



Jeb Bush
Governor

Department of Environmental Protection

Northwest District
160 Governmental Center
Pensacola, Florida 32502-5794

Colleen Castille
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. **INSPECTION TYPE:** ☒ Routine ☐ Complaint ☐ Follow-Up ☐ Permitting ☐ Pre-arranged

FACILITY NAME: Veolia ES Technical Solutions LLC (Transfer Facility) formerly Onyx

Environmental Services L.L.C. **DEP/EPA ID #:** FLR000124917

STREET ADDRESS: 4972 Woodville Highway, South Lot, Tallahassee, Florida 32305

MAILING ADDRESS: 342 Marpane Lane, Tallahassee, Florida 32305

COUNTY: LEON **PHONE:** 850.877.8299 **DATE:** May 4, 2006 **TIME:** 9:30 A.M.

HW facility status

- ☒ non-handler
- ☐ CESQG
- ☐ SQG
- ☐ LQG

- ☐ transporter
- ☐ transfer facility

- ☐ TSD

- ☐ SQH
- ☐ LQH

used oil facility status

- ☐ generator
- ☐ transporter
- ☐ transfer facility
- ☐ marketer
- ☐ processor
- ☐ on-spec. burner
- ☐ off-spec. burner

- ☐ filter generator
- ☐ filter transporter
- ☐ filter transfer facility
- ☐ filter processor

Hg facility status

- ☐ generator
- ☐ transporter
- ☒ transfer facility

- ☐ Hg recovery facility
- ☐ Hg reclamation facility

PCW facility status

- ☐ producer
- ☐ transporter
- ☐ recovery facility

2. **APPLICABLE REGULATIONS:**

- | | | | |
|--|-------------------------------------|---|--------------------------------------|
| <input type="checkbox"/> 40 CFR 261 | <input type="checkbox"/> 40 CFR 262 | <input type="checkbox"/> 40 CFR 263 | <input type="checkbox"/> 40 CFR 264 |
| <input type="checkbox"/> 40 CFR 265 | <input type="checkbox"/> 40 CFR 266 | <input type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 270 |
| <input checked="" type="checkbox"/> 40 CFR 273 | <input type="checkbox"/> 40 CFR 279 | <input checked="" type="checkbox"/> 62-737, FAC | <input type="checkbox"/> 62-730, FAC |

3. **RESPONSIBLE OFFICIAL:** Linda Dunwoody, Operations Manager, Veolia ES Technical Solutions LLC

4. **INSPECTION PARTICIPANTS:** Linda Dunwoody, Operations Manager and Jim Byer/FDEP

5. **LATITUDE/LONGITUDE:** Lat 30° 21' 45.5"/Long 084° 15' 57.5"

6. **TYPE OF OWNERSHIP:** private ~~federal~~ ~~state~~ ~~county~~ ~~municipal~~

7. **PERMIT No.:** N/A **DATE ISSUED:** **EXP. DATE:**

8. Site History and Description:



Veolia ES Technical Solutions LLC (Transfer Facility) formerly Onyx Environmental Services L.L.C. (VEOLIA) notified the Department of Universal Waste Transfer Area activities for the above parking area within the industrial park at 4972 Woodville Highway, South Lot, Tallahassee on January 9, 2006. This area is used for trailer/van parking for VEOLIA transporter vehicles prior to and after unloading at the Hg Recovery and Reclamation Facility. This location is a Transfer Area and regulations allow parking of the trailer/van in this area for up to 10 days maximum.



9. Site Inspections:

On May 4, 2003, Jim Byer of FDEP inspected VEOLIA for the purpose of a RCRA compliance inspection for the Universal Waste Transfer Area. Ms. Linda Dunwoody provided access to the facilities and descriptions of the processes.

VEOLIA computer database records for the “10-Day Material Log” (Transfer Area) with the earliest date of mid-February thru May 4 was printed and copies used as reference for this inspection. A review of the Log indicated numerous trailers (as many as 32 of the 83 trailers unloaded) were not unloaded within the 10-day transfer area timeframe. The database records and “in-coming” trailer folders indicated eleven trailers/vans should be parked in the transfer area awaiting unloading.

A physical inspection of Lot B, the Transfer Area, revealed fourteen trailers/vans parked in this area. A visual inspection of the contents of all trailers/vans was conducted. Photos of the contents of each trailer follow.



Trailer 194838 (Electronics)



Trailer 483649 (Lamps)



Trailer Q015213 (Lamps & PCB Drums)



Trailer 705530 (Lamps & PCB Drums)



Trailer 483760 (Lamps & Pallets)



Trailer B26724 (Lamps)



Trailer B26722 (Electronics)



Trailer 166537 (Lamps & Electronics)



Trailer U37523 (Drums of UW)



Trailer 705787 (Lamps)



Trailer U15404 (Lamps)



Trailer B26715 (OUTGOING Electronics)



Trailer "P-3" Storage of excess equipment



ABF Trailer, not in system, no papers from ABF

Of the fourteen trailers/vans, eleven held inbound shipments of Universal Wastes awaiting unloading at the facility. No hazardous waste (manifest or un-manifested) was noted within any of the trailers/vans. The 10-day Material Log Records for two of the eleven trailers/vans indicated an "arrival date" of 4/24/06 and an "anticipated unload date" of 5/3/06. This inspection conducted on 5/4/06 revealed trailers/vans # 166537 and # 705787 had not been unloaded and were both at day 11 in the transfer area. The contents of trailers/vans #166537 and #U37523 were compared against the inventory/shipping manifests, which verified the recordkeeping inventories.

Of the remaining three trailers/vans located within the Transfer Area: one contained outgoing electronics, one was being used as temporary storage for excess equipment and one trailer (belonging to ABF Transport) had not been transferred to VEOLIA control at the time of this inspection.

10. Summary of Alleged Violation:

- (a) 40CFR273.53(a) **TRANSFER STORAGE GREATER THAN 10 DAYS**
A universal waste transporter may only store the universal waste at a universal waste transfer facility for ten days or less.

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11. Recommendation:

Veolia should develop facility procedures and training program to insure compliance with the 40CFR273.53(a) requirement for storage of universal wastes at the transfer area for no more than 10 days.

Report prepared by: _____


James Byer

Date: July 14, 2006

Post-Inspection:

Veolia provided correspondence on May 17, 2006 which addressed the alleged violation and recommendation of this report. Attached to this report is a copy of the correspondence.



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May 17, 2006

Mr. James Byer
Department of Environmental Protection
Northwest District Office
160 Governmental Center
Pensacola, FL 32501-5794

RE: Onyx Environmental Services, L.L.C.
342 Marpan Lane
Tallahassee, FL 32305
EPA ID# FL0000207449
Permit#: H037-82472-004

Dear Mr. Byer:

This letter is being submitted as a follow up to your site visit on May 4, 2006 and our phone conversation May 11, 2006 regarding our Ten Day Log used to track trailers in transfer pending unloading at our Mercury Recovery/Reclamation facility.

On Thursday, May 4, 2006 there was a site visit by DEP and an inspection of the Transfer Lot South at 4972 Woodville Highway. Onyx Operations Manager Linda Dunwoody and Mr. Jim Byer from Florida DEP were present. The inspection included looking at the contents of the trailers at the transfer yard and a review of the paperwork for the associated trailers. It was at that time that Onyx gave a copy of the existing Ten Day Log report to Mr. Byer. Mr. Byer at that time expressed his concern over what he saw on the Ten Day log report. There were several trailers that were listed as having exceeded the 10 day limit. Mr. Byer felt at that time it would be appropriate for him to have a conversation with upper management or someone other than the onsite personnel in charge of the Tallahassee facility to find out why the Ten Day Log was not being done correctly, and why DEP was not notified of the trouble in managing the Ten Day Log. The following is an effort to explain the Ten Day Log and the process that was implemented, the causal factors for the exceedances, and the corrective actions implemented.

Onyx learned of a non compliance situation at our facility in September 2005. Onyx immediately reacted to the problem and through the efforts of many personnel, including Senior Management, began to correct the issues that were identified and self disclosed in September 2005. Onyx has had conversations with DEP on many occasions about the problems at the facility and measures that would be implemented to correct them. One of the key areas identified in September 2005, was the trailer yard that is being used as a

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Electronics Recycling Division
342 Marpan Lane, Tallahassee, FL 32305
Tel: 850 877 8299 • Fax: 850 878 3349
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DEP





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staging area for trailers coming into the facility. In order to control and equalize the flow of material into the facility the staging of trailers in the transfer yard was determined to be necessary. As such, Onyx obtained an EPA ID number for the site and registered with the DEP as a universal waste transfer facility. Onyx met with FLDEP in December 2005 and both parties agreed that there was a need to have a system to track the trailers staged in the transfer lot. In order to meet this need and to manage the trailers and ensure that hazardous waste was not being stored improperly, the use of a ten day log was suggested by Onyx and agreed upon by FLDEP.

Onyx proposed to keep a simple Ten Day Log that would record the date the trailer arrived in the trailer yard, and the date that the trailer was emptied to show compliance with the ten day rules for the transfer of hazardous/universal waste. Onyx implemented the Ten Day Log in February 2006. A set of instructions for completing the log and a listing of what information was to be contained on the log was developed. The daily responsibility of the log was assigned to the Operations Manager of the facility and, through delegation, other facility staff was given responsibility to update and manage the log. The process, as written, was:

- Upon arrival drivers bring in their paperwork to a receiving clerk,
- The receiving clerk
 - screens the load for manifested Hazardous Waste,
 - records the date of arrival and
 - calculates the 10 day transfer time for the material to be unloaded.
- The driver then parks the trailer in the transfer yard. If manifested Hazardous Waste destined for the Tallahassee operation was on the trailer the trailer had to be backed into the dock and that material removed before the trailer could go to the transfer yard.
- The Operations Manager or Operations Supervisor would then go in each day and update the trailers that were emptied and manage the production schedule according to the trailers that needed to be unloaded on any given day.

Based on our review of the circumstances leading to the exceedance of the ten day limit for some of the trailers, it appears that there was not enough training conducted. There were a number of mistakes with respect to the fields that need to be filled out on the logs. Examples of these mistakes were:

- no names in the column of who checked paperwork for manifested material,
- miscalculation of the 10 day date,
- comments in the notes section for empty dates that do not match the date in the unload column of the log, and
- trying to use the log for other purposes than strictly tracking Ten day compliance.

In addition to the training issues we found two other factors that contributed to the exceedances. The first issue identified was based on the availability of specialized trailers



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(lift gate). If an upcoming load required a special trailer, operations staff moved that trailer up on the production schedule. The second factor that impacted the ability to unload trailers within the ten day limit was based on the permitted capacity of the facility to store HID lamps. Since the facility is only permitted to store 4,000 HID lamps, large loads of HID lamps must be processed on the same date as they are unloaded to ensure the storage capacity is not exceeded.

In an effort to eliminate these problems and prevent their reoccurrence Onyx has completed the following activities.

1. On May 12, 2006, training was conducted on the upkeep and daily management of the Ten day log report. All facility personnel who will ever make an entry on the log attended the training and we went over the instructions and the log block by block to ensure everyone understood the log and how to fill it out. We reviewed the previous Ten day log to point out inconsistencies with entries and to make them aware of the past problems with the log. A copy of the training sign in sheet is also attached. Onyx has made a new Ten Day log that was implemented starting at May 1, 2006. The new log has been reviewed by all pertinent facility personnel and they all agreed that they understand going forward how we are going to manage the Ten day log. Any questions or problems with the log will be directed to the Operations Manager who is responsible for the log and its accuracy.
2. Operations staff received additional training regarding the regulatory requirements for compliance with the ten day limit. They were also instructed that if a conflict arises between the need for a specialized trailer and the need to comply with the ten day limit, the ten day limit will override the request for the specialized trailer. When such a conflict is discovered, the operations staff will notify customer service and the scheduled load will be delayed until the trailer can be unloaded. At no time will anyone unload trailers out of order from the log without the express consent of the Operations Manager.
3. A second shift was added to the facility to allow for the processing of lamps in a more timely fashion. In particular this will allow for the processing of large loads of HID lamps without exceeding the permitted capacity of the facility. The additional processing capacity will also allow the facility to eliminate the backlog of trailers in the transfer yard. As the backlog is eliminated the management of the yard will be simplified by having fewer trailers approaching the ten day limit.
4. As part of the mercury recovery facility permit renewal application Onyx has eliminated the tracking and storage limit for HID lamps as a separate category. In the renewal permit application the storage limit is based on total number of mercury containing lamps. This will allow the facility greater flexibility in the unloading of large shipments of HID lamps.



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Onyx has made a concerted effort in the past nine months to get the facility back up and running in compliance. A lot of capital investment and changes have been made at the facility to try to improve all facets of the operation. It is not and has not ever been Onyx's intent to cover up any compliance problems that may have occurred or could occur at the facility. Onyx has been forthcoming with information from the September 2005 investigation and through communication and correspondence with DEP to keep an ongoing working relationship. The Ten Day Log procedure has not been one of the best examples of the changes we have made at the facility; however, it was still an improvement over what had been in place previously. We have improved our staff, our equipment, and we must continue to strive for excellence in every facet of the operation. It is Onyx's intention to continue to invest in the facility to ensure it is a safe, compliant, and profitable location.

With the information we have given you we would like you to consider the points we have made, and realize that we only intend to do it one way and that is in compliance. Facility personnel continue to be trained on the proper procedures and we will continue to devote the necessary resources to the facility to ensure that happens. Onyx will also make sure that in the future, if it appears that the 10 day limit will be exceeded, that condition will be reported immediately to DEP, specifically Jim Byer or Melissa Woehle who are the compliance inspectors for our facility.

With this letter, Onyx is also requesting temporary authorization, until the renewal of the mercury recovery facility permit, to operate under the following storage limits as proposed in the permit renewal application.

Current Volume Limit		Proposed Volume Limit	
Fluorescent Lamps	60,000 lamps	Total Mercury	64,000 lamps
HID Lamps	4,000 lamps	Containing Lamps	

This revision will not increase the amount of mercury containing materials on-site. It will solely provide the facility with increased flexibility for receiving large quantity shipments of HID lamps.

If you have any questions, please call me at (602) 415-3023, or Phill Ditter at (262) 243-8908.

Thank you for considering these points.



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Sincerely,

ONYX ENVIRONMENTAL SERVICES, L.L.C.

A handwritten signature in black ink, appearing to read "G. S. Newton", written over a horizontal line.

Greg S. Newton
EHS Manager

cc: Greig Siedor
John McShane
Phill Ditter
Linda Dunwoody

10 DAY TRAILER LOG INSTRUCTIONS

1. Driver will bring Shipping documents to the office and must be checked by either the Operations Manager or designated representative for trailer contents. If there is **Manifested Hazardous Waste destined for Tallahassee facility** the trailer must be backed into the loading dock for unloading. The manifested waste must be removed before it can go to the transfer yard. There is no exception to this procedure.
2. Receiving clerk will enter trailer information onto the log accurately and completely. Pay close attention to the calculation of the 10 day drop dead date. Use a calendar to ensure accuracy. The following entries must be made on every trailer.
 - Trailer Number
 - Arrival Date
 - Drivers Name who is bringing in the trailer.
 - Paperwork checked for manifested material. Yes or No
 - Paperwork screened and entered by. Put your name in this block.
 - If there is NO MANIFESTED MATERIAL leave the next two cells blank
 - **IF THERE IS MANIFESTED MATERIAL, enter the manifest document number and the generator name in the designated cells. ANY MATERIAL MANIFESTED TO THE TALLAHASSEE FACILITY MUST BE UNLOADED BEFORE TRAILER CAN GO TO TRANSFER YARD.**
 - Drop Dead date refers to the last day a trailer can be in the transfer yard and must be unloaded by this date without exception.
 - Unload date is the date the trailer is unloaded at the facility.
 - Notes are to identify any information about the load that does not fit into any other column. This column is not to be used for recording empty dates or information not necessary on to manage the trailer.
3. **Unload Deadline.** This will be 10 days from the date the trailer is placed in transfer yard. There is no exception to this rule.
4. Transfer Yard will be checked daily to ensure Log matches physical inventory in Transfer Yard. Trailers should be checked to ensure that they are secure while in the yard. Any discrepancies should be immediately reported to the Operations Manager.
5. The receiving clerk will update and save the spreadsheet back to the shared drive each time a new entry is made. Entries must be made in a timely manner and without delay.
6. The Operations Supervisor will update this spreadsheet by 8:00 am each day with information on what trailers are in the dock being unloaded and trailers that were complete the day prior if done during second shift. The Operations Supervisor will review the log for planning his production schedule for the day.
7. The Operations Manager will review the log each day prior to the end of the business day to ensure that all trailers are in compliance. The Operations Manager will conduct a physical inventory of the yard twice a week to ensure that

the 10 Day Log matches the physical inventory in the yard. Any discrepancies must be corrected immediately.

The information contained on the 10 Day log is a vital record to our business and is a document used to demonstrate compliance. The log must be kept up to date at all times and is the responsibility of the Operations Manager to ensure that the log is accurate.

If any of the personnel listed above are absent from the facility there will be a trained designated employee to oversee the 10 Day log and ensure timely entries are made to the log.

**ANY QUESTIONS OR PROBLEMS NOTIFY THE OPERATIONS MANAGER
IMMEDIATELY**

SAFETY TRAINING

Friday, May 12, 2006

TOPICS:

- 10 Day Log Procedures
- 10 Day Log Instructions for Completion
- Permitted Storage Capacity and Timelines

The following persons chaired the meeting on the above listed topics, training materials were provided at the training session for each individual. This training was held at 342 Marpan Lane, Tallahassee, FL. Training session was 1.5 hours in duration. The agenda for this training session is attached to the sign in sheet.

TRAINER: Greg S. Newton, EH&S Manager

By signing my name on this sheet I indicate that I have received training on the above listed topics and I have had my questions answered to my satisfaction.

NAME (please print)	Last 4 of SSN #	SIGNATURE
Randy Williams	[REDACTED]	<i>Randy Williams</i>
Felicia Braen	[REDACTED]	<i>Felicia Braen</i>
FRANK ALLRED	[REDACTED]	<i>Frank Allred</i>
Lakiasha Walker	[REDACTED]	<i>Lakiasha Walker</i>
Marvin Williams	[REDACTED]	<i>Marvin Williams</i>
LINDA DUNWOODY	[REDACTED]	<i>Linda Dunwoody</i>