

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT MEETING DOCUMENTATION

Attendees: Mike Steltenkamp, Bondi Kovacs, Bill Steen and John Taylor of International Paper in Cantonment; Jim Byer, Nicole McDonald and Melissa Woehle of FDEP

Location: NWD Pensacola Office **Date:** February 2, 2006 **Time:** 9:00 A.M.

Subject: Enforcement of alleged violations at International Paper (IP)

Meeting Requested By: Florida Department of Environmental Protection (FDEP)

Meeting Objectives: To discuss civil enforcement action being taken by FDEP.

Notes:

The meeting was opened with introductions of the participants. Jim Byer explained that FDEP has EPA-delegated authority to manage the Resource Conservation and Recovery Act program in Florida. He provided an explanation of the two-fold purpose of the meeting: to discuss the inspection report while providing an opportunity for IP to present any additional information regarding the case, and propose a resolution to the issues determined in the form of a voluntary settlement.

Melissa Woehle led a discussion of the inspection report covering each area inspected, alleged violations and recommendations. During the discussion, IP explained how the alleged violations and recommendations are being addressed at IP, and provided documentation of corrective action dated January 16, 2006, attached. Items discussed include fuel filters, aerosol cans, universal waste lamps, secondary containment for used oil, the caustic parts washer, training, and generator status. IP agreed that the inspection report was accurate.

A document was provided detailing IP's policy regarding the management of used fuel filters as hazardous waste. Melissa Woehle explained that while the proposed policy complies with regulations, it is acceptable practice to manage used fuel filters with used oil filters. IP further explained that fuel system service is normally contracted out and not performed by IP on a routine basis. Jim Byer suggested that IP eliminate the potential for a problem by restricting the purchase of fuel filters.

IP provided documentation describing aerosol can management at the mill. Jim Byer explained that the puncturing of aerosol cans is considered treatment of a hazardous waste because the cans generally remain characteristically reactive (D003). However, if the cans are being processed for scrap metal the process is exempt from RCRA permitting. IP's written management plan for aerosol cans is consistent with state and federal regulations.

IP provided documentation describing universal waste practices implemented at the mill. A picture of the wooden box to be used to contain lamps was provided. The Department agreed that the wooden box was appropriately labeled and would be an appropriate container for storage of lamps when closed.

IP provided documentation describing how caustic parts washer solution will be handled. IP explained that the parts washer was overfilled and the excess was discharged to a drain connected to the mills wastewater treatment system for safety purposes. IP further explained that the normal practice is to reuse the spent caustic solution in the paper making process by adding it into the liquor cycle as make-up chemical. **The Department responded that an analysis of the spent solution for RCRA metals and pH and a detailed description of where and how the spent**

solution is reused in the process would be needed in order to determine if the current practice is exempt from RCRA permitting.

IP said they plan to replace totes being used for used oil accumulation with double-walled tanks and provided a photograph showing the tank used by Partridge-Sibley appropriately labeled and in secondary containment. Photographs were also provided showing that stained soil in the Partridge-Sibley area has been removed. IP explained that the stained soil was placed into 55-gallon drums and moved to IP's HW accumulation area for proper disposal. Jim Byer explained that IP is considered the primary responsible party for activities conducted on their property and waste generated by contractors working on their property.

The Department reiterated the difference between conditionally exempt and small quantity generator (SQG) status and explained that an SQG is required to ensure that all employees including on-site contract labor such as Partridge-Sibley are thoroughly familiar with hazardous waste management and emergency response relevant to their positions.

Penalty justification and computation for each violation were reviewed. With regard to the alleged violation for improper disposal involving a fuel filter, two broken lamps and an unknown volume of caustic parts washer solution, IP argued that the amount did not justify a major extent of deviation. The Department explained that Statewide guidance for assessing penalties requires that the both the "Potential for Harm" and the "Extent of Deviation" be considered. The amount of waste involved is considered in ranking the "Potential for Harm" and is indeed determined to be "minor;" however, the "Extent of Deviation" remains "major."

The Department proposed settlement of the issues determined in the form of a short form consent order to be issued pending a follow-up inspection to verify corrective actions. The consent order would require payment of \$4,350 civil penalty and \$250 Department cost for a total of \$4,600 within 60 days of signing. IP agreed to consider the proposal and respond within 30 days.

Agreements/Conclusions Reached:

- IP provided documentation that indicated all alleged violations have been addressed.
- The Department proposed settlement in the form of a short form consent order to be issued pending a follow-up inspection to confirm corrective actions.
- The consent order would require payment of \$4,600 within 60 days of execution.
- Analysis of the spent caustic parts washer solution for pH and RCRA metals and a detailed description of where and how the solution is reused in the process will need to be reviewed by the Department in order to determine if current practice is exempt from RCRA permitting.
- IP agreed to consider the Department's proposal and respond within 30 days.

Prepared by: ^{MW} Melissa Woehle



**Department of
Environmental Protection**

Northwest District
160 Government Center
Pensacola, Florida 32501-5794

Attendance Sheet

Subject:

Date:

[illegible]

CAUSTIC PARTS

WASHER

- 1. Wear chemical resistant gloves, chemical jacket & pants, safety glasses with side shields, chemical splash goggles and a face shield when mixing the Caustic powder with water, placing or removing parts from Caustic bath, and when moving the Caustic bath container with a Fork Lift to recycle it back into the chemical process.**
- 2. Make sure that the drain at the bottom side of the Caustic bath is closed and locked at all times.**
- 3. Do not overfill the Caustic bath with water.**
- 4. Do not allow Caustic solution to spill out onto the ground**
- 5. When the Caustic bath solution is spent and it is time to return the chemical back into the mill process, call the Environmental Duty person on call prior to returning the solution to the process.**

In case of a spill, notify Gate 5 immediately

January 16, 2006

UNIVERSAL WASTE

Universal Wastes Are:

- **Lamps – Florescent, High Intensity Discharge, Mercury Vapor, High Pressure Sodium, Metal halides, Neon**
 - **Batteries – Alkaline, All Rechargeables (not Lead Acid)**
 - **Any Equipment/Devices containing elemental Mercury like Switches, Thermostats, etc.**
- 1. Carefully, collect UNIVERSAL WASTE making sure not to break the item.**
 - 2. Carry or transport the item(s) to the UNIVERSAL WASTE COLLECTION POINT on the west side of the Store Room.**
 - 3. Place all TUBE type lamps into wood box labeled “Universal Waste – Lamps.”**
 - 4. Place all BULB type lamps into the drum labeled “Universal Waste – Lamps. ”**
 - 5. Place all Alkaline Batteries into the drum labeled “Universal Waste –Alkaline Batteries.”**
 - 6. Place all Rechargeable Batteries into the red container labeled “Universal Waste - Rechargeable Batteries.”**
 - 7. Place all equipment/devices like switches, thermostats containing Mercury into the drum labeled “Universal Waste – Mercury Containing Equipment.”**

In case of breakage (spill) notify Gate 5 immediately

January 16, 2006

USED FUEL FILTERS

THESE PRODUCTS CAN NOT BE DISCARDED INTO REGULAR TRASH CANS

- 1. Drain use fuel filters into waste fuel container (wear gloves to protect hands)**
- 2. Place fuel filters into container marked Waste Fuel Filters**
- 3. When the container is full, the waste fuel filters will be moved to the Hazardous Waste facility**

In case of spill, notify Gate 5 immediately

January 16, 2006

USED OIL FILTERS

THESE PRODUCTS CAN NOT BE DISCARDED INTO REGULAR TRASH CANS

- 1. Drain used oil into used oil container (wear gloves to protect hands)**
- 2. Crush used OIL FILTERS once drained**
- 3. Place crushed used OIL FILTERS into the container marked "DRAINED USED OIL FILTERS". These will be picked up by the used oil recycler and taken away for scrap metal recycling**

In case of spill, notify Gate 5 immediately

January 16, 2006

AEROSOL CANS

THESE PRODUCTS CAN NOT BE DISCARDED INTO REGULAR TRASH CANS

- 1. Take all empty or “no longer to be used” aerosol cans to one of the Maintenance Shops in the mill and put them into the puncture device attached to a chemical residue container. The device will puncture and release the pressure. Whatever liquid might still be in the can will drain into the chemical residue container.**
- 2. Place the EMPTY Punctured can into the scrap metal recycling bin.**
- 3. Every 45 days or 1000 cans, the filter on top of the chemical residue container needs to be replaced.**
- 4. Once the chemical residue container is full, the Maintenance shop will contact the Environmental Duty person on call to move the chemical residue container to the Hazardous Waste facility.**

In case of spill, notify Gate 5 immediately

January 16, 2006

Total Petroleum Equipment Company

5051 Cardinal Street Trussville, Alabama 35173
 205.661.2799 ext. 1324 Fax 205.655.0177

Project Number: _____
 (assigned by TPE)

Lubes ☐ Fuels ☐ Renew ☐ McClean ☒ Fuelman ☐
 Loan ☐ Purchase ☒

Program Support:

Mobil ☐ Exxon ☐ Shell ☐ Castrol ☐
 Proteck ☐ Kendall ☐

Acct/Ship To#:

Salesman/# 55

Customer: International Paper

Date: 1/24/2006

Ship to:

Attn:

(address)

Ref:

City, ST, Zip: Cantonment, FL

JOB ESTIMATE

Quantity	Model	Description	Net Price	Ext Price
8		Tanks, 300 gallon double wall cube	1,800.00	16,200.00
		2 emergency vents, 3-2" bungs and		
		1-4" bung		
		Lead time 8-10 weeks after PO is received		
		Shipped direct to customer		
		they need price ASAP,		
		they already have price for double wall		
		280 for \$1335/tank . I need dimensions.		
		If he likes he will need one shipped out		
		ASAP(this week) so he can show it to		
		EPA and show he is working with them		
		and tell the others are ordered. He would		
		like a price for delivering/placing the rest.		

Equipment Total..... 16,200.00

Tubing Hardware and Fittings

Labor.....

If installing e-tanks use a work order form.

Otherwise a workorder is not required.

If Special Instructions (see below):

PROPOSED TOTAL..... 16,200.00

Applicable Mileage & Taxes Not Included

Terms:

Freight:

FOB JOB SITE

List of Products that will be stored in tanks.

Indicate tank size.

Estimated By: David Tidwell

Date: 1/30/2006

PRICES GOOD FOR 30 DAYS

Customer:

Date:

Signature











FLAMMABLE
KEEP FIRE AWAY

Tank No. 6
Used Oil Only
No Solvents

USED
OIL
CAUTION
McClellan

LIQUITOTE
SYSTEMS

No. 13

No. 12

LIQUITOTE
SYSTEMS

GAS
AND
WATER
MIX

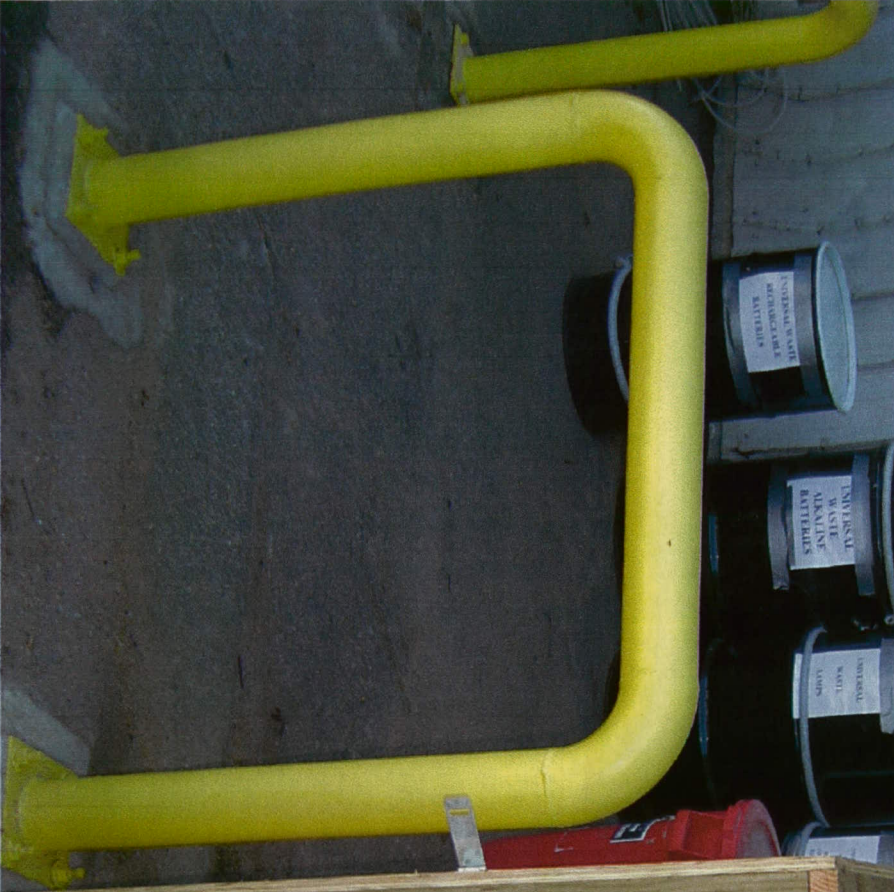


UNIVERSAL WASTE
COLLECTION
POINT

UNIVERSAL WASTE
HAZARDOUS
BATTERIES

UNIVERSAL
WASTE
ALKALINE
BATTERIES

UNIVERSAL
WASTE
CELLS



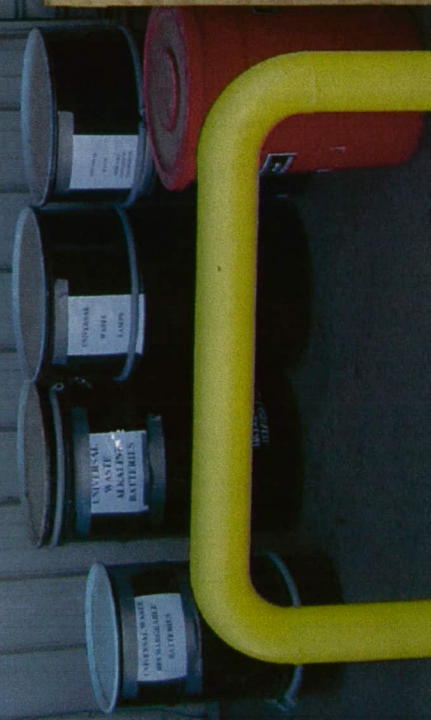






UNIVERSAL
WASTE
LAMPS

UNIVERSAL WASTE
COLLECTION
POINT



UNIVERSAL WASTE
COLLECTION
POINT

UNIVERSAL
WASTE
LAMPS

