



Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

December 8, 2015

Mr. Dave Manley, Operations Manager
A-C-T Environmental & Infrastructure, Inc.
1875 West Main Street
Bartow, Florida 33830
dmanley@A-C-T.com

Re: A-C-T
Hazardous Waste Inspection
Facility ID Number FLR000011049
Polk County

Dear Mr. Manley:

Department personnel conducted a compliance inspection of the above-referenced facility on November 5, 2015. Based on the information provided during/following the inspection, the facility was determined to be in compliance. A copy of the inspection report is attached for your records.

The Department appreciates your efforts to maintain this facility in compliance with state and federal rules. Should you have any questions or comments, please contact Roger Evans at (813) 470-5867, or via e-mail at roger.evans@dep.state.fl.us.

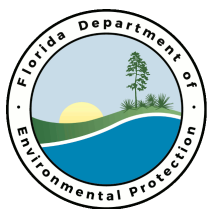
Sincerely,

A blue ink signature of Richard Vaughn, written in a cursive style.

Richard Vaughn
Environmental Manager
Compliance Assurance Program
Southwest District

Enclosures: Inspection Report

ec: Ashley Shive, Safety & Compliance, A-C-T, ashive@A-C-T.com



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

FACILITY INFORMATION:

Facility Name: American Compliance Technologies Inc

On-Site Inspection Start Date: 11/05/2015

On-Site Inspection End Date: 11/05/2015

ME ID#: 41912

EPA ID#: FLR000011049

Facility Street Address: 1875 W Main St, Bartow, Florida 33830-7718

Contact Mailing Address: 1875 W Main Street, Bartow, Florida 33830

County Name: Polk

Contact Phone: (863) 533-2000

NOTIFIED AS:

CESQG (<100 kg/month)

Transporter

Used Oil

INSPECTION TYPE:

Routine Inspection for Used Oil Transfer Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Roger Evans, Inspector

Other Participants: Shannon Camp; Dave Manley, Operations Manager; Ashley Shive, Director of Safety & Compliance; Mike Mathis, Warehouse Manager

LATITUDE / LONGITUDE: Lat 27° 53' 48.1223" / Long 81° 51' 57.5606"

SIC CODE: 1799 - Construction - special trade contractors, nec

TYPE OF OWNERSHIP: Private

Introduction:

American Compliance Technologies, Inc. (ACT) was inspected on November 5, 2015, to determine the facility's compliance with state and federal hazardous waste regulations. ACT is a registered hazardous waste transporter and a used oil transfer facility. Dave Manley (Operations Manager), Ashley Shive (Director of Safety & Compliance) and Mike Mathis (Warehouse Manager) accompanied the Department representatives during the inspection. Company operations have not changed significantly since the previous hazardous waste program inspection in January 2013. Since the last inspection the company has constructed a new office building. A portion of the building is used to provide training in association with Florida Polytechnic University.

Process Description:

ACT is primarily an emergency response company, but offers a variety of environmental services such as site assessment, sampling, waste brokering as well as transportation. The facility is registered with the Department as a used oil, used oil filter and universal waste transporter, used oil transfer facility and a hazardous waste transporter. The facility utilizes Raider Environmental (FLR000176271) as a hazardous waste transfer facility as needed. According to Dave Manley their on-site wastewater pre-treatment system is still not operational. They have applied for a permit from the City of Bartow to operate the system.

The facility currently consists of two office buildings and two warehouse buildings (#1 & #2). Warehouse #1 serves as a maintenance shop where they conduct routine maintenance on their own vehicles, and Warehouse #2 serves as their permitted solid waste processing building along with the inactive wastewater pre-treatment system. At the time of the inspection, the inspectors observed in Warehouse #2 a drum of used oil filters, three drums of sludge obtained from the cleanup of used oil spills, and eight drums of latex yellow paint liquid. All drums were labeled and

Inspection Date: 11/05/2015

closed. Spent universal waste lamps stored in boxes were labeled and closed. In Warehouse #1 a drum was observed collecting oily rags and another drum collecting used oil filters. The drum collecting the oil filters was not labeled. During the inspection the facility labeled the drum and on November 19, 2015 the facility provided photos of the properly labeled drum. An aerosol brake cleaner which contained greater than 10% toluene was observed in the maintenance work area. The warehouse manager indicated the brake cleaner is occasionally used with rags to clean parts. The solvent contaminated rags were being discarded in a drum with other oily rags, and were not being managed in accordance with the Excluded Solvent Contaminated Wipe Rule (40 CFR 261.4). Proper disposal of these solvent rags was discussed during the inspection, including management of rags under this rule. According to Dave Manley the facility will immediately implement the proper management and disposal of these solvent contaminated rags, as well as evaluating if further use of any solvent cleaners are necessary to do the job. Spent lead acid batteries are returned to either Advance Auto Parts or Napa Auto Parts for core credit.

ACT recycles used oil through Heritage Crystal Clean and used oil filters through Petrotech SE or Heritage Crystal Clean. Universal waste are picked up by either Lighting Resources or Veolia. Records reviewed from 2013 through 2015 indicated that the company continues to transport small quantities of used oil generated from off site, and has not stored the material for more than 35 days. Hazardous waste manifests records reviewed indicate that six shipments of waste (#008759422 JJK, 008759423 JJK, 008759424 JJK, 008759444 JJK, 008759445 JJK, 008759476 JJK) were picked up days after the generator dated the manifests. According to Ms. Shive, the generator had pre-dated the manifests prior to them picking up the wastes. The inspectors discussed that this was an improper dating of the manifests and ACT should advise their customers they should only date the manifests on the date in which the waste is collected. Another manifest (#008759474 JJK) did not include the date in which the transporter picked up the waste. Please also note in accordance with 62-710.510(1)(b), F.A.C., the EPA ID# must be noted on used oil records.

Other paperwork inspected during the inspection, included training records and financial assurance. No discrepancies or violations involving the facility's documentation were observed.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	263.20
Explanation:	ACT driver failed to date a uniform hazardous waste manifest (#008759474 JJK) on the date the waste was picked up at the generator. In addition several manifests appear to be pre-dated by the generators.
Corrective Action:	ACT will discuss these issues with their drivers and customers to make sure the manifests are completed correctly.

Type:	Violation
Rule:	62-710.850(5)(a)
Explanation:	A container storing used oil filters was not properly labeled. (Corrected)
Corrective Action:	The facility properly labeled the container during the inspection.

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Conclusion:

At the time of the inspection, American Compliance Technologies, Inc. was not operating in compliance with state and federal hazardous waste regulations governing used oil and hazardous waste management regulations. The facility returned to compliance following the inspection.

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Signed:

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Roger Evans

PRINCIPAL INSPECTOR NAME

Inspector

PRINCIPAL INSPECTOR TITLE

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.