EPA United States Environmental Protection Agency

Region 9 Enforcement and Compliance Assurance Division

TSCA PCB INSPECTION REPORT

Inspection Date(s):	06/24/2024		**Inspection Announced:** No
Time:	**Entry:** 09:00 am		**Exit:** 1:25 pm
Media:	TSCA		
Regulatory Program(s)	Polychlorinated Biphenyls (PCBs) Program		
Company Name:	Emerald Transformer, LLC		
Facility or Site Name:	Emerald Transformer Los Angeles, LLC		
Facility Location(s):	5756 Alba Street		
(city, state, zip code)	Los Angeles, CA 90058		
Geographic Coordinates:	33.989507 / -118.238826		
County:	Los Angeles County		
Facility/Site Contact:	Yolanda Ramirez		Operations Manager
	yramirez@emeraldtransformer.com		
	(323) 533-8424		
Facility/Site Identifier:	EPA ID Number: CAD050806850		
PCB Handler Status:	The Emerald Transformer Los Angeles, LLC facility located at 5756 Alba Street is operating as a repackaging and commercial storer of PCB regulated waste. The EPA Identification Number associated with this facility is CAD050806850.		
NAICS:	562211 [Hazardous Waste Treatment and Disposal]		
SIC:	N/A		

Facility/Site Personnel Participating in Inspection:			
Yolanda Ramirez	Emerald Transformer Los Angeles	Operations Manager	yramirez@emeraldtransformer.com (323) 553-8424
Steve Peterson (Participated via telephone)	Emerald Transformer Los Angeles	Facility General Manager	speterson@emeraldtransformer.com (323) 277-2500
Shirrell Tingle (Participated via telephone)	Emerald Transformer Los Angeles	Environmental Compliance Manager	stingle@emeraldtransformer.com (832) 744-7420
Mike McCauley	Emerald Transformer Los Angeles	Laboratory Manager	mmccauley@emeraldtransformer.com (303) 877-0846

Diego Diaz	Emerald Transformer Los Angeles	Plant Supervisor	ddiaz@emeraldtransformer.com
Inspector(s):			
Michelle Spiezio (Lead Inspector)	Michelle Spiezio		Digitally signed by Michelle Spiezio Date: 2024.1 .24 08:56:23 -04'00'
	EPA Contractor, ERG	Inspector	michelle.spiezio@erg.com (703) 633-1600
Emily Benayoun	EPA Region 9	Inspector-in-training	benayoun.emily@epa.gov
Jared Mumma	EPA Contractor, ERG	Inspector-in-training	jared.mumma@erg.com
Jennifer McLeod	EPA Headquarters	Office of Resource Conservation and Recovery	mcleod.jennifer@epa.gov
Peer Review:			
Emily Benayoun	EMILY BENAYOUN		Digitally signed by EMILY BENAYOUN Date: 2024.1 .25 09:13:27 -07'00'
	EPA Region 9	Inspector-in-training	benayoun.emily@epa.gov
Supervisor Review:			
Matt Salazar, PE	MATTHEW SALAZAR		Digitally signed by MATTHEW SALAZAR Date: 2024.10.24 13:20:07 -07'00'
	EPA Region 9	Manager, Toxics Section	salazar.matt@epa.gov (415) 972-3982

SECTION I – INTRODUCTION

Purpose of the Inspection

The purpose of the Compliance Evaluation Inspection (CEI) was to determine Emerald Transformer Los Angeles, LLC's compliance with applicable federal environmental statutes and regulations, and in particular, the Toxic Substances Control Act (TSCA), as amended, and the Polychlorinated Biphenyls (PCBs) regulations provided in the Code of Federal Regulations (CFR), at Chapter 40, Part 761.

Opening Conference

EPA representatives, Michelle Spiezio (ERG, under contract with EPA), Jared Mumma (ERG), Emily Benayoun (EPA Region 9), and Jennifer McLeod (EPA Headquarters), arrived at the Emerald Transformer Los Angeles, LLC site located at 5756 Alba Street in Los Angeles, CA (henceforth, referred to as Emerald Transformer of the facility) at approximately 9:00 AM on June 24th, 2024, for an unannounced and routine PCB inspection. After signing in with security, EPA met with Yolanda Ramirez (Operations Manager), Shirrell Tingle (Environmental Compliance Manager) via telephone, and Steve Peterson (Facility General Manager) via telephone for the opening conference and subsequent office discussions.

Michelle Spiezio presented her credentials and informed Yolanda Ramirez that this was an unannounced inspection to determine the facility's compliance with Emerald Transformer's active TSCA PCB Approval (dated October 24, 2013 and modified December 6, 2018) and the PCB regulations under TSCA. Yolanda Ramirez then led EPA to a conference room on the second floor of the facility (at this time Steve Peterson joined the Inspection via phone call). Ms. Spiezio explained the TSCA Notice of Inspection (NOI) and TSCA Inspection Confidentiality Form, indicating that the latter would be completed at the end of the inspection so that Emerald Transformer could determine if any information discussed during the inspection was considered Confidential Business Information. Ms. Ramirez subsequently signed the NOI, and a copy was retained by EPA and given to Emerald Transformer for their records (Attachment 1).

EPA reiterated the reason for the visit and gave an overview of the inspection to Yolanda Ramirez and Steve Peterson. The inspection would consist of discussion of the facility's PCB operations, requests for documentation, and a general walk-through of areas of the facility where PCBs are handled. EPA informed Yolanda Ramirez and Steve Peterson that photographs and PCB samples would be collected during the inspection. EPA then proceeded with facility operations discussions.

Facility/Site Description

Established in 1997, the facility originally operated under Safety Kleen Los Angeles. On February 15, 2002, the facility transferred ownership and changed its name to Clean Harbors Los Angeles. On May 15, 2018, the facility subsequently transferred ownership and changed its name to what it is currently, Emerald Transformer Los Angeles.

The facility is a commercial waste treatment, storage, and transfer facility that handles both PCB waste and Resource Conservation and Recovery Act (RCRA) hazardous waste. With respect to PCB operations, the facility consolidates and stores PCB waste for disposal and may also drain PCB electrical equipment on an as needed basis (i.e., if the equipment is leaking). The

facility occupies 2.6 acres and operates 5 days/week, 24 hours/day starting from 10 PM Sunday evening through 10 PM Friday evening. The facility operates on Saturdays for maintenance purposes, as needed. The facility employs approximately 50 workers, 20 of which are assigned for plant operations.

Currently, Emerald Transformer is seeking to renew their PCB approval, which expired October 24th, 2023. However, prior to the PCB approval expiring, Emerald Transformer submitted an application to renew the PCB approval, which thereby administratively continues the existing expired Approval at EPA's discretion. The Approval allows the facility to store a total capacity of 7,920 gallons of PCB waste in Storage Warehouse Bay 1 and drain PCB-oil containing items, including transformers. Emerald Transformer also operates with a state of California RCRA permit, which covers the storage of PCBs between 5-49 ppm.

SECTION II – OBSERVATIONS

Discussions and Records Review

The facility provided the documents referenced in this section during the inspection or in follow-up electronic transmissions from 6/24/2024 through 7/10/2024 (Attachment 2). A full list of attachments is included in Section V.

Waste Acceptance Process

EPA discussed the facility's protocols for accepting PCB waste at the facility. Emerald Transformer requires customers to send a completed waste profile prior to shipment to the facility, including indication if the waste contains PCBs and, typically, PCB analytical data. Ms. Ramirez noted that Emerald Transformer usually provides the waste transport to and from the facility but will occasionally contract a 3rd party for transport.

Emerald Transformer provided a copy of their waste receiving procedures, dated 9/24/2019 (Attachment 3). Upon arrival at the facility, the facility checks the waste against the manifest to ensure it is accurate and enters the necessary information, including serial number, analytical information, and removed from service date, into their digital inventory tracking system. Each waste item is assigned a unique barcode label with an identification number. PCB waste is noted separately on the assigned barcode labels. Regardless of the provided PCB analytical information, Emerald Transformer samples and profiles approximately 10% of all waste received for PCBs at their on-site laboratory or through external analysis. Occasionally, Emerald Transformer will receive waste without a completed PCB analytical profile. When that occurs, the waste is sampled and tested on-site to determine the actual PCB concentration, and the waste is assumed to have a concentration greater than 50 ppm until further testing concludes otherwise. The facility accumulates all waste generated from sampling potential PCB waste in

drums in the laboratory. When full, the facility sends the drum as PCB waste for destruction at the Emerald Transformer Coffeyville, KS facility.

After the facility completes the above checks, the waste is received on-site where it remains in the waste receiving area for up to 24 hours before being transferred to storage. Facility representatives explained that the facility does not receive unmanifested waste, due to the facility's profiling procedures described above. However, the facility has occasionally received waste that is not identified as PCBs on the manifest but was later determined to be PCBs during the facility's receiving and sampling process. When this happens, Emerald Transformer sends a manifest discrepancy notification to the generator responsible. During the inspection, Steve Peterson indicated that Emerald Transformer has previously received waste near the 1-year disposal deadline. In such cases, Emerald Transformer will attempt to store the waste for as minimal as time as possible before shipping it off for disposal; otherwise, the facility will submit one-year exception reports to EPA.

Emerald Transformer provided three examples of manifests for PCB waste (019218130FLE, 019218265FLE, and 019548747FLE), including the PCB analytical data provided by the customer and from Emerald Transformer's testing of the waste (Attachment 4). EPA noted the following upon review of the manifests:

- Two manifests (019218130FLE and 019218265FLE) indicated the PCB removed-from-service date was the same as the manifest shipment date. Steve Peterson clarified via email after the inspection (Attachment 2) that the generator responsible (Southern California Edison) declares all PCB items containing greater than 50 ppm as assets until the day of shipment. Mr. Peterson indicated that the generator indicated that they reserve the right to use the equipment until it is shipped to Emerald Transformer.
- One manifest (019548747FLE) was not signed by Emerald Transformer. The PCB waste associated with this shipment had been accepted by Emerald Transformer and placed in the PCB storage area at the time of the inspection. *Area of Concern 1*.

PCB Inventory

As discussed above, the facility manages all items in storage in an online database using the barcode labels. Every piece of waste has a unique barcode with special designation if the waste is PCB. EPA requested an inventory of all PCB items at the facility at the time of the inspection, which Yolanda Ramirez provided (Attachment 5). According to the inventory, there were 57 containers of PCB waste in storage, totaling approximately 23,000 pounds.

Certificates of Disposal

Steve Peterson stated that the facility typically sends PCB waste to one of four facilities for disposal.

1. Waste scheduled for destruction or recycle (e.g., dismantling, oil treatment) is sent to the Emerald Transformer Coffeyville, KS facility.
2. Waste scheduled for incineration is sent to the Clean Harbors Aragonite, UT facility.
3. Occasionally, waste is sent to the Clean Harbors Deer Park, TX facility for incineration.
4. Waste scheduled for landfill is sent to the Clean Harbors Grassy Mountain, UT facility.

Emerald Transformer receives certificates of disposal (CDs) from these disposal sites and issues a copy of the CDs to its customers. Emerald Transformer provided two examples of CDs from their Coffeyville, KS facility (Attachment 6). EPA observed that these CDs list the disposal site as "Coffeyville, KS Facility", but do not provide the address or EPA ID number for this disposal site. Additionally, these CDs are signed by Steve Peterson of Emerald Transformer Los Angeles, and not by a representative of the disposal site. *Area of Concern 2*.

Inspections and Maintenance

The facility performs daily inspections of the Storage Warehouse Bay 1, which is where the facility stores PCB waste. The daily inspections include checking to ensure all PCB waste is stored in the approved bermed areas, checking containers for leaks, integrity of floors, berms, and roofing, checking that all PCB articles or containers are properly marked with storage dates and a PCB M_L label, and other items. Emerald Transformer provided daily inspection records via email after the inspection for April 1st through June 28th, 2024 (Attachment 7).

If the facility identifies any issues during the daily inspection, issues are noted on the inspection form and fixed on the spot if possible. For issues that cannot be fixed on the spot, the issue is noted on the inspection form and reported to maintenance, where it is signed off as completed once addressed.

Spills, Leaks, Incidents, and Emergency Response

EPA reviewed the facility's Spill Prevention, Control, and Countermeasure (SPCC) plan, dated November 2022 (Attachment 8). The SPCC plan mentions the location of the PCB storage area, types of waste stored, discharge prevention measures, and spill response procedures, including notification of emergency coordinators and reporting. The SPCC plan indicates that the facility has spill prevention procedures that satisfy the requirements of 40 CFR § 761. The SPPC plan contents, including facility and emergency coordinator contact information, appears up to date with the facility operations observed during the inspection.

Emerald Transformer also provided the facility's contingency plan, dated September 29, 2020 (Attachment 9). The contingency plan includes general emergency response and notification procedures; however, the contingency plan does not include the PCB spill cleanup requirements nor the requirement to notify EPA for PCB spills and releases. *Area of Concern 3*.

Training and Personal Protective Equipment (PPE)

Facility employees receive initial hazardous waste training, which includes training on PCB receiving, storage, and spill prevention. Employees receive refresher training on an annual basis. The facility maintains records of completed trainings for each employee.

Workers operating in the PCB storage area wear steel-toe boots, safety glasses, hard hat, and disposable boot covers. When handling PCB waste, workers are also required to wear chemical resistant gloves. When draining PCB equipment, workers additionally wear Tyvek suits and a respirator.

Annual Reporting

EPA reviewed the facility's 2022 PCB annual report (Attachment 10). The annual report indicates the facility received transformers, capacitors, articles in containers, and PCB containers. The annual report log lists that Emerald Transformer generated bulk PCB waste and PCB waste in containers; however, the report includes a note to clarify that the amount listed as generated is actually material that was consolidated for shipment. The total weight and piece count of PCBs in storage at the start of the year, received, and generated at the facility match the total weight and piece count of PCBs transferred off-site and in storage at the end of the year.

Cost Estimate and Financial Assurance

EPA discussed the facility's closure plan, closure cost estimate, and form of financial assurance, which Mr. Peterson indicated are specific to the PCB storage area and not combined with the facility's RCRA closure documentation. The facility provided the PCB closure plan and cost estimate, dated October 2017, which include the cost of contract labor, the shipment and disposal of the maximum inventory of PCB waste by a third party, surface decontamination, confirmatory sampling, and other miscellaneous costs such as PPE and equipment rentals (Attachments 11 and 12).

Mr. Peterson stated that the closure cost estimate is updated annually, accounting for inflation. EPA asked for documentation of the most recent financial assurance accounting for the inflation adjustments made since the October 2017 cost estimate. Facility representatives indicated that the financial assurance was updated recently and provided documentation dated June 12, 2024 (Attachment 13). The documentation indicates that the facility's form of financial assurance for closure costs is a surety bond with Atlantic Specialty Insurance Company. The total cost estimate for closure of the PCB storage area was just over $76,000 in the original October 2017 estimate, which was adjusted to approximately $106,000 in 2024.

Site Walk-Through

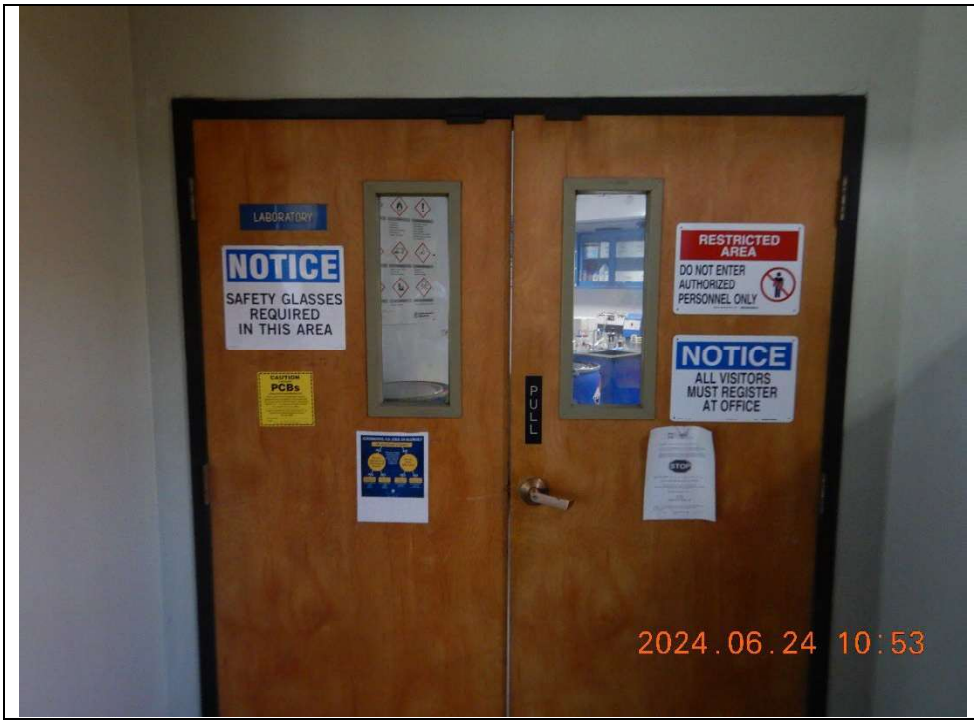
At approximately 11:00 AM, EPA conducted a walk-through accompanied by Yolanda Ramirez in person and Steve Peterson via telephone. EPA was also joined by Mike McCauley (Laboratory Manager) and Diego Diaz (Plant Supervisor) in person for portions of the walk-through. During the walk-through, EPA visited the laboratory, Storage Warehouse Bay 1 (the PCB storage area), the 10-day storage dock, and the waste receiving area. A map of these locations is included in the facility's SPCC plan (Attachment 8). Photographs are referenced below and included in the Photograph Log, which is an attachment to this report.

Laboratory

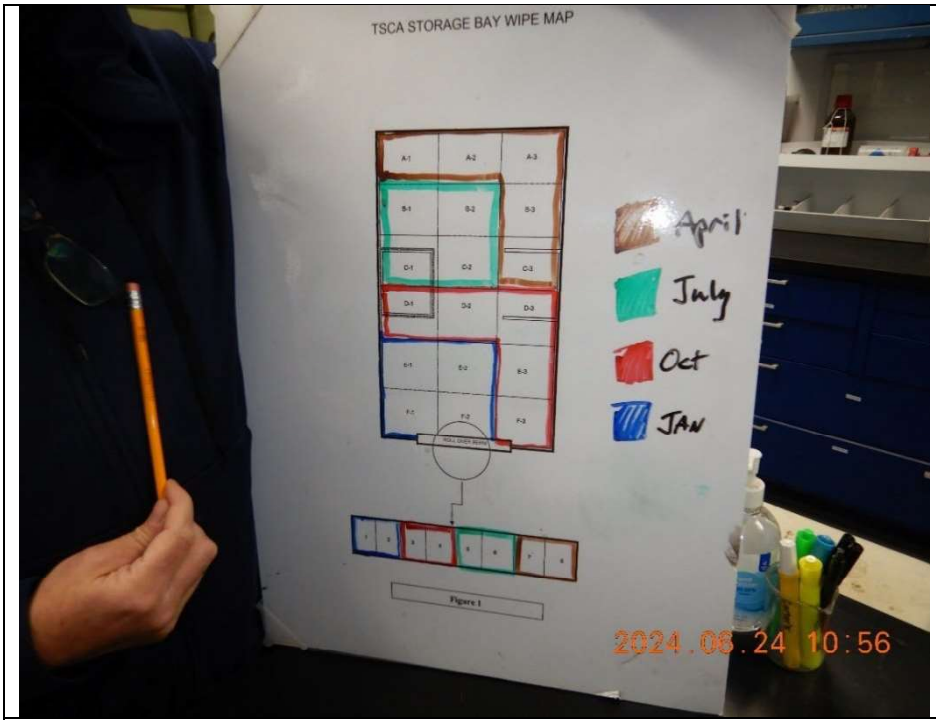
EPA observed the facility's laboratory, where the facility performs PCB waste sampling analysis. The laboratory had a PCB M_L mark on the door (Photograph 1). EPA spoke with the laboratory manager, Mike McCauley, who described the facility's PCB analysis procedure using EPA Method 8082A. He indicated that the laboratory runs their own calibration set before testing, with the wipe sampling level of detection set to 10 µg/100cm^2.

Mr. McCauley explained the facility's quarterly wipe sampling of the PCB storage area, which is required by the facility's PCB approval. He explained that quarterly wipe samples of the PCB storage area are conducted according to a grid system (Photograph 2). Mr. McCauley provided the logbook of quarterly sample results for 2022 through the data of the inspection, which showed all samples were less than 10 µg/100cm^2 (Photograph 3, Photograph 4, and Photograph 5).

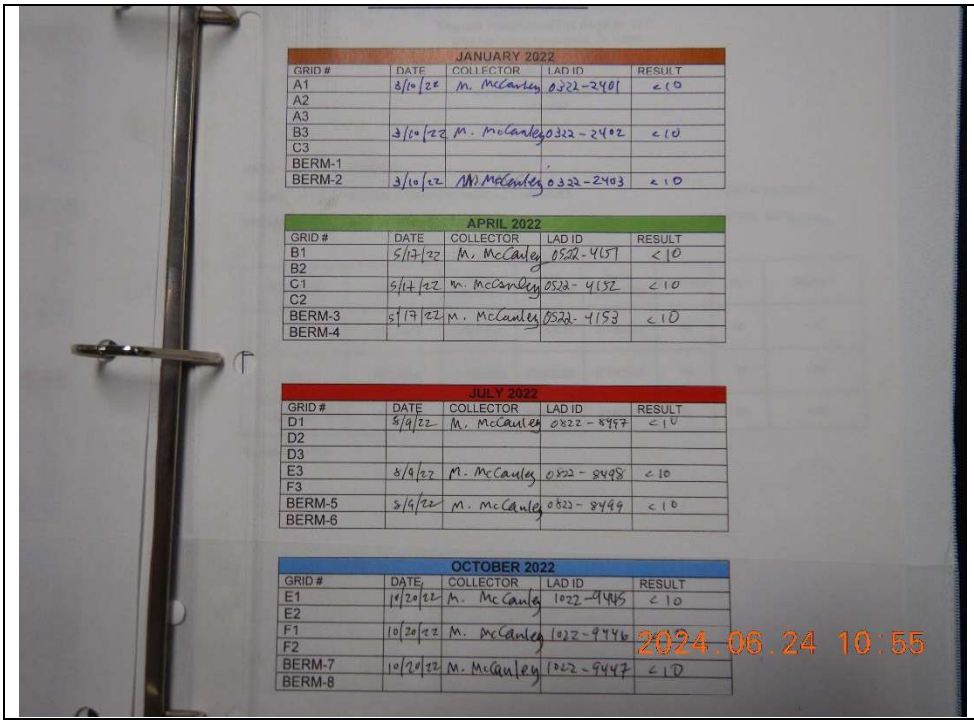
Laboratory waste is accumulated in drums for up to three months, at which time they are shipped as PCB waste to Emerald Transformer Coffeyville, KS or Clean Harbors Aragonite, UT for disposal. EPA observed that there was a PCB M_L mark on the wall near the drums and on the one blue drum currently being used to accumulate lab waste (Photograph 6). This drum had an accumulation start date of 5/10/2024 (Photograph 7 and Photograph 8).



Photograph 1.
Entrance to the laboratory with a PCB M_L mark.



Photograph 2.
PCB storage bay wipe map informing the location of quarterly wipe sampling. Areas are color coded based on which areas are to be sampled at the start of each respective quarter.



JANUARY 2022

GRID #	DATE	COLLECTOR	LAD ID	RESULT
A1	3/10/22	M. McCauley	0322-2401	<10
A2				
A3				
B3	3/10/22	M. McCauley	0322-2402	<10
C3				
BERM-1				
BERM-2	3/10/22	M. McCauley	0322-2403	<10

APRIL 2022

GRID #	DATE	COLLECTOR	LAD ID	RESULT
B1	5/17/22	M. McCauley	0522-4151	<10
B2				
C1	5/17/22	M. McCauley	0522-4152	<10
C2				
BERM-3	5/19/22	M. McCauley	0522-4153	<10
BERM-4				

JULY 2022

GRID #	DATE	COLLECTOR	LAD ID	RESULT
D1	8/9/22	M. McCauley	0822-8497	<10
D2				
D3				
E3	8/9/22	M. McCauley	0822-8498	<10
F3				
BERM-5	8/9/22	M. McCauley	0822-8499	<10
BERM-6				

OCTOBER 2022

GRID #	DATE	COLLECTOR	LAD ID	RESULT
E1	10/20/22	M. McCauley	1022-9445	<10
E2				
F1	10/20/22	M. McCauley	1022-9446	
F2				
BERM-7	10/20/22	M. McCauley	1022-9447	<10
BERM-8				

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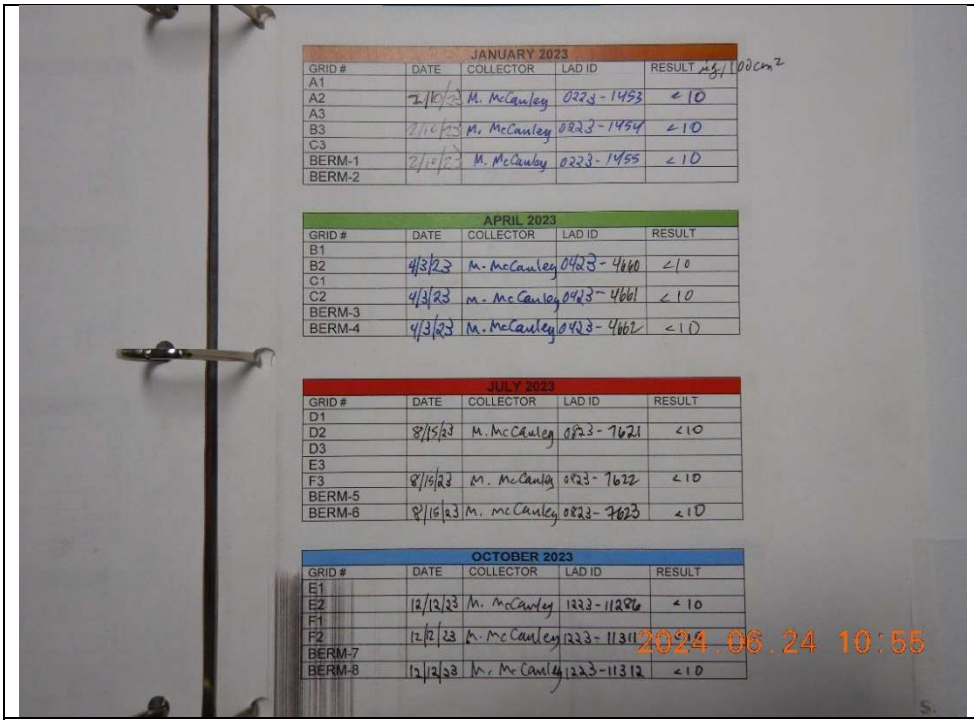
Photograph 3. Quarterly wipe sample results for 2022. No samples were ≥ 10 µg/100cm^2.



JANUARY 2023

GRID #	DATE	COLLECTOR	LAD ID	RESULT µg/100cm²
A1				
A2	2/10/23	M. McCauley	0223-1453	<10
A3				
B3	2/10/23	M. McCauley	0223-1454	<10
C3				
BERM-1	2/10/23	M. McCauley	0223-1455	<10
BERM-2				

APRIL 2023

GRID #	DATE	COLLECTOR	LAD ID	RESULT
B1				
B2	4/3/23	M. McCauley	0423-4660	<10
C1				
C2	4/3/23	M. McCauley	0423-4661	<10
BERM-3				
BERM-4	4/3/23	M. McCauley	0423-4662	<10

JULY 2023

GRID #	DATE	COLLECTOR	LAD ID	RESULT
D1				
D2	8/15/23	M. McCauley	0823-7621	<10
D3				
E3				
F3	8/15/23	M. McCauley	0823-7622	<10
BERM-5				
BERM-6	8/16/23	M. McCauley	0823-7623	<10

OCTOBER 2023

GRID #	DATE	COLLECTOR	LAD ID	RESULT
E1				
E2	12/12/23	M. McCauley	1223-11286	<10
F1				
F2	12/12/23	M. McCauley	1223-11311	
BERM-7				
BERM-8	12/12/23	M. McCauley	1223-11312	<10

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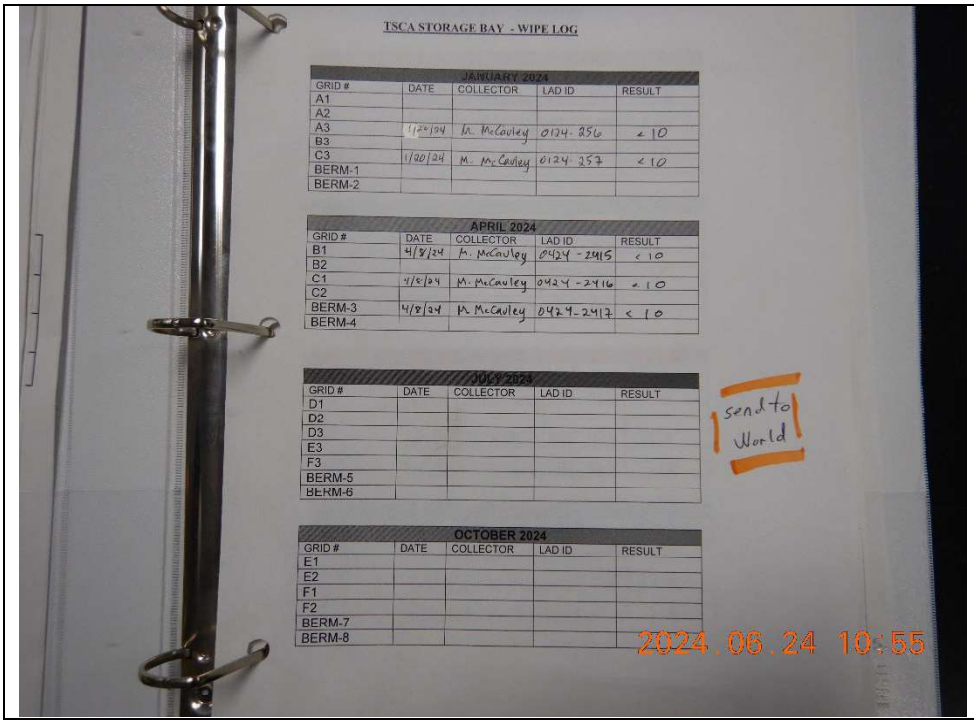
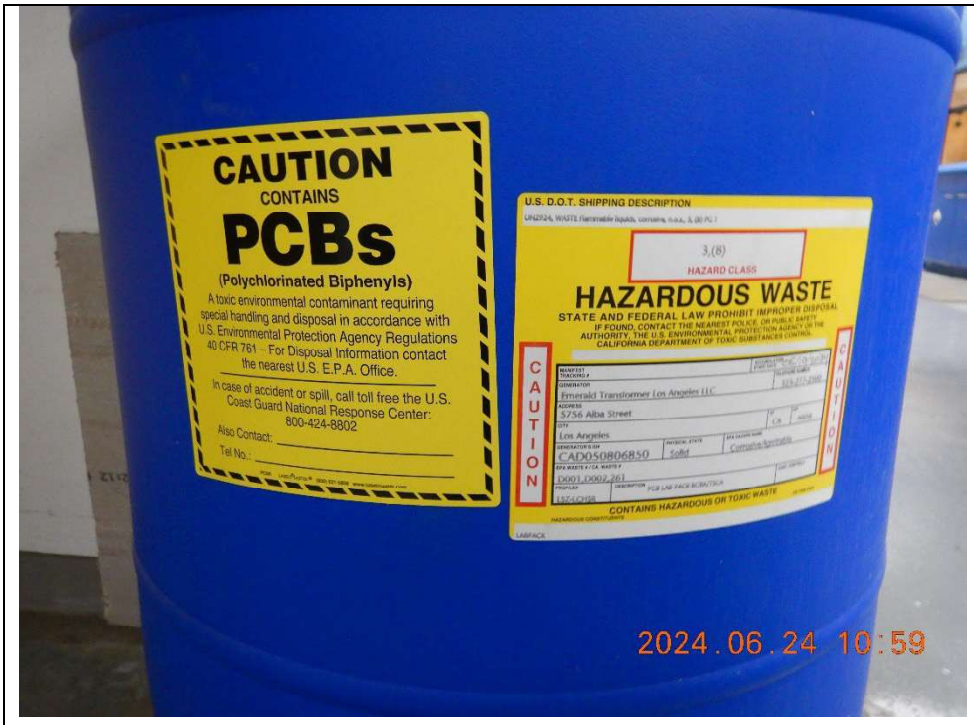
Photograph 4. Quarterly wipe sample results for 2023. No samples were ≥ 10 µg/100cm^2.



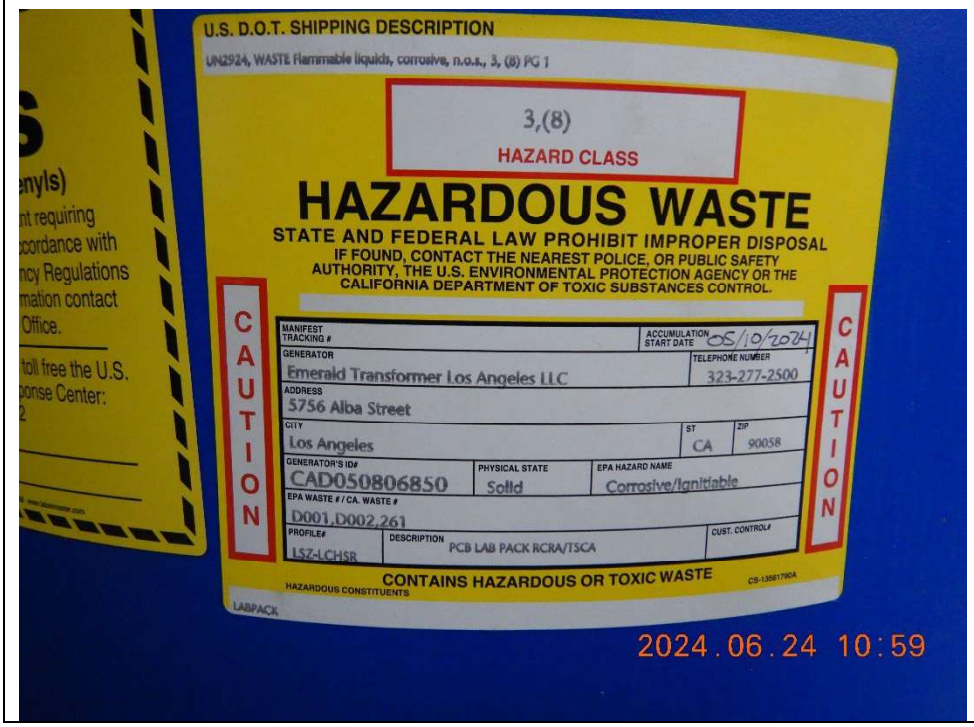
Photograph 5. Quarterly wipe sample results for January and April 2024. No samples were ≥ 10 µg/100cm^2.

Photograph 6. PCB waste accumulation drums for laboratory waste that may contain PCBs.



Photograph 7. Close up of PCB M_L sticker on the drum being used to accumulate laboratory waste at the time of the inspection.

-And-



Photograph 8. Close up of hazardous waste label on the drum being used to accumulate laboratory waste, which lists an "Accumulation Start Date" of 05/10/2024.

<u>Storage Warehouse Bay 1 (PCB storage area)</u>

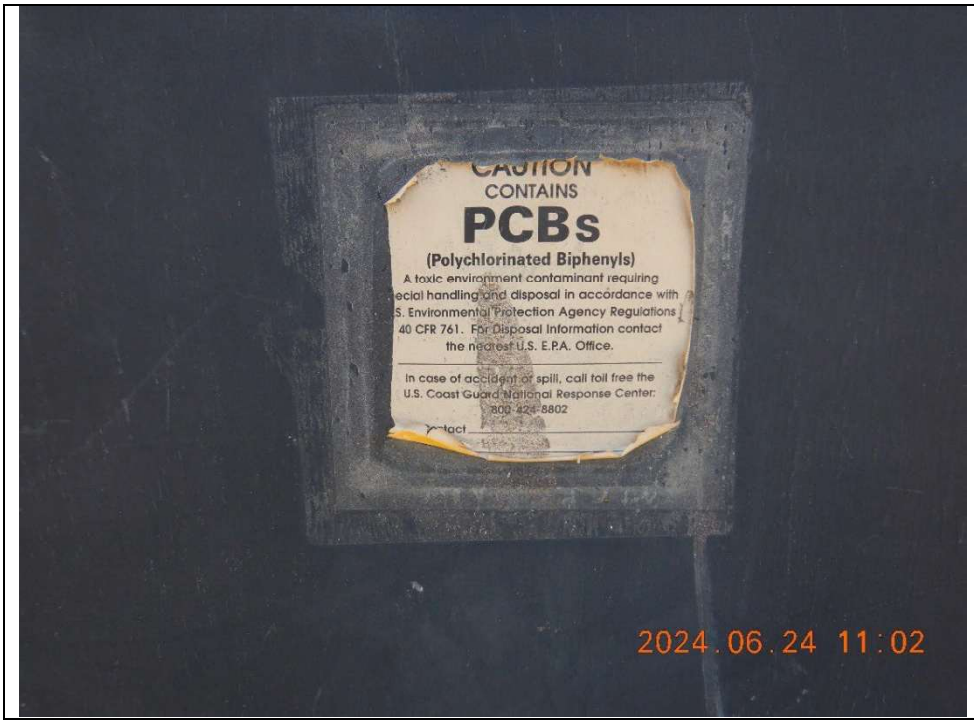
EPA then visited the Storage Warehouse Bay 1, which is the PCB storage area. At this point, the plant supervisor, Diego Diaz, met with EPA. EPA observed a PCB M_L sticker on the entrance door to the storage warehouse that was faded and peeling at the time of inspection (Photograph 9

and Photograph 10). EPA recommended the facility replace the PCB M_L sticker and place it on a wall near the door so that is visible when the door is propped open. *Area of Concern 4*.

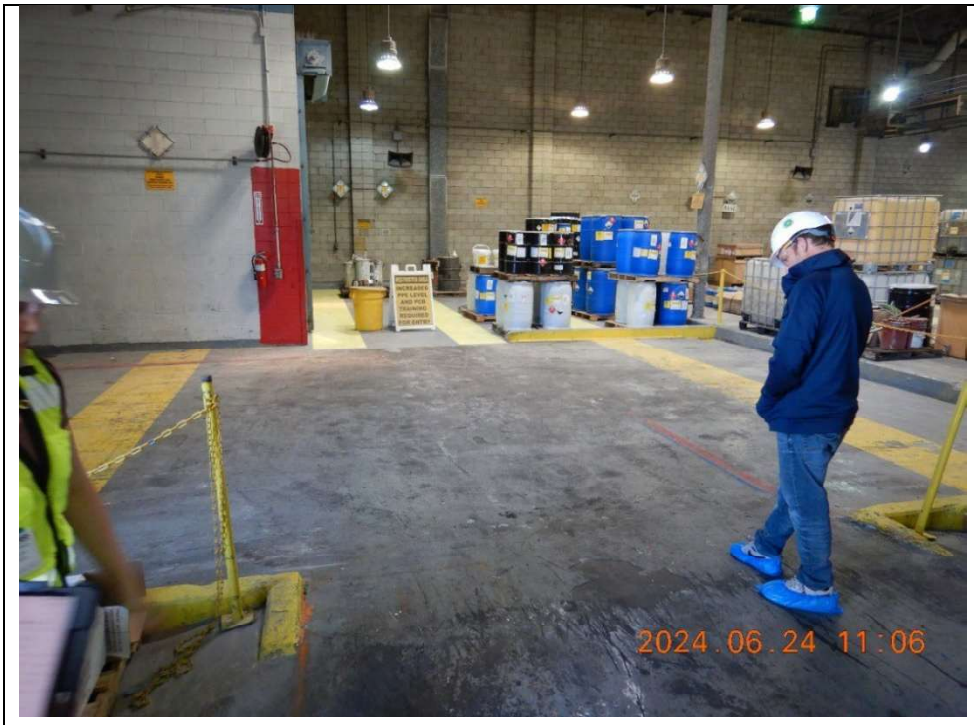
EPA observed that a portion of the floor within the PCB storage area had scraped and chipped floors (Photograph 11 and Photograph 12). At the time of inspection, Emerald Transformer was in the process of re-epoxying the floor and indicated that the portion with scraped and chipped floors would be re-epoxied shortly after the inspection. See *Area of Concern 5*.

All PCB waste was stored in the portion of the PCB storage area that had already been re-epoxied (Photograph 13 and Photograph 14). Emerald Transformer provided photographic evidence after the inspection of the completed epoxied flooring via email (see Facility Photograph 1 and 2).

Photograph 9. PCB M_L sticker on entrance door of storage warehouse (circled in red).



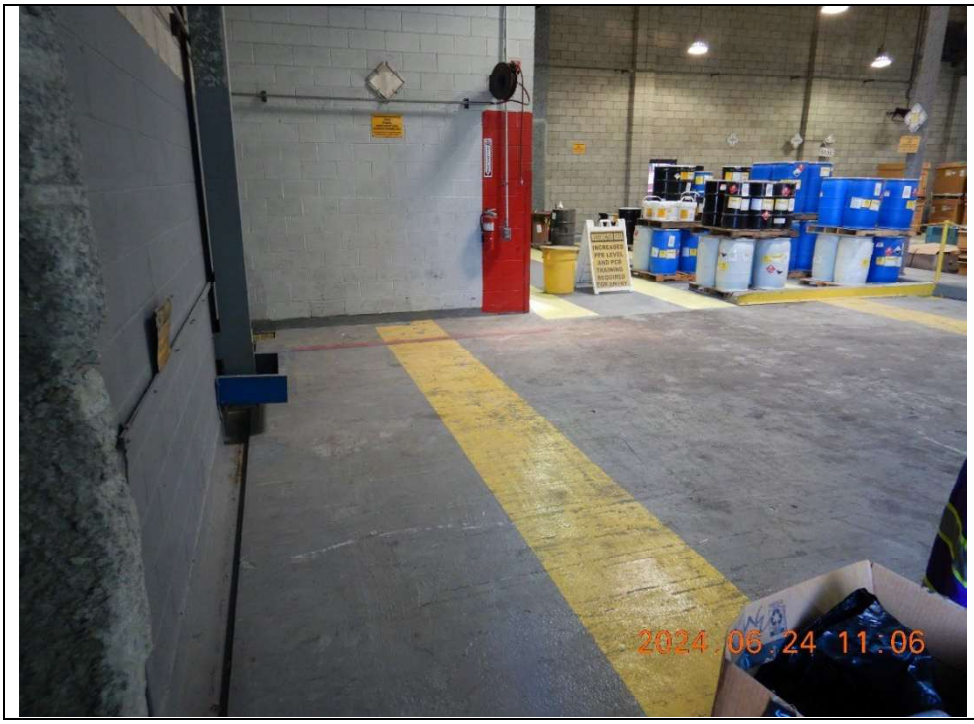
Photograph 10. PCB M_L sticker on entrance door of storage warehouse peeling and faded at time of inspection

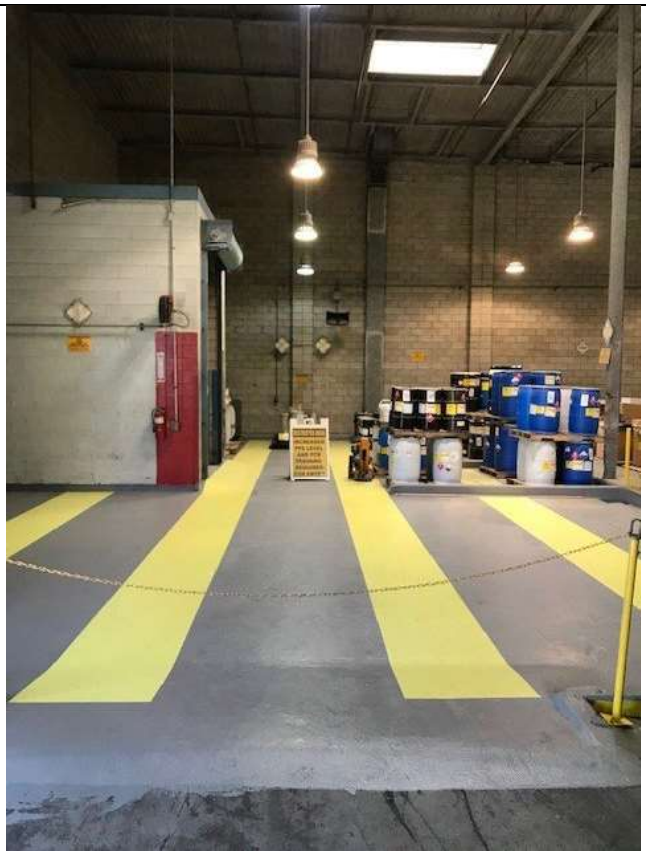


Photograph 11. PCB waste storage area. Foreground represents the section of storage area being re-epoxied at the time of inspection. Background shows the PCB waste on flooring that had already been re-epoxied.

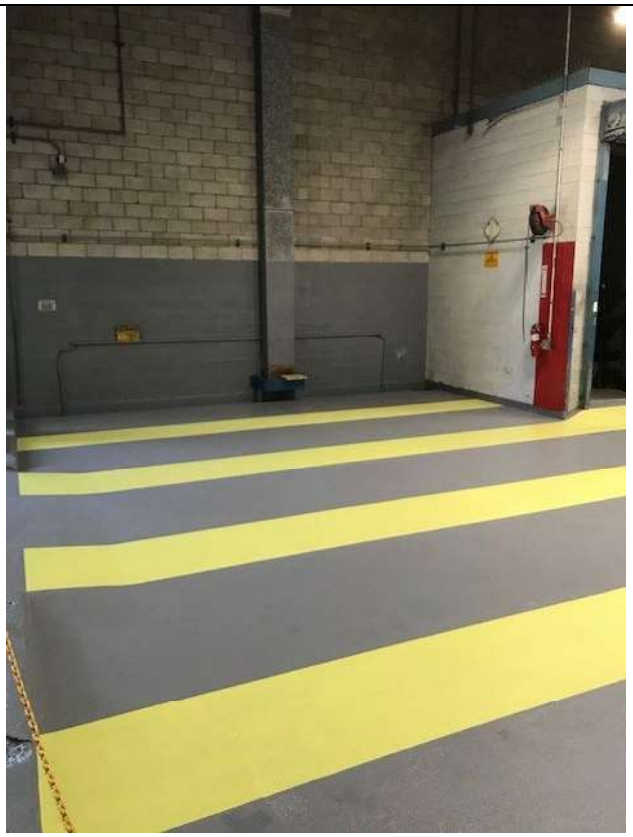
-And-

Photograph 12. Alternative view of PCB waste storage area.





Facility Photograph 1. PCB storage area with completed floor epoxy. Entrance to the PCB storage area is chained off at the ramp used for entering and exiting forklifts.



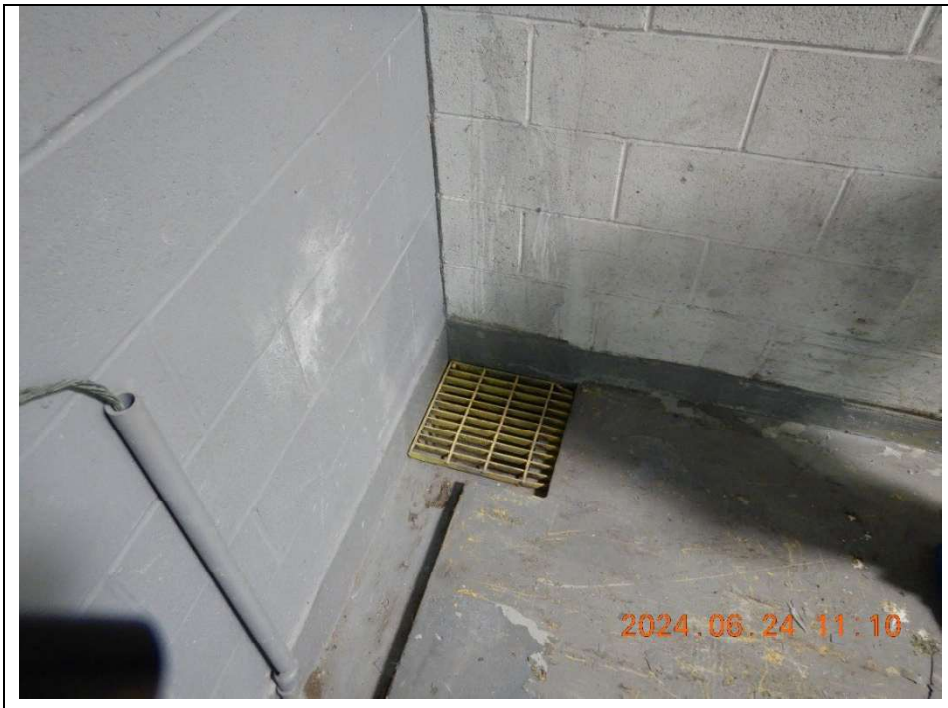
Facility Photograph 2. Alternative view of PCB storage area with completed floor epoxy.

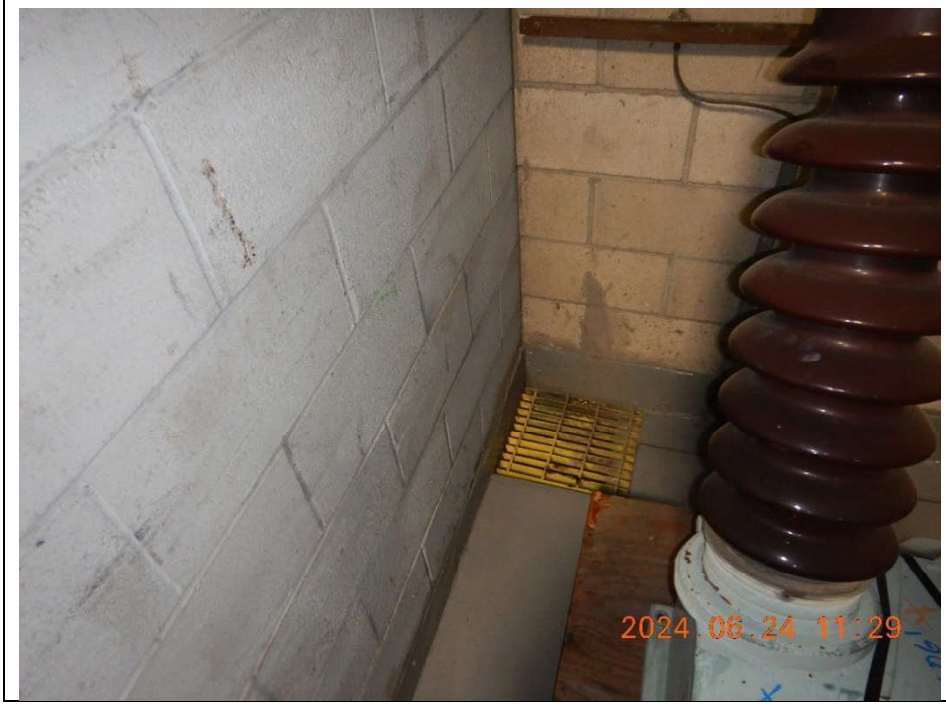
Photograph 13. Portion of the PCB storage area that had already been re-epoxied.

-And-

Photograph 14. Alternative view of PCB storage area that had already been re-epoxied.

EPA observed two floor drains in the corners of the PCB storage area, which Mr. Peterson explained are collection pits that do not have any connections (Photograph 15 and Photograph 16). Mr. Peterson explained that the facility would pump any accumulated liquid out of the drains and transfer it to a drum or tote for off-site disposal as PCB waste. EPA also observed the storage area had a room where equipment used to handle PCB waste is stored (Photograph 17).





Photograph 15.
Floor drain located in the corner of the PCB storage area.

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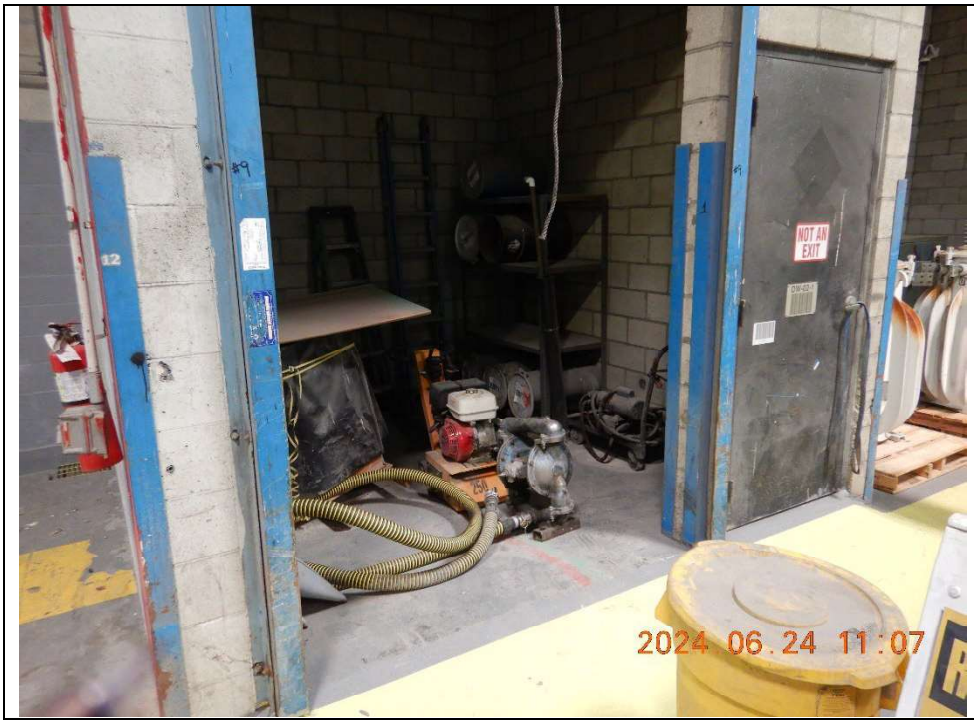
Photograph 16

Additional floor drain located in the corner of the PCB storage area.



Photograph 17. Room in the PCB storage area used to store equipment used to handle PCB waste (e.g., pumps, hoses).

EPA observed approximately 16 PCB items in the PCB storage area that did not have a PCB M_L sticker affixed to them. When EPA pointed out the missing stickers, Emerald Transformer representatives proceeded to add the PCB M_L stickers during the inspection (Photograph 18 through Photograph 28). *Area of Concern 4.*

EPA observed that three capacitors in storage were not on the PCB inventory at the time of inspection, which Ms. Ramirez indicated was because they were just received at the facility. EPA observed that the labels on these capacitors reported a removed-from-service date in the future (8/4/2024). Ms. Ramirez provided the manifest for these capacitors, which indicates the correct removed-from-service date is 8/4/2022 (Attachment 4). After the inspection, Ms. Ramirez provided photographic evidence with the corrected removed from service date (see Facility Photograph 3). See *Area of Concern 6 and 7*, related to management of PCB waste by the 1-year disposal deadline. PCB waste must be disposed of within 1-year from the remove from service date. Facilities may request storage extensions from EPA that are granted at the discretion of EPA.

EPA took wipe samples of the ground of the PCB storage area (sample IDs 24264400, 24264402, and 24264404) and of the transformer pictured in Photograph 24 (sample ID 24264401). The results were non-detect for all PCB Aroclors. The facility's split sample results indicated all wipe samples had <10 µg/100 cm^2 (Attachment 14). See the "Sampling and Analytical Results" section for more information.

Photograph 18.
Six drums (two rows of three drums) in the PCB storage area without PCB M_L stickers.

Photograph 19.
The three drums from the front row of the previous photograph, once the facility affixed PCB M_L stickers during the inspection.

-And-

Photograph 20.
The three drums from the back row of the previous photograph, once the facility affixed PCB M_L stickers

during the inspection.

Photograph 21. Two drums in the PCB storage area without PCB M_L stickers.

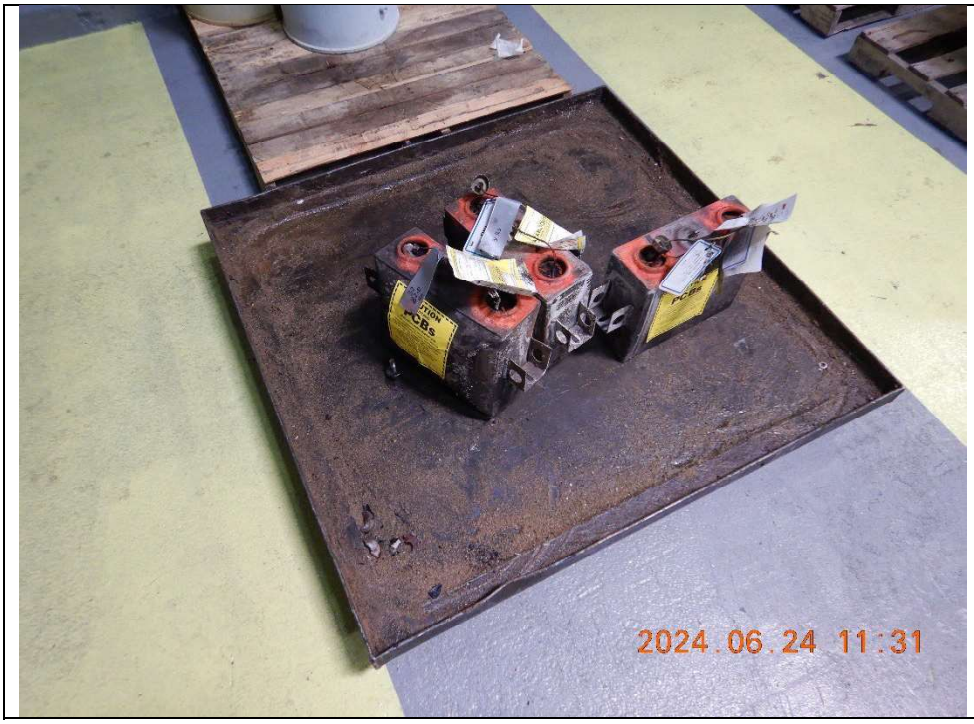
Photograph 22. Two additional drums in the PCB storage area without PCB M_L stickers.

Photograph 23. Two additional drums in the PCB storage area without PCB M_L stickers.

Photograph 24.
A transformer in the PCB storage area without a PCB M_L sticker.

Photograph 25.
The transformer from the previous photograph, once the facility added a PCB M_L sticker during the inspection (denoted by red arrow).

Photograph 26.
Three capacitors in the PCB storage area without a PCB M_L sticker.



Photograph 27.
The three capacitors from the previous photograph, once the facility added PCB M_L stickers.

Photograph 28. Close-up view of a label on the three capacitors from the previous photograph, with a removed from service date listed as 8/4/2024 (circled in red).

Facility Photograph 3. Follow up photographic evidence of the corrected removed from service date of 8/5/2022 (circled in red).

<u>10-Day Storage Areas</u>

EPA next observed the facility's two outdoor 10-day storage areas where the facility temporarily stores trailer trucks of incoming waste before unloading them (Photograph 29 and Photograph 30). The 10-day storage areas are located adjacent to the storage warehouse and are also used for loading of trucks for PCB waste shipment to disposal facilities. Steve Peterson

indicated that the facility will occasionally store PCBs for a limited time (less than 10 days) in these 10-day storage areas, but that most received waste is moved directly into the PCB storage area. EPA observed a stormwater trench drain in one of the 10-day storage areas (Photograph 30 and Photograph 31), which Mr. Peterson indicated is also a collection sump with no sewer connection that is pumped and drained as needed. Depending on the contents, the facility would transfer the waste to a drum or tote to be shipped for off-site disposal.

	**Photograph 29.** 10-day storage area, along the north wall of the storage warehouse.

Photograph 30.
10-day storage area, along the west wall of the storage warehouse. Stormwater collection trench drain indicated by red arrow.

-And-

Photograph 31.
Alternate view of the 10-day storage area along the west wall of the storage warehouse, with the stormwater trench drain denoted with a red arrow.

Waste Receiving Area

EPA then visited the waste receiving area near the entrance gate of the facility. At this location, Emerald Transformer performs all steps of the waste acceptance process (e.g., manifest checks, labeling) before receiving and moving the waste to the 10-day or PCB storage warehouse.

While walking through the waste receiving area, EPA observed a cracked and broken bushing (Photograph 32). EPA also observed at least three oil spots and some small plastic debris in the receiving area (Photograph 33 through Photograph 35). Mr. Diaz indicated that cleanup materials from the waste receiving area, including absorbent used on oil spots, are not considered PCB waste nor would be tested to confirm. EPA took a wipe sample of the interior of the bushing and one wipe sample of an oil spot in the waste receiving area (sample ID 24264403 and 24264405 respectively). Emerald Transformer had cleaned the oil spots with absorbent before the end of the inspection but was waiting for sample results before disposing of the bushing. The results were non-detect for all PCB Aroclors. The facility's split sample results showed <10 µg/100 cm^2 for both samples (Attachment 14). See the "Sampling and Analytical Results" section for more information. See *Area of Concern 8*.

Photograph 32. Broken bushing observed in waste receiving area.

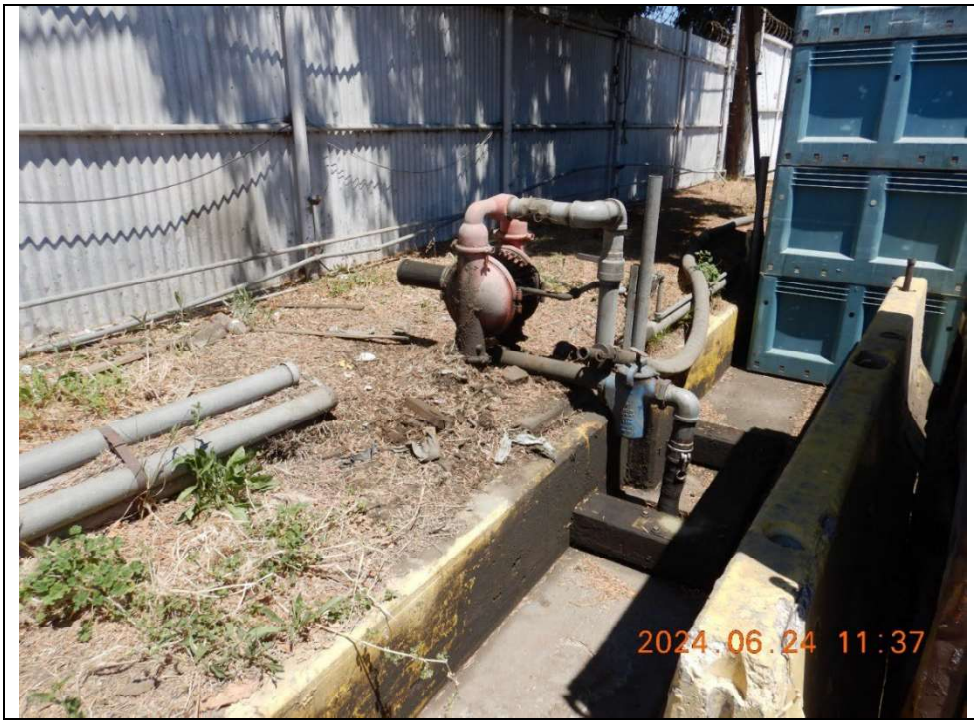
Photograph 33.
Oil spot and plastic debris in the waste receiving area, near a metal bin.

Photograph 34.
Additional oil spot in the waste receiving area, underneath a truck trailer.

-And-

Photograph 35.
Second oil spot in the waste receiving area, underneath a truck trailer.

EPA also observed a sump pump for the waste receiving area. Emerald Transformer representatives indicated that the sump waste is transferred into a tank where a waste profile is conducted for proper disposal, including testing for PCBs (Photograph 36). EPA took a sample and a “duplicate” of the surface soil near this sump pump (sample IDs 2426406 and 2426407). The soil samples had Aroclor 1260 at a concentration of 370 ug/kg (0.37 ppm) and 320 ug/kg (0.32 ppm) respectively. The regulations at 40 CFR § 761.125 consider clean soil to be soil containing less than 1 ppm PCBs. See the “Sampling and Analytical Results” section for more information.



Photograph 36. Sump pump located in rear of 24-hour receiving area.

Sampling and Analytical Results

From approximately 12:00 pm to 1:00 pm, EPA took wipe and surface soil samples at the facility for analysis of PCB aroclors at the EPA Region 10 Laboratory. Michelle Spiezio (Lead Inspector) took all the samples for EPA. Mike McCauley took split samples at all wipe sample locations for Emerald Transformer, using their own sample collection materials and bottles. Ms. Spiezio took split samples of the surface soil samples for Emerald Transformer using EPA sample bottles.

In summary, EPA took five wipe samples, two soil samples (including one duplicate), and two field blanks. Sample locations are depicted on Figure 1 and Table 1. Photograph 37 through Photograph 52 provide depictions of sample locations, the collected samples, and the chain of custody form.

A summary of the sample locations, times, methods, and analysis results is included in Table 1. This table also includes a summary of the results provided by the facility for the split samples taken during the inspection. See Attachment 14 for the facility's split sample laboratory report for the wipe samples, which showed <10 µg/100 cm^2 for all wipe samples. See Attachment 15 for the EPA laboratory report for all samples.

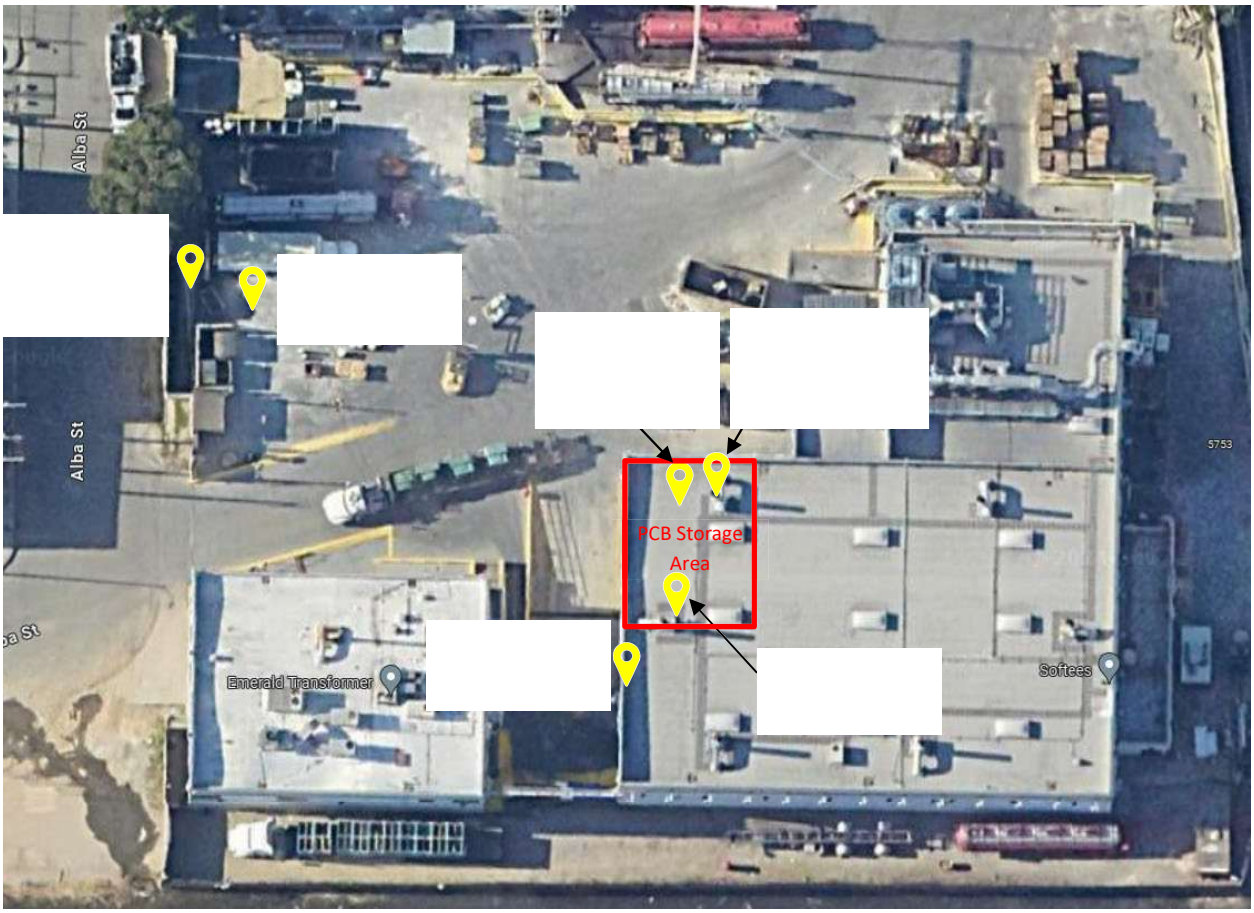


Figure 1. Map of Locations Sampled During the Inspection (6/24/2024)

Table 1. Summary of PCB Results Taken During the Inspection

EPA or Split	Sample ID	Sample Time	Sample Type	Sample Location	Sample Method Details	PCB Results	Limit of Detection
EPA	24264400	12:11	Surface wipe	Inside of bermed area of PCB storage	Gauze saturated in hexane was wiped over a 10 cm by 10 cm surface. See Photograph 37 and Photograph 38.	ND for all Aroclors	0.25 ug/100 cm^2 for all Aroclors
Split	TSCA Bay A-2	12:20	Surface wipe	Same as previous	Split sample of 2426400 taken by Emerald Transformer in an adjacent 100 cm^2 area.	Total PCBs = ND *	10 µg/100 cm^2
EPA	24264401	12:22	Surface wipe	Side of transformer 00426848	Gauze saturated in hexane was wiped over a 10 cm by 10 cm surface. See Photograph 39 through Photograph 41.	ND for all Aroclors	1.0 ug/100 cm^2 for all Aroclors
Split	CM Skin	12:25	Surface wipe	Same as previous	Split sample of 2426401 taken by Emerald Transformer in an adjacent 100 cm^2 area.	Total PCBs = ND *	10 µg/100 cm^2
EPA	24264402	12:27	Field blank for surface wipe	Inside of bermed area of PCB storage	Field blank wipe sample taken by removing the gauze from the sample container, saturating with hexane, and waving the gauze in the air, and returning to the sample container. The facility did not take their own field blank. See Photograph 42.	ND for all Aroclors	0.25 ug/100 cm^2 for all Aroclors
EPA	24264403	12:36	Surface wipe	Inside of broken bushing found in waste receiving area	Gauze saturated in hexane was wiped inside the bushing along the bottom half. Inside of bushing measured approximately 2 inches interior diameter and 4 inches depth, which equates to approximately 100 cm^2 for half of the interior; however, this is a very crude approximation. See Photograph 43 through Photograph 45.	ND for all Aroclors	0.25 ug/100 cm^2 for all Aroclors
Split	Bushing	12:32	Surface wipe	Same as previous	Split sample of 2426403 taken by Emerald Transformer from the top half of the inside of the bushing.	Total PCBs = ND *	10 µg/100 cm^2

EPA or Split	Sample ID	Sample Time	Sample Type	Sample Location	Sample Method Details	PCB Results	Limit of Detection
EPA	24264404	12:43	Surface Wipe	Entrance to storage warehouse containing the PCB storage area	Gauze saturated in hexane was wiped over a 10 cm by 10 cm surface. See Photograph 46 and Photograph 47.	ND for all Aroclors	0.25 ug/100 cm^2 for all Aroclors
Split	Warehouse Threshold	12:39	Surface wipe	Same as previous	Split sample of 2426404 taken by Emerald Transformer in an adjacent 100 cm^2 area.	Total PCBs = ND *	10 µg/100 cm^2
EPA	24264405	12:52	Surface wipe	Oil spot in waste receiving area	Gauze saturated in hexane was wiped over a 10 cm by 10 cm surface. See Photograph 48 and Photograph 49.	ND for all Aroclors	0.25 ug/100 cm^2 for all Aroclors
Split	NW Yard	12:46	Surface wipe	Same as previous	Split sample of 2426405 taken by Emerald Transformer in an adjacent 100 cm^2 area.	Total PCBs = ND *	10 µg/100 cm^2
EPA	24264406	12:56	Surface soil	Grassy area near sump pump in waste receiving area	Soil sample taken by excavating surface soil at 1-3 in. depth. See Photograph 50 and Photograph 51.	Aroclor 1260 = 370 ug/kg All other Aroclors were ND	150 ug/kg for all Aroclors
EPA	24264407	12:58	Surface soil	Duplicate of 24264406	Soil sample taken by excavating surface soil at 1-3 in. depth. See Photograph 50 and Photograph 51.	Aroclor 1260 = 320 ug/kg All other Aroclors were ND	150 ug/kg for all Aroclors
EPA	24264408	15:05	Field blank for soil samples	n/a	An empty jar (same type as used for soil samples) was sent to the lab to serve as a field blank.	ND for all Aroclors	0.25 ug for all Aroclors

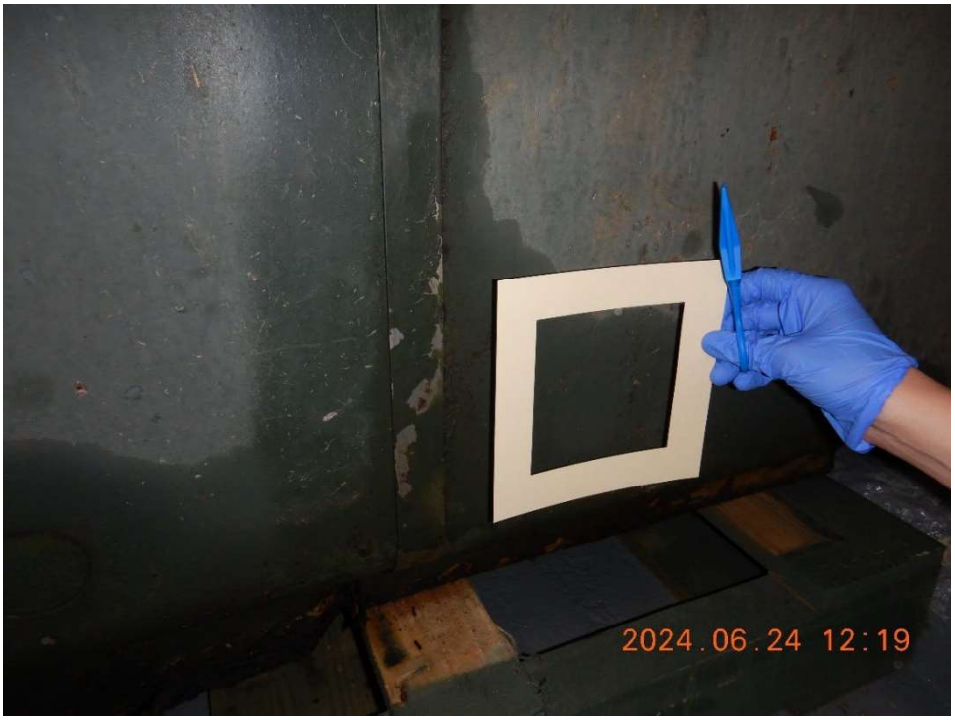
ND = non-detect

* The facility's sample results are provided for total PCBs and are not broken out by PCB aroclor.

Photograph 37. Sample location for wipe sample 24264400, on inside of bermed area of PCB storage.

Photograph 38. Filled sample bottle for 24264400.

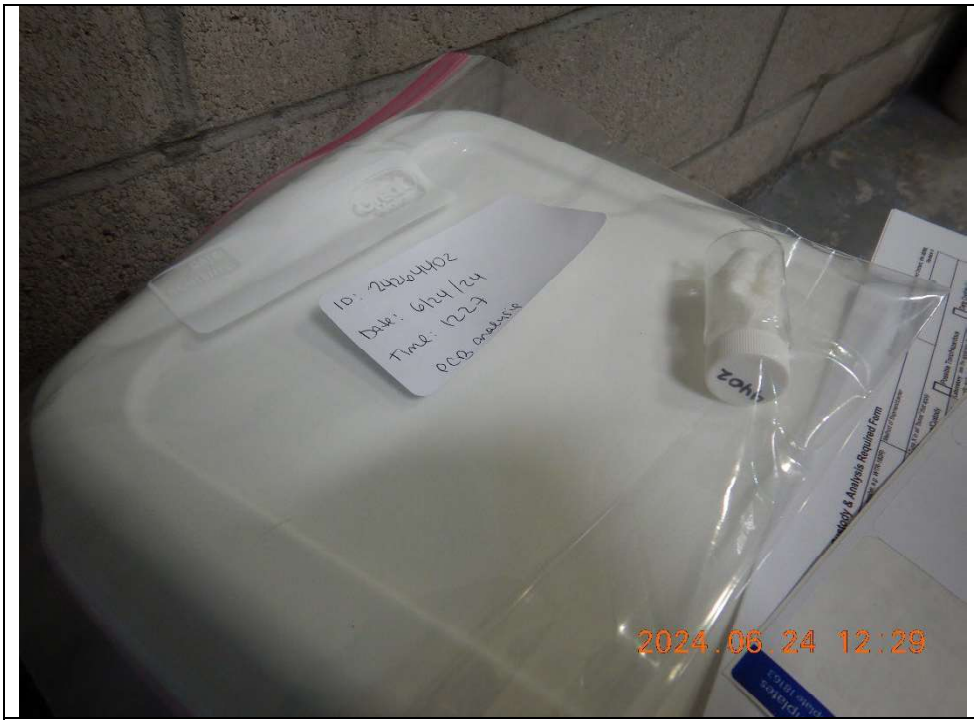
Photograph 39. Transformer 00426848 that was sampled for wipe sample 24264401.



-And-

Photograph 40. Surface wipe templated used to sample transformer 00426848 for sample 24264401.

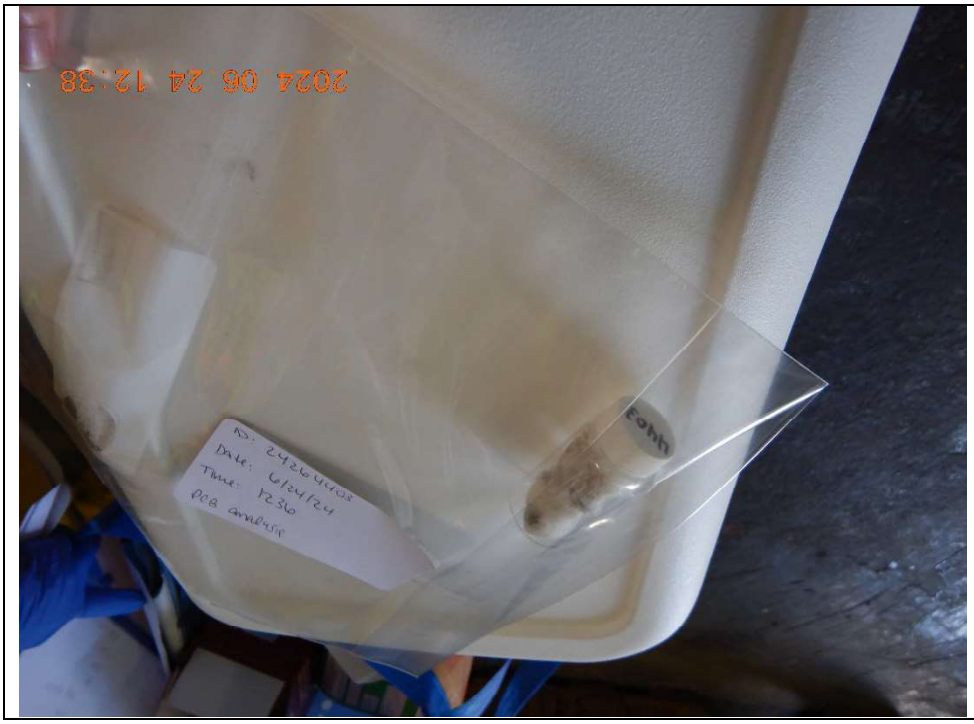
Photograph 41.
Filled sample bottle for 24264401.



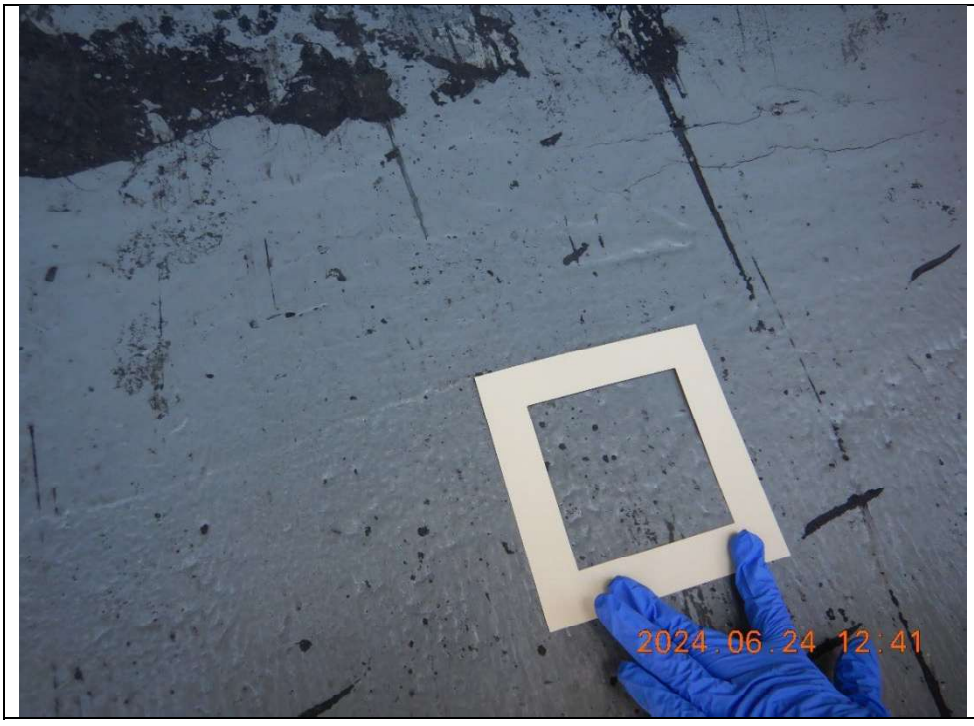
Photograph 42.
Filled sample bottle for 24264402 (wipe field blank).

Photograph 43. Sample location for wipe sample 24264403, which was taken from the inside of the broken bushing found in the waste receiving area.

Photograph 44. View inside the bushing sampled for sample 24264403. Wipe sample was taken from the bottom half of the inside of the bushing.



Photograph 45. Filled sample bottle for 24264403.



Photograph 46. Sample location for wipe sample 24264404, taken on the entrance ramp to the storage warehouse with the PCB storage area.

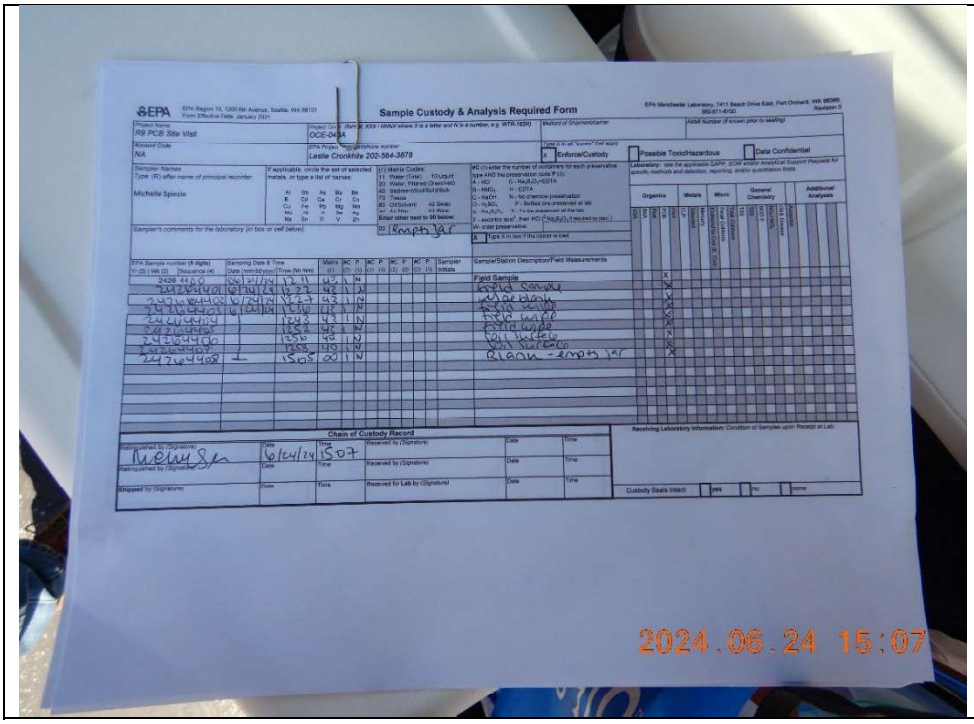
Photograph 47. Filled sample bottle for 24264404.

Photograph 48. Sample location for wipe sample 24264405, taken on an oil spot in the waste receiving area.

Photograph 49.
Filled sample bottle for 24264405.

Photograph 50.
Sample location for surface soil samples 24264406 and 24264407 (duplicate), taken near the sump pump in the grassy area along the west of the waste receiving area.

Photograph 51.
Filled sample bottles for 24264406 and 24264407.



Photograph 52.
Chain of Custody form for samples taken during the inspection on 6/24/2024.

SECTION III – SUMMARY OF AREAS OF CONCERN

This section contains a summary of the areas of concern discussed earlier in this report. Observations related to the same regulation or PCB approval condition are presented together under the same area of concern.

Area of Concern 1: Manifests are required to be signed by the designated facility upon acceptance of the waste.

EPA reviewed manifest 019548747FLE and observed that it was not signed by Emerald Transformer (Attachment 4). However, the PCB waste associated with this shipment had been accepted by Emerald Transformer and placed in the PCB storage area at the time of the inspection. The manifest should be signed by the designated facility when the PCB waste is accepted at the facility.

Area of Concern 2: The regulations at 40 CFR § 761.218(a) require that for each shipment of manifested PCB waste that the disposal facility accepts, the owner or operator of the disposal facility shall prepare a Certificate of Disposal for the PCBs and PCB Items disposed of at that facility. The certificate of disposal shall also include the disposal facility name, address, EPA identification number and certification statement as specified in 40 CFR 761.3 under "Certification". The certification statement includes the statement "I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate, and complete."

Emerald Transformer provided two examples of CDs from their Coffeyville, KS facility (Attachment 6). EPA observed the CD listed the disposal site was "Coffeyville, KS Facility." However, the CDs do not provide the address or EPA ID number for this disposal site. Additionally, these CDs are signed by Steve Peterson of Emerald Transformer Los Angeles, and not by a representative of the disposal site. The certification must be signed by the appropriate supervisor of staff working at the Coffeyville, KS facility location.

Area of Concern 3: The conditions in Part G of the facility's PCB approval and the regulations at 40 CFR § 761.125 list out PCB spill cleanup and notification requirements. More specifically, condition IV.G.5 of the facility's PCB approval indicates that the facility's contingency plan outlines the requirements for reporting incidents in the PCB storage area to EPA.

EPA reviewed the facility's contingency plan, dated September 29, 2020 (Attachment 9). The contingency plan includes general emergency response and notification procedures; however, the contingency plan does not include mention of PCB spill cleanup requirements nor the requirement to notify EPA for PCB spills and releases.

Area of Concern 4: Condition H.1 of the facility's PCB approval and the regulations at 40 CFR § 761.40(a) require marking of all PCB items and storage areas with the PCB M_L defined in 40 CFR § 761.45.

EPA observed that the facility had a PCB M_L sticker at the entrance to the warehouse containing the PCB storage area; however, the sticker was peeling and faded (see Photograph 9 and Photograph 10). EPA noted this to the facility, and also recommended that the replacement sticker be placed on a wall near the door so that is visible when the door is propped open.

EPA observed several items of PCB waste without a PCB M_L sticker in the PCB storage area. When EPA pointed out the missing stickers, Emerald Transformer representatives proceeded to add the PCB M_L stickers during the inspection (Photograph 18 through Photograph 28). The facility also provided photographic evidence after the inspection that PCB M_L stickers were added to the waste that was not present on the PCB inventory at the time of the inspection (see Facility Photograph 3).

Area of Concern 5: Condition D.1.d of the facility's PCB approval and the regulations at 40 CFR § 761.65(b)(1)(iv) require the flooring and curbing to minimize penetration of PCBs within the PCB storage area.

EPA observed that a portion of the floor within the PCB storage area had scraped and chipped floors (Photograph 11 and Photograph 12). At the time of inspection, Emerald Transformer was in the process of re-epoxying the floor and indicated that the portion with scraped and chipped floors would be re-epoxied shortly after the inspection. Emerald Transformer provided photographic evidence after the inspection of the completed epoxied flooring via email (see Facility Photograph 1 and 2).

Area of Concern 6: Condition H.2 of the facility's PCB approval and the regulations at 40 CFR § 761.65(c)(8) require that PCB items be labeled with and managed by the date they are removed from service.

EPA observed several capacitors with a removed from service date in the future (8/4/24). Ms. Ramirez provided the manifest for these capacitors, which indicates the correct removed-from-service date is 8/4/2022 (Attachment 4). After the inspection, Ms. Ramirez provided photographic evidence with the corrected removed from service date (see Facility Photograph 3).

Area of Concern 7: Condition B.1 of the facility's PCB approval and the regulations at 40 CFR § 761.65(a)(1) require any PCB waste will be disposed of within 1-year from the date it was determined to be PCB waste and the decision was made to dispose of it. Per 40 CFR § 761.65(a)(2 and 3), PCB waste removed from service for disposal may be stored and disposed of beyond the 1-year time limit provided a facility requests a storage extension that is then granted by EPA.

While addressing Area of Concern 6, Emerald Transformer provided photographic evidence and the associated manifest via email, of the corrected removed from service date associated with several PCB capacitors in storage at the time of the inspection. The corrected removed from service date (8/5/2022) is greater than the one-year disposal deadline required in 40 CFR § 761.219 (see Facility Photograph 3). Emerald Transformer did not provide evidence of a storage extension granted by EPA. Facilities may request storage extensions from EPA that are granted at the discretion of EPA.

Area of Concern 8: The regulations at 40 CFR § 761.125(b) specify the cleanup requirements for low-concentration spills which involve less than one pound of PCBs by weight (less than 270 gallons of untested mineral oil).

EPA observed that there was a broken bushing located on the ground in the waste receiving area (Photograph 32). EPA also observed at least three oil spots in the same area (Photograph 33 through Photograph 35). Mr. Diaz indicated that cleanup materials from the waste receiving area, including absorbent used on oil spots, are not considered PCB waste nor would be tested to confirm. However, Emerald Transformer offloads and handles PCB waste in this area, so the facility should consider whether waste material and oil spills in this area may contain PCBs when cleaning them up. TSCA is a strict liability statute. Emerald Transformer should treat all equipment appropriately based on the actual PCB concentration of the equipment or wastes. EPA reminds Emerald Transformer that the assumptions for use do not apply to disposal of PCB waste.

EPA took a wipe sample of the interior of the bushing and one wipe sample of an oil spot in the waste receiving area. Emerald Transformer had cleaned the observed oil spots with absorbent before the end of the inspection. However, the facility indicated they would hold the bushing until the wipe sample results were available. The results were non-detect for all PCB Aroclors. The facility's split sample results showed <10 µg/100 cm^2 for both samples (Attachment 14).

SECTION IV – CLOSING CONFERENCE

EPA held a closing conference with Yolanda Ramirez at approximately 1:00 PM. The TSCA Receipt for Samples and Documents and the TSCA Inspection Confidentiality Form were completed and signed by Ms. Spiezio and Ms. Ramirez. A copy of each document was retained by EPA and given to Emerald Transformer for their records (Attachment 1). Emerald Transformer did not declare any information obtained from the inspection as Confidential Business Information.

Ms. Spiezio reviewed the inspection activities and summarized the areas of concern observed during the inspection. Ms. Spiezio explained that these were not compliance determinations and that additional information had to be gathered and reviewed before EPA Region 9 would make compliance determinations. Ms. Spiezio indicated that the requested documentation not received during the inspection should be provided to Ms. Spiezio electronically, as she would handle any follow-up.

Ms. Spiezio gave an estimated date as to when Emerald Transformer would receive the final CEI report and offered to answer final questions. Ms. Ramirez did not have any questions during the closing conference. After the closing conference, EPA departed the facility at 1:25 PM.

SECTION V – LIST OF ATTACHMENTS

*Attachment 1 – TSCA Inspection Forms **
Attachment 2 – Electronic Transmission of Requested Documents
Attachment 3 – Waste Receiving Procedures
Attachment 4 – Manifests
Attachment 5 – PCB Inventory on 6/24/2024
Attachment 6 – Certificates of Disposal
Attachment 7 – PCB Storage Area Inspections for April – June 2024
Attachment 8 – SPCC Plan
Attachment 9 – Contingency Plan
Attachment 10 – 2022 PCB Annual Report
Attachment 11 – PCB Closure Plan
Attachment 12 – Closure Cost Estimate from October 2017
Attachment 13 – 2024 Update to Financial Assurance
Attachment 14 – Facility Split Sample Results for Wipe Samples
*Attachment 15 – EPA Laboratory Report for PCB Samples * ^*
Photograph Log: 59 photos taken; 52 photos used in the report

* These documents were generated/ obtained from EPA. All other documents were provided by the facility during the inspection or via electronic transmission after the inspection.

^ This laboratory report was redacted to remove personal identifying information and samples not related to this inspection.