



Florida Department of Environmental Protection

Southwest District
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: 813-632-7600

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

October 3, 2011

Mr. Bob Mulholland
EQ Florida, Inc.
7202 East 8th Ave.
Tampa, FL 33619

Re: Consent Order, OGC Case No. 11-0334
EQ Florida, Inc.
FLD981932494

Dear Mr. Mulholland:

Enclosed is a copy of the executed Consent Order for the referenced case. Please note that your penalty payment of \$47,070.00 is due by October 21, 2011.

Your continued cooperation is appreciated. If you have any question please call me at (813) 632-7600, extension 473.

Sincerely,

Shannon Camp
Environmental Specialist
Division of Waste Management

cc: Lea Crandall, OGC
Glen Perrigan, HWR Section (Electronic)
Parvez Mallick, US EPA Region IV (Electronic)
Kelley Boatwright, Hills. EPC (Electronic)

Coogle, Deon

From: Microsoft Exchange
To: Crandall, Lea; Perrigan, Glen; Stewart, Patricia
Sent: Tuesday, October 04, 2011 11:17 AM
Subject: Delivered: EQ Florida, Inc. - Executed Consent Order

Your message has been delivered to the following recipients:

Crandall, Lea

Perrigan, Glen

Stewart, Patricia

Subject: EQ Florida, Inc. - Executed Consent Order

Sent by Microsoft Exchange Server 2007

Coogle, Deon

From: Microsoft Exchange
To: 'boatwright@epchc.org'
Sent: Tuesday, October 04, 2011 11:17 AM
Subject: Relayed: EQ Florida, Inc. - Executed Consent Order

Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:

'boatwright@epchc.org'

Subject: EQ Florida, Inc. - Executed Consent Order

Sent by Microsoft Exchange Server 2007



Florida Department of Environmental Protection

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September 20, 2011

Mr. Bob Mulholland
EQ Florida, Inc.
7202 East 8th Ave.
Tampa, FL 33619

SUBJECT: Department of Environmental Protection v. EQ Florida, Inc.
OGC File No.: 11-0334
EPA ID FLD 981 932 494

Mr. Bob Mulholland:

The State of Florida Department of Environmental Protection ("Department") finds that EQ Florida, Inc. ("Respondent") owned and operated a permitted Treatment, Storage and Disposal Facility, in violation of the rules and statutes cited in the attached warning letters. Before sending this letter, the Department requested that the Respondent undertake certain actions to resolve the violations. These actions have since been completed. However, due to the nature of the violations, the Respondent remains subject to civil penalties. The Respondent is also responsible for costs incurred by the Department during the investigation of this matter.

The Department's Offer

Based on the violations described above, the Department is seeking \$46,070.00 in civil penalties and \$1,000.00 for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of \$47,070.00. The civil penalty in this matter includes six violations of \$2,000.00 or more.

Respondent's Acceptance

If you wish to accept this offer and fully resolve the enforcement matter pending against the Respondent, please sign this letter and return it to the Department at Southwest District Office by September 30, 2011. The Department will then countersign it and file it with a designated clerk of the Department. Once the document is filed with the designated clerk, it will constitute a final order of the Department pursuant to Section 120.52(7), F.S. and will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, F.S. and the attached Notice of Rights.

By accepting this offer you, Bob Mulholland:

- (1) certify that you are authorized and empowered to negotiate, enter into, and accept the terms of this offer in the name and on behalf of Respondent;

- (2) acknowledge and waive Respondent's right to an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., on the terms of this offer, once final; and
- (3) acknowledge and waive Respondent's right to an appeal pursuant to Section 120.68, F.S.; and
- (4) acknowledge that payment of the above amount does not constitute a waiver of the Department's right, if any, to recover emergency response related costs and expenses for this matter.

The Department acknowledges that the Respondent's acceptance of this offer does not constitute an admission of liability for the violations referenced above.

Respondent's Performance

After signing and returning this document to the Department,

(1) Respondent must pay \$47,070.00 in full by October 21, 2011.

(2) The payment must: (a) be in the form of a cashier's check or money order; (b) be payable to the "Department of Environmental Protection"; (c) include the OGC Number assigned above and the notation "Ecosystem Management and Restoration Trust Fund"; and (d) be sent to Florida Department of Environmental Protection Southwest District Office, 13051 N Telecom Parkway, Temple Terrace, FL 33637.

The Department may enforce the terms of this document, once final, and seek to collect monies owed pursuant to Sections 120.69 and 403.121, F.S.

Until clerked by the Department, this letter is only a settlement offer and not a final agency action. Consequently, neither the Respondent nor any other party may request an administrative hearing to contest this letter pursuant to Chapter 120, F.S. Once this letter is clerked and becomes a final order of the Department, as explained above, the attached Notice of Rights will apply to parties, other than the Respondent, whose interests will be substantially affected.

Please be aware that if the Respondent declines to respond to the Department's offer, the Department will assume that the Respondent is not interested in resolving the matter and will proceed accordingly.

If you have any questions, please contact Shannon Camp at (813)632-7600 ext 473 or at Shannon.D.Camp@dep.state.fl.us.

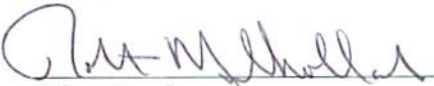
Sincerely,



Gary S. Colecchio
Southwest District Director
Florida Department of Environmental Protection

FOR THE RESPONDENT:

I, Bob Mulholland, on behalf of EQ Florida, Inc., **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: 
[Signature]

Date: 9-30-2011

Title: Director of Operations
[Type or Print]

FOR DEPARTMENT USE ONLY

DONE AND ORDERED this 3rd day of October, 2011, in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Gary S. Colecchio
Southwest District Director
Florida Department of Environmental Protection

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

10/3/11
Date

Attachments: Notice of Rights
Warning Letters, Inspection Reports.

Final clerked copy furnished to:
Lea Crandall, Agency Clerk (lea.crandall@dep.state.fl.us)

NOTICE OF RIGHTS

Persons who are not parties to this Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Order means that the Department's final action may be different from the position it has taken in the Order.

The petition for administrative hearing must contain all of the following information:

- a) The OGC Number assigned to this Order;
- b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- c) An explanation of how the petitioner's substantial interests will be affected by the Order;
- d) A statement of when and how the petitioner received notice of the Order;
- e) Either a statement of all material facts disputed by the petitioner or a statement that the petitioner does not dispute any material facts;
- f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Order;
- g) A statement of the rules or statutes the petitioner contends require reversal or modification of the Order; and
- h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Order.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at the address indicated above. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under Sections 120.569 and 120.57, Florida Statutes. Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

PENALTY COMPUTATION WORKSHEET

Violator's Name: EQ Florida, Inc.

Identify Violator's Facility: 7202 East 8th Ave., Tampa, FL 33619 FLD981932494

Name of Department Staff Responsible for the Penalty Computations: J. Dregne

Warning Letter #: WL10-0061HW29SWD Date: 8/26/2011

	Violation Type	Manual Guide	Potential for Harm	Extent of Deviation	Matrix Range	Other Adjustments	Total
1.*	262.33 – unlabeled outbound HW containers(1)	HW 22	Moderate	Moderate	\$11,330 - \$7,090		Combined with Violation #9
2.	263.10 – failure of HW transporter to fill out manifest properly(2)	HW 70	Minor	Minor	\$710 - 150		\$150
3.*	264.15(b)(i) - (permit violation also) failure to insp. Emergency/safety equipment daily(1) 264.15(d) – failure to note date and nature of corrective actions on inspection logs(2)	HW 166 HW 129	Minor	Minor	\$710 - 150		\$710
4.*	264.31 – waste observed on HW storage containers(3)	HW 201	Minor	Major	\$4,250 - \$2,130		\$4,250
5.*	264.173(a) –open HW storage containers(1) 264.173(a) & (b)- failure to keep HW containers closed/in good condition(2)	HW 166 HW 31/32	Minor	Major	\$4,250 – 2,130		\$4,250
6.	264.176 – storing ignitable HW w/in 50 ft of property line (also permit violation)(1)	HW 5	Moderate	Major	\$15,580 - \$11,330		Combined with Violation #12
7.	264.177(c) – failure to segregate unknown wastes(2)	HW 36	Minor	Major	\$4,250 – 2,130		Combined with Violation #12
8.	264.1080 – failure to maintain filter/using non-exempt/noncompliant carbon absorption device(2)	HW 165	Minor	Minor	\$710 - 150		\$150
9.	268.50(a)(2)(i) failure to mark HW storage containers with acceptance date(1) 268.50(a)(2)(ii) – failure to mark containers with received date/label as HW(2)	HW 164	Moderate	Moderate	\$11,330 - \$7,090		\$11,330

EQ FLORIDA - PENALTY COMPUTATION WORKSHEET

AUGUST 26, 2011

Page 2

10.	273.14(a) – failure to properly label multiple UW Batteries drums(2)	UW 7	Minor	Minor	\$710 - 150		\$150
11.	279.22(c)(1)- failure to label 1 UO dolly & 1 UO DM with words "Used Oil"(2)	UO 146	Minor	Minor	500		\$500
12.*	403.727(1)(c) – (permit violation) staging HW in dedicated HW storage areas(3)	HW 5	Moderate	Major	\$15,580 - \$11,330		\$15,580
13.*	403.727(1)(c) – (permit violation) failure to ensure all containers are marked w/all applicable EPA waste codes(3)	HW 164	Moderate	Minor	\$7,090 - \$4,250		\$4,250
14.	403.727(1)(c) – failure to accurately document inventory(2)		Moderate	Moderate	\$11,330- \$7,090		Combined with Violation #9
15.	62-710.401(6) – unlabeled UO containers/UO stored w/in sec. cont. pallet(1)	UO 101	Minor	Major	\$1,199 - \$500		\$500
16.*	62-737.400(5)(a) – failure to store UW lamps in structurally sound containers(3) 62-737.400(7) – failure to store UW lamps indoors or within closed truck(2)	UW 37 UW 42	Minor	Major	\$4,250 - \$2,130		\$4,250
SUB-TOTAL							\$46,070.00
DEPARTMENT COSTS							\$1,000.00

LEGEND

- Repeat Violation
- (1) Violation cited on August 25, 2010 inspection.
- (2) Violation cited on April 19, 2011 inspection.
- (3) Violation cited on August 25, 2010 and April 19, 2011 inspections.

Total Penalties Including Department Costs: \$47,070.00


Gary S. Colecchio

Southwest District Director

Florida Department of Environmental Protection

20 SEPT. 2011

Date



Florida Department of Environmental Protection

Southwest District
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: 813-632-7600

June 20, 2011

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

CERTIFIED MAIL 7009 1410 0001 0092 2349
RETURN RECEIPT REQUESTED

Mr. Bob Mulholland
EQ Florida, Inc.
7202 East 8th Ave.
Tampa, FL 33619

Re: EQ Florida, Inc.
FLD981932494
Warning Letter #WL11-0019HW29SWD
Hillsborough County

Dear Mr. Mulholland:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A joint USEPA Region IV/Department of Environmental Protection (FDEP) hazardous waste program field inspection conducted on April 19, 2011, indicates that violations of Florida Statutes and Rules may exist at the above referenced facility. USEPA and FDEP personnel made observations described in the attached inspection report. The report lists a summary of alleged violations of Department Rules.

Sections 403.161 and 403.727, Florida Statutes (F.S.) provides that it is a violation to fail to comply with rules adopted by the Department. The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Department Rules should cease.

You are requested to contact Shannon Camp at (813)632-7600, extension 473, within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of a Consent Order which will include a compliance schedule, an appropriate penalty, and

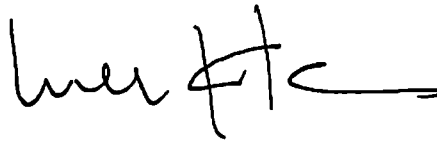
Inserted into OCULUS

JUN 20 2011

reimbursement of the Department's costs and expenses. In accordance with the United States Environmental Protection Agency's (EPA) RCRA Civil Penalty Policy of 2003, the penalties which could be assessed in hazardous waste cases are up to \$37,500 per day per violation.

If this investigation confirms that your facility is significantly out of compliance, and the case is not resolved through timely entry of a Consent Order, under the Department's agreement with the EPA, a formal referral for judicial action must be made to the Department's Office of General Counsel. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely yours,



✶ Pamala Vazquez
Program Administrator
Southwest District

PV/sdc

Attachment

cc: Ron Noble, ESQ (rnoble@fowlerwhite.com)
Parvez Mallick, USEPA Region IV (Mallick.Parvez@epamail.epa.gov)
Hector Danois, USEPA Region IV (Danois.Hector@epamail.epa.gov)
Glen Perrigan, HWR Section (Glen.Perrigan@dep.state.fl.us)
Kelley Boatwright, Hills. Co. EPC (Boatwright@epchc.org)



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: EQ Florida Inc

On-Site Inspection Start Date: 04/19/2011

On-Site Inspection End Date: 04/19/2011

ME ID#: 21659

EPA ID#: FLD981932494

Facility Street Address: 2002 N Orient Rd, Tampa, Florida 33619-3356

Contact Mailing Address: 7202 E 8th Ave, Tampa, Florida 33619-3380

County Name: Hillsborough

Contact Phone: (813) 319-3423

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 Hazardous Waste Transfer Facility

Routine Inspection for Hazardous Waste Transporter facility

Routine Inspection for LQG (>1000 kg/month) facility

INSPECTION PARTICIPANTS:

Principal Inspector: Shannon D. Camp, Inspector

Other Participants: Larry Sinatra, Plant Manager; Hector Danois, EPA Inspector; Bob Mulholland, Manager

LATITUDE / LONGITUDE: Lat 27° 57' 44.8953" / Long 82° 22' 25.1455"

SIC CODE: 4953 - Trans. & utilities - refuse systems

TYPE OF OWNERSHIP: Private

Introduction:

EQ Florida, Inc. was inspected on April 19, 2011, to determine the facility's compliance with state and federal hazardous waste regulations. This inspection was a joint Environment Protection Agency, Region IV/Florida Department of Environmental Protection inspection. Mr. Sinatra accompanied the inspectors throughout the inspection. The Department's Hazardous Waste Section last inspected this facility in August 2010.

Process Description:

EQ Florida (EQ) is a permitted Treatment, Storage and Disposal Facility as well as a registered Hazardous Waste, Used Oil and Universal Waste Transporter and Transfer Facility. The facility is currently in the process of renewing their permit with the Department.

Operations at EQ have not changed significantly since the previous inspections. The inspection included all three bays within the storage building, the transport trucks, the vehicle maintenance area, the laboratory and a review of pertinent records. All five sumps within the storage building appeared clean and dry. The facility had only documented eight new shipments on the transfer facility log since the previous inspection. EQ's contingency plan was last revised in January 2010 and the training documentation appeared adequate.

Inspection Date: 04/19/2011

The only changes to the EQ since the Department's last inspection is that EQ is no longer emptying all the spent aerosol cans prior to shipping them off site. Currently, the majority of the aerosols are segregated: those with chlorofluorocarbons which are generally in aluminum cans and those in steel cans. They normally only empty the cans that are almost empty to remove the propellant and residual contents. Spent hazardous waste aerosols are currently shipped to Rineco for disposal.

New Potential Violations and Areas of Concern:**Checklist Independent Potential Violations and Areas of Concern**

Type: Violation
Rule: 279.22(c)(1)
Explanation: The facility failed to label one used oil dolly and one used oil drum that were located within the vehicle maintenance shop with the words "Used Oil." (corrected)
Corrective Action: Personnel labeled the used oil dolly and used oil drum with the words "Used Oil" during the inspection.

Type: Violation
Rule: 273.14(a)
Explanation: At the time of the inspection, EQ was storing multiple 55-gallon drums containing universal waste batteries that were improperly marked as "Non-regulated Waste."
Corrective Action: Effective immediately, EQ must ensure that all containers storing universal waste batteries are marked with the words "Universal Waste Batteries."

Type: Violation
Rule: 264.173(a), 264.173(b)
Explanation: At the time of the inspection, at least two cubic yard boxes storing hazardous waste were observed to be open. One of the boxes was observed in the processing area. That container was storing spent aerosol cans. No workers were observed adding or removing waste from the container. At the time, the workers were processing aerosols from the hoppers only. The second container was observed in Bay 3. That container was marked as Hazardous Waste, without waste codes, and had DOT shipping description of corrosive solids.

Also, one cubic yard box was observed in the processing area with damage to the bottom corner. The container was storing ignitable hazardous waste aerosol cans. An additional drum was observed in an outbound truck that had a bad bung seal. Hazardous waste was observed to be bubbling out of the bung during the inspection in the truck.

Corrective Action: Effective immediately, all containers storing or holding hazardous waste must always be closed except as necessary to add or remove waste. In addition, EQ must ensure that all containers holding or storing hazardous waste are handled and stored in a manner that will not cause a rupture or leak.

Inspection Date: 04/19/2011

Type: Violation
Rule: 264.15(d)
Explanation: EQ is failing to record the date and nature of corrective actions or repairs in the daily inspection logs.
Corrective Action: Effective immediately, EQ must record the date and the nature of any corrective action or repair in the daily inspection logs.

Type: Violation
Rule: 403.727(1)(c)
Explanation: At the time of the inspection, several containers located in Bays 2 and 3 and within a trailer being loaded for outbound shipment, were not marked with applicable EPA waste identification codes in violation of permit condition S.C.II.22.a. Some containers did not have the generator's information marked on the container, either.
Corrective Action: Effective immediately, EQ must ensure that all containers storing hazardous waste are clearly marked with the contents of each container, including all applicable EPA waste identification codes and generator information.

Type: Area Of Concern
Rule: 403.727(1)(c)
Explanation: The Department is concerned that EQ may be exceeding the maximum quantity of receipted waste that remains unloaded. Records indicate that the amount often exceeds 10,000 gallons at any one time. It is unclear, however, if the documented inbound quantities are receipted or not.
Corrective Action: In a subsequent teleconference, EQ explained that there were issues concerning the facility's inspector and the documentation of the daily inspections. The facility stated that they have retooled the inspections, provided the inspectors with new training and are using a new log to document the container inventory. EQ was not able to say with certainty that the facility had not exceeded either the inbound capacity or the facility's total capacity during the teleconference.

Type: Violation
Rule: 403.727(1)(c)
Explanation: At the time of the inspection, over thirty 55-gallon drums and over twenty 5-gallon containers of hazardous waste were observed being stored in a trailer. Most of the waste had been received at the facility at least 14 days prior to the inspection. Some of the containers had been stored over two months. It was explained by Mr. Mullholland that the materials had been received but were pending an internal approval. The materials were not being loaded for outbound shipment. Storage of hazardous waste outside the permitted storage building is a violation of permit condition S.C.II.1.
(corrected)
Corrective Action: Personnel relocated the material to within the storage building during the inspection.

Inspection Date: 04/19/2011

Type: Violation
Rule: 263.10(d)
Explanation: At least three manifests were observed in which EQ as the hazardous waste transporter failed to ensure that the manifests included the transporter name and EPA identification number. In all three instances, the EQ facility noted the discrepancies after accepting the wastes. The noted manifest numbers are 007799732 JJK, 007799801 JJK and 007799791 JJK.
Corrective Action: Effective immediately, EQ must ensure that the manifests are properly filled out prior to transporting hazardous waste.

Type: Violation
Rule: 264.31
Explanation: At the time of the inspection, multiple containers that were located on a pallet within Bay 1 were observed with hazardous waste pooled on the tops. At least three of the containers appeared to have improper lids secured with tape. All the containers had arrived at EQ on April 14, 2011. No attempt had been made to repackage the material prior to the inspection.
Corrective Action: Effective immediately, EQ must ensure all containers storing hazardous waste are clean and must immediately recontainerize containers that are not in good condition.

Type: Violation
Rule: 264.1080(a)
Explanation: EQ routinely processes hazardous waste aerosol cans in a unit that has a "carbon absorption device". In a letter from the Department dated September 24, 2002, it was explained to the facility that they would either need to demonstrate that the filter is at least 95% efficient (by weight) in reducing the total organic content of the inlet vapor unless the control device is exempt. EQ responded in a letter dated October 14, 2002 that they would not be able to demonstrate compliance with 40 CFR 264 Subpart CC, and would therefore only use the device on containers smaller than 26 gallons to exempt the unit. At the time of the inspection, the facility was using two of the devices, which were mounted onto 55-gallon drums. EQ could not demonstrate during the inspection how often the filters were replaced. In addition, the filter on one of the units appeared "full" and in need of replacement, and the filter on the other unit that was in use during the inspection, had a filter that was visibly damaged.
Corrective Action: Effective immediately, EQ must demonstrate that the units are in compliance with the rule. In addition, EQ must ensure the units' filters are replaced when full or damaged if compliance can be certified.

Type: Violation
Rule: 62-737.400(7)
Explanation: At the time of the inspection, EQ was storing universal waste lamps in an open box truck. The facility was not actively loading or unloading spent lamps into the truck at the

Inspection Date: 04/19/2011

Corrective Action: As an universal waste lamp transfer facility, EQ must store its universal waste lamps or devices indoors, within a closed box truck or cover the lamp containers with a tarp if the truck is to remain open.

Type: Violation

Rule: 268.50(a)(2)(i)

Explanation: At the time of the inspection, several containers at the facility were not marked with the date the containers were received at the facility. The containers were located within all three bays and outside in the processing area and a trailer located in the yard. Failure to clearly mark upon receipt each container of hazardous waste with the date the waste was received at the facility is a violation of permit condition S.C.II.22b.

At the time of the inspection, one cubic yard box storing hazardous waste aerosols was observed without being labeled with the words "Hazardous Waste" or being dated.
(Corrected)

Corrective Action: Effective immediately, EQ must mark all containers of hazardous waste with the receipt date upon acceptance of the waste.

Type: Violation

Rule: 264.177(c)

Explanation: At the time of the inspection, multiple containers storing unknown wastes were being stored on carts in Bay 2. Personnel indicated that the wastes were placed on the cart because they were unknown or had caused an unanticipated reaction during consolidation. Most of the containers were labeled only as hazardous waste. In addition, a sign was observed on the second cart stating it was a "Unknown Holding Area." Failure to segregate unknown wastes is also a violation of permit condition S.C.II.6.

Corrective Action: Effective immediately, EQ must ensure that unknown wastes are segregated from each other.

Type: Violation

Rule: 403.727(1)(c)

Explanation: EQ failed to accurately document the inventory of wastes on the daily inventory log. In addition, the inventories were not being conducted at the opening of each business day as required by S.C.II.17 of the permit. For instance, the facility's daily counts on the date of the inspection did not appear to reflect the waste on site. The facility's waste count was conducted after the inspectors finished the facility portion of the inspection. The inspectors did not observe any trucks with inbound waste, only four being loaded for outbound and one storing hazardous waste. However, the facility documented 20,865 gallons of inbound waste.

Corrective Action: Effective immediately, EQ must accurately document the waste inventories and inventories should be conducted at the same time each business day.

Type: Violation

Inspection Date: 04/19/2011

Rule: 62-737.400(5)(a)

Explanation: At the time of the inspection, at least two boxes storing universal waste lamps within the box truck did not appear to be structurally sound.

Corrective Action: Effective immediately, EQ must ensure that universal waste lamps are stored in closed, labeled and structurally sound containers.

Summary of Potential Violations and Areas of Concern:Potential Violations

Rule Number	Area	Date Cited	Explanation
Checklist Independent Violations			
279.22(c)(1)		04/19/2011	The facility failed to label one used oil dolly and one used oil drum that were located within the vehicle maintenance shop with the words "Used Oil." (corrected)
273.14(a)		04/19/2011	At the time of the inspection, EQ was storing multiple 55-gallon drums containing universal waste batteries that were improperly marked as "Non-regulated Waste."
264.173(a), 264.173(b)		04/19/2011	<p>At the time of the inspection, at least two cubic yard boxes storing hazardous waste were observed to be open. One of the boxes was observed in the processing area. That container was storing spent aerosol cans. No workers were observed adding or removing waste from the container. At the time, the workers were processing aerosols from the hoppers only. The second container was observed in Bay 3. That container was marked as Hazardous Waste, without waste codes, and had DOT shipping description of corrosive solids.</p> <p>Also, one cubic yard box was observed in the processing area with damage to the bottom corner. The container was storing ignitable hazardous waste aerosol cans. An additional drum was observed in an outbound truck that had a bad bung seal. Hazardous waste was observed to be bubbling out of the bung during the inspection in the truck.</p>
264.15(d)		04/19/2011	EQ is failing to record the date and nature of corrective actions or repairs in the daily inspection logs.
403.727(1)(c)		04/19/2011	At the time of the inspection, several containers located in Bays 2 and 3 and within a trailer being loaded for outbound shipment

Inspection Date: 04/19/2011

Rule Number	Area	Date Cited	Explanation
403.727(1)(c)		04/19/2011	<p>codes in violation of permit condition S.C.II.22.a. Some containers did not have the generator's information marked on the container, either.</p> <p>At the time of the inspection, over thirty 55-gallon drums and over twenty 5-gallon containers of hazardous waste were observed being stored in a trailer. Most of the waste had been received at the facility at least 14 days prior to the inspection. Some of the containers had been stored over two months. It was explained by Mr. Mullholland that the materials had been received but were pending an internal approval. The materials were not being loaded for outbound shipment. <u>Storage of hazardous waste outside the permitted storage building is a violation of permit condition S.C.II.1. (corrected)</u></p>
263.10(d)		04/19/2011	<p>At least three manifests were observed in which EQ as the hazardous waste transporter failed to ensure that the manifests included the transporter name and EPA identification number. In all three instances, the EQ facility noted the discrepancies after accepting the wastes. The noted manifest numbers are 007799732 JJK, 007799801 JJK and 007799791 JJK.</p>
264.31		04/19/2011	<p>At the time of the inspection, multiple containers that were located on a pallet within Bay 1 were observed with hazardous waste pooled on the tops. At least three of the containers appeared to have improper lids secured with tape. All the containers had arrived at EQ on April 14, 2011. No attempt had been made to repackage the material prior to the inspection.</p>
264.1080(a)		04/19/2011	<p>EQ routinely processes hazardous waste aerosol cans in a unit that has a "carbon absorption device". In a letter from the Department dated September 24, 2002, it was explained to the facility that they would either need to demonstrate that the filter is at least 95% efficient (by weight) in reducing the total organic content of the inlet vapor unless the control device is exempt. EQ responded in a letter dated October 14, 2002 that they would not be able to demonstrate compliance with 40 CFR 264 Subpart CC, and would therefore only use the device on containers smaller than 26 gallons to exempt the unit. At the time of the inspection, the</p>

Inspection Date: 04/19/2011

Rule Number	Area	Date Cited	Explanation
			the devices, which were mounted onto 55-gallon drums. EQ could not demonstrate during the inspection how often the filters were replaced. In addition, the filter on one of the units appeared "full" and in need of replacement, and the filter on the other unit that was in use during the inspection, had a filter that was visibly damaged.
62-737.400(7)		04/19/2011	At the time of the inspection, EQ was storing universal waste lamps in an open box-truck. The facility was not actively loading or unloading spent lamps into the truck at the time of the inspection.
268.50(a)(2)(i)		04/19/2011	At the time of the inspection, several containers at the facility were not marked with the date the containers were received at the facility. The containers were located within all three bays and outside in the processing area and a trailer located in the yard. Failure to clearly mark upon receipt each container of hazardous waste with the date the waste was received at the facility is a violation of permit condition S.C.II.22b.
			At the time of the inspection, one cubic yard box storing hazardous waste aerosols was observed without being labeled with the words "Hazardous Waste" or being dated. (Corrected)
264.177(c)		04/19/2011	At the time of the inspection, multiple containers storing unknown wastes were being stored on carts in Bay 2. Personnel indicated that the wastes were placed on the cart because they were unknown or had caused an unanticipated reaction during consolidation. Most of the containers were labeled only as hazardous waste. In addition, a sign was observed on the second cart stating it was a "Unknown Holding Area." Failure to segregate unknown wastes is also a violation of permit condition S.C.II.6.
403.727(1)(c)		04/19/2011	EQ failed to accurately document the inventory of wastes on the daily inventory log. In addition, the inventories were not being conducted at the opening of each business day as required by S.C.II.17 of the permit. For instance, the facility's daily counts on the date of the inspection did not appear to reflect the waste on site. The facility's waste count was conducted after the inspectors finished the facility portion of the inspection. The

EQ Florida Inc Inspection Report

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Inspection Date: 04/19/2011

Rule Number	Area	Date Cited	Explanation
			with inbound waste, only four being loaded for outbound and one storing hazardous waste. However, the facility documented 20,865 gallons of inbound waste.
62-737.400(5)(a)		04/19/2011	At the time of the inspection, at least two boxes storing universal waste lamps within the box truck did not appear to be structurally sound.

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Checklist Independent Areas of Concern 403.727(1)(c)		04/19/2011	The Department is concerned that EQ may be exceeding the maximum quantity of receipted waste that remains unloaded. Records indicate that the amount often exceeds 10,000 gallons at any one time. It is unclear, however, if the documented inbound quantities are receipted or not.

Conclusion:

At the time of the inspection, EQ Florida was not operating in compliance with state and federal hazardous waste regulations.

Inspection Date: 04/19/2011

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.

Shannon D. Camp**PRINCIPAL INSPECTOR NAME**Inspector**PRINCIPAL INSPECTOR TITLE**SS**PRINCIPAL INSPECTOR SIGNATURE**6/13/2011**DATE**Hector Danois**INSPECTOR NAME**EPA Inspector**INSPECTOR TITLE**NO SIGNATURE**INSPECTOR SIGNATURE**EPA Region 4**ORGANIZATION**Larry Sinatra**REPRESENTATIVE NAME**Plant Manager**REPRESENTATIVE TITLE**NO SIGNATURE**REPRESENTATIVE SIGNATURE**Bob Mulholland**REPRESENTATIVE NAME**Manager**REPRESENTATIVE TITLE**NO SIGNATURE**REPRESENTATIVE SIGNATURE**

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.



Florida Department of
Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi Drew
Secretary

October 13, 2010

CERTIFIED MAIL 7009 1410 0001 0092 2257
RETURN RECEIPT REQUESTED

Mr. Bob Mulholland
EQ Florida, Inc.
7202 East 8th Ave.
Tampa, FL 33619

Re: EQ Florida, Inc.
FLD981932494
Warning Letter #WL10-0061HW29SWD
Hillsborough County

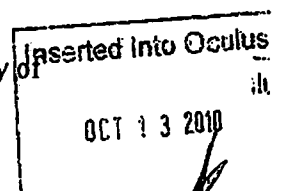
Dear Mr. Stapleton:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste program field inspection conducted on August 25, 2010, indicates that violations of Florida Statutes and Rules may exist at the above referenced facility. Department of Environmental Protection personnel made observations described in the attached inspection report. The report lists a summary of alleged violations of Department Rules.

Sections 403.161 and 403.727, Florida Statutes (F.S.) provides that it is a violation to fail to comply with rules adopted by the Department. The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Department Rules should cease.

You are requested to contact Shannon Camp at (813)632-7600, extension 473, within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

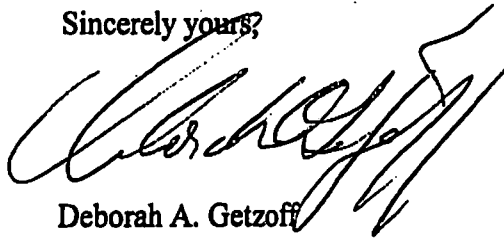
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of a Consent Order which will include a compliance schedule, an appropriate penalty, and



reimbursement of the Department's costs and expenses. In accordance with the United States Environmental Protection Agency's (EPA) RCRA Civil Penalty Policy of 2003, the penalties which could be assessed in hazardous waste cases are up to \$37,500 per day per violation.

If this investigation confirms that your facility is significantly out of compliance, and the case is not resolved through timely entry of a Consent Order, under the Department's agreement with the EPA, a formal referral for judicial action must be made to the Department's Office of General Counsel. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely yours,



Deborah A. Getzoff
District Director
Southwest District

DAG/sdc

Attachment

cc: Parvez Mallick, USEPA Region IV (electronic)
Glen Perrigan, HWR Section (electronic)
Kelley Boatwright, Hills. Co. EPC
Compliance File



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: EQ Florida Inc

On-Site Inspection Start Date: 08/25/2010

On-Site Inspection End Date: 09/02/2010

ME ID#: 21659

EPA ID#: FLD981932494

Facility Street Address: 2002 N Orient Rd, Tampa, Florida 33619-3356

Contact Mailing Address: 7202 E 8th Ave, Tampa, Florida 33619-3380

County Name: Hillsborough

Contact Phone: (813) 319-3423

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 LQG (>1000 kg/month) facility

Routine Inspection for Hazardous Waste Transfer Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Shannon D. Camp, Inspector

Other Participants: Kelly Honey, ES III; Stuart Stapleton, Regulatory Specialist; Kathleen Downey, ES I

LATITUDE / LONGITUDE: Lat 27° 57' 44.8953" / Long 82° 22' 25.1455"

SIC CODE: 4953 - Trans. & utilities - refuse systems

TYPE OF OWNERSHIP: Private

Introduction:

EQ Florida, Inc. was inspected on August 25, 2010 to determine the facility's compliance with state and federal hazardous waste regulations. Mr. Stapleton assisted the inspectors throughout the inspection. The Department last inspected this facility in July 2009. A follow-up inspection inspection was conducted on September 2, 2010 to review paperwork, inspect the laboratory and the maintenance area.

Process Description:

EQ Florida is a permitted Treatment, Storage and Disposal facility as well as a registered Hazardous Waste and Used Oil Transporter and Transfer Facility. The facility is due for a permit renewal in January 2011. The facility submitted their permit renewal application in July 2010.

Operations at EQ Florida have not changed significantly since the previous inspection. The facility was not exceeding their permitted waste capacity at the time of the inspection. All five sumps within the storage building were dry and clean. The facility's transfer facility logs and manifests, operating permit, training records, daily logs, contingency plan, closure plan and incoming/outgoing manifests were all reviewed. EQ is currently managing spent parts washer solvent generated from their Heritage Crystal Clean parts washer as hazardous waste.

Inspection Date: 08/25/2010

New Potential Violations and Areas of Concern:**TSD Containers Checklist**

Type: Violation

Rule: 264.176

Question Number: 12.90

Question: Are containers holding ignitable or reactive wastes located at least 15 meters (50 feet) from the facility property line?

Explanation: At the time of the inspection, EQ was storing over 100 55-gallon drums of ignitable hazardous waste aerosols approximately 6-7 feet from the property line. In addition, the facility was storing numerous containers of ignitable hazardous waste within Bays 1 and 3 which are both located within 50 feet of the property line.

Corrective Action: Effective immediately, EQ must store ignitable wastes only within Bay 2 as specified in Section 3 of the Permit Application.

Checklist Independent Potential Violations and Areas of Concern

Type: Violation

Rule: 273.33(d)(1)

Explanation: At the time of the inspection, universal waste lamps were being stored in boxes within an open box truck. The boxes within the truck had become wet due to exposure to the weather and multiple lamps were observed to be spilling out of a box. A number of the cardboard boxes appeared to be no longer structurally sound due to the water damage. In addition, several cardboard boxes of the lamps were observed being stored on a pallet outside. The boxes were also damaged due to the exposure to the weather and numerous lamps were observed on the ground. (Corrected)

Corrective Action: Immediately following the inspection, personnel placed the lamps within new boxes. The lamps were later shipped off for recycling.

Type: Violation

Rule: 264.31

Explanation: At the time of the inspection, multiple hazardous waste containers were observed being stored at the facility with waste pooled on tops of the containers.

Corrective Action: Most of the containers were cleaned during the inspection. EQ must ensure that containers storing hazardous waste are clean and waste is not allowed to accumulate or be stored on top of the containers.

Type: Violation

Rule: 403.727(1)(c)

Explanation: At the time of the inspection, cyanide bearing hazardous waste was observed being stored in the southwest end of Bay 3 (3B) in violation of permit condition S.C.II.8.

Inspection Date: 08/25/2010

within Bay 2.

Type: Violation**Rule:** 268.50(a)(2)(I)

Explanation: At the time of the inspection, multiple storage containers at the facility were not marked with the date the containers were received at the facility. The containers were observed in all three bays, within at least two outbound trucks and outside. Failure to clearly mark upon receipt each container of hazardous waste with the date the waste was received at the facility is a violation of permit condition S.C.II.22b.

Corrective Action: Effective immediately, EQ must mark all containers of hazardous waste with the receipt date upon acceptance of the waste.

Type: Violation**Rule:** 264.15(b)(1)

Explanation: During the inspection, the facility's emergency/safety equipment storage cabinet located within Bay 1, was examined. EQ personnel had not inspected the contents or the condition of the contents in at least 18 months prior to the inspection. A piece of paper was taped to the front of the cabinet that was dated with the last inspection date of January 7, 2009. The paper was placed over the opening so as to rip if the cabinet was opened. In accordance with Section 5 of the permit application, EQ is to inspect the facility's emergency and safety equipment daily.

Corrective Action: Effective immediately, EQ must visually inspect and document inspection of all of the facility's safety and emergency equipment daily.

Type: Violation**Rule:** 264.173(a)

Explanation: At the time of the inspection, there was one open drum storing hazardous waste located within one of the outbound trucks. The bung had been removed and was located on top of the drum. In addition, there were at least two open cubic yard boxes storing hazardous waste aerosols located outside in the unloading area. Personnel indicated that they were "In Process", however there was no waste being added to or being removed from the containers. (Corrected)

Corrective Action: The facility closed the drum during the inspection. The cubic yard boxes were later shipped off-site for disposal.

Type: Violation**Rule:** 264.177(c)

Explanation: At the time of the inspection, multiple containers storing unknown wastes were being stored on a cart in Bay 2. Personnel indicated that wastes were placed on the cart because they were unknown or had a reaction during consolidation. Some of the containers appeared to be leaking waste and most of them were not labeled as containing hazardous waste. At least one of the containers was marked with the D003 waste code. This is also a violation of permit condition S.C.II.6.

Inspection Date: 08/25/2010

Corrective Action: Effective immediately, EQ must ensure that all unknown wastes are properly contained, segregated and labeled with the words "Hazardous Waste."

Type: Violation

Rule: 403.727(1)(c)

Explanation: At the time of the inspection, EQ was staging hazardous waste in areas designated for storage by the permit. In addition, the facility was taking longer than three days to unload hazardous waste into the appropriate storage area and longer than five days to load an outbound truck. EQ was not documenting when trucks had entered, been unloaded or loaded, or had left the facility. These are all violations of permit condition S.C.II.15.

Corrective Action: Effective immediately, EQ must ensure that: all incoming shipments of hazardous waste are unloaded into the appropriate storage area within three consecutive working days of the shipment's arrival; all vehicles being loaded for outgoing shipments leave the facility within five consecutive working days of the first container of hazardous waste being placed on the vehicle; and documentation of the above is maintained in the facility's operating log.

Type: Violation

Rule: 403.727(1)(c)

Explanation: At the time of the inspection, EQ had multiple trucks on-site that were storing hazardous waste. A number of the trucks, which were open, were being parked on the ground and not on a man-made surface having emergency liquid containment, in violation of permit condition S.C.II.14.

Corrective Action: Effective immediately, EQ must ensure that all service vehicles, roll-offs, and tractor trailers that contain hazardous waste are parked over a man-made surface having emergency secondary containment or are parked at one of the unloading areas.

Type: Violation

Rule: 262.33

Explanation: At the time of the inspection, multiple containers storing hazardous waste that were loaded onto an outbound truck were observed without any labels. The containers were not placarded for transport, were not labeled as to their contents, and were not dated with the date received at the facility.

Corrective Action: Effective immediately, EQ must ensure all containers storing hazardous waste are properly placarded prior to loading onto an outbound truck.

Type: Violation

Rule: 62-710.401(6)

Explanation: At the time of the inspection of the facility's vehicle maintenance area, one five gallon bucket located inside and one approximately 20 gallon used oil dolly located outside were observed without being labeled with the words "Used Oil." Inside the building was a secondary containment pallet storing two 55-gallon drums. At the time of the inspection, the containment pallet was storing several inches of used oil. As the

Inspection Date: 08/25/2010

gallons and as the pallet was located near a overhead door, the pallet would also require secondary containment if used to store used oil.

Corrective Action: Effective immediately, EQ must ensure that all containers used to collect or store used oil are labeled with the words "Used Oil.". In addition, EQ must clean out the used oil located within the secondary containment pallet as secondary containment must not be used as a primary storage container.

Type: Violation

Rule: 62-710.850(5)(a)

Explanation: At the time of the inspection, the facility was storing used oil filters within a 5 gallon bucket in the maintenance area. The bucket was only labeled as "Biohazard."

Corrective Action: Effective immediately, EQ must ensure that all containers storing used oil filters are labeled with the words "Used Oil Filters."

Type: Violation

Rule: 403.727(1)(c)

Explanation: At the time of the inspection, multiple containers being stored at the facility were not marked with applicable EPA waste identification codes in violation of permit condition S.C.II.22.a.

In addition, several hazardous waste containers being stored at the facility did not have the generator information marked on the container. Personnel indicated that the containers had arrived at the facility in that condition.

Corrective Action: Effective immediately, EQ must ensure that all containers storing hazardous waste are clearly marked with the contents of each container, including all applicable EPA waste identification codes. EQ should also inspect all incoming waste containers to ensure they are properly placarded and marked prior to acceptance.

Summary of Potential Violations and Areas of Concern:

Potential Violations

Rule Number	Area	Date Cited	Explanation
TSD Containers Checklist 264.176		08/25/2010	At the time of the inspection, EQ was storing over 100 55-gallon drums of ignitable hazardous waste aerosols approximately 6-7 feet from the property line. In addition, the facility was storing numerous containers of ignitable hazardous waste within Bays 1 and 3 which are both located within 50 feet of the property line.
Checklist Independent Violations 273.33(d)(1)		08/25/2010	At the time of the inspection, universal waste lamps were being stored in boxes within an open box truck. The boxes within the truck had become wet due to exposure to the

Inspection Date: 08/25/2010

Rule Number	Area	Date Cited	Explanation
			lamps were observed to be spilling out of a box. A number of the cardboard boxes appeared to be no longer structurally sound due to the water damage. In addition, several cardboard boxes of the lamps were observed being stored on a pallet outside. The boxes were also damaged due to the exposure to the weather and numerous lamps were observed on the ground. (Corrected)
264.31		08/25/2010	At the time of the inspection, multiple hazardous waste containers were observed being stored at the facility with waste pooled on tops of the containers.
403.727(1)(c)		08/25/2010	At the time of the inspection, cyanide bearing hazardous waste was observed being stored in the southwest end of Bay 3 (3B) in violation of permit condition S.C.II.8.
268.50(a)(2)(i)		08/25/2010	At the time of the inspection, multiple storage containers at the facility were not marked with the date the containers were received at the facility. The containers were observed in all three bays, within at least two outbound trucks and outside. Failure to clearly mark upon receipt each container of hazardous waste with the date the waste was received at the facility is a violation of permit condition S.C.II.22b.
264.15(b)(1)		08/25/2010	During the inspection, the facility's emergency/safety equipment storage cabinet located within Bay 1, was examined. EQ personnel had not inspected the contents or the condition of the contents in at least 18 months prior to the inspection. A piece of paper was taped to the front of the cabinet that was dated with the last inspection date of January 7, 2009. The paper was placed over the opening so as to rip if the cabinet was opened. In accordance with Section 5 of the permit application, EQ is to inspect the facility's emergency and safety equipment daily.
264.173(a)		08/25/2010	At the time of the inspection, there was one open drum storing hazardous waste located within one of the outbound trucks. The bung had been removed and was located on top of the drum. In addition, there were at least two open cubic yard boxes storing hazardous waste aerosols located outside in the unloading area. Personnel indicated that they were "In Process", however there was no waste being added to or being removed from the containers. (Corrected)

Inspection Date: 08/25/2010

Rule Number	Area	Date Cited	Explanation
264.177(c)		08/25/2010	At the time of the inspection, multiple containers storing unknown wastes were being stored on a cart in Bay 2. Personnel indicated that wastes were placed on the cart because they were unknown or had a reaction during consolidation. Some of the containers appeared to be leaking waste and most of them were not labeled as containing hazardous waste. At least one of the containers was marked with the D003 waste code. This is also a violation of permit condition S.C.II.6.
403.727(1)(c)		08/25/2010	At the time of the inspection, EQ was staging hazardous waste in areas designated for storage by the permit. In addition, the facility was taking longer than three days to unload hazardous waste into the appropriate storage area and longer than five days to load an outbound truck. EQ was not documenting when trucks had entered, been unloaded or loaded, or had left the facility. These are all violations of permit condition S.C.II.15.
403.727(1)(c)		08/25/2010	At the time of the inspection, EQ had multiple trucks on-site that were storing hazardous waste. A number of the trucks, which were open, were being parked on the ground and not on a man-made surface having emergency liquid containment, in violation of permit condition S.C.II.14.
262.33		08/25/2010	At the time of the inspection, multiple containers storing hazardous waste that were loaded onto an outbound truck were observed without any labels. The containers were not placarded for transport, were not labeled as to their contents, and were not dated with the date received at the facility.
62-710.401(6)		08/25/2010	At the time of the inspection of the facility's vehicle maintenance area, one five gallon bucket located inside and one approximately 20 gallon used oil dolly located outside were observed without being labeled with the words "Used Oil." Inside the building was a secondary containment pallet storing two 55-gallon drums. At the time of the inspection, the containment pallet was storing several inches of used oil. As the capacity of the containment pallet is over 55 gallons and as the pallet was located near a overhead door, the pallet would also require secondary containment if used to store

Inspection Date: 08/25/2010

Rule Number	Area	Date Cited	Explanation
62-710.850(5)(a)		08/25/2010	used oil. At the time of the inspection, the facility was storing used oil filters within a 5 gallon bucket in the maintenance area. The bucket was only labeled as "Biohazard."
403.727(1)(c)		08/25/2010	At the time of the inspection, multiple containers being stored at the facility were not marked with applicable EPA waste identification codes in violation of permit condition S.C.II.22.a. In addition, several hazardous waste containers being stored at the facility did not have the generator information marked on the container. Personnel indicated that the containers had arrived at the facility in that condition.

Areas of Concern

No Areas of Concern

Conclusion:

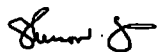
At the time of the inspection, EQ Florida was not operating in compliance with state and federal hazardous waste regulations governing Treatment, Storage and Disposal Facilities.

Inspection Date: 08/25/2010

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.

Shannon D. CampInspector**PRINCIPAL INSPECTOR NAME****PRINCIPAL INSPECTOR TITLE**9/27/2010**PRINCIPAL INSPECTOR SIGNATURE****DATE**Kelly HoneyES III**INSPECTOR NAME****INSPECTOR TITLE**NO SIGNATURE**INSPECTOR SIGNATURE**Kathleen DowneyES I**INSPECTOR NAME****INSPECTOR TITLE**NO SIGNATURE**INSPECTOR SIGNATURE**Stuart StapletonRegulatory Specialist**REPRESENTATIVE NAME****REPRESENTATIVE TITLE**NO SIGNATURE**REPRESENTATIVE SIGNATURE**

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.

Memorandum

Environmental Protection

SOUTHWEST DISTRICT ENFORCEMENT COVER MEMO

TO: C Gary S. Colecchio, SW District Director

THROUGH: WM William Kutash, Waste Program Administrator

JD James Dregne, Hazardous Waste Program Manager 10/3

EK Elizabeth Knauss, HW Enforcement Coordinator

FROM: SC Shannon Camp, Environmental Specialist III

DATE: October 3, 2011

FILE NAME: EQ Florida

COUNTY: Hills

PROGRAM: Hazardous Waste

WL # WL11-0019HW29SWD

TYPE OF DOCUMENT: SFCO for execution, transmittal letter.

REQUESTED ACTION: Review / Signature

DESCRIPTION OF VIOLATIONS: storing HW outside the permitted HW storage building, open HW containers, undated HW containers, improper storage of UW lamps; waste on tops of HW storage containers; storing HW in improper areas; failure to segregate unknown HW containers; failure to label used oil/UOF containers (maintenance); no waste codes on HW storage containers. Inaccurate inventories, noncompliance with 264 subpart cc with release

STATUS OF CORRECTIVE ACTIONS: corrected

STATUS OF PENALTY ASSESSMENT: THE PENALTY was prepared in accordance with United States EPA RCRA Civil Penalty Policy. The penalty was combined for both the 2010 and 2011 enforcement cases.

PENALTY: ☐ Not Applicable

Amount: \$ 46,070.00

Costs & Expenses: \$ 1,000.00

Total: \$ 47,070.00

Secretary Approval ☒ Not required / Approved on _____

Attachments: