

March 14, 2020

SENT VIA ELECTRONIC MAIL

Greg Pirie, REHS
County of Marin
Supervisor, Environmental Health Services
3501 Civic Center Drive, Suite 236
San Rafael, CA 94903
safedrugdisposal@marincounty.org

Re: Substantive Change Request - Additional of On-Demand Collection Services model and modification of Vendor, Transporter, and Disposal Facility Information

Dear Mr. Pirie,

MED-Project LLC ("MED-Project") is submitting this letter to the Environmental Health Services division of the Department of Marin County Community Development Agency (the "Department") to request approval to add an On-Demand Collection Services model to the approved MED-Project Product Stewardship Plan for Unwanted Medicine from Households dated December 7, 2018 (the "Plan") to increase collection services options available to Kiosk Drop-Off Site Hosts. Additionally, MED-Project requests approval to modify the Vendor, Transporter, and Disposal Facility Information in the Plan.

Standard for Plan Modification

Under the Marin County Safe Drug Disposal Ordinance ("Ordinance"), "Proposed changes to approved Stewardship Plan that substantively alter plan operations, including, but not limited to, changes to ... collection methods... policies and procedures for handling Unwanted Covered Drugs... or disposal facilities, must be approved in writing by the Director before the changes are implemented." See Ordinance § 7.90.070.B. The Ordinance allows the Department to "exercise reasonable discretion to waive strict compliance with the requirements of this Chapter that apply to Producers in order to achieve the objectives of this Chapter." See Ordinance § 7.90.060.F. MED-Project is requesting written approval of these changes, as described below.

Addition of On-Demand Collection Services Model

MED-Project seeks to amend the Plan's collection process in Plan Sections V.B.4 to add an "On-Demand Collection Services" option to allow Kiosk Drop-Off Site Hosts to control the timing for servicing the kiosk by allowing Kiosk Drop-Off Site Host employees to seal kiosk inner liners for packaging and transport at a time of their choosing. This option will enable Kiosk Drop-Off Site Hosts utilizing the On-Demand Collection Services option to avoid disruptions to operations that may result from scheduled Vendor visits or storage limitations.

With the addition of the On-Demand Collection Services model, Kiosk Drop-Off Site employees shall remove the inner liner and box from the kiosk and immediately seal the inner liner, following procedures meeting DEA requirements.

Kiosk Drop-Off Site employees will:

- Replace the removed inner liner and box with a replenishment inner liner and box provided by Vendor;

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- Match the unique identifier of the inner liner with the tracking number on the shipping label;
 - Package the inner liner for transport; and
 - Schedule a pick-up by Common Carrier.

This service model will provide greater flexibility to Kiosk Drop-Off Site Hosts wishing to service kiosks as needed, service kiosks closer to regularly scheduled Common Carrier pick-up, and/or avoid the disruption of a scheduled Vendor kiosk service.

Modification of Vendor, Transporter, and Disposal Facility Information

MED-Project is submitting an updated list of Vendors, Carriers & Transporters, Reverse Distributors & Transfer Facilities, and Disposal Facilities for the Plan. The updated Vendors, Carriers & Transporters, Reverse Distributors & Transfer Facilities, and Disposal Facilities in Attachment A replace Section X of the Plan. MED-Project is updating the list both to support the addition of On-Demand Collection Services and to create redundancy for existing collection services if other disposal facilities become unavailable at any time or there is some other disruption beyond MED-Project's control. Attachment A includes the list of municipal waste combustors, medical waste incinerators, and hazardous waste incinerators proposed for use under the Plan.

The Ordinance allows for the use of medical waste and hazardous waste disposal facilities. *See* Ordinance § 7.90.090.B. MED-Project requests that the Department approve the use of any permitted municipal waste combustor for all Unwanted Medicine collected by the Program. A petition to use permitted municipal waste combustors is provided in Attachment B: Petition. Penalty records are provided in the Attachment C. The Department previously approved municipal waste combustors for the destruction of Injector Mail-Back Packages and Inhaler Mail-Back Packages. *See* the March 5, 2019 letter from Rebecca Ng, Deputy Director, Marin County Environmental Health Services to Dr. Victoria Travis, National Program Director, MED-Project.

Due to cost, logistics, and other considerations, disposal exclusively at a hazardous waste incinerator or medical waste incinerator is not feasible. Municipal waste combustors will provide equivalent protection and promotion of the health, safety, and welfare of the general public and are already approved by the Department. These facilities maintain all necessary permits and authorizations to receive and destroy Unwanted Medicine under all applicable laws, regulations, and other legal requirements. Allowing the program to utilize these facilities would maintain compliance, help control costs, maintain flexibility, and provide multiple disposal options to ensure redundancy if other disposal facilities become unavailable at any time or there is some other disruption beyond MED-Project's control. Finally, approval at this time would be consistent with the Department's authority under Ordinance § 7.90.060.F of the Ordinance to approve change requests. *See* Attachment B: Petition for additional supporting information.

MED-Project appreciates your consideration of this matter. Please let me know if you have any questions about this letter.

Sincerely yours,



Dr. Victoria Travis, PharmD, MS, MBA
National Program Director

Attachment A

X. Vendors, Carriers & Transporters, Reverse Distributors & Transfer Facilities, and Disposal Facilities

A. Vendors

Name	Address	Phone	Website	Type
Covanta Environmental Solutions, LLC	190 Shellyland Road, Manheim, PA 17545	(717) 653-8882	www.covantaes.com	Vendor
PureWay Compliance, Inc.	20501 Katy Freeway, Suite 206, Katy, TX 77450	(877) 765-3030	http://pureway.com/	Vendor
Stericycle Specialty Waste Solutions, Inc.	2850 100th Court NE, Blaine, MN 55449	(612) 285-9865	www.stericycleenvironmental.com	Vendor

B. Carriers & Transporters

Name	Address	Phone	Website	Type
Covanta Environmental Solutions Carriers II, LLC	5300 N 33rd St, Milwaukee, WI 53209	(336) 683-0809	www.covantaes.com	Hazardous Waste Transporter
Doncin Transport, Inc.	3478 Sunnyside Rd, Manheim, PA 17545	(602) 344-4536	http://www.truckdrivingcdljobs.com/in/Pennsylvania/Manheim/DONCIN%20TRANSPORT%20INC.php	Contract Carrier
EMS Dispatch, Inc.	316 W Mt Vernon St, Lansdale, PA 19446	(717) 689-5129	https://www.facebook.com/pages/Ems-Dispatch/137953629908858	Contract Carrier
Heritage Transport	1626 Research Way, Indianapolis, IN 46231	(317) 486-2973	http://www.heritage-enviro.com/	Hazardous Waste Transporter
Omada Worldwide Expedite, Inc.	853 S. Columbia Road, Suite 175, Plainfield, IN 46168	(317) 293-5777	www.omadaworldwide.com	Contract Carrier

Name	Address	Phone	Website	Type
Online Transport Inc.	6311 W Stoner Dr, Greenfield, IN 46140	(317) 894-2159	http://www.onlinetransport.com/	Contract Carrier
Ross Transportation Services, Inc.	36790 Giles Road, Grafton, OH 44044	(440) 366-2000	http://www.rossenvironmental.com/services/transportation/	Private Carrier
Sodrel Logistics, LLC	1 Sodrel Dr, Clarksville, IN 47129	(812) 282-7941	http://www.sodreltrucking.com	Contract Carrier
Stericycle Specialty Waste Solutions, Inc.	2850 100th Court NE, Blaine, MN 55449	(612) 285-9865	www.stericycleenvironmental.com	Hazardous Waste Transporter
Tri-State Motor Transit Co.	8141 E. 7th St, Joplin, MO, 64801	(877) 860-1600	https://tristatesecure.com/	Hazardous Waste Transporter
United Parcel Service, Inc.	55 Glenlake Parkway NE, Atlanta, GA 30328	(800) PICK-UPS	www.UPS.com/	Common Carrier
United States Postal Service	475 L'Enfant Plaza, SW, Washington, DC 20260	(202) 268-2000	www.USPS.com/	Common Carrier
Waste Recovery Solutions, LLC	343 King St, Myerstown, PA 17067	(336) 683-0809	www.covantaes.com	Hazardous Waste Transporter

C. Reverse Distributors & Transfer Facilities

Name	Address	Phone	Website	Type
Covanta Environmental Solutions, LLC	2515 S Holt Rd, Indianapolis, IN 46241	(317) 719-6397	https://www.covanta.com/Our-Facilities/CES-Indy	DEA Registered Collector and Reverse Distributor
Covanta Manheim, Pennsylvania Facility	190 Shellyland Road, Manheim, PA 17545	(717) 653-8882	www.covantaes.com	DEA Registered Collector and Reverse Distributor
Stericycle, Inc. Warren, Ohio Facility	1901 Pine Avenue, SE, Warren, OH 44483	(330) 393-0370	www.stericycle.com/service-locations/ohio/warren	DEA Registered Collector and Reverse Distributor
Stericycle, Inc., Indianapolis, Indiana Facility	2670 Executive Drive, Suite A, Indianapolis, IN 46241	(317) 275-7530	www.stericycleevironmental.com	DEA Registered Reverse Distributor

D. Disposal Facilities

Name	Address	Phone	Website	Type
Clean Harbors Aragonite, LLC	11600 North Aptus Rd., Grantsville, UT 84029	(435) 884-8900	www.cleanharbors.com	Hazardous Waste Incinerator
Covanta Marion, Inc.	4850 Brooklake Rd NE, Brooks, OR 97305	(503) 393-0890	https://www.covanta.com/Our-Facilities/Covanta-Marion	Municipal Waste Combustor
Curtis Bay Energy, LP	3200 Hawkins Point Road, Baltimore, MD 21226	(855) 228-1715	www.curtisbayenergy.com	Medical Waste Incinerator

Name	Address	Phone	Website	Type
Heritage Thermal Services – Ohio	1250 Saint George Street, East Liverpool, OH 43920	(800) 545-7655	http://www.heritage-thermal.com/	Hazardous Waste Incinerator
Huntsville Solid Waste Disposal Authority	5251 Triana Blvd SW, Huntsville, AL 35805	(256) 882-1019	https://www.covanta.com/Our-Facilities/Covanta-Huntsville	Municipal Waste Combustor
Indianapolis Resource Recovery Facility in Indiana, operating as Covanta Indianapolis, Inc.	2320 S Harding St., Indianapolis, IN 46221	(317) 634-7367	http://www.covanta.com/facilities/facility-by-location/indianapolis.aspx	Municipal Waste Combustor
Lancaster County Waste to Energy Facility	1911 River Road, Bainbridge, PA 17502	(717) 397-9968	www.covanta.com	Municipal Waste Combustor
Ross Incineration Services, Inc.	36790 Giles Road, Grafton, OH 44044	(440)-748-5800	http://www.rossenvironmental.com/	Hazardous Waste Incinerator
Stericycle, Inc., Warren, Ohio Facility	1901 Pine Avenue, SE, Warren, OH 44483	(330) 393-0370	https://www.stericycle.com/service-locations/ohio/warren	Medical Waste Incinerator
Veolia – Port Arthur	7665 Highway 73, Beaumont, TX 77705	(409) 736-2821	www.veolianorthamerica.com	Hazardous Waste Incinerator
York County Resource Recovery Facility	2651 Blackbridge Road, York, PA 17406	(717) 843-2902	www.covanta.com	Municipal Waste Combustor

Attachment B**MED-PROJECT REQUEST FOR APPROVAL OF MUNICIPAL WASTE COMBUSTORS FOR DISPOSAL OF UNWANTED MEDICINES**

Pursuant to § 7.90.060 of the Marin County Safe Drug Disposal Ordinance, codified at Chapter 7.90 of the Marin County Code, MED-Project requests approval from the Department of the Marin County Environmental Health Services Division to use any permitted municipal waste combustor for the disposal of Unwanted Medicine (as defined in the MED-Project Product Stewardship Plan ("Plan") § IV). As described below, exercising discretion to allow for the disposal of Unwanted Medicine at any permitted municipal waste combustor would achieve the objectives of the Ordinance in accordance with § 7.90.060.F of the Ordinance.

I. HEALTH AND ENVIRONMENTAL PROTECTIONS AT MUNICIPAL WASTE COMBUSTORS

MED-Project is proposing that Unwanted Medicine may be delivered to a municipal waste combustor for disposal. Below, we describe some of the environmental, health, and safety protections in place at the municipal waste combustors MED-Project currently proposes to use. These summaries are intended to demonstrate the controls typically in place at municipal waste combustors for the purpose of supporting MED-Project's request for approval of the use of any municipal waste combustors as a disposal method for Unwanted Medicine.

a. Huntsville Solid Waste Disposal Authority Facility

The Solid Waste Disposal Authority Facility in Huntsville, Alabama ("Huntsville Facility") is a permitted large municipal waste combustor. The furnaces at the Huntsville Facility are operated at temperatures exceeding 1800 degrees Fahrenheit.¹ As a "waste-to-energy" facility, the Huntsville Facility uses solid waste, like Unwanted Medicine, to generate steam used for the U.S. Army's nearby Redstone Arsenal's heating and cooling needs.² To control air pollution, the Huntsville Facility employs semi-dry flue gas scrubbers injecting lime, fabric filter baghouses, a nitrogen oxide control system, a mercury control system, and a continuous emissions monitoring system.³ The Huntsville Facility operates under a Title V Clean Air Act permit.⁴ Additionally, the Huntsville Facility has been designated as a Voluntary Protection Program ("VPP") Star facility by the U.S. Occupational Safety and Health Administration ("OSHA"), recognizing the facility's employer's and employees' exemplary achievement in the prevention and control of occupational safety and health hazards.⁵

b. Indianapolis Resource Recovery Facility

The Indianapolis Resource Recovery Facility in Indiana, operating as Covanta Indianapolis, Inc., ("Indianapolis Facility"), is a permitted municipal waste combustor. As an energy-from-waste facility, the Indianapolis Facility can process up to 2,175 tons of waste per day, which generates steam for the

¹ See Solid Waste Disposal Authority of the City of Huntsville, Waste to Energy, <http://swdahsv.org/waste-to-energy/>.

² *Id.*

³ See Covanta, Covanta Huntsville, <https://www.covanta.com/Our-Facilities/Covanta-Huntsville>.

⁴ See Title V Operating Permit # AL0000000108900104.

⁵ *Id.*; U.S. Occupational Health and Safety Administration, All About VPP, https://www.osha.gov/dcsp/vpp/all_about_vpp.html (last visited Jan. 8, 2020).

downtown heating loop.⁶ To control air pollution, the Indianapolis Facility uses semi-dry flue gas scrubbers injecting lime, fabric filter baghouses, a nitrogen oxide control system, a mercury control system, and continuous emissions monitoring system.⁷ The Indianapolis Facility operates under a Title V Clean Air Act permit⁸ and has been designated a VPP Star facility by OSHA.⁹

c. Lancaster County Resource Recovery Facility

The Lancaster County Resource Recovery Facility in Pennsylvania (“Lancaster Facility”) is a permitted large municipal waste combustor. The Lancaster Facility is an “energy-from-waste” facility that incinerates waste and generates 35.7 megawatts per day from a condensing steam turbine that provides energy to GPU Energy.¹⁰ The Lancaster Facility employs a semi-dry flue gas scrubbers injecting lime, fabric filter baghouses, a furnace dry-lime inject system, a nitrogen oxide control system, a mercury control system, and a continuous emissions monitoring system.¹¹ Covanta Lancaster also operates under a Title V Clean Air Act permit¹² and a solid waste permit.¹³ Covanta Lancaster is a “zero discharge” facility, meaning that the wastewater generated on-site is treated and reused in the waste management process, according to the facility’s website.¹⁴ Covanta Lancaster has also been designated as a VPP Star facility by OSHA.¹⁵

d. York County Resource Recovery Facility

The York County Resource Recovery Facility in Pennsylvania (“York Facility”) is a permitted large municipal waste combustor. As an energy-from-waste facility, the York Facility uses solid waste, like Unwanted Medicine, to generate electricity.¹⁶ The facility processes over 1,300 tons of solid waste per day, generating up to 40 megawatts of electricity, enough to power over 20,000 homes, according to its website.¹⁷ To control air pollution, the York Facility employs a niro spray drying atomizer, a Western Pacific filter baghouse, and Norit Americas carbon injection.¹⁸ The York Facility also operates under a Title V Clean Air Act permit¹⁹ and a solid waste permit.²⁰ Additionally, the York Facility has been

⁶ See Covanta, Covanta Indianapolis, <https://www.covanta.com/Our-Facilities/Covanta-Indianapolis> (last visited Jan. 8, 2020).

⁷ *Id.*

⁸ See Title V Operating Permit # 097-32931-00123.

⁹ See Covanta, Covanta Indianapolis, <https://www.covanta.com/Our-Facilities/Covanta-Indianapolis> (last visited Jan. 8, 2020).

¹⁰ See Covanta, Covanta Lancaster, <https://www.covanta.com/Our-Facilities/Covanta-Lancaster> (last visited Jan. 8, 2020).

¹¹ *Id.*

¹² See Title V Operating Permit # 36-05013,

[http://files.dep.state.pa.us/Air/AirQuality/AQPortalFiles/Permits/PermitDocuments/1130890\[36-05013\] Issued v1.pdf](http://files.dep.state.pa.us/Air/AirQuality/AQPortalFiles/Permits/PermitDocuments/1130890[36-05013] Issued v1.pdf).

¹³ See Solid Waste Permit # 400592 PaDEP,

https://www.ahs.dep.pa.gov/eFACTSWeb/searchResults_singleFacility.aspx?FacilityID=255039.

¹⁴ See Covanta, Covanta Lancaster, <https://www.covanta.com/Our-Facilities/Covanta-Lancaster> (last visited Jan. 8, 2020).

¹⁵ *Id.*

¹⁶ See Covanta, Covanta York, <https://www.covanta.com/Our-Facilities/Covanta-York> (last visited Jan. 8, 2020).

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ See Title V Operating Permit # 67-05006,

[http://files.dep.state.pa.us/Air/AirQuality/AQPortalFiles/Permits/PermitDocuments/1141655\[67-05006\] Issued v1.pdf](http://files.dep.state.pa.us/Air/AirQuality/AQPortalFiles/Permits/PermitDocuments/1141655[67-05006] Issued v1.pdf).

²⁰ See Solid Waste Permit # 400561 PaDEP,

https://www.ahs.dep.pa.gov/eFACTSWeb/searchResults_singleFacility.aspx?FacilityID=471124.

designated as a VPP Star facility by OSHA and has also been awarded ISO-140001 certification for the facility's environmental management system.²¹

II. THE REGULATIONS SUPPORTS THE USE OF A MUNICIPAL WASTE COMBUSTOR FOR THE DISPOSAL OF UNWANTED MEDICINE

In approving a plan, the Department may exercise reasonable discretion to waive strict compliance with the requirements of this Chapter that apply to Producers in order to achieve the objectives of this Chapter. *See* Ordinance § 7.90.060.F.

Additionally, under the Ordinance § 7.90.090.C, a Stewardship Plan may petition the Director for approval to use final disposal technologies that provide superior environmental and human health protection or equivalent protection at lesser costs than those provided by the disposal technologies in subsection (B) of § 7.90.090.

With these requirements and the purposes of the Regulations in mind, MED-Project requests that the Supervisor approve the use of municipal waste combustors to dispose of Unwanted Medicine.

III. THE USE OF MUNICIPAL WASTE COMBUSTORS TO DISPOSE OF UNWANTED MEDICINE SHOULD BE APPROVED

MED-Project proposes to use municipal waste combustors to dispose of Unwanted Medicine under Ordinance § 7.90.090.C, because exclusive disposal at hazardous waste or medical waste facility is not feasible based on based on logistics, cost, human health, environmental, and other considerations. Use of these municipal waste combustors would protect and preserve public health, safety, and welfare, consistent with the objectives of the Regulations.

First, MED-Project has engaged multiple vendors to provide a comprehensive and reliable suite of services to residents of Marin County, as ensuring the reliability and consistency of service requires using a variety of disposal facilities and vendors. For the disposal of Unwanted Medicine, MED-Project plans to rely on Stericycle Specialty Waste Solutions, Inc. ("Stericycle") and Covanta Environmental Solutions, LLC ("Covanta") in order to ensure redundancy of services in case either vendor's services are unavailable at any time, to control costs, to maintain flexibility, and to provide multiple options for the provision of these services. Stericycle and Covanta currently offer disposal of Unwanted Medicine at hazardous waste, medical waste,²² and municipal waste facilities, but exclusive use of hazardous waste facilities would limit the number of facilities available to MED-Project for the purposes described above and would increase costs as discussed further below. Additionally, hazardous waste disposal may not be available for all Unwanted Medicine collection methods (e.g., collection via Inhaler Mail-Back Packages).

Second, the cost to dispose of Unwanted Medicine at a hazardous waste disposal facility would be much greater than the cost to dispose of such packages at the proposed municipal waste combustors. In MED-Project's experience, hazardous waste incinerators typically charge significantly more than other facilities to dispose of the same quantity of waste. Compliance, logistical feasibility, cost, and other considerations typically drive how MED-Project and its vendors select disposal facilities, and MED-Project appreciates the

²¹ See Covanta, Covanta York, <https://www.covanta.com/Our-Facilities/Covanta-York> (last visited Jan. 8, 2020).

²² Use of medical waste facilities was previously approved for the disposal of Injector Mail-Back Packages, Inhaler Mail-Back Packages, and Standard Mail-Back Packages in the December 2018 approved plan. The cover letter attached to this request makes an additional request – to allow the use of medical waste facilities for the disposal of all categories of Unwanted Medicine, including Unwanted Medicine collected at Kiosk Drop-Off Sites.

flexibility to respond to those factors and others as it operates its program with a variety of disposal options.

Third, municipal waste combustors protect and preserve public health, safety, and welfare. Municipal waste combustors are subject to a number of environmental permitting requirements, consistent with the Regulations' underlying objective of protecting and preserving public health, safety, and welfare. For example, the municipal waste combustors described above have Title V air permits and have installed extensive pollution control technologies, including semi-dry flue gas scrubbers injecting lime, fabric filter baghouses, nitrogen oxide control systems, mercury control systems, and continuous emissions monitoring systems. The facilities identified above are waste-to-energy facilities, which avoid the production of the greenhouse gas methane while producing electricity. Many of these facilities have also been recognized for their workplace safety achievements, as evidenced by their designation as VPP Star facilities. The use of these facilities and other municipal waste combustors would protect and preserve public health, safety, and welfare in furtherance of the objectives of the Regulations.

Fourth, there are no other laws or requirements, outside of the Regulations, that would require MED-Project to dispose of Unwanted Medicine at a medical waste or hazardous waste incinerator or preclude MED-Project from disposing of these materials at a municipal waste combustor. In fact, the U.S. Environmental Protection Agency has issued a memorandum stating clearly that collected household pharmaceuticals are not subject to federal hazardous waste regulations, and can be sent to large and small municipal waste combustors.²³ Any Unwanted Medicine collected by MED-Project under this Plan is not regulated under the state dangerous waste regulations or federal hazardous waste regulations, and therefore are not required to be treated as hazardous or dangerous waste. MED-Project plans to dispose of Unwanted Medicine from other nearby jurisdictions at municipal waste combustors, and any variation in Marin County would disrupt the existing waste management network across MED-Project's programs.

Finally, other jurisdictions with legislation similar to the Ordinance clearly allow for disposal of Unwanted Medicine at municipal waste combustors. MED-Project plans to dispose of Unwanted Medicine from those jurisdictions at municipal waste combustors, and any variation in Marin would disrupt the existing waste management network across MED-Project's programs.

IV. CONCLUSION

For the above reasons, the Department should approve the disposal of Unwanted Medicine at municipal waste combustors.

²³ See Memorandum on Management of Household Pharmaceuticals Collected by Law Enforcement During Take-Back Events and Programs, from Barnes Johnson, Office of Resource Conservation and Recovery, to RCRA Division Directors, EPA Regions 1-10 (Sep. 11, 2018).

Attachment C

Covanta Environmental Solutions, LLC Penalty Record

Date	Statute	Source ID	Statute	Compliance Monitoring Type	Lead Agency	Violation
5/15/18	RCR A	INR000144303	RCR A	Compliance Evaluation Inspection On-Site	State	279.F: Used Oil – Processors and Re-refiners

Stericycle, Inc., Warren, Ohio Facility Penalty Record

Source ID	Statute	Violation Type	Agency	Programs	Pollutants	Violation Date
OH0000000278080634	CAA	FRV	OH	CAANSPS, CAASIP, CAATVP	FACIL	10/20/2018

Stericycle, Inc., Indianapolis, Indiana Facility Penalty Record

Date	Type	Summary	Violation Detail	Corrective Action Completion Date	Return to Compliance	Corrective Action
6/15/2017	RCR A	Inventory weight discrepancy	Discrepancy on the haz waste inventory log	6/15/2017	6/15/2017	Violation corrected during audit, no further action required
3/29/2017	RCR A	Inventory weight discrepancy	Discrepancy on the haz waste inventory log	3/29/2017	3/29/2017	Violation corrected during audit, no further action required
3/29/2017	RCR A	Hazardous waste labeling	Containers missing date	3/29/2017	3/29/2017	Violation corrected during audit, no further action required
7/25/2016	RCR A	Inventory dates	Inventory dates and physical dates on containers did not match	8/24/2016	10/25/2016	Responded to IDEM with corrective action plan; issue closed with Return to Compliance Letter
7/17/2015	RCR A	Hazardous waste labeling	Unlabeled universal waste pallets	10/20/2015	11/17/2015	Responded to IDEM with corrective action plan; issue closed with Return to Compliance Letter
7/17/2015	RCR A	Contingency Plan	Contingency Plan list of emergency coordinators not updated with current contact information	10/20/2015	11/17/2015	Responded to IDEM with corrective action plan; issue closed with Return to Compliance Letter

Clean Harbors Aragonite, LLC Enforcement Action Summary Report



Enforcement Action Summary Report

<i>Facility</i>		<i>Aragonite</i>					
<i>Date Recieved</i>	<i>Agency</i>	<i>Enforcement Type</i>	<i>Alleged Violation</i>	<i>Proposed Penalty</i>	<i>Status</i>	<i>Resolution Date</i>	<i>Penalty Paid</i>
10/20/2016	UDEQ	Notice of Violation	1) Storage facility for water supply had a leak at the time of inspection, 2) the public water supply storage vessel showed signs of a leak .	\$0.00	Resolved w/o Penalty	12/14/2016	\$0.00
		<i>EA Number:</i>	<i>Description of Resolution:</i>	Repaired the tanks.			
2/8/2017	UDEQ - DDW	Notice of Violation	Failure to monitor and report for pesticides and volatile organic compounds in 2016.	\$0.00	Resolved w/o Penalty	2/15/2017	\$0.00
		<i>EA Number:</i>	<i>Description of Resolution:</i>	Updated testing was conducted.			
5/16/2018	UDEQ - Division of Air Quality	Notice of Violation	Failure to submit stack test results, deviation reports, leak detection and repair reports, Benzene NESHAP reports, semi-annual reports and compliance certifications in a timely manner.	\$23,750.00	Resolved	5/21/2018	\$23,750.00
		<i>EA Number:</i>	<i>Description of Resolution:</i>				
1/28/2019	US DEA	Notice of Violation	1) Failure to file annual inventory. 2) delinquent filing of quarterly ARCOS reports, failure to maintain a separate file for Schedule 1 and 2 and Schedule 3 through five controlled substances, 4) failure to record time of annual inventory.	\$120,000.00	Resolved	5/8/2019	\$96,000.00
		<i>EA Number:</i>	<i>Description of Resolution:</i>	Payment of a civil penalty.			

Curtis Bay Energy, LP Penalty Record

Date	Type	Summary	Detail	Fine Amount	Return to Compliance Date	Corrective Action
March 2015	Air	HCl Emissions failure was caused by incomplete Trona injection, CO Emissions failure was caused by incomplete combustion of the waste, and Opacity Emission. Failure was caused by bag malfunction	Hydrogen Chloride (HCl), Carbon Monoxide (CO), and opacity limit exceedance	fine amount \$125,000, settlement \$50,000	January 2016	<ul style="list-style-type: none"> i. HCl Emissions failure was addressed Installation of a DSI (Dry Sorbent Injection System) ii. CO failure was addressed by implementing better engineering practices and installing a new conveyor system for providing enhanced blended for better emissions control. iii. Opacity Emissions Failure was corrected with ongoing preventive maintenance of the bags.

Heritage Thermal Services – Ohio Penalty Record

Type of Action	Date	Address	Regulatory Body/Agency	Description of Alleged Violation	Fine Amount	Final Disposition
NOV	5/17/2019		DAPC	HTS exceeded THC 1-hr rolling.		Closed – Abatement was completed prior to NOV letter.
NOV	2/27/2019		DAPC	HTS exceeded THC 1-hr rolling.		Closed – Abatement was completed prior to NOV letter.
NOV	11/2/2018		US EPA	HTS failed to provide necessary information on labels for satellite drum and slag trailer.		Closed - HTS abated the issue while inspector was on-site. This is noted in the NOV letter.
NOV	8/10/2018		DAPC	HTS exceeded THC 1-hr rolling.		Closed - HTS to respond within 30 days with corrective action plan. HTS responded in letter dated 9/5/18.
NOV	5/30/2018		DAPC	HTS exceeded THC 1-hr rolling average on March 25, 2017 (Title V).		Closed - HTS to respond within 30 days with corrective action plan. HTS responded in letter dated 6/21/18.
NOV	2/23/2018		DAPC	HTS exceeded THC 1-hr rolling average.	NA	Closed - HTS to respond within 30 days with corrective action plan. HTS responded in letter dated 3/21/18. HTS received ROV (Resolution of Violation) in letter dated 4/3/18.
NOV	5/26/2017		DAPC	HTS exceeded THC 1-hr rolling average on March 25, 2017 (Title V).	NA	Closed – OEPA issued resolution of violation letter on 7/11/17.

Type of Action	Date	Address	Regulatory Body/Agency	Description of Alleged Violation	Fine Amount	Final Disposition
NOV	2/12/2016		OSHA	Failure to ensure employee was wearing proper PPE.	\$27,720	Closed – HTS settled this matter on October 14, 2016.
NOV	1/21/2016		DAPC	HTS exceeded NOx 3hr block average on June 28, 2015 (Title V).	NA	Closed - NOV resolved in letter dated 02/25/16; HTS responded with action plan in a letter dated February 5, 2016.
Director's Final Findings & Orders	4/2/2015	1250 Saint George Street East Liverpool, Ohio, 43920	Ohio EPA DAPC and DMWM	Close the NOV's issued to HTS due to the 7/13/13 Incident: Dust Nuisance (DAPC) Unlawful disposal of hazardous waste and improper maintenance and operation of equipment (DMWM)	\$34,000	Closed - HTS completed the requirements of the DFFO June 25, 2015.
Finding of Violation	3/25/2015	1250 Saint George Street East Liverpool, Ohio, 43920	US EPA	HTS exceeded MACT and Title V OPLs on several occasions	TBD	HTS is in discussions with US EPA

Indianapolis Resource Recovery Facility in Indiana, operating as Covanta Indianapolis, Inc.

Statute	System	Source ID	Action Type	Case No.	Lead Agency	Case Name	Date	State / Local Penalty
CAA	ICIS-Air	AIR/IN00000 01809700123	Administrative - Formal	IN000A2001 55865	State	2017- 24637-A	10/3/2 017	\$500

Ross Incineration Services Penalty Record

RCRA Violations							
Source ID	Registry ID	Status Type	Violation	Activity Location	Agency	Violation Type	Violation Date
OHD048415665	110000385592	Violation	TSD - Container Use and Management	OH	OH	264.I	11/16/2018
OHD048415665	110000385592	Violation	Generators - Pre-transport	OH	OH	262.C	03/12/2019
OHD048415665	110000385592	Violation	TSD IS-Container Use and Management	OH	OH	265.I	06/25/2018
OHD048415665	110000385592	Violation	TSD - Container Use and Management	OH	OH	264.I	11/14/2017
OHD048415665	110000385592	Violation	TSD - Container Use and Management	OH	OH	264.I	03/12/2018
OHD048415665	110000385592	Violation	TSD IS-Container Use and Management	OH	OH	265.I	03/13/2017
OHD048415665	110000385592	Violation	TSD - Preparedness and Prevention	OH	OH	264.C	03/13/2017
OHD048415665	110000385592	Violation	TSD - Manifest/Records/Reporting	OH	OH	264.E	11/14/2017
OHD048415665	110000385592	Violation	Permit Condition or Requirement	OH	OH	PCR	12/16/2016
OHD048415665	110000385592	Violation	TSD - Incinerator Standards	OH	OH	264.O	12/16/2016
OHD048415665	110000385592	Violation	TSD - Incinerator Standards	OH	OH	264.O	11/17/2016
OHD048415665	110000385592	Violation	Permit Condition or Requirement	OH	OH	PCR	11/17/2016

RCRA Violations							
Source ID	Registry ID	Status Type	Violation	Activity Location	Agency	Violation Type	Violation Date
OHD048415665	110000385592	Violation	TSD - Manifest/Records/Reporting	OH	OH	264.E	11/16/2018
OHD048415665	110000385592	Violation	TSD - Preparedness and Prevention	OH	OH	264.C	11/16/2018
OHD048415665	110000385592	Violation	TSD - Container Use and Management	OH	OH	264.I	11/16/2018

CCA Violations						
Source ID	Registry ID	Status Type	AIR Programs	AIR Pollutants	Agency	Violation Date
OH0000000247050278	110000385592	Federally Reportable Violations	CAAMACT, CAASIP, CAATVP	FACIL	OH	03/16/2018
OH0000000247050278	110000385592	Federally Reportable Violations	CAAMACT, CAASIP, CAATVP	FACIL	OH	11/23/2018

Veolia – Port Arthur Penalty Record

Inspection Date	Type of inspection	Name of inspector and Regulatory Agency	Alleged Violations	VEOLIA Responses and/or Corrective Actions Taken
1/17/2019	CAA	TCEQ	<ol style="list-style-type: none"> 1) Failure to maintain tons per year emissions for permitted sources on a 12-month rolling period basis. 2) Failure to maintain the Hazardous Waste Permit minimum voltage requirements at the Ionizing Wet Scrubber (IWS) equipment. 3) Failure to comply with the EPA and the Hazardous Waste Permit minimum voltage requirements at the Ionizing Wet Scrubber (IWS) equipment. 4) Failure to comply with the EPA minimum kilovolts-amps requirement at the Wet Electrostatic Precipitator (WESP). 5) Failure to maintain the CO emission rate at the Incinerator (EPN INCINSTK). 6) Failure to limit Carbon Monoxide concentration to 100 parts per million by volume (ppmv) at the Incinerator. 7) Failure to maintain Incinerator minimum combustion temperatures. 8) Failure to certify the Permit Compliance Certification. 9) Failure to report all instances of deviations. 	<p>3/18/2019: Received NOV letter</p> <p>4/25/2019: Submitted Corrective Action Plan</p>

Inspection Date	Type of inspection	Name of inspector and Regulatory Agency	Alleged Violations	VEOLIA Responses and/or Corrective Actions Taken
8/21/2018	Drinking Water	TCEQ	<p>Monitoring Violations</p> <p>1) Paperwork Error on the Chain of Custody</p>	<p>8/30/2018: Received a Monitoring Violation: Revised Coliform Rule</p> <p>10/19/2018: Posted required public notice in all Veolia Port Arthur Buildings</p> <p>10/22/2018: Submitted copy of Monitoring Violation Public Notice and Certificate of Delivery to TCEQ. No further action required.</p>
6/13-21/2018	RCRA	TCEQ	<p>Alleged Violations:</p> <p>1) Failure to maintain inspection records as required by permit.</p> <p>2) Failure to Maintain aisle space to allow unobstructed movement of personnel and emergency response equipment.</p> <p>Additional Issues:</p> <p>3) A concern the regulated entity may not be meeting the requirements of properly maintaining an accurate storage inventory amount.</p> <p>4) The concern is the regulated entity may not be meeting the requirements of properly storing incompatible waste.</p>	<p>9/21/2018: Submitted a response to TCEQ.</p> <p>1/4/2019: Received Letter from TCEQ stating no further action required.</p>

Inspection Date	Type of inspection	Name of inspector and Regulatory Agency	Alleged Violations	VEOLIA Responses and/or Corrective Actions Taken
2/22/2018	OPCC	TCEQ	<ol style="list-style-type: none"> 1) Failure to maintain the CO emission rate at the Incinerator. 2) Failure to limit Carbon Monoxide concentration at 100 parts per million by volume (ppmv) at the Incinerator. 3) Failure to maintain Incinerator minimum combustion temperatures. 4) Failure to maintain Beryllium, Selenium, and Chromium emission rates at the Incinerator. 5) Failure to limit combined Arsenic-Beryllium-Chromium emissions at the Incinerator. 6) Failure to maintain Mercury emission rates at the Incinerator. 7) Failure to limit Mercury emissions at the Incinerator. 8) Failure to maintain the Hazardous Waste Permit minimum voltage requirements at the Ionizing Wet Scrubber. 9) Failure to maintain EPA and Hazardous Waste Permit minimum voltage requirements at the Ionizing Wet Scrubber (IWS) equipment. 	<p>4/26/2018: Received Notice of Violation.</p> <p>5/25/2018: Submitted a Response to NOV.</p> <p>10/15/2018: Received a letter from TCEQ stating no further action required.</p>
6/15/2017	TPDES	TCEQ	No Violations - Three Areas of Concern	8/9/2017: Received a letter from the TCEQ stating no violations are alleged.

Inspection Date	Type of inspection	Name of inspector and Regulatory Agency	Alleged Violations	VEOLIA Responses and/or Corrective Actions Taken
3/9/2017	CAA	TCEQ	<ol style="list-style-type: none"> 1) Failure to maintain the Carbon Monoxide emission rate of 17.10 pounds per hour at the incinerator. 2) Failure to maintain Carbon Monoxide emissions of 100 parts per million by volume (ppmv) at the incinerator. 3) Failure to maintain incinerator minimum combustion temperatures. 4) Failure to maintain Arsenic and Chromium emission rates at the Incinerator. 5) Failure to maintain combined Cadmium-Lead and combined Arsenic-Beryllium-Chromium emissions at the Incinerator. 6) Failure to maintain the Carbon Monoxide emission rate of 17.10 pounds per hour during start-up at the Incinerator. 	<p>4/18/2017: Received NOV</p> <p>5/27/2017: Submitted Corrective Action Plan</p> <p>9/29/2017: Received a letter from the TCEQ stating adequate compliance documentation was received and no further action required</p>

Inspection Date	Type of inspection	Name of inspector and Regulatory Agency	Alleged Violations	VEOLIA Responses and/or Corrective Actions Taken
4/6/2016-5/16/2016	RCRA	TCEQ	<ol style="list-style-type: none"> 1) Failure to maintain hazardous waste tanks inspection records. 2) Failure to maintain a current NOR status of INACTIVE for hazardous waste tanks inspection records. 3) Failure to include on the emergency equipment list, One Self-Contained Breathing Apparatus (SCBA) located at the onsite Response Office. 4) Failure to have legible posted signs with the legend Danger-Unauthorized Personnel Keep Out. 5) Failure to have adequate security to prevent unknowing site entry. 	<p>7/26/2016: Received NOV</p> <p>8/25/2016: Submitted Corrective Action Response/Received 8/29/2016</p> <p>3/1/2017: Received a letter from the TCEQ stating no further action required</p>

Inspection Date	Type of inspection	Name of inspector and Regulatory Agency	Alleged Violations	VEOLIA Responses and/or Corrective Actions Taken
1/26/2016	CAA Title V/NSR Air	TCEQ	<ol style="list-style-type: none"> 1) Failure to maintain the Carbon Monoxide emission rate of 17.10 pounds per hour at the Incinerator. 2) Failure to maintain Carbon Monoxide emissions of 100 parts per million by volume (ppmv) at the Incinerator. 3) Failure to maintain Incinerator minimum combustion temperatures. 4) Failure to maintain Arsenic, Beryllium, Cadmium, Chromium and Nickel emission rates at the Incinerator. 5) Failure to maintain combined Cadmium-Lead and combined Arsenic-Beryllium-Chromium emissions at the Incinerator. 6) Failure to prevent visible emissions at Tank T102. 7) Failure to make a first attempt at repair no later than 5 days after a leak is detected and failed to repair a leak no later than 15 days after a leak is detected. 	<p>4/27/2016: Received NOV from the TCEQ</p> <p>6/3/2016: Submitted a response to the TCEQ.</p> <p>9/20/2016: Received a letter from the TCEQ stating no further action required</p>

Inspection Date	Type of inspection	Name of inspector and Regulatory Agency	Alleged Violations	VEOLIA Responses and/or Corrective Actions Taken
4/22/2015	TPDES	TCEQ	<p>Received Preliminary Alleged Violation List</p> <ol style="list-style-type: none"> 1) Failure to collect ammonia-nitrogen sample at the frequency specified in the Water Quality Discharge Permit for Outfall 001. 2) Failure to comply with test procedures specified in 30 TAC 319.11-319.12. 3) Failure to properly calculate the daily average for E. coli. 4) Failure to correctly report effluent data on the discharge monitoring report. 	<p>5/20/2015: Submitted a response to TCEQ</p> <p>6/10/2015: Received a letter from the TCEQ stating no further action is required.</p>
1/30/2015	Drinking Water	TCEQ	<p>Received NOV for failure to Provide or Report Public Notice.</p>	<p>2/20/2015: Submitted a response to TCEQ.</p> <p>12/31/2015: No further correspondence received.</p>
1/16/2015	Drinking Water	TCEQ	<ol style="list-style-type: none"> 1) Failure to have an accurate and up to date plant operations manual. 2) Failure to inspect the interior of the 5,000-gallon pressure tank at least once every 5 years. 3) Failure to notify TCEQ prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities. 4) Failure to record the amount of chemicals used at least once a week. 	<p>3/12/2015: Received NOV from TCEQ</p> <p>5/29/2015: Submitted a response to TCEQ</p> <p>7/30/2015: Received a request from the TCEQ for additional information.</p> <p>11/3/2015: Submitted a response to TCEQ</p> <p>12/30/2015: Received a letter from the TCEQ stating the drinking water project was approved. No further documentation was required to address the NOV.</p>

Inspection Date	Type of inspection	Name of inspector and Regulatory Agency	Alleged Violations	VEOLIA Responses and/or Corrective Actions Taken
1/6/2015	Air	TCEQ	1) Failure to maintain the Carbon Monoxide emission rate at the Incinerator. For the time period of April 4, 2014 through August 18, 2014.	3/6/2015: Submitted a response to the TCEQ. 6/24/2015: Received a letter from TCEQ stating no further action is required.
11/3/2014	Drinking Water	TCEQ	Received an NOV for failure to submit Disinfectant Level Quarterly Operating Report.	11/10/2014: Submitted Response to TCEQ stating all monitoring was completed but report submitted after the due date. A cohesive and thorough compliance checklist was developed to ensure reports are submitted on a timely basis. No further correspondence received.