



via janine.kraemer@dep.state.fl.us

February 22, 2011

Janine Kraemer, C.H.M.M.
Solid & Hazardous Waste Program
Florida Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803-3767

Subject: Response to Feb 4, 2011 Non-Compliance Letter;
FECC, Inc., 3652 Old Winter Garden Road, Orlando
EPA ID No. FLD981748015

Dear Ms. Kraemer:

We received the non-compliance letter on February 4, 2011. This letter shall serve as our response. An item by item response to each potential violation, issue, and request identified in the non-compliance letter are shown below:

"...FECC had not completed used oil training. Within 30 days of receipt of this letter, please provide the Department with used oil training documentation."

Enclosed as Attachment A is proof of used oil training.

"...Specifically, FECC failed to determine if waste paint thinner was a hazardous waste. Within 30 days from receipt of this letter, FECC shall provide the Department with documentation that all paint waste is being managed correctly."

FECC will collect the waste paint thinner generated from cleaning the paint gun into a hazardous waste satellite accumulation container. The hazardous paint thinner waste from the satellite accumulation container will then be stored and then shipped out as hazardous waste. Alternatively, if acceptable to the used oil recycling facility, the hazardous paint thinner waste may be placed into a drum containing used oil as allowed under 40 CFR 261.5(j) for CESQG's. We will notify the used oil recycling facility of such and will coordinate with them prior to mixing hazardous paint thinner waste with used oil.

Any rags containing hazardous paint thinner waste or hazardous paint waste will be satellite-accumulated, stored, and shipped offsite as a hazardous waste.

FECC started conducting equipment maintenance work including painting at 3652 Old Winter Garden Road, Orlando only last December, 2011. Except for the waste paint thinner mentioned above, paint wastes have not yet been generated as of the Department's January 18 visit. When the time comes when paint waste is generated, paint waste meeting the definition of a hazardous waste will be properly managed and

disposed of as hazardous waste. Paint wastes that do not meet the definition of a hazardous waste will be managed and disposed of as non-hazardous waste.

As of the date of this response, the paint-stained tarps observed during the Department's January 18 inspection are still reusable and are not yet deemed a waste. The tarps in question are stored indoors away from rain. As discussed last Friday, February 12, when the operator decides to waste the tarps, we will inspect and ensure that any paint left in the tarps are all completely dried and then the tarps will be disposed of as non-hazardous waste.

"...Specifically, FECC failed to label one 55-gallon drum of used oil in the warehouse. FECC corrected this violation before the end of the inspection."

No additional response is requested by the Department.

"...Specifically, FECC was storing used oil filters in an unlabeled bucket. FECC corrected this violation before the end of the inspection."

No additional response is requested by the Department.

"... Freehold Cartage has a 10-day transfer registration with EPA ID number FLD984187831; however, the manifest listed NJD054126164 as the EPA identification number... Please provide the Department a copy of the corrected manifest and documentation that the generator has been notified of the correction."

Enclosed as Attachment B is an email communication showing the manifest correction has been made by Waste Management, Inc. (WMI), the designated facility shown on the manifest and that all parties shown on the manifest have been notified. Mr. DiBuono, whose email is seniorsniper2@gmail.com represents the generator. The corrected manifest is also enclosed in Attachment B.

"...One of the manifests was missing the last number (5) of Clean Pro Environmental's EPA identification number. Please provide the Department with a corrected copy of manifest 00085197GBF and documentation that the generator has been notified of the correction."

Enclosed in Attachment C is an email communication showing the manifest correction has been made by WMI and that all parties shown on the manifest have been notified. Larry Eagan is with Envirofocus and Bobby Lockmuller, whose email is bobby@stdbulk.com is with Clean Pro Environmental.

"...The wash pad was wet and a power sprayer and cleaners were located on it. The Department's Industrial Wastewater (IW) Permitting program was notified of this information"

Although no response is requested, we would like to inform the Department that we have decided to obtain a permit for the wash pad. We will work with the Department's

IW program to either apply for a new permit or apply for renewal of the recently expired permit if the latter option is still acceptable to the Department.


We hope the Department finds the above responses satisfactory. If you have any questions, please call me at 407-296-9995.

Sincerely,

FECC, Inc.

A handwritten signature in cursive script, appearing to read "Victor L. San Agustin".

Victor L. San Agustin, P.E., C.H.M.M.
Environmental Consultant

A handwritten signature in cursive script, appearing to read "David Gushleff".

David Gushleff, C.I.H.
Health & Safety Director

Attachment A

Proof of Used Oil Training



FECC, Inc.

CERTIFICATE OF TRAINING

This Certifies That

Don Schill

has completed Used Oil and Used Oil Filter Transporter Training

Completed on February 3, 2011
by FECC, Inc. to
Comply with Chapter 62-710.600(2)(b)

Don Schill

Don Schill, Trainee
FECC, Inc.

David Gushleff

David Gushleff, CIH - Trainer
Corporate Health and Safety Officer



FECC, Inc.

CERTIFICATE OF TRAINING

This Certifies That

Ernest Whidden

has completed Used Oil and Used Oil Filter Transporter Training

Completed on January 21, 2011

by FECC, Inc. to

Comply with Chapter 62-710.600(2)(b)

Ernest Whidden

Ernest Whidden, Trainee
FECC, Inc.

David Gushleff

David Gushleff, CIH - Trainer
Corporate Health and Safety Officer



FECC, Inc.

CERTIFICATE OF TRAINING

This Certifies That

Mark Boyd

has completed Used Oil and Used Oil Filter Transporter Training

Completed on January 25, 2011

by FECC, Inc. to

Comply with Chapter 62-710.600(2)(b)

Mark Boyd

Mark Boyd, Trainee
FECC, Inc.

David Gushleff

David Gushleff, CIH - Trainer
Corporate Health and Safety Officer



FECC, Inc.

CERTIFICATE OF TRAINING

This Certifies That

Ray Vann

has completed Used Oil and Used Oil Filter Transporter Training

Completed on January 25, 2011

by FECC, Inc. to

Comply with Chapter 62-710.600(2)(b)

Ray Vann

Ray Vann, Trainee
FECC, Inc.

David Gushleff

David Gushleff, CIH - Trainer
Corporate Health and Safety Officer

Attachment B

**Email Communication Regarding
Freehold Cartage**

victor san agustin

From: victor san agustin [victor.sanagustin@environmentalcomplianceflorida.com]
Sent: Tuesday, February 15, 2011 10:49 AM
To: 'dschill@feccorporation.com'; 'seniorsniper2@gmail.com'
Cc: 'macker@wm.com'; 'mhirst@freeholdcartage.com'; 'dgushleff@feccorporation.com'
Subject: Florida Shooting Club, Key Largo, Manifest No. 001349024GBF
Attachments: DOC001.pdf

Dear Don and Mr. DiBuono:

As required by FDEP, attached is a corrected copy of a hazardous waste manifest. The EPA ID number of Freehold Cartage had to be replaced as explained in the email chain below. Please print and keep a copy of this email and the attached manifest for your files.

Any questions, please call or email. Thanks.

Victor L. San Agustin
Florida Environmental Compliance Corp.
cell 813-842-5520

From: Acker, Melissa [mailto:MAcker@wm.com]
Sent: Monday, February 14, 2011 4:22 PM
To: Michael Hirst
Cc: victor.sanagustin@environmentalcomplianceflorida.com; Oliver, Dorothy
Subject: RE: Florida Shooting Club, Key Largo, 001349024GBF, Freehold Cartage EPA ID

See attached!

Dorothy,
Could you forward copy to state?
Thanks,
Lisa

Victor,
Would you mind forwarding this to generator and cc'ing me? If you can't please let me know!
Thanks,
Lisa

From: Acker, Melissa
Sent: Monday, February 14, 2011 9:31 AM
To: 'Michael Hirst'
Cc: 'victor.sanagustin@environmentalcomplianceflorida.com'
Subject: RE: Florida Shooting Club, Key Largo, 001349024GBF, Freehold Cartage EPA ID

Thanks! I'll send everyone a corrected copy ASAP!

From: Michael Hirst [mailto:mhirst@freeholdcartage.com]
Sent: Monday, February 14, 2011 9:29 AM
To: Acker, Melissa
Cc: victor.sanagustin@environmentalcomplianceflorida.com
Subject: RE: Florida Shooting Club, Key Largo, 001349024GBF, Freehold Cartage EPA ID

Since we did not transport, I have the ok from our safety director to change the manifest.

Thanks mikeh

From: Acker, Melissa [mailto:MAcker@wm.com]
Sent: Monday, February 14, 2011 10:01 AM
To: Michael Hirst
Cc: victor.sanagustin@environmentalcomplianceflorida.com
Subject: RE: Florida Shooting Club, Key Largo, 001349024GBF, Freehold Cartage EPA ID

Michael,

Good morning! Would you be willing to reconsider changing transporter's EPA ID in section 7 of Florida Shooting Club's 001349024GBF from NJD054126164 to FLD984187831? Let me know!

Thanks,

Lisa Acker

CWM-Emelle

205-652-8195

From: victor san agustin [mailto:victor.sanagustin@environmentalcomplianceflorida.com]
Sent: Monday, February 14, 2011 7:46 AM
To: Acker, Melissa
Subject: RE: Florida Shooting Club, Key Largo, 001349024GBF, Freehold Cartage EPA ID

Hi Lisa,

I relayed the response below to the FDEP. According to Janine Kraemer of FDEP (tel. 407-894-7555), Freehold merely stored the waste at their 10 day transfer facility in Bartow and did not transport the waste. FDEP still wants the Freehold's EPA ID number changed on the manifest.

Could you please touch base with Freehold again and ask them to reconsider and agree to change their EPA ID number on that one manifest?

Thanks for the help.

Victor L. San Agustin, P.E., C.H.M.M.
Environmental Consultant
San Agustin Compliance Services, LLC
8332 Lexington View Lane, Orlando, FL 32835
land & fax 407-454-6149
cell 813-842-5520
email victor.sanagustin@environmentalcomplianceflorida.com
website www.environmentalcomplianceflorida.com

From: Acker, Melissa [mailto:MAcker@wm.com]
Sent: Thursday, February 10, 2011 5:04 PM
To: victor.sanagustin@environmentalcomplianceflorida.com
Subject: Florida Shooting Club, Key Largo, 001349024GBF, Freehold Cartage EPA ID

Victor,

I didn't get your phone # when we spoke earlier. I managed to get in touch with Michael Hirst, the Freehold driver that transported Florida Shooting Club's 001349024GBF. He says that all transportation performed by Freehold Cartage is under the EPA ID of NJD054126164. As this is a valid EPA ID, I cannot change manifest section 7 to reflect EPA ID of FLD984187831. I am sorry if

this is a problem, but I cannot make this correction.

If you would like to call to discuss, my number is 205-652-8195 or respond by email.

Thanks,

Lisa Acker

CWM-Emelle

205-652-8195

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No virus found in this message.

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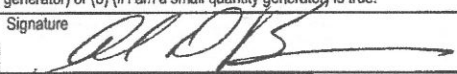
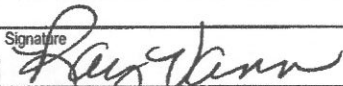
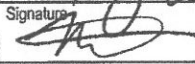
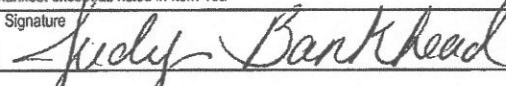
Version: 10.0.1204 / Virus Database: 1435/3434 - Release Date: 02/10/11

No virus found in this message.

Checked by AVG - www.avg.com

Version: 10.0.1204 / Virus Database: 1435/3443 - Release Date: 02/14/11

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number FLR000180044	2. Page 1 of 2 +	3. Emergency Response Phone (800)424-8300	4. Manifest Tracking Number 001349024 GBF		
5. Generator's Name and Mailing Address FLORIDA KEYS SHOOTING CLUB 100 GUN CLUB RD KEY LARGO FL 33037 Generator's Phone: (305)304-1588			Generator's Site Address (if different than mailing address)				
6. Transporter 1 Company Name F.E.C.A. Inc			U.S. EPA ID Number FLD981748015				
7. Transporter 2 Company Name Freehold Cartage Inc			U.S. EPA ID Number FLD984187831 NTD051126161				
8. Designated Facility Name and Site Address CHEMICAL WASTE MANAGEMENT, INC. 36984 ALABAMA HWY 17 EMELLE AL 35459 Facility's Phone: (205)652-9721			U.S. EPA ID Number ALD000822484				
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
		1. RQ, HAZARDOUS WASTE, SOLID, N.O.S., 9, NA3077, III (D008) AL100432	1	CN	3042	Y	D008
		2.					
		3.					
		4.					
14. Special Handling Instructions and Additional Information AL100432 ERG-171 ERI PROVIDER: CHEMTREC (WM CONTRACT)							
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.							
Generator's/Officer's Printed/Typed Name Al DiBono		Signature 		Month 11		Day 29	
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S.		Port of entry/exit: Date leaving U.S.:					
17. Transporter Acknowledgment of Receipt of Materials							
Transporter 1 Printed/Typed Name Ray Vann		Signature 		Month 11		Day 30	
Transporter 2 Printed/Typed Name Michael Hirst		Signature 		Month 11		Day 30	
DESIGNATED FACILITY	18. Discrepancy						
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
	corrected trans 2's EPA ID per Michael Hirst 11/2/11						
	18b. Alternate Facility (or Generator) Facility's Phone:						
	18c. Signature of Alternate Facility (or Generator) Month 12 Day 7 Year 10						
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)							
1. H132		2.		3.		4.	
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a							
Printed/Typed Name Judy Bankhead		Signature 		Month 12		Day 7	

DESIGNATED FACILITY

Attachment C

**Email Communication Regarding
Clean Pro Environmental**

victor san agustin

From: victor san agustin [victor.sanagustin@environmentalcomplianceflorida.com]
Sent: Friday, February 11, 2011 10:24 AM
To: 'mcrampton@feccorporation.com'
Cc: 'dgushleff@feccorporation.com'
Subject: FW: 000885197GBF, Envirofocus, Corrected EPA ID for transporter 1
Attachments: DOC001.PDF

Hi Marjorie,

As part of satisfying FDEP's request, please print the attached corrected manifest from WMI and file in the respective job file.

Victor L. San Agustin, P.E., C.H.M.M.

Environmental Consultant

San Agustin Compliance Services, LLC

8332 Lexington View Lane, Orlando, FL 32835

land & fax 407-454-6149

cell 813-842-5520

email victor.sanagustin@environmentalcomplianceflorida.com

website www.environmentalcomplianceflorida.com

From: Acker, Melissa [mailto:MAcker@wm.com]
Sent: Thursday, February 10, 2011 4:20 PM
To: larry.eagan@efttampa.com
Cc: bobby@stdbulk.com; victor.sanagustin@environmentalcomplianceflorida.com; Coghlan, Leigh
Subject: 000885197GBF, Envirofocus, Corrected EPA ID for transporter 1

Larry,

Good afternoon! I hope all is going well! I made a small correction to Envirofocus' 000885197GBF received at Emelle on 7/14/2010.

Transporter 1's EPA ID was missing a digit. I corrected manifest to reflect entire EPA ID for Clean Pro. See attached for copy of corrected manifest.

Could you make sure that correction is transferred to your generator's initial copy, as well as designated facility to generator copy of 000885197GBF?

If you have any questions, call me at 205-652-8195 or reply to this email.

Thanks,
Lisa Acker
CWM-Emelle
205-652-8195

Waste Management recycles enough paper every year to save 41 million trees. Please recycle any printed emails.

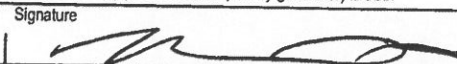

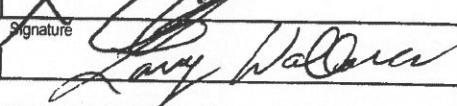
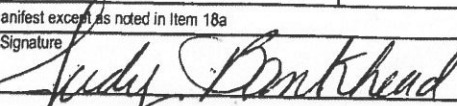
No virus found in this message.

Checked by AVG - www.avg.com

Version: 10.0.1204 / Virus Database: 1435/3434 - Release Date: 02/10/11

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number FLD004092830	2. Page 1 of 1	3. Emergency Response Phone (800)424-9300	4. Manifest Tracking Number 000885197 GBF	
5. Generator's Name and Mailing Address ENVIROFOCUS TECHNOLOGIES LLC 1901 N 65TH ST TAMPA FL 33619-2901 Generator's Phone: (813)620-3260			Generator's Site Address (if different than mailing address)			
6. Transporter 1 Company Name CLEAN PRO ENVIRONMENTAL			U.S. EPA ID Number FLR 000 163 725			
7. Transporter 2 Company Name F.E.C.C			U.S. EPA ID Number FLD 987 480 15			
8. Designated Facility Name and Site Address CHEMICAL WASTE MANAGEMENT, INC. HIGHWAY 17 NORTH, MILE MARKER 163 EMELLE AL 35458 Facility's Phone: (205)652-9721			U.S. EPA ID Number ALD000622464			
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit WL/Vol
			No.	Type		
	X	1. RQ, HAZARDOUS WASTE, SOLID, N.O.S., 9, NA3077, III (D005, D008) AL100201	1	DR	22.94	T
		2.				
		3.				
		4.				
13. Waste Codes D005 D008						
14. Special Handling Instructions and Additional Information AL100201 ERG-171 110934 555						
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.						
Generator's/Officer's Printed/Typed Name Michael W. Warden			Signature 		Month Day Year 06 30 10	
TRANSPORTER	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____					
	17. Transporter Acknowledgment of Receipt of Materials					
	Transporter 1 Printed/Typed Name Diostado Perez		Signature 		Month Day Year 06 30 10	
	Transporter 2 Printed/Typed Name LARRY WALLACE		Signature 		Month Day Year 07 12 10	
DESIGNATED FACILITY	18. Discrepancy					
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection					
	corrected trans 1's EPA ID to 2/10/11					
	18b. Alternate Facility (or Generator)			Manifest Reference Number: _____ U.S. EPA ID Number: _____		
	Facility's Phone: _____					
	18c. Signature of Alternate Facility (or Generator) _____ Month Day Year _____					
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
1. LIB2		2.		3.		4.
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a						
Printed/Typed Name Judy Bankhead			Signature 		Month Day Year 07 13 10	