

Thursby, Kim

From: josef@us-lubes.com
Sent: Wednesday, February 04, 2015 10:11 AM
To: Epost HWRS (Shared Mailbox)
Subject: U.S. Lubricants LLC

This e-mail, Is to Confirm That we Received the Documents, For Additional Information.
Thank You, Jose Fernandez U.S. Lubricants LLC

Thursby, Kim

From: Epost HWRS
Sent: Wednesday, January 28, 2015 10:41 AM
To: 'JoseF@us-lubes.com'
Cc: Bahr, Tim; Baker, Bryan; Blandin, Norva; Winston, Kathy; Ross, Brynna; 'susan.eldredge@dep.state.fl.us'; Kantor, Karen E.; Millington, Gary; Kothur, Bheem; Tripp, Anthony
Subject: U. S. Lubricants, LLC-Hialeah;FLR 000 213 777;Notice of Deficiency
Attachments: 1-28-15-US Lubricants-Request for Additional Information.Receipt..pdf

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Program and Permitting 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.

Bryan Baker, P.G.
Program Administrator
Permitting & Compliance Assistance Program
Department of Environmental Protection
E-Mail Address: epost_hwrs@dep.state.fl.us



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

JONATHAN P. STEVERSON
SECRETARY

January 28, 2015

SENT VIA E-MAIL

JoseF@us-lubes.com

Mr. Jose Fernandez, Manager
U. S. Lubricants, LLC
7855 West 2nd Ct. Bay - #2
Hialeah, Florida 33012

RE: U. S. Lubricants, LLC-Hialeah Facility
EPA I.D. No. FLR 000 213 777
Used Oil Processing Facility Permit Application
Notice of Deficiency

Dear Mr. Fernandez:

The Florida Department of Environmental Protection (the Department) has reviewed your permit application dated December 08, 2014 and received on December 30, 2014 to operate a Used Oil Processing Facility in Hialeah, 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 process.

Mr. Jose Fernandez, Manager


January 28, 2015

Page Two

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit one hard copy and one electronic copy of your written response to the Tallahassee Permitting and Compliance Assistance Program, and one hard copy 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 Program and Permitting

BK/bk

Enclosure: Attachment

cc: Norva Blandin, FDEP/Southeast District, Norva.Blandin@dep.state.fl.us
Kathy Winston, FDEP/Southeast District, Kathy.winston@dep.state.fl.us
Brynna Ross, OGC/Tallahassee, Brynna.Ross@dep.state.fl.us
Susan Eldredge, FDEP/Tallahassee, susan.eldredge@dep.state.fl.us
Karen Kantor, FDEP/Southeast District, Karen.E.Kantor@dep.state.fl.us
Gary Millington, FDEP/Tallahassee, gary.millington@dep.state.fl.us

ATTACHMENT
January 28, 2015
U.S. Lubricants, LLC
Hialeah Facility, Florida
EPA I.D. No. FLR 000 213 777
Notice of Deficiency

General Comments: January 28, 2015

1. Permit Renewal Application Cover Letter dated December 08, 2014: The subject facility I.D. should be identified as "FLR 000 213 777". Please review and correct the subject cover letter as appropriate in future correspondence.
2. Used Oil Processing Facility Permit Application, Part I, Item 4, Date current operation began, Page 1 of 8: It appears that the facility identified as "30 days from January 08, 2015". Please make a note that the facility can begin operation only upon issuing the final permit. Upon issuing the permit, please update and re-submit the 8700-12FL Form for our records (accessible at http://www.dep.state.fl.us/waste/quick_topics/forms/documents/62-730/730_1b.pdf).
3. Used Oil Processing Facility Permit Application, Part I, Item 5, Page 1 of 8: Please revise the Facility Name to "U.S. Lubricants, LLC" not "U.S. Lubricant, LLC".
4. Used Oil Processing Facility Permit Application, Part I, Item 13, Site Ownership Status, Page 2 of 8: Please update the lease expiration date upon lease agreement.
5. Used Oil Processing Permit Application, Part I, B. Site Information, Item 2. Facility size: Please review the facility size (1500 SF or 1383 SF), and revise as appropriate.
6. Application form for a Used Oil Processing Permit, Part II-Certification, Pages 5 through 8: Please revise the Facility Name to "U.S. Lubricants, LLC" not "U.S. Lubricant" throughout. Also, identify the EPA ID Number on all the Certification Pages.
7. Attachment # 1, Detailed Facility Site Plan and Processes Description: Please provide the Facility Process Flow Diagram, USGS Topographic Map (Site location map), and FEMA Flood Zone Map.

8. Attachment #1, Facility Detailed Processes Description Sheet 1 of 1, Processes Flow Map: Please provide the detailed calculations for estimating secondary containment for the Tank Storage Area. The Processes Flow Map should also identify Evacuation Routes and gathering places during an emergency situation.
9. Attachment #2, Types of Products Collected: Please identify storage of used automotive coolants on Sheet 1 of 1.
10. Attachment #2, Detailed Process Flow Description: The facility should include details of petroleum contact water (PCW) management practices, including descriptions of product receipt, water separation and shipment of reclaimed product to the ultimate user or to another recycler. Compliance is a concern regarding identification of gasoline/diesel mixtures. Please see Comment 29 in this document regarding information for compliance and training per US Department of Transportation (USDOT) regulations.
11. Attachment #3, Waste Analysis plan, and Sampling Plan, On-Specification Claim: The 40 Code of Federal Regulations (CFR) 279.11, on-Specification Criteria, Analytical Testing: Waste analysis plan is inadequate. Every batch of recycled oil generated by the processor equipment shall be tested to demonstrate that the following criteria are met: Arsenic 5 ppm maximum, Cadmium 2 ppm maximum, Chromium 10 ppm maximum, Lead 100 ppm maximum, Sulfur 0.4% maximum, Flash Point 100 degrees Fahrenheit (F) minimum, Total Halogens 1,000 ppm maximum, PCB 2 ppm maximum, and maximum Halides 4,000 ppm. The waste analysis plan does not specify frequency or the parameters that will be analyzed by the lab.

Marketing of On-Specification Oil: All on-specification certified used oil sold by U.S. Lubricants, LLC shall be analyzed by a Department of Health (DOH) Environmental Laboratory Certification Program (ELCP) certified laboratory in solid and chemical matrix for the analytical and test combinations to be performed. U.S. Lubricants, LLC shall be in receipt of the laboratory analytical results before selling the selected batch of used oil as "on-specification" oil. Also, please clarify that the Cliff Berry Inc. Environmental Services Laboratory is certified by the National Environmental Laboratory Accreditation Program (NELAP).

Also, there is no discussion of testing for water content amount. Also, the sample sent to a lab for on-specification used oil determination should be sampled for the parameters indicated in 40 CFR Part 279.11, and 279.55. Please add Sulfur, and Total Halides parameters to the analytical list. Please explain and or provide Rebuttable Presumption Analysis Flow Chart to the Application.

12. Attachment #4, Sludge And Residue Management: A hazardous waste determination will be conducted for any oily wastes or sludges generated at the facility that cannot be managed for energy recovery, and the materials will be managed in accordance with 40 CFR Part 279.10(c) and (e). Also, correct the spelling of "sludge" from "slude".
13. Attachment 5, Tracking Plan, Record Keeping And Reporting Requirements: Please correct the company name as "U. S. Lubricants, LLC" not "U. S. Lubricant, LLC" on Uniform Waste Transporters Manifest Form.
14. Attachment #6, Preparedness and Prevention Plan, Contingency Plan and SPCC Plan: Please add Hazardous Materials Clean-up Contractor and Alternate Emergency Coordinator Cell phone numbers. Also, add the Emergency Agencies address to the list.
15. Attachment #6, Waste Tracking Documents: Facility must provide a sample field documentation form that you will use for sampling and recordkeeping. Also, the facility must maintain a sample log noting the date and time of sampling, the name of the sampler, the containers or tanks sampled, analytes, the lab analysis number for cross reference, etc. This is so that every sample can be tracked to its analysis, and every analysis can be tracked to a specific sample. Please see Chapter 62-160, Florida Administrative Code (F.A.C.), for quality assurance, methodological and reporting requirements required by the Florida Department of Environmental Protection (DEP).
16. Attachment 7, Contingency Plan, SPCC Plan: Facility has listed contact numbers for the police and EMTs. In addition to this, please provide the DEP-24 hour emergency numbers (850) 413-9911, and (800) 320-0519. During normal business hours, the DEP district office may be contacted at (561) 681-6600. Facility may list both and instruct their personnel which number to call, but both numbers need to be there. Also need to include your outside cleanup contractor information here. Facility's primary and secondary emergency coordinators phone numbers and home mailing address must be included. Please review and revise as appropriate.
17. Attachment 7, Contingency Plan/SPCC Plan/ Spill Prevention Control, and Counter Measure Plan: The plan should be prepared and Certified by a Professional Engineer Registered in the State of Florida. Please refer to 40 CFR Part 112.7

18. Attachment 7, Contingency Plan/SPCC Plan: A proper Contingency Plan needs to be prepared and submitted to the Department that meets the standards in 40 CFR Part 279.52(b). These are some of the missing items: The address of the secondary emergency coordinator is not provided; there is no statement indicating that the emergency coordinators are authorized to commit funds in the event a spill they cannot handle without outside help occurs. Any spill over 25 gallons on a pervious surface should be reported to DEP within 24 hours and a written report should be submitted to DEP within 15 days, not 60 days. A copy of the updated Contingency Plan needs to be sent to all the appropriate departments and agencies upon approval this application. The receipts showing delivery of the previous Contingency Plan to the local authorities were provided; however, since the previous Contingency Plan was deficient, the facility needs to provide receipts of delivery to the local authorities of the revised compliant Contingency Plan.
19. Attachment 7, Contingency Plan and SPCC Plan: Please show the location of all emergency equipment on a map.
20. Attachment 7, Contingency Plan, SPCC Plan, Record Keeping And Reporting, State & Local Agencies: Please update the FDEP Tallahassee (normal business hours) phone number to read (850) 245-8707; the State Warning Point (24-hour spill contact) phone number to read: (800) 320-0519; and EPA Emergency Response (Atlanta) phone number to read: (404) 562-8700.
21. Attachment 7, Contingency Plan, SPCC Plan: Please provide the physical mailing addresses for all agencies.
22. Attachment 7, Contingency Plan, SPCC Plan, Emergency Contacts: Please add the Oil Spill Contractor name and their emergency contact phone numbers. Also, add local addresses for all Emergency Contacts to the list.
23. Attachment 7, Spill Prevention, Control, And Countermeasure Plan, Fire Protection And Emergency Action Plan, Statement Of Policy: The policy statement must be signed by the appropriate facility manager.
24. Attachment #8, Unit Management Description: The facility and tank inspection indicates only monthly inspections. Please also provide the documentation for daily/weekly and annually performed inspections. Also, please explain how you check for the presence of water at the lowest possible points inside the tanks and how water found in these tanks is removed and handled.

25. Attachment 9, Closure plan: The closure plan does not provide an adequate time table. The Department should be notified at least 30 days before closure begins. The plan must provide a better description of the decontamination procedure. The plan must indicate that all waste will be shipped off-site before closure begins. It also needs to indicate where samples will be taken to ensure proper decontamination of the facility. 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 estimates should address these items.
26. Attachment 9, Closure Plan- Closure Cost Estimates: Facility must provide the detailed closure cost estimates Form, accessible at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-710.htm. The cost estimate form must be certified by Engineer and Owner/Operator as appropriate.
27. Attachment #9, Closure Plan, Closure of Tank Storage: All wastes need to be tested for hazardous waste characteristics. Please revise as appropriate.
28. Attachment #9, Closure Plan, Closure Cost Estimate: 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. The cost estimates should be prepared and certified by a Professional Engineer (P.E.) registered in State of Florida.
29. Attachment #10, Personnel Training or Employee Training: This Section needs to be expanded to include the training records, including name of the employee, date, and type of training. The employee training program does not include USDOT hazardous materials training. Used Oil is commonly contaminated with gasoline, and the mixture may be flammable. U. S. Lubricants, 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 that U. S. Lubricants, LLC may be called upon to transport. Please modify the employee training program to include USDOT hazardous materials training.
30. Attachments #1 through #10: Please paginate all these attachments as appropriate.

31. Addendum #1, LYE-1000 Engine Oil Recycling System, Operation Manual, LYE-1000 Flow Chart: The flow chart is not legible. Please review and resubmit as appropriate.
32. Facility needs to submit a site map in an electronic format (pdf preferred) so that this map can be added to the permit.
33. Facility needs to submit a used oil tank table in an electronic format (pdf preferred) so that this table can be added to the permit.
34. Solid Waste Permit Application: The facility expressed their interest, through a conference call on January 16, 2015, to obtain a combined Used Oil/Solid Waste permit to operate solid waste operations such as bulking and solidification of oily waste and petroleum impacted soil and groundwater, citing reference to the used oil application for the further required 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 for that type of permit application. Therefore, DEP explained about the Solid Waste Permit Application, Short Version, 62-701.900(4), F.A.C., and the permit fee of \$2,000.00 required to process. Please review and let me know your thoughts and decisions.
35. Please provide a Table of Content to identify all the Attachments.
36. All submittals in response to this NOD shall be provided as one (1) hard copy and one (1) electronic copy in optical media format (CD/DVD) sent to:

Environmental Administrator
Hazardous Waste Program and Permitting
Florida Department of Environmental Protection
2600 Blair Stone Road, MS 4560
Tallahassee, Florida 32399-2400