



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

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

JUL 20 2010

Received  
JUL 26 2010  
BSHW

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Thomas L. Jacobson, CHP  
Director  
Environmental Health & Safety  
Florida State University  
1200 Carothers Hall  
P O Box 3064481  
Tallahassee, Florida 32310

JUL 26 2010

SUBJ RCRA Inspection  
Florida State University  
Tallahassee, Florida  
EPA ID No FLD 982 133 159

Dear Mr Jacobson

On June 7 and 8, 2010, the U S Environmental Protection Agency (EPA) conducted an EPA Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Florida State University located in Tallahassee, Florida. The purpose of the inspection was to determine the facility's compliance status with the RCRA regulations. Enclosed is a copy of EPA's report which indicates that violations of RCRA were discovered.

Please submit a response to this report within thirty days upon its receipt to document that violations observed during the inspection have been corrected.

If you have questions regarding this report, please contact Daryl Himes, of my staff, at (404) 562-8614.

Sincerely,

Larry Lamberth, Chief  
South Section  
RCRA and OPA Enforcement and Compliance  
Branch

Enclosure

- cc Tim Bahr, FDEP – Tallahassee •
- Jim Byer, FDEP – NW District

## RCRA COMPLIANCE INSPECTION REPORT

1) Inspector and Author of Report

Daryl R Himes  
Environmental Engineer

2) Facility Information

Florida State University (FSU)  
1021 Atomic Way  
Environmental Health & Safety  
Tallahassee, Florida 32306

EPA I D No FLD 982 133 159

3) Responsible Official

Thomas L Jacobson, CHP  
Director

4) Inspection Participants

Thomas Jacobson, Florida State University  
Janice Dodge, FSU  
Renee Murray, FSU  
Jerred Pogge, FSU  
Andrew Davis, FSU  
Laymon Gray, FSU  
Daryl R Himes, EPA  
Melissa Woehle, FDEP

5) Date and Time of Inspection

June 7 and 8, 2010

6) Applicable Regulations

Title 40 Code of Federal Regulations (C F R ) Parts 260 through 270 as adopted and incorporated by reference in the Florida Administrative Code (FAC) at 62 730 140-62 730 183

7) Purpose of Inspection

To conduct an unannounced compliance evaluation inspection (CEI) to determine the facility's compliance status with the applicable RCRA regulations

8) Facility Description

FSU's most recent Hazardous Waste Generator Notification (EPA Form 8700-12) filed on June 4, 2010, characterized the facility as a large quantity generator of hazardous waste

As a generator of hazardous waste, FSU consists of various classroom laboratories, research laboratories, and maintenance operations which generate hazardous wastes. The facility operates a ninety (90) day hazardous waste accumulation area which is staffed to collect hazardous wastes generated at its laboratories and maintenance areas. The hazardous wastes are consolidated and shipped off-site to a treatment, storage or disposal facility from the ninety (90) day area.

9) Findings

Upon arriving at FSU's Environmental Safety Building, credentials were presented to Thomas Jacobson of the facility.

Before a walk-through inspection of FSU was performed, a map of the campus was obtained during a meeting to determine which buildings on the campus would be inspected. A walk through inspection of the facility was then performed beginning on the western edge of the campus. Below is a list of the buildings and areas within each which were inspected. **[Please Note Unless noted otherwise in this section, all containers identified during the walk-through inspection was properly labeled, dated, and closed.]**

Building 4002

All wastes observed in this building were found within laboratories. The laboratories in Rooms 3311A, 3370, 3330, 3360, 3320, 3310, 2311, 2310, 2320, 2360, 2380, and 2382 were inspected. Hazardous wastes were observed within one and five gallon containers within these laboratories. All of the containers were properly labeled, dated, and closed.

### Building 4007

All wastes observed in this building were found within laboratories. The laboratories in Rooms 4017, 4019, 4029, 4013, 4012, 4074, 4074, 4073, 4071, 4087, 4070, 4068, 3067, 3068, 3069, 3070, 3071, 3090, 3016, 3014, 3030, 3013, 3012, 2013, 2030, 2015, 2033,

2018, and 1070 were inspected. Hazardous wastes were observed within one quart, one gallon, and five gallon containers within these laboratories. All of the containers were properly labeled, dated, and closed except for lab 3014, where one 5-gallon container of an unknown waste was observed. **FSU appeared to be in violation of 40 C F R § 262.11 by failing to make a hazardous waste determination on potential solid wastes at its facility.**

### Building 4004

All wastes observed in this building were found within laboratories. The laboratories in Rooms C480, C478, C445A, C447, C347, C349, C368, C371, and C373 were inspected. Hazardous wastes which were observed in these laboratories were found within one, two, and five gallon containers. All of the containers were properly labeled, dated, and closed.

### Building 9

All wastes observed in this building were found within laboratories. The laboratories in Rooms C474, 0221, 0225, 0226, 0228, 0224, 0233, 0234, 0252, and 0253 were inspected. Hazardous wastes which were observed in these laboratories were found within one, two, and five gallon containers. All of the containers were properly labeled, dated, and closed.

### Building 39

All wastes observed in this building were found within laboratories. The laboratories in Rooms 328A, 308, 304, 301, 318A, 318B, 318C, 318F, 312B, 324, 323, 334, 209, 205, 201, 221, 221F, 221C, 221B, 224, 229, 228, 240, 236, 213B, 213, 212, 116 were inspected. Hazardous wastes which were observed in these laboratories were found within one quart, one gallon, and five gallon containers. All of the containers were properly labeled, dated, and closed except for laboratories 324 and 334, where two one quart containers were observed without "Hazardous Waste" labels. **FSU appears to have failed to adhere to conditions for exemption from RCRA Section 3005 given in 40 C F R § 262.34(c)(1)(ii) by failing to label containers of hazardous waste with the words "Hazardous Waste"**

### Building 146

All wastes observed in this building were found within laboratories. The laboratories in Rooms 519, 517, 515, 510, 313, 315, 322, 320, 219, 217, 213, and 210 were inspected. Hazardous wastes which were observed in these laboratories were found within one and

five gallon containers. All of the containers were properly labeled, dated, and closed except for lab 315, where one gallon container was observed without a "Hazardous Waste" label. **FSU appears to have failed to adhere to conditions for exemption from RCRA Section 3005 given in 40 C.F.R. § 262.34(c)(1)(ii) by failing to label containers of hazardous waste with the words "Hazardous Waste."**

### Building 38

All wastes observed in this building were found within laboratories. The laboratories in Rooms 754, 757, 719, 727, 732, 760, 652, 651, 642, 640, 638, 641, 645, 647, 526, 528, 530, 546, 535, 537, 442, 427, 425, 440, 433, 321C, and 333 were inspected. Hazardous wastes which were observed in these laboratories were found within one and five gallon containers. All of the containers were properly labeled, dated, and closed except for laboratories 640, 641, 645, and 647, where one gallon containers were observed to be open. **FSU appears to have failed to adhere to conditions for exemption pursuant to RCRA Section 3005 specified in 40 C.F.R. § 262.34(c)(1)(i), by failing to manage hazardous waste in containers which are closed in accordance with 40 C.F.R. § 265.173(a) and is therefore in apparent violation of Section 3005 of RCRA by storing hazardous waste without a permit or interim status, if applicable. In addition the containers in laboratories 645 and 647 were also observed without a "Hazardous Waste" label. FSU appears to have failed to adhere to conditions for exemption from RCRA Section 3005 given in 40 C.F.R. § 262.34(c)(1)(ii) by failing to label containers of hazardous waste with the words "Hazardous Waste."**

### Building 4008

All wastes observed in this building were found within laboratories. The laboratories in Rooms 5302, 5301, 5401, 5401D, 5404B, 5405, 5806, 5803, 5805, 4301, 4805, 4808, 4703, 3301, 3200, 3501, 3805, 3805, 3703, 3802, 2103, 2302, 2901, and 2600 were inspected. Hazardous wastes which were observed in these laboratories were found within one and five gallon containers. All of the containers were properly labeled, dated, and closed except for 13 one gallon containers which were observed to be open in laboratories 5302, 5301, 5401, 5404, 5405, 5806, 5803, 4703, 3805, and 3802. **FSU appears to have failed to adhere to conditions for exemption pursuant to RCRA Section 3005 specified in 40 C.F.R. § 262.34(c)(1)(i), by failing to manage hazardous waste in containers which are closed in accordance with 40 C.F.R.**

**§ 265 173(a) and is therefore in apparent violation of Section 3005 of RCRA by storing hazardous waste without a permit or interim status, if applicable. In addition one container in lab 5405 was also observed without a "Hazardous Waste" label. FSU appears to have failed to adhere to conditions for exemption from RCRA Section 3005 given in 40 C F R. § 262.34(c)(1)(ii) by failing to label containers of hazardous waste with the words "Hazardous Waste."**

### Maintenance Areas

Maintenance performed at FSU is primarily done by a grouping of shops in a centrally located area of the campus. Below are the maintenance areas inspected and the findings observed.

#### Pipe Shop

No wastes were observed in this shop.

#### Electric Shop

One 55-gallon drum of used oil filters and one 30-gallon drum of used oil was observed in this shop. Each container was labeled with the words "Use Oil."

#### AC Shop

One 20-gallon Safety-Kleen parts washer was observed in this shop. No hazardous wastes were observed.

#### Sheet Metal Shop

One 55-gallon container for aerosol cans was observed in this shop.

#### Paint Shop

One 55-gallon satellite container of hazardous paint waste was observed in this shop.

#### Wood Shop

No hazardous wastes were observed in this shop.

### Warehouse

Nineteen boxes of Universal Waste fluorescent bulbs were observed in this area. All of the boxes were closed and labeled with the proper Universal Waste language and an accumulation start date.

### Grounds Shop

One 20-gallon Safety-Kleen parts washer was observed in this shop. One 55-gallon drum of used oil labeled with the words "Use Oil" was also observed.

### 90 Day Hazardous Waste Accumulation Building (HWAB)

Hazardous wastes generated in the laboratories and maintenance areas at the facility are picked up by environmental staff employed by FSU and transported within the campus to the HWAB. The HWAB is a roofed concrete building which has several rooms to allow for the segregation of acid, caustic, and flammable hazardous wastes. At the time of the inspection, four 55-gallon drums and 18 5-gallon containers of hazardous waste were present in the building. Each of the containers was properly labeled and marked with an accumulation start date of less than 90 days.

### Building 36

All wastes observed in this building were found within laboratories. The laboratories in Rooms 537, 539, 546, 533, 340, 312, 442B, and 442C were inspected. Hazardous wastes which were observed in these laboratories were found within two and five gallon containers. All of the containers were properly labeled, dated, and closed.

### Building 135

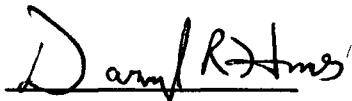
The laboratories in Room 423 were inspected. Two 5-gallon containers of hazardous waste were observed. Both of the containers were properly labeled, dated, and closed.

### Record Review

A review of the facility's manifests, inspection records, operating records, and training records was then performed. While reviewing the facility's training records, it was found that two professors were lacking annual updates for their hazardous waste training for several years. Professors Fadool has not had training since 1998 and Professor Walker has not had training since 2007. **FSU appears to have failed to adhere to conditions for exemption pursuant to RCRA Section 3005 specified in 40 C F R § 262.34(a)(4),**

**by failing to have complied with hazardous waste personnel training requirements, as set forth 40 C.F.R. § 265.16(c), and is therefore in apparent violation of Section 3005 of RCRA by storing hazardous waste without a permit or interim status if applicable**

10) Signed

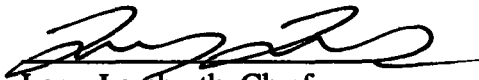


Daryl R. Himes  
Inspector and Author of Report

7/12/10

Date

11) Concurrence and Approval



Larry Lamberth, Chief  
South Section  
RCRA and OPA Enforcement  
and Compliance Branch

07/20/10

Date