



**Florida Department of
Environmental Protection
Hazardous Waste Inspection Report**

FACILITY INFORMATION:

Facility Name: Safety - Kleen Systems Inc

On-Site Inspection Start Date: 08/09/2011

On-Site Inspection End Date: 08/17/2011

ME ID#: 1792

EPA ID#: FLD980847271

Facility Street Address: 5309 24th Ave S, Tampa, Florida 33619-5368

Contact Mailing Address: 3003 W Breezewood Lane, Neenah, Wisconsin 54957-0368

County Name: Hillsborough

Contact Phone: (800) 558-5011

NOTIFIED AS:

LQG (>1000 kg/month)

Transporter

Transfer Facility

TSD Facility Unit Type(s)

Used Oil

INSPECTION TYPE:

Routine Inspection for TSD Facility Unit Type(s)

INSPECTION PARTICIPANTS:

Principal Inspector: Elizabeth Knauss, Environmental Manager

Other Participants: Jeff Curtis, EHS Manager; John Walters, Branch General Manager

LATITUDE / LONGITUDE: Lat 27° 55' 33.9629" / Long 82° 23' 39.6154"

SIC CODE: 4212 - Trans. & utilities - local trucking, without storage

TYPE OF OWNERSHIP: Private

Introduction:

Safety Kleen Systems was inspected for compliance with the conditions of its operating permit, 34744-HO-005, issued July 3, 2007. The facility has submitted an application to renew the permit, which is currently under review. Jon Walters explained operations during the inspection, along with Jeff Curtis and other staff. The permit authorizes Safety Kleen to store hazardous waste in containers and a tank system, and the facility also acts as a hazardous waste transfer facility. The facility has a septic system for sanitary wastes and utility sinks, and also has a potable water well operated under a Department of Health permit, although the well is not typically used for drinking water. The information on the septic system was not included in the facility's renewal application.

Process Description:

Safety Kleen's core business has been to service parts washers for small quantity hazardous waste generators in the automotive and printing industries. As part of that service, the company accepts other used automotive fluids and oily wastes. The company has also serviced dry cleaners, and accepts dry cleaning solvents for storage. The company manages most other hazardous wastes as transfer waste, but branch employees provides brokerage services to customers within branch territories. The local customer service representatives work with staff at the permitted disposal facilities to profile waste streams for both hazardous waste program and USDOT hazardous materials compliance.

According to Mr. Walters, the company has almost completely phased out their low flash point 105 solvent, and use high flash point solvent almost exclusively. Now, all parts washing solvent is combined into a single tank prior to shipment to a recycling center. This includes any 105 solvent that might be encountered from washers that have not been serviced for a while. The combined

Inspection Date: 08/09/2011

solvent is shipped by tank trailer as D001, D018, D039, D040 waste to Safety Kleen in Lexington, SC. The shipping records and land disposal restriction notices for this material were in compliance. The branch has changed the Tanks Program registration for its out-of-service hazardous waste storage tank to used oil, but it is currently empty. Used oil is still being off loaded directly into a rail car at the Trans Flo terminal. Outgoing used oil records confirm that oil is not stored more than 35 days at the terminal; several shipments occur per month. Used oil filters are shipped to Safety Kleen in Ocala for further management. Outgoing manifests and shipping papers were reviewed and found to be in order.

The containment around the tank system was clean, and the tanks were in good condition. However one strap supporting the piping from the collection sump to the tank had come loose from the concrete wall of the building. The tank inspection records did not list the piping as a separate item needing inspection for structural integrity in addition to signs of leakage. Tank system inspection procedures were discussed with responsible staff, and corrective action is being taken. Tank system components subject to regulation under 40 CFR 264 Subparts BB and CC were inspected if accessible. Gratings covering some equipment were pulled to confirm that the components were tagged in accordance with the permit. It was noted that the flanged manway into the hazardous waste tank was not included in the list of Subpart BB regulated components in the permit. Mr. Curtis said that this had been noted and was being corrected in the renewal application. The facility's Subpart BB/CC inspection logs include a note that "Valves 1, 2, 4, 24, 25 and 32 are no longer in service effective 4/10/95." However the inspection records indicated valves 2, 4 and 24 were being inspected and were in good condition. The Department requested that the inspection forms being used be updated to reflect the current equipment list. Other inspection records were being kept, but not all of them included a space for the time of the inspection. As these records included inspections for required emergency equipment, 40 CFR 264.15(d) requires that the date and time of the inspection be recorded, in addition to the name of the inspector, notes of observations made and the date and nature of any corrective actions or repairs. It was noted that the dates and nature of corrective actions were not always recorded after problems were observed.

The number of containers in each of the facility's container storage areas was under its permitted capacity, including transfer waste. None of the transfer waste had been at the facility for more than 10 days. The non-flammable storage area contained terminated waste from dry cleaners, as well as chlorinated immersion cleaner, aqueous cleaner waste and non hazardous waste including labeled containers of used oil filters and absorbents. Transfer waste included a number of hazardous and non hazardous materials, including a 300 gallon IBC of waste sulfuric/nitric acid mixture from Aerosonic Corporation, FLD984209494. Safety Kleen was asked to weigh this tote, as it was marked with a weight of 800 lb. and it appeared to be completely full. The container weighed over 2,900 lb. The manifest and waste profile for this material was later reviewed, and the weight appeared to be based on a 55 gallon drum, rather than the IBC. In addition, the waste profile said that the material contained up to 2% sodium bichromate, and the D007 waste code was not included on the pre-printed manifests or land disposal restriction notices. The manifest indicated the material was shipped in a metal drum rather than the IBC, as the incorrect container abbreviation was used. Although USDOT hazardous materials training has been provided, it appeared that the drivers are not always checking that the shipping papers and packages conform to the regulations before they are accepted. Aerosonic was contacted, and the profile and manifest were corrected before the waste was transferred to the destination facility.

In the flammable waste storage area, an additional problem was noted with a container of waste paint from Keymark Corp., FLR000049601, which had excessive paint waste on the exterior. The paint was still tacky, and was wet when transported, as it had dripped from the drum. It was not determined during the inspection whether the container was in this condition when accepted, or whether there was a problem with the gasket of the open head drum. A second drum from the same facility was dented next to the bung, and waste paint had leaked from the bung opening. The containers were overpacked in salvage drums before they were loaded for transport to the disposal facility. A third drum of non hazardous screen printing waste in the non flammable waste storage area had a gasket that was not clamped correctly in the ring, allowing waste to be released.

The flammables store room contained universal waste lamp boxes in addition to flammable waste

Inspection Date: 08/09/2011

and empty cans for paint gun cleaner service. An unlabeled 5 gallon can was being used to overpack a leaking product container. Some water had collected on the floor of the area, but this appeared to be rain water that had blown in under a nearby exterior door.

Emergency equipment was being inspected in accordance with the permit. Two of the eye wash stations had visible rust around the nozzles, and one was missing its covers. The upstairs emergency equipment storage area next to the locker room was not being maintained, and appeared to have been converted to general storage. The revised plan in the renewal permit application, dated May 27, 2011, still indicates that this area holds some emergency equipment, including air purifying respirators. Some of the respirator cartridges were for respirators that are no longer used at the facility, and are therefore no longer usable and should be purged from the inventory. According to Mr. Walters, this area is not used for primary response equipment. Mr. Walters also said that the mercury cleanup kit referenced in the contingency plan was on order.

Training was being conducted in accordance with the permit application. However recent incidents indicate that either some personnel are not adequately trained to perform their functions or that the facility needs to amend the list of requisite skills, education or other qualifications for staff listed under the Market Sales Specialist (MSS) job description. These staff act as customer service representatives for unusual or new business, with their primary responsibility being sales. However they also receive and review analytical information and assist their customers in filling out waste profiles and identifying USDOT shipping descriptions. They often deal with unsophisticated customers who have no training in hazardous waste or USDOT hazardous materials compliance. The profiles are supposed to be reviewed and approved by the designated treatment facility prior to waste acceptance.

In addition to the Aerosonic profile problem noted above, on June 21, 2011, Safety Kleen accepted eight containers (totaling 6,000 lb) of waste from Aztech Energy Corporation that were not identified properly on the two approved waste profiles or shipping papers. Aztech had provided analytical records for the materials that clearly indicated they were ignitable. In addition, flash point information was hand written on the initial profiles. The customer service representative did not request Aztech to provide the facility's EPA identification number, and profiled six of the containers as "non regulated material (glycol)." The other two containers were shipped as "Waste Phosphoric Acid Solution" rather than "Waste Flammable Liquid, Corrosive." These containers were later returned to the generator. The Department believes that Safety Kleen staff were performing DOT hazardous materials functions on behalf of the offeror of this material, and therefore share responsibility for the improper shipment.

The MSS position description does not include any knowledge in basic chemistry as a requisite skill, and the training plan for this position does not appear to cover chemistry. Staff dealing with hazardous waste generators must have some basic chemistry training to understand that bichromate ions contain chromium, and that glycol is not a synonym for antifreeze. Staff responsible for approving the profiles at Safety Kleen's East Chicago office also did not detect the discrepancies before approving the material for acceptance.

Files for customers that are large quantity generators were examined to determine whether or not Safety Kleen was using manifests for their parts washer waste. It was noted that the TECO Polk Power station had one parts washer that was being managed through a service agreement, rather than a manifest. The facility submitted an unmanifested waste report for H&S Swanson Tool earlier this year, and it was requested that the facility review its records and submit a second report for the TECO waste. It was noted that service representatives may choose any generator status on their hand-held devices when picking up waste. The status does not have a default value requiring review. A number of facilities appeared to have their designated generator status change randomly from pickup to pickup. In addition, other facilities were disposing of regulated quantities of waste (28 to 30 gallons a month) from parts washer service while still being designated a CESQG rather than SQG. Training in this area should be reviewed with the service representatives.

New Potential Violations and Areas of Concern:

Transporters Checklist

Inspection Date: 08/09/2011

Type: Violation
Rule: 263.20
Question Number: 1.40
Question: Do the manifests contain at least:
Explanation: Safety Kleen transported hazardous waste from Aerosonic without verifying that the shipping description matched the quantity of waste and type of container.
Corrective Action: The manifest for this shipment was corrected. Branch drivers must undergo remedial training in this area.

Checklist Independent Potential Violations and Areas of Concern

Type: Area Of Concern
Rule: 264.1050(d)
Explanation: The hazardous waste tank manway was not marked as a flange or other connector subject to regulation under 40 CFR 264 Subpart BB.
Corrective Action: Mark the equipment and amend the permit application and Subpart BB equipment inspection checklist to include the item.

Type: Violation
Rule: 264.16(a)(1), 403.727(1)(a)
Explanation: Safety Kleen transported hazardous waste that was not correctly described on shipping papers, waste profiles and land disposal restriction notices despite having analytical and profile information that should have allowed the wastes to have been managed properly.
Corrective Action: Waste profiles and pre-printed manifests and land disposal restriction notices must accurately reflect the information provided to Safety Kleen staff regarding the nature and hazard classes of the waste being accepted for transport. Staff training must be improved to prevent recurrence of the incidents described in this report.

Type: Violation
Rule: 264.192(e)
Explanation: A support strap for the hazardous waste tank system piping had come loose from its attachment.
Corrective Action: Provide documentation of corrective action. Amend the facility's inspection procedures to ensure that support structures on ancillary equipment are checked at least weekly.

Type: Area Of Concern
Rule: 264.33
Explanation: The facility should inspect the hazardous waste emergency response equipment in the store room adjacent to the locker room for expired or unusable items. These should be discarded. The locations of the rooms' equipment referenced

Inspection Date: 08/09/2011

in the contingency plan should be clearly marked. The mercury spill kit referenced in the plan has been ordered.

Corrective Action: Ensure that all areas and all emergency equipment referenced in the facility's contingency plan are inspected monthly for deterioration as well as presence. Discard equipment that is not usable for its intended function.

Type: Area Of Concern

Rule: 270.14(d)(1)

Explanation: The facility's septic system was not included in the list of solid waste management units submitted as part of the facility's permit application.

Corrective Action: Amend the permit application to include the required information on the location of the septic system.

Type: Violation

Rule: 264.31

Explanation: Liquid paint waste was on the exterior of a container being held in the transfer facility, and the container had not yet been overpacked. A second container had a severe dent in the rim next to the bung, and paint residue was noted around the bung. (corrected)

Corrective Action: Safety Kleen must ensure that containers accepted for transport are free from residue in accordance with 49 CFR 173.24(b)(4). If a release occurs during transport, the leaking container must be overpacked and the release cleaned up.

Type: Violation

Rule: 264.15(d)

Explanation: The dates and nature of corrective actions were not always noted on facility inspection records. Some inspection recordkeeping forms did not include a space for the time of the inspection.

Corrective Action: Personnel who conduct inspections should note the date and nature of all corrective actions. Safety Kleen should ensure that all inspection records for emergency equipment, security devices, operating and structural equipment, tank system components and container storage areas include all required information. Inspection forms should be reviewed and amended as necessary.

Summary of Potential Violations and Areas of Concern:

Potential Violations

Rule Number	Area	Date Cited	Explanation
Transporters Checklist 263.20		08/09/2011	Safety Kleen transported hazardous waste from Aerosonic without verifying that the shipping description matched the quantity of waste and type of container.

Checklist Independent Violations

Inspection Date: 08/09/2011

Rule Number	Area	Date Cited	Explanation
264.16(a)(1), 403.727(1)(a)		08/09/2011	Safety Kleen transported hazardous waste that was not correctly described on shipping papers, waste profiles and land disposal restriction notices despite having analytical and profile information that should have allowed the wastes to have been managed properly.
264.192(e)		08/09/2011	A support strap for the hazardous waste tank system piping had come loose from its attachment.
264.31		08/09/2011	Liquid paint waste was on the exterior of a container being held in the transfer facility, and the container had not yet been overpacked. A second container had a severe dent in the rim next to the bung, and paint residue was noted around the bung. (corrected)
264.15(d)		08/09/2011	The dates and nature of corrective actions were not always noted on facility inspection records. Some inspection recordkeeping forms did not include a space for the time of the inspection.

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Checklist Independent Areas of Concern			
264.1050(d)		08/09/2011	The hazardous waste tank manway was not marked as a flange or other connector subject to regulation under 40 CFR 264 Subpart BB.
264.33		08/09/2011	The facility should inspect the hazardous waste emergency response equipment in the store room adjacent to the locker room for expired or unusable items. These should be discarded. The locations of the rooms' equipment referenced in the contingency plan should be clearly marked. The mercury spill kit referenced in the plan has been ordered.
270.14(d)(1)		08/09/2011	The facility's septic system was not included in the list of solid waste management units submitted as part of the facility's permit application.

Conclusion:

Safety Kleen Systems was not in compliance with a number of hazardous waste regulations at the time of the inspection.

Inspection Date: 08/09/2011

Signed:

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Elizabeth Knauss

PRINCIPAL INSPECTOR NAME

Environmental Manager

PRINCIPAL INSPECTOR TITLE**PRINCIPAL INSPECTOR SIGNATURE**

FDEP - SWD

ORGANIZATION

9/6/2011

DATE

Jeff Curtis

REPRESENTATIVE NAME

EHS Manager

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

Safety Kleen

ORGANIZATION

John Walters

REPRESENTATIVE NAME

Branch General Manager

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

Safety Kleen

ORGANIZATION

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.