangements with Local Authorities and Emergency Preparedness

The facility has a sprinkler system, as well as phones, and fire alarms located throughout the facility. Fire fighting and spill control equipment is also available at the facility. The facility has made arrangements with the State of Florida, the Orange Park Medical Center, the Clay County Sheriff Office, and Clay County Public Safety (Fire Department per Safety Kleen) and with an emergency contractor and equipment supplier.

Personnel Training

Inspectors reviewed a random sample of nine training records of employees currently at the facility. Jeffery Curtis, Safety Kleen Systems Inc., gave training to the employees on July 21, 2009. One employee was trained on March 18, 2010. The training consisted of the annual RCRA refresher "HAZWOPER" course. The job titles and job descriptions maintained at the facility appeared satisfactory. However, Maggie Brandt and Theresa Cassell training records were missing a job title and job description. Safety Kleen explained that the job title and job description for these two employees should have been stored in the computer system. The records were not in the employee's training file. Safety Kleen explained that it was an oversight and would correct the RCRA discrepancy.

Pursuant to RCRA permit general operating condition Part II Subpart A – Condition 3, The Permittee shall maintain an updated list of personnel handling hazardous waste and their respective job titles at the facility. Inspectors observed the job title for two employees missing from their personnel training record. Safety Kleen is therefore in apparent violation of RCRA permit general operating condition Part II Subpart A - Condition 3.

Safety Kleen appears to have failed to adhere to conditions for exemption from the permitting requirements of RCRA Section 3005 specified in 40 C.F.R. § 264.164 (d)(1 & 2), adopted by reference at 62-730 F.A.C. (d) The owner or operator must maintain the following documents and records at the facility: (1) The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; (2) A written job description for each position listed under paragraph (d)(1) of this section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company locations or bargaining unit, but must include the requisite skill, education, or other qualifications, and duties of employees assigned to each position. Inspectors observed the job description for two employees missing from their personnel training record. Safety Kleen is therefore in apparent violation of Section 3005 of RCRA by storing hazardous waste without a permit.

Closure Cost Estimate

Safety Kleen maintains an inflation adjusted closure cost estimate of 110,978 dollars.

Financial Assurance

Safety Kleen has an insurance policy from the Indian Harbor Insurance Company as its financial mechanism. Safety Kleen also maintains liability insurance.

Waste Minimization Certification

Safety Kleen has a Waste Minimization Plan. Inspectors reviewed Safety Kleen's waste minimization certification efforts for 2008 - 2010

Biennial Report

Inspectors reviewed Safety Kleen's 2009 Biennial Report. The report was submitted to the State of Florida on March 9, 2010.

Land Disposal Restriction Notice

The records appeared satisfactory.

13) Out-Briefing

Upon conclusion of the inspection an exit interview was conducted in the presence of Safety-Kleen Systems, Inc. The inspectors informed the facility of the findings at the time of this inspection.


14) Sampling Overview

Sampling was not conducted at this facility.

15) Conclusion/Summary of Violations

Based on the Compliance Evaluation Inspection conducted on May 14, 2010, Safety-Kleen Systems, Inc. was inspected as a large quantity generator and a RCRA permitted storage facility of hazardous waste and was not in compliance with the regulations at the time of this inspection.

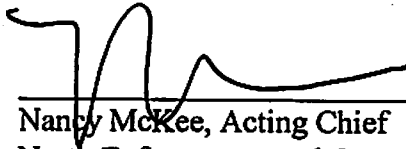
16) Signed



William Kappler
Environmental Scientist
North Enforcement and Compliance Section

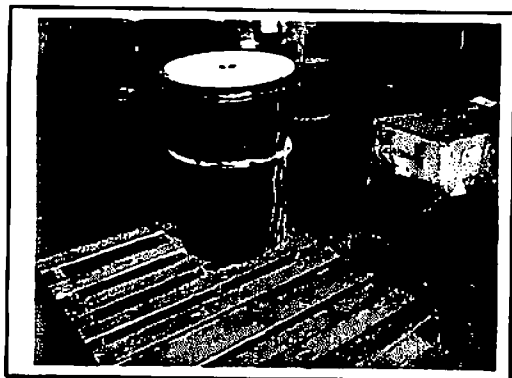
5/25/10
Date

17) **Concurrence**



Nancy McKee, Acting Chief
North Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch

6/3/2010
Date



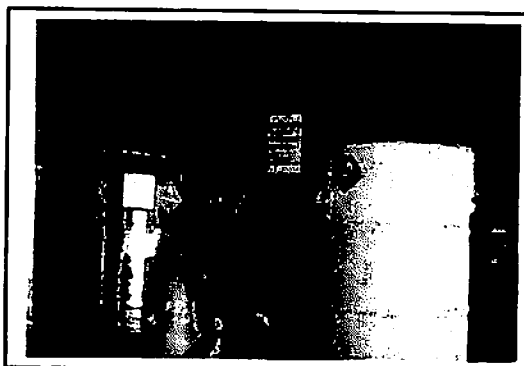
Safety Kleen Systems Inc. (Safety Kleen) 5/14/10. 8:30 am. Southern Area of Warehouse - 10-Day Transfer Facility. One 55-gallon container of hazardous waste. Photograph 1. WK.



Safety Kleen. 5/14/10. 8:30 am. Southern Area of Warehouse - 10-Day Transfer Facility. Three 55-gallon containers of hazardous waste. Photograph 2. WK.



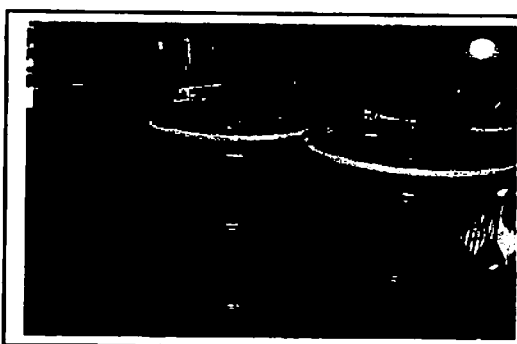
Safety Kleen. 5/14/10. 8:30 am. Southern Area of Warehouse - 10-Day Transfer Facility. Hazardous waste containers in Transfer Facility area. Photograph 3. WK.



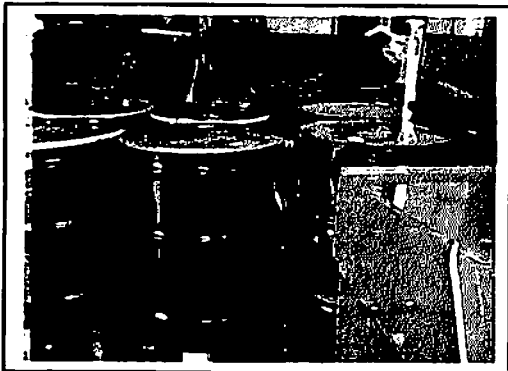
Safety Kleen. 5/14/10. 8:30 am. Southern Area of Warehouse - 10-Day Transfer Facility. Note yellow sign on wall designating area as a Transfer Facility. Photograph 4. WK.



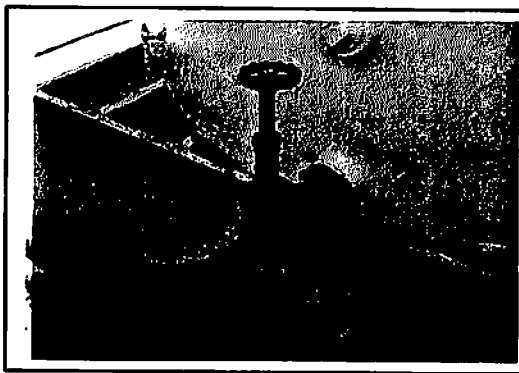
Safety Kleen. 5/14/10. 8:30 am. Warehouse Container Storage Area. Observe four 55-gallon containers stored in the permitted area against concrete secondary containment. Stored equipment located outside of containment system. One container blocked from access did not have sufficient aisle space. Photograph 5. WK.



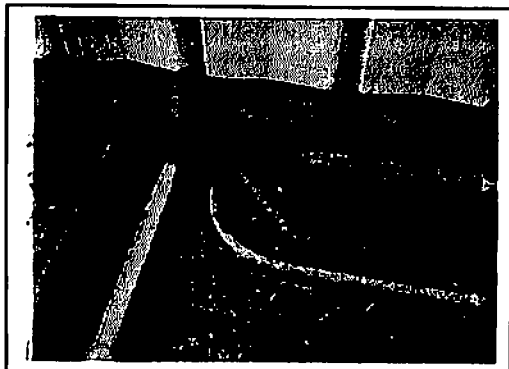
Safety Kleen. 5/14/10. 8:30 am. Warehouse Container Storage Area. Containers stored in the permitted area against concrete secondary containment. Stored equipment located outside of containment system. One container blocked from access did not have sufficient aisle space. Facility corrected and provided aisle space. Photograph 6. WK.



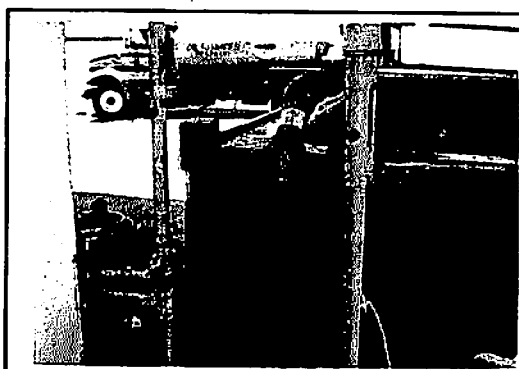
Safety Kleen. 5/14/10. 8:30 am.
Warehouse Container Storage Area.
Containers stored in the permitted area
against secondary containment.
Equipment located outside of
containment system. One container
blocked from access and did not have
sufficient aisle space. Facility corrected
and provided aisle space.
Photograph 7. WK.



Safety Kleen. 5/14/10. 8:30 am.
Permitted Hazardous Waste Tank. Note
tag on valve for non-continuous pipe
system (Organic Air Emission).
Photograph 8. WK.



Safety Kleen. 5/14/10. 8:30 am.
Permitted Hazardous Waste Tank.
Pipe exiting from building to the tank
is constructed as a continuous system..
Photograph 9. WK.



Safety Kleen. 5/14/10. 8:30 am.
Permitted Hazardous Waste Tank. Note
that pipe is constructed as a continuous
pipe system. Photograph 10. WK.



Safety Kleen. 5/14/10. 8:30 am.
Covered Secondary Containment Area.
Container accumulating used oil.
Photograph 11. WK.