INSPECTION REPORT

PURPOSE:

TSCA Section 6 (e), PCB Inspection

INSPECTION DATE

October 5, 2004

FACILITY

Clean Harbors Environmental Services, Inc.
5756 Alba Street
Los Angeles, CA 90058

TABLE OF CONTENTS

ATTACHMENTS

INSPECTION REPORT

A. FACILITY DATA

Facility Name:	Clean Harbors Environmental Services, Inc. 5756 Alba Street Los Angeles, CA 90058
Phone:	(323) 277-2528
EPA I.D.	CAD 050 806 850
SIC Code:	4293
Responsible Official: Corporate Affiliation:	Brian Olson Plant General Manager

B.. INSPECTION DATE: October 5, 2004

C. INSPECTION PARTICIPANTS:

Clean Harbors, Inc	Brian Olsen, General Manager Roger Fox, Environmental Compliance Manager
US EPA:	Yoshiro Tokiwa, Lead TSCA Field Inspector Christopher Rollins, TSCA Field Inspector

D. BACKGROUND

Under 40 CFR 761.3, anyone who stores more than 500 gallons or 70 cu ft of regulated PCB waste generated by others is considered a "commercial storer" and requires EPA approval to operate. Clean Harbors Environmental Services, Inc. (CHI) is one of North America's leading providers of environmental and hazardous waste management services. Their infrastructure consists of 48 waste management facilities which include nine landfills, five incineration locations, and seven wastewater treatment centers. Headquartered in Braintree, Massachusetts, CHI has more than 100 locations throughout North America in 36 U.S. states, six Canadian provinces, Mexico and Puerto Rico.

CHI's Los Angeles facility is a State of California RCRA permitted hazardous and industrial waste storage and treatment facility that stores, treats, and disposes of hazardous and industrial wastes containing dissolved metals, corrosives, spent or contaminated oils and solvents, and small quantities of laboratory chemicals. PCB wastes are only stored, consolidated, and shipped to off-site treaters and disposers.

CHI has had EPA Region IX approval since March 12, 1997 as a commercial storer of PCB waste which expired February 15, 2002.

Beginning in 1979 as a waste hauler named Oil Process Company (OPC), the facility on June 3, 1985, obtained a California Department of Toxic Substances Control (DTSC) permit as a Hazardous Waste Facility. The permit authorized OPC to store and treat hazardous wastes and transfer identified wastes into tanks and containers.

In 1988, the company was purchased by Rollins Environmental Services, Inc. and the facility renamed Rollins OPC who, in September of 1991, applied for and obtained a 5-year EPA Region IX Approval as a commercial PCB storer. The TSCA Approval was renewed on March 12, 1997 with an expiration date of February 15, 2002. On January 26, 1995, DTSC approved Rollins OPC's Class 2 permit modification effective February 28, 1995 to expire May 29, 1995. In May 1997, the facility was renamed Laidlaw Environmental Services, Inc. and on July 7, 1998 became Safety-Kleen (Los Angeles) who, on August 1, 2001, submitted an application for renewal of their March 12, 1997 EPA TSCA PCB storage approval. On April 30, 2002, however, the assets of Safety-Kleen were acquired by Clean Harbors Los Angeles LLC who requested the existing TSCA approval to store PCBs be transferred to CHI.

However, under 40 CFR 761.65(d)(6), storage areas at RCRA-permitted facilities may be exempt from a separate TSCA storage approval provided they can show to the Regional Administrator's that:

- the facility's RCRA closure plan is substantially equivalent to TSCA's closure standards,
- the facility's closure cost estimate and financial assurance accounts for the maximum PCB waste inventories, and
- the requirements of paragraphs (d)(3)(i) through (d)(3)(v) and (d)(3)(vii) of this section are met.

In early 2004, CHI requested EPA authorize continued operation of CHI as a Commercial Storer of PCB waste under the State of California RCRA permit per the above provisions. CHI's request for EPA exemption is currently under review.

The facility was last inspected September 25, 2000 but no samples were collected. No violations were found.

The current inspection was conducted in part to obtain information considered relevant for issuing a EPA/DTSC coordinated approval and involved:

- collecting wipe samples the facility surfaces for PCBs and
- determining if the amount of PCB wastes on site exceeds the PCB storage limit(s) permitted under the current California permit.

This report covers the inspection procedures, PCB sampling, and CHI's PCB handling and storage activities.

E. OPENING CONFERENCE

On October 5, 2004, EPA lead inspector Yoshiro Tokiwa and inspector Christopher Rollins arrived at approximately 9:20 AM at the offices of Clean Harbors Environmental Services, Inc (CHI) located at 5756 Alba Street, Los Angeles, CA 90058 (*Photo 1*). The inspectors initially met with Mr. Roger Fox, the facility's environmental compliance manager and were later joined by facility general manager Mr. Brian Olson. The inspectors presented their credentials and explained the purpose of the inspection. The Notice of Inspection and the TSCA Inspection Confidentiality Notice were presented, explained, and signed (*Attachment A*). Misters Fox and Olson gave an overview of CHI's history and operations then escorted the inspectors on a general tour of the facility and the facility's TSCA storage areas.

F. INSPECTION PROCEDURE FINDINGS

1. General

Located on a 2.3 acre site in a heavily industrialized area in the City of Los Angeles, the site is bounded on three sides by Alba Street, Slauson Avenue, and Alameda Street. An A.T.S.F. rail right-of-way runs between CHI and Slauson (*Attachment B, Figure I, Photos 1, 2*). The entire site is level and paved. The property is enclosed by an 8-foot chain link and corrugated iron fence topped by approximately 18-inch diameter concertina wire. Entry and egress are controlled by security personnel. In addition to their office building, the major operational areas and buildings include the Container Storage Warehouse, Container Processing Building with three 3,000 gallon storage tanks (*Photo 3*), and their Waste Water Processing Area (*Photos 4-7*). The number of employees is about 80.

2. DTSC Permit

DTSC's Hazardous Waste Facility Permit consists of three documents, the "Final Hazardous Waste Facility Permit Modification," "RCRA Closure Plan," and "PCB Closure Plan" (*Attachments C-1, 2, & 3*). The first, and main document, was issued to Rollins OPC on January 26, 1995 with an effective date of February 28, 1995 and with an expiration date of May 29, 1995. According to Clean Harbors 9/14/05 letter to EPA, this is DTSC's current permit. DTSC has not acted on an application for permit renewal re-submitted on July 7, 1998 when their facility name was changed to Safety-Kleen (Los Angeles), Inc. and again on August 26, 2002 when their name was changed to Clean Harbors Inc.

CHI's RCRA Closure Plan and Closure Cost Estimate, prepared for DTSC June 26, 2002 by Safety-Kleen (*Attachment C-2*), restricts the maximum inventory for PCBs to 8,745 gallons. The plan, at Chapter 2.4, also states that although a separate PCB Closure Plan exists under TSCA (*Attachment C-3*), the closure of this facility is to be conducted under the aegis of RCRA.

The costs for closing the PCB areas, therefore, is included with the RCRA closure cost estimate to determine the total amount of financial assurance needed.

3. Use Conditions

The facility provides hazardous waste management services that include waste analysis, storage, processing, and treatment. Processing capabilities include bulking, repacking, decanting, blending, waste water treatment, and lab packing (*Photos 4-9*).

The wastes received are from off-site generators, primarily from petrochemical, aerospace, plating, and manufacturing business sectors. A major portion of their PCB activity involves the handling of PCB containing electrical equipment, primarily oils from transformers, from Southern California Edison. Other types of wastes handled include:

- industrial waters, waste water derived solids, and sludges,
- inorganic acids, bases, and corrosive character wastes,
- household hazardous wastes,
- ethylene glycol,
- waste oil,
- batteries including lead acid,
- spent solvents including halogen specialty solvents,
- mercury containing materials,
- lamps classified as universal wastes, and
- small quantity laboratory chemicals.

a. Operation and Worker Protection

The regulations at § 761.79(e)(2) require that persons participating in PCB handling and decontamination activity be prevented from dermal contact and inhalation of materials containing PCBs.

CHI's worker protection consists of Tyvex coveralls, dust masks (when needed), gloves, hearing protectors and footwear covers. The inspectors noted that all workers appeared to be using their equipment (*Photos 5, 6*).

b. Storage for Disposal

The regulations at 40 CFR 761.79(e)(1) require that the PCB wastes be contained within the decontamination area and not allowed to migrate to the environment. § 761.65(b) requires facilities that store PCB waste:

- have an adequate roof and walls to prevent rain water from reaching the stored PCB waste,
- have an adequate floor with a minimum six-inch high continuous curb,

- be constructed of continuous, smooth, and impervious materials such as Portland cement, concrete, or steel to prevent or minimize penetration of PCBs,
- provide a containment equal to twice the internal volume of the largest PCB Article or Container stored therein or 25% of the total internal volume of all PCB Articles or Containers stored therein,
- have no drain valves, sewer lines, floor drains, expansion joints, or other openings that would allow liquids to flow from the curbed area, and
- not be located at a site that is below 100-year flood water elevation.

CHI's PCB storage consists of one of three 34' by 54' (1,836 sq ft) containment bays located under one roof within their "Container Storage Warehouse" (*Attachment B, Figures I & II*). The other two bays are reserved for RCRA wastes. The 83' by 112' (9,296 sq ft) warehouse building consists of a steel frame supported roof with walls of concrete block and floors of Portland cement concrete. Each of the three bays is enclosed by 6" high concrete curbing or berms with a 6' wide concrete ramp at the end of each bay for forklift access. There are no floor drains, drain valves, unsealed expansion joints, sewer lines or other openings that will permit liquids to flow from the curbed area. The floors, curbs, and ramps are all sealed with an impervious epoxy coating to retard any potential penetration of the surface by PCB liquids (*Photos 10-13*). Fire protection and chemical spill kits located within the area allows quick response to fire and chemical spills (*Photo 14*).

According to flood insurance rate maps, the site is above the 100-year flood plain.

c. Marking

40 CFR 761.40 requires that all PCB articles such as transformers, capacitors, bushings, hydraulic systems, etc. as well as areas used to store PCBs and PCB items be marked with an M_L or M_S label.

All PCB articles (transformers, capacitors, bushings) and drums containing incoming lighting ballasts (*Photos 15, 16*), miscellaneous PCB wastes and outbound wastes for disposal as well as interior of entrances to the PCB waste storage areas and exits were marked with the PCB M_L label.

4. Sample Collection

Per 40 CFR 761.125 and § 761.79(b)(4), the decontamination standard for PCB's on concrete surfaces is $\leq$10 ug/100 cm^2 as measured by the standard wipe test at § 761.123.

Eleven wipe samples of the floor within the PCB storage bay and adjacent areas in the Container Storage Warehouse as well as at the entryway outside the storage area were collected. The sample locations are shown in *Attachment B, Figure 3* and *Photos 17-26*. Also, we had CHI remove the covers of all six drums containing lamp ballasts for disposal in the PCB storage area.

In searching through the drums, we noticed that two of the drums contained a ballast that was wet on the exterior with what appeared to be oil (*Photos 27, 28*) which we also wipe sampled.

The floor wipes were collected in accordance with the standard wipe test procedures at 40 CFR 761.123 using disposable templates fabricated from standard office file folder material to delineate the 10 x 10 cm area. Each area was wiped with a 2" x 2" gauze pad using hexane as solvent. For each wipe, a new template and new plastic gloves were used. The two wet ballasts, however, were sampled by wiping the hexane soaked gauze over the wet areas of each ballast and, because it was not possible to use a template, the area sampled was estimated from the dimensions of the areas wiped. Following collection, each gauze pad was placed in a precleaned glass screw-cap vial and the cap secured with an official sample seal wrapped around the cap. Because the entire 2.3 acre surface of the facility is paved, no soil samples were available for collection.

All samples were shipped under chain-of-custody to the USEPA laboratory in Richmond, California for PCB analysis.

5. Annual Document Log

40 CFR 761.180((b)(3) requires that the owner or operator of a PCB disposal or commercial storage facility submit by July 15 of each year an annual report to the EPA Regional Administrator that contains:

- Name, address, and EPA ID No. of the facility,
- The number of all manifests initialed or received.
- The total numbers and weight in Kg of
  i) bulk PCB waste,
  ii) waste in PCB transformers (PCB Voltage Regulators are reported as PCB transformers)
  iii) PCB high or low voltage capacitors, and
  iv) PCB containers in storage at the beginning of the calendar year, received or generated or disposed of at the facility and remaining at the end of the calendar year.

G. CLOSING CONFERENCE

The inspector presented Mr. Fox with a list of CHI records and documents needed for the inspection which included copies of all in and out-bound bills of ladings and manifests for 2003 and 2004 to date. The records were later delivered by mail. The inspector then had Mr. Olson sign the Receipt for Samples and Documents (Attachment A) for samples collected and for the documents requested and the inspection concluded with the lead inspector explaining EPA's follow up procedures.

H. RESULTS

1. PCB Wipe Samples

As stated in F.4., the TSCA cleanup level for unrestricted use of concrete surfaces is $\leq$10 ug/100 cm^2. However, Condition C.4. of the March 12, 1997 EPA Region IX Commercial PCB Storer Approval, states the limit applies to surface areas of non-storage areas.

The laboratory results of the PCB analyses of the eleven wipe samples, shown in *Attachment D, Table 2*, are summarized in *Table 1* and show that two of the wipes, CH-SW-1 and CH-SW-3, both within the storage area, were slightly over the 10 ug/100 cm^2 at 12 and 13 ug/100 cm^2, both Aroclor 1260. The results indicate a need for CHI to investigate the possibility of a wider distribution of PCBs within their warehouse and suggest a possible need for cleanup of the facility. As for the oil on the surfaces of the leaking ballasts (CH-B1, CH-B2), both were non-detect for PCBs.

2. Annual Document Log

EPA's review of Clean Harbors' 2003 Annual PCB Document Log revealed a number of discrepancies which were relayed to Clean Harbors in a letter. The discrepancies, summarized in *Table 4* of *Attachment E*, are as follows:

a. PCB Large Capacitors: Their Log indicates 60 kg present at the beginning of the year, one received during the year, none transferred, and none remaining at the end of the year leading to the question of what happened to the 60 kg of PCB Large Capacitors that were present at the beginning of the year.

b. PCB Article Containers: Their Log indicates zero-kg present at the beginning of the year, 25,741 kg received, 24,965 kg transferred, and 2,204 kg remaining at the end of the year leaving a surplus of 776 kg of PCB Article Containers leading to the question of where the remaining 776 containers came from.

The Log also indicates zero Article Container units at the beginning of the year, 81 units received and 589 units transferred, and nine remaining at the end of the year suggesting that they transferred 499 Article Containers that did not exist.

c. PCB Transformers: Their Log shows 2,210 kg on-site at the beginning of the year, 161,679 kg received, 142,174 kg transferred, and 19,505 kg remaining at the end of the year, leaving 2,210 kg unaccounted for.

d. PCB Containers: The Log indicated 5,514 kg on-site at the beginning of the year, 83,867 kg received, 81,663 kg transferred, and 776 kg remaining at the end of the year leaving 6,942 kg of PCB Containers unaccounted for.

The Log also listed 29 Containers present at the beginning of the year, 576 Containers received, 72 units transferred, and 16 units remaining at the end of the year. There should be 533 Containers at the end of the year.

3. Quantity of PCB Waste On-Site

Under CHI's March 12, 1997 EPA PCB Commercial Storer approval and CHI's June 26, 2002 RCRA Closure Plan and Closure Cost Estimate, the maximum quantity of PCB wastes on-site is restricted to 8,745 gallons. To determine whether the quantity of PCB wastes on-site at any time exceeded this limit, data showing the quantities of PCB waste delivered versus the quantities leaving the site on a daily basis are needed.

a. To obtain a measure of the quantities of regulated PCBs on-site on any day, we tabulated the relevant information contained in some 332 incoming hazardous waste manifests for 2003 against some 87 outgoing manifests over the same period in *Tables 2a-2l, Attachment D.*

In our initial review, however, we found that the deliveries for the year totaled more than 2,940,000 kg but the shipments out totaled only 238,000 kg. This left a surplus of some 2,700,000 kg unaccounted for. Discussions with CHI revealed that under Title 22 California Code of Regulations at 66261.24, liquids that are assumed to be or suspected of containing 5 ppm or more PCBs or 50 ppm or more in non-liquids are required to be manifested, transported, and disposed of as hazardous waste. Once subsequently verified as less than the regulatory limits, however, the manifest entries (quantities & weights) are then revised accordingly. Apparently the quantities and weights in the shipping documents for 2003 provided to EPA had not been corrected. Moreover, according to CHI, when transformers were drained, their tracking system program did not always subtract the weight of the drained oil from the original transformer weight in effect counting the weight of the oil twice. A list containing the "corrected" weights for each of the manifests was received on August 11, 2006.

b. *Tables 2a-2l* show on each delivery date and each ship-out date in 2003, the individual manifest number (Col 2), both the stated weights (Col 5) and the "corrected" weights (Col 6), and the total kilograms (Col 7) for that date. Nearly 80% (79.5%) of the original weights in column 5 had to be corrected. The amount of waste on-site (Col 11) is then the sum of the weights delivered (Col 6) up to and including the ship out (Outbound) date (Col 1) minus the weight shipped out (Col 10). The net on-site weight, then, is obtained by adding the previous value in Col 11 to the weight on the "delivery" date in Col 7 and subtracting the total outbound weight in Col 10.

c. For a clearer overview of CHI's storage operations, the monthly totals in *Tables 2a-2l* were transferred to *Table 3* but the "Max Kg" and "Max Gal" in Columns 7 and 8 are the maximum values encountered during the month. With the corrected values, the table now shows that CHI received a total of 191,342 kg of TSCA waste during 2003 and shipped out 238,208 kg suggesting CHI shipped out 46,866 kg more than they took in. These figures are also at odds

with their 2003 annual document log which shows that 22,485 kg remained at the end of the year (271,287 kg received less 248,802 kg shipped out).

Also, the maximum quantity of PCB wastes permitted on-site at any time by both permits is designated in gallons (8,745). To equate weight to volume, CHI uses one gallon equal to 8 pounds (the weight of a gallon of water) or 3.64 gal per kilogram which we used. As *Table 3* shows, with the "corrected" inbound weights, CHI never exceeded the 8,745 gallon limit (Col 8). On the other hand, the gallons on-site become negative beginning in August and at the end of the year is a negative 8,530 gallons. CHI needs to resolve this discrepancy.

I. CONCLUSIONS

1. PCB Wipe Samples

Two of the 11 wipes, CH-SW-1 and CH-SW-3, within CHI's PCB storage area floor exceeded 10 ug/100 cm^2 at 12 and 13 ug/100 cm^2. On the other hand, Condition C.4. of the EPA Region IX Commercial PCB Storer Approval states this standard applies to non-storage areas of the facility. CHI needs to investigate the possibility of a wider distribution of PCBs in the non-storage areas of their warehouse.

2. Annual Document Log

Fourteen of the 40 or 35% of the entries in CHI's PCB Annual Document Log for 2003 submitted to EPA per 40 CFR 761.180((b)(3) were erroneous.

3. PCB Storage

Because the weights in CHI's 2003 shipping documents provided EPA had not been corrected for the actual PCB contents, the manifests indicated CHI took in 2,700,000 kg more PCB waste than they disposed of. The data after correction, however, now indicate that CHI shipped out 46,866 kg more than they took in. These figures are also at odds with their 2003 annual document log which indicates 22,485 kg remaining at the end of the 2003 (271,287 Kg - 248,802 Kg).

CHI appears unable to keep track of their PCB waste handling activity. CHI needs to update their manifests more frequently (daily) and maintain closer track of their records.

ATTACHMENT F

Photos 1-28

Clean Harbors Environmental Services, Inc.
5756 Alba Street
Los Angeles, CA 90058

Clean Harbors, Inc 10/05/04

Photo 1: View of CHI Entry Gate and Office

Clean Harbors, Inc 10/05/04

Photo 2 : View of ATSF Rail Right-of-Way Between CHI Storage & Slauson Ave.

Clean Harbors, Inc 10/05/04

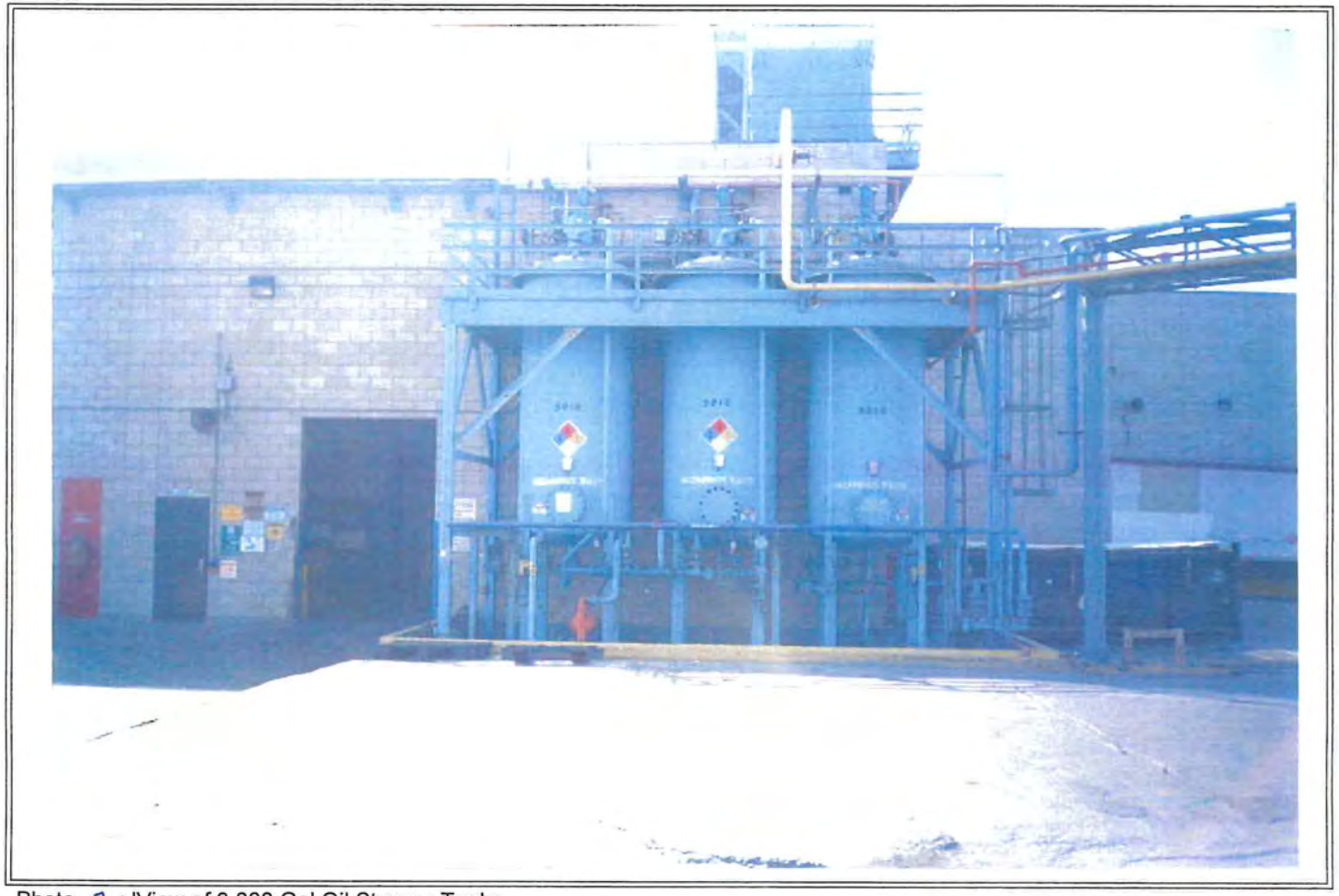

Photo 3 : 'View of 3,000 Gal Oil Storage Tanks.

Clean Harbors, Inc 10/05/04

Photo 4 : View of yard showing tanker unloading facility.

Photo 5 : 'View of yard w/chis and CHI staff.

Clean Harbors, Inc 10/05/04

Photo 6: Closeup of tanker unloading facility showing tranformers awaiting proceessing.

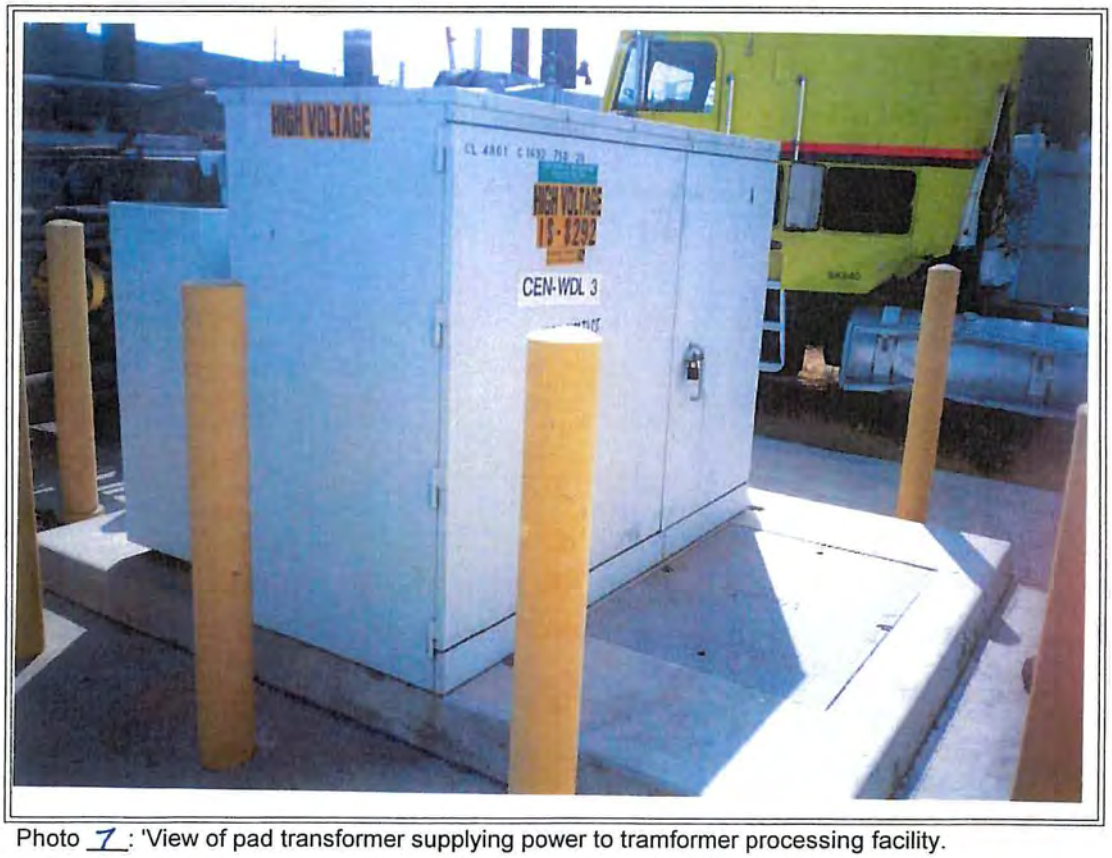

Photo 7: 'View of pad transformer supplying power to tramformer processing facility.

Clean Harbors, Inc 10/05/04

Photo 8: View of transformer bushings stored along fence line.

Photo 9: 'View of plastic wrapped transformers on trailer & more stored bushings at left.

Photo 10: View of more bushings & transformers inside CHI "Container Storage Warehouse" w/ Chris, Roger Fox, & Brian Olson.

Photo 11: View of transformers stored inside CHI "Container Storage Warehouse."

Photo 12: View of Bushings & Transformers inside CHI "Container Storage Warehouse."

Photo 13 : View of more bushings inside CHI "Container Storage Warehouse."

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Photo 14 :View of emergency spill kit inside Container Storage Warehouse.

Photo 15 : View of PCB transformers inside CHI "Container Storage Warehouse."

Photo 16 : View of drum containing ballasts inside CHI "Container Storage Warehouse."

Photo 17: Templates showing locations of wipe samples inside PCB storage bay in CHI's Container Storage Warehouse.

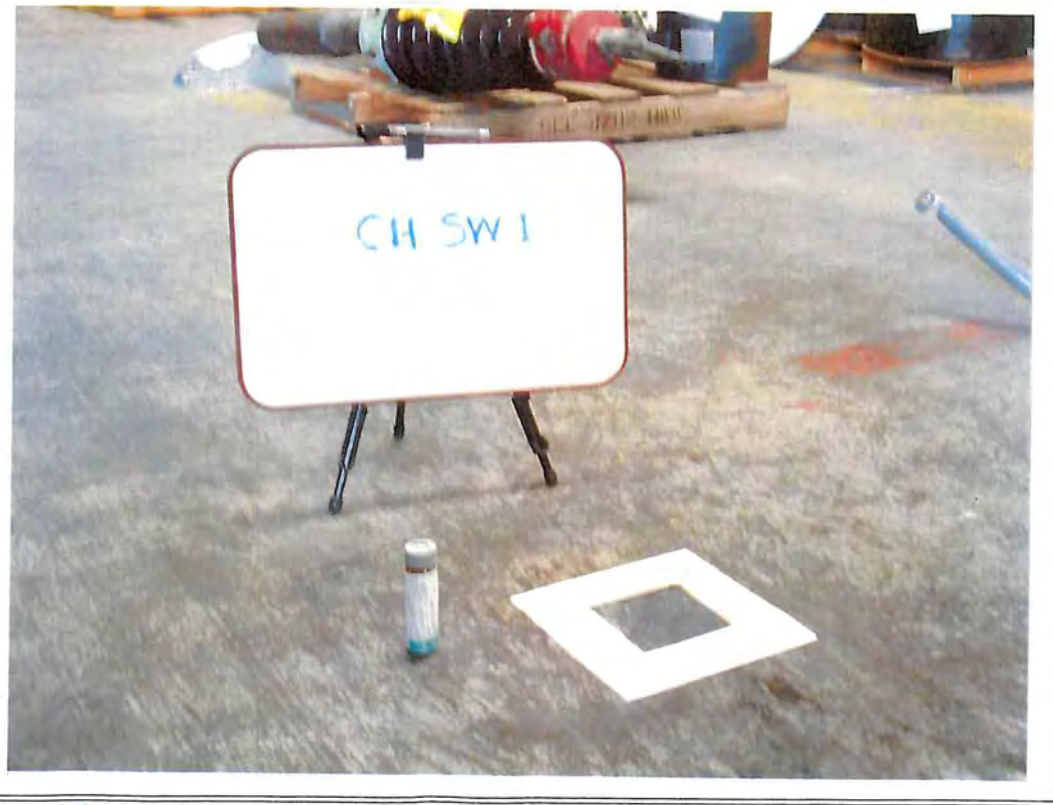

Photo 18 :View of wipe sample #1 collected inside PCB storage bay.

Photo 19 :View of wipe sample #2 collected inside PCB storage bay.

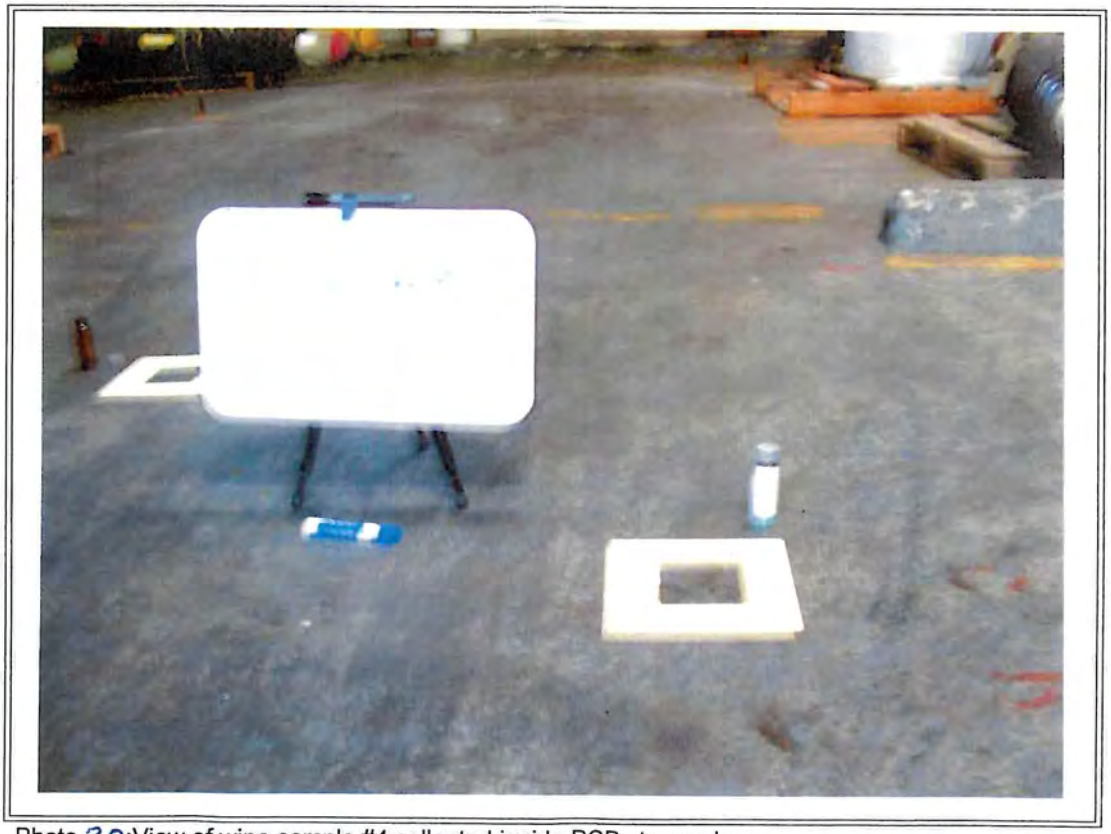

Photo 20:View of wipe sample #4 collected inside PCB storage bay.

Photo 21 :View of wipe sample #5 collected inside PCB storage bay.

Photo 22 :View of wipe sample #6 collected inside PCB storage bay.

Photo 23 :View of wipe sample #8 collected inside PCB storage bay.

Photo 24 :View of wipe sample #9 collected inside Container Storage vehicle passageway.

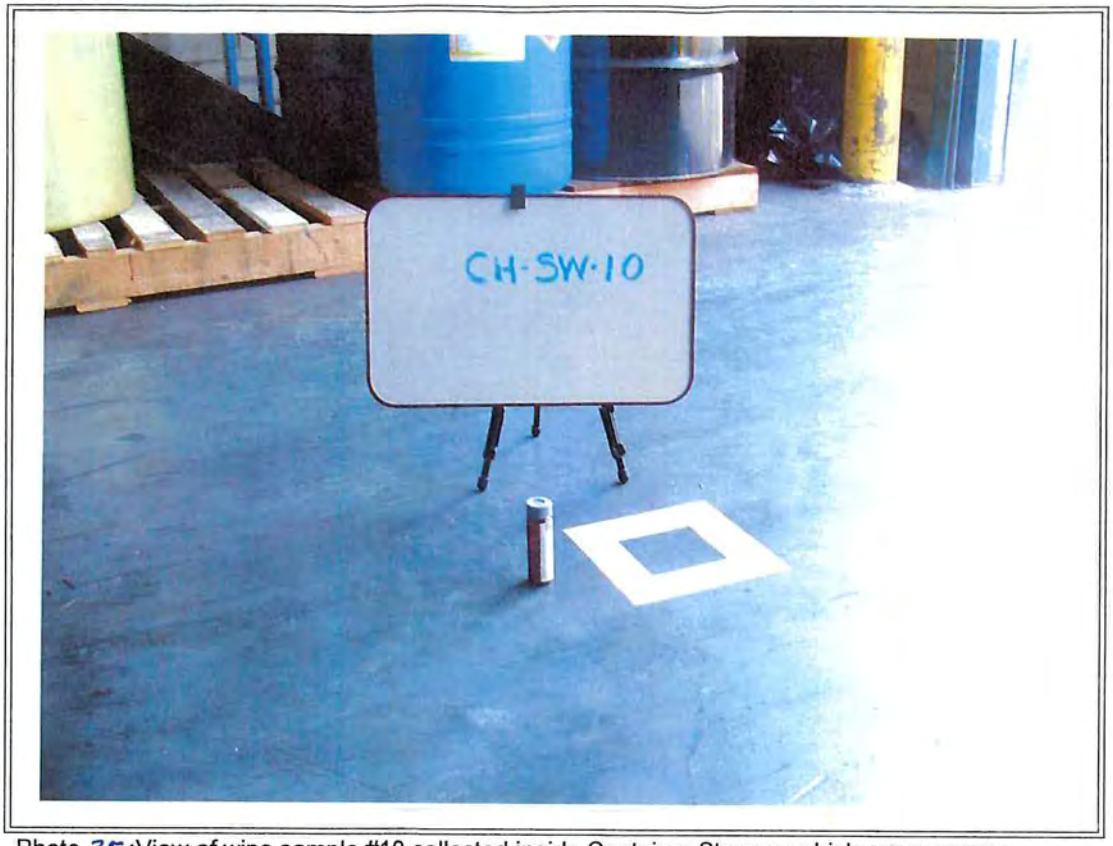

Photo 25 :View of wipe sample #10 collected inside Container Storage vehicle passageway.

Photo 26 :View of wipe sample #11 collected at entrance to Container Storage Warehouse.

Clean Harbors, Inc 10/05/04

Photo 27 : Selecting ballast samples inside CHI "Container Storage Warehouse."

Photo 28 : Selecting ballast samples inside CHI "Container Storage Warehouse."