



**Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report**

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**FACILITY INFORMATION:**

**Facility Name:** Triumvirate Environmental Inc

**On-Site Inspection Start Date:** 02/29/2012

**On-Site Inspection End Date:** 02/29/2012

**ME ID#:** 10046

**EPA ID#:** FLD980559728

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

**Contact Mailing Address:** 10100 Rocket Blvd, Orlando, Florida 32824-8565

**County Name:** Orange

**Contact Phone:** (954) 583-3795

**NOTIFIED AS:**

LQG (>1000 kg/month)

Transporter

Transfer Facility

TSD Facility Unit Type(s)

Used Oil

**INSPECTION TYPE:**

Routine Inspection for TSD Facility Unit Type(s)

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Michael Eckoff, Inspector

**Other Participants:** Danielle Bentzen, Environmental Specialist; Kip Buckley, Operations Manager; Sara Gilbert, PG, ETS & C Specialist

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

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

**TYPE OF OWNERSHIP:** Private

**Introduction:**

On February 29, 2012, Michael Eckoff and Danielle Bentzen, Florida Department of Environmental Protection (FDEP), accompanied by Kip Buckley and Sara Gilbert, Triumvirate Environmental, Inc. (TEI), inspected TEI for compliance with state and federal hazardous waste and used oil regulations. The facility is a hazardous waste and used oil transporter, 10-day transfer facility, a permitted used oil processor, and permitted storage facility of solid and hazardous waste.

At the time of the inspection the facility had nine employees, not including sales. The facility is connected to Orange County potable water and sewer systems.

**INSPECTION HISTORY**

The facility, as TEI, has never been inspected by the Department for compliance with state and federal hazardous waste and used oil regulations.

(Past ten years as Perma-Fix of Orlando, Inc. (PFO))

JANUARY 2010

PFO was out of compliance at the time of the inspection. PFO was cited for the following violations: failure to label a hazardous waste container with an accumulation start date; failure to label hazardous waste containers; failure to use a manifest while transporting hazardous waste; failure to ensure required information is recorded on shipping papers; failure to obtain detailed chemical and physical analysis of a representative sample of the wastes before storing hazardous or non-hazardous wastes; failure to have all required information in position descriptions; failure to maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned

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sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water, which could threaten human health of the environment; and failure to keep the contingency plan up to date. Consent Order OGC File No. 10-1669 was executed assessing \$24,854.00 in penalties and Department costs. PFO was able to off-set \$21,919.00 of the penalty through the implementation of an in-kind project.

MAY 2009

PFO came into compliance shortly after the inspection.

JUNE 2008

PFO was in compliance at the time of the inspection.

OCTOBER 2007

PFO was in compliance at the time of the inspection.

DECEMBER 2006 and FEBRUARY 2007

PFO was out of compliance at the time of the inspection. PFO was cited for the following violations: failure to label hazardous waste containers; failure to maintain hazardous waste containers closed; failure to label hazardous waste containers with an accumulation start date; and failure to maintain the facility to minimize sudden releases. Consent Order OGC File No. 07-1790 was executed assessing \$15,681.00 in penalties and Department costs. PFO was able to off-set \$11,745.00 of the penalty through the implementation of a supplemental environmental project.

APRIL 2006

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

MARCH 2006

PFO was in compliance at the time of the inspection.

MAY 2004

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

MARCH 2003

PFO was out of compliance at the time of the inspection. PFO was cited with the following violation: storing four drums of hazardous waste longer than one year. The drums were shipped off-site the day after the inspection and the Department took no further action.

APRIL 2002

PFO was out of compliance at the time of the inspection. PFO was cited with the following violations: failure to label hazardous waste containers; failure to maintain hazardous waste containers closed; failure to conduct weekly inspections; failure to label hazardous waste containers with an accumulation start date; storing over the capacity of facility as stated in the permit; failure to meet land disposal treatment standards; and storing transfer waste longer than

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ten days. Consent Order OGC File No. 02-2060 was executed assessing \$13,350.00 in penalties and Department costs.

### Process Description:

TEI collects hazardous waste from generators using TEI's own transportation services as well as other registered hazardous waste transporters. Generators serviced by TEI are those that generate hazardous waste that is exclusive of explosive or radioactive. TEI operates under hazardous waste storage permit number 26916-HO-006, issued January 28, 2009. TEI collects hazardous waste and stores the material in its warehouse for up to a year before transporting the waste to an off-site disposal facility. TEI uses its 10-day transfer facility status when possible in order to avoid re-manifesting, record keeping, reporting, and other more stringent permit requirements. Waste stored for a period longer than ten days is transferred to TEI's designated storage facility. TEI then amends the incoming manifest to reflect the change, the containers are relabeled, and the waste is managed in accordance with the permit requirements.

Hazardous wastes and solid wastes are segregated at the facility according to compatibility groups as outlined in the permit. Storage areas have secondary containment to minimize and prevent possible releases to the environment. The facility is not solidifying solid waste on-site nor are they consolidating wastes.

### INSPECTION NARRATIVE

The inspection began in the permitted waste storage area. A truck was being off-loaded at the time of the inspection. The entire load was from Bostik located in Georgia. The load contained non-hazardous "off-spec unworkable product", "solidified MDI/polymers", "oil & absorbent solids", and "mopwater."

On the southside of the area TEI was storing electronics from Royal Caribbean dated 2/24/2012 in the "Non-hazardous" area. In addition, TEI was storing nine 55-gallon drums of "sludge-bilge" and one 55-gallon drum of "activated carbon filter media" from Enchantment dated 1/31/2012, and three 55-gallon drums of "grease trap-cooking oil" from Royal Caribbean Jewel of Seas dated 2/23/2012.

Five 10-gallon containers, one 30-gallon container, and eight 55-gallon drums of hazardous waste, and one tote of "cooking oil" from Freedom of Seas were stored in the "Corrosive" area. The facility should only store corrosive waste in the "Corrosive" area.

One 55-gallon drum of hazardous waste was stored in the "Reactive" area.

One 55-gallon drum and one 10-gallon container of hazardous waste was stored in the "Poison" area.

Fifteen pallets of non-hazardous "edgestik."

Four 55-gallon drums, two 8-ft. boxes, one 4-ft. box, and one 10-gallon container was stored in the "Universal Waste" area.

Sixteen 55-gallon drums of non-hazardous waste solvent "hi-solv," one 270-gallon tote of "polyol," and twenty-one 55-gallon drums of latex paint.

Four trailers were located on the loading dock. The first trailer inspected was being managed as the facility's 10-day transfer facility and contained two cubic yard boxes of bio-hazard waste, bloody guaze-sharps, from Royal Caribbean. The second trailer inspected contained three empty 55-gallon drums. The third trailer inspected was empty, this trailer was being off-loaded from Bostik. The fourth trailer inspected contained empty 55-gallon drums.

On the west side of the dock was the solid waste dumpster. Next to the dumpster were two dumpsters used to consolidate used oil filters.

On the loading dock were forty-eight 55-gallon drums of "wash solvent" from Bostik dated

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2/21/2012.

North of the loading dock is the 20,000-gallon above ground storage tank for used oil and used antifreeze. The tank contains two compartments, one part is dedicated to used oil and the other is used for used antifreeze, off-spec fuel, oily wastewater, or other wastes depending on TEI's needs. The tank is registered with the FDEP-Petroleum Tanks Program.

All of the rainwater from the facility is collected in a sump located on the northwest corner of the property. The rainwater is checked for contamination prior to releasing to an on-site retention pond. At the time of the inspection there was no sheen noted on the water. A non-functioning pump truck was parked in this area. Ms. Gilbert was unsure of its contents. Please provide the Department with information concerning the contents of the truck.

The Consolidation Area is mainly used for storage of absorbents and empty containers. Four 8-yard containers of used oil filters were stored in this area. One 55-gallon drum of non-hazardous oily waste was also stored in this area.

On the north side of the property was a trailer with empty containers and totes to be returned to the manufacturer for reconditioning.

A shed located on the northeast side of the property contained equipment and three CRT monitors.

NOTE: On March 21, 2012, the Department received a letter from TEI stating two of the monitors were sent for recycling.

Several trailers were located in a parking area, the trailers were empty.

A shed located behind the Consolidation Area was used as a maintenance shed by the former company, Perma-Fix. TEI does not currently use this shed. Inside a fire cabinet were several products. Ms. Gilbert stated the products would be evaluated whether useful or not.

NOTE: On March 21, 2012, the Department received a letter from TEI stating the need of the products are being verified and will manage as appropriate.

## RECORDS

The contingency plan has to be updated due to the current emergency coordinator's last day with TEI was the date of the inspection. Ms. Gilbert stated the plan would be updated. Please provide the Department with a copy of the updated plan.

Hazardous waste management training is conducted by the corporate office in Summerville, Massachusetts. Please provide the date(s) when the most recent training took place.

Job descriptions need to be updated to reflect initial and annual RCRA training requirements [40 CFR 264.16(d)(3)].

NOTE: On March 21, 2012, the Department received a letter from TEI stating position descriptions were updated with training requirements but did not include hazardous waste management training.

Mr. Buckley's position description needs to be updated to reflect RCRA duties [40 CFR 264.16(d)(2)].

NOTE: On March 21, 2012, the Department received a letter from TEI stating Mr. Buckley's position description has hazardous waste duties listed.

Daily and weekly inspection logs were in compliance.

Facility personnel received used oil training.

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TEI is not listing generator EPA ID No., for generators who notified and received EPA ID No., on used oil receipts [40 CFR 279.46(2) and 62-710.510(1)(b), Florida Administrative Code (F.A.C.)].

Hazardous waste shipping records were found to be in compliance.

Waste analysis records were reviewed for "hi-solv" and was found to be non-hazardous.

### New Potential Violations and Areas of Concern:

#### Checklist Independent Potential Violations and Areas of Concern

Type: Violation

Rule: 264.16(d)(3)

Explanation: A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position. Specifically, TEI failed to have a written description of the type and amount of both introductory and continuing hazardous waste management training that will be given to each person filling a position as required by the permit.

Corrective Action: TEI shall have a written description of the type and amount of both introductory and continuing hazardous waste management training that will be given to each person filling a position as required by the permit. Please provide a copy of the written description of the type and amount of both introductory and continuing hazardous waste management training that will be given to each person filling a position to the Department within 30 days from the date of your receipt of this Non-compliance Letter.

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Type: Violation

Rule: 62-710.510(1), 279.46(a)(2)

Explanation: Each registered person shall maintain records on DEP Form 62-710.901(2) or on substantially equivalent forms which contain at least the same information as the Department form. These records shall include the following information: (b) The source of the used oil, including the name and street address of each source, and the EPA identification number of the source if the generator has one. Specifically, TEI failed to list the generator EPA ID No., for those generators who notified and received a number, on used oil shipping papers.

Corrective Action: TEI shall list the generator EPA ID No., for those generators who notified and received a number, on used oil shipping papers. Please provide documentation that this requirement is being fulfilled to the Department within 30 days from the date of your receipt of this Non-compliance Letter.

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Type: Violation

Rule: 264.16(d)(2)

Explanation: A written job description for each position listed under paragraph (d)(1) of this section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the requisite skill, education, or other qualifications, and duties of employees assigned to each position. Specifically, TEI failed to list hazardous waste duties in Mr. Buckley's written job description.

Corrective Action: On March 21, 2012, TEI provided a copy of Mr. Buckley's written job description listing his hazardous waste duties.

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**Summary of Potential Violations and Areas of Concern:**Potential Violations

Rule Number	Area	Date Cited	Explanation
Checklist Independent Violations			
264.16(d)(3)		02/29/2012	A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position. Specifically, TEI failed to have a written description of the type and amount of both introductory and continuing hazardous waste management training that will be given to each person filling a position as required by the permit.
62-710.510(1), 279.46(a)(2)		02/29/2012	Each registered person shall maintain records on DEP Form 62-710.901(2) or on substantially equivalent forms which contain at least the same information as the Department form. These records shall include the following information: (b) The source of the used oil, including the name and street address of each source, and the EPA identification number of the source if the generator has one. Specifically, TEI failed to list the generator EPA ID No., for those generators who notified and received a number, on used oil shipping papers.
264.16(d)(2)		02/29/2012	A written job description for each position listed under paragraph (d)(1) of this section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the requisite skill, education, or other qualifications, and duties of employees assigned to each position. Specifically, TEI failed to list hazardous waste duties in Mr. Buckley's written job description.

Areas of Concern

No Areas of Concern

**Conclusion:**

Triumvirate Environmental, Inc. was inspected as a large quantity generator of hazardous waste, hazardous waste and used oil transporter, 10-day transfer facility, permitted used oil processor, and permitted storage facility of solid and hazardous waste and was not in compliance at that time.

In addition to the corrective actions above, please provide the following information to the Department within 30 days from the date of your receipt of this Non-compliance Letter:

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1. Information concerning the contents of the non-functioning pump truck.
2. A copy of the updated contingency plan.
3. The date(s) when the most recent hazardous waste management training took place.

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**Signed:**

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

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

Michael Eckoff

**PRINCIPAL INSPECTOR NAME**

Inspector

**PRINCIPAL INSPECTOR TITLE**

NO SIGNATURE

**PRINCIPAL INSPECTOR SIGNATURE**

Danielle Bentzen

**INSPECTOR NAME**

Environmental Specialist

**INSPECTOR TITLE**

NO SIGNATURE

**INSPECTOR SIGNATURE**

FDEP - Central District

**ORGANIZATION**

Kip Buckley

**REPRESENTATIVE NAME**

Operations Manager

**REPRESENTATIVE TITLE**

NO SIGNATURE

**REPRESENTATIVE SIGNATURE**

Triumvirate Environmental, Inc.

**ORGANIZATION**

Sara Gilbert, PG

**REPRESENTATIVE NAME**

ETS &amp; C Specialist

**REPRESENTATIVE TITLE**

NO SIGNATURE

**REPRESENTATIVE SIGNATURE**

Triumvirate Environmental, Inc.

**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.