



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: EQ Florida Inc

On-Site Inspection Start Date: 11/21/2014 **On-Site Inspection End Date:** 11/21/2014

ME ID#: 21659 **EPA ID#:** FLD981932494

Facility Street Address: 2002 N Orient Rd, Tampa, Florida 33619-3356

Contact Mailing Address: 7202 E 8th Ave, Tampa, Florida 33619-3380

County Name: Hillsborough **Contact Phone:** (813) 319-3423

NOTIFIED AS:

LQG (>1000 kg/month)

Transporter

Transfer Facility

TSD Facility Unit Type(s)

Used Oil

INSPECTION TYPE:

File Review Inspection for TSD Facility Unit Type(s)

INSPECTION PARTICIPANTS:

Principal Inspector: Elizabeth Knauss, Environmental Consultant

Other Participants: Stuart Stapleton, QEHS Manager; Gene Cieply, Facility Manager; Sean McGinnis, Environmental Manager; Melissa Madden, ES III

LATITUDE / LONGITUDE: Lat 27° 57' 44.8953" / Long 82° 22' 25.1455"

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

TYPE OF OWNERSHIP: Private

Introduction:

On November 20, 2014 EQ Florida representatives contacted the District Office to report an incident involving hazardous waste received from Pall Corporation's Deland facility, FLD984171306. EQ's Industrial Services Division had been contracted to clean out a containment area, profile and properly dispose of the waste generated by the process. The material was incorrectly profiled as non hazardous waste, and was received at EQ on November 11, 2014, based on a profile of waste generated at a different Pall facility, which had closed. The material was treated on site by solidification and shipped to a Subtitle D landfill, the Cedar Trail landfill in Polk County, operated by Republic Services prior to receipt of analytical results showing that the waste was characteristically hazardous. A written report on the incident was submitted November 24, 2014, and additional information was submitted after review of the initial report. In addition, John White of the Department's Central District inspected the Deland facility on December 12, 2014 to obtain additional information on the nature of the process that generated the waste. Several meetings and teleconferences have been held subsequently to discuss corrective actions. As of the date of this report, the Pall waste has been excavated from the landfill, and final disposition is pending.

Process Description:

EQ's written report and subsequent documentation show the following time line for the incident:

7/11/14 - EQ provided a quote for pressure washing a containment area, vacuuming and containerizing the waste water, and to label, manifest and ship all materials in accordance with state and federal regulations.

Inspection Date: 11/21/2014

11/3/14 - Work order 14098100 signed

11/10&11/14 - Field work conducted, and 1,800 gallons of waste water shipped to EQ Florida in a tank truck.

11/13/14 - Sample provided to a third party for a disposal quote

11/17/14 - Solidified waste shipped to Cedar Trail Landfill

11/17/14 - Results of third party's waste analysis communicated to EQ,

11/19/14 - Date of TCLP analysis report conducted on a retained sample; Voice Mail left at FDEP District

11/20/14 - Date of verbal report to FDEP

11/24/14 - Date of initial written report

11/25/15 - Date of TCLP analysis for underlying hazardous constituents - Results indicated that the material had 80 mg/l chromium, as well as the underlying hazardous constituents cadmium at 0.52 mg/l, lead at 4 mg/l, nickel at 77.3 mg/l and thallium at 4.4 mg/l.

Several teleconferences and meetings took place after receipt of the report regarding corrective actions. During initial discussions, Cedar Trail was requested to isolate the cell in which the waste was disposed pending a discussion of potential corrective actions. Initially, it was thought that the material would not be retrievable, as it was received near the beginning of the day, and covered with other waste. EQ was requested to investigate whether it was possible to locate and collect a sample of the material, in order to determine whether or not it met land disposal restriction treatment standards. If so, the disposal would have been permissible. Cedar Trails is authorized to accept industrial waste that is not characteristically toxic. EQ had not set up a separate profile for treated characteristically hazardous waste. Under 40 CFR 268.9 regulations, EQ is required to maintain on-site certifications for treated hazardous waste, but is not required to notify the Subtitle D facility receiving the treated waste.

A written work plan for removal and sampling was submitted on December 17, 2014, and was approved that day. A meeting and teleconference between EQ, Republic and the Department was held December 23, 2014 to work out final details. During that meeting, Republic stated that the material would not be acceptable for disposal, regardless of whether it met 40 CFR 268.40 treatment standards, and requested that EQ locate and remove the material. Excavation began January 5, 2015 and removal was completed on January 14, 2014. The material had been mixed with other solid waste, and therefore excess waste was excavated based on grade checks within the disposal cell. The excavated material was sampled for TCLP analysis of the underlying hazardous constituents. Analytical results and a narrative describing the excavation were submitted January 21, 2013.

Results of the analyses indicate that only six of the roll offs met land disposal restriction treatment standards. Twenty one exceeded the cadmium treatment standard. Three also exceeded lead standards. Chromium, the primary constituent of concern was not detected in any of the analyses, with a detection limit of 0.2 mg/l. None of the samples were characteristically toxic.

The Department has determined that corrective actions at the Cedar Trail landfill are complete. Final treatment and disposition of the excavated material is pending as of the date of this report. The material will be treated to meet 40 CFR 268.48 treatment standards prior to final disposal. Copies of disposal records and land disposal notices and certifications have been requested.

New Potential Violations and Areas of Concern:

Violations

Inspection Date: 11/21/2014

Type: Violation

Rule: 262.11

Explanation: EQ's Industrial Services division was contracted to perform a hazardous waste determination on behalf of Pall Corporation, and failed to comply with internal procedures for ensuring that material was properly profiled prior to receipt of hazardous waste that was misidentified as non-hazardous waste.

Corrective Action: EQ must ensure that all staff responsible for assisting customers with waste profiling review the company's waste analysis plan and the regulations regarding identification of hazardous waste in 40 CFR 261, as adopted in FAC Rule 62-730.

Type: Violation

Rule: 263.20

Explanation: EQ transported 1,800 gallons of D007 hazardous waste without a hazardous waste manifest.

Corrective Action: EQ must comply with the facility's waste analysis plan requirements for identifying hazardous waste, and must ensure that hazardous waste is shipped using appropriate shipping papers.

Type: Violation

Rule: 264.13(a)

Explanation: EQ failed to comply with the waste analysis plan requirements under this section, and under Specific Condition II A 5 of the facility's permit.

Corrective Action: EQ must ensure that hazardous waste generators and waste streams are properly identified during the waste profiling process.

Type: Violation

Rule: 268.40(a)(2)

Explanation: Land disposal of a hazardous waste that did not meet treatment standards for the underlying hazardous constituents present in the waste.

Corrective Action: Treat the excavated waste and ensure that the treated waste meets 40 CFR 268.48 treatment standards for chromium, cadmium, lead, nickel and thallium prior to land disposal. If the decharacterized waste is shipped to an off site facility for treatment, ensure that the receiving facility is notified in accordance with 40 CFR 268.7(b)(4) requirements.

Type: Violation

Rule: 268.7(b)

Explanation: Failure to test treated waste prior to shipment to a Subtitle D landfill to determine whether the waste met land disposal restriction treatment standards for D007 wastes.

Corrective Action: EQ has recovered the landfilled waste and analyzed the material. Twenty one of twenty seven roll off containers did not meet land disposal restriction treatment standards for the underlying hazardous constituents cadmium and three also

Inspection Date: 11/21/2014

exceeded the treatment standard for lead.

Type: Violation
Rule: 403.727(1)(c)
Explanation: Failure to comply with Part II Subpart E of the facility's operating permit. Hazardous waste was managed within the facility's solid waste solidification unit, rather than within the hazardous waste stabilization tank. The facility was not in compliance with its permit from November 11, 2014 until November 17, 2014.
Corrective Action: EQ Florida is authorized to solidify solid waste within the facility's solid waste stabilization pad. Hazardous waste may not be managed within this unit. Treatment to chemically stabilize waste is only authorized within the facility's hazardous waste treatment unit. EQ must ensure that these units are managed in accordance with the permit in the future.

Type: Violation
Rule: 264.16(a)
Explanation: EQ Industrial Services staff improperly used an approved waste profile for one Pall Corporation facility to characterize waste from a different Pall facility as non hazardous. EQ field staff did not review the shipping paper to identify that the pre-printed paper included an incorrect facility location address. Staff training was not adequate to prevent this incident.
Corrective Action: EQ must provide remedial training for Industrial Services staff responsible for bidding jobs and providing disposal quotes. EQ must also provide remedial training for drivers and field staff responsible for obtaining signatures on pre-printed shipping papers.

Conclusion:

EQ Florida has self reported this incident and is taking appropriate corrective action.

Inspection Date: 11/21/2014

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

Elizabeth Knauss

PRINCIPAL INSPECTOR SIGNATURE

FDEP - SWD _____

ORGANIZATION

1/27/2015 _____

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.