



Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental
Protection

Barbara A. Lee, Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Edmund G. Brown Jr.
Governor

May 29, 2018

Certified Mail No. 7017 0660 0001 0545 5427
Return Receipt Requested

Mr. Ho Kim
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SECOND NOTICE OF DEFICIENCY (NOD) FOR PERMIT RENEWAL APPLICATION FOR THE SAFETY-KLEEN SYSTEMS INC. SANTA ANA SERVICE CENTER HAZARDOUS WASTE FACILITY, 2120 S YALE ST, SANTA ANA, EPA ID NO. CAT000613976

Dear Mr. Kim:

The Department of Toxic Substances Control (DTSC) has completed its technical review of the revised permit application dated January 30, 2018 for the Safety-Kleen Systems, Inc., Santa Ana Service Center (Safety-Kleen Santa Ana) located at 2120 South Yale Street, Santa Ana, California, 92704, hereinafter referred to as the "Application." The revised Application has been reviewed for compliance with the applicable requirements of California Code of Regulations, title 22, division 4.5 and the Health and Safety Code, division 20. DTSC has determined that the revised Application provided response to some, but not all of the deficiencies that DTSC had listed in its first NOD. The enclosed comments comprise the second NOD issued for the revised Application. DTSC has also reviewed the DTSC Form 1176 - Environmental Information Form (EIF), which was submitted to meet requirements of the California Environmental Quality Act (CEQA). Comments on the EIF are included. DTSC would like to schedule a meeting to discuss the deficiencies. I will contact you shortly to schedule this meeting.

The first NOD prepared on October 12, 2017, contained 40 comments and included Technical Memorandums prepared by the DTSC's Engineering and Special Projects Office (ESPO), Geological Services Branch (GSB), and Enforcement and Emergency Response Division (EERD). The responses Safety-Kleen Santa Ana provided to comments 2, 3, 6 through 10, 12 through 16, 18 through 21, 23, 25 through 27, 29 through 32, 34 through 36, and 38 through 40 are satisfactory and no further information is required.

Safety-Kleen Santa Ana failed to provide satisfactory responses to the comments 1, 4, 5, 11, 17, 22, 24, 28, 33, and 37. In the attachment of this letter, DTSC has provided Safety-Kleen Santa Ana's response to the outstanding deficiencies, DTSC's evaluation of the response and the requirements that need to be met.

The following must be submitted by July 16, 2018:

- 1) Two hardcopies and one electronic PDF copy (CD or flash drive) of the complete, clean version of the revised permit application. The revised permit application must be a complete application with all sections, figures, tables, appendices, calculations, attachments and all information required by California Code of Regulations, title 22, division 4.5 and the Health and Safety Code, division 20. In other words, the revised permit application must be a stand-alone document with all deficiencies corrected.
- 2) One hardcopy redlined/strikeout version of the Application showing the changes that have been made as requested in the second NOD.
- 3) One hardcopy of the written response to each of the deficiencies identified in the second NOD. In responding to each of the deficiencies, restate the deficiency and identify the page number(s) in the revised permit application where each deficiency has been addressed.

Please note that pursuant to Health and Safety Code section 25200.8 and California Code of Regulations, title 22, section 66271.2(e), DTSC may deny permit applications based on a failure of the applicant to respond to a NOD or when the applicant responds with substantially incomplete or substantially unsatisfactory information.

If you have any questions, please contact me at Olivia.Yuan@dtsc.ca.gov or (916) 255-3733.

Sincerely,



Olivia Yuan, P.E.
Project Manager
Permitting Division
Department of Toxic Substances Control

Enclosure (1): Second Notice of Deficiency

Attachments to Enclosure (3); F, G, & H:

F. Engineering and Special Projects Office (ESPO) Technical Memorandum

G. Enforcement and Emergency Response Division (EERD) Technical Memorandum

H. Geological Service Branch (GSB) Technical Memorandum

cc: See next page

Mr. Kim
May 29, 2018
Page 3 of 3

cc: (via e-mail):

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**SECOND NOTICE OF DEFICIENCY FOR THE SAFETY-KLEEN SYSTEMS INC.
SANTA ANA SERVICE CENTER HAZARDOUS WASTE FACILITY
2120 S YALE ST, SANTA ANA
EPA ID NO. CAT000613976**

The results of DTSC's technical review for the Safety-Kleen Systems, Inc., Santa Ana Service Center (Safety-Kleen Santa Ana) Hazardous Waste Facility are presented below:

Comments

DTSC comment #1 from 1st NOD

1. California Environmental Quality Act: DTSC Form 1176. Pursuant to California Code of Regulations, title 22, section 66270.14(e), permit applications must include all information necessary to enable DTSC to prepare a CEQA document that would meet the requirements of California Code of Regulations, title 14, section 15063. The Application must be revised to include the revised DTSC Form 1176.

- Safety-Kleen Santa Ana's Response to 1st NOD dated January 30, 2018

The DTSC Form 1176 was prepared, and enclosed.

• **DTSC's Evaluation**

The DTSC Form 1176 - Environmental Information Form (EIF) failed to provide up-to-date waste streams to reflect the most current operation process at the Facility. The EIF must be revised to be consistent with the revisions of waste streams and the unit processes reflected in DTSC's NOD-item #11 and #17.

DTSC comment #4 from 1st NOD

4. Listing of All Permits and Construction Approvals Received/Approved: Part I – Facility Identification, page 6. Pursuant to California Code of Regulations, title 22, sections 66270.13(k), a permit application for a hazardous waste facility must provide a listing of all permits or construction approvals received or applied for. Appendix I-5 entitled "Air Permit" states that "facility submitted air permit application for the four drum washer units in the R&F area in December 2005 and is waiting for receiving either permits or exemption from South Coast Air Quality Management District (SCAQMD)." However, on page 6 in Part IV.n of the DTSC Compliance Evaluation Inspection report issued on October 20, 2015

(2015 CEI Report), it states that “the Facility discontinued processing the organic cleaning solvents through the drum/container washers and no SCAQMD permit is required for the system.” The Application must be revised to clearly identify the current status of the Air Permit. In addition, all permits or construction approvals must be included in the Application.

- *Safety-Kleen Santa Ana’s Response to 1st NOD dated January 30, 2018*

The Facility discontinued processing the organic cleaning solvents through the drum/container washers, and no SCAQMD permit is required/or the current system and operation. The page has been revised.

- ***DTSC’s Evaluation***

Safety-Kleen Santa Ana did not provide revision to the Appendix I-5 entitled “Air Permit”. The response to 1st NOD states that SCAQMD Air Permit is not required as organic cleaning solvents is discontinued. However, Appendix I-5 entitled “Air Permit” states that “facility submitted air permit application for the four drum washer units in the R&F area in December 2005 and is waiting for receiving either permits or exemption from South Coast Air Quality Management District (SCAQMD).” This is not consistent with the facility’s response to 1st NOD. The Application must be revised to include the updated description of the Air Permit status.

DTSC comment #5 from 1st NOD

5. List of RCRA and California Wastes: Part I – Facility Identification, page 9. Pursuant to California Code of Regulations, title 22, section 66270.13 (j), a permit application for a hazardous waste facility must provide a specification of the hazardous wastes listed or designated under chapter 11 of this division to be transferred, treated, stored, or disposed of at the facility, an estimate of the quantity of such wastes to be transferred, treated, stored, or disposed annually, and a general description of the processes to be used for such wastes. On page 9 of Table I-1 entitled “Wastes and Annual Amounts Handles”, column 1 lists used parts solvent and used parts washer solvent tank bottom sediment as current waste types. This information is not consistent with the language in 2015 CEI Report. On page 7 of the 2015 CEI report, the second paragraph in Part V entitled “Narrative of Observations/Discussion with Operator” states that “the S-K solvent (#105), petroleum naphtha, mineral spirits and immersion solvent cleaner is no longer used” and only aqueous solution is used for cleaning. The Application must be revised to reflect the current operation in Table I-1.

- Safety-Kleen Santa Ana's Response to 1st NOD dated January 30, 2018

The S-K solvent (#105), petroleum naphtha, mineral spirits and immersion solvent cleaner is no longer used and only aqueous solution is used for cleaning. Table I-1 has been revised.

- **DTSC's Evaluation**

Safety-Kleen Santa Ana did not provide satisfactory revisions to address the comment. Column 1 of Table I-1 on page 9 lists used parts solvent and used parts washer solvent tank bottom sediment as current waste types. This information is not consistent with the response to 1st NOD. The Application must be revised to include the updated description in both Table I-1 and Part I.I.1.

This deficiency is also identified in multiple other locations in the permit application including:

- 1) On page 1 in Part I.A.6, it states that "in 2003, Safety-Kleen reclaimed more than 14 million gallons of used solvent";
- 2) On page 2 in Part I.A.6, it states that "the UST stores wastes mineral spirits solvent received from the Return and Fill area...";
- 3) On page 2 in Part I.A.6, it states that "the Site Plan in Figure 1-3 shows the location and layout of the underground waste mineral spirits tank and the Return and Fill Area ...",
- 4) On page 2 in Part I.A.6, it states that "wastes that are reclaimed for reuse such as the used parts washer solvent are processed through Safety-Kleen's Closed Loop System (Appendix I-2)".

The Application must be revised to update the descriptions in Part I.A.6, Figure 1-3, and Appendix I-2.

DTSC comment #11 from 1st NOD

11. Part III-Waste Analysis Plan (WAP). Pursuant to California Code of Regulations, title 22, section 66270.14(b)(3), a copy of the waste analysis plan required by section 66264.13(b) is required for all waste management facilities except as section 66264.1 provides otherwise; Pursuant to California Code of Regulations, title 22, section 66264.13(a)(4), the analysis shall be repeated as necessary to ensure that it is accurate and up to date. On page 6 of Part III.B entitled "Used Parts Washer Solvent (Mineral Spirits/Aqueous Cleaners including Sludge and Tank Bottoms)", it states that the waste is ignitable with "flash point less than 140°F." This conflicts with the content in 2015 CEI Report. On page 7 of the DTSC CEI report, the second paragraph in Part V entitled "Narrative of Observations/Discussion with Operator" states that "the S-K solvent (#105), petroleum naphtha, mineral spirits and immersion solvent cleaner is no longer

used". The Application must provide a revised waste analysis plan (WAP) with the current waste stream.

- *Safety-Kleen Santa Ana's Response to 1st NOD dated January 30, 2018*

The page has been revised to reflect the correct waste streams managed at the facility.

- ***DTSC's Evaluation***

The response did not adequately address the comment. The facility stated in the response to 1st NOD that they discontinued processing the organic parts cleaning solvents through the drum/container washers. However, the waste stream of "used parts washer solvents" described in the revised Waste Analysis Plan (WAP) includes mineral spirit and aqueous solution. Also, the current operation plan indicates that solvents still exist in the operation. It is not clear whether Safety-Kleen Santa Ana handles mineral spirit in the hazardous waste treatment process. The WAP must be revised to reflect the current waste stream.

The WAP of Part III appears to be a Permit Modification approved by DTSC on June 29, 2005. Pursuant to California Code of Regulations, title 22, section 66264.13(b), "the owner or operator shall develop and follow a written waste analysis plan which describes the procedures which the owner or operator will carry out to comply with subsection (a) of this section...". It is not appropriate to use a historic Permit Modification to substitute WAP. The permit application shall be revised to include WAP which can meet the requirements identified in California Code of Regulations, title 22, section 66264.13.

Please also conduct a document-wide check to ensure that the waste of "used aqueous parts washer solution" is described properly within all applicable Parts of the Application.

DTSC comment #17 from 1st NOD

17. Empty Containers Contaminated with Hazardous Waste: Part IV-Facility Design. On page 6 of Part IV.A.4.J entitled "Empty Containers Contaminated with Hazardous Waste are Handled as Hazardous Waste", it states that "the empty spent parts washer solvent containers are cleaned in drum washers located in the Return and Fill area". The Application must be revised to clarify whether the containers for washing are considered empty as defined in California Code of Regulations, title 22, section 66261.7(b), "if the hazardous material which the container held is pourable, no hazardous material can be poured or drained from

the container when the container is held in any orientation (e.g. tilted, inverted, etc.)”.

- *Safety-Kleen Santa Ana's Response to 1st NOD dated January 30, 2018*

The part of the application has been revised to reflect current procedure, and the item needs to be discussed farther with the Department.

- DTSC's Evaluation

The response did not adequately address the comment. *Pursuant to California Code of Regulations, title 22, section 66261.7(a) & (b)*, in order to retain the "empty exemption" which allows empty containers to manage as non-hazardous waste, the empty containers in the Return & Fill Station with four drum washers must be managed in accordance with subsection 66261.7(e). Since the contaminated containers rinsed in the drum washers are not managed in accordance with subsection 66261.7(e), "empty exemption" does not apply and the rinsing activities should be considered treatment of a hazardous waste and would require authorization by DTSC.

The Application must be revised to reflect that contaminated containers are hazardous wastes and are treated in the Return & Fill Station:

- 1) On page 3 of 6 in the Hazardous Waste Permit Information Form in Appendix I-1, the process code must be added to Section 7 entitled "*Process Codes and Design Capacities*" to indicate the treatment process in the Return & Fill station.
- 2) On page 7 of Part I.J.1 entitled "*Description of all processes and types of units to be used to handle wastes and the design capacity of each*", the second paragraph states that "no treatment of hazardous waste is performed at the facility. In accordance with California Health & Safety Code Section 25123, the physical separation in the four drum washers that are ancillary equipment for the 12,000-gallon underground waste storage tank is not considered treatment." Such description repeats in Part II.A.1.e.8.a., Part IV.B.14.a., and Part VIII.E.1.b.2. The Application must be revised to indicate the treatment process in the Return & Fill Station.

In addition, *Pursuant to California Code of Regulations, title 22, section 66260.10.*, "*Ancillary equipment*" means any device including, but not limited to, such devices as piping, fittings, flanges, valves and pumps, that is used to distribute, meter or control the flow of hazardous waste from its point of generation to a storage or treatment tank(s), between hazardous waste storage and treatment tanks to a point of disposal onsite, or to a point of shipment for disposal offsite. The Return & Fill Station with four drum washers are currently

managed as ancillary equipment for the 12,000-gallon underground waste storage tank. However, the activity conducted in drum washers does not qualify it as ancillary equipment. The Application must be revised in Part I.J.1, Part II.A.1.e.8.a., Part IV.B.14.a., and Part VIII.E.1.b.2. to ensure that the Return & Fill Station is regulated as miscellaneous unit per California Code of Regulations, title 22, section 66270.23 and section 66264.601.

DTSC comment #22 from 1st NOD

22. Tank Certification: Part IV-Facility Design, Appendix IV-2. *Pursuant to California Code of Regulations, title 22, section 66264.191, tanks shall have sufficient shell strength and, for closed tanks, pressure controls (e.g., vents) to assure that they do not collapse or rupture. The Department will review the design of the tanks, including the foundation, structural support, seams and pressure controls and seismic considerations. The Department shall require that a minimum shell thickness be maintained at all times to ensure sufficient shell strength.* DTSC ESPO has reviewed the Appendix IV-2 entitled "Tank Certification – Seismic Assessment and Liquefaction Analysis" dated August 16, 2016. The Application must be revised to address the ESPO comments contained in Attachment B.

- Safety-Kleen Santa Ana's Response to 1st NOD dated January 30, 2018

Please see attached revised tank certificate meeting requirements from the Attachment B on the letter from the Department. The facility has been working with the vendor to document the technician training certificate for ultrasonic tank thickness testing. The vendor is currently evaluating and assessing the technician requirements for the training, and the training will be completed by end of 2018. The facility is looking for Department guidance or a possible compliance schedule upon permit approval for additional ultrasonic testing conducted by another vendor, or if it can be performed by the same vendor after the training is completed.

- DTSC's Evaluation

The response did not provide satisfactory revisions. DTSC's ESPO reviewed the Response of 1st NOD-Item #22, with review comments summarized as follows:

- 1) The tank age was not provided as required per section 66264.192 (l)(3).
- 2) The tank certification did not provide any details or results with regard to liquefaction analysis as required per section 66264.192(a) and (b) regarding structural integrity.
- 3) The ultrasonic testing was not performed by the technician with certification. The Application must be revised to address the review comments provided in the ESPO Technical Memorandum contained in Attachment F.

DTSC comment #24 from 1st NOD

24. Calculation of Containment Capacity: Part IV- Facility Design, Appendix IV-4. On page 2 of 3 in Appendix IV-4 (subject - proposed storage containment) entitled "*Containment Design for Proposed Waste Storage Area (3000 SQ ft)*", the Application states "Max waste stored – see Figure 13". However, Figure 13 does not exist. The Application must be revised to include the correct figure to be referenced.

- *Safety-Kleen Santa Ana's Response to 1st NOD dated January 30, 2018*

The page is referencing the calculation of proposed storage containment, which does not exist. The pages have been removed to prevent the confusion. The remainder of the calculation lists calculation of two container storage areas (#1 & #2), which are only relevant to the current permitted container storage areas.

- DTSC's Evaluation

The response failed to address the comment. The response to 1st NOD states that "the pages (referencing the calculation of proposed storage containment) have been removed to prevent the confusion". However, the calculation of proposed storage containment is still included in the Application. The Application must be revised to remove the unnecessary pages.

DTSC comment #28 from 1st NOD

28. Facility Inspection Schedule: VIII-Management Practice, page 10 to 15. Pursuant to California Code of Regulations, title 22, section 66270.14(b)(5), a copy of the general inspection schedule shall be submitted within Part B Application. The description in Part VIII.E.1.c does not contain general inspection schedule for overall periodic (daily, weekly, monthly etc.) inspections at the Facility. The Application must be revised to include the general inspection schedule. This comment is referenced in EERD Memorandum of Attachment C.

- *Safety-Kleen Santa Ana's Response to 1st NOD dated January 30, 2018*

The pages have been revised to include Inspection schedule for each inspection.

- DTSC's Evaluation

DTSC's EERD reviewed the Response of 1st NOD-Item #28, with comments summarized as follows:

- 1) On page VIII-10, last line in the last paragraph reads, "Inspection frequencies and checklists are included as Appendix VIII-I". Under Appendix VIII-I, INSPECTION CHECKLISTS, REPAIR LOG, no checklists are attached.
- 2) A summary table of the inspection frequency and schedules should be added with the checklists (California Code of Regulations (CCR), title 22, section 66264.15(b)(2), 66270.14(b) (19), and 40 Code of Federal Regulations, 264.15(b)(2). Please see the example attached to the EERD memo.
- 3) The daily inspection of container/tank's overspill controls inspection needs to be addressed pursuant to CCR, title 22, section 66264. 174 & 195(a), if applicable.
- 4) In VIII. E. entitled "Facility Inspection", Paragraph 1 states that respective facilities at each location will be inspected on a daily-basis. Does this mean that facilities will be in all the units and equipment and for all the parameters, pursuant to CCR, title 22, section 66270.14(b)(5)? Please clarify the scope of the daily inspection.

The Application must be revised to address the review comments provided in the EERD Technical Memorandum contained in Attachment G.

DTSC comment #33 from 1st NOD

33. Emergency Equipment: Part X- Contingency Plan and Emergency Procedures, page 31. Pursuant to California Code of Regulations, title 22, section 66270.14(b)(7); 66264.52(e), the plan shall include a list of all emergency equipment at the facility where this equipment is required. This list shall be kept up to date. In addition, the plan shall include the location and a physical description of each item on the list, and a brief outline of its capabilities. On page 31 of Part X.R.2. i entitled "Decontamination Equipment", the Application states that "the exact location of this equipment in the new facility has not been established". The Application must be revised to include an up-to-date list of spill control equipment and decontamination equipment including location, the physical description and a brief outline of its capabilities.

- *Safety-Kleen Santa Ana's Response to 1st NOD dated January 30, 2018*

The page has been revised.

- ***DTSC's Evaluation***

Although Safety-Kleen Santa Ana states in the response to 1st NOD that the page has been revised, the revised pages are still missing in the permit application. The Application must be revised to address the deficiency.

DTSC comment #37 from 1st NOD

37. Closure and Post-closure Sampling and Analysis Plan: Part XI-Closure and Post-closure Plans, page 6 and page 7. Pursuant to California Code of Regulations, title 22, section 66264.111, the owner or operator shall close the facility in a manner that: (b) controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated rainfall or run-off, or waste decomposition products to the ground or surface waters or to the atmosphere. On page 6 and 7 of Part XI.A.7, the proposed sampling distribution fails to include sampling at several locations where management and storage of hazardous waste occurred. In addition, the proposed sampling fails to include soil vapor and indoor air sampling. These comments are referenced in GSB Memorandum of Attachment D. The Application must be revised to address the GSB comments.

- Safety-Kleen Santa Ana's Response to 1st NOD dated January 30, 2018

Please note that although soil sampling on pages 6 and 7 is limited to discussing the soil samples beneath the container storage area, additional sampling at the other permitted units (return/fill and underground storage tanks) is addressed on pages 11 - 13 in Section XI-A.8. As described, soil samples will be collected beneath each of the permitted units based on the engineer's inspection at closure, and are designed to be collected at cracks, gaps, or low lying areas in the containment that represent the highest potential for a release to have impacted the environment during facility operations. In addition, the permit/closure plan only applies to the waste underground storage tank. When closure is implemented, additional soil samples will be collected based on CUPA guidelines and jurisdiction for the non-permitted product tank(s), as well as along the length of piping to/from the tanks. A separate report is provided to the CUPA to document the product tank removal and subsequent sampling.

In addition, the DTSC comment letter dated September 15, 2017 mentions the soil vapor sampling currently being implemented at our former El Monte facility, presumably as a basis to include vapor sampling in the Santa Ana closure plan. Please note, that the El Monte closure plan used the same methodology to evaluate the presence of a release at closure by first collecting soil samples from beneath the hazardous waste management units to determine the need for farther investigation. Since low level constituents were detected in the closure soil samples during the initial El Monte closure activities (consistent with the protocol described in the SK Santa Ana closure plan), SK proposed to farther investigate environmental conditions at El Monte by collecting subsurface vapor

and indoor air data. SK maintains that this approach by collecting soil samples at locations biased toward areas where the highest potential for impact should a release have occurred to determine the need for farther Investigation satisfies the regulations referenced in the DTSC comment.

Similarly, comments 1 and 2 in the September 2017 DTSC letter request soil vapor, sub-slab, and indoor air samples be collected at the same locations (at hazardous waste management unit areas), which duplicates the areas where soil samples would be collected as described in the closure plan. As described above, SK maintains that collection of soil samples at hazardous waste management unit areas (as complimented by additional soil data collected in accordance with CUPA requirements for non-permitted areas) with direct comparison to appropriate screening levels is sufficient to determine the presence/absence of a release during operations in accordance with the regulations.

- DTSC's Evaluation

DTSC's GSU reviewed the response to 1st NOD-Item #37, and reiterated that soil vapor sampling in addition to soil sampling is necessary at the following locations:

- Beneath the solvent drum washer and return/fill dock station;
- Beneath or adjacent to the piping between the station and the underground storage tanks (USTs);
- Near fill/dispense piping ports and beneath piping joints
- Beneath the Container Storage Areas;
Beneath or adjacent to permitted solvent USTs.

The Application must be revised to address the comments provided in the GSU Technical Memorandum contained in Attachment H.

The following comments are based on additional review by DTSC of the Permit Application.

41. Container Storage Area 1 and 2: Part IV-Facility Design, Appendix IV-1.

Pursuant to California Code of Regulations, title 22, section 66264.31, Facilities shall be located, designed, constructed, maintained, and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. In Appendix IV-1 entitled "Containment Storage Certification" in the application dated December 23, 2016, the Engineering Certification for Container Storage Areas (Certification) signed by Philip B. Crispell, P.E. on 12/3/91 states that "the container storage areas are properly designed and constructed for their intended use and are of sound structural integrity". This one-page Certification is insufficient to demonstrate the compliance with regulatory requirements. The Application must be revised to include additional documents to show the basis for the Certification. A building permit will accomplish this requirement.

ATTACHMENT F

**Engineering and Special Project Office (ESPO) Technical Memorandum:
Review of Underground Waste Tank System, Safety-Kleen Systems, Santa Ana,
California (Site Code DTSC400249, CAT000613976)**



Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental Protection

Barbara A. Lee, Director
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Edmund G. Brown Jr.
Governor

MEMORANDUM

TO: Olivia Yuan, P.E.
Hazardous Substances Engineer
Office of Permitting – Sacramento Office
Hazardous Waste Management Program

FROM: Jesus I. Sotelo, P.E.
Hazardous Substances Engineer
Engineering and Special Projects Office
Brownfields and Environmental Restoration Program

REVIEWER: Perry Myers, P.E.
Senior Hazardous Substances Engineer
Engineering and Special Projects Office
Brownfields and Environmental Restoration Program

DATE: May 10, 2018

SUBJECT: REVIEW OF UNDERGROUND WASTE TANK SYSTEM, SAFETY-
KLEEN SYSTEMS, SANTA ANA, CALIFORNIA (SITE CODE
DTSC400249, CAT000613976)



[Signature]
5/10/2018

[Signature]
Perry Myers

DOCUMENTS REVIEWED

1. *First Notice of Deficiency for Permit Renewal Application for the Safety-Kleen Systems Inc. Santa Ana Service Center Hazardous Waste Facility, Safety-Kleen Systems, Incorporated, Santa Ana Service Center, Santa Ana, CA, 2120 S Yale Street, Santa Ana CA, 92704, CAT000613976, dated January 30, 2018.*
2. *Hazardous Waste Storage Facility Permit Application, Part B, Part IV, Facility Design, Safety-Kleen Systems, Incorporated, Santa Ana Service Center, Santa Ana, CA, 2120 S Yale Street, Santa Ana CA, 92704, CAT000613976, dated March 2004, revised February 2006, December 23, 2016.*
3. *Hazardous Waste Storage Facility Permit Application, Part B, Part IV, Safety-Kleen Systems, Incorporated, Santa Ana Service Center, Santa Ana, CA, 2120 S Yale Street, Santa Ana CA, 92704, CAT000613976, dated January 31, 2018.*

INTRODUCTION

The Engineering and Special Projects Office (ESPO) of the Department of Toxic Substances Control (DTSC) has reviewed the above-referenced documents, as part of the Part B application renewal, that contain a response to the First Notice of Deficiency (NOD) regarding the tank assessment certification of the underground waste storage tank that receives drum washer fluids for the Safety-Kleen Systems, Incorporated facility located in Santa Ana, California. If you have any questions, please contact me at 916-255-6670 or via email at jesus.sotelo@dtsc.ca.gov.

PROJECT SUMMARY

FACILITY DESCRIPTION/HISTORY

The Safety-Kleen Santa Ana Facility is located at 2120 South Yale Street in Santa Ana, Orange County (Facility). Safety-Kleen began operation in 1968 to provide mineral spirit solvent reclamation and supply service for customers primarily engaged in vehicle repair shops, industrial maintenance, and dry cleaning. The Facility provides parts cleaning services, which involve parts degreasing units, consisting of a sink affixed to the top of a 16- or 30-gallon drum of cleaner solvent. Safety-Kleen is also engaged in providing generators with aqueous corrosive cleaners and immersion cleaners (carburetor cleaner) for use in the degreasing units. The units are emptied, the hazardous materials are refilled by the Safety-Kleen truck operators at customer sites, and the trucks transport the used materials back to the Facility. The hazardous waste solvents from the Facility are eventually transported to Safety-Kleen's Reedley Recycle Center or another permitted facility for recycling, treatment and/or disposal.

The Facility stores and transfers hazardous wastes in drums/containers and a 12,000-gallon underground tank (UST), as described in Part IV of the Permit. The Permittee provides the following services which lead to the off-site generation of hazardous waste that the Permittee transports back to the Facility.

1. Petroleum-Based Cleaners (Mineral Spirits)
2. Aqueous-Based Parts Washing Solution
3. Safety-Kleen Immersion or Carburetor Cleaner Service
4. Safety-Kleen Dry Cleaner Service
5. Safety-Kleen Paint Collection Service
6. Safety-Kleen Used Oil Service
7. Safety-Kleen Used Antifreeze/Coolants Service
8. Miscellaneous Containerized Waste Services

PERMITTING REGULATORY DESCRIPTION/HISTORY

On September 17, 1994, DTSC issued a Hazardous Waste Facility Permit to the Permittee. During the term of the Permit, the Permittee requested modifications to the Permit including:

- the October 13, 1994 changes to the container stacking heights,
- the March 10, 1995 authorization to handle photographic wastes,
- the July 7, 1998 change of corporation name,
- the September 7, 2001 authorization to store paint, thinner and dry cleaning wastes,
- the February 21, 2002 authorization to store mineral spirits drum washer wastes,
- the September 5, 2002 replacement of one of the drum washer units, and
- the June 29, 2005 revisions to the waste analysis plan.

The Permit expired on September 17, 2004 and was renewed on May 23, 2007. The last permit issued on May 23, 2007 expired on May 23, 2017.

There are currently no corrective action/cleanup activities being conducted by DTSC or the Regional Water Quality Control Board at the facility.

ESPO focused its review with regard to compliance with Title 22, CCR sections 66264.192, 66264.193 and 66270.11(d) regarding the UST.

COMMENTS AND RECOMMENDATIONS

ESPO has the following comments with regards to the response to the first NOD:

1. As previously outlined in an ESPO memorandum dated July 17, 2017: "The UST certification is deficient with regard to Section 66264.192(l)(3) as it does not specify the age of the UST. It is noted in the Part B what the age of the tank is, but this information should also be included in the tank certification/assessment report. (See page IV-13, Section IV. B. Tanks used for Storage or treatment, No. Item 3.a.7 of the Part B)." The certification states that the tank was installed in 1989 but does not clarify if the tank was new or used at the time of installation. The response did not clearly state the age of the tank or whether the tank was new at the time of installation.
2. As previously outlined in an ESPO memorandum dated July 17, 2017: "The tank certification did not provide any details or results with regard to liquefaction analysis as required per section 66264.192(a) and (b) regarding structural integrity." The certification is deficient because no evaluation, analysis or certifying statement from the independent, qualified engineer was provided regarding the movement from the effects of a seismic event that causes liquefaction of soils that could adversely

affect the tank's integrity. Specifically, because the facility is located in an area identified on a state map as being within a liquefiable zone (please see, *Earthquake Zones of Required Investigation*, Newport Beach Quadrangle, California Geological Survey, Released: July 1, 1986, Liquefaction Released: April 1997, Landslide Released: April 13, 1998).

3. As previously outlined in an ESPO memorandum dated July 17, 2017: "The assessment states that ultrasonic testing was performed. Please provide the following information regarding the Ultrasonic testing performed:
 - a) Technician certification (most current)
 - b) Instrument used and calibration of ultrasound instrument results, how it was calibrated and how often the instrument was calibrated.
 - c) The locations where the measurements were taken, i.e. drawing identifying the locations in the UST.

API (American Petroleum Institute) Standard 653, Tank Inspection, Repair, Alteration and Reconstruction, Section 12 Examination and Testing, requires American Society of Non-Destructive Testing (ASNT) certified inspectors and specifies the inspectors be certified per API Standard 650, Welded Tanks for Oil Storage, Section 8 Methods of Inspecting Joints. API 650 section 8, and in particular section 8.3, outlines the requirements for Ultrasonic Testing, including the ASNT certification.

A Professional Engineer licensed in the State of California (Civil, Chemical, Corrosion, or Mechanical, only for the internal thickness measurements) can provide the calibration data and the results of the ultrasonic evaluation requested above if they are ASNT certified, or if proper documentation of training equivalent to the requirements for ASNT certification in the use of the ultrasonic thickness testing equipment is provided, and they provide an independent third party testing certification of the calibration blocks that was completed within the last two years. ESPO requires an ASNT certified Level II or III inspector in addition to the Professional Engineer licensed in the State of California, as required per Title 22 Section 66264.192 et.al, with all supporting instrument calibration results, results of testing documentation and current technician certification for the ultrasonic testing/evaluation for thickness of the tank shell."

The response to the first NOD is deficient because no certifications were provided. Upon the technician's certification completion, retesting of the tank wall thickness will be required to comply with the requirements as outlined in 66264.192(I)(2)(B) for the tank assessment.

Olivia Yuan, P.E.
Safety-Kleen Systems, Incorporated UST Certification
May 10, 2018
Page 5 of 5

4. Lastly, ESPO recommends not accepting the response to the first NOD with regards to the tank certification report until these deficiencies have been corrected.

DISCLAIMER

The Engineering Services review was based solely on the information supplied by the DTSC Project Manager at the time the review was performed and does not constitute a guarantee of the completeness of the information or accuracy of the assumptions used by the Proponent.

ATTACHMENT G

Enforcement and Emergency Response Division (EERD) Technical Memorandum:

Review of the Response of Safety Kleen-SA's (SKSA) 1st NOD - Item # 28.



Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental Protection

Barbara A. Lee, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

MEMORANDUM

TO: Olivia Yuan
Hazardous Substances Engineer
Hazardous Waste Management Program
Permitting Division

FROM: Kalim Butt
Senior Environmental Scientist (Specialist)
Enforcement and Emergency Response Division

DATE: February 22, 2018

SUBJECT: Review of the Response of Safety Kleen-SA's (SKSA) 1st NOD – Item # 28.

EERD Cypress/San Diego Branch Senior completed the review of the SKSA facility Response of 1st NOD-Item #28, Facility Inspection Schedule: VIII-Management Practice, page 10 to 15. The results of the review of the facility's Response to the 1st NOD, are summarized as follows:

1. On page VIII-10, last line in the last para reads, "Inspection frequencies and checklists are included as Appendix VIII-I". Under Appendix VIII-I, INSPECTION CHECKLISTS, REPAIR LOG, no checklists are attached.
2. It will be helpful if a summary table of the frequency of inspections and schedules is added with the checklists (California Code of Regulations (CCR), title 22, section 66264.15(b)(2), 66270.14(b) (19), and 40 Code of Federal Regulations, 264.15(b)(2). please see attached example.
3. The daily inspection of tank's overspill controls inspection need to be addressed pursuant to CCR, title 22, section 66264.174.195, if applicable.
4. VIII. E. Facility Inspection
 1. Para 1, states that respective facilities at each location, will be inspected on a daily-basis. Does this mean that facilities will be inspected on daily basis for

Olivia Yuan
February 22, 2018
Page 2

all the units and equipment and for all the parameters, pursuant to CCR, title 22,
section 66270.14(b)(5).



Kalim Butt
Senior Environmental Scientist (Specialist)
Enforcement and Emergency Response Division
Department of Toxic Substances Control
Cypress/San Diego Branch
(714) 484-5486

Summary Table

INSPECTION FREQUENCY

EQUIPMENT/AREA	DAILY INSPECTION	WEEKLY INSPECTION	MONTHLY INSPECTION
Tank (UST)	•		
Drum storage - 1	•		
Drum storage -2	•		
Return/Fill Station	•		
Safety equipment		•	
Security devices		•	
Equipment /deterioration/release	•		
Probablity/equipment deterioration/malfunction	•		
Overfill Controls			

SAMPLE

ATTACHMENT H

Geological Service Branch (GSB) Technical Memorandum:

**RCRA Closure and Post-closure Plan First NOD Response to Comments, Safety-Kleen
Systems, Santa Ana, California (Project Number: 24043/400249-33/20045455)**



Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental Protection

Barbara A. Lee
Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Edmund G. Brown Jr.
Governor

MEMORANDUM

TO: Olivia Yuan, Ph.D., P.E. #85481
Hazardous Substance Engineer
Permitting Division
Hazardous Waste Management Program

FROM: Matthew Farris, PG #8316
Engineering Geologist
Sacramento Geological Services Unit
Geological Services Branch
Brownfields and Environmental Restoration Program

REVIEWER: Dan Gallagher, PG #5129
Senior Engineering Geologist
Sacramento Geological Services Unit
Geological Services Branch
Brownfields and Environmental Restoration Program

DATE: February 20, 2018

SUBJECT: RCRA Closure and Post-Closure Plan First NOD Response to Comments
Safety-Kleen (SK) Systems, Incorporated
Santa Ana, Orange County, California
Project Number: 25040/400249-33/20048861



DOCUMENT REVIEWED

1. First Notice of Deficiency for Permit Renewal Application for the Safety-Kleen Systems, Incorporated, Santa Ana Service Center, 2120 S Yale Street, Santa Ana, CA 92704, CAT000613976, prepared by Safety-Kleen Systems, Inc., dated December 23, 2017.

The Department of Toxic Substances Control (DTSC), Geological Services Unit (GSU) reviewed the above-referenced document and prepared the following comments. If you have any questions regarding this memorandum, please contact me at (916) 255-3704 or matthew.farris@dtsc.ca.gov.

SCOPE OF REVIEW

GSU reviewed the above referenced document from Safety-Kleen Systems Inc. (SK), which provides a response to comment #37 for the First Notice of Deficiency (NOD) to SK's Part B Hazardous Waste Storage Facility Permit Application (Application). Comment #37 of the first NOD addresses the adequacy of proposed closure plan activities outlined in Part XI and compliance with closure requirements for hazardous waste management facilities outlined in Title 22 of the California Code of Regulations (CCR) sections §66264.100 through §66264.115 et seq.

The following comments identify those areas of Comment #37 which do not satisfy the requirements of the Title 22 sections listed above and provide recommendations to address the deficiency.

COMMENTS AND RECOMMENDATIONS

GSU reiterates the position that the proposed sampling distribution outlined in Part XI of the Application fails to include sufficient sampling to evaluate protectiveness of human health and the environment pursuant to §66264.111(b).

Proposed soil sampling alone fails to neither show protectiveness to the atmosphere nor show protectiveness for future building occupants from potential soil vapor exposure risks. While soil sampling may satisfy CUPA requirements for closure it does not address Title 22 regulation requirements for human health protection. Soil vapor sampling in addition to soil sampling are considered the minimum industry standard to prove sufficient support that Title 22 regulations are met and that future building occupants are not at risk to soil vapor intrusion from fugitive subsurface impacts that may be missed during limited soil sampling conducted at the time of site closure.

GSU reiterates that soil vapor sampling in addition to soil sampling is necessary at the following locations:

- Beneath the solvent drum washer and return/fill dock station,
- Beneath or adjacent to the piping between the station and the underground storage tanks (USTs)
- Near fill/dispense piping ports and beneath piping joints
- Beneath the Container Storage Areas
- Beneath or adjacent to permitted solvent USTs

GSU recognizes that soil vapor sampling does have a radius of influence and the number of soil vapor sampling locations needed to evaluate vapor migration may be limited. If soil vapor sampling results are below health-based standards, then indoor air sampling may not be necessary. However, if analytical data indicates otherwise, indoor air sampling would be needed to evaluate threats from vapor intrusion and risk to human health.