



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

July 29, 2009

VIA ELECTRONIC MAIL
vsanagustin@perma-fix.com

OCD-HW-C-09-156

Mr. Victor San Agustin, P.E., Director of Compliance, Southern Region
PermaFix Environmental Services
10100 Rocket Boulevard
Orlando, FL 32824

Orange County
PermaFix Environmental Services, FLD980559728
Compliance Evaluation Inspection

Dear Mr. San Agustin:

A hazardous waste and used oil compliance inspection was conducted at your facility located at 10100 Rocket Boulevard, Orlando, on May 11, 2009. The inspection was conducted under the authority of Section 403.091, Florida Statutes (Fla. Stat.) and Chapter 403, Part IV, Fla. Stat. and is designed to determine the compliance status of your facility with Title 40 Code of Federal Regulations (CFR) Parts 260 – 268 and 279. The provisions of 40 CFR Parts 260 through 268 and 279 have been adopted by reference as the state hazardous waste and used oil rules in Chapters 62-730 and 62-710, Fla. Admin. Code, respectively.

Your facility was inspected as a Treatment, Storage, and Disposal (TSD) facility, a transporter of hazardous waste, and a transfer facility. No violations were noted at the time of the inspection and no further action is necessary on your part. An inspection report is attached for your records.

If you have any questions, please contact me at 407/893-3323 or electronically at michael.eckoff@dep.state.fl.us.

Sincerely,

Environmental Specialist
Central District Hazardous Waste
Compliance Enforcement



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: Perma - Fix of Orlando Inc

On-Site Inspection Start Date: 05/11/2009

On-Site Inspection End Date: 05/11/2009

ME ID#: 10046

EPA ID#: FLD980559728

Facility Street Address: 10100 Rocket Blvd, Orlando, Florida 32824-8565

Contact Mailing Address: 1940 NW 67th Pl, Gainesville, Florida 32653-1649

County Name: Orange

Contact Phone: (352) 395-1356

NOTIFIED AS:

LQG (>1000 kg/month)

Transporter

Transfer Facility

TSD Facility Unit Type(s)

Used Oil

INSPECTION TYPE:

Routine Inspection for TSD Facility Unit Type(s)

Routine Inspection for Transporter facility

Routine Inspection for Transfer Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Michael Eckoff, Environmental Specialist

Other Participants: Jeff Waters, Environmental Specialist; Brad Whidden, Environmental Specialist; Victor San Augustin, Director of Compliance; Raj Singh, Operations Manager

LATITUDE / LONGITUDE: Lat 28° 25' 5.8132" / Long 81° 23' 10.5985"

SIC CODE: 4212 - Trans. & utilities - local trucking, without storage

TYPE OF OWNERSHIP: Private

Introduction:

On May 11, 2009 Michael Eckoff, Jeff Waters, and Brad Whidden, Florida Department of Environmental Protection (FDEP), accompanied by Victor San Augustin and Raj Singh, PermaFix Environmental Services (PermaFix), inspected PermaFix as a result of a fire at the facility on May 10, 2009 that was reported to the State Warning Point. The facility is a hazardous waste and used oil transporter, transfer facility, and permitted storage facility of solid and hazardous waste.

INSPECTION HISTORY

JUNE 2008

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

OCTOBER 2007

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

DECEMBER 2006 and FEBRUARY 2007

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 label hazardous waste containers with an accumulation start date; and failure to maintain the facility to minimize sudden releases. Consent Order OGC File No.

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07-1790 was executed assessing \$15,681.00 in penalties and Department costs. The facility was able to off-set \$11,745.00 of the penalty through the implementation of a supplemental environmental project.

APRIL 2006

The facility was out of compliance at the time of the inspection. The facility was cited for failure to maintain the facility to minimize the possibility of a fire and sudden releases. Consent Order OGC File No. 06-1668 was executed assessing \$10,950.00 in penalties and Department costs.

MARCH 2006

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

MAY 2004

The facility was out of compliance at the time of the inspection. The facility was cited for the following violations; storing over the capacity of facility as stated in the permit; storing transfer waste longer than 10 days; storing hazardous waste longer than one year; failure to conduct proper waste determinations; failure to utilize the waste analysis plan; failure to provide annual training of hazardous waste regulations; failure to conduct weekly inspections; failure to notify the Department of ability to meet a specific permit condition; failure to register above ground storage tanks; failure to demonstrate appropriate financial responsibility for above ground storage tanks; failure to provide secondary containment for above ground storage tanks; failure to obtain state approval prior to using above ground storage tanks; failure to equip above ground storage tanks with overfill protection; failure to inspect above ground storage tanks; failure to provide training of used oil regulations; failure to document the halogen content of loads of used oil; failure to label, keep closed or protected from the weather, and store used oil filters on an oil impermeable surface; failure to label used oil containers and tanks; unauthorized storage of solid waste; and unauthorized modification of its solid waste permit. Consent Order OGC File No. 04-1771 was executed assessing \$51,845.00 in penalties and Department costs. The facility was able to off-set \$41,076.00 of the penalty through the implementation of a supplemental environmental project.

MARCH 2003

The facility was out of compliance at the time of the inspection. The facility stored four drums of hazardous waste longer than one year, however, the drums were shipped off-site the day after the inspection and the Department took no further action.

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.

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, failing to rectify manifest discrepancies within 15 days of receipt of the waste.

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, using an unacceptable surety company for insurance.

NOVEMBER 1999

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

SEPTEMBER 1999

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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 determine appropriate land disposal 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 insurance.

SEPTEMBER 1998

The facility was out of compliance at the time of the inspection. The facility was cited for failure to provide annual training of hazardous waste regulations.

AUGUST 1998

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

Process Description:

PermaFix collects hazardous waste from generators using PermaFix's own transportation services as well as other registered hazardous waste transporters. Generators serviced by PermaFix are those that generate hazardous waste that is exclusive of explosive, radioactive, or biomedical waste. PermaFix operates under hazardous waste storage permit number 26919-HO-006, issued January 28, 2009.

PermaFix 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. PermaFix 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 10 days is transferred to PermaFix's designated storage facility. PermaFix then amends the incoming manifest to reflect the change, the containers are relabeled, and the waste is managed in accordance with the permit requirements.

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

PermaFix's consolidation operations have been temporarily suspended, no consolidation has been performed for approximately a year. PermaFix will notify the Department prior to commencing consolidation operations.

INSPECTION NARRATIVE

The inspection began at the dumpster near the loading dock that is used for disposal of solid waste. A fire occurred in the dumpster (Figures 1 and 2). Mr. Waters and Mr. Whidden conducted the inspection relating to the fire.

The facility is preparing to receive a new used oil tank, the concrete pad has been poured (Figure 3). Used oil is being temporarily stored in a frac tank which is double walled.

There was a semi trailer parked at the loading dock. All hazardous waste stored under the 10-day transfer facility requirements are placed in the semi trailer (Figure 4). The majority of hazardous waste is transported to Valdosta, Georgia, some customers prefer to deal with the facility located in Gainesville, Florida so some of the hazardous waste is transported there.

WASTE STORAGE AREA

Empty drums are stored in this area (Figure 5).

The following wastes were stored in the building (Figures 6 to 9):

Used Oil Filters

Non-Hazardous Antifreeze

Latex Paint

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Universal Waste Mercury Bulbs
Universal Waste Batteries
Water Reactive Storage Locker

WEST STORAGE AREA (Figures 10 and 11)

This is the former consolidation area, it is used as a maintenance area.

There were used oil containers and a used rags drum.

Most of the trucks used by the facility are rented and serviced by Ryder.

There was a parts washer that is not in use.

Outside the facility was an empty drum storage area and a shed for storage of shop tools (Figures 12 to 14).

RECORDS

Manifests from 2009 were reviewed and were in compliance.

The facility keeps a log of hazardous waste that is brought from facilities to track the 10-day storage limit. After the waste is entered on the log it is placed in the semi trailer that is parked at the loading dock.

The contingency plan was dated August 14, 2008. The list of emergency coordinators has changed since the last revision to the contingency plan. Mr. San Agustin will submit an updated contingency plan.

NOTE: An updated contingency plan was received from Mr. San Agustin on 5/13/2009, the contingency plan was in compliance.

Hazardous waste training was conducted on November 5, 2008.

The Biennial Report was not available for review, Mr. San Agustin stated Kurt prepares the report and he would have to get with Kurt to obtain the report and he would send a copy to the Department.

NOTE: A copy of the Biennial Report for 2007 was received from Mr. San Agustin on 5/12/2009.

The facility notified local authorities in October 2006.

The facility had current and up to date job descriptions available for review.

Weekly inspections are being conducted and documented, the number of drums is not documented in the inspection logs but is documented on the 10-day storage log.

Summary of Potential Violations and Areas of Concern:

Potential Violations

No Violations

Areas of Concern

No Areas of Concern

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ATTACHMENTS:

Figure 1-Dumpster fire



Figure 2-Dumpster fire



Figure 3-Concrete pad for UO Tank



Figure 4-HW 10-day storage



Figure 5-Empty drums



Figure 6-Waste storage area



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Figure 7-Waste storage area



Figure 8-Waste storage area



Figure 9-Waste storage area



Figure 10-West storage area



Figure 11-West storage area



Figure 12-Empty drums



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Figure 13-Empty drums



Figure 14-Empty Drums



Conclusion:

PermaFix is a hazardous waste and used oil transporter, transfer facility, and permitted storage facility of solid and hazardous waste and was not in compliance at the time of the inspection. The facility submitted documents to the Department that returned the facility to compliance.

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Signed:

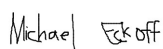
A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Michael Eckoff

PRINCIPAL INSPECTOR NAME

Environmental Specialist

PRINCIPAL INSPECTOR TITLE**PRINCIPAL INSPECTOR SIGNATURE**

FDEP - Central District

ORGANIZATION

7/27/2009

DATE

Jeff Waters

INSPECTOR NAME

Environmental Specialist

INSPECTOR TITLE

NO SIGNATURE

INSPECTOR SIGNATURE

FDEP - Central District

ORGANIZATION

Brad Whidden

INSPECTOR NAME

Environmental Specialist

INSPECTOR TITLE

NO SIGNATURE

INSPECTOR SIGNATURE

FDEP - Central District

ORGANIZATION

Victor San Augustin

REPRESENTATIVE NAME

Director of Compliance

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

PermaFix Environmental Services

ORGANIZATION

Raj Singh

REPRESENTATIVE NAME

Operations Manager

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

PermaFix Environmental Services

ORGANIZATION

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NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.