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October 12, 2011

Mr. Bheem Kothur, P.E. III
Hazardous Waste Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: August 12, 2011 Notice of Deficiency
Used Oil Facility Operating Permit
January Environmental Services
1750 W. Main Street, Bartow, Florida 33830
FDEP Facility ID #FLD 982 162 943

Dear Mr. Kothur:

Enercon Services, Inc., (ENERCON), on behalf of January Environmental Services (January) presents the Florida Department of Environmental Protection (FDEP), Hazardous Waste Regulation, the following Used Oil Facility Operating Permit Response to Comments and Addendum for the January facility located at 1750 W. Main Street, Bartow, Florida.

The following are the ENERCON responses to the FDEP comments:

FDEP Comment 1:

1. *Part I.A.6, Page 8; Part II, Page 12 through 15: For the purposed of this permit application, the Facility ID number is FLD 982 162 943 (the EPA Identification Number). Please update the Used Oil permit application throughout and correct the Facility I.D. (EPA Identification Number) as appropriate.*

ENERCON's Response:

1. ENERCON updated the Used Oil permit application throughout with the correct Facility ID number.

FDEP Comment 2:

2. *Part I.A.7, and Part I.A.8, Page 8; Part II: The street address is 1750 W. Main St. in some records and 1920 in others. Please verify the street address and direction (West or East) and revise as appropriate.*

ENERCON's Response:

2. ENERCON has revised the Used Oil permit throughout with the correct address.

FDEP Comment 3:

3. *Part I.A.9 through Part I.A.13, and Page 8, 9: The Oklahoma City Address is listed as "2701 S. Prospect Ave" and "2701 S. Prospect". Please be consistent and revise as appropriate.*

ENERCON's Response:

3. ENERCON has revised the Used Oil permit throughout with the correct address.

FDEP Comment 4:

4. *DEP Form #62-701.900(4), F.A.C.; A. General information, Item 5, and Page 1 of 4: The DEP I.D. Number should be FLD 982 162 943, and the county should be "Polk" not "Bartow". Please Revise as appropriate.*

ENERCON's Response:

4. ENERCON has revised the Used Oil permit throughout with the correct FDEP ID number and corrected the county reference.

FDEP Comment 5:

5. *DEP Form #62-701.900(4), F.A.C.; A. General Information, Item 7, and Page 2 of 4: The facility township should be "30S" not "305". The conversion between decimal degrees and degrees, minutes, and seconds is incorrect. The facility latitude and longitude of 27.897968, -81.862934 translates into 27° 53 53, -81° 51 47, respectively. Please update the entry. The Facility has the site located on E. Main Street rather than W. Main Street. Please review and revise as appropriate.*

ENERCON's Response:

5. ENERCON has revised the Used Oil permit with the correct latitude and longitude and corrected the facility address.

FDEP Comment 6:

6. *DEP Form #62-701.900(4), F.A.C.; A. General Information, Item 16, and Page 2 of 4: The expected volume of waste to be received is 0.012 cubic yards per day. We request clarification on this figure. Please review this figure and revise as appropriate.*

ENERCON's Response:

6. Due to oil filters and absorbents are brought into the facility in bins and 55 gallon drums an estimated volume in cubic yards per day cannot be calculated. However, for the 2010 calendar year a total of six 55 gallon drums of absorbents, 40 bins of used oil filters, twenty three 55 gallon drums of used oil filters were brought through the facility.

FDEP Comment 7:

7. *DEP Form #62-701-900(4), F.A.C.; A. General Information, Item 16, and Page 2 of 4: Part I.A.16- The description of the operations planned for the facility needs to be expanded. The facility also picks up oily waste water, which they transport to an offsite treatment facility. They may choose to store in the onsite tanks for more than 7 days. They have historically identified the material as non-hazardous oily waste water, not used oil. The tanks are not part of a Clean Water Act treatment system.*

ENERCON's Response:

7. ENERCON expanded the facility operation description and is addressing the issue of "oily water."

FDEP Comment 8:

8. *During the inspection, containers of grease, absorbents and used (allegedly) non-hazardous parts washing solvents were being stored on site within the warehouse for more than 7 days. The facility is not exempt from financial assurance requirements per 62-701.710(10)(a), F.A.C.*

ENERCON's Response:

8. ENERCON has added grease, absorbents and parts washing solvent to the closure estimate.

SECTION B – SITE INFORMATION

FDEP Comment 1:

1. *Figure 1 – This figure does not provide adequate detail regarding piping layout and solid waste storage. Please submit an additional figure (or figures) illustrating the tanks piping layout along with details of the part of the warehouse where solid waste is stored. The rail car loading/unloading area is provided with secondary containment and should be certified as adequate, as used oil is being stored in rail cars for more than 24 hours.*

ENERCON Response:

1. ENERCON has attached additional figures that provide additional detail concerning the piping layout. Please refer to Figure 1.

FDEP Comment 2:

2. *Please identify Tank BT-301 and Tank BT-302 as used oil blending tanks.*

ENERCON's Response:

2. Tanks BT-301 and BT-302 are not in use.

SECTION C – OPERATIONAL INFORMATION

FDEP Comment 1:

1. *3.0 – Overview Plan, Para. 1 – Text appears to be missing in this paragraph. January Environmental Services, Inc. did not begin operating at the site in 1986. This is inconsistent with the text in Section 3.0 of the SPCC plan. Please review and revise as appropriate.*

ENERCON's Response:

1. ENERCON has revised the text in Section 3.0 – Overview to be consistent with similar text in the SPCC Plan.

FDEP Comment 2:

2. *3.0 – Overview, Para. 2 – The Tanks Program ID number is 53-9101026. The Hazardous Waste Program ID number is FLD 982 162 943. The paragraph does not mention management of oily wastes, antifreeze or non hazardous wastewater, which are also managed by January Environmental Services, Inc. The statement "The used oil is sold to US Foundries" is new information. In past inspections, January has only shipped used oil filters to US Foundry & Manufacturing Corp, and was not shipping any oil directly to burners. US Foundry is not registered to burn used oil, just to process filters. If January is shipping used oil directly to a burner that is not registered to burn off specification used oil fuel, January is a used oil marketer and must maintain documentation that the oil is on specification pursuant to 40 CFR 279.72. As January is not the oil generator, the process knowledge claim in Section C.5 Para 2 is not acceptable for this purpose. The only US Foundry now in operation registered with the Department's Used Oil program is located in Medley, Miami-Dade County, not Bartow. The text is also inconsistent with the text in the SPCC plan, Section 3.1 which references sales to Halco Environmental (sic). "Halco" appears to be a typographical error, as no such facility is registered as a used oil transporter or processor. If this was intended to read "HOWCO", it should be revised, as HOWCO is not able to accept oil shipped via rail.*

   The Department suggests that this paragraph be modified to contain more general language, i.e. "The used oil and oil filters are stored on site until they are delivered to either a processor registered with the State of Florida, or to a registered transporter that will deliver the material to an out of state facility that has notified the USEPA of its used oil management activities." No specific customer should be specified in this paragraph.

ENERCON's Response:

2. ENERCON updated the Used Oil permit application throughout with the correct Tanks Program and Facility ID number. The language for this section has been generalized per your comment, and references to Halco removed. January does rely on their customer's process knowledge and requires them to certify that materials have not been mixed with chlorinated or flammable materials. Specific destinations for used oil and oil filters have been updated in Section 5.0 of the Operating Information.

FDEP Comment 3:

3. *4.0 Detailed Description, Para. 1 – Only the six 24,000 gallon tanks are registered with the Tanks program. All are registered as holding used oil. There are not any 22,000 gallon double walled tanks registered, and none observed during inspections. This appears to be a typo in reference to the small double walled tank east of the compressor building. Figure 1 labels it "220 gallon waste oil tank #1". Is information available on any sealant used on the concrete containment structure? Please review this paragraph and revise as appropriate.*

ENERCON's Response:

3. ENERCON revised the paragraph to reference the 220-gallon waste oil tank.

FDEP Comment 4:

4. *4.0 Detailed Description, Para 4; reference is made to a double walled tank that provides secondary containment for a 200-gallon waste oil tank. Is a more accurate statement; the 220-gallon waste oil tank utilizes double-walled construction to provide secondary containment? This statement is also made on page 10 of 20 (first paragraph) of the SPCC Plan. Please review and revise as appropriate.*

ENERCON's Response:

4. ENERCON revised the reference in the Detailed Description and the SPCC Plan.

FDEP Comment 5:

5. *4.0 Detailed Description, Last Paragraph: The text refers to Figure 2 as the detailed site layout map. This should be Figure 1. Please update.*

ENERCON's Response:

5. ENERCON has revised the Figure reference accordingly.

FDEP Comment 6:

6. *5.0 Operating Plan, Para 2: There is a typographical error in the regulatory citation, which should read 40 CFR 279.11. In addition, as January is not the used oil generator, process knowledge may not be used to demonstrate that the used oil meets the specification. Oil must be assumed to be off specification unless January complies with the marketer requirements under 40 CFR 279.72. If January obtains information from the oil generator to demonstrate that it meets the specification, copies of this information must be maintained.*

ENERCON's Response:

6. The typographical error was corrected. January does rely on their customer's process knowledge and requires them to certify that materials have not been mixed with chlorinated or flammable materials. Copies of this documentation are maintained at the facility.

FDEP Comment 7:

7. *5.0 Operating Plan, Para 4: Sludges and byproducts may be produced if tanks are cleaned out, for example for the tank integrity testing scheduled for November 2011. An acceptable statement would be "If oily wastes or sludges are generated at the facility that cannot be managed for energy recovery, a hazardous waste determination will be conducted and the materials will be managed in accordance with 40 CFR 279.10(c) and (e)."*

ENERCON's Response:

7. The text in Paragraph 4 was changed accordingly.

FDEP Comment 8:

8. *Section 5. Operating Plan, Fourth Paragraph and Page 5 of 14; Sub-Section 9.2.3, Sampling Methods, Page 10 of 14, and First Paragraph: No sludge or byproducts have been produced at the facility and therefore, no management of these materials is conducted. Whereas the closure of the facility will require sampling of any remaining used oily materials. These materials may include used oil and sludge. Please review these two sections and clarify or revise as appropriate.*

ENERCON's Response:

8. This comment is linked to FDEP Comment 7. In both cases, the text was revised in the Operating Plan to reflect sampling of any remaining used oily materials. This information is also addressed in the closure estimate.

FDEP Comment 9:

9. *8.0 Unit Management Plan: This section only references the SPCC plan, not information on the construction of the tanks, piping and secondary containment. Please review and revise as appropriate.*

ENERCON's Response:

9. The Unit Management Plan also references Preparedness and Prevention concerning methods used to prevent material releases. In addition, ENERCON has added Storage Tank Data Reports dated April 24, 1990 for tanks 101 through 106 (24,000 gallon tanks) which provide additional data concerning tank fabrication, venting and safety information. ENERCON has also included detailed tank drawings which provide additional tank, piping and secondary containment information (Figure 2).

FDEP Comment 10:

10. *9.2.1 – The closure schedule: A "5 years" decision time frame is not realistic. The permit will be up for renewal within that time frame. Is this taken from Tanks Program rules? Please review and revise with appropriate Rule citation.*

ENERCON's Response:

10. The closure schedule has been updated to a period of one year.

FDEP Comment 11:

11. 10.0 – Employee Training: The employee training program does not include USDOT hazardous materials training. Used oil is commonly contaminated with gasoline, and the mixture may be flammable. January's used oil screening procedure from the waste analysis plan only includes halogen screening. Chlor D Tect kits will not assess the flammability of the materials January may be called upon to transport. Please see the invoice that January uses (last page in Section C) – The generator is not required to certify that the oil has not been mixed with a flammable material, but the shipping description for the used oil says that the material is not a USDOT hazardous material.

ENERCON's Response:

11. January requires their customers to certify that they have not mixed their used oil with flammable materials. In addition, they utilize drivers with Commercial Drivers Licenses (CDL) with Hazardous Materials certifications.

SECTION D –SPCC PLAN

FDEP Comment 1:

1. 2.1 – Facility Contacts, Page 6 of 20: The Plan should include the address of the Spill Response Coordinator and there should be an Alternate Spill Response Coordinator designated. Please review and revise as appropriate.

ENERCON's Response:

1. The SPCC Plan has been updated accordingly.

FDEP Comment 2:

2. 3.1 Para.2 – Facility Operations and Brief History, Page 9 of 20: The Plan states that used oil is sent to Halco Environmental recycling facility in Bartow. The Department is not familiar with this facility. Please correct the destination for used oil.

ENERCON's Response

2. The SPCC plan has been updated to include the three facilities where used oil is shipped, Flex Oil Services LLC of Channelview, Texas, Noble Oil Service Inc. of Sanford, North Carolina, and Vertex of Chickasaw, Alabama.

FDEP Comment 3:

3. *5.1.2 – Drums and Containers, page 16 of 20: The filter bins have not historically been stored under the roof. They are not required to be. The containers are kept closed. This section should address filter consolidation and repackaging practices. Also, a figure identifying the location of the drums and containers should be provided.*

ENERCON's Response:

3. Section 5.1.2 has been revised accordingly, including a description of used oil filter management.

FDEP Comment 4:

4. *5.3 – Inspection and Testing Program, Table 5, Page 17 of 20: The 20,000 gallon steel tank referenced in this table should be identified as the rail car? Please review the table and revise as appropriate.*

ENERCON's Response:

4. The reference to the 20,000-gallon steel tank has been updated to reference the rail car.

FDEP Comment 5:

5. *5.3.2 – The Daily Inspection should be documented. Please revise as appropriate.*

ENERCON's Response:

5. The daily walk down inspection of the facility is documented in writing. Note that it occurs only on days when the facility is occupied.

FDEP Comment 6:

6. *Please review the numbering in section 5.3 and revise as appropriate.*

ENERCON's Response:

6. The numbering in Section 5 has been corrected accordingly.

FDEP Comment 7:

7. *6.0 – Contingency Plan, Bullet 6, and Page 20 of 20: The statement, "Cleanup of a reportable oil spill will be initiated under the guidelines of the appropriate regulatory agency" needs to be explained.*

ENERCON's Response:

7. ENERCON has added additional detail to describe the actions January will take in response to an oil spill.

FDEP Comment 8:

8. List of Emergency Response Equipment: The list should include the quantity/amount of each item.

ENERCON's Response:

8. A list of emergency response equipment has been added to Section 3.1.7 of the SPCC plan.

FDEP Comment 9:

9. 5.1.3, Mobile, Page 16 of 20: Please clarify the terms "mobile storage tanks" and temporary storage containers" as to their use and where they would be positioned.

ENERCON's Response:

9. ENERCON has revised the corresponding text to identify the mobile storage tanks and describe their use and positioning.

FDEP Comment 10:

10. 5.5 – Employee Training, Page 19 of 20: If acceptance of all oil contaminated solid wastes, other than used oil filters, are anticipated, specify the spotter training requirements that will be included to meet the 62-701.302(15), F.A.C., requirements. Please review and revise as appropriate.

ENERCON's Response:

10. January employees will attend "Spotter" training provided by the University of Florida TREEO Center at the next scheduled class which will take place in St. Petersburg, Florida on October 12, 2011.

SECTION E – FACILITY CLOSURE COST ESTIMATE, AND COMMON GROUND ENVIRONMENTAL INC. (SUPPORTING DOCUMENTS):

FDEP Comment 1:

1. The facility has ten (10) tanks with a total of 175,420 gallons of used oil and antifreeze to dispose when the facility decides to close the facility. It appears that the submitted closure cost estimates is insufficient to close the facility by a third party. Please review estimate and resubmit.

ENERCON's Response:

1. The closure cost estimates have been updated and are attached in Section E.

FDEP Comment 2:

2. The supporting documents need to be signed by Common Ground Environmental, Inc.

ENERCON's Response:

2. Common Ground Environmental, Inc. has signed the supporting document.

APPENDIX F:

FDEP Comment 1:

1. *Secondary Containment Calculations, Page 1 of 4: In calculating the secondary containment volumes, the facility should not use the volume of secondary containment that is available via a sump pump. Please review and revise as appropriate throughout the secondary containment volume calculations.*

ENERCON's Response:

1. The secondary containment calculations have been updated.

FDEP Comment 2:

2. *Appendix F, Secondary Containment Calculations, Page 3 of 4, and Item 4 and 5: Please correct the total area of the tanks as "63.6" square feet instead of "127" square feet. Also, correct the volume in item 5 to "7386.26" gallons instead of "6732" gallons.*

ENERCON's Response:

2. ENERCON has revised Appendix F accordingly.

FDEP Comment 3:

3. *Secondary Containment Calculations, Page 2 of 4: there are six tanks, but only five of them appear to be counted in the calculations. The calculations do not include other items in the secondary containment, such as the concrete pedestals for the tank, support beams, etc., all visible in the photographs of the area.*

ENERCON's Response:

3. ENERCON has updated the calculations to reflect a total of six tanks. Based on the final calculations a safety factor of 1.2 was calculated. This includes an additional 10% for rainwater. Based on a safety factor above 1.0 the changes in volume due to the concrete pedestals and support beams would be negligible to the overall ability to contain a spill from the single largest tank.

SECTION G – VIOLATIONS

FDEP Comment 1:

1. *This section does not include the previous Consent Orders, OGC Cases 07-0302 and 08-1663. Please address.*

ENERCON's Response:

1. ENERCON has added the referenced consent orders.

GENERAL COMMENTS:

FDEP Comment 1:

1. *The Facility needs to submit a site map in an electronic format (pdf preferred) so that this map can be inserted into the permit.*

ENERCON's Response:

1. ENERCON has included a site map in electronic (portable document format - pdf) format.

FDEP Comment 2:

2. *The Facility needs to submit a used oil tank table in an electronic format (pdf preferred) so that this can be inserted into the permit.*

ENERCON's Response:

2. ENERCON has included a used oil tank table in pdf format.

FDEP Comment 3:

3. *According to the December 20, 2010 inspection report by the Southwest District office, the facility was storing used antifreeze in one of the facility's 24,000 gallon storage tank. If this is the case, then the facility must identify which tank is dedicated to storage of used antifreeze. Please review and revise the tank table and site plan as appropriate. Also identify the filter storage area on a site plan.*

ENERCON's Response:

3. The plans have been revised accordingly.

FDEP Comment 4:

4. *Appendix C, Facility Images; Section F-Process Flow Diagrams; and Figures 1 through 4: For the Department records, please provide the tank design calculations for all the tanks, as built-drawings for the tank farm and pumps and piping drawings. These records must be signed and sealed by a Florida Registered Professional Engineer.*

ENERCON's Response:

4. Tank design calculations are provided in Appendix C. Due to the fact that the facility was put into operation in 1986 by Ashland Chemical, no signed and sealed drawings are available for submittal. A visual inspection of tanks and piping systems was performed. The tank and piping systems appeared to be in proper working order.

FDEP Comment 5:

5. *Section 3- Overview, Page 3 of 14: The only solid wastes included in the description are used oil filters. Will any additional oil contaminated solid wastes, such as petroleum contaminated debris and oil, rags, absorbent pads, booms, filters and kitty litters, other than used oil filters, be managed on site? If so, please include a description of the type of wastes, quantities to be managed, acceptance criteria, how the wastes will be managed and stored, and a closure cost estimate for the removal and disposal of the maximum amount of these wastes allowed to accumulate on site at any given time.*

ENERCON's Response:

5. The Operating Information has been revised to address acceptance of oil-contaminated absorbent materials and grease.

FDEP Comment 6:

6. *The Plan does not address solid waste. Please review and address as appropriate.*

ENERCON's Response:

6. Solid waste, in the form of oil-contaminated absorbents, grease and oil filters are addressed in the Operating Information section as previously described.

FDEP Comment 7:

7. *At the time this document was issued the facility was working on providing financial assurance for closing cost estimates. The Department recognizes that this requires agreement on the closure cost estimate value. The permit application cannot be considered complete and a permit issued until such time as financial assurance has been provided and approved.*

ENERCON's Response:

7. ENERCON is working to provide an updated closing cost estimate.

APPLICATION FORM FOR A USED OIL PROCESSING FACILITY PERMIT

Part I

TO BE COMPLETED BY ALL APPLICANTS (*Please type or print*)

A. General Information

1. New X Renewal _____ Modification _____ **Date old permit expires** _____

2. Revision number 0

3. NOTE: Processors must also meet all applicable subparts, **(describe compliance in process description for applicable standards)** if they are:

_____ generators (Subpart C)
X transporters (Subpart E)
_____ burners of off-spec used oil (Subpart G)
_____ marketers (Subpart H)
or
_____ are disposing of used oil (Subpart I)

4. Date current operation began: 1/2006

5. Facility name: January Environmental Services, Inc.

6. EPA identification number: FLD 982 162 943

7. Facility location or street address: 1750 W. Main Street, Bartow, FL 33830

8. Facility mailing address:
1750 W. Main Street | Bartow | FL | 33830
Street or P.O. Box | City | State | Zip Code

9. Contact person: Cris January Telephone: (405) 670-2030
Title: Owner
Mailing Address:
2701 S. Prospect Ave. | Oklahoma City | OK | 73129-6451
Street or P.O. Box | City | State | Zip Code

10. Operator's name: Cris January Telephone: (405) 670-2030
Mailing Address:
2701 S. Prospect Ave. | Oklahoma City | OK | 73129-6451
Street or P.O. Box | City | State | Zip Code

11 Facility owner's name: Cris January Telephone: (405) 670-2030
Mailing Address:
2701 S. Prospect Ave. | Oklahoma City | OK | 73129-6451
Street or P.O. Box | City | State | Zip Code

12 Legal structure:
X corporation (indicate state of incorporation) Oklahoma
_____ individual (list name and address of each owner in spaces provided below)
_____ partnership (list name and address of each owner in spaces provided below)
_____ other, e.g. government (please specify) _____

If an individual, partnership, or business is operating under an assumed name, enter the county and state where the name is registered: County_____ State _____

Name: _____
Mailing Address:

Street or P.O. Box City State Zip Code

Name: _____
Mailing Address:

Street or P.O. Box City State Zip Code

Name: _____
Mailing Address:

Street or P.O. Box City State Zip Code

Name: _____
Mailing Address:

Street or P.O. Box City State Zip Code

13 Site ownership status: [X]owned [ ]to be purchased [ ]to be leased ____ years
[ ]presently leased; the expiration date of the lease is:_____

If leased, indicate:
Land owner's name: January Transport Inc.
Mailing Address:
2701 S. Prospect Ave. Oklahoma City OK 73129-6451
Street or P.O. Box City State Zip Code

14 Name of professional engineer Wyatt Grant Registration No. 70973
Mailing Address:
12906 Tampa Oaks Blvd., Suite 131 Temple Terrace FL 33637
Street or P.O. Box City State Zip Code
Associated with: Enercon Services, Inc.

B. SITE INFORMATION

1. Facility location:
County: Polk
Nearest community: Bartow
Latitude: 27.897968 Longitude: -81.862934
Section: 12 Township: 30S Range: 24E
UTM # ____/____/____/____

2. Facility size (area in acres): 5.1793

3. Attach a topographic map of the facility area and a scale drawing and photographs of the facility showing the location of all past, present and future material and waste receiving, storage and processing areas, including size and location of tanks, containers, pipelines and equipment. Also show incoming and outgoing material and waste traffic pattern including estimated volume and controls.
See SPCC Plan-Attachment A

C. OPERATING INFORMATION

1. Hazardous waste generator status (SQG, LQG) N/A

2. List applicable EPA hazardous waste codes:
   None

3. Attach a brief description of the facility operation, nature of the business, and activities that it intends to conduct, and the anticipated number of employees. No proprietary information need be included in this narrative.

   A brief description of the facility operation is labeled as Attachment B Section 3.0

4. Attach a detailed description of the process flow should be included. This description should discuss the overall scope of the operation including analysis, treatment, storage and other processing, beginning with the arrival of an incoming shipment to the departure of an outgoing shipment. Include items such as size and location of tanks, containers, etc. A detailed site map, drawn to scale, should be attached to this description. (See item 4, page 4).

   The facility's detailed process description is labeled as Attachment B Section 4.0

5. The following parts of the facility's operating plan should be included as attachments to the permit application. (See item 5 on pages 4 and 5):
   a. An analysis plan which must include:
      (i) a sampling plan, including methods and frequency of sampling and analyses;
      (ii) a description of the fingerprint analysis on incoming shipments, as appropriate; and
      (iii) an analysis plan for each outgoing shipment (one batch/lot can equal a shipment, provided the lots are discreet units) to include: metals and halogen content.

   The analysis plan is labeled as Attachment B Section 5.0

   b. A description of the management of sludges, residues and byproducts. This must include the characterization analysis as well as the frequency of sludge removal.

   Sludge, residue and byproduct management description is labeled as Attachment N/A

   c. A tracking plan which must include the name, address and EPA identification number of the transporter, origin, destination, quantities and dates of all incoming and outgoing shipments of used oil.

   The tracking plan is included as Attachment B Section 5.0

6. Attach a copy of the facility's preparedness and prevention plan. This requirement may be satisfied by modifying or expounding upon an existing SPCC plan. Describe how the facility is maintained and operated to minimize the possibility of a fire, explosion or any unplanned releases of used oil to air, soil, surface water or groundwater which could threaten human health or the environment. (See item 6, page 5).

   The preparedness and prevention plan is labeled as Attachment B Section 6.0
   A - SPCC Plan

7. Attach a copy of the facility's Contingency Plan. This requirement should describe emergency management personnel and procedures and may be met using a modifiying or expounding on an existing SPCC plan or should contain the items listed in the Specific Instructions. (see item 7 on pages 5 and 6).

The contingency plan is labeled as Attachment A - SPCC Plan

8. Attach a description of the facility's unit management for tanks and containers holding used oil. This attachment must describe secondary containment specifications, inspection and monitoring schedules and corrective actions. This attachment must also provide evidence that all used oil process and storage tanks meet the requirements described in item 8b on page 6 of the specific instructions, and should be certified by a professional engineer, as applicable.

The unit management description is labeled as Attachment A - SPCC Plan
B Section 9.0 Closure Plan

9. Attach a copy of the facility's Closure plan and schedule. This plan may be generic in nature and will be modified to address site specific closure standards at the time of closure. (See item 9, pages 6 and 7).

The closure plan is labeled as Attachment B Section 9.0 Closure Plan

10. Attach a copy of facility's employee training for used oil management. This attachment should describe the methods or materials, frequency, and documentation of the training of employees in familiarity with state and federal rules and regulations as well as personal safety and emergency response equipment and procedures. (See item 10, page 7).

A description of employee training is labeled as Attachment B Section 10.0

DEP Form#	62-710.901(6)(d)
Form Title	Used Oil Processing Facility Permit Application
Effective Date	June 9, 2005

APPLICATION FORM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

Form 62-710.901(d) P. E. Certification [Complete when required by Chapter 471, F.S. and Rules 62-4.050, 62-761, 62-762, 62-701 and 62-710, F.A.C.]

Use this form to certify to the Department of Environmental Protection for:

1. Certification of secondary containment adequacy (capacity), structural integrity (structural strength), and underground process piping for storage tanks, process tanks, and container storage.
2. Certification of leak detection.
3. Substantial construction modifications.
4. Those elements of a closure plan requiring the expertise of an engineer.
5. Tank design for new or additional tanks.
6. Recertification of above items.

Please Print or Type

_____ Initial Certification _____ Recertification

1. DEP Facility ID Number: FLD 982 162 943

2. Tank Numbers: TK-101, 102, 103, 104, 105, 106
Double-wall Tanks

3. Facility Name: January Environmental Services, Inc.

4. Facility Address: 1750 W. Main Street, Bartow, FL 33830

This is to certify that the engineering features of this used oil processing facility have been designed/examined by me and found to conform to engineering principles applicable to such facilities. In my professional judgment, this facility, when properly constructed, maintained and operated, or closed, will comply with all applicable statutes of the State of Florida and rules of the Department of Environmental Protection.

Signature

Wyatt Grant
Name (please type)

Florida Registration Number: 70973

Mailing Address: 12906 Tampa Oaks Blvd., Suite 131
Street or P. O. Box

Temple Terrace FL 33637
City State Zip

Date: 10/12/2011 Telephone (813) 962-1800

[PLEASE AFFIX SEAL]

Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

DEP Form #: 62-701.900(4), F.A.C.
Form Title: Application to Construct, Operate, or Modify a Waste Processing Facility
Effective Date: January 6, 2010
Incorporated in Rule: 62-701.710(2), F.A.C.

APPLICATION TO CONSTRUCT, OPERATE, OR MODIFY A WASTE PROCESSING FACILITY

GENERAL REQUIREMENT: Solid Waste Management Facilities shall be permitted pursuant to Section 403.707, Florida Statutes (F.S.) and in accordance with Florida Administrative Code (F.A.C.) Chapter 62-701. A minimum of four copies of the application shall be submitted to the Department District Office having jurisdiction over the facility. The appropriate fee in accordance with Rule 62-701.315(4), F.A.C., shall be submitted with the application by check made payable to the Department of Environmental Protection (DEP). Complete appropriate sections for the type of facility for which application is made and include all additional information, drawings, and reports necessary to evaluate the facility.

Please Type or Print in Ink

A. GENERAL INFORMATION

1. Type of facility (check all that apply):

☐ Transfer Station

☐ Materials Recovery Facility:

☐ C&D Recycling

☐ Class III MRF

☐ MSW MRF

☐ Other Describe: _____

☒ Other Facility That Processes But Does Not Dispose Of Solid Waste On-Site:

☐ Storage, Processing or Disposal for Combustion Facilities (not addressed in another permit)

☒ Other Describe: Used Oil Processing Facility

NOTE: C&D Disposal facilities that also recycle C&D, shall apply on DEP FORM 62-701.900(6), F.A.C.

2. Type of application:

☐ Construction/Operation

☒ Operation without Additional Construction

3. Classification of application:

☒ New ☐ Substantial Modification

☐ Renewal ☐ Intermediate Modification

☐ Minor Modification

4. Facility name: January Environmental Services, Inc.

5. DEP ID number: FLD 982 162 943 County: Polk

6. Facility location (main entrance): 1750 W. Main Street, Bartow, Florida

7. Location coordinates:

Section: 12 Township: 30S Range: 24E

Latitude: 27° 53' 53" Longitude: -81° 51' 47"

Datum: _____ Coordinate Method: _____

Collected by: _____ Company/Affiliation: _____

8. Applicant name (operating authority): January Transport Inc.

Mailing address: 2701 S. Prospect Ave. Oklahoma City OK 73129-6451
Street or P.O. Box City State Zip

Contact person: Cris January Telephone: (405) 670-2030

Title: Owner cris@januaryservices.com
E-Mail address (if available)

9. Authorized agent/Consultant: CrisJanuary

Mailing address: 2701 S. Prospect Ave Oklahoma City OK 73129-6451
Street or P.O. Box City State Zip

Contact person: Cris January Telephone: (405) 670-2030

Title: Owner cris@januaryservices.com
E-Mail address (if available)

10. Landowner (if different than applicant): _____

Mailing address: _____
Street or P.O. Box City State Zip

Contact person: _____ Telephone: (____)_____

_____
E-Mail address (if available)

11. Cities, towns and areas to be served: Florida

_____

12. Date site will be ready to be inspected for completion: 11/1/2011

13. Estimated costs:

Total Construction: $ NA Closing Costs: $ 24,000

14. Anticipated construction starting and completion dates:

From: NA To: NA

15. Expected volume of waste to be received: 0.012 yds^3/day _____ tons/day

16. Provide a brief description of the operations planned for this facility: Used oil storage for disposal.

Storing of drummed wastes in addition to used oil and oil filters.

Please refer to Section 3.0 of the attached Operations Information (Attachment C) for a description of the facility operations.

B. ADDITIONAL INFORMATION

Please attach the following reports or documentation as required.

1. Provide a description of the solid waste that is proposed to be collected, stored, processed or disposed of by the facility, a projection of those waste types and quantities expected in future years, and the assumptions used to make the projections (Rule 62-701.710(2)(a), F.A.C.).

2. Attach a site plan, signed and sealed by a professional engineer registered under Chapter 471, F.S., with a scale not greater than 200 feet to the inch, which shows the facility location, total acreage of the site, and any other relevant features such as water bodies or wetlands on or within 200 feet of the site, potable water wells on or within 500 feet of the site (Rule 62-701.710(2)(b), F.A.C.).

3. Provide a description of the operation and functions of all processing equipment that will be used, with design criteria and expected performance. The description shall show the flow of solid waste and associated operations in detail, and shall include (Rule 62-701.710(2)(c), F.A.C.):
   a. Regular facility operations as they are expected to occur;
   b. Procedures for start up operations, and scheduled and unscheduled shut down operations; and
   c. Potential safety hazards and control methods, including fire detection and control.

4. Provide a description of the loading, unloading, storage and processing areas (Rule 62-701.710(2)(d), F.A.C.).

5. Provide the identification and capacity of any on-site storage areas for recyclable materials, non-processable wastes, unauthorized wastes, and residues (Rule 62-701.710(2)(e), F.A.C.).

6. Provide a plan for disposal of unmarketable recyclable materials and residue, and for waste handling capability in the event of breakdowns in the operations or equipment (Rule 62-701.710(2)(f), F.A.C.).

7. Provide a boundary survey, legal description, and topographic survey of the property (Rule 62-701.710(2)(g), F.A.C.).

8. Provide a description of the design requirements for the facility which demonstrate how the applicant will comply with Rule 62-701.710(3), F.A.C.

9. Provide an operation plan which describes how the applicant will comply with Rule 62-701.710(4), F.A.C. (Rule 62-701.710(2)(h), F.A.C.).

10. Provide a closure plan which describes generally how the applicant will comply with Rule 62-701.710(6), F.A.C. (Rule 62-701.710(2)(i). F.A.C.).

11. Unless exempted by Rule 62-701.710(10)(a), F.A.C., provide the financial assurance documentation required by Rule 62-701.710(7), F.A.C. (Rule 62-701.710(2)(j), F.A.C.).

12. Provide documentation to show that stormwater will be controlled according to the requirements of Rule 62-701.710(8), F.A.C.

13. Provide documentation to show that the applicant will comply with the recordkeeping requirements of Rule 62-701.710(9), F.A.C.

14. Provide a history and description of any enforcement actions by the applicant described in subsection 62-701.320(3), F.A.C. relating to solid waste management facilities in Florida. (Rules 62-701.710(2), F.A.C. and 62-701.320(7)(i), F.A.C.)

C. CERTIFICATION BY APPLICANT AND ENGINEER OR PUBLIC OFFICER

1. Applicant:

The undersigned applicant or authorized representative of January Transport Inc.

is aware that statements made in this form and attached information are an application for a waste processing facility Permit from the Florida Department of Environmental Protection and certifies that the information in this application is true, correct and complete to the best of his/her knowledge and belief. Further, the undersigned agrees to comply with the provisions of Chapter 403, Florida Statutes, and all rules and regulations of the Department. It is understood that the Permit is not transferable, and the Department will be notified prior to the sale or legal transfer of the permitted facility.

Signature of Applicant or Agent

Cris January
Name and Title (please type)

cris@januaryservices.com
E-Mail address (if available)

2701 S. Prospect Ave
Mailing Address

Oklahoma City, OK 73129-6451
City, State, Zip Code

(405) 670-2030
Telephone Number

10/12/2011
Date

Attach letter of authorization if agent is not a governmental official, owner, or corporate officer.

2. Professional Engineer registered in Florida (or Public Officer if authorized under Sections 403.707 and 403.7075, Florida Statutes):

This is to certify that the engineering features of this waste processing facility have been designed/examined by me and found to conform to engineering principles applicable to such facilities. In my professional judgment, this facility, when properly maintained and operated, will comply with all applicable statutes of the State of Florida and rules of the Department. It is agreed that the undersigned will provide the applicant with a set of instructions of proper maintenance and operation of the facility.

Signature

Wyatt Grant
Name and Title (please type)

70973
Florida Registration Number
(please affix seal)

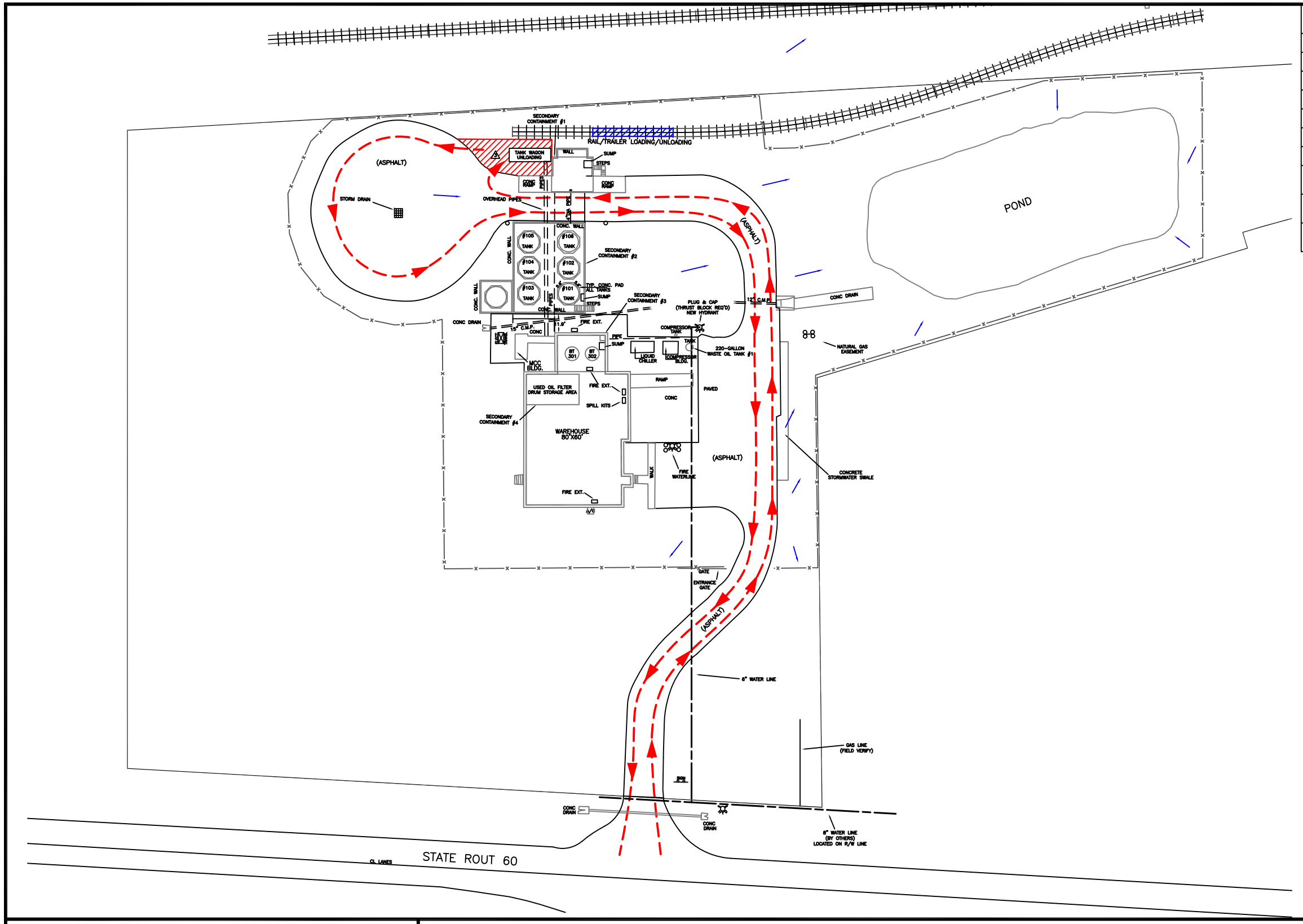
12906 Tampa Oaks Blvd.
Mailing Address

Temple Terrace, FL, 33637
City, State, Zip Code

wgrant@enercon.com
E-Mail address (if available)

(813) 962-1800
Telephone Number

10/12/2011
Date



TANK ID#	CONTENTS	DIAMETER (FEET)	CAPACITY (GALLONS)	LOCATION
TK-101	USED OIL	12	24,000	SECONDARY CONTAINMENT
TK-102	USED OIL	12	24,000	DOUBLE-WALLED TANK
TK-103	USED OIL	12	24,000	DOUBLE-WALLED TANK
TK-104	USED OIL	12	24,000	DOUBLE-WALLED TANK
TK-105	ANTIFREEZE	12	24,000	DOUBLE-WALLED TANK
TK-106	USED OIL	12	24,000	DOUBLE-WALLED TANK
#1	USED OIL	N/A	220	DOUBLE-WALLED TANK
BT-301	EMPTY	9	5,600	SECONDARY CONTAINMENT STRUCTURE #3
BT-302	EMPTY	9	5,600	SECONDARY CONTAINMENT STRUCTURE #3
RAIL CAR	USED OIL	9.9	20,000	BULK LOADING/UNLOADING AREA

SECONDARY CONTAINMENT STRUCTURES	WALL HEIGHT (INCHES)
1	30
2	32
3	17
4	2

Legend:

- FIRE HYDRANT
- UTILITY POLE
- FENCE
- PROPERTY LINE
- SURFACE WATER FLOW
- TRUCK ROUTE
- 24,000-GALLON TANKS
- 5,600-GALLON TANKS
- TRUCK UNLOADING AREA
- RAIL CAR LOADING AREA

N

1/64" = 1'

January Environmental Services, Inc.
1750 West Main Street
Bartow, Florida

EPA Registry ID: 110001739021

Source: Ashland Chemical, Inc.

ENGINEERING CERTIFICATION: RENEWAL DATE:

NO	REVISION	DATE	BY	APPR.

COMPLETED BY: E. DARE DATE: 09/12/11 | APPROVED BY: W. GRANT DATE: 09/12/11 | SHEET NO: Sheet 1 of 2

ENERCON
12906 TAMPA OAKS BLVD, SUITE 131
TEMPLE TERRACE, FLORIDA 33637
WWW.ENERCON.COM (813)-962-1800

Figure 1
Facility Site Layout

Project No: ENMISC2229

C. OPERATING INFORMATION

Table of Contents

Appendices

1.0 GENERATOR STATUS

January Environmental Services, Inc. (January) has performed a hazardous waste determination in accordance with Florida Administrative Code (F.A.C.) 62-730.030 and determined that they do not generate any hazardous wastes.

2.0 WASTE CODES

Hazardous waste codes are not applicable to January operations.

3.0 OVERVIEW

The January Environmental Services yard in Bartow, Florida (Facility) has been operating since 2006. The site was formerly an Ashland Chemical facility that first opened in 1986. The site encompasses 5.17 acres of land in Polk County, Florida. The Facility is a terminal for temporary storage of used oil waste products. The Facility transports the waste oil products for disposal.

Operations at the Facility are carried out by January providing used oil transport and temporary storage services. All operations are carried out in accordance with Florida Department of Environmental Protection (FDEP) Chapter 62-710 Used Oil Management F.A.C., Chapter 62-762 Aboveground Storage Tank Systems, and Chapter 62-710 F.A.C. The FDEP Tanks Program ID# is 53-9101026 and the Environmental Protection Agency (EPA) Hazardous Waste Program ID # is FLD 982162943. The January transport personnel are responsible for the safe loading and transportation of the used oil and oil filters to the Facility. The used oil and oil filters are tracked via a bill of lading or a waste manifest from the point of generation, to delivery and bulking into tanks and bins at the Facility.

The used oil and oil filters are stored on site until the oil is delivered to either Flex Oil Services LLC of Channelview, Texas, Noble Oil Service Inc. of Sanford, North Carolina, or Vertex of Chickasaw, Alabama. Used oil filters are delivered to US Foundry located at 8351 N.W. 93rd Street in Miami, Florida.

Used oil received at the facility is transferred to one of the five used oil storage tanks. Water is then drained off the bottom of the tank and transferred to Aqua Clean in Lakeland, Florida in tankers.

Used antifreeze is stored in Tank 105 of the 24,000-gallon tank farm. This tank is identified in Figure 1.

Other solid wastes, including grease and parts washer solvent, are stored on-site inside the warehouse in drums ranging from 30 to 55 gallons. Both materials are shipped to the January facility in Nashville, Tennessee for processing.

The Facility has a security fence and the gate is locked when the Facility is unattended. The total number of full-time employees is four.

A “Facility Site Layout with Surface Drainage Flow” (Figure 1) is located in the Spill Prevention Control and Countermeasure (SPCC) Plan in Section D. This figure shows the location of various operations, warehouses, and covered used oil tanks along with all secondary containment structures.

4.0 DETAILED DESCRIPTION

The Facility utilizes six 24,000-gallon aboveground storage tanks (AST) within concrete secondary containment structures, and one 220-gallon waste oil double-walled AST that contains oil products. The Facility utilizes two bulk transport tankers, including one 5,500-gallon capacity and one 3,200-gallon capacity. A 20,000-gallon railcar is utilized to store and ship waste oil from the site. Additionally, there are two 5,600-gallon blend tanks currently not being utilized. January is providing copies of Storage Tank Data Reports dated April 24, 1990 for tanks 101 through 106 (24,000 gallon tanks) as Appendix B. These reports provide additional data concerning tank fabrication, venting and safety information. Copies of detailed piping drawings are also included as Appendix C of this plan.

Pipes connecting the AST to the bulk loading/unloading area are located above the concrete secondary containment structures and are constructed of American Standards for Testing and Materials (ASTM) or American National Standards Institute (ANSI)-related steel. Both the AST and piping are compatible with the contents. The AST are set on a concrete base and are vented to the atmosphere. These concrete secondary containment structures provide containment for the AST, which are located inside the structure.

Any spill associated with the AST would be completely contained and controlled within the secondary containment structures. Spills associated with piping located inside of the containment structures would be contained.

Overhead piping is only utilized during transfer of used oil from the bulk loading/unloading are via a pump. If a leak occurred from the overhead piping during transfer it could be controlled by turning off the pump at bulk loading/unloading area and containing with a spill kit. The 220-gallon waste oil tank utilizes double-walled construction to provide secondary containment.

Oil waste product transfers into and from the AST are conducted at the Concrete Secondary Containment Structure #1 (i.e. Covered Bulk Loading/Unloading Ramp) which is adjacent to the Secondary Containment Structure #2 containing the used oil. Additionally, the transfers to the railcar are conducted in the same area. Note that this Bulk Loading/Unloading Ramp is constructed so that any fluid that is spilled will be first contained and then pumped into the Secondary Containment Structure #2 (24,000-Gallon Tank Farm) via underground piping. Transport trucks delivering and picking up used oil to these AST offload in accordance with Florida Department of Transportation (FDOT) regulations. Unloading is monitored by the driver.

Figure 1 provides a detailed site map identifying the legal boundaries of the site, access control, structures, tanks, loading areas, unloading areas and runoff control system. A copy of the facility's stormwater permit is attached. Appendix C of this report provides additional detail of the tanks and associated piping.

5.0 OPERATING PLAN

Analysis Plan

Incoming materials are sampled at the generator sites for total organic halogens (TOX) using a Clor-D-Tect 1000 (CD-DET-SG) or equivalent method. Any used oil equaling or exceeding 1,000 parts per million (ppm) TOX is rejected.

January relies on generator knowledge of the process to meet the additional used oil specifications found in 40 CFR Part 279.11, presented in Table 1 below. January also requires generators to certify that their used oil has not been comingled with flammable solvents (e.g. gasoline) in order to meet the flash point requirement listed below. January retains records of generator process knowledge information supplied to them.

Table 1 Used oil not exceeding any allowable level shown below is not subject to this Part when burned for Energy Recovery

Constituent/property	**Allowable level**
Arsenic	5 ppm maximum.
Cadmium	2 ppm maximum.
Chromium	10 ppm maximum.
Lead	100 ppm maximum.
Flash point	100 °F minimum.
Total halogens	1,000 ppm maximum.
Note: Applicable standards for the burning of used oil containing PCBs are imposed by 40 CFR 761.20(e).	

If oily wastes or sludge are generated at the Facility that cannot be managed for energy recovery, a hazardous waste determination will be conducted and the materials will be managed in accordance with 40 CFR 279.10(c) and (e).

Copies of incoming and outgoing shipment forms are provided in the attachments.

6.0 PREPAREDNESS AND PREVENTION

Preparedness and prevention is achieved by a combination of policies and procedures outlined in the attached SPCC Plan (Section D) and the following:

1. Emergency internal communication is accomplished via a public address system in conjunction with cell phones/two-way radios.
2. Emergency external communication is accomplished primarily through a dedicated land line in the administration building. In the event of telephone failure, cellular telephones will be used to summon emergency services.
3. Fire extinguishers rated for combustible materials/flammable liquids/energized electrical (ABC) fires are located throughout the Facility as indicated on Figure 1 in the SPCC Plan (Section D). The locations of municipal fire hydrants are also indicated on Figure 1.
4. All emergency equipment is inspected and/or tested as appropriate at least once per month and documented in writing. Any deficiencies are noted and repairs/replacements are made as quickly as possible. If failure of a piece of emergency equipment substantially increases the risk of a release of oil into the environment, operations are suspended until the repair/replacement is completed.
5. At all times while used oil is being processed/handled, a January employee is present and equipped to sound a general alarm and to contact emergency services directly by cell phone or through the administrative building if needed.
6. At no time does the Facility operate with only one employee present.
7. Proper aisle space (at least 36 inches) is maintained around used oil containers and emergency equipment.
8. The jurisdictional fire department has been invited to visit the Facility and they have been made familiar with operations, the properties of used oil, the location of normally occupied work areas, the Facility entrance and evacuation and safe refuge assembly areas.
9. The SPCC Plan (Section D) identifies the Facility emergency response contractor and their contact information.
10. The nearest local hospital has been notified, in writing, of the nature and potential hazards of the used oil handled at the Facility.
11. Both the jurisdictional fire department and the local hospital have been notified of the activities taking place at the January Facility and have been invited to visit in order to more thoroughly familiarize themselves with the nature and potential hazards associated with the operations. These notifications were made by registered mail.
12. The SPCC Plan (Section D) describes corrective actions to be taken in response to a release of used oil during transfer and storage.

7.0 CONTINGENCY PLAN

The SPCC Plan in Section D identifies emergency response capabilities, procedures and arrangements for responding to a release of used oil during transfer and storage.

8.0 UNIT MANAGEMENT PLAN

The SPCC Plan (Section D) and the Preparedness and Prevention section above describe the procedures by which the Facility is operated in order to minimize the threat of a release of used oil to the environment.

January is providing copies of Storage Tank Data Reports dated April 24, 1990 for tanks 101 through 106 (24,000 gallon tanks) as Appendix B. These reports provide additional data concerning tank fabrication, venting and safety information. Detailed drawings are also included as Appendix C of this plan.

9.0 FACILITY CLOSURE PLAN

9.1 Purpose

The purpose of the Facility Closure Plan is to meet the requirements of 40 CFR, Part 279.54(h), 62-762 Aboveground Storage Tanks Systems - Florida Administrative Code (F.A.C.) and 62-710 Used Oil Management F.A.C. The following plan has been prepared for the January Environmental Inc. facility located at 1750 West Main Street, Bartow, FL. The facility is identified by the Florida Department of Environmental Protection (FDEP) Facility Identification Number 9101026 and by the Environmental Protection Agency (EPA) Identification Number FLD 982162943.

9.2 Closure Plan

9.2.1 Closure Schedule

The site is currently being utilized for used oil transport and storage. No specific closure date is currently anticipated. Therefore, the following closure schedule will be utilized upon the date that closure of the facility is initiated.

Timeline From Date of Closure	Activity
Within 30 days of closure.	Test and dispose of any remaining used oil or other products. Test and remove any sludge or other solid wastes. Ensure venting system is open and functioning. Check for any leaks. Have tank and piping systems cleaned and decontaminated. Disconnect and cap all integral piping. Secure manways from access. Secure system from outside access. Conduct soil sampling and analysis near secondary containment.
Within 6 months of closure.	Continue to operate and maintain corrosion protection. Ensure system is secure.
Within 5 years of closure.	Designate, if applicable, that the system will be permanently out of service.

9.2.2 Tanks and Systems

At the time of closure of the storage tanks, piping and secondary containment will have to be cleaned and closed. The following table details the systems that will have to be cleaned and closed.

System to be closed/cleaned	Cleaning and/or Closing Procedure
Transport Trucks	A licensed tank contractor will decontaminate the transportation truck tanks according to industry standard, state and federal procedures.
Overhead Pipeline	A licensed tank contractor will decontaminate all piping according to industry standard, state and federal procedures.
Containment Piping	A licensed tank contractor will decontaminate the containment piping according to industry standard, state and federal procedures.
Storage Tanks	A licensed tank contractor will decontaminate onside above ground storage tanks (AST) according to industry standard, state and federal procedures.

System to be closed/cleaned	**Cleaning and/or Closing Procedure**
Secondary Containment	A licensed tank contractor will decontaminate and/or remove any materials in the secondary containment according to industry standard, state and federal procedures.

9.2.3 Sampling Methods

The closure of the facility will require sampling of any remaining used oil materials. These materials may include used oil and sludge. Additionally, the rinse waters and residues generated from clean-up and closure procedures will have to be sampled prior to disposal. The following table provides a list of systems, materials, sampling frequency and analysis that will be conducted at closing of the facility, if applicable at the time of closure.

System	**Material**	**Sampling Frequency**	**Analysis**
Transport Trucks	Used oil, sludge	Used Oil- 1 sample per tank Sludge- 1 sample per tank	Used Oil – 8260, 8270 and RCRA8. Sludge – TCLP (metals, volatiles and semi-volatiles) *See below for analysis detail
Overhead Pipeline	Used oil, sludge	Used Oil- 1 sample per pipe Sludge- 1 sample per pipe	Used Oil – 8260, 8270 and RCRA8. Sludge – TCLP (metals, volatiles and semi-volatiles) *See below for analysis detail
Containment Piping	Used oil, sludge	Used Oil- 1 sample per pipe Sludge- 1 sample per pipe	Used Oil – 8260, 8270 and RCRA8. Sludge – TCLP(metals, volatiles and semi-volatiles) *See below for analysis detail
Storage Tanks	Used oil, sludge	Used Oil- 1 sample per tank Sludge- 1 sample per tank	Used Oil – 8260, 8270 and RCRA8. Sludge - TCLP (metals, volatiles and semi-volatiles) *See below for analysis detail
Decontamination of tanks, piping or other areas.	Rinsewater and residues	1 sample per system decontaminated	Rinsewater - 8260, 8270 and RCRA8. Residues (solids)- TCLP (metals, volatiles and semi-volatiles) *See below for analysis detail

* Sampling analysis will be conducted according to applicable Environmental Protection Agency Methods (EPA) methods and/or in accordance with SW-846. The analyses that will be utilized are for volatile organic compounds by EPA Method 8260, polycyclic aromatic hydrocarbons by EPA Method 8270, Resource Conservation Recovery Act Metals (RCRA8) (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver) by EPA Method 6010 and Toxicity Characteristic Leaching Procedure (TCLP) for metals, volatiles and semi-volatiles by EPA Method 1311.

9.2.4 Soil Sampling Near Secondary Containment

To ensure the site has closure in accordance with 40 CFR, Part 279.54(h)(ii), soil sampling near the secondary containment structures will be required. Soil samples will be collected in 100 foot

intervals surrounding each secondary containment area. Soil samples will be collected at six inches, two feet and every two feet until groundwater is encountered. All soil sampling will be conducted in accordance with the Florida Department of Environmental Protection (FDEP) Standard Operating Procedure (SOP) PCS-004 Soil Assessment and Sampling Methods. Soil samples will be analyzed for 8260, 8270, RCRA8 and total residual petroleum hydrocarbons (TRPH) by Florida Petroleum Residual Organic (FL-PRO) Method. The results of the soil analysis will be compared to FDEP Chapter 62-777 Soil Cleanup Target Levels.

If the soil is found to be contaminated a groundwater sample will be collected within the area where the contaminated soil sample was collected. A temporary groundwater monitoring well will be installed in accordance with the FDEP SOP PCS-006 Design, Installation and Placement of Monitoring Wells. A groundwater sample will be collected and analyzed for the constituent or constituents observed in the contaminated soil sample. The results of the groundwater analysis will be compared to FDEP Chapter 62-777 Groundwater Cleanup Target Levels

If soil and/or groundwater are contaminated remediation will be conducted. Remediation activities may include excavation of impacted media or pump and treat of groundwater. Remediation activities will be performed in accordance with either FDEP Chapter 62-770 Petroleum Contamination Site Cleanup Criteria or 62-780 Contaminated Site Cleanup Criteria. Remediation of the soil and/or groundwater will allow the facility to meet the requirements of 40 CFR, Part 265.310.

10.0 EMPLOYEE TRAINING

A. **Initial training -** Except as specified in Part B (below), each employee presently involved in a process, and each employee before working in a newly assigned process, is trained in an overview of the process and in the operating procedures. The training includes emphasis on the specific safety and health hazards, procedures, and safe practices applicable to the employee's job tasks.

B. **Refresher and supplemental training for operations -** Refresher and supplemental training is provided to each employee involved in operating a process at least every three years (and more often if necessary) or whenever there is a change or modification in the system or operating procedures. This, combined with appropriate supervision, will assure that each employee understands and adheres to the current operating procedures of the process.

C. **Refresher and supplemental training for emergency response -** Refresher and supplemental training is provided to each employee involved in emergency response on an annual basis (and more often if necessary) in order to assure that the employee understands and adheres to the current emergency response procedures.

D. **Initial and refresher training for Drivers** – Drivers that transport used oil are required to maintain a current Commercial Drivers License (CDL) with a Hazardous Materials certification. Training is provided by a third party every three years in accordance with Title 49 CFR Part 172 Subpart H.

E. **Training documentation –** The January training program ensures that each such employee has received, successfully completed, and understood such training. Training documentation contains, as a minimum, the following information:

1. The identity of the employee;
2. The date of training, training content; and
3. The means and methods that were used in order to verify that the employee understood the training.

F. **Training Course -** During each training session, each student is trained in:

- Process Overview

  -All parts and respective functions relating to oil
- Chemical Hazard Recognition

  -Chemical and physical properties of oil and related hazards
- Toxicology

  -Routes of exposure and health effects of oil

- Standard Operating Procedures
- Inspection and Testing Procedures
- Safe Work Practices

  -Precautions to prevent exposure including engineering/administrative controls and PPE

A record of completion is kept for each employee. It includes the identity of the employee, the date of training, and how January verified that the employee understood the training.

EMPLOYEE TRAINING MATRIX

Training Requirement	Training Hours	Refresher Frequency	Prerequisite
1. Evacuation Plan	1 (S)	A	None
2. Hazard Communication	2 (S)	A (S)	None
3. Emergency Response—Awareness Level*	1 (S)	A	None
4. Emergency Response—Operations Level*	8 (*)	A	(4)
5. Emergency Response—Technician Level	24 (**)	A	(4)
6. Personal Protective Equipment—Foot, eye, head, and hand	1 (S)	A(S)	None

NOTE: A = Annual (12 months).
S = suggested.

* Initial training requirement is eight hours. Refresher training duration is at the discretion of the employer. Employees must annually demonstrate competency.

** Initial training requirement is 24 hours. Refresher training duration is at the discretion of the employer. Employees must annually demonstrate competency.

1. **Evacuation Plan**—Training is required for all employees who, in the course of employment, may be called upon to evacuate and/or assist in the safe and orderly emergency evacuation of employees.
2. **Hazard Communication-Employees**—Training is required for all employees who, in the course of employment, may be exposed to hazardous chemicals in their work area. Training must be updated in the event that new hazards are introduced into the work area, or in the event that the employee changes his/her work description, and is moved to an area posing different potential hazards.
3. **Emergency Response-Awareness Level**—Training is required for all employees who, in the course of employment, are likely to witness or discover a hazardous substance release, fire, or other emergency and who will initiate an emergency response.

4. **Emergency Response-Operations Level**—Training is required for all employees who, in the course of employment, will be called upon to respond to releases or potential releases of hazardous substances, fires, or other emergencies as part of the initial response to the site for the purpose of protecting nearby persons, property or the environment. Response is limited to defensive actions with no potential for over exposure.
5. **Emergency Response-Technician Level**—Training is required for all employees who, in the course of employment, will be called upon to respond to releases or potential releases of hazardous substances, fires, or other emergencies as part of the initial response to the site for the purpose of protecting nearby persons, property or the environment. Response activities are not limited, and include use of full PPE.
6. **Personal Protective Equipment (PPE)**—Training is required for all employees who, in the course of employment, are required to use PPE for eyes, face, head, and extremities; protective clothing; respiratory devices; and protective shields and barriers.

Appendix A

NOTICE OF INTENT TO USE MULTI-SECTOR GENERIC PERMIT FOR STORMWATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY

(RULE 62-621.300(5), F.A.C.)

This form is to be completed and submitted to the Department before use of the Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity (MSGP) provided in Rule 62-621.300(5), F.A.C. The type of facility or activity that qualifies for use of this generic permit, the conditions of the permit, and additional requirements to request coverage are specified in Rule 62-621.300(5)(a), F.A.C. Note that additional requirements for requesting coverage include submittal of the applicable generic permit fee pursuant to Rule 62-4.050, F.A.C. You should familiarize yourself with the generic permit and the attached instructions before completing this form. **Please print or type information in the appropriate areas below.**

I. IDENTIFICATION NUMBER: Facility ID _____

II. APPLICANT INFORMATION:

A. Operator Name: January Environmental Services, Inc.			
B. Address: 2701 South Prospect			
C. City: Oklahoma City		D. State: OK	E. Zip Code: 73129-6451
F. Operator Status: P	G. Responsible Authority: Brad Stark – Corporate Industrial Waste Management Mgr.		
	H. Phone No.: (405) 670-2030		

III. FACILITY LOCATION INFORMATION:

A. Facility Name: January Environmental Services, Inc.			
B. Street Address: 1750 West Main Street			
C. City: Bartow		D. State: FL	E. Zip Code: 33830
F. County: Polk	G. Latitude: 27 ° 53 ′ 49 ″	Longitude: 81 ° 51 ′ 47 ″	
H. Is the facility located on Indian lands? ☐ Yes ☒ No		I. Water Management District: SWFWMD	
J. Facility Contact: Brad Stark		K. Phone No.: (405) 670-2030	

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DEP Form 62-621.300(5)(b)
Effective October 22, 2000

IV. FACILITY ACTIVITY INFORMATION:

A. SIC or Designated Activity Code(s):	Primary: 5171	Secondary: 4212	
B. Monitoring code (1, 2, 3, or 4): 3	C. Will construction be conducted for stormwater controls? ☐ Yes ☒ No		
D. Other Existing Permits:	ERP No.:	Wastewater Permit No.:	Other (specify): FDEP ID 53-9101026

V. DISCHARGE INFORMATION

A. MS4 Operator Name:

B. Discharge Location(s):

Outfall No.	Latitude			Longitude			Receiving Water Name
	Deg.	Min.	Sec.	Deg.	Min.	Sec.	
001	27	53	49	81	51	47	Storm retention pond just east of facility

VI. CERTIFICATION[1]:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name and Official Title (Type or Print):

Chris January President, January Environmental Services, Inc.

Signature: Chris January 7/31/2008 Date Signed:

[1] Signatory requirements are contained in Rule 62-620.305, F.A.C.

A1056778

Florida Department of
Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

December 2, 2008

Brad Stark
January Environmental Services, Inc.
2701 South Prospect
Oklahoma City, FL 73129

RE: **Facility ID: FLR05C778**
January Environmental Services Inc
County: Polk

Dear Applicant:

The Florida Department of Environmental Protection is unable to process your *Notice of Intent to use Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity* (NOI) because it is incomplete. **You will not be covered under the generic permit until your NOI is properly completed and processed.** To properly complete your NOI, you must:

(1) Complete section V, "DISCHARGE INFORMATION".

To complete this section, you must first determine whether the stormwater that leaves your site runs into a municipal separate storm sewer system (MS4) or surface waters of the state. MS4s include any type of publicly-owned conveyance designed to collect and convey stormwater, e.g., roadside ditches, curbs, gutters, drains, canals, etc.[1] Waters of the state include virtually all artificial or natural water bodies in Florida, e.g., rivers, lakes, streams, springs, impoundments, wetlands, etc.[2]

If your stormwater is initially collected in a privately-maintained stormwater management system (an artificial retention or percolation pond) you must still specify the MS4 or surface water that would receive the stormwater in the event of an overflow, e.g., during a hurricane or 100-year flood event. Thus, designations of "onsite retention", "percolation into aquifer", and the like are insufficient.

[1] For a complete definition of an MS4, refer to Rule 62-621.200(8) of the Florida Administrative Code.
[2] For a complete definition of waters of the state, refer to Section 403.031(13) of the Florida Statutes.

"More Protection, Less Process"
www.dep.state.fl.us

FLR05C778

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If you discharge to an MS4, enter the name of the MS4 operator (generally this will be a city, town, county, special district, university, etc.) in section A below. Under section B, enter "MS4" as the "Outfall No." and identify the first named water body to which the MS4 discharges.

If you discharge directly to surface waters of the state, leave section A blank and list each outfall (location from which stormwater is discharged from the facility property) under section B. Be sure to include the latitude and longitude of the outfall(s) and specify the name of the receiving water body. If the receiving water body does not have a name, you may either provide a narrative description, e.g., "stream on the south end of property", or specify the first named water body into which the stormwater flows.

V. DISCHARGE INFORMATION

A. MS4 Operator Name:

B. Discharge Location(s):

Outfall No.	Latitude			Longitude			Receiving Water Name
	Deg.	Min.	Sec.	Deg.	Min.	Sec.	
							State Rd 60 W/W. main St. Bartow/FL.

(2) Complete the following Certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print Name: Cris January

Signature: _____ Date: 2-25-09

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By

FLR05G778

(3) Return this letter to the following address:

NPDES Stormwater Notices Center, MS #2510
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Upon receipt of items (1) – (3) above, the Department will process your NOI and a letter acknowledging your permit coverage will be issued. Your project identification number is **FLR05G778**. Please include this number on all future correspondence to the Department regarding this permit.

If you have any questions concerning this letter, contact the NPDES Stormwater Notices Center at (866) 336-6312 or (850) 297-1232.

CERTIFICATE OF SERVICE

THE UNDERSIGNED HEREBY CERTIFIES that the foregoing correspondence was mailed by Science Applications International Corporation, working under FDEP Contract Number WM908, on behalf of the Florida Department of Environmental Protection on the date indicated below via the United States Postal Service.

Name: Robin L Collins Date: 12/2/2008

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By

AMENDMENT

Appendix B

Ashland Chemical Company
Engineering Department
Plant Services Group

STORAGE TANK DATA REPORT

Report Date: 04/24/90
Division: CP

Location: BARTOW, FL
Plant E-Number: 3378
PLC: 30802

Tank Designation: 101
ACC R/C Code: 36155
Type: VT
Service: SOLVENTS
Product Contained: AROPOL 7324

Tank Status: IN SERVICE
Last Revision: 08/15/89

Section 2 - Fabrication and Tank Details

Fabricator: Modern Welding (Orlando,FL)
Mat'l of Constr: CS
Year Built: 1986
Built to Code: UL 142

Shop Inspected - ?
Weak-Seam Roof - N
Floating Roof - N
Tank Insulated - N
Tank Grounded - ?

Tank Dimensions

Horizontal Compartment or
Straight Shell Length: 28. feet
Overall Length: 28. feet

Diameter: 12. feet
Volume: 23688 U.S. liquid gallons

Top Manway - Y
Side Manway - ?

External Coils or Jacket - ?
Internal Coils - ?

Manufacturer Leak Test: ?

Test Pressure: ? psig

Section 3 - Venting/Safety Information

	Size(in)	Cap (CFH)	Model	Manufacturer
Emergency Vent 1	10	546000	244	Morrison Bros.
Emergency Vent 2	0	0	?	NO VENT
Normal Vent	3	38800	548	Morrison Bros.

Total Venting Capacity: 584800 CFH
Rqrd. Venting Capacity: 523388 CFH

Venting Status: OK
Last Analysis: 03/26/90

Vacuum Breaker Installed - ?

Fusible Link Bottom Valve(s) - ?

Ashland Chemical Company
Engineering Department
Plant Services Group

STORAGE TANK DATA REPORT

Report Date: 04/24/90
Division: CP

Location: BARTOW, FL
Plant E-Number: 3378
PLC: 30802

Tank Designation: 102
ACC R/C Code: 36154
Type: VT
Service: SOLVENTS
Product Contained: AROPOL Q6899A

Tank Status: IN SERVICE
Last Revision: 08/15/89

Section 2 - Fabrication and Tank Details

Fabricator: Modern Welding (Orlando,FL)
Mat'l of Constr: CS
Year Built: 1986
Built to Code: UL 142

Shop Inspected - ?
Weak-Seam Roof - N
Floating Roof - N
Tank Insulated - N
Tank Grounded - ?

Tank Dimensions

Horizontal Compartment or
Straight Shell Length: 28. feet
Overall Length: 28. feet

Diameter: 12. feet
Volume: 23688 U.S. liquid gallons

Top Manway - Y
Side Manway - ?

External Coils or Jacket - ?
Internal Coils - ?

Manufacturer Leak Test: ?

Test Pressure: ? psig

Section 3 - Venting/Safety Information

	Size(in)	Cap (CFH)	Model	Manufacturer
Emergency Vent 1	10	546000	244	Morrison Bros.
Emergency Vent 2	0	0	?	NO VENT
Normal Vent	3	38800	548	Morrison Bros.

Total Venting Capacity: 584800 CFH
Rqrd. Venting Capacity: 523388 CFH

Venting Status: OK
Last Analysis: 03/26/90

Vacuum Breaker Installed - ?

Fusible Link Bottom Valve(s) - ?

Ashland Chemical Company
Engineering Department
Plant Services Group

STORAGE TANK DATA REPORT

Report Date: 04/24/90
Location: BARTOW, FL
Division: CP
Plant E-Number: 3378
PLC: 30802

Tank Designation: 103
Tank Status: IN SERVICE
ACC R/C Code: 36157
Last Revision: 08/15/89
Type: VT
Service: SOLVENTS
Product Contained: AROPOL 8410

Section 2 - Fabrication and Tank Details

Fabricator: Modern Welding (Orlando,FL)
Mat'l of Constr: CS
Year Built: 1986
Built to Code: UL 142

Shop Inspected - ?
Weak-Seam Roof - N
Floating Roof - N
Tank Insulated - N
Tank Grounded - ?

Tank Dimensions

Horizontal Compartment or
Straight Shell Length: 28. feet
Diameter: 12. feet
Overall Length: 28. feet
Volume: 23688 U.S. liquid gallons

Top Manway - Y
Side Manway - ?
External Coils or Jacket - ?
Internal Coils - ?

Manufacturer Leak Test: ?
Test Pressure: ? psig

Section 3 - Venting/Safety Information

	Size(in)	Cap (CFH)	Model	Manufacturer
Emergency Vent 1	10	546000	244	Morrison Bros.
Emergency Vent 2	0	0	?	NO VENT
Normal Vent	3	38800	548	Morrison Bros.

Total Venting Capacity: 584800 CFH
Venting Status: OK
Rqrd. Venting Capacity: 523388 CFH
Last Analysis: 03/26/90

Vacuum Breaker Installed - ?

Fusible Link Bottom Valve(s) - ?

Ashland Chemical Company
Engineering Department
Plant Services Group

STORAGE TANK DATA REPORT

Report Date: 04/24/90
Division: CP

Location: BARTOW, FL
Plant E-Number: 3378
PLC: 30802

Tank Designation: 104
ACC R/C Code: 36158
Type: VT
Service: SOLVENTS
Product Contained: AROPOL 6865

Tank Status: IN SERVICE
Last Revision: 08/15/89

Section 2 - Fabrication and Tank Details

Fabricator: Modern Welding (Orlando,FL)
Mat'l of Constr: CS
Year Built: 1986
Built to Code: UL 142

Shop Inspected - ?
Weak-Seam Roof - N
Floating Roof - N
Tank Insulated - N
Tank Grounded - ?

Tank Dimensions

Horizontal Compartment or
Straight Shell Length: 28. feet
Overall Length: 28. feet
Diameter: 12. feet
Volume: 23688 U.S. liquid gallons

Top Manway - Y
Side Manway - ?
External Coils or Jacket - ?
Internal Coils - ?

Manufacturer Leak Test: ?
Test Pressure: ? psig

Section 3 - Venting/Safety Information

	Size(in)	Cap (CFH)	Model	Manufacturer
Emergency Vent 1	10	546000	244	Morrison Bros.
Emergency Vent 2	0	0	?	NO VENT
Normal Vent	3	38800	548	Morrison Bros.

Total Venting Capacity: 584800 CFH
Rqrd. Venting Capacity: 523388 CFH
Venting Status: OK
Last Analysis: 03/26/90

Vacuum Breaker Installed - ?

Fusible Link Bottom Valve(s) - ?

Ashland Chemical Company
Engineering Department
Plant Services Group

STORAGE TANK DATA REPORT

Report Date: 04/24/90
Division: CP

Location: BARTOW, FL
Plant E-Number: 3378
PLC: 30802

Tank Designation: 105
ACC R/C Code: 36159
Type: VT
Service: SOLVENTS
Product Contained: STYRENE

Tank Status: IN SERVICE
Last Revision: 08/15/89

Section 2 - Fabrication and Tank Details

Fabricator: Modern Welding (Orlando,FL)
Mat'l of Constr: SS
Year Built: 1986
Built to Code: UL 142

Shop Inspected - ?
Weak-Seam Roof - N
Floating Roof - N
Tank Insulated - N
Tank Grounded - ?

Tank Dimensions

Horizontal Compartment or
Straight Shell Length: 28. feet
Overall Length: 28. feet

Diameter: 12. feet
Volume: 23688 U.S. liquid gallons

Top Manway - Y
Side Manway - ?

External Coils or Jacket - ?
Internal Coils - ?

Manufacturer Leak Test: ?

Test Pressure: ? psig

Section 3 - Venting/Safety Information

	Size(in)	Cap (CFH)	Model	Manufacturer
Emergency Vent 1	10	546000	244	Morrison Bros.
Emergency Vent 2	0	0	?	NO VENT
Normal Vent	3	38800	548	Morrison Bros.

Total Venting Capacity: 584800 CFH
Rqrd. Venting Capacity: 523388 CFH

Venting Status: OK
Last Analysis: 03/26/90

Vacuum Breaker Installed - ?

Fusible Link Bottom Valve(s) - ?

Ashland Chemical Company
Engineering Department
Plant Services Group

STORAGE TANK DATA REPORT

Report Date: 04/24/90
Division: CP

Location: BARTOW, FL
Plant E-Number: 3378
PLC: 30802

Tank Designation: 106
ACC R/C Code: 36156
Type: VT
Service: SOLVENTS
Product Contained: HETRON D1222

Tank Status: IN SERVICE
Last Revision: 08/15/89

Section 2 - Fabrication and Tank Details

Fabricator: TAMPA TK & WELDING - TAMPA
Mat'l of Constr: CS
Year Built: 1986
Built to Code: UL 142

Shop Inspected - ?
Weak-Seam Roof - N
Floating Roof - N
Tank Insulated - N
Tank Grounded - ?

Tank Dimensions

Horizontal Compartment or
Straight Shell Length: 28. feet
Overall Length: 28. feet

Diameter: 12. feet
Volume: 23688 U.S. liquid gallons

Top Manway - Y
Side Manway - ?

External Coils or Jacket - ?
Internal Coils - ?

Manufacturer Leak Test: ?

Test Pressure: ? psig

Section 3 - Venting/Safety Information

	Size(in)	Cap (CFH)	Model	Manufacturer
Emergency Vent 1	10	546000	244	Morrison Bros.
Emergency Vent 2	0	0	?	NO VENT
Normal Vent	3	38800	548	Morrison Bros.

Total Venting Capacity: 584800 CFH
Rqrd. Venting Capacity: 523388 CFH

Venting Status: OK
Last Analysis: 03/26/90

Vacuum Breaker Installed - ?

Fusible Link Bottom Valve(s) - ?

SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN

JANUARY ENVIRONMENTAL SERVICES, INC.
BARTOW, FLORIDA

October 2011

SPCC COMPLIANCE
REVIEW AND EVALUATION PAGE

It is recommended that an Authorized Facility Representative of January Environmental Services, Inc. (JANUARY) review and evaluate this Spill Prevention Control and Countermeasure (SPCC) Plan annually to incorporate all changes to the Facility. In accordance with 40 CFR §112.5(b) included in Appendix 13, this SPCC Plan will be reviewed at a minimum of once every 5 years. As a result of this review, minor changes may be made to the SPCC Plan to ensure that the document is up to date. Such changes may include updating contact names, phone numbers, or addresses. Such minor changes do not require re-certification by a Professional Engineer. Documentation of the management review is provided by signature of the management review log presented below.

PURPOSE

Purpose - The purpose of this SPCC Plan is to describe measures implemented by JANUARY to prevent oil discharges from occurring, and to prepare JANUARY to respond in a safe, effective, and timely manner to mitigate the impacts of a discharge.

This Plan has been prepared to meet the requirements of Title 40, Code of Federal Regulations, Part 112 (40 CFR part 112).

Scope – JANUARY is committed to preventing discharges of oil / chemicals to navigable waters and the environment, and to maintaining the highest standards for spill prevention control and countermeasures through the implementation and regular review and amendment to the SPCC Plan.

JANUARY is determined to conduct its business in a manner that is socially and environmentally responsible.

JANUARY's objective is to comply with all applicable environmental regulations. It is the company's intention to minimize the impact that its activities may have on the environment.

JANUARY management has determined that this facility does not pose a risk of substantial harm under 40 CFR part 112, as recorded in the "Substantial Harm Determination" included in Appendix A of this Plan.

Policy - The Site Owner has prime responsibility for implementing and complying with the requirements of this SPCC Plan and for periodic review and update of this Plan as necessary.

TABLE OF CONTENTS

APPENDICES

FIGURES

1.0 PLAN ADMINISTRATION

1.1 MANAGEMENT REVIEW LOG (40 CFR 112.7)

JANUARY is committed to the prevention of discharges of oil to navigable waters and the environment, and maintains the highest standards for spill prevention control and countermeasures through regular review, updating and implementation of this SPCC Plan for the Bartow, FL Facility (Facility). All "oil spill events" to navigable waters of the state will be reported to the National Response Center, and Florida Department of Environmental Protection (FDEP).

1. Authorized January Facility Representative:

_____ _____

(Printed or Typed Name and Title) **(Signature)**

I have completed review and evaluation of the SPCC Plan for the January Facility on

_____/_____/_____, and will (will not) amend the SPCC Plan as a result.

2. Authorized January Facility Representative:

_____ _____

(Printed or Typed Name and Title) **(Signature)**

I have completed review and evaluation of the SPCC Plan for the January Facility on

_____/_____/_____, and will (will not) amend the SPCC Plan as a result.

3. Authorized January Facility Representative:

_____ _____

(Printed or Typed Name and Title) **(Signature)**

I have completed review and evaluation of the SPCC Plan for the January Facility on

_____/_____/_____, and will (will not) amend the SPCC Plan as a result.

4. Authorized January Facility Representative:

_____ _____

(Printed or Typed Name and Title) **(Signature)**

I have completed review and evaluation of the SPCC Plan for the January Petroleum Facility on

_____/_____/_____, and will (will not) amend the SPCC Plan as a result.

5. Authorized January Facility Representative:

_____ _____

(Printed or Typed Name and Title) **(Signature)**

I have completed review and evaluation of the SPCC Plan for the January Petroleum Facility on

_____/_____/_____, *and will (will not) amend the SPCC Plan as a result.*

6. Authorized January Facility Representative:

_____ _____

(Printed or Typed Name and Title) **(Signature)**

I have completed review and evaluation of the SPCC Plan for the January Petroleum Facility on

_____/_____/_____, *and will (will not) amend the SPCC Plan as a result.*

7. Authorized January Facility Representative:

_____ _____

(Printed or Typed Name and Title) **(Signature)**

I have completed review and evaluation of the SPCC Plan for the January Petroleum Facility on

_____/_____/_____, *and will (will not) amend the SPCC Plan as a result.*

This SPCC Plan shall be amended and re-certified by a Professional Engineer in accordance with 40 CFR §112.5(c), within 6 months after any change in Facility design, construction, operation, or maintenance that materially affects the facility's potential to discharge oil into or upon the navigable waters of the United States or adjoining shorelines.

Any such amendments to this SPCC Plan shall be noted on the "SPCC Plan Amendment Log" included in Appendix A of this SPCC Plan. Entries into the log will indicate a general description of the changes that were made to the Facility, the corresponding changes that were made to the SPCC Plan including plan section and page number, and the name and signature of the person making the changes. The following certification page will be signed and sealed by a Registered Professional Engineer into this SPCC Plan to complete the amendment process.

1.2 PROFESSIONAL ENGINEERS CERTIFICATION (40 CFR 112.3(D))

1.2.1 Professional Engineer Certification

I hereby certify that I or my agent have examined the Facility, and being familiar with the provisions of 40 CFR §112, attest that this SPCC Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards.

Professional Engineer: **Wyatt Grant, P.E.**
Registration Number: 70973 State: FL
ALL Renewal Date: 5/5/2011

SEAL

Enercon Services
12906 Tampa Oaks Blvd. Suite 131
Temple Terrace, Florida 33637

1.2.2 Professional Engineer Re-certification

I hereby certify that I or my agent have examined the Facility, and being familiar with the provisions of 40 CFR §112, attest that this SPCC Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards.

Professional Engineer: _____

Registration Number: _____State: _____

____ Certificate of Authorization Number: _____

_____ Renewal Date: _____/_____/_____ SEAL

Company Name: _____

_____

1.2.3 Professional Engineer Re-certification

I hereby certify that I or my agent have examined the Facility, and being familiar with the provisions of 40 CFR §112, attest that this SPCC Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards.

Professional Engineer: _____

Registration Number: _____State: _____

____ Certificate of Authorization Number: _____

____ Renewal Date: _____/_____/_____ SEAL

Company Name: _____

_____

1.3 LOCATION OF SPCC PLAN (40 CFR 112.3(E))

This SPCC Plan is maintained (i.e. kept current with ongoing reports) at the Facility in the Main Office Building. A copy of the SPCC Plan is kept at the Corporate Office in Oklahoma City, OK. The SPCC Plan has been prepared for use by the Facility's Personnel and designated Spill Response Coordinators, as a minimum guidance for pollution prevention and emergency response.

1.4 FACILITIES, PROCEDURES, METHODS OR EQUIPMENT NOT YET FULLY OPERATIONAL (40 CFR 112.7)

Bulk storage containers at this facility have not been tested for integrity since their installation June 2011. Visual inspections have been conducted. Section 4.2.6 of this SPCC Plan describes the inspection program to be implemented by the facility following a regular schedule, including the dates by which each of the bulk storage containers must be tested.

1.5 TABLE 1-2: SPCC CROSS-REFERENCE

As per 40 CFR 112.20 a SPCC Cross-Reference has been prepared and is provided in Appendix B.

2.0 GENERAL FACILITY INFORMATION

2.1 FACILITY CONTACTS

Facility Owner

January Environmental Services, Inc.
2701 South Prospect
Oklahoma City, Oklahoma 73129
Office: (405) 670-2030
FAX: (405) 670-6747
E-Mail: cjanuary@sbcglobal.net

Corporate Spill Response Coordinator:
Name and Title: Mr. Cris January – Manager of Environmental
Cell: (727) 366-9910
FAX: (405) 670-6747
E-Mail: cris@januaryservices.com

Facility Information

Facility Name: January Environmental Services, Inc.
Manager: Ms. Loren January - General Manager South East Region
Address: 1750 West Main Street, Bartow, FL
LAT 27° 53′ 49″ N LONG 81° 51′ 47″ W
FDEP Facility ID# 9101026
Office: (863) 534-8478
FAX: (863) 534-8481
Mobile: (405) 826-7062

Spill Response Coordinators

Primary Facility Spill Response Coordinator:
Manager: Ms. Loren January - General Manager South East Region
Address: 1750 West Main Street, Bartow, FL
Office: (863) 534-8478
FAX: (863) 534-8478
Mobile: (405) 826-7062

Alternate Facility Spill Response Coordinator
Name and Title: Mr. Cris January – Manager of Environmental
Address: 1750 West Main Street, Bartow, FL
Cell: (727) 366-9910
FAX: (405) 670-6747
E-Mail: cris@januaryservices.com

2.2 EMERGENCY RESPONSE CONTACTS

Emergency Spill Response Contractors

Note that Facility personnel will handle most emergency spill situations. If necessary, the Spill Response Coordinator or Alternate will initiate these calls for assistance:

Enercon Services, Inc.
12906 Tampa Oaks Boulevard
Tampa, FL 33637
(813) 962-1800
Fax (813) 962-1881
wgrant@enercon.com
www.enercon.com

Enviro-Tek
3007 North 50th Street
Tampa, FL 33619
(813) 909-0040
(813) 909-0042
dstedji@envirotek1.com
www.envirotek1.com

2.3 EMERGENCY CONTACTS

Emergency Numbers

Note that numbers designated with an asterisk (*) are to be contacted by the Spill Response Coordinators listed above in Section 2.1. They will contact appropriate personnel, local emergency departments, contractors, and governmental agencies required based on several factors (safety, potential for the spill to spread, location of spill, etc.) using the telephone numbers listed below.

Fire Department – Bartow	911 or (863) 534-5044
Police Department – Bartow	911 or (863) 534-5034
Hospital – Bartow Regional Medical Center	(863) 533-8111
National Response Center	(800) 424-8802 *
EPA, Region IV (Facility ID# FLD 982162943)	(404) 562-8700 *
FL Department of Transportation (FDOT)	(850) 414-4447*
FL Department of Environmental Protection (FDEP) Emergency Response (Facility ID# 53-9101026)	(850) 245-2010 *
FL Department of Environmental Protection (FDEP) (Facility ID# 53-9101026)	(813) 632-7641 *
Polk County Health Department	(863) 701-1303 *
Florida State Emergency Response Team (SERT)	1-800-320-0519* 1-800-413-9911*
Polk County Warning Point	(863) 534-0306 *
Central Florida Gas	1-800-554-6427 (863) 293-2125*

2.4 NOTIFICATION PROCEDURES

Any person identifying an oil spill may initiate notification, and spill response under this SPCC Plan. The person identifying the oil spill may initiate containment actions. Personnel discovering an oil spill incident should take the initial measures to control further spread of a spill, but should use caution not to endanger his/her safety, or the safety of the public.

Any person identifying a Spill shall immediately call the Spill Response Coordinator.

The Spill Response Coordinator is responsible for being familiar with this SPCC Plan, calling for spill response when necessary, and taking whatever cleanup or remediation steps are required by regulatory agencies. The Spill Response Coordinator is also responsible for the emergency notification to the appropriate regulatory agencies, as necessary, and for arrangements with private contractors or State agencies for cleanup activities.

3.0 FACILITY DESCRIPTION (40 CFR 112.7(a)(3))

3.1 FACILITY OPERATIONS AND BRIEF HISTORY

The January Environmental Services yard in Bartow, Florida (Facility) has been operating since 2006. The site was formerly an Ashland Chemical facility that first opened in 1986. The site encompasses 5.17 acres of land in Polk County, Florida. The Facility is a terminal for temporary storage of used oil waste products. The Facility transports the waste oil products for disposal. Images of the Facility are found in Appendix C. A "Facility Site Layout with Surface Drainage Flow" (Figure 1) is located in Appendix D. This figure shows the location of various operations, warehouse, and all of the secondary containment structures. A "Topographic Map of the Site Area" (Figure 2) can be found in Appendix D. This figure helps to identify the waterways in the surrounding area.

Operations at the Facility are carried out by JANUARY providing used oil transport and temporary storage services. All operations are carried out in accordance with FDEP Chapter 62-710 Used Oil Management F.A.C., Chapter 62-762 Aboveground Storage Tank Systems, and Chapter 62-710 F.A.C. The FDEP facility ID# is 53-9101026 and the Environmental Protection Agency (EPA) facility ID # is FLD 982162943. The JANUARY transport personnel are responsible for the safe loading and transportation of the used oil and oil filters to the Facility. The used oil and oil filters are tracked via a bill of lading or a waste manifest from the point of generation, to delivery and bulking into tanks and bins at the Facility. The used oil and oil filters are stored at the Facility until pickup or delivery to a disposal or recycling facility. The used oil is stored in the 24,000 gallon tanks or the 20,000 gallon railcar on-site. Used oil is shipped to Flex Oil Services LLC of Channelview, Texas, Noble Oil Service Inc. of Sanford, North Carolina, and/or Vertex of Chickasaw, Alabama**.** The used oil is typically kept on-site until the 20,000 gallon railcar is full. On-site storage of waste oil can exceed 30 days. The used oil is transported to one of the three facilities listed above via the railcar or by truck pickup. The oil filters are bulked in five-cubic yard bins, and shipped 18 bins per load for disposal to US Foundries in Miami, Florida. All outbound oil shipments are tracked using a manifest or bill of lading. The facility has a security fence and the gate is locked when the facility is unattended.

3.1.1 Bulk Oil Storage (40 CFR 112.8(c)), (40 CFR 112.8(c)(1)) and (40 CFR 112.8(c)(2))

The facility currently has the ability to utilize six 24,000 gallon above ground storage tanks (AST) within concrete secondary containment structures, one 20,000 gallon railcar and one 220 gallon waste oil double walled AST that contains waste oil products. The facility currently utilizes two transport tanks; one 5,500 gallon and one 3,200 gallon. The facility utilized one 20,000 gallon railcar for storage and transport. There are two 5,600 gallon blend tanks currently not being utilized. The list of AST and transport tanks with their contents is provided in Appendix E – List of Oil Storage Tanks and Mobile Equipment. The AST, with their secondary containment structures and parking areas for the transport tanks, can be seen on Figure 1 "Facility Site Layout with Surface Drainage Flow" in Appendix D. A drawing titled "Topographic Map" (Figure 2) is also included in Appendix D. Visual tank inspections were conducted on Tanks TK-101, TK-102, TK-103, TK-104, TK-105 and TK-106 in July 2010 by the FDEP. Tank inspections will be required if for tanks BT-301 and BT-302 before they are put into service.

The pipes connecting the AST to the bulk loading / unloading area are located above the concrete secondary containment structures and are constructed of ASTM or ANSI rated steel. Both the AST and piping are compatible with the contents. The AST are set on a concrete base and are vented to the atmosphere. These concrete secondary containment structures provide containment for the AST which

are located inside the structure. Any spill associated with the AST would be completely contained and controlled within the secondary containment structures. Spills associated with piping located inside of the containment structures would be contained. Overhead piping is only utilized during transfer of used oil from the bulk loading / unloading area via a pump. If a leak occurred from the overhead piping during transfer it could be controlled by turning off the pump at the bulk loading / unloading area and addressing with a spill kit. The 220-gallon waste oil tank utilizes double-walled construction to provide secondary containment.

The secondary containment structures provide the following containment capacity (see Appendix F – Secondary Containment Calculations):

Secondary Containment Structures	Largest AST Volume in Gallons	Structures Contaminent Volume in Gallons	Safety Factor in Gallons (Ratio) *
Secondary Containment Structure #1 Largest Transport Tank Utilized (Covered Bulk Loading/Unloading Ramp)	6,800	49,550	7.18
Secondary Containment Structure #2 (24,000 gallon Tank Farm)	24,000	37,187	1.28
Secondary Containment Structure #3 (Blending Tanks)	5,600	55,995	8.73
Secondary Containment Structure #4 (Warehouse Bin and Drum Storage)	55	742	5.74

**Note that the safety factor equates to the largest tank capacity within the secondary containment plus an additional rain water volume. If the largest tank were to rupture, the secondary containment structure would be capable of containing the released contents and accumulation of a 24-hour rain event (estimated using 10% capacity of secondary containment structure).*

The secondary containment structure locations are provided on Figure 1 "Facility Site Layout with Surface Drainage Flow" in Appendix D. Secondary containment structures #1 and #3 are equipped with a manually operated sump pumps that can be activated to discharge accumulated storm water into the containment structure #2. Storm water that is collected in containment structure #2 is removed via a vac-truck and taken to the Aqua Clean facility in Lakeland, FL for disposal (See Appendix 6 - Storm Water Removal Form). Storm water captured in the secondary containment structures is not routinely released at this Facility, but if the Facility desires to release the captured storm water they would require an industrial waste water permit.

3.1.2 Oil Transfer Operations (40 CFR 112.8(d))

Oil waste product transfers into and from the AST are conducted at the Concrete Secondary Containment Structure #1 (i.e. Covered Bulk Loading/Unloading Ramp) which is adjacent to the secondary containment structures #2 containing the used oil. Additionally, the transfers to the railcar are conducted in the same area. This can be seen on Figure 1 "Facility Site Layout with Surface Drainage Flow" in Appendix D. Note that this Bulk Loading / Unloading Ramp is constructed so that any fluid that is spilled will be first contained and then pumped into the Secondary Containment Structure #2 (24,000 Gallon Tank Farm) via underground piping. Transport trucks delivering and picking up used oil to these AST offload in accordance with Florida Department of Transportation (FDOT) regulations. Unloading is monitored by the driver.

3.1.3 Mobile Transports Containing Oil Products

The mobile transports used to collect bulk used oil from other sites are always emptied into the AST in the 24,000 Gallon Tank Farm or the 20,000 gallon railcar prior to parking for the evening at the Facility. In the event that a transport is not able to unload the used oil it is parked for the night inside the Concrete Secondary Containment Structure #1 (i.e. Covered Bulk Loading/Unloading Ramp).

3.1.4 Drum Storage of Used Oil Filters

The used oil filters are stored and shipped to the Facility in five-cubic yard bins which are kept in the Warehouse Building until shipment for processing at a later date. These bins will have used oil quantities of slightly less than five-cubic yards. Emergency Spill Kits with bags of absorbent materials are located in the Warehouse Drum and Bin Storage Area to address any small (i.e. less than five gallon) spills that could potentially result.

3.1.5 Underground Tanks Containing Oil Products

There are no underground storage tanks (UST) at the Facility.

3.1.6 Underground Gas Lines

A natural gas easement is located along the eastern side of the driveway. This can be seen on Figure 1 “Facility Site Layout with Surface Drainage Flow” in Appendix D. In the event of damage to the line call the emergency contact for Central Florida gas provided in Section 2.3.

3.1.7 Emergency Response Equipment

A description of the Facility’s list of emergency response equipment, and the location of the response equipment, is provided in Appendix D “List of Emergency Response Equipment”. Facility employees are familiar with rapid deployment activities, and receive practical experience when spills occur. In cases where a significant spill requires special spill mitigation and control equipment, JANUARY may contact emergency response contractors who are listed in Section 2.2 “Emergency Spill Response Contractors”.

The facility maintains the following spill response equipment:

Drums	Six 55-gallon
Shovels	Two
Absorbent pads	Six boxes / 50 pads per box

3.1.8 Distance to Navigable Waters and Flow Path

In the unlikely event a spill was able to escape from the secondary containment structures, spill kits are strategically located to address this event. The mobile transports also have spill kits strategically placed near the parking areas as a control mechanism to prevent surface flow of any spilled oil. If these measures were not timely applied, the surface flow of any spilled oil would cause it to travel to the east side of the Facility into an infiltration pond. This can be seen on Figure 1 “Facility Site Layout with Surface Drainage Flow” in Appendix D. This infiltration pond allows waster to infiltrate into the subsurface.

3.2 SPILL HISTORY AND REPORTING (40 CFR 112.7(A)(4))

"Spill Event" means a discharge of "oil" into or upon the navigable waters of the United States or adjoining shorelines in harmful quantities, as defined at 40 CFR §110. A sheen of oil is a reportable quantity if it reaches a "Navigable Water". "Navigable Waters" includes, but are not limited to, lakes, rivers, streams, wetlands, mud flats, sand flats, wet meadows, and natural ponds. By interpretation of the definition of navigable water, the infiltration pond would be considered navigable water. **There have been no recorded "Oil Spill Events" of measurable quantity into or upon the navigable waters of the United States as of the date of this SPCC Plan.** Oils are defined as any kind of oil in any form, including but not limited to sludge, grease, oil residue, and oil mixed with other wastes. JANUARY will maintain a record of all spill events in the Main Office Building. A copy of the form used to record "spill events" can be found in Appendix H "Spill Event Report Form and FDEP Discharge Report Form."

In the event that the Facility has a "Spill Event" of 25 gallons or more, a FDEP discharge reporting form must be submitted to FDEP within 24 hours. A copy of the FDEP discharge reporting form can be found in Appendix H. In the unlikely event that this Facility has one "Spill Event" (i.e. discharge of oil) of more than 1,000 gallons, or two "Spill Events" of more than 42 gallons of oil with each of the discharges occurring within any twelve month period, JANUARY will submit this SPCC Plan to the EPA Regional Administrator and to the FDEP within 60 days of the occurrence, in the manner prescribed by 40 CFR §112.4(a).

January has developed the following guide for determining a Reportable Spill. The Spill Response Coordinators listed above in Section 2.1 will contact appropriate personnel, local emergency departments, contractors, and governmental agencies required based on several factors (safety, potential for the spill to spread, location of spill, etc.).

3.2.1 Reportable Spills

A Reportable Spill of oil is any actual or threatened release of a hazardous material that enters the environment. Examples of a Reportable Spill quantity include:

- A spill enters a storm drain or ditch. Oil sheen on the water is a reportable quantity.
- A spill enters the sanitary sewer greater than 25 gallons.
- A spill contacts soil of a quantity greater than 25 gallons.
- A spill contacts asphalt or concrete greater than 25 gallons.

3.2.2 Non-Reportable Spill

A non-reportable spill is one in which a hazardous material does not escape to the environment and:

- The material will not pose a health risk to an individual in the immediate area.
- The spill can be controlled and contained with on-hand spill response materials.
- The properties of the material are well known to the person(s) controlling and containing the spill.
- The person(s) controlling and containing the spill have had appropriate training.

- Control and containment of the spill requires less than a half-hour for two people and is less than 25 gallons.
- Spills that are contained within the secondary containment structures.

3.2.3 Spill Response

January has developed the following Spill Response steps:

1) Plug or stop flow; shut down all oil transfers, both in and out of affected storage facility and or mobile equipment if it is safe to do so.
2) Caution: Keep open flame, sparks or anything which might cause ignition away from spill. Turn off all equipment which might cause ignition.
3) Notify the Spill Response Coordinator as quickly as possible. The Spill Response Coordinator will contact appropriate personnel, local emergency departments, contractors, and governmental agencies required based on several factors (safety, potential for the spill to spread, location of spill, etc.).
4) Notify Local Fire Fighting Departments if there is an imminent danger.
5) Initiate appropriate spill response.
6) Contain the spill to prevent it from entering storm drains or ditches (safeguard the public or property) utilizing drain covers, booms, absorbents, ditch excavation, berms or dikes.
7) Initiate cleanup, disposal of contaminated materials and monitoring if required.
8) Complete Spill Event Report Form (see Appendix H).
9) The Spill Response Coordinator will file the necessary reports with regulatory agencies in accordance with applicable local, state, and federal regulations.
10) Restore existing Facilities.

3.2.4 Containment and Cleanup Procedures for Oil Discharges

The SPCC Plan information will provide the projected direction of surface flow for an oil spill. The first Emergency Response personnel arriving at the Facility should note this information, so that storm drain covers or drain pigs can be taken to the site as quickly as possible. Review the site-specific information for the tank / tank cluster, topographic map, and local emergency phone numbers.

The nature of any oil spill response will depend upon the success of the secondary containment structure(s). The Facility has secondary containment surrounding all AST. The following steps assume the source of the spill has been stopped.

If secondary containment has SUCCESSFULLY confined the oil release:

Remove fluid from any containment structure(s) with an appropriate pump or other equipment. If the oil has been held in the secondary containment, the dikes must be drained by vacuum pump to collect any free liquids, then any impacted soil must be excavated and placed in appropriate containers or dump trucks and transported to a State-approved disposal facility. Absorbent materials such as booms, pads and pillows, or granular type adsorbent materials should be containerized in barrels or lined roll-off boxes for appropriate off-site disposal. If oil contaminated soils or recovery absorbents must be

temporarily stored on-site, place the materials on plastic sheeting to prevent seepage into the ground. Recovered fluids should be placed in tanker trucks, mobile trailer mounted tank units, or storage tanks with adequate capacity, and sealed to prevent further spillage. Consideration should be given to secondary containment, or leak prevention, for any temporary oil storage equipment brought on-site for oil transfer or recovery. Recovered oil contaminated gravel, soil, and sorbents should be placed in drums or lined roll-off boxes or dump trucks, and covered to prevent wind dispersal or contact with precipitation.

If containment has been UNSUCCESSFUL in confining the oil release:

The worst case spill is likely to occur in conjunction with a rainfall event. In this case, storm water will occupy some of the volume of the secondary containment, and the oil will float on top of storm water runoff. Immediate efforts should be initiated to limit further movement of fluid through the use of containment or absorbent booms. Absorbent pillows or pads may also be used. Diking or trenches should be used to minimize or prevent oil movement from the source area, and to prevent the oil from leaving the facility boundaries.

While control of off-site migration is critical, expedient plugging and control of the spill source is also vital to limiting the ultimate extent of oil contamination to the environment. Remove fluid from any containment structure(s) with an appropriate pump or other equipment. If the oil has soaked into soil, the soil must be excavated and placed in appropriate containers or dump trucks and transported to a State-approved disposal facility. Recovered fluids should be placed in tanker trucks, mobile tank units, or drums with adequate capacity and sealed to prevent further spillage.

Floating booms, and/or absorbent pads may be used to control the spread of oil on drainage streams, sewers, or creeks. In some cases, a temporary earthen dam or dike may be used to control the spill, and can be used in conjunction with vacuum trucks, skimmer pumps, or sump pumps to remove floating oil.

Consideration will be given to secondary containment, or leak prevention, for any temporary oil storage tanks or drums used for oil transfer or recovery. Recovered oil contaminated gravel, soil, or sorbents will be placed in drums, lined roll-off boxes or dump trucks, and covered to prevent wind dispersal or contact with precipitation.

3.2.5 Disposal of Contaminated Materials

The Emergency Spill Response Coordinator shall be contacted for disposal of contaminated materials from a spill. A reportable quantity oil spill is generally defined as a spill that results in a sheen or greater quantity of oil on the water of a stream, creek, or drainage offsite. In general, containerization of oil contaminated gravel, soil, and fluids were discussed above. The Emergency Spill Response Coordinator will arrange for disposal of wastes from spill cleanup projects.

4.0 POTENTIAL SPILL PREDICTIONS AND CONTROL (40 CFR 112.7 (b))

The most probable cause of leaks will be from corrosion of bulk storage tanks and lines or the possibility of valve failure, of which all are located inside the perimeter of the secondary containment structure. The secondary containment structure is sized to prevent the release of a volume much greater than the largest tank from moving beyond the contained area, which will minimize any release into the environment. A release to the environment outside the secondary containment structure would most likely come from the mobile equipment (i.e. transport trucks or railcar) stationed on the Facility grounds. The potential for a spill is minimized by conscientious visual inspections performed during unloading and documented at least monthly by the Operations Personnel. The recording of site equipment inspections for leaks or deterioration are recorded on the Facility Inspection Sheet in Appendix I. If repairs are needed, they are recorded in the Maintenance Log in Appendix J. The Operations Personnel are instructed to report any leaks and make repairs to this mobile and stationary equipment as soon as practical. If any spill occurs or fluid accumulation occurs, spill kits are strategically positioned to immediately respond to such an event. As much of the fluid volume as practical will be removed and disposed of in a proper manner. Contaminated soil will be either remediated on location or removed to a proper disposal facility. In all cases, if either the secondary containment or spill kits do not contain a spill, the released fluids will enter the north-eastern corner of the Facility into an infiltration pond. This infiltration pond allows water to infiltrate into the subsurface. The following table provides a summary of the possible source type, volume or release and direction of flow.

Table 4.0 – Source, Type of Failure and Direction of Flow 40CFR 112.7(b)

SOURCE	TYPE OF FAILURE	VOLUME (GALLONS)	RATE (GALLON/ HOUR)	DIRECTION OF FLOW
Transport Trucks	Overfill and or compartment release	6,800	6,800	First within secondary collection ramp and then into secondary containment structure. Spill Kit is located nearby.
Overhead Pipeline	Equipment and/or piping failure	50	10	Depending on the location, a Spill Kit is located nearby. Pump will need to be shut down. But if not contained or controlled immediately fluid will flow into infiltration pond.
Containment Piping	Equipment and/ or piping Failure	50	10	Within secondary containment structures. Spill Kit located nearby.
Storage Tanks	Rupture or overfill	24,000	24,000	Within secondary containment structure. Spill Kit is located nearby.
Drums	Rupture	55	55	Within Drum Storage Area. Spill Kit is located nearby.
Mobile Equipment	Vehicle Accident	26,800	26,800	Depending on the location, a Spill Kit is located nearby but if not contained, the fluids will flow offsite or into infiltration pond if not controlled immediately. If the railcar has a release the release would be contained within the secondary containment structure.

5.0 PREVENTION MEASURES PROVIDED (40 CFR 112.7(c))

JANUARY has determined that secondary containment is practicable at this Facility in accordance with 40 CFR 112.7 (d). This Facility has provided the following prevention measures or has plans to upgrade systems to be in compliance in the future:

5.1 DRAINAGE CONTROL DIVERSIONARY STRUCTURES AND CONTAINMENT (40 CFR 112.8(B))

5.1.1 Concrete Secondary Containment Structure

The bulk storage tank area was built to be within secondary containment structures. The capacity of the secondary containment structures will hold the largest oil storage tank with a large safety factor. The Secondary Containment Structure #2 (24,000 Gallon Tank Farm) does have a sump pump to remove rainwater. However, rainwater will be removed via a vac-truck and disposed of at the Aqua Clean Facility in Lakeland Florida. All Concrete Secondary Containment Structures are visually inspected by Operators Personnel daily. The JANUARY policy is to collect any fluids that have visual signs of oil impact by utilizing transports and disposing of the fluids in an approved manner. A copy of the Storm Water Removal Form is located in Appendix K “Removal Record”.

5.1.2 Drums and Containers

Inspections for oil and hazardous substance drums and containers are performed. Drum and bin storage areas are covered and have spill control equipment nearby. Used oil filters are received already drained by the customer and are stored and managed as described in Section 3.1.4. Figure 1 shows the location where drums are stored within the warehouse.

5.1.3 Mobile (Transport vehicles including trucks and the rail car)

Personnel performing transfers should provide continuous oversight of all transfers to or from the AST. All spills, regardless of size or quantity, should be cleaned up immediately and reported. Proper attention shall be given to housekeeping so that repeated small drips and spills are not allowed to contaminate either areas inside containment structures, or other areas. When used, mobile storage tanks or temporary storage containers should be positioned within curbed or diked areas assuring containment of a spill. Special attention should be given to small leaks, which might soak into gravel around the storage areas. Identification of the cause shall be determined, and maintenance performed to correct any identified problems. Stained soil should be removed, and placed in an appropriate container for off-site disposal at a State-approved facility.

Refer to Section 5.2, below for details of mobile container management.

5.2 TRUCK AND RAILCAR LOADING OPERATIONS

Oil waste product transfers into and from the AST and railcar are conducted on a Concrete Secondary Containment Structure #1 (i.e. Covered Bulk Loading / Unloading Ramp) which is adjacent to the secondary containment structures. This can be seen on Figure 1 “Facility Site Layout with Surface Drainage Flow” in Appendix D. Note that this Bulk Loading / Unloading Ramp is constructed so that any fluid that is spilled will be first contained and then pumped into the Secondary Containment Structure #2 (24,000 Gallon Tank Farm). The piping connections are located aboveground.

Transport trucks delivering waste oil to these AST and railcar offload in accordance with FDOT regulations. All drivers are trained in the proper procedures to load and unload product. The transfer

pipes are equipped with dry-connect couplings. The driver is required to be at the transport during any transfer operation.

5.3 INSPECTIONS/RECORD KEEPING (40 CFR 112.7(E)) AND (40 CFR 112.8(C)(6))

The following records are maintained at the Main Office Building in regards to operation, safety, spill prevention and countermeasures:

- SPCC Plan (this Plan)
- Spill Event Report Form and FDEP Discharge Report Form (see Appendix H)
- Storm Water Removal Record (see Appendix K)
- Monthly Facility Inspection Report Form (see Appendix I)
- Log of Maintenance Actions (see Appendix J)
- Training Records of Employees
- January frequently monitors oil and hazardous substance containing equipment. A record will be maintained of the date of each inspection. These inspections are performed to identify slow leaks, physical conditions that might result in a container failure, improper operational characteristics, or other condition requiring corrective action. Oil and hazardous substance containing equipment is maintained and replaced in a regularly scheduled preventative maintenance program.

Normal operations require the Operations Personnel to observe most of the Facility on a daily basis. The Operations Personnel have been instructed to immediately report any irregularities to their Supervisor.

As required by the SPCC rule, JANUARY will perform the inspections, tests, and evaluations listed in the following table. Table 5 summarizes the various types of inspections and tests performed at the facility. The inspections and tests are described later in this section, as well as in the respective sections that describe different parts of the facility.

Table 5: Inspection and Testing Program

Facility Component	Action	Frequency/Circumstances
Above ground tanks-In Use (6-24,000 gallon steel tanks) (1-20,000 gallon steel tank – Rail Car) (1-220 gallon double walled steel tank)	**Tank Visual Inspection**	**Daily, Weekly and Monthly.**
Above ground tanks-In Use (6-24,000 gallon steel tanks) (1-20,000 gallon steel tank – Rail Car) (1-220 gallon double walled steel tank)	**Tank Integrity Test**	**Once every 5-years. Engineer certification of tank integrity.**
Liquid level sensing devices (overfill)	**Test for proper operation.**	**Monthly**

All aboveground valves, piping, and appurtenances.	**Assess general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces.**	**Monthly**
Liquid presence in secondary containment tank and vault cavity.	**Visual Inspection**	**Daily**

5.3.1 Integrity Testing

Integrity testing on all in use AST will be performed in November 2011. The integrity test will be performed conducted as per STI Standard SP-001 or other appropriate standard. The results of the integrity test will be signed and sealed by a Professional Engineer or a Certified Tank Inspector. Upon completion, the integrity testing report will be provided to FDEP for review. A copy of the report will be added to the SPCC Plan following the inspection. A tank integrity test will need to be performed every five years following the November 2011 integrity inspection. Scheduling and conducting the tank integrity testing is the sole responsibility of JANUARY. If the integrity testing is not performed, JANUARY will be designated the responsible party and will hold ENERCON and any professional engineer signing this document not liable for the SPCC plan, releases or any other issues that may arise from failure to conduct the integrity testing.

5.3.2 State Rules, Regulations and Guidelines (40 CFR 112.7(i))

There are no field-constructed AST that meet the “Brittle Fracture” criteria. This section of 40 CFR 112 does not apply to this facility.

5.3.3 Daily Inspection

A JANUARY employee performs a complete walk-through of the Facility each day. This daily visual inspection involves:

- Looking for tank/piping damage or leakage, stained or discolored soils, or excessive accumulation of water in the secondary containment.
- A written record of the inspection is kept at the facility, on those days the facility is in operation.

5.3.4 Monthly Inspection

The checklist provided in Appendix I is used for monthly inspections by JANUARY personnel.

The monthly inspections cover the following key elements:

- Observing the exterior of AST, pipes, and other equipment for signs of deterioration, leaks, corrosion, and thinning.
- Observing the exterior of portable containers for signs of deterioration or leaks.
- Observing tank foundations and supports for signs of instability or excessive settlement.
- Observing the tank fill and discharge pipes for signs of poor connection that could cause a discharge, and tank vent for obstructions and proper operation.
- Verifying the proper functioning of overfill prevention systems.
- Checking the inventory of discharge response equipment and restocking as needed.

All problems regarding tanks, piping, containment, or response equipment must immediately be reported to the Facility Manager. Visible oil leaks from tank walls, piping, or other components must be repaired as soon as possible to prevent a larger spill or a discharge to navigable waters. Pooled materials are removed immediately upon discovery.

Written monthly inspection records are signed by the Facility Manager and maintained with this SPCC Plan for a period of three years.

5.3.5 Annual Inspection

Facility personnel perform a more thorough inspection of Facility equipment on an annual basis. This annual inspection complements the monthly inspection described above and is performed in June of each year using the checklist provided in Appendix I of this Plan.

Written annual inspection records are signed by the Facility Manager and maintained with this SPCC Plan for a period of three years.

5.4 FACILITY SECURITY (40 CFR 112.7(G))

A chain-link fence surrounds the Facility. It has entrance gates, which are locked when the Facility is unattended. The Facility has adequate lighting.

5.5 PERSONNEL TRAINING (40 CFR 112.7(F))

The Spill Response Coordinator has been designated as the Oil Spill Prevention and Training Coordinator. It is their responsibility to assure that all personnel are familiar with the SPCC Plan and spill prevention and cleanup procedures. The training shall include procedures for notification of spills, and will define Reportable Quantity spills. Personnel will be trained in the use and location of equipment and material required for cleanup. Personnel will also be trained on the applicable pollution control laws and regulations and civil penalties for violations. Training meetings shall be held at least once per month and in “tail-gate” sessions as necessary. New personnel will be trained during their orientation. A written record will be kept of all training, which identifies training topics covered, and date and signature of all training recipients. These records are kept in the personnel files.

Operations personnel receive “Spotter” training in accordance with 62-FAC 701.320(15).

6.0 CONTINGENCY PLAN

The following will be implemented in the event that any spill should occur. It is important to note that all spills should be addressed as soon as identified.

- Select appropriate personal equipment (PPE) as necessary. The spill source or flow should be stopped as soon as is safely possible **if no risk to personal safety or to others exist.**
- Turn off all equipment which might cause ignition. Keep open flame, sparks or anything which might cause ignition away from spill.
- Spilled fluids will be contained to prevent further spread. Use temporary dikes and emergency pits to confine the spill to the smallest possible area to protect human safety and minimize damage to the environment.
- Attempt to recover and remove spilled fluids if possible.
- Call Local Fire Department, cleanup contractors and the appropriate agencies as listed in Section 2.3 under Emergency Numbers. A reportable quantity is any discharge of oil (other than deleterious substances also apply) of 25 gallons or more (single event) to soils or any amount to navigable waters.
- Cleanup of a reportable oil spill will be performed as soon as practicable upon discovery. Cleanup will consist of the following steps:

  (1) Stopping the release;

  (2) Containing the released used oil;

  (3) Cleaning up and managing properly the released used oil and any impacted materials; and

  (4) If necessary, repairing or replacing any leaking used oil storage containers or tanks prior to returning them to service.

- A record of the spill event will be made as outlined in Appendix H “Spill Event Report Form and FDEP Discharge Reporting Form” and is kept in the Main Office Building. The Clean Water Act requires verbal notification to the National Response Center (NRC) if any reportable release of oil reaches waters of the United States (the state requires notification to FDEP). The NRC is manned 24-hours a day, 365 days a year. The SPCC plan must be submitted within 60 days to the EPA for review if either of the follow occurs:
  - A single oil spill event greater than 1,000 gallons into navigable water;
  - Two reportable oil spills of 42 gallons or greater from the same facility occurring within any 12-month period.
- A discharge report is to be submitted to FDEP within 24 hours of a discovery of a reportable quantity spill. Keep records including personnel to whom you speak.
- It is advisable for spills that pose an imminent danger to fish or wildlife to be reported to the FDEP.
- The required “action plan” will be taken to correct the cause of the spill and prevent recurrence. If a regulatory agency was called, they will need to be consulted on details of the “action plan” and may require prior approvals before implementation.

- Maintain adequate records of each spill reflecting the information, time and manner of reporting. It is important to produce such documents upon demand by an authorized representative.

Appendices

Appendix A

SPCC PLAN AMENDMENT LOG

Date of Amendment	General Description of Change Made	Page # of Changes Made	Name of Re-certifying PE	Name of Management Reviewer

CERTIFICATION OF THE APPLICABILITY OF THE *SUBSTANTIAL HARM CRITERIA CHECKLIST*

FACILITY NAME: **January Environmental Services Facility**

FACILITY ADDRESS: **1750 West Main Street, Bartow, FL**

1. Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?
   Yes ___ No _✓_

2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area?
   Yes ___ No _✓_

3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the formula in Attachment C-III, Appendix C, 40 CFR 112 or a comparable formula) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Environments" (Section 10, Appendix E, 40 CFR 112 for availability) and the applicable Area Contingency Plan.
   Yes ___ No _✓_

4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula (Attachment C-III, Appendix C, 40 CFR 112 or a comparable formula) such that a discharge from the facility would shut down a public drinking water intake?
   Yes ___ No _✓_

5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years?
   Yes ___ No _✓_

CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Printed Name	**Signature**
Printed Title	**/ /20**

Appendix B

Appendix B: SPCC Cross Reference Table

SPCC Rule Citation	*Description of Rule*	*Section and/or Appendix*
§112.1	**Compliance with other Federal, State, or local laws.**	***S-3***
§112.3(d)	**Review by Professional Engineer**	***S-1***
§112.5	**Review by Professional Management**	***S-1***
§112.7	**General requirements for SPCC Plans for all facilities and all oil types.**	
§112.7(a)	Contact Information	***S – 3***
	Discussion of facility's conformance with rule requirements;	***S – 3***
	Deviations from Plan requirements;	***None***
	Facility characteristics that must be described in the Plan (including facility diagram);	***S – 3; Figure-1***
	Spill reporting information in the Plan;	***S – 3; App.-B***
	Emergency procedures.	***S – 4***
§112.7(b)	***Spill Predictions and Fault Analysis***	***S – 3***
§112.7(c)	***Secondary containment***	***S – 3; App.-H***
§112.7(d)	***Contingency planning***	***S – 6***
§112.7(e)	***Inspections, tests, and records***	***S – 5; App.-I & J***
§112.7(f)	***Employee training and discharge prevention procedures***	***S – 5, App.-I***
§112.7(g)	***Security (excluding oil production facilities)***	***S –5***
§112.7(h)	***Loading/unloading***	***S – 5***
§112.7(i)	Brittle fracture evaluation requirements	***S – 5***
§112.7(j)	***Conformance with State requirements***	***S -3***
§112.8	*Requirements for onshore facilities*	
§112.8(a)	***General and specific requirements as outlined in §112.7 above***	
§112.8(b)	***Facility drainage***	***S –5; Figure-1***
§112.8(c)	***Bulk storage containers***	***S – 3; App.-E***
§112.8(c)6	***Bulk storage containers Integrity Tests***	***S – 5***
§112.8(d)	***Facility transfer operations, pumping, and facility process***	***S – 5***
§112.20(e)	**Substantial Harm Criteria**	***App.-A***

Note that only selected excerpts of relevant rule text are provided. For a complete list of SPCC requirements, refer to the full text of 40 CFR §112 S = Section; App. = Appendix

Appendix C

IMAGES

IMAGE 01 – Facility Signage and Ingres/Egress

IMAGE 02 – View looking at the Facility Entrance

IMAGE 03 – View looking East at Covered Secondary Containment Structure #1

IMAGE 04 – View looking west at Secondary Containment Structure #2

IMAGE 05 – View looking south at Secondary Containment Structure #3

IMAGE 06 – View looking at Used Oil Filter Bin and Drum Storage Area

Inside Warehouse Secondary Containment Area #4

IMAGE 07 – View looking northwest at Double Walled Waste Oil Tank

IMAGE 08 – View looking east at Covered Bulk Loading/Unloading Area

IMAGE 09 – Facility Tank Car Bulk Loading/Unloading Area

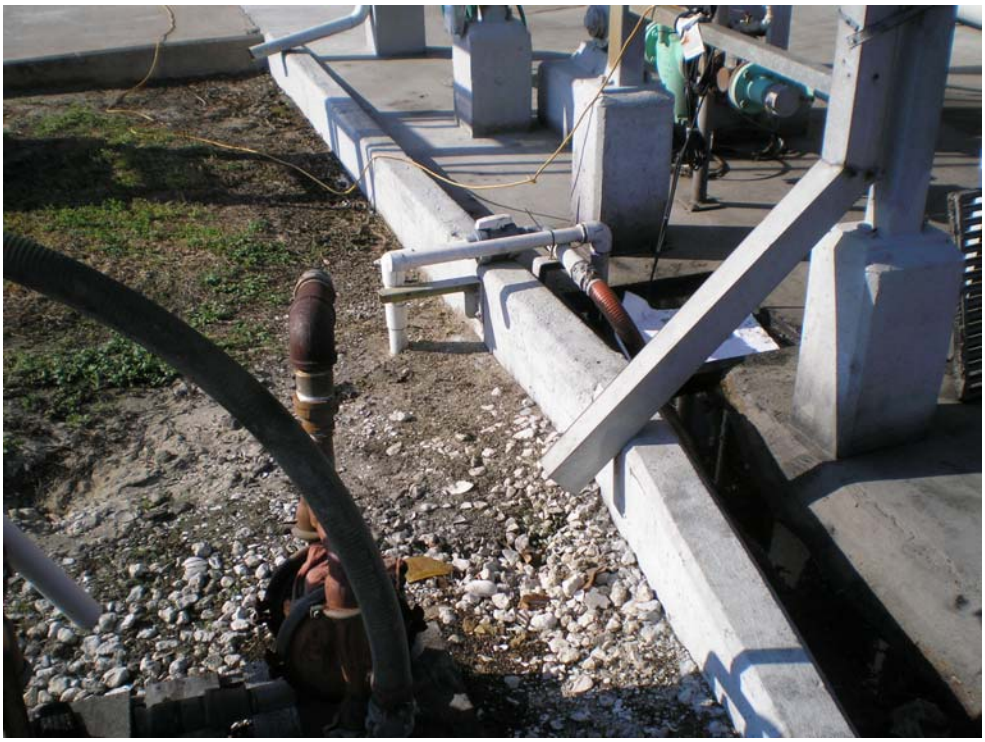


IMAGE 10 – View looking at Sump inside at Secondary Containment Structure #1

IMAGE 11 – View looking inside North at Secondary Containment Structure #2

IMAGE 12 – View looking inside east at Expansion

Secondary Containment Structure #2

IMAGE 13 – View looking at Sump inside at Secondary Containment Structure #2

IMAGE 14 – View looking inside west at Secondary Containment Structure #3

IMAGE 15 – View looking at Sump inside at Secondary Containment Structure #3

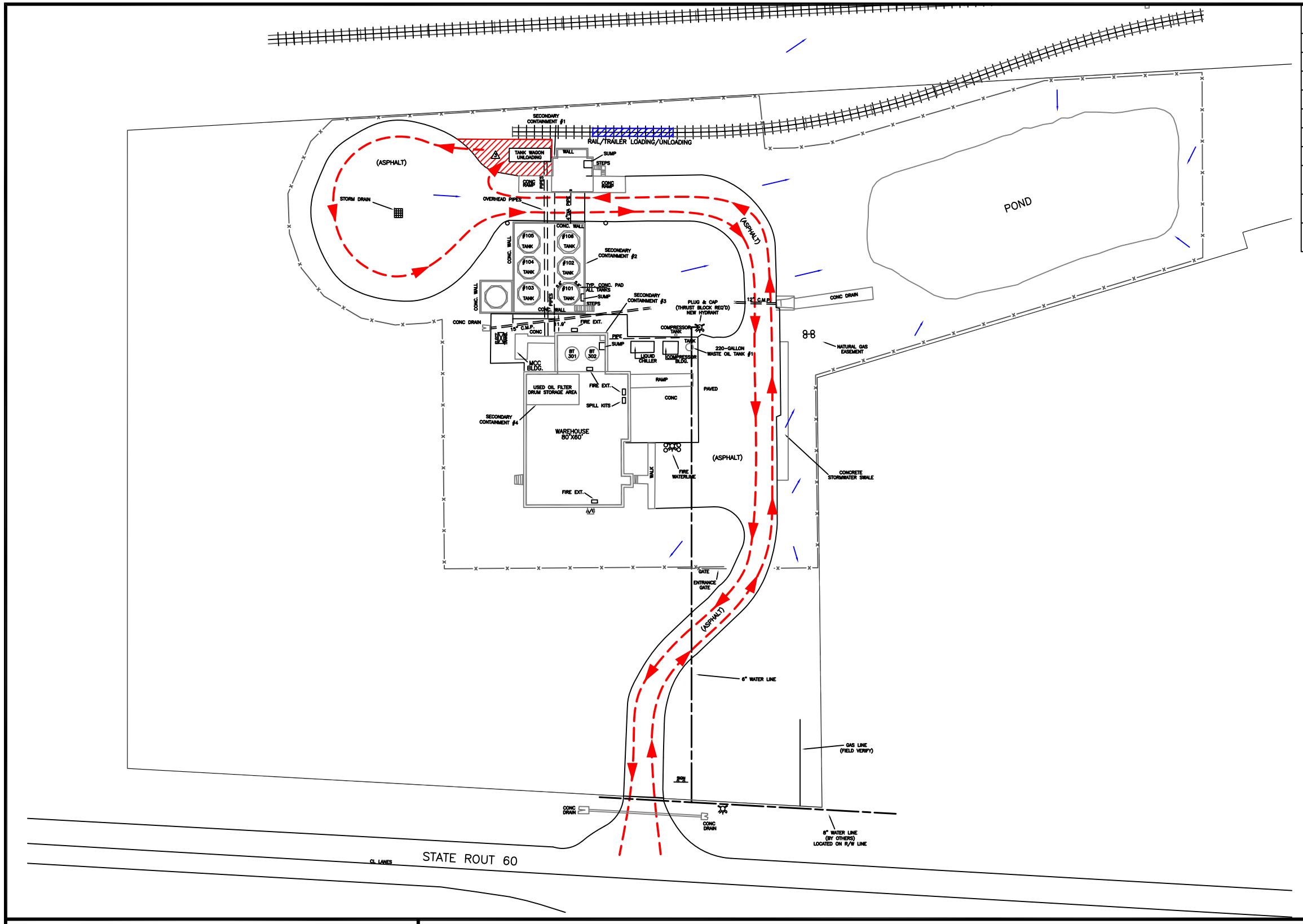
IMAGE 16 – Overhead Piping from Transfer Station to Individual Storage Tanks

IMAGE 17 – View looking North at Gas Easement

IMAGE 18 – View looking east at Retention Pond

IMAGE 19 – View looking west at Chiller and Air Compressor Structures

Appendix D



TANK ID#	CONTENTS	DIAMETER (FEET)	CAPACITY (GALLONS)	LOCATION
TK-101	USED OIL	12	24,000	SECONDARY CONTAINMENT
TK-102	USED OIL	12	24,000	DOUBLE-WALLED TANK
TK-103	USED OIL	12	24,000	DOUBLE-WALLED TANK
TK-104	USED OIL	12	24,000	DOUBLE-WALLED TANK
TK-105	ANTIFREEZE	12	24,000	DOUBLE-WALLED TANK
TK-106	USED OIL	12	24,000	DOUBLE-WALLED TANK
#1	USED OIL	N/A	220	DOUBLE-WALLED TANK
BT-301	EMPTY	9	5,600	SECONDARY CONTAINMENT STRUCTURE #3
BT-302	EMPTY	9	5,600	SECONDARY CONTAINMENT STRUCTURE #3
RAIL CAR	USED OIL	9.9	20,000	BULK LOADING/UNLOADING AREA

SECONDARY CONTAINMENT STRUCTURES	WALL HEIGHT (INCHES)
1	30
2	32
3	17
4	2

Legend:

- FIRE HYDRANT
- UTILITY POLE
- FENCE
- PROPERTY LINE
- SURFACE WATER FLOW
- TRUCK ROUTE
- 24,000-GALLON TANKS
- 5,600-GALLON TANKS
- TRUCK UNLOADING AREA
- RAIL CAR LOADING AREA

N

1/64" = 1'

January Environmental Services, Inc.
1750 West Main Street
Bartow, Florida

EPA Registry ID: 110001739021

Source: Ashland Chemical, Inc.

ENGINEERING CERTIFICATION: RENEWAL DATE:

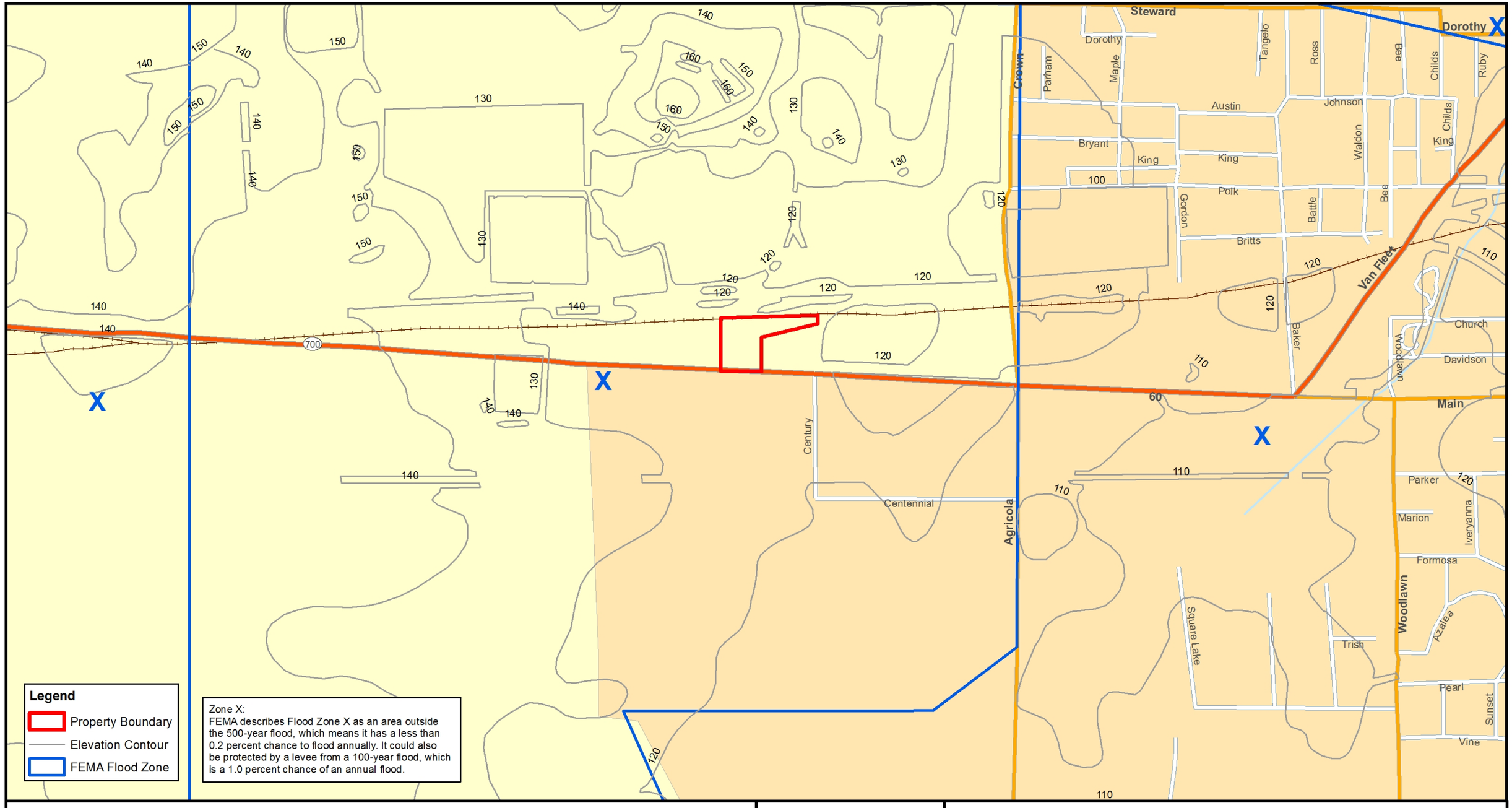
NO	REVISION	DATE	BY	APPR.

COMPLETED BY: E. DARE DATE: 09/12/11 | APPROVED BY: W. GRANT DATE: 09/12/11 | SHEET NO: Sheet 1 of 2

ENERCON
12906 TAMPA OAKS BLVD, SUITE 131
TEMPLE TERRACE, FLORIDA 33637
WWW.ENERCON.COM (813)-962-1800

Figure 1
Facility Site Layout

Project No: ENMISC2229



Prepared for: January Environmental Services, Inc.

Subject Property:
January Environmental Services, Inc
1920 Highway 60
Bartow, Florida

EPA Registry ID: 110001739021

N
W E
S

1:8,000

Figure 2: Topographic Map

Prepared by: E. Dare; September 12, 2011 *Sheet 2 of 2*

Feet
0 750 1,500 3,000

Appendix E

LIST OF OIL STORAGE TANKS

Tank Identification	Contents	Diameter (Feet)	Capacity (Gallons)	Location (Notes)
TK-101	Used Oil	12	24,000	Secondary Containment Structure #2
TK-102	Used Oil	12	24,000	Secondary Containment Structure #2
TK-103	Used Oil	12	24,000	Secondary Containment Structure #2
TK-104	Used Oil	12	24,000	Secondary Containment Structure #2
TK-105	Used Oil	12	24,000	Secondary Containment Structure #2
TK-106	Used Oil	12	24,000	Secondary Containment Structure #2
#1	Used Oil	-	220	No Containment Structure Double Walled Tank
BT-301	Empty	9	5,600	Covered Secondary Containment Structure #3
BT-302	Empty	9	5,600	Covered Secondary Containment Structure #3
Railcar-Typical	Used Oil	NA	20,000	Coverer Secondary Containment Structure Bulk Loading/Unloading Area
Transport Tank	Empty	9.9	5,500	Transport tank kept empty when on-site.
Transport Tank	Empty	-	3,200	Transport tank kept empty when on-site.

Note that the transport trailers/trucks are kept on-site in an empty state.

Appendix F

Secondary Containment Structure #1
(Covered Bulk Loading/Unloading Ramp)

1) Minimum volume needed for secondary containment structure:
= Volume of single largest tank + 10% of Secondary Containment Structure's Volume to allow for precipitation accumulation
= 6,800 gallons x 0.1337 cubic feet/gallon + (.10 x 507 square feet x .25 feet)
= 921.8 cubic feet

Notes: If spill occurs sump pump can be activated and spill components can be pumped into Secondary Containment #2.

2) Total containment area:
= Area of Secondary Containment Structure #1
= 26.7 feet x 19 feet
= 507 square feet

3) Total area of tanks within secondary containment structure (less the single largest tank):
= The AST used in the single 6,800-gallon transport trailer during unloading/loading operation
= 0 square feet
= 0 square feet

4) Available secondary containment area:
= Total containment area (2) - Total area of tanks (3)
= 507 square feet – 0 square feet
= 507 square feet

5) Available secondary containment volume:
= Secondary containment area (4) x Minimum height of wall (i.e. 3 inches or 0.25 feet) + Secondary Containment Structure #2 volume (Containments are connected via underground piping Containment #1 pumps into Containment #2)
= (507 square feet x 0.25 feet) + 6,498 cubic feet
= 6,624 cubic feet (i.e. 49,550 gallons)

6) The Secondary Containment Safety Factor:
Available secondary containment volume (5) of 6,624 cubic feet is greater than the minimum secondary containment volume (1) required of 921.8 cubic feet which equates to a Safety Factor of 7.18 (see note below).

Note: A Safety Factor of 1.0 equates to the secondary containment structure's capacity to completely contain a spill from the single largest tank. Any number greater than 1.0 is an additional level of safety beyond the minimal requirement.

Secondary Containment Structure #2
(24,000 Gallon Tank Farm)

1) Minimum volume needed for Secondary Containment Structure:
= Volume of single largest tank + 10% of Secondary Containment Structure's Volume to allow for precipitation accumulation
= (24,000 gallons x 0.1337 cubic feet/gallon) + (0.10 x 2,406.8 square feet x 2.7 feet)
= 3,209 cubic feet + 649.8 cubic feet
= 3859 cubic feet

2) Total Secondary Containment Structure's area:
= 43.5 feet x 55.3 feet
= 2,406.8 square feet

3) Total area of tanks within secondary containment structure (less the single largest tank):
= Π x (½ diameter of each tank in feet ⇨ 12, 12, 12, 12, 12)^2
= Π x ($6^2 + 6^2 + 6^2 + 6^2 + 6^2$) square feet
= Π x 180 square feet
= 565.2 square feet

4. Available Secondary Containment Structure's area:
= Total containment area (2) - Total area of tanks (3)
= 2,406.8 square feet – 565.2 square feet
= 1841.2 square feet

5) Available Secondary Containment Structure's volume:
= Secondary Containment Structure's area (4) x Minimum height of dike or berm or wall
= 1841.2 square feet x 2.7 feet
= 4,971.2 cubic feet (i.e. 37,187 gallons)

6) The Secondary Containment Safety Factor:
Available Secondary Containment Structure's volume (5) of 4,971.2 cubic feet is greater than the minimum secondary containment volume (1) required of 3,859 cubic feet which has a Safety Factor of 1.28 (see note below).

Note: A Safety Factor of 1.0 equates to the secondary containment structure's capacity to completely contain a spill from the single largest tank with an additional 10% for rainwater. Any number greater than 1.0 is an additional level of safety beyond the minimal requirement.

Secondary Containment Structure #3 (Blending Tanks)

1) Minimum volume needed for Secondary Containment Structure:
= Volume of single largest tank + 10% of Secondary Containment Structure's Volume to allow for precipitation accumulation
= (5,600 gallons x 0.1337 cubic feet/gallon) + (0.10 x 759 square feet x 1.42 feet)
= 748.7 cubic feet + 107.8 cubic feet
= 856.5 cubic feet

2) Total Secondary Containment Structure's area:
= 33 feet x 23 feet
= 759 square feet

3) Total area of tanks within secondary containment structure (less the single largest tank):
= Π x (½ diameter of each tank in feet ⇨ 9)^2
= Π x (4.5^2) square feet\
= 63.6 square feet

4) Available Secondary Containment Structure's area:
= Total containment area (2) - Total area of tanks (3)
= 759 square feet – 127 square feet
= 695.4 square feet

5) Available Secondary Containment Structure's volume:
= Secondary Containment Structure's area (4) x Minimum height of dike or berm or wall
= 695.4 square feet x 1.42 feet
= 987.5 cubic feet (i.e. 6,732 gallons)

6) Available Containment Capacity including Tertiary Containment Structure #3:
= Secondary Containment Structure's volume (5) + Secondary Containment Structure #2 volume (Containments are connected via underground piping Containment #3 pumps into Containment #2)
= 987.5 cubic feet + 6498 cubic feet
= 7,485.5 cubic feet (i.e. 55,995 gallons)

7) The Secondary Containment Safety Factor:
Available Secondary Containment Structure's volume (6) of 7,485.5 cubic feet is greater than the minimum secondary containment volume (1) required of 856.5 cubic feet which has a Safety Factor of 8.73 (see note below).

Note: A Safety Factor of 1.0 equates to the secondary containment structure's capacity to completely contain a spill from the single largest tank with an additional 10% for rainwater. Any number greater than 1.0 is an additional level of safety beyond the minimal requirement.

Secondary Containment Structure #4 (Warehouse Drum and Bin Storage)

1) Minimum volume needed for Secondary Containment Structure:

= Volume of single largest tank + 10% of Secondary Containment Structure's Volume to allow for precipitation accumulation
= (55 gallons x 0.1337 cubic feet/gallon) + (0.10 x 594 square feet x .167 feet)
= 7.35 cubic feet + 9.91 cubic feet
= 17.26 cubic feet

2) Total Secondary Containment Structure's area:
= 27 feet x 22 feet
= 594 square feet

3) Total area of tanks within secondary containment structure (less the single largest tank):
= Π x (½ diameter of each drum in feet ⇨ 1.95)^2 x 158 Drums
= Π x (.975^2) square feet
= 471 square feet

Notes: Calculations based on area filled with a maximum of 158 55-gallon drums. Number of drums will vary in containment area.

4) Available Secondary Containment Structure's area:
= Total containment area (2) - Total area of tanks (3)
= 594 square feet – 471 square feet
= 123 square feet

5) Available Secondary Containment Structure's volume and capacity:
= Secondary Containment Structure's area (4) x Minimum height of dike or berm or wall
= 594 square feet x .167 feet
= 99.2 cubic feet (i.e. 742 gallons)

6) The Secondary Containment Safety Factor:
Available Secondary Containment Structure's volume (5) of 99.2 cubic feet is greater than the minimum secondary containment volume (1) required of 17.26 cubic feet which has a Safety Factor of 5.74 (see note below).

Note: A Safety Factor of 1.0 equates to the secondary containment structure's capacity to completely contain a spill from the single largest tank with an additional 10% for rainwater. Any number greater than 1.0 is an additional level of safety beyond the minimal requirement.

Appendix G

LIST OF EMERGENCY RESPONSE EQUIPMENT

Category	Item/Description	Capabilities	Location
Fire Fighting Equipment	Fire Extinguishers	ABC Rated	Throughout Facility
Spill Control	Spill Kits, Booms, absorbent pads shovels, rakes, etc.	Minor spills	Throughout Facility
PPE	Tyvex coveralls, safety glasses, rubber gloves	Splash protection of employees	Warehouse
MISC	Bobcat	Removal of impacted soils	Facility

Appendix H

OIL SPILL EVENT REPORT FORM

A. Person Reporting Spill: _____

Location: _____

Date: _____ Time of Spill: _____

B. Type & amount spilled: _____

C. Cause of Spill: _____

D. Affected Watercourses: _____

E. Description of Physical Damage: _____

_____

F. Damages and Cost of Damages: _____

_____

G. Cleanup Cost: _____

H. Corrective Action Taken to Prevent Future Events: _____

I. Procedural changes: _____

_____

J. Equipment repairs and/or replacement: _____

_____

K. Equipment added: _____

L. Other: _____

Reportable Quantities:

- *All oil spills to **navigable waters** should be reported to the National Response Center, EPA Region IV and the FDEP. Any Oil Spill enters into the retention pond is considered as reportable in this case.*
- *Any oil spill in excess of 25 gallons (single event) to the surface **soils** should be reported to FDEP within 24 hours of discharge. FDEP discharges should be reported utilizing FDEP Form # 62-761.900(1) Discharge Report Form. If the oil spill event is greater than 1,000 gallons to the surface soils then the National Response Center and EPA Region IV must be notified.*
- *It is also regulated that any two oil "spill events" (42 gallons or greater for each event) within a 12-month period must be reported to National Response Center.*
- *Do not use this form for chemical spills.*

Report prepared by: _____ Date: _____

Designated person accountable for spill prevention: _____

Discharge Report Form

PLEASE PRINT OR TYPE

DEP Form # 62-761.900(1)
Form Title Discharge Report Form
Effective Date: July 13, 1998

Instructions are on the reverse side. Please complete all **applicable** blanks

1. Facility ID Number (if registered):_____ **2. Date of form completion**:_____

3. General information
Facility name or responsible party (if applicable):_____
Facility Owner or Operator, or Discharger: _____
Contact Person:_____Telephone Number: ( )_____County: _____
Facility or Discharger Mailing Address: _____
Location of Discharge (street address):_____
Latitude and Longitude of Discharge (if known)_____

4. Date of receipt of test results or discovery of confirmed discharge: _____month/day/year

5. Estimated number of gallons discharged:_____

6. Discharge affected: [ ] Air [ ] Soil [ ] Groundwater [ ] Drinking water well(s) [ ] Shoreline [ ] Surface water (water body name) _____

7. Method of discovery (check all that apply)

[ ] Liquid detector (automatic or manual)	[ ] Internal inspection	[ ] Closure/Closure Assessment
[ ] Vapor detector (automatic or manual)	[ ] Inventory control	[ ] Groundwater analytical samples
[ ] Tightness test	[ ] Monitoring wells	[ ] Soil analytical tests or samples
[ ] Pressure test	[ ] Automatic tank gauging	[ ] Visual observation
[ ] Statistical Inventory Reconciliation	[ ] Manual tank gauging	[ ] Other _____

8. Type of regulated substance discharged: (check one)

[ ] Unknown	[ ] Used/waste oil	[ ] Jet fuel	[ ] Heating oil	[ ] New/lube oil
[ ] Gasoline	[ ] Aviation gas	[ ] Diesel	[ ] Kerosene	[ ] Mineral acid

[ ] Hazardous substance - includes CERCLA substances from USTs above reportable quantities, pesticides, ammonia, chlorine, and derivatives (write in name or Chemical Abstract Service (CAS) number)_____
[ ] Other_____

9. Source of Discharge: (check all that apply)

[ ] Dispensing system	[ ] Pipe	[ ] Barge	[ ] Pipeline	[ ] Vehicle
[ ] Tank	[ ] Fitting	[ ] Tanker ship	[ ] Railroad tankcar	[ ] Airplane
[ ] Unknown	[ ] Valve failure	[ ] Other Vessel	[ ] Tank truck	[ ] Drum

[ ] Other_____

10. Cause of the discharge: (check all that apply)

[ ] Loose connection	[ ] Puncture	[ ] Spill	[ ] Collision	[ ] Corrosion
[ ] Fire/explosion	[ ] Overfill	[ ] Human error	[ ] Vehicle Accident	[ ] Installation failure

[ ] Other_____

11. Actions taken in response to the discharge: _____

12. Comments: _____

13. Agencies notified (as applicable):

[ ] State Warning Point 1-***800 320-0519***	[ ] National Response Center ***1-800-424-8802***	[ ] Florida Marine Patrol ***(800) 342-5367***	[ ] Fire Department. _____	[ ] DEP (district/person) [ ] County Tanks Program

14. To the best of my knowledge and belief, all information submitted on this form is true, accurate, and complete.

_____ Printed Name of Owner, Operator or Authorized Representative, or Discharger

_____ Signature of Owner, Operator or Authorized Representative, or Discharger

Oil spills to navigable waters of the United States, and releases of reportable quantities of CERCLA hazardous substances must be reported within one hour to the National Response Center or the Florida Marine Patrol. Reports to the National Response Center of oil spills to navigable waters need not be repeated to any other federal, state, or local agency. Conditions at the site that do not involve spills to navigable waters of the United States, or CERCLA hazardous substances, that pose an immediate threat to human health or the environment, must be immediately reported to the State Warning Point or the Local Fire Department. This form must be submitted for all discharges from facilities with storage tank systems, and at other sites, in accordance with Chapters 62-761 and 62-770, F.A.C. Chapter 62-761 and 62-770, F.A.C., should be consulted for specific reporting requirements.

State Warning Point	*National Response Center*	*Local Fire Department*
1-800-320-0519	*1-(800)-424-8802*	*(obtain local number)*

This form must be used to report any confirmed discharge, or any one of the following from a storage tank system subject to Chapter 62-761, F.A.C., unless the discharge is from a previously-known and reported discharge:

1. Results of analytical or field tests of surface water, groundwater, or soils indicating the presence of contamination by:
    a. A hazardous substance from a UST;
    b. A regulated substance, other than petroleum products; or
    c. Petroleum products' chemicals of concern specified in Chapter 62-770, F.A.C.;
2. A spill or overfill event of a regulated substance to soil equal to or exceeding 25 gallons, unless the regulated substance has a more stringent reporting requirement specified in CFR Title 40, Part 302;
3. Free product or sheen of a regulated substance present in surface water, groundwater, soils, basements, sewers, and utility lines at the facility or in the surrounding area; or
4. Soils stained by regulated substances observed during a closure assessment performed in accordance with Rule 62-761.800, F.A.C.

A copy of this form must be delivered or faxed to the County within 24 hours of the discovery of a discharge, or before the close of the next business day. It is recommended that the original copy be sent in the mail. If the discharge occurs at a county-owned facility, a copy of the form must be faxed or delivered to the local FDEP District office. A discharge of petroleum or petroleum products from a source other than a regulated storage tank system must be reported within one week of discovery in accordance with Rule 62-770.250, F.A.C.

FDEP District Office Addresses:

Northwest District
160 Governmental Center
Pensacola FL. 32501-5794
Phone: 850-595-8360
FAX: 850-595-8417

Northeast District
7825 Baymeadows Way Suite B 200
Jacksonville FL. 32256-7590
Phone: 904-448-4300
FAX: 904-448-4362

Central District
3319 Maguire Blvd. Suite 232
Orlando, FL. 32803-3767
Phone: 407-894-7555
FAX: 407-897-2966

Southwest District
3804 Coconut Palm Dr.
Tampa FL. 33619-8218
Phone: 813-744-6100
FAX: 813-744-6125

South District
2295 Victoria Ave. Suite 364
Ft. Myers FL. 33901-2549
Phone: 813-332-6975
FAX: 813-332-6969

Southeast District
400 N. Congress Ave.
West Palm Beach, FL. 33416-5425
Phone: 561-681-6600
FAX: 561-681-6790

[Effective date of the rule]

Appendix I

MONTHLY FACILITY INSPECTION REPORT

Date: _____ ***Time:*** _____ ***Inspector:*** _____	***X=Satisfactory*** ***NA=Not Applicable*** ***0=Repair or Adjustment Required*** ***C=See comment under Remarks/Recommendations***

Containment Area

____ *No visible oil water outside of containment area.*

____ *Containment area drainage valves are closed and locked.*

____ *No standing water in containment area.*

____ *Warning signs posted.*

ASTs

____ *Tank surfaces checked for signs of leakage.*

____ *Valves, flanges, and gaskets are free from leaks*

____ *All tanks are in good condition.*

____ *Tank foundation intact.*

____ *Connecting pipelines are free from leaks.*

____ *Vents are not obstructed.*

____ *Any indication of Corrosion*

Pipelines

____ *No signs of corrosion damage to pipelines or visible leaks.*

____ *Buried pipelines are not exposed.*

____ *Out-of-service pipes capped.*

____ *Signs/barriers to protect pipelines from vehicles are in place.*

____ *No leaks at valves, flanged, or other fittings.*

Truck Loading Area

____ *No leaks from supply pipe or valve.*

____ *No oil on ground at end of fill pipe.*

____ *No leaks in hoses.*

____ *Valve closed and locked.*

____ *Connections are capped or blank-flanged.*

Security

____ *Fence and gates intact.*

____ *Gates have locks.*

____ *ASTs locked when not in use.*

____ *Starter controls for pumps locked when not in use.*

____ *Lighting is working properly.*

Training

____ *Spill prevention briefing held.*

____ *Training records are in order.*

Remarks/Recommendations:

The following inspection procedures for this report should be performed thoroughly and accurately. Inspection should be done monthly. Entries in this Monthly Facility Inspection Report will certify that all facilities have been inspected in accordance with the procedures listed below.

1. Visually examine AST's for condition and maintenance requirements.
2. Visually examine the general condition of above ground valves and pipelines. Items examined are flange points, valve glands and bodies, drip pans, and metal surfaces.
3. Examine flow line equipment for leaks, deterioration, and proper operation
4. Inspect field drainage ditches, road ditches, oil traps, sumps, or skimmers, and natural drainage areas for oil sheens, or other possible discrepancies.
5. Inspect dikes or other secondary containment structures for damage and deterioration.
6. If any irregularity is found, report it to the supervisor and correct the problem as soon as possible.

This inspection record is a part of the SPCC plan and must be retained for a minimum of three years.

DATE	REMARKS	SIGNATURE & JOB TITLE

Appendix J

MAINTENANCE LOG

All maintenance actions taken on SPCC related equipment is recorded giving the following:

1. Item requiring maintenance (Tank number, piping, pump, valves, etc.):

_____
_____
_____

2. Type of problem (Leak, part failure, tank leak, rust):

_____
_____
_____
_____
_____
_____
_____

3. Date of discovery: _____

4. Date of completion: _____

5. Description of maintenance performed:

_____
_____
_____
_____
_____
_____
_____

6. Signature verifying maintenance completed and unit back in service:

_____ _____
Signature **Date**

Appendix K

SECONDARY CONTAINMENT STRUCTURE
STORM WATER REMOVAL REPORT FORM

A. Date: ____/____/____ Start Time of Removal: _____

Stop Time of Removal: _____

B. Estimated amount storm water removed: _____

C. Appearance of water at time of removal:_____

_____

D. Tests run on water: _____

_____

E. Any contents not suitable for removal were disposed of by: _____

_____

F. Comments: _____

_____

_____

_____

_____

Report prepared by: _____ ***Date:*** _____/_____/_____

Designated person accountable for spill prevention: _____

Notes:

1. *Contents within secondary containment must be examined for oil/chemical water before removal.*
2. *This form should be completed and turned in for any removal activity.*
3. *All entries must be in ink.*
4. *No liquid paper or whiteout allowed.*
5. *Any errors must have a line through item with the correct data written above.*

Florida Department of Environmental Protection

Bob Martinez Center • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

DEP Form #62-710.901(7)
Form Title Used Oil Facility Financial Assurance Closing Cost Estimate Form
Effective Date June 9, 2005

Used Oil Processing Facility Closing Cost Estimate Form

Date: _____ Date of DEP Approval: _____

I. GENERAL INFORMATION: Latitude: 27.897968 Longitude: -81.862934 EPA ID Number: 110001739021

Facility Name: January Environmental Services, Inc. Permit Number: _____

Facility Address: 1750 W. Main St. Bartow, Florida 33830

Mailing Address: 2701 S. Prospect Oklahoma City, OK 73129

Contact Person's Name: Cris January Phone Number: (405) 670-2030
Fax Number: _____

Email: cris@januaryservices.com

II. TYPE OF FINANCIAL ASSURANCE DOCUMENT (Check Type)

_____ Letter of Credit* _____ Performance Bond* _____ Guaranty Bond*

_____ Insurance Certificate _____ Financial Test _____ Trust Fund Agreement

*Indicate mechanisms that require use of a Standby Trust Fund Agreement

III. ESTIMATE ADJUSTMENT: (check and use either box a or b, below)

40 CFR Part 264, Subpart H, as adopted by reference in Rule 62-701.630, Florida Administrative Code, sets forth the method of annual cost estimate adjustment. Cost estimates may be adjusted by using an inflation factor or by recalculating the maximum costs of closing in current dollars. Estimates are due annually between January 1 and March 1. Select one of the methods of cost estimate adjustment below.

☐ **(a) Inflation Factor Adjustment**

Inflation adjustment using an inflation factor may only be made when a Department approved closing cost estimate exists and no changes have occurred in the facility operation which would necessitate modification to the closure plan. The inflation factor is derived from the most recent Implicit Price Deflator for Gross National Product published by the U.S. Department of Commerce in its survey of Current Business. The inflation factor is the result of dividing the latest published annual Deflator by the Deflator for the previous year. The inflation factor may also be obtained from the Solid Waste Financial Coordinator at (850) 245-8732 or be found online at http://www.dep.state.fl.us/waste/categories/swfr/

This adjustment is based on the Department approved closing cost estimate dated: _____

_____	X	_____	=	_____
Latest DEP approved Closing Cost Estimate		Current Year Inflation Factor		Inflation Adjusted Annual Closing Cost Estimate

Signature: _____ Phone: _____

Name and Title: _____ E-Mail: _____

If you have questions concerning this form, please contact the Used Oil Coordinator at the address below, by phone at (850) 245-8755, or by E-Mail at: Aprilia.Graves@dep.state.fl.us

Please mail this completed cost estimate to:

Used Oil Permit Coordinator
MS4560
FDEP
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Please mail a copy of the cost estimate to:

Solid Waste Financial Coordinator
MS 4565
FDEP
2600 Blair Stone Road
Tallahassee, FL 32399-2400

☐ **(b) Recalculated Cost Estimates (complete items IV and V)**

IV. RECALCULATIONS OF CLOSING COSTS (See Facility Cost Estimate, attached)

For the time period in the facility's operation when the extent and manner of its operation makes closing **most expensive**.

Third Party Estimate/Quote must be provided for each item.
Costs must be for a third party providing all materials and labor.

DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL
1. Decontamination and Disposal				
Note: These costs must be broken down by individual waste stream. If contamination is found, the cost estimate must be recalculated to include remediation costs.				
a. Used Oil tanks, containers, piping, equipment and secondary containment				
decontamination				
waste characterization				
disposal				
b. Wash water				
waste characterization				
disposal				
c. Sludges/ sediment				
waste characterization				
disposal				
d. Used oil filter management				
waste characterization				
disposal				
e. Petroleum Contaminated Water (PCW), tanks, containers, piping, equipement and secondary containment				
waste characterization				
disposal				
f. Mobilization Costs				
g. other_____				
Subtotal (1) Decontamination/Disposal:				

Facility Closure Cost Estimate

Site January Environmental Inc.
1750 West Main Street, Bartow, Florida

Systems to be closed	Cleaning or Closing Procedure	Number of Events	Cost for Closing Facility	10% Contingency
Transport Trucks Overhead Piping Containment Piping Storage Tanks Secondary Containment	Cleaning, decontamination, sampling and disposal. Secondary Containment sampling. Total Number of Tanks = 6. Estimated work time will be 4 days.	1	$73,877	$7,387.70
			Total Facility Closing Cost	**$81,264.70**

Third Party Subcontractor Costs

Waste Stream Service (Cost per Tank, Piping and Transport Trucks)	Cost	Number/event	Total
Vacuum Truck with Operator/hour	$100	8	$800
Environmental Tech (3 total)/hour (8 total hours)	$45	24	$1,080
Supervisor	$55	8	$440
Ventilation System for Tank (per day cost)	$125	1	$125
Air monitoring equipment (per day cost)	$85.00	1	$85
Supply Air System for Confined Space Entry (per day cost)	$120.00	1	$120
Level B PPE (per Man/day estimated 4 men per day)	$75.00	4	$300
Tank Wash Fee (Cost per tank)	$250.00	1	$250
Jetter with operation for cleaning tank and 4-inch line (6 tanks)	$250.00	10	$2,500
Chemicals for cleaning tank and lines (per tank cost)	$167.00	1	$167
Non-hazardous Sludge Disposal Estimated total sludge 500 gallons per tank)	$0.80	500	$400
Non-Hazardous Waste Water for Disposal	$0.25	1000	$250
Closure sampling and analysis plan	$500	1	$500
Closure certification Report	$1,000	1	$1,000
		Sub Total	$8,017
		Total Number of Events	6
		Total	**$48,102**

Disposal of Grease and Other None Sale Materials

	Cost	Number (gallons)	Total
Non-Hazardous Waste Water for Disposal	$0.25	2,100	**$525**

Note: The estimated total gallons is based on the total amount processed in 2010.

Soil Sampling Around Secondary Containment

Analysis	Cost	Number	Total
RCRA8	$65	38	$2,470
8260	$85	38	$3,230
8270	$120	38	$4,560
TCLP	$355	38	$13,490
		Total	**$23,750**

Reporting

Closure sampling and analysis plan	$500	1	$500
Closure certification Report	$1,000	1	$1,000
		Total	**$1,500**

Total Closure Cost **$73,877**

2. Engineering (on-site inspections and Quality Assurance are to be included in this item).

a. Closure sampling and analysis plan implementation as described in the permit application	$500
b. Closure Certification Report	$1,000
Subtotal (2) Professional Services:	$1,500
Subtotal of (1) and (2) Above:	$73,877
3. Contingency (10% of the Subtotal)	$7,387.70
Closing Cost Subtotal:	$81,264.70
TOTAL CLOSING COST:	$81,264.70

V. CERTIFICATION BY ENGINEER and OWNER/OPERATOR

This is to certify that the Financial Assurance Cost Estimates pertaining to the engineering features of the this solid waste management facility have been examined by me and found to conform to engineering principals applicable to such facilities. In my professional judgment, the Cost Estimates are a true, correct and complete representation of the financial liabilities for closing of the facility, and comply with the requirements of Florida Administrative Code (F.A.C.), Rule 62-701.630 and all other Department of Environmental Protection rules, and statutes of the State of Florida. It is understood that the Financial Assurance Cost Estimates shall be submitted to the Department **annually** between January 1 and March 1of each year and revised, adjusted and updated as required by Rule 62-701.630(4), F.A.C.

Signature of Engineer	Signature of Owner/Operator
Wyatt Grant, PE Engineer's Name and Title (please print or type)	Cris January, Owner Owner's Name and Title (please print or type)
70973 Florida Registration Number (please print or type)	(405)670-2030 Owner/Operator's Telephone Number
12906 Tampa Oaks Blvd., Suite 131 Temple Terrace, FL 33637 Engineer's Mailing Address	cris@januaryservices.com Owner/Operator's E-Mail Address
(813) 962-1800 Engineer's Telephone Number	
wgrant@enercon.com Engineer's email address	

Facility Closure Plan

1.0 Purpose

The purpose of the Facility Closure Plan is to meet the requirements of 40 CFR, Part 279.54(h), 62-762 Aboveground Storage Tanks Systems - Florida Administrative Code (F.A.C.) and 62-710 Used Oil Management F.A.C. The following plan has been prepared for the January Environmental Inc. (January) facility located at 1750 West Main Street, Bartow, FL. The FDEP Tanks Program ID# is 53-9101026 and the Environmental Protection Agency (EPA) Hazardous Waste Program ID # is FLD 982162943.

With respect to oil filters, used oil and antifreeze, January has purchase agreements with US. Foundry & Manufacturing Corporation (oil filters), Flex Oil Service (used oil) and Texas Glycol Coolants (antifreeze) (Attachment A). January maintains therefore that "closure" for used oil and antifreeze will actually be a sale under the terms of the purchase agreements. Therefore, in the event of closure of the facility disposal of any oil filters, used oil or antifreeze would not incur any disposal costs.

2.0 Closure Plan

2.1 Closure Schedule

The site is currently being utilized for used oil transport and storage. No specific closure date is currently anticipated. Therefore, the following closure schedule will be utilized upon the date that closure of the facility is initiated.

Timeline From Date of Closure	Activity
Within 30 days of closure.	Sell any remaining used oil or antifreeze. Test and remove any sludge or other solid wastes. Ensure venting system is open and functioning. Check for any leaks. Have tank and piping systems cleaned and decontaminated. Disconnect and cap all integral piping. Secure manways from access. Secure system from outside access. Conduct soil sampling and analysis near secondary containment.
Within 6 months of closure.	Continue to operate and maintain corrosion protection. Ensure system is secure.
Within 1 year of closure.	Designate, if applicable, that the system will be permanently out of service.

2.2 Tanks and Systems

At the time of closure of the storage tanks, piping and secondary containment will have to be cleaned and closed. The following table details the systems that will have to be cleaned and closed.

System to be closed/cleaned	Cleaning and/or Closing Procedure
Transport Trucks	A licensed tank contractor will decontaminate the transportation truck tanks according to industry standard, state and federal procedures.
Overhead Pipeline	A licensed tank contractor will decontaminate all piping according to industry standard, state and federal procedures.

System to be closed/cleaned	Cleaning and/or Closing Procedure
Containment Piping	A licensed tank contractor will decontaminate the containment piping according to industry standard, state and federal procedures.
Storage Tanks	A licensed tank contractor will decontaminate onside above ground storage tanks (AST) according to industry standard, state and federal procedures.
Secondary Containment	A licensed tank contractor will decontaminate and/or remove any materials in the secondary containment according to industry standard, state and federal procedures.

2.3 Sampling Methods

The closure of the facility will require sampling of any remaining sludge associated with used oil or antifreeze. Additionally, the rinse waters and residues generated from clean-up and closure procedures will have to be sampled prior to disposal. The following table provides a list of systems, materials, sampling frequency and analysis that will be conducted at closing of the facility, if applicable at the time of closure.

System	Material	Sampling Frequency	Analysis
Transport Trucks	Used oil, sludge	Used Oil- 1 sample per tank Sludge- 1 sample per tank	Used Oil – 8260, 8270 and RCRA8. Sludge – TCLP (metals, volatiles and semi-volatiles) *See below for analysis detail
Overhead Pipeline	Used oil, sludge	Used Oil- 1 sample per pipe Sludge- 1 sample per pipe	Used Oil – 8260, 8270 and RCRA8. Sludge – TCLP (metals, volatiles and semi-volatiles) *See below for analysis detail
Containment Piping	Used oil, sludge	Used Oil- 1 sample per pipe Sludge- 1 sample per pipe	Used Oil – 8260, 8270 and RCRA8. Sludge – TCLP(metals, volatiles and semi-volatiles) *See below for analysis detail
Storage Tanks	Used oil, sludge	Used Oil- 1 sample per tank Sludge- 1 sample per tank	Used Oil – 8260, 8270 and RCRA8. Sludge - TCLP (metals, volatiles and semi-volatiles) *See below for analysis detail
Decontamination of tanks, piping or other areas.	Rinse water and residues	1 sample per system decontaminated	Rinse water - 8260, 8270 and RCRA8. Residues (solids)- TCLP (metals, volatiles and semi-volatiles) *See below for analysis detail

* Sampling analysis will be conducted according to applicable Environmental Protection Agency Methods (EPA) methods and/or in accordance with SW-846. The analyses that will be utilized are for volatile organic compounds by EPA Method 8260, polycyclic aromatic hydrocarbons by EPA Method 8270, Resource Conservation Recovery Act Metals (RCRA8) (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver) by EPA Method 6010 and Toxicity Characteristic Leaching Procedure (TCLP) for metals, volatiles and semi-volatiles by EPA Method 1311.

2.4 Soil Sampling Near Secondary Containment

To ensure the site has closure in accordance with 40 CFR, Part 279.54(h)(ii), soil sampling near the secondary containment structures will be required. Soil samples will be collected on each

side of the secondary containment. Soil samples will be collected at six inches, two feet and every two feet until groundwater is encountered. All soil sampling will be conducted in accordance with the Florida Department of Environmental Protection (FDEP) Standard Operating Procedure (SOP) PCS-004 Soil Assessment and Sampling Methods. Soil samples will be analyzed for 8260, 8270, RCRA8 and total residual petroleum hydrocarbons (TRPH) by Florida Petroleum Residual Organic (FL-PRO) Method. The results of the soil analysis will be compared to FDEP Chapter 62-777 Soil Cleanup Target Levels.

If the soil is found to be contaminated a groundwater sample will be collected within the area where the contaminated soil sample was collected. A temporary groundwater monitoring well will be installed in accordance with the FDEP SOP PCS-006 Design, Installation and Placement of Monitoring Wells. A groundwater sample will be collected and analyzed for the constituent or constituents observed in the contaminated soil sample. The results of the groundwater analysis will be compared to FDEP Chapter 62-777 Groundwater Cleanup Target Levels

If soil and/or groundwater are contaminated remediation will be conducted. Remediation activities may include excavation of impacted media or pump and treat of groundwater. Remediation activities will be performed in accordance with either FDEP Chapter 62-770 Petroleum Contamination Site Cleanup Criteria or 62-780 Contaminated Site Cleanup Criteria. Remediation of the soil and/or groundwater will allow the facility to meet the requirements of 40 CFR, Part 265.310.

Texas Glycol Coolants
P. O. Box 1037
Anna, TX 75409
888-458-1248

Date: July 19, 2011

Contact: Coye Altizer

Submitted to: January Environmental Services, Inc.
Oklahoma City, Oklahoma
Phone (405) 670-2030
Fax (405) 670-6747

PROPOSAL

We propose the following in accordance with the specifications below:

We will pay .70 cents per glycol gallon for used Auto & Truck Antifreeze for recycling.

Must contain 33% or higher (0 degrees F Freeze point) ethylene glycol for the used antifreeze to be cost effective to recycle.

Used Antifreeze must not be contaminated with excessive amounts of flammable materials or other material that is not normally contained in used antifreeze.

This proposal is good for 90 days from date of offer

Offered by: Steve Hein Title: Owner Date: 7-19-2011

Accepted by: _____ Title: Gm Date: 7-19-2011

Flex Oil Service

Purchase Agreement

Date: August 30, 2011

Seller
Cris January
January Environmental Service INC
Clearwater, FL
727.366.9910

Buyer
Flex Oil Service
16514 DeZavala Road
Channelview, Texas
Rick Riassetto

Please confirm the following Agreement on 08.30.11 between (Seller) Cris January, January Environmental Services Inc. and (Buyer) Flex Oil Services LLC (Rick Riassetto)

Flex Purchase Order Number — FOS 083011 P
Buyer Transaction Number — PO Number

Product: Fuel Oil Cutterstock

Specification (Typical)	Test Method	Typical Specs
API Gravity	D-1298	28
Sulfur - Wgt. %	D-4294	0.4176
Flash Point - PMCC, F	D-93	> 140 f
* Water by - Vol. %	D-95	6.0%
* Ash - Wgt. %	D-482	0.6573
Pour PT	D-97	0
Viscosity CST @ 122 F	D-445	40

Quantity: Approximately 150,000 gallons plus or minus operating tolerances. Net Barrels + / - Operational Tolerances Water Netted Back to Zero (0) percent. Monthly

MSDS: MSDS Sheets will be furnished with all Bills of Lading truck deliveries. (On spec material).

Delivery: FOB: Bartow, Florida OR destination:
TARGA Terminal in Channelview, Texas.

Price: Flat & Fixed ($ 1.50 per net gallon) Monday-Friday

Payment Terms: Buyer will pay Invoice weekly ---- Monday, based on receipt of Commercial Invoice and Supporting Documents.

Term one (1) year

Measurement: Quantity and Quality to be determined from inspection report. Weight ticket and corrected API

Independent Inspection: Mutual

Product Title: Product title and risk shall pass from Seller to Buyer at the Seller's permanent hose flange at unloading facility.

Environmental: The seller warrants this product is not listed by the EPA as a hazardous waste (40 CFR, Part 261D), nor is it formulated to contain materials which are listed as hazardous wastes. It does not exhibit the hazardous characteristics of ignitability, corrosivity, or reactivity and is not formulated with contaminates as determined by the Toxicity Characteristic Leaching Procedure (TCLP). On Spec Fuel oil.

Notification:

(Individual): Cris January
(Company): January Oil Services
(Address): Clearwater, FL

Fax 813.435.2430
Phone 727.443.2321

Mr. Rick Riassetto
Flex Oil Service
16514 DeZavala Road
Houston, Texas 77530
Tel 281.862.2900
Fax 281.862.2914

Assignment: Neither Buyer or Seller shall assign the whole or any of its rights and obligations hereunder directly or indirectly without prior written consent of the other party, which shall not be unreasonably withheld.

Applicability: The Terms and Conditions for the transaction are contained in this Agreement unless otherwise specified in writing. If any of the above Terms do not meet with your understanding, please advise by facsimile within 24 hours. Flex Oil Standard Purchase Contract applies.

Thank you for allowing Flex Oil Service LLC to assist you with this Business.

Any questions please advise.

Seller	Buyer
_____ (Signature)	Flex Oil Services (Signature)
_____ (Print or Type in Name)	Rick Riassetto (Print or Type in Name)
Month ____ Day ____ Year ____	Month 08 Day 30 Year 2011

U.S. FOUNDRY & MANUFACTURING CORP.

Established 1918

September 23, 2011

January Environmental Service, Inc.
2701 S Prospect
Oklahoma City, OK 73129

To Whom It May Concern:

Re: Delivery of Used Oil Filters

The purpose of this letter is to set forth the basis upon which U.S. Foundry & Manufacturing Corporation is prepared to contract for the delivery of various quantities of used oil filters. This letter is intended to reflect as good faith between the parties, reflecting the terms set forth herein. The obligations of the parties are contingent upon execution of a definitive agreement.

1. Product – January Environmental shall provide Foundry with used oil filters that have been removed from motor vehicles ("Used Oil Filters").

2. Term – Initially a $5.00 per/drum was charged; last charge was on August 27, 2010 for 16 drums of filters. Your next delivery was on February 25, 2011 and there was no charge for the delivery of another 16 drums of oil filters. We received a delivery on September 22, 2011 and there will be no charge for that delivery either, we no longer charge for the recycling of used oil filters.

3. Delivery Location – Delivery will be made to our facility in Medley, Florida.

4. Risk of Loss - Possession of the Product shall transfer to Foundry after unloading and upon Foundry's receipt of the Product at the Facility, provided that January Environmental Service representation, warranties and product descriptions are met.

5. Representations and Warranties - In addition to any customary representations and warranties, January Environmental Service shall represent and warrant to U. S. Foundry that the product will be delivered in accordance with any and all federal, state, and/or local laws, regulations, codes, ordinances, or other applicable laws. U. S. Foundry shall represent and warrant to January Environmental Service that the Product will be recycled in a manner compliant with any and all federal, state, and/or local laws, regulations, codes, ordinances, or other applicable laws.

6. Damages, penalties, and/or fines incurred or caused by your company for failure to obtain or keep current any required licenses or permits shall be the responsibility of the customer's.

Should you have any question, please feel free to contact me at (305) 885-0301.

Sincerely,

Brian Martin,
Materials Manager

Common Ground Environmental Inc.

(Common Sense Approach to Environmental Issues)

P.O. Box 1044, Lakeland, Florida 33802

Phone: (863) 647-3888 / Fax: (863) 647-9922

July 12, 2011

Wyatt Grant
Enercon
12906 Tampa Oaks Blvd., Suite 131
Temple Terrace, Florida 33637
P: 813-962-1800 EXT 200
F: 813-962-1881

Dear Wyatt:

Thank you for the opportunity to present *Common Ground Environmental Inc. (*CGE) to you. CGE is committed to providing the best service in the waste management industry at competitive pricing. When you choose CGE, you choose to have a partner with the experience and the capabilities to handle *all* your environmental needs, from proper paperwork to site audits to remediation and analytical testing.

Com*mon Ground Environmental Inc*. is pleased to submit this quote for the following services.

Cleaning of waste oil solids and liquids out of six outside 20,000 gallon storage tank. The amount of solids in each tank is as follows. Labor and miscellaneous costs are based on 8-hour work days:

Waste Stream Name / Service	**Cost per Unit**
Non-Hazardous Waste Water for Disposal	**$0.25 per Gallon**
Non-Hazardous Solids and Waste Water for Disposal	**$.80 per Gallon**
Vacuum Truck with Operator for Standard 8 Hour Workday	**$100.00 per Standard Hour - Portal to Portal**
3 Technicians	**$45.00 per Hour / Per Technician – Portal to Portal**
1 Supervisor	**$55.00 per Hour – Portal to Portal**
Ventilation System for Tank	**$125.00 per Day**
Air Monitoring Equipment	**$85.00 per Day**
Supply Air System for Confined Space Entry	**$120.00 per Day**
Level B PPE per Man / per Day	**$75.00 Each / per Day**
Vacuum Truck Tank Wash Fee $250.00 Each. Estimated 1 Wash	**$250.00**
Jetter With Operator For Cleaning Tank and 4 Inch Lines	**$90.00 per Hour – Portal to Portal**
Chemicals for Cleaning Tank and Lines	**$1,000.00**

Conditions and Clarifications:

1. **Labor and equipment rates are portal to portal with a 4-hour minimum per day.**
2. **Tank wash fee applies only upon completion of project or interruption of project, which would release the vacuum truck to perform other work. Fee does not apply to each load removed.**
3. **Water supply will be supplied by January Environmental – on site.**
4. **CGE must receive a one week notification and a purchase order prior to commencements of work.**
5. **Price will remain valid for 30 days from the date noted above.**

Thank you for considering Common Ground Environmental, Inc. as your waste management provider. Please review the above pricing and if it meets with your approval please confirm your order by signing and returning this quote to my attention. Our fax number is **(863) 647-9922**. Do not hesitate calling me at **(863) 860-0826** or **(863) 647-3888** with questions or concerns.

Sincerely,

Jerry Chambless, Vice-President
Common Ground Environmental, Inc.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory to generator/client and are hereby accepted. Common Ground Environmental, Inc. is hereby granted to do the work as specified. Payment terms are net 30 days unless specified otherwise. A 1.5% per month finance charge will be applied on all past due invoices. The generator/client will be responsible for all costs, expenses and reasonable counsel fees incurred by or on behalf of Common Ground Environmental, Inc. as a result of failure to remit payment as specified above.

Date of Acceptance: _____

Signature: _____ Title: _____

Printed Name: _____

Florida Department of Environmental Protection

Memorandum

SOUTHWEST DISTRICT

TO: Aliki Moncrief
Office of General Counsel

THROUGH: William Kutash, Program Administrator
Southwest District

James Dregne, Environmental Manager

FROM: Elizabeth Knauss

DATE: 5/2/07

SUBJECT: Case Closure Request
January Environmental Services, Inc.
Facility EPA ID# FLD982162943
OGC Case# 07-0302
Polk County

All provisions of the subject Short Form Consent Agreement have been met. Therefore, it is requested that this case be closed.

Amount of penalties & costs: $5,529.00

JMD

Florida Department of
Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

May 3, 2007

Mr. Cris January, Registered Agent
January Environmental Services, Inc.
749 Island Way
Clearwater, Florida 33767

SUBJECT: Case Closure, OGC File No.: 07-0302
EPA ID Number FLD 982 162 943
Polk County

Dear Mr. January:

The Department has received your company's check for $5,529.00 in payment of the penalty assessed in this case. As all conditions of the Consent Order have been met, the Department is closing this case file.

Your continued cooperation is appreciated. If you have further questions with respect to this case or the Department's used oil regulations, please contact Elizabeth Knauss at 813/744-6100 ext. 383.

Sincerely,

William M. Kutash
Waste Program Administrator
Southwest District

WMK/ebk

Enclosure

cc: Thomas Byerley, January Environmental Services
Lea Crandall, OGC
Mike Redig, HWR Section
Jeff Pallas, US EPA Region IV
Arthur Lieberman, Polk County
Compliance File

Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

February 26, 2007

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Cris January, Registered Agent
January Environmental Services, Inc.
749 Island Way
Clearwater, Florida 33767

SUBJECT: Proposed Settlement of January Environmental Services, Inc.
EPA ID Number FLD 982 162 943
Polk County
OGC File No.: 07-0302

Dear Mr. January:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated October 24, 2006, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, you are assessed civil penalties in the amount of $5,279.00 along with $250.00 to reimburse Department costs, for a total of $5,529.00. The civil penalty in this case includes one violation of $2,000.00 or more.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. This payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, 13051 North Telecom Parkway, Temple Terrace, FL, 33637-0926, within 10 days of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it (including its attachments) to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes.

If you do not sign and return this letter to the Department at the District address within 10 business days, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely yours,

Deborah A. Getzoff
District Director
Southwest District

FOR THE RESPONDENT:

I, Cris January, **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: _____ Date: 4-9-07

FOR DEPARTMENT USE ONLY

DONE AND ENTERED this 10th day of April, 2007.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Deborah A. Getzoff
District Director

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to§120.52, Florida Statutes,
With the designated Department Clerk, receipt of which is hereby
Acknowledged.

Betty Daigneault 4-11-07
Clerk Date

Copies furnished to: Lea Crandall, OGC
Mark Cook, January Environmental Services, Inc.

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and 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 named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:
(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

October 24, 2006

Mr. Mark Cook
January Environmental Services, Inc.
1750 W. Main St
Bartow, FL 33830

RE: **Warning Letter #301263**
EPA ID# FLD 982 162 9434 174 706
Polk County

Dear Mr.Cook:

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 October 3, 2006 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. Section 10 of 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 Elizabeth Knauss at (813)632-7600, extension 383, 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

Inserted into
OGC/LUO
Date: 12-22-06

the United States Environmental Protection Agency's (EPA) RCRA Civil Penalty Policy, the penalties which would be assessed in this case are $6,599.00. Department costs are a minimum of $250.00.

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,

for J.M. Farley
Interim Director
Southwest District

JMF/ebk

Enclosure

cc: Cris January, January Environmental Services
Michael Redig, HWR Section
Rick Neves, HWM Section
Compliance File

Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

HAZARDOUS WASTE INSPECTION REPORT

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

FACILITY NAME January Environmental Services Inc. EPA ID # FLD982162943

STREET ADDRESS 1750 West Main St. Bartow, FL 33830

MAILING ADDRESS same

COUNTY Polk PHONE (863)534-8478 DATE 10/3/06 TIME 1:30 p.m.

NOTIFIED AS: ☐ N/A

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☐ Generator (>1000 kg/mo.)
- ☐ Transporter
- ☐ Transfer Facility
- ☐ Interim Status TSD Facility
- ☐ TSD Facility

Unit Type(s):

- ☒ Used Oil Filter: Transport & Transfer
- ☒ Used Oil: Transport & Transfer

CURRENT STATUS:

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☐ Generator (>1000 kg/mo.)
- ☐ Transporter
- ☐ Transfer Facility
- ☐ Interim Status TSD Facility
- ☐ TSD Facility

Unit Type(s):

- ☒ Used Oil Filter: Transport & Transfer
- ☒ Used Oil: Transport & Transfer Facility

2. **APPLICABLE REGULATIONS:**

☐ 40 CFR 261.5	☒ 40 CFR 262	☐ 40 CFR 263	☐ 40 CFR 264
☐ 40 CFR 265	☐ 40 CFR 266	☐ 40 CFR 268	☐ 40 CFR 273
☒ 40 CFR 279	☒ 62-710, FAC	☐ 62-737, FAC	☐ 62-740, FAC

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

Mark A. Cook, General Manager

4. **INSPECTION PARTICIPANTS:**

Mark A. Cook, January

Elizabeth Knauss, FDEP
James Dregne, FDEP

5. **LATITUDE/LONGITUDE** 28°47'23" 82°18'10"

6. **SIC Code:** 4214, 7349

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

8. **PERMIT #:** N/A **ISSUE DATE:** **EXP. DATE:**

9. PROCESS DESCRIPTION:

January Environmental Services, Inc. is a national used oil and oily waste transportation and recycling company that has recently expanded into Florida. This was the Department's first inspection of the facility since it began active operations as a transfer facility in 2005. January's 2005 annual report indicated only 200 gallons of used oil was transported that year. Mark Cook, the South East Region General Manager accompanied the inspectors during the inspection. January currently has Mr. Cook and one other employee working out of this location. One vac truck and one tanker trailer are used to transport used oil and oily waste water. A flatbed trailer and a smaller trailer are used to transport used oil filter containers and oily waste.

Formerly, the facility was operated by Ashland Chemical to formulate polyester resins. The facility has the capacity to store 120,000 gallons of liquid waste in its 6 20,000 gallon above ground storage tanks, and has additional blending and packaging equipment. Currently only one of the tanks is registered and in use for storage of used oil. The tank was not labeled "used oil" as required by **40 CFR 279.45(g)**. The tank was inspected by the Polk County Health Department's delegated Tanks program in May. One rusty drum of off specification fuel was also located in the tank farm containment area. The facility also has a small double walled AST for oil generated on site.

No used oil or waste water processing takes place at the facility. According to Mr. Cook, waste water is not held on site, but instead is trucked directly to the disposal facility. The requirement to obtain a used oil processor permit was discussed with Mr. Cook, if the facility exceeds 25,000 gallons storage capacity. In addition, January does not market oil directly to burners, or claim that the oil meets 40 CFR 279.11 specifications.

The facility has the capacity to load and unload railcars as well as tank trailers. All piping is above ground. The rail car loading area is not currently in use. The facility does not plan to place it into service after the ties under the siding tracks are replaced. Track pans are available to catch spills. The truck unloading area is paved, and sloped and curbed to a concrete sump. A float switch was in the sump to allow uncontaminated storm water to be discharged to a retention area. Mr. Cook said that the switch is normally disconnected, and is only activated if collected storm water is not contaminated. If any spills occur, contaminated storm water is pumped to the used oil tank.

The facility also transports used oil filters. A flat bed trailer was loaded with 16 oil filter bins, some containing filters and some empty. Not all the bins were clearly labeled "used oil filters" as required by **FAC Rule 62-710.850(5)(a)**. The back side and top of the bins could not be inspected.

January was not in compliance with **40 CFR 279.44**, as the facility had no program for screening oil to determine if it exceeded 1000 ppm halogens prior to acceptance. The drivers are not supplied with Freon leak detectors or other instruments. A box of Chlor-D-Tect Q-4000 test kits was on site, but Mr. Cook had not been trained in their use, and was not conducting any testing. Mr. Cook admitted that he was recording that the oil had less than 1,000 ppm halogens to comply with the recordkeeping requirement under 40 CFR 279.44(d) without conducting any screening or testing. This is a violation of and **Section 403.161(1)(c) Florida Statutes**. January's failure to train Mr. Cook in Florida used oil transporter requirements is a violation of **FAC Rule 62-710.600(b)**.

January accepts oily waste water from a number of generators. This material is identified as "grit trap waste" on the acceptance records. January appears to rely on the generator's certification that the waste is not hazardous. The company did not maintain analytical records for this waste on site.

January's used oil acceptance records did not include the type code for the used oil received, as required by **FAC Rule 62-710.510(1)(d)**. January is required to maintain these records and submit them with the facility's annual report. In addition, the records had a typographical error in January's EPA ID number, which was pre-printed on the form. It was noted as FL**9**982162943 rather than FL**D**982162943. January was also not recording the EPA identification number of the site where the oil was generated, as required by **40 CFR 279.46(a)(2)**. January accepts oil from a number of small quantity generators, including the Wal-Mart Distribution Centers in Fort Pierce (FLR000124792) and Brooksville (FL0000369256), Averitt Express in Orlando (FLR000050856),Rush Truck Center in Winter Garden (FLR000096404) and several Federal Express locations.

It was noted that January had accepted used antifreeze from at least one customer. Mr. Cook stated that antifreeze is being recycled by EcoFreeze Recycling.

10. SUMMARY OF ALLEGED VIOLATIONS:

40 CFR 279.44	Failure to screen used oil prior to acceptance to ensure it is not a hazardous waste.
40 CFR 279.45(g)	Failure to label or mark an aboveground tank with the words "Used Oil."
40 CFR 279.46(a)	Failure to note the generator's or the correct transporter's EPA identification numbers on used oil acceptance records.
62-710.600(b) FAC	Failure to train facility personnel in applicable state laws for used oil transportation and keep records of such training.
62-710.850(5)(a) FAC	Failure to label containers holding used oil filters with the words "Used Oil Filters."
403.161(1)(c) F.S.	Creation of used oil screening records without conducting the required testing.

11. RECOMMENDED CORRECTIVE ACTIONS:

40 CFR 279.44	Beginning immediately, screen all used oil for halogen content. Record the screening method and results on the used oil acceptance record or an alternate designated location.
40 CFR 279.45(g)	Label or all tanks and containers containing used oil with the words "Used Oil."
40 CFR 279.46(a)	Note the generator's EPA identification number on used oil acceptance records. Records can be found by searching by company name or address at http://appprod.dep.state.fl.us/www_rcra/reports/handler_sel.asp. Correct the transporter EPA Facility ID number on the pre-printed used oil acceptance forms.

62-710.850(5)(a) FAC	Label containers holding used oil filters with the words "Used Oil Filters." Securely close or seal the containers and store them on an oil impermeable surface.
403.161(1)(c) F.S.	Never record that a used oil sample contains less than 1,000 ppm halogenated organic compounds without testing the oil or receiving other acceptable proof of halogen content, such as analytical records supplied by the generator.

Report prepared by: _____ Date 10/24/06
Elizabeth Knauss
Environmental Manager

Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

July 25, 2008

Mr. Cris January, President
January Environmental Services, Inc.
1920 Highway 60 West
Bartow, FL 33830

Re: Consent Order, OGC Case No.: 08-1663
January Environmental Services, Inc.
FLD 982 162 943, Polk County

Dear Mr.January:

Enclosed within, please find the executed Short Form Consent Order #08-1663 regarding the above referenced facility. The Department of Environmental Protection has received the full penalty payment of $1,500.00. As all provisions of the Consent Agreement have been met, this enforcement action is now closed. Thank you for your cooperation.

Sincerely yours,

William Kutash, P.G.
Administrator
Division of Waste Management

WK/sdc

cc: Mike Redig, Department, HWR Section
Frank Ney, US EPA Region IV
Lea Crandall, Department, Office of General Counsel
Arthur Lieberman, Polk Co.
Compliance File

Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

CERTIFIED MAIL 7007 2680 0000 5032 7054
RETURN RECEIPT REQUESTED

June 12, 2008

Mr. Cris January, President
January Environmental Services, Inc.
1920 Highway 60 West
Bartow, FL 33830

SUBJECT: Proposed Settlement of DEP v. January Environmental Services, Inc.
FLD 982 162943
OGC File No.: 08-1663

Dear Mr. January:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated June 2,2008, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, you are assessed civil penalties in the amount of $1,200.00 along with $ 300.00 to reimburse the Department costs, for a total of $1,500.00. The civil penalty in this case includes no violations of $2,000.00 or more.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. This payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, 13051 N. Telecom Parkway, Temple Terrace, FL 33637, within 10 days of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes.

If you do not sign and return this letter to the Department at the District address by within 10 days of receipt, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
JUL 18 2008
SOUTHWEST DISTRICT
TAMPA

Sincerely yours,

Mike Pomm for
Deborah A. Getzoff
Director of District Management

FOR THE RESPONDENTS:

I, Cris January on behalf of January Environmental Services, Inc., **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: _____ Date: 7-15-08

FOR DEPARTMENT USE ONLY

DONE AND ENTERED this 21st day of July, 2008.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Deborah A. Getzoff
Director of District Management

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to
§120.52, Florida Statutes,
With the designated Department
Clerk, receipt of which is hereby
Acknowledged.

Marcia Haines July 21, 2008
Clerk Date

Copies furnished to: Lea Crandall, Agency Clerk Mail Station 35

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and 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 named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:
(a) the Department's Consent Order identification number and the county in which the subject matter or activity is located; (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; (c) A statement of how and when each petitioner received notice of the Consent Order; (d) A statement of how each petitioner's substantial interests are affected by the Consent Order; (e) A statement of the material facts disputed by petitioner. If there are none, the petition must so indicate; (f) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (g) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; and (h) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

REVISED PENALTY COMPUTATION WORKSHEET

Violator's Name: January Environmental Services, Inc.

Identify Violator's Facility: FLD982162943 1750 SR 60 W, Bartow

Name of Department Staff Responsible for the Penalty Computations: Elizabeth Knauss

ComHaz Case #: 312309 Date: May 30. 2008

	Violation Type	Manual Guide	ELRA citation	Penalty	Adjustments	Multi Day	Penalty
1.	Storing used oil more than 35 days on three occasions 40 CFR 279.45(a)	none	403.121(5) F.S.	$500		3	$1,500
					-20%		-$300
Subtotal							$1,200
Department Costs							$300
TOTAL							$1,500

A 20% good faith reduction is proposed to acknowledge the facility's prompt return to compliance

Total Penalties for all Violations including Department Costs: $ 1,500.00

Mike Worman for
Deborah A. Getzoff
District Director

Date 6/11/08

Florida Department of
Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

June 2, 2008

Mr. Cris January
January Environmental Services, Inc.
1920 Highway 60 West
Bartow, FL 33830

RE: Warning Letter #312308
EPA ID# FLD982162943
Polk County

Dear Mr. January:

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 April 29, 2008 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. Section 10 of 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 Elizabeth Knauss at (813)632-7600, extension 383, 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, the penalties and costs which would be assessed in this case are $1,800.00. Department costs are a minimum of $300.00.

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/ebk

Enclosure

cc: Michael Redig, HWR Section
Rick Neves, HWM Section
Frank Ney, USEPA Region IV
Arthur Lieberman, Polk County
Compliance File

Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

HAZARDOUS WASTE INSPECTION REPORT

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

FACILITY NAME January Environmental Services Inc. EPA ID # FLD982162943

STREET ADDRESS 1750 West Main St., Bartow, FL 33830

MAILING ADDRESS 1920 West Main St., Barton, FL 33830

COUNTY Polk PHONE (863)534-8478 DATE 4/29/08 TIME 10:30 a.m.

NOTIFIED AS: ☐ N/A

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☐ Generator (>1000 kg/mo.)
- ☐ Transporter
- ☐ Transfer Facility
- ☐ Interim Status TSD Facility
- ☐ TSD Facility

Unit Type(s):

- ☒ Used Oil Filter: Transport & Transfer
- ☒ Used Oil: Transport & Transfer

CURRENT STATUS:

- ☐ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☐ Generator (>1000 kg/mo.)
- ☐ Transporter
- ☐ Transfer Facility
- ☐ Interim Status TSD Facility
- ☐ TSD Facility

Unit Type(s):

- ☒ Used Oil Filter: Transport & Transfer
- ☒ Used Oil: Transport & Transfer Facility

2. **APPLICABLE REGULATIONS:**

☐ 40 CFR 261.5	☒ 40 CFR 262	☐ 40 CFR 263	☐ 40 CFR 264
☐ 40 CFR 265	☐ 40 CFR 266	☐ 40 CFR 268	☐ 40 CFR 273
☒ 40 CFR 279	☒ 62-710, FAC	☐ 62-737, FAC	☐ 62-740, FAC

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

Cris January

4. **INSPECTION PARTICIPANTS:**

Loren January, January Oil
J Cruz Torres, January Oil
Elizabeth Knauss, FDEP

5. **LATITUDE/LONGITUDE** 28°47'23" 82°18'10"

6. **SIC Code:** 4214, 7349

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

8. **PERMIT #:** N/A **ISSUE DATE:** **EXP. DATE:**

9. PROCESS DESCRIPTION:

January Environmental Services, Inc. is a national used oil and oily waste transportation and recycling company. Operations have not changed significantly since the previous inspection. One pump truck with three compartments is used to transport used antifreeze and oil. A compartmented tank trailer is used to transport oily waste water. A flatbed trailer and a smaller trailer are used to transport used oil filter containers and oily waste. Currently, January employs one driver who may drive any of the vehicles on site. The driver's medical certificate and license with hazardous materials endorsement were current.

January has the capacity to store 120,000 gallons of liquid waste in its 6 20,000 gallon above ground storage tanks. January is not required to have a used oil processor permit unless oil is stored more than 35 days or more than 25,000 gallons is stored at any one time. On the day of the inspection, oil was stored in two of the tanks, but the amount in storage was less than 25,000 gallons.. The tanks were labeled "used oil" and provided with secondary containment. The tanks are registered and inspected by the Polk County Health Department's delegated Tanks program earlier in the month. Four 35 gallon containers of grease were located in the secondary containment system. One was open, and the Department recommended closing the container.

No used oil or waste water processing takes place at the facility. Waste water is not held on site, but instead is trucked directly to the disposal facility. January does not market oil directly to burners, or claim that the oil meets 40 CFR 279.11 specifications.

The truck unloading area is paved, and sloped and curbed to a concrete sump. A float switch was in the sump to allow uncontaminated storm water to be discharged to a retention area. Mr. Torres said that the switch is normally disconnected, and is only activated if collected storm water is not contaminated. Contaminated storm water or truck wash water is pumped to the waste water tanker for disposal.

The facility also transports used oil filters. A flat bed trailer was loaded with oil filter bins, all closed and clearly labeled "used oil filters" as required by FAC Rule 62-710.850(5)(a).

January has provided its driver with a TIF- RX-1A freon leak detector to screen used oil prior to pumping. Chlor-D-Tect kits were not provided, and Mr. Torres said that his customers are careful not to mix inappropriate materials with their used oil. He has a sample of contaminated oil to verify that the instrument is operating properly prior to screening the oil at his customer's site. Department staff determined that the halogen content of the screening sample was approximately 1,200 ppm using a Dexsil Q-4000 kit. Mr. Torres instrument was operational.

January accepts oily waste water from a number of generators. This material is identified as "grit trap waste" on the acceptance records. January appears to rely on the generator's certification that the waste is not hazardous. The company did not maintain analytical records for this waste on site.

January does not deliver used oil to processing facilities, and instead has been having other transporters pick up the oil at this transfer facility. These other transporters appear to come only when a full load is available. Over the past year, shipments occurred 5/2/08, 3/2/08, 11/8/07, 11/1/07, 10/31/07, 8/10/07, 6/28/07, 6/29/07 and 5/3/07. January appears to have stored used oil more than 35 days on three occasions in violation of **40 CFR 279.45(a).**

Used oil was being disposed of through Howco in 2007, and is now being disposed of through Atlantic Industrial Services in Ocala. After the previous inspection, January's former facility manager kept copies

of Howco receipts along with the January invoices to document the oil transfers. Together, the two records included all the information required under 40 CFR 279.46(b). However, in shipments after May 5, 2007, not all information has been recorded. January's waste delivery records include all the information required under 40 CFR 279.46(b). However, copies of Both Atlantic and Howco waste acceptance records left with January did not include all the information that a second transporter is required to record. Receipts did not include January's EPA ID Number for either transporter. The Howco records did not include the hand written signature of the oil provider, dated upon receipt. These are violations of 40 CFR 279.46(a)(2) and 40 CFR 279.46(5)(i). In addition, some of the Howco records do not include the results of halogen screening, even where the record contains a hand written note "must sniff oil before pumping." These issues are being addressed with the other transporters.

January's annual report for 2007 was submitted to Tallahassee, and indicated that the facility managed less than 100,000 gallons of used oil during the year.

10. SUMMARY OF ALLEGED VIOLATIONS:

40 CFR 279.45(a) — On three occasions, January stored used oil for more than 35 days without complying with applicable used oil processor standards.

11. RECOMMENDED CORRECTIVE ACTIONS:

40 CFR 279.45(a) — Ship used oil at least once every 35 days or obtain a used oil processor permit.

Report prepared by: _____ Date 5/30/08
Elizabeth Knauss
Environmental Manager

Approved by: _____ Date 5/30/08
James Dregne
Environmental Manager