



Florida Department of Environmental Protection

Northwest District
160 Governmental Center
Pensacola, Florida 32502-5794

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

HAZARDOUS WASTE INSPECTION REPORT

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

FACILITY NAME: Terminal Service Company **DEP/EPA ID #:** FLD980848758

ADDRESS: 2778 West Tharpe Street, Tallahassee, Florida, 32303

COUNTY: Leon **PHONE:** (850) 576-1221 **DATE:** 2/28/07 **TIME:** 12:15 P.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

- ☐ exempt
☒ generator

☐ transporter

☐ Hg recovery facility
☐ Hg reclamation facility

PCW facility status

- ☒ producer
☐ transporter
☐ recovery facility

2. **APPLICABLE REGULATIONS:**

- | | | | |
|--|--|---|---|
| <input checked="" type="checkbox"/> 40 CFR 261.5 | <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 checked="" type="checkbox"/> 40 CFR 279 | <input checked="" type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-730, FAC |

3. **RESPONSIBLE OFFICIAL:** Mr. Donald Alford, Vice President of Operations

4. **INSPECTION PARTICIPANTS:** Alan Annicella - EPA, Terry Wells, Rich Galka - FDEP and Mr. Joseph Wier - Environmental Coordinator - McKenzie Tank Lines.

5. **LATITUDE/LONGITUDE:** Lat. 30° 26' 30" N / Long. 084° 20' 14" W

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

7. **PERMIT No.:**

8. Site History and Description:

Terminal Service Company (TSC), a Division of McKenzie Tank Lines (McKenzie), located in Tallahassee, Florida notified the Florida Department of Environmental Protection (FDEP) that the facility is a small quantity generator of hazardous waste. This facility has been at this location since 1964. In 1989, a resident on Country Lane discovered high levels of perchloroethylene and trichloroethylene within their private drinking well. Subsequent testing of surrounding wells indicated similar contaminants. A groundwater investigation conducted by the FDEP's Site Investigation Section indicated that McKenzie (TSC) was the source of pollution. In April 1992, McKenzie agreed to among other things (1) reimburse the FDEP \$110,751.46 for the expenses incurred by the FDEP to determine the source of pollution and (2) implement corrective actions as set forth in the document "Corrective Actions for Groundwater Contamination Cases". McKenzie has reimbursed the FDEP \$110,751.46.

A recent file summary review conducted by Ms. Julie Hardy, Northwest District Cleanup Section Project Manager, stated that McKenzie contends that their remedial activities were pulling groundwater contamination onto their property from an offsite source, Prestige Drycleaners (Fac. I.D. # 37-9502252). In December 2005 the Department FDEP approved McKenzie's request to shut down the remedial action recovery system and treatment operations and conduct at least two complete rounds of groundwater sampling.

9. Site Inspections:

On February 28, 2007, TSC was inspected by Alan Annicella, Environmental Protection Agency (EPA), Terry Wells and Rich Galka, FDEP. This inspection was conducted to ensure compliance with the Resource Conservation and Recovery Act (RCRA) and the Used Oil program. Upon arrival we met with Mr. Lamar Alford, Shop Foreman - TSC. Mr. Alford indicated that the facility was currently under a moving transition and that all maintenance activities with regards to McKenzie were in the process of being consolidated at the Tharpe Street location. We ask Mr. Alford to contact Mr. Joseph Wier. Mr. Wier met us onsite and facilitated this inspection.

TSC conducts preventative maintenance and major repairs on tank trailers. Procedures performed include welding, painting, and mechanical work. TSC employs approximately 17 people at this location.

TSC generates the following wastes:

- a) Spent solvent from Safety-Kleen paint gun-washer
- b) Waste paint-related material
- c) Waste separator tank sludges
- d) Waste aerosol cans and other waste paint-related material
- e) Spent sandblasting media (Black Beauty)
- f) Spent fluorescent bulbs

- g) Spent lead-acid and nickel-cadmium batteries
- h) Used oil
- i) Used oil filters
- j) Batteries

Interior/Exterior Washing Facility:

The first area of inspection was the interior/exterior washing facility. Mr. Wier explained that this is the area of initial introduction before any work is performed on a tanker. Mr. Wier stated that only tankers containing oils/greases, acids, and bases are cleaned.

The tanker is first inspected to ensure it is empty before washing is conducted. This area is a large open, drive-thru facility with a concrete foundation. We then asked Mr. Wier how TSC cleans-out their tanker trailers. Mr. Wier stated that they are cleaned-out with hot water and soap containing sulfuric acid. When asking how much of the caustic solution and soap the facility uses each year he stated approximately 275 gallons. I then asked if any solvents were used in the cleaning of the trucks or tanks. Mr. Wier indicated that there were no solvents used, that he was aware of, but a further inspection of this area revealed one 55-gallon drum labeled "DuPont® 3642S Acrylic Lacquer Thinner". Mr. Wier then indicated that this solvent was used, on the #6 oil trucks, to break up the buildup of material on the connections, bolts and wing nuts of the tankers. He mentioned that chlorinated solvents are not used in the cleaning process.



Interior/Exterior Washing



Solvent Used for #6 Oil



Drums Labeled Caustic Soda

Also located in this area were four 55-gallon drums that were labeled "Non Hazardous Waste" with dates of January 13, 2005 and May 6, 2005 labeled with the words "Caustic Soda". We asked Mr. Wier what was in the drums and why it was labeled non hazardous waste and he stated that he did not know. We asked Mr. Wier if he had any pH paper that we could use to try and identify the substance and he stated that he did not. Alan Annicella indicated that he had pH paper, a pH test was conducted and the pH of the contents of the drums revealed a pH of two (2). We then all agreed that this could not be "Caustic Soda". These drums were under a roof, open and not properly labeled. In addition to these drums, there was one 55-gallon drum labeled "Antifreeze" and two 55-gallon drums labeled "Waste Diesel & Waste Gas". Mr. Wier identified these drums as waste and stated that these drums are usually shipped by Texpar

Energy located in Bainbridge, Georgia. TSC generates wastewater from their truck wash-out facility. Mr. Wier stated that wastewater is processed through an on-site oil/water separator. The wastewater is accumulated on-site in one 5,000 gallon wastewater treatment tank and discharged to the City of Tallahassee sewer system. Mr. Wier stated that the pH is tested before being discharged to the sewer system and that the City conducts quarterly sampling to ensure standards are met.



Solvent Drums



Waste Diesel & Waste Gas



5000-Gallon WW Tank

Adjacent Areas near the Interior/Exterior Washing Facility:

Our next areas of inspection were directly behind, and on both sides, of the washing facility. A visual inspection of these areas revealed approximately 70 containers of various sizes (55-gallon, 30-gallon and 5-gallon drums/buckets). There were several drums of used oil that were not labeled, open, not located in secondary containment and some were discharging used oil to the environment. There were also several 55-gallon drums that contained waste gas, diesel, oil or a mixture of both. Some drums were labeled but most were not labeled. Also, throughout these areas were several drums that contained oil dry and concrete.



Several Waste Drums



Several Waste drums



Several Waste Drums

Located directly behind the washing facility was one closed loop Safety-Kleen paint washing gun unit. I asked Mr. Wier how the paint gun waste was being managed and he indicated that

he did not know. Located beside the paint washing gun unit were two sparging tanks utilized for groundwater remediation.



Several Waste Drums



SK Gun Washer



Open Drum- Oil/Water

Some of the drums were stored on asphalt but many were being stored on the ground with several discharges throughout the area. A visual observation of ongoing discharges was a 55-gallon drum of what appeared to be used oil. One drum that was leaking its contents onto the ground was up-righted and Mr. Wier was informed that all drums that were in disrepair or discharging their contents to the ground should be repaired and corrected, with the contaminated media being properly addressed. Many of the drums' contents could not be identified and Mr. Wier indicated that many would have to have a waste characterization completed before proper disposal could occur. Some of the drums that were discharging their contents to the ground were labeled gas, diesel or oil.



Used Oil Discharged



Used Oil Discharged



Tank Fueling Facility

10,000-gallon Diesel Tank Fueling Station:

A visual inspection of this area found that McKenzie operates a 10,000 gallon diesel fueling tank for its trucks. An inspection revealed that this tank (Registration Facility Id #8943907), was located under roof and inside a block secondary containment unit. Mr. Wier stated that this tank is equipped with an emergency pump that is connected to a tanker trailer in-case an overflow occurs at the main diesel tank. A visual inspection of the overflow unit device was conducted with no petroleum discharge identified. Located near the fueling tank was a

CEMEX Processing facility that Mr. Wier stated was where the concrete solids were generated that were identified in some of the waste drums located near the washing facility.

Tanker Production/Fabrication Facility:

These two areas are where the tanker repair occurs and where parts for the trucks are manufactured. The tanker production facility had one "Black Gold" Heater/furnace that is hard-piped to the 205-gallon used oil storage tank. This is considered one unit. This 205-gallon used oil tank is located inside and was not labeled with the words "Used Oil". Also in this area was one 55-gallon drum labeled "For Wheel Oil Only". This drum was open during this inspection. Mr. Wier was informed of the proper labeling criteria and he stated that they should be labeled. Located in the Fabrication Facility was one parts washer that Mr. Wier stated was serviced onsite and the solvent used was 141° solvent (Mineral Spirits).

Brake Shop & Electrical Shop:

Located in the brake shop were two 55-gallon drums that were labeled "Oil Only". An inspection of the drums revealed that these drums were ½ & ⅓ full. These drums were located inside and stored on concrete. Also located in this area was one Black Gold Heater/furnace that is hard-piped to the 205-gallon used oil tank. Also, in this area was one 55-gallon partially filled drum of used oil that was not labeled. Again Mr. Wier and I discussed the rules regarding used oil management and labeling. In the brake shop there was two parts washers that were serviced by TSC employees. Upon further inspection, Alan Annicella, EPA identified one of the parts washers as leaking solvent onto the concrete floor. Also, in this area was one 55-gallon drum that was identified as waste transmission fluid by Mr. Wier. This drum was not labeled or closed.



Black Gold Heater/furnace



Waste Aerosol Cans



Waste Bulbs

The electrical shop houses personnel that repair and maintain the facility as well as conduct electrical repairs on the CEMEX plant and tankers. An inspection of this area revealed several boxes of new fluorescent bulbs that were going to be exchanged when the paint booth lighting was serviced. Located in the corner of the electrical shop were approximately nine (9) spent fluorescent bulbs. Mr. Wier indicated that these spent bulbs are usually boxed up, labeled and shipped over to the Appleyard facility for processing. Also in this area were two aerosol cans

of chlorinated solvent (CRC Brakleen) that the electrician uses to free air tool parts and one small box of waste aerosol cans. CRC Brakleen contains greater than 95% tetrachloroethylene. I asked Mr. Wier how the waste aerosol cans were managed and he stated that the facility has a can crusher for the waste aerosol cans. Before leaving this area we informed Mr. Wier that the use of chlorinated solvents could have impacts on the remedial action project and that all boxes/containers of waste fluorescent bulbs should be managed in accordance the regulatory rules and guidelines.

Sandblasting Area:

TSC also conducts sandblasting activities. This inspection revealed that TSC performs sandblasting outside and allows spent sandblasting media to pile-up and disperse on the surrounding asphalt pavement. When asked if TSC had ever performed a hazardous waste determination on spent sandblasting media, Mr. Wier stated "yes". Mr. Wier identified the sandblast media as "Black Beauty". When asked if any disposal of the media had occurred Mr. Wier stated "No". We informed Mr. Wier that analysis should be conducted before disposal to ensure the media waste was below RCRA regulatory limits.



Black Beauty Blast Media

Tractor Repair Shop:

Mr. Wier identified this area as being recently moved to this location. McKenzie performs preventative maintenance and general repairs to their trucks. Waste streams generated in this area are used oil, used oil filters, waste batteries, aqueous parts washer sludge, zero blast beads and filters. Located in this shop were two Black Beauty Heater/furnaces that are hard-piped to the used oil tank. There are two aqueous parts washers, one 5-gallon bucket of used oil and one 30-gallon drum of used oil filters. These containers were not properly labeled or closed. Located outside this facility was one 300-gallon tote that was labeled "Used Antifreeze" but contained "Used Oil". Located next to the tote was one pallet of eleven batteries. This pallet was stored on concrete but not protected from the weather.



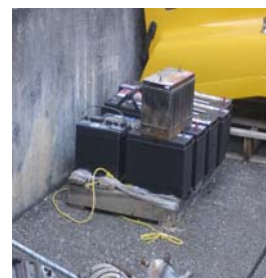
Black Gold Heater



Waste Oil Filters



Used Oil Tote



Waste Batteries

During the inspection of this area, Mr. Wier and I discussed the labeling issue and I informed him of the batteries located outside the building on the pallet. Mr. Wier stated "I have a lot of work to do at this facility".

Warehouse and Paint Booth:

The last areas of inspection were the warehouse and paint booth. A brief inspection of the warehouse revealed that this area is where all incoming parts and material are stored before distribution to its repair area. This facility is under lock and key. During the inspection of the warehouse I asked Mr. Wier if McKenzie/TSC were involved in a battery exchange program. Mr. Wier stated yes and the warehouse manager was made aware of the eleven batteries that were stored on the pallet located outside the tractor repair shop.

We inspected the paint booth and found a small bucket with paint waste located inside. This bucket was not labeled nor closed. We asked Mr. Wier how the paint waste and paint waste filters were being managed/disposed. Mr. Wier stated that he did not know what was in the bucket or how the paint waste or waste filters were being managed.



Records Review/Exit Debriefing:

We then asked Mr. Alford and Mr. Wier for their used oil, used oil filter and hazardous waste manifest. Mr. Wier stated that all used oil disposal manifest were kept at the Appleyard facility and there is no hazardous waste manifest for this site because this facility does not generate hazardous waste. We questioned Mr. Wier as to the waste gas, diesel, paint waste, paint filter waste, sand blast media and the several unknown drums of waste identified earlier in our inspection. Mr. Wier indicated that he and his contractor would begin characterizing the unknown waste drums on Monday. Mr. Wier also stated that he would have the soils characterized and disposed of properly. We then informed Mr. Alford and Mr. Wier that before disposal occurs that the characterizations should be sent to the FDEP for review. We began our debriefing to Mr. Alford outlining the potential violations at his site. We began with the marking and labeling and container management issues. Mr. Alford indicated that he has had problems, in the past, with a specific employee addressing the labeling issue. We then expressed our concern with the electric shop employees using "CRC Brake Cleaner". We suggested that the facility eliminate the use of any chlorinated solvents because of the ongoing remedial action system. We informed Mr. Alford and Mr. Wier that the FDEP and EPA would prepare our reports with our findings and send them a copy. I explained the process to Mr. Alford as to how the FDEP and his facility could resolve the issues identified during this inspection.

10. Alleged Violations:

a) 40 CFR 261.5(g)(1) & 40 CFR 262.11 Waste Determination (3.1)

A person who generates a solid waste, as defined in 40 CFR 261.2, must determine if that waste is a hazardous waste using the method outlined in 262.11.

TSC failed to make a hazardous waste determination on numerous containers that did not have labels during this inspection. These containers include: four 55-gallon drums that were labeled "Non Hazardous Waste" at the Interior/Exterior Washing Facility; two 55-gallon drums of unknown wastes located behind the Interior/Exterior Washing Facility; approximately 70 containers of various sizes (55-gallon, 30-gallon and 5-gallon drums/buckets) at the Adjacent Areas near the Interior/Exterior Washing Facility; the numerous 55-gallon drums located north of the Diesel Tank Fueling Station; and one 5-gallon bucket of waste paint related material in the Paint Booth.

b) 40 CFR 261.5(g)(3) CESQG Improper Hazardous Waste Disposal (17.3)

TSC allowed some waste gas and waste diesel drums to be discharged onto the ground in areas adjacent to the Interior/Exterior Washing Facility and the Diesel Tank Fueling Station. Additionally, one 5-gallon bucket of paint waste located in the paint booth was not closed and it appeared that the contents had been evaporating.

c) 40 CFR 279.22(c)(1) & 62.710.401(6) F.A.C. General Storage Reqmnts for Used Oil (28.1)

279.22(c)(1) - Containers and aboveground tanks used to store used oil at generator/transfer/processing and re-refining facilities/burner facilities must be labeled or marked clearly with the words "Used Oil."

62-710.401(6) - *No person may store used oil in above-ground containers unless such containers are clearly labeled with the words "used oil" and are in good condition (no severe rusting, apparent structural defects or deterioration) with no visible oil leakage. If such containers are not stored inside a structure, they must be covered or otherwise protected from the weather. If they are not double-walled tanks, they must be stored on an oil-impermeable surface such as sealed concrete or asphalt, and must have secondary containment."*

TSC failed to label numerous used oil drums with the words "Used Oil". Numerous containers (greater than fifteen 55-gallon drums) located outside in areas adjacent to the Interior/Exterior Washing Facility and north of the Diesel Tank Fueling Station were not labeled and many drums open and/or had leaked their content onto the ground. There was no secondary containment provided for any of the drums or tanks located outside throughout the facility. There were many 5-gallon buckets that contained both water and used oil that was not labeled, closed or in secondary containment that were located throughout the facility.

d) 40 CFR 279.22(d) Failure to Respond To Used Oil Release (27.1)

"40 CFR 279.22(d) – Oil. Upon detection of a release of used oil to the environment a generator must perform the following cleanup steps: (1.) Stop the release; (2.) Contain the released oil; (3.) Clean up and manage properly the released oil and any other materials; and (4.) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service."

TSC failed to ensure that its containers that were stored outside were in good condition, closed and the drums contents were not being discharged to the environment. There were several used oil containers that were discharging their content during this inspection in areas adjacent to the Interior/Exterior Washing Facility and the Diesel Tank Fueling Station. There were several visual stains where discharges had apparently occurred in the past.

e) 62-710.850(5)(a) F.A.C. General Storage Requirements for Used Oil Filters (26.2)

62-710.850(5)(a) - All persons storing used oil filters shall store used oil filters in above ground containers which are clearly labeled "Used Oil Filters," and which are in good condition (no severe rusting, apparent structural defects or deterioration) with no visible oil leakage. The containers shall be sealed or otherwise protected from weather and stored on an oil-impermeable surface.

TSC's waste used oil filter drum was not labeled or closed. This drum was located inside the tractor repair building.

f) 40 CFR 273.13(d) General Storage Requirements for Universal Waste Lamps

A small quantity handler of universal waste must manage universal waste pesticides in a way that prevent releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides must be contained in one or more of the following: (1) A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions;

Located in the corner of the electrical shop were approximately nine (9) spent fluorescent bulbs which were not containerized.

f) 40 CFR 273.14 & 273.15(c) Labeling/Dating Requirements for Universal Waste Lamps

40 CFR 273.14 - Labeling/marking. A small quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste as specified below:

(e) Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste--Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)".

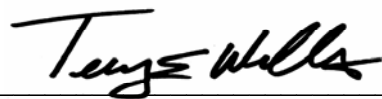
40 CFR 273.15(c) - A small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration by: (1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received.

Located in the corner of the electrical shop were approximately nine (9) spent fluorescent bulbs which were not labeled or dated.

11. Recommendations:

- a) TSC needs to ensure that a hazardous waste determination is performed on all waste streams generated at the site.
- b) TSC needs to ensure that all hazardous waste is properly handled and disposed of in accordance with all applicable state and federal regulations.
- c) TSC needs to ensure that all containers that contain used oil, used oil filters, petroleum contact water or petroleum waste are closed or otherwise protected from the weather, labeled, and properly disposed.
- d) TSC needs to keep all disposal records (manifest, used oil disposal receipts, PCW receipts, and used oil filter disposal receipts) onsite for a minimum of three (3) years.
- e) TSC needs to assess, remove, analyze and properly dispose of all contaminated soils that were identified during this inspection in accordance with Chapter 62-780 F.A.C., Contaminated Site Cleanup Criteria. Analysis should be sent to the FDEP for review before disposal occurs.
- f) TSC needs to conduct a hazardous waste determination/characterization on all waste drums located adjacent to the washing facility. The analysis should be sent to the FDEP for review before disposal occurs.
- g) TSC needs to manage its universal waste lamps to ensure all waste lamps are containerized to prevent a release, closed, labeled and dated properly.
- h) It is recommended that TSC eliminate the use of chlorinated solvents at the facility.

Report prepared by: _____



Terry Wells

Date: 12 April, 2007