UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

WASTE MANAGEMENT DIVISION
RCRA ENFORCEMENT OFFICE

Purpose:	TSCA Section 6(e), PCB Inspection
Facility:	Veolia Environmental Services
Facility Address:	1704 West 1st Street Azusa, CA 91702
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EPA ID Number:	CAD 008 302 903
Date of Investigation:	July 15, 2009
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Report Prepared By:	James Polek
Date of Report:	August 28, 2009

Investigation:

On July 15, 2009, a Toxic Substances Control Act (TSCA) Compliance Evaluation Inspection (CEI) was conducted by inspectors from the United States Environmental Protection Agency (U.S. EPA) and California Depart of Toxic Substance Control (DTSC). Based on data collected prior to the inspection, U.S. EPA had evidence that the facility handled TSCA regulated levels of Polychlorinated Biphenyls (PCBs). The purpose of the inspection was to determine the compliance of Veolia Environmental Services (Veolia) with TSCA and the PCB regulations in 40 Code of Federal Regulations (CFR) Part 761.

Background:

Located on seven acres, Veolia is a permitted hazardous waste treatment and storage facility. Veolia's primary activity for PCB waste is as a transfer facility. They do not treat or consolidate any PCB waste because that activity is not included in their permit. If PCBs are detected in a waste stream it is transported to Veolia's Phoenix, AZ facility for treatment. Detailed information on the facility's processes can be found in the facility's hazardous waste permit.

Veolia's electronics recycling division (ERD) subcontracts with Los Angeles Department of Water and Power to decommission transformers, which are transported directly to Veolia's Phoenix, AZ facility.

Veolia employs approximately 48 personnel and operates twenty-four hours a day, five days a week.

A previous inspection to verify Veolia's compliance with the PCB requirements has not been conducted.

Processes:

All waste materials arriving at the facility are tested for PCBs. If PCBs are detected, then the wastes are stored in the first row of the drum storage area. Veolia would not be the generator of these wastes.

However, a facility representative indicated two ways that Veolia may generate PCB waste. First, Veolia works with the County of Los Angeles on household hazardous waste collections. It is possible that some of the household hazardous waste could contain PCBs, in which case Veolia would manifest it off site as the generator. The second source of PCB waste that Veolia generates is laboratory waste, i.e. personnel protective equipment (PPE), vials, etc. Veolia's on-site laboratory conducts PCB analysis on all incoming waste streams. The facility takes the conservative approach of assuming that all waste contains PCBs, so that the PPE and vials associated with these

samples are managed as PCB waste. One of the U.S. EPA inspectors informed the facility that they should file a notice of intent to generate PCB waste because they generate PCB waste from household hazardous waste collections and laboratory procedures.

In-Brief:

The U.S. EPA presented their credentials and explained to the facility representatives that the purpose of the inspection was to verify Veolia's compliance with the TSCA regulations regarding the storage and management of PCBs. The facility representatives did not object to the inspection.

A Notice of Inspection form (see Attachment #1) and a TSCA Inspection Confidentiality Notice form (see Attachment #2) were presented, explained and signed. Additionally, the inspectors informed the facility representatives that the inspection would include collection of samples for PCB analysis. These samples are identified on the Receipt for Samples and Documents form (see Attachment #3) and included surface wipe samples and debris samples from the bottom of the PCB storage shed.

Site Inspection:

Prior to sampling, the inspectors walked through the facility and inspected the PCB storage shed in the drum storage area, the truck loading area, and the 10-day storage area. Three containers were in the PCB storage shed and two of them were properly labeled. However, a one-gallon poly container had a hazardous waste label indicating it contained PCBs, but it did not have a PCB label (see photo below).

The truck loading area was inspected, included the contents of a truck loaded for transport. Two 55-gallon and two 30-gallon containers of PCB waste were in the truck and were properly labeled. The truck had a PCB label on its outside, as required during transport of PCB waste.

The trucks in the 10-day storage area were inspected. None of the containers in the 10-day storage area had PCB waste.

During the facility inspection, the inspectors identified the PCB storage shed and the truck loading area as potential locations for sampling. General photographs of these two areas are shown below, from left to right, respectively.

During the PCB sampling event, a facility representative took wipe samples immediately adjacent to the locations where the EPA inspection team took wipe samples. The U.S. EPA inspector collecting debris samples provided split samples to the facility for their independent analysis. The following tables identify the general sampling locations, sample numbers, and the analytical results from samples collected by the U.S. EPA. A plot plan of the facility identifying the approximate location of each sampling point is included in this report as Attachment #4. A copy of the analytical results for various Aroclors (i.e., 1016, 1221, 1232, 1242, 1248, 1254, 1260, and 1262) is enclosed as Attachment #5.

Debris Samples

General Location	Sample Number	Time of Sample	Result* [µg/kg]
PCB Storage Shed	VESY #1, #1A	11:59 am	<51
PCB Storage Shed	VESY #2, #2A	12:07 pm	<39
PCB Storage Shed	VESY #3, #3A	12:10 pm	<34
PCB Storage Shed	VESY #4, #4A	12:12 pm	<50

* Results are reported as concentrations and if PCBs are not detected then the quantitation limit is shown, e.g. <10 µg/kg

Wipe Samples

General Location	Sample Number	Time of Sample	Result* [µg/wipe]
PCB Storage Shed	VESW #1	12:18 pm	<0.4
(Field Blank)	VESW #2	12:20 pm	<0.4
PCB Storage Shed	VESW #3	12:22 pm	<0.4
Truck Loading Area	VESW #4	12:30 pm	0.2
Truck Loading Area	VESW #5	12:32 pm	<0.4
Truck Loading Area	VESW #6	12:35 pm	<0.4

* Results are reported as concentrations and if PCBs are not detected then the quantitation limit is shown, e.g. <0.8 µg/wipe

After collecting samples, the inspectors were shown the facility's laboratory and were given an overview of the laboratory's sampling procedures by Dev Maheshwari, the laboratory supervisor. All waste associated with PCB sampling is assumed to be PCB waste. This waste includes personal protective equipment (PPE), acids, solvents, and vials. The laboratory PPE is removed once per week. At the time of the inspection, a cart with two garbage bags of PPE were ready to be taken out to the PCB shed. One of the bags did not have a PCB label on it. The facility corrected this potential violation during the inspection (see before and after photographs below).

Out-Brief

The inspection was concluded with the lead inspector explaining EPA's follow-up procedures. A Receipt for Samples and Documents form (see Attachment #3) was filled out and signed and the inspection was concluded.

Record Review:

The following records were requested and received during the inspection:

- Site map
- Copies of waste code profiles for Texas
- Copy of Manifest 000026129VES

The following records were requested during the inspection and were received via e-mail on July 16, 2009:

- Notification of PCB Activity Form, dated 7/15/09
- Three years of records showing drums rejected because they contain PCBs
- SOP for facility laboratory to handle PCB samples
- Waste Analysis Plan

The records were in good order and were complete.

Potential Violations of TSCA PCB Requirements

1. Failure to file Notification of PCB Activity form, 40 CFR § 761.205(a)(2).

Requirements:
As stated in TSCA regulation 40 CFR § 761.205(a)(2), all generators (other than generators exempt from notification under paragraph (c)(1) of this section), commercial storers, transporters, and disposers of PCB waste who first engage in PCB waste handling activities after February 5, 1990, shall notify EPA of their PCB waste activities by filing EPA Form 7710–53 with EPA prior to engaging in PCB waste handling activities.

Findings:
The facility routinely generates PCB waste as part of their PCB sampling activities in their on-site laboratory. The waste is often stored on-site in excess of 30 days. However, the facility had not filed Form 7710-53 with EPA.

Facility Response:
On July 16, 2009, the facility emailed information indicating that their Notification of PCB Activity (Form 7710-53) was mailed to EPA's Office of Solid Waste in Washington, D.C. on July 16, 2009.

2. Failure to mark PCB containers, 40 CFR § 761.40(a).

Requirements:
As stated in TSCA regulation 40 CFR § 761.40(a), each of the following items in existence on or after July 1, 1978 shall be marked as illustrated in Figure 1 in § 761.45(a): The mark illustrated in Figure 1 is referred to as M_L throughout this subpart.
(1) PCB Containers;...
...(10) Each storage area used to store PCBs and PCB Items for disposal.

Findings:
- In the PCB storage shed, a one-gallon poly container had a hazardous waste label indicating it contained PCBs, but it did not have a PCB label.
- In the on-site laboratory, two garbage bags of PPE were ready to be taken out to the PCB shed and one of the bags did not have a PCB label on it.

Facility Response:
- On July 16, 2009, the facility emailed a photograph documenting that the one-gallon poly container of PCB waste had been properly labeled.
- During the inspection, the bag of PPE was labeled as PCB waste.

LIST OF ATTACHMENTS

Attachment 1 – Notice of Inspection Form
Attachment 2 – TSCA Inspection Confidentiality Notice Form
Attachment 3 – Receipt for Samples and Documents Form
Attachment 4 – Sample Locations
Attachment 5 – Analytical Results from PCB Sampling