

## Jones Ecosystem Management

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Ms. Kathy Winston  
FDEP Hazardous Waste Section  
400 North Congress Avenue  
West Palm Beach, FL 33401

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FL DEP  
WEST PALM BEACH

November 20, 2013

RE: Raider Environmental Services WL13-0015HW13SED

Dear Ms. Winston:

Thank you for the time you and the other FDEP representatives spent reviewing the subject Warning Letter and related inspection results. Raider offers the following response to the issues cited in the Warning Letter:

1. Fire Extinguisher inspections: Raider has over 45 fire extinguishers on site (including vehicles and facility). Identifying 2 out-of-date extinguishers out of 45 appears to Raider management to be somewhat arbitrary. Raider uses a vendor to inspect and replenish the extinguishers on at least an annual basis (or as needed if extinguishers have been discharged).
2. Contingency Plan deficiencies: Raider had in place a Contingency Plan approved by the Department. The primary information required for a timely, adequate response to any incident at the facility was correct and in place. Moreover, Raider is a primary responder, and has adequate equipment (vacuum trucks, absorbent booms, box vans, trailers, etc.) to respond to spills at the site 24 hours per day, 7 days per week.
3. Waste Analysis Plan: Raider has a Waste Analysis Plan that was on site and being followed. The Raider representative accompanying the FDEP inspector should have been able to provide the plan.
4. Training records for Mr. Joey Betancourt: Similar to item 3, the Raider representative should have been able to produce the training records for Mr. Betancourt. Subsequent submission of the training records supports the fact that Mr. Betancourt has received adequate training.

Storage Tank capacity: The original permit application included 24,000 gallons of used oil storage capacity. The tanks designated as Used Oil Storage in the application were shown as T-13 and T-14. In the course of obtaining permits from Miami-Dade County, tank designations and usages were modified.. Permit number 284932-HO-001, issued in October, 2008, included tanks T-8 and T-9 as the used oil storage tanks, with a capacity of 24,000 gallons.

The Raider representative mistakenly stated that used oil was being stored in tanks T-5, T-6, T-7, and T-16. Tanks T-5 and T-6 contained water that was being processed. Tank 7 contained oil that was being processed for water removal. (Note that Tanks T-7, and T-16 are Used Oil Process tanks, not storage). Mr. Obst pointed out that since the Opa Locka facility only processed approximately 1,500,000 gallons of oil in 2012 (less than 6,000 gallons per operating day), it is not feasible for Raider to store large amounts of oil. Frequently, oil is processed and transferred from T-7, with no effective storage of material. Accordingly, Raider did not violate its permit conditions. The amount of oil stored did not exceed 24,000 gallons.

Raider made a business decision, based on water and used oil markets, to increase the volume of used oil processed at the Opa-Locka facility. Consequently, Raider submitted to the Department a Major Permit Modification, increasing the storage capacity of the facility. The Major Permit Modification, along with subsequent changes to the storage capacity, financial assurance, and closure cost estimates, was approved by the Department.

5. Financial Assurance: Based on the explanation contained in item 5, Raider did not exceed its permitted storage capacity. Therefore, the financial assurance mechanism in place at the time of the Department inspection was adequate.
6. Oily water in secondary containment area: While spills from hose connectors sometimes occur as a part of operating a facility, the spills noted were cleaned by the end of the operating day. This is standard procedure at the facility. Mr. Obst suggests that had a follow-up inspection been conducted the morning after the Department visit, it would have confirmed that the liquids were removed.
7. Incorrect labels on drums and five-gallon buckets: While Raider attempts to confirm the contents of drums from customers, there can be infrequent errors in identification. The five gallon buckets of oil observed were removed from the lab bench area. Facility operators have been advised of the
8. Phone number of hospital in Contingency Plan: The phone number of the Hialeah Hospital (305-693-6100) was included in the version of the Contingency Plan that was available at the time of the Department visit. The Raider representative who accompanied the FDEP inspector must have not provided the correct version of the Plan to the FDEP inspector. Since the Warning Letter was issued a year after the inspection, it is difficult for Raider management to re-create the document trail.

Raider management prides itself on the operation and the cleanliness of the Opa-Locka facility. In this respect, Mr. Obst appreciates the comments and opinion of Ms. Kathy Winston, who acknowledged the overall cleanliness of the Raider plant. It should also be noted that since the inspection, Raider has been issued a Major Permit modification and has completed submission of its Used Oil Processor renewal application. The facility is in compliance with all applicable regulations and has made significant capital investments in the operation. The Raider facility processes oil that otherwise might be discharged improperly to the environment.

Raider respectfully requests that the Department consider the responses provided in the meeting of November 12, as well as the information contained in this letter, and conclude the inspection with a finding of Compliance Without Enforcement.

Thank you for your consideration in resolving these issues.

Sincerely,



John M. Jones, P.E.

cc: Steve Obst