

Romic Environmental Technologies Corporation Southwest:

Located at the Lone Butte Industrial Park, Gila River Indian Community

The following summary was prepared by Greenaction for Health and Environmental Justice from United States Environmental Protection Agency Reports

A Long History of Violations

Date of Investigation

2003

April 9-10

- ? Could not provide information to verify that the control devices were operated within the design parameters and not in compliance with requirements for design information for both the condenser and carbon absorption units.
- ? Failed to provide information to verify Romic's compliance with the record keeping requirements.
- ? Not in compliance with the inspection, monitoring, operating, and record keeping requirements.
- ? Failed to mark each piece of equipment in such a manner that it can be readily distinguished from other pieces of equipment.
- ? Failed to provide information about monthly monitoring of each pump in liquid light service to detect leaks.
- ? Failed to equip open-ended valve with a cap.
- ? Failed to inspect pieces of equipment, including valves.
- ? Could only provide inspection logs for those conducted in November 2002 and February 2003.
- ? Failed to fulfill requirements for the vac pot unit and thin film evaporator unit that require equipment identification number and hazardous waste management unit identification, approximate locations within the facility, type of equipment, method of compliance with standard, and no information as to the hazardous waste state at the equipment and percent by weight total organic in the hazardous waste stream at the equipment.
- ? Failed to provide information listing hazardous waste influent to and from each hazardous waste management unit and an analysis determining whether these hazardous wastes are heavy liquids.
- ? Failed to inspect and monitor the control device.
- ? *Failed to store hazardous waste 50 feet away from property line.
- ? *Leaking hazardous waste tank
- ? *Missing weekly inspection records
- ? *Records from inspection conducted on January 24, 2003 showed that a container was leaking; no corrective measures were noted.

- ? A railcar containing wastewater was not marked with an accumulation start date.
- ? A railcar containing wastewater was not marked with the words, "Hazardous waste".
- ? Contingency Plan did not show the locations of many fire extinguishers and one of the eye wash units was not shown on the diagram showing the locations of emergency equipment.

*Potential violations that were also cited in either the February or August 2002 EPA inspection reports.

(USEPA's RCRA Compliance Evaluation Inspection for inspection date April 9 &10, 2003; date of report: July 18, 2003)

2002

August 27-28

- ? *+Storage of ignitable waste less than 50 ft from the property line.
- ? Storage of incompatible wastes adjacent to each other.
- ? *Failure to comply with the inspection and record keeping requirements of Subpart BB.
- ? *Failure to comply with the inspection and record keeping requirements of Subpart CC.
- ? *Failure to transfer contents from a leaking container.
- ? Failure to properly label universal waste fluorescent lamps.
- ? Failure to label a satellite hazardous waste container
- ? Failure to make a waster determination.

*Repeat violations (with respect to April 2003 inspection)

+Repeat violations (with respect to February 2002 inspection)

(USEPA RCRA Compliance Evaluation Inspection for inspection date August 27 &28, 2002; Date of Report: July 18, 2003)

February 26

- ? Storage of hazardous waste for over one year.
- ? *+Storage of ignitable waste less than 50 ft from the property line.
- ? Failure to store hazardous waste in a container in good condition.
- ? Failure to close containers of hazardous waste.
- ? *Failure to label containers of hazardous waste.
- ? *Failure to have complete inspection logs.
- ? Failure to submit a revised part A application.

*Repeat violations (April 2003)

+Repeat violations (August 2002)

(USEPA RCRA Compliance Evaluation Inspection for inspection date February 26, 2002; Date of Report: July 18, 2003)

2001 -Did not receive report

2000 -Did not receive report

1999 -Did not receive report_

1998

December 8-9

- ? Mislabeled drums without accurate accumulation dates.
- ? Two ten gallon drums of hazardous waste were stacked on top of a broken upper level pallet in the drum storage area. The top drum was tilted.
- ? Failed to complete weekly inspections since November 20th because both the primary and backup persons were unexpectedly absent at the same time.
- ? Weekly inspection log misplaced or lost.

(USEPA RCRA Compliance Evaluation Inspection Report for inspection date December 8 & 9, 1998;

Date of Report: January, 1999)

1997

July 3

- ? No potential violations.

(USEPA RCRA Compliance Evaluation Inspection for inspection date July 3, 1997;

Date of Report: June 1998)

January 30

- ? Storage of hazardous waste for over one year (Four 55-gallon drums).
- ? Failure to properly label lab sink accumulation tank.
- ? Failure to properly close lab sink accumulation tank.
- ? Failure to have sufficient aisle space between rows of drums and containers.

(USEPA RCRA Compliance Evaluation Inspection Report for inspection date January 30, 1997;

Date of Report: April 1997)

1996

March 13

- ? No violations discovered.

(USEPA RCRA Compliance Evaluation Inspection for inspection date March 13, 1996;

Date of Report: June 1998)

1995

April 24-25

- ? Failure to separate incompatible wastes in the lab pack room.
- ? Failure to familiarize the emergency coordinator with the hazardous waste storage locations.
- ? Failure to update the contingency plan with current home address and phone number information of the primary emergency coordinator.

(USEPA RCRA Compliance Evaluation Inspection for inspection date April 24 &25, 1995)

1994

November 4

- ? Failure to mark the accumulation start date in a drum
- ? Failure to record potential facility problems in the inspection log.
- ? Failure to mark the accumulation mark date in a drum containing restricted waste.
- ? Failure to conduct weekly inspections within seven days.

(USEPA RCRA Compliance Evaluation Inspection for inspection date November 4, 1994; Date of Report: December 16, 1994)

April 5

- ? Failed to have means to control entry to prevent unauthorized personnel from entering the active portion of the facility.
- ? Failed to remedy deteriorating or malfunctioning main fire suppression system.
- ? Drum sampling technicians used steel-headed hammers to open steel drums in an area where flammable hazardous wastes are stored. Using a steel-headed hammer on steel drums may create a spark, which could supply an ignition source to ignitable wastes
- ? Failed to have current names, addresses, and phone numbers listed of all persons qualified to act as emergency coordinators in the Contingency Plan.
- ? Failed to review and immediately amend the Contingency Plan when the list of emergency coordinators changed.

(USEPA RCRA Compliance Evaluation Inspection for inspection date April 5, 1994; Date of Report: May 16, 1994)

1993

November 17

- ? RSW failed to determine if the waste it received for AES was a hazardous waste.
- ? RSW owner/operator failed to identify and correct deteriorating and misshapen drums.

- ? RSW failed to prevent the contents of corroding drums from leaking their contents on the floor which is severely cracked.
- ? Failed to test and maintain fire protection equipment and spill control equipment to assure its proper operation in time of emergency.
- ? Failed to clarify the laboratory procedures used when analyzing RSW's drum and tank samples.
- ? Failed to post warning signs that read "Danger –Unauthorized Personnel Keep Out" in two languages.
- ? Failed to have a complete Closure Plan.
- ? Failed to follow a written inspection schedule for inspecting safety, emergency (fire extinguisher, emergency double drum), and structural equipment.

(USEPA RCRA Compliance Evaluation Inspection for inspection date November 17, 1993)

April 30

- ? Several drums in the lab pack room were noted to be held in this accumulation area, or elsewhere on site, for longer than 90 days.

(USEPA RCRA Compliance Evaluation Inspection for inspection date April 30, 1993;
Date of Report: July 7, 1993)

1992

November 12

- ? A drum of oxalic acid was stored longer than 90 days at the lab-pack area.
- ? *Failed to include time and name of inspector in the facility inspections records.
- ? Two employees did not receive an 8 hour refresher course in hazardous waste handling procedures within one year of their previous course.
- ? Training plan and records reviewed did not include job titles with descriptions for two employees.
- ? Failed to document that weekly inspections occurred in a specific three week period.
- ? Storage of incompatible wastes adjacent to each other.
- ? Failed to properly label drums of hazardous waste.
- ? *Failed to maintain proper information in the facility operating record pertaining to equipment leak detection.
- ? Failed to provide accumulation date on drums of restricted waste.
- ? Storage of restricted waste for over one year.

*Repeat violations

(USEPA RCRA Compliance Evaluation Inspection for inspection date November 12, 1992; Date of Report: January 6, 1993)

October 21

- ? The facilities Part A applications do not show the location of all past, present and future tank and container treatment and storage areas.
- ? While operating under interim status the facility employed processes not specified in Part A of the permit application.
- ? While operating under interim status the facility has exceeded the design capacity specified in the Part A for tank and container storage areas and treatment tanks.
- ? During interim status, changes have been made to the facility's waste storage processes which amount to reconstruction.
- ? The owner/operator failed to obtain a permit for the active life of all hazardous waste management units. The facility stored waste tanks in areas of the property not designated for waste storage.
- ? The facility has not demonstrated that the closure performance standard was met for areas of the facility in which out-of-service tanks were placed for temporary storage.
- ? Information provided in the Part B permit application pertaining to the dimensions and capacity of each tank differed from information provided to the inspector.
- ? AES, a corporation distinct from Romic-Chemical Corporation, does not have interim status for storage of hazardous waste antifreeze in tanks.
- ? AES does not have interim status for treatment in tanks.
- ? Prior to storing and treating waste antifreeze, AES did not conduct TCLP analysis to determine if the waste is hazardous.
- ? AES did not conduct a TCLP waste analysis after mixing hazardous and non-hazardous antifreeze to determine if waste antifreeze transported from the Romic-Southwest facility Romic-East Palo-Alto facility is a RCRA hazardous waste.

(USEPA RCRA Compliance Evaluation Inspection for inspection date October 21, 1992)

April 10

- ? Tank valve inspection form, recently created by Romic SW for its internal inspections, does not include space for the name of the inspector or the time of the inspection.
- ? The facility was four weeks late in submitting its Biennial Report.
- ? The closure Plan does not adequately address all of the provisions. Removal of equipment once the equipment is decontaminated has also not been addressed.

- ? The closure Plan fails to address sufficient analysis of soil samples for hazardous waste constituents or parameters, such as metals and other waste constituents that may be contained in wastes managed at the facility.
- ? The closure cost estimate does not address the maximum number of drums or maximum volume of waste that is listed in the Closure Plan.
- ? The facility has not demonstrated compliance with the Air Emission Standards for Process Vents.
- ? The facility has not demonstrated compliance with the Air Emission Standards for Equipment Leaks.
- ? The most recent Part A, signed Feb. 4, 1992, identified 32 units for tank storage (code S02). Two maps included in the Part A show 21 existing hazardous waste tanks and 36 future tanks. During the CEI, facility representatives could not locate or identify these 32 units, nor explain why the Part A facility maps did not agree with the number of units described in the Part A. Facility contacts are not familiar with its regulatory compliance documents.

(USEPA RCRA Compliance Evaluation Inspection for inspection date April 10, 1992;
Date of Report: May 14, 1992)

1991

December 2 and 3

- ? No aisle space is apparent between drums stored next to acid tanks.
- ? Leaking drum with faded label in Drum storage building.

(USEPA RCRA Compliance Evaluation Inspection for inspection date December 2&3, 1991;
Date of Report: January 10, 1992)

January 8

- ? The waste analysis Plan has not been updated to include the parameters for all wastes handled that are restricted from land disposal.
- ? The waste analysis plan has not been updates to include EPA method 1311 for Toxicity Characteristic wastes.
- ? Facility has not documented in the training records that annual reviews of the initial training, including contingency plan implementation, are completed.
- ? The contingency plan dos not list the location and a brief outline of the capabilities of all emergency equipment.
- ? The closure plan does not detail how final closure standards will be met, including levels of decontamination of tank, containment structures, and equipment.
- ? The closure plan does not detail how run-off from steam cleaning operations will be controlled.
- ? NO documentation for the closure cost estimate was submitted to demonstrate that the costs of hiring a third party to perform all closure activities were

incorporated, that no salvage values were included, and that costs were based on the pointing operations when closure would be the most expensive.

- ? The certificate of Insurance does not exclude legal defense costs.
- ? Containers holding incompatible wastes were not separated by sufficient distance or protected by berms.

(USEPA RCRA Compliance Evaluation Inspection for inspection date January 8, 1991)

1990- Did not receive report

1989- Did not receive report

1988

November 28

- ? The facility Waste Analysis Plan did not include the rationale for the selection of the parameters of analysis for each hazardous waste.
- ? The facility Waste Analysis Plan did not list specific analysis methods that will be used to test each hazardous waste.
- ? The facility Waste Analysis Plan did not specify the frequency that each analysis will be repeated.
- ? The facility Waste Analysis Plan did not specify the analysis that the generators have agreed to supply.
- ? The facility Waste Analysis Plan did not include the Land Disposal Restriction requirements for analyses of PCB's and HOC's (Chlorinated Organic Compound)
- ? The facility did not have a 24-hour surveillance system or means to control entry, at all times, to the active portion of the facility.
- ? The facility entrance signs were not written in Spanish, a language that is predominant in the area.
- ? The facility does not inspect on days in which the regular inspector is on sick or annual leave.
- ? The facility failed to maintain the concrete storage pad in a manner that would minimize the possibility of releases of hazardous waste to the environment.
- ? The facility failed to maintain all appropriate information for the hazardous waste positions in the facility Training Records.
- ? The facility failed to have an internal communications system or an alarm system capable of providing immediate emergency instruction.
- ? Two-way radio was turned off making it incapable of summoning for assistance from the office.
- ? Failed to keep adequate aisle space between drums for unobstructed movement of fire, spill control, and decontamination equipment.
- ? The facility Contingency Plan did not have documentation of their arrangements to familiarize police and fire departments, ad emergency response teams with hazardous waste operations.
- ? Failed to have documented agreement designating primary emergency authority.

- ? Failed to have an agreement with the State emergency response team, or have a written agreement with their contractor and equipment suppliers.
- ? Failed to document in their operating record the refusal by the State Emergency Team to enter into an agreement with the facility.
- ? Contingency Plan failed to address responses to explosions.
- ? Contingency Plan failed to describe the arrangements agreed by local police and fire departments, hospitals, contractors, or State and local emergency response teams to coordinate emergency services.
- ? Contingency Plan failed to list all emergency equipment, location, description and capability.
- ? Contingency Plan failed to include evacuation plan for personnel and a description of signals to begin evacuation, evacuations routes, and alternative routes.
- ? The facility operating records failed to list the common name of the waste, its EPA Hazardous Waste Code, its physical form, and its weight or volume/density.
- ? Had unmarked containers in storage area.
- ? Operating records failed to list the date of treatment of each drum.
- ? Failed to transfer a leaking hazardous waste drum to a drum that was in good condition.
- ? Stored solvent in an incompatible drum.
- ? Failed to close all drums in a proper manner.
- ? Failed to mark drums with accumulation date.
- ? Failed to perform analyses as required by the Land Disposal Restriction Regulations.

(USEPA Inspection Report for inspection date November 28, 1988)

1987

January 26 and 27

- ? Facility has not developed adequate written waste analysis plan.
- ? Inspection schedule does not identify types of problems which are to be looked for during the inspection.
- ? Weekly inspection log does not include the time of inspection.
- ? Storage of ignitable waste was not conducted to prevent damage to the integrity of the container.
- ? Facility has not developed an adequate Contingency Plan.
- ? Operating record does not include the dates of its treatment, storage, or disposal at the facility.
- ? Operating record does not include the exact location and quantity at each location of hazardous waste.
- ? Closure Plan does not include all the steps necessary to completely close the facility.

- ? The estimate of the maximum inventory of wastes present on-site does not include hazardous waste in sumps, contaminated soils from spills and decontamination residues.
- ? Closure Plan does not include a description of the steps needed to decontaminate facility equipment during closure.
- ? Closure Plan does not include an estimate of the expected year of closure and schedule for final closure.
- ? Facility has not adjusted the closure cost estimate for inflation within 30 days after each anniversary of the date on which the first closure cost estimate was prepared.
- ? Hazardous waste in containers not in good condition has not been transferred to containers in good condition.
- ? Containers holding hazardous waste were not stored closed at the time of the inspection.
- ? Containers holding hazardous waste were stored in a manner which caused them to leak.

(EPA's RCRA Inspection Report for inspection date January 26 & 27, 1987;
Date of report: February 19, 1987)

1986 -Did not receive report

1985 -Did not receive report

1984

March 21

- ? Several drums observed had no labels nor hazardous waste markings.
- ? One drums observed leaking in storage area.
- ? One drum containing unknown acid observed leaking.
- ? Two drums containing a solvent mixture used as weed killer were observed leaking.
- ? One new solvent drum containing methylene chloride was observed bulging from high internal pressure.

(USEPA RCRA Compliance Evaluation Inspection for inspection date March 21, 1984)

1983 -Did not receive report

1982

November 30 and December 1

- ? Imploded drum of methylene chloride.
- ? Drums with rusted lids.
- ? Drums of hazardous waste stored less than 50 feet from property line.
- ? Open drums of waste in Hazardous waste area.
- ? No developed Contingency Plan.

? No developed Owner or Operator inspection logs.

(USEPA RCRA Compliance Evaluation Inspection for inspection date November 30 & December 1, 1982;

Date of Report: December 20, 1982)

1981

April 9

- ? Waste stored on-site more than 90 days.
- ? Many drums with material to be recycled were in poor condition- corroded, dented.
- ? Drums not labeled.
- ? Failure to mark proper accumulations start date.
- ? No developed contingency plan
- ? No spill control or decontamination equipment.

(USEPA RCRA Compliance Evaluation Inspection for inspection date April 9, 1981;

Date of Report: June 11, 1981)

Prepared by Greenaction March 30, 2004