UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAR 22 2011

Mr. James Byer
Program Manager
Florida Department of Environmental Protection
160 Governmental Center, Suite 308
Pensacola, Florida 32502-5794

SUBJ: RCRA Compliance Evaluation Inspection
Veolia Environmental Services Technical Solutions LLC
EPA ID No.: FL0 000 207 449

Dear Mr. Byer:

On December 6, 2010, a United States Environmental Protection Agency (EPA) lead Compliance Evaluation Inspection was conducted at Veolia Environmental Services Technical Solutions LLC (Veolia) in Tallahassee, Florida to determine the facility's compliance status with the Resource Conservation and Recovery Act (RCRA).

If you have any questions regarding this matter, please contact Alan Newman, of my staff, by phone at (404) 562-8589 or by e-mail at newman.alan@epa.gov

Sincerely yours,

Bill Truman, Chief
South Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch

Enclosure

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MAR 22 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Linda Dunwoody
Operations Manager
Veolia Environmental Services Technical Solutions LLC
342 Marpan Lane
Tallahassee, Florida 32305-0904

SUBJ: RCRA Compliance Evaluation Inspection
Veolia Environmental Services Technical Solutions LLC
EPA ID No.: FL0 000 207 449

Dear Ms. Dunwoody:

Enclosed is a copy of the U.S. Environmental Protection Agency (EPA), inspection report documenting the results of the December 6, 2010, inspection of the Veolia Environmental Services Technical Solutions LLC (Veolia) facility, 342 Marpan Lane, in Tallahassee, Florida. This was an EPA lead Compliance Evaluation Inspection for the purpose of evaluating the facility's compliance with the applicable Resource Conservation and Recovery Act (RCRA) regulations.

Enclosed is the CEI report that indicates apparent violations of RCRA were discovered. A copy of this report has been forwarded to the Florida Department of Environmental Protection (FDEP).

If you have any questions regarding this matter, please contact Alan Newman, of my staff, by phone at (404) 562-8589 or by e-mail at newman.alan@epa.gov.

Sincerely,

Bill Truman, Acting Chief
South Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch

Enclosure

cc: Anthony Tripp, FDEP
James Byer, FDEP
Aaron Mitchell, FDEP w/encl.

RCRA Inspection Report

1) Inspectors and Authors of the Report

Alan Newman
Environmental Engineer
newman.alan@epa.gov
(404) 562-8589

RCRA and OPA Enforcement and Compliance Branch
US EPA Region 4 SNAFC – 10th Floor
61 Forsyth Street, SW
Atlanta, Georgia 30303

2) Facility Information

Veolia Environmental Services Technical Solutions LLC
342 Marpan Lane
Tallahassee, Florida 32305-0904
Leon County
EPA ID No.: FL0 000 207 449

3) Responsible Official

Ms. Linda Dunwoody, Operations Manager
(850) 877 - 8299

4) Inspection Participants

Linda Dunwoody	Veolia
Randy Williams	Veolia
Aaron Mitchell	FDEP
Anthony Tripp	FDEP
Alan Newman	US EPA Region 4

5) Date and Time of Inspection

December 6, 2010, at 8:35 am CST

6) Applicable Regulations

Sections 3002 and 3007 of RCRA 40 CFR Parts 260 through 268, 270, 273 and 279 Chapters 403 & 378, F.S., and Chapters 62-710, 62-730, 62-737, and 62-740 Florida Administrative Code.

7) **Purpose of Inspection**

The purpose of this inspection was to conduct an unannounced Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) to determine the Veolia Environmental Services Technical Solutions LLC's (EPA ID No.: FL0 000 207 449) compliance with the applicable regulations and permit No. 71455-HO-009.

8) **Facility Description**

Veolia Environmental Services Technical Solutions LLC (Veolia) is a large quantity generator of hazardous waste, a permitted mercury storage, recovery, and reclamation facility (permit No. 71455-HO-009), a hazardous waste transporter (NJD 080 631 369), and a hazardous waste transfer facility.. This two acre location in Tallahassee, Florida, has operated since 1995 under multiple former names. Veolia transports, receives, and processes mercury containing lamps, devices, and debris, electronic waste (e-waste), universal waste batteries, and polychlorinated bi-phenyls (PCBs) waste. Veolia classifies mercury containing devices and mercury contaminated debris/material as mercury containing manufactured articles (MCMA).

- Hazardous Waste Permit and permitted activities

The permit allows Veolia to process fluorescent lamps by manual and automated dry separation processes to separate the aluminum, glass, and phosphor powder. The glass and aluminum are shipped off-site for recycling. The phosphor powder is processed in a retort oven to reclaim mercury. The retort oven generates non-hazardous debris that contains glass and metals and volatilizes mercury. The volatile mercury is captured in a pollution control device and condensed back into elemental liquid mercury.

The high intensity discharge (HID) lamps are initially processed in an automated machine that separates the mercury containing arc tubes from the rest of the lamp that includes glass and brass or aluminum bases. The arc tubes are crushed and placed in containers that are processed in the retort oven to reclaim mercury. Some incoming MCMA require extensive manual processing prior to placing them in the retort oven to reclaim mercury while others can be placed directly into the retort oven.

- Permit MOD

At the time of the inspection, Veolia was storing PCB waste and batteries in the main processing building. Veolia has notified the FDEP that they plan to relocate this storage to the southern building where they currently store and sort incoming e-waste and store empty containers.

9) **Previous Inspection History**

On January 27, 2010, FDEP conducted a CEI; and FDEP and EPA conducted a joint CEI on March 16, 2009, at Veolia. There were no violations noted with either CEI.

10) **Findings**

After presenting their credentials to Linda Dunwoody, Operations Manager, and Randy Williams, Operations Supervisor, and explaining the purpose of the inspection, the inspectors requested a tour of the facility. The inspectors performed a walk-through inspection of the facility. Below is a description of the observations made during the walk-through.

- Universal Waste Receipt and Storage

  o Lamp Storage Area

  Temporary fluorescent and HID lamp storage is located along the west wall of the southern end of the main processing building. Veolia is permitted to store a maximum of 6,400 cubic feet of mixed fluorescent and HID lamps in this area. This area primarily stores HID lamps, U-shaped lamps, and specialty lamps for manual processing prior to retort reclamation. At the time of the inspection, this area appeared to be near capacity. Throughout the southern end of this building, the inspection team noted broken pieces of lamps on the floor, open boxes, and structurally defective boxes storing universal waste lamps. Facility personnel stated that many lamps arrive at their facility in broken condition and many times in poor containment boxes. Facility personnel stated that during the pre-process sorting some of the contents of these compromised containers fall out. Veolia conducts daily cleaning to accumulate materials that fall from compromised boxes, sorting operations, or other spills. This waste is accumulated and placed in containers that are sent to the retort oven for reclamation. On the day of the inspection, FedEx arrived with a shipment of seven pallets of universal waste. Veolia was not able to move this material into the building; the inspection team was told they would process all these pallets before the end of the shift.

  Therefore, Veolia Environmental Services Technical Solutions is in apparent violation of 40 CFR § 264.171 which requires that if a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) 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.

  Therefore, Veolia Environmental Services Technical Solutions is in apparent violation of 40 CFR § 264.173(a) which requires a container holding hazardous

waste must always be closed during storage, except when it is necessary to add or remove waste.

Veolia Environmental Services Technical Solutions is in apparent violation of Permit Condition II.8 for failure to adhere to F.A.C. 62-737.800(9).

F.A.C. 62-737.800(9) : Owners and operators shall store processed and unprocessed materials in closed containers; and for broken or damaged unprocessed lamps and devices, and residuals, store these in closed, covered and sealed containers or in enclosed areas of the facility conforming to paragraph 62-296.417(1), F.A.C., to prevent mercury emissions. They shall store unprocessed materials, ampoules, phosphor powder and other mercury-containing residuals indoors to prevent breakage of lamps or devices prior to further processing and to prevent a release of hazardous materials to the environment. Separated glass and metal that is stored outdoors shall be stored in covered, watertight containers or in a manner that otherwise prevents contact with water and prevents the release of hazardous materials into the environment, located within portions of the facility with controlled access limited to authorized persons only, and stored in compliance with any applicable hazardous waste storage requirements adopted under Chapter 62-730, F.A.C. Universal waste lamps and devices, and other wastes that mercury reclamation facilities are permitted to receive, may not be stored longer than one year from when they were first received.

o Batteries storage and repackaging

Veolia is permitted to store universal waste batteries, non-hazardous batteries, and lead acid batteries in the southeast corner of the main building. The maximum quantity of battery storage is 36 pallets. Batteries are sorted and re-packaged into 55-gallon metal containers and Gaylord boxes for shipment off-site.

At the time of the inspection, Veolia was storing batteries in multiple open Gaylord boxes. The batteries appeared to be in compliance with the one year maximum storage limit; the oldest date observed was May 19, 2010. Veolia stated that they close each container at the end of the operational day and are adding waste during the sorting process to each of the open battery boxes/containers. Veolia has requested that FDEP allow them to move the battery storage area to the southern storage building. FDEP has notified the facility of the appropriate steps to complete this permit modification. There were no violations noted in this area.

o HID Lamp Processing

On the south end of the main processing building, Veolia operates an automated HID lamp processing machine. This machine separates the outer glass, metal harness, wires, and the mercury-containing arc tubes. The glass, metal harnesses, and wires are either recycled or disposed. The arc tubes are crushed and accumulated in a 55-gallon metal container. This container is managed as a satellite accumulation container for hazardous waste (D009). Once this container is full it is moved to the hazardous waste storage area to await mercury reclamation. Vapors from this operation are collected and sent through an air pollution control device. The vapors are condensed to recover the elemental mercury. In cases where HIDs are unable to be processed in the automated machine, the separation is conducted manually.

Manually separated arc tubes are fed into the automated machine for crushing and satellite accumulation. There were no violations noted in this area.

o Lamp Crushing Area
Veolia stages fluorescent lamps next to the lamp crushing machine feed belts. Veolia personnel manually place fluorescent lamps on a conveyor belt which leads to the lamp processing area; the lamps are crushed and separated into aluminum end caps, phosphor powder, and crushed glass. The phosphor powder is collected in a bag house tower and accumulated in a 55-gallon container. Once this container is full it is moved to the hazardous waste storage area to await mercury reclamation.

- Lamp/HID Arc/MCMA Processing - Retort Prep Room and Retort Oven

Veolia conducts various preparation steps in the Retort Prep Room for phosphor powder, crushed HID arc tubes, and MCMAs prior to placing these wastes in the retort oven. This area is operated under negative pressure to reclaim any fugitive mercury vapors. Veolia manually processes its compact fluorescent lamps in the Retort Prep Room prior to further processing in the Retort Oven.

Veolia uses a vacuum pump to draw off the mercury vapors from the waste heated in the Retort Oven. The vaporous mercury is condensed in a series of heat exchangers back into its liquid state for sale and reuse. There were no violations noted with the Retort Prep Room or the Retort Oven.

- Area North of Main Processing Building

o Hazardous Waste Transfer Pad
Veolia operates one hazardous waste transfer pad that is designed to store one trailer. This pad was empty on the day of the inspection.

o The area north of the main processing building was storing multiple items including:
  - Two 20 cubic yard roll-off of processed glass
  - Two container trailers that held spare parts, equipment, and empty containers
  - Two large plastic crates of unprocessed HID lamps awaiting processing and dated 10/6/2010
  - 40 55-gallon containers of PCB ballast and lamps awaiting processing
  - Wooden pallets awaiting recycling
  - Paper products
  - Empty 1 and 5-gallon plastic containers to be sent to Texas for energy recovery
  - seven pallets of Universal Waste delivered by FedEx.

The plastic crates of unprocessed HID lamps and one of the FedEx pallets of fluorescent lamps were not properly containerized. These containers were out in the weather and posed a risk for breakage prior to processing. Some of the universal waste lamps that were exposed to the environment posed a threat of release of mercury to the environment. These should be stored inside upon arrival to the facility.

Therefore, Veolia Environmental Services Technical Solutions is in apparent violation of Permit Condition II.8 for failure to adhere to F.A.C. 62-737.800(9).

Therefore, Veolia Environmental Services Technical Solutions is in apparent violation of 40 CFR § 264.51(b) which requires that the provisions of the contingency plan must be carried out whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

o Also, on the north side of the facility, the inspection team noted approximately four gallons of broken fluorescent lamp glass and metal pieces on the ground. Veolia determined that a 55-gallon metal container had been compromised and was moving it to the empty container area. During the move, the container was dropped and the broken fluorescent lamp pieces fell out. Veolia should ensure that when this material is picked up that the surrounding soil is sampled to determine if it has been contaminated. Veolia must respond immediately to any release of hazardous waste or hazardous waste constituents.

Therefore, Veolia Environmental Services Technical Solutions is in apparent violation of 40 CFR § 262.11 which requires a person who generates a solid waste as defined in 40 CFR § 261.2 must determine if that waste is a hazardous waste.

Therefore, Veolia Environmental Services Technical Solutions is in apparent violation of 40 CFR § 264.51(b) which requires that the provisions of the contingency plan must be carried out whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

- Hazardous Waste Storage

Permit #71455-HO-010 allows for storage of hazardous waste in two areas in the north end of the main processing building. Veolia is permitted for up to 15 pallets (60 x 55-gallon containers) in the hazardous waste storage area (HWS Area) of MCMA, dental amalgam and traps, and pre-retort phosphor powder. The less than 90-day area is permitted for up to 6 pallets (24 x 55-gallon containers) of HID arc tubes and site-generated hazardous waste (prep room debris and PPE, condensate water, and spent carbon).

The HWS Area was being cleared out for cleaning on the day of the inspection. There were four 55-gallon containers of hazardous waste present on the day of the inspection. The oldest date on the containers was October 21, 2010. One 55-gallon container was not labeled with the accumulation start date. Veolia was able to obtain the date from other paperwork and the number on the container. Additionally, there were three boxes of spent conveyor belts from the HID processing machine, three 5-gallon containers, one 2-gallon container, a cylindrical cardboard container and a cardboard box of dental amalgam, thermometers, and other mercury containing materials. There were two boxes that were labeled "Hazardous Waste" but did not have the accumulation start date on them. Veolia was able to obtain the date from other paperwork. New labels with dates were printed and affixed to the containers during the inspection.

Therefore, Veolia Environmental Services Technical Solutions LLC is in apparent violation of 40 CFR § 262.34(a)(2) which requires the date upon which each period of accumulation begins is clearly marked and visible for inspection on each container.

The less than 90-day hazardous waste storage area held four containers of post-retort metal end caps. There were no violations noted in this area.

- Loading Dock and Processed Powder Storage

Veolia operates two trailer loading/unloading docks for their waste and materials. Veolia stores their post-retort phosphor powder in 55-gallon containers adjacent to the loading dock. These containers are shipped off-site for disposal in a Subtitle D landfill. Veolia's permit requires that post–retort phosphor powder be sampled to ensure mercury removal efficiency effectiveness prior to off-site shipment. The inspection team observed approximately 20 55-gallon containers of post-retort phosphor powder, hazardous waste (pre-retort crushed fluorescent lamps), and PCB ballasts being stored in this area. Veolia stated that this was the location the hazardous waste had been moved to while the storage area was being cleaned. There were no violations noted in this area.

- South Building

The building South of the main processing building was split into two storage areas. One was used to store empty containers. The other was used as a sorting room for electronic waste. There was no universal waste or hazardous waste stored in this building. There were no violations noted in this building.

- Records Review

The inspection team met in Ms. Dunwoody's office to review the facility records. The inspection team reviewed incoming and out going manifests and shipping documents, the contingency plan, inspection records, monthly and weekly mercury samples, the permit,

and training records. The training records training documentation for three facility personnel were reviewed. EPA recommends that the training material be updated to include more RCRA-specific training.

The inspection team noted that weeks 43 and 45 sample totals were not accurate due to the preservation materials (ice) melting in transit to the testing facility. The permit requires that Veolia ensure that all reclamation rate samples are handled according to SW-846 standard operating procedures.

During the previous inspection at Veolia, FDEP identified that Veolia had not completely been filling out the hazardous waste storage area inspections. It was again noted that on February 23, 2010, that the number of containers was not recorded on the inspection record. EPA recommends that Veolia ensure that inspection records are complete.

11) **Signed**

Alan R. Newman, Inspector — Date: 2/8/2011

12) **Concurrence**

Bill Truman, Acting Chief — Date: 3/7/2011
South Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch