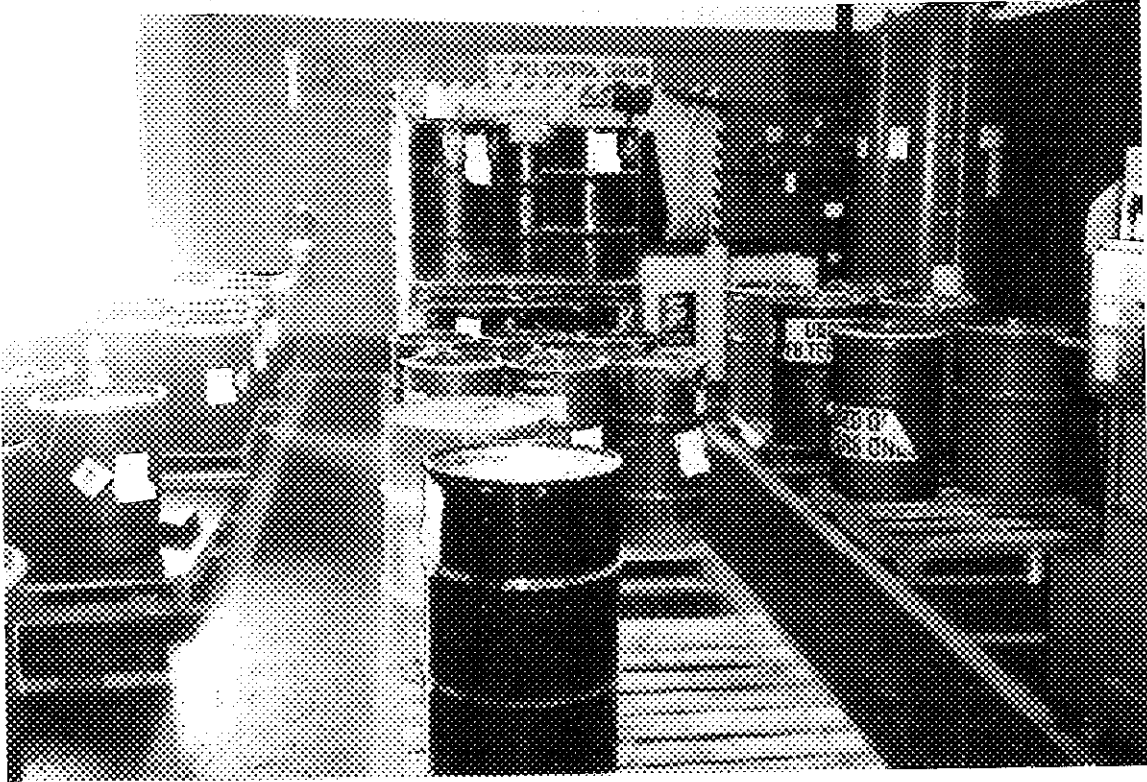


+

Photographs From Safety-Kleen Sanford
Site Inspection 9/10/02

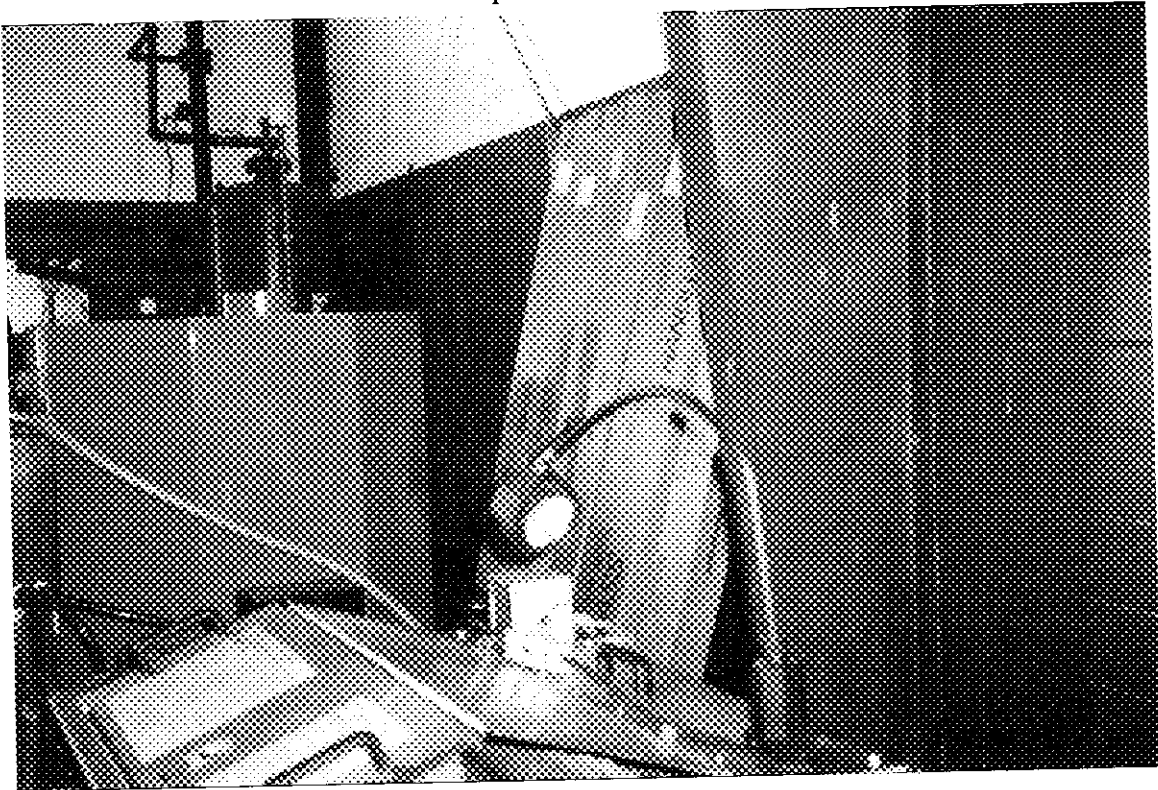


Container Storage Area

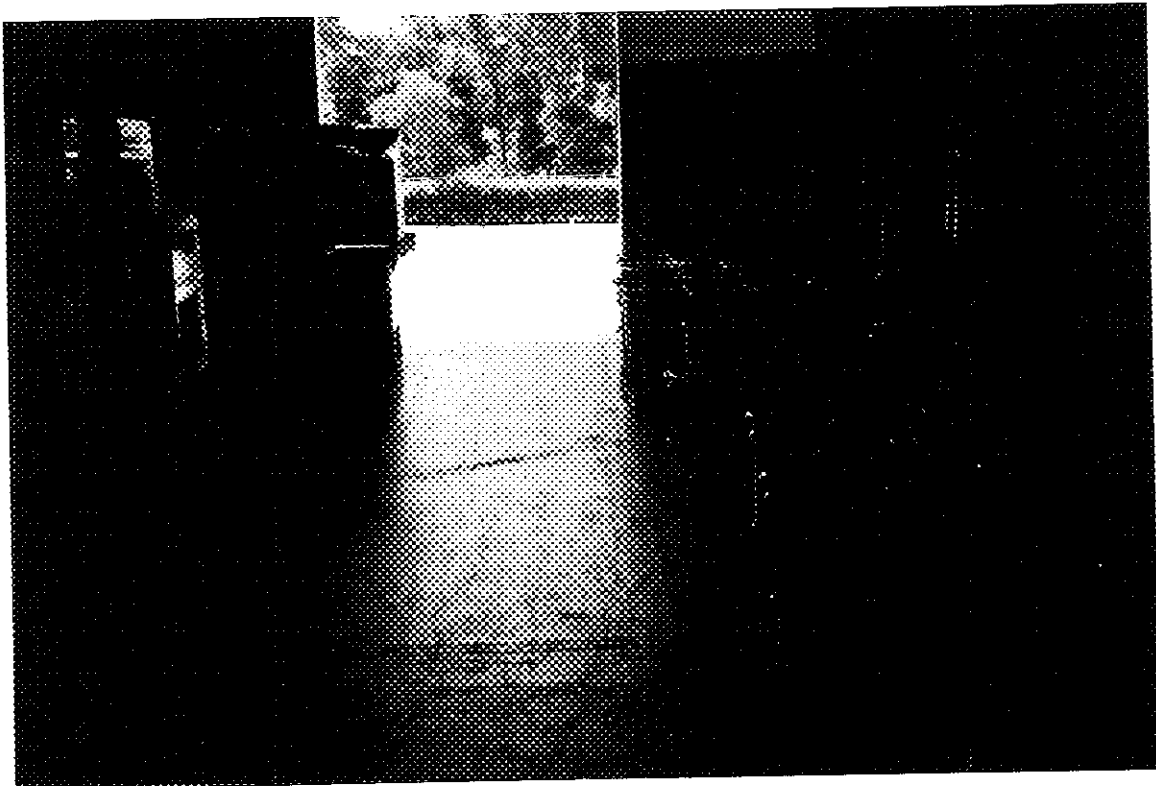


Container Storage Area

Photographs From Safety-Kleen Sanford
Site Inspection 9/10/02



Container Storage Area

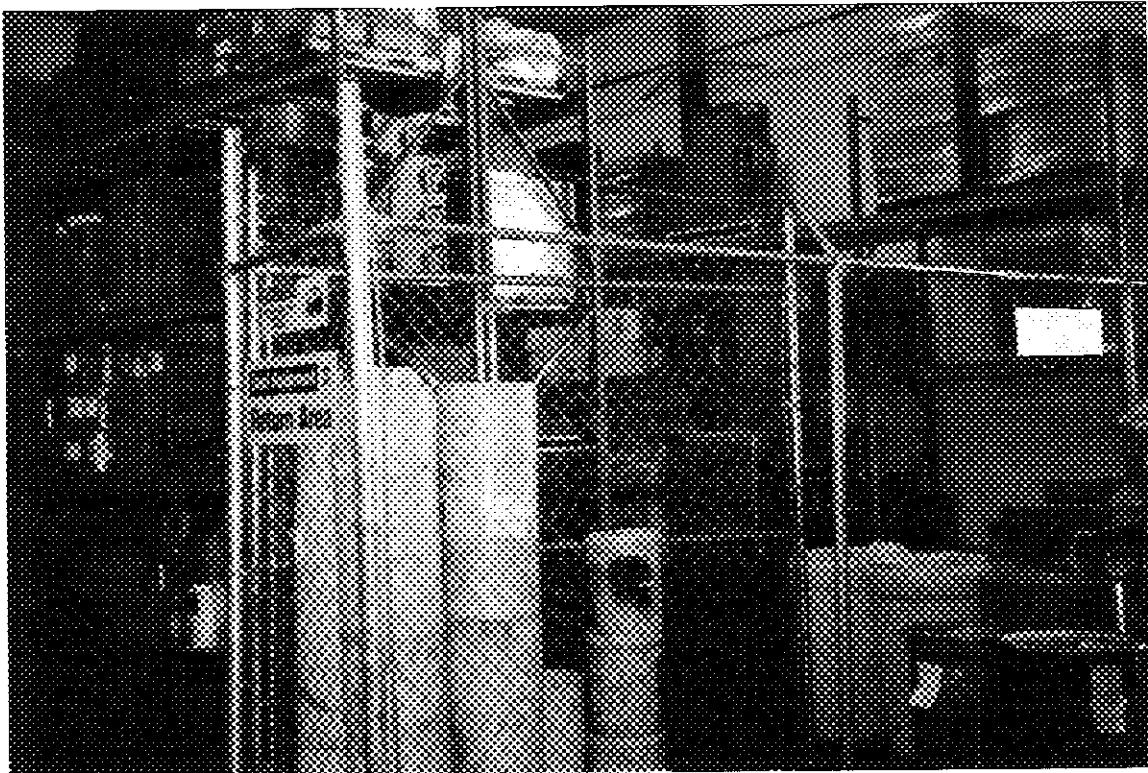


Container Storage Area

Photographs From Safety-Kleen Sanford
Site Inspection 9/10/02



Product Storage Area



Product Storage Area

Photographs From Safety-Kleen Sanford
Site Inspection 9/10/02



Outdoor Storage Tank Area

Photographs From Safety-Kleen Sanford
Site Inspection 9/10/02

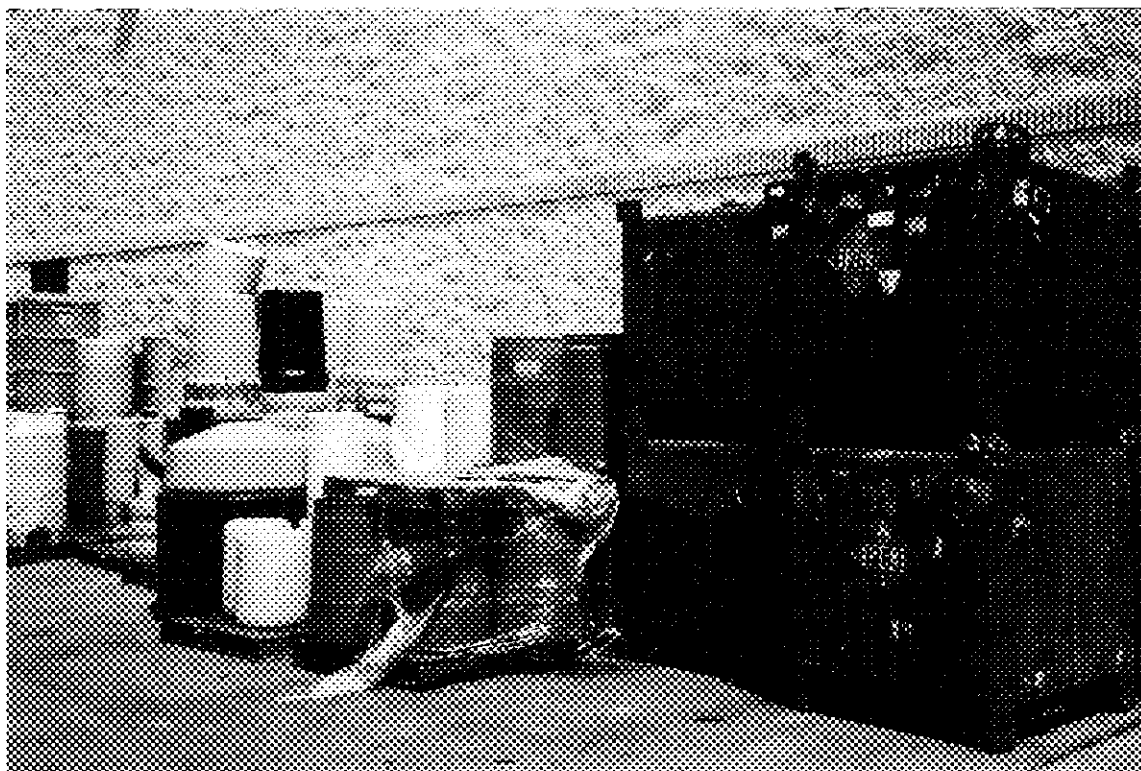


Transfer Storage Area

Photographs From Safety-Kleen Sanford
Site Inspection 9/10/02



Product Outdoor Storage Area



Product Outdoor Storage Area



Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

September 30, 2002

Certified Mail

7001 2510 0001 0820 1860

Matt Hedrick
Environmental Health & Safety Manager
Safety-Kleen Corp.
5309 24th Avenue South
Tampa, Florida 33619

OCD-HW/C/E-02-0503

Seminole County – HW
Safety-Kleen Corp. Sanford
Enforcement Case

Dear Mr. Hedrick:

On October 11, 2001 a Warning Letter was mailed to Safety-Kleen Corp. for alleged violations of hazardous waste regulations by the Sanford facility. Based on information provided during an informal meeting on February 21, 2002 and in your letter dated February 28, 2002, the Department adjusted the assessed civil penalties from \$14,798.00 to \$4,547.00.

On June 4, 2002, a Short Form Consent Order was mailed in an effort to complete the resolution of this enforcement case in an informal manner. The Order has not been returned to this Office so the enforcement case remains open.

Efforts have been made by both the Department and Safety-Kleen to schedule an additional meeting to discuss the Department's relationship with Safety-Kleen's Sanford facility; however, due to scheduling conflicts we were not able to meet as planned. Unless additional compelling information can be provided documenting the alleged violations did not take place, the assessed penalty still stands. Any future meetings between the Department and Safety-Kleen, while welcome and appreciated, will not affect the assessed penalty in this case.

We are requesting that Safety-Kleen Corp. sign the Short Form Consent Order dated June 4, 2002, and return the document to this Office within 10 days of receipt of this request. If the Consent Order is not acceptable, please inform the Department in writing within the same time frame.

We look forward to your assistance in the timely resolution of this case.

Sincerely,

John White
Environmental Specialist

cc: Kenneth L. Bednar, Attorney

"More Protection, Less Process"

Printed on recycled paper.



Date: July 15, 2002

Certified Mail # 70011940000588551615

Mrs. Lu Burson
Department of Environmental Protection
Central District
3319 Maguire Blvd., Suite 232
Orlando, Florida 23803-3767



RE: Dixie Lime Stone Inc. Waste Exceeding CESQG Limits

Dear Mrs. Burson,

As per our telephone conversation regarding Dixie Lime Stone Inc., on July 12, 2002, I am providing you a self-report for Safety-Kleen receiving waste exceeding CESQG monthly weight requirements. Safety-Kleen accepted waste solvent from Dixie Lime Stone on three separate occasions in which the weight exceeded the maximum waste weight of 220 pounds a generator can accumulate in one month. Below, I have listed the shipping document number, date of pick-up and weight of waste solvent;

- Document Number (20011497) / February 11, 2002 / 37 Gallons @ 247 lbs.
- Document Number (20232071) / March 7, 2002 / 44 Gallons @ 294 lbs.
- Document Number (20694100) / May 6, 2002 / 45 Gallons @ 301 lbs.

Shipping papers for the pick-ups listed above are acceptable under the tolling agreement, however, the EPA identification number was not applied for until May 6, 2002. According to Dixie Lime Stone Inc., an unauthorized employee signed the EPA ID Application Form and is requesting only company officers sign legal documents. Dixie Lime Stone will be switched to Safety-Kleen's Continued Use Program and applying for CESQG status to eliminate the need for an EPA ID number.

Furthermore, Safety-Kleen (Sanford) has taken corrective action with the driver, who received the three shipments at Dixie Lime Stone, Inc. All Florida Safety-Kleen branches will be required to designate a "person in charge" to ensure proper authorization for future generator status changes.

If you have any further questions, please call me at (813) 340-0976.

Sincerely,

Matt Hedrick
Safety-Kleen Corp. EHS Manager

cc. Keith Marcille (Safety-Kleen Inc., Sanford)
Bill Houghton (Dixie Lime Stone Inc.)

SAFETY-KLEEN CORP.

5309 24TH AVENUE SOUTH TAMPA, FL 33619 813-626-1203



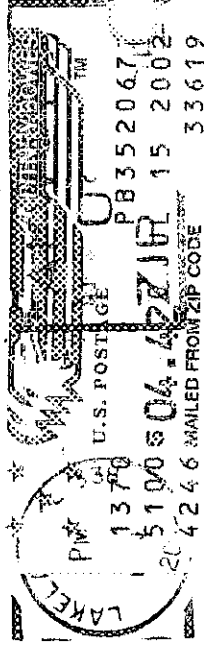


5309 24th Avenue South
Tampa, FL 33619

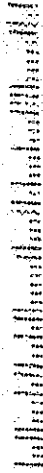
GENERAL MAIL

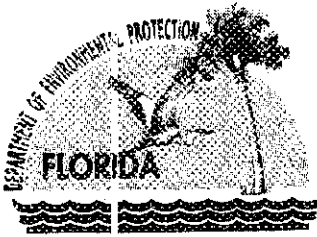


7001 1940 0005 8855 1615



Mrs. Lu Burson
Department of Env. Protection
Central District
3319 Maguire Blvd., Suite 232
Orlando, FL





Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

June 4, 2002

David B. Struhs
Secretary

Matt Hedrick
Safety-Kleen Florida EHS Manager
Safety-Kleen Corp.
5309 24th Avenue South
Tampa, Florida 33619

OCD-HW/C-02-0200

Seminole County – HW
Safety-Kleen Corp.
Consolidation of Oil Filters

Dear Mr. Hedrick:

I am in receipt of your letter dated 29 May 2002. The Department has no objection to Safety-Kleen's proposed management plan for consolidation of used oil filter drums at the Sanford facility. Please ensure containers holding used oil filters are stored in accordance with the requirements outlined in Florida Administrative Code Rule 62-710.850(6).

Sincerely,

Lu Burson
Environmental Manager
Hazardous Waste Section

lb/jw



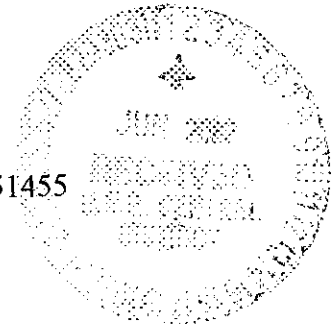
GEORGE NICELEY
CUSTOMER SERVICE MANAGER

SAFETY-KLEEN CORP.

600 CENTRAL PARK DRIVE
SANFORD, FL 32771
PHONE 407 321-6080 FAX 407 321-0065
E-MAIL GNICELEY@SAFETY-KLEEN.COM
WWW.SAFETY-KLEEN.COM



Cindy Bruce, Brackman.



29 May 2002

Certified Mail #70011940000588551455

Mr. John White
Department of Environmental Protection
3319 Boulevard, Suite 232
Orlando, FL 32803-3767

RE: Consolidation of Oil Filters at Safety-Kleen (Sanford)

Dear Mr. White,

In efforts to reduce transportation cost and the potential for accidental release, Safety-Kleen (Sanford) Facility will begin consolidating 30 gallon used oil filter drums into a filter bin. As per our conversation on May 22, 2002, this operation does not conflict with Rule 62-710.850 or Safety-Kleen's RCRA permit. Furthermore, Safety-Kleen (Sanford) is currently registered as an Oil Filter Transporter and Transfer Facility within the State of Florida.

Safety-Kleen (Sanford) plans to store the bin within areas of the facility that provide shelter from weather, impervious floor and although not required under the oil filter storage standard, secondary containment. There may be unforeseen occasions where the bins may be stored in the drum storage area of the facility before being off-loaded by the transporter. The bins, in which the filters will be consolidated, are made of 12-gauge steel, provide their own protection from weather and hold approximately 330 gallons. The consolidation will require the Safety-Kleen Service Technician to tilt a 30 gallon oil filter drum on the "return and fill" loading dock into the oil filter bin positioned below. This will provide secondary containment if a spill should occur and eliminate lifting full 30-gallon containers. Once the container is emptied, the drums will be washed clean in the "return and fill" dumpster and returned to used oil filter customers. First Recovery will be the transporter responsible for emptying full bins and transporting them to US Foundry in Medley, FL.

Thank you for your assistance regarding this matter. If you have any questions or concerns, please feel free to contact me at (813) 340-0976.

Sincerely,

Matt Hedrick
Safety-Kleen Florida EHS Manager

cc. Keith Marcille - Safety-Kleen (Sanford)



KATZ, BARRON, SQUITERO & FAUST, P.A.

ATTORNEYS AT LAW

FIRST FT. LAUDERDALE PLACE
100 N.E. THIRD AVENUE, SUITE 200
FT. LAUDERDALE, FLORIDA 33301

BROWARD: (954) 522-3636 • (954) 781-4720
MIAMI-DADE: (305) 856-2444
TELECOPIER: (954) 522-5119
www.katzbarron.com

RONALD M. BARRON
(1945 - 1994)

OF COUNSEL:
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ALICIA BROHALES-TERANADEZ
RICHARD MORTON
LAWRENCE N. ROSEN, P.A.
WILLIAM A. ZEIMER, P.A.

MIAMI OFFICE:
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SEVENTH FLOOR
MIAMI, FLORIDA 33133-5403
TELEPHONE: (305) 856-2444
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FRANK T. ADAMS
BERNARD ALLEN
MARK S. AUERBACHER
ALON BARZAKAY
KENNETH L. BEDNAR
W. TODD BOYD
CHARLES D. BRECKER
MELISSA S. CHANNING
JORGE I.G. DEL VALLE
DAVID S. DROBNER
ERICA L. ENGLISH
MARC L. FAUST
HOWARD L. FRIEDBERG
ROBERT C. GRADY
ANA C. HARRIS
ELIZABETH A. HEISE
MATHAI JACOB
MICHAEL D. KATZ
NICOLE T. KOPELOWITZ
PHILIPPE LIEBERMAN
MARIA C. MONTENEGRO
RICHARD A. MORGAN
CARLOS E. MUSTELIER JR.
ANTHONY H. PELLE
JOSE R. RIGUERA
WILLIAM D. ROHRER
JOHN R. SQUITERO
MICHELE L. STOCKER

May 15, 2002

Via: Facsimile and Certified Mail

Mr. John White, Environmental Specialist
Florida Department of Environmental Protection
Central District
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803-3767

Re: Seminole County - HW
Safety-Kleen Corp. Sanford Enforcement Case
Our File No: 19207.002

Dear Mr. White:

Please allow this to introduce our firm as retained counsel on behalf of Safety-Kleen Corporation in the above referenced matter. In that capacity we have reviewed the inspection report, correspondence between the parties and applicable law.

A review of the materials which we have been provided indicates that the Safety-Kleen facility is and has been in full compliance when inspected eight times during the period from December 10, 1993 through March 12, 2001. During that nine year time period the facility was at no time found to be not in compliance. Safety-Kleen as a corporate entity has employed approximately thirty (30) to thirty five (35) Florida residents at that facility since March of 1993. Safety-Kleen Corporation has and continues to be an extremely conscientious permitted hazardous waste storage facility operator and hazardous waste transporter. The company has made significant efforts to comply with all Federal and State guidelines regarding the transportation, transfer and storage of hazardous waste materials. Most significantly, Safety-Kleen has never through its actions, created an environmental hazard or otherwise caused the State of Florida environment to be compromised in any way. This despite having a fleet of almost twenty trucks which deliver twenty or more services and transport per day to the facility. During the entire operation of the facility there have been no spills, accidents or other such events which might have posed a threat to Florida's environment.

Reviewed in its entirety, Safety-Kleen's history as a transporter, transfer facility and hazardous storage facility operator at this facility is exemplary. Indeed, in the matter which

Mr. John White
Safety-Kleen Corp. Seminole County-HW
Page 2

which is the subject of the hazardous waste inspection report dated August 10, 2001 the actions of Safety-Kleen in no way jeopardized or otherwise compromised the environment of the State of Florida. Numerous factors should be considered in mitigation of any penalty or fine to be levied against Safety-Kleen relevant to this report and subsequent warning letter. Specifically, is the generators' responsibility to make a hazardous waste determination pursuant to 40 CFR 262.11. Under that code section the generator is required to determine which portions of the hazardous regulations are applicable to it in its generator status. Upon formulating a determination as to its generator status it is the generators' responsibility to transport or offer for transport those materials pursuant to a prepared manifest. Small Quantity Generators are allowed to ship waste washer solvent to Safety-Kleen under the tolling agreement without a manifest pursuant to 40 CFR 262.20 (e) with conditionally Exempt Small Quantity Generators are only required to insure delivery to an authorized facility as per section 261.5(g)(3). It is our understanding that both contractors involved in this instance (Auto Skills Center and Dynacs), generate less than one hundred kgs/mo and are thereby conditionally Exempt Small Quantity Generators. While both generators are on NASA and Patrick Air Force Base sites and should have used their EPA identification numbers and manifests, these generators are certainly as culpable if not more so than Safety-Kleen for not identifying themselves as Large Quantity Generators and any paperwork identifying themselves as conditionally Exempt Small Quantity Generators. In fact, both of the above generators signed the paperwork at time of release of the materials to Safety-Kleen identifying themselves as conditionally Exempt Small Quantity Generators.

There was never any intent on the part of Safety-Kleen to conceal the fact that it was receiving the waste from the two subject generators (the paperwork trail is very clear and easy to follow) and Safety-Kleen had no incentive to receive the waste pursuant to a pre-printed form as opposed to a manifest. A review of both documents evidences that the same essential information is contained on the pre-print as on the manifest including shipping description, environmental protection agency codes and signatures.

The waste question was handled (i.e, recycled) in the same manner in which it would have been handled if it had been transported and received pursuant to a manifest. There was never any threatened or actual environmental harm.

The two generators in this case were not penalized in accordance with their self reporting actions. The Department's reference to a "history of non-compliance" involved an event which occurred in 1991. It is our understanding that Florida's penalty policy is only to consider violations which may have occurred within a five year period previous to the occurrence of the current violation. Safety-Kleen's record for the prior five year period is, again, exemplary. It appears that the Department, while apparently within its right to do so, has elected harsh implementation of a penalty which may amount to a double hit for the same violation, since Safety-Kleen was both the transporter and TSDF. in this instance.

Viewed in its totality, Safety-Kleen believes its exemplary record, steps taken to

Mr. John White
Safety-Kleen Corp. Seminole Count-HW
Page 3

increase training and the very technical nature of this violation, should be considered in mitigation of the assessments levied in this instance. Based upon all of the foregoing, Safety-Kleen respectfully requests that the Department reconsider its position and abate any penalty assessment relative to the above technical violations.

This letter would be incomplete if it did not express to the Department the commitment of Safety-Kleen Corporation including its professionals and managers of Florida operations to the absolute protection of Florida's environment. The management and employees of Safety-Kleen Corporation are recognized throughout the industry for excellence in the transportation, transfer and storage of hazardous waste materials.

Thank you in advance for your time spent reviewing this correspondence and favorable consideration with respect to the issues discussed herein. Safety-Kleen Corporation management as well as myself welcome the opportunity to discuss this matter with you in person and believe that such dialogue will continue to foster a better relationship between the Department and Safety-Kleen. I look forward to speaking with you at your earliest convenience.

Very truly yours,

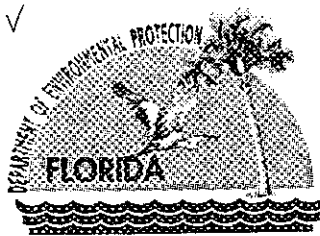
KATZ, BARRON, SQUITERO & FAUST, P.A.



Kenneth L. Bednar
For the Firm

KLB/ms

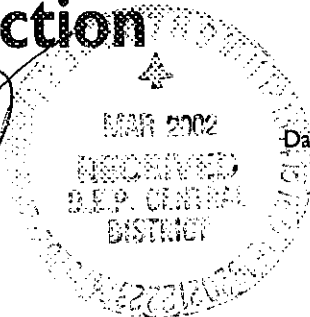
cc: Jim Childress
Craig Lackey



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400



David B. Struhs
Secretary

March 1, 2002

Ms. Kathy Hodge
Safety Kleen Corporation
1122 Lady Street
Columbia, South Carolina 29201-3218

Re: FLD 984 171 165
Safety Kleen-Sanford
600 Central Park Drive
Sanford, Florida 32771-6690

Dear Ms. Hodge:

The department has reviewed the documentation submitted to demonstrate financial responsibility and finds it in order. The Indian Harbor Insurance Company certificate of insurance policy # PEC0006594 effective January 25, 2002 adequately covers the closure cost approved by the department. In addition, the Greenwich Insurance Company certificate of liability insurance policy # PEC0007099 effective October 15, 2000 providing coverage for sudden and nonsudden accidental occurrences is also adequate.

Therefore, Safety Kleen of Sanford is in compliance with the financial assurance requirements of 40 CFR Part 264 Subpart H as adopted by reference in Rule 62-730.180 of the Florida Administrative Code.

If you have any questions, please contact me at 850-488-0300.

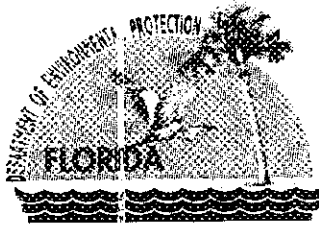
Sincerely,

Edgar Echevarria
Environmental Specialist II
Hazardous Waste Regulation

CC: Mr. Jeffrey Pallas, USEPA/Region 4
✓ Mr. William Bostwick, FDEP/Central District Office
FDEP File

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Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

November 14, 2001

Keith Marcille, Branch Manager
Safety-Kleen Corp.
600 Central Park Drive
Sanford, Florida 32771

OCD-HW/C/E-01-0320

Seminole County - HW
Safety-Kleen Corp.
FLD984171165

Dear Mr. Marcille:

In the Warning Letter dated October 11, 2001, I requested Unmanifested Waste Reports for shipments of hazardous waste from Kennedy Space Center and Patrick Air Force Base and a written plan regarding use of the uniform hazardous waste manifest.

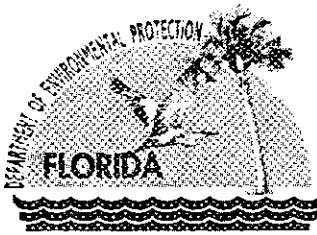
While Jason Sherman, Office of General Counsel, will be coordinating this case, please forward your response to my attention at the address listed above.

If you have any questions I can be reached at (407)893-3323.

Sincerely,

John White
Environmental Specialist

jw



Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

CERTIFIED MAIL

7099 3400 0004 1323 1916

Keith Marcille, Branch Manager
Safety-Kleen Corp.
600 Central Park Drive
Sanford, Florida 32771

WARNING LETTER

OWL-HW/E-C-00-0029

Seminole County - HW
Safety-Kleen Corp.
FLD984171165

Dear Mr. Marcille:

On August 10 and September 7, 2001 the Department received written notice of potential violations involving Safety-Kleen Corp. During the review of this information, possible violations of rules regarding hazardous waste management were noted. These possible violations are set forth in the "Summary of Potential Non-Compliance Items" 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 or 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 pursuant to Sections 403.727 Florida Statutes.

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 violations and/or civil penalties for which you may be responsible.

This matter may be resolved through the entry of a Consent Order that includes a compliance schedule and an appropriate penalty. 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 300 days of the date of the attached inspection report. In order to avoid the issuance of a NOV, a Consent Order must be entered well in advance of that date.

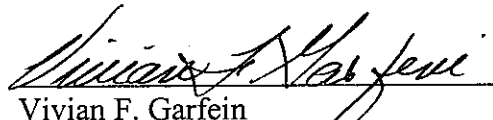
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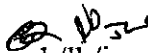
WARNING LETTER
Safety-Kleen Corp.
OWL-HW/E/C-01-0029

Please contact John White, Hazardous Waste Section, at (407) 893-3323 within ten (10) working days of receipt of this letter to schedule an informal conference concerning resolution of this matter.

Sincerely,

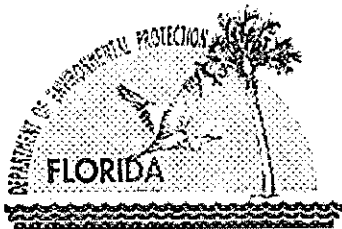

Vivian F. Garfein
Director of District Management

October 11, 2001
Date


VFG/wmb/lb/jw

Enclosures: RCRA Inspection Report

cc: FDEP, Tallahassee



Department of Environmental Protection

Jeb Bush
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. **INSPECTION TYPE:** ☐ Routine ☐ Complaint ☐ Follow-Up ☐ Permitting ☒ File Review

FACILITY NAME Safety-Kleen Systems Sanford EPA ID # FLD984171165

STREET ADDRESS 600 Central Park Drive, Sanford, Florida 32771

MAILING ADDRESS 600 Central Park Drive, Sanford, Florida 32771

COUNTY Seminole PHONE 407/321-6080 DATE 8/10/01 TIME _____

NOTIFIED AS: ☐ N/A

CURRENT STATUS:

- ☐ Non Handler
☐ CESQG (<100 kg/mo.)
☐ SQG (100-1000 kg/mo.)
☐ Generator (>1000 kg/mo.)
☐ Transporter
☐ Transfer Facility
☐ Interim Status TSD Facility
☒ TSD Facility
Unit Type(s): Storage
☐ Exempt Treatment Facility
☐ Used Oil:

- ☐ Non Handler
☐ CESQG (<100 kg/mo.)
☐ SQG (100-1000 kg/mo.)
☐ Generator (>1000 kg/mo.)
☐ Transporter
☐ Transfer Facility
☐ Interim Status TSD Facility
☒ TSD Facility
Unit Type(s): Storage
☐ Exempt Treatment Facility
☐ Used Oil:

2. **APPLICABLE REGULATIONS:**

- | | | | |
|---------------------------------------|--------------------------------------|---|--|
| <input type="checkbox"/> 40 CFR 261.5 | <input type="checkbox"/> 40 CFR 262 | <input type="checkbox"/> 40 CFR 263 | <input checked="" type="checkbox"/> 40 CFR 264 |
| <input type="checkbox"/> 40 CFR 265 | <input type="checkbox"/> 40 CFR 266 | <input checked="" type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 273 |
| <input type="checkbox"/> 40 CFR 279 | <input type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-730, FAC | <input type="checkbox"/> 62-737, FAC |

3. **RESPONSIBLE OFFICIAL(s):**

Keith Marcille, Branch Manager

4. **INSPECTION PARTICIPANTS:**

John White

5. **LATITUDE/LONGITUDE:**

6. **SIC Code:** N/A

7. **TYPE OF OWNERSHIP:** ☒ Private ☐ Federal ☐ State ☐ County ☐ Municipal

8. **PERMIT #:** HO01-0022198-001 **ISSUE DATE:** May 10, 1999 **EXP. DATE:** May 10, 2004

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Website: www.dep.state.fl.us

Phone: 407/894-7555 ♦ Fax: 407/893-3167

9. INTRODUCTION:

Safety-Kleen, located at 600 Central Park Drive, Sanford, Florida, operates as a generator, transporter, transfer facility, and permitted hazardous waste storage facility. Safety-Kleen has operated at this particular location since March 15, 1993 and employs approximately 30 people Monday through Friday from 6:00AM to 9:00PM. Potable water and domestic waste needs are serviced by the City of Sanford.

Safety Kleen Sanford was last inspected on March 12, 2001 as a permitted storage, transfer facility, transporter, and generator. The facility was in compliance with hazardous waste regulations at that time.

Safety-Kleen is currently operating under the hazardous waste operation permit, HO01-0022198-001. Safety-Kleen, Sanford operates under the permit which includes the following areas: 1) a totally enclosed building, approximately 80 feet by 155 feet, having three distinct areas, designated as offices, container storage area and return/fill station and; 2) a separate outside aboveground tank storage area with four 20,000-gallon steel tanks with secondary containment. Tank #1 contains waste solvent and is regulated under this permit. Tank #3, which had stored antifreeze, received a closure certification on December 21, 1999. This tank is planned to store used oil. Tank #2 and #4 contain product Parts Cleaner 105 and product Premium 150 Solvent, respectively. The amount of waste stored in the container storage area at any one time is not to exceed 6,912 gallons.

10. INSPECTION HISTORY:

Inspection conducted on March 12, 2001 - facility was in compliance.
Inspection conducted on August 3, 2000 - facility was in compliance.
Inspection conducted on August 4, 1999 - facility was in compliance.
Inspection conducted on June 10, 1998 - facility was in compliance.
Inspection conducted on September 18, 1997 - facility was in compliance.
Inspection conducted on March 12, 1996 - facility was in compliance.
Inspection conducted on February 20, 1995 - facility was in compliance.
Inspection conducted on December 10, 1993 - facility was in compliance.

11. PROCESS DESCRIPTION:

Safety-Kleen Sanford has 17 trucks that are used for servicing customers. The trucks are constructed to provide an estimated 20 services per day and/or transport 20 drums back to the facility. Equipment and solvent, including mineral spirits, immersion cleaner and perchloroethylene, are leased to Safety-Kleen customers. Spent solvent is picked up at regular intervals, at which time the spent solvent is exchanged for clean product.

Spent mineral spirits is returned to the Sanford facility's return/fill area where the drums are emptied into barrel washers. Empty drums are placed onto a rotary brush unit, within the barrel washer, and the dirty mineral spirits is used to clean the inside and outside of the drum. Clean drums are refilled with mineral spirits and returned to the service trucks. The waste mineral spirits is transferred, using a float actuated pump and overhead pipe system, from the barrel washers to the aboveground tank storage tank. Sludge accumulated in the barrel washer is removed at least once per day. The sludge is collected in 16-gallon satellite containers, which when full, are then stored in the container storage area prior to shipment off-site. The waste mineral spirits storage tank is pumped out when the capacity reaches 19,000-gallons or a height of 22 feet 5 inches. Waste mineral spirits is transported to Safety-Kleen's Lexington, South Carolina facility for reclaiming.

Safety-Kleen also operates a service referred to as "continued use". This "Continued Use Program" diverts a portion of used mineral spirits from qualified customers and places it in a continued use "wet dumpster" that is directly piped to the drum washing units for chemical and mechanical cleaning of incoming continued use drums. A permit modification, dated October 10, 2000, was issued for implementation of the Continued Use Program.

Safety-Kleen provides customers with paint thinner, and cleaning solvent. When the material is no longer useful, Safety-Kleen picks up the spent material and stores the hazardous waste in the container storage area, prior to shipping the spent materials to Safety-Kleen's Lexington, South Carolina and Hebron, Ohio facilities.

Safety-Kleen also services facilities generating used oil. Safety-Kleen samples and analyzes the used oil for PCB's and other contaminants prior to accepting the used oil from the customer. The drivers test used oil samples with the use of CLOR-D-TECT 1000 screening kits. No results of these tests are kept. A metal fire cabinet located next to the container storage area is used for the accumulation of used oil samples. Oil samples are only analyzed if the East Chicago refinery reports that a rail car shipment they received is contaminated. The samples are accumulated for less than 90 days and then properly disposed.

12. Record Review:

On August 10, 2001 the Department received written notice from U.S. Patrick Air Force Base that, between June 2000 and August 2001, Safety-Kleen Corp. transported 8 shipments of hazardous waste off of Patrick Air Force Base property without a hazardous waste manifest [40 CFR 263.20(a)]. Patrick Air Force Base is a large quantity generator of hazardous waste and, as such, a uniform hazardous waste manifest is required for each shipment of hazardous waste off of the property.

On September 7, 2001, the Department received written information from U.S. NASA Kennedy Space Center documenting that, between August 2000 and May 2001, Safety-Kleen Corp. transported 7 shipments of hazardous waste off of U.S. NASA Kennedy Space Center property without a hazardous waste manifest [40 CFR 263.20(a)]. U.S. NASA Kennedy Space Center is a large quantity generator of hazardous waste and, as such, a uniform hazardous waste manifest is required for each shipment of hazardous waste off of the property.

This is a repeat violation by Safety-Kleen. On February 27, 1992, the Department took state-wide enforcement against Safety-Kleen for violations, including the transportation of hazardous waste without a manifest from Olin Corporation, U.S. NASA Kennedy Space Center, Emergency One, and Hartland Pontiac.

An inspection of Safety-Kleen's operations conducted on October 30, 1991, when the facility was located at 505 Plumosa Drive, Altamonte Springs, Florida, documented the removal of hazardous waste from U.S. NASA Kennedy Space Center without the use of a hazardous waste manifest. In response to the enforcement action, in a submittal dated April 1, 1992, Safety-Kleen provided the Central District with an Unmanifested Waste Report for wastes removed from U.S. NASA Kennedy Space Center without the use of a hazardous waste manifest

13. Summary of Potential Non-Compliance Items and Recommended Corrective Actions:

a) Permit HO01-0022198-001 Specific Conditions Part I, Condition 14 / 40 CFR 264.76 - Unmanifested Waste Report

The Permittee shall comply with the manifest requirements of 40 CFR 264.71, 264.72, and 264.76. In accordance with 40 CFR 264.76, if a facility accepts for treatment, storage, or disposal any hazardous waste from an off-site source without an accompanying manifest, or without an accompanying shipping paper as described in § 263.20(e)(2) of this chapter, and if the waste is not excluded from the manifest requirement by § 261.5 of this chapter, then the owner or operator must prepare and submit a single copy of a report to the Regional Administrator within fifteen days after receiving the waste.

Violation

Safety-Kleen Sanford accepted 15 unmanifested shipments of hazardous waste from U.S. NASA Kennedy Space Center and U.S. Patrick Air Force Base between June 2000 and August 2001. No unmanifested waste reports have been received regarding shipments from these two facilities during the time period in question.

Recommended Corrective Action

Within 15 days of receipt of this report, Safety-Kleen Corp. must file unmanifested waste reports covering all of the shipments in question.

b) 40 CFR 263.20(a) The manifest system.

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.

Violation

Safety-Kleen Sanford transported 15 unmanifested shipments of hazardous waste from U.S. NASA Kennedy Space Center and U.S. Patrick Air Force Base between June 2000 and August 2001.

Recommended Corrective Action

Safety-Kleen Corp. must provide the Department with a written plan documenting efforts to properly train staff to ensure waste is not transported from generators without the use of a uniform hazardous waste manifest.

14. CONCLUSION:

At the time of this File Review Safety-Kleen, Sanford was regulated as a permitted hazardous waste storage facility, generator, transporter, and transfer facility and was not in compliance.

Report Prepared By:


John White

Environmental Specialist

Date: October 10, 2001



Environmental Consulting & Technology, Inc.

October 3, 2001

Hazardous Waste Supervisor
Department of Environmental Protection
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Attention: Mr. Bob Snyder, P.E.

Re: Safety-Kleen Systems, Inc., Altamonte Springs Facility
FLD 097 837 983; Closure Permit No. 0119749-001-HF
Updated OSHA Training Certificates



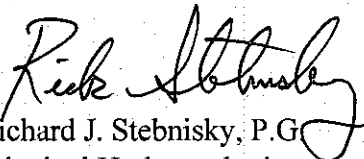
Dear Hazardous Waste Supervisor:

On behalf of Safety-Kleen Systems, Inc., this letter transmits updated OSHA training certificates for Environmental Consulting & Technology, Inc. (ECT) staff. Please insert these at Attachment II.A in your copy of the closure permit application for the facility.

Please call me if you have any questions. Thank you.

Sincerely,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.


Richard J. Stebnisky, P.G.
Principal Hydrogeologist

Enclosure

cc: Gary Risse, Safety-Kleen
999 File No. 1760/ c/o Ray Zimmerman, Safety-Kleen (Sanford facility)
Jim Childress, Safety-Kleen
FDEP, Tallahassee (2 copies)

1408 North Westshore
Blvd., Suite 115
Tampa, FL
33607

(813)
289-9338

FAX (813)
289-9388

T:\ASDP101

An Equal Opportunity/Affirmative Action Employer

WEST COAST EMPLOYERS ASSOCIATION

Certificate of Completion
Presented to

Warren Shippee

Date: February 22, 2001

In recognition of having successfully completed
**Hazardous Waste Operations and Emergency Response (HAZWOPER)
Annual Emergency Responder Refresher Training
In Accordance With Title 29 CFR 1910.120(e)(8)**

Brian D. Stillings
Brian D. Stillings - WCEA

WEST COAST EMPLOYERS ASSOCIATION

*Certificate of Completion
Presented to*

Jose Garrido

Date: February 22, 2001

In recognition of having successfully completed
**Hazardous Waste Operations and Emergency Response (HAZWOPER)
Annual Emergency Responder Refresher Training
In Accordance With Title 29 CFR 1910.120(e)(8)**

Brian D. Stillings

Brian D. Stillings – WCEA

WEST COAST EMPLOYERS ASSOCIATION

Certificate of Completion
Presented to

Dave Kraus

Date: February 22, 2001

In recognition of having successfully completed
**Hazardous Waste Operations and Emergency Response (HAZWOPER)
Annual Emergency Responder Refresher Training
In Accordance With Title 29 CFR 1910.120(e)(8)**

Brian D. Stillings
Brian D. Stillings - WCEA

WEST COAST EMPLOYERS ASSOCIATION

*Certificate of Completion
Presented to*

Alejandro Sorondo

Date: February 22, 2001

In recognition of having successfully completed

**Hazardous Waste Operations and Emergency Response (HAZWOPER)
Annual Emergency Responder Refresher Training
In Accordance With Title 29 CFR 1910.120(e)(8)**

Brian D. Stillings
Brian D. Stillings – WCEA

WEST COAST EMPLOYERS ASSOCIATION

Certificate of Completion
Presented to

Mary Ann Kraus

Date: February 22, 2001

In recognition of having successfully completed
**Hazardous Waste Operations and Emergency Response (HAZWOPER)
Annual Emergency Responder Refresher Training
In Accordance With Title 29 CFR 1910.120(e)(8)**

Brian D. Stillings
Brian D. Stillings – WCEA

City of Tampa



Fire Rescue Training Division
Certificate of Completion

This certifies that:

Bradley S. Pekas

has satisfactorily completed the Tampa Fire Rescue
COURSE OF INSTRUCTION in

HAZWOPER REFRESHER - 4/9/01



ME Sforza

CHIEF OF TRAINING

City of Tampa



Fire Rescue Training Division
Certificate of Completion

This certifies that:

Richard J. Stebnisky

has satisfactorily completed the Tampa Fire Rescue
COURSE OF INSTRUCTION in

HAZWOPER REFRESHER - 4/9/01



ME Siford

CHIEF OF TRAINING

City of Tampa



Fire Rescue Training Division
Certificate of Completion

This certifies that:

Robert R. Colberg

has satisfactorily completed the Tampa Fire Rescue
COURSE OF INSTRUCTION in

HAZWOPER REFRESHER - 4/9/01



ME Sifola

CHIEF OF TRAINING

Certificate of Attendance

*The Sunshine Education and Research Center
at the University of South Florida*

Awards to

Mark Trux

*40 contact hours of continuing education credit for successful completion of the
continuing education offering*

*40 Hour Hazardous Waste
Operations and Emergency Response
Course*

January 29-February 1, 2001 in Tampa, Florida

492/1171

McCluskey

USF Course Approval #

Diana McCluskey, MPH - Sunshine ERC

If further documentation of attendance is required, please contact the Sunshine ERC at (813) 974-6624

ALL-PRO

Occupational

Trainers

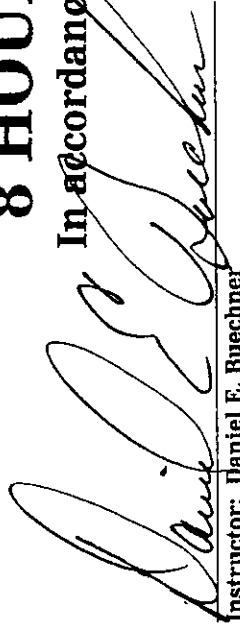
Certify to all that

Robert L. Harrison, Jr.

Has successfully completed the requirements of

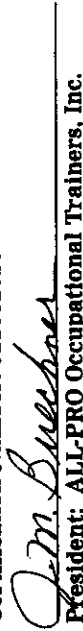
8 HOUR REFRESHER

In accordance with 29CFR1910.120(e)(8)

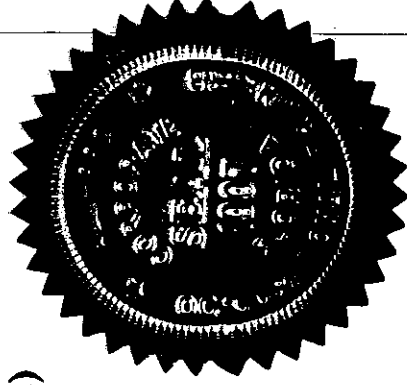


Instructor: Daniel E. Buechner

Date: October 01, 2001
City or Metropolitan Area of class attended: Tampa, FL
Certification Number: 011001626



President: ALL-PRO Occupational Trainers, Inc.



ALL-PRO

Occupational

Trainers

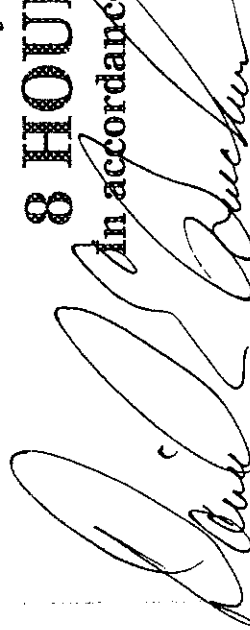
Certify to all that

Ron Noark

Has successfully completed the requirements of

8 HOUR REFRESHER

In accordance with 29CFR1910.120(e)(8)



Instructor: Daniel E. Buechner

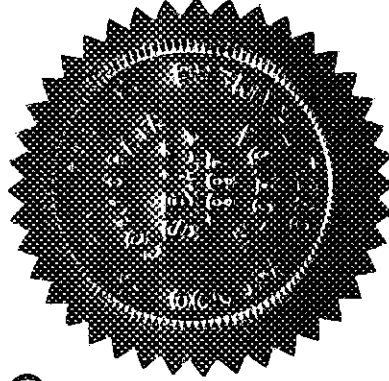
Date: October 01, 2001

City or Metropolitan Area of class attended: Tampa, FL

Certification Number: 011001628



President: ALL-PRO Occupational Trainers, Inc.



City of Tampa



Fire Rescue Training Division
Certificate of Completion

This certifies that:

Keith F. Morrison

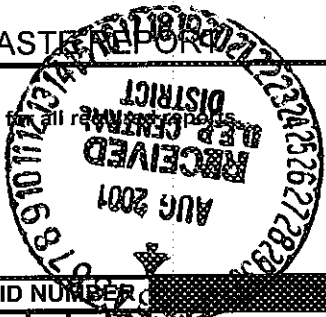
has satisfactorily completed the Tampa Fire Rescue
COURSE OF INSTRUCTION in

HAZWOPER REFRESHER - 4/9/01



ME Sfor

CHIEF OF TRAINING

<div style="text-align: center;">  </div> <p>HAZARDOUS WASTE REPORT</p> <p>Use this form as a cover for all reports.</p>	<p>1. TYPE OF HAZARDOUS WASTE REPORT</p> <p>PART A: GENERATOR ANNUAL REPORT</p> <p>THIS REPORT IS FOR THE YEAR ENDING DEC 3 2 0</p> <p>PART B: FACILITY ANNUAL REPORT</p> <p>THIS REPORT IS FOR THE YEAR ENDING DEC 3 2 0</p> <p>PART C: UNMANIFESTED WASTE REPORT</p> <p>THIS REPORT IS FOR A WASTE RECEIVED (day/mo/yr) 1 0 / 0 7 / 2 0 0 1</p>				
<p>II. INSTALLATION'S EPA ID NUMBER</p> <p>F L D 9 8 4 1 7 1 1 6 5</p>					
<p>III. NAME OF INSTALLATION</p> <p>S A F E T Y - K L E E N S Y S T E M S , I N C .</p>					
<p>IV. INSTALLATION MAILING ADDRESS</p> <p>6 0 0 C E N T R A L P A R K D R I V E</p> <p>S A N F O R D , F L 3 2 7 7 1</p>					
<p>V. LOCATION OF INSTALLATION</p> <p>6 0 0 C E N T R A L P A R K D R I V E</p> <p>S A N F O R D , F L 3 2 7 7 1</p>					
<p>VI. INSTALLATION CONTACT</p> <table style="width: 100%;"> <tr> <th style="width: 60%;">NAME (last and first)</th> <th style="width: 40%;">PHONE NO. (area code & no.)</th> </tr> <tr> <td>R A Y Z I M M E R M A N</td> <td>4 0 7 3 2 1 6 0 8 0</td> </tr> </table>		NAME (last and first)	PHONE NO. (area code & no.)	R A Y Z I M M E R M A N	4 0 7 3 2 1 6 0 8 0
NAME (last and first)	PHONE NO. (area code & no.)				
R A Y Z I M M E R M A N	4 0 7 3 2 1 6 0 8 0				
<p>VII. TRANSPORTATION SERVICES USED (for Part A reports only)</p> <div style="height: 100px;"></div>					
<p>VIII. COST ESTIMATED FOR FACILITIES (For Part B Only)</p> <p>A. COST ESTIMATE FOR FACILITY CLOSURE</p> <table style="width: 100%;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$</td> </tr> </table>		\$	\$		
\$	\$				
<p>IX. CERTIFICATION</p> <p>I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents and that based on the inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 30%; border-top: 1px solid black; text-align: center;">A. Print or Type Name</div> <div style="width: 30%; border-top: 1px solid black; text-align: center;">B. Signature</div> <div style="width: 30%; border-top: 1px solid black; text-align: center;">C. Date Signed</div> </div>					

FACILITY REPORT - PARTS B & C

FOR OFFICIAL USE ONLY (items 1 & 2)	1. Date Received	XVI. TYPE OF REPORT (enter an X) <input type="checkbox"/> Part B <input checked="" type="checkbox"/> Part C	XVII. FACILITIES EPA ID NO.		
	2. Received By		FLD984171165		
XVIII. GENERATORS EPA ID NO.		XX. GENERATOR'S ADDRESS (street or PO box, city, state, & zip code)			
FLR000023051		TRANSCO TRANSMISSION			
XIX. GENERATOR NAME (specify)		440 NORTH HIGHWAY 434			
TRANSCO TRANSMISSION		ALTAMONTE SPRINGS, FL 32744			
XIX. WASTE IDENTIFICATION					
LINE NUMBER	A. DESCRIPTION OF WASTE	B. EPA HAZARDOUS WASTE NUMBER	C. HANDLING METHOD	D. AMOUNT OF WASTE	E. UNITS OF MEASURE
1	Hazardous Waste, Liquid, N.O.S. 9 NA 3082 PG III (ERG # 171)	D039	S02	266	P
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
XXII. COMMENTS (enter information by line number - see instructions)					
<p>Waste was shipped from the generator's location to the Sanford Service Center without a manifest. Safety-Kleen was the sole transporter under U. S. EPA Transporter ID # SCR 000075150. The waste was bulked at the Sanford service center with other parts washer solvents and then shipped to the Safety-Kleen Lexington Recycle Center (in Lexington, SC) for processing/treatment.</p>					



August 1, 2001

Sent Via Certified Mail
Tracking # 7099322000104929

Ms. Lu Burson
FL DEP - Central District
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803-3767

**Re: Unmanifested Waste Report
Safety-Kleen Systems - Sanford, FL Facility
Facility EPA ID # FLD 984 171 165
Generator - Transco Transmission Altamonte Springs, FL**

Dear Ms. Burson:

In accordance with 40 CFR 264.76, Safety-Kleen is submitting the attached unmanifested waste report for waste aqueous parts washer solution generated by Transco Transmission (Small Quantity Generator, EPA ID # FLR 000 023 051). This report covers the hazardous waste transported from Transco Transmission to the Safety-Kleen Sanford facility on July 10, 2001.

The Safety-Kleen Sales Representative servicing the Transco Transmission account incorrectly applied the tolling agreement to the aqueous based waste stream, and thought the material could be transported using only the Safety-Kleen service document. In an effort to prevent reoccurrence, paperwork requirements for the various types of hazardous waste generators have been reviewed with the Sales Representative.

If you have any questions or need additional information, please contact me at 561-736-2267.

Sincerely,

Scott A. Schneider
Environmental, Health & Safety Manager

Attachments

cc: Mr. John Morrison, Transco Transmission
Mr. Tony Schwan, Safety-Kleen
Customer File





July 18, 2001

via UPS Overnight

Ms. Betty Nelmons
521 Plumosa Avenue
Altamonte Springs, FL 32701

Re: Safety-Kleen Systems, Inc. Facility
505 Plumosa Avenue
Altamonte Springs, Florida 32701

Dear Ms. Nelmons:

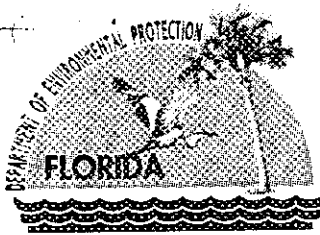
As you know, Safety-Kleen Systems, Inc. ("Safety-Kleen") is conducting groundwater monitoring at your property, which is located adjacent and west of the subject Safety-Kleen facility. Safety-Kleen's permit (Condition 1.20) for that facility requires Safety-Kleen to notify you (as the owner of a residential property) if the groundwater monitoring results confirm an exceedance of a Groundwater Protection Standard (GWPS) at your property. Please accept this letter as notification that both the May and June, 2001, samples at monitor well AMW-13 showed that tetrachloroethene was detected at a concentration of 4 micrograms per liter (ug/L). The Florida GWPS for tetrachloroethene is 3 ug/L. No other constituents were detected.

Thank you for your time and attention to this letter. If you have any questions, please feel free to call me at (770) 418-1860.

Sincerely,

Gerhard L. Risse, P.E.
Senior Project Manager - Engineering

cc: FDEP / Orlando
FDEP / Tallahassee
Rick Stebnisky / ECT
Scott Schneider / S-K



Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

Ray Zimmerman
Safety-Kleen Systems
600 Central Park Drive
Sanford, Florida 32771

OCD-HW/C-01-0159

Seminole County - HW
Safety-Kleen Systems Sanford
RCRA Compliance Inspection

Dear Mr. Zimmerman:

A hazardous waste compliance inspection was conducted at your Sanford facility on March 12, 2001. This inspection was conducted under the authority of Section 403.091, Florida Statutes, and Chapter 403, Part IV, Florida Statutes, and is designed to ascertain the compliance status of your facilities with 40 CFR 260-268, adopted in Florida Administrative Code Chapter 62-730, and 40 CFR Part 279, adopted in Florida Administrative Code Chapter 62-710.

Attached is a RCRA Inspection Report documenting the inspection. Safety-Kleen Systems Sanford was in compliance at the time of this inspection.

If you have any questions, please contact John White at (407)893-3323.

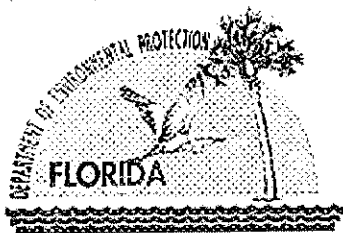
Sincerely,

Lu Burson
Environmental Manager
Hazardous Waste Section

7/5/01

Date

LB/jw



Department of Environmental Protection

Jeb Bush
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. **INSPECTION TYPE:** ☒ Routine ☐ Complaint ☐ Follow-Up ☒ Permitting ☐ Pre-Arranged

FACILITY NAME Safety-Kleen Systems Sanford EPA ID # FLD984171165

STREET ADDRESS 600 Central Park Drive, Sanford, Florida 32771

MAILING ADDRESS Same as above

COUNTY Seminole PHONE 407/321-6080 DATE 3/12/01 TIME 1100 hrs.

NOTIFIED AS: ☐ N/A

CURRENT STATUS:

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☒ Generator (>1000 kg/mo.)
- ☒ Transporter
- ☒ Transfer Facility
- ☐ Interim Status TSD Facility
- ☒ TSD Facility
- Unit Type(s): Storage
- ☐ Exempt Treatment Facility
- ☐ Used Oil:

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☒ Generator (>1000 kg/mo.)
- ☒ Transporter
- ☒ Transfer Facility
- ☐ Interim Status TSD Facility
- ☒ TSD Facility
- Unit Type(s): Storage
- ☐ Exempt Treatment Facility
- ☐ Used Oil:

2. **APPLICABLE REGULATIONS:**

- | | | | |
|---------------------------------------|---|---|---|
| <input type="checkbox"/> 40 CFR 261.5 | <input checked="" type="checkbox"/> 40 CFR 262 | <input checked="" type="checkbox"/> 40 CFR 263 | <input checked="" type="checkbox"/> 40 CFR 264 |
| <input type="checkbox"/> 40 CFR 265 | <input type="checkbox"/> 40 CFR 266 | <input checked="" type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 273 |
| <input type="checkbox"/> 40 CFR 279 | <input checked="" type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-730, FAC | <input checked="" type="checkbox"/> 62-737, FAC |

3. **RESPONSIBLE OFFICIAL(s):**

Ray Zimmerman, Branch Manager-Safety Kleen

4. **INSPECTION PARTICIPANTS:**

Morgan Leibbrandt, FDEP

Ray Zimmerman-Safety Kleen

Steve Johnson, Warehouse Supervisor-
Safety Kleen

5. **LATITUDE/LONGITUDE:** 28°48'22"N/81°19'03"W

6. **SIC Code:** 7359, 4214

7. **TYPE OF OWNERSHIP:** ☒ Private ☐ Federal ☐ State ☐ County ☐ Municipal

8. **PERMIT #:** HO01-0022198-001 **ISSUE DATE:** May 10, 1999 **EXP. DATE:** May 10, 2004

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Website: www.dep.state.fl.us

Phone: 407/894-7555 ♦ Fax: 407/893-3167

9. **INTRODUCTION:**

On March 12, 2001, Morgan Leibrandt of the Florida Department of Environmental Protection (FDEP), accompanied by Ray Zimmerman, Branch Manager-Safety Kleen and Steve Johnson, Warehouse Supervisor-Safety Kleen inspected the facility for compliance with state and federal hazardous waste standards. Safety-Kleen was inspected as a generator, transporter, transfer facility, and permitted hazardous waste storage facility. The facility has operated at this particular location since March 15, 1993 and employs approximately 30 people Monday through Friday from 6:00AM to 9:00PM. Potable water and domestic waste needs are serviced by the City of Sanford.

Safety Kleen Sanford was last inspected on August 3, 2000 as a permitted storage, transfer facility, transporter, and generator. The facility was in compliance with hazardous waste regulations at that time.

Safety-Kleen is currently operating under the hazardous waste operation permit, HO01-0022198-001. Safety-Kleen, Sanford operates under the permit which includes the following areas: 1) a totally enclosed building, approximately 80 feet by 155 feet, having three distinct areas, designated as offices, container storage area and return/fill station and; 2) a separate outside above-ground tank storage area with four 20,000-gallon steel tanks with secondary containment. Tank #1 contains waste solvent and is regulated under this permit. Tank #3, which had stored anti-freeze, received a closure certification on December 21, 1999. This tank is planned to store used oil. Tank #2 and #4 contain product Parts Cleaner 105 and product Premium 150 Solvent, respectively. The amount of waste stored in the container storage area at any one time is not to exceed 6,912 gallons.

10. **INSPECTION HISTORY:**

Inspection conducted on August 3, 2000 – facility was in compliance.
Inspection conducted on August 4, 1999 – facility was in compliance.
Inspection conducted on June 10, 1998 – facility was in compliance.
Inspection conducted on September 18, 1997 – facility was in compliance.
Inspection conducted on March 12, 1996 – facility was in compliance.
Inspection conducted on February 20, 1995 – facility was in compliance.
Inspection conducted on December 10, 1993 – facility was in compliance.

11. **PROCESS DESCRIPTION:**

Safety-Kleen Sanford has 17 trucks that are used for servicing customers. The trucks are constructed to provide an estimated 20 services per day and/or transport 20 drums back to the facility. Equipment and solvent, including mineral spirits, immersion cleaner and perchloroethylene, are leased to Safety-Kleen customers. Spent solvent is picked up at regular intervals, at which time the spent solvent is exchanged for clean product.

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emptied into barrel washers. Empty drums are placed onto a rotary brush unit, within the barrel washer, and the dirty mineral spirits is used to clean the inside and outside of the drum. Clean drums are refilled with mineral spirits and returned to the service trucks. The waste mineral spirits is transferred, using a float actuated pump and overhead pipe system, from the barrel washers to the aboveground tank storage tank. Sludge accumulated in the barrel washer is removed at least once per day. The sludge is collected in 16-gallon satellite containers, which when full, are then stored in the container storage area prior to shipment off-site. The waste mineral spirits storage tank is pumped out when the capacity reaches 19,000-gallons or a height of 22 feet 5 inches. Waste mineral spirits is transported to Safety-Kleen's Lexington, South Carolina facility for reclaiming.

Safety-Kleen instituted a new service of "continued use". This "Continued Use Program" diverts a portion of used mineral spiritss from qualified customers and places it in a continued use "wet dumpster" that is directly piped to the drum washing units for chemical and mechanical cleaning of incoming continued use drums. A permit modification, dated October 10, 2000, was also issued for implementation of the Continued Use Program.

Safety-Kleen provides customers with paint thinner, and cleaning solvent. When the material is no longer useful, Safety-Kleen picks up the spent material and stores the hazardous waste in the container storage area, prior to shipping the spent materials to Safety-Kleen's Lexington, South Carolina and Hebron, Ohio facilities.

Safety-Kleen also services facilities generating used oil. Safety-Kleen samples and analyzes the used oil for PCB's and other contaminants prior to accepting the used oil from the customer. The drivers test used oil samples with the use of CLOR-D-TECT 1000 screening kits. No results of these tests are kept. A metal fire cabinet located next to the container storage area is used for the accumulation of used oil samples. Oil samples are only analyzed if the East Chicago refinery reports that a rail car shipment they received is contaminated. The samples are accumulated for less than 90 days and then properly disposed.

12. INSPECTION:

Return/Fill Area

The first area inspected was the return/fill area. Two drum washers are located in this area. The facility began operation of these units in March, 1993. The area was not in operation at the time of the inspection. Sumps beneath the drum washers appeared dry, clean and the satellite container for sludge was properly labeled. Adjacent to the drum washers was a "wet dumpster" of similar construction used exclusively for continued use solvent. This dumpster has no washing mechanism. The continued use wet dumpster was not in operation at the time of the inspection, but according to Mr. Zimmerman somewhere between 20-25 drums of solvent per day are placed there. A small amount of debris was observed on the wire screen at the bottom on the dumpster. The wire screen is cleaned every two days. Said debris is managed as hazardous waste.

10 Day Transfer Area

Waste stored in this area included; waste paint related material, waste combustible liquid, used oil, and waste solvents. Each container was marked with the date the waste entered the transfer

area, labeled hazardous waste, and closed. No violations were noted in this area at the time of this inspection

All of the drums and containers were marked with the date the waste entered storage, labeled hazardous waste, and closed. No violations were noted in this area at the time of this inspection.

Used Oil Sample Area

Along the west wall, in the return/fill area next to the permitted drum storage area are two metal fire cabinets used for oil samples. This area also had several cardboard boxes containing used oil samples. The samples are analyzed by Safety-Kleen prior to accepting used oil from the customer. Tracking of the samples is done by facility name and invoice number, which are labeled on each container. The drivers do not maintain records of the analysis, and the samples are usually discarded after 90 days.

Permitted Aboveground Storage Tank Area

The hazardous waste in the regulated tanks is drained once per week and shipped to Safety-Kleen's, Lexington, South Carolina facility for recycling. The waste storage tank was properly labeled "Hazardous Waste". The containment area around the tanks was dry and appeared free of cracks. A sign with the words "Danger No Smoking" was located in this area. Emergency procedures include safety and emergency devices, including a 500-1000-gallon tank containing foam suppression material in the event a fire develops in the tank storage area. The fire suppression tank is located in the container storage area. No violations were noted in this area at the time of this inspection.

Waste Management Practices

Safety-Kleen maintains a permitted container storage area, permitted storage tanks, and a 10-day accumulation (transfer) area for the above mentioned hazardous waste. The permitted container storage area is used for storing waste immersion cleaner, sludge generated from containers of waste mineral spirits, dry cleaning waste and waste paint related material. The amount of waste stored in this area at any one time is not to exceed 6,912 gallons. The container storage area is located within a totally enclosed building and is constructed with a concrete floor. The storage area's concrete floor is marked with yellow tape identifying the container storage boundaries. The 10-day transfer facility accumulation area is located next to the container storage area. The area is identified by a sign as the transfer facility area and marked with yellow tape identifying the transfer facility's boundaries.

The permitted hazardous waste aboveground tank storage area is constructed with a concrete floor and a three-foot high concrete dike. The floor is covered with an impervious coating of Simstone and protected from the weather by an aluminum roof. Four 20,000-gallon tanks are presently located in this area. The tanks are constructed on 15-foot by 15-foot concrete pads and are electronically monitored for level and temperature. Storm water accumulated in the containment area flows by gravity to an in-ground grated sump located in front of the tank storage area. From the sump, Storm water is pumped indoors to the barrel washers and then pumped to one of the regulated 20,000-gallon tanks. Each tank is permitted to store 20,000-gallons, but Safety-Kleen considers the tanks full at 19,000 gallons. Tank #2 stores product 105 solvent and tank #4 stores

product 150 solvent. Tank #1 stores hazardous waste solvent, tank #3 was issued a closure certification on December 21, 1999 and was empty at the time of the inspection. Waste solvent is shipped approximately once per week.

Oil filters are accumulated in 30 gallon drums. Safety-Kleen accumulates 150-200 crushed oil filters per 30-gallon drum. When the drum is full, it is transported to Safety-Kleen's Hebron, Ohio facility where the filters are shredded. The metal is recycled, the oil is reclaimed, and the paper filter goes to a fuels blending program.

Record Review

Safety-Kleen Systems, Inc. Sanford was inspected as a permitted storage facility, generator, and transporter/transfer facility. Records reviewed included daily and weekly inspection logs for the container and tank storage areas, training records and contingency plan. Training is conducted in house by Safety-Kleen and is performed on a monthly and annual basis. Certain segments of the training program are provided at each monthly session. The facility is maintaining waste analysis records for off-site shipments of waste. Manifests and LDR notifications for the past year were reviewed and found to be in order. Inspection logs verified that inspections of the storage tank area, transfer area, and drum storage area were performed as required by regulation. Transfer waste is removed every seven days. Training was found to be current for Ray Zimmerman, the facility's Emergency Coordinator and Steve Johnson, Warehouse Supervisor. The facility contingency plan was updated and all records appeared to be in order.

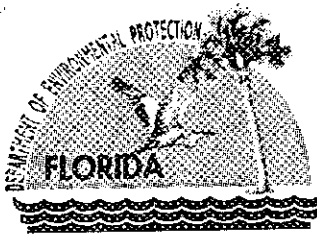
13. CONCLUSION:

At the time of this inspection Safety-Kleen, Sanford was regulated as a permitted, hazardous waste storage facility, generator, transporter, and transfer facility and was in compliance.

Report Prepared By:

Morgan Leibbrandt *for*
Morgan Leibbrandt

Date: June 27, 2001



Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

Ray Zimmerman
Safety-Kleen Systems
600 Central Park Drive
Sanford, Florida 32771

OCD-HW/C-01-0160

Seminole County - HW
Safety-Kleen Systems Altamonte Spgs
RCRA Compliance Inspection

Dear Mr. Zimmerman:

A hazardous waste compliance inspection was conducted at your Altamonte Springs facility on March 12, 2001. This inspection was conducted under the authority of Section 403.091, Florida Statutes, and Chapter 403, Part IV, Florida Statutes, and is designed to ascertain the compliance status of your facilities with 40 CFR 260-268, adopted in Florida Administrative Code Chapter 62-730, and 40 CFR Part 279, adopted in Florida Administrative Code Chapter 62-710.

Attached is a RCRA Inspection Report documenting the inspection. Safety-Kleen Systems Altamonte Springs was in compliance at the time of this inspection.

If you have any questions, please contact John White at (407)893-3323.

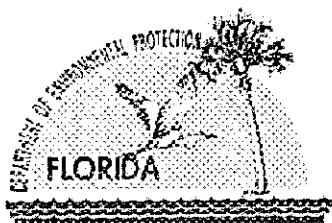
Sincerely,

Lu Burson
Environmental Manager
Hazardous Waste Section

7/5/01

Date

LB/jw



Department of Environmental Protection

Jeb Bush
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. **INSPECTION TYPE:** ☒ Routine ☐ Complaint ☐ Follow-Up ☒ Permitting ☐ Pre-Arranged

FACILITY NAME Safety-Kleen Systems Altamonte **EPA ID #** FLD097837983

STREET ADDRESS 505 Plumosa Avenue, Altamonte Springs, Florida 32701

MAILING ADDRESS 600 Central Park Drive, Sanford, Florida 32771

COUNTY Seminole **PHONE** 407/321-6080 **DATE** 3/12/2001 **TIME** 1647 hrs.

NOTIFIED AS: ☐ N/A

CURRENT STATUS:

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☐ Generator (>1000 kg/mo.)
- ☐ Transporter
- ☐ Transfer Facility
- ☐ Interim Status TSD Facility
- ☒ TSD Facility
- Unit Type(s): Closed Storage
- ☐ Exempt Treatment Facility
- ☐ Used Oil:

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☐ Generator (>1000 kg/mo.)
- ☐ Transporter
- ☐ Transfer Facility
- ☐ Interim Status TSD Facility
- ☒ TSD Facility
- Unit Type(s): Closed Storage
- ☐ Exempt Treatment Facility
- ☐ Used Oil:

2. **APPLICABLE REGULATIONS:**

- | | | | |
|---------------------------------------|--------------------------------------|---|--|
| <input type="checkbox"/> 40 CFR 261.5 | <input type="checkbox"/> 40 CFR 262 | <input type="checkbox"/> 40 CFR 263 | <input checked="" type="checkbox"/> 40 CFR 264 |
| <input type="checkbox"/> 40 CFR 265 | <input type="checkbox"/> 40 CFR 266 | <input checked="" type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 273 |
| <input type="checkbox"/> 40 CFR 279 | <input type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-730, FAC | <input type="checkbox"/> 62-737, FAC |

3. **RESPONSIBLE OFFICIAL(s):**

Ray Zimmerman, Branch Manager

4. **INSPECTION PARTICIPANTS:**

Morgan Leibrandt

5. **LATITUDE/LONGITUDE:** 28°40'30"N/81°20'57"W

6. **SIC Code:** N/A

7. **TYPE OF OWNERSHIP:** ☒ Private ☐ Federal ☐ State ☐ County ☐ Municipal

8. **PERMIT #:** HF-0119749-001 **ISSUE DATE:** June 19, 2000 **EXP. DATE:** December 22, 2004

9. **INTRODUCTION:**

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Website: www.dep.state.fl.us

Phone: 407/894-7555 ♦ Fax: 407/893-3167

On March 12, 2001 Morgan Leibrandt of the Florida Department of Environmental Protection (FDEP), inspected the facility for compliance with state and federal hazardous waste standards. Safety-Kleen was inspected as a closed and permitted hazardous waste storage facility.

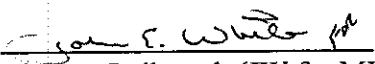
Safety Kleen Altamonte was last inspected on August 12, 2000 and was in compliance at that time. On August 12, 2000 a hazardous waste inspection was conducted at Safety-Kleen Systems Inc., Altamonte as a closed, permitted storage facility. The facility was in compliance with hazardous waste regulations at that time.

Safety-Kleen is currently operating under hazardous waste closure permit, HF-0119749-001. The permit is for the Postclosure of a paint waste shelter, drum storage area, return/fill shelter, and storage tank area. The waste paint shelter and drum storage areas handled containers of hazardous waste. The return/fill area was commonly known as the "wet dumpsters." The tank storage area housed two 15,000-gallon tanks. One tank was for product and one was for waste.

The facility is closed and remediation activities are in progress. The fence surrounding the facility was locked and it was not possible to gain access to the building. However, access was not required to view the groundwater remediation system, which appeared to be in good condition. The "Keep Out " signs along the fenceline were properly displayed.

13. **CONCLUSION:**

Safety-Kleen Systems, Inc. Altamonte was inspected as a closed, permitted storage facility and was in compliance at the time of the inspection.

Report Prepared By: 
Morgan Leibrandt (JW for ML)

Date: June 27, 2001



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

February 1, 2001

Ms. Debbie Sease
Safety Kleen Corporation
1301 Gervais Street # 300
Columbia, South Carolina 29201-3326

Re: FLD 097 837 983

~~Safety Kleen-Monte Alto Springs~~ *Monte Alto Springs*
505 Plumosa Drive
Monte Alto Springs, Florida 32701-2037

Dear Ms. Sease:

The department has reviewed the documentation submitted to demonstrate financial assurance and finds it in order. The Indian Harbor Insurance Company certificate of insurance policy # PEC0006594 effective January 4, 2001 adequately covers the closure, postclosure and corrective action costs approved by the department. In addition, the Greenwich Insurance Company certificate of liability insurance policy # PEC0007099 effective October 15, 2000 providing coverage for sudden and nonsudden accidental occurrences is also adequate.

Therefore, Safety Kleen of Monte Alto Springs is in compliance with the financial assurance requirements of 40 CFR Part 264 Subpart H as adopted by reference in Rule 62-730.180 of the Florida Administrative Code.

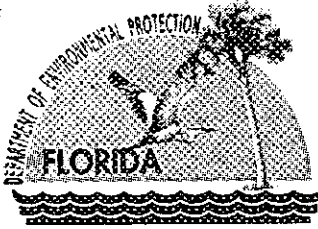
If you have any questions, please contact me at 850-488-0300.

Sincerely,

Edgar Echevarria

Edgar Echevarria
Environmental Specialist II
Hazardous Waste Regulation

CC: Mr. Jeffrey Pallas, USEPA/Region 4
✓ Mr. William Bostwick, FDEP/CE District
FDEP File



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

February 1, 2001

Ms. Debbie Sease
Safety Kleen Corporation
1301 Gervais Street # 300
Columbia, South Carolina 29201-3326

Re: FLD 984 171 165
Safety Kleen-Sanford
600 Central Park Drive
Sanford, Florida 32771-6690

Dear Ms. Sease:

The department has reviewed the documentation submitted to demonstrate financial assurance and finds it in order. The Indian Harbor Insurance Company certificate of insurance policy # PEC0006594 effective January 4, 2001 adequately covers the closure cost approved by the department. In addition, the Greenwich Insurance Company certificate of liability insurance policy # PEC0007099 effective October 15, 2000 providing coverage for sudden and nonsudden accidental occurrences is also adequate.

Therefore, Safety Kleen of Sanford is in compliance with the financial assurance requirements of 40 CFR Part 264 Subpart H as adopted by reference in Rule 62-730.180 of the Florida Administrative Code.

If you have any questions, please contact me at 850-488-0300.

Sincerely,

Edgar Echevarria
Environmental Specialist II
Hazardous Waste Regulation

CC: Mr. Jeffrey Pallas, USEPA/Region 4
✓ Mr. William Bostwick, FDEP/CE District
FDEP File



December 7, 2000

Mr. Chris Aoussat
FL DEP – Central District
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803-3767

**Re: Transportation of Hazardous Waste from SQG without EPA ID Number
Unmanifested Waste Reports
Safety-Kleen Systems - Sanford, FL Service Center
Facility EPA ID # FLD984171165
Generator – Brevard Fire/Rescue Fleet Cocoa, FL**

Dear Mr. Aoussat:

As a follow-up to my telephone message of November 22, 2000, this correspondence serves as notification that representatives of the Safety-Kleen Sanford Service Center transported multiple shipments of hazardous waste from a Small Quantity Generator (SQG) without an EPA identification number. These errors were discovered during an in-house review of facility paperwork during the week of November 20, 2000. Upon discovery of this information, Safety-Kleen contacted a representative of the Brevard Fire/Rescue Fleet department and assisted him with the completion of an EPA Identification Number application. To the best of Safety-Kleen's knowledge, this completed application was sent to the FL DEP - Tallahassee office for processing on November 22, 2000.

In accordance with 40 CFR 264.76, Safety-Kleen is also submitting the attached unmanifested waste reports for waste aqueous brake solution generated by Brevard Fire/Rescue Fleet. These reports cover waste aqueous brake solutions picked-up by Safety-Kleen on the following days:

April 12, 1999
July 9, 1999
September 28, 1999
December 17, 1999

March 7, 2000
June 9, 2000
August 29, 2000
November 20, 2000

Existing systems (i.e continuous employee training, and management review of daily paperwork) at the Sanford Service Center should have identified these issues and corrected them in a more timely basis. Safety-Kleen regrets the errors and, in an effort to prevent reoccurrence, has again reviewed the various hazardous waste generator requirements with its employees.

If you have any questions or need additional information, please contact me at 561-736-2267.

Sincerely,

Scott A. Schneider
Environmental, Health & Safety Manager

cc: Brevard Fire/Rescue Fleet
Customer File
Mr. Jim Childress, Safety-Kleen

attachments

SAFETY-KLEEN CORP.

5610 ALPHA DRIVE

BOYNTON BEACH, FL 33426

561/736-1339





HAZARDOUS WASTE REPORT

Use this form as a cover for all required reports.

1. TYPE OF HAZARDOUS WASTE REPORT

PART A: GENERATOR ANNUAL REPORT

THIS REPORT IS FOR THE YEAR ENDING DEC 2 0

PART B: FACILITY ANNUAL REPORT

THIS REPORT IS FOR THE YEAR ENDING DEC 2 0

PART C: UNMANIFESTED WASTE REPORT

THIS REPORT IS FOR A WASTE

RECEIVED (day/mo/yr)

1 2 / 0 4 / 1 9 9 9

II. INSTALLATION'S EPA ID NUMBER

F L D 9 8 4 1 7 1 1 6 5

III. NAME OF INSTALLATION

S A F E T Y - K L E E N S Y S T E M S , I N C .

IV. INSTALLATION MAILING ADDRESS

6 0 0 C E N T R A L P A R K D R I V E

S A N F O R D , F L 3 2 7 7 1

V. LOCATION OF INSTALLATION

6 0 0 C E N T R A L P A R K D R I V E

S A N F O R D , F L 3 2 7 7 1

VI. INSTALLATION CONTACT

NAME (last and first)

PHONE NO. (area code & no.)

R A Y Z I M M E R M A N

4 0 7 3 2 1 6 0 8 0

VII. TRANSPORTATION SERVICES USED (for Part A reports only)

VIII. COST ESTIMATED FOR FACILITIES (For Part B Only)

A. COST ESTIMATE FOR FACILITY CLOSURE

\$

\$

IX. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents and that based on the inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

A. Print or Type Name

B. Signature

C. Date Signed

FACILITY REPORT - PARTS B & C									
FOR OFFICIAL USE ONLY (Items 1 & 2)	1. Date Received		XVI. TYPE OF REPORT (enter an X) <input type="checkbox"/> Part B <input checked="" type="checkbox"/> Part C			XVII. FACILITIES EPA ID NO. <div style="border: 1px solid black; padding: 2px;">FLD984171165</div>			
	2. Received By								
XVIII. GENERATORS EPA ID NO.			XX. GENERATOR'S ADDRESS (street or PO box, city, state, & zip code)						
NUMBER APPLIED FOR			BREVARD FIRE RESCUE FLEET						
XIX. GENERATOR NAME (specify):			351 WENNER WAY						
BREVARD FIRE RESCUE FLEET			COCOA, FL 32926						
XIX. WASTE IDENTIFICATION									
LINE NUMBER	A. DESCRIPTION OF WASTE	B. EPA HAZARDOUS WASTE NUMBER	C. HANDLING METHOD	D. AMOUNT OF WASTE	E. UNITS OF MEASURE				
1	Hazardous Waste, Liquid, N.O.S. 9 NA 3082 PG III (ERG # 171)	D039	S02		43	P			
2									
3									
4									
5									
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8									
9									
10									
11									
12									
XXII. COMMENTS (enter information by line number - see instructions)									
<p>Waste was shipped from the generator's location to the Sanford Service Center without a manifest. Safety-Kleen was the sole transporter under U. S. EPA Transporter ID # ILD 984908202. The waste was bulked at the Sanford service center with other parts washer solvents and then shipped to the Safety-Kleen Lexington Recycle Center (in Lexington, SC) for processing/treatment.</p>									

<h2 style="text-align: center; margin: 0;">HAZARDOUS WASTE REPORT</h2> <p style="margin: 10px 0;">Use this form as a cover for all required reports.</p>	<h3 style="margin: 0;">1. TYPE OF HAZARDOUS WASTE REPORT</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">PART A: GENERATOR ANNUAL REPORT</td> </tr> <tr> <td style="width: 80%;">THIS REPORT IS FOR THE YEAR ENDING DEC</td> <td style="width: 20%; text-align: center;">2 0</td> </tr> <tr> <td colspan="2" style="text-align: center;">PART B: FACILITY ANNUAL REPORT</td> </tr> <tr> <td>THIS REPORT IS FOR THE YEAR ENDING DEC</td> <td style="text-align: center;">2 0</td> </tr> <tr> <td colspan="2" style="text-align: center;">PART C: UNMANIFESTED WASTE REPORT</td> </tr> <tr> <td>THIS REPORT IS FOR A WASTE RECEIVED (day/mo/yr)</td> <td style="text-align: center;">0 9 / 0 7 / 1 9 9 9</td> </tr> </table>	PART A: GENERATOR ANNUAL REPORT		THIS REPORT IS FOR THE YEAR ENDING DEC	2 0	PART B: FACILITY ANNUAL REPORT		THIS REPORT IS FOR THE YEAR ENDING DEC	2 0	PART C: UNMANIFESTED WASTE REPORT		THIS REPORT IS FOR A WASTE RECEIVED (day/mo/yr)	0 9 / 0 7 / 1 9 9 9
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PART C: UNMANIFESTED WASTE REPORT													
THIS REPORT IS FOR A WASTE RECEIVED (day/mo/yr)	0 9 / 0 7 / 1 9 9 9												
<h3 style="margin: 0;">II. INSTALLATION'S EPA ID NUMBER</h3> <div style="border: 1px solid black; padding: 2px;">F L D 9 8 4 1 7 1 1 6 5</div>													
<h3 style="margin: 0;">III. NAME OF INSTALLATION</h3> <div style="border: 1px solid black; padding: 2px;">S A F E T Y - K L E E N S Y S T E M S . I N C .</div>													
<h3 style="margin: 0;">IV. INSTALLATION MAILING ADDRESS</h3> <div style="border: 1px solid black; padding: 2px;">6 0 0 C E N T R A L P A R K D R I V E</div> <div style="border: 1px solid black; padding: 2px;">S A N F O R D . F L 3 2 7 7 1</div>													
<h3 style="margin: 0;">V. LOCATION OF INSTALLATION</h3> <div style="border: 1px solid black; padding: 2px;">6 0 0 C E N T R A L P A R K D R I V E</div> <div style="border: 1px solid black; padding: 2px;">S A N F O R D . F L 3 2 7 7 1</div>													
<h3 style="margin: 0;">VI. INSTALLATION CONTACT</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">NAME (last and first)</td> <td style="width: 40%;">PHONE NO. (area code & no.)</td> </tr> <tr> <td>R A Y Z I M M E R M A N</td> <td>4 0 7 3 2 1 6 0 8 0</td> </tr> </table>		NAME (last and first)	PHONE NO. (area code & no.)	R A Y Z I M M E R M A N	4 0 7 3 2 1 6 0 8 0								
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<h3 style="margin: 0;">VII. TRANSPORTATION SERVICES USED (for Part A reports only)</h3> <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div>													
<h3 style="margin: 0;">VIII. COST ESTIMATED FOR FACILITIES (For Part B Only)</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">A. COST ESTIMATE FOR FACILITY CLOSURE</td> </tr> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$</td> </tr> </table>		A. COST ESTIMATE FOR FACILITY CLOSURE		\$	\$								
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FACILITY REPORT - PARTS B & C									
FOR OFFICIAL USE ONLY (items 1 & 2)	1. Date Received		XVI. TYPE OF REPORT (enter an X)			XVII. FACILITIES EPA ID NO.			
	- - - - - 1 9		<input type="checkbox"/> Part B <input checked="" type="checkbox"/> Part C			F L D 9 8 4 1 7 1 1 6 5			
2. Received By									
XVIII. GENERATORS EPA ID NO.			XX. GENERATOR'S ADDRESS (street or PO box, city, state, & zip code)						
NUMBER APPLIED FOR			BREVARD FIRE RESCUE FLEET						
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III. NAME OF INSTALLATION <div style="border: 1px solid black; padding: 2px;"> S A F E T Y - K L E E N S Y S T E M S , I N C . </div>					
IV. INSTALLATION MAILING ADDRESS <div style="border: 1px solid black; padding: 2px;"> 6 0 0 C E N T R A L P A R K D R I V E S A N F O R D , F L 3 2 7 7 1 </div>					
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NUMBER APPLIED FOR				BREVARD FIRE RESCUE FLEET							
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	2. Received By									FLD984171165				
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II. INSTALLATION'S EPA ID NUMBER FLD984171165	
III. NAME OF INSTALLATION SAFETY-KLEEN SYSTEMS, INC.	
IV. INSTALLATION MAILING ADDRESS 600 CENTRAL PARK DRIVE SANFORD, FL 32771	
V. LOCATION OF INSTALLATION 600 CENTRAL PARK DRIVE SANFORD, FL 32771	
VI. INSTALLATION CONTACT	
NAME (last and first) RAY ZIMMERMAN	PHONE NO. (area code & no.) 407 321 6080
VII. TRANSPORTATION SERVICES USED (for Part A reports only)	
VIII. COST ESTIMATED FOR FACILITIES (For Part B Only)	
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_____ C. Date Signed	

FACILITY REPORT - PARTS B & C											
FOR OFFICIAL USE ONLY (Items 1 & 2)		1. Date Received		XVI. TYPE OF REPORT (enter an X)				XVII. FACILITIES EPA ID NO.			
		2. Received By		<input type="checkbox"/> Part B <input checked="" type="checkbox"/> Part C				<div style="border: 1px solid black; padding: 2px;"> F L D 9 8 4 1 7 1 1 6 5 </div>			
XVIII. GENERATORS EPA ID NO.				XX. GENERATOR'S ADDRESS (street or PO box, city, state, & zip code)							
<div style="border: 1px solid black; padding: 2px;"> NUMBER APPLIED FOR </div>				BREVARD FIRE RESCUE FLEET							
XIX. GENERATOR NAME (specify)				351 WENNER WAY							
BREVARD FIRE RESCUE FLEET				COCOA, FL 32926							
XIX. WASTE IDENTIFICATION											
LINE NUMBER	A. DESCRIPTION OF WASTE				B. EPA HAZARDOUS WASTE NUMBER	C. HANDLING METHOD	D. AMOUNT OF WASTE	E. UNITS OF MEASURE			
1	Hazardous Waste, Liquid, N.O.S. 9 NA 3082 PG III (ERG # 171)				D 0 3 9	S C 2	4 3 P				
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
XXII. COMMENTS (enter information by line number - see Instructions)											
Waste was shipped from the generator's location to the Sanford Service Center without a manifest. Safety-Kleen was the sole transporter under U. S. EPA Transporter ID # SCR 000075150. The waste was bulked at the Sanford service center with other parts washer solvents and then shipped to the Safety-Kleen Lexington Recycle Center (in Lexington, SC) for processing/treatment.											



December 7, 2000

Mr. Bob Snyder
FL DEP – Central District
3319 Maguire Boulevard
Suite 232
Orlando, FL 32803-3767

**Re: Inadvertent Termination of Non-Regulated Waste
Safety-Kleen Systems - Sanford, FL Service Center
Facility EPA ID # FLD984171165
Generator – Damron Auto Orlando, FL**

Dear Mr. Snyder:

Per our telephone discussion of November 3, 2000, this letter is being submitted for your records.

Background

In the last two years, Safety-Kleen has introduced a program to its customers that generate large volumes of wastewater. This program is similar to the Safety-Kleen parts washer service in that Safety-Kleen installs the water treatment equipment at the customer's location and then services it on a periodic basis to ensure consistent and proper operation. During each service call, all accumulated wastewater is removed from the equipment and placed into drums provided by Safety-Kleen.

At the time of the first service call after the initial equipment installation, a sample of the wastewater is collected and sent to the Safety-Kleen Technical Center in Elk Grove Village, IL. (The drums of wastewater remain at the generator's location until sample analysis has been completed.) The Safety-Kleen Technical Center performs analysis to determine the following: regulatory status of the wastewater, appropriate designated facility for the wastewater within the Safety-Kleen system, and the proper shipping description. Once this information is available, a Safety-Kleen Sales Representative returns to the customer location with the proper paperwork and drum labels to transport the wastewater to the local Safety-Kleen Service Center. Provided that the customer's wastewater treatment application has not changed, all subsequent wastewater pick-ups will use the prequalification data (proper shipping name, designated facility, etc.) obtained from the initial sample.

Summary of Events

On November 1, 2000, a representative of the Safety-Kleen Sanford facility serviced the wastewater treatment unit at Damron Auto in Orlando, FL. During this service, 68 gallons of non-regulated wastewater were removed from the unit and placed into four 30-gallon blue Safety-Kleen drums. A non-regulated waste label was affixed to each of the four drums and a hazardous waste manifest listing Safety-Kleen Bartow as the designated facility was completed. All four drums were transported back to the Safety-Kleen Sanford branch as 10-day transfer wastes.

SAFETY-KLEEN CORP.

5610 ALPHA DRIVE

BOYNTON BEACH, FL 33426

561/736-1339



Upon arrival at the Sanford facility on November 1, the wastewater drums were off-loaded from the route truck by the Warehousemen at the facility. Believing the drums were waste aqueous cleaner (which is typically transported in 30-gallon blue drums), the Warehousemen emptied the contents of the drums into the return and fill dumpster. While performing the daily warehouse reconciliation on the morning of November 2, the Warehouse Manager learned of the inadvertent waste termination and notified facility management. The non-regulated wastewater was ultimately shipped via tanker trailer to the Safety-Kleen Lexington Recycle Center (along with the waste parts washer solvents) for processing.

Corrective Action

The Safety-Kleen Sanford facility has had a long-standing policy/procedure that requires Sales Representatives to off-load all waste drums from route trucks except for those containing waste parts washer solvents (petroleum and aqueous based). This policy was reviewed with the appropriate facility personnel shortly after the November 1st incident. The facility Warehousemen have been instructed to be more diligent in checking the waste labels of all drums at the Return and Fill Dock prior to emptying them into the dumpster.

The hazardous waste manifest used for transportation of the non-regulated wastewater from Damron Auto was amended to show Safety-Kleen Sanford as the designated facility. A representative of the Sanford facility terminated the manifest and sent the original copy to the generator.

Conclusion

Safety-Kleen values its cooperative relationship with the FL DEP's Central District Office and believes that notification of this operating error is an appropriate course of action. However, because the inadvertent termination of the 10-day transfer waste involved a non-regulated material, Safety-Kleen does not believe a violation of the federal/state regulations or the conditions associated with the Safety-Kleen Sanford RCRA operating permit has occurred.

I apologize for the delay in submitting this correspondence. If you have any questions or need additional information, please contact me at 561-736-2267.

Sincerely,



Scott A. Schneider
Environmental, Health & Safety Manager

cc: Damron Auto
999 File 1010 (Permit Correspondence)
Mr. Jim Childress, Safety-Kleen



Department of Environmental Protection

Jeb Bush
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

Ray Zimmerman, Branch Manager
Safety Kleen Systems, Inc.
600 central Park Drive
Sanford, Florida 32771

OCD-HW/C-00-0340

Seminole County - HW
Safety Kleen Systems, Inc.
Inspection

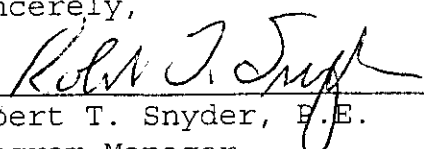
Dear Mr. Zimmerman:

A hazardous waste compliance inspection was conducted at Safety Kleen Systems, Inc. Inc. on August 3, 2000. This inspection was conducted under the authority of Section 403.091, Florida Statutes, and Chapter 403, Part IV, Florida Statutes. The inspection is designed to determine the compliance status of your facility with 40 CFR 260-268, adopted in Florida Administrative Code Chapter 62-730.

Safety Kleen Sanford was inspected as a permitted storage facility, transporter, transfer facility and large quantity generator of hazardous waste. Safety Kleen Altamonte was inspected as a closed hazardous waste storage facility. Both facilities were found to be in compliance at the time of the inspection. Please be aware that Safety Kleen must continue to comply with all applicable hazardous waste rules and regulations.

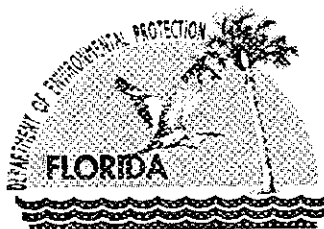
Please do not hesitate to contact Chris Aoussat (407) 893-3323 if you should have any questions.

Sincerely,


Robert T. Snyder, P.E.
Program Manager
Hazardous Waste

Date: 10/12/00

RTS/Ca



Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. **INSPECTION TYPE:** ☒ Routine ☐ Complaint ☐ Follow-Up ☒ Permitting ☐ Pre-Arranged

FACILITY NAME Safety-Kleen Systems Sanford **EPA ID #** FLD984171165

STREET ADDRESS 600 Central Park Drive, Sanford, Florida 32771

MAILING ADDRESS Same as above

COUNTY Seminole **PHONE** 407/321-6080 **DATE** 8/3/00 **TIME** 0945 hrs.

NOTIFIED AS: ☐ N/A

CURRENT STATUS:

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☒ Generator (>1000 kg/mo.)
- ☒ Transporter
- ☒ Transfer Facility
- ☐ Interim Status TSD Facility
- ☒ TSD Facility
- Unit Type(s): Storage
- ☐ Exempt Treatment Facility
- ☐ Used Oil:

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☒ Generator (>1000 kg/mo.)
- ☒ Transporter
- ☒ Transfer Facility
- ☐ Interim Status TSD Facility
- ☒ TSD Facility
- Unit Type(s): Storage
- ☐ Exempt Treatment Facility
- ☐ Used Oil:

2. APPLICABLE REGULATIONS:

- | | | | |
|---------------------------------------|---|---|---|
| <input type="checkbox"/> 40 CFR 261.5 | <input checked="" type="checkbox"/> 40 CFR 262 | <input checked="" type="checkbox"/> 40 CFR 263 | <input checked="" type="checkbox"/> 40 CFR 264 |
| <input type="checkbox"/> 40 CFR 265 | <input type="checkbox"/> 40 CFR 266 | <input checked="" type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 273 |
| <input type="checkbox"/> 40 CFR 279 | <input checked="" type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-730, FAC | <input checked="" type="checkbox"/> 62-737, FAC |

3. RESPONSIBLE OFFICIAL(s):

Ray Zimmerman, Branch Manager-Safety Kleen

4. INSPECTION PARTICIPANTS:

Chris Aoussat, FDEP

Eric Greene, Material Handler- Safety Kleen

5. LATITUDE/LONGITUDE: 28°48'22"N/81°19'03"W

6. SIC Code: 7359, 4214

7. TYPE OF OWNERSHIP: ☒ Private ☐ Federal ☐ State ☐ County ☐ Municipal

8. PERMIT #: HO01-0022198-001 **ISSUE DATE:** May 10, 1999 **EXP. DATE:** May 10, 2004

9. INTRODUCTION:

On August 3, 2000, Chris Aoussat of the Florida Department of Environmental Protection (FDEP), accompanied by Eric Greene, Safety-Kleen, inspected the facility for compliance with state and federal hazardous waste standards. Safety-Kleen was inspected as a generator, transporter, transfer facility, and permitted hazardous waste storage facility. The facility has operated at this particular location since March 15, 1993 and employs approximately 32 people Monday through Friday from 6:00AM to 9:00PM. Potable water and domestic waste needs are serviced by the City of Sanford.

Safety Kleen Sanford was last inspected on August 4, 1999 as a permitted storage, transfer facility, transporter, and generator. The facility was in compliance with hazardous waste regulations at that time.

Safety-Kleen is currently operating under the hazardous waste operation permit, HO01-0022198-001. Safety-Kleen, Sanford operates under the permit which includes the following areas: 1) a totally enclosed building, approximately 80 feet by 155 feet, having three distinct areas, designated as offices, container storage area and return/fill station and; 2) a separate outside aboveground tank storage area with four 20,000-gallon steel tanks with secondary containment. Tank #1 contains waste solvent and is regulated under this permit. Tank #3, which had stored antifreeze, received a closure certification on December 21, 1999. This tank is planned to store used oil. Tank #2 and #4 contain product Parts Cleaner 105 and product Premium 150 Solvent, respectively. The amount of waste stored in the container storage area at any one time is not to exceed 6,912 gallons.

10. INSPECTION HISTORY:

Inspection conducted on August 4, 1999 – facility was in compliance.

Inspection conducted on June 10, 1998 – facility was in compliance.

Inspection conducted on September 18, 1997 – facility was in compliance.

Inspection conducted on March 12, 1996 – facility was in compliance.

Inspection conducted on February 20, 1995 – facility was in compliance.

Inspection conducted on December 10, 1993 – facility was in compliance.

11. PROCESS DESCRIPTION:

Safety-Kleen Sanford has 17 trucks which are used for servicing customers. The trucks are constructed to provide an estimated 20 services per day and/or transport 20 drums back to the facility. Equipment and solvent, including mineral spirit, immersion cleaner and perchloroethylene, are leased to Safety-Kleen customers. Spent solvent is picked up at regular intervals, at which time the spent solvent is exchanged for clean product.

Spent mineral spirit is returned to the Sanford facility's return/fill area where the drums are emptied into barrel washers. Empty drums are placed onto a rotary brush unit, within the barrel washer, and the dirty mineral spirit is used to clean the inside and outside of the drum. Clean drums are refilled with mineral spirit and returned to the service trucks. The waste mineral spirit is transferred, using a float actuated pump and overhead pipe system, from the barrel washers to the

aboveground tank storage tank. Sludge accumulated in the barrel washer is removed at least once per day. The sludge is collected in 16-gallon satellite containers, which when full, are then stored in the container storage area prior to shipment off-site. The waste mineral spirit storage tank is pumped out when the capacity reaches 19,000-gallons or a height of 22 feet 5 inches. Waste mineral spirit is transported to Safety-Kleen's Lexington, South Carolina facility for reclaiming.

Safety-Kleen instituted a new service of Continued Use. This "Continued Use Program" diverts a portion of used mineral spirits from qualified customers and places it in a continued use vat that is directly piped to the drum washing units for chemical and mechanical cleaning of incoming hazardous waste mineral spirits drums. A permit modification, dated October 10, 2000, was also issued for implementation of the Continued Use Program.

Safety-Kleen provides customers with paint thinner, and cleaning solvent. When the material is no longer useful, Safety-Kleen picks up the spent material and stores the hazardous waste in the container storage area, prior to shipping the spent materials to Safety-Kleen's Lexington, South Carolina and Hebron, Ohio facilities.

Safety-Kleen also services facilities generating used oil. Safety-Kleen samples and analyzes the used oil for PCB's and other contaminants prior to accepting the used oil from the customer. The drivers test used oil samples with the use of CLOR-D-TECT 1000 screening kits. No results of these tests are kept. A metal fire cabinet located next to the container storage area is used for the accumulation of used oil samples. Oil samples are only analyzed if the East Chicago refinery reports that a rail car shipment they received is contaminated. The samples are accumulated for less than 90 days and then properly disposed.

12. INSPECTION:

Return/Fill Area

The first area inspected was the return/fill area. Two barrel washers are located in this area for cleaning drums. The facility began operation of these units in March, 1993. The area was not in operation at the time of the inspection. Sumps beneath the drum washers appeared dry and clean and the sludge, satellite container was properly labeled. The new continued use vat was installed and in operation.

10 Day Transfer Area

Waste stored in this area included; waste paint related material, waste combustible liquid, used oil, and waste solvents. Each container was marked with the date the waste entered the transfer area, labeled hazardous waste, and closed. No violations were noted in this area at the time of this inspection

All of the drums and containers were marked with the date the waste entered storage, labeled hazardous waste, and closed. No violations were noted in this area at the time of this inspection.

Used Oil Sample Area

Along the west wall, in the return/fill area next to the permitted drum storage area are two metal fire cabinets used for oil samples. This area also had several cardboard boxes containing used oil

samples. The samples are analyzed by Safety-Kleen prior to accepting used oil from the customer. Tracking of the samples is done by facility name and invoice number, which are labeled on each container. The drivers do not maintain records of the analysis, and the samples are usually discarded after 90 days.

Permitted Aboveground Storage Tank Area

The hazardous waste in the regulated tanks is drained once per week and shipped to Safety-Kleen's, Lexington, South Carolina facility for recycling. The waste storage tank was properly labeled "Hazardous Waste". The containment area around the tanks was dry and appeared free of cracks. A sign with the words "Danger No Smoking" was located in this area. Emergency procedures include safety and emergency devices, including a 500-1000-gallon tank containing foam suppression material in the event a fire develops in the tank storage area. The fire suppression tank is located in the container storage area. No violations were noted in this area at the time of this inspection.

Waste Management Practices

Safety-Kleen maintains a permitted container storage area, permitted storage tanks, and a 10-day accumulation (transfer) area for the above mentioned hazardous waste. The permitted container storage area is used for storing waste immersion cleaner, sludge generated from containers of waste mineral spirit, dry cleaning waste and waste paint related material. The amount of waste stored in this area at any one time is not to exceed 6,912 gallons. The container storage area is located within a totally enclosed building and is constructed with a concrete floor. The storage area's concrete floor is marked with yellow tape identifying the container storage boundaries. The 10-day transfer facility accumulation area is located next to the container storage area. The area is identified by a sign as the transfer facility area and marked with yellow tape identifying the transfer facility's boundaries. The permitted hazardous waste aboveground tank storage area is constructed with a concrete floor and a three-foot high concrete dike. The floor is covered with an impervious coating of Simstone and protected from the weather by an aluminum roof. Four 20,000-gallon tanks are presently located in this area. The tanks are constructed on 15-foot by 15-foot concrete pads and are electronically monitored for level and temperature. Storm water accumulated in the containment area flows by gravity to an in-ground grated sump located in front of the tank storage area. From the sump, Storm water is pumped indoors to the barrel washers and then pumped to one of the regulated 20,000-gallon tanks. Each tank is permitted to store 20,000-gallons, but Safety-Kleen considers the tanks full at 19,000 gallons. Tank #2 stores product 105 solvent and tank #4 stores product 150 solvent. Tank #1 stores hazardous waste solvent, tank #3 was issued a closure certification on December 21, 1999 and will be used to store used oil. Waste solvent is shipped approximately once per week.

Oil filters are accumulated in 30 gallon drums. Safety-Kleen accumulates 150-200 crushed oil filters per 30-gallon drum. When the drum is full, it is transported to Safety-Kleen's Hebron, Ohio facility where the filters are shredded. The metal is recycled, the oil is reclaimed, and the paper filter goes to a fuels blending program.

Record Review

Safety-Kleen Systems, Inc. Sanford was inspected as a permitted storage facility, generator, and transporter/transfer facility. Records reviewed included daily and weekly inspection logs for the

container and tank storage areas, training records and contingency plan. Training is conducted in house by Safety-Kleen and is performed on a monthly and annual basis. Certain segments of the training program are provided at each monthly session. The facility is maintaining waste analysis records for off-site shipments of waste. Manifests and LDR notifications for the past year were reviewed and found to be in order. Inspection logs verified that inspections of the storage tank area, transfer area, and drum storage area were performed as required by regulation. Transfer waste is removed every seven days. Training was found to be current for Ray Zimmerman, the facility's Emergency Coordinator, Robert Ferrell, Alternate and for Eric Greene, Material Handler. The facility contingency plan was updated and all records appeared to be in order.

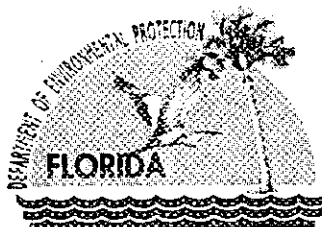
13. **CONCLUSION:**

At the time of this inspection Safety-Kleen, Sanford was regulated as a permitted, hazardous waste storage facility, generator, transporter, and transfer facility and was in compliance.

Report Prepared By: Chris Aoussat
Chris Aoussat

Date: 10/11/00

RTS/ca
RTS/ca



Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION TYPE: ☒ Routine ☐ Complaint ☐ Follow-Up ☒ Permitting ☐ Pre-Arranged

FACILITY NAME Safety-Kleen Systems Altamonte EPA ID # FLD097837983

STREET ADDRESS 505 Plumosa Avenue, Altamonte Springs, Florida 32701

MAILING ADDRESS 600 Central Park Drive, Sanford, Florida 32771

COUNTY Seminole PHONE 407/321-6080 DATE 8/3/00 TIME 1230 hrs.

NOTIFIED AS: ☐ N/A

CURRENT STATUS:

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☐ Generator (>1000 kg/mo.)
- ☐ Transporter
- ☐ Transfer Facility
- ☐ Interim Status TSD Facility
- ☒ TSD Facility

Unit Type(s): Closed Storage

- ☐ Exempt Treatment Facility
- ☐ Used Oil:

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☐ Generator (>1000 kg/mo.)
- ☐ Transporter
- ☐ Transfer Facility
- ☐ Interim Status TSD Facility
- ☒ TSD Facility

Unit Type(s): Closed Storage

- ☐ Exempt Treatment Facility
- ☐ Used Oil:

2. APPLICABLE REGULATIONS:

- | | | | |
|---------------------------------------|--------------------------------------|---|--|
| <input type="checkbox"/> 40 CFR 261.5 | <input type="checkbox"/> 40 CFR 262 | <input type="checkbox"/> 40 CFR 263 | <input checked="" type="checkbox"/> 40 CFR 264 |
| <input type="checkbox"/> 40 CFR 265 | <input type="checkbox"/> 40 CFR 266 | <input checked="" type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 273 |
| <input type="checkbox"/> 40 CFR 279 | <input type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-730, FAC | <input type="checkbox"/> 62-737, FAC |

3. RESPONSIBLE OFFICIAL(s):

Ray Zimmerman, Branch Manager

4. INSPECTION PARTICIPANTS:

Chris Aoussat

5. LATITUDE/LONGITUDE: 28°40'30"N/81°20'57"W

6. SIC Code: N/A

7. TYPE OF OWNERSHIP: ☒ Private ☐ Federal ☐ State ☐ County ☐ Municipal

8. PERMIT #: HF-0119749-001 ISSUE DATE: June 19, 2000 EXP. DATE: December 22, 2004

9. INTRODUCTION:

On August 3, 2000, Chris Aoussat of the Florida Department of Environmental Protection (FDEP), inspected the facility for compliance with state and federal hazardous waste standards. Safety-Kleen was inspected as a closed and permitted hazardous waste storage facility.

Safety Kleen Altamonte was last inspected on August 4, 1999 and was in compliance at that time. On August 4, 1999, a hazardous waste inspection was conducted at Safety-Kleen Systems Inc., Altamonte as a closed, permitted storage facility. The facility was in compliance with hazardous waste regulations at that time.

Safety-Kleen is currently operating under hazardous waste closure permit, HF-0119749-001. The permit is for the Postclosure of a paint waste shelter, drum storage area, return/fill shelter, and storage tank area. The waste paint shelter and drum storage areas handled containers of hazardous waste. The return/fill area was commonly known as the "wet dumpsters." The tank storage area housed two 15,000-gallon tanks. One tank was for product and one was for waste. A renewal permit application has been submitted to the Department and is currently under review.

The facility is closed and remediation activities are in progress. The fence surrounding the facility was locked and it was not possible to gain access to the building. However, access was not required to view the groundwater remediation system, which appeared to be in good condition. The "Keep Out" signs along the fenceline were properly displayed.

13. CONCLUSION:

Safety-Kleen Systems, Inc. Altamonte was inspected as a closed, permitted storage facility and was in compliance at the time of the inspection.

Report Prepared By: Chris Aoussat
Chris Aoussat

Date: 10/11/00

RTS/ca

FAX

Date

11/19/99

Number of pages including cover sheet

TO:

Jennifer Hobbs
Lu Buason

Phone

Fax Phone

893 - 3124

FROM:

SAFETY KLEEN CORP.

600 Central Park Dr.
Sanford, FL 32771

Phone

407-321-6080

Fax Phone

407-321-0065

CC:

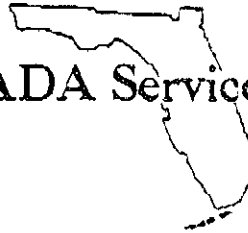
REMARKS:

☐ Urgent☒ For your review☐ Reply ASAP☐ Please CommentRaymond Zimmerman
Carmela Settanri
Eric Greene
Daryl Tedrick
Randy Butschillinger
Robert Ferrell
Mike Kiernan
George Niceley
Mark Gutierrez
Lois Benjamin
Mary Rode
Kami Hellyer
Frank BalazAny policy changes from
this 1995 memo!Is it OK to mix
used oil / Fuel Filters

F.A.D.A.

Policy still correct
verified w/ Mike Reed
11/22/99
SW

FADA Services, Inc.



505 N. Mills Ave. (32803)
P. O. Box 531124
Orlando, FL 32853-1124
Tel. 407/896-7371
Fax 407/896-7721

November 4, 1999

MR. RAY ZIMMERMAN
Branch Manager
SAFETY-KLEEN CORP.
600 Central Park Drive
Sanford FL 32771

Question

RE: Disposal of Fuel Filters with Oil Filters

Dear Ray:

Some time ago I questioned the practice of mixing these two filters and we have finally received a reply that I think will interest you as it seems someone else in Safety-Kleen asked the same question in July 1995.

The reply furnished by the state had a copy of a letter written to your Richard Morris - copy enclosed.

As we read this, as long as the fuel filters are drained and are destined to be recycled with the dealer's oil filters, it is okay.

Next time you want an outside opinion on any of the photographic film you are processing . . . PLEASE call me.

Sincerely yours,

A. Cy Adams
FADA Services, Inc.

enclosures

Any Further Comments
on this?

Jennifer Hobbs
I believed we talked about
this a few weeks ago!
I was amazed about the
amount of work that went
into finding this obscure
memo from 1995



Ray



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

July 26, 1995

Mr. Richard R. Morris
Environmental Engineer
Safety-Kleen Corporation
Post Office Box 20008
Tallahassee, FL 32316

Dear Mr. Morris:

Thank you for your July 6 letter regarding the proper management of used gasoline filters.

If the gasoline entrapped within a used fuel filter is to be disposed of, it is then solid waste and could (probably would) test out as hazardous for, at least, ignitability and benzene. If the gasoline entrapped within a used fuel filter is destined for recycling as a commercial chemical fuel (e.g. mixed with used oil) by burning for energy recovery, it is not discarded and is not, therefore, a hazardous waste, according to Federal Register, Vol. 50, No. 230, November 29, 1985, p. 49179 (enclosed).

The metal and paper portions of the fuel filter casing could qualify for the scrap metal recycling exemption found in Chapter 40, Part 261.6(a)(3)(iii), (enclosed).

Used fuel filters destined for recycling would be exempted from the manifesting and permitting requirements of the hazardous waste management regulations.

Generators of used fuel filters should drain them of all free flowing liquid prior to shipping. Due to the low flash point of gasoline, the generator should store them safely, allowing for the venting of any pressure build-up, and protecting the storage area from the possibility of sparks.

I hope this information is of assistance to you. If you have any additional questions, please feel free to phone me at (904) 488-0300.

Sincerely

Rick Neves
Environmental Specialist
Hazardous Waste Management Section

RCN/rn

Enclosure

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

Management of Gasoline Fuel Filters

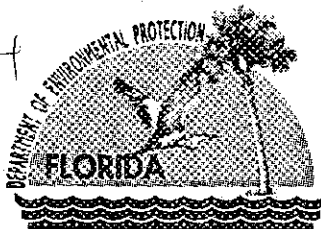
July 26, 1995

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Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

October 25, 1999

Ms. Catherine A. McCord
Manager, Environmental and Business Integration
Safety-Kleen Systems
1000 North Randall Road
Elgin, Illinois 60123-7587

RE: Safety Kleen Branch-Based "Continued Use Program"

Dear Ms. McCord:

Your proposal for the continued use of Safety-Kleen solvents for the purposes of drum washing in the clean out dumpsters at each of the Safety-Kleen facilities in Florida, has been reviewed by staff. Your proposal as we understand it, is to divert a portion of the used mineral spirits from your qualified customers and place it in a nearby holding tank to be used for the chemical and mechanical cleaning of incoming hazardous waste mineral spirits drums. Safety-Kleen intends to apply these used mineral spirits as an effective substitute for commercial chemical products in accordance with 40 CFR 261.2 (e)(1)(ii) for drum cleaning operations.

The department staff had some concerns about the proposed process. We discussed these concerns with Safety Kleen via e-mail and at a meeting on October 20, 1999 with Phil Retallick, Lin Longshore, and David DeSha. At the October 20, 1999 meeting Safety Kleen submitted the following additional information:

1. Customer Best Management Practices Guide
2. Qualitative Measures to qualify Continued use customers
3. Continued Use Program Environmental Safeguards
4. Tracking and Record Keeping Systems
5. Results from a drum cleaning study testing the effectiveness of used solvent as a cleaning Agent.

Based on these reviews we are approving Safety Kleen's implementation of this "Continued Use Program" in the state of Florida. That authorization is contingent on the following conditions being adhered to by Safety Kleen's branch operations within our jurisdiction. These conditions are as follows:

Ms. Catherine A. McCord
October 25, 1999
Page Two

1. Education of the continued use customers in potential solvent cross contamination with toxic chemicals that will render the mixture hazardous waste and therefore ineligible to be transported as continued use materials on a DOT Shipping paper to the Safety Kleen branch facility.
2. Safety Kleen will pursue effective implementation of their customer's adherence to Safety Kleen's Best Management Practices and Environmental Safeguards and Controls as outlined in our meeting on October 20, 1999.
3. Each Safety Kleen branch facility operation will provide all manifests for waste and the DOT shipping papers for continued use materials as needed to our field inspectors for their review in the course of a compliance inspection at that branch.
4. Continued use materials will not be speculatively accumulated at a Safety Kleen branch operating facility or by any continued use customers.
5. This determination applies to the "Continued Use Program" implemented by Safety Kleen branches in Florida and does not apply to any other "similar in definition" programs Safety Kleen has or will implement.
6. If any part of a bulk shipment or individual container of solvent destined for continued use is reclaimed, burned for energy recovery, or otherwise defined as a solid and hazardous waste, the entire shipment or container is subject to hazardous waste regulation.
7. If the used solvents are used as drum washing agent when the drums do not need washing, using the used solvents would not be considered legitimate or the Continued Use Program.
8. If the used solvent(s) are being used in excess of the amount of solvent(s) needed for the drum-washing operation (i.e. more than would be necessary), using the used solvent(s) would not be considered legitimate.

Ms. Catherine A. McCord
October 25, 1999
Page Three

9. If the used solvent(s) would not be an effective washing agent for the drums, using the used solvent(s) in lieu of other effective drum washing agents would not be considered legitimate.
10. Finally, this determination does not relieve any Safety Kleen branch operating in the state of Florida from obtaining any necessary permit modifications from this agency to implement this program or permits from any other agency within the state of Florida.

If you have any questions regarding this determination, please call Michael Redig at 850-488-0300 extension 955.

Sincerely,



Satish Kastury, Administrator
Hazardous Waste Regulation

SK/mxro
Enclosure

cc: Michael Redig, FDEP-HWR
Susan Horlick, FDEP-HWR
David Crowley, FDEP-OGC
District Waste Program Administrators
District Technical Committee Members
Reading File

Safety-Kleen Corp.
Continued Use Program

CONTINUED USE PROGRAM

TABLE OF CONTENTS

1. SLIDE PRESENTATION.
2. PROGRAM DESCRIPTION TO CUSTOMERS.
3. DRUM CLEANING STUDY.
4. MATERIAL SAFETY DATA SHEET FOR PARTS WASHER SOLVENT.
5. PROGRAM DESCRIPTION TRANSMITTAL TO US EPA.
6. US EPA RESPONSE TO S-K OUTLINING THE REGULATORY INTERPRETATION REGARDING THE PROGRAM.
7. SAMPLE LETTER TO A STATE REQUESTING CONCURRENCE FOR THE PROGRAM.
8. EXAMPLE LETTERS FROM VARIOUS STATES APPROVING THE PROGRAM.
9. DRAWINGS AND SCHEMATICS ILLUSTRATING THE PROGRAM.

Safety-Kleen Corp. Continued Use Program

Overview

- Background
- Recycle Center Scrap Wash Program
- Branch Drum Wash Program
- Regulatory Status
- Program Status and Roll-Out Schedule

25 August 99

2

Background

- Two competitors offer a non-waste option for management of used mineral spirits from parts cleaning
- Competition sells used mineral spirits to third parties for use as a substitute ingredient in manufacture products
- Material is not recycled/reclaimed prior to introduction into production process

25 August 99

3

Background (cont.)

- Material removed by competitors' programs are not considered a waste under the Definition of Solid Waste because it is directly re-used as a substitute ingredient

25 August 99

Recycle Center Scrap Wash Program

- New Castle KY Recycle Center has a shredder used to empty drums of industrial wastes destined for fuel program
- Scrap metal has to be washed prior to selling to scrap dealer
- Large volume of material required for scrap washing operation
- Material pre-qualified via sampling

25 August 99

Branch Drum Wash Program - Original Design

- At branch, parts washer waste (mineral spirits) is bulked
- Parts washer waste poured into wet dumpster and pumped to waste tank or 10-day transfer tanker
- Level of fluid in wet dumpster controlled by a float switch

25 August 99

Branch Drum Wash Program - Original Design (cont.)

- Green and red 16 & 30-g drums are washed with waste from customers in a mechanical drum washer that is part of wet dumpster
- Drum washer spins drums against brushes with waste from pool of material at the bottom of wet dumpster being sprayed on interior of drum

25 August 99

7

Branch Drum Wash Program - Original Design (cont.)

- Cleaning material falls back to bottom of wet dumpster with other waste from drum emptying operation
- Float switch again controls level of material in bottom of wet dumpster
- Drums are removed from drum washer unit and re-filled with fresh product

25 August 99

8

Branch Drum Wash Program - New System Design

- SK completed engineering cleaning study to establish standardized cleaning system
- Flow rate, time, and volume established
- Second smaller vat installed next to wet dumpster
- Material from cone shaped bottomed Continued Use vat is preferentially pumped to washer

25 August 99

9

Branch Drum Wash Program - New System Design (cont.)

- When Continued Use vat is empty, new electrical valve box allows system to be converted to former approach of pulling material off the bottom of wet dumpster
- Drums are washed with Continued Use material which falls into the bottom of wet dumpster and is co-mingled with waste from customers

8 Dec 98

12

Branch Drum Wash Program - Administrative Controls

- Original construction and future maintenance are P.E. certified as to standardized cleaning system
- Drum identification system established
- Material tracked with separate shipping description and code in computer system
- Separate computer designated location for logging material into facility

23 August 99

11

Branch Drum Wash Program - Administrative Controls

- Each branch given capacity for selling
- Capacity monitored electronically

25 August 99

13

Branch Drum Wash Program Operations

- Material balance - use on daily or two business day cycle
- All DOT packaging, labeling, and shipping paper requirements are met
- Spills managed same as product spills - SK generated waste
- No net change in flow of material through SK branches

25 August 99

13

Branch Drum Wash Program Operational Design (cont.)

- Customer acceptance criteria
 - all material must be able to go through Continued Use cleaning system

25 August 99

14

Regulatory Status

- RCRA Definition of Solid Waste (and state equivalent) governs what is and is not a waste
- Solvent initially used by customers, will be used or reused as an effective substitute for commercial products [40 CFR 261.2(e)(1) for cleaning operations]

25 August 99

15

Regulatory Status (cont.)

- Preamble to DSW, 1/4/85 (50 FR 619) discusses use of substitutes for commercial products,
 - “When secondary materials are directly used as substitutes for commercial products, we (the Agency) also believe these materials are functioning as raw materials, and therefore are outside of RCRA jurisdiction and thus, are not wastes

25 August 99

16

Regulatory Status (cont.)

-
- Rule states that secondary materials used as ingredients or used directly as commercial products are not wastes
- Solvents from customers still have some capacity to clean in low grade use, as demonstrated by SK's use of waste to clean drums

25 August 99

17

Regulatory Status Summary

- Material in Continued Use program is a substitute for commercial products
- Material is used directly without any reclamation prior to its use
- All material is used for cleaning
- No land storage or speculative accumulation
- Material used for washing becomes SK generated waste

25 August 99

18

Regulatory Concurrence

- Competitors obtained letters of concurrence on regulatory determinations from state environmental departments
- S-K also obtained such letters from USEPA, IN, OH, MI, KY, and CA
- Discussions with additional states, but S-K may not seek letters from all states as roll-out of branch program accelerates

25 August 99

19

Program Status and Roll-Out Schedule

- S-K has registered name "Continued Use"
- Recycle Center Scrap Metal Wash Program
 - program is at capacity (continuously monitored)
 - material accepted from different customers in many states
- Branch Drum Wash Program
 - program rolled out in IN, TX, LA, And OH
 - next states FL, WV, UT, KY, CA, and SC

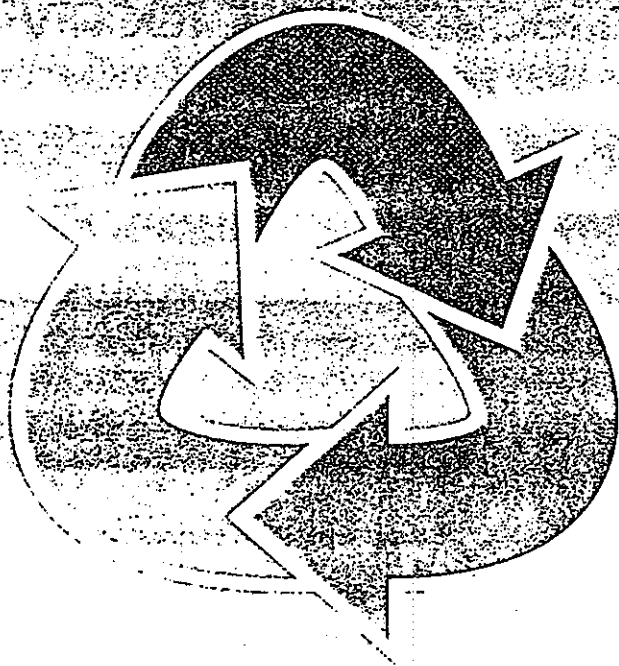
25 August 99

20

Notes

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Safety-Kleen Announces a Program for Your Used Parts Cleaning Solution



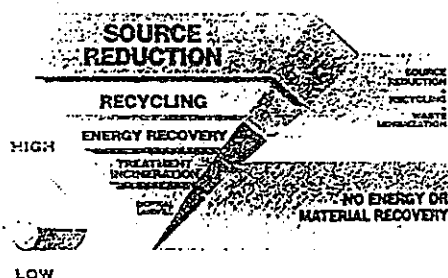
Safety-Kleen's Continued Use™ Program

We Hear You! You told us that you wanted a way to stop manifesting used parts cleaning fluid leaving your facility. Safety-Kleen is proud to announce its new Continued Use™ Program. This program uses an alternative approach to manage the parts cleaning solutions removed from your facility.

That means:

- EPA ID Number is not required.
- The solvent is not classified as a hazardous waste (it will be used for cleaning within Safety-Kleen).
- A reduction in the overall volume of waste that you generate.
- No manifesting of waste (so you're no longer required to maintain copies of hazardous waste manifests associated with the transportation and treatment of your used parts cleaning solution).
- No Land Ban forms.

As your Total Waste Management Company, Safety-Kleen is offering participation in this program to qualified customers at no additional cost. Under our Continued Use Program, ultimately Safety-Kleen becomes the waste generator; therefore, you are no longer required to manage the used parts cleaning solution as a hazardous waste. Contact your local Safety-Kleen representative for all the details. Remember, capacity is limited.



For purpose of pollution prevention and waste minimization consistent with RCRA's goals, a higher management option is preferable to a lower level option.

Continued Use Means Safety-Kleen's Highest Standards Are Met

This exciting new Continued Use Program doesn't mean Safety-Kleen will relax its strict dedication to protecting the environment. Our commitment to Best Practices—to handling all materials we process in the way that's best for the environment—means that your material (whether Continued Use or not) goes through strict Safety-Kleen Quality processes. In other words, every drop of your used parts cleaning solution will continue to be managed through our state-of-the-art facilities as it has been in the past. Unlike other waste handling services, Safety-Kleen can tell you exactly where—and how—your parts cleaning solution is managed and recycled. So when you work with Safety-Kleen, you know you are getting the quality that you are paying for!

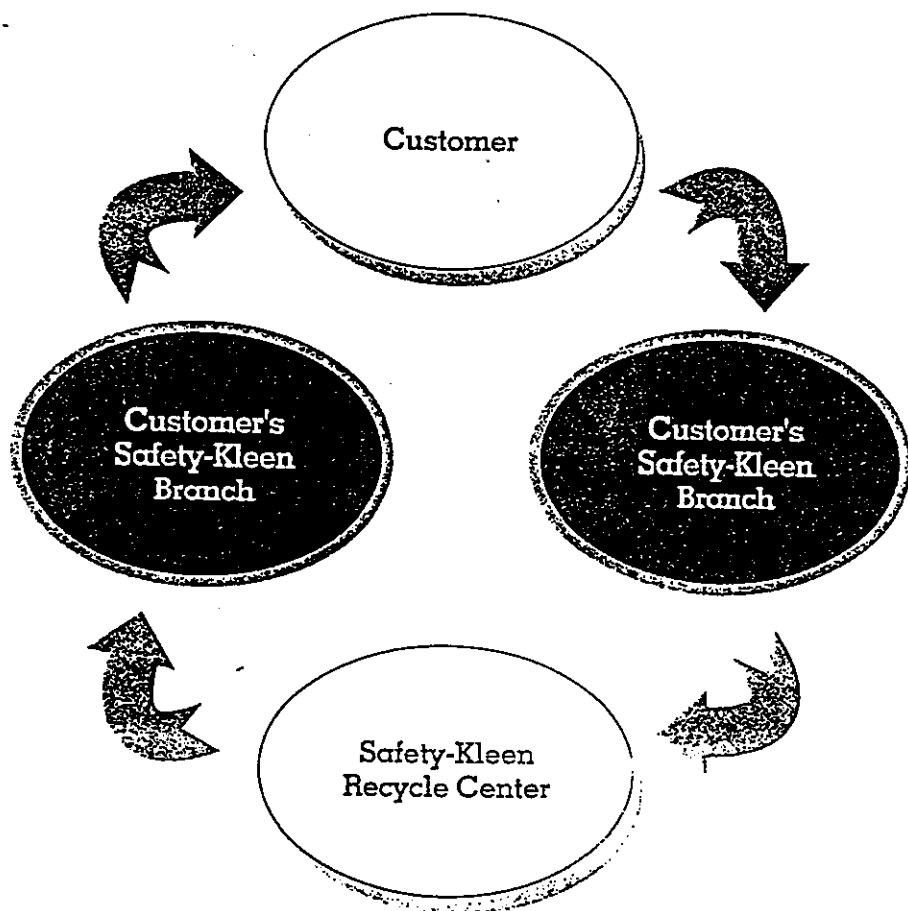


THE SAFETY-KLEEN CONTINUED USE PROGRAM

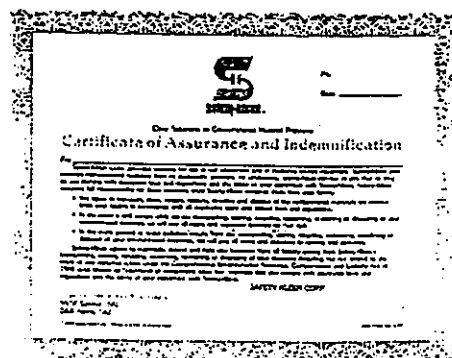
You will no longer be required to manifest the used parts cleaning solution leaving your facility!

Safety-Kleen Closes The Loop

Continued Use Also Means Assurance



Like all Safety-Kleen services, our Continued Use Program is backed by our \$1 billion Certificate of Assurance and Indemnification. Our certificate says we take full responsibility for managing your materials in an environmentally responsible manner. It's peace of mind that you only get with Safety-Kleen.



Safety-Kleen Corp.
One Brinckman Way
Elgin, IL 60123

The chart shows the typical "handling path" of used parts cleaning solution. Every drop of

solution is handled with the expertise that only Safety-Kleen can bring to the job.

CALL YOUR LOCAL SAFETY-KLEEN
REPRESENTATIVE FOR DETAILS.

800/323-5040

CONTINUED USE PROGRAM

AGENDA

A. INTRODUCTION

- 1. TYPE OF GENERATORS**
- 2. ADVANTAGES**

B. QUALIFICATIONS FOR THE PROGRAM

- 1. MUST BE S-K SOLVENTS & SERVICES (only 105 and hazardous 150 solvents)**
- 2. SOLVENT FREE OF DEBRIS**
- 3. LOCAL S-K-REPRESENTATIVES INSPECT FOR:**
 - a. COLOR**
 - b. CONSISTENCY**
 - c. ODOR**
 - d. VOLUME**
- 4. CAPACITY = NUMBER OF CONTAINERS/UNIT TIME X 12.8 GALLONS/CONTAINER**

C. REGULATORY APPROVAL

- 1. EPA**
- 2. STATES**

D. PROGRAM IMPLEMENTATION

- 1. MATERIAL SEGREGATION**
- 2. LABELLING & OTHER DIFFERENTIATION**
- 3. SHIPPING PAPERS**

CONTINUED USE PRODUCT

The cleaning solvent/solution in this
parts cleaner is destined for
Continued Use.

©1997 FLEXmark® V400FW Rev. 10/97 SK81649

Notes

[illegible]

Study of Drum Cleaning with Continued Use Solvent

**Robert Janicki & Dennis Brinkman
Safety-Kleen Corp.**

September 24, 1997

Study of Drum Cleaning with Continued Use Solvent

Robert Janicki & Dennis Brinkman
Safety-Kleen Corp.

INTRODUCTION

This report provides the results of an engineering study of drum cleaning at Safety-Kleen branch facilities. The study established a standard system to assure adequate cleaning of drums prior to their return to customers. Drums will be cleaned with solvent that has been initially used by our customers and returned to our branches for continued-use as a cleaning solvent. After use as a drum washing agent, the material will be recycled.

Parts washing involves the use of various cleaning agents to remove deposits or surface contamination from hard surfaces. Over the years, the primary agent has been a hydrocarbon distillate variously called mineral spirits, Stoddard Solvent, or petroleum naphtha. During initial use, this solvent becomes unacceptable for the intended application and fresh solvent is provided. However, the partially used solvent still retains the capacity for less rigorous cleaning applications, such as drum washing.

This multiple use of the solvent allows maximum value out of this commodity.

DRUM WASHING SCENARIOS

Existing Drum Washer/Dumpster System

For many years, Safety-Kleen has used a system that combines drum washing within a large trough that is used as a receptacle for receiving parts washer solvent returned from our customers. The trough portion of this unit is typically 1.5 ft wide x 3 ft. long x 1.5 ft. deep. It allows easy access for the emptying of drums and typically contains up to 40 gallons of solvent.

The drum washer mechanism sits to the side of the dumpster trough and within a unified containment area (see Figure 1). The complete system is 3 ft. wide x 5 ft. long x 6 ft high. As shown in Figure 2, it is fitted with a brush and nozzle assembly designed to wash bottom interior and exterior sidewalls of drum. Solvent is pumped from the bottom of this trough to a nozzle that sprays solvent inside drums that rotate around a large brush that scrubs the inside surface.

A maximum volume of 40 gallons is retained in the bottom of the drum washing unit. A float switch controls a second pump that moves excess solvent to a storage tank. This solvent is then transported to a recycling plant..

New Continued Use System

Continued use material will be deposited in a 200-gallon open top vessel is (3 ft. wide x 4 ft. long x 5 ft. high) which has been fitted with a sloped bottom directed to a centered 1 ½" threaded outlet. This tank has a full lid which is closed when not in use and is held open with a fusible-link for emergency closure during use. As shown in Figure 3, solvent for drum washing is taken preferentially from this dumpster until it is empty. This vessel is the primary source of drum washing solvent. When this vessel is empty, solvent residing in the bottom of the main dumpster is recirculated through the drum washer for any remaining requirements.

EQUIPMENT DESCRIPTION

Pumps

This system utilizes two ITT Marlow pumps (Model 1½HR49EC) which are 1½-inch open impeller centrifugal-type units powered by a 1½ HP (3450 RPM) motor. These pumps are specially useful for handling liquids with substantial solids loading.

Valves

The drum-washing solvent feed is controlled by two Watts Mfg. 1½" motor-driven ball valves (Model 1801-212). These valves are electrically-controlled. The valve between the final dumpster and the continued use solvent storage vessel are manually controlled by the operator from a control panel.

Nozzles

Two styles of nozzles are utilized in the drum washing assembly. The primary interior nozzle is a Spraying Systems; Model H-U ¾ 65200 Brass unit. The primary working dimension for this nozzle is its 11/32-inch orifice diameter, which yields a flowrate of 22 gal/min.

Three Model H-U ¾ 6510 Brass nozzles are utilized for exterior washing. The primary working dimension for this nozzle is a 3/16-inch orifice (this is drilled out from the normal 5/64-inch orifice), which yields a liquid stream instead of a mist spray to minimize air emissions.

Both of these nozzles were selected to give good area coverage with maximum cleaning efficiency without excessive vaporization.

Electrical Logic

The primary electrical circuit regulates the use of solvent from each dumpster unit. A single switch panel controls each valve simultaneously and has indicator lights to verify open (green)/ closed (red) positions. The drum washer pump will only operate when each valve is opposite each other, assuring that solvent cannot be mixed during the wash cycle (i.e., two illuminated green lights will lock out the washer pump).

A timer located in the drum washer control panel automatically stops the washer pump. The timer has a 1-9,999 second range. This assures that a specific volume of solvent is utilized during each wash cycle. Part of the objectives of this test was to establish the setting for this timer.

SYSTEMS OPERATION

The drum washer/dumpster and reuse dumpster are integrated by a pump dedicated to washing drums, as shown in the system layout in Figure 4. The two motor-driven valves control the inlet to this pump from each dumpster unit. The valves operate simultaneously opposite each other to maintain a sufficient solvent flow and specify which solvent is to be used for washing drums. The reuse dumpster is always the primary source. The washer pump is activated manually once a dirty drum is in place and is automatically stopped following the preset wash cycle period.

The second pump is dedicated to removing excess solvent from the drum washer/dumpster and is automatically controlled by a float switch mounted in the trough area of this unit.

EXPERIMENTAL RESULTS AND DISCUSSION

The volume of solvent required to remove sediment from parts washer drums is related to a time factor to be incorporated into the wash cycle since the solvent flowrate is constant and reproducible. All sediment settles to the bottom of a drum and a proper cleaning is considered accomplished when the interior drum bottom is visually free of any residue. It is extremely rare that the exterior is still dirty once the interior is clean.

Studies were performed at two locations to substantiate a time period required to obtain clean drums. The Safety-Kleen Branches at Elgin, IL and South Bend, IN are representative of all Safety-Kleen Branches, since all drum washer installations are identical. Approximately 100 drums were cleaned at each location to generate the data for this study.

In each test, drums were washed for a 10 second period and inspected. Additional cleaning was performed in 5 second intervals until each drum was finished. The following chart associates the percentage of drums determined to be clean to the required time to achieve the desired results.

In each test, the washer was metered at a 22 gal./min. flow rate. This was determined by extending the nozzle into a drum via a 1-inch diameter X 5-ft hose and measuring the volume using a drum and calibrated dip stick.

Table 1 presents the data for South Bend, IN.

% Clean Drum	Wash Time	Solvent Volume
31%	10 sec.	3.7 gal.
70%	15 sec.	5.5 gal.
88%	20 sec.	7.3 gal.
96%	25 sec.	9.2 gal.
100%	35 sec.	12.8 gal.

Table 2 presents the data for Elgin, IL.

% Clean Drum	Wash Time	Solvent Volume
35%	10 sec.	3.7 gal.
66%	15 sec.	5.5 gal.
92%	20 sec.	7.3 gal.
99%	25 sec.	9.2 gal.
100%	35 sec.	12.8 gal.

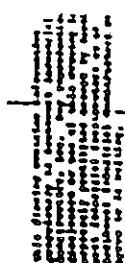
As can be seen, the data are very similar. By combining all of the data and utilizing the known flow rate to associate a solvent volume with each time interval, Table 3 presents both the time and solvent volume required to clean dirty solvent drums. If one assumes the goal is to only rarely run any drums through a second time, the timer will need to be set at 35 seconds and a total volume of solvent of around 13 gallons will be required. This is around the typical volume brought back in an average drum of dirty solvent.

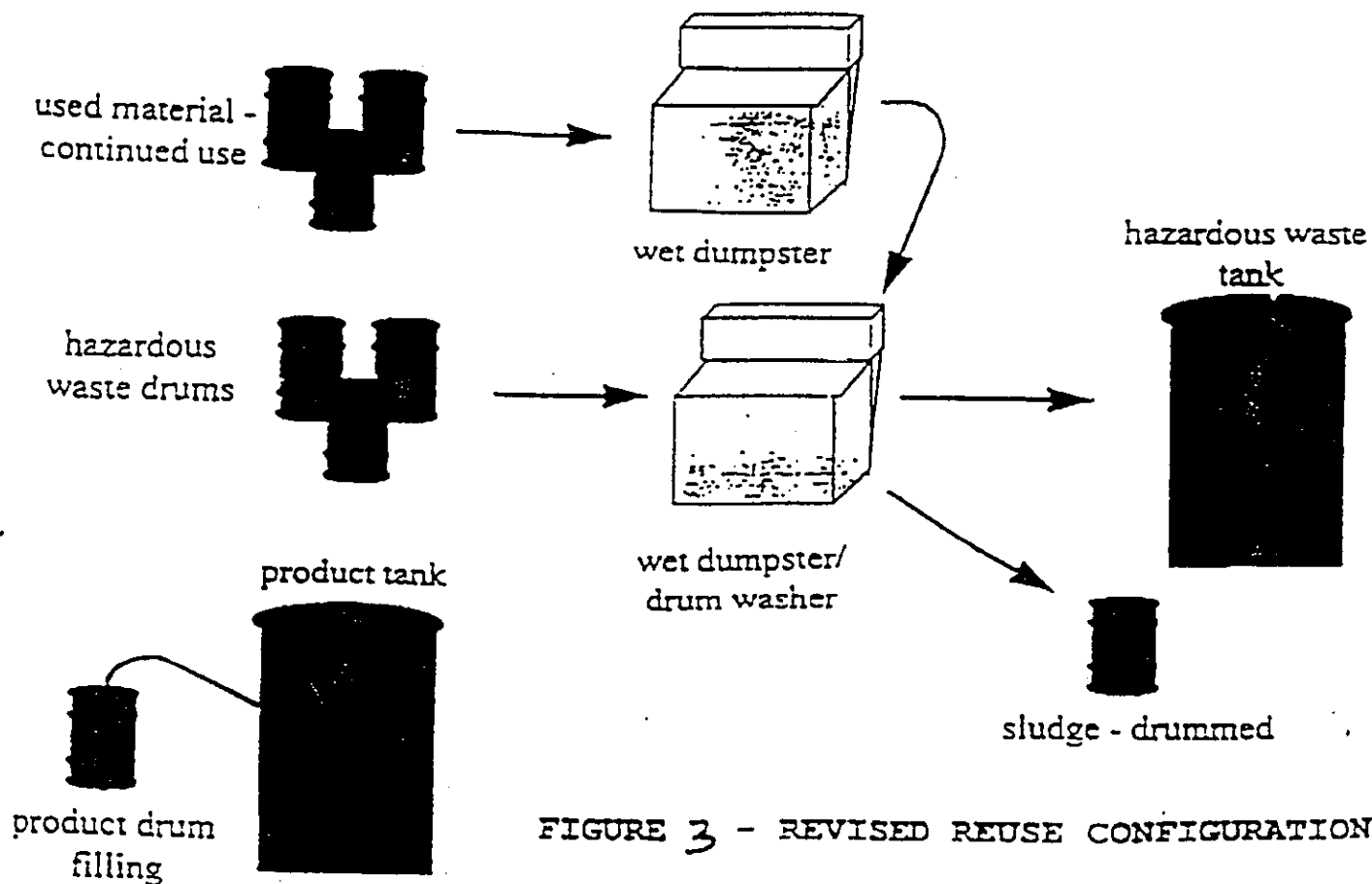
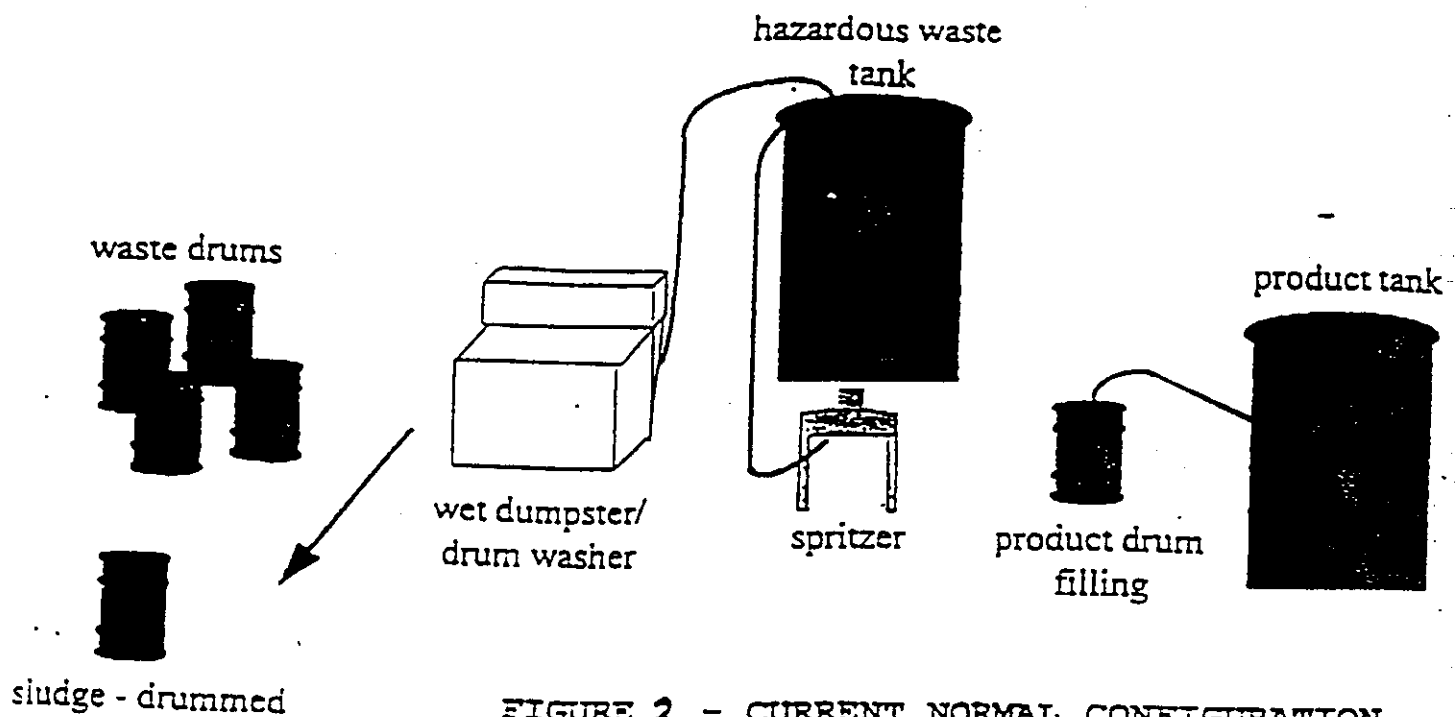
% Clean Drum	Wash Time	Solvent Volume
33%	10 sec.	3.7 gal.
68%	15 sec.	5.5 gal.
90%	20 sec.	7.3 gal.
98%	25 sec.	9.2 gal.
100%	35 sec.	12.8 gal.

CONCLUSIONS

The average total flowrate for the drum washer is 22 gal/minute. Our study showed the time needed for cleaning all but the most highly contaminated drums was 35 seconds. Thus, 13 gallons of solvent per drum is required. When this continued use system is installed, all pumps, nozzles, and timers will be standardized to be identical to these operating parameters.

FIGURE 1





BARREL WASHER/ REUSE SOLVENT SUPPLY TANK PIPING SCHEMATIC

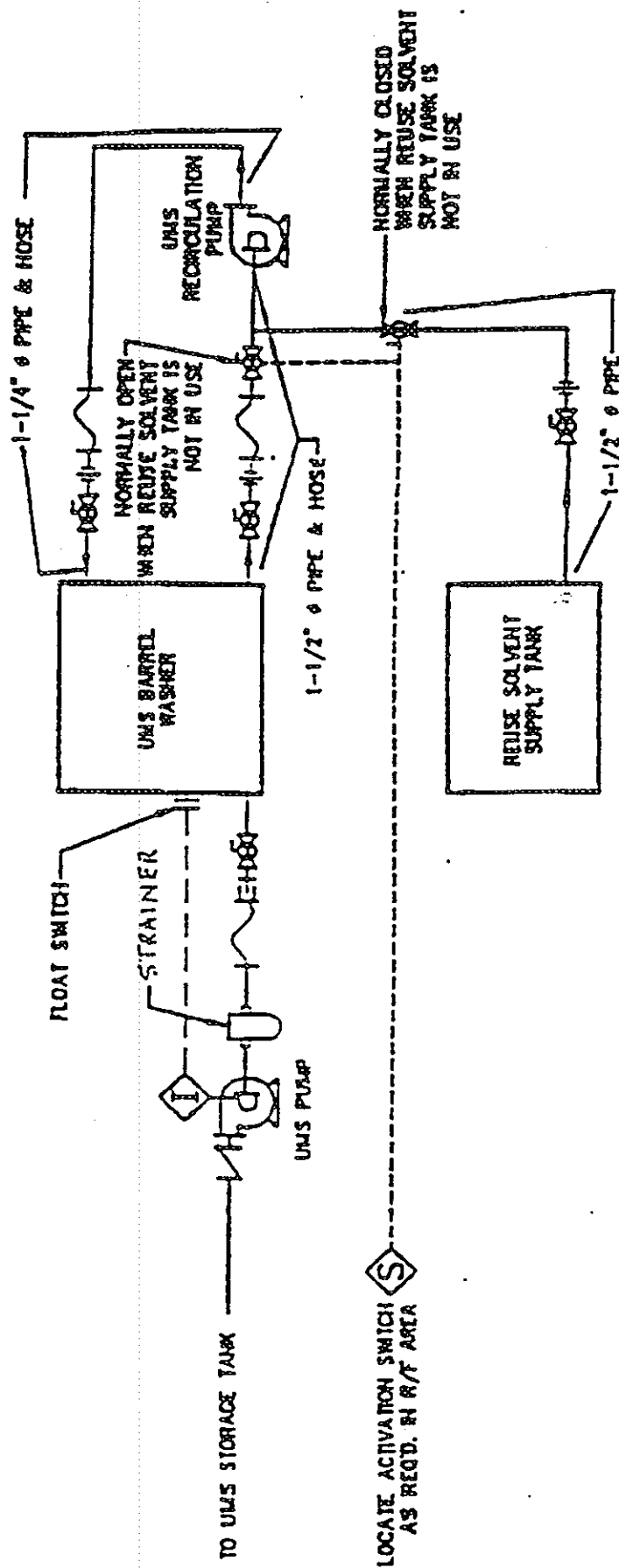


FIGURE 24

Notes

HIGH FLASH HYDROCARBON BLEND STOCK
MATERIAL SAFETY DATA SHEET FOR USA AND CANADA



SECTION 1: CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

PRODUCT NAME: HIGH FLASH HYDROCARBON BLEND STOCK

SYNONYMS: Parts Washer Solvent; Petroleum Distillates; Petroleum Naphtha; Naphtha, Solvent; Stoddard Solvent; Mineral Spirits.

PRODUCT PART NUMBERS: Not available.

PRODUCT USE: Cleaning and degreasing metal parts.
If this product is used in combination with other chemicals, refer to the Material Safety Data Sheets for those chemicals.

24-HOUR EMERGENCY TELEPHONES

These numbers are for emergency use only. If you desire non-emergency information about this product, please call a telephone number listed below.

MEDICAL:

1-800-752-7869 (USA)
Extension 2

1-312-942-5969 (CANADA)

TRANSPORTATION (SPILL):

1-800-468-1760 (USA)

1-613-996-6666 (CANADA)

MANUFACTURER/SUPPLIER: Safety-Kleen Corp.
1000 North Randall Road
Elgin, IL, 60123-7857 USA
1-800-669-5740

TECHNICAL INFORMATION: 1-800-669-5740 Extension 7500

MSDS FORM NUMBER: 82705

ISSUE: Original

ORIGINAL ISSUE: April 17, 1997

SUPERSEDES: New

PREPARED BY: Product MSDS Coordinator

APPROVED BY: MSDS Task Force

HIGH FLASH HYDROCARBON BLEND STOCK

MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

SECTION 2: COMPOSITION/INFORMATION ON INGREDIENTS

WT%	NAME	SYNONYM	CAS NO.	OSHA PEL		ACGIH TLV		LD ^a	LC ^b
				TWA	STEL	TWA	STEL		
100	Distillates (petroleum), hydrotreated light	N.Av.	64742-47-8	500 ^c ppm	N.Av.	100 ^c ppm	N.Av.	>5000 ^d	>2000 mg/m ³ , 4 hours

N.Av. = Not Available

^cBased on Stoddard Solvent.

^aOral-Rat LD50 (mg/kg)

^dSkin-Rat LD50>2000 mg/kg

^bInhalation-Rat LC50

See 29 CFR 1910.1000(d)(2) and ACGIH *Threshold Limit Values for Chemical Substances and Physical Agents Biological Exposure Indices* booklet (Appendix C) for the determination of exposure limits for mixtures. Consult an industrial hygienist or similar professional to confirm that the calculated exposure limits are appropriate.

SECTION 3: HAZARDS IDENTIFICATION

EMERGENCY OVERVIEW

WARNING!

APPEARANCE

Liquid, brown or black, mild hydrocarbon odor.

IMMEDIATE HAZARDS

Combustible liquid and vapor.

Harmful if inhaled.

Eye and skin irritant.

May be harmful if swallowed.

DELAYED HAZARDS

Contains material which may cause central nervous system damage.

POTENTIAL HEALTH EFFECTS

INHALATION (BREATHING): High vapor or mist concentrations may be harmful if inhaled. High concentrations of vapor or mist may irritate the respiratory tract (nose, throat, and lungs). High concentrations of vapor or mist may cause nausea and vomiting. High concentrations of vapor or mist may cause headaches, dizziness, incoordination, numbness, irregular heartbeat, and other central nervous system effects. Massive acute overexposure may result in rapid central nervous system depression, sudden collapse, deep coma, and death.

EYES: Direct contact with materials or exposure to vapors may cause irritation.

SKIN: Direct contact with materials or exposure to vapors may cause irritation. A single, prolonged exposure is not likely to cause the material to be absorbed through the skin in harmful amounts.

INGESTION (SWALLOWING): May cause throat irritation, nausea, vomiting, and central nervous system effects as noted under **INHALATION (BREATHING)**. Breathing material into the lungs during ingestion or vomiting may cause lung injury and possible death.

HIGH FLASH HYDROCARBON BLEND STOCK

MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

MEDICAL CONDITIONS AGGRAVATED BY EXPOSURE: Individuals with pre-existing lung, cardiac, central nervous system, or skin disorders may have increased susceptibility to the effects of exposure.

CHRONIC: Prolonged or repeated inhalation may cause toxic effects. Prolonged or repeated eye contact may cause inflammation of the membrane lining the eyelids and covering the eyeball. Prolonged or repeated skin contact may cause drying, cracking, redness, itching, swelling, or burns.

CANCER INFORMATION: No known carcinogenicity. For more information, see **SECTION 11: CARCINOGENICITY**.

Also see **SECTION 15: CALIFORNIA**.

SECTION 4: FIRST AID MEASURES

INHALATION: (BREATHING) Remove to fresh air. If not breathing, give artificial respiration. If breathing is difficult, give oxygen. Someone should stay with victim. Get medical attention if breathing difficulty persists.

EYES: For direct contact, immediately flush eyes with plenty of water, holding eyelids apart, for 15 minutes. If irritation or redness from exposure to vapor or mist develops, move away from exposure into fresh air. Get medical attention if irritation or pain persists.

SKIN: Remove contaminated clothing and shoes. Wash skin thoroughly with soap and water. Get medical attention if irritation or pain persists.

INGESTION: (SWALLOWING) Immediately get medical attention. Do NOT induce vomiting. If spontaneous vomiting occurs, keep head below hips to avoid breathing material into the lungs.

NOTE TO PHYSICIANS: No specific antidote available. Treat symptomatically and supportively. Administration of gastric lavage, if warranted, should be performed by qualified medical personnel. Call medical emergency telephone number (see **SECTION 1**) for additional information.

SECTION 5: FIRE FIGHTING MEASURES

FLASH POINT: 140°F (60°C) Tag Closed Cup (minimum)

FLAMMABLE LIMITS IN AIR: LOWER: 0.5 VOL% (minimum)
UPPER: 9.3 VOL% (maximum)

AUTOIGNITION TEMPERATURE: 440°F (227°C) (minimum)

HAZARDOUS COMBUSTION PRODUCTS: Burning may produce carbon monoxide.

CONDITIONS OF FLAMMABILITY: Heat, sparks, or flame.

HIGH FLASH HYDROCARBON BLEND STOCK

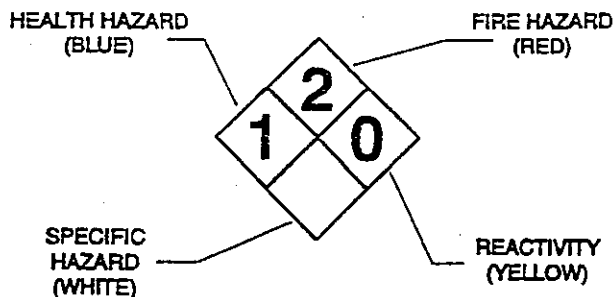
MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

EXTINGUISHING MEDIA:

Carbon dioxide, foam, dry chemical, water spray, or water fog.

NFPA 704 HAZARD IDENTIFICATION:

This information is intended solely for the use by individuals trained in this system.



FIRE FIGHTING INSTRUCTIONS:

Keep storage containers cool with water spray. Positive-pressure, self-contained breathing apparatus (SCBA) and structural firefighters' protective clothing may provide limited protection.

FIRE AND EXPLOSION HAZARDS:

Decomposition and combustion products may be toxic. "Empty" containers may retain residue and can be dangerous. Heated containers may rupture. Vapors can travel to ignition source and flash back. Vapor explosion hazard indoors, outdoors, or in sewers. Run-off to sewer may create fire or explosion hazard. Not sensitive to mechanical impact. Material may be sensitive to static discharge, which could result in fire or explosion.

EMERGENCY RESPONSE GUIDE NUMBER:

128
Reference *North American Emergency Response Guidebook*

SECTION 6: ACCIDENTAL RELEASE MEASURES

Remove all ignition sources. Do not touch or walk through spilled material. Stop leak if you can do it without risk. Wear protective equipment specified in **SECTION 8: EXPOSURE CONTROLS/PERSONAL PROTECTION**. Ventilate area and avoid breathing vapor or mist. A vapor suppressing foam may be used to reduce vapors. Contain away from surface waters and sewers. Contain as a liquid for possible recovery or sorb with compatible sorbent material and shovel with a clean, non-sparking tool into sealable container for disposal.

Additionally, for large spills: isolate hazard area. Keep unnecessary and unprotected personnel from entering. Dike far ahead of liquid spill for collection and later disposal.

HIGH FLASH HYDROCARBON BLEND STOCK

MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

SECTION 7: HANDLING AND STORAGE

HANDLING:

Keep away from heat, sparks, or flame. Where explosive mixtures may be present, equipment safe for such locations should be used. Use clean, non-sparking tools and explosion-proof equipment. When transferring material, metal containers, including trucks and tank cars, should be grounded and bonded. Avoid contact with eyes, skin, clothing, and shoes. Use in well ventilated area. Do not breathe vapor or mist.

SHIPPING AND STORING:

Keep container tightly closed when not in use and during transport. Do not pressurize, cut, weld, braze, solder, drill, grind, or expose containers to heat, flame, sparks, static electricity, or other sources of ignition; containers may explode and cause injury or death. Empty product containers may retain product residue and can be dangerous. See **SECTION 14: TRANSPORT INFORMATION** for Packing Group information.

PERSONAL HYGIENE:

Use good personal hygiene. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco products. Clean contaminated clothing, shoes, and protective equipment before reuse. Discard contaminated clothing, shoes, or protective equipment if they cannot be thoroughly cleaned.

SECTION 8: EXPOSURE CONTROLS/PERSONAL PROTECTION

ENGINEERING CONTROLS:

Provide general ventilation needed to maintain concentration of vapor or mist below applicable exposure limit. Where adequate general ventilation is unavailable, use process enclosures, local exhaust ventilation, or other engineering controls to control airborne levels below recommended exposure limit. Where explosive mixtures may be present, equipment safe for such locations should be used.

PERSONAL PROTECTIVE EQUIPMENT

RESPIRATORY PROTECTION:

Use NIOSH/MSHA-approved respiratory protective equipment when concentration of vapor or mist exceeds applicable exposure limit. A self-contained breathing apparatus (SCBA) and full protective equipment are required for large spills or fire emergencies. Selection and use of respiratory protective equipment should be in accordance in the USA with OSHA General Industry Standard 29 CFR 1910.134; or in Canada with CSA Standard Z94.4-M1982.

EYE PROTECTION:

Where eye contact is likely, wear chemical goggles; contact lens use is not recommended.

SKIN PROTECTION:

Where skin contact is likely, wear nitrile, Viton®, or equivalent protective gloves; use of butyl rubber, natural rubber, or equivalent gloves is not recommended.

HIGH FLASH HYDROCARBON BLEND STOCK

MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

OTHER PROTECTIVE EQUIPMENT:

Where spills and splashes are likely, wear appropriate chemical-resistant boots, apron, or other protective clothing. Clean water should be available in work areas for flushing the eyes and skin.

SECTION 9: PHYSICAL AND CHEMICAL PROPERTIES

PHYSICAL STATE, APPEARANCE, AND ODOR:	Liquid, brown or black, mild hydrocarbon odor.
ODOR THRESHOLD:	30 ppm (based on Stoddard Solvent)
SPECIFIC GRAVITY:	0.78 to 0.82 60°F/60°F (15.6°C/15.6°C) (water = 1)
DENSITY:	6.5 to 6.8 lb/US gal (780 to 820 g/l)
VAPOR DENSITY:	5 (air = 1) approximately
VAPOR PRESSURE:	0.2 mm Hg at 68°F (20°C) (approximately) 0.6 mm Hg at 100°F (38°C) (approximately)
BOILING POINT:	350°F (177°C) (initial)
FREEZING/MELTING POINT:	less than -45°F (-43°C)
pH:	Not applicable.
EVAPORATION RATE:	0.1 (butyl acetate = 1)
SOLUBILITY IN WATER:	Insoluble.
MOLECULAR WEIGHT:	160 (approximately)

SECTION 10: STABILITY AND REACTIVITY

STABILITY:	Stable under normal temperatures and pressures. Avoid heat, sparks, or flame.
INCOMPATIBILITY:	Avoid acids, alkalies, oxidizing agents, reducing agents, or reactive halogens.
REACTIVITY:	Polymerization is not known to occur under normal temperatures and pressures. Not reactive with water.
HAZARDOUS DECOMPOSITION PRODUCTS:	None under normal temperatures and pressures. See also SECTION 5: HAZARDOUS COMBUSTION PRODUCTS .

SECTION 11: TOXICOLOGICAL INFORMATION

SENSITIZATION:	Based on best current information, there is no known human sensitization associated with these materials.
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HIGH FLASH HYDROCARBON BLEND STOCK

MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

CARCINOGENICITY:	<p>IARC classifies chemicals by their carcinogenic risk, including agents that are known, probable, or possible carcinogens. NTP classifies chemicals as either known carcinogens, or for which there is limited evidence of carcinogenicity in humans or sufficient evidence of carcinogenicity in experimental animals. ACGIH recognizes several categories of carcinogens, including confirmed human carcinogens and suspected human carcinogens.</p> <p>Based on best current information, there is no known carcinogenicity associated with these materials.</p> <p>Also see SECTION 15: CALIFORNIA.</p>
REPRODUCTIVE TOXICITY:	<p>Based on best current information, there is no known reproductive toxicity associated with these materials.</p> <p>Also see SECTION 15: CALIFORNIA.</p>
TERATOGENICITY:	<p>Based on best current information, there is no known teratogenicity associated with these materials.</p>
MUTAGENICITY:	<p>Based on best current information, there is no known mutagenicity associated with these materials.</p>
TOXICOLOGICALLY SYNERGISTIC PRODUCT(S):	<p>Based on best current information, there are no known toxicologically synergistic products associated with these materials.</p>

SECTION 12: ECOLOGICAL INFORMATION

ECOTOXICITY:	<p>A Static Acute Bioassay as per the California Department of Fish and Game WPCL, was done using fathead minnows, and up to 750 ppm of the products in water.</p> <p>The material passed the bioassay with only 1 out of 10 minnows dying. To fail the bioassay, more than 40% of the fish would die in 750 ppm.</p>
OCTANOL/WATER PARTITION COEFFICIENT:	<p>Not available.</p>
VOLATILE ORGANIC COMPOUNDS:	<p>100 WT%; 6.5 to 6.8 lb/US gal; 780 to 820 g/l Photochemically reactive as per 40 CFR Part 51.100(s).</p>

SECTION 13: DISPOSAL CONSIDERATIONS

DISPOSAL:	<p>Dispose in accordance with federal, state, provincial, and local regulations. Regulations may also apply to empty containers. The responsibility for proper waste disposal lies with the owner of the waste. Contact Safety-Kleen regarding recycling or proper disposal.</p>
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HIGH FLASH HYDROCARBON BLEND STOCK

MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

USEPA WASTE CODE(S):

Not regulated.

Based on available data, this information applies to the material as supplied to the user. Processing, use, or contamination may make this information inappropriate, inaccurate, or incomplete.

SECTION 14: TRANSPORT INFORMATION

DOT:

COMBUSTIBLE LIQUID, N.O.S. (PETROLEUM NAPHTHA),
NA1993, PGIII

TDG:

Not regulated.

SECTION 15: REGULATORY INFORMATION

USA REGULATIONS

SARA SECTIONS 311 AND 312:

Materials pose the following physical and health hazards as defined in 40 CFR Part 370 and are subject to the requirements of sections 311 and 312 of Title III of the Superfund Amendments and Reauthorization Act of 1986:

Immediate (Acute) Health Hazard
Delayed (Chronic) Health Hazard
Fire Hazard

SARA SECTION 313:

These products do not contain toxic chemicals subject to the requirements of section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 and 40 CFR Part 372.

TSCA:

All the components of these products are listed on the TSCA Inventory.

CALIFORNIA:

This product is not for sale or use in the State of California.

CANADIAN REGULATIONS

These products have been classified in accordance with the hazard criteria of the Controlled Products Regulations (CPR) and the MSDS contains all the information required by the CPR.

WHMIS:

B3, D2B

CANADIAN ENVIRONMENTAL PROTECTION ACT (CEPA):

All the components of these products are listed on the Canadian Domestic Substances List.

HIGH FLASH HYDROCARBON BLEND STOCK MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

SECTION 16: OTHER INFORMATION

REVISION INFORMATION: New format.
LABEL/OTHER INFORMATION: Not available.

User assumes all risks incident to the use of this product. To the best of our knowledge, the information contained herein is accurate. However, Safety-Kleen assumes no liability whatsoever for the accuracy or completeness of the information contained herein. No representations or warranties, either expressed or implied, or merchantability, fitness for a particular purpose or of any other nature are made hereunder with respect to information or the product to which information refers. The data contained on this sheet apply to the material as supplied to the user.



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Notes



April 25, 1997

via Federal Express

Ms. Michele Anders, Chief
Generator and Recycling Branch
U.S. Environmental Protection Agency
Office of Solid Waste
401 M Street, S.W.
Washington, D.C. 20460

RE: Written Confirmation of Regulatory Interpretation of 40 CFR 261.2(e)(1)

Dear Ms. Anders:

Safety-Kleen is submitting the following information as Confidential Business Information and has been labeled as such pursuant to 40 CFR Part 2, Subpart B, Section 2.203(b).

The purpose of this letter is to follow up on an April 16 telephone conversation with Mr. Jeff Hannaple about a regulatory interpretation and to request that the interpretation Mr. Hannaple provided be confirmed in writing. The regulatory interpretation was provided in response to Safety-Kleen's request on how used parts washing solvent that was used for drum washing would be regulated, if it was used for the drum washing activity prior to any reclamation.

As previously discussed, Safety-Kleen collects used solvents from customers' parts cleaning operations and consolidates such materials at one of our branch collection facilities for shipment to one of our recycle centers. It is our intent to use a certain quantity of this material for washing drums prior to re-filling them with product. The quantity of solvent used in this manner will be dictated by the volume needed to wash a drum and the total number of drums used to service our customers. None of the solvent used in this manner will be reclaimed prior to its use as drum wash. Safety-Kleen will establish criteria for the amount and type of material to be used for this purpose.

Safety-Kleen believes that the parts washer solvent to be used in this manner is excepted from the definition of solid waste because it will be "used or reused as an effective substitute for [1] commercial product[s]..." (40 CFR 261.2(e)(1)). The preamble to the Definition of Solid Waste, dated January 4, 1985 (50 FR 619), discusses the use of substitutes for commercial products in the following manner:

"When secondary materials are directly used as substitutes for commercial products, we [the Agency] also believe these materials are functioning as raw materials and therefore are outside of RCRA's jurisdiction and thus, are not wastes."

Ms. Michele Anders

Page 2

April 23, 1997

Contains Confidential Business Information Pursuant to 40 CFR Part 2, Subpart B

Page 637 of the preamble also states,

When secondary materials are directly used (or, in the case of previously used materials, reused)... they function as raw materials in normal manufacturing operations or as products in normal commercial applications. We [the Agency] reiterate these positions in the final regulation. These direct use recycling situations represent exceptions to the general principle that accumulated hazardous secondary materials are hazardous wastes.

The final rule consequently states that secondary materials used as ingredients or used directly as commercial products are not wastes and are outside the Agency's RCRA jurisdiction. They thus are not subject to RCRA Subtitle C regulations when generated, transported, or used..."

See also attached guidance from the RCRA/Superfund Hotline.

The discussion on page 624 of the preamble, addresses "continued-use" when distinguishing between spent materials from those that are still fit for use,

"...where solvents used to clean circuit boards are no longer pure enough for that continued use, but are still pure enough for use as metal degreasers. These solvents are not spent materials when used for metal degreasing. The practice is simply continued use of a solvent. (This is analogous to using/reusing a secondary material as an effective substitute for commercial products.)"

We request that EPA confirm in writing that the solvent Safety-Kleen intends to use for drum wash in the manner described above is not a solid waste pursuant to 40 CFR 261.2(e)(1) and thus not a hazardous waste when it is being used as an effective substitute for a commercial product.

Please contact me at (847) 468-2245, if you have any questions.

Sincerely,

Catherine A. McCord, Manager
Environment and Business Integration

Attachment

cc: Jeff Hannaple

ment must be installed with special leak detection and collection system. Do any existing tank systems may not have a system to detect and contain releases. Do the new July 14, 1986 regulations have any leak testing requirements for existing systems prior to installation of secondary containment?

Yes. The new hazardous waste tank regulations do provide for leak testing in existing tank systems prior to installation of secondary containment. 40 CFR 264.193(i) and 265.193(i) require all existing tank systems to be evaluated for leaks in some manner. Non-enterable underground tanks must be tested for leaks at least annually. All other tanks (aboveground and enterable underground tanks) under interim status must be leak-tested, inspected internally, or examined for cracks, leaks, corrosion and erosion at least annually. Other permitted tanks must be either leak-tested annually or placed on a schedule for overall integrity assessments. The frequency of assessments would depend on the material, the construction of the tank, the age of the system, the type of waste stored or treated, the type of corrosion or erosion, and the rate of corrosion or erosion of the tank. The annual leak testing requirement also applies to all ancillary equipment. In addition, § 264.191 and § 265.191 require the owner/operator of an existing tank system that does not have a secondary containment system meeting the requirements of §§ 264.193 and 265.193 to obtain a written assessment of the tank system's integrity by January 12, 1988. All assessments must be certified by an independent, qualified registered professional engineer and must be kept on file at the facility.

[December 1986; Regulatory Cross References: 264.193(i), 265.193(i), 264.191, 265.191]

RCRA-78 Existing Units, Replacement Units, and Minimum Technology Standards

The owner/operator of an existing landfill unit which is holding F006 waste, wants to remove all the waste from the unit in order to stabilize it. Once the waste is stabilized, it will be put back in the same landfill and the landfill will then be closed. Will this action change the status of the landfill from an existing unit to a replacement unit? If the landfill was then considered a replacement unit, would it have to meet minimum technology requirements under Section 3004(u) of RCRA before the stabilized waste is replaced?

A unit is considered a replacement if it is taken out of service and all or substantially all waste is removed from it, and the unit is reused. If the removal, stabilization, and replacement of the waste is part of closure, and no new waste is being added to the landfill, then EPA does not consider that the unit has been "reused." Therefore, the landfill would retain its status as an existing unit and would not have to meet minimum technology standards prior to replacing the waste.

[Ed. Note: On January 29, 1992 (57 FR 3462), EPA promulgated liner and leak detection system standards for landfills, surface impoundments, and waste piles, effective July 29, 1992. As part of that rulemaking, EPA codified a definition of "replacement unit" that is essentially the same as the one described here.]

[December 1986; Regulatory Cross References: 260.10 "replacement unit," 264.301, 264.310, 265.301(a), 265.310]

RCRA-79 Land Disposal Definition

How is land disposal defined regarding the Section 3004(d) RCRA land disposal restrictions?

Land disposal is defined to include, but not be limited to, any placement of hazardous waste in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt dome formation, or underground mine or cave (Section 3004(k) of RCRA). EPA also considers placement of hazardous wastes in concrete vaults or bunkers intended for disposal purposes as meeting the land disposal restrictions. However, EPA does not consider open detonation, which includes open burning, as methods constituting land disposal and has concluded that the land disposal restrictions program is not applicable to open detonation and open burning [51 FR 40580].

[December 1986; Regulatory Cross Reference: 268.2(c)]

RCRA-80 Lab Packs and the Land Disposal Prohibitions

Are lab packs containing wastes restricted from land disposal included in the land disposal restrictions?

Neither the legislative history nor the statute indicates that lab packs can be excluded from the land disposal restrictions if they contain restricted wastes. If a lab pack contains these restricted wastes, the entire lab pack is subject to the land disposal restrictions [51 FR 40585].

[December 1986; Regulatory Cross Reference: 268.1(a)]

RCRA-81 Definition of Solid Waste

A generator generates a 5% solution of sodium hydroxide from his metal cleaning operation. Another facility can use the generator's waste as a substitute for a commercial product in their process of cleaning out tanks, except the waste is too dilute to be completely effective. If the generator adds 5% sodium hydroxide to his waste to make a 10% solution, would this material be a solid?

RCRA/SUBTITLE C AND RCRA-82

According to § 261.2(e)(1)(ii), materials are not solid waste when they can be shown to be recycled by being used or reused as effective substitutes for commercial products. The waste is employed in a particular function or application as an effective substitute for a commercial product (40 *CFR* 261.1(c)(5)(ii)). Since it would function as a product in a normal commercial use, it would not be a solid waste and is not subject to RCRA Subtitle C regulations when generated, transported or used (unless accumulated speculatively).

[May 1987; Regulatory Cross References: 261.2(e)(1)(ii), 261.1(c)(5)(ii)]

RCRA-82 Disposal Prior to November 19, 1980

A tank owner closed a tank which contained waste solvent in 1977. The waste solvent was an unlisted, ignitable waste (D001) which was pumped out of the tank. Some ignitable residues remained in the tank. The tank was sealed and has not been used since 1977. Is the tank a RCRA disposal facility?

The preamble of the May 19, 1980 *Federal Register* (40 *CFR* 264 and 265, page 33170) specifically states that the regulatory scheme of Subtitle C is prospective, i.e., it applies to hazardous waste management which takes place after the effective date of the Subtitle C regulations. Inactive (either closed or abandoned) disposal facilities could be subject to RCRA Section 7003 enforcement authorities and CERCLA. If the tank was closed in accordance with existing industry practices, it would be an inactive disposal facility not subject to RCRA Subtitle C regulation unless the waste in the tank is subsequently managed in a manner that would constitute treatment, storage or disposal.

[May 1987; Regulatory Cross Reference: 265.197]

RCRA-83 Hazardous Waste Tanks

An existing above-ground hazardous waste tank is moved to another location at the same facility. Does it become subject to new tank standards when it is moved? What would the situation be if the tank was underground?

For both above-ground and underground tanks, the tank would be classified as a new tank after being moved and reinstalled (see 50 *FR* 25446, July 14, 1986). The tank would be subject to the requirements for new tank systems. The tank would have to be reinstalled with secondary containment meeting the requirements specified in §§ 264.193(a) or 265.193.

[May 1987; Regulatory Cross References: 264.190, 265.190]

RCRA-84 Applicability of Contingent Closure and Post-Closure Plans for Tanks

Section 264.197(c)(1) and (2) requires that, unless a tank has secondary containment, a contingent plan for closure as a landfill and a contingent post-closure plan must be prepared. 40 *CFR* 264.193(a)(3) requires that an existing tank be retrofitted with secondary containment by the time it reaches 15 years of age. If the owner of an existing tank is planning to install secondary containment before the tank reaches 15 years of age, is the owner/operator required to prepare the contingent plans?

Yes. The contingent closure and contingent post-closure plans are required for all tanks not having secondary containment even if the owner/operator is planning on installing secondary containment. The plans would be required until the secondary containment meeting the requirements of §§ 264.193 or 265.193 is installed.

[May 1987; Regulatory Cross References: 264.197(c), 264.193(a); 265.197(c), 265.193(a)]

RCRA-85 Dissolved vs. Entrained Metals Subject to the Land Disposal Restrictions

The land disposal restrictions in RCRA Section 3004(d) require that the California List wastes be banned from land disposal by July 8, 1987. Concentrations of nickel greater than 134 mg/l are subject to the ban. Is hazardous wastewater containing nickel dispersed by agitation, but not chemically in solution, included in the restriction?

Yes. It does not matter whether the nickel is chemically or physically contained in the wastewater. The ban applies to the total concentration of nickel in the filtrate as determined by subjecting a representative sample of wastewater to the Pass Filter Liquids Test. If the facility were to settle out the pieces of nickel and lower the concentration of nickel below 134 mg/l, the wastewater would no longer be subject to the ban. Until treatment standards are finalized, this method of lowering the concentration is allowable.

[July 1987; Regulatory Cross Reference: 268.32]

RCRA-86 Domestic Sewage Exclusion

A RCRA hazardous waste is transported by truck accompanied by a Uniform Hazardous Waste Manifest to a publicly owned treatment works (POTW). Does the domestic sewage exclusion apply to this hazardous waste if it mixes with domestic sewage prior to treatment? Is the sludge generated from treating the RCRA hazardous waste and the domestic sewage a hazardous waste due to the "Derived-From Rule" (40 *CFR* 261.3(c) and (d))?



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 31 1998

AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

Thank you for your April 25, 1997 letter to Michele Anders requesting a written confirmation of the regulatory status of used parts washing solvent that is to be used for drum wash at Safety-Kleen's facilities without first being reclaimed. You asked whether the used parts washing solvent would be excluded from the definition of solid waste pursuant to 40 CFR §261.2(e)(1) when it is used as an effective substitute for a commercial product. Based on the information that you provided, it is the Agency's understanding that Safety-Kleen intends to collect used parts washing solvents from its customers. Some of the used parts washing solvent from designated customers would be used for drum washing at Safety-Kleen facilities. This used solvent designated for drum washing would be consolidated, but would not be reclaimed, prior to its use for drum washing. The solvents designated for drum washing would also be segregated (i.e., always in separate containers or tanks) from the other used solvents collected from Safety-Kleen's customers.

Because the material (i.e., used solvent continuing to be employed in solvent uses) remains a product, your question about the applicability of 40 CFR §261.2(e)(1) is moot. That regulatory section is intended to apply to secondary materials, which is not the case for used solvents that are not yet "spent."

The Agency has previously stated that when a used solvent is employed for another solvent use, this continued use indicates that the solvent remains a product. The used solvent in this case is a material continuing to be used as a solvent, the purpose for which it is intended, rather than a spent material being reused. Consequently, the used solvent to be employed for drum washing would not be considered a solid waste and would not be subject to the Resource Conservation and Recovery Act ("RCRA") Subtitle C hazardous waste regulations when generated, transported, or used. 50 Fed. Reg. 614, 624 (1985). Accordingly, used parts washing solvents that are collected and consolidated by Safety-Kleen and then used for drum washing without first being reclaimed would not be a RCRA solid waste.

In the case of shipments of used solvents in tanker trucks, if any part of a shipment of solvent is reclaimed, burned for energy recovery, or otherwise defined as solid or hazardous waste (as opposed to being directly used only for drum wash), the entire shipment must be managed according to the

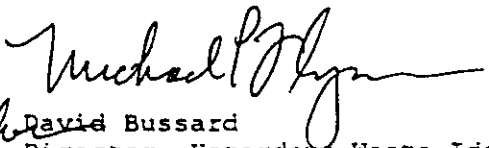
applicable RCRA Subtitle C regulations. In situations in which used solvents collected from multiple sources are handled in separate drums or containers on the same truck, each container must be handled according to the applicable regulations (depending on how the solvent is to be used or managed), including hazardous waste manifest requirements. After the solvents have been used for drum washing, any residual solvents would be subject to a hazardous waste determination and must be managed according to the applicable RCRA Subtitle C requirements.

Furthermore, the Agency is aware of the potential for the "continued use" policy to be abused, and thus, notes that the continued use must be legitimate for the used solvents to be excluded from regulation as a solid waste. The Agency would consider the continued use of the used solvents for drum washing to be legitimate in situations in which: 1) the used solvents are effective for the drum-washing operation, especially if the used solvents substitute for solvents that would otherwise have to be purchased (if the used solvents would not be an effective washing agent for the drums, using the used solvents in lieu of other effective drum-washing agents would not be considered legitimate), 2) the used solvents are used only for washing drums that actually need it (if the used solvents are used as drum-washing agent when the drums do not need washing, using the used solvents would not be considered legitimate), and 3) the used solvents are not used in excess of what would normally be required to wash drums (if the used solvents are being used in excess of the amount of solvents needed for the drum-washing operation, e.g., more than would be necessary to wash the drums effectively, using the used solvents would not be considered legitimate).

The regulatory interpretation provided above is based on the U.S. EPA's interpretation of federal regulations. Some states in which the continued use of the used parts washing solvent occurs may have different regulatory requirements or interpretations. For case-specific determinations on the status of the continued use of the parts washing solvent for drum wash, please contact the appropriate state regulatory agency or EPA Regional Office.

If you have any questions or would like additional information, please contact Jeff Hannapel at (703) 308-8826.

Sincerely,


David Bussard
Director, Hazardous Waste Identification
Division
Office of Solid Waste

Notes

Lined paper for notes, featuring horizontal ruling lines across the page.

May 28, 1999

Mr. Satish Kastury
Florida Department of Environmental Protection
Division of Waste Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: Safety-Kleen's Continued Use Program

Dear Mr. Kastury:

Thank you for the opportunity to meet with John Ruddell and yourself on May 24, 1999 to discuss Safety-Kleen's Continued Use program. As promised during the meeting, we are submitting additional regulatory background information regarding this program. By way of this correspondence, Safety-Kleen Corp. is requesting concurrence with our regulatory interpretation that the Continued Use material is not subject to regulation under the Definition of Solid Waste.

Background and Program Overview

Historically, Safety-Kleen has used the mineral spirits waste returned from our customers parts washer drums to wash the drums prior to their refilling with recycled product. Safety-Kleen has many years of experience demonstrating the efficacy of using this material to wash drums. Upon the request of customers and with a thorough researching of RCRA and state implementing regulations, Safety-Kleen has developed a Continued Use program involving this drum cleaning operation.

Parts washer solvent is the primary material that is bulked at the branch level and the only material allowed in this program. When the 16 and 30-gallon drums of parts washer solvent are returned from customers, they are emptied, washed, and re-filled with fresh solvent. The branch-based Continued Use program was initiated almost two years ago in Indiana branches and involves a change to our existing drum washing operation. The Continued Use drum washing program provides for the removal of parts washer solutions from certain customers as a product to be exclusively used at our branches for the cleaning of the drums. A copy of this product's Material Safety Data Sheet (MSDS), schematic

drawing showing the flow of materials through the Continued Use cleaning system, and system engineering drawings were distributed at our May 24 meeting.

The cleaning system includes a vat to contain Continued Use material that will be added to the return and fill dock. The vat has a cone-shaped bottom to prevent solids from settling out of the material and is preferentially piped to the drum washer unit. The vat also contains a rough screen to protect the pump system from any foreign objects. It is typical that pumping systems have such screens. This screen will not provide any reclamation value to the Continued Use product prior to its use in the drum washer. Additionally, the material going through this screen is a product, not a waste, therefore, no waste treatment occurs as a result of the screening.

To qualify for Safety-Kleen's Continued Use program, customers must not put materials (e.g., paper and rags) into the solvent that are required to be removed prior to placement in the Continued Use cleaning system. Customers who add such materials will be counseled and if their performance does not improve they will be removed from the program.

During the drum washing operation, if the Continued Use vat is empty, the Safety-Kleen Material Handler will activate an electrical valve switch, which allows washing material (waste material) to be pumped off the bottom of the waste wet dumpster directly into the drum washer. This has been the approach for cleaning drums prior to the installation of the Continued Use vat.

Under the Continued Use program, Safety-Kleen will ensure that used cleaning solutions will be transported in compliance with all applicable DOT shipping papers and packaging requirements. The material will not be speculatively accumulated, nor reclaimed prior to our use for drum washing.

Once we have used the solutions for cleaning, the material will become Safety-Kleen generated waste and sent for recycling at one of our chemical recycling plants. There is no net change in material flowing through our branch for this operation, but rather the branch will be bringing in more material as a product and shipping more material from the branch as branch-generated waste. Any spills of Continued Use product will be handled as any product spill, with spill residues being considered Safety-Kleen generated waste.

The volume of material necessary to clean a drum has been established by a Safety-Kleen engineering study that evaluated time, flow rate, and pressure. This study was used to determine the amount of cleaning solution that is required to clean a drum. The resultant volume, multiplied by the number of drums to be cleaned, provides each branch with their A—capacity @ for the branch-based drum washing Continued Use program. Branch capacity and sales level is monitored through our computer Branch Automation Program. The system tracks Continued Use material into our system and controls the volume of a particular branch's sales of this program. This provides a system of centrally controlled

checks and balances to assure that a particular branch does not have excess drum cleaning material.

Regulatory Background

The regulatory provision that governs what is a waste and what is not is found in the Definition of Solid Waste (40 CFR 261). The parts washer solvent that would be initially used by our customers will be Aused or reused as an effective substitute for commercial products" [40 CFR 261.2(e)(1)] at a Safety-Kleen facility for cleaning operations. The preamble to the Definition of Solid Waste, dated January 4, 1985 (50 FR 619) discusses the use of substitutes for commercial products by stating,

A When secondary materials are directly used as substitutes for commercial products, we [the Agency] also believe these materials are functioning as raw materials and therefore are outside of RCRA's jurisdiction and thus, are not wastes.@

Page 637 of the preamble also states,

When secondary materials are directly used (or, in the case of previously used materials, reused)... they function as raw materials in normal manufacturing operations or as products in normal commercial applications. We [the Agency] reiterate these positions in the final regulation. These direct-use recycling situations represent exceptions to the general principle that accumulated hazardous secondary materials are hazardous wastes.

The final rule consequently states that secondary materials used as ingredients or used directly as commercial products are not wastes and are outside the Agency's RCRA jurisdiction. They thus are not subject to RCRA Subtitle C regulations when generated, transported, or used...

The discussion on page 624 of the preamble, addresses Acontinued-use@ when distinguishing between spent materials from those that are still fit for use,

A...where solvents used to clean circuit boards are no longer pure enough for that continued use, but are still pure enough for use as metal degreasers. These solvents are not spent materials when used for metal degreasing. The practice is simply continued use of a solvent. (This is analogous to using/reusing a secondary material as an effective substitute for commercial products.)@

In conclusion, the cleaning solutions will be considered a waste when they are no longer suitable to use for their original intended purpose (cleaning). The material will be Safety-Kleen generated waste after final use at one of our facilities.

Material Specification

Safety-Kleen provides customers with the mineral spirits-based parts cleaning solutions for their cleaning operations. The branch has comprehensive knowledge of the material that is returned from our customers because of the many years of providing this service and that the used mineral spirits is feed for our production of recycled mineral spirits products.

The cleaning of the emptied parts washer drums does not require a high specification material. We have had many years of experience of using material as it is returned from our customers, directly for the cleaning of emptied mineral spirits 16 and 30-gallon containers. The efficacy for this operation is demonstrated by the many years of its use. The specification for Continued Use includes requirements that the customer is a closed loop mineral spirits customer and that all material can be used in the Continued Use drum cleaning operation. Some customers' parts cleaning operations, or specific parts washers themselves, may not be suitable for being in the Continued Use program. This determination is made on a customer-by-customer basis.

Regulatory Concurrence

A letter of regulatory concurrence from U.S. EPA was distributed during our May 24 meeting. Similar letters of concurrence have been obtained from several states. Copies of the letters from California, Colorado, Indiana, Florida, Kentucky, Ohio, and Texas are enclosed.

While we know that requirements for waste determinations are self-implementing, Safety-Kleen requests a letter of regulatory concurrence from the Florida Department of Environmental Protection. We request that the Florida DEP provide a letter of regulatory concurrence that the Continued Use material would not be classified as a waste and under certain conditions is not subject to hazardous waste requirements.

As discussed, Safety-Kleen would welcome the opportunity to have representatives see a Continued Use system, once they are installed at our Florida branches. Please let us know if this fits into the schedule for the August quarterly or October annual workshops.

We were happy to hear that our Continued Use program coincides with the Department's goals of limiting the number of Florida's small quantity generators. Safety-Kleen would welcome the opportunity to assist the department in reaching out to provide information to certain customer groups.

Thank you again for the opportunity to discuss our program. Please contact Lin Longshore 803-933-6511 or myself if you have any questions 847-468-2245.

Sincerely,

Catherine A. McCord, Director
Business and Environmental Management

cc: John Ruddell

Attachments

Bcc: Lin Longshore
Bill Crawford
Ed Genovese
Clyde Phillips
Tom Hillstrom
Dave Ehrhard
Rob Claypoole
Randy Caltrider



Cal/EPA

Department of
Toxic Substances
Control

400 P Street,
4th Floor
P.O. Box 806
Sacramento, CA
95812-0806

RECEIVED

APR - 6 1998



March 23, 1998

ENVIRONMENTAL AFFAIRS
SAFETY-KLEEN CORP.

Pete Wilson
Governor

Peter M. Roon
Secretary
Environmental
Protection

Mr. Scott E. Davies, P. G.
Regional Environmental Manager
Safety-Kleen Corporation
8795 Folsom Boulevard, Suite 108
Sacramento, California 95826

**"CONTINUED USE PROGRAM" FOR CONTINUING SOLVENT USE AS A
SUBSTITUTE FOR A PRODUCT**

Dear Mr. Davies:

This letter is to confirm your understanding that solvents employed in Safety-Kleen's proposed "Continued Use Program," may be excluded from the definition of waste pursuant to Health and Safety Code Section (HSC) 25143.2(b)(2). I met with you on February 17, 1998 for a discussion of this subject. The discussion is summarized below.

The "Continued Use Program" will involve a limited number of customers within a Safety-Kleen service center area. These particular customers will relinquish designated solvent to their Safety-Kleen representative¹ who will transport it to the Safety-Kleen service center and add it to the drum-cleaning solvent reservoir.² Drum cleaning solvent, whether new solvent or "continued use" solvent used as a safe and effective substitute for a product, is used only once to clean drums before it becomes a regulated hazardous waste.³

When used as drum cleaner the "continued use" solvent is used as a safe and effective substitute for a commercial product and is therefore conditionally excluded from classification as waste pursuant to HSC Section 25143.2(b)(2). In Safety-Kleen's proposed "Continued Use Program" the commercial product substituted for is clean drum-washing grade solvent.

¹ You indicated that the "continued use" solvent would be handled separately from other materials in order to be shipped using a bill of lading; therefore the "Continued Use" solvent must be in separate containers from waste solvent.

² Although the drum cleaning operations of a service center will fluctuate, the quantity of solvent needed will have been anticipated. We would view excessive accumulations in the drum cleaning reservoir as an indication of sham recycling.

³ You have stated that the "continued use" solvent will be used to clean drums only once. Because the "continued use" solvent must be a safe and effective substitute for a product, I have surmised that the product for which it substitutes is also only used once. If the "continued use" solvent does not perform as well as new product for drum cleaning, it is not an effective substitute.

Mr. Scott E. Davies, P. G.

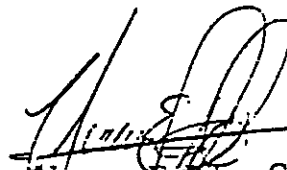
March 23, 1998

Page 2

Please note that HSC Sections 25143.9 and 25143.1C apply to the "continued use" operation which qualifies this particular reused solvent to be excluded from the definition of waste.

It was a pleasure meeting with you and Ms. Marty White. If I can be of further assistance to you, please contact me at (916) 324-1806 or write to me at the letterhead address.

Sincerely,

A handwritten signature in black ink, appearing to read 'Norman E. Riley', is written over a horizontal line.

Norman E. Riley, Chief
Resource Recovery Section

cc: Ms. Paula Rasmussen, Chief
State Regulatory Program Division
Department of Toxic Substances Control
245 West Broadway, Suite 425
Long Beach, California 90802

Mr. Larry Matz, Chief
Statewide Compliance Division
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Mr. Donald A. Johnson, Chief
State Regulatory Branch
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

John M. Hamilton
Commissioner

Catherine A. McCord, Manager
Environment and Business Integration
Safety-Kleen Corp.
1000 North Randall Road
Elgin, Illinois 60123-7857

JUL 18 1997

ENVIRONMENTAL POLICY
AND GOVERNMENT RELATIONS

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6015

July 14, 1997

Dear Ms. McCord:

Re: Continued Use Program

This is in response to your letter of June 2, 1997, in which you were seeking confirmation of your interpretation of the hazardous waste rules, specifically 40 CFR 261.2(e)(1)(ii). Indiana has incorporated this federal provision in our rules at 329 IAC 3.1-6. Our understanding is that your company intends to directly reuse solvents which have been used by your customers for drum washing prior to filling them with product.

Your review of the applicable regulations and principals as they apply to this situation are consistent with the interpretation of these provisions as applied by this office. Information provided in your letter indicates that these used solvents will be used consistent with their original intended purpose as a cleaning solvent without prior reclamation. These solvents would not be a solid waste and therefore not subject to regulation as a hazardous waste.

Staff consider the documentation of claims that the materials are not solid waste as required by 40 CFR 261.2(f) as an important component of this exemption. Only those solvents which are legitimately reused are exempt. If the quantity of solvents collected from your customers under the exemption exceed that which is necessary for your use this office would consider this a sham situation. Excess solvents collected would be subject to regulation as a hazardous waste.

If you should have a question regarding this matter please contact Mr. Dave Berrey of this Department at 317-232-4417.

Sincerely,

Bruce Palin

Bruce Palin,
Acting Assistant Commissioner
Solid and Hazardous Waste Management

DWB

JAMES E. BICKFORD
SECRETARY



PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
14 REILLY RD
FRANKFORT KY 40601-1190

June 30, 1998

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen Corp.
One Brinckman Way
Elgin, Illinois 60123-7857

JUL 13 1998

ENVIRONMENTAL POLICY
AND GOVERNMENT RELATIONS

Re: Branch-Based Continued Use Program

Dear Ms. McCord:

Thank you for your letter requesting our formal regulatory interpretation regarding the management of used cleaning solutions, received from Safety-Kleen's Kentucky customers, to clean drums at the Safety-Kleen branches.

It is our understanding that Safety-Kleen would like to reuse, directly without any prior reclamation, used mineral spirits received from its customers to wash drums at the Safety-Kleen branches before filling these washed drums with product. This material will be used as an effective substitute for the spent mineral spirit waste currently utilized to wash the drums.

In accordance with 401 KAR 31:010, Section 2 (5) (a) 2, materials are not wastes when they can be shown to be recycled by being used or reused as effective substitutes for commercial products. After reviewing the documentation submitted to this office, we concur with your opinion that this material is not hazardous waste and not subject to the hazardous waste regulations provided the following conditions are adhered to:

- The material used to wash the drums will only be used once in this program, and will be classified as hazardous waste after use.
- This material, when spent, may be accumulated on-site in accordance with 401 KAR 32:030, Section 5 and must be ultimately managed off-site at a permitted treatment/storage hazardous waste management facility.
- 401 KAR 31:010, Section 2(5)(b), prohibits Safety-Kleen Corporation and the original users of this material from speculatively accumulating this material, ultimately land disposing/storing, or using this material for the purposes of fuel blending for energy recovery (i.e., sent to a cement kiln).

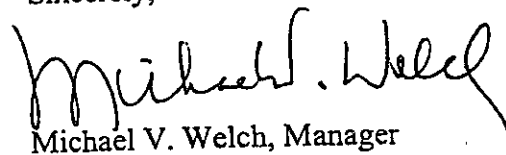


Ms. Catherine A. McCord
June 30, 1998
Page 2

- Once it is co-mingled with hazardous waste, any re-use of the spent material from the continued use program is prohibited in either the branch based drum washing program or Recycle Center-based scrap washing programs. Furthermore, the reused material is automatically classified as hazardous waste and will no longer qualify for this exemption.
- This determination only and specifically addresses the "Continued Use Program" implemented at the Safety-Kleen branches in Kentucky and is not intended to cover any other "similar in definition" programs Safety-Kleen has or will implement.
- This determination may not apply if the above mentioned secondary material is mismanaged contrary to intention of this submittal. Mismanagement may cause it to become a waste that is subject to a hazardous waste determination upon receipt by the Safety-Kleen branch.
- In addition, this determination shall not relieve the applicant from obtaining any other permits from any other agency within the Commonwealth.

If you have any questions regarding this correspondence, please do not hesitate to contact George W. Wakim at (502) 564-6716 ext. 674.

Sincerely,


Michael V. Welch, Manager
Hazardous Waste Branch
Division of Waste Management

MVW/gw

c: Caron Falconer, US EPA Region IV
Keith Crabtree, Florence Regional Office
Hannah Helm, Field Operations Branch
Abbie Meyer, Hazardous Waste Branch
Dale Burton, Hazardous Waste Branch
Ron Gruzesky, Hazardous Waste Branch
Massoud Shoa, Hazardous Waste Branch
George Wakim, Hazardous Waste Branch
Central File: Safety-Kleen/Correspondence
Fayette, Jefferson, Boyd, and Henry Counties



FEB 16 1998

State of Ohio Environmental Protection Agency

ENVIRONMENTAL POLICY
AND GOVERNMENT RELATIONS

STREET ADDRESS:

1800 WaterMark Drive
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

MAILING ADDRESS:

P.O. Box 10
Columbus, OH 43216-10

February 2, 1998

Ms. Catherine McCord
Safety-Kleen Corporation
One Brinckman Way
Elgin, IL 60123-7857

Dear Ms. McCord:

This letter is in response to our meeting and your subsequent letter dated January 14, 1998, regarding Safety-Kleen's "Continued Use" program. You would like to know if Ohio EPA's Division of Hazardous Waste Management agrees with your interpretation of regulations with respect to this program.

It is my understanding that Safety-Kleen reuses some of their customers used solvents in their drum washing program in Indiana. These solvents are used to clean scrap metal from drum shredding operations. Safety-Kleen would like to expand a similar program, the Continued Use program to branches across Ohio. The branches would be reusing parts cleaning solutions collected from customers to clean drums. After the solution is reused in the Continued Use program, it will be considered Safety-Kleen generated waste and will be recycled.

In Ohio, materials are not wastes when they can be shown to be recycled by being used or reused as effective substitutes for commercial products as stated in Ohio Administrative Code (OAC) rule 3745-51-02(E)(1)(b). Although, they must not be used in a manner constituting disposal, applied to the land, or accumulated speculatively (OAC 3745-51-02(E)(2)).

Safety-Kleen's use of the cleaning solutions are considered a continued use of the solutions. The parts cleaners are not considered a spent material. A "spent material" is defined in OAC rule 3745-51-01(C)(1) as any material that has been used and as a result of contamination can no longer serve the purpose for which it was produced without processing. U.S. EPA interprets "the purpose for which it was produced" to include all uses of the products that are similar to the original use of the particular batch of material in question. For example, in 50 FR 624, U.S. EPA discusses the continued use of solvents used to clean printed circuit boards. Although the solvents are not pure enough to be used again on the circuit boards, U.S. EPA agrees that they are still pure enough for similar applications (metal degreasers, etc.). Ohio EPA concurs with this

Ms. Catherine McCord
Safety-Kleen Corporation
February 2, 1998
Page 2

interpretation. Ohio EPA agrees that by being used in Safety-Kleen's Continued Use program, the cleaning solutions are serving their intended purpose.

Ohio EPA continues to encourage pollution prevention which includes environmentally friendly alternatives. If you have any questions, please contact Jeff Mayhugh or myself at (614) 644-2934.

Sincerely,



Wendy A. Miller
Compliance Assurance Section
Division of Hazardous Waste Management

wp61.WAM.lcn.g:sttyklee.

STATE OF COLORADO

Bill Owens, Governor
Jane E. Norton, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION
<http://www.cdphe.state.co.us/hm/>

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-3300
Fax (303) 759-5355

222 S. 6th Street, Room 232
Grand Junction, Colorado 81501-2768
Phone (970) 248-7164
Fax (970) 248-7198



Colorado Department
of Public Health
and Environment

May 10, 1999

Sean McMahan
Regional Manager, Denver
Safety-Kleen Corp.
3333 Quebec Street, Penthouse A
Denver, Colorado 80207

Dear Mr. McMahan:

Gary Baughman and I appreciated the opportunity to meet you and Catherine McCord on April 22 and to discuss Safety-Kleen's Continued Use Program. We now have a much better understanding of the program and the regulatory status of the solvents used in the program. We have reviewed the August 21, 1998 letter to Catherine McCord from David Bussard of the U.S. EPA (attached) and generally concur with the regulatory interpretation in that letter. We believe that if solvents are managed in the manner you have described for the Continued Use Program that they will qualify for being excluded as an effective substitute for a commercial product in accordance with 6 CCR 1007-3, Section 261.2(e)(1).

The steps that Safety-Kleen has taken to establish criteria for continued use of solvents and segregation of solvents in the continued use program from waste solvents will allow the solvents to not be considered solid wastes. The record keeping and automatic control features of the continued use program are also important for documenting the legitimate continued use of the solvent as an effective substitute for a commercial product.

If you have any questions regarding this matter, please feel free to contact me at (303) 692-3342.

Sincerely,

Frederick R. Dowsett
Compliance Coordinator

cc: Catherine A. McCord, Safety-Kleen
Attachment



Office of Waste Management
Compliance Assurance and Emergency Response
1356 Hanford Street
Charleston, WV 25301-1401
304-558-5988/Fax 304-558-0256

West Virginia Division of Environmental Protection

Coal 12, Underwood
Governor

Michael P. Manso
Director

April 20, 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Catherine A. McCord
Manager, Environment and Business Integration
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

I have received your letter of April 2, 1999 in which you address a number of concerns regarding Safety-Kleen's Continued Use Program that I raised in our telephone conversation of April 2, 1999. This letter is to grant provisional approval to that program.

Your responses to my questions eased my concerns about the structure of the program and its ability to limit the amount of reused solvent to the quantity necessary to clean the drums. This office will monitor the program for approximately one year, however, to insure that safeguards are indeed working before granting unconditional approval.

Please notify me when Safety Kleen begins the program in West Virginia so that we can begin observing the process.

I hope that this information is helpful to you. If I can be of any further assistance, please contact me at (304) 558-5988.

Sincerely,

H. Michael Dorsey, Assistant Chief
Compliance Assurance and Emergency Response

HMD/kw

cc: Tom Fisher
Stan Moskal
Mike Stratton

"To use all available resources to protect and restore West Virginia's
environment in concert with the needs of present and future generations."



West Virginia
Division of
Environmental Protection



Oregon

John A. Kitzhaber, M.D., Governor

Department of Environmental Quality

811 SW Sixth Avenue
Portland, OR 97204-1390
(503) 229-5696
TDD (503) 229-8993

June 28, 1999

Ms. Catherine McCord, Director
Business and Environmental Management
Safety-Kleen
One Brinckman Way
Elgin, IL 60123-7857

Dear Ms. McCord:

This letter is in response to your May 28, 1999 letter requesting written confirmation that some used parts-cleaning solvents collected by Safety-Kleen from Oregon generators and continued to be used for drum washing at Safety-Kleen facilities are not classified as wastes and are not subject to hazardous waste requirements.

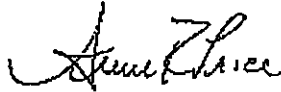
The Department has a statutory and regulatory commitment to see materials of value, that would normally be hazardous wastes, recycled. Although unlike some other States, the Department does not provide formal approval of specific recycling programs at this time. In most instances, hazardous waste recycling decisions are made by the hazardous waste generator or management facility without Department concurrence.

However, to assist you in determining how the used solvent management practices that Safety-Kleen implements at its facility in Oregon is regulated, attached is an EPA letter that addresses the issues you raise. The Department adopts the federal regulations by reference and uses federal preamble language and other federal guidance, including EPA letters, as a basis for regulatory decision making. The key RCRA regulations you requested concurrence on are discussed by EPA in the letter. The Department agrees with EPA's regulatory clarification in the letter.

Please be aware that, generally, generators claiming that their material is not a solid waste must support that claim with documentation on the legitimate use of the material. Therefore, it is recommended that Safety-Kleen contract with its customers and provide them the necessary documentation on the use of their material.

We hope that this information is helpful. Please contact me at (503) 229-6585 or Gary Calaba at (503) 229-6534, if you have additional questions regarding this matter.

Sincerely,



Anne R. Price, Manager
Hazardous Waste Policy and Program Development

Attachments:

1. David Bussard, EPA, to Catherine McCord, Safety Kleen, August 21, 1998.

Cc: Hazardous Waste Managers, DEQ
Larry Edelman, DOJ

Gegic62899

Notes



Michael O. Leavitt
Governor
Dianne R. Nielson, Ph.D.
Executive Director
Dennis R. Dwyer
Director

State of Utah

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF SOLID AND HAZARDOUS WASTE

288 North 1460 West
P.O. Box 144888
Salt Lake City, Utah 84114-4888
(801) 538-6170
(801) 538-6715 Fax
(801) 536-4414 T.D.D.
www.deq.state.ut.us/Web

COPY

July 20, 1999

Mr. Wayne Johnson
Branch Manager
Safety-Kleen Corporation
1066 South Pioneer Road
Salt Lake City, Utah 84104

Subject: Continued Use Program
Safety-Kleen Corporation UFD9809957088

Dear Mr. Johnson:

Thank you for meeting with me and members of my staff on March 29, 1999 to further discuss the Division's concerns associated with Safety-Kleen's Continued Use Program and for your follow-up letter dated April 8, 1999.

The Division's first concern related to ensuring that the used solvent is reused directly without prior reclamation in order to qualify as a product not subject to regulation as either a solid or a hazardous waste. Of particular interest was whether the mesh screen in the Continued Use vat was filtering the solvent prior to use in drum cleaning. Safety-Kleen addressed this concern by clarifying that the sole purpose for the screen is to protect the pump and not to filter or separate. Continued Use participants will be required to not place foreign objects (e.g., rags, paper, metal parts and tools) into the solvent. Safety-Kleen service representatives will also be instructed to not "clean up" parts washers for customers by placing foreign objects into the solvent drum. In addition, it is the Division's understanding that any contaminants that are recovered from the screen will be commingled with sludge which is currently removed from the drum washer and shipped off-site and burned as hazardous waste at a cement kiln.

The Division's second concern related to the efficient reuse of the solvent. Safety-Kleen addressed this during our March 29, 1999 meeting by stating that an assessment has determined that it takes approximately 13 gallons of used solvent used in conjunction with agitating brushes to efficiently clean a 35-gallon drum in the drum washer. Once the specified volume of solvent is used to clean a drum, the solvent will be declared spent and subsequently managed as hazardous waste. You further clarified that the specific volume of used solvent needed for washing drums at your site will be calculated by multiplying the number of drums serviced by 13 gallons. Based on your current process rate of washing approximately 100 drums each day, Safety-Kleen would need approximately 1,300 gallons of used solvent each day. This figure could go up or down depending upon Safety-Kleen's future customer base and cleaning needs. The Division also understands that documentation will be maintained demonstrating site solvent needs and uses.

July 20, 1999
Page 2

Based upon Safety-Kleen's presentation and further clarifications of the Continued Use Program, the Division concurs with Safety-Kleen that if the solvent is reused in the specified manner it will qualify for being excluded as an effective substitute for a commercial product in accordance with R315-2-2(e)(1)(ii) of the Utah Administrative Code [40 CFR 261.2(e)(1)(ii)].

To maintain the exclusion, Safety-Kleen should develop and maintain records to document the quantities of drums washed and the amounts of Continued Use solvents utilized. In addition, to avoid potential confusion to Safety-Kleen employees and to state inspectors, we strongly recommend that Safety-Kleen maintain containers of Continued Use solvents separately from solvents that are not in the program until the solvents have been placed into their respective vats in the drum washer unit.

If you have any questions, please contact Brad Maulding of my staff at (801) 538-6170.

Sincerely,



Dennis R. Downs, Executive Secretary
Utah Solid and Hazardous Waste Control Board

DRD/BCM/kg

cc: Kathryn N. Vedder M.D. MPH Health Officer/Dept Director Salt Lake County Hlth Dept.
Catherine A. McCord, Safety-Kleen, 1000 North Randall Road, Elgin, Illinois 60123-7857

Burly R. McBoe, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

February 1, 1999

Mr. Timothy F. Kent
District EHS Manager
Safety-Kleen
One Brinckman Way
Elgin, IL 60123-7857

Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

Dear Mr. Kent:

This is in response to your December 18, 1998 letter regarding Safety-Kleen's recycling of solvents through its "Continued Use Program".

According to the information in your letter, the information provided by Ms. Catherine McCord and the information provided in a December 8, 1998 meeting between representatives from Safety-Kleen and the Texas Natural Resource Conservation Commission (TNRCC):

- ▶ Safety-Kleen has historically used waste parts washer solvent (mineral spirits) to washout and clean drums in which parts washer solvents arrive at Safety-Kleen sites. Based upon the experience gained in doing so, the results of an engineering study conducted by Safety-Kleen, customer requests and a thorough researching of RCRA rules, Safety-Kleen has developing what it calls the "Continued Use Program";
- ▶ The dual objectives of the Continued Use Program are: (1) to provide qualified Safety-Kleen customers with a means by which they can recycle their parts washer solvent and at the same time legitimately exempt the solvent from the definition of a solid waste (thus realizing relief from most regulatory requirements) and (2) to allow Safety-Kleen a legitimate means of meeting the challenge posed by some of its competitors who offer their customers the option of exempting their parts washer solvent from the definition of a solid waste (thus giving them a potential marketing advantage over Safety-Kleen);
- ▶ Upon its arrival at a Safety-Kleen site, the first step in the actual physical processing of parts washer solvent in the Continued Use Program occurs when the solvent is emptied from drums which have a capacity from 16 to 30 gallons into a vat that is physically separated from the entry point for solvent which is not from the Continued Use Program;

Mr. Timothy F. Kent

Page 2

February 1, 1999

Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

► By contractual agreement with its customers, Safety-Kleen allows only parts washer solvent to enter the Continued Use Program and all customers who wish to participate in it are required to avoid allowing any foreign materials (e.g., paper, rags, metal parts etc.) to contaminate the Continued Use Program solvent. Customers who do not agree to these terms are not allowed to participate in the Continued Use Program. Customers already participating in the Continued Use Program who fail to abide by these terms are removed from the Continued Use Program by Safety-Kleen;

► The solvents from the Continued Use Program and those which are not part of the Continued Use Program sources enter the drum cleaning operation at two physically separate points. Solvents which are not part of the Continued Use Program enter the "wet dumpster" portion of the "drum washer/wet dumpster" unit shown in the diagram entitled, "Proposed Alternative Operations" that accompanied your letter.

Solvent from the Continued Use Program vat is pumped into the drum washer portion of the aforementioned unit and is sprayed by a nozzle into the drum washer to clean the aforementioned drums. The drum washer portion is located prior to the wet dumpster portion of the unit. The reusable solvent is transferred from the reuse vat by a submersible pump.

The vat contains a "gross mesh" screen. Its sole purpose of the screen is to protect the pump. The screen does not function as a separation mechanism. The fact that participants in the Continued Use Program are required to keep foreign materials such as paper, rags, metal parts etc. from entering Continued Use Program solvent combined with the fact that the aforementioned screen is essential to the protection of the pump system means that no reclamation occurs at any point in the Continued Use Program until after the cleaning of the aforementioned drums;

► When the quantity of solvent in the Continued Use Program vat falls below a preset level, an electronic sensor automatically shuts off the flow of Continued Use Program solvent to the nozzle and non-Continued Use Program solvent is then pumped from the non-Continued Use Program vat into the nozzle to clean the drums. The segregation of the Continued Use Program solvent and the solvent from the non-Continued Use Program insure that only after the drums have been cleaned does the solvent from the Continued Use Program and solvent that is not part of the Continued Use Program come into contact;

Mr. Timothy F. Kent
Page 3
February 1, 1999

Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

- ▶ Once the solvent has been used to clean the drums, Safety-Kleen acknowledges that all of it meets the definition of a spent material as defined in 40 Code of Federal Regulations (CFR) Section § 261.1(c)(1)/30 Texas Administrative Code (TAC) § 335.17(a)(1). Furthermore, Safety-Kleen acknowledges that it will be the generator of the spent solvent and all wastes associated with it (e.g., sludges from the reclamation of the spent solvent);
- ▶ From the results of its engineering study, Safety-Kleen has determined the volume of parts washer solvent necessary to clean a given size drum. This volume multiplied by the number of drums to be cleaned provides each Safety-Kleen site with the maximum volume of solvent that the site can accept into its Continued Use Program. As an added measure of control, each site's maximum capacity is monitored by Safety-Kleen's Branch Automation Program which tracks the amount of Continued Use Program solvent coming into a given site. This plus the site's own monitoring efforts will insure that the site does not accept more solvent than it can legitimately use to clean the drums that arrive at that site;
- ▶ Once cleaned, the drums are then refilled with fresh solvent; and
- ▶ Safety-Kleen wishes for the TNRCC to confirm that the portion of parts washer solvent in the Continued Use Program is exempt from being a solid waste pursuant to 40 CFR §261.1(e)(1)/30 TAC §335.1(F)(i).

Based upon the aforementioned information, the TNRCC has concluded that there is no reason at this time to object to Safety-Kleen or its customers exempting from the definition of a solid waste parts washer solvent participating in Safety-Kleen's Continued Use Program provided that the following points (many of which are discussed in an August 21, 1998 letter from Mr. David Bussard of the Environmental Protection Agency (EPA) to Ms. Catherine McCord of regarding Safety-Kleen's Continued Use Program) about Safety-Kleen's Continued Use Program are taken into consideration:

- ▶ The solvent in the Continued Use Program would be considered by the TNRCC to be exempt from being a solid waste only if it has the capacity to function effectively as a solvent in the aforementioned drum cleaning operation. The TNRCC would not consider solvent used in the Continued Use Program which had lost all or the great majority of its solvent properties (e.g., through contamination) to be exempt from being a solid waste;
- ▶ The solvent in the Continued Use Program must be used only for washing drums that actually need it and only in quantities sufficient to wash the aforementioned drums. The TNRCC would not consider solvent used in excess of that which would normally be required to wash the drums to be exempt from being a solid waste;

Mr. Timothy F. Kent

Page 4

February 1, 1999

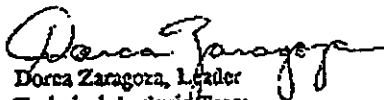
Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

- ▶ Solvent in the Continued Use Program and solvent which is not in the Continued Use Program must be kept physically separated until they exit the drum washer portion of the aforementioned unit. Each container of the two types of solvents must be handled according to the applicable state and federal rules. If any portion of the Continued Use Program solvent is reclaimed, burned for energy recovery or used in a manner which would otherwise cause it to be a solid waste (as opposed to being directly used only for drum wash), then it is a solid waste and must be managed accordingly; and
- ▶ The TNRCC wishes to especially emphasize to Safety-Kleen the importance of *properly creating and maintaining the documentation to show that it is complying with all applicable state and federal regulations (including those implied in the aforementioned points) at all times and at all of its sites.*

On behalf of the TNRCC, I wish to thank you, the other representatives of Safety-Kleen (most notably Ms. McCord who met and communicated on several occasions with Mr. Boultinghouse of the Technical Analysis Team) and Safety-Kleen for your efforts to promote and encourage legitimate recycling of parts washer solvents in Texas.

If you have any questions regarding this matter, please contact Mr. Jesse Boultinghouse of the Technical Analysis Team at (512) 239-6832.

Sincerely,



Dorra Zaragoza, Leader
Technical Analysis Team
Waste Evaluation Section
Registration and Evaluation Division

DZ/JKB/hgk

cc: Ms. Catherine McCord, Director, Business and Environmental Management, Safety-Kleen Corporation, 1000 North Randall Road, Elgin, IL 60123



State of Louisiana
Department of Environmental Quality

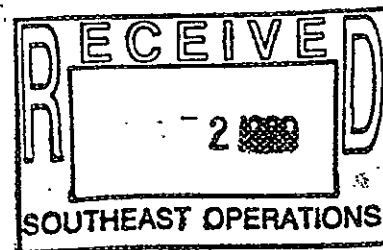


M.J. "MIKE" FOSTER, JR.
GOVERNOR

J. DALE GIVENS
SECRETARY

July 26, 1999

Mr. Lin Longshore, Director
EH&S, Southern Division
Safety-Kleen
1301 Gervais Street, Suite 300
Columbia, SC 29201



RE: Re-Used Solvent Is Not Solid Waste
Safety-Kleen (LAD985171024 and LAD981057441)

Dear Mr. Longshore:

Your letter of June 14, 1999, requested a waste classification decision for a naphtha product that, after an initial use by Safety-Kleen customers, is returned to Safety Kleen for direct secondary use as a drum washing solvent. Based on information you provided, the Permits Division agrees with the interpretation expressed in your letter: The used naphtha, when returned to Safety-Kleen for drum washing, is not a solid waste and therefore not a hazardous waste.

The definition of solid waste provides exclusions for materials which substitute directly (that is, without prior reclamation) for commercial products. The re-use scenario you describe bears perfect resemblance to "continued use of a solvent", about which the Environmental Protection Agency wrote at some length and in very plain language (preamble to the January 4, 1985, definition of solid waste). We respect this interpretation.

If you have any questions about this, you may contact Michael Beck of the Permits Division at (225) 765-0272.

Sincerely,

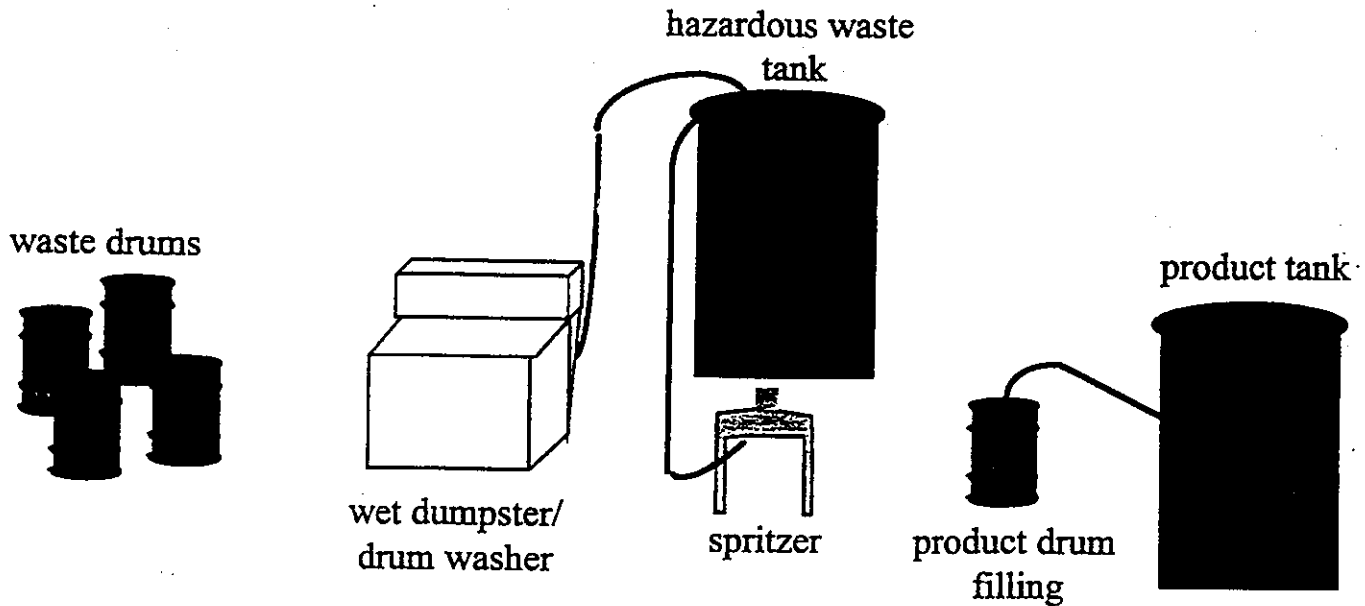
Michael D. Vince
Administrator

attachment

mb

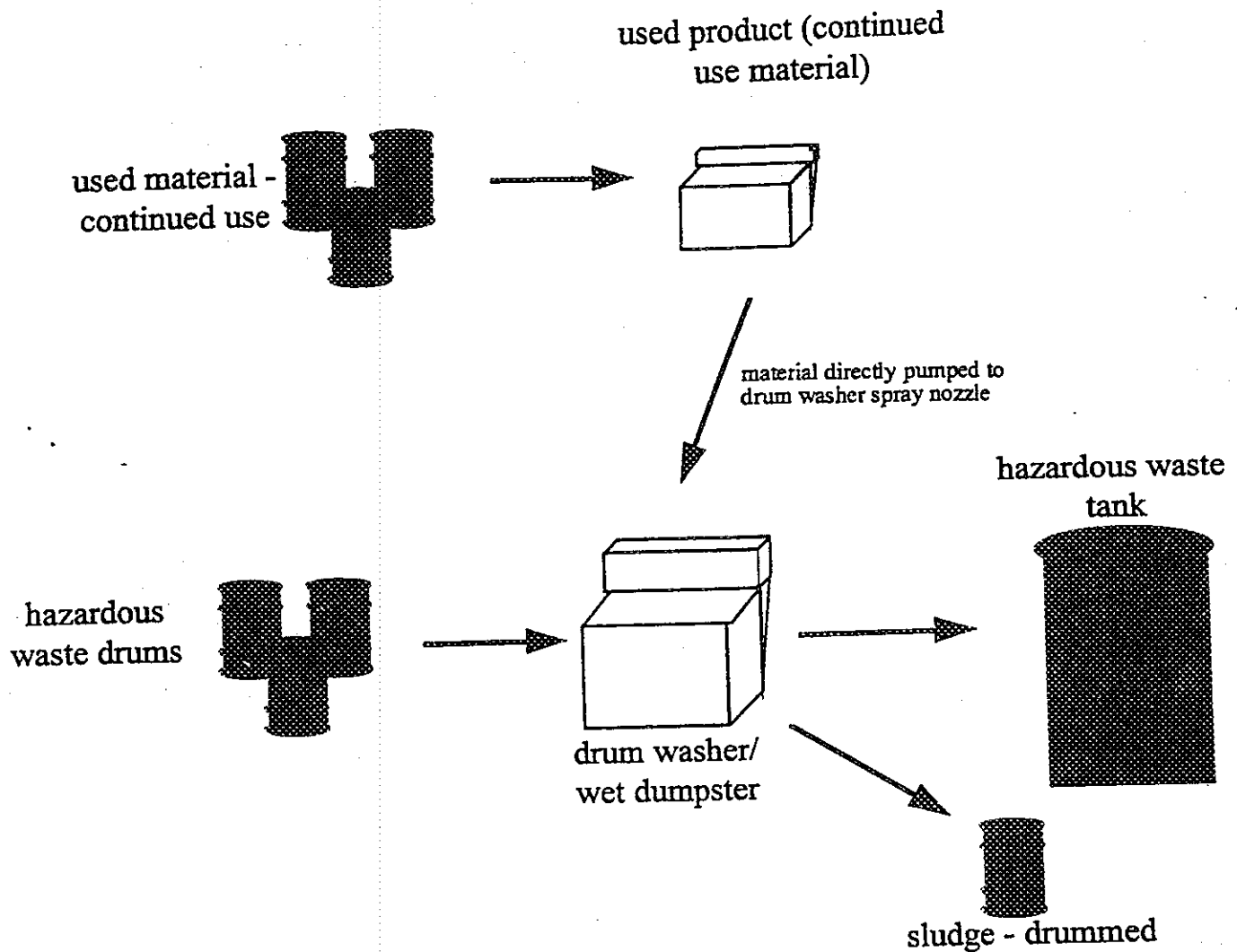


CURRENT RETURN & FILL OPERATION



1. Drums poured into wet dumpster.
2. Level indicator maintains fixed level of waste in bottom of wet dumpster.
3. Drum placed on drum washer within wet dumpster.
4. Drum washer brushes spin and spray waste inside of drum.
5. If necessary, product is dispensed on outside and inside drum.
6. Drum placed upside down on wet dumpster drain rack.
7. If non-haz drum, drum placed in drum spritzer for polishing rinse with 150 Premium Gold Product.
8. Drum is filled with 105 or 150 Premium Gold.

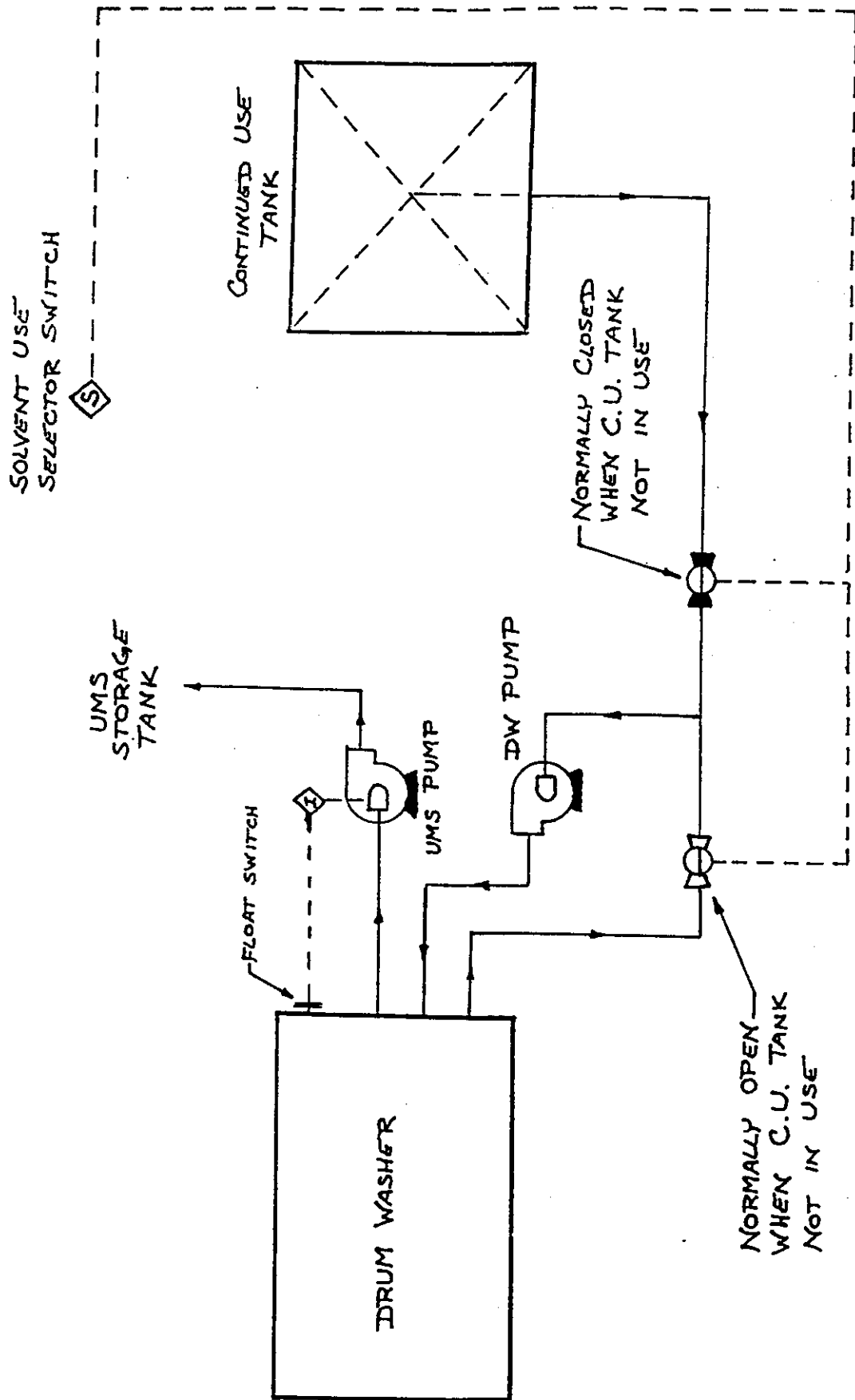
PROPOSED ALTERNATIVE OPERATION



1. Drums of "continued-use product" emptied into separate dumpster/tank.
2. Hazardous waste drums are emptied into wet dumpster.
3. To clean drums, continued-use material is pumped to drum washer spray. Material is pumped to hazardous waste tank after use as drum wash. All drums are washed in the drum washer.

CONTINUED USE

R/F SCHEMATIC



Notes

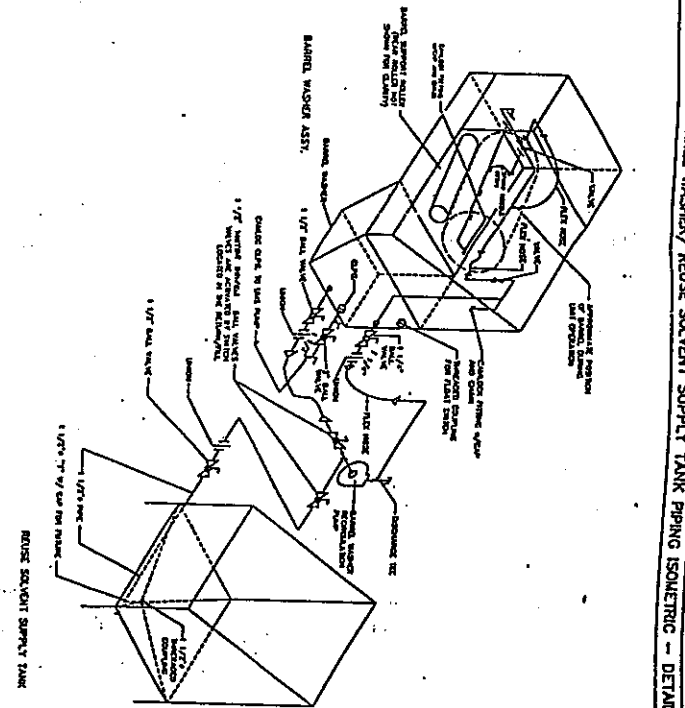
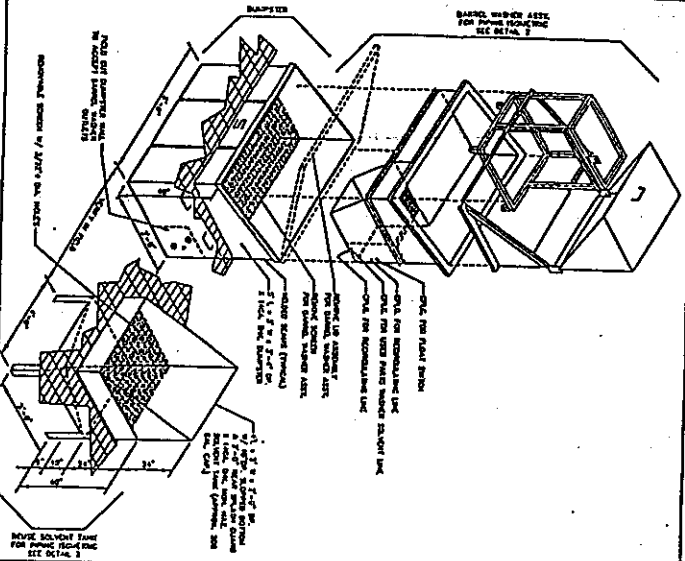
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1/15/20	Withdrawal	25.00
2/1/20	Deposit	50.00
2/15/20	Withdrawal	10.00
3/1/20	Deposit	75.00
3/15/20	Withdrawal	30.00
4/1/20	Deposit	100.00
4/15/20	Withdrawal	40.00
5/1/20	Deposit	125.00
5/15/20	Withdrawal	50.00
6/1/20	Deposit	150.00
6/15/20	Withdrawal	60.00
7/1/20	Deposit	175.00
7/15/20	Withdrawal	70.00
8/1/20	Deposit	200.00
8/15/20	Withdrawal	80.00
9/1/20	Deposit	225.00
9/15/20	Withdrawal	90.00
10/1/20	Deposit	250.00
10/15/20	Withdrawal	100.00
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11/15/20	Withdrawal	110.00
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9/15/24	Withdrawal	570.00
10/1/24	Deposit	1450.00
10/15/24	Withdrawal	580.00
11/1/24	Deposit	1475.00
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1/1/25	Deposit	1525.00
1/15/25	Withdrawal	610.0

Bob

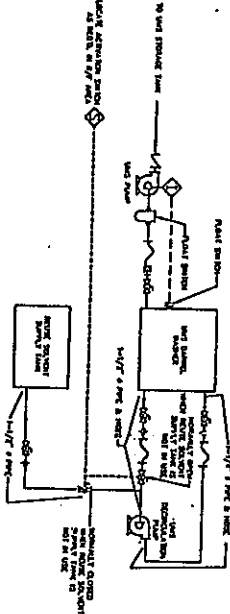
DUMPS/TER/BARREL WASHER/REUSE SOLVENT TANK ASSY - DETAIL 1

BARREL WASHER/ REUSE SOLVENT SUPPLY TANK PIPING ISOMETRIC - DETAIL 2

GENERAL NOTES



BARREL WASHER/ REUSE SOLVENT SUPPLY TANK PIPING SCHEMATIC - DETAIL 3



REVISIONS

NO.	REVISION	DATE	BY	CHKD.
1	DESIGN	11/11/88	W. J. WILSON	J. W. WILSON
2	REVISION TO BARREL WASHER	11/11/88	W. J. WILSON	J. W. WILSON
3	REVISION TO BARREL WASHER	11/11/88	W. J. WILSON	J. W. WILSON
4	REVISION TO BARREL WASHER	11/11/88	W. J. WILSON	J. W. WILSON
5	REVISION TO BARREL WASHER	11/11/88	W. J. WILSON	J. W. WILSON
6	REVISION TO BARREL WASHER	11/11/88	W. J. WILSON	J. W. WILSON
7	REVISION TO BARREL WASHER	11/11/88	W. J. WILSON	J. W. WILSON
8	REVISION TO BARREL WASHER	11/11/88	W. J. WILSON	J. W. WILSON
9	REVISION TO BARREL WASHER	11/11/88	W. J. WILSON	J. W. WILSON
10	REVISION TO BARREL WASHER	11/11/88	W. J. WILSON	J. W. WILSON

PROPRIETARY STATEMENT

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BARREL WASHER/ REUSE SOLVENT SUPPLY TANK

Safety-Neen Corp.

REV.	DATE	BY	CHKD.	APP'D.
1	11/11/88	W. J. WILSON	J. W. WILSON	J. W. WILSON
2	11/11/88	W. J. WILSON	J. W. WILSON	J. W. WILSON
3	11/11/88	W. J. WILSON	J. W. WILSON	J. W. WILSON
4	11/11/88	W. J. WILSON	J. W. WILSON	J. W. WILSON
5	11/11/88	W. J. WILSON	J. W. WILSON	J. W. WILSON
6	11/11/88	W. J. WILSON	J. W. WILSON	J. W. WILSON
7	11/11/88	W. J. WILSON	J. W. WILSON	J. W. WILSON
8	11/11/88	W. J. WILSON	J. W. WILSON	J. W. WILSON
9	11/11/88	W. J. WILSON	J. W. WILSON	J. W. WILSON
10	11/11/88	W. J. WILSON	J. W. WILSON	J. W. WILSON

**PARTS WASHER CUSTOMER
BEST MANAGEMENT PRACTICES GUIDE**

ACTIVITY	BEST MANAGEMENT PRACTICE	QUESTIONS AND FOLLOWUP
Keep solvent from getting contaminated with other materials	Do not combine any other material into parts washer unit solvent other than the parts to be cleaned	
	Do not use sprays over parts cleaner units	
Rags and Wipes	Do not place any rags or wipes into your parts washer machine or tank/vat	
Emissions reduction from	Close parts cleaner unit lids when not in operation	

Questions can be presented to your S-K Sales/Service Representative or by the local Safety-Kleen branch.

CONTINUED USE PARTS WASHER CUSTOMER BEST MANAGEMENT PRACTICES GUIDE

[illegible]

10/22/99

**SAFETY-KLEEN
CONTINUED USE PROGRAM**

2. Qualitative measures used to qualify Continued Use customers

Safety-Kleen has a set of qualitative requirements for a Customer to enter into and remain in our Continued Use program. These requirements are outlined below:

1. The customer must be an S-K parts washer closed loop customer. S-K must provide the mineral spirits solvent, the cleaning equipment may be provided by Safety-Kleen or customer-owned, an S-K Sales and Service Representative must service the parts washer unit, and the solvent is returned to the S-K system as feed for our Recycle Centers to manufacture fresh mineral spirits product.
1. All parts washer customers must sign both placement agreements (to initiate parts washer service) and service agreements (at each parts washer service). These documents include customers certification language that they will not impartGET DOCUMENT LANGUAGE.
1. Only a limited portion of the parts washer solvent returned from customers to our branches will be classified as Continued Use product and brought to our branches for use as drum wash. The balance of the material will still be transported to the branch as a waste. Since only a sub-set of our overall solvent parts washer customers can be in the Continued Use program, we have to make a decision on who to allow into the program. The first decision is a business decision on who gets offered the program (e.g., customers who have a certain number of machines, or who are willing to participate in service contracts). Then individual customers from these groups are selected for the program.
1. In order to be in the Continued Use program, customers must not add any solid objects to the Continued Use parts washer solvent. Safety-Kleen Sales and Service Representatives shall evaluate whether or not inappropriate additions have been made the solvent. For vat style units, S-K Sales and Service Representatives must pump and scoop material from the units and will see if any solid objects or excessive solids have collected in the cleaning unit. Solid objects are to be returned to the customers. These objects typically include parts that are being cleaned and remain in the unit, wrenches, etc. For sink-on-a-drum units, objects found in the sink must be remain in the sink and not be

placed into the drum. The size of the screens in the sink-on-a-drum units is smaller than the nozzle opening in the branch drum washer unit. This screen size will preclude any inappropriate solids from getting into the drum that sits below the sink units.

1. At the time of service, the presence of any indicators that the solvent has been adulterated through something other than typical customer parts washer use requires the S-K Sales and Service Representative to leave the drum(s) of solvent at the customer and take a sample for laboratory analysis or further investigate this anomaly. The mineral spirits will not be accepted into the Continued Use program if indicators of problems are present and may not be accepted into the returned mineral spirits program if analytical supports an alternate waste management handling method. Indicators that indicates special handling include abnormal odors, differing appearance, and increased volumes of solvent.
1. Customers who do not comply with limitations of the Continued Use program (by imparting objects / material into the solvent that cannot go through the Continued Use drum cleaning system) will be shifted to the parts washer waste program. Customers who do not comply with the overall requirements of the parts washer program, will also be removed from the waste program.

10/22/99

SAFETY-KLEEN CONTINUED USE PROGRAM

3. Continued Use Program environmental safeguards

Below is a comparison of environmental control elements of parts washer Continued Use verses waste solvent services.

ENVIRONMENTAL SAFEGUARDS AND CONTROLS

ACTIVITY	Hazardous Waste LQs and SQGs	CESQGs and Non-Hazardous Waste	Continued Use Product
Ownership of solvent	S-K retains ownership of solvent	S-K retains ownership of solvent	S-K retains ownership of solvent
Source of mineral spirits	Both 105 and Premium 150 mineral spirits is supplied by S-K	Both 105 and Premium 150 mineral spirits is supplied by S-K	Both 105 and Premium 150 mineral spirits is supplied by S-K
Use of solvent	Used in customers' parts cleaning operations	Used in customers' parts cleaning operations	Used in customers' parts cleaning operations
Ultimate fate of used mineral spirits	Transported to S-K Recycle Center for reclamation (re-distillation) into fresh product	Transported to S-K Recycle Center for reclamation (re-distillation) into fresh product	Transported to S-K Recycle Center for reclamation (re-distillation) into fresh product
Containers used to transport solvent to and from customer	-Containers meet all applicable UN drum requirements; -SK custom-made red and green 16 and 30-gallon containers	-Containers meet all applicable UN drum requirements; -SK custom-made red and green 16 and 30-gallon containers	-Containers meet all applicable UN drum requirements; -SK custom-made red and green 16 and 30-gallon containers
Handling of parts washer containers brought to branch	All containers are emptied and bulked into 10-day transfer tanker	All containers are emptied and bulked into 10-transfer tanker	All Continued Use
Washing containers prior to re-filling	All containers washed prior to re-filling; Continued use material preferentially used to clean drums	-All containers washed prior to re-filling; Continued use material preferentially used to clean drums; -Non-haz customer containers polished rinsed with fresh product	All containers washed prior to re-filling; Continued use material preferentially used to clean drums
Trucks used for transportation of solvent	S-K owned and operated DOT licensed and inspected trucks used for all legs of transportation	S-K owned and operated DOT licensed and inspected trucks used for all legs of transportation	S-K owned and operated DOT licensed and inspected trucks used for all legs of transportation

Tracking movement of bulk solvent product from SK Recycle Center for SK branches	DOT shipping papers	DOT shipping papers	DOT shipping papers
Tracking movement of solvent product containers from SK Branch to customers	DOT shipping papers	DOT shipping papers	DOT shipping papers
Tracking movement of used solvent containers from customers to SK branch	Hazardous Waste Manifests	DOT shipping papers	DOT shipping papers
Tracking of solvent inventory at SK branch	Inventory tracked in facility's computer-based operating log	Inventory tracked in facility's computer-based operating log	Inventory tracked in facility's computer-based operating log
Tracking movement of bulked solvent waste from SK branch to SK Recycle Center	Customer Hazardous Waste Manifest	SK branch Hazardous Waste Manifest	SK branch Hazardous Waste Manifest
RCRA Annual Reporting	-LQGs report volume of off-site shipments to MI DEQ; -No annual reports for SQGs ???TED – Fed sys	No generator annual reporting	SK reports Continued Use volume in branch annual generator report to MI DEQ
Training of Branch Personnel	SK Branch personnel receive DOT and RCRA training for management of product and waste	SK Branch personnel receive DOT and RCRA training for management of product and waste	SK Branch personnel receive additional training for Continued Use program at roll-out and annual update
Spill response and spill residue cleanup	DOT Transportation Contingency Plan and Facility Contingency Plan and SPCC Plan for product and waste cleanups; cleanup residue managed as a hazardous waste	DOT Transportation Contingency Plan and Facility Contingency Plan and SPCC Plan for product and waste cleanups; cleanup residue managed as a hazardous waste	DOT Transportation Contingency Plan and Facility Contingency Plan and SPCC Plan for product and waste cleanups; cleanup residue managed as a hazardous waste
Inventory Tracking	Separate identifiers for all categories of solvent (e.g., fresh product, LQGs, non-haz, Cont Use); All material logged in and out of computer system upon arrival and departure of SK branch; Inventories maintained in SK branch facility operating log	Separate identifiers for all categories of solvent (e.g., fresh product, LQGs, non-haz, Cont Use); All material logged in and out of computer system upon arrival and departure of SK branch; Inventories maintained in SK branch facility operating log	Separate identifiers for all categories of solvent (e.g., fresh product, LQGs, non-haz, Cont Use); All material logged in and out of computer system upon arrival and departure of SK branch; Inventories maintained in SK branch facility operating log
Customer requirements	Customer must certify and sign Placement and Service documents that include language on not placing other materials into parts cleaners	Customer must certify and sign Placement and Service documents that include language on not placing other materials into parts cleaners	Customer must certify and sign Placement and Service documents that include language on not placing other materials into parts cleaners

Characterization and Management of material transported from SK branches to SK Recycle Centers	All consolidated material transported under hazardous waste manifests from Branch to Recycle Centers	All consolidated material transported under hazardous waste manifests from Branch to Recycle Centers	All consolidated material transported under hazardous waste manifests from Branch to Recycle Centers
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10/22/99

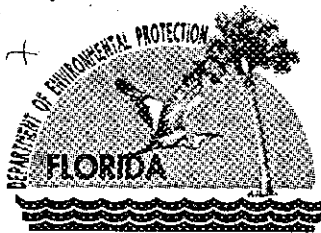
**SAFETY-KLEEN
CONTINUED USE PROGRAM**

4. Tracking and Record-Keeping Systems

Separate DOT shipping descriptions and associated identifiers have been developed within our computer system. These identifiers allow the company to nationally monitor individual branches' sales of the Continued Use program and their associated volumes. The Continued Use material is logged into a category of our branch operating log that is separate from waste logged categories. The Safety-Kleen Michigan branches maintain facility operating logs, such as a RCRA TSD would, even though our 10-day transfer facilities are not required to have such logs. (TED – VERIFY THAT THIS IS NOT A REQUIREMENT OF MI TRANSFER PERMITS).

These logs monitor the total number of parts washer containers (LQG, SQG, CESQG, non-hazardous waste, and Continued Use containers) that are accepted by the local branch. All these containers must be washed prior to being re-filled with fresh product. As the number of containers change over time (driven by a change in the level of business activity), the volume of Continued Use material that can be accepted by a local branch is changed.

PROVIDE COPIES OF BAP SCREENS/ OPERATING LOG PAGES.



Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

Ray Zimmerman, Branch Manager
Safety Kleen Systems, Inc.
600 central Park Drive
Sanford, Florida 32771

OCD-HW/P-99-0256

Seminole County - HW
Safety Kleen Systems, Inc.
Inspection

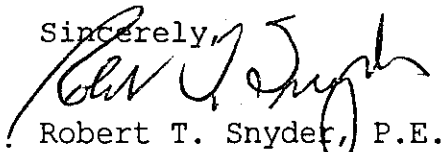
Dear Mr. Zimmerman:

A hazardous waste compliance inspection was conducted at your facilities on August 4, 1999. This inspection was conducted under the authority of section 403.091, Florida Statutes, and Chapter 403, Part IV, Florida Statutes, and is designed to ascertain the compliance status of your facilities with 40 CFR 260-268, adopted in Florida Administrative Code Chapter 62-730.

Safety Kleen Sanford was inspected as a permitted storage facility, transporter, transfer facility and large quantity generator of hazardous waste. Safety Kleen Altamonte was inspected as a closed hazardous waste storage facility. Both facilities were found to be in compliance at the time of the inspection. Please be aware that Safety Kleen must continue to comply with all applicable hazardous waste rules and regulations.

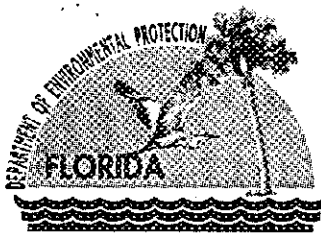
Please do not hesitate to contact Chris Aoussat (407) 893-3323 if you have any questions.

Sincerely,


Robert T. Snyder, P.E.
Program Manager
Hazardous Waste

Date: 8/26/99

RTS/ca

Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION TYPE: ☒ Routine ☐ Complaint ☐ Follow-Up ☒ Permitting ☐ Pre-Arranged

FACILITY NAME Safety-Kleen Systems Sanford EPA ID # FLD095558466

STREET ADDRESS 600 Central Park Drive, Sanford, Florida 32771

MAILING ADDRESS Same as above

COUNTY Seminole PHONE 407/321-6080 DATE 8/4/99 TIME 0945 hrs.

NOTIFIED AS: ☐ N/A

CURRENT STATUS:

- ☐ Non Handler
☐ CESQG (<100 kg/mo.)
☐ SQG (100-1000 kg/mo.)
☒ Generator (>1000 kg/mo.)
☒ Transporter
☒ Transfer Facility
☐ Interim Status TSD Facility
☒ TSD Facility
Unit Type(s): Storage
☐ Exempt Treatment Facility
☐ Used Oil:

- ☐ Non Handler
☐ CESQG (<100 kg/mo.)
☐ SQG (100-1000 kg/mo.)
☒ Generator (>1000 kg/mo.)
☒ Transporter
☒ Transfer Facility
☐ Interim Status TSD Facility
☒ TSD Facility
Unit Type(s): Storage
☐ Exempt Treatment Facility
☐ Used Oil:

2. APPLICABLE REGULATIONS:

- | | | | |
|---------------------------------------|---|---|---|
| <input type="checkbox"/> 40 CFR 261.5 | <input checked="" type="checkbox"/> 40 CFR 262 | <input checked="" type="checkbox"/> 40 CFR 263 | <input checked="" type="checkbox"/> 40 CFR 264 |
| <input type="checkbox"/> 40 CFR 265 | <input type="checkbox"/> 40 CFR 266 | <input checked="" type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 273 |
| <input type="checkbox"/> 40 CFR 279 | <input checked="" type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-730, FAC | <input checked="" type="checkbox"/> 62-737, FAC |

3. RESPONSIBLE OFFICIAL(s):

Ray Zimmerman, Branch Manager-Safety Kleen

4. INSPECTION PARTICIPANTS:

Chris Aoussat & Jeff Prather, FDEP

Eric Greene, Material Handler- Safety Kleen

5. LATITUDE/LONGITUDE: 28°48'22"N/81°19'03"W

6. SIC Code: 7359, 4214

7. TYPE OF OWNERSHIP: ☒ Private ☐ Federal ☐ State ☐ County ☐ Municipal

8. PERMIT #: HO01-0022198-001 ISSUE DATE: May 10, 1999 EXP. DATE: May 10, 2004

9. INTRODUCTION:

On August 4, 1999, Chris Aoussat and Jeff Prather of the Florida Department of Environmental Protection (FDEP), accompanied by Eric Greene, Safety-Kleen, inspected the facility for compliance with state and federal hazardous waste standards. Safety-Kleen was inspected as a generator, transporter, transfer facility, and permitted hazardous waste storage facility. The facility has operated at this particular location since March 15, 1993 and employs approximately 32 people Monday through Friday from 6:00AM to 9:00PM. Potable water and domestic waste needs are serviced by the City of Sanford.

Safety Kleen Sanford was last inspected on June 10, 1998 as a permitted storage, transfer facility, transporter, and generator. The facility was in compliance with hazardous waste regulations at that time.

Safety-Kleen is currently operating under the hazardous waste operation permit, HO01-0022198-001. Safety-Kleen, Sanford operates under the permit which includes the following areas: 1) a totally enclosed building, approximately 80 feet by 155 feet, having three distinct areas, designated as offices, container storage area and return/fill station and; 2) a separate outside aboveground tank storage area with four 20,000-gallon steel tanks with secondary containment. Tank #1 contains waste solvent and is regulated under this permit. Tank #3 was labeled antifreeze and is scheduled for closure under this permit. Tank #2 and #4 contain product Parts Cleaner 105 and product Premium 150 Solvent, respectively. The amount of waste stored in the container storage area at any one time is not to exceed 6,912 gallons.

10. INSPECTION HISTORY:

Inspection conducted on June 10, 1999 – facility was in compliance.

Inspection conducted on September 18, 1997 – facility was in compliance.

Inspection conducted on March 12, 1996 – facility was in compliance.

Inspection conducted on February 20, 1995 – facility was in compliance.

Inspection conducted on December 10, 1993 – facility was in compliance.

11. PROCESS DESCRIPTION:

Safety-Kleen Sanford has 17 trucks which are used for servicing customers. The trucks are constructed to provide an estimated 20 services per day and/or transport 20 drums back to the facility. Equipment and solvent, including mineral spirit, immersion cleaner and perchloroethylene, are leased to Safety-Kleen customers. Spent solvent is picked up at regular intervals, at which time the spent solvent is exchanged for clean product.

Spent mineral spirit is returned to the Sanford facility's return/fill area where the drums are emptied into barrel washers. Empty drums are placed onto a rotary brush unit, within the barrel washer, and the dirty mineral spirit is used to clean the inside and outside of the drum. Clean drums are refilled with mineral spirit and returned to the service trucks. The waste mineral spirit is transferred, using a float actuated pump and overhead pipe system, from the barrel washers to the aboveground tank storage tank. Sludge accumulated in the barrel washer is removed at least once

per day. The sludge is collected in 16-gallon satellite containers, which when full, are then stored in the container storage area prior to shipment off-site. The waste mineral spirit storage tank is pumped out when the capacity reaches 19,000-gallons or a height of 22 feet 5 inches. Waste mineral spirit is transported to Safety-Kleen's Lexington, South Carolina facility for reclaiming.

Safety-Kleen provides customers with paint thinner, and cleaning solvent. When the material is no longer useful, Safety-Kleen picks up the spent material and stores the hazardous waste in the container storage area, prior to shipping the spent materials to Safety-Kleen's Lexington, South Carolina and Hebron, Ohio facilities.

Safety-Kleen also services facilities generating used oil. Safety-Kleen samples and analyzes the used oil for PCB's and other contaminants prior to accepting the used oil from the customer. The drivers test used oil samples with the use of CLOR-D-TECT 1000 screening kits. No results of these tests are kept. A metal fire cabinet located next to the container storage area is used for the accumulation of used oil samples. Oil samples are only analyzed if the East Chicago refinery reports that a rail car shipment they received is contaminated. The samples are accumulated for less than 90 days and then properly disposed.

12. **INSPECTION:**

Return/Fill Area

The first area inspected was the return/fill area. Two barrel washers are located in this area for cleaning drums. The facility began operation of these units in March, 1993. The area was not in operation at the time of the inspection. Sumps beneath the drum washers appeared dry and clean and the sludge, satellite container was properly labeled.

10 Day Transfer Area

Waste stored in this area included; waste paint related material, waste combustible liquid, used oil, and waste solvents. Each container was marked with the date the waste entered the transfer area, labeled hazardous waste, and closed. No violations were noted in this area at the time of this inspection

All of the drums and containers were marked with the date the waste entered storage, labeled hazardous waste, and closed. No violations were noted in this area at the time of this inspection.

Used Oil Sample Area

Along the west wall, in the return/fill area next to the permitted drum storage area are two metal fire cabinets used for oil samples. This area also had several cardboard boxes containing used oil samples. The samples are analyzed by Safety-Kleen prior to accepting used oil from the customer. Tracking of the samples is done by facility name and invoice number, which are labeled on each container. The drivers do not maintain records of the analysis, and the samples are usually discarded after 90 days.

Permitted Aboveground Storage Tank Area

The hazardous waste in the regulated tanks is drained once per week and shipped to Safety-Kleen's, Lexington, South Carolina facility for recycling. The waste storage tank was properly labeled "Hazardous Waste". The containment area around the tanks was dry and appeared free of cracks. A sign with the words "Danger No Smoking" was located in this area. Emergency procedures include safety and emergency devices, including a 500-1000-gallon tank containing foam suppression material in the event a fire develops in the tank storage area. The fire suppression tank is located in the container storage area. No violations were noted in this area at the time of this inspection.

Waste Management Practices

Safety-Kleen maintains a permitted container storage area, permitted storage tanks, and a 10-day accumulation (transfer) area for the above mentioned hazardous waste. The permitted container storage area is used for storing waste immersion cleaner, sludge generated from containers of waste mineral spirit, dry cleaning waste and waste paint related material. The amount of waste stored in this area at any one time is not to exceed 6,912 gallons. The container storage area is located within a totally enclosed building and is constructed with a concrete floor. The storage area's concrete floor is marked with yellow tape identifying the container storage boundaries. The 10-day transfer facility accumulation area is located next to the container storage area. The area is identified by a sign as the transfer facility area and marked with yellow tape identifying the transfer facility's boundaries. The permitted hazardous waste aboveground tank storage area is constructed with a concrete floor and a three-foot high concrete dike. The floor is covered with an impervious coating of Simstone and protected from the weather by an aluminum roof. Four 20,000-gallon tanks are presently located in this area. The tanks are constructed on 15-foot by 15-foot concrete pads and are electronically monitored for level and temperature. Storm water accumulated in the containment area flows by gravity to an in-ground grated sump located in front of the tank storage area. From the sump, Storm water is pumped indoors to the barrel washers and then pumped to one of the regulated 20,000-gallon tanks. Each tank is permitted to store 20,000-gallons, but Safety-Kleen considers the tanks full at 19,000 gallons. Tank #2 stores product 105 solvent and tank #4 stores product 150 solvent. Tank #1 stores hazardous waste solvent, tank #3 stores waste ethylene glycol and is presently inactive and scheduled for closure. Waste solvent is shipped approximately once per week.

Oil filters are accumulated in 30 gallon drums. Safety-Kleen accumulates 150-200 crushed oil filters per 30-gallon drum. When the drum is full, it is transported to Safety-Kleen's Hebron, Ohio facility where the filters are shredded. The metal is recycled, the oil is reclaimed, and the paper filter goes to a fuels blending program.

Record Review


Safety-Kleen Systems, Inc. Sanford was inspected as a permitted storage facility, generator, and transporter/transfer facility. Records reviewed included daily and weekly inspection logs for the container and tank storage areas, training records and contingency plan. Training is conducted in house by Safety-Kleen and is performed on a monthly and annual basis. Certain segments of the training program are provided at each monthly session. The facility is maintaining waste analysis records for off-site shipments of waste. Manifests and LDR notifications for the past year were reviewed and found to be in order. Inspection logs verified that inspections of the storage tank

area, transfer area, and drum storage area were performed as required by regulation. Transfer waste is removed every seven days. Training was found to be current for Ray Zimmerman, the facility's emergency coordinator, and for Eric Greene, Material Handler. The facility contingency plan was updated and all records appeared to be in order.

13. **CONCLUSION:**

At the time of this inspection Safety-Kleen, Sanford was regulated as a permitted, hazardous waste storage facility, generator, transporter, and transfer facility and was in compliance.

Report Prepared By:



Chris Aoussat

RTS/ca
JA



Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION TYPE: ☒ Routine ☐ Complaint ☐ Follow-Up ☒ Permitting ☐ Pre-Arranged

FACILITY NAME Safety-Kleen Systems Altamonte EPA ID # FLD097837983

STREET ADDRESS 505 Plumosa Avenue, Altamonte Springs, Florida 32701

MAILING ADDRESS 600 Central Park Drive, Sanford, Florida 32771

COUNTY Seminole PHONE 407/321-6080 DATE 8/4/99 TIME 1130 hrs.

NOTIFIED AS: ☐ N/A

CURRENT STATUS:

- ☐ Non Handler
☐ CESQG (<100 kg/mo.)
☐ SQG (100-1000 kg/mo.)
☐ Generator (>1000 kg/mo.)
☐ Transporter
☐ Transfer Facility
☐ Interim Status TSD Facility
☒ TSD Facility

Unit Type(s): Closed Storage

- ☐ Exempt Treatment Facility
☐ Used Oil:

- ☐ Non Handler
☐ CESQG (<100 kg/mo.)
☐ SQG (100-1000 kg/mo.)
☐ Generator (>1000 kg/mo.)
☐ Transporter
☐ Transfer Facility
☐ Interim Status TSD Facility
☒ TSD Facility

Unit Type(s): Closed Storage

- ☐ Exempt Treatment Facility
☐ Used Oil:

2. APPLICABLE REGULATIONS:

- ☐ 40 CFR 261.5
☐ 40 CFR 265
☐ 40 CFR 279

- ☐ 40 CFR 262
☐ 40 CFR 266
☐ 62-710, FAC

- ☐ 40 CFR 263
☒ 40 CFR 268
☒ 62-730, FAC

- ☒ 40 CFR 264
☐ 40 CFR 273
☐ 62-737, FAC

3. RESPONSIBLE OFFICIAL(s):

Ray Zimmerman, Branch Manager

4. INSPECTION PARTICIPANTS:

Chris Aoussat & Jeff Prather, FDEP

5. LATITUDE/LONGITUDE: 28°40'30"N/81°20'57"W

6. SIC Code: N/A

7. TYPE OF OWNERSHIP: ☒ Private ☐ Federal ☐ State ☐ County ☐ Municipal

8. PERMIT #: HF02-236952 ISSUE DATE: December 4, 1995 EXP. DATE: December 22, 1999

9. INTRODUCTION:

On August 4, 1999, Chris Aoussat and Jeff Prather of the Florida Department of Environmental Protection (FDEP), inspected the facility for compliance with state and federal hazardous waste standards. Safety-Kleen was inspected as a closed and permitted hazardous waste storage facility.

Safety Kleen Altamonte was last inspected on June 10, 1998 and was in compliance at that time. On August 4, 1999, a hazardous waste inspection was conducted at Safety-Kleen Systems Inc., Altamonte as a closed, permitted storage facility. The facility was in compliance with hazardous waste regulations at that time.

Safety-Kleen is currently operating under hazardous waste closure permit, HF02-236952. The permit is for the closure of a paint waste shelter, drum storage area, return/fill shelter, and storage tank area. The waste paint shelter and drum storage areas handled containers of hazardous waste. The return/fill area was commonly known as the "wet dumpsters." The tank storage area housed two 15,000-gallon tanks. One tank was for product and one was for waste. A renewal permit application has been submitted to the Department and is currently under review.

The facility is closed and remediation activities are in progress. The fence surrounding the facility was locked and it was not possible to gain access to the building. However, access was not required to view the groundwater remediation system, which appeared to be in good condition. It was noted that on the north fence line that the tie wraps on two "Keep Out" signs had been cut and the signs were lying on the ground.

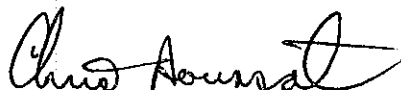
Recommendations

Replace and secure the two "Keep Out" signs on the north fence line.

13. CONCLUSION:

Safety-Kleen Systems, Inc. Altamonte was inspected as a closed, permitted storage facility and was in compliance at the time of the inspection.

Report Prepared By:


Chris Aoussat


RTS/ca
/H



RECEIVED

RCRA

JUN 02 1999

May 28, 1999

Hazardous Waste Regulation

Mr. Satish Kastury
Florida Department of Environmental Protection
Division of Waste Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: Safety-Kleen's Continued Use Program

Dear Mr. Kastury:

Thank you for the opportunity to meet with John Ruddell and yourself on May 24, 1999 to discuss Safety-Kleen's Continued Use program. As promised during the meeting, we are submitting additional regulatory background information regarding this program. By way of this correspondence, Safety-Kleen Corp. is requesting concurrence with our regulatory interpretation that the Continued Use material is not subject to regulation under the Definition of Solid Waste.

Background and Program Overview

Historically, Safety-Kleen has used the mineral spirits waste returned from our customers parts washer drums to wash the drums prior to their refilling with recycled product. Safety-Kleen has many years of experience demonstrating the efficacy of using this material to wash drums. Upon the request of customers and with a thorough researching of RCRA and state implementing regulations, Safety-Kleen has developed a Continued Use program involving this drum cleaning operation.

Parts washer solvent is the primary material that is bulked at the branch level and the only material allowed in this program. When the 16 and 30-gallon drums of parts washer solvent are returned from customers, they are emptied, washed, and re-filled with fresh solvent. The branch-based Continued Use program was initiated almost two years ago in Indiana branches and involves a change to our existing drum washing operation. The Continued Use drum washing program provides for the removal of parts washer solutions from certain customers as a product to be exclusively used at our branches for the cleaning of the drums. A copy of this product's Material Safety Data Sheet (MSDS), schematic

drawing showing the flow of materials through the Continued Use cleaning system, and system engineering drawings were distributed at our May 24 meeting.

The cleaning system includes a vat to contain Continued Use material that will be added to the return and fill dock. The vat has a cone-shaped bottom to prevent solids from settling out of the material and is preferentially piped to the drum washer unit. The vat also contains a rough screen to protect the pump system from any foreign objects. It is typical that pumping systems have such screens. This screen will not provide any reclamation value to the Continued Use product prior to its use in the drum washer. Additionally, the material going through this screen is a product, not a waste, therefore, no waste treatment occurs as a result of the screening.

To qualify for Safety-Kleen's Continued Use program, customers must not put materials (e.g., paper and rags) into the solvent that are required to be removed prior to placement in the Continued Use cleaning system. Customers who add such materials will be counseled and if their performance does not improve they will be removed from the program.

During the drum washing operation, if the Continued Use vat is empty, the Safety-Kleen Material Handler will activate an electrical valve switch, which allows washing material (waste material) to be pumped off the bottom of the waste wet dumpster directly into the drum washer. This has been the approach for cleaning drums prior to the installation of the Continued Use vat.

Under the Continued Use program, Safety-Kleen will ensure that used cleaning solutions will be transported in compliance with all applicable DOT shipping papers and packaging requirements. The material will not be speculatively accumulated, nor reclaimed prior to our use for drum washing.

Once we have used the solutions for cleaning, the material will become Safety-Kleen generated waste and sent for recycling at one of our chemical recycling plants. There is no net change in material flowing through our branch for this operation, but rather the branch will be bringing in more material as a product and shipping more material from the branch as branch-generated waste. Any spills of Continued Use product will be handled as any product spill, with spill residues being considered Safety-Kleen generated waste.

The volume of material necessary to clean a drum has been established by a Safety-Kleen engineering study that evaluated time, flow rate, and pressure. This study was used to determine the amount of cleaning solution that is required to clean a drum. The resultant volume, multiplied by the number of drums to be cleaned, provides each branch with their "capacity" for the branch-based drum washing Continued Use program. Branch capacity and sales level is monitored through our computer Branch Automation Program. The system tracks Continued Use material into our system and controls the volume of a particular branch's sales of this program. This provides a system of centrally controlled

checks and balances to assure that a particular branch does not have excess drum cleaning material.

Regulatory Background

The regulatory provision that governs what is a waste and what is not is found in the Definition of Solid Waste (40 CFR 261). The parts washer solvent that would be initially used by our customers will be "used or reused as an effective substitute for commercial products" [40 CFR 261.2(e)(1)] at a Safety-Kleen facility for cleaning operations. The preamble to the Definition of Solid Waste, dated January 4, 1985 (50 FR 619) discusses the use of substitutes for commercial products by stating,

" When secondary materials are directly used as substitutes for commercial products, we [the Agency] also believe these materials are functioning as raw materials and therefore are outside of RCRA's jurisdiction and thus, are not wastes."

Page 637 of the preamble also states,

When secondary materials are directly used (or, in the case of previously used materials, reused)... they function as raw materials in normal manufacturing operations or as products in normal commercial applications. We [the Agency] reiterate these positions in the final regulation. These direct-use recycling situations represent exceptions to the general principle that accumulated hazardous secondary materials are hazardous wastes.

The final rule consequently states that secondary materials used as ingredients or used directly as commercial products are not wastes and are outside the Agency's RCRA jurisdiction. They thus are not subject to RCRA Subtitle C regulations when generated, transported, or used...

The discussion on page 624 of the preamble, addresses "continued-use" when distinguishing between spent materials from those that are still fit for use,

"...where solvents used to clean circuit boards are no longer pure enough for that continued use, but are still pure enough for use as metal degreasers. These solvents are not spent materials when used for metal degreasing. The practice is simply continued use of a solvent. (This is analogous to using/reusing a secondary material as an effective substitute for commercial products.)"

In conclusion, the cleaning solutions will be considered a waste when they are no longer suitable to use for their original intended purpose (cleaning). The material will be Safety-Kleen generated waste after final use at one of our facilities.

Material Specification

Safety-Kleen provides customers with the mineral spirits-based parts cleaning solutions for their cleaning operations. The branch has comprehensive knowledge of the material that is returned from our customers because of the many years of providing this service and that the used mineral spirits is feed for our production of recycled mineral spirits products.

The cleaning of the emptied parts washer drums does not require a high specification material. We have had many years of experience of using material as it is returned from our customers, directly for the cleaning of emptied mineral spirits 16 and 30-gallon containers. The efficacy for this operation is demonstrated by the many years of its use. The specification for Continued Use includes requirements that the customer is a closed loop mineral spirits customer and that all material can be used in the Continued Use drum cleaning operation. Some customers' parts cleaning operations, or specific parts washers themselves, may not be suitable for being in the Continued Use program. This determination is made on a customer-by-customer basis.

Regulatory Concurrence

A letter of regulatory concurrence from U.S. EPA was distributed during our May 24 meeting. Similar letters of concurrence have been obtained from several states. Copies of the letters from California, Colorado, Indiana, Florida, Kentucky, Ohio, and Texas are enclosed.

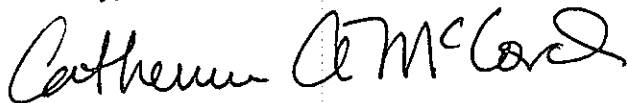
While we know that requirements for waste determinations are self-implementing, Safety-Kleen requests a letter of regulatory concurrence from the Florida Department of Environmental Protection. We request that the Florida DEP provide a letter of regulatory concurrence that the Continued Use material would not be classified as a waste and under certain conditions is not subject to hazardous waste requirements.

As discussed, Safety-Kleen would welcome the opportunity to have representatives see a Continued Use system, once they are installed at our Florida branches. Please let us know if this fits into the schedule for the August quarterly or October annual workshops.

We were happy to hear that our Continued Use program coincides with the Department's goals of limiting the number of Florida's small quantity generators. Safety-Kleen would welcome the opportunity to assist the department in reaching out to provide information to certain customer groups.

Thank you again for the opportunity to discuss our program. Please contact Lin Longshore 803-933-6511 or myself if you have any questions 847-468-2245.

Sincerely,

A handwritten signature in black ink, appearing to read "Catherine A. McCord". The signature is fluid and cursive, with the first name "Catherine" written in a larger, more prominent script than the last name "McCord".

Catherine A. McCord, Director
Business and Environmental Management

cc: John Ruddell

Attachments



April 25, 1997

via Federal Express

Ms. Michele Anders, Chief
Generator and Recycling Branch
U.S. Environmental Protection Agency
Office of Solid Waste
401 M Street, S.W.
Washington, D.C. 20460

RE: Written Confirmation of Regulatory Interpretation of 40 CFR 261.2(e)(1)

Dear Ms. Anders:

Safety-Kleen is submitting the following information as Confidential Business Information and has been labeled as such pursuant to 40 CFR Part 2, Subpart B, Section 2.203(b).

The purpose of this letter is to follow up on an April 16 telephone conversation with Mr. Jeff Hannaple about a regulatory interpretation and to request that the interpretation Mr. Hannaple provided be confirmed in writing. The regulatory interpretation was provided in response to Safety-Kleen's request on how used parts washing solvent that was used for drum washing would be regulated, if it was used for the drum washing activity prior to any reclamation.

As previously discussed, Safety-Kleen collects used solvents from customers' parts cleaning operations and consolidates such materials at one of our branch collection facilities for shipment to one of our recycle centers. It is our intent to use a certain quantity of this material for washing drums prior to re-filling them with product. The quantity of solvent used in this manner will be dictated by the volume needed to wash a drum and the total number of drums used to service our customers. None of the solvent used in this manner will be reclaimed prior to its use as drum wash. Safety-Kleen will establish criteria for the amount and type of material to be used for this purpose.

Safety-Kleen believes that the parts washer solvent to be used in this manner is excepted from the definition of solid waste because it will be "used or reused as an effective substitute for [1] commercial product[s]..." (40 CFR 261.2(e)(1)). The preamble to the Definition of Solid Waste, dated January 4, 1985 (50 FR 619), discusses the use of substitutes for commercial products in the following manner:

"When secondary materials are directly used as substitutes for commercial products, we [the Agency] also believe these materials are functioning as raw materials and therefore are outside of RCRA's jurisdiction and thus, are not wastes."

Ms. Michele Anders

Page 2

April 23, 1997

Contains Confidential Business Information Pursuant to 40 CFR Part 2, Subpart B

Page 637 of the preamble also states,

When secondary materials are directly used (or, in the case of previously used materials, reused)... they function as raw materials in normal manufacturing operations or as products in normal commercial applications. We [the Agency] reiterate these positions in the final regulation. These direct use recycling situations represent exceptions to the general principle that accumulated hazardous secondary materials are hazardous wastes.

The final rule consequently states that secondary materials used as ingredients or used directly as commercial products are not wastes and are outside the Agency's RCRA jurisdiction. They thus are not subject to RCRA Subtitle C regulations when generated, transported, or used..."

See also attached guidance from the RCRA/Superfund Hotline.

The discussion on page 624 of the preamble, addresses "continued-use" when distinguishing between spent materials from those that are still fit for use,

"...where solvents used to clean circuit boards are no longer pure enough for that continued use, but are still pure enough for use as metal degreasers. These solvents are not spent materials when used for metal degreasing. The practice is simply continued use of a solvent. (This is analogous to using/reusing a secondary material as an effective substitute for commercial products.)"

We request that EPA confirm in writing that the solvent Safety-Kleen intends to use for drum wash in the manner described above is not a solid waste pursuant to 40 CFR 261.2(e)(1) and thus not a hazardous waste when it is being used as an effective substitute for a commercial product.

Please contact me at (847) 468-2245, if you have any questions.

Sincerely,

Catherine A. McCord, Manager
Environment and Business Integration

Attachment

cc: Jeff Hannaple

ment must be installed. In special leak detection and collection systems, many existing tank systems may not have a system to detect and contain releases. Do the new July 14, 1986 regulations have any leak testing requirements for existing systems prior to installation of secondary containment?

Yes. The new hazardous waste tank regulations do provide for leak testing in existing tank systems prior to installation of secondary containment. 40 CFR 264.193(i) and 265.193(i) require all existing tank systems to be evaluated in some manner. Non-enterable underground tanks must be tested for leaks at least annually. All other tanks, both aboveground and enterable underground tanks) under interim status must be leak-tested, inspected internally, or tested for cracks, leaks, corrosion and erosion at least annually. Other permitted tanks must be either leak-tested or placed on a schedule for overall integrity assessments. The frequency of assessments would depend on the type of construction of the tank, the age of the system, the type of waste stored or treated, the type of corrosion or erosion, and the rate of corrosion or erosion of the tank. The annual leak testing requirement also applies to all equipment. In addition, § 264.191 and § 265.191 require the owner/operator of an existing tank system that does not have a secondary containment system meeting the requirements of §§ 264.193 and 265.193 to obtain a written assessment of the tank system's integrity by January 12, 1988. All assessments must be certified by an independent, registered professional engineer and must be kept on file at the facility.

[December 1986; Regulatory Cross References: 264.193(i), 265.193(i), 264.191, 265.191]

RCRA-78 Existing Units, Replacement Units, and Minimum Technology Standards

The owner/operator of an existing landfill unit which is holding F006 waste, wants to remove all the waste from the unit in order to stabilize it. Once the waste is stabilized, it will be put back in the same landfill and the landfill will then be a replacement unit. Will this action change the status of the landfill from an existing unit to a replacement unit? If the landfill was then a replacement unit, would it have to meet minimum technology requirements under Section 3004(u) of RCRA if the stabilized waste is replaced?

A unit is considered a replacement if it is taken out of service and all or substantially all waste is removed from it and is reused. If the removal, stabilization, and replacement of the waste is part of closure, and no new waste is being added to the landfill, then EPA does not consider that the unit has been "reused." Therefore, the landfill would retain its status as an existing unit and would not have to meet minimum technology standards prior to replacing the waste.

[Ed. Note: On January 29, 1992 (57 FR 3462), EPA promulgated liner and leak detection system standards for landfills, surface impoundments, and waste piles, effective July 29, 1992. As part of that rulemaking, EPA codified a definition of "replacement unit" that is essentially the same as the one described here.]

[December 1986; Regulatory Cross References: 260.10 "replacement unit," 264.301, 264.310, 265.301(a), 265.310]

RCRA-79 Land Disposal Definition

How is land disposal defined regarding the Section 3004(d) RCRA land disposal restrictions?

Land disposal is defined to include, but not be limited to, any placement of hazardous waste in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt dome formation, or underground mine or cave (Section 3004(k)). EPA also considers placement of hazardous wastes in concrete vaults or bunkers intended for disposal purposes as land disposal, but waste management subject to the land disposal restrictions. However, EPA does not consider open detonation, which includes open burning, as methods constituting land disposal and has concluded that the land disposal restrictions are not applicable to open detonation and open burning [51 FR 40580].

[December 1986; Regulatory Cross Reference: 268.2(c)]

RCRA-80 Lab Packs and the Land Disposal Prohibitions

Are lab packs containing wastes restricted from land disposal included in the land disposal restrictions?

Neither the legislative history nor the statute indicates that lab packs can be excluded from the land disposal restrictions if they contain restricted wastes. If a lab pack contains these restricted wastes, the entire lab pack is subject to the land disposal restrictions [51 FR 40585].

[December 1986; Regulatory Cross Reference: 268.1(a)]

RCRA-81 Definition of Solid Waste

A generator generates a 5% solution of sodium hydroxide from his metal cleaning operation. Another facility can use the waste as a substitute for a commercial product in their process of cleaning out tanks, except the waste is too dilute to be effective. If the generator adds 5% sodium hydroxide to his waste to make a 10% solution, would this material be a solid waste?

According to § 261.2(e)(1)(ii), materials are not solid waste when they can be shown to be recycled by being used reused as effective substitutes for commercial products. The waste is employed in a particular function or application as an effective substitute for a commercial product (40 CFR 261.1(c)(5)(ii)). Since it would function as a product in a normal commercial use, it would not be a solid waste and is not subject to RCRA Subtitle C regulations when generated, transported or used (unless accumulated speculatively).

[May 1987; Regulatory Cross References: 261.2(e)(1)(ii), 261.1(c)(5)(ii)]

RCRA-82 Disposal Prior to November 19, 1980

A tank owner closed a tank which contained waste solvent in 1977. The waste solvent was an unlisted, ignitable waste (D01) which was pumped out of the tank. Some ignitable residues remained in the tank. The tank was sealed and has not been used since 1977. Is the tank a RCRA disposal facility?

The preamble of the May 19, 1980 *Federal Register* (40 CFR 264 and 265, page 33170) specifically states that the regulatory scheme of Subtitle C is prospective, i.e., it applies to hazardous waste management which takes place after the effective date of the Subtitle C regulations. Inactive (either closed or abandoned) disposal facilities could be subject to RCRA Section 7003 enforcement authorities and CERCLA. If the tank was closed in accordance with existing industry practices, it would be an inactive disposal facility not subject to RCRA Subtitle C regulation unless the waste in the tank is subsequently managed in a manner that would constitute treatment, storage or disposal.

[May 1987; Regulatory Cross Reference: 265.197]

RCRA-83 Hazardous Waste Tanks

An existing above-ground hazardous waste tank is moved to another location at the same facility. Does it become subject to new tank standards when it is moved? What would the situation be if the tank was underground?

For both above-ground and underground tanks, the tank would be classified as a new tank after being moved and reinstated (see 50 FR 25446, July 14, 1986). The tank would be subject to the requirements for new tank systems. The tank would have to be reinstalled with secondary containment meeting the requirements specified in §§ 264.193(a) or 265.193.

[May 1987; Regulatory Cross References: 264.190, 265.190]

RCRA-84 Applicability of Contingent Closure and Post-Closure Plans for Tanks

Section 264.197(c)(1) and (2) requires that, unless a tank has secondary containment, a contingent plan for closure as a landfill or a contingent post-closure plan must be prepared. 40 CFR 264.193(a)(3) requires that an existing tank be retrofitted with secondary containment by the time it reaches 15 years of age. If the owner of an existing tank is planning to install secondary containment before the tank reaches 15 years of age, is the owner/operator required to prepare the contingent plans?

Yes. The contingent closure and contingent post-closure plans are required for all tanks not having secondary containment even if the owner/operator is planning on installing secondary containment. The plans would be required until the secondary containment meeting the requirements of §§ 264.193 or 265.193 is installed.

[May 1987; Regulatory Cross References: 264.197(c), 264.193(a); 265.197(c), 265.193(a)]

RCRA-85 Dissolved vs. Entrained Metals Subject to the Land Disposal Restrictions

The land disposal restrictions in RCRA Section 3004(d) require that the California List wastes be banned from land disposal by July 8, 1987. Concentrations of nickel greater than 134 mg/l are subject to the ban. Is hazardous wastewater containing nickel dispersed by agitation, but not chemically in solution, included in the restriction?

Yes. It does not matter whether the nickel is chemically or physically contained in the wastewater. The ban applies to the total concentration of nickel in the filtrate as determined by subjecting a representative sample of wastewater to the Filter Liquids Test. If the facility were to settle out the pieces of nickel and lower the concentration of nickel below 134 mg/l, the wastewater would no longer be subject to the ban. Until treatment standards are finalized, this method of lowering the concentration is allowable.

[July 1987; Regulatory Cross Reference: 268.32]

RCRA-86 Domestic Sewage Exclusion

A RCRA hazardous waste is transported by truck accompanied by a Uniform Hazardous Waste Manifest to a publicly owned treatment works (POTW). Does the domestic sewage exclusion apply to this hazardous waste if it mixes with domestic sewage prior to treatment? Is the sludge generated from treating the RCRA hazardous waste and the domestic sewage a hazardous waste due to the "Derived-From Rule" (40 CFR 261.3(c) and (d))?



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

Thank you for your April 25, 1997 letter to Michele Anders requesting a written confirmation of the regulatory status of used parts washing solvent that is to be used for drum wash at Safety-Kleen's facilities without first being reclaimed. You asked whether the used parts washing solvent would be excluded from the definition of solid waste pursuant to 40 CFR §261.2(e)(1) when it is used as an effective substitute for a commercial product. Based on the information that you provided, it is the Agency's understanding that Safety-Kleen intends to collect used parts washing solvents from its customers. Some of the used parts washing solvent from designated customers would be used for drum washing at Safety-Kleen facilities. This used solvent designated for drum washing would be consolidated, but would not be reclaimed, prior to its use for drum washing. The solvents designated for drum washing would also be segregated (i.e., always in separate containers or tanks) from the other used solvents collected from Safety-Kleen's customers.

Because the material (i.e., used solvent continuing to be employed in solvent uses) remains a product, your question about the applicability of 40 CFR §261.2(e)(1) is moot. That regulatory section is intended to apply to secondary materials, which is not the case for used solvents that are not yet "spent."

The Agency has previously stated that when a used solvent is employed for another solvent use, this continued use indicates that the solvent remains a product. The used solvent in this case is a material continuing to be used as a solvent, the purpose for which it is intended, rather than a spent material being reused. Consequently, the used solvent to be employed for drum washing would not be considered a solid waste and would not be subject to the Resource Conservation and Recovery Act ("RCRA") Subtitle C hazardous waste regulations when generated, transported, or used. 50 Fed. Reg. 614, 624 (1985). Accordingly, used parts washing solvents that are collected and consolidated by Safety-Kleen and then used for drum washing without first being reclaimed would not be a RCRA solid waste.

In the case of shipments of used solvents in tanker trucks, if any part of a shipment of solvent is reclaimed, burned for energy recovery, or otherwise defined as solid or hazardous waste (as opposed to being directly used only for drum wash), the entire shipment must be managed according to the


applicable RCRA Subtitle C regulations. In situations in which used solvents collected from multiple sources are handled in separate drums or containers on the same truck, each container must be handled according to the applicable regulations (depending on how the solvent is to be used or managed), including hazardous waste manifest requirements. After the solvents have been used for drum washing, any residual solvents would be subject to a hazardous waste determination and must be managed according to the applicable RCRA Subtitle C requirements.

Furthermore, the Agency is aware of the potential for the "continued use" policy to be abused, and thus, notes that the continued use must be legitimate for the used solvents to be excluded from regulation as a solid waste. The Agency would consider the continued use of the used solvents for drum washing to be legitimate in situations in which: 1) the used solvents are effective for the drum-washing operation, especially if the used solvents substitute for solvents that would otherwise have to be purchased (if the used solvents would not be an effective washing agent for the drums, using the used solvents in lieu of other effective drum-washing agents would not be considered legitimate), 2) the used solvents are used only for washing drums that actually need it (if the used solvents are used as drum-washing agent when the drums do not need washing, using the used solvents would not be considered legitimate), and 3) the used solvents are not used in excess of what would normally be required to wash drums (if the used solvents are being used in excess of the amount of solvents needed for the drum-washing operation, e.g., more than would be necessary to wash the drums effectively, using the used solvents would not be considered legitimate).

The regulatory interpretation provided above is based on the U.S. EPA's interpretation of federal regulations. Some states in which the continued use of the used parts washing solvent occurs may have different regulatory requirements or interpretations. For case-specific determinations on the status of the continued use of the parts washing solvent for drum wash, please contact the appropriate state regulatory agency or EPA Regional Office.

If you have any questions or would like additional information, please contact Jeff Hannapel at (703) 308-8826.

Sincerely,


David Bussard
Director, Hazardous Waste Identification
Division
Office of Solid Waste



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 31 1998

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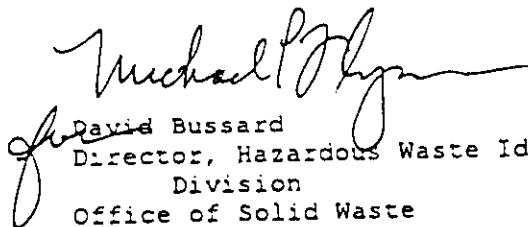
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Sincerely,


David Bussard
Director, Hazardous Waste Identification
Division
Office of Solid Waste



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WASHINGTON, D.C. 20460

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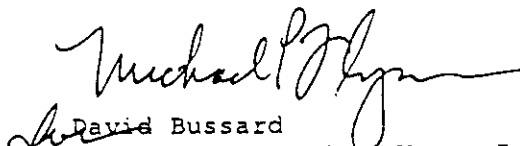
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Sincerely,


David Bussard
Director, Hazardous Waste Identification
Division
Office of Solid Waste

STATE OF COLORADO

Bill Owens, Governor
Jane E. Norton, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION
<http://www.cdphe.state.co.us/hm/>

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-3300
Fax (303) 759-5355

222 S. 6th Street, Room 232
Grand Junction, Colorado 81501-2768
Phone (970) 248-7164
Fax (970) 248-7198



Colorado Department
of Public Health
and Environment

May 10, 1999

Sean McMahon
Regional Manager, Denver
Safety-Kleen Corp.
3333 Quebec Street, Penthouse A
Denver, Colorado 80207

Dear Mr. McMahon:

Gary Baughman and I appreciated the opportunity to meet you and Catherine McCord on April 22 and to discuss Safety-Kleen's Continued Use Program. We now have a much better understanding of the program and the regulatory status of the solvents used in the program. We have reviewed the August 21, 1998 letter to Catherine McCord from David Bussard of the U.S. EPA (attached) and generally concur with the regulatory interpretation in that letter. We believe that if solvents are managed in the manner you have described for the Continued Use Program that they will qualify for being excluded as an effective substitute for a commercial product in accordance with 6 CCR 1007-3. Section 261.2(e)(1).

The steps that Safety-Kleen has taken to establish criteria for continued use of solvents and segregation of solvents in the continued use program from waste solvents will allow the solvents to not be considered solid wastes. The record keeping and automatic control features of the continued use program are also important for documenting the legitimate continued use of the solvent as an effective substitute for a commercial product.

If you have any questions regarding this matter, please feel free to contact me at (303) 692-3342.

Sincerely,

Frederick R. Dowsett
Compliance Coordinator

cc: Catherine A. McCord, Safety-Kleen
Attachment



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 31 1998

AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen
1000 North Randall Road
Elgin, Illinois 60123-7857

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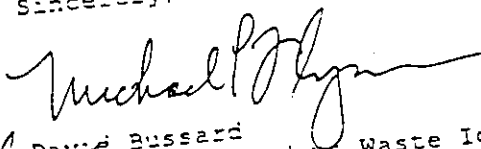
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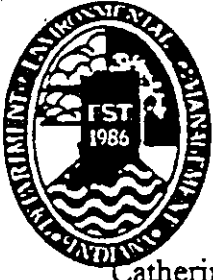
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Sincerely,


David Bussard
Director, Hazardous Waste Identification
Division
Office of Solid Waste



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

John M. Hamilton
Commissioner

Catherine A. McCord, Manager
Environment and Business Integration
Safety-Kleen Corp.
1000 North Randall Road
Elgin, Illinois 60123-7857

JUL 18 1997

ENVIRONMENTAL POLICY
AND GOVERNMENT RELATIONS

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

July 14, 1997

Dear Ms. McCord:

Re: Continued Use Program

This is in response to your letter of June 2, 1997, in which you were seeking confirmation of your interpretation of the hazardous waste rules, specifically 40 CFR 261.2(e)(1)(ii). Indiana has incorporated this federal provision in our rules at 329 IAC 3.1-6. Our understanding is that your company intends to directly reuse solvents which have been used by your customers for drum washing prior to filling them with product.

Your review of the applicable regulations and principals as they apply to this situation are consistent with the interpretation of these provisions as applied by this office. Information provided in your letter indicates that these used solvents will be used consistent with their original intended purpose as a cleaning solvent without prior reclamation. These solvents would not be a solid waste and therefore not subject to regulation as a hazardous waste.

Staff consider the documentation of claims that the materials are not solid waste as required by 40 CFR 261.2(f) as an important component of this exemption. Only those solvents which are legitimately reused are exempt. If the quantity of solvents collected from your customers under the exemption exceed that which is necessary for your use this office would consider this a sham situation. Excess solvents collected would be subject to regulation as a hazardous waste.

If you should have a question regarding this matter please contact Mr. Dave Berrey of this Department at 317-232-4417.

Sincerely,

Bruce Palin,
Acting Assistant Commissioner
Solid and Hazardous Waste Management

DWB



FEB 16 1998

State of Ohio Environmental Protection Agency

ENVIRONMENTAL POLICY
AND GOVERNMENT RELATIONS

MAILING ADDRESS

STREET ADDRESS:

1800 WaterMark Drive
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

P.O. Box 1049
Columbus, OH 43216-1049

February 2, 1998

Ms. Catherine McCord
Safety-Kleen Corporation
One Brinckman Way
Elgin, IL 60123-7857

Dear Ms. McCord:

This letter is in response to our meeting and your subsequent letter dated January 14, 1998, regarding Safety-Kleen's "Continued Use" program. You would like to know if Ohio EPA's Division of Hazardous Waste Management agrees with your interpretation of regulations with respect to this program.

It is my understanding that Safety-Kleen reuses some of their customers' used solvents in their drum washing program in Indiana. These solvents are used to clean scrap metal from drum shredding operations. Safety-Kleen would like to expand a similar program, the Continued Use program to branches across Ohio. The branches would be reusing parts cleaning solutions collected from customers to clean drums. After the solution is reused in the Continued Use program, it will be considered Safety-Kleen generated waste and will be recycled.

In Ohio, materials are not wastes when they can be shown to be recycled by being used or reused as effective substitutes for commercial products as stated in Ohio Administrative Code (OAC) rule 3745-51-02(E)(1)(b). Although, they must not be used in a manner constituting disposal, applied to the land, or accumulated speculatively (OAC 3745-51-02(E)(2)).

Safety-Kleen's use of the cleaning solutions are considered a continued use of the solutions. The parts cleaners are not considered a spent material. A "spent material" is defined in OAC rule 3745-51-01(C)(1) as any material that has been used and as a result of contamination can no longer serve the purpose for which it was produced without processing. U.S. EPA interprets "the purpose for which it was produced" to include all uses of the products that are similar to the original use of the particular batch of material in question. For example, in 50 FR 624, U.S. EPA discusses the continued use of solvents used to clean printed circuit boards. Although the solvents are not pure enough to be used again on the circuit boards, U.S. EPA agrees that they are still pure enough for similar applications (metal degreasers, etc.). Ohio EPA concurs with this

Ms. Catherine McCord
Safety-Kleen Corporation
February 2, 1998
Page 2

interpretation. Ohio EPA agrees that by being used in Safety-Kleen's Continued Use program, the cleaning solutions are serving their intended purpose.

Ohio EPA continues to encourage pollution prevention which includes environmentally friendly alternatives. If you have any questions, please contact Jeff Mayhugh or myself at (614) 644-2934.

Sincerely,



Wendy A. Miller
Compliance Assurance Section
Division of Hazardous Waste Management



Cal/EPA

Department of
Toxic Substances
Control

400 P Street,
4th Floor
P.O. Box 806
Sacramento, CA
95812-0806

March 23, 1998

Pete Wilson
Governor

Peter M. Rooney
Secretary for
Environmental
Protection

Mr. Scott E. Davies, P. G.
Regional Environmental Manager
Safety-Kleen Corporation
8795 Folsom Boulevard, Suite 108
Sacramento, California 95826

**"CONTINUED USE PROGRAM" FOR CONTINUING SOLVENT USE AS A
SUBSTITUTE FOR A PRODUCT**

Dear Mr. Davies:

This letter is to confirm your understanding that solvents employed in Safety-Kleen's proposed "Continued Use Program," may be excluded from the definition of waste pursuant to Health and Safety Code Section (HSC) 25143.2(b)(2). I met with you on February 17, 1998 for a discussion of this subject. The discussion is summarized below.

The "Continued Use Program" will involve a limited number of customers within a Safety-Kleen service center area. These particular customers will relinquish designated solvent to their Safety-Kleen representative¹ who will transport it to the Safety-Kleen service center and add it to the drum-cleaning solvent reservoir.² Drum cleaning solvent, whether new solvent or "continued use" solvent used as a safe and effective substitute for a product, is used only once to clean drums before it becomes a regulated hazardous waste.³

When used as drum cleaner the "continued use" solvent is used as a safe and effective substitute for a commercial product and is therefore conditionally excluded from classification as waste pursuant to HSC Section 25143.2(b)(2). In Safety-Kleen's proposed "Continued Use Program" the commercial product substituted for is clean drum-washing grade solvent.

¹ You indicated that the "continued use" solvent would be handled separately from other materials in order to be shipped using a bill of lading; therefore the "Continued Use" solvent must be in separate containers from waste solvent.

² Although the drum cleaning operations of a service center will fluctuate, the quantity of solvent needed will have been anticipated. We would view excessive accumulations in the drum cleaning reservoir as an indication of sham recycling.

³ You have stated that the "continued use" solvent will be used to clean drums only once. Because the "continued use" solvent must be a safe and effective substitute for a product, I have surmised that the product for which it substitutes is also only used once. If the "continued use" solvent does not perform as well as new product for drum cleaning, it is not an effective substitute.



Printed on Recycled Paper

Mr. Scott E. Davies, P. G.


March 23, 1998

Page 2

Please note that HSC Sections 25143.9 and 25143.10 apply to the "continued use" operation which qualifies this particular reused solvent to be excluded from the definition of waste.

It was a pleasure meeting with you and Ms. Marty White. If I can be of further assistance to you, please contact me at (916) 324-1806 or write to me at the letterhead address.

Sincerely,


Norman J. Riley, Chief
Resource Recovery Section

cc: Ms. Paula Rasmussen, Chief
State Regulatory Program Division
Department of Toxic Substances Control
245 West Broadway, Suite 425
Long Beach, California 90802

Mr. Larry Matz, Chief
Statewide Compliance Division
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Mr. Donald A. Johnson, Chief
State Regulatory Branch
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

JAMES E. BICKFORD
SECRETARY



PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
14 REILLY RD
FRANKFORT KY 40601-1190

April 6, 1998

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen Corp.
One Brinckman Way
Elgin, Illinois 60123-7857

Re: Branch-Based Continued Use Program
Request for Additional Information

Dear Ms. McCord:

Thank you for your letter requesting our formal regulatory interpretation regarding the management of spent cleaning solutions, removed from Safety-Kleen's Kentucky customers, as cleaning solutions to clean drums within the Safety-Kleen system.

We appreciate the information you presented to us in the December meeting, but before we could finalize our decision, additional information is needed regarding the following:

1. A demonstration of compliance with 401 KAR 31:010, Section 2 (5) (b). This may include information such as the quantities and percentages of this waste/material used for this purpose, and corresponding record keeping to ensure the compliance with the speculative accumulation requirements.
2. A demonstration of the effectiveness of this substitute material. Provide a detailed comparison of the minimum quantities consumed by the redesigned drum washer using the spent mineral spirit versus that of the virgin product. To further demonstrate the effectiveness of this spent mineral spirit, wipe sample test results of a drum cleaned by a virgin product versus that of a drum washed with the spent material may prove necessary.
3. Spill prevention that is protective of the human health and the environment (KAR 31:010, Section 10 (d)). Provide detailed plans and discussion concerning measures to be taken while the material is being managed at the site. This may include information regarding any secondary containment, precaution taken during the handling of the material, and other relevant information required in the contingency plan.
4. Flow diagram(s) indicating the type of facilities envisioned to manage this material/waste. In this, please clarify if Safety-Kleen will manage this material/waste at its non-permitted storage/treatment facility where the material may commingle with other wastes (hazardous wastes) in the hazardous waste management unit(s), i.e., at the Louisville Eiler Avenue transfer facility.



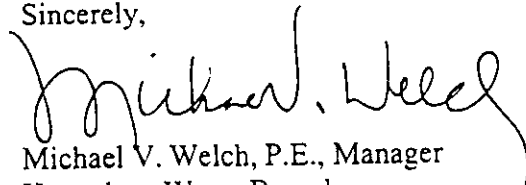
Ms. Catherine A. McCord
April 6, 1998
Page 2

5. A demonstration of how the unmanifested waste issues should be addressed pursuant to 401 KAR 34:050, Section 7. How would Safety-Kleen ensure that the waste/material it receives is of the same characteristics of the material required to clean the drums, and if not, how would Safety-Kleen manage this waste/material?
6. It is our understanding that the hazardous waste generated by the receiving installation(s) will increase substantially. Please demonstrate how this may or may not conflict with the waste minimization program(s) that receiving branches/facility(s) may have in-place.
7. Is all the hazardous waste generated at the branches/facilities, as a result of this activity, destined for distillation?
8. Please demonstrate how Safety-Kleen intends to be in compliance with applicable air emission standards while managing this material/waste.

This determination may not apply if this above mentioned secondary material is mismanaged contrary to intention of this submittal and may cause it to become a waste that is subject to a hazardous waste determination. In addition, this determination shall not relieve the applicant from obtaining any other permits from any other agency within the Commonwealth.

If you have any questions regarding this correspondence, please do not hesitate to contact George W. Wakim at (502) 564-6716 ext. 674.

Sincerely,



Michael V. Welch, P.E., Manager
Hazardous Waste Branch
Division of Waste Management

MVW/GW

c: Caron Falconer, US EPA Region IV
Abbie Meyer, Hazardous Waste Branch
Ron Gruzesky, Hazardous Waste Branch
Dale Burton, Hazardous Waste Branch
Massoud Shoa, Hazardous Waste Branch
Hannah Helm, Field Operations Branch
Keith Crabtree, Florence Regional Office
Patrick Keely, Safety Kleen
Central Files: Fayette, Boyd, Jefferson, & Henry Counties

Barry R. McBee, Chairman
R. B. "Ralph" Marquez, Commissioner
John M. Baker, Commissioner
Jeffrey A. Saltas, Executive Director



Jesse Boultinghouse

Sen. Corn,
JH/W

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

February 1, 1999

Mr. Timothy F. Kent
District EHS Manager
Safety-Kleen
One Brinckman Way
Elgin, IL 60123-7857

Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

Dear Mr. Kent:

This is in response to your December 18, 1998 letter regarding Safety-Kleen's recycling of solvents through its "Continued Use Program".

According to the information in your letter, the information provided by Ms. Catherine McCord and the information provided in a December 8, 1998 meeting between representatives from Safety-Kleen and the Texas Natural Resource Conservation Commission (TNRCC):

- ▶ Safety-Kleen has historically used waste parts washer solvent (mineral spirits) to washout and clean drums in which parts washer solvents arrive at Safety-Kleen sites. Based upon the experience gained in doing so, the results of an engineering study conducted by Safety-Kleen, customer requests and a thorough researching of RCRA rules, Safety-Kleen has developing what it calls the "Continued Use Program";
- ▶ The dual objectives of the Continued Use Program are: (1) to provide qualified Safety-Kleen customers with a means by which they can recycle their parts washer solvent and at the same time legitimately exempt the solvent from the definition of a solid waste (thus realizing relief from most regulatory requirements) and (2) to allow Safety-Kleen a legitimate means of meeting the challenge posed by some of its competitors who offer their customers the option of exempting their parts washer solvent from the definition of a solid waste (thus giving them a potential marketing advantage over Safety-Kleen);
- ▶ Upon its arrival at a Safety-Kleen site, the first step in the actual physical processing of parts washer solvent in the Continued Use Program occurs when the solvent is emptied from drums which have a capacity from 16 to 30 gallons into a vat that is physically separated from the entry point for solvent which is not from the Continued Use Program;

Mr. Timothy F. Kent

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February 1, 1999

Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

- ▶ By contractual agreement with its customers, Safety-Kleen allows only parts washer solvent to enter the Continued Use Program and all customers who wish to participate in it are required to avoid allowing any foreign materials (e.g., paper, rags, metal parts etc.) to contaminate the Continued Use Program solvent. Customers who do not agree to these terms are not allowed to participate in the Continued Use Program. Customers already participating in the Continued Use Program who fail to abide by these terms are removed from the Continued Use Program by Safety-Kleen;
- ▶ The solvents from the Continued Use Program and those which are not part of the Continued Use Program sources enter the drum cleaning operation at two physically *separate* points. Solvents which are not part of the Continued Use Program enter the "wet dumpster" portion of the "drum washer/wet dumpster" unit shown in the diagram entitled, "Proposed Alternative Operations" that accompanied your letter.

Solvent from the Continued Use Program vat is pumped into the drum washer portion of the aforementioned unit and is sprayed by a nozzle into the drum washer to clean the aforementioned drums. The drum washer portion is located *prior* to the wet dumpster portion of the unit. The reusable solvent is transferred from the reuse vat by a submersible pump.

The vat contains a "gross mesh" screen. Its sole purpose of the screen is to protect the pump. The screen does *not* function as a separation mechanism. The fact that participants in the Continued Use Program are required to keep foreign materials such as paper, rags, metal parts etc. from entering Continued Use Program solvent combined with the fact that the aforementioned screen is essential to the protection of the pump system means that no reclamation occurs at any point in the Continued Use Program until after the cleaning of the aforementioned drums;

- ▶ When the quantity of solvent in the Continued Use Program vat falls below a preset level, an electronic sensor automatically shuts off the flow of Continued Use Program solvent to the nozzle and non-Continued Use Program solvent is then pumped from the non-Continued Use Program vat into the nozzle to clean the drums. The segregation of the Continued Use Program solvent and the solvent from the non-Continued Use Program insure that only *after* the drums have been cleaned does the solvent from the Continued Use Program and solvent that is not part of the Continued Use Program come into contact;

Mr. Timothy F. Kent

Page 3

February 1, 1999

Re: Safety-Kleen's Continued Use Program.
Technical Analysis File Number 1-99

- Once the solvent has been used to clean the drums, Safety-Kleen acknowledges that all of it meets the definition of a spent material as defined in 40 Code of Federal Regulations (CFR) Section § 261.1(c)(1)/30 Texas Administrative Code (TAC) § 335.17(a)(1). Furthermore, Safety-Kleen acknowledges that it will be the generator of the spent solvent and all wastes associated with it (e.g., sludges from the reclamation of the spent solvent);
- From the results of its engineering study, Safety-Kleen has determined the volume of parts washer solvent necessary to clean a given size drum. This volume multiplied by the number of drums to be cleaned provides each Safety-Kleen site with the maximum volume of solvent that the site can accept into its Continued Use Program. As an added measure of control, each site's maximum capacity is monitored by Safety-Kleen's Branch Automation Program which tracks the amount of Continued Use Program solvent coming into a given site. This plus the site's own monitoring efforts will insure that the site does not accept more solvent than it can legitimately use to clean the drums that arrive at that site;
- Once cleaned, the drums are then refilled with fresh solvent; and
- Safety-Kleen wishes for the TNRCC to confirm that the portion of parts washer solvent in the Continued Use Program is exempt from being a solid waste pursuant to 40 CFR §261.1(e)(1)/30 TAC §335.1(F)(1).

Based upon the aforementioned information, the TNRCC has concluded that there is no reason at this time to object to Safety-Kleen or its customers exempting from the definition of a solid waste parts washer solvent participating in Safety-Kleen's Continued Use Program provided that the following points (many of which are discussed in an August 21, 1998 letter from Mr. David Bussard of the Environmental Protection Agency (EPA) to Ms. Catherine McCord of regarding Safety-Kleen's Continued Use Program) about Safety-Kleen's Continued Use Program are taken into consideration:

- The solvent in the Continued Use Program would be considered by the TNRCC to be exempt from being a solid waste only if it has the capacity to function effectively as a solvent in the aforementioned drum cleaning operation. The TNRCC would not consider solvent used in the Continued Use Program which had lost all or the great majority of its solvent properties (e.g., through contamination) to be exempt from being a solid waste;
- The solvent in the Continued Use Program must be used only for washing drums that actually need it and only in quantities sufficient to wash the aforementioned drums. The TNRCC would not consider solvent used in excess of that which would normally be required to wash the drums to be exempt from being a solid waste;

Mr. Timothy F. Kent

Page 4

February 1, 1999

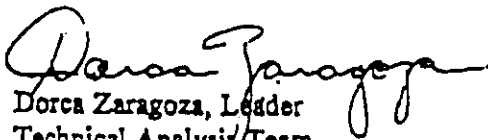
Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

- Solvent in the Continued Use Program and solvent which is not in the Continued Use Program must be kept physically separated until they exit the drum washer portion of the aforementioned unit. Each container of the two types of solvents must be handled according to the applicable state and federal rules. If any portion of the Continued Use Program solvent is reclaimed, burned for energy recovery or used in a manner which would otherwise cause it to be a solid waste (as opposed to being directly used only for drum wash), then it is a solid waste and must be managed accordingly; and
- The TNRCC wishes to especially emphasize to Safety-Kleen the importance of *properly creating and maintaining the documentation to show that it is complying with all applicable state and federal regulations (including those implied in the aforementioned points) at all times and at all of its sites.*

On behalf of the TNRCC, I wish to thank you, the other representatives of Safety-Kleen (most notably Ms. McCord who met and communicated on several occasions with Mr. Boultinghouse of the Technical Analysis Team) and Safety-Kleen for your efforts to promote and encourage legitimate recycling of parts washer solvents in Texas.

If you have any questions regarding this matter, please contact Mr. Jesse Boultinghouse of the Technical Analysis Team at (512) 239-6832.

Sincerely,



Dorca Zaragoza, Leader
Technical Analysis Team
Waste Evaluation Section
Registration and Evaluation Division

DZ/JKB/tgk

cc: Ms. Catherine McCord, Director, Business and Environmental Management, Safety-Kleen Corporation, 1000 North Randall Road, Elgin, IL 60123



Office of Waste Management
Compliance Assurance and Emergency Response
1356 Hansford Street
Charleston, WV 25301-1401
304-558-5989/Fax 304-558-0256

West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael P. Miano
Director

April 20, 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Catherine A. McCord
Manager, Environment and Business Integration
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

I have received your letter of April 2, 1999 in which you address a number of concerns regarding Safety-Kleen's Continued Use Program that I raised in our telephone conversation of April 2, 1999. This letter is to grant provisional approval to that program.

Your responses to my questions eased my concerns about the structure of the program and its ability to limit the amount of reused solvent to the quantity necessary to clean the drums. This office will monitor the program for approximately one year, however, to insure that safeguards are indeed working before granting unconditional approval.

Please notify me when Safety Kleen begins the program in West Virginia so that we can begin observing the process.

I hope that this information is helpful to you. If I can be of any further assistance, please contact me at (304) 558-5989.

Sincerely,

H. Michael Dorsey, Assistant Chief
Compliance Assurance and Emergency Response

HMD/kw

cc: Tom Fisher
Stan Moskal
Mike Stratton

"To use all available resources to protect and restore West Virginia's environment in concert with the needs of present and future generations."



West Virginia
Division of
Environmental Protection



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

Thank you for your April 25, 1997 letter to Michele Anders requesting a written confirmation of the regulatory status of used parts washing solvent that is to be used for drum wash at Safety-Kleen's facilities without first being reclaimed. You asked whether the used parts washing solvent would be excluded from the definition of solid waste pursuant to 40 CFR §261.2(e)(1) when it is used as an effective substitute for a commercial product. Based on the information that you provided, it is the Agency's understanding that Safety-Kleen intends to collect used parts washing solvents from its customers. Some of the used parts washing solvent from designated customers would be used for drum washing at Safety-Kleen facilities. This used solvent designated for drum washing would be consolidated, but would not be reclaimed, prior to its use for drum washing. The solvents designated for drum washing would also be segregated (i.e., always in separate containers or tanks) from the other used solvents collected from Safety-Kleen's customers.

Because the material (i.e., used solvent continuing to be employed in solvent uses) remains a product, your question about the applicability of 40 CFR §261.2(e)(1) is moot. That regulatory section is intended to apply to secondary materials, which is not the case for used solvents that are not yet "spent."

The Agency has previously stated that when a used solvent is employed for another solvent use, this continued use indicates that the solvent remains a product. The used solvent in this case is a material continuing to be used as a solvent, the purpose for which it is intended, rather than a spent material being reused. Consequently, the used solvent to be employed for drum washing would not be considered a solid waste and would not be subject to the Resource Conservation and Recovery Act ("RCRA") Subtitle C hazardous waste regulations when generated, transported, or used. 50 Fed. Reg. 614, 624 (1985). Accordingly, used parts washing solvents that are collected and consolidated by Safety-Kleen and then used for drum washing without first being reclaimed would not be a RCRA solid waste.

In the case of shipments of used solvents in tanker trucks, if any part of a shipment of solvent is reclaimed, burned for energy recovery, or otherwise defined as solid or hazardous waste (as opposed to being directly used only for drum wash), the entire shipment must be managed according to the

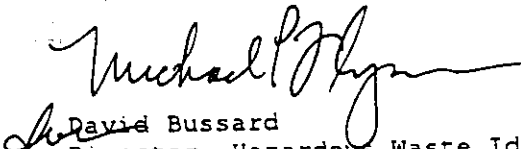
applicable RCRA Subtitle C regulations. In situations in which used solvents collected from multiple sources are handled in separate drums or containers on the same truck, each container must be handled according to the applicable regulations (depending on how the solvent is to be used or managed), including hazardous waste manifest requirements. After the solvents have been used for drum washing, any residual solvents would be subject to a hazardous waste determination and must be managed according to the applicable RCRA Subtitle C requirements.

Furthermore, the Agency is aware of the potential for the "continued use" policy to be abused, and thus, notes that the continued use must be legitimate for the used solvents to be excluded from regulation as a solid waste. The Agency would consider the continued use of the used solvents for drum washing to be legitimate in situations in which: 1) the used solvents are effective for the drum-washing operation, especially if the used solvents substitute for solvents that would otherwise have to be purchased (if the used solvents would not be an effective washing agent for the drums, using the used solvents in lieu of other effective drum-washing agents would not be considered legitimate), 2) the used solvents are used only for washing drums that actually need it (if the used solvents are used as drum-washing agent when the drums do not need washing, using the used solvents would not be considered legitimate), and 3) the used solvents are not used in excess of what would normally be required to wash drums (if the used solvents are being used in excess of the amount of solvents needed for the drum-washing operation, e.g., more than would be necessary to wash the drums effectively, using the used solvents would not be considered legitimate).

The regulatory interpretation provided above is based on the U.S. EPA's interpretation of federal regulations. Some states in which the continued use of the used parts washing solvent occurs may have different regulatory requirements or interpretations. For case-specific determinations on the status of the continued use of the parts washing solvent for drum wash, please contact the appropriate state regulatory agency or EPA Regional Office.

If you have any questions or would like additional information, please contact Jeff Hannapel at (703) 308-8826.

Sincerely,


David Bussard
Director, Hazardous Waste Identification
Division
Office of Solid Waste



April 25, 1997

via Federal Express

Ms. Michele Anders, Chief
Generator and Recycling Branch
U.S. Environmental Protection Agency
Office of Solid Waste
401 M Street, S.W.
Washington, D.C. 20460

RE: Written Confirmation of Regulatory Interpretation of 40 CFR 261.2(e)(1)

Dear Ms. Anders:

Safety-Kleen is submitting the following information as Confidential Business Information and has been labeled as such pursuant to 40 CFR Part 2, Subpart B, Section 2.203(b).

The purpose of this letter is to follow up on an April 16 telephone conversation with Mr. Jeff Hannaple about a regulatory interpretation and to request that the interpretation Mr. Hannaple provided be confirmed in writing. The regulatory interpretation was provided in response to Safety-Kleen's request on how used parts washing solvent that was used for drum washing would be regulated, if it was used for the drum washing activity prior to any reclamation.

As previously discussed, Safety-Kleen collects used solvents from customers' parts cleaning operations and consolidates such materials at one of our branch collection facilities for shipment to one of our recycle centers. It is our intent to use a certain quantity of this material for washing drums prior to re-filling them with product. The quantity of solvent used in this manner will be dictated by the volume needed to wash a drum and the total number of drums used to service our customers. None of the solvent used in this manner will be reclaimed prior to its use as drum wash. Safety-Kleen will establish criteria for the amount and type of material to be used for this purpose.

Safety-Kleen believes that the parts washer solvent to be used in this manner is excepted from the definition of solid waste because it will be "used or reused as an effective substitute for [1] commercial product[s]..." (40 CFR 261.2(e)(1)). The preamble to the Definition of Solid Waste, dated January 4, 1985 (50 FR 619), discusses the use of substitutes for commercial products in the following manner:

"When secondary materials are directly used as substitutes for commercial products, we [the Agency] also believe these materials are functioning as raw materials and therefore are outside of RCRA's jurisdiction and thus, are not wastes."

Ms. Michele Anders

Page 2

April 23, 1997

Contains Confidential Business Information Pursuant to 40 CFR Part 2, Subpart B

Page 637 of the preamble also states,

When secondary materials are directly used (or, in the case of previously used materials, reused)... they function as raw materials in normal manufacturing operations or as products in normal commercial applications. We [the Agency] reiterate these positions in the final regulation. These direct use recycling situations represent exceptions to the general principle that accumulated hazardous secondary materials are hazardous wastes.

The final rule consequently states that secondary materials used as ingredients or used directly as commercial products are not wastes and are outside the Agency's RCRA jurisdiction. They thus are not subject to RCRA Subtitle C regulations when generated, transported, or used..."

See also attached guidance from the RCRA/Superfund Hotline.

The discussion on page 624 of the preamble, addresses "continued-use" when distinguishing between spent materials from those that are still fit for use,

"...where solvents used to clean circuit boards are no longer pure enough for that continued use, but are still pure enough for use as metal degreasers. These solvents are not spent materials when used for metal degreasing. The practice is simply continued use of a solvent. (This is analogous to using/reusing a secondary material as an effective substitute for commercial products.)"

We request that EPA confirm in writing that the solvent Safety-Kleen intends to use for drum wash in the manner described above is not a solid waste pursuant to 40 CFR 261.2(e)(1) and thus not a hazardous waste when it is being used as an effective substitute for a commercial product.

Please contact me at (847) 468-2245, if you have any questions.

Sincerely,

Catherine A. McCord, Manager
Environment and Business Integration

Attachment

cc: Jeff Hannaple

ment must be installed with special leak detection and collection systems, many existing tank systems may not have the capability to detect and contain releases. Do the new July 14, 1986 regulations have any leak testing requirements for existing tank systems prior to installation of secondary containment?

Yes. The new hazardous waste tank regulations do provide for leak testing in existing tank systems prior to installation of secondary containment. 40 *CFR* 264.193(i) and 265.193(i) require all existing tank systems to be evaluated in some manner. Non-enterable underground tanks must be tested for leaks at least annually. All other tanks (aboveground and enterable underground tanks) under interim status must be leak-tested, inspected internally, and tested for cracks, leaks, corrosion and erosion at least annually. Other permitted tanks must be either leak-tested or placed on a schedule for overall integrity assessments. The frequency of assessments would depend on the construction of the tank, the age of the system, the type of waste stored or treated, the type of corrosion or erosion, and the rate of corrosion or erosion of the tank. The annual leak testing requirement also applies to floating roof equipment. In addition, § 264.191 and § 265.191 require the owner/operator of an existing tank system that does not have a secondary containment system meeting the requirements of §§ 264.193 and 265.193 to obtain a written assessment of the tank system's integrity by January 12, 1988. All assessments must be certified by an independent registered professional engineer and must be kept on file at the facility.

[December 1986; Regulatory Cross References: 264.193(i), 265.193(i), 264.191, 265.191]

RCRA-78 Existing Units, Replacement Units, and Minimum Technology Standards

The owner/operator of an existing landfill unit which is holding F006 waste, wants to remove all the waste from the unit in order to stabilize it. Once the waste is stabilized, it will be put back in the same landfill and the landfill will then be used for other waste. Will this action change the status of the landfill from an existing unit to a replacement unit? If the landfill was the only unit at the site, would it have to meet minimum technology requirements under Section 3004(u) of RCRA if the stabilized waste is replaced?

A unit is considered a replacement if it is taken out of service and all or substantially all waste is removed from the unit. If the removal, stabilization, and replacement of the waste is part of closure, and no new waste is being placed in the landfill, then EPA does not consider that the unit has been "reused." Therefore, the landfill would retain its status as an existing unit and would not have to meet minimum technology standards prior to replacing the waste.

[Ed. Note: On January 29, 1992 (57 *FR* 3462), EPA promulgated liner and leak detection system standards for landfills, surface impoundments, and waste piles, effective July 29, 1992. As part of that rulemaking, EPA codified a definition of "replacement unit" that is essentially the same as the one described here.]

[December 1986; Regulatory Cross References: 260.10 "replacement unit," 264.301, 264.310, 265.301(a), 265.310]

RCRA-79 Land Disposal Definition

How is land disposal defined regarding the Section 3004(d) RCRA land disposal restrictions?

Land disposal is defined to include, but not be limited to, any placement of hazardous waste in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt dome formation, or underground mine or cave (Section 3004(d)). EPA also considers placement of hazardous wastes in concrete vaults or bunkers intended for disposal purposes to be land disposal. Waste management subject to the land disposal restrictions. However, EPA does not consider open detonation or incineration to be land disposal. EPA has concluded that the land disposal restrictions are not applicable to open detonation and open burning [51 *FR* 40580].

[December 1986; Regulatory Cross Reference: 268.2(c)]

RCRA-80 Lab Packs and the Land Disposal Prohibitions

Are lab packs containing wastes restricted from land disposal included in the land disposal restrictions?

Neither the legislative history nor the statute indicates that lab packs can be excluded from the land disposal restrictions if they contain restricted wastes. If a lab pack contains these restricted wastes, the entire lab pack is subject to the land disposal restrictions [51 *FR* 40585].

[December 1986; Regulatory Cross Reference: 268.1(a)]

RCRA-81 Definition of Solid Waste

A generator generates a 5% solution of sodium hydroxide from his metal cleaning operation. Another facility can use this waste as a substitute for a commercial product in their process of cleaning out tanks, except the waste is too dilute to be effective. If the generator adds 5% sodium hydroxide to his waste to make a 10% solution, would this material be considered a solid waste?

According to § 261.2(e)(1)(ii), materials are not solid waste when they can be shown to be recycled by being used reused as effective substitutes for commercial products. The waste is employed in a particular function or application as an effective substitute for a commercial product (40 *CFR* 261.1(c)(5)(ii)). Since it would function as a product in a normal commercial use, it would not be a solid waste and is not subject to RCRA Subtitle C regulations when generated, transported or used (unless accumulated speculatively).

[May 1987; Regulatory Cross References: 261.2(e)(1)(ii), 261.1(c)(5)(ii)]

RCRA-82 Disposal Prior to November 19, 1980

A tank owner closed a tank which contained waste solvent in 1977. The waste solvent was an unlisted, ignitable waste (D00) which was pumped out of the tank. Some ignitable residues remained in the tank. The tank was sealed and has not been used since 1977. Is the tank a RCRA disposal facility?

The preamble of the May 19, 1980 *Federal Register* (40 *CFR* 264 and 265, page 33170) specifically states that the regulatory scheme of Subtitle C is prospective, i.e., it applies to hazardous waste management which takes place after the effective date of the Subtitle C regulations. Inactive (either closed or abandoned) disposal facilities could be subject to RCRA Section 7003 enforcement authorities and CERCLA. If the tank was closed in accordance with existing industry practices, it would be an inactive disposal facility not subject to RCRA Subtitle C regulation unless the waste in the tank is subsequently managed in a manner that would constitute treatment, storage or disposal.

[May 1987; Regulatory Cross Reference: 265.197]

RCRA-83 Hazardous Waste Tanks

An existing above-ground hazardous waste tank is moved to another location at the same facility. Does it become subject to new tank standards when it is moved? What would the situation be if the tank was underground?

For both above-ground and underground tanks, the tank would be classified as a new tank after being moved and reinstalled (see 50 *FR* 25446, July 14, 1986). The tank would be subject to the requirements for new tank systems. The tank would have to be reinstalled with secondary containment meeting the requirements specified in §§ 264.193(a) or 265.193.

[May 1987; Regulatory Cross References: 264.190, 265.190]

RCRA-84 Applicability of Contingent Closure and Post-Closure Plans for Tanks

Section 264.197(c)(1) and (2) requires that, unless a tank has secondary containment, a contingent plan for closure as a landfill or a contingent post-closure plan must be prepared. 40 *CFR* 264.193(a)(3) requires that an existing tank be retrofitted with secondary containment by the time it reaches 15 years of age. If the owner of an existing tank is planning to install secondary containment before the tank reaches 15 years of age, is the owner/operator required to prepare the contingent plans?

Yes. The contingent closure and contingent post-closure plans are required for all tanks not having secondary containment even if the owner/operator is planning on installing secondary containment. The plans would be required until the secondary containment meeting the requirements of §§ 264.193 or 265.193 is installed.

[May 1987; Regulatory Cross References: 264.197(c), 264.193(a); 265.197(c), 265.193(a)]

RCRA-85 Dissolved vs. Entrained Metals Subject to the Land Disposal Restrictions

The land disposal restrictions in RCRA Section 3004(d) require that the California List wastes be banned from land disposal by July 8, 1987. Concentrations of nickel greater than 134 mg/l are subject to the ban. Is hazardous wastewater containing nickel dispersed by agitation, but not chemically in solution, included in the restriction?

Yes. It does not matter whether the nickel is chemically or physically contained in the wastewater. The ban applies to the total concentration of nickel in the filtrate as determined by subjecting a representative sample of wastewater to the Filter Liquids Test. If the facility were to settle out the pieces of nickel and lower the concentration of nickel below 134 mg/l, the wastewater would no longer be subject to the ban. Until treatment standards are finalized, this method of lowering the concentration is allowable.

[July 1987; Regulatory Cross Reference: 268.32]

RCRA-86 Domestic Sewage Exclusion

A RCRA hazardous waste is transported by truck accompanied by a Uniform Hazardous Waste Manifest to a publicly owned treatment works (POTW). Does the domestic sewage exclusion apply to this hazardous waste if it mixes with domestic sewage prior to treatment? Is the sludge generated from treating the RCRA hazardous waste and the domestic sewage a hazardous waste due to the "Derived-From Rule" (40 *CFR* 261.3(c) and (d))?

STATE OF COLORADO

Bill Owens, Governor
Jane E. Norton, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION
<http://www.cdphe.state.co.us/hm/>

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-3300
Fax (303) 759-5355

222 S. 6th Street, Room 232
Grand Junction, Colorado 81501-2768
Phone (970) 248-7164
Fax (970) 248-7198



Colorado Department
of Public Health
and Environment

May 10, 1999

Sean McMahon
Regional Manager, Denver
Safety-Kleen Corp.
3333 Quebec Street, Penthouse A
Denver, Colorado 80207

Dear Mr. McMahon:

Gary Baughman and I appreciated the opportunity to meet you and Catherine McCord on April 22 and to discuss Safety-Kleen's Continued Use Program. We now have a much better understanding of the program and the regulatory status of the solvents used in the program. We have reviewed the August 21, 1998 letter to Catherine McCord from David Bussard of the U.S. EPA (attached) and generally concur with the regulatory interpretation in that letter. We believe that if solvents are managed in the manner you have described for the Continued Use Program that they will qualify for being excluded as an effective substitute for a commercial product in accordance with 6 CCR 1007-3, Section 261.2(e)(1).

The steps that Safety-Kleen has taken to establish criteria for continued use of solvents and segregation of solvents in the continued use program from waste solvents will allow the solvents to not be considered solid wastes. The record keeping and automatic control features of the continued use program are also important for documenting the legitimate continued use of the solvent as an effective substitute for a commercial product.

If you have any questions regarding this matter, please feel free to contact me at (303) 692-3342.

Sincerely,

Frederick R. Dowsett
Compliance Coordinator

cc: Catherine A. McCord, Safety-Kleen
Attachment



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 31 1998

AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

Thank you for your April 25, 1997 letter to Michele Anders requesting a written confirmation of the regulatory status of used parts washing solvent that is to be used for drum wash at Safety-Kleen's facilities without first being reclaimed. You asked whether the used parts washing solvent would be excluded from the definition of solid waste pursuant to 40 CFR §261.2(e)(1) when it is used as an effective substitute for a commercial product. Based on the information that you provided, it is the Agency's understanding that Safety-Kleen intends to collect used parts washing solvents from its customers. Some of the used parts washing solvent from designated customers would be used for drum washing at Safety-Kleen facilities. This used solvent designated for drum washing would be consolidated, but would not be reclaimed, prior to its use for drum washing. The solvents designated for drum washing would also be segregated (i.e., always in separate containers or tanks) from the other used solvents collected from Safety-Kleen's customers.

Because the material (i.e., used solvent continuing to be employed in solvent uses) remains a product, your question about the applicability of 40 CFR §261.2(e)(1) is moot. That regulatory section is intended to apply to secondary materials, which is not the case for used solvents that are not yet "spent."

The Agency has previously stated that when a used solvent is employed for another solvent use, this continued use indicates that the solvent remains a product. The used solvent in this case is a material continuing to be used as a solvent, the purpose for which it is intended, rather than a spent material being reused. Consequently, the used solvent to be employed for drum washing would not be considered a solid waste and would not be subject to the Resource Conservation and Recovery Act ("RCRA") Subtitle C hazardous waste regulations when generated, transported, or used. 50 Fed. Reg. 614, 624 (1985). Accordingly, used parts washing solvents that are collected and consolidated by Safety-Kleen and then used for drum washing without first being reclaimed would not be a RCRA solid waste.

In the case of shipments of used solvents in tanker trucks, if any part of a shipment of solvent is reclaimed, burned for energy recovery, or otherwise defined as solid or hazardous waste (as opposed to being directly used only for drum wash), the entire shipment must be managed according to the

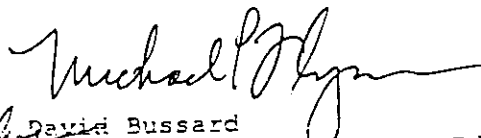
applicable RCRA Subtitle C regulations. In situations in which used solvents collected from multiple sources are handled in separate drums or containers on the same truck, each container must be handled according to the applicable regulations (depending on how the solvent is to be used or managed), including hazardous waste manifest requirements. After the solvents have been used for drum washing, any residual solvents would be subject to a hazardous waste determination and must be managed according to the applicable RCRA Subtitle C requirements.

Furthermore, the Agency is aware of the potential for the "continued use" policy to be abused, and thus, notes that the continued use must be legitimate for the used solvents to be excluded from regulation as a solid waste. The Agency would consider the continued use of the used solvents for drum washing to be legitimate in situations in which: 1) the used solvents are effective for the drum-washing operation, especially if the used solvents substitute for solvents that would otherwise have to be purchased (if the used solvents would not be an effective washing agent for the drums, using the used solvents in lieu of other effective drum-washing agents would not be considered legitimate), 2) the used solvents are used only for washing drums that actually need it (if the used solvents are used as drum-washing agent when the drums do not need washing, using the used solvents would not be considered legitimate), and 3) the used solvents are not used in excess of what would normally be required to wash drums (if the used solvents are being used in excess of the amount of solvents needed for the drum-washing operation, e.g., more than would be necessary to wash the drums effectively, using the used solvents would not be considered legitimate).

The regulatory interpretation provided above is based on the U.S. EPA's interpretation of federal regulations. Some states in which the continued use of the used parts washing solvent occurs may have different regulatory requirements or interpretations. For case-specific determinations on the status of the continued use of the parts washing solvent for drum wash, please contact the appropriate state regulatory agency or EPA Regional Office.

If you have any questions or would like additional information, please contact Jeff Hannapel at (703) 308-8826.

Sincerely,


David Bussard
Director, Hazardous Waste Identification
Division
Office of Solid Waste

HIGH FLASH HYDROCARBON BLEND STOCK
MATERIAL SAFETY DATA SHEET FOR USA AND CANADA



SECTION 1: CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

PRODUCT NAME: HIGH FLASH HYDROCARBON BLEND STOCK

SYNONYMS: Parts Washer Solvent; Petroleum Distillates; Petroleum Naphtha; Naphtha, Solvent; Stoddard Solvent; Mineral Spirits.

PRODUCT PART NUMBERS: Not available.

PRODUCT USE: Cleaning and degreasing metal parts.
If this product is used in combination with other chemicals, refer to the Material Safety Data Sheets for those chemicals.

24-HOUR EMERGENCY TELEPHONES

These numbers are for emergency use only. If you desire non-emergency information about this product, please call a telephone number listed below.

MEDICAL:

1-800-752-7869 (USA)
Extension 2

1-312-942-5969 (CANADA)

TRANSPORTATION (SPILL):

1-800-468-1760 (USA)

1-613-996-6666 (CANADA)

MANUFACTURER/SUPPLIER: Safety-Kleen Corp.
1000 North Randall Road
Elgin, IL, 60123-7857 USA
1-800-669-5740

TECHNICAL INFORMATION: 1-800-669-5740 Extension 7500

MSDS FORM NUMBER: 82705

ISSUE: Original

ORIGINAL ISSUE: April 17, 1997

SUPERSEDES: New

PREPARED BY: Product MSDS Coordinator

APPROVED BY: MSDS Task Force

HIGH FLASH HYDROCARBON BLEND STOCK

MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

SECTION 2: COMPOSITION/INFORMATION ON INGREDIENTS

WT%	NAME	SYNONYM	CAS NO.	OSHA PEL		ACGIH TLV		LD ^a	LC ^b
				TWA	STEL	TWA	STEL		
100	Distillates (petroleum), hydrotreated light	N.Av.	64742-47-8	500 ^c ppm	N.Av.	100 ^c ppm	N.Av.	>5000 ^d	>2000 mg/m ³ , 4 hours

N.Av. = Not Available

^cBased on Stoddard Solvent.

^aOral-Rat LD50 (mg/kg)

^dSkin-Rat LD50>2000 mg/kg

^bInhalation-Rat LC50

See 29 CFR 1910.1000(d)(2) and ACGIH *Threshold Limit Values for Chemical Substances and Physical Agents Biological Exposure Indices* booklet (Appendix C) for the determination of exposure limits for mixtures. Consult an industrial hygienist or similar professional to confirm that the calculated exposure limits are appropriate.

SECTION 3: HAZARDS IDENTIFICATION

EMERGENCY OVERVIEW

WARNING!

APPEARANCE

Liquid, brown or black, mild hydrocarbon odor.

IMMEDIATE HAZARDS

Combustible liquid and vapor.

Harmful if inhaled.

Eye and skin irritant.

May be harmful if swallowed.

DELAYED HAZARDS

Contains material which may cause central nervous system damage.

POTENTIAL HEALTH EFFECTS

INHALATION (BREATHING): High vapor or mist concentrations may be harmful if inhaled. High concentrations of vapor or mist may irritate the respiratory tract (nose, throat, and lungs). High concentrations of vapor or mist may cause nausea and vomiting. High concentrations of vapor or mist may cause headaches, dizziness, incoordination, numbness, irregular heartbeat, and other central nervous system effects. Massive acute overexposure may result in rapid central nervous system depression, sudden collapse, deep coma, and death.

EYES: Direct contact with materials or exposure to vapors may cause irritation.

SKIN: Direct contact with materials or exposure to vapors may cause irritation. A single, prolonged exposure is not likely to cause the material to be absorbed through the skin in harmful amounts.

INGESTION (SWALLOWING): May cause throat irritation, nausea, vomiting, and central nervous system effects as noted under **INHALATION (BREATHING)**. Breathing material into the lungs during ingestion or vomiting may cause lung injury and possible death.

HIGH FLASH HYDROCARBON BLEND STOCK

MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

MEDICAL CONDITIONS AGGRAVATED BY EXPOSURE: Individuals with pre-existing lung, cardiac, central nervous system, or skin disorders may have increased susceptibility to the effects of exposure.

CHRONIC: Prolonged or repeated inhalation may cause toxic effects. Prolonged or repeated eye contact may cause inflammation of the membrane lining the eyelids and covering the eyeball. Prolonged or repeated skin contact may cause drying, cracking, redness, itching, swelling, or burns.

CANCER INFORMATION: No known carcinogenicity. For more information, see **SECTION 11: CARCINOGENICITY**.

Also see **SECTION 15: CALIFORNIA**.

SECTION 4: FIRST AID MEASURES

INHALATION: (BREATHING) Remove to fresh air. If not breathing, give artificial respiration. If breathing is difficult, give oxygen. Someone should stay with victim. Get medical attention if breathing difficulty persists.

EYES: For direct contact, immediately flush eyes with plenty of water, holding eyelids apart, for 15 minutes. If irritation or redness from exposure to vapor or mist develops, move away from exposure into fresh air. Get medical attention if irritation or pain persists.

SKIN: Remove contaminated clothing and shoes. Wash skin thoroughly with soap and water. Get medical attention if irritation or pain persists.

INGESTION: (SWALLOWING) Immediately get medical attention. Do NOT induce vomiting. If spontaneous vomiting occurs, keep head below hips to avoid breathing material into the lungs.

NOTE TO PHYSICIANS: No specific antidote available. Treat symptomatically and supportively. Administration of gastric lavage, if warranted, should be performed by qualified medical personnel. Call medical emergency telephone number (see **SECTION 1**) for additional information.

SECTION 5: FIRE FIGHTING MEASURES

FLASH POINT: 140°F (60°C) Tag Closed Cup (minimum)

FLAMMABLE LIMITS IN AIR: **LOWER:** 0.5 VOL% (minimum)
UPPER: 9.3 VOL% (maximum)

AUTOIGNITION TEMPERATURE: 440°F (227°C) (minimum)

HAZARDOUS COMBUSTION PRODUCTS: Burning may produce carbon monoxide.

CONDITIONS OF FLAMMABILITY: Heat, sparks, or flame.

HIGH FLASH HYDROCARBON BLEND STOCK

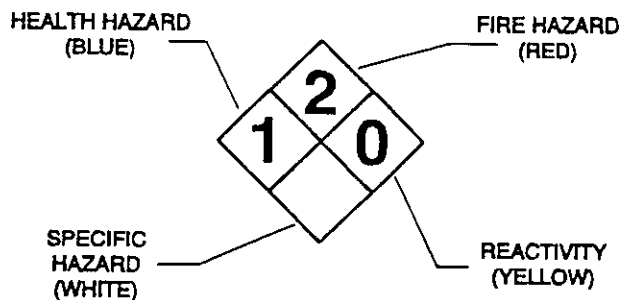
MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

EXTINGUISHING MEDIA: Carbon dioxide, foam, dry chemical, water spray, or water fog.

NFPA 704

HAZARD IDENTIFICATION:

This information is intended solely for the use by individuals trained in this system.



FIRE FIGHTING INSTRUCTIONS:

Keep storage containers cool with water spray. Positive-pressure, self-contained breathing apparatus (SCBA) and structural firefighters' protective clothing may provide limited protection.

FIRE AND EXPLOSION HAZARDS:

Decomposition and combustion products may be toxic. "Empty" containers may retain residue and can be dangerous. Heated containers may rupture. Vapors can travel to ignition source and flash back. Vapor explosion hazard indoors, outdoors, or in sewers. Run-off to sewer may create fire or explosion hazard. Not sensitive to mechanical impact. Material may be sensitive to static discharge, which could result in fire or explosion.

EMERGENCY RESPONSE GUIDE NUMBER:

128
Reference *North American Emergency Response Guidebook*

SECTION 6: ACCIDENTAL RELEASE MEASURES

Remove all ignition sources. Do not touch or walk through spilled material. Stop leak if you can do it without risk. Wear protective equipment specified in **SECTION 8: EXPOSURE CONTROLS/PERSONAL PROTECTION**. Ventilate area and avoid breathing vapor or mist. A vapor suppressing foam may be used to reduce vapors. Contain away from surface waters and sewers. Contain as a liquid for possible recovery or sorb with compatible sorbent material and shovel with a clean, non-sparking tool into sealable container for disposal.

Additionally, for large spills: isolate hazard area. Keep unnecessary and unprotected personnel from entering. Dike far ahead of liquid spill for collection and later disposal.

HIGH FLASH HYDROCARBON BLEND STOCK

MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

SECTION 7: HANDLING AND STORAGE

HANDLING:

Keep away from heat, sparks, or flame. Where explosive mixtures may be present, equipment safe for such locations should be used. Use clean, non-sparking tools and explosion-proof equipment. When transferring material, metal containers, including trucks and tank cars, should be grounded and bonded. Avoid contact with eyes, skin, clothing, and shoes. Use in well ventilated area. Do not breathe vapor or mist.

SHIPPING AND STORING:

Keep container tightly closed when not in use and during transport. Do not pressurize, cut, weld, braze, solder, drill, grind, or expose containers to heat, flame, sparks, static electricity, or other sources of ignition; containers may explode and cause injury or death. Empty product containers may retain product residue and can be dangerous. See **SECTION 14: TRANSPORT INFORMATION** for Packing Group information.

PERSONAL HYGIENE:

Use good personal hygiene. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco products. Clean contaminated clothing, shoes, and protective equipment before reuse. Discard contaminated clothing, shoes, or protective equipment if they cannot be thoroughly cleaned.

SECTION 8: EXPOSURE CONTROLS/PERSONAL PROTECTION

ENGINEERING CONTROLS:

Provide general ventilation needed to maintain concentration of vapor or mist below applicable exposure limit. Where adequate general ventilation is unavailable, use process enclosures, local exhaust ventilation, or other engineering controls to control airborne levels below recommended exposure limit. Where explosive mixtures may be present, equipment safe for such locations should be used.

PERSONAL PROTECTIVE EQUIPMENT

RESPIRATORY PROTECTION:

Use NIOSH/MSHA-approved respiratory protective equipment when concentration of vapor or mist exceeds applicable exposure limit. A self-contained breathing apparatus (SCBA) and full protective equipment are required for large spills or fire emergencies. Selection and use of respiratory protective equipment should be in accordance in the USA with OSHA General Industry Standard 29 CFR 1910.134; or in Canada with CSA Standard Z94.4-M1982.

EYE PROTECTION:

Where eye contact is likely, wear chemical goggles; contact lens use is not recommended.

SKIN PROTECTION:

Where skin contact is likely, wear nitrile, Viton[®], or equivalent protective gloves; use of butyl rubber, natural rubber, or equivalent gloves is not recommended.

HIGH FLASH HYDROCARBON BLEND STOCK
MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

**OTHER
PROTECTIVE
EQUIPMENT:**

Where spills and splashes are likely, wear appropriate chemical-resistant boots, apron, or other protective clothing. Clean water should be available in work areas for flushing the eyes and skin.

SECTION 9: PHYSICAL AND CHEMICAL PROPERTIES

**PHYSICAL STATE,
APPEARANCE, AND ODOR:** Liquid, brown or black, mild hydrocarbon odor.

ODOR THRESHOLD: 30 ppm (based on Stoddard Solvent)

SPECIFIC GRAVITY: 0.78 to 0.82 60°F/60°F (15.6°C/15.6°C) (water = 1)

DENSITY: 6.5 to 6.8 lb/US gal (780 to 820 g/l)

VAPOR DENSITY: 5 (air = 1) approximately

VAPOR PRESSURE: 0.2 mm Hg at 68°F (20°C) (approximately)
0.6 mm Hg at 100°F (38°C) (approximately)

BOILING POINT: 350°F (177°C) (initial)

FREEZING/MELTING POINT: less than -45°F (-43°C)

pH: Not applicable.

EVAPORATION RATE: 0.1 (butyl acetate = 1)

SOLUBILITY IN WATER: Insoluble.

MOLECULAR WEIGHT: 160 (approximately)

SECTION 10: STABILITY AND REACTIVITY

STABILITY: Stable under normal temperatures and pressures. Avoid heat, sparks, or flame.

INCOMPATIBILITY: Avoid acids, alkalies, oxidizing agents, reducing agents, or reactive halogens.

REACTIVITY: Polymerization is not known to occur under normal temperatures and pressures. Not reactive with water.

**HAZARDOUS DECOMPOSITION
PRODUCTS:** None under normal temperatures and pressures. See also **SECTION 5: HAZARDOUS COMBUSTION PRODUCTS.**

SECTION 11: TOXICOLOGICAL INFORMATION

SENSITIZATION: Based on best current information, there is no known human sensitization associated with these materials.

HIGH FLASH HYDROCARBON BLEND STOCK
MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

CARCINOGENICITY:

IARC classifies chemicals by their carcinogenic risk, including agents that are known, probable, or possible carcinogens. NTP classifies chemicals as either known carcinogens, or for which there is limited evidence of carcinogenicity in humans or sufficient evidence of carcinogenicity in experimental animals. ACGIH recognizes several categories of carcinogens, including confirmed human carcinogens and suspected human carcinogens.

Based on best current information, there is no known carcinogenicity associated with these materials.

Also see **SECTION 15: CALIFORNIA.**

REPRODUCTIVE TOXICITY:

Based on best current information, there is no known reproductive toxicity associated with these materials.

Also see **SECTION 15: CALIFORNIA.**

TERATOGENICITY:

Based on best current information, there is no known teratogenicity associated with these materials.

MUTAGENICITY:

Based on best current information, there is no known mutagenicity associated with these materials.

TOXICOLOGICALLY SYNERGISTIC PRODUCT(S):

Based on best current information, there are no known toxicologically synergistic products associated with these materials.

SECTION 12: ECOLOGICAL INFORMATION

ECOTOXICITY:

A Static Acute Bioassay as per the California Department of Fish and Game WPCL, was done using fathead minnows, and up to 750 ppm of the products in water.

The material passed the bioassay with only 1 out of 10 minnows dying. To fail the bioassay, more than 40% of the fish would die in 750 ppm.

OCTANOL/WATER PARTITION COEFFICIENT:

Not available.

VOLATILE ORGANIC COMPOUNDS:

100 WT%; 6.5 to 6.8 lb/US gal; 780 to 820 g/l
Photochemically reactive as per 40 CFR Part 51.100(s).

SECTION 13: DISPOSAL CONSIDERATIONS

DISPOSAL:

Dispose in accordance with federal, state, provincial, and local regulations. Regulations may also apply to empty containers. The responsibility for proper waste disposal lies with the owner of the waste. Contact Safety-Kleen regarding recycling or proper disposal.

HIGH FLASH HYDROCARBON BLEND STOCK

MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

**USEPA WASTE
CODE(S):**

Not regulated.
Based on available data, this information applies to the material as supplied to the user. Processing, use, or contamination may make this information inappropriate, inaccurate, or incomplete.

SECTION 14: TRANSPORT INFORMATION

DOT:

COMBUSTIBLE LIQUID, N.O.S. (PETROLEUM NAPHTHA),
NA1993, PGIII

TDG:

Not regulated.

SECTION 15: REGULATORY INFORMATION

USA REGULATIONS

**SARA SECTIONS
311 AND 312:**

Materials pose the following physical and health hazards as defined in 40 CFR Part 370 and are subject to the requirements of sections 311 and 312 of Title III of the Superfund Amendments and Reauthorization Act of 1986:

Immediate (Acute) Health Hazard
Delayed (Chronic) Health Hazard
Fire Hazard

SARA SECTION 313:

These products do not contain toxic chemicals subject to the requirements of section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 and 40 CFR Part 372.

TSCA:

All the components of these products are listed on the TSCA Inventory.

CALIFORNIA:

This product is not for sale or use in the State of California.

CANADIAN REGULATIONS

These products have been classified in accordance with the hazard criteria of the Controlled Products Regulations (CPR) and the MSDS contains all the information required by the CPR.

WHMIS:

B3, D2B

**CANADIAN
ENVIRONMENTAL
PROTECTION ACT
(CEPA):**

All the components of these products are listed on the Canadian Domestic Substances List.

HIGH FLASH HYDROCARBON BLEND STOCK

MATERIAL SAFETY DATA SHEET FOR USA AND CANADA

SECTION 16: OTHER INFORMATION

REVISION INFORMATION: New format.

LABEL/OTHER INFORMATION: Not available.

User assumes all risks incident to the use of this product. To the best of our knowledge, the information contained herein is accurate. However, Safety-Kleen assumes no liability whatsoever for the accuracy or completeness of the information contained herein. No representations or warranties, either expressed or implied, or merchantability, fitness for a particular purpose or of any other nature are made hereunder with respect to information or the product to which information refers. The data contained on this sheet apply to the material as supplied to the user.



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Safety-Kleen Corp.
Continued Use Program

FL Department of Environmental
Protection
May 24, 1999

20-May-99

1

Background

- Two competitors offer a non-waste option for management of used mineral spirits from parts cleaning
- Competition sells used mineral spirits to third parties for use as a substitute ingredient in manufacture products
- Material is not recycled/reclaimed prior to introduction into production process

20-May-99

2

Background (cont.)

- Material removed by competitors' programs are not considered a waste under the Definition of Solid Waste because it is directly re-used as a substitute ingredient

20-May-99

3

Recycle Center Scrap Wash Program

- New Castle KY Recycle Center has a shredder used to empty drums of industrial wastes destined for fuel program
- Scrap metal has to be washed prior to selling to scrap dealer
- Large volume of material required for scrap washing operation
- Material pre-qualified via sampling

20-May-99

4

Branch Drum Wash Program - Original Design

- At branch, parts washer waste (mineral spirits) is bulked
- Parts washer waste poured into wet dumpster and pumped to waste tank or 10-day transfer tanker
- Level of fluid in wet dumpster controlled by a float switch

20-May-99

5

Branch Drum Wash Program - Original Design (cont.)

- Green and red 16 & 30-g drums are washed with waste from customers in a mechanical drum washer that is part of wet dumpster
- Drum washer spins drums against brushes with waste from pool of material at the bottom of wet dumpster being sprayed on interior of drum

20-May-99

6

Branch Drum Wash Program - Original Design (cont.)

- Cleaning material falls back to bottom of wet dumpster with other waste from drum emptying operation
- Float switch again controls level of material in bottom of wet dumpster
- Drums are removed from drum washer unit and re-filled with fresh product

10-May-99

7

Branch Drum Wash Program - New System Design

- SK completed engineering cleaning study to establish standardized cleaning system
- Flow rate, time, and volume established
- Second smaller vat installed next to wet dumpster
- Material from cone shaped bottomed Continued Use vat is preferentially pumped to washer

10-May-99

8

Branch Drum Wash Program - New System Design (cont.)

- When Continued Use vat is empty, new electrical valve box allows system to be converted to former approach of pulling material off the bottom of wet dumpster
- Drums are washed with Continued Use material which falls into the bottom of wet dumpster and is co-mingled with waste from customers

10-May-99

9

Branch Drum Wash Program - Administrative Controls

- Original construction and future maintenance are P.E. certified as to standardized cleaning system
- Drum identification system established
- Material tracked with separate shipping description and code in computer system
- Separate computer designated location for logging material into facility

20-May-99

10

Branch Drum Wash Program - Administrative Controls

- Each branch given capacity for selling
- Capacity monitored electronically

20-May-99

11

Branch Drum Wash Program Operations

- Material balance - use on daily or two business day cycle
- All DOT packaging, labeling, and shipping paper requirements are met
- Spills managed same as product spills - SK generated waste
- No net change in flow of material through SK branches

20-May-99

12

Branch Drum Wash Program Operational Design (cont.)

- Customer acceptance criteria
 - all material must be able to go through Continued Use cleaning system

20-May-99

13

Regulatory Status

- RCRA Definition of Solid Waste (and state equivalent) governs what is and is not a waste
- Solvent initially used by customers, will be used or reused as an effective substitute for commercial products [40 CFR 261.2(e)(1)] for cleaning operations

20-May-99

14

Regulatory Status (cont.)

- Preamble to DSW, 1/4/85 (50 FR 619) discusses use of substitutes for commercial products,
 - “When secondary materials are directly used as substitutes for commercial products, we (the Agency) also believe these materials are functioning as raw materials, and therefore are outside of RCRA jurisdiction and thus, are not wastes

20-May-99

15

Regulatory Status (cont.)

- Rule states that secondary materials used as ingredients or used directly as commercial products are not wastes
- Solvents from customers still have some capacity to clean in low grade use, as demonstrated by SK's use of waste to clean drums

20-May-99

16

Regulatory Status Summary

- Material in Continued Use program is a substitute for commercial products
- Material is used directly without any reclamation prior to its use
- All material is used for cleaning
- No land storage or speculative accumulation
- Material used for washing becomes SK generated waste

20-May-99

17

Regulatory Concurrence

- Competitors obtained letters of concurrence on regulatory determinations from state environmental departments
- S-K has obtained such letters from USEPA, CA, CO, IN, KY, OH, TX, and WV
- Discussions with additional states, but S-K may not seek letters from all states as roll-out of branch program accelerates

20-May-99

18

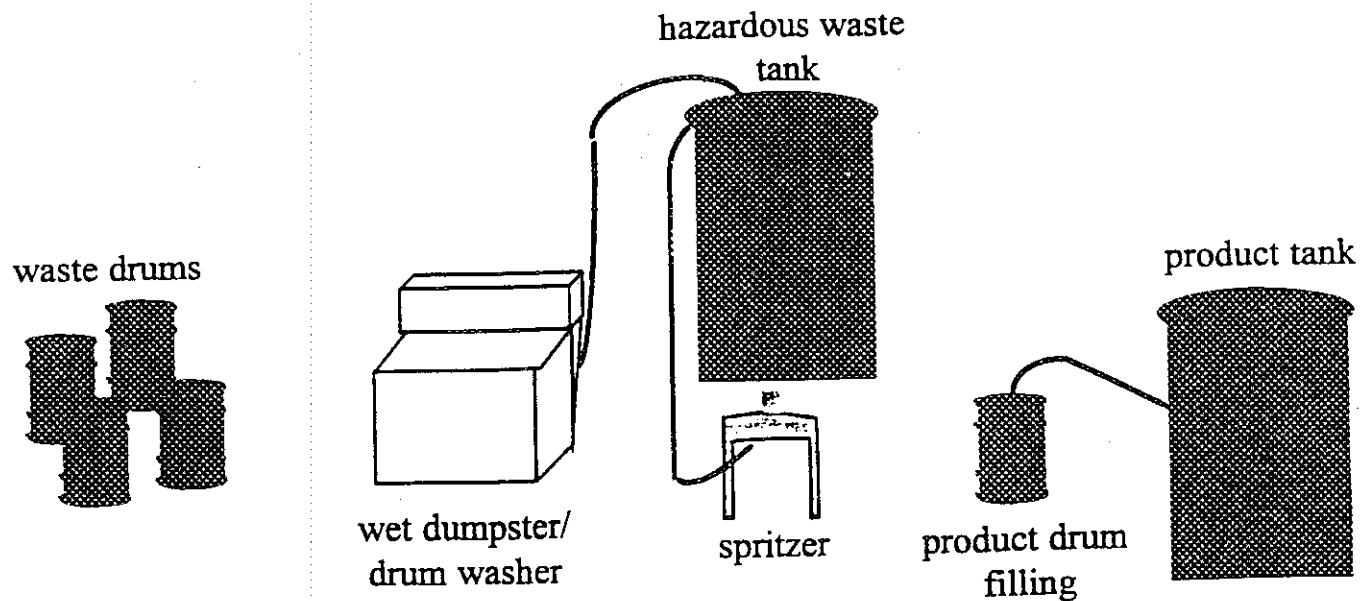
Program Status and Roll-Out Schedule

- S-K has registered name "Continued Use"
- Recycle Center Scrap Metal Wash Program
 - program is at capacity (continuously monitored)
 - material accepted from different customers in many states
- Branch Drum Wash Program
 - program rolled out in IN and OH
 - next states TX, WV, UT, KY, CA, CO, FL & ID

20-May-99

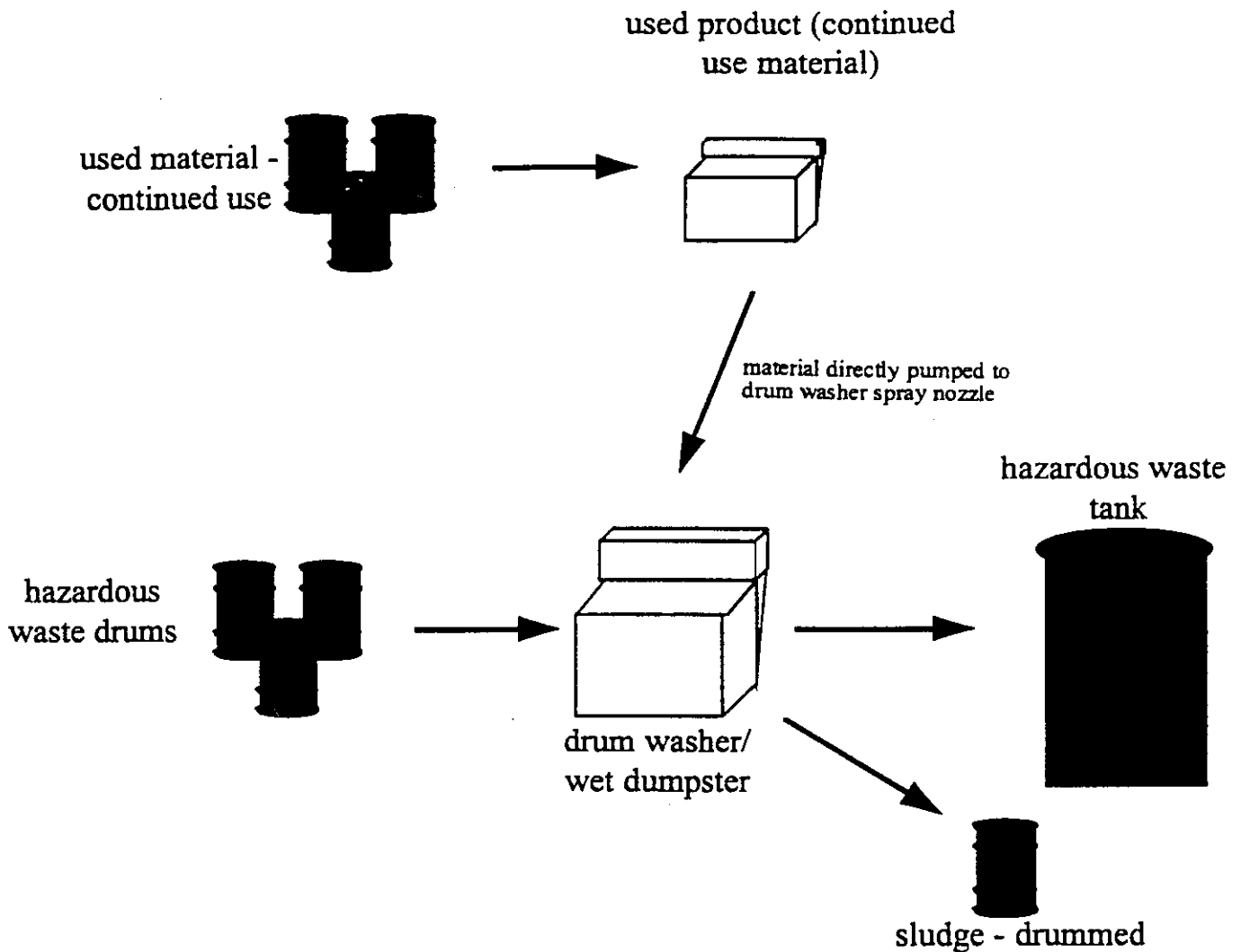
19

CURRENT RETURN & FILL OPERATION



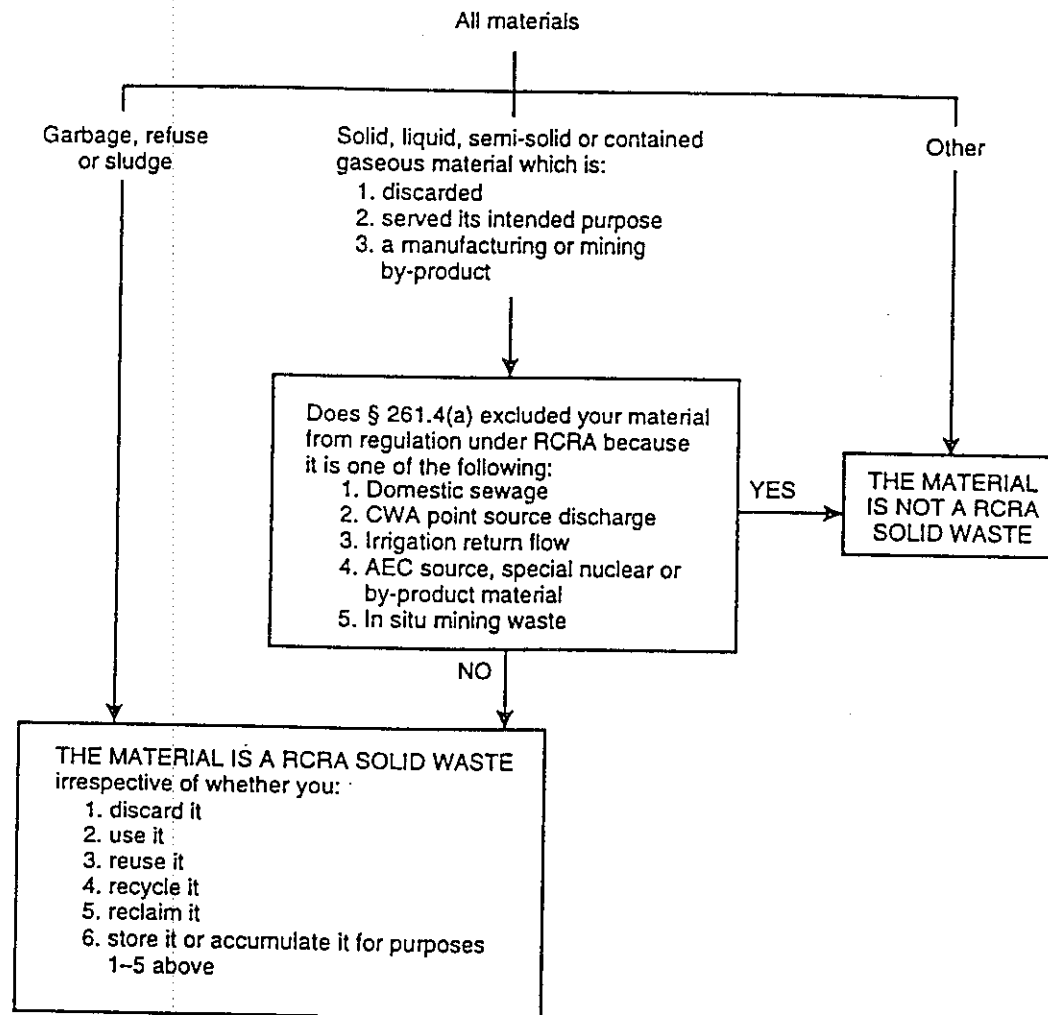
1. Drums poured into wet dumpster.
2. Level indicator maintains fixed level of waste in bottom of wet dumpster.
3. Drum placed on drum washer within wet dumpster.
4. Drum washer brushes spin and spray waste inside of drum.
5. If necessary, product is dispensed on outside and inside drum.
6. Drum placed upside down on wet dumpster drain rack.
7. If non-haz drum, drum placed in drum spritzer for polishing rinse with 150 Premium Gold Product.
8. Drum is filled with 105 or 150 Premium Gold.

PROPOSED ALTERNATIVE OPERATION



1. Drums of "continued-use product" emptied into separate dumpster/tank.
2. Hazardous waste drums are emptied into wet dumpster.
3. To clean drums, continued-use material is pumped to drum washer spray. Material is pumped to hazardous waste tank after use as drum wash. All drums are washed in the drum washer.

FIGURE 1
DEFINITION OF A SOLID WASTE



RECEIVED
RCRA



CC: Compliance
permitting

FEB 10 1997

2 October 1996

Sent Via Federal Express
Airbill # 0561882565

Mr. John Fusco
Environmental Specialist
Waste Management
Florida Department of Environmental Protection
160 Governmental Center
Pensacola, Florida 32501-5794

RE: Safety-Kleen Corp. - Tallahassee Facility
FLD 982133159
HO37-257760
Antifreeze Destined for Recycling

Dear Mr. Fusco:

During the inspection of our facility on 27 September 1996 you requested information on the recycling of waste ethylene glycol. Safety-Kleen mixes waste ethylene glycol with used oil in our oil trucks and sends the mixture to our oil re-refinery in East Chicago.

Safety-Kleen extracts the ethylene glycol from the oil by distillation. The ethylene glycol drops out in the Light Ends of the Recovery Tower (LERT). In the LERT the ethylene is stripped (isolated), redistilled for purification, condensed and concentrated. The glycol is approximately 70-80% pure at this stage in the process. The ethylene glycol is then transported to one of three glycol refineries for additional purification.

Safety-Kleen ships the ethylene glycol to the following companies for purification into a pure product which is resold on the open market.

o Dynachem Technologies Inc.
30474 Energy Drive
New Church, Virginia 23415
EPA ID #VAD 105838874

o Consolidated Recycling Company
PO Box 3642
Evansville, Indiana 47735
EPA ID #IND 098958283

00/10/97
THIS LETTER WAS
SENT TO JOHN FUSCO
TO ANSWER QUESTIONS
ON OUR RECYCLING
OF ANTIFREEZE. NOT
SURE IF YOU RECEIVED
A COPY. IF YOU
HAVE ANY QUESTIONS
PLEASE CALL ME
576-5979. THANKS,
RICH MORRIS

o National Petroleum Packers
3501 Gribble Road
Matthews, North Carolina 28105
EPA ID #NCD 986232213

It is my understanding that Powerline Products is one of the brand names under which the purified ant freeze is sold to the public.

If you have any additional questions concerning our handling of waste ethylene glycol for reclaim please contact me at (904) 576-5979.

Sincerely,



Richard R. Morris
Environmental, Health & Safety Manager

rrm

*RRR
GL
LH
BTD
SW
to forward to
encl file*

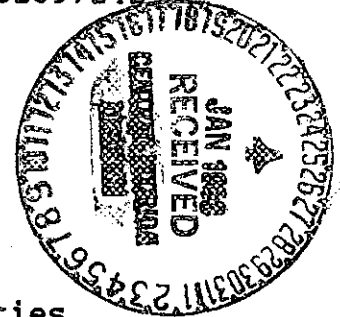
January 19, 1993

General
Safety-Kleen

*1/25/93
copy to Hh
orig to SA*

Sent Via Federal Express
Mail - January 19, 1993
Airbill # 5162097242

Mr. Raoul Clarke
Hazardous Waste Management Section
Florida Department of Environmental
Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400



Subject: Status Change Forms for Used Oil Activities,
All Safety-Kleen Facilities in Florida

Dear Mr. Clarke:

We acknowledge receipt of your November 24, 1992 memo referencing "EPA Notice of Regulated Waste Activity Status Change" last December 10, 1992.

In response to your memo, enclosed are completed "Status Change Form For Used Oil Activities" forms for each of our active Safety-Kleen facilities. A form was completed for our Tallahassee, Orange Park, Tampa, Altamonte Springs, Sanford, Port Charlotte, Boynton Beach, and Medley facilities.

Furthermore, per your memo, EPA form 8700-12 need not be completed since each of our facilities have EPA ID numbers both for storage and transportation of hazardous wastes.

If you have any questions, please call me at (813)682-8094.

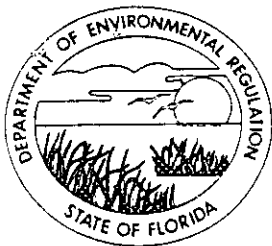
Sincerely,

Victor L. San Agustin

Victor L. San Agustin, P.E.
Regional Environmental Manager
Tampa Region

cc: Satish Kastury, BSHW
Allan Farmer, USEPA IV
Tom Moody, NWFDER
Mike Fitzsimmons, NEFDER

Bill Kutash, SWFDER
Phil Barbaccia, SFFDER
Bill Bostwick, CFFDER
Vivek Kamath, SEFDER



Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Lawton Chiles, Governor

Carol M. Browner, Secretary

STATUS CHANGE FORM FOR USED OIL ACTIVITIES

CURRENT INFORMATION (as originally filed with DER):

Business name: Safety-Kleen Corporation

Mailing address:

Facility address:

Safety-Kleen Corp.
129 South Kentucky Ave., Suite 701
Lakeland, FL 33801

Safety-Kleen Corp.
505 Plumosa Drive
Altamonte Springs, FL 32701

EPA ID: FLD 097 837 983 (facility) Used Oil Registration #: 50419-UO (collector)
FLD 051 060 408 (transporter) 50424-UO (transporter)

Current Status:

Hazardous Waste
Activities

Federal Used Oil
Activities

Florida Used Oil
Activities

X Transporter

___ Marketer

X Collector

X Other (Storer)

___ Off-spec

___ Marketer

X Transfer Facility

___ Recycler

REVISED INFORMATION:

X Transporter

Check the categories for which you wish to notify and register:

X Used Oil Transporter/Transfer Facility

___ Used Oil Processor/Re-refining facility

___ Marketer of on-spec fuel

___ Marketer of off-spec fuel

Delete status you originally notified for? ___ yes X no

If additional changes have occurred, complete the following:

Type of change: N/A
(e.g., address, contact person)

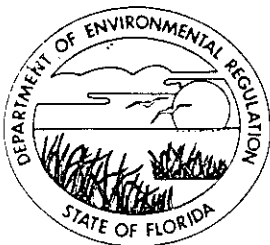
Specify new information (attach additional sheets if necessary):

N/A

I hereby certify under penalty of law that the information submitted on this form is true and accurate to the best of my knowledge. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

VICTOR L. SAN AGUSTIN, P.E. Regional Environmental Manager
Name (type or print) Title

Victor L. San Agustín 1/19/93
Signature Date



Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Lawton Chiles, Governor

Carol M. Browner, Secretary

STATUS CHANGE FORM FOR USED OIL ACTIVITIES

CURRENT INFORMATION (as originally filed with DER):

Business name: Safety-Kleen Corporation

Mailing address:

Facility address:

Safety-Kleen Corporation

Safety-Kleen Corporation

129 S. Kentucky Ave., Suite 701

600 Central Park Dr. North Star Business Park

Lakeland, FL 33801

Sanford, FL 32771

EPA ID: FLD 984 171 165 (facility) Used Oil Registration #: 50492-U0 (collector)

Current Status: ILD 051 060 408 (transporter)

50424-U0 (transporter)

Hazardous Waste
Activities

Federal Used Oil
Activities

Florida Used Oil
Activities

X Transporter

 Marketer

X Collector

X other (Storer)

 Off-spec

 Marketer

X Transfer Facility

 Recycler

REVISED INFORMATION:

Check the categories for which you wish to notify and register: X Transporter

X Used Oil Transporter/Transfer Facility

 Used Oil Processor/Re-refining facility

 Marketer of on-spec fuel

 Marketer of off-spec fuel

Delete status you originally notified for? yes X no

If additional changes have occurred, complete the following:

Type of change: N/A
(e.g., address, contact person)

Specify new information (attach additional sheets if necessary):

N/A

I hereby certify under penalty of law that the information submitted on this form is true and accurate to the best of my knowledge. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Victor L. San Agustin, P.E.
Name (type or print)

Regional Environmental Manager
Title

Victor L. San Agustin
Signature

1/19/93
Date

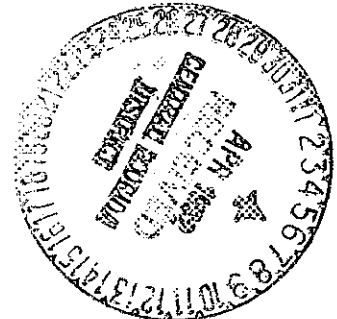


April 1, 1992

Sent Via Certified Mail
P 705 508 894
Return Receipt Requested

Mr. Robert Snyder, P.E.
Hazardous Waste Section
Florida Department of Environmental
Regulation - Central District
3319 Maguire Blvd., Suite 232
Orlando, FL 32803-3767

Subject: Unmanifested Waste Report
Altamonte Springs Facility
FLD 097 837 983



Dear Mr. Snyder:

Pursuant to 40 CFR 264.76, the following information is being submitted for an unmanifested waste shipment. Enclosed is information provided in lieu of a completed Form 8700-13B.

We tried to obtain this form from your office and EPA Region IV but a copy was not available. The form we requested from FDER in Tallahassee arrived today but it is form 8700-13A/B which pertains to filing a 1991 Hazardous Waste Report. There are no forms in the booklet pertaining to filing an unmanifested waste report.

Hazardous wastes were transported from 5 customers without manifests. Enclosed are Appendices A, B, C, D, and E. Each appendix provides information required under 40 CFR 264.76 for each customer.

Your cooperation and understanding in this regard is requested. If you have any questions, please call me at (813)682-8094.

Sincerely,

Victor L. San Agustin, P.E.
Regional Environmental Engineer
Tampa Region

Appendix A -

Unmanifested Waste from EG & G Florida

**Appendix A -
Unmanifested Waste from EG & G Florida**

A. EPA ID Number, Name, and Address of Facility:

Safety-Kleen Corporation
505 Plumosa Avenue
Altamonte Springs, FL 32701
EPA ID # FLD 097 837 983

B. Date Facility Received Waste:

March 10, 1992

**C. EPA ID Number, Name, and Address of Generator and
Transporter:**

Generator: EG & G Florida/
Kennedy Space Center
Bldg. K7-468
Kennedy Space Center, FL 32899
EPA ID # FL6 800 014 585

Transporter: Safety Kleen Corporation
777 Big Timber Road
Elgin, IL 60123
EPA ID # ILD 051 060 408

**D. Description and Quantity of Each Unmanifested Hazardous
Waste and Facility Received:**

Waste
Description: Dirty Mineral Spirits
Combustible Liquid, UN1255, ERG #27
Hazardous Waste Nos. D001, D018, D039

Quantity: Two 30 gallon drums (each about 1/2 full),
total weight - 172 pounds

Facility
Received: Safety-Kleen Corporation
505 Plumosa Avenue
Altamonte Springs, FL 32701

E. Method of Treatment, Storage, and Disposal:

Waste was stored at Altamonte Springs facility in a RCRA
permitted storage tank. Waste was then shipped to Safety-
Kleen's Recycle Center in Lexington, South Carolina.
Waste is recycled back into clean mineral spirits by

distillation.

F. Explanation of Why Waste Was Unmanifested:

The waste was transported from EG & G last March 10, 1992. EG & G is located at Bldg. K7-468 inside the Kennedy Space Center complex. Wastes had been manifested properly since May 1990 until the March 10 pick-up. Branch personnel discovered last March 26 that a manifest was not used. EG & G called that day to find out why a copy of the manifest signed by the designated facility had not yet been sent back to EG & G. Safety-Kleen personnel inspected the customer file that same day and confirmed that a manifest was not used.

The service rep who serviced EG & G parts washers that day was new and was not aware of the on going enforcement case between Safety-Kleen and the Department. One of the alleged violations is connected with our picking up of wastes from EG & G.

Our transportation document (also known as a preprint) still showed the customer as a conditionally exempt small quantity generator. Enclosed is a copy of the preprint and land disposal restriction notice. Although this was the information on the manifest, the rep was instructed by branch management to prepare a hazardous waste manifest. The rep forgot about the verbal instructions and transported the waste based the information provided in the preprint. Furthermore, the customer initialed on our preprint as a conditionally exempt small quantity generator so he felt the information on the preprint was correct.

Future preprints for EG & G will show this customer as a Large Quantity Generator and all hazardous waste pick-ups from this customer will be manifested. There is no excuse for this incident to reoccur specially after almost two years of correctly manifesting EG & G waste. Disciplinary actions have been taken internally to ensure this incident does not happen again.

G. Certification Signed by Authorized Representative:

This is to certify that the above information is true and correct to the best of my knowledge:

Victor L San Agustin

Victor L. San Agustin, P.E.
Authorized Representative

State of Florida
Department of Environmental Regulation

District Routing Slip

To: John White

Date: 2/28/92

		C.C. To:
Pensacola	Northwest District	
Panama City	Northwest District Branch Office	
Tallahassee	Northwest District Branch Office	
Apalachicola	Northwest District Satellite Office	
Tampa	Southwest District	
Punta Gorda	Southwest District Branch Office	
Bartow	Southwest District Satellite Office	
<input checked="" type="checkbox"/> Orlando	Central District	
Melbourne	Central District Satellite Office	
Jacksonville	Northeast District	
Gainesville	Northeast District Branch Office	
Fort Myers	South District	
Marathon	South District Branch Office	
West Palm Beach	Southeast District	
Port St. Lucie	Southeast District Branch Office	

Reply Optional ☐ Reply Required ☐ Info Only ☐
 Date Due: _____ Date Due: _____

Comments:

From: Agusta Posner

Tel.: SC 278-9730

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION,

Plaintiff,

CASE NO.

vs.

SAFETY KLEEN CORPORATION,

Defendant.



COMPLAINT FOR INJUNCTIVE RELIEF
CIVIL PENALTIES, AND COSTS

Plaintiff, State of Florida Department of Environmental Regulation ("Department"), sues the Defendant, Safety Kleen Corporation ("Safety Kleen" or "Defendant"), and alleges as follows:

PRELIMINARY STATEMENT

1. This is a civil action brought by the Department under Chapter 403, Florida Statutes ("F.S."), to remedy violations of state hazardous waste management regulations by Defendant.

2. This action seeks injunctive relief pursuant to §§403.131 and 403.727(2), F.S., requiring Defendant to comply with all applicable provisions of 40 Code of Federal Regulations ("C.F.R.") Parts 260 through 270, as adopted by reference in Chapter 17-730, Florida Administrative Code ("F.A.C."). The Department also seeks imposition of civil penalties pursuant to §403.727(3)(a), F.S., and recovery of the Department's investigative costs pursuant to §403.141(1), F.S.

3. While Defendant is seemingly performing a valuable service in collecting and recycling the hazardous waste of many small and large quantity generators, the corporation has a rather long history of non-compliance with hazardous waste management regulations in Florida. Since 1986, the Department has entered into at least thirteen administrative Consent Orders with regard to various facilities operated by Defendant, addressing violations similar to those alleged in this Complaint. These administrative actions have not been effective in ensuring adequate compliance with hazardous waste management requirements. Scrupulous compliance is necessary to prevent environmental contamination from the large volume of hazardous wastes handled by Defendant.

JURISDICTION

4. This is an action for injunctive relief and concerns an amount in controversy greater than \$10,000, exclusive of interest, attorneys' fees and taxable costs. This Court has jurisdiction pursuant to Article V, §5 of the Constitution of the State of Florida, and §§26.012, 403.121(1), 403.141(1), 403.161(2) and 403.727(2), F.S.

ALLEGATIONS APPLICABLE TO ALL COUNTS

5. The Department is the regulatory agency of the State of Florida charged with the duty and authority to administer and enforce Chapter 403, F.S., and the regulations promulgated thereunder.

6. Safety Kleen is a corporation organized under the laws of the State of Wisconsin and is duly registered with the Florida Secretary of State. Safety Kleen is a person within the meaning of §§403.031(5) and 403.703(4), F.S.

7. Safety Kleen conducts a nationwide business which markets and sells solvent-based chemical cleaners and equipment. Safety Kleen services other businesses such as gas stations, auto repair shops, car dealers, dry cleaners, and machine shops. In addition, Safety Kleen transports hazardous paint-related wastes.

8. Safety Kleen, a generator of hazardous waste, is permitted by the Department, pursuant to authority delegated by the U.S. Environmental Protection Agency (EPA), to operate hazardous waste tanks and container storage facilities in several Florida locations, including Tallahassee, Altamonte Springs, Boynton Beach, Delray Beach, Miami, Port Charlotte, and Tampa. In addition, Safety Kleen, as a hazardous waste transporter with several EPA identification numbers, operates transfer facilities which are, under certain circumstances, exempt from permitting requirements.

9. The relevant provisions of 40 C.F.R. Parts 260 through 270 cited in this Complaint are adopted by reference in Chapter 17-730, F.A.C.

TALLAHASSEE FACILITY I

10. Safety Kleen operates a hazardous waste storage facility located at 4426 Entrepot Boulevard, Tallahassee,

Leon County, Florida 32310, EPA identification number FLD-982133159 ("Tallahassee Facility I"). On October 21, 1991, the Department inspected the Tallahassee Facility I and made the following findings:

a. Defendant constructed a 15,000 gallon above-ground hazardous waste storage tank at its Tallahassee Facility I without an appropriate and valid Department permit.

b. Defendant transported to its Tallahassee Facility I hazardous waste from Olin Corporation without a manifest. Olin Corporation is a generator of hazardous waste within the meaning of 40 C.F.R. 260.10, and a manifest is required by 40 C.F.R. 262.20 and 40 C.F.R. 263.20.

TALLAHASSEE FACILITY II

11. Safety Kleen operated a hazardous waste storage facility located at 3082 West Tharpe Street, Tallahassee, Leon County, Florida, EPA identification number FLD-000776773 ("Tallahassee Facility II"). Defendant has applied for a permit to close the Tallahassee Facility II, closure permit number HF37-193175. Soil and ground water analysis required as part of the closure permit application has disclosed contamination which resulted from Safety Kleen operations at the site.

12. Safety Kleen's application for a closure permit for the Tallahassee Facility II was incomplete and required two notices of deficiency (NOD) from the Department, one dated April 19, 1991, the other dated July 11, 1991, to obtain the information necessary to evaluate the application.

ALTAMONTE SPRINGS FACILITY

13. Saftey Kleen operates a storage facility located at 505 Plumosa Drive, Altamonte Springs, Seminole County, Florida, 32701, EPA identification number FLD-097837983 ("Altamonte Springs Facility"). On October 30, 1991, the Department inspected the Altamonte Springs Facility and made the following findings:

a. Safety Kleen's Altamonte Springs Facility switched from using cardboard boxes to using "Split-30" containers for spent perchloroethylene filters, and replaced a dumpster in the dump and fill area with two drum washers. Defendant did not request a permit modification to incorporate either of these operation process changes.

b. Defendant transported to its Altamonte Springs Facility hazardous waste from Kennedy Space Center and Emergency One on eleven occasions using invoices rather than the required manifests. Kennedy Space Center and Emergency One are generators of hazardous waste within the meaning of 40 C.F.R. 260.10 and manifests are required by 40 C.F.R. 262.20 and 40 C.F.R. 263.20.

c. Defendant had failed to notify the Department of a hazardous waste spill which occurred at the Altamonte Springs Facility on March 14, 1991, in violation of General Specific Condition 5 of Operation Permit Number H059-122303 and §403.727(1)(c), F.S.

BOYNTON BEACH FACILITY

14. Safety Kleen operates a hazardous waste storage facility located at 5610 Alpha Drive, Boynton Beach, Palm Beach County, Florida, EPA identification number FLD-984167791 ("Boynton Beach Facility"). On November 5, 1991, the Department inspected the Boynton Beach Facility. The findings of the inspection include the following:

a. Defendant has been managing fluid recovery systems (FRS) wastes at its Boynton Beach Facility, in violation of Specific Conditions Nos. 2 and 15, and General Condition No. 2, of Operation Permit Number HO50-195905.

DELRAY BEACH FACILITY

15. Safety Kleen operated a hazardous waste storage facility located at 1855 S.W. 4th Avenue, Delray Beach, Palm Beach County, Florida, EPA identification number FLD-000776757 ("Delray Beach Facility"). Defendant has applied for and obtained a permit to close the Delray Beach Facility, closure permit number HF50-158107. Soil and ground water analysis required as part of the closure permit application has disclosed contamination which resulted from Safety Kleen operations at the site. Department evaluation of Defendant's activities pursuant to the closure permit revealed the following violations:

a. Defendant failed to sample for naphthalene during the February, 1991, sampling event, in violation of Specific Condition IV.2 and IV.4 of Closure Permit HF50-158107.

b. Defendant appointed a new contact person for the Delray Beach Facility and failed to revise Part I of the closure permit to list the new contact person, in violation of Specific Condition I.12 of the Closure Permit.

c. Defendant failed to submit Quality Assurance Plans and Procedures (QAPP) revisions in a timely manner, in violation of Specific Condition IV.11 of the Closure Permit.

d. Defendant failed to submit turbidity data on four monitor wells for the August, 1991, sampling event, in violation of Specific Condition IV-2 of the Closure Permit.

e. Defendant failed to complete delineation of ground water contamination, in violation of Specific Condition IV-7a of the Closure Permit.

f. Defendant failed to complete a soil assessment, in violation of Specific Condition IV-7h of the Closure Permit.

MIAMI FACILITY

16. Saftey Kleen owns and operates a hazardous waste storage facility located at 7875 N.W. 54th Street, Miami, Dade County, Florida 33166 ("Miami Facility"). On November 4, 1991, the Department inspected the Miami Facility. The findings of the inspection include the following:

a. In or about January, 1991, Safety Kleen began using the Miami Facility as a transfer facility for FRS wastes. Defendant Failed to notify the Department of this change in facility operations, in violation of Operation Permit Number H013-122454.

b. A hazardous waste spill had occurred at the Miami Facility on September 27, 1991. Though the spill was recorded in the inspection log, no follow-up was included with regard to remedial action. Therefore, Defendant's inspection logs were not adequately maintained.

PORT CHARLOTTE FACILITY

17. On November 6, 1991, the Department inspected Safety Kleen's hazardous waste storage facility located at 19200 Peachland Boulevard, Port Charlotte, Charlotte County, Florida 33949, EPA identification number FLD-000776716 ("Port Charlotte Facility"). The findings of the inspection include the following:

a. Defendant failed to adequately lock a gate so as to prevent the unknowing entry or minimize the possible entry of unauthorized persons to the hazardous waste bulk storage area of the Port Charlotte Facility. Defendant had been notified of this condition upon a prior Department inspection on or about November 15, 1990.

b. Defendant had picked up and transported to its Port Charlotte Facility hazardous waste from Hartland Pontiac, a generator of hazardous waste, which did not have an EPA hazardous waste identification number. Hartland Pontiac is required to have an EPA identification number 40 CFR 262.12, and Defendant is required by 40 CFR 263.20(h)(2)(i) to ensure that the generator has an EPA identification number before transporting the waste.

TAMPA FACILITY

18. Safety Kleen operated a hazardous waste storage facility located at 4701 N. Manhattan Street, Tampa, Hillsborough County, Florida, EPA identification number FLD-049557408 ("Tampa Facility"). Defendant has applied for a permit to close the Tampa Facility, application number HF29-158003. Soil and ground water analysis required as part of the closure permit application has disclosed contamination which resulted from Safety Kleen operations at the site.

19. Safety Kleen's application for a closure permit for the Tampa Facility was incomplete and required two notices of deficiency from the Department dated March 24, 1989, and February 18, 1991. Defendant failed to continue ground water monitoring between April, 1991, and February, 1992, although such monitoring data was necessary for Department evaluation of parts of the permit application.

COUNT I - FAILURE OF HAZARDOUS WASTE TRANSPORTER TO COMPLY WITH MANIFEST REQUIREMENTS

20. Paragraphs 10, 10b, 13, 13b, 17, and 17b, above, are hereby incorporated by reference.

21. Safety Kleen is a transporter of hazardous waste and transports hazardous waste, within the meaning of 40 C.F.R. 260.10 and §§403.703(29) and 403.721, F.S.

22. As referenced in paragraphs 10b, 13b, and 17b, above, Olin Corporation, Kennedy Space Center, Emergency One, and Hartland Pontiac are generators of hazardous waste within the meaning of 40 C.F.R. 260.10.

23. Safety Kleen's transportation of hazardous waste from Olin Corporation to the Tallahassee Facility I and from Kennedy Space Center and Emergency One to the Altamonte Facility, unaccompanied by a manifest, constitute violations of 40 C.F.R. 263.20(a).

24. Safety Kleen's transportation to the Port Charlotte Facility of hazardous waste from Hartland Pontiac, which did not have an EPA hazardous waste identification number, constitutes a violation of 40 C.F.R. 263.20(h)(2)(i).

25. The violations described in paragraphs 23 and 24, above, also constitute violations of Section 403.727(1)(a), for failure to comply with federal regulations adopted by reference in Chapter 17-730, F.A.C.

**COUNT II - FAILURE OF OWNER OR OPERATOR OF
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITY
TO COMPLY WITH GENERAL FACILITY STANDARDS**

26. Paragraphs 16 through 17a are hereby incorporated by reference.

27. Safety Kleen's Miami Facility and Port Charlotte Facility are hazardous waste storage facilities within the meaning of Section 403.703(22), F.S., 40 C.F.R. 260.10, and Rule 17-730.020, F.A.C.

28. With regard to the Miami Facility and Port Charlotte Facility, Safety Kleen is the operator within the meaning of 40 C.F.R. 260.10 and §403.721, F.S.

29. 40 C.F.R. 264.15(c) and (d) require owners and operators of hazardous waste treatment, storage, and disposal facilities to take remedial action when a hazardous waste

spill occurs, and to keep a record of the remedial actions in an inspection log.

30. Safety Kleen's failure to keep a record of remedial actions performed in response to the September 27, 1991 spill at its Miami Facility constitutes a violation of 40 C.F.R. 264.15(d) and 403.727(1)(a).

31. Safety Kleen's failure to adequately lock the gate to the hazardous waste bulk storage area of its Port Charlotte Facility constitutes the failure of an operator to prevent the unknowing entry, and to minimize the possibility for unauthorized entry, onto an active portion of hazardous waste facility, in violation of 40 C.F.R. 264.14(a) and §403.727(1)(a).

COUNT III - CONSTRUCTION NOT AUTHORIZED BY PERMIT

32. Paragraphs 10 and 10a, above, are hereby adopted by reference.

33. Safety Kleen's construction of a hazardous waste storage tank at its Tallahassee Facility I without an appropriate and valid Department permit constitutes a violation of Rule 17-730.250(5), F.A.C. and §§403.722(1), and 403.727(1)(a), F.S.

**COUNT IV - CHANGE IN OPERATING PROCESS
NOT AUTHORIZED BY PERMIT**

34. Paragraphs 13, 13a, 14, 14a, 16, and 16a, above, are hereby incorporated by reference.

35. Safety Kleen's changes to its operating processes at its Altamonte Facility, Boynton Beach Facility, and Miami Facility constitute violations of the facilities' respective operating permits, in violation of §403.727(1)(c), F.S., and failure to obtain operating permit permit modifications, in violation of Rule 17-730.290(1)(c), F.A.C. and §403.722(1), F.S.

**COUNT V - FAILURE TO TIMELY SUBMIT
COMPLETE APPLICATION FOR OR TO COMPLY WITH CONDITIONS OF
HAZARDOUS WASTE FACILITY CLOSURE PERMIT**

36. Paragraphs 11, 12, 15-15f, 18, and 19, above, are hereby incorporated by reference.

37. Safety Kleen's failure to timely submit complete applications for closure permits for its Tallahassee Facility II and Tampa Facility constitute violations of 40 CFR 270.14, Ruled 17-730.220(1) and (10), F.A.C., and §403.727(1)(a), F.S.

38. Safety Kleen's failure to comply with the conditions of the closure permit for its Delray Beach Facility constitute violations of Section 403.727(1)(c), F.S.

COUNT VI - COSTS AND EXPENSES

39. In order to protect the health, safety, and welfare of the community and the environment, the Department has incurred and will incur costs and expenses which are recoverable pursuant to Section 403.141, F.S. The Department has also incurred and will incur costs and expenses in maintaining this action.

WHEREFORE, the Department respectfully prays that this Court enter an Order:

A. Enjoining Defendant from violating the provisions of Chapter 403, F.S., the rules promulgated thereunder, and the permits issued pursuant thereto;

B. Imposing upon Defendants a civil penalty of up to \$50,000.00 per day for each day of each violation of Chapter 403, F.S.;

C. Awarding the Department its investigative costs, including a reasonable attorney's fee;

D. Retaining jurisdiction to enforce compliance with the Court's Orders; and

E. Granting such other and further relief as to the Court seems just and proper.

DATED this 27th day of February, 1992

Respectfully submitted,

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

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John White's Copy

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COMPLIANCE FILE

6/3/2002
GJW

February 25, 1992

Sent Via Federal Express
Mail - February 25, 1992

Mr. Robert Snyder, P.E.
Hazardous Waste Section
Florida Department of Environmental
Regulation - Central District
3319 Maguire Blvd., Suite 232
Orlando, FL 32803-3767

Subject: RCRA Inspections Dated May 17 and Oct. 30, 1991
Response to Recommended Corrective Action 10.a.
Safety-Kleen Corp. - Altamonte Springs Branch
EPA ID No. FLD 097 837 983

Dear Mr. Snyder:

The purpose of this letter is to respond to one of the recommended corrective actions specified in John White's inspection report dated November 14, 1991.

Section 10.a. of the report recommends that Safety-Kleen must "provide a written plan designed to identify other facilities where this violation has occurred and correct the violation." The alleged violation referenced is that Safety-Kleen transported hazardous waste without a manifest from 2 customers who are large quantity generators. Safety-Kleen already explained in our response dated January 13, 1992 as to why the alleged violation occurred and that the matter has been resolved. This response is to provide to you the written plan requested.

In our response dated January 13, 1992, we mentioned that development of the plan requires a possible coordination between FDER's/USEPA Region IV's and Safety-Kleen's database of EPA ID numbers. Such a coordination was attempted between the State of Minnesota's and Safety-Kleen's databases.

The merging between the two systems was not successful. The computer comparison can only be done either by company name or by address. Cross checking between company names and addresses was not successful because the name or address in Safety-Kleen's system differed from the name or address of the State of Minnesota's system, for the same customer. Many

such discrepancies were noted and were found to be unmanageable at the computer level.

Given our experience in Minnesota, Safety-Kleen has decided to first deal with this issue manually. Beginning September, 1991, Safety-Kleen began using EPA Region IV's list of EPA ID numbers for all of Florida's Large Quantity Generators and Small Quantity Generators between 100 to 1000 kg/month. We have since decided to obtain such printouts from FDER's Bureau of Information systems every calendar quarter beginning 1992's second quarter. We decided to use Florida's system rather than EPA Region IV's because according to a discussion with Mr. Michael Redig of BWPR-FDER on February 24, it was indicated that the information in the state's system would be more current. We feel that a quarterly update is appropriate at this time realizing that the state's system will change periodically.

Each Safety-Kleen Corp. branch in Florida should have the FDER printouts in March. Before a pick-up of hazardous waste is made from a customer, the branch compares the generator status on the customer invoice with the status on the EPA listing. Corrections are made when an inconsistency in generator status is found. Since we do pick-up wastes from all our customers every 4 weeks or even up to every 16 weeks, each branch will eventually cross check all of its customers by the end of a 16 week cycle. Cross checking between customer invoices and the FDER listing will commence in 1992's second calendar quarter.

As far as accepting hazardous waste from government-owned, contractor operated facilities, each branch is now aware that any waste pick-up within a government owned base or facility even if there are contractors within it must comply with all applicable manifesting requirements. There are only a very small number of such facilities within a branch's sales region therefore, each branch has been made aware to use the generator status and the EPA ID number of the entire base or facility.

We hope that this plan is satisfactory. If you have any questions or concerns, please call me at (813) 682-1176.

Sincerely,

Victor L. San Agustin

Victor L. San Agustin, P.E.
Regional Environmental Engineer
Tampa Region

cc: Allan Farmer, USEPA IV
Satish Kastury, BWPR-FDER
Michael Redig, BWPR-FDER
Bill Kellenberger, NW-FDER
Ashwin Patel, NE-FDER
Bill Kutash, SW-FDER
Bill Bostwick, CF-FDER
Phil Barbaccia, SF-FDER
Bob Kukleski, SE-FDER