UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

APR 27 1990

4WD-RCRA

FLD 980559 958

Mr. Barry Swihart, Chief
Bureau of Waste Planning and
Regulation
Florida Department of
Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Dear Mr. Swihart:

Enclosed is the inspection report for the State Oversight Compliance Evaluation Inspection (CEI) which was conducted at Chemical Conservation Corporation in Orlando, Florida on March 12, 1990.

Per the Memorandum of Agreement between our two agencies, the Florida Department of Environmental Regulation (FDER) has the primary responsibility for addressing the violations noted in the enclosed report. If FDER is unable to address these violations, please inform and/or refer the enforcement action to EPA.

If you should have any questions concerning this report, please contact Ms. Shannon Maher of my staff at (404) 347-7603.

Sincerely yours,

Alan Farmer, Chief
South Unit
Waste Compliance Section

Enclosure

cc: Mr. Alex Alexander
Deputy Assistant Secretary
Central District
Florida Department of
Environmental Regulation

RCRA SITE INSPECTION

1) Inspector and Author of Report

Shannon Maher
Environmental Scientist

2) Facility

Chemical Conservation Corporation
653 Rocket Boulevard
Orlando, Florida 32824

3) Responsible Official

Brian Smith

4) Inspection Participants

Shannon Maher, EPA
Mike Camardese, FDER, Lead Inspector
John White, FDER
Laxsamee Levin, FDER
Brian Smith, Chemical Conservation Corp.

5) Date of Inspection

March 12, 1990

6) Applicable Regulations

40 CFR 261, 263, and 264

7) Purpose of Survey

To conduct an overview of FDER procedures during a Compliance Evaluation Inspection related to the facility's compliance with the Resource Conservation and Recovery Act (RCRA). The inspection involved observation of the Chemical Conservation facility as a permitted storage facility and as a transporter of hazardous waste.

8) Facility Description

Chemical Conservation Corporation's transport trucks are sent to generating facilities to remove and transport drummed hazardous wastes. The trucks return to the facility's transfer area for segregation and staging according to waste type before shipment to treatment and disposal facilities such as GSX, CWM, and CHEM-MET.

Prior to pick-up of waste, the generating facility is required to submit a waste profile to Chemical Conservation, who in turn sends the waste profile to the receiving TSD facility. If the TSD facility accepts the waste, Chemical Conservation will provide the generator with a description of the waste and an acceptance letter. When the waste is to be picked up, a driver is dispatched with orders indicating the waste type, amount, and approval number to be transported. Each generating facility must submit an annual waste stream update, and a chemical analysis on any new waste stream generated.

Chemical Conservation Corporation is a permitted storage facility, although it has never operated under the permit. The facility acquired a hazardous waste storage permit in the event that delays by TSD facilities' acceptance of a shipment would cause Chemical Conservation to exceed its ten-day storage limit for the transfer facility.

Chemical Conservation Corporation also acts as a consultant and contractor for emergency and remedial hazardous waste removal.

9) Findings

Wastes that are picked up by the facility are stored in the transfer area for less than ten days before shipment to a TSD facility. The east bay is used for storage of corrosive waste, EP toxic waste, and sludge. The west bay, which is separated by a concrete berm, is used for storage of organic solvents. Each bay has a sump that drains to 1200-gallon concrete spill containment tank located outside behind the building and covered with a tarp. The entire facility is underlain by a 1/8" liner, and the parking lot is an 18-inch thick bermed concrete pad.

At the time of the inspection, there were 36 containers located in the east bay of the storage area, now referred to as the geographically correct "north" bay. The drums included 24 drums of D002, 4 drums of D011, and 8 cubic yard containers of F006 sludge. A group of drums were staged 4 across and 3 deep, making it difficult to read the hazardous waste labels or inspect the condition of the drums. Virgin material was also being stored in this area. In the west bay, now referred to as the "south" bay, there were 17 drums of D001 waste, 3 drums of TCE, and 3 drums of F001. Several of the drums were mislabeled by the generator, Simmons Health Care in North Carolina, as "D00L" instead of "D001", and the manifest number was also incorrectly labeled on the drum. However, Mr. Smith could verify the contents of the drum by his operating record. There was one drum present with a label that could not be read. In the west bay there was several small holes in the concrete. Non-hazardous waste was also being stored in this area.

A review of the operating record and manifests showed that all of the drums in storage were under the ten-day storage limit for transfer facilities. The training records did not have a job title/description with employment start date, as well as descriptions of all training received, for each employee that manages hazardous waste. The facility was using the office memorandum with the list of training attendees as the record of training. There were two drivers hired within the past year that had only received the annual 8-hour update of training, and not the initial 40-hour course. All other records were in order.

EPA Region IV has been receiving the notices required by 40 CFR 264.12 for the import of hazardous waste from Chemical Conservation Corporation. The EPA I.D. Number on the notices was for Chemical Conservation's Orlando facility. According to Mr. Smith, the imported waste never reaches the facility in Orlando, but that its EPA I.D. Number was used because the trucks from the Orlando facility were actually transporting the waste. The facilities that were actually receiving the waste were either Chemical Conservation's Michigan or Georgia facilities.

10) Conclusions

(a) Violations:

40 CFR 264.35	The facility did not maintain adequate aisle space to allow unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment as required by 40 CFR 264.35.
40 CFR 264.16(d)	The facility has not maintained personnel training records including written descriptions of the type and amount of both introductory and continuing training that will be given. The facility had performed much of the required training and recorded it in the form of a signature list and office memorandum. FDER recommended that the facility compile the required information, including the above information, into their personnel training records in the future.

40 CFR 264.12	Chemical Conservation has failed to notify the Regional Administrator in writing at least four weeks in advance of the date that the facility has arranged to receive hazardous waste from a foreign source. The facility was sending the required notices incorrectly identifying Chemical Conservation in Orlando as the receiving facility for the imported waste.

(b) Area of Concern:

Chemical Conservation has not yet operated under the hazardous waste storage permit. In the event that the storage time for any hazardous waste exceeds the 10-day storage limit for transfer facilities, the facility becomes subject to regulation under 40 CFR 264, 265, 268, and 270 with respect to the storage of those wastes, as required by 40 CFR 263.12. The facility must sign and date the manifest on the tenth day of transfer storage as the receiving TSD facility, as required by the 40 CFR 264.71(a) requirement for permitted storage facilities.

11) Signed

Shannon Maher
Environmental Scientist

12) Concurrence

Alan Farmer, Chief
South Unit
Waste Compliance Section