


Inspection Report

	DEPARTMENT OF ENVIRONMENTAL HEALTH 1131 HARBOR BAY PARKWAY ALAMEDA, CA 94502--654 (510) 567-6700 http://www.acgov.org/aceh/
---	--

Facility: E & B NATURAL RESOURCES -	Address: 8617 PATTERSON PASS RD	City/State: LIVERMORE, CA	Zip Code: 94551	Date: 06/11/2015
Owner: E & B NATURAL RESOURCES MANAGEMENT		Facility email: jbrady@ebresources.com		Telephone (925) 963-6659
FA #: FA0305544	PR: PR0505389	Program Element: GENERATOR 1-4 EMPLOYEES		Inspection Type: ROUTINE INSPECTION - Hazard waste SQG

NVO = No Violation Observed UD = Undetermined NA = Not Applicable VO = Violation Observed COS = Corrected On Site RPT = Repeat Violation

Recordkeeping/ Documentation

2	The facility has an active EPA ID number (unless exempted HSC 25143.13) <input type="checkbox"/> NVO <input type="checkbox"/> UD <input type="checkbox"/> NA <input checked="" type="checkbox"/> VO <input type="checkbox"/> COS <input type="checkbox"/> RPT	CUPA Minor COMPLY BY: 7/11/2015
---	--	------------------------------------

Violation Code Definition/Section:

Failure to obtain and/or maintain an Active EPA ID. 22 CCR 12 66262.12

Violation Comments:

CAL000303406 is currently inactive

OBSERVATION: This facility's EPA ID number is inactive. A hazardous waste generator shall not treat, store, dispose of, transport or offer for transportation, hazardous waste without an EPA ID number.

CORRECTIVE ACTION: Immediately contact DTSC and reactivate your EPA ID number and submit evidence to the cupa by 7/11/15

Recordkeeping/ Documentation

Waste Determination

17	Facility determined whether waste is a hazardous waste and retained waste analysis for 3 years <input type="checkbox"/> NVO <input type="checkbox"/> UD <input type="checkbox"/> NA <input checked="" type="checkbox"/> VO <input type="checkbox"/> COS <input type="checkbox"/> RPT	CUPA Class 2 COMPLY BY: 7/12/2015
----	---	--------------------------------------

Violation Code Definition/Section:

"Failure to determine if the waste generated is a hazardous waste and to maintain analysis results for three years. 22 CCR 12 66262.11, 66262.40(c)"

Violation Comments:

OBSERVATION: Waste analysis available for the tank bottom sludge of Nissen Wash Tank #8 shows STLC level of lead at 6.4 mg/L with STLC Regulatory Level being 5.0. There were only 3 samples total that were tested from the Schenone Stock Tank #6, Nissen #8 wash Tank, and Gig #1 Stock Tank. No samples or waste determination was made on the other 7 tanks. The waste analysis for each of the 3 samples taken, show differentiating hazardous levels. This waste was disposed as non-hazardous waste. A generator shall make a hazardous waste determination and keep a record of any test results, waste analyses, or other determinations made in accordance with hazardous waste regulations for at least three years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal.

CORRECTIVE ACTION: Immediately make changes to the waste determination procedures for collecting samples for analysis from tank bottom sludge from each tank to satisfy waste determination regulations and provide a copy of these new procedures to the CUPA within 30 days.

Recordkeeping/ Documentation

--	--	--

Recordkeeping/ Documentation

18	Generator made a determination if the waste is restricted from land disposal	CUPA Minor COMPLY BY: 7/12/2015
	<input type="checkbox"/> NVO <input type="checkbox"/> UD <input type="checkbox"/> NA <input checked="" type="checkbox"/> VO <input type="checkbox"/> COS <input type="checkbox"/> RPT	

Violation Code Definition/Section:

Failure of the generator to determine if the waste is restricted from land disposal. 22 CCR 18 66268.7(a)

Violation Comments:

OBSERVATION: Waste analysis available for the tank bottom sludge of Nissen Wash Tank #8 shows STLC level of lead at 6.4 mg/L with STLC Regulatory Level being 5.0. There were only 3 samples total that were tested from the Schenone Stock Tank #6, Nissen #8 wash Tank, and Gig #1 Stock Tank. No samples or waste determination was made on the other 7 tanks. The waste analysis for each of the 3 samples taken, show differentiating hazardous levels. This waste was disposed as non-hazardous waste according to manifests/bill of lading. Failure of the generator to determine if the waste is restricted from land disposal.

CORRECTIVE ACTION: The generator shall make a determination of all hazardous wastes if the waste is restricted from land disposal. Immediately make changes to the waste determination procedures for collecting samples for analysis from tank bottom sludge from each tank to satisfy waste determination regulations and provide a copy of these new procedures to the CUPA within 30 days.

Hazardous Waste Management

60	Generator has properly disposed of all hazardous waste at an authorized location	CUPA Class 1 COMPLY BY: 7/12/2015
	<input type="checkbox"/> NVO <input type="checkbox"/> UD <input type="checkbox"/> NA <input checked="" type="checkbox"/> VO <input type="checkbox"/> COS <input type="checkbox"/> RPT	

Violation Code Definition/Section:

Failure to properly dispose of hazardous waste at an authorized location. HSC 6.5 25189.5(a)

Violation Comments:

OBSERVATION: Generator has failed to properly dispose of hazardous waste at an authorized location. Waste analysis available for the tank bottom sludge of Nissen Wash Tank #8 shows STLC level of lead at 6.4 mg/L with STLC Regulatory Level being 5.0. The Exploration and Production exemption only applies if toxicity of the waste is determined based on TCLP results, not on STLC or TTLC results. STLC is a criterion not covered by the exemption and therefore the Nissen Wash Tank #8 sample from the tank bottom sludge is a non-RCRA Hazardous Waste. The other 7 tanks with sludge should have also been tested to determine if they are hazardous or non-hazardous.

CORRECTIVE ACTION; The Generator shall dispose of all hazardous waste at an authorized location as required in Title 22 regulations. Documentation records of disposal of any hazardous wastes must be maintained in accordance with Title 22.

Overall Inspection Comments:

Onsite to conduct a Hazardous Waste Generator inspection at E & B Natural Resources Nissen - 8617 Patterson Pass Rd., Livermore, CA with Director of Operations, Mike Smith, Vice President of Land, Gary Richardson, Environmental Compliance Coordinator, Jennifer Brady, and HSE Manager, Shams Hasan.

Facility operates as a Oil production and exploration facility that is in the process of removing and replacing tanks. Facility has 2 employees who handle the hazardous waste.

Signatures



Kevin Hom
Hazardous Materials Specialist