

Craciun, Cynthia

From: Craciun, Cynthia
Sent: Monday, September 22, 2014 4:37 PM
To: 'ekinley@uestampa.com'
Cc: 'Javier@epchc.org'; McGinnis, Sean; Knauss, Elizabeth; SWD_Clerical (Shared Mailbox)
Subject: CAO-letter+ Insp. Rpt-Universal Environmental Solutions-Facility ID No. FLR000199802 Hillsborough County
Attachments: Universal Environmental Solutions-CAO ltr+Insp. RptBinder1.pdf; C.A.P. Brochure.pdf
Categories: Orange Category

Sent on behalf of Sean McGinnis.

Dear Mr. Kinley,

Attached please find the above subject letter and report. In an effort to reduce costs and waste, our agency is moving to electronic rather than paper correspondence. This is the only copy that you will receive, unless you request otherwise.

Acrobat Reader 6.0 or greater is required to read this document. It is available for downloading at: <http://www.adobe.com/products/acrobat/readstep.html>.

If you have any questions concerning the contents of the attached document, please contact the FDEP Environmental Manager, Sean McGinnis at (813) 470-5866 or via email Sean.McGinnis@dep.state.fl.us.

Sincerely
Ms.Cynthia Craciun
Department of Environmental Protection
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

September 22, 2014

Mr. Ed Kinley, President
Universal Environmental Solutions, LLC
P.O. Box 76105
Tampa, FL 33675
ekinley@uestampa.com

Re: Compliance Assistance Offer
Universal Environmental Solutions, LLC
Facility ID No. FLR000199802
Hillsborough County

Dear Mr. Kinley,

A hazardous waste and used oil program inspection was conducted at your facility on August 12, 2014, under the authority of Section 403.061, Florida Statutes (F.S.). During this inspection, possible violations of Chapter 403, F.S., Chapter 62-621, Florida Administrative Code (F.A.C.), and Chapter 62-710, F.A.C. were observed. The purpose of this letter is to offer you compliance assistance as a means of resolving these matters.

Please see the attached inspection report for a full account of Department observations and be advised this Compliance Assistance Offer is part of an agency investigation preliminary to agency action in accordance with Section 120.57(5), F.S. We request you review the items of concern noted in the attached inspection report and respond in writing within **15 days** of receipt of this Compliance Assistance Offer. Your written response should either:

1. Describe what you have done to resolve the issue (see "Recommendations for Corrective Action" section of the report),
2. Provide information that either mitigates the concerns or demonstrates them to be invalid, or
3. Arrange for one of our inspectors to visit your facility to offer suggested actions to return to compliance without enforcement.

It is the Department's desire that you are able to document compliance or corrective actions concerning the possible violations identified in the attached inspection report so that this matter can be closed without enforcement. Your failure to respond promptly in writing (or by e-mail) may result in the initiation of formal enforcement proceedings.

Universal Environmental Solutions, LLC
Facility ID No.:FLR000199802
Compliance Assistance Offer
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Please address your response and any questions to Sean McGinnis of the Southwest District Office at (813) 470-5866, or via e-mail at sean.mcginnis@dep.state.fl.us. We look forward to your cooperation with this matter.

Sincerely,



Kelly L. Bishop, PG
Assistant Director
Southwest District
Florida Department of Environmental Protection

KLB/sm/ek

Enclosures: Inspection Report

cc: Gerry Javier, HEPC (javier@epchc.org)



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

FACILITY INFORMATION:

Facility Name: Universal Environmental Solutions LLC

On-Site Inspection Start Date: 08/12/2014

On-Site Inspection End Date: 08/12/2014

ME ID#: 108745

EPA ID#: FLR000199802

Facility Street Address: 1650 Hemlock St, Tampa, Florida 33605-6602

Contact Mailing Address: 1650 Hemlock St, Tampa, Florida 33605

County Name: Hillsborough

Contact Phone: (813) 241-9206

NOTIFIED AS:

Non-Handler

Transporter

INSPECTION TYPE:

Routine Inspection for Transporter facility

Routine Inspection for Used Oil Transfer Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Elizabeth Knauss, Environmental Consultant

Other Participants: Ed Kinley, President; Brad Salzgerber, Plant Operator

LATITUDE / LONGITUDE: Lat 27° 56' 17.0326" / Long 82° 26' 28.1097"

SIC CODE: 4212 - Trans. & utilities - local trucking, without storage

TYPE OF OWNERSHIP: Private

Introduction:

Universal Environmental Solutions has notified as a registered hazardous waste and used oil transporter and used oil transfer facility. To date, the company has not transported any hazardous waste. The original notification did not include petroleum contact water management activities, although the facility's main business is pre-treating bilge water, oily waste water and fuel contaminated water from shipyard and port terminal facilities. The facility also accepts landfill leachate, fertilizer contaminated waste water and other non-hazardous industrial waste waters for pretreatment prior to discharge to the City of Tampa's Howard F. Curren domestic waste water treatment facility. The plant is located on property leased from Hendry Corporation's shipyard. This was the Department's first inspection of the facility. Ed Kinley, the company president and Brad Salzgerber, the plant operator explained operations during the inspection.

Process Description:

Universal's Subcategory D centralized waste treatment ("CWT") permit from the City of Tampa, issued March 4, 2014, allows the company to accept metal bearing, oily and organic category waste waters for treatment. The company has a waste profile process, but individual profiles are not required for all waste streams. At this time, Universal is accepting waste from one other transporter. Otherwise, trucked waste is transported by Universal vehicles. These wastes are usually generated by Universal's tank and barge cleaning activities, and can be categorized by product and process knowledge. The facility also had a number of Chlor-d-Tect kits on site for screening incoming oil. Test results are noted on the shipping papers. However, the kits had recently passed their expiration date. Mr. Kinley stated that new kits would be purchased.

Universal also receives waste through a six inch underground pipeline from the Hendry docks. The underground portion of the pipeline is provided with secondary containment, and a flange connects to two, three inch lines leading to the treatment plant. The three inch above ground lines are not

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provided with secondary containment for about five feet between the pipeline and the concrete containment structure around the treatment system. The pumps associated with loading area are provided with containment.

The treatment plant includes an outdoor concrete secondary containment structure surrounding treatment and storage tanks where settling and oil/water separation takes place. Waste water from the outdoor treatment tanks is pumped for further treatment into additional tanks located within an adjacent metal building. Waste water inside the building is treated by gravimetric separation, pH adjustment, flocculation and dissolved air flotation. Recovered organics are managed as used oil. Waste water is discharged through pipes to the sanitary sewer. It should be noted that the plant's schematic flow diagram indicates that the existing eight inch sewer line receiving the waste water is a terra cotta pipe. Additional details on the treatment process may be found in the facility's submittals to the City of Tampa's pretreatment program and on the company's web site.

Sediments from the treatment process are being accumulated in a roll off container located on the west side of the building, and will be tested for the toxicity characteristic prior to disposal. To date, Universal has only disposed of Number 6 oil bottoms from a ship cleaning operation as waste. This material had not been processed through the treatment plant, but was accumulated separately. It was shipped to an off site facility for solidification and disposal to a landfill. The company believes that solids will need to be removed from the outside treatment tanks on an annual basis.

The treatment building is also used for container storage. At the time of this inspection, a number of IBC containers and drums of material were being stored, and none were labeled as "used oil." Mr. Kinley explained that the company also stores oil such as hydraulic oil while ships are being repaired. These oils are returned to the ship when repairs are complete. While being stored, each container is labeled with the type of fluid and the ship or customer name. A number of labels also had the words "Non Regulated Waste." This labeling should not be used for materials that are not wastes.

The outdoor tanks include three, 69,300 gallon capacity compartmented tanks used for settling solids and for oil/water separation. The three tanks are operated in parallel, and all connect to a fourth tank located perpendicular that provides for additional settling before water is pumped into the building for additional treatment. The outdoor containment area also includes three blue 5,000 gallon steel tanks, one labeled for gasoline storage and two labeled for diesel. The gasoline and diesel tanks are dedicated to holding fuel removed from ships and port terminal facilities. This off specification fuel is not returned to the ship or terminal. Instead it is marketed as fuel for further processing. The shipping papers for the material indicate it is shipped as either gasoline, diesel or "transmix" to a processor that will market the fuel. A 10,000 gallon tank for storing recovered oil is also located within the outdoor containment. This tank was labeled "waste oil" rather than as "used oil," and this has been corrected. At the time of the inspection, registration forms had been submitted for the 5,000 gallon tanks, but not the 10,000 gallon tank. Final inspections had not been completed, and the facility had not yet been issued a Tanks Program facility identification number. In addition, Universal had not registered with USDOT to offer hazardous materials for transport. This was corrected after the inspection.

At the time of this inspection, the facility was holding partially treated oil in several frac tanks located outside the containment structure. Mr. Kinley said that the material was emulsified shale oil that the facility was processing to try to separate additional water. The frac tanks were not labeled with the words "used oil" and had been stored on site for more than 35 days. In addition, the tanks were not provided with secondary containment. Universal intended to ship the oil to Raider Environmental Services for additional processing as off specification oil. Universal does not market used oil fuel. Universal was in compliance with acceptance and delivery record keeping requirements. The facility had submitted its annual report on time, and maintained the required certificate of insurance.

The Hendry Corporation NPDES Multi Sector Generic Storm Water permit as a shipyard does not cover Universal's activities as a waste recycling and treatment facility. If Hendry is not willing to amend its coverage, Universal must seek separate coverage under a separate permit.

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

Type: Violation

Rule: 62-710.401(6)

Explanation: Used oil was being stored in frac tanks that were not labeled or provided with secondary containment. Used oil was also being stored in a 10,000 gallon tank that was labeled "waste oil" instead of "used oil." The label on this tank was corrected after the inspection.

Corrective Action: Used oil tanks and containers must be labeled "used oil" and must be provided with secondary containment when stored for more than 24 hours at a transfer facility.

Type: Violation

Rule: 62-710.800

Explanation: Universal Environmental Solutions is engaged in used oil processing and petroleum contact water management and does not have a permit from the Department for these activities. Universal has also stored used oil more than 35 days without complying with processor standards under 40 CFR 279 Subpart F standards.

Corrective Action: Universal must submit an application for a used oil processing permit to the Department.

Type: Violation

Rule: 62-621.100

Explanation: Universal had not applied for coverage under a NPDES Multi-Sector Generic Storm Water permit ("MSGP") for its industrial activities.

Corrective Action: Universal must submit its notice of intent to use the MSGP and develop a Storm Water Pollution Prevention Plan appropriate to the facility's used oil and waste water pretreatment activities.

Conclusion:

Based on the nature of the activities conducted by Universal Environmental Solutions, the company is operating as a used oil processor and petroleum contact water recovery facility. The facility must apply for appropriate permits from the Department for its activities.

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Signed:

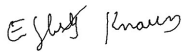
A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection 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.

Elizabeth Knauss

PRINCIPAL INSPECTOR NAME

Environmental Consultant

PRINCIPAL INSPECTOR TITLE**PRINCIPAL INSPECTOR SIGNATURE**

FDEP - SWD

ORGANIZATION

8/13/2014

DATE**Supervisor:** Sean McGinnis

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.