

Thursby, Kim

From: Crandall, Scott [scott.crandall@fccenvironmental.com]
Sent: Wednesday, September 26, 2012 1:26 PM
To: Epost HWRS
Subject: RE: FCC Environmental, LLC, Pompano Beach;FLD 984 262 410;Notice of Deficiency

received

From: Epost HWRS [<mailto:EpostHWRS@dep.state.fl.us>]
Sent: Friday, September 21, 2012 1:56 PM
To: Crandall, Scott
Cc: Bahr, Tim; Goddard, Charles; Winston, Kathy; Kantor, Karen E.; Korzekwinski, Bernard; Miller, Randy J.; Bejnar, Tor; Martin, Lee; Kothur, Bheem; Tripp, Anthony
Subject: FCC Environmental, LLC, Pompano Beach;FLD 984 262 410;Notice of Deficiency

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Regulation Section is forwarding the attached document to you by electronic correspondence "e-correspondence" in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a "reply" message to epost_hwrs@dep.state.fl.us. (An automatic "reply message" is not sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

The attached document is in "pdf" format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at www.adobe.com/products/acrobat/readstep2.html.

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

Your cooperation in helping us affect this process by replying as requested is greatly appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Tim Bahr
Environmental Administrator
Hazardous Waste Regulation
Department of Environmental Protection
E-Mail Address: epost_hwrs@dep.state.fl.us

Please take a few minutes to share your comments on the service you received from the department by clicking on this link [DEP Customer Survey](#).



Florida Department of Environmental Protection

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

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

September 21, 2012

SENT VIA E-MAIL

Scott.Crandall@fccenvironmental.com

Mr. Scott Crandall, EH&S Director
FCC Environmental, LLC
523 N. Sam Houston Parkway E., Suite 400
Houston, TX 77060

RE: FCC Environmental, LLC, Pompano Beach Facility
EPA I.D. No. FLD 984 262 410
Permit Number: 0051348-HO-008; 0051348-SO-009
Used Oil and Material Processing Facility Permit
Notice of Deficiency

Dear Mr. Crandall:

The Florida Department of Environmental Protection (the Department) has reviewed your permit application dated August 20, 2012 and received on August 21, 2012 to operate a Used Oil and Material Processing Facility in Pompano Beach, Florida.

The review of the permit application indicates that it is incomplete. Please provide the information requested in the enclosed Attachment. In preparing your response, the Department recommends that you identify each comment followed by your response and also provide your revised pages of the application. The revised pages are to include the new revision date.

The Department will be contacting you to schedule a meeting or conference call to discuss these comments. Additional communications will be scheduled as needed prior to your submittal of an official response to minimize the time and effort required to formulate adequate replies to the comments. This exchange of ideas will assist you in developing a complete and adequate response that should eliminate the need for additional official responses and therefore accelerate the permit renewal process.

Mr. Scott Crandall, EH&S Director


September 21, 2012

Page Two

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit three copies of your written response (two copies to the Tallahassee Solid and Hazardous Waste Regulation Section, and one to the Southeast District Office). If you cannot submit all this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

Should you like to arrange a meeting or if you have any questions, please contact me at (850) 245-8781 or e-mail: Bheem.kothur@dep.state.fl.us

Sincerely,



Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/bk

Enclosure: Attachment

cc: Kathy Winston, FDEP/Southeast District, kathy.winston@dep.state.fl.us
Karen Kantor, FDEP/Southeast District, karen.e.kantor@dep.state.fl.us
Bernard Korzekwinski, FCC Environmental, LLC,
Bernard.Korzekwinski@fccenvironmental.com
Randy Miller, OGC/Tallahassee, randy.j.miller@dep.state.fl.us
Tor Bejnar, FDEP/Tallahassee, tor.bejnar@dep.state.fl.us
Lee Martin, FDEP/Tallahassee, lee.martin@dep.state.fl.us

ATTACHMENT
September 21, 2012
FCC Environmental, LLC
Pompano Beach Facility, Florida
EPA I.D. No. FLD 984 262 410
Permit No. 51348-HO-008; 51348-SO-009
Notice of Deficiency

General Comments:

1. Tab 2, Attachment 1, Facility Description, Paragraph 3, Last sentence, Page 1-1: With regards the sentence "The company also currently is an FDEP-a (less than 10 drums) contractor". What do you mean by that?
2. Tab 2, Attachment 1, Facility Description, Figure 2-Site Plan: Please show piping on this map or on a separate map.
3. Tab 3, Attachment 2, Process Description, Sixth Paragraph, Second Sentence, Page 2-1: The Facility installed tanks 31 and 32 in 2008. Please remove references to the "planned expansion" from the document.
4. Tab 3, Attachment 2, Process Description, Oily Wastes, Page 2-4: Any oily wastes or sludge generated at the facility that cannot be managed for energy recovery will require a hazardous waste determination and the materials shall be managed in accordance with 40 CFR Part 279.10 (c) and (e).
5. Tab 3, Attachment 3, Waste Analysis Plan, Pick-up/Pump Out, Item 3, Second Sentence, Page 3-2: It is not clear what are you trying to say. Should this be "a positive reading for an instrument calibrated to 900 ppm"? Please clarify and revise as appropriate.
6. Tab 4, Attachment 3, Waste Analysis Plan, Used Antifreeze, and Page 3-4: The current Florida DEP Used Antifreeze Guidance document is dated May 22, 2012 not January, 2006. Please access the web to view the latest document at.
http://www.dep.state.fl.us/waste/quick_topics/publications/shw/hazardous/Antifreeze-Guidance_2012.pdf
7. Tab 4, Attachment 3, Waste Analysis Plan, Facility Off - Loading, Item 2.b.2, Page 3-3: Does FCC sign manifests as a generator? Depending on the amount of waste, FCC may become a large quantity generator (LQG). Please show on a

map where this waste will be stored until transported off-site.

8. Tab 4, Attachment 3, Waste Analysis Plan, Absorbents, Filters, And Oily Wastes, Fourth Paragraph, Page 3-4: Please described where these materials are stored and how are they tested?
9. Tab 4, Attachment 3, Waste Analysis Plan, Industrial Wastewater, Page 3-5: Please include the information regarding industrial wastewater in this application, it must be made clear that the permit being applied for does not grant any authority to handle or dispose industrial wastewater. Also explain and identify where and how industrial waste water will be stored at this site. Please identify the units.
10. Tab 4, Attachment 3, Waste Analysis Plan, Petroleum Contaminated Materials, Last but one Sentence, Page 3-5: How does FCC verify that the generator knowledge is correct?
11. Tab 4, Attachment 3, Waste Analysis Plan, On-Specification Claim, Fifth Sentence, Page 3-6: It appears that a sample is collected for off-site analysis approximately every 100,000-gallons to verify that the process is resulting in a fuel oil that meets the federal on-specification parameters. Please explain what is the basis of testing every 100,000 gallons rather than testing every batch prior to sale or further blending.
12. Tab 5, Attachment 4, Sludge, Residue, And Byproduct Management Description, Second Paragraph, Second Sentence, Page 4-1: Please show on a map where this activity will be conducted. Please ensure that the sludges are also tested similarly?
13. Tab 5, Attachment 4, Fourth Paragraph, Third Sentence, Page 4-1: Why is mercury excluded? 40 CFR 261 includes mercury. Please review and revise as appropriate.
14. Tab 6, Attachment 5, Tracking Plan, Fourth Paragraph, First Sentence, Page 5-1: Please specify what materials (used oil?) are transported. Please attach the example of the "Shipping" document and "Daily Tank Inventory" document. Please review and revise as appropriate.
15. Tab 7, Attachment 6, Preparedness and Prevention Contingency Plan, and Page 6-2: Please show on a map the location of all emergency equipment.

16. Tab 7, Attachment 6, Preparedness and Prevention Contingency Plan, Page 6-3: Please update the FDEP West Palm Beach district Bureau of Emergency response's (BER) phone number to read (561) 393-5877 and the office is located in Boca Raton at: 7251 West Palmetto Park road, Suite 303, Boca Raton, Florida 33433. Please review and revise as appropriate.
17. Tab 7, Attachment 6, Preparedness and Prevention Contingency Plan, Page 6-3: The FDEP district office physical address and mailing address are the same. Please delete the mailing address and revise as appropriate.
18. Tab 7, Attachment 6, Preparedness and Contingency Plan, Third Paragraph, Page 6-4: Please change "Fort Pierce" to "Pompano Beach".
19. Tab 7, Attachment 6, Fire Protection and Emergency Action Plan, Item 6.14, Page 12: Please add a word "in" between stored and approved.
20. Tab 7, Attachment 6, Fire Protection and Emergency Action Plan; Spill Prevention, Control, and Countermeasure Plan, Page i: Please correct the Bureau of Emergency Response telephone number as "(561-393-5877)" instead "(1-954-958-5575)".
21. Tab 7, Attachment 6, Fire Protection and Emergency Action Plan; Spill Prevention, Control, and Countermeasure Plan, Item 2, Second Sentence, Page 14: Please delete the reference to "Siemens" and replace with "FCC Environmental, LLC".
22. Tab 7, Attachment 6, Fire Protection and Emergency Action Plan, Page 18: Facility has listed contact numbers for the police and EMTs. In addition to this, please provide contact numbers of the closest fire and police station, as well as the nearest hospital. Facility may list both and instruct their people to call but both numbers need to be there. Also need to include your outside cleanup contractors information here. Facility's primary and secondary emergency coordinators phone numbers and home mailing address must be included. Please review and revise as appropriate.
23. Tab 9, Attachment 8, Closure Plan, Second Paragraph, Second Sentence, Page 8-1: The closure plan should also include a detailed closure schedule. Please review and revise as appropriate.
24. Tab 9, Attachment 8, Closure Plan, Verification of Closure Performance Standard, First line, Page 8-2: Please delete the reference of "Fort Pierce" and insert "Pompano Beach".

25. Tab 9, Attachment 8, Closure Plan, Closure of Tank Storage, Second Sentence, Page 8-2: Please delete the word “future”, the tanks were installed in year 2008.
26. Tab 9, Attachment 8, Closure Plan, Closure of Tank Storage, Bottom of Page 8-3 and Top of Page 8-4 through second paragraph: The text here seems to contradict itself with regards TCLP testing of waste streams. All waste streams need to be tested for hazardous waste characteristics. Please revise as appropriate.
27. Tab 9, Attachment 8, Closure Plan, Closure of Tank Farm Containment, Page 8-4: Please describe the decontamination process and how a completion determination is made.
28. Tab 9, Attachment 8, Closure Plan, Closure Cost Estimate, Page 8-6: The facility shall propose vertical and horizontal soil sampling (including parameters) around all waste handling areas to determine if any contamination exists. Also propose groundwater sampling which may be contingent upon results of soil sampling. The closure cost estimate should address these items.
29. Tab 10, Attachment 9, Employee Training, Page 9-1: The employee training program does not include USDOT hazardous materials training. Used oil is commonly contaminated with gasoline, and the mixture may be flammable. FCC Environmental, LLC 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 FCC Environmental, LLC may be called upon to transport. Please modify the employee training program to include USDOT hazardous materials training.
30. Tab 10, Attachment 9, Employee Training, Page 9-1: This paragraph needs to be expanded. Also state that writer training records, including name of the employee, date and type of training, will be kept at the site.
31. Tank Inspection: Tanks 1 through 19, and Tanks 20, 21, 22 were installed in the years 1993 and 1994, respectively. The facility must provide documentation of each Tank’s last detailed inspection and certification to the Department.
32. Facility needs to submit a site map in an electronic format (pdf preferred) so that this map can be inserted into the permit.
33. Facility needs to submit a used oil tank table in an electronic format (pdf preferred) so that this table can be inserted in to the permit.

34. Solid Waste Renewal Permit Application dated August 24, 2012 and Received on August 27, 2012, Part A.16, Page 3 of 4: The application described the facility solid waste operations as bulking and solidification of oily waste and petroleum impacted soil and groundwater, with reference to the Used Oil application for further details. However, the details provided in the Used Oil application with respect to the bulking, solidification, and management of non-hazardous oily wastes were not adequate to address the items in Part B.1 a-g and Part B.9. Please review, revise and provide additional details for these items as appropriate.