

## Knauss, Elizabeth

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**From:** Barry Olsen [barryolsen@freeholdcartage.com]  
**Sent:** Wednesday, May 18, 2011 5:07 PM  
**To:** Knauss, Elizabeth  
**Cc:** Dregne, James  
**Subject:** RE: Freehold Cartage 10 Day Facility

The second load shipped Monday and delivered to Calvert City, KY yesterday. Thanks for your help with this. Let me know if you need anything.

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**From:** Knauss, Elizabeth [mailto:Elizabeth.Knauss@dep.state.fl.us]  
**Sent:** Tuesday, May 10, 2011 1:21 PM  
**To:** Barry Olsen  
**Cc:** Dregne, James  
**Subject:** RE: Freehold Cartage 10 Day Facility

Thanks for the update.

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**From:** Barry Olsen [mailto:barryolsen@freeholdcartage.com]  
**Sent:** Tuesday, May 10, 2011 1:13 PM  
**To:** Knauss, Elizabeth  
**Cc:** Michael Hirst; Dregne, James  
**Subject:** RE: Freehold Cartage 10 Day Facility

Hi Beth,

The Millington, Tenn. Load shipped yesterday. Calvert City, KY has given us a delivery slot for next Tuesday, therefore, we expect to ship either Sunday or Monday. I'll confirm this with you when the load is out. Thanks.

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**From:** Knauss, Elizabeth [mailto:Elizabeth.Knauss@dep.state.fl.us]  
**Sent:** Tuesday, May 03, 2011 10:48 AM  
**To:** Barry Olsen  
**Cc:** Michael Hirst; Dregne, James  
**Subject:** RE: Freehold Cartage 10 Day Facility

Thanks for the notification. Please let us know when you are able to ship.

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Herschel T. Vinyard Jr. is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

**From:** Barry Olsen [mailto:barryolsen@freeholdcartage.com]  
**Sent:** Tuesday, May 03, 2011 10:22 AM  
**To:** Knauss, Elizabeth  
**Cc:** Michael Hirst  
**Subject:** Freehold Cartage 10 Day Facility

Hi Beth,

We have 2 van loads at our Bartow facility that will exceed 10 days today. We cannot deliver before next week due to the TSDFs not accepting material right now due to flooding: PCI, Millington, Tennessee and American Env, Calvert City, Kentucky. Both are van loads from various generators with multiple hazard classes on both trailers. Both are on our containment pad and are monitored throughout the day.

We expect to be able to get them scheduled for delivery next week at either an alternate facility, or the current designated facility. I will notify you as soon as the loads have been shipped from our facility.

I think it will be safer for us to keep the loads at our facility where we can control and monitor them, rather than to transport back to the various generators throughout the state.

Let me know if you have any questions or thoughts. Thanks.

*W. Barry Olsen*

W. Barry Olsen  
Safety & Compliance Manager  
Freehold Cartage, Inc.  
(732) 462-1001, ext. 7201

## Camp, Shannon D.

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**From:** Michael Hirst [mhirst@freeholdcartage.com]  
**Sent:** Thursday, October 21, 2010 8:57 AM  
**To:** Camp, Shannon D.  
**Subject:** solamatrix 92 dms versus 88 dms  
**Attachments:** SKMBT\_C55010093012240.pdf

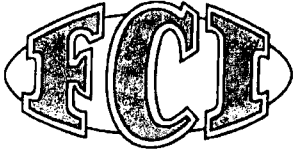
Shannon

Attached is letter barry put together for solamatrix for the 92 shipment that only 88 delivered to NJ.

If you have any additional questions please call barry olsen at 732-462-1001 ext 7201, or myself

863 533 4599 x 106.

Thanks mikh



825 HIGHWAY 33 EAST • P.O. BOX 5010 • FREEHOLD, NJ 07728-5010 • 732-462-1001 • FAX 732-409-7243

September 30, 2010

Solamatrix  
Attn: Mr. Don Sherman  
2630 Fairfield Ave., South  
St. Petersburg, FL 33712

RE: Uniform Hazardous Waste Manifest Number 005745471JJK  
Missing 4 Drums of Waste

Dear Mr. Sherman,

Referencing the above noted Manifest, Freehold Cartage, Inc. offers the following information:

On 08/26/10, Solamatrix personnel loaded our 53' trailer with drums of waste consigned to Veolia ES Technical Solutions, Middlesex, N.J. When loading was complete, our driver accepted the shipment and signed the manifest that indicated 92 drums were being shipped. The driver did not count the drums to verify the piece count.

The load was then transported to our Bartow, FL terminal where it was trans-loaded from the 53' trailer onto a 48' trailer. The FCI employee who transferred the load also did not verify the piece count. The reason for transferring the load onto a 48' trailer is due to severe space restrictions at the Middlesex, New Jersey facility. It is nearly impossible to maneuver a 53' trailer within the property.

The load was delivered to Veolia ES on 09/07/10. At that time, a piece count discrepancy was identified by Veolia ES personnel: instead of 92 drums that were listed on the manifest, only 88 drums were received.

Freehold Cartage, Inc. has exhausted all means of attempting to locate these 4 drums, to no avail. We have searched our Bartow facility where the load was transferred, multiple times. We have spoken with every facility that our trucks have delivered to during this time and have not located any drums.

At this time, it appears that a piece count error was made, either at the loading end or the unloading end. However, this cannot be stated positively due to our personnel's failure to verify the count at the time of acceptance, nor at the time of transfer.

**FREEHOLD CARTAGE INC.**

I apologize for this incident and the inconvenience and concern it has caused. Please be assured this is not the normal course of business for Freehold Cartage, Inc. We take great pride in the level of service we provide to our customers as well as the level of confidence we normally instill. Unfortunately, in this case, we did not live up to either your expectations, or mine. Please also be assured that we have taken steps to ensure this type of incident is not repeated.

If you should have any questions or require any additional information, please contact me at (732) 462-1001, ext. 7201.

Sincerely,  
Freehold Cartage, Inc.

A handwritten signature in black ink, appearing to read 'W. Barry Olsen', with a long horizontal flourish extending to the right.

W. Barry Olsen, CDS  
Director of Safety & Compliance

Cc: Michael Hirst, FCI, Bartow  
Anthony Mancini, FCI, Sumter



Florida Department of  
Environmental Protection  
Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Mimi Drew  
Secretary

September 21, 2010

W. Barry Olsen  
Director of Safety & Compliance  
Freehold Cartage, Inc.  
PO Box 5010  
Freehold, NJ 07728-2010

Re: FLD 984 187 831  
Polk County

Dear Mr. Olsen:

Please thank Mr. Hirst for his assistance and cooperation during the Department of Environmental Protection's August 4, 2010 Hazardous Waste Compliance Evaluation Inspection.

Enclosed is the inspection report generated from this visit. Based upon the information gathered during the inspection, Freehold Cartage, Inc. was found to be in violation of hazardous waste regulations governing Hazardous Waste Transfer Facilities. The violations are set forth in the "Summary of Violations" section of the inspection report.

Subsequent review of documentation provided by you and Mr. Hirst indicates that all the violations cited in the "Summary of Violations" have been corrected. Having returned to compliance, no enforcement action will be taken.

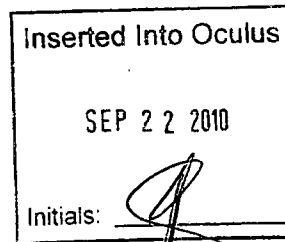
Your continued cooperation is appreciated. If you have any questions, please feel free to call me at (813) 632-7600, extension 473.

Sincerely,

Shannon Camp  
Environmental Specialist II  
Division of Waste Management  
Southwest District

Enclosures

cc. Andrea Stermer, Polk Co. (electronic)





Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report

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**FACILITY INFORMATION:**

**Facility Name:** Freehold Cartage Inc

**On-Site Inspection Start Date:** 08/04/2010

**On-Site Inspection End Date:** 08/04/2010

**ME ID#:** 16638

**EPA ID#:** FLD984187831

**Facility Street Address:** 175 Bartow Municipal Arprt, Bartow, Florida 33830-9576

**Contact Mailing Address:** 175 Bartow Municipal Airport, Bartow, Florida 33830

**County Name:** Polk

**Contact Phone:** (863) 533-4599

**NOTIFIED AS:**

SQG (100-1000 kg/month)

Transporter

Transfer Facility

Used Oil

**INSPECTION TYPE:**

Routine Inspection for Transporter facility

Routine Inspection for Transfer Facility

Routine Inspection for Used Oil Transporter facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Shannon D. Camp, Inspector

**Other Participants:** Michael Hirst

**LATITUDE / LONGITUDE:** Lat 27° 57' 15.1615" / Long 81° 46' 37.6731"

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

**TYPE OF OWNERSHIP:** Municipal

**Introduction:**

Freehold Cartage, Inc. (FCI) was inspected on August 4, 2010 to determine the facility's compliance with state and federal hazardous waste regulations. Mr. Hirst accompanied the inspector throughout the inspection. The Department last inspected this facility in September 2008.

**Process Description:**

FCI is a registered Hazardous Waste, Used Oil, Used Oil Filter and Universal Waste Transporter and Transfer Facility. Operations have not changed since the previous inspection. The facility does not often transport used oil. FCI screens all drums of used oil with Dexsil Clor-Detect kits. Hazardous waste containers are stored up to 10 days within two storage trailers that are not utilized for transport that are located at the loading dock. The facility's emergency equipment, Contingency Plan, training records, transfer log, closure plan and manifests were reviewed during the inspection.

Inspection Date: 08/04/2010

**Hazardous waste storage trailer:****New Potential Violations and Areas of Concern:****Transporters Checklist**

Type: Violation

Rule: 265.35

Question Number: 1.520

Question: Is there sufficient aisle space to allow unobstructed movement of personnel and equipment? (e.g., adequate aisle space in between barrels to check for leakage, corrosion and proper labeling, etc.)

Explanation: At the time of the inspection, the facility did not have adequate aisle spacing between the hazardous waste containers located within both of the storage trailers. (Corrected)

Corrective Action: Subsequent to the inspection, the facility provided adequate aisle spacing for the hazardous waste containers located within the two storage trailers.

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

Type: Area Of Concern

Rule: 265.52(f)

Question Number: 1.620

Question: Does the plan include:

Explanation: During the inspection, Mr. Hirst stated that the facility would contact American Compliance Technologies in the event that a cleanup is needed. This policy is not reflected in the facility's Contingency Plan.

Corrective Action: FCI revised the facility's contingency plan to include ACT's services.

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**Used Oil Transporter**

Type: Area Of Concern

Rule: 279.44(a)

Question Number: 29.430

Question: Does the transporter determine whether used oil stored at a transfer facility has total halogen content above or below 1,000 ppm?

Explanation: One of the facility's transport trucks and the driver was inspected during the visit. The inspector inspected the driver's license and health certificate and the truck's fire extinguisher, spill equipment and halogen detection kits. The Dexsil kits on the truck had all expired in September 2008. Mr. Hirst stated that the truck was a back up truck and that the driver's everyday truck had broken down the morning of the inspection.

Corrective Action: Please ensure that transport vehicles are periodically inspected to ensure that all the equipment is current and viable.



Inspection Date: 08/04/2010

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**Checklist Independent Potential Violations and Areas of Concern**

Type: Violation

Rule: 263.20(b)

Explanation: During the inspection, one manifest was observed in which the FCI driver had failed to date the manifest prior to shipping the hazardous waste to the facility. (Corrected)

Corrective Action: Mr. Hirst corrected this during the inspection. The hazardous waste was still located at the facility at the time of the inspection.

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

Rule Number	Area	Date Cited	Explanation
Transporters Checklist 265.35	Hazardous waste storage trailer	08/04/2010	At the time of the inspection, the facility did not have adequate aisle spacing between the hazardous waste containers located within both of the storage trailers. (Corrected)
Checklist Independent Violations 263.20(b)		08/04/2010	During the inspection, one manifest was observed in which the FCI driver had failed to date the manifest prior to shipping the hazardous waste to the facility. (Corrected)

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Transporters Checklist 265.52(f)		08/04/2010	During the inspection, Mr. Hirst stated that the facility would contact American Compliance Technologies in the event that a cleanup is needed. This policy is not reflected in the facility's Contingency Plan.
Used Oil Transporter 279.44(a)		08/04/2010	One of the facility's transport trucks and the driver was inspected during the visit. The inspector inspected the driver's license and health certificate and the truck's fire extinguisher, spill equipment and halogen detection kits. The Dexsil kits on the truck had all expired in September 2008. Mr. Hirst stated that the truck was a back up truck and that the driver's everyday truck had broken down the morning of the inspection.

Inspection Date: 08/04/2010

**Conclusion:**

At the time of the inspection, Freehold Cartage, Inc. was not in compliance with state and federal hazardous waste regulations governing Hazardous Waste Transfer Facilities. Subsequent to the inspection, the facility returned to compliance.

Inspection Date: 08/04/2010

**Signed:**

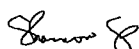
A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection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

Shannon D. Camp

**PRINCIPAL INSPECTOR NAME**

Inspector

**PRINCIPAL INSPECTOR TITLE****PRINCIPAL INSPECTOR SIGNATURE**

8/5/2010

**DATE**

Michael Hirst

**REPRESENTATIVE NAME**

NO SIGNATURE

**REPRESENTATIVE SIGNATURE**

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.

## Stewart, Patricia

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**From:** Stewart, Patricia  
**Sent:** Tuesday, September 21, 2010 1:30 PM  
**To:** 'andreastermer@polk-county.net'  
**Subject:** FW: Freehold Cartage FLD 984 187 831 Inspection Letter  
**Attachments:** Freehold.pdf

Attached please find a copy of an inspection letter. This is the only copy you will receive.

NOTE: If you have any questions concerning the contents of this document, please contact the DEP Environmental Specialist II [Shannon.D.Camp@dep.state.fl.us](mailto:Shannon.D.Camp@dep.state.fl.us)



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>

Thank you,  
Patricia Stewart  
Senior Clerk  
Department of Environmental Protection  
Southwest District  
13051 N. Telecom Parkway  
Temple Terrace, Florida 33637  
813-632-7600, X 356  
FAX: 813-632-7664  
[Patricia.Stewart@dep.state.fl.us](mailto:Patricia.Stewart@dep.state.fl.us)


Memorandum

Environmental Protection

SOUTHWEST DISTRICT ENFORCEMENT COVER MEMO

TO:  James Dregne, Hazardous Waste Program Manager 

THROUGH:  Elizabeth Knauss, HW Enforcement Coordinator

FROM:  Shannon Camp, Environmental Specialist II

DATE: September 3, 2010

FILE NAME: Freehold Cartage, Inc.

COUNTY: Polk

PROGRAM: Hazardous Waste

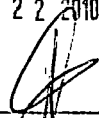
TYPE OF DOCUMENT: Draft Inspection Report, case closed letter

REQUESTED ACTION: Review

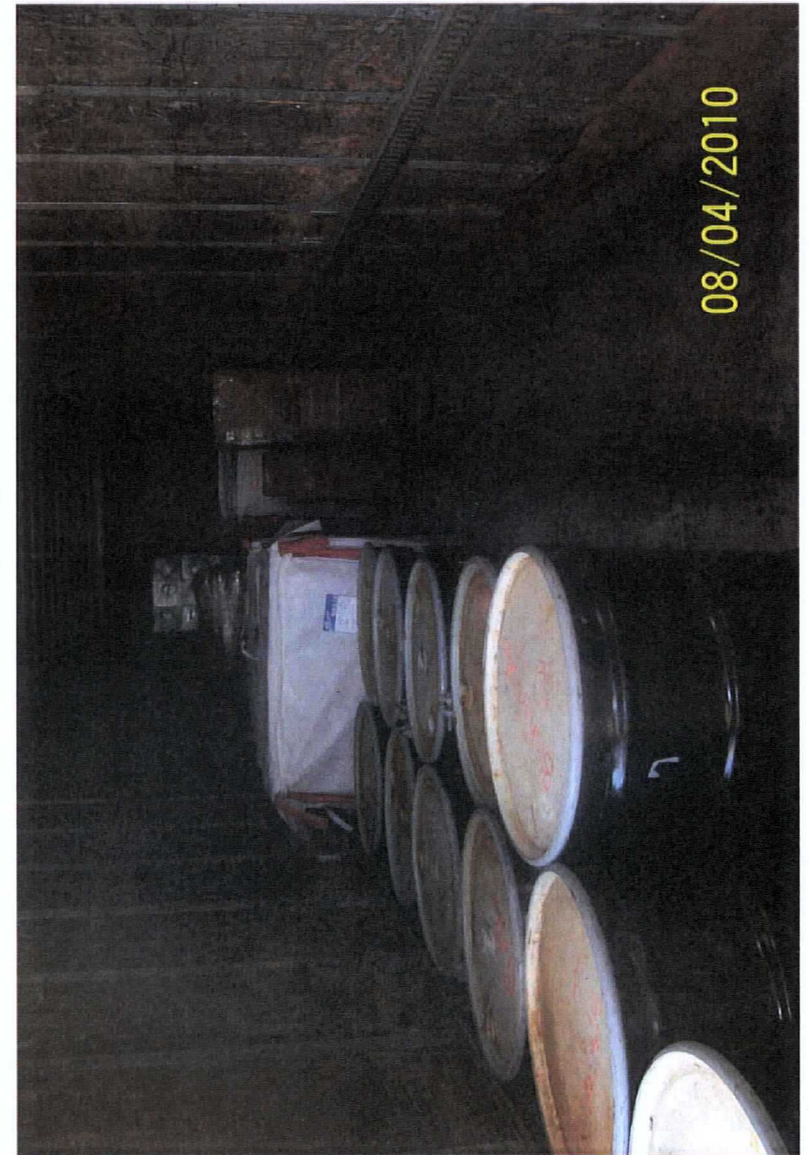
DESCRIPTION OF VIOLATIONS: insufficient aisle space within storage trailers; one manifest – driver failed to date

STATUS OF CORRECTIVE ACTIONS: complete

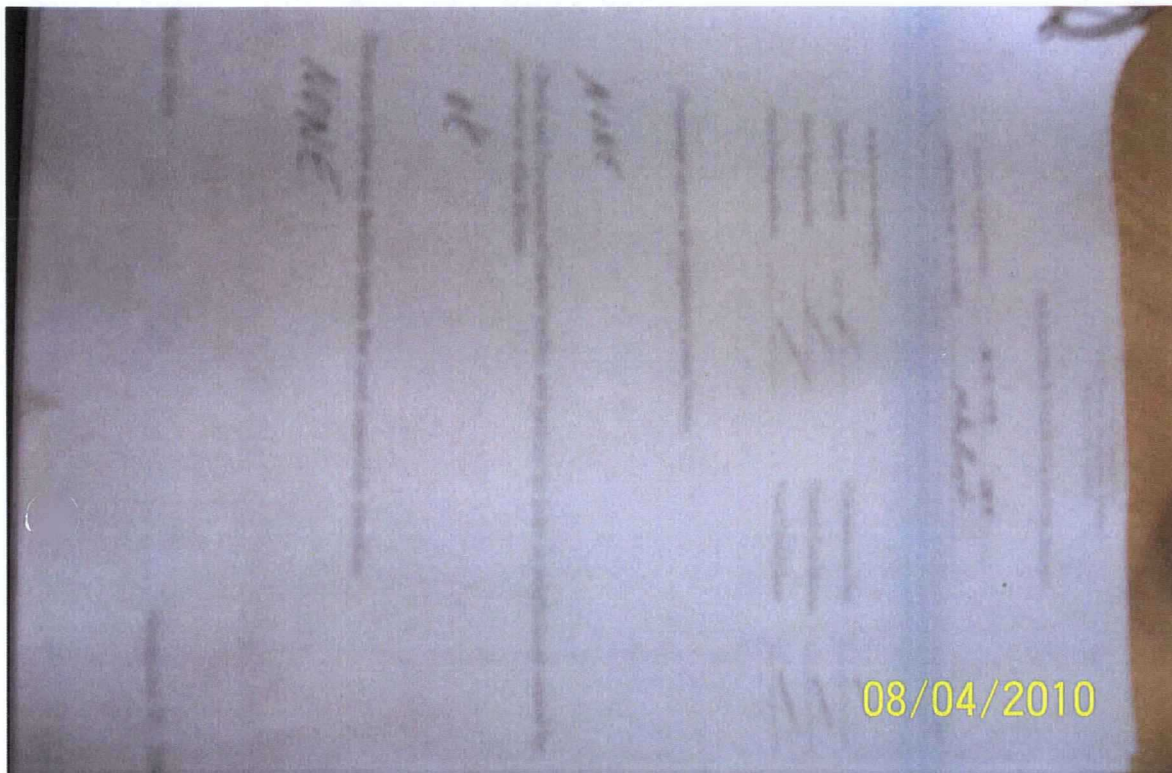
Attachments:

Inserted Into Oculus
SEP 22 2010
Initials: 

Freehold Cartage, Inc  
Bartow.







### TRANSPORTERS CHECKLIST

1. Site Name: Freehold Cartage  
Location where records are maintained: \_\_\_\_\_

#### **Transporter Requirements (40 CFR 263)**

1. Do vehicles transporting hazardous waste have the appropriate placards? (263.10)(49 CFR 172.500) Y ☒ N \_\_\_\_\_
2. Does transporter have an EPA identification number? (263.11(a)) Y ☒ N \_\_\_\_\_
3. Does the transporter use the manifest system as required by 263.20?  
Do the manifests contain at least:
- a. Name, address, and EPA ID of transporter? Y \_\_\_\_\_ N \_\_\_\_\_
- b. Name, address, and EPA ID code of generator? Y \_\_\_\_\_ N \_\_\_\_\_
- c. Name, address, identification code of designated permitted facility? Y \_\_\_\_\_ N \_\_\_\_\_
- d. Corresponding manifest document number? Y \_\_\_\_\_ N \_\_\_\_\_
- e. Description and quantity of each hazardous waste? Y \_\_\_\_\_ N \_\_\_\_\_
- f. Signature of subsequent transporters? Y \_\_\_\_\_ N \_\_\_\_\_
- g. Signatures signifying proper delivery or reasons why delivery could not be certified? Y \_\_\_\_\_ N \_\_\_\_\_
- h. EPA waste codes? Y \_\_\_\_\_ N \_\_\_\_\_
4. International shipments: (Exports - 263.20(g)) NA ☒
- a. Are records kept of the dates waste left the U.S.? Y \_\_\_\_\_ N \_\_\_\_\_
- b. Presence of one signed manifest copy in the transporter's records? Y \_\_\_\_\_ N \_\_\_\_\_
- c. Is a signed copy of the manifest returned to the generator? Y \_\_\_\_\_ N \_\_\_\_\_
- d. Is a copy of the manifest given to a U.S. Customs official at the point of departure from the United States? Y \_\_\_\_\_ N \_\_\_\_\_
5. Tolling Agreements for SQG waste: X N/A
- a. Is all waste transported by tolling agreements generated by SQGs? Y \_\_\_\_\_ N \_\_\_\_\_
- b. Is following information recorded on a shipping paper:  
Name, address, and EPA ID of waste generator Y \_\_\_\_\_ N \_\_\_\_\_  
Quantity of waste accepted Y \_\_\_\_\_ N \_\_\_\_\_  
DOT - required shipping info Y \_\_\_\_\_ N \_\_\_\_\_  
Date waste is accepted Y \_\_\_\_\_ N \_\_\_\_\_
- c. Does transporter carry this shipping paper during transport? Y \_\_\_\_\_ N \_\_\_\_\_
- d. Are records maintained for three years after termination or expiration of reclamation agreement? Y ☒ N \_\_\_\_\_
6. Are copies of the manifest retained for 3 years? (263.22) Y ☒ N \_\_\_\_\_
7. Is there evidence of discharge of hazardous waste? (263.30) Y \_\_\_\_\_ N ☒



8. Has transporter demonstrated the financial responsibility required under 62-730.170(2) Y ☒ N \_\_\_\_\_
9. Does the transporter verify financial responsibility with the Department annually (62-730.170(3))? Y ☒ N \_\_\_\_\_
10. Does the transporter mix/consolidate hazardous wastes of different DOT shipping descriptions 263.10(c)(2)? Y \_\_\_\_\_ N ☒   
If yes, complete the Generator checklist.

### Transfer Facility Requirements (62-730.171)

1. Does transporter comply with 10 day storage limit for transfer facilities? (263.12) Y ☒ N \_\_\_\_\_
- a.. Is the hazardous waste packaged according to 262.30? (263.12) Y ☒ N \_\_\_\_\_
2. Has the facility notified the department on Form 62-730.900(6) (Transfer facility notification form)? (62-730.171(3)) Y ☒ N \_\_\_\_\_
3. Does the transfer facility have an EPA/DER ID number? Y ☒ N \_\_\_\_\_
4. Is a written log maintained for all waste entering or leaving the transfer facility? (62-730.171(2)(e)) Y \_\_\_\_\_ N \_\_\_\_\_
- Does the log contain:
- |  |                 |
|--|-----------------|
| Generators' names?                           | Y _____ N _____ |
| Manifest numbers?                            | Y _____ N _____ |
| Dates when waste enters and leaves facility? | Y _____ N _____ |
5. Does facility have a written closure plan satisfying requirements of closure performance, notification, and decontamination standards of 40 CFR 265.111, 265.112(c), 265.114, 265.115? (62-730.171(2)(b)) Y ☒ N \_\_\_\_\_
- Has the facility supplied DEP with a copy of the plan? Y ☒ N \_\_\_\_\_

### General Facility Standards (265 Subpart B, adopted by reference in 62-730.171)

1,500 yds from hospital, prison, school, nursing home facility, day care facility, stadium, place of assembled worship, or any other similar site

1,000 yd from any residence

Evacuation route (egress) must not fall within 1,000 yds of site boundary

1. Security (265.14)
- (a) Is the facility security system adequate to minimize unauthorized entry? Y ☒ N \_\_\_\_\_
- (b) Are signs posted and legible for 25 feet? Y ☒ N \_\_\_\_\_
2. Inspection Requirements (265.15)
- (a) Does the facility have a copy of the Inspection Plan? Y ☒ N \_\_\_\_\_
- (b) Does the facility have completed inspection logs? Y ☒ N \_\_\_\_\_
- (c) Were the deficiencies corrected in a timely manner? Y ☒ N \_\_\_\_\_
- (d) Are the inspection logs maintained at the facility for 3 years? Y ☒ N \_\_\_\_\_

3. Personnel Training (265.16)

- (a) Do management personnel complete hazardous waste training? Y ☒ N \_\_\_\_\_  
Do laborers who handle hazardous waste complete training? Y ☒ N \_\_\_\_\_  
Is training on the job? ☒ in the classroom? ☒ both? \_\_\_\_\_
- (b) Does training include:  
Emergency response procedures? Y ☒ N \_\_\_\_\_  
Inspection procedures? Y ☒ N \_\_\_\_\_  
Operation of hazardous waste handling equipment? Y ☒ N \_\_\_\_\_
- (c) How often is training reviewed? Annual
- (d) Does the facility have personnel training records including:  
Job title and description of position? Y ☒ N \_\_\_\_\_  
→ Description of employee's training Y \_\_\_\_\_ N \_\_\_\_\_
- (e) Is training successfully completed within 6 months of hiring/  
transfer to HW position? Y \_\_\_\_\_ N \_\_\_\_\_
- (f) Are records maintained for three years at the facility? Y ☒ N \_\_\_\_\_

4. Ignitable, Reactive, or Incompatible Waste (265.17)

- (a) Is the waste separated and confined from sources of ignition or  
reaction, sparks, spontaneous ignition, and radiant heat? Y ☒ N \_\_\_\_\_
- (b) Are "No Smoking" signs posted in the area? Y ☒ N \_\_\_\_\_

Preparedness and Prevention (265 Subpart C adopted by reference in 62-730.171)

1. Is there evidence of fire, explosion or contamination of the  
environment? (265.31 Maintenance and Operation of Facility) Y \_\_\_\_\_ N ☒
- If yes, use narrative explanation.
2. Is the facility equipped with (265.32 - required equipment):
- (a) Internal communications or alarm system? Y ☒ N \_\_\_\_\_  
Is it easily accessible in case of emergency? Y ☒ N \_\_\_\_\_
- (b) Telephone or two-way radio to call emergency response personnel? Y ☒ N \_\_\_\_\_
- (c) Portable fire extinguishers, fire control equipment, spill control  
equipment and decontamination equipment? Y ☒ N \_\_\_\_\_  
Is this equipment tested to assure its proper operation? Y ☒ N \_\_\_\_\_  
How frequently? Annual
- (d) Water of adequate volume for hoses, sprinklers or water spray system? Y \_\_\_\_\_ N \_\_\_\_\_
- (1) Describe source of water. \_\_\_\_\_
- (2) Indicate flow rate and/or pressure and storage capacity, if applicable. \_\_\_\_\_
3. Is there sufficient aisle space to allow unobstructed movement of personnel and  
equipment? (e.g., adequate aisle space in between barrels to check for leakage,  
corrosion and proper labeling, etc.) (265.35 -Required Aisle Space) Y \_\_\_\_\_ N ☒

4. Has the facility made emergency response arrangements with the following: (265.37)

Fire Department: _____	Y <input checked="" type="checkbox"/>	N _____
Police: _____	Y <input checked="" type="checkbox"/>	N _____
Hospital: _____	Y <input checked="" type="checkbox"/>	N _____
Emergency Response Contractor: _____	Y <input checked="" type="checkbox"/>	N _____

If NA, explain \_\_\_\_\_

5. If not, has the facility attempted to do so and is the refusal documented? Y \_\_\_\_\_ N \_\_\_\_\_

6. Does the owner/operator have phone number of and agreements with state emergency response teams, emergency response contractors and equipment suppliers? (265.37 - Arrangements with Local Authorities) Y \_\_\_\_\_ N \_\_\_\_\_

Are they readily available to the emergency coordinator? Y \_\_\_\_\_ N \_\_\_\_\_

Contingency Plan and Emergency Procedures (265 Subpart D adopted by reference in 62-730.171)

1. Does the facility have a contingency plan? (265.51 - Purpose and Implementation of Contingency Plan) Y ☒ N \_\_\_\_\_

2. Is it maintained at the facility? (265.53 - Copies of Contingency Plan) Y ☒ N \_\_\_\_\_

3. Is the contingency plan a revised SPCC Plan (265.52 - Content of Contingency Plan) Y \_\_\_\_\_ N \_\_\_\_\_

(a) Does the plan include:

(1) Action personnel will take? Y ☒ N \_\_\_\_\_

(2) Evacuation routes? Y ☒ N \_\_\_\_\_

(3) Emergency Equipment? Y ☒ N \_\_\_\_\_

(4) Is the emergency equipment properly inspected and maintained? Y \_\_\_\_\_ N \_\_\_\_\_

4. Is there an emergency coordinator on site or within short driving distance of the plant at all times? (265.55 - Emergency Coordinator) Y ☒ N \_\_\_\_\_

5. Who is the emergency coordinator? Mike Dierst

6. Has the facility supplied local police and fire departments with a copy of the contingency plan? (265.53(b) - Content of Contingency Plan) Y ☒ N \_\_\_\_\_

7. Has the facility supplied DEP with a copy of the Contingency Plan? (62-730.171(2)(a)) Y ☒ N \_\_\_\_\_

Container Management (see 62-730.171(2)(a))

1. Is hazardous waste that is stored in containers or vehicles stored on a man made surface which is capable of preventing spills or releases to the ground? (62-730.171(2)(d)) Y ☒ N ☐
2. Are the containers in good condition (265.171)?  
(Check for leaks, corrosion, bulges, etc.) Yes ☒ No ☐
3. If a container is found to be leaking, does the operator transfer the hazardous waste from the leaking container? Yes ☐ No ☐
4. Is the waste compatible with the containers and/or its liner (265.172)? Yes ☒ No ☐
5. Are the containers kept closed except when adding or removing wastes (265.173(a))? Yes ☒ No ☐
6. Are containers holding hazardous waste opened, handled or stored in such a manner as to cause the container to rupture or leak (265.173(b))? If **Yes**, explain using narrative. Yes ☐ No ☒
7. Are each of the containers inspected at least weekly? (265.174)? Yes ☐ No ☐  
  
Are records kept including: (62-730.160 (6) F.A.C.)  
Date of inspection? Yes ☐ No ☐  
Time of inspection? Yes ☐ No ☐  
Legibly printed name of the inspector? Yes ☐ No ☐  
Number of Containers? Yes ☐ No ☐  
Condition of containers? Yes ☐ No ☐  
Notes of observations made? Yes ☐ No ☐  
Date and nature of any repairs or corrective actions? Yes ☐ No ☐
8. Are incompatible wastes stored in the same containers? Yes ☐ No ☒
9. Are containers holding incompatible wastes kept apart by physical barrier or sufficient distance? (n/a to wastes loaded per DOT standards) Yes ☐ No ☐
10. Is there sufficient aisle space to allow full inspection of the containers and labels of containers not loaded in vehicles? Yes ☐ No ☒

Unregulated Wastes – HHW/CESQG Waste N/A ☐

1. Does the transporter have documentation that this waste was generated by an unregulated source? Y ☐ N ☐
2. If no, is the transporter assuming responsibility as the generator of this waste? Y ☐ N ☐  
  
If yes, complete the applicable Generator or Small Quantity Generator checklist.  
  
If not, explain circumstances in narrative, including a discussion of applicable exemptions.

## USED OIL TRANSPORTER CHECKLIST

Facility Name: \_\_\_\_\_ Date: \_\_\_\_\_

Facility Representative: \_\_\_\_\_ Facility ID # \_\_\_\_\_

Inspector: \_\_\_\_\_

### 40 CFR 279 Subpart E -- Transporter Standards

1. Is the facility exempt under any of the following? [279.40(a)] Y \_\_\_\_\_ N X  
On site transport? \_\_\_\_\_  
Generator, including mobile lube operators, transporting < 55 g /time to a collection center or to an aggregation point owned by the generator or mobile lube operator? \_\_\_\_\_  
Mobile Lube Operators or generators who transport more than 55 g per time must comply with 40 CFR 279 transporter standards.
2. If the transporter also transports hazardous waste in the same trucks as are used to transport used oil, are the vehicles emptied per 261.7 after HW shipments? (If not, the used oil must be managed as hazardous) N/A X Y \_\_\_\_\_ N \_\_\_\_\_
3. Does the transporter process used oil incidental to transport? [279.41] Y \_\_\_\_\_ N X  
Are any residues managed as used oil, reclaimed, or used as asphalt manufacture feedstock? N/A X Y \_\_\_\_\_ N X  
If not, has the transporter conducted a hazardous waste determination? [279.10(e)] N/A X Y \_\_\_\_\_ N \_\_\_\_\_
4. Has the facility notified of used oil activities? Check EPA form 8700-12. Y ✓ N \_\_\_\_\_
5. Does the transporter only deliver used oil to other transporters, oil processors, off specification used oil burners with EPA ID Numbers, or to on-specification oil burners (after testing)? [279.43(a)] Y ✓ N \_\_\_\_\_
6. Does the transporter comply with DOT requirements? [279.43(b)] Y ✓ N \_\_\_\_\_
7. If any oil is discharged during transport, does the transporter: [279.43(c)]  
Notify National Response Center and State Warning Point and Coast Guard per 33 CFR 153.203, as applicable? Y ✓ N \_\_\_\_\_  
Report to DOT in writing per 49 CFR 171.16? Y \_\_\_\_\_ N \_\_\_\_\_  
Clean up any discharges until the discharge poses no threat? Y \_\_\_\_\_ N \_\_\_\_\_
8. Does the facility also transport used oil filters? Y ✓ N \_\_\_\_\_  
If so, are the filters stored in above ground containers which are: [62-710.850(6)]  
In good condition? Y \_\_\_\_\_ N \_\_\_\_\_  
Closed or otherwise protected from weather? Y \_\_\_\_\_ N \_\_\_\_\_  
Labeled "Used Oil Filters"? Y \_\_\_\_\_ N \_\_\_\_\_  
Stored on an oil impervious surface? Y \_\_\_\_\_ N \_\_\_\_\_  
Is the transporter registered for filter transport? Y \_\_\_\_\_ N \_\_\_\_\_
9. Are containers/tanks labeled "used oil"? [710.410(6) for non-transfer facilities] Y \_\_\_\_\_ N \_\_\_\_\_

Facility: \_\_\_\_\_  
Date: \_\_\_\_\_

### Transporter Recordkeeping -- 279.46

1. Do used oil acceptance records include: [279.46(a)]

Name & Address of facility providing the oil for transport?	Y_____	N_____
EPA ID # of oil provider (if the generator has one -[62-710.510(1)(b)])	Y_____	N_____
Quantity of oil shipped?	Y_____	N_____
Date of shipment?	Y_____	N_____
A record of the analysis or specific process knowledge used to ensure the oil is not hazardous waste? (Instrument screen or Dexil results should be recorded.)	Y_____	N_____
Signature of oil provider, dated upon receipt?	Y_____	N_____

2. Do used oil delivery records include: [279.46(b)]

Name & Address of receiving facility or transporter?	Y_____	N_____
EPA ID # of receiving facility or transporter?	Y_____	N_____
Quantity of oil delivered?	Y_____	N_____
Date of delivery?	Y_____	N_____
Signature of oil receiver, dated upon receipt?	Y_____	N_____

3. Do the above records also include state required information on the type of oil and destination or end use? [62-710.510(1)(c & e)]

Y\_\_\_\_\_ N\_\_\_\_\_

4. Does the facility keep records on DEP Form 62-701.900(13) or equivalent? [62-710.510(1)]

Y\_\_\_\_\_ N\_\_\_\_\_

5. Does the facility submit an annual report on DEP Form 62-701.900(14) by March 1 summarizing the on site records for the previous calendar year? [62-710.510(5)]

Y\_\_\_\_\_ N\_\_\_\_\_

If not, is the facility a generator who transport only their own used oil generated at their own non-contiguous operations to their own central collection facility for storage prior to having their used oil picked up by a certified used oil transporter? [62-710.510(3)]

Y\_\_\_\_\_ N\_\_\_\_\_

7. Does the transporter keep copies of the record and reports for three years at the street address of the facility? [62-710.510(4)]

Y\_\_\_\_\_ N\_\_\_\_\_

8. Does the transporter sell to burners or claim that any oil meets the specification? **If so, complete the USED OIL MARKETER checklist.**

Y\_\_\_\_\_ N\_\_\_\_\_

### Transporter Registration & Certification -- 62-710 F.A.C.

1. Is the transporter certified? (local governments, self transporters and < 55g/time transporters are exempt) [62-710.600]

Y\_\_\_\_\_ N\_\_\_\_\_

2. Does the facility maintain training records & annual updates? [62-710.600(2)(c+d)]

Y\_\_\_\_\_ N\_\_\_\_\_

3. Does the facility maintain insurance or financial assurance of \$1,000,000 combined single limit that does not exclude pollution liability? [62-710.600(2)(e)]

Y\_\_\_\_\_ N\_\_\_\_\_

4. Is the facility registration form and ID number displayed at the facility? [62-710.500(4)]

Y\_\_\_\_\_ N\_\_\_\_\_

Facility: \_\_\_\_\_  
Date: \_\_\_\_\_

### Rebuttable Presumption -- 279.44

1. Does the transporter determine whether used oil stored being transported or stored at a transfer facility has a total halogen content above or below 1,000 ppm? Y\_\_\_\_\_ N\_\_\_\_\_  
Is this done by testing? Y\_\_\_\_\_ N\_\_\_\_\_  
Is this done by process knowledge? Describe basis in narrative. Y\_\_\_\_\_ N\_\_\_\_\_  
Are test records or copies of records providing basis for determination kept for 3 years? [279.44(d)] Y\_\_\_\_\_ N\_\_\_\_\_  
2. Have any analyses showed exceedances of the 1,000 ppm level? Y\_\_\_\_\_ N\_\_\_\_\_  
If so, was the oil managed as hazardous waste? Y\_\_\_\_\_ N\_\_\_\_\_  
If not, was the oil exempt? Describe in narrative. N/A\_\_\_\_\_ Y\_\_\_\_\_ N\_\_\_\_\_  
3. Does the facility have a written QA plan and train personnel on their oil screening, field testing and recordkeeping procedures? [62-710.160] Y\_\_\_\_\_ N\_\_\_\_\_

### Transfer Facility Standards -- 279.45

- 1 Does the transporter store used oil at any transportation related facility (including parking lots) for more than 24 hours and not longer than 35 days during the normal course of transport? Transfer facilities storing used oil more than 35 days must comply with 279 Subpart F N/A\_\_\_\_\_ Y\_\_\_\_\_ N\_\_\_\_\_  
Is the transfer facility registered per 62-710.500(1)(a) F. A. C.? Y\_\_\_\_\_ N\_\_\_\_\_  
2. Is used oil stored only in tanks or containers? (Circle applicable units) Y\_\_\_\_\_ N\_\_\_\_\_  
3. If the facility has tanks, are they subject to 62-761 F.A.C. rules? N/A\_\_\_\_\_ Y\_\_\_\_\_ N\_\_\_\_\_  
(ASTs <550 g and USTs <110 gallons are not regulated under this rule, but see below)  
(Note number of tanks, size, registration info & compliance status in report)  
4. Are containers & tanks in good condition and not leaking? [279.45(c)] Y\_\_\_\_\_ N\_\_\_\_\_  
5. Are storage units closed if not stored under cover? [62-710.401(6)] Y\_\_\_\_\_ N\_\_\_\_\_  
and provided with secondary containment consisting of walls  
and floor at a minimum capable of containing 110% of the largest capacity unit? Y\_\_\_\_\_ N\_\_\_\_\_  
Is the containment system impervious to oil so as to prevent migration? Y\_\_\_\_\_ N\_\_\_\_\_  
6. Are ASTs and UST tank fill lines and containers labeled "used oil?" [279.45(g)] Y\_\_\_\_\_ N\_\_\_\_\_  
7. Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable? [279.45(h)] Y\_\_\_\_\_ N\_\_\_\_\_  
8. Are used oil filters stored more than 10 days? Y\_\_\_\_\_ N\_\_\_\_\_  
If so, is the facility a registered used oil filter transfer facility? [62-710.850] N/A\_\_\_\_\_ Y\_\_\_\_\_ N\_\_\_\_\_  
9. Does the facility have more than 25,000 gallons storage capacity and market oil, market oil received from other transporters or process oil to produce fuel? Y\_\_\_\_\_ N\_\_\_\_\_  
If so, the facility must comply with 62-710 used oil processor permitting requirements.

Aisle Space

? Aspired Clor-Detect - (QA rule violation?)

Cont. Plan arrangements w/ACT

1 manifest not dated by Driver.  
Corrected

Desc. of HW training





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## **HAZARDOUS MATERIALS/HAZARDOUS WASTE TRAINING POLICY**

### **BARTOW, FLORIDA TERMINAL**

It is the policy of Freehold Cartage, Inc. to ensure all personnel assigned to the Bartow, Florida terminal receive the following training:

Upon hire, (within the first 90 days of employment) and annually thereafter, all personnel, to include managers, supervisors, dispatchers, drivers and mechanics, are provided with 24 hours of initial training in compliance with OSHA requirements for First Responder, US DOT requirements for Hazmat Employees and FL DEP requirements for Used Oil and Universal Wastes.

Refresher training (8 hours) is also provided annually to each of these employees.

A copy of the training outline is available upon request.

**FREEHOLD CARTAGE INC.**

**DRIVER TRAINING CLASS, BARTOW, FLORIDA – 02/27/10**  
**Barry Olsen, Michael Hirst**

Barry Olsen

- 8:00 AM CSA 2010 discussion, Vigillo score card demonstration
- 9:30 AM DOT Hours of Service update discussion, GPS audits, electronic logs
- 10:30 AM Defensive driving/road rage, accident procedures
- 11:30 PM Recent accidents/incidents, ATA DVD
- 1:00 PM Hazmat transportation security, FCI security plan
- 1:30 PM Manifests, US & Canadian

Mike Hirst

- 2:00 PM Used Oil testing, record keeping
- 2:30 PM Universal waste, mercury spills

Barry Olsen

- 3:00 PM HM 126f, hazwoper, OSHA, written test
- 5:00 PM Review



## ***INITIAL DRIVER TRAINING PROGRAM - 24 HOURS***

### **I. Introduction**

#### **A. Background Information and Reasons Leading To Government Regulation of Hazardous Waste**

Company Developed Slide Presentation - 30 minutes

#### **B. Hazardous Materials Regulations Overview**

1. U. S. Department of Transportation
2. Federal Motor Carrier Safety Regulations
3. Canadian Transport of Dangerous Goods
4. U. S. Environmental Protection Agency
5. Environment Canada
6. U. S. Occupational Safety & Health Administration

#### **C. Hazardous Waste Regulations Overview**

1. R.C.R.A.
2. E.P.A.
3. Environmental Concerns
4. N.J.D.E.P. and Foreign States
5. Manifests and L.D.R.'s
6. State / Provincial Permitting

#### **D. Used Oil Transportation Regulations Overview**

1. Federal and State Regulations
2. Delivery Sites
3. Halogen Testing
4. Contingency Plans/Spill Response

## **II. Hazardous Materials Training (HM 126f, HM 181, HM 232)**

- A. Training Film - American Trucking Association, Washington, D.C. - "Hazardous Materials"
- B. Training Film - J.J. Keller, Neenah, WI - "HM-126F"
- C. Hazardous Materials Security Awareness
- D. FCI Security Plan In-Depth Training
- E. Recap Hazardous Materials and Waste Regulations

## **III. "Hands On" Equipment Training**

- A. Vacuum Operations (Vacuum and Pressure)
- B. Hoses, Fittings, Screens, Drum Wands
- C. Drum Operations
- D. Flammable Materials Operations, Grounding and Bonding Procedures
- E. Drum Shipments (Blocking and Bracing, Labels, Drum Condition)
- F. Rolloff And Dump Trailer Operations
- G. Spill Containment and Control Procedures
- H. Spill Equipment
- I. Personal Protective Equipment
- J. Used Oil Halogen Testing

## **IX. Question and Answer Period**

Upon completion of the Training Program, each driver is given the following material:

1. Emergency Response Guidebook (Signed Receipt Required)
2. Hazardous Materials Pocket Guide (Signed Receipt Required)
3. Federal Motor Carrier Safety Regulations (Signed Receipt Required)
4. Handling Hazardous Materials (ATA Department of Safety)
5. Hazardous Waste Manifest Template (FCI)
6. Certificate of Training
7. Photo ID Card with Certifications / Qualifications listed

**FREEHOLD CARTAGE, INC.**  
**EMERGENCY SPILL MANAGEMENT**  
**FACILITY PLAN**

**I. FACILITY IDENTIFICATION**

Type of Facility:	Truck Terminal with 10 day Storage and Transfer Facility Portion of a Waste Control Firm.
Location of Facility:	175 Bartow Municipal Airport Bartow, FL 33830 Phone: (863) 533-4599 Latitude: 27, 57', 15" Longitude: 81, 46', 40"
EPA Designation:	NJD 054 126 164 FLD 984 187 831
Owner/Operator:	Thomas J. Blanchet II President
Address of Owner/Operator:	P.O. Box 5010 Freehold, NJ 07728
Designated Person Accountable for Spills/Emergencies:	Michael Hirst 439 Archaic Drive Winter Haven, FL 33880 Cell Phone: (863) 287-1830
2nd Designated Person Accountable for Spills/Emergencies:	John Peterson 243 Eagle Lake Loop Drive East Winter Haven, FL 33880 Cell Phone (863) 287-9109

## **RECORD OF AMENDMENTS**

As set forth in 40 CFR 112.5 (b) and 264.54, this SPCC/Emergency Management Plan shall be reviewed and/or amended, if necessary, when ever:

1. Required by the Environmental Protection Agency (EPA) after review of the plan which was submitted after an incident.
2. Applicable regulations are revised.
3. The plan fails in an emergency.
4. There is a change in the design of the facility, construction, operations, or maintenance which materially affects the potential for an incident.
5. The list of Responsible Persons or Coordinators changes.
6. The list of Emergency Equipment changes.

The plan shall be reviewed at least once every 3 years and shall be amended if such review indicates more effective control and prevention technology will significantly reduce the likelihood of an incident. Future amendments to this plan shall be recorded in this section as follows:

<b>ACTION TAKEN</b>	<b>REASON</b>	<b>DATE</b>	<b>REMARKS</b>
Revised SPCC/Emergency Management	Additional Information Needed	02/13/92	
Additional Record Requirements	Change in Regulation	02/13/92	Logging Into & Off Site
Revised Pollution Control Equipment	Change in Equipment	02/13/92	
Change in Responsible Party	Retirement	04/07/94	
Changes in Responsible Party	Reorganization	01/30/95	
Add Responsible Party	Review of Plan	01/30/97	

<b>ACTION TAKEN</b>	<b>REASON</b>	<b>DATE</b>	<b>REMARKS</b>
Revised Site Plan	Addition of New Containment Pad	08/07/97	
Revised Site Plan	Addition of New Loading Dock & Canopy	11/30/98	
Change in Responsible Party	Reorganization	04/01/99	
Revision of Primary Emergency Responder	As Requested	04/01/99	
Revised Site Plan	Addition of New Office Building	11/01/99	
Revised Secondary Emergency Contact	Reorganization	03/01/00	
Revised Secondary Emergency Contact & Telephone Numbers	Reorganization	09/09/01	
Revised Emergency Telephone Numbers	As Requested	09/19/01	
Revised Site Plan	Addition to Containment Pad	01/15/02	
Revised Primary & Secondary Emergency Contacts & Telephone Numbers	Reorganization	09/18/03	
Revised Primary Contact & Telephone Number	Personnel Change	10/21/04	
Revised Responsible Party	Personnel Change	11/01/04	Requested After Review
Revised Secondary Contact Added 3 <sup>rd</sup> Contact	Personnel Change	11/05/04	



Revised 3 <sup>rd</sup> Contact	Personnel Change	10/30/07
Revised Emergency Contact List	Personnel Change	10/01/08
Revised Secondary Contact	Personnel Change	08/13/09
Revised Paragraph III (A)(2)	Additional Notification	08/06/10

### **ENVIRONMENTAL POLICY**

The purpose of this policy statement is to reaffirm the policy of our Corporation, with regard to the protection of the environment.

It is hereby, the policy of Freehold Cartage, Inc.

To take all practical measures necessary to prevent or abate air, water, and solid waste pollution resulting from its operation.

To insure that qualified personnel, with clearly defined responsibilities and commensurate authority, are assigned to bring and keep pollution under control.

To cooperate fully with all Government Agencies in pollution abatement activities.

To conduct appropriate research and engineering investigations in air and water quality control, and to encourage such research by others outside the Company.

To contribute to the development of sound, equitable, and realistic standards, laws and ordinances.

To maintain a close liaison with organizations involved in pollution abatement, with a view toward improving the Company's environmental program and relationship with its neighbors.

To participate with other companies, organizations and the public in efforts to enhance the quality of the environment in our Community.

To inform our Employees and the Public of our Company's efforts toward environmental control.

To maintain close liaison with organizations and regulatory agencies engaged in the abatement of pollution problems, with a view toward constantly improving the Company's environmental program.

It is the obligation of every Employee of Freehold Cartage, Inc. to adhere to the spirit as well as the letter of this Environmental Control/Emergency Management procedure.

### **DESCRIPTION OF OPERATION**

Freehold Cartage, Inc. is in the business of transporting hazardous and non-hazardous waste from the generators of these wastes to regulated recovery or disposal facilities. In the process of transporting this material, Freehold Cartage, Inc., utilizes van trailers, tank trailers, roll-off trailers and straight trucks. All trucks are equipped with a spill kit where absorbent pads, sealant, shovels and other safety gear is stored.

Normal operation is for a truck to leave the site and pick up waste from one or multiple generators. In some instances, the waste may be brought to the yard. Drums may be transferred from one truck to another for shipment to the facility that has been designated by the generator to receive the waste. At no time will a drum be placed on the ground.

Freehold Cartage, Inc. has permits to pick up and transport waste hazardous materials in forty-eight states. 85% of its business is interstate. Waste transported includes:

ALL RCRA WASTE CODES  
POLYCHLORINATED BIPHENYLS  
UNIVERSAL WASTE  
USED OIL

## **II. INTRODUCTION AND INTENT OF THIS SPCC/EMERGENCY MANAGEMENT PLAN**

The purpose of this plan is to develop, document, implement, and maintain a thoroughly engineered facility designed not only to prevent hazardous substance spills, but in the event of a spill, to minimize the loss of product and subsequent damage to the environment. Contingency plans incorporated in this document will outline the response steps to be taken to minimize the impact of a spill in the environment and to facilitate cleanup.

The Freehold Cartage, Inc., facility is located within the confines of Bartow Air Base, Bartow, Florida. The site is 2.75 acres with a concrete containment parking pad, one office trailer and a storage shed. Incorporated with the containment pad is a 12 x 42 covered loading dock. The lot size is approximately 500' x 225'. The address is 175 Bartow Municipal Airport.

Hazardous and non-hazardous wastes are occasionally stored on trucks for shipment to disposal sites. Any loaded truck containing hazardous waste is parked on the containment pads while it is in this facility. No drums are placed in ground storage nor is bulk material placed in holding tank for transfer.

This maintenance and contingency plan includes programs for employee training, regularly scheduled inspections, and the incorporation of fail safe systems.

It is the intent of Freehold Cartage, Inc. to take all practical measures to prevent or abate air, water, and solid waste pollution resulting from its operation. It should further be noted that management will comply and cooperate fully with all Governmental Agencies charged with pollution control. Qualified, Trained Personnel, with clearly defined responsibilities and commensurate authority are assigned to administer this program and to prevent any environmental incidents.

### **INSPECTIONS AND RECORDS**

Inspections of the site are conducted each week by Mr. Michael Hirst or his designate according to the attached written procedures. A log of these inspections is kept in the Main Office and entries are initialed by the inspector.

Reports of environmental incidents, personnel training, regulatory agency inspections, and efforts made to enhance environmental control are also kept in the Main Office.

A log of all materials coming onto the site prior to shipment to a disposal facility will be maintained with the following information:

Generator	Date In
Manifest Number	Number of Containers
Destination	Trailer Number
Date Out	

A copy of this Contingency Plan will be located in the Drivers trailer and in the Main Office Building.

### **III. INTERNAL CALL LIST/EMERGENCY PROCEDURES**

U.S. EPA Regulations define a hazardous substance release as the discharge of any material which could create a potential human health or environmental hazard outside of the facility. This would include the discharge of an oily or hazardous material into any navigable waterways and/or the contamination of any drinking water supply by a hazardous substance. Contaminated ground water could also seep, leach or flow into navigable water.

An important facet of an effective response procedure during a substance release incident is to keep it separated from water and/or to minimize its spreading and the resulting increase in human/environmental exposure. Every effort should be made to emphasize substance containment at

the source rather than to have to resort to separation of the materials from expanded portions of the environment or downstream water.

A proper cleanup of any spill will usually involve the following procedures:

A. **DETECTION**

1. Upon the detection of a release, the PLAN environmental coordinator or his designate, shall be notified as soon as the immediate measures necessary are taken to prevent the spread of pollution to the environment.

**PRIORITIZED CALL LIST**

Michael Hirst	(863) 533-4599	Office
	(863) 287-1830	Cell Phone
John Peterson	(863) 519-5013	Office
	(863) 287-9109	Cell Phone

2. Mr. Hirst shall then notify the proper agencies listed on the external call list as deemed necessary according to the written reporting procedures. If neither the Coordinator, his designate, or person in charge of the office can be reached, the proper authorities and/or response center shall be notified by the person on the Scene according to this spill plan. Additionally, the Primary Spill Contractor, American Compliance Technologies, Bartow, FL will also be notified and requested to respond to the spill.

B. **STOP SPILL SOURCE**

If not already done as part of the 1<sup>st</sup> line response, assure that the source of the leak or spill is determined and additional spillage curtailed. Utilize personal protective equipment as necessary for the job.

C. **CONTAIN SPILL**

Rapid containment of the spill will hasten and simplify cleanup. Absorbent material floor dry, oil booms, shovels, dirt, etc. shall be utilized as appropriate.

D. **PICK UP POLLUTANTS**

After containment, the pollutant shall be picked up utilizing a vacuum truck if one is on site. Otherwise, portable pumps, or other appropriate means, shall be used to transfer the material to 55 gallon steel drums or other proper containers for disposal.

#### **E. CLEANUP**

After as much of the pollutant as possible has been picked up, the spill residue will be cleaned up utilizing available absorbent materials. Contaminated soils shall be removed and disposed of at an authorized disposal site, and other surfaces shall be decontaminated.

### **IV. EXTERNAL CALL LIST/REPORTING PROCEDURES**

#### **REPORTING PROCEDURES**

All possible information shall be obtained so no delay in notification will result. The following information is required:

1. Name, title, telephone number, and address of reporter.
2. Name, telephone number, and address of facility/spill.
3. Time and type of incident.
4. Amount and type of materials involved.
5. The extent of injuries/illness if known.
6. The possible hazards to human health and environment.
7. Any bodies of water involved.
8. Cause of accident/spill.
9. Action taken or proposed by facility/personnel.

R.Q. Spills, National Response Center	(800) 424-8802
Disaster Response Center, Florida	(904) 488-1320
Decontamination Information, Chemtrec	(800) 424-9300
FCI Division Office, Bartow, Florida	(863) 533-4599
FCI Corporate Office, Freehold, NJ	(732) 462-1001
American Compliance Technologies	(800) 226-0911 <b>Primary</b>
O & H Materials, Inc.	(904) 394-2196
Polk County Firehouse (District #2)	(863) 534-1557

Florida State Police	(863) 686-2164
Polk Sheriff's Office	(863) 533-0344
Public Safety Division	(863) 533-2105
DEP, Temple Terrace, Florida	(813) 632-7600
U.S. Coast Guard	(305) 350-5276

**V. POTENTIAL SPILL SOURCES**

<b>SOURCE</b>	<b>CAUSE</b>	<b>QUANTITY</b>	<b>DIRECTION OF FLOW</b>	<b>MATERIAL</b>
Truck (Load)	Rupture/Leak Valve Damage	Less than 7,000 gallons per Truck	Containment Pad	Hazardous & Non-hazardous Wastes
Truck (Fuel)	Rupture/Leak Line Damage	Less than 200 gallons per Truck	Variable	Diesel Fuel Gasoline
Drum	Leak/Damage	less than 55 55 gallons	Truck Liner Containment Pad	Hazardous & Non-hazardous

**VI. SPILL PROTECTION MEASURES FOR SPECIFIC SOURCES**

Area 1 – Containment Pad                      10,000 Gallon Capacity

Area 2 – Containment Pad                      15,600 Gallon Capacity

Past Spills – None

Possible Cause of Future Spills: Leakage, Rupture

Existing Protection Measures:

1. Always 2 Personnel in Area
2. Visual Inspections of Trucks
3. Spill Control Supplies in Area
4. Emergency Warning Horn

5. Employee Training
6. 1,100 Gallon Holding Tank
7. Pumping Truck

#### Area 2 – Truck Parking

Past Spills – None

Possible Cause of Future Spills: Fuel Tank Rupture or Leak

Existing Control Measures:

1. Strict rules ensure loaded Hazardous Waste trucks are on pad.  
Employee Training backed with corrective discipline.

#### Area 3 – On the Road During Pick Up/Deliveries

Existing Control Measures:

1. Contingency Plan on all vehicles and in office In-transit contingency plan on all vehicles and in Office.

### **VII. FIRE OR EXPLOSION**

All drums collected from Generator for shipment to disposal facilities remain inside trailers. No drums at any time are removed from that unit to be placed on the ground. In the event of a fire, it should be contained in that unit.

The Standard operational procedures in the event of a fire will be as follows:

- a. Notify all personnel on site and contact the base fire department, informing them of the materials on the trailer. The Sheriff's Office will be informed for traffic control.
- b. Emergency Coordinator will make an immediate assessment of the situation and utilize available fire fighting equipment to extinguish the fire if possible.
- c. Concurrently, the coordinator will have any other trailers removed from the site using the evacuation routes as previously determined and have all nonessential personnel leave the site.
- d. The Coordinator will inform the incident Commander upon arrival of the materials in the trailer and any other information to assist in determining possible hazards to human health or the environment that may result from the incident and require evacuation of surrounding areas.
- e. Immediately after an emergency, the emergency coordinator must provide for treatment, storing or disposing of the recovered waste, contaminated soil or surface water.

- f. All emergency equipment used on the incident is cleaned and fit for its intended use.
- g. Reporting procedures will be completed as outlined on EXTERNAL CALL LIST/REPORTING PROCEDURES.

### **EVACUATION PLAN**

In the event that it is necessary to leave the facility, a warning will be given over the P.A. system to begin evacuation. Trucks will immediately leave through either the east or west gate on First Street. The Primary route will be east on First Street to Ben Durrance Road and the Secondary Route will be going west on First Street and park all vehicles on the west side of the air base.

Office Personnel will evacuate on the same routes upon the sounding of an alarm. (Pages 11, 12, 13)

### **VIII. POLLUTION CONTROL EQUIPMENT ON SITE**

<b>EQUIPMENT</b>	<b>STORAGE LOCATION</b>
Shovels and Rakes	Storage Shed and Loading Dock
Floor Dry Absorbent	Storage Shed and Loading Dock
Vacuum Truck, One Minimum 3,000 Gallons	
First Aid Kits	In All Trucks, Main Office, Loading Dock
Absorbent Pads, 24"x24"x3/4 (Sorbent-Silicate)	Storage Shed and Loading Dock
Tri-reflectors, Miscellaneous Safety Equipment	On All Trucks
Personal Protective Equipment	On All Trucks, Drivers Office, and Loading Dock
Boots	On All Trucks and Storage Shed
Fire Extinguishers 10lb. ABC	1 - Containment Pad, 1 - Drivers Office, 1 - Main Office, 1 - Loading Dock
Respirators and Filters, APR (Organic Vapors, Acid, Ammonia)	Loading Dock, All Trucks, Storage Shed
85 Gallon Steel Recovery Drums	Containment Pad and All Trailers



Safety Shower and Eyewash

Loading Dock

Person responsible for maintenance of Spill/Emergency Response Materials: Mr. Michael Hirst

**IX. SITE SECURITY**

Freehold Cartage, Inc, is located on a corner lot at the Bartow Air Base, Bartow, FL. A six foot high security fence surrounds the facility with entrance and exit gates. The fence is posted with signs that read: "DANGER: UNAUTHORIZED PERSONNEL KEEP OUT". And "HAZARDOUS MATERIALS STORAGE". Two pole lights provide adequate lighting in the evening and night time hours. A Security Guard patrols all areas of the base between the hours of 3:00 P.M. and 7:00 A.M. and the site is located within a mile of Polk County Fire District #2 Firehouse located on the air base.

**X. PERSONNEL TRAINING IN ENVIRONMENTAL PROCEDURES**

All Freehold Cartage, Inc. employees are properly trained in the following:

- a. Operation and maintenance of equipment they must use, and equipment necessary to the prevention or cleanup of environmental spills.
- b. Location of pollution abatement equipment.
- c. Content of all applicable Safety, Health, Personnel Training, and Environmental Regulations.
- d. All Safety, Health and Environmental procedures in effect at Freehold (these include emergency response procedures).
- e. Methods used to avoid environmental incidents/emergencies and the contents of the Emergency/Spill Management Plan.

NOTE: ALL GENERAL FACILITY RULES ARE STRICTLY ENFORCED, SUCH AS:

No Smoking in Operations area or around trucks  
All Drivers MUST complete pre-trip inspection before all trips  
All Employees MUST attend safety and environmental control meetings  
All trucks loaded with Hazardous Waste MUST be parked on the containment pad.  
All spills of any kind MUST be immediately attended to and reported to management  
Wearing of proper personal protective equipment for job is mandatory  
And similar rules as noted on rules poster

ALL FACILITY RULES ARE STRICTLY ENFORCED THROUGH THE USE OF DAY TO DAY SUPERVISION, GUIDANCE, AND CORRECTIVE DISCIPLINE.



825 HIGHWAY 33 EAST • P.O. BOX 5010 • FREEHOLD, NJ 07728-5010 • 732-462-1001 • FAX 732-409-7243

## **HAZARDOUS MATERIALS/HAZARDOUS WASTE TRAINING POLICY**

### **BARTOW, FLORIDA TERMINAL**

It is the policy of Freehold Cartage, Inc. to ensure all personnel assigned to the Bartow, Florida terminal receive the following training:

Upon hire, within the first 90 days of employment, all personnel, to include managers, supervisors, dispatchers, drivers and mechanics, are provided with 24 hours of initial training including: Hazardous Waste regulations, OSHA requirements for First Responder, US DOT requirements for Hazmat Employees and FL DEP requirements for Used Oil and Universal Wastes.

Refresher training is also provided annually to each of these employees and includes: 8-hour Hazwoper Training, review of Hazardous Waste regulations and FL DEP requirements for Used Oil and Universal Wastes.

A copy of the training outline is available upon request.

**FREEHOLD CARTAGE INC.**



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

CERTIFIED MAIL 7008 0150 0003 4894 2593  
RETURN RECEIPT REQUESTED

November 25, 2008

W. Barry Olsen  
Director of Safety and Compliance  
Freehold Cartage, Inc.  
PO Box 5010  
Freehold, NJ 07728-5010

Re: Consent Order, OGC Case No. 08-2670  
Freehold Cartage, Inc.  
FLD 984 187 831

Dear Mr. Olsen:

Enclosed is a copy of the executed Consent Order for the referenced case. The Department has received your check for \$1,550.00 in settlement, and is therefore closing this case file.

Your continued cooperation is appreciated. If you have any question please call me at (813) 632-7600, extension 473.

Sincerely,

Shannon Camp  
Environmental Specialist II  
Division of Waste Management

cc: Lea Crandall, OGC  
Mike Redig, HWR Section (Electronic)  
Alan Annicella, US EPA Region IV (Electronic)  
Andrea Stermer, Polk Co.

Compliance File



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

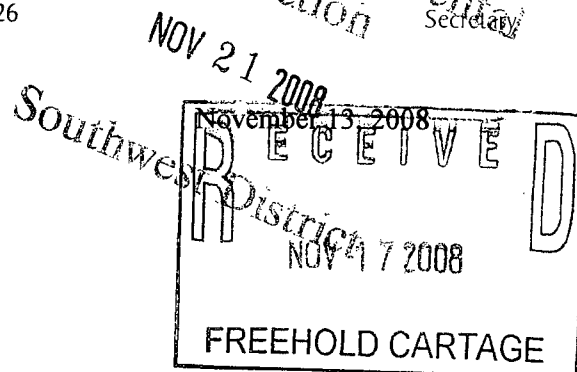
Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

CERTIFIED MAIL 7008 0150 0003 4893 9968  
RETURN RECEIPT REQUESTED

W. Barry Olsen  
Director of Safety and Compliance  
Freehold Cartage, Inc.  
PO Box 5010  
Freehold, NJ 07728-5010



SUBJECT: Proposed Settlement of Freehold Cartage, Inc.  
Warning Letter # WL08-0004HW53SWD  
EPA ID Number FLD 984 187 831  
OGC File No.: 08-2670

Dear Mr. Olsen:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated October 31, 2008, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, you are assessed civil penalties in the amount of \$1,250.00, along with \$300.00 to reimburse Department costs, for a total of \$1,550.00. The civil penalty in this case includes no violations of \$2,000.00 or more.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. This payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, 13051 North Telecom Parkway, Temple Terrace, FL, 33637-0926, within 20 days of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it (including its attachments) to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department, which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes.

If you do not sign and return this letter to the Department at the District address within ten days from receipt of this letter, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely,

Mike Pouns for  
Deborah A. Getzoff  
District Director

**FOR THE RESPONDENT:**

I, Thomas J. Blanchet, on behalf of Freehold Cartage, Inc., **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: Thomas J. Blanchet  
President

Date: 11/18/08

**FOR DEPARTMENT USE ONLY**

DONE AND ENTERED this 25<sup>th</sup> day of NOVEMBER, 2008.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

Mike Pouns for  
Deborah A. Getzoff  
District Director  
Southwest District

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to §120.52, Florida Statutes,  
With the designated Department Clerk, receipt of which is hereby  
Acknowledged.

Cynthia Williams Nov. 25, 2008  
Clerk Date

cc: Lea Crandell, Agency Clerk, Mail Station 35

## NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; (c) An explanation of how the petitioner's substantial interests will be affected by the Consent Order; (d) A statement of when and how the petitioner received notice of the Consent Order; (e) A statement of all material facts disputed by petitioner, if any; (f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Consent Order; (g) A statement of which rules or statutes the petitioner contends require reversal or modification of the Consent Order; and (h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

CERTIFIED MAIL 7008 0150.0003 4893 9487  
RETURN RECEIPT REQUESTED

**October 31, 2008**

W. Barry Olsen  
Director of Safety and Compliance  
Freehold Cartage, Inc.  
PO Box 5010  
Freehold, NJ 07728-5010

Re: Freehold Cartage, Inc. Bartow Facility  
FLD 984 187 831  
Warning Letter #WL08-0004HW53SWD  
Polk County

Dear Mr. Olsen,

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste program field inspection conducted on September 3, 2008 indicates that violations of Florida Statutes and Rules may exist at the above referenced facility. Department of Environmental Protection personnel made observations described in the attached inspection report.

Sections 403.161 and 403.727, Florida Statutes (F.S.) provides that it is a violation to fail to comply with rules adopted by the Department. The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Department Rules should cease.

You are requested to contact Shannon Camp at (813)632-7600, extension 473 within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

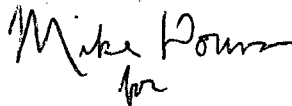
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of a Consent Order which will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In accordance with

mcw  
1/3/08

the United States Environmental Protection Agency's (EPA) RCRA Civil Penalty Policy, the penalties which would be assessed in this case are \$1,250.00. Costs and expenses in this case will be a minimum of \$300.00.

If this investigation confirms that your facility is significantly out of compliance, and the case is not resolved through timely entry of a Consent Order, under the Department's agreement with the EPA, a formal referral for judicial action must be made to the Department's Office of General Counsel. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely yours,

A handwritten signature in black ink that appears to read "Mike Down".

Deborah A. Getzoff  
District Director  
Southwest District

DAG/sdc

Attachments

cc: Mike Redig, HWR Section (Electronic) 11/4/08  
Alan Annicella, USEPA Region IV (Electronic) 11/4/08  
Andrea Stermer, Polk Co.  
Michael Hirst, Freehold Cartage-Bartow  
Compliance File



## PENALTY COMPUTATION WORKSHEET

Violator's Name: Freehold Cartage, Inc.

Identify Violator's Facility: 175 Bartow Municipal Airport, Bartow, FL 33830 FLD 984 187 831

Name of Department Staff Responsible for the Penalty Computations: S. Camp

Case # WL08-0004HW53SWD Date: September 26, 2008

Violation Type		Manual Guide	Potential for Harm	Extent of Deviation	Matrix Range	Total
1.	40 CFR 265.171 per 62-730.171(2)(a) FAC - storing HW in a severely rusted & leaking drum	HW 29	Minor	Moderate	\$1,933 - \$645	\$1,250
SUB-TOTAL						\$1,250
DEPARTMENT COSTS						\$300

Total Penalties Including Department Costs:

\$1,550.00

*Mike Pourn*

Deborah A Getzoff  
District Director  
Southwest District

10/31/08  
Date



Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report

**FACILITY INFORMATION:**

Facility Name: Freehold Cartage Inc

On-Site Inspection Start Date: 09/03/2008

On-Site Inspection End Date: 09/03/2008

ME ID#: 16638

EPA ID#: FLD984187831

Facility Street Address: 175 Bartow Municipal Arprt, Bartow, Florida 33830-9576

Contact Mailing Address: 175 Bartow Municipal Airport, Bartow, Florida 33830

County Name: Polk

Contact Phone: (863) 533-4599

**NOTIFIED AS:**

Transporter

Used Oil

**CURRENT STATUS:**

Transporter

Transfer Facility

Used Oil

**INSPECTION TYPE:**

Routine Inspection for Transporter facility

**INSPECTION PARTICIPANTS:**

Principal Inspector: Shannon D Camp, Environmental Specialist II

Other Participants: Michael Hirst, Operations Supervisor

**LATITUDE / LONGITUDE:** Lat 27° 57' 15.1615" / Long 81° 46' 37.6731"

**SIC CODE:** 4213 - Trans. & utilities - trucking, except local

**TYPE OF OWNERSHIP:** Municipal

**Introduction:**

Freehold Cartage, Inc. was inspected on September 3, 2008 to evaluate the facility's compliance with state and federal hazardous waste regulations. Mr. Michael Hirst accompanied the inspector throughout the inspection. The Department last inspected Freehold in April 2007.

**Process Description:**

Freehold Cartage, Inc. is a registered Hazardous Waste Transporter/Transfer Facility as well as a Used Oil/Used Oil Filter Transporter/Transfer Facility and a Universal Waste Transporter/Transfer Facility. Operations have not changed significantly since the Department's last inspection. Freehold does not transport used oil often and pick ups are only arranged through brokers. Presently, Freehold screens all drums of used oil they transport with Chlor-Detect kits. Hazardous waste containers are stored up to 10 days in a storage trailer that is not utilized for transport that is located at the loading dock. At the time of the inspection, the facility had numerous containers within this storage trailer. The facility's paperwork, including training records, closure plan, transfer log and manifests appeared to be in order at the time of the inspection.

**Hazardous waste storage trailer:**

Hazardous waste storage trailer.

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

**Transporters Checklist**

Type: Violation

**Freehold Cartage Inc Inspection Report**

Page 2 of 4

Inspection Date: 09/03/2008

Rule: 265.171

Question Number: 1.14.1

Explanation: One severely rusted drum of hazardous waste containing toluene and diisocyanate was found to be leaking at the time of the inspection. (corrected)

Corrective Action: Facility personnel placed the leaking drum into an overpack drum during the inspection.

---

**Trailer loaded for transport.:**

Trailer adjacent to hazardous waste storage trailer.

**Pending Potential Violations and Areas of Concern:****Transporters Checklist**

Type: Area Of Concern

Rule: 265.171

Question Number: 1.14.1

Explanation: An undetermined discharge was found in one of the trailers loaded for transport. The leak was located adjacent to a pallet of universal waste lead acid batteries. It did not appear that a battery was leaking. Another smaller discharge which appeared to be the same substance was located further in the trailer.

Corrective Action: Facility personnel applied clay absorbent material over the discharge areas during the inspection.

---

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

Rule Number	Area	Date Cited	Explanation
Transporters Checklist 265.171	Hazardous waste storage trailer	09/03/2008	One severely rusted drum of hazardous waste containing toluene and diisocyanate was found to be leaking at the time of the inspection. (corrected)

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Transporters Checklist 265.171	Trailer loaded for transport.	09/03/2008	An undetermined discharge was found in one of the trailers loaded for transport. The leak was located adjacent to a pallet of universal waste lead acid batteries. It did not appear that a battery was leaking. Another smaller discharge which appeared to be the same substance was located further in the trailer.

**Freehold Cartage Inc Inspection Report**

**Page 3 of 4**

Inspection Date: 09/03/2008

**Conclusion:**

Freehold Cartage was determined to have one container violation at the time of the inspection which was corrected during the inspection.

**Freehold Cartage Inc Inspection Report**

Page 4 of 4

Inspection Date: 09/03/2008

**Signed:**

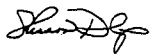
A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection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

Shannon D Camp

**PRINCIPAL INSPECTOR NAME**

Environmental Specialist II

**PRINCIPAL INSPECTOR TITLE****PRINCIPAL INSPECTOR SIGNATURE**

FDEP - SWD

**ORGANIZATION**

9/26/2008

**DATE**

Michael Hirst

**REPRESENTATIVE NAME**

Operations Supervisor

**REPRESENTATIVE TITLE**

NO SIGNATURE

**REPRESENTATIVE SIGNATURE**

Freehold Cartage, Inc.

**ORGANIZATION**

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 "Not Ok" or areas of concern.



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

## HAZARDOUS WASTE INSPECTION CHECK LIST

### Transporters Checklist

#### Requirements:

This section provides an opportunity for the department inspector to add a narrative explaining any requirements identified as "Not Ok" at the time of the inspection. Some requirements may be identified as "Ok" but are discussed further in the "areas of concern" portion of the narrative section.

Transporter Requirements (40 CFR 263) Completed		Ok	Not Ok	Unk	N/A
1.1	Do vehicles transporting hazardous waste have the appropriate placards?	✓			
1.2	Does transporter have an EPA identification number?	✓			
1.3	Does the transporter use manifest system as required by 263.20?	✓			
1.3.1	Do the manifests contain at least: <input type="checkbox"/> Name, address, and EPA ID of transporter? <input type="checkbox"/> Name, address, and EPA ID code of generator? <input type="checkbox"/> Name, address, identification code of designated permitted facility? <input type="checkbox"/> Corresponding manifest document number? <input type="checkbox"/> Description and quantity of each hazardous waste? <input type="checkbox"/> Signature of subsequent transporters? <input type="checkbox"/> Signatures signifying proper delivery or reasons why delivery could not be certified? <input type="checkbox"/> EPA waste codes?	✓			
1.4	International shipments:				
1.4.1	Record of date waste left U.S.?				✓
1.4.2	Presence of one signed copy in records?				✓
1.4.3	Signed copy of manifest returned to the generator?				✓
1.4.4	Copy of the manifest given to a U.S. Customs official at the point of departure from the United States?				✓
1.5	For SQG waste:				
1.5.1	Is waste transported according to reclamation agreement?				✓
1.5.2	Is following information recorded on a shipping paper: <input type="checkbox"/> Name, address, and EPA ID of waste generator. <input type="checkbox"/> Quantity of waste accepted. <input type="checkbox"/> DOT - required shipping info. <input type="checkbox"/> Date waste is accepted	✓			
1.5.3	Does transporter carry this shipping paper during transport?	✓			
1.5.4	Are records maintained for three years after termination or expiration of reclamation agreement?				✓
1.6	Are copies of the manifest retained for 3 years?	✓			
1.7	Is there evidence of discharge of hazardous waste?	✓			
1.8	Has transporter demonstrated the financial responsibility required under 62-730.170(2)	✓			
1.9	Does the transporter verify financial responsibility with the Department annually?	✓			



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION HAZARDOUS WASTE INSPECTION CHECK LIST

Transfer Facility Requirements (62-730.171) Completed		OK	Not OK	Unk	N/A
1.10	Does transporter comply with 10 day storage limit for transfer facilities?	✓			
1.10.1	Is the hazardous waste packaged according to 262.30?	✓			
1.11	General Facility Standards (265 Subpart B)				
1.11.1	Security				
1.11.1.1	Is the facility security system adequate to minimize unauthorized entry?	✓			
1.11.1.2	Are signs posted and legible for 25 feet?	✓			
1.11.2	Inspection Requirement				
1.11.2.1	Does the facility have a copy of the Inspection Plan?	✓			
1.11.2.2	Does the facility have completed inspection logs?	✓			
1.11.2.3	Were the deficiencies corrected in a timely manner?	✓			
1.11.2.4	Are the inspection logs maintained at the facility for 3 years?	✓			
1.11.3	Personnel Training				
1.11.3.1	Do management personnel complete hazardous waste training? <input checked="" type="checkbox"/> Is training on the job? <input type="checkbox"/> Is training in the classroom?	✓			
1.11.3.3	Do laborers who handle hazardous waste complete training? <input checked="" type="checkbox"/> Is training on the job? <input type="checkbox"/> Is training in the classroom?	✓			
1.11.3.6	Does training include emergency response procedures, inspection procedures, and operation of hazardous waste handling equipment?	✓			
1.11.3.7	How often is training reviewed? Annually				
1.11.3.9	Does the facility have personnel training records including job title, description of position, and description of employee's training?	✓			
1.11.3.10	Is training successfully completed within 6 months of hiring/transfer to HW position?	✓			
1.11.3.11	Are records maintained for three years at the facility?	✓			
1.11.4	Ignitable, Reactive, or Incompatible Waste				
1.11.4.1	Is the waste separated and confined from sources of ignition or reaction, sparks, spontaneous ignition, and radiant heat?	✓			
1.11.4.2	Are "No Smoking" signs posted in the area?	✓			
1.12	Preparedness and Prevention (265 Subpart C)				
1.12.1	Is there evidence of fire, explosion or contamination of the environment?	✓			
1.12.2	Is the facility equipped with (265.32 - required equipment):	✓			
1.12.2.1	Internal communications or alarm system? Is it easily accessible in case of emergency?	✓			
1.12.2.2	Telephone or two-way radio to call emergency response personnel?	✓			
1.12.2.3	Portable fire extinguishers, fire control equipment, spill control equipment and decontamination equipment? <input type="checkbox"/> Is this equipment tested to assure its proper operation?	✓			



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

## HAZARDOUS WASTE INSPECTION CHECK LIST

Transfer Facility Requirements (62-730.171) Completed		OK	Not OK	Unk	N/A
1.12.2.3	How many times per year? 1	✓			
1.12.3	Water of adequate volume for hoses, sprinklers or water spray system?  Describe source of water.  Indicate flow rate and/or pressure and storage capacity, if applicable.				✓
1.12.4	Is there sufficient aisle space to allow unobstructed movement of personnel and equipment? (e.g., adequate aisle space in between barrels to check for leakage, corrosion and proper labeling, etc.)	✓			
1.12.4.1	Has the owner/operator made arrangements with the local authorities to familiarize them with characteristics of the facility? (Layout of facility, properties of hazardous waste handled and associated hazards, places where facility personnel would normally be working, entrances to roads inside facility, possible evacuation routes.)	✓			
1.12.5	In the case that more than one police or fire department might respond, is there a designated primary authority? If yes, indicate primary authority Is the fire department a city or volunteer fire	✓			
1.12.6	Does the owner/operator have phone number of and agreements with state emergency response teams, emergency response contractors and equipment suppliers? <input type="checkbox"/> Are they readily available to the emergency coordinator?	✓			
1.12.7	Has the owner/operator arranged to familiarize local hospitals with the properties of hazardous waste handled and types of injuries that could result from fires, explosions, or releases at the facility? <input type="checkbox"/> If no, has the owner/operator attempted to do this?	✓			
1.12.8	If the State, or local authorities decline to enter into the above referenced agreements, has this been documented in the operation record?				✓
1.13	Contingency Plan and Emergency Procedures (265 Subpart D)				
1.13.1	Does the facility have a contingency plan?	✓			
1.13.2	Is it at the facility and easily available?	✓			
1.13.3	Is the contingency plan a revised SPCC Plan	✓			
1.13.3.1	Does the plan include: <input type="checkbox"/> Action personnel will take? <input type="checkbox"/> Evacuation routes? <input type="checkbox"/> Emergency Equipment?	✓			
1.13.3.5	Is the emergency equipment properly inspected and maintained?	✓			
1.13.4	Is there an emergency coordinator on site or within short driving distance of the plant at all times?	✓			
1.13.5	Who is the emergency coordinator? Michael Hirst				
1.13.6	Has the facility supplied local police and fire departments with a copy of the contingency plan?	✓			
1.13.7	Has the facility supplied DEP with a copy of the Contingency Plan?	✓			
1.14	Container Storage Checklist (Subpart I - Use and Management of Containers 265.170)				
1.14.1	Are the containers in good condition? (check for leaks, corrosion, bulges, etc.)		✓		
1.14.2	If a container is found to be leaking, does the operator transfer the hazardous waste from the leaking container?	✓			
1.14.3	Is the waste compatible with the containers and/or its liner?	✓			





# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

## HAZARDOUS WASTE INSPECTION CHECK LIST

Transfer Facility Requirements (62-730.171) Completed		Ok	Not Ok	Unk	N/A
1.14.4	Are containers holding hazardous waste opened, handled or stored in such a manner as to cause the container to rupture or leak?	✓			
1.14.5	Are each of the containers inspected at least weekly?	✓			
1.14.6	Are containers holding ignitable or reactive wastes located at least 15 meters (50 feet) from the facility property line?	✓			
1.14.7	Are incompatible wastes stored in the same containers?	✓			
1.14.8	Are containers holding incompatible wastes kept apart by physical barrier or sufficient distance?	✓			
1.15	Does facility have a written closure plan satisfying requirements of closure performance, notification, and decontamination standards of 40 CFR 265.111, 265.112(c), 265.114, 265.115? <input type="checkbox"/> Has the facility supplied DEP with a copy of the plan?	✓			
1.16	Is hazardous waste that is stored in containers or vehicles stored on a man made surface which is capable of preventing spills or releases to the ground?	✓			
1.17	Is a written log maintained for all waste entering or leaving the transfer facility?	✓			
1.17.1	Does the log contain: <input type="checkbox"/> Generators' names? <input type="checkbox"/> Manifest numbers? <input type="checkbox"/> Dates when waste enters and leaves facility?	✓			
1.18	Has the facility notified the department on Form 17-730.900(6) (Transfer facility notification form)?	✓			
1.19	Does the transfer facility have an EPA/DER ID number?	✓			

Unregulated Wastes (Household/Conditionally Exempt/Small Quantity Generator Wastes) Completed		Ok	Not Ok	Unk	N/A
1.20	Does the transporter have documentation that this waste was generated by an unregulated source?  If yes, complete the applicable Generator or Small Quantity Generator checklist. <input type="checkbox"/> If no, is the transporter assuming responsibility as the generator of this waste?				✓
1.21.2	If no, the inspector should inform the transporter that he will be held responsible as the generator of the waste and will be reinspected to ensure that the applicable requirements are being satisfied. A follow-up inspection should be scheduled as follows: <input type="checkbox"/> 90 days after initial inspection if the quantity of "unregulated" wastes on site exceed <input type="checkbox"/> 180 days after initial inspection if the quantity of "unregulated" wastes on site are less				
1.22	Does the transporter mix/consolidate hazardous wastes of different DOT shipping descriptions 263.10(c)(2)? If yes, complete the Generator checklist.				✓

Land Disposal Restrictions Completed		Ok	Not Ok	Unk	N/A
1.23	Does the transporter manage restricted (land ban) wastes? If yes, check appropriate box(es).  <input type="checkbox"/> "California List" <input type="checkbox"/> F--- List Solvents <input type="checkbox"/> First Third <input type="checkbox"/> Second Third <input type="checkbox"/> Third Third <input type="checkbox"/> Soil and Debris	✓			



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
HAZARDOUS WASTE INSPECTION CHECK LIST

Land Disposal Restrictions Completed		OK	Not OK	Unk	N/A
1.23		✓			



## FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

### HAZARDOUS WASTE INSPECTION CHECK LIST

#### Pre-Inspection Checklist

##### Requirements:

This section provides an opportunity for the department inspector to add a narrative explaining any requirements identified as "Not Ok" at the time of the inspection. Some requirements may be identified as "Ok" but are discussed further in the "areas of concern" portion of the narrative section.

Pre-Inspection Review Completed		Ok	Not Ok	Unk	N/A
26.1	Facility failed to notify with the correct status.	✓			
26.2	Facility failed to notify change of status.	✓			
26.3	Did the facility conduct a waste determination on all wastes generated?	✓			



## FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

### HAZARDOUS WASTE INSPECTION CHECK LIST

#### Used Oil Transporter

##### Requirements:

This section provides an opportunity for the department inspector to add a narrative explaining any requirements identified as "Not Ok" at the time of the inspection. Some requirements may be identified as "Ok" but are discussed further in the "areas of concern" portion of the narrative section.

40 CFR 279 Subpart E - Transporter Standards Completed		Ok	Not Ok	Unk	N/A
29.1	Is the facility exempt under any of the following? On site transport? Generator transporting < 55 g /time to a collection center? Transporter of < 55 g /time from generator to aggregation point owned by same				✓
29.2	If the transporter also transports hazardous waste in the same trucks as are used to transport used oil, are the vehicles emptied per 261.7 after HW shipments? (If not, the used oil must be managed as hazardous).				✓
29.3	Does the transporter process used oil beyond what would be considered incidental to transport?				✓
29.3.1	If 'yes' are they in compliance with 279 Subpart F?				✓
29.4	Has the facility notified of used oil activities? Check EPA form 8700-12.	✓			
29.5	Does the transporter only deliver used oil to other transporters, oil processors, off specification used oil burners with EPA ID numbers?	✓			
29.6	Does the transporter comply with DOT requirements?	✓			
29.7	If any oil is discharged during transport, does the transporter:				
29.7.1	Notify National Response Center and State Warning Point and Coast Guard per 33 CFR 153.203, as applicable?				✓
29.7.2	Report to DOT in writing per 49 CFR 171.16?	✓			
29.7.3	Clean up any discharges until the discharge poses no threat?	✓			
29.8	Does the facility also transport used oil filters?	✓			
29.8.1	If so, are the filters stored in above ground containers which are:				
29.8.1.1	In good condition?	✓			
29.8.1.2	Closed or otherwise protected from weather?	✓			
29.8.1.3	Labeled "Used Oil Filters"?	✓			
29.8.1.4	Stored on an oil impervious surface?	✓			

Transporter Recordkeeping - 279.46 Completed		Ok	Not Ok	Unk	N/A
29.9	Do used oil acceptance records include:				
29.9.1	Name & Address of facility providing the oil for transport?	✓			
29.9.2	EPA ID # of oil provider?	✓			
29.9.3	Quantity of oil shipped?	✓			
29.9.4	Date of acceptance?	✓			
29.9.5	Signature of oil provider, dated upon receipt?	✓			



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION HAZARDOUS WASTE INSPECTION CHECK LIST

Transporter Recordkeeping -279.46 Completed		OK	Not OK	Unk	N/A
29.9.5		✓			
29.10	Do used oil delivery records include:				
29.10.1	Name & Address of receiving facility or transporter?	✓			
29.10.2	EPA ID # of receiving facility or transporter?	✓			
29.10.3	Quantity of oil delivered?	✓			
29.10.4	Date of delivery?	✓			
29.10.5	Signature of oil receiver, dated upon receipt?	✓			
29.11	Do the above records also include:				
29.11.1	State required information on the type of oil?	✓			
29.11.2	Destination or end use?	✓			
29.12	Does the facility keep records on DEP Form 62-710.901(2) or equivalent?	✓			
29.13	Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year?	✓			
29.13.1	If not, is the facility an electric utility transporting only self generated used oil for recycling, which is exempt from state registration and reporting requirements?				✓
29.14	Does the transporter keep copies of the record and reports for three years at the street address of the facility?	✓			

Transporter Certification (62-710 F.A.C.) Completed		OK	Not OK	Unk	N/A
29.15	Is the transporter certified? (local governments, and < 55g/time transporters are exempt)	✓			
29.16	Does the facility maintain training records?	✓			
29.17	Does the facility maintain insurance or financial assurance of \$100,000 combined single limit?	✓			
29.18	Is the facility registration form and ID number displayed?	✓			

Transfer Facility Standards -279.45 Completed		OK	Not OK	Unk	N/A
29.19	Does the transporter store used oil at any transportation related facility (including parking lots) for more than 24 hours and not longer than 35 days during the normal course of transport? Transfer facilities storing used oil more than 35 days must comply with 279 Subpart F.	✓			
29.19.1	Is the transfer facility registered per 62-710.500(1)(a) F.A.C?	✓			
29.20	Does the transporter determine whether used oil stored at a transfer facility has total halogen content above or below 1,000 ppm?	✓			
29.20.1	Is this done by testing?	✓			
29.20.2	Is this done by process knowledge?  Describe basis  Testing by Chlor-Detect.	✓			
29.20.3	Are test records or copies of records providing basis for determination kept for 3 years?	✓			
29.21	Have any analyses showed Exceedence of the 1,000 ppm level?				✓
29.21.1	If so, was the oil managed as hazardous waste?				✓



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION HAZARDOUS WASTE INSPECTION CHECK LIST

Transfer Facility Standards -279.45 Completed		OK	Not OK	Unk	N/A
29.21.1					✓
29.21.2	If not, was the oil exempt?  Describe  Do not pick up used oil with halogen levels of 1000 ppm or more.				✓
29.22	Is used oil stored only in tanks or containers, or units subject to 264 and 265?	✓			
29.23	If the facility has tanks, do they comply with 62-761 and 62.762 rules?				✓
29.23.1	Describe, including number and size of tanks, noting registration numbers if applicable, and compliance status. n/a				
29.23.2	Is secondary containment provided and adequate?	✓			
29.24	Are containers and tank trailers in good condition and not leaking?	✓			
29.25	Are containers provided with secondary containment with minimum requirements?	✓			
29.25.1	Is the containment system impervious to oil so as to prevent migration?	✓			
29.26	Are ASTs, UST tank fill lines and containers labeled "used oil"?				✓
29.27	Are used oil filters generated off-site stored more than 10 days?	✓			
29.27.1	If so, is the facility a registered used oil filter transfer facility?	✓			
29.28	Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable?	✓			



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

CERTIFIED MAIL 7008 0150 0003 4893 9487  
RETURN RECEIPT REQUESTED

**October 31, 2008**

W. Barry Olsen  
Director of Safety and Compliance  
Freehold Cartage, Inc.  
PO Box 5010  
Freehold, NJ 07728-5010

Re: Freehold Cartage, Inc. Bartow Facility  
FLD 984 187 831  
Warning Letter #WL08-0004HW53SWD  
Polk County

Dear Mr. Olsen,

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste program field inspection conducted on September 3, 2008 indicates that violations of Florida Statutes and Rules may exist at the above referenced facility. Department of Environmental Protection personnel made observations described in the attached inspection report.

Sections 403.161 and 403.727, Florida Statutes (F.S.) provides that it is a violation to fail to comply with rules adopted by the Department. The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Department Rules should cease.

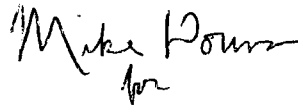
You are requested to contact Shannon Camp at (813)632-7600, extension 473 within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of a Consent Order which will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In accordance with

the United States Environmental Protection Agency's (EPA) RCRA Civil Penalty Policy, the penalties which would be assessed in this case are \$1,250.00. Costs and expenses in this case will be a minimum of \$300.00.

If this investigation confirms that your facility is significantly out of compliance, and the case is not resolved through timely entry of a Consent Order, under the Department's agreement with the EPA, a formal referral for judicial action must be made to the Department's Office of General Counsel. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely yours,

A handwritten signature in black ink that reads "Mike Down" with a small flourish underneath.

Deborah A. Getzoff  
District Director  
Southwest District

DAG/sdc

Attachments

cc: Mike Redig, HWR Section (Electronic)  
Alan Annicella, USEPA Region IV (Electronic)  
Andrea Stermer, Polk Co.  
Michael Hirst, Freehold Cartage-Bartow  
Compliance File



## PENALTY COMPUTATION WORKSHEET

Violator's Name: Freehold Cartage, Inc.

Identify Violator's Facility: 175 Bartow Municipal Airport, Bartow, FL 33830 FLD 984 187 831

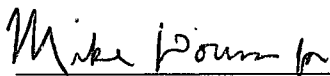
Name of Department Staff Responsible for the Penalty Computations: S. Camp

Case # WL08-0004HW53SWD Date: September 26, 2008

Violation Type		Manual Guide	Potential for Harm	Extent of Deviation	Matrix Range	Total
1.	40 CFR 265.171 per 62-730.171(2)(a) FAC - storing HW in a severely rusted & leaking drum	HW 29	Minor	Moderate	\$1,933 - \$645	\$1,250
SUB-TOTAL						\$1,250
DEPARTMENT COSTS						\$300

Total Penalties Including Department Costs:

\$1,550.00



Deborah A Getzoff  
District Director  
Southwest District

10/31/08  
Date



Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report

**FACILITY INFORMATION:**

**Facility Name:** Freehold Cartage Inc

**On-Site Inspection Start Date:** 09/03/2008

**On-Site Inspection End Date:** 09/03/2008

**ME ID#:** 16638

**EPA ID#:** FLD984187831

**Facility Street Address:** 175 Bartow Municipal Arprt, Bartow, Florida 33830-9576

**Contact Mailing Address:** 175 Bartow Municipal Airport, Bartow, Florida 33830

**County Name:** Polk

**Contact Phone:** (863) 533-4599

**NOTIFIED AS:**

Transporter

Used Oil

**CURRENT STATUS:**

Transporter

Transfer Facility

Used Oil

**INSPECTION TYPE:**

Routine Inspection for Transporter facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Shannon D Camp, Environmental Specialist II

**Other Participants:** Michael Hirst, Operations Supervisor

**LATITUDE / LONGITUDE:** Lat 27° 57' 15.1615" / Long 81° 46' 37.6731"

**SIC CODE:** 4213 - Trans. & utilities - trucking, except local

**TYPE OF OWNERSHIP:** Municipal

**Introduction:**

Freehold Cartage, Inc. was inspected on September 3, 2008 to evaluate the facility's compliance with state and federal hazardous waste regulations. Mr. Michael Hirst accompanied the inspector throughout the inspection. The Department last inspected Freehold in April 2007.

**Process Description:**

Freehold Cartage, Inc. is a registered Hazardous Waste Transporter/Transfer Facility as well as a Used Oil/Used Oil Filter Transporter/Transfer Facility and a Universal Waste Transporter/Transfer Facility. Operations have not changed significantly since the Department's last inspection. Freehold does not transport used oil often and pick ups are only arranged through brokers. Presently, Freehold screens all drums of used oil they transport with Chlor-Detect kits. Hazardous waste containers are stored up to 10 days in a storage trailer that is not utilized for transport that is located at the loading dock. At the time of the inspection, the facility had numerous containers within this storage trailer. The facility's paperwork, including training records, closure plan, transfer log and manifests appeared to be in order at the time of the inspection.

**Hazardous waste storage trailer:**

Hazardous waste storage trailer.

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

**Transporters Checklist**

Type: Violation

**Freehold Cartage Inc Inspection Report**

Page 2 of 4

Inspection Date: 09/03/2008

Rule: 265.171

Question Number: 1.14.1

Explanation: One severely rusted drum of hazardous waste containing toluene and diisocyanate was found to be leaking at the time of the inspection. (corrected)

Corrective Action: Facility personnel placed the leaking drum into an overpack drum during the inspection.

---

**Trailer loaded for transport.:**

Trailer adjacent to hazardous waste storage trailer.

**Pending Potential Violations and Areas of Concern:****Transporters Checklist**

Type: Area Of Concern

Rule: 265.171

Question Number: 1.14.1

Explanation: An undetermined discharge was found in one of the trailers loaded for transport. The leak was located adjacent to a pallet of universal waste lead acid batteries. It did not appear that a battery was leaking. Another smaller discharge which appeared to be the same substance was located further in the trailer.

Corrective Action: Facility personnel applied clay absorbent material over the discharge areas during the inspection.

---

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

Rule Number	Area	Date Cited	Explanation
Transporters Checklist 265.171	Hazardous waste storage trailer	09/03/2008	One severely rusted drum of hazardous waste containing toluene and diisocyanate was found to be leaking at the time of the inspection. (corrected)

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Transporters Checklist 265.171	Trailer loaded for transport.	09/03/2008	An undetermined discharge was found in one of the trailers loaded for transport. The leak was located adjacent to a pallet of universal waste lead acid batteries. It did not appear that a battery was leaking. Another smaller discharge which appeared to be the same substance was located further in the trailer.

Inspection Date: 09/03/2008

**Conclusion:**

Freehold Cartage was determined to have one container violation at the time of the inspection which was corrected during the inspection.

Inspection Date: 09/03/2008

**Signed:**

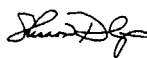
A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection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

Shannon D Camp

**PRINCIPAL INSPECTOR NAME**

Environmental Specialist II

**PRINCIPAL INSPECTOR TITLE****PRINCIPAL INSPECTOR SIGNATURE**

FDEP - SWD

**ORGANIZATION**

9/26/2008

**DATE**

Michael Hirst

**REPRESENTATIVE NAME**

Operations Supervisor

**REPRESENTATIVE TITLE**

NO SIGNATURE

**REPRESENTATIVE SIGNATURE**

Freehold Cartage, Inc.

**ORGANIZATION**

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 "Not Ok" or areas of concern.



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

## HAZARDOUS WASTE INSPECTION CHECK LIST

### Transporters Checklist

#### Requirements:

This section provides an opportunity for the department inspector to add a narrative explaining any requirements identified as "Not OK" at the time of the inspection. Some requirements may be identified as "Ok" but are discussed further in the "areas of concern" portion of the narrative section.

Transporter Requirements (40 CFR 263) Completed		Ok	Not Ok	Unk	N/A
1.1	Do vehicles transporting hazardous waste have the appropriate placards?	✓			
1.2	Does transporter have an EPA identification number?	✓			
1.3	Does the transporter use manifest system as required by 263.20?	✓			
1.3.1	Do the manifests contain at least: <input type="checkbox"/> Name, address, and EPA ID of transporter? <input type="checkbox"/> Name, address, and EPA ID code of generator? <input type="checkbox"/> Name, address, identification code of designated permitted facility? <input type="checkbox"/> Corresponding manifest document number? <input type="checkbox"/> Description and quantity of each hazardous waste? <input type="checkbox"/> Signature of subsequent transporters? <input type="checkbox"/> Signatures signifying proper delivery or reasons why delivery could not be certified? <input type="checkbox"/> EPA waste codes?	✓			
1.4	International shipments:				
1.4.1	Record of date waste left U.S.?				✓
1.4.2	Presence of one signed copy in records?				✓
1.4.3	Signed copy of manifest returned to the generator?				✓
1.4.4	Copy of the manifest given to a U.S. Customs official at the point of departure from the United States?				✓
1.5	For SQG waste:				
1.5.1	Is waste transported according to reclamation agreement?				✓
1.5.2	Is following information recorded on a shipping paper: <input type="checkbox"/> Name, address, and EPA ID of waste generator. <input type="checkbox"/> Quantity of waste accepted. <input type="checkbox"/> DOT - required shipping info. <input type="checkbox"/> Date waste is accepted	✓			
1.5.3	Does transporter carry this shipping paper during transport?	✓			
1.5.4	Are records maintained for three years after termination or expiration of reclamation agreement?				✓
1.6	Are copies of the manifest retained for 3 years?	✓			
1.7	Is there evidence of discharge of hazardous waste?	✓			
1.8	Has transporter demonstrated the financial responsibility required under 62-730.170(2)	✓			
1.9	Does the transporter verify financial responsibility with the Department annually?	✓			



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

## HAZARDOUS WASTE INSPECTION CHECK LIST

Transfer Facility Requirements (62-730.174) Completed		OK	Not OK	Unk	N/A
1.10	Does transporter comply with 10 day storage limit for transfer facilities?	✓			
1.10.1	Is the hazardous waste packaged according to 262.30?	✓			
1.11	General Facility Standards (265 Subpart B)				
1.11.1	Security				
1.11.1.1	Is the facility security system adequate to minimize unauthorized entry?	✓			
1.11.1.2	Are signs posted and legible for 25 feet?	✓			
1.11.2	Inspection Requirement				
1.11.2.1	Does the facility have a copy of the Inspection Plan?	✓			
1.11.2.2	Does the facility have completed inspection logs?	✓			
1.11.2.3	Were the deficiencies corrected in a timely manner?	✓			
1.11.2.4	Are the inspection logs maintained at the facility for 3 years?	✓			
1.11.3	Personnel Training				
1.11.3.1	Do management personnel complete hazardous waste training? <input checked="" type="checkbox"/> Is training on the job? <input type="checkbox"/> Is training in the classroom?	✓			
1.11.3.3	Do laborers who handle hazardous waste complete training? <input checked="" type="checkbox"/> Is training on the job? <input type="checkbox"/> Is training in the classroom?	✓			
1.11.3.6	Does training include emergency response procedures, inspection procedures, and operation of hazardous waste handling equipment?	✓			
1.11.3.7	How often is training reviewed? Annually				
1.11.3.9	Does the facility have personnel training records including job title, description of position, and description of employee's training?	✓			
1.11.3.10	Is training successfully completed within 6 months of hiring/transfer to HW position?	✓			
1.11.3.11	Are records maintained for three years at the facility?	✓			
1.11.4	Ignitable, Reactive, or Incompatible Waste				
1.11.4.1	Is the waste separated and confined from sources of ignition or reaction, sparks, spontaneous ignition, and radiant heat?	✓			
1.11.4.2	Are "No Smoking" signs posted in the area?	✓			
1.12	Preparedness and Prevention (265 Subpart C)				
1.12.1	Is there evidence of fire, explosion or contamination of the environment?	✓			
1.12.2	Is the facility equipped with (265.32 - required equipment):	✓			
1.12.2.1	Internal communications or alarm system? Is it easily accessible in case of emergency?	✓			
1.12.2.2	Telephone or two-way radio to call emergency response personnel?	✓			
1.12.2.3	Portable fire extinguishers, fire control equipment, spill control equipment and decontamination equipment? <input type="checkbox"/> Is this equipment tested to assure its proper operation?	✓			



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

## HAZARDOUS WASTE INSPECTION CHECK LIST

Transfer Facility Requirements (62-730.171) Completed		Ok	Not Ok	Unk	N/A
1.12.2.3	How many times per year? 1	✓			
1.12.3	Water of adequate volume for hoses, sprinklers or water spray system?  Describe source of water.  Indicate flow rate and/or pressure and storage capacity, if applicable.				✓
1.12.4	Is there sufficient aisle space to allow unobstructed movement of personnel and equipment? (e.g., adequate aisle space in between barrels to check for leakage, corrosion and proper labeling, etc.)	✓			
1.12.4.1	Has the owner/operator made arrangements with the local authorities to familiarize them with characteristics of the facility? (Layout of facility, properties of hazardous waste handled and associated hazards, places where facility personnel would normally be working, entrances to roads inside facility, possible evacuation routes.)	✓			
1.12.5	In the case that more than one police or fire department might respond, is there a designated primary authority? If yes, indicate primary authority Is the fire department a city or volunteer fire	✓			
1.12.6	Does the owner/operator have phone number of and agreements with state emergency response teams, emergency response contractors and equipment suppliers? <input type="checkbox"/> Are they readily available to the emergency coordinator?	✓			
1.12.7	Has the owner/operator arranged to familiarize local hospitals with the properties of hazardous waste handled and types of injuries that could result from fires, explosions, or releases at the facility? <input type="checkbox"/> If no, has the owner/operator attempted to do this?	✓			
1.12.8	If the State, or local authorities decline to enter into the above referenced agreements, has this been documented in the operation record?				✓
1.13	Contingency Plan and Emergency Procedures (265 Subpart D)				
1.13.1	Does the facility have a contingency plan?	✓			
1.13.2	Is it at the facility and easily available?	✓			
1.13.3	Is the contingency plan a revised SPCC Plan	✓			
1.13.3.1	Does the plan include: <input type="checkbox"/> Action personnel will take? <input type="checkbox"/> Evacuation routes? <input type="checkbox"/> Emergency Equipment?	✓			
1.13.3.5	Is the emergency equipment properly inspected and maintained?	✓			
1.13.4	Is there an emergency coordinator on site or within short driving distance of the plant at all times?	✓			
1.13.5	Who is the emergency coordinator? Michael Hirst				
1.13.6	Has the facility supplied local police and fire departments with a copy of the contingency plan?	✓			
1.13.7	Has the facility supplied DEP with a copy of the Contingency Plan?	✓			
1.14	Container Storage Checklist (Subpart I - Use and Management of Containers 265.170)				
1.14.1	Are the containers in good condition? (check for leaks, corrosion, bulges, etc.)		✓		
1.14.2	If a container is found to be leaking, does the operator transfer the hazardous waste from the leaking container?	✓			
1.14.3	Is the waste compatible with the containers and/or its liner?	✓			





# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

## HAZARDOUS WASTE INSPECTION CHECK LIST

Transfer Facility Requirements (62-730.171) Completed		Ok	Not Ok	Unk	N/A
1.14.4	Are containers holding hazardous waste opened, handled or stored in such a manner as to cause the container to rupture or leak?	✓			
1.14.5	Are each of the containers inspected at least weekly?	✓			
1.14.6	Are containers holding ignitable or reactive wastes located at least 15 meters (50 feet) from the facility property line?	✓			
1.14.7	Are incompatible wastes stored in the same containers?	✓			
1.14.8	Are containers holding incompatible wastes kept apart by physical barrier or sufficient distance?	✓			
1.15	Does facility have a written closure plan satisfying requirements of closure performance, notification, and decontamination standards of 40 CFR 265.111, 265.112(c), 265.114, 265.115? <input type="checkbox"/> Has the facility supplied DEP with a copy of the plan?	✓			
1.16	Is hazardous waste that is stored in containers or vehicles stored on a man made surface which is capable of preventing spills or releases to the ground?	✓			
1.17	Is a written log maintained for all waste entering or leaving the transfer facility?	✓			
1.17.1	Does the log contain: <input type="checkbox"/> Generators' names? <input type="checkbox"/> Manifest numbers? <input type="checkbox"/> Dates when waste enters and leaves facility?	✓			
1.18	Has the facility notified the department on Form 17-730.900(6) (Transfer facility notification form)?	✓			
1.19	Does the transfer facility have an EPA/DER ID number?	✓			

Unregulated Wastes (Household/Conditionally Exempt/Small Quantity Generator Wastes) Completed		Ok	Not Ok	Unk	N/A
1.20	Does the transporter have documentation that this waste was generated by an unregulated source?  If yes, complete the applicable Generator or Small Quantity Generator checklist. <input type="checkbox"/> If no, is the transporter assuming responsibility as the generator of this waste?				✓
1.21.2	If no, the inspector should inform the transporter that he will be held responsible as the generator of the waste and will be reinspected to ensure that the applicable requirements are being satisfied. A follow-up inspection should be scheduled as follows: <input type="checkbox"/> 90 days after initial inspection if the quantity of "unregulated" wastes on site exceed <input type="checkbox"/> 180 days after initial inspection if the quantity of "unregulated" wastes on site are less				
1.22	Does the transporter mix/consolidate hazardous wastes of different DOT shipping descriptions 263.10(c)(2)? If yes, complete the Generator checklist.				✓

Land Disposal Restrictions Completed		Ok	Not Ok	Unk	N/A
1.23	Does the transporter manage restricted (land ban) wastes? If yes, check appropriate box(es).  <input type="checkbox"/> "California List" <input type="checkbox"/> F--- List Solvents <input type="checkbox"/> First Third <input type="checkbox"/> Second Third <input type="checkbox"/> Third Third <input type="checkbox"/> Soil and Debris	✓			



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Land Disposal Restrictions Completed		Ok	Not Ok	Unk	N/A
1.23		✓			



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

## HAZARDOUS WASTE INSPECTION CHECK LIST

### Pre-Inspection Checklist

#### Requirements:

This section provides an opportunity for the department inspector to add a narrative explaining any requirements identified as "Not Ok" at the time of the inspection. Some requirements may be identified as "Ok" but are discussed further in the "areas of concern" portion of the narrative section.

Pre-Inspection Review Completed		Ok	Not Ok	Unk	N/A
26.1	Facility failed to notify with the correct status.	✓			
26.2	Facility failed to notify change of status.	✓			
26.3	Did the facility conduct a waste determination on all wastes generated?	✓			



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

## HAZARDOUS WASTE INSPECTION CHECK LIST

### Used Oil Transporter

#### Requirements:

This section provides an opportunity for the department inspector to add a narrative explaining any requirements identified as "Not OK" at the time of the inspection. Some requirements may be identified as "Ok" but are discussed further in the "areas of concern" portion of the narrative section.

40 CFR279 Subpart E --Transporter Standards Completed		Ok	Not Ok	Unk	N/A
29.1	Is the facility exempt under any of the following? On site transport? Generator transporting < 55 g /time to a collection center? Transporter of < 55 g /time from generator to aggregation point owned by same				✓
29.2	If the transporter also transports hazardous waste in the same trucks as are used to transport used oil, are the vehicles emptied per 261.7 after HW shipments? (If not, the used oil must be managed as hazardous).				✓
29.3	Does the transporter process used oil beyond what would be considered incidental to transport?				✓
29.3.1	If 'yes' are they in compliance with 279 Subpart F?				✓
29.4	Has the facility notified of used oil activities? Check EPA form 8700-12.	✓			
29.5	Does the transporter only deliver used oil to other transporters, oil processors, off specification used oil burners with EPA ID numbers?	✓			
29.6	Does the transporter comply with DOT requirements?	✓			
29.7	If any oil is discharged during transport, does the transporter:				
29.7.1	Notify National Response Center and State Warning Point and Coast Guard per 33 CFR 153.203, as applicable?				✓
29.7.2	Report to DOT in writing per 49 CFR 171.16?	✓			
29.7.3	Clean up any discharges until the discharge poses no threat?	✓			
29.8	Does the facility also transport used oil filters?	✓			
29.8.1	If so, are the filters stored in above ground containers which are:				
29.8.1.1	In good condition?	✓			
29.8.1.2	Closed or otherwise protected from weather?	✓			
29.8.1.3	Labeled "Used Oil Filters"?	✓			
29.8.1.4	Stored on an oil impervious surface?	✓			

Transporter Recordkeeping -279.46 Completed		Ok	Not Ok	Unk	N/A
29.9	Do used oil acceptance records include:				
29.9.1	Name & Address of facility providing the oil for transport?	✓			
29.9.2	EPA ID # of oil provider?	✓			
29.9.3	Quantity of oil shipped?	✓			
29.9.4	Date of acceptance?	✓			
29.9.5	Signature of oil provider, dated upon receipt?	✓			



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## HAZARDOUS WASTE INSPECTION CHECK LIST

Transporter Recordkeeping -279.46 Completed		Ok	Not Ok	Unk	N/A
29.9.5		✓			
29.10	Do used oil delivery records include:				
29.10.1	Name & Address of receiving facility or transporter?	✓			
29.10.2	EPA ID # of receiving facility or transporter?	✓			
29.10.3	Quantity of oil delivered?	✓			
29.10.4	Date of delivery?	✓			
29.10.5	Signature of oil receiver, dated upon receipt?	✓			
29.11	Do the above records also include:				
29.11.1	State required information on the type of oil?	✓			
29.11.2	Destination or end use?	✓			
29.12	Does the facility keep records on DEP Form 62-710.901(2) or equivalent?	✓			
29.13	Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year?	✓			
29.13.1	If not, is the facility an electric utility transporting only self generated used oil for recycling, which is exempt from state registration and reporting requirements?				✓
29.14	Does the transporter keep copies of the record and reports for three years at the street address of the facility?	✓			

Transporter Certification (62-710 F.A.C.) Completed		Ok	Not Ok	Unk	N/A
29.15	Is the transporter certified? (local governments, and < 55g/time transporters are exempt)	✓			
29.16	Does the facility maintain training records?	✓			
29.17	Does the facility maintain insurance or financial assurance of \$100,000 combined single limit?	✓			
29.18	Is the facility registration form and ID number displayed?	✓			

Transfer Facility Standards -279.45 Completed		Ok	Not Ok	Unk	N/A
29.19	Does the transporter store used oil at any transportation related facility (including parking lots) for more than 24 hours and not longer than 35 days during the normal course of transport? Transfer facilities storing used oil more than 35 days must comply with 279 Subpart F.	✓			
29.19.1	Is the transfer facility registered per 62-710.500(1)(a) F.A.C?	✓			
29.20	Does the transporter determine whether used oil stored at a transfer facility has total halogen content above or below 1,000 ppm?	✓			
29.20.1	Is this done by testing?	✓			
29.20.2	Is this done by process knowledge?  Describe basis  Testing by Chlor-Detect.	✓			
29.20.3	Are test records or copies of records providing basis for determination kept for 3 years?	✓			
29.21	Have any analyses showed Exceedence of the 1,000 ppm level?				✓
29.21.1.	If so, was the oil managed as hazardous waste?				✓



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION HAZARDOUS WASTE INSPECTION CHECK LIST

Transfer Facility Standards - 279.45 Completed		OK	Not Ok	Unk	N/A
29.21.1					✓
29.21.2	<p>If not, was the oil exempt?</p> <p>Describe</p> <p>Do not pick up used oil with halogen levels of 1000 ppm or more.</p>				✓
29.22	Is used oil stored only in tanks or containers, or units subject to 264 and 265?	✓			
29.23	If the facility has tanks, do they comply with 62.761 and 62.762 rules?				✓
29.23.1	Describe, including number and size of tanks, noting registration numbers if applicable, and compliance status. n/a				
29.23.2	Is secondary containment provided and adequate?	✓			
29.24	Are containers and tank trailers in good condition and not leaking?	✓			
29.25	Are containers provided with secondary containment with minimum requirements?	✓			
29.25.1	Is the containment system impervious to oil so as to prevent migration?	✓			
29.26	Are ASTs, UST tank fill lines and containers labeled "used oil"?				✓
29.27	Are used oil filters generated off-site stored more than 10 days?	✓			
29.27.1	If so, is the facility a registered used oil filter transfer facility?	✓			
29.28	Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable?	✓			