



Florida Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

ELECTRONIC MAIL

vsanagustin@perma-fix.com

Mr. Victor San Agustin
Perma-Fix of Orlando
10100 Rocket Blvd.
Orlando, FL 32824

OCD-HW- E-07-221

Orange County – HW
Perma-Fix of Orlando, Inc.
HW - FLD980559728/SW - SO48-0152516-002 & FLR000115469
October 2007 Inspection Report

Dear Mr. San Agustin:

On October 15, 2007, a representative of the Florida Department of Environmental Protection conducted an inspection to determine whether the Perma-Fix of Orlando hazardous waste and used oil transporter, 10-day hazardous waste transfer facility, and permitted storage facility of solid and hazardous waste were in compliance with the Department's solid and hazardous waste permits and rules. Copies of the inspection reports are attached. Additional comments are as follows:

TSD Area:

1. A discussion was held concerning the temporary storage of hazardous waste that is to be consolidated on-site. The facility asked if waste moved from the upper warehouse (TSD) down to the lower warehouse (consolidation area) could be temporarily stored in the lower warehouse (consolidation area) in order to minimize movement prior to consolidation. The Department is open to the temporary storage but has several concerns as listed below.
 - a. What will be the maximum amount of time that waste will be staged in the lower warehouse (consolidation area) before being processed?
 - b. How will the facility account for material being staged in the lower warehouse (consolidation area) in the monthly status updates?
 - c. How will the facility ensure that waste is removed off site within the allowable permitted timeframe of one year? For example, "Container A" is stored in the TSD area for five months before being moved to the consolidation area. Once in the consolidation area "Container A" is combined with other waste over a period of two months. The new consolidation container, which includes "Container A", is stored for an additional six months back in the TSD before being shipped off for disposal. The contents of "Container A" will have been on site for 13 months; one month longer than permitted.

Within 10 days of receipt of this letter please provide clarification for the items listed above. If you have any questions or need further information, please contact Jeff Waters at (407) 893-3328 or by e-mail at jeff.t.waters@dep.state.fl.us.

Sincerely,



Lu Burson
Environmental Manager
Solid and Hazardous Waste

November 30, 2007
Date

MLB/jtw

Enclosures
Inspection Report(s)
Inspection Photographs

cc: Mike Avery, General Manager, Perma-Fix of Orlando
John Griffin, HW Permitting Engineer, FDEP



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INSPECTION REPORT

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

FACILITY NAME Perma-Fix of Orlando, Inc. EPA ID # FLD 980559728

STREET ADDRESS 10100 Rocket Boulevard, Orlando, Florida 32824

EMAIL ADDRESS kschmuggerow@perma-fix.com

COUNTY Orange PHONE 770-587-9898 DATES 10/15/2007 TIMES 2:30 pm

NOTIFIED AS: ☐ N/A

- ☐ Non Handler
☐ CESQG (<100 kg/mo.)
☐ SQG (100-1000 kg/mo.)
☒ Generator (>1000 kg/mo.)
☒ Transporter
☒ Transfer Facility
☐ Interim Status TSD Facility
☒ TSD Facility
Unit Type(s): Storage
☐ Exempt Treatment Facility
☒ Used Oil: Transporter

CURRENT STATUS:

- ☐ Non Handler
☐ CESQG (<100 kg/mo.)
☐ SQG (100-1000 kg/mo.)
☒ Generator (>1000 kg/mo.)
☒ Transporter
☒ Transfer Facility
☐ Interim Status TSD Facility
☒ TSD Facility
Unit Type(s): Storage
☐ Exempt Treatment Facility
☒ Used Oil: Transporter

2. **APPLICABLE REGULATIONS:**

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> 40 CFR 261.5 | <input checked="" type="checkbox"/> 40 CFR 262 | <input checked="" type="checkbox"/> 40 CFR 263 | <input checked="" type="checkbox"/> 40 CFR 264 |
| <input type="checkbox"/> 40 CFR 265 | <input type="checkbox"/> 40 CFR 266 | <input checked="" type="checkbox"/> 40 CFR 268 | <input checked="" type="checkbox"/> 40 CFR 273 |
| <input checked="" type="checkbox"/> 40 CFR 279 | <input checked="" type="checkbox"/> 40 CFR 280 | <input checked="" type="checkbox"/> 62-701, FAC | <input checked="" type="checkbox"/> 62-710, FAC |
| <input checked="" type="checkbox"/> 62-730, FAC | <input checked="" type="checkbox"/> 62-737, FAC | <input checked="" type="checkbox"/> 62-761, FAC | |

3. **RESPONSIBLE OFFICIAL(s):**

Mike Avery, General Manager, Perma-Fix

4. **INSPECTION PARTICIPANTS:**

Jeff Waters, FDEP, Solid & Hazardous Waste

Kevin Schmuggerow, Perma-Fix,
VP of Logistics,
Raj Singh, Perma-Fix,
Operations Manager

Victor L. San Agustin, Perma-Fix,
Director of Compliance

5. **LATITUDE/LONGITUDE:** 28°25'04" / 81°23'10"

6. **NAICS Code:** 562112

7. **TYPE OF OWNERSHIP:** ☒ Private ☐ Federal ☐ State ☐ County ☐ Municipal

8. **HAZARDOUS WASTE PERMIT #:** 26919-HO-004 **ISSUED:** 11/14/03 **EXPIRES:** 11/06/08
SOLID WASTE PERMIT #: SO48-0152516-002 **ISSUED:** 03/21/05 **EXPIRES:** 01/19/10

9. **INTRODUCTION:**

On October 15, 2007, Jeff Waters, Florida Department of Environmental Protection (FDEP), inspected both Perma-Fix of Orlando, Inc. (Perma-Fix) locations for compliance with solid and hazardous waste regulations. The Perma-Fix of Orlando, Inc., located at 10100 Rocket Boulevard, is a hazardous waste transporter, a 10-day hazardous waste transfer facility and a permitted hazardous waste treatment, storage and disposal facility. This inspection is described below.

The solid waste inspection at Perma-Fix of Orlando, Inc., located at 10225 General Drive, Orlando, Orange County, Florida, is documented on a separate checklist.

10. **HAZARDOUS WASTE INSPECTION HISTORY:**

Operations have been located at these locations since 1985 but the business was originally called Chemical Conservation Corporation (Chemcon). The facility changed names to Perma-Fix of Orlando, Inc. in 2001. The facility has been inspected yearly since 1985. The following information lists specific inspections:

August 1998

The facility was in compliance at the time of the inspection.

September 1998

The facility was out of compliance at the time of the inspection. The facility was cited for failure to provide annual training on hazardous waste regulations. The facility submitted the records at a later date and the case was closed without enforcement.

September 1999

The facility was out of compliance at the time of the inspection. The facility was cited for the following violations: failure to conduct proper waste determinations and appropriate land ban restrictions, failure to update contingency plan, failure to segregate hazardous waste, failure to conduct annual hazardous waste training, failure to maintain the facility to minimize sudden releases, failure to submit annual verification of insurance, and failure to maintain current financial assurance. The case was closed through the execution of a Short Form Consent Order including the assessment of \$1700.00 in civil penalties.

November 1999

The facility was in compliance at the time of the inspection.

June 2000

The facility was out of compliance at the time of the inspection. The facility was cited for the following violations: storing non-hazardous waste in the hazardous waste storage area, and failure to notify the Department of ability to meet a specific permit condition. Specifically, Chemcon was using an unacceptable surety company for insurance. The case was resolved by executed Consent Order No. 00-1471 and the assessment of \$2,550.00 in civil penalties.

May and August 2001

The facility was out of compliance at the time of the inspection. The facility was cited for the following violations: failure to maintain the facility to minimize sudden releases, failure to utilize the waste analysis plan and violating specific permit condition. Specifically, Chemcon failed to rectify

manifest discrepancies within 15 days of receipt of the waste. The case was resolved by executed Consent Order No. 02-0027 and the assessment of \$12,100.00 in civil penalties.

April 2002

The facility was out of compliance at the time of the inspection. The facility was cited for the following violations: failure to label hazardous waste containers, failure to maintain hazardous waste containers closed, failure to conduct weekly inspections, failure to label hazardous waste containers with an accumulation start date, storing over the capacity of facility as stated in the permit, failure to meet land disposal treatment standards, and storing transfer waste longer than 10 days. The case was resolved by executed Consent Order No. 02-2060 and the assessment of \$13,350.00 in civil penalties.

March 2003

The facility was out of compliance at the time of the inspection. The facility had 4 drums stored longer than 1 year; however, the drums were shipped off-site the day after the inspection. The Department took no further action.

May 2004

The facility was out of compliance at the time of the inspection and numerous violations were cited including: exceeding hazardous waste storage requirements as stated in the facility's permit, hazardous waste determination process, hazardous waste training requirements, used oil violations, and storage tank violations. The case was resolved by executed Consent Order No. 04-1771 and the assessment of \$51,845.00 in civil penalties.

April 2006

An inspection was conducted as a result of a fire that was reported to the State Warning Point (SWP) on April 19, 2006. The facility was out of compliance with their hazardous waste permit specific condition #14, Maintenance and Operation. Specifically, the facility allowed a fire to occur due to improper storage and/or management of incompatible hazardous waste. As requested the facility updated their operation/contingency plan. The case was resolved by executed Consent Order No. 06-1668 and the assessment of \$10,950.00 in civil penalties.

December 2006 & February 2007

The facility was out of compliance at the time of inspections. The facility was cited for the following violations: failure to perform waste determination, operations of the TSD facility, hazardous waste container management, and used oil labeling. The case was resolved by executed Consent Order No. 07-1790 and the assessment of \$3,936.00 in civil penalties in addition to a supplemental environmental project involving lab packing services for Central Florida high school laboratories.

11. PROCESS DESCRIPTION:

Hazardous Waste Treatment, Storage and Disposal (TSD) Facility (10100 Rocket Boulevard):

Perma-Fix collects hazardous waste from generators using Perma-Fix's own transportation services as well as other registered hazardous waste transporters. Generators serviced by Perma-Fix are those that generate hazardous waste that is exclusive of explosive, radioactive, or biomedical waste. Perma-Fix operates under hazardous waste storage permit number 26919-HO-004, issued November 14, 2003.

Before collecting any waste, the generator's request is reviewed to determine if the generator's waste stream has passed their evaluation process. Perma-Fix requires that each new waste stream be tested and that each waste stream's acceptance be updated yearly. The evaluation process used is described in detail in the waste analysis plan section of the facility's permit application. Based on the regulatory status of the waste stream and the conditions set forth in the permit that authorizes Perma-Fix to manage hazardous waste, Perma Fix then decides whether to accept the waste.

Perma-Fix collects hazardous waste and stores the material in its warehouse for up to a year before transporting the waste to an off-site disposal facility. Perma-Fix uses the 10-day transfer facility status when possible in order to avoid re-manifesting, record keeping, reporting, and other more stringent permit requirements. Waste stored for a period longer than ten days is transferred to Perma-Fix's designated storage facility. Perma-Fix then amends the incoming manifest to reflect the change, the containers are relabeled, and the waste is managed in accordance with permit requirements.

Hazardous wastes are segregated at the facility according to compatibility groups as outlined in their permit. Storage areas have secondary containment to minimize and prevent possible releases to the environment.

Perma-Fix's permit allows the bulking and consolidation of hazardous waste; however, at the time of inspection and several months prior Perma-Fix was not performing these operations.

12. **INSPECTION:**

Storage Area

Wastes stored in the permitted storage area were segregated according to compatibility groups as outlined in the permit. Wastes are staged along the south, east, and north walls of the building. The west wall contains the bay doors leading to the loading dock.

The storage area contained, approximately, the following number of hazardous waste containers (excluding cardboard boxes):

- Thirteen 250-gallon totes
- Thirty 55-gallon drums
- Seven 30-gallon containers
- Twenty Two 15-gallon containers
- Twenty 5-gallon containers

In total, there was approximately 5,540 gallons of waste in the permitted TSD portion of the facility. There were approximately sixteen containers of non-hazardous solid waste that were in the process of being moved on the loading dock.

The facility is in the process of purchasing a small storage unit to house wastes that are hazardous when wet. The unit is to be equipped with dry fire extinguisher and will sit inside one of the bermed areas located within the permitted TSD.

Additionally, a new fire suppression system has been put in place above the loading dock area to meet the Orange County Fire Department's regulations.

Lab Pack and Bulking Consolidation Area

This area contained no hazardous waste. Paper documents continue to be stored in this area.

The facility stated that they were considering reinstating the lab packing and bulking operations of hazardous waste as their permit allows. The Department will be notified 10-days prior to the start date.

Record Review

Hazardous waste manifests for 2007 were reviewed and found to be in compliance.

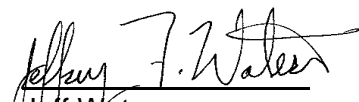
13. AREAS OF CONCERN:

- a. Ensure that all necessary permit modifications are submitted and approved by the Department for the new storage shed equipment prior to installation.
- b. The facility must notify the Department 10-days prior to reinstating the lab packing and bulking operations in the permitted area. Additionally, all paper documents must be removed from the area before lab packing and bulking operation can occur.

14. CONCLUSION:

Perma Fix, Orlando is a hazardous waste and used oil transporter, 10-day hazardous waste transfer facility, and permitted storage facility of hazardous waste. The facility was in compliance at the time of inspection.

Report Prepared By:


Jeff Waters

12/7/2007

Date

Report Reviewed by:



Lu Burson
Environmental Manager
Solid and Hazardous Waste

November 30, 2007

Date

Perma-Fix of Orlando
October 15, 2007
Jeff Waters



Fig. 1-Loading dock.



Fig. 2-New fire extinguishing system above loading dock.



Fig. 3-Container Storage Unit 1



Fig. 4- Container Storage Unit 2

Perma-Fix of Orlando
October 15, 2007
Jeff Waters



Fig. 4- Container Storage Unit 3



Fig. 5-Consolidation area 1



Fig. 6- Consolidation area 2



Fig. 7-Consolidation area 3