

COMPLIANCE HISTORY
FOR THE
TOOELE ARMY DEPOT SOUTH AREA (TEAD-S)
(FORMERLY DESERET CHEMICAL DEPOT)
INCLUDING
THE TOOELE ARMY DEPOT SOUTH AREA
THE CHEMICAL AGENT MUNITIONS DISPOSAL SYSTEM
THE TOOELE CHEMICAL AGENT DEMILITARIZATION FACILITY

ACTION: **NOTICE OF VIOLATION** (1911117) issued on November 18, 2019.

ISSUES: Failing to complete the Munitions Mix Evaluator spreadsheet for multiple days of operation at the Open Detonation range.
Exceeding the one-hour nickel emissions limit on 17 days.

RESOLUTION: **STIPULATION AND CONSENT ORDER** (2001003) signed August 10, 2020. It includes a penalty of \$7,753.

ACTION: **WARNING LETTER** (1310020) issued on December 5, 2013.

ISSUES: Failing to retain records of all monitoring information.
Failing to keep all containers of hazardous waste closed during storage.
Failing to notify the Director when batches of waste treated in the Autoclave received an additional treatment.

RESOLUTION: TEAD-S and TOCDF have responded and the Division now considers the issues to be closed.

ACTION: **NOTICE OF VIOLATION** (1211012) issued on November 19, 2012.

ISSUES: Failing to place hazardous waste in a container.
Failing to keep lists of emergency equipment up to date.
Failing to transfer hazardous waste from a container in poor condition to a container in good condition.
Failing to fill out inspection log sheets completely and accurately.
Failing to properly monitor a tray of incinerated hazardous waste.
Failing to follow the agent monitoring plan.

RESOLUTION: The Director issued a letter dated February 7, 2013, acknowledging that all issues cited in the NOV had been resolved.

ACTION: **NOTICE OF VIOLATION** (1111029) issued on December 6, 2011.

ISSUES: Installation of a new treatment unit prior to receiving approval.
Failure to follow the facility waste analysis plan.
Failure to properly document inspections.
Failure to remove a sump from service following detection of a leak.
Exceeding permitted incinerator feed rates.
Failure to properly monitor waste.
Failure to follow incinerator operating parameters.
Failure to follow the agent monitoring plan.
Failure to conduct required maintenance and testing.

RESOLUTION: **STIPULATION AND CONSENT ORDER** (1203003) signed July 11, 2012. The SCO included additional findings documented during inspections after September 2011 and prior to January 1, 2012. It included a penalty of \$3,691.00.

ACTION: **NOTICE OF VIOLATION** (1011013) issued on December 9, 2010.

ISSUES: Failure to keep an accurate operating record.
Failure to inspect and follow inspection and calibration plans.
Failure to properly notify the facility Emergency Operation Center.
Improper disposal of waste.
Failure to place waste in containers.
Failure to maintain secondary containment.
Failure to follow the waste analysis plan.
Failure to ensure all employees follow the training plan.
Exceeding permitted incinerator feed rates.
Treating waste prior to approval being received and using an unpermitted treatment method.
Failure to submit test data to the Executive Secretary.
Failure to follow procedures.

RESOLUTION: **STIPULATION AND CONSENT ORDER** (1103023) signed August 16, 2011. The SCO included additional findings documented during inspections or were self-reported by the facilities after September 2010 and prior to January 1, 2011. It included a penalty of \$19,240.50. \$10,000.00 of the penalty was paid to the Western Sates Project as a Supplemental Environmental Project.

ACTION: **NOTICE OF VIOLATION** (1001001) issued on January 6, 2010.

ISSUES: Failure to sound the facility masking alarm as required.
Failure to properly manage sumps.
Exceeding waste feed parameters.
Failure to follow the facility agent monitoring plan.
Failure to follow the laboratory quality control plan.

RESOLUTION: The Director issued a letter dated April 26, 2010, acknowledging that all issues cited in the NOV had been resolved.

ACTION: **NOTICE OF VIOLATION** (0811041) issued on January 5, 2009.

ISSUES: Failure to place hazardous waste into labeled and dated containers.
Failure to keep containers of hazardous waste closed when not adding or removing waste.
Failure to transfer hazardous waste from containers in poor condition to good condition containers.
Failure to properly operate and maintain all facilities and systems used by the Permittee to achieve compliance with the permit.
Failure to follow agent monitoring plans and procedures.
Failure to follow laboratory procedures and plans.
Failure to follow waste analysis plans.
Failure to monitor for CO at all times during waste feed.
Failure to implement a contingency plan.
Failure to submit a written report.
Exceeding explosive limits.

RESOLUTION: **STIPULATION AND CONSENT ORDER** (0904005) signed November 16, 2009, when it was signed by all parties. The SCO included additional findings documented during inspections or were self reported by the facilities after September 2008 and prior to the end of March 2009. It included a penalty of \$15,757.25.

ACTION: **NOTICE OF VIOLATION** (0712032) issued on February 4, 2008.

ISSUES: Failure to send notice of Class 1 permit modifications to persons on the facility mailing list.
Storage of hazardous waste for more than 90 days without a permit.
Failure to place hazardous waste into labeled and dated containers.
Storage of waste in a satellite storage area that does not meet the criteria for satellite storage.
Failure to keep containers of hazardous waste closed when not adding or removing waste.
Failure to orally report a confirmed agent reading.
Failure to maintain an accurate written operating record.
Failure to manage containers of hazardous waste within secondary containment.
Failure to maintain proper aisle space in permitted storage areas.
Failure to properly operate and maintain all facilities and systems used by the Permittee to achieve compliance with the permit.
Failure to ensure that permitted storage areas were secured.
Failure to follow inspection procedures.
Failure to store containers of hazardous waste in a manner that will not

cause them to rupture or leak.
Failure to maintain incinerator temperatures at permitted levels.
Failure to maintain all pollution abatement system settings at permitted levels.
Failure to follow agent monitoring plans and procedures.
Failure to follow laboratory procedures and plans.
Failure to store hazardous waste in a permitted storage area.
Failure to follow waste analysis plans.
Failure to properly operate and maintain waste feed cut-off instruments while incinerating waste.
Failure to monitor for CO at all times during waste feed.
Failure to maintain the interior coating of a secondary containment vault so that it will prevent migration of waste into the concrete.

RESOLUTION: **STIPULATION AND CONSENT ORDER** (0805011) signed October 15, 2008. It included a penalty of \$72,860.25.

ACTION: **NOTICE OF VIOLATION** (0611044) issued on January 24, 2007.

ISSUES: Failure to place hazardous waste in containers.
Failure to close containers of hazardous waste when not adding or removing waste.
Failure to label containers of hazardous waste.
Exceeding the 90-day time limit allowed for storage of newly generated waste.
Failing to maintain lists of emergency equipment.
Failure to keep an accurate operating record.
Storage of hazardous waste for longer than the 1 year allowed.
Failure to follow training plans.
Failure to maintain adequate aisle space between rows of containers of hazardous waste.
Failure to submit and receive approval for permit modifications.
Failure to report a release of hazardous waste.
Failure to follow the facility waste analysis plan.
Failure to submit closure plans.
Failure to provide notification of filter breakthrough.
Failure to follow agent monitoring plans.
Treatment of hazardous waste in an un-permitted treatment unit.
Failure to follow calibration plans.
Failure to submit data as required.
Failure to follow laboratory procedures.

RESOLUTION: **STIPULATION AND CONSENT ORDER** (0705015) signed November 14, 2007. It included a penalty of \$108,791.05.

ACTION: **NOTICE OF VIOLATION** (0601001) issued on March 9, 2006.

ISSUES: Failure to submit a Class 1 permit modification request within required timeframe.
Failure to place hazardous waste into containers.
Failure to place correct accumulation start dates on containers of hazardous waste.
Failure to label and date containers of hazardous waste.
Exceeding the 90-day time limit allowed for storage of newly generated waste.
Failure to have all necessary emergency response equipment.
Failure to properly inspect areas where newly generated waste is stored for 90 days or less.
Failure to have a device capable of summoning external emergency assistance.
Failure to maintain accurate operating records.
Failure to keep containers of hazardous waste closed when not adding or removing waste.
Storage of hazardous waste for longer than the 1 year allowed.
Implementing permit modifications without first obtaining approval from the Executive Secretary.
Failure to properly operate and maintain all systems of treatment and control.
Failure to keep accurate monitoring records.
Failure to follow inspection procedures.
Failure to develop and use procedures for handling of specific items.
Operating without medical support personnel on-site.
Failure to follow the Contingency Plan.
Failure to continuously monitor exhaust from filters and to analyze DAAMS tubes when required.
Placing potentially incompatible wastes in tanks that have not been cleaned and decontaminated.
Leaving waste in sumps for longer than the 24- hours allowed and exceeding the permitted sump level.
Exceeding waste feed rates for incinerators.
Numerous failures to follow laboratory and monitoring quality control plans.
Failure to orally report certain types of spills to the Executive Secretary.
Failure to submit written reports in the required timeframes.
Failure to follow waste analysis plans.
Failure to follow training plans.
Failure to comply with operating and notification requirements for miscellaneous treatment units.
Failure to verify if overpack containers contain leaking munitions.
Failure to follow agent monitoring plans.

RESOLUTION: **JUDICIAL CONSENT DECREE** signed February 14, 2007. It included a penalty of \$215,725.73.

ACTION: **NOTICE OF VIOLATION** (0411037) issued on February 7, 2005.

ISSUES: Failure to publish notice of a permit modification request within seven days.
 Failure to submit permit modifications within seven days.
 Failure to keep the list of emergency coordinators up to date.
 Failure to submit required reports within allowed time limits.
 Failure to keep a complete operating record.
 Failure to follow requirements for generators of hazardous waste.
 Failure to keep containers of hazardous waste closed while in storage.
 Storage of hazardous waste restricted from land disposal for longer than one year.
 Storage of hazardous waste in unpermitted areas.
 Storage of hazardous waste that the facility is not permitted to store.
 Storage of hazardous waste in containers that are not in good condition.
 Failure to maintain adequate aisle space.
 Failure to follow monitoring plans and procedures.
 Failure to design, construct, maintain and operate facilities to minimize a release to the environment.
 Failure to follow facility inspection plans.
 Failure to follow facility contingency plans.
 Performance of unpermitted treatment of hazardous waste.
 Failure to follow facility waste analysis plans.
 Failure to follow facility training plans.
 Failure to provide leak detection equipment capable of detecting a release of hazardous waste.
 Placement of unpermitted hazardous waste into a tank system.
 Failure to operate tank systems in accordance with permit requirements.
 Failure to follow trial burn plans.
 Failure to cut-off waste feed as required by permit.
 Exceeding waste feed limits or feeding waste to incinerators improperly.
 Failure to perform closure activities as required by regulations.

RESOLUTION: **JUDICIAL CONSENT DECREE** signed January 17, 2006. It includes a penalty of \$125,115.

ACTION: **NOTICE OF VIOLATION** (0310026) issued on December 22, 2003.

ISSUES: Failure to give notice of a permit modification request within 90 days.
 Failure to follow requirements for generators of hazardous waste.
 Failure to decontaminate a tank prior to placing a different waste in the tank.
 Failure to remove a tank system from service.
 Failure to follow monitoring plans and procedures.
 Failure to design, construct, maintain and operate facilities to minimize a release to the environment.
 Failure to follow facility inspection plans.
 Failure to follow facility training plans.
 Placement of incompatible materials into a tank system.

Failure to operate tank systems in accordance with permit requirements.
Failure to follow trial burn plans.
Failure to follow laboratory procedures.
Failure to perform audits as scheduled.

RESOLUTION: **JUDICIAL CONSENT DECREE** signed November 23, 2004. It included a penalty of \$37,291.

ACTION: **NOTICE OF VIOLATION** (0211025) issued on December 16, 2002.

ISSUES: Failure to submit a modification request in the required time.
Improper storage/management of waste.
Failure to use appropriate controls to prevent tank overfills.
Operating record, manifest and other paperwork inaccuracies.
Failure to follow monitoring plans.
Failure to follow procedures.
Failure to follow training plans.
Exceeding permitted feed rates and improperly feeding waste.
Failure to follow Waste Analysis Plans.

RESOLUTION: **JUDICIAL CONSENT DECREE** signed February 9, 2004. It included a penalty of \$108,269.

ACTION: **NOTICE OF VIOLATION** (0202002) issued on April 25, 2002.

ISSUES: Failure to notify persons on the facility mailing list in the time frame required.
Failure to modify a permit.
Exceedance of 90-day storage time limits.
Failure to ensure that all containers of hazardous waste are kept closed.
Failure to keep an accurate record of waste stored.
Exceeding permitted tank capacities.
Failure to operate in accordance with facility SOPs.
Failure to replace a Continuous Emission Monitor.
Failure to properly maintain, calibrate and operate monitoring and recording equipment.
Failure to notify the Division of munition drain status problems.
Failure to perform sampling as required.
Improper storage.
Failure to provide oral notification of a spill in the time required.
Failure to maintain the facility so as to prevent or minimize a release of hazardous waste.
Failure to follow inspection procedures.
Failure to follow the training plan.
Failure to follow the Agent Monitoring Plan.
Exceeding incinerator feed rates or improperly feeding waste.

RESOLUTION: **JUDICIAL CONSENT DECREE** signed May 20, 2003. It included a penalty of \$59,867.

ACTION: **NOTICE OF VIOLATION** (0002002) issued on April 13, 2000.

ISSUES: Exceedance of 90-day storage time limits.
Failure to keep containers of hazardous waste closed when not adding or removing waste.
Failure to properly containerize hazardous waste.
Failure to properly label containers of hazardous waste.
Failure to inspect locations where hazardous waste is generated and stored.
Failure to update the list of facility emergency coordinators.
Failure to maintain a complete and accurate operating record.
Failure to remove a possible leaking tank system from service.
Failure to give proper and timely notice to the Executive Secretary.
Operation of modified hazardous waste units prior to receiving approval.
Failure to follow the facility Waste Analysis Plan.
Failure to follow the facility Inspection Plan.
Failure to ensure all personnel have attended refresher training courses.
Failure to perform preventative maintenance in accordance with manufactures specifications.
Failure to maintain the permit required amount of fire suppression water.
Failure to follow the Contingency Plan.
Storage of non-permitted waste.
Failure to follow facility Standard Operating Procedures.
Allowing sumps to overflow.
Failure to drain sumps as required by the facility permit.
Treatment of non-permitted waste.
Exceeding incinerator feed rates.
Failure to follow the Laboratory Quality Control Plan and Procedures and the Agent Monitoring Plan.

RESOLUTION: **JUDICIAL CONSENT DECREE** signed May 30, 2001. It included a penalty of \$113,741.

ACTION: **NOTICE OF VIOLATION** (9903007) issued on June 17, 1999.

ISSUES: Failure to notify the mailing list regarding a Class 1 permit modification within the required time frame.
Failure to keep containers of hazardous waste closed.
Failure to label containers of hazardous waste.
Storage of newly generated hazardous waste for longer than 90 days.
Failure to properly close opened valves.
Failure to remove a possible leaking tank from service.
Denial of access to portions of the facility operating record.
Failure to obtain approval for design changes prior to implementing the

changes.
Failure to follow the Waste Analysis Plan.
Failure to follow the Inspection Plan.
Failure to follow the Training Plan.
Failure to analyze monitoring equipment as required.
Storage of waste not listed in the permit.
Allowing sumps to overflow and not draining sumps within the required time frame.
Failure to maintain and test monitoring equipment as required.
Feeding waste while waste feed cut-off instruments were not operating properly.
Improper waste feed.
Operating equipment while sensors were by-passed.
Failure to notify the Division.

RESOLUTION: **JUDICIAL CONSENT DECREE** signed October 30, 2000. It included a penalty of \$66,973.

September 3, 1998 – Compliance Order No. 9808018 issued by the Division to the CAMDS. This Order replaced Order No. 9602009 issued to the CAMDS in June of 1996. The Order was needed to allow off-site shipment of spent decontamination solutions for disposal and to allow the CAMDS to refine some operating parameters.

ACTION: **NOTICE OF VIOLATION** (9708014) issued on November 17, 1997.

ISSUES: Storage of hazardous waste without a permit.
Failures to submit permit modifications within the required time periods.
Storage of waste for longer than 90 days in non-permitted areas.
Failure to inspect.
Failure to correctly label a hazardous waste tank.
Exceeding the permitted capacity of a hazardous waste storage tank.
Open containers of hazardous waste.
Inadequate operating record.
Failure to notify the Executive Secretary.
Exceeding incinerator feed rates.
Failure to properly calibrate and maintain monitoring equipment.
Failure to analyze monitoring equipment as required.
Training plan deficiencies.
Failure to properly operate and maintain all systems used to achieve compliance with the facility permit.
Failure to comply with the facility security plan.
Failure to follow trial burn plans.
Failure to remove liquid from sumps within the required time frame.

RESOLUTION: **JUDICIAL CONSENT DECREE** signed December 13, 1999. It includes a penalty of \$93,783.

ACTION: **NOTICE OF VIOLATION** (9702005) issued on July 17, 1997.

ISSUES: Storage of hazardous waste without a permit.
Failure to comply with rules for generators of hazardous waste.
Failure to follow the facility Waste Analysis Plan.
Failure to follow the facility Inspection Plan.
Failure to follow rules and permit conditions for container storage.
Exceeding permitted incinerator feed rates.
Failure to maintain emergency equipment listed in the facility Contingency Plan.

RESOLUTION: **STIPULATION AND CONSENT ORDER** (9803003) signed September 15, 1999. It includes a penalty of \$39,920.

June 26, 1996 – Compliance Order No. 9602009 issued by the Division to the CAMDS. This Order supersedes the RD&D Permit issued to the CAMDS in May of 1991. This Order allowed limited hazardous waste activities to take place at the CAMDS until either a Part B Permit was issued or the facility is closed.

ACTION: **NOTICE OF VIOLATION** (9601005) issued on April 15, 1996.

ISSUES: Failure to make a hazardous waste determination.
Manifest deficiencies.
Failures to submit permit modifications within the required time periods.
Failure to notify the mailing list as required.
Open containers of hazardous waste.
Inadequate operating record.
Failure to check tank level switches for proper calibration.
Exceeding the incinerator feed rates.
Failure to report a spill of hazardous waste.

RESOLUTION: The NOV was resolved by permit modifications submitted by the facility.

ACTION: **WARNING LETTER** issued on September 21, 1995.

ISSUES: This letter addressed some issues in regards to how the facility conducted public information meetings.

RESOLUTION: The facility was required to perform an additional public information meeting for certain modifications and open another public comment period.

September 21, 1995 - Compliance Order No. 9509048 issued by the Division to the TOCDF. This order allowed the facility to proceed with surrogate trial burns on the Deactivation Furnace

even though there were some minor items that needed to be resolved through the construction certification process. This letter also notified the facility that inspections had been performed and the facility had complied with the order issued on June 15, 1995.

November 22, 1995 - Letter issued by the Division to the TOCDF stating that the facility had completed all items required by Compliance Order No. 9509048.

ACTION: **NOTICE OF VIOLATION** (9502013) issued on August 23, 1995.

ISSUES: Unpermitted storage and treatment of hazardous waste.
Failure to report a spill of hazardous waste.
Failure to properly train personnel.
Failure to maintain an accurate operating record.
Improper storage of hazardous waste.
Exceeding permitted treatment capacities.

RESOLUTION: **STIPULATION AND CONSENT ORDER** (9509047) signed November 5, 1997. It includes a penalty of \$40,200.

June 15, 1995 - Compliance Order No. 9505034 issued by the Division to the TOCDF. This order allowed the facility to proceed with surrogate trial burns on Liquid Incinerator #1 even though there were some minor items, which needed to be, resolved through the construction certification process.

ACTION: **WARNING LETTER** (9503010) issued on March 13, 1995.

ISSUES: This letter required the CAMDS to comply with requirements for use of certification statements on documents submitted to the Division.

RESOLUTION:

ACTION: **WARNING LETTER** (9411061) issued on December 5, 1994.

ISSUES: Accumulation of F999 Acutely Toxic Waste in satellite areas in quantities larger than allowed.
Treatment of P999 hazardous waste without an appropriate permit.
Inadequate training plans.
Shipment of hazardous waste without a manifest.
Changes to facility designs and operations could result in permit modifications.
Venting of ACAMS.

RESOLUTION:

ACTION: **NOTICE OF VIOLATION** (90091530) issued on July 3, 1991.

ISSUES:

- Failure to file an unmanifested waste report.
- Treatment of unpermitted waste.
- Failure to inspect or analyze waste shipped to the facility.
- Failure to perform required inspections.
- Failure to keep an accurate operating record.
- Failure to properly complete hazardous waste manifests.
- Failure to maintain written job descriptions.
- Failure to follow rules for training of employees.
- Storage of hazardous waste without a permit.
- Failure to follow requirements for generators of hazardous waste.
- Failure to properly analyze and characterize waste.
- Failure to provide notice of appropriate treatment standards.
- Failure to follow waste analysis plans.

RESOLUTION: The NOV was resolved by completion of all activities associated with the Compliance Orders in the NOV.