From:	Williams, Cheryl B.
Sent time:	07/29/2013 02:54:33 PM
To:	Downey, Scott
Subject:	Referral to ORC - North Pole Refinery
Attachments:	2013 June 29 North Pole 3007.doc

Scott,

By this e-mail I am asking that you request ORC support for the following case.

Background:

Earlier in the month we received a notice from the North Pole Refinery, owned by Flint Hills (North Pole, Alaska) that they had activated their contingency plan as required for LQGs (see 40 CFR 265.56(i). The notice states that iron sulfide that was located in a roll off container spontaneously combusted (characteristic hazardous waste D001) and then a few days later re-ignited.

Although the Facility complied with the regulations to notify us, the fact that the generation of this waste stream is common in the industry and fires from this waste stream are a known danger - I am concerned that there may have been a lack of training or inadequate waste designation at the time of the occurrences. Therefore, I have drafted an information request (3007) to probe a bit at these questions. I believe there might be a violation of training requirements and also 265.31 which requires that facilities be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of a hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

I have sent an e-mail to the local fire department requesting incident reports related to these events.

Projected Level of Effort:

Up to 2 hours (in the short term) to read the Information Request and incident report and to discuss case and necessary evidence/appropriate response.

Because there were two sudden, unplanned releases of hazardous waste documented by the facility I believe that getting any additional information necessary for a penalty case should be fairly easy as RCRA cases go.

Purpose of the enforcement action would be to create a deterrent so that future fires will not happen.

Attached is a draft 3007 letter.

Jo: Please use this to document a NRR (today's date) in RCRA Info.

Cheryl

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