EPA REGION 6
RCRA SITE VISIT REPORT

Report Date:	January 15, 2013	
Inspection Date:	November 14 & 15, 2012	
Type of Inspection:	Sampling/CEI	
Company Name:	D&D Properties, LLC	
Mailing Address:	713 Industrial Dr., El Dorado AR 71730	
Company Owner:	D&D Properties, LLC	
Location:	713 Industrial Dr., El Dorado AR 71730	
Type of Industry – NAICS/SIC	N/A	
Identification Number:	ARR000005025	
ADEQ Permit Number:	N/A	
Date Put Into ICIS	November 26, 2012	
Enforcement Officer	Roxanne King	Signature Date
EPA Team Leader:	Roxanne King	Signature Date
Reviewed by:	Eva Steele	Signature Date

Table of Contents

INTRODUCTION **2**
BACKGROUND **3**
ONSITE **4**
WASTES 5
HISTORIC ENVIRONMENTAL CONCERNS 7
SAMPLING 10
APPENDICES **10**

INTRODUCTION

On November 13th, 2012, I, Roxanne King, along with Ms. Eva Steele and Mr. William Mansfield were accompanied by staff from the Arkansas Department of Environmental Quality

(ADEQ) to conduct a project at D&D Properties. The team met with Mr. Daryl Madding of D&D to conduct an opening conference. We presented our credentials to Mr. Madding, and I explained that we were conducting a Resource Conservation and Recovery Act (RCRA) inspection and sampling event. The on-site portion of this project was completed on November 14th, 2012 and the team left the site at 11:00 am.

Table 1 provides a list of personnel that were primary participants in the project.

Table 1 – Primary Participants

Name	Role	Telephone	Email
Roxanne King	EPA Team Leader (Sampler)	214.665.7595	king.roxanne@epa.gov
Eva Steele	EPA Site Safety Officer	214.665.7211	steele.eva@epa.gov
William Mansfield	EPA Team Member (Sampler)	214.665.8321	mansfield.william@epa.gov
Allison McKown	ADEQ Team Member	501-682-0840	mckown@adeq.state.ar.us
Jessica N. Gabaldon	ADEQ Team Member	501.682.0864	gabaldon@adeq.state.ar.us
Nathan Wentz	ADEQ Team Member (Water)	501.682.0661	wentz@adeq.state.ar.us

BACKGROUND

The following information is from an ADEQ memo dated August 24, 2012, attachment references have been removed (Appendix 1).

EPA initially performed a site inspection on July 24, 2007 and a subsequent sampling inspection on October 26, 2007. According to the resulting RCRA inspection reports ADEQ received from EPA, it was noted that tanks #4&7 on the above mentioned site once contained Carbon Black Oil (CBO) and was originally used as a feedstock to make carbon black until approximately 2001 when it was owned by Columbian Chemicals. Since 2001, CBO had been stored in tanks #4&7.

Mr. Robert (Dee) Agerton of D&D Properties stated during the July 24, 2007 EPA inspection that in order to clean the tanks, D&D needed a solvent to remove the CBO from the tanks and decided to use a petroleum solvent. Since the above mentioned CBO both tanks had been accumulating since approximately 2001, material appeared to be a solid waste, by virtue of the definition of "abandoned" given APC&EC Regulation No. 23 Section 261.2(b). When the petroleum solvent was added by D&D to the abandoned solid waste in both tanks, the spent solvent/CBO mixture became a characteristic hazardous waste due to ignitability (D001) and benzene (D018) according to the sample results conducted by EPA on October 26, 2007.

According to the EPA inspection report from October 26, 2007, D&D shipped the spent solvent/CBO mixture to a facility in Humble, Texas via Thunderbird Trucking on a bill of lading as a "petroleum crude oil" and a "blended crude oil flammable liquid". However, in a response to EPA, D&D's consultants (Hanner, Spence & Green Environmental) indicated that the spent solvent/CBO mixture in tank #7 and some of the mixture in tank #4 was *actually* transported to a Taylor Propane facility located in Liberty, Mississippi. According to the same response from Hanner, Spence & Green

Environmental, the remaining spent solvent/CBO mixture in tank #4 was transported to the Benu Energy facility in Humble, Texas.

The October 26, 2007 Inspection report also indicated that a total of 71,964 gallons of the spent solvent/CBO mixture remains unaccounted for. In addition to the unaccounted for mixture, Mr. Agerton indicated that 21,000 gallons of the spent solvent/CBO mixture still remains on-site.

In addition to the above information, a mercaptan odor was noted near tank #6 during the July 24, 2007 EPA inspection. According to the information in both EPA inspection reports, Mr. Agerton stated that the tank was empty. However when the inspectors visited the tank in 2007, Mr. Agerton informed them that tank #6 actually contained the tank bottoms from 140 bbl of condensate that was recovered from an oil field. Mr. Agerton also stated that the tank has been used for crude oil tank bottoms from nearby facilities. In addition, inspection reports state that the crude oil tank sediment from the tank bottoms in petroleum refining carries the listed hazardous waste code K169 when disposed. However, during the same inspection, Mr. Madding conflicted Mr. Agerton's statement and stated that the only thing they had ever put into tank #6 was "good crude oil from a pipeline cleaning and removal project at Cross Oil Refinery."

ADEQ conducted a site visit August 17, 2012 because a complaint was filed by the Fire Chief in regards to a recent fire that occurred at D&D Properties. During their site visit they collected more information and photographs of potential hazardous waste stored onsite. The full memo and attachments with photographs are in Appendix A.

ONSITE

On arrival, the team met with Mr. Mike Sewell with JMS Transport. This company rents storage units from D&D Properties to storage and transport petroleum related products and operates as a distribution center. Concerns associated with this operation were primarily within the truck parking area (Photo 1). Soil staining and what appeared to be spills of petroleum related products were noted during the inspection.

Photo 1 - Stained Soils at Truck Parking Area

Photo 2 - Drilling Mud Storage

Mr. Madding arrived at 9:01 am and provided details about former and current operations at the site. We were joined by Mr. Roger Williams shortly after for historical information, Mr. Williams was employed at this location for approximately 23 years total. The site is primarily inactive with small sections leased to multiple companies for various operations. At the present time, JMS Transport leased tanks and a section of the property for operating a distribution center and a

company named Southern Mud is leasing storage space to conduct a test on a drilling mud drying operation.

The Southern Mud Company was leasing a space to conduct a test for drying and re-use of drilling mud. The unit used to dry the mud was projected to produce minimal emissions during the drying process. Southern Mud obtained a research and development permit (R&D) to operate the unit. The unit was shut down at the end of the R&D permit period due to air emissions in excess of expected values. Mr. Josh Adkins stated that this operation would be re-evaluated at a later date for a way to reduce emissions from the drying process.

Wastes

Hazardous wastes were observed at the site during the inspection. These wastes were observed during the previous site visit and some wastes were left outside and exposed to the elements for an extended period of time. The following photos were taken during this most recent site visit.

Photo 4 - Hazardous Wastes Stored in Shed

Photo 3 - Hazardous Wastes exposed to elements

These wastes should be characterized disposed in accordance with RCRA Regulations.

Tanks 1 through 7 were previously used to store various chemicals related to carbon black production. During this site visit, Mr. Madding stated that part of the stored product from Tanks 5 and Tank 6 were sold as feed stock since the previous inspection. Mr. Madding stated that the remaining stock would be sold to the same buyers as weather permitted loads to be removed. Analytical for the products in these tanks can be found in Appendix 2. Sale and shipment documents were requested but not provided during the period of inspection. Historical documents and statements show that various tank discarded contents have been moved to and stored in Tank 6 over a period of years. Under the RCRA these discarded materials are hazardous wastes based on known characteristics. If these contents are sold as usable feedstock, they are considered recycled and not RCRA regulated. However, if they are not sold as feedstock, the contents would be hazardous waste and storage beyond 90 days would require a permit.

Photo 5 - Tank 5 (Left) and Tank 6 (Right)

The remaining tanks contained a thick black substance in the bottom of each tank (Photo 6). It is unclear when these liquids were originally placed in the tanks as there are conflicting stories about their use. Mr. Madding stated that he was in the process of leasing these tanks to another company for use in petroleum storage and distribution.

These liquids will need to be characterized and disposed or recycled in accordance with RCRA regulations.

Photo 6 – Substance in Bottom of Tank

Historic Environmental Concerns

A review of the Phase I conducted for the sale of this property presented several historic concerns. The site was used for an extended period of time for the production of carbon black and was never clean closed with approval or oversight from ADEQ. These previous activities left buried industrial and potentially hazardous waste on-site; these “landfills” (Photos 7 & 8) are discussed in detail in the Phase I as containing carbon black, refractory brick, feedstock oil, and miscellaneous refuse. No sampling of the landfill contents or subsurface were conducted.

Photo 7 - HB-1 Marked Landfill

Photo 8 - HB 2 Marked Landfill

Photo 9 - Refractory Brick and Debris in HB-1

The landfills onsite, if cleared, will have to be done so in accordance with all State and Federal Regulations.

The site has one active pond and two former ponds discussed in the Phase I. The active pond was "cleaned" years prior to the sale of the property, however, the removal of wastes and disposal was not in accordance with State and Federal regulations. There is no clear information on the contents of the removed sludge or the final disposition. However, it is likely that the sludge removed from the former process water pond would have been characterized as hazardous waste and should have been disposed accordingly.

Photo 10 - Historical Aerial Photo

The two additional ponds were noted in the Phase I; however they are not readily marked or visible during a site visit. A historical aerial from 1994 (Photo 10) shows one of the two closed ponds marked as 2. These ponds were also closed without ADEQ approval and oversight. No further information related to the two historical ponds is available at this time.

Sampling

Sampling was conducted during this inspection to determine the existence of contamination and potential extent of contamination. No samples of RCRA HW were taken; a discussion of corrective action sample results can be found in the CA inspection report.

AREAS OF CONCERN

The following areas of concern were noted during the inspection and will require resolution or follow up actions.

- Wastes identified during the inspection need to be removed and disposed in accordance with RCRA regulations
- Mr. Madding stated that the contents of Tanks 5 & 6 have been sold as product. Shipping, analytical and sale documents were requested during the on-site inspection. The documents must be provided within a reasonable period of time in accordance with the 3007 RCRA regulatory authority. Analytical documents were provided, however, shipment and sale documents were not. These documents were requested during a physical inspection; not providing the documentation is non-responsive and in violation.
- Mr. Madding stated that Tanks 1-5 are in the process of lease to a new company for use in petroleum distribution. Tank bottoms observed in Tanks 1, 2 and 3 will need to be removed prior to use by a new lessor. The bottoms will need to be characterized in accordance with §262.11 prior to disposal.
- As noted in the Phase I, and during the site inspection, HB1 and HB2 are historical industrial landfills with potentially hazardous constituents. If this property is re-developed for conducting a new industrial activity and these landfills are disturbed, they will have to be investigated in accordance with the RCRA 3008 authority. D&D Properties will have to notify ADEQ for corrective action investigation and oversight at that time.

APPENDICES

APPENDIX	Description
1	ADEQ Memo with Attachments
2	Tank 5 & 6 Product Analytical
3	Corrective Action Report with Sample Results