



Florida Department of Environmental Protection

Southeast District Office
400 N. Congress Avenue, Suite 200
West Palm Beach, FL 33401-2913
561-681-6600

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

FEB 14 2012

Triumvirate Environmental (Florida), Inc.
James Green, Vice President, Southeast Region
10100 Rocket Blvd.
Orlando, FL 32824

SUBJECT: Department of Environmental Protection v. Triumvirate Environmental
(Florida), Inc., OGC File No.: 12-0755
EPA ID # FLD981018773

Mr. Green:

The State of Florida Department of Environmental Protection ("Department") finds that Triumvirate Environmental (Florida), Inc. ("Respondent") is in violation of the regulations governing hazardous waste transporters. Before sending this letter, the Department requested that the Respondent undertake certain actions to resolve the violations. These actions have since been completed. However, due to the nature of the violations, the Respondent remains subject to civil penalties. The Respondent is also responsible for costs incurred by the Department during the investigation of this matter.

The Department's Offer

Based on the violations described above, the Department is seeking \$5,000.00 in civil penalties and \$500.00 for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of \$ 5,500.00. The civil penalty in this matter includes one violation of \$2,000.00 or more.

Respondent's Acceptance

If you wish to accept this offer and fully resolve the enforcement matter pending against the Respondent, please sign this letter and return it to the Department at Florida Department of Environmental Protection, Southeast District Office, 400 N. Congress Ave, Ste 200, West Palm Beach, Florida 33401 by February 28, 2012. The Department will then countersign it and file it with a designated clerk of the Department. Once the document is filed with the designated clerk, it will constitute a final order of the Department pursuant to Section 120.52(7), F.S. and will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, F.S. and the attached Notice of Rights.

By accepting this offer you, James Green:

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

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

Respondent's Performance

After signing and returning this document to the Department,

- (1) Respondent must pay \$5,500.00 in full by March 28, 2012.
- (2) The payment must: (a) be in the form of a cashier's check or money order; (b) be payable to the "Department of Environmental Protection"; (c) include the OGC Number assigned above and the notation "Ecosystem Management and Restoration Trust Fund"; and (d) be sent to Florida Department of Environmental Protection, Southeast District Office, 400 N. Congress Ave., Ste 200, West Palm Beach, Florida 33401.

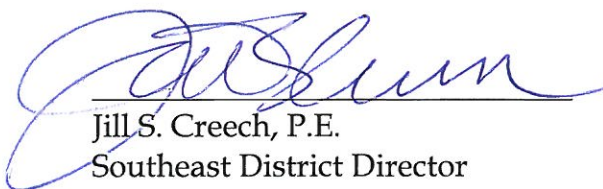
The Department may enforce the terms of this document, once final, and seek to collect monies owed pursuant to Sections 120.69 and 403.121, F.S.

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

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

If you have any questions, please contact Kathy Winston at (561)681-6756 or at Kathy.Winston@dep.state.fl.us.

Sincerely,



Jill S. Creech, P.E.
Southeast District Director

FOR THE RESPONDENT:

I, _____ [Type or Print Name], **HEREBY ACCEPT THE
TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: _____
[Signature]

Date: _____

Title: _____
[Type or Print]

FOR DEPARTMENT USE ONLY

DONE AND ORDERED this __ day of March, 2012, in Palm Beach County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Jill S. Creech, P.E.
Southeast District Director

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

Clerk

Date

Attachments: Notice of Rights
 Warning Letter, Inspection Report

Final clerked copy furnished to:

Lea Crandall, Agency Clerk (lea.crandall@dep.state.fl.us)

NOTICE OF RIGHTS

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

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

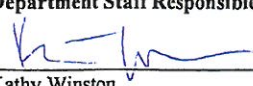
- a) The OGC Number assigned to this Order;
- b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- c) An explanation of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

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

PENALTY COMPUTATION WORKSHEET

Facility Name: Triumvirate Environmental (Florida), Inc.
 Facility Address: 3701 SW 47th Ave., Ste 109, Davie, FL

Department Staff Responsible for the Penalty Computations:


 Kathy Winston


 Karen Kanfor


 Magdalena Gierczak

Date: 11/8/11

PART I - Class A Penalty Determinations

	Alleged Violation Type	Potential for Harm	Extent of Dev.	Matrix Amount	Multi- event	Adjustmen ts	Economic Benefit Calculation	Total
1	40 CFR 263.20	Minor	Minor	\$710	\$4,050			\$4,760
	Manifest Discrepancies				\$150 x 27			
2	Chaper 62-737.400(5)(b)	Minor	Moderate	\$599		\$120		\$719
	Failure to properly label Universal Waste lamps					20% upward		
3	40 CFR 262.12(c)	Moderate*	Major	\$11,330	\$5,130			\$16,460
	Hazardous Waste Transporter Requirements				\$570 x 9			
* See attached Ranking System for Potential for Harm Worksheets						Penalties Subtotal:		\$21,939
						Department Costs:		\$1,000
						Total:		\$22,939

All penalty calculations are based on the Florida Department of Environmental Protection Hazardous Waste Regulation Section's "Guidelines for Characterizing RCRA Violations" and "Guidelines for Characterizing Used Oil Violations" both of which were revised as of May 2008. Certain violations require Potential for Harm Ranking System characterization and have been utilized where applicable; refer to the attached Ranking System for Potential for Harm worksheet. The attached civil penalty worksheets are formulated and tendered only in the context of settlement negotiations in order to attempt to reach a cooperative settlement.


 Jill S. Creech, P.E.
 District Director

Date

11-08-11

Florida Department of Environmental Protection Southeast District

PENALTY COMPUTATION WORKSHEET

(continued)

Facility Name: Triumvirate Environmental (Florida), Inc.

Facility Address: 3701 SW 47th Ave., Ste 109, Davie, FL

Part II - Multi-day Penalties and Adjustments

Adjustments:

Dollar Amount:

Good Faith/lack of good Faith prior to Discovery:

Justification:

Good Faith/lack of good Faith after Discovery:

Justification:

History of Non-Compliance:

\$120

Justification: A 20% upper adjustment was added to violation #2, as this was a repeat violation noted during the last inspection of this facility.

Economic Benefit of Non-Compliance:

Justification:

Ability to pay:

Justification:

Multi-Event Penalties:

Dollar Amount:

\$9,180

Number of events matrix amount is to be multiplied:

27 & 9

Justification: An additional 27 times between May 2009 and May 2011, the facility indicated on the manifest that the facility they were transporting waste for was a CESQG, when, in fact, the facility had an EPA ID number. Also, at least an additional 9 times since May of 2009, the transporter picked up SQG amounts of waste from facilities without EPA ID numbers.

Part III-Other Adjustments Made After Meeting With Responsible Party

Adjustments:

Dollar Amount:

Relative Merits of the Case:

Resource Consideration:

Other Justification:

-\$16,939

This facility was under different ownership and management at the time of the inspection and a great deal of good faith effort was made by the new company to ensure that these issues don't arise again. Over the past 10 years, the facility has not been subject to enforcement for noncompliance issues. In an effort to settle this case in a timely manner and avoid the risk of litigation, District staff is recommending that the Department accept the facility's offer of \$5000.00 plus \$500.00 costs and expenses.

Jill S. Creech, P.E.

Date

Southeast District Director

Florida Department of Environmental Protection



NOV - 9 2011

Florida Department of Environmental Protection

Southeast District Office
400 N. Congress Avenue, Suite 200
West Palm Beach, FL 33401
561-681-6600

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

CERTIFIED MAIL NO.: 91 7108 2133 3938 2488 4738
RETURN RECEIPT REQUESTED

John F. McQuillan, Jr., President
Triumvirate Environmental (Florida), Inc.
61 Inner Belt Rd.
Somerville, MA 02143

Warning Letter # 11-0108HW06SED

Subject: Hazardous Waste Compliance Evaluation Inspection at Triumvirate Environmental (Florida), Inc., formerly PermaFix of Ft. Lauderdale, 3701 SW 47th Ave., Suite 109, Davie, FL 33314
EPA ID # FLD981018773

Dear Mr. McQuillan:

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 compliance evaluation inspection conducted on May 12, 2011, at your hazardous waste transporter and used oil processing facility indicates that violations of Florida Statutes and Rules may exist at the facility. Department of Environmental Protection personnel observed possible violations regarding hazardous waste and universal waste management. The observations of the Department are in the attached inspection report.

Section 403, Florida Statutes, provides that facilities must comply with Title 40 Code of Federal Regulations (CFR), Parts 260 to 268 and 273 as adopted in Chapter 62-730 and Chapter 62-737 Florida Administrative Code (F.A.C.). The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of the above-described statutes or rules should be ceased. The operation of a facility in violation of State statutes or rules may result in liability for damages and restoration, and the judicial imposition of penalties up to \$50,000.00 per violation per day pursuant to Section 403.727, Florida Statutes.

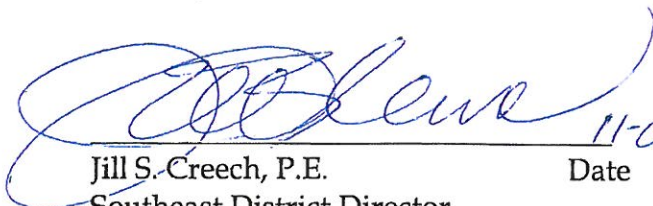
You are requested to contact Kathy Winston at the address above or 561/681-6756 within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the

meeting that you feel could help resolve this matter. However, we must be given the names and positions of any persons you intended to bring to the meeting and we must have the information at least five days before the meeting.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an appropriate penalty. In accordance with Section 403.121, Florida Statutes, the U.S. EPA RCRA Civil Penalty Policy, the Department's Guidelines for Characterizing RCRA Violations, and the Department's Guidelines for Characterizing Universal Waste Violations, the penalty proposed in the case is \$21,939.00 plus \$1,000.00 for costs and expenses, for a total of \$22,939.00.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,


Jill S. Creech, P.E. 11-08-11
Southeast District Director Date

✓ 
JSC/JWL/KK/kw ^{KW}

Attachments: Hazardous Waste Inspection Report
Penalty Justification Worksheets

cc: Electronic Archboard/Oculus
Glen Perrigan, FDEP, Glen.Perrigan@dep.state.fl.us
Alfred Gomez, Broward County Environmental Protection and Growth Management Department
AGOMEZ@broward.org



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

Draft

FACILITY INFORMATION:

Facility Name: Triumvirate Environmental Florida Inc
On-Site Inspection Start Date: 05/12/2011 **On-Site Inspection End Date:** 05/12/2011
ME ID#: 50649 **EPA ID#:** FLD981018773
Facility Street Address: 3670 SW 47th Ave #109, Davie, Florida 33314
Contact Mailing Address: 3701 SW 47th Ave #109, Davie, Florida 33314-2830
County Name: Broward **Contact Phone:** (954) 583-3795

NOTIFIED AS:

CESQG (<100 kg/month)
Transporter
Transfer Facility
Used Oil

INSPECTION TYPE:

Routine Inspection for CESQG (<100 kg/month) facility
Routine Inspection for Hazardous Waste Transporter facility
Routine Inspection for Transfer Facility
Routine Inspection for Universal Waste Transporter facility
Routine Inspection for Used Oil Transporter facility
Routine Inspection for Used Oil Transfer Facility
Routine Inspection for Used Oil Processor facility
Routine Inspection for Used Oil Marketer facility
Routine Inspection for Used Oil Generator facility

INSPECTION PARTICIPANTS:

Principal Inspector: Kathy R. Winston, Inspector
Other Participants: Shawn Lennon, General Manager; Ben Fisch, Environmental Specialist

LATITUDE / LONGITUDE: Lat 26° 4' 37.8283" / Long 80° 12' 33.5153"

SIC CODE: 9511 - Public admin. - air, water, and solid waste management

TYPE OF OWNERSHIP: Private

Introduction:

Triumvirate Environmental Florida Inc. (TEF), formerly known as PermaFix of Ft. Lauderdale, is a permitted facility authorized to process used oil, oily wastewater, petroleum contact water, oily solid waste, and used oil filters. TEF is also a hazardous waste transporter and transfer station. The facility is situated on a 2.5 acre site in light industrial area, and is served by city water and sewer. TEF has operated from this site for 13 years and employs 26 people.

In a notification to the Department on August 24, 2011, Triumvirate Environmental (Florida), Inc., recorded its' name change from PermaFix of Ft. Lauderdale, Inc. as part of a stock purchase of the corporation by Triumvirate Environmental, Inc., headquartered in Somerville, MA.

Inspection History - The Department is required to inspect TEF at least every two years. Inspections were conducted in 2009 and before that in 2007. In each case, the facility had only minor violations

Inspection Date: 05/12/2011

and was brought back into compliance without enforcement.

Process Description:

Used oil and oily wastewater are received in the tank farm area located in the southeast portion of the site. Used oil is offloaded into two 20,000-gallon aboveground tanks. The used oil is filtered, and then allowed to sit for further oil/water separation. The processed oil is tested for compliance with on-specification standards, and is sold as fuel oil to TEF customers. The oily wastewater is transferred for storage into one of seven tanks. The oily water is filtered, and then transferred to a boiler tank where it is heated to 150 ° F for oil/water separation. An emulsifier is added to facilitate further oil/water separation and the temperature is raised to 200 ° F, then the process is shut down. The water readily separates from the oil, and the oil is diverted to a holding tank. Used oil filters are not consolidated but sent in generator containers to US Foundry in Medley, Florida. Oily solid wastes are consolidated into a rolloff container for disposal at the Central Landfill in Pompano Beach, Florida.

Inspection - The inspector noted two boxes of Universal Waste lamps in the transfer facility storage area that were not labeled per the state regulation. All the boxes appeared to have Universal Waste stickers on them but those two did not say "Mercury Containing Lamps for Recycling" or any of the other acceptable labeling phrases per the state regulations. See the potential violations area of this report for the Department's recommendation on this matter.

The inspector noted no violations or compliance issues in the Used Oil processing area or the solid waste consolidation area. The consolidation area sits directly in front of the processing operations and shares the same berm system. TEF stores used oil filter containers here before shipment, as well as, the oily solids rolloff.

The storage tanks were labeled appropriately with tank # 11 indicated as "out of service." The secondary containment for both the main tank farm and the single large tank in the rear of the property were clean, dry and there were no visible damage to the sealant.

In the rear of the property was a three sided pole barn that contained the boiler for the processing operation and some equipment and chemical feed drums associated with a system to control the buildup of slant in the boiler itself.

The large Drum Storage building is divided into several different sections and is used for many aspects of the operation. A large section of the rear of the facility serves as storage for everything from emergency response equipment, to spare parts for the processing operation, as well as, tools and products for facility maintenance. The only repair work performed onsite involves the processing equipment and the it's related pumps and valves, as maintenance of the truck fleet and the forklifts are contracted out.

On the other side of the building there were four distinct storage zones. There was the Hazardous Waste Transfer facility, the liquid non-regulated waste area, the solid non-regulated waste area and the Universal Waste storage area which also contained a small collection of scrap. The drums in those zones were all properly labeled and aisle space was acceptable.

Right outside the Drum Storage building and backed up to the loading dock was a trailer being prepared for shipment. Already in the rear of the trailer were eleven 55-gallon drums and one 30-gallon drum of flammable liquids and paint related wastes. Near the door of the trailer were two more 55-gallon drums, the first one contained paint related waste and the other contained flammable liquids. Sitting beside these drums were three five-gallon buckets of isopropyl alcohol. It appeared that the containers in the front of the trailer were still being checked for proper labeling and paperwork before being moved to the rear of the trailer for shipment off site.

Records Review - Inspectors reviewed acceptance and delivery logs for both hazardous waste and used oil and found two discrepancies. The hazardous waste transfer facility log entries from October 2010 made it appear that two shipments of waste arrived on site after they had already been shipped out. This was an error due to the entry for the outgoing date having not been

Inspection Date: 05/12/2011

changed to reflect the correct month; i.e. November. Also, log entries for two shipments of hazardous waste that arrived on December 8, 2010 didn't have a corresponding outgoing date. Inspectors request copies of these manifests to establish whether these waste were shipped out of the facility within ten days and reached their final destination facility. The inspectors inquired as to whether the drivers of the hazardous waste transport trucks carried a copy of the completed Transporter Status Form and Department Approval Certificate in their vehicles. Facility representatives indicated they were unaware of this rule and would ensure this was done in the future. A review of the Contingency Plan revealed that their emergency contact list did not include the telephone numbers of the closest police and fire station. A random sampling of Bills of Lading and manifests that had gone through the facility since their last inspection were compared to the logs mentioned above and no other issues were found. All other records that were reviewed on site appeared to be in order; i. e. training records, facility inspection logs and container inspection logs.

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

Type:	Violation
Rule:	263.20
Question Number:	1.40
Question:	Do the manifests contain at least:
Explanation:	Records that were requested during the inspection and subsequently submitted to the Department revealed that TEF had signed off on incorrectly filled out manifests. In 2011 alone, there were at least two case were TEF filled out item #1 on the manifests indicating the facilities as unregistered CESQGs, when the facilities actually had an EPA ID number.
Corrective Action:	TEF needs to go back through every manifest since May 22, 2009, where item #1 on the manifest indicates the facility as a CESQG and the facility actually has an identification number, and reissue a corrected manifest. These corrected manifests must then be copied to the generator, the treatment, storage and disposal facility and the Department.

Type:	Area Of Concern
Rule:	62-730.171(2)(e)
Question Number:	1.830
Question:	Does the log contain:
Explanation:	In the acceptance and delivery logs for the hazardous waste transfer facility, there was an error in the end October of 2010. The error made it appear that in two instances, the waste came in after it went out, as the outgoing date was not changed to reflect the proper month. Also, there were two manifests with incoming log entries from December 8, 2010 that did not have a corresponding outgoing date.
Corrective Action:	The Department reminded TEF to make sure and note that outgoing dates correspond to the actual month of shipment. Also, the Department requested copies of the completed manifests from December 8, 2010 that didn't indicate an outgoing date in the hazardous waste transfer facility log to establish that the waste did not remain onsite for more than ten days and that it reached its' final destination facility.

Universal Waste Lamps

Type: Violation
Rule: 62-737.400(5)(b)
Question Number: 39.40
Question: Is each lamp or container labeled or marked clearly with either "Spent Mercury Containing Lamps for Recycling", "Universal Waste Mercury Lamps", "Waste Mercury Lamps" or "Used Mercury Lamps"?
Explanation: There were two boxes of Universal Waste lamps in the Drum Storage building that had Universal Waste stickers on them but did not have the words "Mercury Containing Lamps for Recycling" or any of the other acceptable labeling phrases for Universal Waste lamps per the state regulations.
Corrective Action: Please properly label the referenced boxes and provide pictures to the Department.

Used Oil Processor

Type: Area Of Concern
Rule: 279.52(b)(2)
Question Number: 28.340
Question: Does the plan include the following?
Explanation: The Contingency Plan did not include the telephone numbers of the closest police and fire station.
Corrective Action: Please revise the plan to include the telephone numbers of the closest police and fire station.

Type: Area Of Concern
Rule: 279.52(b)(3)
Question Number: 28.360
Question: Has the plan been distributed to the:
Explanation: Requested updates to the Contingency Plan will need to be send to the appropriate local authorities.
Corrective Action: Please revise the emergency contact page as requested and then provide proof that these updates have been forwarded to the appropriate local authorities.

Checklist Independent Potential Violations and Areas of Concern

Type: Violation
Rule: 262.12(c)
Explanation: Records that were requested during the inspection and subsequently submitted to the Department revealed that TEF had provided transport of hazardous waste in amounts exceeding 1000 kg for a facility which was a non-notifier.
Corrective Action: A transporter of hazardous waste must also comply with 40 CFR Part 262,

Inspection Date: 05/12/2011

Standards for Generators of Hazardous Waste and shall not treat, store, dispose of, transport or offer for transportation hazardous waste from a generator without a EPA identification number from the Administration. TEF must cease and desist transporting in violation of State and Federal rules.

Type: Area Of Concern

Rule: 62-730.170(2)(e)

Explanation: TEF's hazardous waste transporter drivers were not carrying a copy of their Transporter Status Form and Department Certificate of Approval in their trucks.

Corrective Action: The facility needs to make copies of these documents and assure that all trucks that transport hazardous waste have them onboard.

Summary of Potential Violations and Areas of Concern:

Potential Violations

Rule Number	Area	Date Cited	Explanation
Transporters Checklist 263.20		05/12/2011	Records that were requested during the inspection and subsequently submitted to the Department revealed that TEF had signed off on incorrectly filled out manifests. In 2011 alone, there were at least two case were TEF filled out item #1 on the manifests indicating the facilities as unregistered CESQGs, when the facilities actually had an EPA ID number.
Universal Waste Lamps 62-737.400(5)(b)		05/12/2011	There were two boxes of Universal Waste lamps in the Drum Storage building that had Universal Waste stickers on them but did not have the words "Mercury Containing Lamps for Recycling" or any of the other acceptable labeling phrases for Universal Waste lamps per the state regulations.
Checklist Independent Violations 262.12(c)		05/12/2011	Records that were requested during the inspection and subsequently submitted to the Department revealed that TEF had provided transport of hazardous waste in amounts exceeding 1000 kg for a facility which was a non-notifier.

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Transporters Checklist 62-730.171(2)(e)		05/12/2011	In the acceptance and delivery logs for the hazardous waste transfer facility, there was an error in the end October of 2010. The error made it appear that in two instances, the waste came in after it went out, as the outgoing date was not

Inspection Date: 05/12/2011

Rule Number	Area	Date Cited	Explanation
			changed to reflect the proper month. Also, there were two manifests with incoming log entries from December 8, 2010 that did not have a corresponding outgoing date.
Used Oil Processor 279.52(b)(2)		05/12/2011	The Contingency Plan did not include the telephone numbers of the closest police and fire station.
279.52(b)(3)		05/12/2011	Requested updates to the Contingency Plan will need to be send to the appropriate local authorities.
Checklist Independent Areas of Concern 62-730.170(2)(e)		05/12/2011	TEF's hazardous waste transporter drivers were not carrying a copy of their Transporter Status Form and Department Certificate of Approval in their trucks.

Conclusion:

Post Inspection

The manifests that were requested at the inspection and subsequently submitted to the Department revealed that TEF had provided transportation of hazardous waste in amounts exceeding 1,000 kg from a facility without an EPA ID number; TEF had indicated in box #1 of the manifest that this facility was a CESQG. To further investigate the matter, the Department requested copies of all hazardous waste manifests where TEF transported greater than 1,000 kg since the Department's previous inspection of June 23, 2009. The Department is reviewing these documents at this time.

The facility was not in compliance at the time of the inspection. The facility was given 14 days to return to compliance.

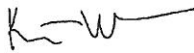
Inspection Date: 05/12/2011

Draft

Signed:

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

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

Kathy R. Winston**PRINCIPAL INSPECTOR NAME**Inspector**PRINCIPAL INSPECTOR TITLE****PRINCIPAL INSPECTOR SIGNATURE**5/16/2011**DATE**Ben Fisch**INSPECTOR NAME**Environmental Specialist**INSPECTOR TITLE**NO SIGNATURE**INSPECTOR SIGNATURE**FDEP**ORGANIZATION**Shawn Lennon**REPRESENTATIVE NAME**General Manager**REPRESENTATIVE TITLE**NO SIGNATURE**REPRESENTATIVE SIGNATURE**Perma Fix**ORGANIZATION**

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