



## Compliance History for Clean Harbors Grassy Mountain

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**ACTION: Warning Letter#2210119 issued October 21, 2022**

Non-compliance self-disclosure – March 7, 2022

**ISSUES:**

CHGM disclosed that they had stabilized and disposed of 860 gallons of liquid waste that was profiled as DO02 only. They later learned from the generator that the waste was improperly profiled and should have also carried a DO07 waste code for chromium. As such, CHGM should have analyzed the waste after treatment to ensure it met Land Disposal Restriction standards. This was not done.

The Division reviewed all the available information regarding the waste. The Division determined that based on the information the generator provided, the central profiling group and CHGM should have noted that chromium was a potential underlying hazardous constituent. The Division issued warning letter 2210119.

**RESOLUTION:**

CHGM responded to the warning letter on December 5, 2022. Clean Harbors has implemented improvements to their waste profile development process that will “better educate the user by presenting potential EPA waste codes that may to apply to their waste as they enter various data points: the waste composition (i.e., chemical names), physical state, pH range and flash point value.”

The Division took no further action.

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**ACTION: Compliance Evaluation Inspection (CEI) – In Review**

CEI conducted: August 22 – 25, 2022

**ISSUES:**

Not Applicable.

**RESOLUTION:**

Not Applicable.

**Clean Harbors Grassy Mountain, LLC**

UTD991301748

**Permitting Contact**

Kari Lundeen  
 Environmental Scientist  
 Hazardous Waste Section  
 Division of Waste Management and  
 Radiation Control  
 (801) 536-0200

Email: [klundeen@utah.gov](mailto:klundeen@utah.gov)

**Clean Harbors Grassy Mountain ownership:**

Clean Harbors 2002 - present  
 Safety-Kleen (Grassy Mountain), Inc. 1998 - 2002  
 Laidlaw Environmental Services (Grassy Mountain), Inc. 1997 - 1998  
 USPCI (Grassy Mountain) - 1988 - 1997

**RCRA Part B Permit issue/renewal dates:**

Expiration: 9/28/2022  
 September 28, 2012 (Clean Harbors)  
 May 2, 2001 (Safety-Kleen)  
 June 30, 1988 (as USPCI)

**Compliance History updated December 2022**

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***ACTION: Warning Letter#2111123 issued January 18, 2022***

CEI conducted: September 20 -22, 2021.

***ISSUES:***

1. The Division directed CHGM to submit a permit modification to correct an error in condition VI.H.1.
2. CHGM self-disclosed that they had stabilized and disposed of 90 drums of liquid waste that was on a non-hazardous waste profile and non-hazardous manifests. They later learned the waste was hazardous. As such, they should have analyzed the waste after treatment to ensure it met Land Disposal Restriction standards. This was not done.

***RESOLUTION:***

Item 1: CHGM submitted a permit modification that was finalized in March 2022.

Item 2: The Division reviewed all the information CHGM had available regarding the 90 drums of waste. The Division determined that CHGM followed all the requirements of the Waste Analysis Plan in their permit and that the screening they conducted would have given no indication that the waste did not match the non-hazardous profile description provided to them. The Division did not require CHGM to take further action.

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***ACTION: Compliance Evaluation Inspection (CEI) Closeout Letter issued January 7, 2021.***

CEI conducted: September 14 - 16, 2020.

***ISSUES:***

None.

***RESOLUTION:***

Not Applicable.

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***ACTION: Notice of Violation #2001002 issued March 9, 2020.***

CEI conducted: September 16 - 25, 2019.

Facility self-reported compliance issue: May 3, 2019.

***ISSUES:***

1. Failing to comply with the Waste Analysis Plan.
2. Failing to conduct training on schedule for one employee.
3. Disposing of waste in a landfill cell that did not meet land disposal restriction standards.

***RESOLUTION:***

The Facility signed Stipulation and Consent Order (SCO) #2007057 on December 15, 2020, corrected the issues, and paid a \$20,575.00 penalty. The final signed SCO became effective January 12, 2021.

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***ACTION: CEI Closeout Letter issued December 14, 2018.***

CEI conducted: July 25 - 27 and August 21, 2018.

***ISSUES:***

None.

***RESOLUTION:***

Not Applicable.

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**ACTION: CEI Closeout Letter issued January 24, 2018.**

CEI conducted: August 7 - 9 and August 18, 2017.

**ISSUES:**

1. Emergency response equipment drawings could be improved to provide greater clarity.
2. Two inspection forms could be updated to provide more specificity.
3. A repair to a berm of Cell 3 did not appear to be able to be able to adequately direct precipitation during a significant rain event.

**RESOLUTION:**

Item 3 was addressed immediately. The Division took no further action.

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**ACTION: CEI Letter issued January 12, 2017.**

CEI conducted: August 23 - 25, 2016.

**ISSUES:**

1. Burrowing animals documented on closed landfill cell covers.
2. A small cell fire was reported in September 2016.
3. Inconsistencies documented in waste profiles (total metals and TCLP metals).

**RESOLUTION:**

The issues were satisfactorily resolved by Grassy's response on February 20, 2017. The Division took no further action.

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**ACTION: CEI**

CEI conducted: September 2, 3, and 9, 2015.

**ISSUES:**

1. Inspection forms did not match permitted waste management processes and timeframes.
2. Waste material profile sheets were not filled-in completely.

**RESOLUTION:**

The issues were satisfactorily resolved in a follow-up visit on October 29, 2015.

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**ACTION: CEI Letter issued March 6, 2015.**

CEI conducted: September 9 - 11, 2014.

**ISSUES:**

No violations were noted.

Based on a recent tank inspection, three inactive leachate tanks were determined unfit for continued use. The Division requested a plan for disposition of the tanks.

**RESOLUTION:**

The issues were satisfactorily resolved by Grassy's response on April 13, 2015. The Division took no further action.

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***ACTION: Notice of Violation #1401001 issued March 6, 2014.***

CEI conducted: September 13, 26 - 30, and October 18, 2013.

***ISSUES:***

1. Disposal of waste that did not meet the land disposal restrictions.
2. Storing waste in an unpermitted area.
3. Failure to submit a manifest discrepancy report within 15 days.

***RESOLUTION:***

The Facility signed SCO #1405007 October 31, 2014, corrected the issues and paid a **\$1,993.00** penalty.

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***ACTION: Warning Letter#1212014 issued December 12, 2012***

CEI conducted: August 29 - 30 and September 6, 2012.

***ISSUES:***

1. Three alarms on tanks not working.
2. Small Heat Tent and Wheel Wash on the west side of Cell 4 needed repair.
3. Two combustion events occurred in landfill.
4. Combustion reaction in stabilization tank.

***RESOLUTION:***

The issues were satisfactorily resolved by Grassy's response on January 10, 2013. The Division took no further action.

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***ACTION: CEI Letter issued December 6, 2011.***

CEI conducted: August 23 - 24, 2011.

***ISSUES:***

A remedial work order (RWO) was issued May 7, 2010 for repairs to the Leachate building after a fire. CHGM did not complete the RWO and did not notify the Director.

***RESOLUTION:***

The issue was satisfactorily resolved by Grassy's response on December 15, 2011.

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***ACTION: CEI Letter issued November 24, 2010.***

CEI conducted: September 13 - 15 and 24, 2010.

***ISSUES:***

Analytical data showed that a lab sample was diluted such that the detection limits exceeded regulatory limits.

***RESOLUTION:***

The issue was satisfactorily resolved by Grassy's response on January 6, 2011.

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***NOTE:***

Prior to 2010, inspections were conducted throughout a year-long interval and a summary of the issues was prepared at the end, with enforcement action if necessary.

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**ACTION: CEI Closeout Letter issued November 19, 2009.**

CEI conducted: September 14 - 17, 2009.

**ISSUES:**

None.

**RESOLUTION:**

No action.

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**ACTION: Warning Letter #811044 issued January 8, 2009.**

Inspection interval: October 1, 2007 - September 30, 2008.

**ISSUES:**

1. Lack of Personnel Training Plan instructor qualifications.
2. Lack of maps or diagrams indicating the disposal location of waste.
3. Manifest discrepancy.
4. Open containers of hazardous waste.

**RESOLUTION:**

The issue was satisfactorily resolved by Grassy's response on January 26, 2009.

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**ACTION: Notice of Violation#0711031 issued January 8, 2008.**

Inspection interval: October 1, 2006 - September 30, 2007.

**ISSUES:**

1. Lack of Sampling and Analysis of Wheel Wash Water.
2. Lack of or Incorrect Certification Statement.
3. Late Tank Inspections.

**RESOLUTION:**

The Utah Solid and Hazardous Waste Control Board (the Board) approved SCO #0803007, including a \$16,174 penalty, on September 11, 2008.

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**ACTION: Notice of Violation #0612028 issued January 9, 2007.**

CEI conducted: October 1, 2005 - September 30, 2006.

**ISSUES:**

1. Manifest Discrepancies.
  2. Late Submittal of Biennial Report.
  3. Disposing of Reactive Waste in a Landfill Cell.
  4. Failure to report with the required time frames.
  5. Insufficient Personnel Training Documentation.
  6. Container Inventory Inaccuracy.
  7. Inadequate Inspection Records.
  8. Late Submittal of Tank Certification Reports.
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**RESOLUTION:**

The Board approved SCO #0701005, including a \$10,708 penalty, on June 14, 2007.

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**ACTION: Notice of Violation # 0601004 issued February 9, 2006.**

Inspection interval: October 1, 2004 - September 30, 2005.

**ISSUES:**

1. Storage of three containers longer than one year.
2. Failure to notify the Executive Secretary of non-compliance within seven days.

**RESOLUTION:**

The Board approved SCO #0603013, including a \$4,035 penalty, on July 13, 2006.

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**ACTION: Warning Letter #0501002 issued January 24, 2005.**

Inspection interval: January 21, 2004 - September 30, 2004.

**ISSUES:**

1. Failure to correct deficiencies within the required timeframe.
2. Failure to notify the Executive Secretary of delayed repair of a tank.

**RESOLUTION:**

The letter did not require a response - no further action was taken.

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**ACTION: Notice of Violation #0401003 issued April 1, 2004.**

Inspection interval: October 1, 2002 - September 30, 2003.

**ISSUES:**

1. Failure to operate the facility to minimize the possibility of a fire, which could threaten human health or the environment.
2. Failure to meet the LDR standards for waste disposed of in Hazardous Waste Cell 5.
3. Failure to analyze treated waste for all LDR constituents with numeric standards and underlying hazardous constituents as appropriate for the waste codes in the waste that did not meet treatment standards prior to treatment.
4. Failure to obtain certification from an independent Utah certified, professional engineer, at least once every twelve months, that all active tank systems identified in Condition IV.B. of the Permit, are capable of handling hazardous waste without release for the intended life of the system.
5. Failure to submit to the Executive Secretary on a quarterly basis daily leachate collection/removal volume reports for each applicable collection and detection sump.
6. Failure to obtain Executive Secretary authorization prior to replacing the liner system of the surface impoundment.

**RESOLUTION:**

The Board approved SCO #0408023, including a \$10,140 penalty, on February 28, 2000. All violations were corrected before the Division issued the SCO.

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**ACTION: Notice of Violation #0211031 issued January 17, 2003.**

Inspection interval: October 1, 2001 - September 30, 2002.

**ISSUES:**

1. Failure to operate the facility to minimize the possibility of a fire, which could threaten human health or the environment.
2. Failure to have hazardous waste generators certify that the samples of waste provided to the Grassy Mountain Facility were representative of the waste stream.

**RESOLUTION:**

The Board approved SCO #0303008, including a \$4,108 penalty, on June 12, 2003.

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**NOTE:**

No actions were issued during inspection years 2000 and 2001. An inspection year begins on October 1st and ends on September 30<sup>th</sup> of the following year.

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**ACTION: Order for Compliance issued on November 9, 1999.**

**ISSUE:**

The reduction in the number of put piles (piles staged in the RCRA cells following stabilization while awaiting LDR analytical verification).

**RESOLUTION:**

Modification of put pile management practices and modification of the RCRA Part B Permit in the Reissued Permit.

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**ACTION: Notice of Violation #9901003 issued June 7, 1999.**

Inspection interval: February 1998 - February 1999.

**ISSUES:**

1. Failure to cover material subject to wind dispersal within 24 hours of placement in the cell, and failure to cease the movement of equipment in the RCRA cells during windy meteorological conditions.
2. Failure to submit the daily leachate collection/removal volumes for applicable collection and detection sumps to the Executive Secretary on a quarterly basis.
3. Failure to certify the tanks identified in permit condition IV.B. by a qualified, independent Utah certified, professional engineer, at least once every twelve months.
4. Failure to submit a permit modification when the scope of closure of the facility changed.

**RESOLUTION:**

The Board approved SCO #9909029, including a \$59,862 penalty, on February 28, 2000. All violations were corrected prior to the SCO being issued.

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**ACTION: Notice of Violation #9801003 issued March 30, 1998**

Inspection interval: July 1997 - February 1998.

**ISSUES:**

1. Failure to keep all containers of hazardous waste closed except when it is necessary to add or remove waste.
  2. Failure to handle containers properly so as not to allow the container to leak or spill its contents.
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3. Failure to provide justification, in the facility operating record and to the Division, for storage of containers of waste beyond one (1) year.
4. Failure to issue RWOs when necessary and by failing to maintain proper documentation as to when remedial actions were completed.
5. Failure to notify the Executive Secretary of problems which cannot be corrected within the required time frame. Also, failure to submit a proposed time schedule for corrective action when the remedy cannot meet the required time frame.
6. Failure to cease operation of a management unit when a determination has been made that the problem caused unsafe conditions which could endanger human health or the environment.
7. Failure to minimize a release of hazardous waste which could threaten human health or the environment.
8. Failure to manage containers staged beyond ten days in accordance with 40 CFR Part 264, Subpart I.
9. Failure to transfer hazardous waste from a leaking container to a non-leaking DOT approved container within 24 hours from the time the problem was discovered, as specified in R315-8-9.2.

**RESOLUTION:**

The Board approved SCO #9801003, including a \$45,450 penalty, on January 22, 1999. All violations were corrected prior to issuance of the SCO.

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**ACTION: Notice of Violation #9702004**

No corresponding inspection information is available.

**RESOLUTION: September 30, 1997**

The Board issued Stipulated Consent Order (SCO) #9706008, including a \$44,187.71 penalty, on September 30, 1997. All violations were corrected prior to issuance of the SCO.

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**ACTION: Notification Letter issued September 4, 1996/Notice of Violation April 29, 1997**

Inspection interval: March 8, 1995 - September 27, 1995.

**ISSUES:**

1. Grassy Mountain violated rules applicable to its facility and provisions of its permit, specifically Module I.A.2, Effect of Permit, by disposing of hazardous wastes in a hazardous waste landfill cell without prior verification that LDR treatment standards were being met.
2. Grassy Mountain violated rules applicable to its facility and provisions of its permit, specifically Module II (D) General Waste Analysis, II.D.9.i.9.ii, Spike Samples, and II.d.9.i.13.ii, Spike Recoveries, by not calculating and evaluating spike samples for the period.

**RESOLUTION:**

No further information is available.

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**ACTION: Notice of Violation and Order for Compliance #930953 issued October 26, 1993.**

No corresponding inspection information is available.

**ISSUES:**

USPCI Grassy Mountain submitted a letter to the Division on August 25, 1993 self-disclosing that several loads of waste they received were not managed according to the requirements of the permit. A review of this letter and relevant operating records resulted in the following violations:

1. Grassy Mountain disposed of twelve different types of untreated, prohibited hazardous wastes in a hazardous waste landfill cell.



2. In addition, Grassy Mountain managed four different types of hazardous waste in a manner not authorized by the State-issued RCRA Part B Permit and Utah Administrative Rules R315-13 by disposing of the hazardous wastes in a landfill cell, Industrial Landfill Cell-2, that does not meet the requirements of R315-8-14.
3. Grassy Mountain incorrectly identified sixteen waste streams and failed to act upon the information provided and associated with the manifests as required by Section 6.2 of the Waste Analysis Plan.

**RESOLUTION:**

The Board issued SCO #9404016 on September 12, 1994. The agreement outlined the closure of Industrial Cell 2 using closure and post-closure requirements for a RCRA hazardous waste cell, performance of an environmental service project for protection of human health and the environment in Utah, and payment of a \$60,000 penalty.

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**ACTION: Stipulated Consent Agreement #9307038 issued August 25, 1993**

No corresponding inspection information is available.

**ISSUES:**

USPCI mismanaged a hazardous waste as non-hazardous by placing it in Industrial Cell 1 based on an inaccurate waste determination by Tooele Army Depot.

**RESOLUTION:**

The agreement required USPCI to close Industrial Cell 1 and provide post-closure monitoring in accordance with requirements for a RCRA hazardous waste landfill cell.

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**ACTION: Warning Letter issued November 10, 1992**

No corresponding inspection information is available.

**ISSUES:**

1. Large scraps of plastic partially imbedded in the clay cap on two locations of RCRA Cell 3.
2. CQC/CQA documents were lacking sufficient detail.

**RESOLUTION:**

No further information is available.

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**ACTION: Notice of Violation and Order for Compliance #91060080 issued November 7, 1991.**

Inspection date: September 3, 1991

**RESOLUTION:**

The Board issued SCO #92060126 on July 23, 1992, which included the following orders:

1. The Division interpreted Module I.10.a. of the permit to require prior notification to the Division whenever activities or actions were performed that changed the nature of the engineering design, or function, or operational characteristics of a waste management unit or (designed) system (including the associated wastes). This interpretation was not meant to be a restriction on hazardous waste management activities that were or are being accomplished normally and routinely on a day-to-day basis. USPCI concurred with this interpretation.
2. USPCI agreed that within sixty (60) days of the Consent Order to provide written acknowledgement that the Division inspectors could inspect construction unit activities for compliance with the CQA Plan after said activities of construction had been approved by USPCI or its agents.
3. USPCI agreed that within sixty (60) days of the Consent Order to provide written acknowledgement that the written design and engineering documents submitted to the Division in support of the Permit should be the basis for determining compliance with construction of hazardous waste management units or systems and waste management activities.

4. USPCI agreed to pay the sum of **\$10,000** within thirty (30) days of entry of the Consent Order.

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***ACTION: Notice of Violation and Order for Compliance #92060116 issued May 6, 1992.***

Operation and Maintenance Inspection conducted in 1991.

***ISSUES:***

1. Not maintaining custody of groundwater samples taken the morning of September 18, 1991.
2. Constructing concrete pads for new monitoring wells without approval of plans and specifications by the Executive Secretary.
3. Not documenting when a well can no longer properly function due to a change in subsurface conditions and by not documenting a defective well in the inspection log portion of the operating log for wells with broken concrete pads.
4. Not determining the depth to the bottom of all groundwater monitoring wells on an annual basis.
5. Not analyzing for Class 1 and Class 3 parameters semi-annually in monitoring well MW-6 for three years.
6. Not taking water level readings by measuring the water depth from a surveyed datum and recording the reading prior to taking the second reading.
7. Not treating purge water as a hazardous waste (not marking the container with an accumulation start date and the words "Hazardous Waste", and by not maintaining the container in a closed condition).

***RESOLUTION:***

The Board approved SCO #91060047 effective March 31, 1993 that included the following orders:

1. USPCI shall submit within 30 days all laboratory QA/QC data in support of purgeable organic halides analysis data which was submitted January 24, 1992.
2. USPCI shall ensure that all future modifications to wells are executed with the Executive Secretary prior approval of the plans and specifications as outlined in Module X D.2.b. of the Permit.
3. USPCI shall manage all purge water, generated at the time the water is purged from the monitoring well, as a hazardous waste (Module X, Attachment GWB IV.D.4.d. of the Permit).
4. USPCI shall submit plans within 60 days which outline how USPCI will determine that monitoring wells are fully operational, as required by Module X D.2.e. of the Permit.
5. Within 60 days of this Stipulation and CO, USPCI shall submit a permit modification which addresses groundwater sampling and monitoring procedures.
6. USPCI shall submit within 60 days a permit modification to effect changes to the GW monitoring system at the Grassy Mountain Facility.
7. In full settlement of the Board's alleged and potential claims for violations alleged in the May 6, 1992 NOV/CO, USPCI shall pay the sum of **\$15,000** to the Utah Solid and Hazardous Waste Control Board. This penalty payment shall be paid within 30 days of entry of this Stipulation and CO.

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***ACTION: Warning Letter # WL9204 issued April 9, 1992.***

Inspection interval: July 9 - December 16, 1991.

***ISSUES:***

1. Container management.
2. Daily inspection logs.
3. Materials of construction out of specification with respect to the CQA Plan.
4. Monthly electronic submission of operating record.
5. Record keeping of the Timpie Springs rail siding transfer facility.

**RESOLUTION:**

No further information is available.

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**ACTION:** *NOV #90071507 issued October 5, 1990 and NOV #90100001 issued November 26, 1990.*

No corresponding inspection information is available.

**ISSUES:**

1. Cease application of hazardous waste to the land treatment unit.
2. Develop a closure plan for the Division's review.
3. Monitor the unit until implementation of closure.

**RESOLUTION:**

SCO #91020023 was issued November 29, 1991 and included a \$90,000 penalty.

The Consent Order set forth the procedures for monitoring the unit until closure was implemented. It also specified items to be submitted to resolve outstanding issues with analytical methods and closure cost estimates. It clarified the applicability of certain personnel training requirements and groundwater monitoring procedures.

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**ACTION:** *Notice of Violation and Order for Compliance #91060080 issued November 6, 1991.*

Inspection date: September 3, 1991.

**ISSUES:**

1. Failing to provide notice sixty days prior to planned physical alterations to a waste management unit.
2. Failure to adhere to the requirements of *Liner Surface Preparation specifications of the Grassy Mountain Facility Construction Quality Assurance Plan for Landfill Construction and Closure.*
  - a. Failure to remove all defects in the completed clay liner surface prior to placement of the synthetic line.
  - b. Failure to obtain the clay liner surface approval from the liner contractor prior to deployment of the covering synthetic liner.
3. Failing to provide the approved engineered runoff control conveyance and capacity for the waste management facility in accordance with *Module VIII F.3, Attachment LFG, Module VIII C.2, and Runoff Conveyance and Runoff Storage Capacity Requirements in the Design Engineering Report Landfill Cell-5.*

**RESOLUTION:**

SCO #92060126 issued July 23, 1992.

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**ACTION:** *Warning Letter issued January 22, 1991.*

No corresponding inspection information is available.

**ISSUES:**

1. USPCI had not named a duly authorized representative to sign all applications, reports, or other information requested by or submitted to the Executive Secretary.
2. Several submittals required by the permit had not been signed in accordance with the properly outlined procedures.

**RESOLUTION:**

No further information is available.

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***ACTION: Stipulated Consent Agreement #90120009 issued on December 20, 1990.***

No corresponding inspection information is available.

***ISSUES:***

Construction documentation for Landfill Cell 4.

***RESOLUTION:***

The parties agreed that USPCI failed to adhere to the approved CQA Plan for the construction of HW landfill Cell 4, USPCI constructed HW landfill Cell 4 to fulfill the design and performance requirements of a double-lined HW landfill management unit, and USPCI should comply with future approved HW landfill CQA Plans as a part of the GM facility Permit.

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***ACTION: Notice of Violation and Order for Compliance #90100001 issued November 26, 1990.***

Inspection interval: Semiannual sampling events conducted Fall, 1989 and September 23-28, 1990.

***ISSUES:***

Groundwater monitoring procedures.

***RESOLUTION:***

SCO #91020023 issued November 29, 1991.

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***ACTION: Notice of Violation and Order for Compliance #90071507 issued October 5, 1990.***

Inspection: April 16 - 20, 1990.

***ISSUES:***

1. Manifesting requirements.
2. Storage requirements.
3. Hazardous waste disposal fee.
4. Operating record requirements.
5. Analytical methods.
6. Run-on control devices.
7. Personnel training requirements.
8. Inspection requirements.
9. Preparedness and prevention.
10. Closure/post-closure cost estimates.
11. Stabilization system requirements.
12. Land treatment requirements/ land treatment demonstration requirements.
13. Groundwater monitoring procedures.

***RESOLUTION:***

SCO #91020023 issued November 29, 1991.

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**ACTION: Notice of Violation and Order for Compliance #8907758 issued August 29, 1989.**

No corresponding inspection information is available.

**RESOLUTION:**

SCO #8912949 became effective on June 19, 1990.

1. Pay a \$180,000 penalty (\$140,000 for settlement of NOV # 8907758 and a forfeiture of \$40,000 as provided in the February 3, 1989 Order).
2. Not accept hydrophobic materials until the Executive Secretary has issued a written approval of the USPCI's management methods for these materials.
3. Submit an amended closure plan for the land treatment area within sixty (60) days of entry of the Order.
4. Within 120 days, submit revised container storage unit operating procedures to the Executive Secretary for approval. USPCI agreed that an inspection aisle of approximately eighteen inches (18") will be maintained between the storage unit containment dike and all containers unless that container placement adjacent to the containment dike is one (1) drum in width.

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**ACTION: Notice of Violation and Order for Compliance #8907758 issued August 29, 1989.**

Inspection dates: April 17 through 24, 1989.

**ISSUES:**

1. Storage of containers in an area not authorized in the permit (accumulation of containers in an area just north of the laboratory building).
2. Acceptance of water reactive waste prohibited by the permit.
3. Failure to maintain the inspection log checklists, failure to provide documentation that inspectors were properly trained, failure to inspect after storm events, and failure to record remedial actions taken because of inspections.
4. Failure to document cracks in the tank secondary containment system and take the necessary remedial action to correct the problem.
5. Failure to follow the personnel training plan and document on-the-job training in employee training records.
6. Failure to maintain adequate aisle space in the container storage area.
7. Failure to properly identify the location of Scott Air Packs and a fire alarm station.
8. Failure to update closure cost estimates and submit financial assurance by the required anniversary dates specified in the permit.
9. Failure to unload transport vehicle within ten (10) days of receipt at the facility.
10. Failure to properly characterize container management area sump waste.
11. Failure to properly mark the level on the outside of the stabilization tanks.
12. Failure to provide proper secondary containment for the treated liquid storage tank and/or the required contingent closure or post-closure plans.
13. Failure to analyze land treatment designated wastes properly.
14. Failure to maintain loading rate calculations for the land treatment area.
15. Application of wastes to the land treatment area prohibited by the permit (pH wastes being land applied).
16. Failure to establish average concentrations of nutrients to be applied to the land treatment area.
17. Failure to till the land treatment area as specified in the permit.

18. Failure to maintain proper moisture concentration for the land treatment area (indicated by dryness and dispersal of wastes).
19. Failure to inspect and maintain run-on control ditches at the land treatment area.
20. Failure to submit a revegetation study as required for metals exceedance in the land treatment area.
21. Failure to submit soil-core monitoring and statistical analyses within specified time frames.
22. Failure to report metal exceedances in the land treatment area.
23. Failure to control wind dispersal in landfill cell #3.
24. Failure to properly maintain groundwater samples prior to analysis. (temperature range and chain of custody)
25. Failure to visually inspect each container of waste.

**RESOLUTION:**

SCO #8912949 issued June 19, 1990.

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**ACTION:** *NOV #8809603 issued September 29, 1988, NOV#8807472 issued July 18, 1988, and NOV #8712452 issued December 7, 1987.*

No corresponding inspection information is available.

**RESOLUTION:**

The Utah Solid and Hazardous Wastes Committee approved SCO #8812618 effective February 3, 1989.

1. USPCI agreed to pay the sum of one hundred thousand dollars (\$100,000.00) without admitting to any of the allegations.
2. Additionally, USPCI must pay an additional sum of forty thousand dollars (\$40,000) if there is a final determination that USPCI has violated conditions of its permit or applicable rules within one (1) year from entry of the Order (February 3, 1990).

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**ACTION:** *Notice of Violation and Order for Compliance #8809603 issued September 29, 1988.*

Inspection date: September 16, 1988 by the Utah Bureau of Solid and Hazardous Waste and the U.S. EPA.

**ISSUES:**

***Failure to prohibit placement of free liquids in Landfill Cell #3***

1. Failure to open and inspect all incoming containers for free liquids.
2. Failure to inspect all incoming bulk wastes shipped in gondolas for free liquids.
3. Failure to ensure that containers are kept in good condition.
4. Failure to prevent ponding of water when controlling dust in Landfill cell #3.

**RESOLUTION:**

SCO #8812618 issued February 3, 1989.

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**ACTION:** *Notice of Violation and Order for Compliance #8807472 issued July 18, 1988.*

Inspection date: April 4 - 7, 1988.

**ISSUES:**

1. Failure to follow written waste analysis plan.
2. Failure to complete the personnel training program (for the compliance officer) prior to allowing him to work unsupervised.

3. Failure to install downgradient monitoring wells which will immediately detect any statistically significant amounts of hazardous waste or hazardous waste constituents that migrate from the waste management area.
4. Failure to follow the groundwater sampling analysis plan.
5. Failure to include any information on field and laboratory quality assurance/control procedures in the groundwater sampling and analysis plan.
6. Failure to immediately obtain additional groundwater samples from those downgradient wells where a significant difference was detected, split the sample in two, and expeditiously obtain analyses of all additional samples to determine whether the significant difference was a result of laboratory error. (Acetone detected in fourth quarter 1987 groundwater monitoring data).
7. Failure to maintain containers holding hazardous waste in a closed condition. (The open topped container between the ignitable solvent storage tanks).
8. Failure to maintain containers holding hazardous waste in good condition.
9. Failure to have an unsaturated zone monitoring plan on-site for the land treatment area.
10. Failure to obtain the required notice prior to the first shipment of hazardous waste fuel to a burner or another marketer.
11. Failure to control wind dispersal of waste from Cell #3.

**RESOLUTION:**

Stipulation and Consent Order #8812618 issued February 3, 1989.

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**ACTION: Notice of Violation and Order for Compliance #8712452 issued December 7, 1987.**

Inspection dates: June 26, 29, 30, and July 1, 1987.

**ISSUES:**

Failure to follow the written waste analysis plan.

Failure to file an exception report for a shipment of waste solvents from USPCI to Ekotek on manifest #87018.

Failure to keep containers holding hazardous waste closed.

Failure to maintain containers holding hazardous waste in good condition.

Failure to have a copy of the unsaturated zone monitoring plan on site for the land treatment area.

Failure to control wind dispersal of hazardous waste from Cell #2.

**RESOLUTION:**

Stipulation and Consent Order #8812618 issued February 3, 1989.

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**ACTION: Notice of Violation and Order for Compliance #8705440 issued July 8, 1987.**

Inspection date: February 12, 1987.

**ISSUES:**

1. Failure to follow the waste analysis plan:
    - a. For a fingerprint result that exceeded tolerance ranges.
    - b. By failing to obtain an annual update of the generator's pre-shipment analysis or a generator certification that a waste stream has not changed.
    - c. By accepting hazardous waste manifests without the EPA hazardous waste number.
    - d. By accepting hazardous waste manifests without the appropriate waste codes.
  2. For waste shipments:
-



- a. Failure to record the description of the process that produced a characteristic waste in the operating record.
  - b. Failure to record applicable EPA hazardous waste number in the operating record.
3. Acceptance of waste not identified in Part A of the permit application.

**RESOLUTION:**

No further information is available.

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**ACTION: Notice of Violation #8508229 issued October 21, 1985.**

Inspection date: August 30, 1985.

NOV #8508219 issued October 21, 1985.

Inspection date: August 13, 1985.

NOV #8507205 issued August 19, 1985.

Inspection date: July 11, 1985

NOV #8406189 issued July 22, 1985.

Inspection dates: April 22 - 26, 1985 [follow-up from inspection January 3, 1985]

NOV #8501152 issued February 6, 1985.

Inspection date: January 3, 1985

**ISSUES:**

NOV #8508229 - October 21, 1985 - inspection date August 30, 1985.

1. Operation of a facility for the purpose of treating, storing, or disposing of hazardous waste without interim status or a permit.
2. Failure to comply with applicable provisions of Part VII with respect to the industrial waste cell.

NOV#8508219 - October 21, 1985 - inspection date August 13, 1985.

1. Use of a process not specified in the Part A of the permit application (waste solidification in tanks)
2. Failure to amend Part A to include treatment of bulk liquids by solidification.
3. Failure to submit, within 15 days, a written report of a spill from the waste neutralization system.

NOV #8507205 - August 19, 1985 - inspection date July 11, 1985.

1. Failure to use the Consignment State's manifest for shipments from USPCI Grassy Mountain
2. Failure to record daily inspections of the facility.
3. Failure to record and remedy malfunctions of equipment in the waste neutralization system.
4. Failure to have containers closed.
5. Storage of hazardous waste in an area that does not have interim status or a permit.

NOV #8406189 - July 22, 1985 - inspection date April 22-26, 1985. This inspection was a follow up to the inspection on January 3, 1985.

1. USPCI was in violation of provision of Part VII (interim status standards)

NOV #8501152 - February 6, 1985 - inspection date January 3, 1985.

1. Failure to have the necessary analysis to calculate heavy metal loading rates prior to land treatment of wastes.
2. Failure to demonstrate that hazardous wastes placed in or on the land treatment facility can be made less hazardous or non-hazardous by biological degradation or by chemical reactions (immobilization occurring in or on the soil).



3. Failure to adequately train the personnel operating the neutralization system.
4. Failure to include proper land treatment in the operating record.

[A meeting was held April 10, 1985 concerning this NOV. A follow-up inspection was conducted April 22-26, 1985. That inspection resulted in NOV #8406189.]

**RESOLUTION:**

An SCO that resolved all the NOVs described above was signed on **May 29, 1986**.

A settlement was reached in lieu of civil penalties. USPCI agreed to provide labor, materials, transportation, analysis, disposal, and other necessary services as part of a community household hazardous waste cleanup project. The project consisted of two Saturdays in Salt Lake County and one Saturday in Tooele County. USPCI agreed to accept waste free of charge on those designated days.

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**ACTION: NOV #8401154 issued February 4, 1985.**

Inspection date: October 18, 1984.

**ISSUES:**

1. Failure to install a groundwater monitoring system with at least one monitoring well installed hydraulically upgradient capable of yielding groundwater samples representative of background groundwater quality in the uppermost aquifer.
2. Failure to install a groundwater monitoring system capable of immediately detecting any statistically significant amounts of hazardous waste constituents that may migrate from the waste management area to the uppermost aquifer.
3. Failure to install monitoring wells capable of allowing sample collection at depths where appropriate aquifer flow zones exist.
4. Failure to follow provisions in an acceptable groundwater sampling and analysis plan while obtaining samples from the installed groundwater monitoring system.

**RESOLUTION:**

SCO #8510234 issued October 2, 1985.

USPCI agreed to install a groundwater monitoring system at the Grassy Mountain facility by November 8, 1985 and develop and follow a sampling and analysis plan by November 8, 1985.

**NOTE:**

This was the first SCO issued by the Utah Bureau of Solid and Hazardous Waste to USPCI Grassy Mountain. Prior to this Consent Order, NOVs were dealt with through meetings, letters, court action, etc.

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**ACTION: Notice of Violation #8409133 issued October 15, 1984 (given the same number as the NOV issued September 21, 1984).**

Inspection date: October 11, 1984.

NOV #8409133 issued September 21, 1984.

Inspection date: September 13, 1984.

NOV #8405102 issued June 7, 1984.

Inspection date:

**ISSUES:**

NOV #8409133 - October 15, 1984 - inspection date October 11, 1984.

1. Failure to minimize the possibility of any unplanned sudden or non-sudden release of hazardous waste to air, soil, or surface water which could threaten human health or the environment by allowing pieces of plastic contaminated with hazardous waste to be spread throughout the land treatment area.

2. Pieces of contaminated plastic were scattered throughout and beyond the boundaries of U.S. Pollution Control, Inc. This is a violation of 7.10.2 UHWMR.

NOTE: This NOV was given the same number as the NOV issued September 21, 1984.

**NOV #8409133 - September 21, 1984 - inspection date September 13, 1984.**

1. Storage of KO51 (primary oil/solids/water separation sludge from the petroleum refining industry) from Phillips Petroleum in waste piles without a plan approval or interim status as required by 3.1 UHWMR and 26-14-8(1) Utah Code Annotated.

**NOV #8405102 - June 7, 1984 - inspection dates March 22 and 28, 1994; April 3 and 30, 1984; and May 1, 1984.**

1. Storage of KO51 (primary oil/solids/water separation sludge from the petroleum refining industry) from Azamara Oil in a portable frac tank which was not permitted or had interim status as required by 3.1 UHWMR and 26-14-8(1) Utah Code Annotated.
2. Failure to manifest shipments of listed hazardous wastes (e.g., spent solvents sent to EKOTEK) as required by 4.2(a) and 5.4(a) UHWMR.
3. Failure to ship hazardous wastes to an approved TSD facility (shipment of spent solvents to EKOTEK) as required by 4.2(j)(3) UHWMR.
4. Failure to obtain proper waste analyses from inter alia, the University of Utah, Kennecott, Litton Industries and Max Factor as required by 7.9.4(a)(2) UHWMR.
5. Failure to perform any analytical testing prior to treating, storing, or disposing of waste from Interlalia, the University of Utah, Kennecott, Litton Industries, and Max Factor as required violation of 7.9.4(a)(1) UHWMR.
6. Failure to characterize a shipment of hazardous waste from Hercules - Fareeport Center prior to management as required by 7.9.4(a)(4) UHWMR.
7. Acceptance and management of wastes not specified in the current Part A permit application as required by 3.1 UHWMR and 26-14-8(1) UCA.
8. Exceedence of storage capacity at the drum storage dock specified in Part A of the permit application [3.1 UHWMR and 26-14-8(1) UCA].
9. Failure to segregate incompatible wastes in containers on the drum dock as required by 7.16.7(c) UHWMR.
10. Failure to maintain adequate aisle space on the drum dock as required by 7.10.6 UHWMR.
11. Failure to record in the facility operating record the waste's common name, a description of the process that generated any characteristic waste, and all applicable four-digit hazardous waste numbers as required by 7.12.4(b)(1), Appendix D.
12. Failure to fill out manifest numbers 4, 12, 002, 110, 526A, 0525A, 0475A, 0675A, 83-1-032 and 83-1-034 completely and accurately as required by 4.2(j) UHWMR.
13. Failure to develop, install and maintain firefighting capabilities as required by 7.10.3(c) and (d) UHWMR.
14. Failure to develop a written inspection schedule for the groundwater monitoring wells, unsaturated zone monitoring equipment, sump in drum dock, land treatment area, diesel generator, site equipment, run-on control dikes, eye washers, water pumps, air packs, vapor monitoring equipment, emergency siren, confinement structures, and security gate as required by 7.9.6(b) UHWMR.
15. Failure to inspect areas subject to spills daily when in use as required by 7.9.6(b)UHWMR.\
16. Failure to include a written description of the amount of introductory and continuing for all employees in the personnel training plan as required by 7.9.1.(d)(3) UHWMR.
17. Failure to include a job title, job description, or a description of the amount of training in the personnel training plan for Bob Higgenbotham, as required by 7.9.7(d) UHWMR.
18. Failure to inspect tanks to the degree of thoroughness required by 7.17.5 UHWMR.

**RESOLUTION:**

A civil action for civil penalties and injunctive relief was issued by the Third Judicial District Court in and for Salt Lake County, State of Utah on December 31, 1984.

1. USPCI was enjoined from continuing to operate its Salt Lake facility in violation of the USHW Act and applicable UHWMR.
2. A civil penalty was assessed against USPCI for each violation of the SHW Act and the UHWMR.
3. UBSHW was awarded costs and disbursements of this action.
4. The Court granted such other and further relief as it may deem just and proper.

Judge Fishler signed an Order for Entry of Judgment on July 14, 1985. USPCI paid the sum of \$2,500 by certified check.

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**ACTION: NOV and Order for Compliance (#8411137) issued November 14, 1984.**

No corresponding inspection information is available.

**ISSUES:**

Failure to comply with the provisions of 7.21.7 of the Utah Hazardous Waste Management Regulations by allowing non-containerized or bulk waste containing free liquids to be placed in the landfill cell.

**RESOLUTION:**

No further information is available.

### EPA Compliance Actions

The table below is a summary of the inspections conducted by EPA Region 8 at the Grassy Mountain Facility (RCRA Info). Inspections in red text correspond to actions that have additional detail summarized in this section.

Inspections Conducted by EPA Region 8 From RCRA Info 1/16/2021		
Date	Violations	Inspection Type
2/26/2019	0	Compliance Evaluation Inspection (CEI)
7/25/2017	0	CEI
6/21/2016	0	CEI
10/6/2015	0	Case Development Inspection
8/26/2015	0	CEI
7/29/2014	0	CEI
8/27/2013	0	CEI
8/15/2012	0	CEI
8/9/2011	0	CEI
7/20/2010	0	CEI
7/14/2009	0	CEI
7/14/2009	0	Focused Compliance Inspection (FCI)
8/20/2008	0	CEI
8/20/2008	0	FCI
8/19/2008	0	FCI
7/10/2007	0	CEI
7/10/2007	0	CEI
8/23/2006	0	CEI
8/23/2006	0	CEI
8/24/2005	0	CEI
6/23/2004	0	CEI
9/17/2003	0	FCI
8/22/2001	0	CEI
9/7/2000	0	CEI
4/25/2000	0	CEI
8/4/1998	0	CEI
1/27/1994	1	CEI
9/8/1992	0	FCI
1/29/1992	0	CEI
9/16/1991	1	Groundwater Monitoring Evaluation
6/25/1990	2	FCI
9/16/1988	0	Compliance Schedule Evaluation
2/1/1988	8	CEI
6/29/1987	1	CEI
5/20/1987	0	CEI
6/23/1986	0	Groundwater Monitoring Evaluation
1/10/1985	1	CEI

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**July 2, 1992**

No corresponding inspection information is available.

EPA Region VIII issued **Docket No. TSCA-PCB-VIII-92-14** on July 2, 1992 which alleged violations concerning the late Cell X closure, disposal of unflushed PCB transformer, and land disposal of PCB contaminated oil. The contact through EPA for this document is Patricia D. Hull, Director, Air & Toxics Division, EPA, Region VIII (Denver, Colorado).

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**February 28, 1992**

No corresponding inspection information is available.

A Final Consent Order was issued February 28, 1992 for EPA Region VIII issued a 3008(a) Administrative Order **Docket No. RCRA [3008] VIII-91-14** to USPCI which alleged the following violations:

1. Improper record keeping for disposal of hazardous waste.
2. Improper record keeping of hazardous waste analyses prior to disposal of HTOX.
3. Improper and/or insufficient analysis of TOX.

USPCI was required to submit a training course outline and conduct a training class for all of Grassy Mountain laboratory personnel, pay \$500,000, follow stated general provisions stated in the Final Consent Order, and comply with requirements of RCRA and its implementing regulations.

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**December 20, 1988**

EPA Region VIII issued a 3008(a) Administrative Order **Docket RCRA [3008] VIII-89-04** to USPCI which alleged that the Grassy Mountain Facility did not provide written notice for hazardous wastes that were shipped to other facilities which were restricted from land disposal (11 counts). On March 30, 1989, USPCI signed a Final Consent Agreement on this matter and paid \$19,000 to the U.S. Treasurer.

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**September 19, 1985**

EPA Region VIII issued an 3008(a) Administrative Order **Docket No. RCRA [3008] VIII-85-09** to USPCI which alleged that the Grassy Mountain Facility did not have an adequate groundwater monitoring system and waste analysis plan. On October 18, 1985 USPCI settled this matter and paid \$20,000 to the U.S. Treasurer.