DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim Final 2/5/99

RCRA Corrective Action Environmental Indicator (EI) RCRAInfo code (CA750)

Migration of Contaminated Groundwater Under Control

Facility Name:	Safety-Kleen Systems, Inc Haltom City
Facility Address:	6529 Midway Road, Haltom City, Tarrant County, Texas
Facility EPA ID #:	TXD981053416

1. Has **all** available relevant/significant information on known and reasonably suspected releases to the groundwater media, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been **considered** in this EI determination?

X	If yes - check here and continue with #2 below.
	If no - re-evaluate existing data, or
	If data are not available skip to #8 and enter "IN" (more information needed) status code.

There was no evidence of release or corrective action activities at the Safety-Kleen Haltom City (SK Haltom City) facility. . Staff from EPA Region 6 conducted a site visit on December 18, 2006. See trip report in file. No evidence of a release or corrective action activities was found. After researching the file and discussions with the facility there is no information any corrective action activities are needed at the facility.

Facility Background:

The facility receives, bulks, and stores hazardous wastes generated by off-site sources. The hazardous wastes include spent mineral spirits, spent carburetor cleaner, drycleaner waste, paint waste, dumpster sediment, spent immersion cleaner, spent antifreeze, aqueous brake cleaning solution, and aqueous parts cleaning solution. Most wastes are shipped to the SK facility in Denton, Texas, however plant refuse generated by the site is shipped to IESI, Inc.

The facility maintains eight waste management units: three permitted container storage areas for drums and containers of spent cleaners and solvents; a permitted 12,000-gallon above ground storage tank containing spent mineral spirits; three permitted 375 gallon above ground storage tanks (dump station tanks) that receive spent mineral spirits; and a dumpster for plant refuse.

The facility conducts transfer facility operations in an enclosed building on the most western side of the facility. Waste is accumulated in the transfer facility area for less than ten days. Hazardous waste transportation activities occur two or three times a week from the facility to the SK facility in Denton, TX utilizing an 18-wheeler tractor trailer rig.

Some of the mineral spirits received by the facility are within the continued use program. These materials are used to conduct drum-washing activities at the facility. Once the material is spent it is considered generated by the facility.

Regulatory History:

On October 4, 1990 SK-Haltom City received a Class I hazardous waste permit from the TWC, which allowed for storage and processing of wastes generated off-site. On June 3, 1994 SK-Haltom City received another Class I hazardous waste permit from the TNRCC, which appeared to address the HSWA Amendments. SK-Haltom City

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has made several permit modifications during the course of operation.

In 2000, SK provided documentation relating to the closure of a tank on-site. On August 29, 2000, TNRCC accepted closure of the permitted 12,000 gallon tank (TNRCC Unit No. 8).

The most recent inspection report found in the available files is dated March 15, 2002. Violations were noted regarding mislabeled containers and manifest discrepancies, all of which were later resolved. There was no indication of violations which might have resulted in releases to any environmental media.

No further information was found in available file materials. TechLaw attempted to reach the site inspector of record but was not successful.

References:

- 1. TWC Class I Hazardous, Storage and Processing off-site, Commercial hazardous waste permit, October 4, 1990.
- 2. Letter to Randy Deall, Environmental Engineer, SK, from Allyn Davis, Hazardous Waste Management Division, TNRCC; Regarding: Transmittal of Hazardous Waste Permit; June 3, 1994.
- 3. Letter to Karen Cleveland, Waste Permits Division, TNRCC, from Stephen Weishar, Senior Engineer, SK; Regarding: Response to NOD; August 18, 2000.
- 4. Letter to Stephen Weishar, Safety-Kleen; from TNRCC, Re: approval of Closure Certification Report for Tank (TNRCC Permit Unit No. 8); dated August 29, 2000.
- 5. TNRCC Industrial and Hazardous Waste Inspection Report, dated January 30, 2002.
- 6. Letter to Beth Stall, Safety-Kleen, from TNRCC; Re: Notice of Violation for the Compliance Evaluation Inspection; dated March 15, 2002.
- 7. TNRCC Investigation Report, dated April 17 2002.
- 8. Letter to Beth Stall, Safety-Kleen, from TNRCC; Re: Non-financial Record Review Investigation (NRR) at Safety-Kleen; dated April 24, 2002
- 9. TNRCC FY2002 RCRIS Compliance Monitoring and Enforcement Log, dated April 17, 2002
- 10. Permit Modification from Karen L Dobias of Safety-Kleen Systems Inc. to Dipak Bhakta of TCEQ, dated August 23, 2004.
- 11. Notification of a Class 1 permit Modification dated September 28, 2005.
- 12. Site Inspection Summary, EPA, December 18, 2006.

BACKGROUND Definition of Environmental Indicators (for the RCRA Corrective Action)

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

Definition of "Migration of Contaminated Groundwater Under Control" EI

A positive "Migration of Contaminated Groundwater Under Control" EI determination ("YE" status code) indicates that the migration of "contaminated" groundwater has stabilized, and that monitoring will be conducted to confirm that contaminated groundwater remains within the original "area of contaminated groundwater" (for all groundwater "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

Relationship of EI to Final Remedies

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Migration of Contaminated Groundwater Under Control" EI pertains ONLY to the physical migration (i.e., further spread) of contaminated ground water and contaminants within groundwater (e.g., non-aqueous phase liquids or NAPLs). Achieving this EI does not substitute for achieving other stabilization or final remedy requirements and expectations associated with sources of contamination and the need to restore, wherever practicable, contaminated groundwater to be suitable for its designated current and future uses.

Duration / Applicability of EI Determinations

EI Determinations status codes should remain in RCRAInfo national database ONLY as long as they remain true (i.e., RCRAInfo status codes must be changed when the regulatory authorities become aware of contrary information).

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2. Is **groundwater** known or reasonably suspected to be "**contaminated**"¹ above appropriately protective "levels" (i.e., applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action, anywhere at, or from, the facility?

<u> </u>	If yes - continue after identifying key contaminants, citing appropriate "levels," and referencing supporting documentation.
<u>X</u>	If no - skip to #8 and enter "YE" status code, after citing appropriate "levels," and referencing supporting documentation to demonstrate that groundwater is not "contaminated."

If unknown - skip to #8 and enter "IN" status code.

¹ "Contamination" and "contaminated" describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriate "levels" (appropriate for the protection of the groundwater resource and its beneficial uses).

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3. Has the **migration** of contaminated groundwater **stabilized** (such that contaminated groundwater is expected to remain within "existing area of contaminated groundwater"² as defined by the monitoring locations designated at the time of this determination)?

_	If yes - continue, after presenting or referencing the physical evidence (e.g., groundwater sampling/measurement/migration barrier data) and rationale why contaminated groundwater is expected to remain within the (horizontal or vertical) dimensions of the "existing area of groundwater contamination" ²).
—	If no (contaminated groundwater is observed or expected to migrate beyond the designated locations defining the "existing area of groundwater contamination" ²) - skip to #8 and enter "NO" status code, after providing an explanation.
	If unknown - skip to #8 and enter "IN" status code.

² "existing area of contaminated groundwater" is an area (with horizontal and vertical dimensions) that has been verifiably demonstrated to contain all relevant groundwater contamination for this determination, and is defined by designated (monitoring) locations proximate to the outer perimeter of "contamination" that can and will be sampled/tested in the future to physically verify that all "contaminated" groundwater remains within this area, and that the further migration of "contaminated" groundwater is not occurring. Reasonable allowances in the proximity of the monitoring locations are permissible to incorporate formal remedy decisions (i.e., including public participation) allowing a limited area for natural attenuation.

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4.	Does '	"contaminated"	groundwater	discharge	into surface	water bodies?	?
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If yes - continue after identifying potentially affected surface water bodies.
If no - skip to #7 (and enter a "YE" status code in #8, if #7 = yes) after providing an explanation and/or referencing documentation supporting that groundwater "contamination" does not enter surface water bodies.
If unknown - skip to #8 and enter "IN" status code.

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5. Is the **discharge** of "contaminated" groundwater into surface water likely to be "**insignificant**" (i.e., the maximum concentration³ of each contaminant discharging into surface water is less than 10 times their appropriate groundwater "level," and there are no other conditions (e.g., the nature, and number, of discharging contaminants, or environmental setting), which significantly increase the potential for unacceptable impacts to surface water, sediments, or eco-systems at these concentrations)?

If yes - skip to #7 (and enter "YE" status code in #8 if #7 = yes), after documenting: 1) the maximum known or reasonably suspected concentration³ of <u>key</u> contaminants discharged above their groundwater "level," the value of the appropriate "level(s)," and if there is evidence that the concentrations are increasing; and 2) provide a statement of professional judgment/explanation (or reference documentation) supporting that the discharge of groundwater contaminants into the surface water is not anticipated to have unacceptable impacts to the receiving surface water, sediments, or eco-system.

If no - (the discharge of "contaminated" groundwater into surface water is potentially significant) - continue after documenting: 1) the maximum known or reasonably suspected concentration³ of <u>each</u> contaminant discharged above its groundwater "level," the value of the appropriate "level(s)," and if there is evidence that the concentrations are increasing; and 2) for any contaminants discharging into surface water in concentrations³ greater than 100 times their appropriate groundwater "levels," the estimated total amount (mass in kg/yr) of each of these contaminants that are being discharged (loaded) into the surface water body (at the time of the determination), and identify if there is evidence that the amount of discharging contaminants is increasing.

If unknown - enter "IN" status code in #8.

 $^{^3}$ As measured in groundwater prior to entry to the groundwater-surface water/sediment interaction (e.g., hyporheic) zone.

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6. Can the **discharge** of "contaminated" groundwater into surface water be shown to be "**currently acceptable**" (i.e., not cause impacts to surface water, sediments or eco-systems that should not be allowed to continue until a final remedy decision can be made and implemented⁴)?

If yes - continue after either: 1) identifying the Final Remedy decision incorporating these conditions, or other site-specific criteria (developed for the protection of the site's surface water, sediments, and eco-systems), and referencing supporting documentation demonstrating that these criteria are not exceeded by the discharging groundwater; OR 2) providing or referencing an interim-assessment,⁵ appropriate to the potential for impact, that shows the discharge of groundwater contaminants into the surface water is (in the opinion of a trained specialists, including ecologist) adequately protective of receiving surface water, sediments, and eco-systems, until such time when a full assessment and final remedy decision can be made. Factors which should be considered in the interim-assessment (where appropriate to help identify the impact associated with discharging groundwater) include: surface water body size, flow, use/classification/habitats and contaminant loading limits, other sources of surface water/sediment contamination, surface water and sediment sample results and comparisons to available and appropriate surface water and sediment "levels," as well as any other factors, such as effects on ecological receptors (e.g., via bio-assays/benthic surveys or site-specific ecological Risk Assessments), that the overseeing regulatory agency would deem appropriate for making the EI determination.

If no - (the discharge of "contaminated" groundwater can not be shown to be "**currently acceptable**") - skip to #8 and enter "NO" status code, after documenting the currently unacceptable impacts to the surface water body, sediments, and/or eco-systems.

If unknown - skip to 8 and enter "IN" status code.

Rationale and Reference(s):

File review and site inspection.

⁴ Note, because areas of inflowing groundwater can be critical habitats (e.g., nurseries or thermal refugia) for many species, appropriate specialist (e.g., ecologist) should be included in management decisions that could eliminate these areas by significantly altering or reversing groundwater flow pathways near surface water bodies.

⁵ The understanding of the impacts of contaminated groundwater discharges into surface water bodies is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration to be reasonably certain that discharges are not causing currently unacceptable impacts to the surface waters, sediments or eco-systems.

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7. Will groundwater **monitoring** / measurement data (and surface water/sediment/ecological data, as necessary) be collected in the future to verify that contaminated groundwater has remained within the horizontal (or vertical, as necessary) dimensions of the "existing area of contaminated groundwater?"

If yes - continue after providing or citing documentation for planned activities or future sampling/measurement events. Specifically identify the well/measurement locations which will be tested in the future to verify the expectation (identified in #3) that groundwater contamination will not be migrating horizontally (or vertically, as necessary) beyond the "existing area of groundwater contamination."

If no - enter "NO" status code in #8.

If unknown - enter "IN" status code in #8.

- 8. Check the appropriate RCRAInfo status codes for the Migration of Contaminated Groundwater Under Control EI (event code CA750), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (attach appropriate supporting documentation as well as a map of the facility).
 - X YE Yes, "Migration of Contaminated Groundwater under Control" has been verified. Based on a review of the information contained in this EI determination, it has been determined that the "Migration of Contaminated Groundwater" is "Under Control" at the Safety –Kleen Systems, Inc facility, EPA ID #TXD981053416, located at 6529 Midway Road, Haltom City, Texas. Specifically, this determination indicates that the migration of "contaminated" groundwater is under control, and that monitoring will be conducted to confirm that contaminated groundwater remains within the "existing area of contaminated groundwater" This determination will be re-evaluated when the Agency becomes aware of significant changes at the facility.
 - NO Unacceptable migration of contaminated groundwater is observed
 - IN More information is needed to make a determination.

Completed by	(signature)		Date	
	(print)	Gary Miller	J	anuary 31, 2007
	(title)	Environmental Engineer		
Researched by	(signature)	ph on	Date	June 25, 2006
	(print)	Andrew Dorn	-	
	(title)	TechLaw, Inc. (U.S. EPA Contractor)	-	
Supervisor	(signature)		Date	
	(print)		-	
	(title)		_	
	(EPA Regio	n or State)	_	
			-	

Locations where References may be found:

Texas Commission of Environmental Quality File Room, Building E 12118 N IH 35 Austin, TX 78753

Filed Under: IHW: 55195 And in the EPA files under the facility ID number.

Contact telephone and e-mail numbers

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Recommended Action Items: Additional research is warranted to acquire and review additional documentation relating to the current operations and status of the site.