REPORT OF RCRA
COMPLIANCE EVALUATION INSPECTION

At

Heritage Environmental Services, LLC
8525 NE 38th Street
Kansas City, Missouri 64161-9427
816-453-4321

EPA Identification Number: MOD981505555

On

July 26 and 27, 2022

By

U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 7
Enforcement & Compliance Assurance Division

1.0 INTRODUCTION

I performed a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) inspection at Heritage Environmental Services, LLC (Heritage), located in Kansas City, Missouri, on July 26 and 27, 2022. I conducted the inspection under the authority of RCRA Section 3007(a), as amended. During the inspection, I collected the information necessary to determine compliance with the applicable regulatory and statutory requirements. This report and attachments present the results of the inspection. Based on the information obtained during the inspection, I inspected the facility as a treatment storage disposal facility, large quantity generator of hazardous waste, generator of universal waste lamps, and co-generator of used oil. Heritage was last inspected by the Missouri Department of Natural Resources (MDNR) on January 30, 2020. Four violations were observed or cited as a result of the 2020 inspection. The last EPA inspection was conducted on September 24-26, 2018. Four violations were observed or cited as a result of the 2018 inspection.

2.0 PARTICIPANTS

Heritage:
- Lisa Martin, Plant Manager
- Layne Woods, Environmental Health and Safety Manager
- Maurice Booker, Group Leader

MDNR:
- Brandon Backus, Environmental Specialist

U.S. Environmental Protection Agency (EPA):
Kenneth Herstowski, Environmental Engineer, ECAD/Chemical Branch (CB)/RCRA
Timothy Evans, Life Scientist, ECAD/CB/RCRA (Lead Inspector)

3.0 INSPECTION PROCEDURES

July 26, 2022
Messrs. Backus, Herstowski, and I arrived at the facility at approximately 8:45 a.m. A drive-by inspection was only possible on the north and east sides of the facility. No apparent issues were observed. Messrs. Backus, Herstowski, and I then proceeded to the facility office and asked for Ms. Tanya Cotten, listed as site contact on the Hazardous Waste Site Information Verification Report for Inspectors form (Attachment 5). We were informed that Ms. Cotten was not available and that Lisa Martin would be able to assist us. Messrs. Backus, Herstowski, and I signed in as visitors and were then introduced to Ms. Martin. Ms. Martin escorted Messrs. Backus, Herstowski, and me to a conference room for the in briefing. We were introduced to Mr. Woods, who joined us for the in briefing. Mr. Herstowski and I presented Ms. Martin and Mr. Woods with our business cards and EPA credentials. Mr. Backus was accompanying Mr. Herstowski and me as an observer and assisted with review of records. During the in-briefing, I presented Ms. Martin and Mr. Woods with a copy of the RCRA Facility Access Information Sheet, March 2013, which provides inspection authority. I explained my need to collect accurate information and presented Ms. Martin and Mr. Woods with a copy of Title 18 U.S. Code, Sections 1001 and 1002. As part of the in-briefing, Ms. Martin and Mr. Woods were made aware of Heritage's confidentiality rights and informed that a Confidentiality Notice would be provided at the end of the inspection to make, or not to make, any claims. Ms. Martin and Mr. Woods acted as the facility representatives during the on-site inspection activities.

During the inspection, discussions consisted of wastes generated and waste management practices.

Method 21 Monitoring
Mr. Herstowski and I calibrated a Thermo Fisher Scientific TVA 1000-B organic vapor analyzer (OVA) and a TVA 2020 OVA the morning of July 23, 2022, prior to our arrival at the facility (Attachment 6). Mr. Herstowski and I used the OVAs for Method 21 monitoring of volatile organic emissions; both OVAs were equipped with flame ionization detectors (FID). Findings from the operation of the FID-equipped OVAs was recorded on field sheets (Attachment 6).

Messrs. Backus, Herstowski, and I conducted a visual inspection of the following areas:
- Processing Building (Including Drum Crusher Area, Mezzanine Maintenance Area, 55-Gallon Drum Processing/Staging Area, and Hazardous Waste Tanks 1 and 2)
- Permitted Hazardous Waste Storage Building
- Outside, West and South of Facility Buildings (Pallet and Equipment Storage, and Semi-Trailers Storing Equipment and Non-Hazardous Waste)
- Roof of Processing Building (Vents Associated with Hazardous Waste Tanks)
- Back Door/Dock of Office Building (Universal Waste Lamp Storage Area)
- Laboratory

Information collected during the inspection was documented in a bound notebook, on the MDNR Large Quantity Genertor Inspection Checklist, Used Oil Fuel Marketers Inspection Record and Checklist, Large Quantity Generator – Tank Attachment, on various field sheets, and as discussed below.

July 27, 2022
Mr. Herstowski and I arrived back at the facility at approximately 8:30 a.m. Mr. Herstowski and I completed a review of facility records and conducted an exit briefing. I summarized the findings and recommendations with Ms. Martin and Messrs. Woods, Herstowski, and Backus. Mr. Backus joined the exit briefing by phone. I provided Ms. Martin with a Confidentiality Notice (Attachment 1) which she signed as acknowledgement of receipt. Ms. Martin made no confidentiality claims.

I also provided Ms. Martin with a Receipt for Documents and Samples (Attachment 2) and Notice of Preliminary Findings (NOPF) (Attachment 3), which Ms. Martin signed as acknowledgement of receipt. The following inspection documents were provided to Heritage:

Inspection Documents
Confidentiality Notice
Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA In Connection with Inspections
Receipt of Documents and Samples
Notice of Preliminary Findings
Instructions for Responding to a Notice of Preliminary Findings

EPA Compliance Assistance Handouts
Leak Detection and Repair – A Best Practices Guide
Security Awareness
EPA Industry Sector Notebooks List
EPA Environmental Compliance Assistance Centers
U.S. EPA Small Business Resources Information Sheet

I followed the inspection procedures established in the RCRA CEI Standard Operating Procedure (No. 2321.1D), unless noted differently. Any federal regulatory citations noted in this report are as adopted by reference in the authorized Missouri regulations.

4.0 FINDINGS AND OBSERVATIONS

4.1 General Information/Facility Description/RCRA Status

The facility was constructed in 1987 and began waste management activities in 1988. According to the facility permit, dated August 27, 2019, "Heritage Environmental Services, LLC, is a hazardous and non-hazardous waste storage and treatment facility. The facility receives waste from off site and stores the waste in tanks and containers. The facility blends organic and oily wastes into supplemental fuel for use in cement kilns and other permitted facilities.

The facility treats and discharges wastewater and aqueous waste to the City of Kansas City publicly-owned treatment works and also brokers, bulks and consolidates hazardous waste. The facility also accepts small volumes of hazardous wastes, such as "lab packs," which it bulks and/or treats."

The facility permit "allows Heritage to store, in tanks and containers, various F-, K-, P-, and U-listed hazardous waste, as well as ignitable, reactive, corrosive, and toxic "characteristic" hazardous waste. This permit also allows for fuel blending; treating hazardous wastewater using physical and/or chemical treatment, heavy metal precipitation, pH adjustment or sulfide reduction; and bulking and/or treating small volumes of hazardous waste, such as "lab packs."

The permit "also contains contingent corrective action conditions to address any newly identified releases to the environment from previously or newly identified Solid Waste Management Units and Areas of Concern, as necessary and appropriate."

The facility is located on approximately five acres of land in a mixed-use, light industrial area, north of United States Highway US-210 and east of Interstate Highway I-435. Approximately 2.5 acres of the total facility acres are occupied by three buildings. See Attachment 4 for a facility aerial photo and layout. Heritage is staffed by 22 employees and operates 6:00 a.m. – 5:00p.m., Monday through Friday.

See the September 24-26, 2018, EPA inspection report for additional, detailed facility information (Attachment 7).

RCRA Status

According to the RCRAInfo database, Heritage has notified as a State of Missouri and Federal Large Quantity Generator of hazardous waste, hazardous waste transfer facility, hazardous waste processor, storer, disposer, and used oil marketer. The facility is also a large quantity handler of universal waste and a co-generator of used oil. As part of the opening conference, I provided Ms. Martin with a Hazardous Waste Site Info Verification Report for Inspector (HWSIVRI) form (Attachment 5). Ms. Martin reviewed the form, but made no changes to the form. I asked Ms. Martin if the facility generated any waste lamps or batteries. Ms. Martin stated that lamps are generated as part of routine maintenance throughout the facility and are managed at the facility as universal waste. Although a small quantity handler of universal waste is not required to notify EPA of universal waste handling activities, I informed Ms. Martin that the facility HWSIVRI form and biennial report indicated that no universal waste is generated at the facility.

4.2 Previous Inspections and Any Related Violations/Issues

*January 30, 2020 – Four violations cited, MDNR

1. Containers of incompatible wastes stored in the same containment area, 10 Code of State Regulation (CSR) 25-7.264(1), incorporating 40 Code of Federal Regulation (C.F.R.) 264.177(c).
2. Open-ended valve not capped, 10 CSR 25-7.264(1), incorporating 40 C.F.R. 264.1056(a)(2).

3. Universal waste lamps container not closed, 10 CSR 25-16.273(1), incorporating 40 C.F.R. 273.13(d)(1).
4. Two boxes containing universal waste batteries in poor condition,10 CSR 25-16.273(1), incorporating 40 C.F.R. 273.13(a)(1).

*Administrative Order on Consent No. 22-WMPD-0302 was issued by MDNR in July 2022, as a result of the January 30, 2020 inspection.

September 24-26, 2018 – Four violations cited, EPA Region 7

1. Container in poor condition, RCRA Permit Special Permit Condition C.1 (40 CFR 264.171).
2. Subpart BB Equipment Not Identified, Special Permit Condition VI.A (40 CFR 264.1050(c)).
3. Open Ended Lines, Special Permit Condition VI.A (40 CFR 264.1056(a)).
4. Deviations from Method 21, Special Permit Condition VI.A (40 CFR 264.1063(b)).

4.3 Changes Since Previous Inspection

Ms. Martin is the new Plant Manager, and assumed the Plant Manager position after Brandon DeFreece left the facility in August of 2021. Mr. Woods became the new facility Environmental Health and Safety Manager in February of 2022.

According to Ms. Martin, the rail spur, located on the west side of the facility, was last used approximately three years ago to ship wastewater and approximately five years ago to ship fuel blended hazardous waste. Ms. Martin stated that wastewater and fuel blended hazardous waste are currently shipped using tanker trailers.

According to Ms. Martin, Tanks 3 and 4, located in the processing building, have been out of service for approximately three years. Ms. Martin stated that the tanks were removed from service after being used to accumulate leachate from a Browning-Ferris Industries Waste Systems of North America, Inc.-owned landfill, located in Missouri. According to Ms. Martin, the landfill leachate had pitted/damaged the inside surface of the tanks. Heritage is in the process of deciding whether or not to recondition the inside surface of the tanks, replace the damaged parts of the tanks, or replace the two tanks.

4.4 Waste Streams and Waste Management

Location and amount of waste in storage, at the time of the inspection, is listed in the Active Container Report (Attachment 8). A computer program called Material Management System is used to track all waste received and generated at the facility.

Hazardous waste and universal waste lamps generated by the facility are listed in the Active Container Report, Attachment 8 . Lead acid batteries and used oil generated from facility forklifts are taken off-site by the vendor, Wiese USA. During the records review, I informed Ms. Martin and Mr. Woods that Heritage would be considered a co-generator of used oil.

4.5 Areas Visually Inspected and Related Preliminary Findings

4.5.1 Processing Building

Open-Ended Line Not Equipped with Cap, Permit Condition VII. A. → 40 CFR 264.1056(a)(1) (NOPF 1) – During inspection of the 55-Gallon Drum Processing/Staging Area, within the Processing Building, Mr. Herstowski observed a drum pump/wand connected to a hose (Photos 5 and 6). The wand and associated hose are used to remove ignitable liquid hazardous waste and used oil from drums. Liquid hazardous waste removed from drums is pumped to one of two hazardous waste tanks. Using the Thermo Fisher Scientific TVA 2020 OVA, Mr. Herstowski detected organic vapors at 306 parts per million (ppm) at the wand opening. I asked Ms. Martin if, after use, the line was purged or cleaned out to remove all residual hazardous waste. Ms. Martin stated that hazardous waste residual is not cleaned out of the hose after use. Waste codes associated with hazardous waste within the hose include: U002, U003, U031, U056, U122, U154, U159, U220, U239, F002, F003, F005, D001, D005, D007, D008, D011, D018, D019, D022, D035, D038, and D039.

Facility personnel removed the wand and capped the hose, addressing NOPF 1 at the time of the inspection (Photos 10 and 11).

Failure to Minimize a Release of Hazardous Waste, Permit Condition I. → 40 CFR 264.31 (NOPF 5) – During inspection of the Processing Building, Mr. Herstowski monitored manways on top of hazardous waste Tanks 1 and 2 (Photo 12). Using the Thermo Fisher Scientific TVA 2020 OVA, Mr. Herstowski detected organic vapors up to 1.27% (12,700) ppm at the manway gasket on Tank 1 (See Monitoring Field Sheet forms, Attachment 6). At the time of the inspection, Tank 1 contained a 16,386 gallon mixture of characteristic (ignitable) and listed hazardous waste and used, off-specification oil; Tank 2 contained a 12,401 gallon mixture of characteristic (ignitable) and listed hazardous waste and used, off-specification oil. Waste codes associated with hazardous waste within Tanks 1 and 2 include: U002, U003, U031, U056, U122, U154, U159, U220, U239, F002, F003, F005, D001, D005, D007, D008, D011, D018, D019, D022, D035, D038, and D039.

Mr. Woods and Mr. Herstowski discovered that the nuts securing the manway covers on Tanks 1 and 2 were loose. Using a wrench, Mr. Woods tightened nuts securing the manway covers on Tanks 1 and 2, addressing NOPF 5 at the time of the inspection (Photos 13 and 14). After Mr. Woods tightened the nuts on the Tank 1 and 2 manway covers, I used the Thermo Fisher Scientific TVA 1000-B OVA to monitor around the perimeter of the manway cover, at the gaskets. I detected organic vapors between 10-40 ppm in multiple locations at the manway gasket on Tank 1 and 4.4-4.7 ppm in multiple locations at the manway gasket on Tank 2 (See Monitoring Field Sheet forms, Attachment 6).

According to Ms. Martin and Mr. Woods, the facility uses a photoionization detector (PID) for use during monitoring of equipment in hazardous waste service. Subsequent to the inspection, I requested the most recent PID monitoring results for hazardous waste Tanks 1 and 2 (Attachment 9). Facility PID monitoring results show 11.3 ppm for the Tank 1 manway cover, SFF-2, and 0 ppm for the Tank 2 manway cover, SFF-4, on July 19, 2022.

While Mr. Woods was tightening the nuts on the manway covers, I asked if he knew when manway cover gaskets had last been replaced. Mr. Woods stated that he did not know when manway gaskets for Tanks 1 and 2 had last been replaced.

4.5.2 Permitted Hazardous Waste Storage Building

Satellite Accumulation Area Container Not Closed, 10 CSR 25-5.262(1) → 40 CFR 265.173(a) (NOPF 2) – During inspection of the storage building, I observed one 55-gallon satellite accumulation area (SAA) drum labelled with the words "Hazardous Waste". The drum was approximately 1/3-full of waste organic solids which included, but may not have been limited to, hazardous waste-contaminated personal protective equipment, Tyvek suits, gloves, cloth rags, paper towels, and floor dry. Waste codes for all waste handled in the Storage Building are applicable to this waste stream. See Attachment 5, Hazardous Waste Site Info Verification Report for Inspector form for waste codes that may be associated with waste in the SAA drum.

The drum lid was bent and dented and not making a complete seal with the drum (Photos 17-19).

4.5.3 Laboratory

Failure to Minimize the Possibility of Fire, Explosion, or a Release of Hazardous Waste, 10 CSR 25-5.262(1) → 40 CFR 265.31 (NOPF 3) – During inspection of the facility laboratory, I observed two white 5-gallon polyethylene containers (Photos 26-29). One container was labeled "Acidic Lab Waste" and contained approximately two and half gallons of liquid. The other container was labeled "Caustic Lab Waste" and contained approximately three gallons of liquid. The containers were closed and labelled with the words "Hazardous Waste". However, the containers were located next to each other without a barrier or secondary containment. During a phone conversation with Ms. Martin and Mr. Woods on August 24, 2022, I asked Ms. Martin what the waste codes would be, associated with the "Acidic Lab Waste" and ed "Caustic Lab Waste." Ms. Martin asked Heritage laboratory personnel about the two waste streams, and according to Ms. Martin, the "Acidic Lab Waste" would not likely be below 2 pH and the "Caustic Lab Waste" would not likely be over 12.5 pH. According to Ms. Martin, Heritage has made a company decision to declare the waste as hazardous waste. Because Heritage had declared the waste as hazardous waste, I cited this due to the potential for incompatibility of acidic hazardous waste next to caustic hazardous waste.

Ms. Martin moved one of the containers to a different bench within the laboratory, addressing NOPF 3 at the time of the inspection.

4.5.4 Back Door/Dock of Office Building (Universal Waste Lamp Storage Area)

Universal Waste Lamp Container Not Marked with the Words "Used Lamps", "Waste Lamps", or "Universal Waste Lamps", 10 CSR 25-16.273(1) → 40 CFR 273.14(e) (NOPF 4) – During inspection of the back door/dock of the office building, I observed two cardboard boxes containing spent fluorescent lamps – one 4-foot-long box containing 8 spent lamps and one 4-foot-long box containing 22 spent lamps (Photos 23 and 24).

Both boxes were closed and in good condition. According to Ms. Martin, Heritage uses bill of lading to document the accumulation start date(s) for spent lamps. However, only one box was labeled with the words “Universal Waste” and “Lamps”. The other box, containing 22 spent lamps, was labeled only with the word “Used”.

Ms. Martin added the word “Lamps” to the box containing spent lamps, addressing NOPF 4 at the time of the inspection (Photo 25).

4.6 Records Review

Manifests and Shipping Documents
Prior to arriving at the facility, I had conducted an on-line inspection of electronic manifests using RCRAInfo. I verified manifests were retained for at least three years.
All manifests appeared to be complete, signed by the designated facility, and were accompanied by land disposal restriction (LDR) notification forms.

During the inspection I asked Ms. Martin for the most recent manifests associated with waste generated by and shipped from Heritage and 10-Day transfer waste. Ms. Martin and Mr. Woods provided the following manifests, which were reviewed by Mr. Herstowski:

022916890JJK – July 20, 2022
022916867JJK – July 5, 2022 (Non-Regulated)
3679809-9028 – July 15, 2022
3757941-9028 – July 25, 2022 (Non-Hazardous Waste)
3753573-9028 – July 15, 2022
3753575-9028 – July 15, 2022
3753578-9028 – July 15, 2022
3721508-9028 – July 13, 2022

10-Day Transfer Waste
- 001207201WAS
- 001267443WAS
- 001242968WAS
- 3750002-15420 (Non-Hazardous Waste)
- 3753487-15420 (Non-Hazardous Waste)

No apparent issues were observed during review of manifests and LDR notification forms.

2019 Comprehensive Biennial Report
Prior to arriving at the facility, I was able to review the facility 2021 biennial report using RCRAInfo.

No apparent issues were observed during review of the 2021 comprehensive biennial report.

Contingency Plan
Ms. Martin and Mr. Woods provided me with a copy of the most recent contingency plan. The following information was noted:

- On March 12, 2019, contact and arrangements with local authorities were made, including the following:
    - St. Louis Area Manager Heritage Environmental Services
    - HAZMAT Response
    - Kansas City, Missouri Fire Department
    - North Kansas City Hospital
    - Mid-America Regional Council
    - Kansas City, Missouri Police Department
    - MDNR
    - EPA Region 7
    - Kansas City, Missouri Water Services Department

- An accurate list of emergency equipment and capabilities of the equipment was listed within the plan, including, but not limited to:
    - 30 #, Purple-K Fire Extinguishers (8)
    - Auto Sprinkler System, Hydraulic Design
    - Pull Fire Alarm (2)
    - Public Announcement (PA) System (2)
    - Air Horns (1)
    - Fire Alarm Bells (2)

The contingency plan appeared to be complete with no apparent issues.

Inspection Records
Mr. Backus reviewed the following inspection records dated April 2022 through May 2022.
<u>Daily Inspections</u>

Tanks 1 and 2 and A, B, C, and D

- Tank Inventory
- Tanks Structure
- Presence of Spills
- Ancillary Equipment
- Level Measurement Equipment
- Sumps

Hazardous Waste Storage Building – Bays 1-6, Universal Waste, and 10-Day Transfer Area

- Container Inventory
- Container Stacking
- Deteriorated/Leaking Containers
- Secondary Containment
- Trenches

Daily Inspection of Hazardous Waste Tanks 1 and 2 Not Conducted, Special Permit Condition III. H. 2. → 40 CFR 265.195(a) (NOPF Added After Inspection) – According to the August 27, 2019 facility permit (Attachment 12), under Special Permit Conditions III. H. 2., the Permittee shall inspect at least once each operating day:

a. Above ground portions of the tank systems to detect corrosion or releases of waste;

b. Data gathered from monitoring and leak detection equipment to ensure the tank system is being operated according to its design; and

c. The construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system, to detect erosion or signs of releases of hazardous waste.

According to the 2005 EPA document, "Introduction to Tanks (40 CFR Parts 264/265, Subpart J)", EPA has clarified that "each operating day" has been defined as "every day the tank is in operation (i.e., storing or treating hazardous waste) and not necessarily just on days the facility is open for business" (Attachment 10).

During review of daily inspection records for hazardous waste Tanks 1 and 2, Mr. Backus noted that Heritage had not been conducting daily inspections for tanks in hazardous waste service on weekends. According to Ms. Martin, the facility did not conduct inspections on weekends and holidays. Ms. Martin stated her understanding of "each operating day" would only include those days when the facility was open, which is Monday through Friday, and also would not include holidays.

An e-mail was sent to the facility on August 11, 2022, informing the facility of the additional citation (Attachment 11).

Personnel Training

During the inspection, Ms. Martin and Mr. Woods provided me with a document entitled, "Safety Training/Meeting Attendance Form", which listed six names of Heritage employees – Maurice Booker, Paulette Ley, David Duffey, Calvin Neal, Exavier Hennessey, and Paul Wirth. The training was conducted on January 28, 2022, and topics covered included container management standards; manifests and land disposal restrictions; contingency plan and preparedeness and prevention; and RCRA/definition of hazardous waste. Ms. Martin was listed as the instructor.

Ms. Martin also showed me electronic records for all employees handling or managing hazardous waste, which are stored on a computer program called Intelex.

Ms. Martin received Hazardous Waste Operations and Emergency Response (HAZWOPER) training on February 12, 2020, February 11, 2021, and February 9, 2022 and RCRA specific training on May 26, 2021 and March 1, 2022. Maurice Booker received HAZWOPER training on February 28, 2020, February 26, 2021, and February 25, 2022 and RCRA specific training on January 28, 2022. Layne Woods received HAZWOPER training on February 21, 2022 and initial RCRA training on April 27, 2022.

No apparent issues were observed during review of training records.

Emergency Equipment Testing and Inspection
During the inspection, I noted ABC-rated fire extinguishers throughout the facility had been serviced/inspected by Keller Fire & Safety, in June of 2022; all fire extinguishers had been inspected by Mr. Layne on July 20, 2022. According to Ms. Martin, American Fire Sprinkler Corporation maintains the facility's water sprinkler system.

A tank inspection was conducted by Environmental Works, Inc. (EWI) on February 15, 2022 for hazardous waste tanks 1 and 2, and wastewater tanks A, B, C, and D (EWI project number 220471). EWI followed Steel Tank Institute Standard SP001 for inspection of Heritage tanks.

According to Ms. Martin, there are two pull fire alarm stations in the Processing Building. Ms. Martin also stated that the facility is equipped with a PA system. Cell phones are used by employees for communication. Additionally, there are two phones in the Processing Building and one phone in the Storage Building.

No apparent issues were observed during review of emergency equipment testing and inspection records.

Financial Assurance and Liability Insurance
Heritage established financial assurance through Continental Casualty Company on August 19, 2020. Heritage maintains a certificate of liability insurance through Assured Partners of Indiana, LLC, as of July 30, 2021.

4.6 Additional Issues and Observations

Drum Crusher Residual-Contaminated Floor Dry
After removing the contents of hazardous waste and used oil from 55-gallon drums, which is pumped into hazardous waste Tanks 1 and 2, the drums are processed in a drum crushing unit, located next to Bay 5 in the Processing Building. According to Ms. Martin, approximately 60 percent of the 55-gallon drums processed through the drum crushing unit previously would have contained ignitable hazardous waste; the other 40 percent would have contained used oil. I noticed approximately one pound of floor dry around the base of the drum crusher; some of the floor dry around the drum crusher appeared to be saturated with liquid. A 1/3-full, 30-gallon hazardous waste container was located next to the drum crusher, and was being used to accumulate the drum crusher residual-contaminated floor dry. The drum was closed, dated "7/1/22", and labeled with the words "Hazardous Waste." Using the Thermo Fisher Scientific TVA 1000-B OVA, I monitored around the perimeter of the drum lid and for the liquid saturated-floor dry around the base of the drum crusher. I detected organic vapors up to 30 ppm around the container lid (See Monitoring Field Sheet forms, Attachment 6).

It appeared that the Heritage drum crusher unit may not be designed to properly collect or contain drum residual when crushing drums.

Because the drum crusher residual is comprised primarily of ignitable hazardous waste, EPA and or MDNR may want to determine if the drum crusher is designed to adequately collect all residual generated from the drum crushing unit when operated.

Transfer containers used at the drum processing area and down in the hazardous waste tank secondary containment/sump area, within the Processing Building
During inspection of the drum staging area, within the Processing Building, I observed a metal, cylindrical strainer, in a small yellow open plastic container (Photos 8, 9, and 15).

The small yellow plastic containers are used by Heritage personnel to transfer hazardous waste line strainers from the drum staging/processing and tank sump areas to a hazardous waste SAA container, located next to the drum staging/processing area (Photos 15 and 16). It initially appeared that Heritage was allowing the hazardous waste solids, within the strainer, to drain and dry out prior to disposal in the hazardous waste SAA container. However, according to Ms. Martin and Mr. Booker, Mr. Booker was in the process of cleaning hazardous waste solids out of the drum staging area strainer, but was pulled away to address some container management duties next to the drum crushing unit. Ms. Martin and Mr. Booker explained that it was not a common practice to leave the strainer, containing hazardous waste solids in the open, yellow transfer container.

During review of the facility permit (Attachment 12), I was not able to find specific language describing use of the transfer containers. MDNR or EPA may want to follow up with Heritage to determine if RCRA regulations would apply to use of transfer containers.

Container Management
During inspection of the Processing Building and the hazardous waste Storage Building, I observed some minor container management issues that were easily corrected or adjusted at the time of the inspection, including the following:

- Hazardous waste on top of an uneven pallet, located in Storage Building (Photos 4 and 7).
- Slightly bulging tops and small dents on drums in the hazardous waste Storage Building – I asked Ms. Martin how Heritage managed drums received at the facility that either had bulging tops or dents. Ms. Martin stated that if the drums or containers are heavily damaged or leaking, Heritage personnel would overpack the damaged or leaking drums. The dented drum and one drum with a slightly bulging top were not leaking and were housed inside. Therefore, this was not added as a preliminary finding.
- Drum partially off of a pallet in Processing Building (Photos 1 and 3) - During inspection of the area next to the drum crusher, within the Processing Building, I observed one 55-gallon drum of solid hazardous waste that was partially off of a pallet. Mr. Booker adjusted the drum at the time of the inspection.
- Aisle spacing (Photos 1-3) - During inspection of the area next to the drum crusher, within the Processing Building, I observed 12, empty, 55-gallon drums that, according to Heritage personnel, had previously contained used oil. The empty drums appeared to be blocking access to a row of hazardous waste containers. However, Heritage personnel could access the hazardous waste containers from another area of the building.

Mr. Booker moved the empty, 55-gallon drums at the time of the inspection, easily addressing the aisle space issue.

- Hazardous Waste Drum in the 10-Day Transfer Area (Photos 20-22) - During inspection of the 10-Day Transfer area of the hazardous waste Storage Building, I observed a drum labeled as D002 and D008 characteristic hazardous waste. The drum was closed, labeled with the words "Hazardous Waste", and was in good condition. However, the label applied to the drum was dated "06/13/22." During a phone conversation with Ms. Martin and Mr. Woods on August 24, 2022, I asked Ms. Martin to explain why the drum was in the 10-day transfer area past the 10-day limit.

  Ms. Martin stated that the drum was waste generated by Heritage and had been prepared for shipment to Heritage Thermal Services (HTS), located in East Liverpool, Ohio. According to Ms. Martin, waste destined for the HTS facility is stored in the 10-day transfer area, prior to shipment. However, Ms. Martin stated that the HTS incinerator was down for maintenance shortly after the drum was prepared for shipment, which delayed shipment of the drum. Additionally, Ms. Martin stated that a bar code label originally applied to the drum was damaged, which also contributed to a delay in shipping the drum. According to the facility permit, Special Permit Conditions II. H., Temporary Management, it states that "A container holding hazardous waste shall not be staged, stored, or managed in an area not addressed by this Permit" (Attachment 12). During review of the facility permit, I was not able to find specific language allowing for temporary storage of waste destined for the HTS facility in Liverpool, Ohio. MDNR or EPA may want to follow up with Heritage to clarify which permitted activities are allowed in the 10-day transfer area.

West Perimeter Fence/Gate Adjacent to Processing Building

During inspection of the west perimeter fencing, I noticed an approximately 8-inch gap at the bottom of the gate adjacent to the processing building. I pointed out the gap at the bottom of the gate to Ms. Martin. I suggested to Ms. Martin that, although unlikely, the gap could possibly encourage unauthorized entry by individuals into the facility.

5.0 SUMMARY

I inspected Heritage as a Federal Large Quantity Generator of hazardous waste, hazardous waste transfer facility, hazardous waste treater, storer, disposer, generator of universal waste lamps, and co-generator of used oil.

Hazardous waste requirements reviewed during this inspection are discussed above and are noted on the MDNR checklists, included as field notes.

The following preliminary findings/issues were noted as discussed above:

1. Open-Ended Line Not Equipped with Cap, Permit Condition VII. A. → 40 CFR 264.1056(a)(1) (NOPF 1)
2. Satellite Accumulation Container Not Closed, 10 CSR 25-5.262(1) → 40 CFR 265.173(a) (NOPF 2)

3. Failure to Minimize the Possibility of Fire, Explosion, or a Release of Hazardous Waste, 10 CSR 25-5.262(1) → 40 CFR 265.31 (NOPF 3)
4. Universal Waste Lamp Container Not Marked with the Words "Used Lamps", "Waste Lamps", or "Universal Waste Lamps", 10 CSR 25-16.273(1) → 40 CFR 273.14(e) (NOPF 4)
5. Failure to Minimize a Release of Hazardous Waste, Permit Condition I. → 40 CFR 264.31 (NOPF 5)
6. Daily Inspection of Hazardous Waste Tanks 1 and 2 Not Conducted, Special Permit Condition III. H. 2. → 40 CFR 265.195(a) (NOPF Added After Inspection)

Other than the items noted above, no other apparent preliminary findings were observed or cited. However, EPA post-inspection review of this report may change or add to my findings.

TIMOTHY EVANS Digitally signed by TIMOTHY EVANS Date: 2022.08.29 12:52:22 -05'00'

Timothy R. Evans
Life Scientist
ECAD/CB/RCRA, EPA Region 7

AMBER WHISNANT Digitally signed by AMBER WHISNANT Date: 2022.09.25 14:47:08 -05'00'

Amber Whisnant
Section Chief
ECAD/CB/RCRA, EPA Region 7

Attachments

1. Confidentiality Notice (1 page)
2. Document of Receipt (1 page)
3. NOPF (2 pages)
4. Facility Aerial Photo and Building Layout (4 pages)
5. Hazardous Waste Site Info Verification Report for Inspector (2 pages)
6. OVA Calibrations and Field Sheet (16 pages)
7. September 24-26, 2018, EPA Compliance Evaluation Inspection Report (18 pages)
8. Active Container Report (65 pages)
9. Heritage PID Monitoring Results and E-Mail Request (5 pages)
10. 2005 EPA Introduction to Tanks (21 pages)
11. August 11, 2022 E-mail to Facility - Additional NOPF (2 pages)
12. Part I Permit (71 pages)

Photo Log (5 pages)
Photos (15 pages/29 photos)

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	During inspection of the Processing Building, Bay 5, I observed 12, empty, 55-gallon drums that appeared to be blocking access to a row of hazardous waste containers However, Heritage personnel could access the hazardous waste containers from the south end of the building (blue arrow) One 55-gallon drum was also partially off of a pallet (yellow arrow)	1
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Compliance Evaluation Inspection	DESCRIPTION	These are the same drums shown in Photo 1 During inspection of the Processing Building, Bay 5, I observed 12, empty, 55-gallon drums (yellow arrow) that appeared to be blocking access to a row of hazardous waste containers (blue arrow) However, Heritage personnel could access the hazardous waste containers from the south end of the building Mr Booker moved the empty, 55-gallon drums at the time of the inspection, easily addressing the aisle space issue	2
			Date
Direction: W	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	These are the same drums shown in Photos 1 and 2 During inspection of the Processing Building, Bay 5, I observed 12, empty, 55-gallon drums that appeared to be blocking access to a row of hazardous waste containers Mr Booker moved the empty, 55-gallon drums at the time of the inspection, easily addressing the aisle space issue One 55-gallon drum of solid hazardous waste was also partially off of a pallet (yellow arrow) Mr Booker adjusted the drum at the time of the inspection	3
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Compliance Evaluation Inspection	DESCRIPTION	During inspection of the hazardous waste Storage Building, I observed hazardous waste stored on top of an uneven pallet	4
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	During inspection of the 55-Gallon Drum Processing/Staging Area, within the Processing Building, Mr Herstowski observed a drum pump/wand connected to a hose Ms Martin stated that hazardous waste residual is not cleaned out of the hose after use	5
			Date
Direction: SE	PHOTOGRAPHER	Tim Evans	7/26/22

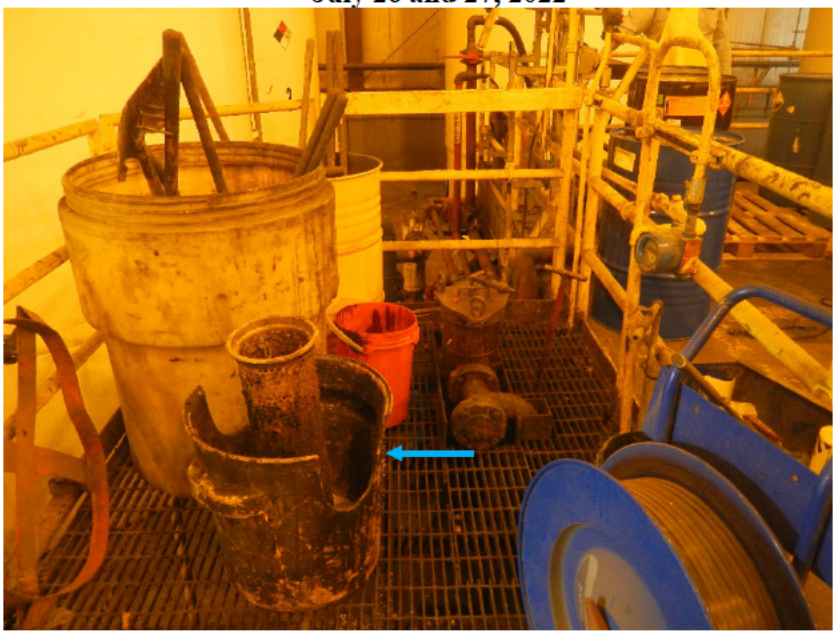
Compliance Evaluation Inspection	DESCRIPTION	This is the same drum pump wand shown in Photo 5 During inspection of the 55-Gallon Drum Processing/Staging Area, within the Processing Building, Mr Herstowski observed a drum pump/wand connected to a hose Ms Martin stated that hazardous waste residual is not cleaned out of the hose after use	6
			Date
Direction: SE	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

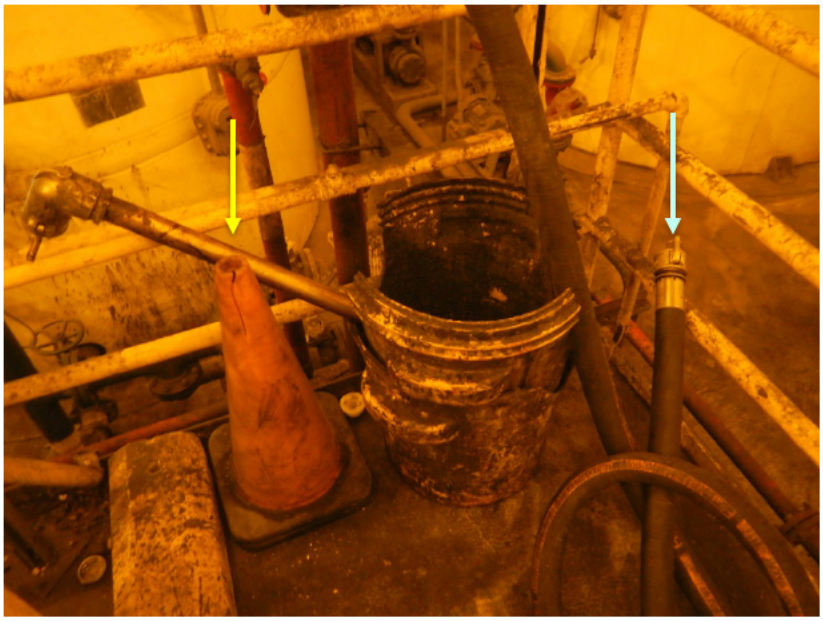
Compliance Evaluation Inspection	DESCRIPTION	These are the same hazardous waste containers shown in Photo 4 During inspection of the hazardous waste Storage Building, I observed hazardous waste stored on top of an uneven pallet Facility personnel were able to easily adjust the pallet and hazardous waste containers at the time of the inspection	7
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Compliance Evaluation Inspection	DESCRIPTION	During inspection of the drum staging/processing area, within the Processing Building, I observed a metal, cylindrical strainer in a small yellow open plastic container The small yellow plastic containers are used by Heritage personnel to transfer hazardous waste line strainers from the drum staging/processing and tank sump areas to a hazardous waste SAA container, located next to the drum staging/processing area	8
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022



Compliance Evaluation Inspection	DESCRIPTION	This is the same strainer and transfer container shown in Photo 7 (blue arrow) During inspection of the drum staging/processing area, within the Processing Building, I observed a metal, cylindrical strainer in a small yellow open plastic container The small yellow plastic containers are used by Heritage personnel to transfer hazardous waste line strainers from the drum staging/processing and tank sump areas to a hazardous waste SAA container, located next to the drum staging/processing area	9
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22



Compliance Evaluation Inspection	DESCRIPTION	This is the same drum pump/wand shown in Photos 5 and 6 (yellow arrow) During inspection of the 55-Gallon Drum Processing/Staging Area, within the Processing Building, Mr Herstowski observed a drum pump/wand connected to a hose Ms Martin stated that hazardous waste residual is not cleaned out of the hose after use Facility personnel removed the wand and capped the hose, addressing NOPF 1 at the time of the inspection (blue arrow)	10
			Date
Direction: SE	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	This is the same capped hose shown in Photo 10 During inspection of the 55-Gallon Drum Processing/Staging Area, within the Processing Building, Mr Herstowski observed a drum pump/wand connected to the hose shown in this photo Ms Martin stated that hazardous waste residual is not cleaned out of the hose after use Facility personnel removed the wand and capped the hose, addressing NOPF 1 at the time of the inspection	11
			Date
Direction: SE	PHOTOGRAPHER	Tim Evans	7/26/22

Compliance Evaluation Inspection	DESCRIPTION	Hazardous waste Tank 1 (yellow arrow) and Tank 2 (blue arrow).	12
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	This is the same tank shown in Photo 12 During inspection of the Processing Building, Mr Herstowski monitored the manway cover on top of hazardous waste Tanks 1 Using an organic vapor analyzer, equipped with a flame ionization detector, Mr Herstowski detected organic vapors up to 1 27% (12,700) ppm at the manway gasket (yellow arrow) Using a wrench, Mr Woods tightened nuts securing the manway cover on Tanks 1, addressing NOPF 5 at the time of the inspection After Mr Woods tightened the nuts on the Tank 1 manway cover, I used the Thermo Fisher Scientific TVA 1000-B OVA to monitor around the perimeter of the manway cover, at the gasket The OVA detected organic vapors between 10-40 ppm in multiple locations at the manway gasket on Tank 1	13
			Date
Direction: W	PHOTOGRAPHER	Tim Evans	7/26/22

Compliance Evaluation Inspection	DESCRIPTION	This is the same tank shown in Photo 12 During inspection of the Processing Building, Mr Woods and Mr Herstowski discovered that the nuts securing the manway cover on Tank 2 were loose Using a wrench, Mr Woods tightened nuts securing the manway cover on Tank 2	14
			Date
Direction: E	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	During inspection of the Processing Building, adjacent to the drum processing area, I observed a closed, labeled hazardous waste SAA container, used to accumulate hazardous waste strainer solids from the drum processing and tank sump areas The drum contained approximately five pounds of hazardous waste-contaminated floor dry/absorbent and five pounds of hazardous waste strainer solids	15
			Date
Direction: SE	PHOTOGRAPHER	Tim Evans	7/26/22

Compliance Evaluation Inspection	DESCRIPTION	This is the same drum shown in Photo 15 During inspection of the Processing Building, adjacent to the drum processing area, I observed a closed, labeled hazardous waste SAA container, used to accumulate hazardous waste strainer solids from the drum processing and tank sump areas The drum contained approximately five pounds of hazardous waste-contaminated floor dry/absorbent and five pounds of hazardous waste strainer solids	16
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	During inspection of the Storage Building, I observed one 55-gallon satellite accumulation area (SAA) drum labelled with the words "Hazardous Waste" The drum was approximately 1/3-full of waste organic solids which included, but may not have been limited to, hazardous waste-contaminated personal protective equipment, Tyvek suits, gloves, cloth rags, paper towels, and floor dry The drum lid was bent and dented and not making a complete seal with the drum	17
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Compliance Evaluation Inspection	DESCRIPTION	This is the same 55-gallon drum shown in Photo 17 During inspection of the Storage Building, I observed one 55-gallon SAA drum labelled with the words "Hazardous Waste" The drum was approximately 1/3-full of waste organic solids which included, but may not have been limited to, hazardous waste-contaminated personal protective equipment, Tyvek suits, gloves, cloth rags, paper towels, and floor dry The drum lid was bent and dented and not making a complete seal with the drum	18
			Date
Direction: E	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	This is the same 55-gallon drum shown in Photos 17 and 18 During inspection of the Storage Building, I observed one 55-gallon SAA drum labelled with the words "Hazardous Waste" The drum was approximately 1/3-full of waste organic solids which included, but may not have been limited to, hazardous waste-contaminated personal protective equipment, Tyvek suits, gloves, cloth rags, paper towels, and floor dry The drum lid was bent and dented and not making a complete seal with the drum	19
			Date
Direction: E	PHOTOGRAPHER	Tim Evans	7/26/22

Compliance Evaluation Inspection	DESCRIPTION	During inspection of the 10-Day Transfer area of the hazardous waste Storage Building, I observed a drum labeled as D002 and D008 characteristic hazardous waste The drum was closed, labeled with the words "Hazardous Waste", and was in good condition However, the label applied to the drum when it arrived at Heritage was dated "06/13/22 " Ms Martin stated that the drum was inadvertently placed in the 10-Day Transfer area and would be moved to the appropriate bay within the hazardous waste Storage Building	20
			Date
Direction: SE	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	This is the same drum shown in Photo 20 During inspection of the 10-Day Transfer area of the hazardous waste Storage Building, I observed a drum labeled as D002 and D008 characteristic hazardous waste The drum was closed, labeled with the words "Hazardous Waste", and was in good condition However, the label applied to the drum when it arrived at Heritage was dated "06/13/22 " Ms Martin stated that the drum was inadvertently placed in the 10-Day Transfer area and would be moved to the appropriate bay within the hazardous waste Storage Building	21
			Date
Direction: SE	PHOTOGRAPHER	Tim Evans	7/26/22

Compliance Evaluation Inspection	DESCRIPTION	This is the same drum shown in Photos 20 and 21 During inspection of the 10-Day Transfer area of the hazardous waste Storage Building, I observed a drum labeled as D002 and D008 characteristic hazardous waste The drum was closed, labeled with the words "Hazardous Waste", and was in good condition However, the label applied to the drum when it arrived at Heritage was dated "06/13/22 " Ms Martin stated that the drum was inadvertently placed in the 10-Day Transfer area and would be moved to the appropriate bay within the hazardous waste Storage Building	22
			Date
Direction: SE	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	During inspection of the back door/dock of the office building, I observed two cardboard boxes containing spent fluorescent lamps – one 4-foot-long box containing 8 spent lamps (yellow arrow) and one 4-foot-long box containing 22 spent lamps (blue arrow) Both boxes were closed, in good condition, and accumulation dates were properly tracked/documented However, the box, containing 22 spent lamps, was labeled only with the word "Used" Ms Martin added the word "Lamps" to the box containing spent lamps, addressing NOPF 4 at the time of the inspection The other boxes in the photo contained new, unused lamps	23
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Compliance Evaluation Inspection	DESCRIPTION	These are the same lamp boxes shown in Photo 23 During inspection of the back door/dock of the office building, I observed two cardboard boxes containing spent fluorescent lamps – one 4-foot-long box containing 8 spent lamps and one 4-foot-long box containing 22 spent lamps Both boxes were closed, in good condition, and accumulation dates were properly tracked/documented However, the box, containing 22 spent lamps, was labeled only with the word "Used"	24
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	These are the same lamp boxes shown in Photos 23 and 24 Ms Martin added the word "Lamps" to the box containing spent lamps, addressing NOPF 4 at the time of the inspection	25
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

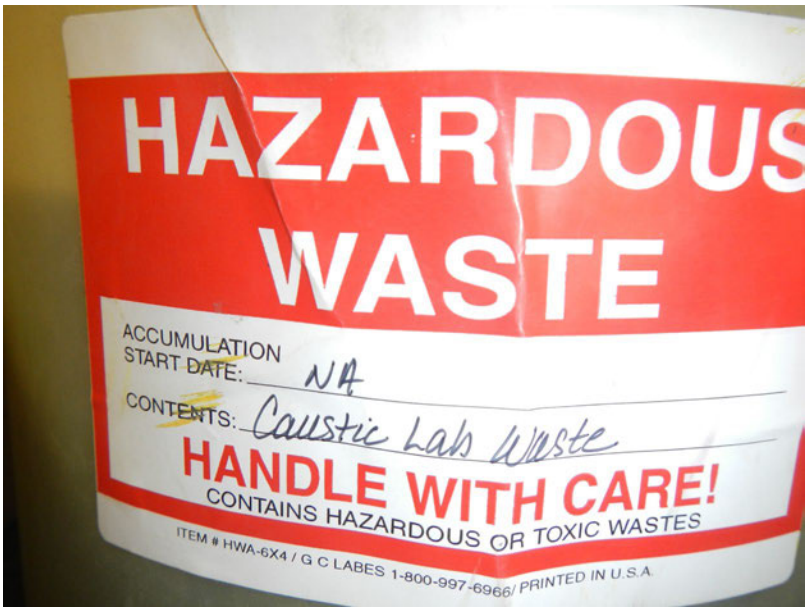
Compliance Evaluation Inspection	DESCRIPTION	During inspection of the facility laboratory, I observed two white 5-gallon polyethylene hazardous waste SAA containers One container was labeled "Acidic Lab Waste" and contained approximately two and half gallons of liquid (yellow arrow) The other container was labeled "Caustic Lab Waste" and contained approximately three gallons of liquid (blue arrow) The containers were closed and labelled with the words "Hazardous Waste" However, the containers were located next to each other without a barrier or secondary containment Ms Martin moved one of the containers to a different bench within the laboratory, addressing NOPF 3 at the time of the inspection	26
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022

Compliance Evaluation Inspection	DESCRIPTION	These are the same containers shown in Photo 26 One container labeled "Acidic Lab Waste" and the other container labeled "Caustic Lab Waste" were located next to each other without a barrier or secondary containment Ms Martin moved one of the containers to a different bench within the laboratory, addressing NOPF 3 at the time of the inspection	27
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Compliance Evaluation Inspection	DESCRIPTION	This is the same container shown in Photos 26 and 27 The container in this photo was located next to another container labeled "Caustic Lab Waste" without a barrier or secondary containment Ms Martin moved one of the containers to a different bench within the laboratory, addressing NOPF 3 at the time of the inspection	28
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22

Heritage Environmental Services, LLC
Kansas City, Missouri
July 26 and 27, 2022



Compliance Evaluation Inspection	DESCRIPTION	This is the same container shown in Photos 26 and 27 The container in this photo was located next to another container labeled "Acidic Lab Waste" without a barrier or secondary containment Ms Martin moved one of the containers to a different bench within the laboratory, addressing NOPF 3 at the time of the inspection	29
			Date
Direction: S	PHOTOGRAPHER	Tim Evans	7/26/22