Lemonius, Catherine

From: Lemonius, Catherine
Sent: Friday, January 15, 2016 1:42 PM
To: 'ellis@electeng.com'
Cc: SWD_Clerical (Shared Mailbox); Honey, Kelly; 'Javier@epchc.org'
Subject: Electrical Engineering Enterprises, Inc - Fac. # FLR00215376 - CAO Ltr with Attachments - Hillsborough County
Attachments: Electrical Engineering Enterprises, Inc - Fac. # FLR00215376 - CAO Ltr with Attachments - Hillsborough County.pdf

Sent on behalf of Kelly Honey

Dear Mr. Ellis:

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

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

If you have any question concerning the contents of the attached document, please contact the FDEP Environmental Specialist, Kelly Honey at (813) 470 5786 or via email Kelly.Honey@dep.state.fl.us .

Sincerely,

Catherine

Catherine Lemonius
Administrative Secretary
Department of Environmental Protection
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926

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

January 15, 2016

Wayne Ellis, President
Electrical Engineering Enterprises, Inc.
5316 Henry Avenue
Tampa, FL 33610
ellis@electeng.com

Re: Compliance Assistance Offer
Electrical Engineering Enterprises, Inc.
Facility ID No. FLR000215376
Hillsborough County

Dear Mr. Ellis:

A hazardous waste compliance inspection was conducted at your facility on December 4, 2015, under the authority of Section 403.061, Florida Statutes (F.S.). During this inspection, possible violations of Chapter 403, F.S. and Chapter 62-710, Florida Administrative Code (F.A.C.), were observed. The purpose of this letter is to offer you compliance assistance as a means of resolving these matters.

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

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

It is the Department's desire that you are able to document compliance or corrective actions concerning the possible violations identified in the attached inspection report so that this matter

can be closed without enforcement. Your failure to respond promptly in writing (or by e-mail) may result in the initiation of formal enforcement proceedings.

Please address your response and any questions to Ms. Kelly Honey of the Southwest District Office at (813) 470-5786, or via e-mail at kelly.honey@dep.state.fl.us. We look forward to your cooperation with this matter.

Sincerely,

Richard Vaughn
Environmental Manager
Southwest District
Florida Department of Environmental Protection

RV/kmh

Enclosures: Inspection Report

cc: Gerry Javier, Hillsborough County SQG Program (Javier@epchc.org)

Florida Department of

Environmental Protection

Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: Electrical Engineering Enterprises Inc

On-Site Inspection Start Date: 12/04/2015 **On-Site Inspection End Date:** 12/04/2015

ME ID#: 116885 **EPA ID#:** FLR000215376

Facility Street Address: 5316 E Henry Ave, Tampa, Florida 33610-4843

Contact Mailing Address: 5316 E Henry Ave, Tampa, Florida 33610

County Name: Hillsborough **Contact Phone:** (813) 740-9601

NOTIFIED AS:

Non-Handler
Transporter
Used Oil

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Used Oil Generator facility

INSPECTION PARTICIPANTS:

Principal Inspector: Kelly M. Honey, Environmental Specialist III

Other Participants: Leslie Pedigo, Environmental Specialist III; Wayne Ellis, President

LATITUDE / LONGITUDE: Lat 28° 0' 0.4819" / Long 82° 23' 46.8424"

SIC CODE: 1711 - Construction - plumbing, heating, air conditioning

TYPE OF OWNERSHIP: Private

Introduction:

Electrical Engineering Enterprises, Inc., (Electrical Engineering) was inspected to evaluate its compliance with state and federal hazardous waste and used oil regulations. Electrical Engineering is a used oil and used oil filter transporter, a certified hazardous waste transporter, and is currently notified as a nonhandler of hazardous waste. This was confirmed during the inspection. The inspectors were accompanied throughout the inspection by Wayne Ellis, President.

Process Description:

Electrical Engineering primarily performs testing of electrical equipment, including transformers, circuits and is also an electrical and power line contractor. Most work is performed in the field, although some panels or other parts may be assembled at the facility. No painting is performed. Mr. Ellis indicated that in the past they have done lighting jobs that include replacement of spent fluorescent lamps, but not in the last four years.

The facility consists of a large, 125,000-ft2 building with offices in the front. In the rear of the building are a warehouse, shop and an old loading dock where used oil may be temporarily stored. There is also a small yard for storage. The facility has been operating at this location since approximately 2012. There are currently approximately forty-two employees, around twenty of which work at this location. The facility is open five days per week, from 7am through 4:30pm, and is on City of Tampa water and sewer systems. Forklifts are maintained by Briggs, and trucks are maintained by Sunstate or Ringpower.

In the warehouse and shop area behind the offices, parts and equipment are stored, and the facility has an area set aside for storage of welding equipment, plus several work tables throughout. All wirings are terminal connections, and there is no soldering. Some virgin oil and additives are also

stored in the warehouse and shop area, and there are two small blasting cabinets. Only one of the two Trinco units was working. According to Mr. Ellis, the unit, which contains glass beads, is used primarily for breaker overhauls, and the only parts blasted are iron, steel, and occasionally copper. The contents of this unit, which is provided with a collection system, are discarded into the regular trash when spent. The warehouse and shop area also has a propane oven which is used to dry out transformer cores prior to placing into service.

At the time of the inspection, the facility had a job involving the assembly of panel boxes, which are received blank/empty by the customer and completed per their specifications. Some solvents are in use for general parts cleaning, including xylene-based aerosol brake cleaner and mineral spirits. There were no solvents observed that would be listed hazardous waste upon being spent. Any plating and or metal preparation required by a customer is performed by a third party contractor, such as SunGlo Plating or ADTEC II. Occasionally, some panels or cabinets may need minor repairs, and Electrical Engineering uses fiberglass fillers (e.g., Bondo) for this purpose. Acetone is used for cleanup as needed on a rag. As discussed, rags used with acetone may be discarded into the regular trash only if they are dry upon being declared a waste. Tools used are disposable, and staff mix only the amount needed for the repair. If there is any excess, it is allowed to harden and then thrown away.

The facility generates the majority of its used oil from off site repair, removal and maintenance of transformers. Sometimes, arrangements are made to have the used transformer oil picked up directly from the work site, usually by Clean Harbors, but other times it is brought back and placed in a 6,000-gallon double -walled tanker trailer located off site at Stepp's Towing. Electrical Engineering has an agreement with Stepp's to park the tanker trailer because there is not adequate space available at the Electrical Engineering facility. There are tentative plans to construct a large aboveground storage tank, however. Discussions during the inspection indicate that the tanker trailer does meet the definition of a mobile tank and is therefore not regulated under the Aboveground Storage Tank (AST) Systems Rule (62-762, Florida Administrative Code). The Stepp's facility was not inspected.

Occasionally, used oil from out of service transformers is brought back to the facility to be temporarily stored in tote containers within the old loading dock. At the time of the inspection, there were ten 275-gallon tote containers of used transformer oil located in the old loading dock. All the totes were labeled "used oil" and all were closed, however the loading dock does not provide adequate secondary containment. There were also two 55-gallon drums of virgin oil stored here.

The yard, which is covered with asphalt, is used for storage of equipment, including the two mobile SESCO transformer purification/filtration systems. The units are provided with vacuum heaters and traps to remove gases and other impurities and with filters to remove particulates. One unit has four filters; the other has two. The units are used in the field when the used transformer oil is still considered suitable for re-use. The used transformer oil is removed from the transformer and processed through the SESCO unit before being replaced back into the unit. Under 40 CFR 279.41(c), transporters of used oil that is removed from oil bearing electrical transformers and turbines and filtered by the transporter or at a transfer facility prior to being returned to its original use are not subject to the processor/re-refiner requirements in subpart F of this part. Used oil and used oil filters are generated from maintenance on the large SESCO purification units.

The yard has two 500-gallon ASTs for fueling company vehicles and equipment, one containing diesel and the other with gasoline. The ASTs are under a roofed overhang next to the building and are double-walled. The yard is also used for container storage and numerous containers were being stored on the east side of the property near the fence. At the time of the inspection, there were approximately thirty-three totes in storage, four of which were found to contain varying amounts of used transformer oil. The remainder appeared empty. All the totes with used oil were closed and labeled, but none were provided with secondary containment. There was also a tote of virgin transformer oil.

Next to the tote storage area, is an area for storage of 55-gallon drums. There were approximately ninety-six drums observed. Not all the drums could be individually inspected due to their close arrangement. Of the ones that were accessible, around half of those inspected contained used oil

removed from the SESCO units. Some contained less than 15-gallons, others had more, and some were determined to be completely full. At least fifteen of the ones that could be individually inspected contained used oil, however, the Department believes the number of drums onsite containing used oil is probably closer to fifty based on the observed percentages of the inspected drums. As with the other containers, the drums all appeared to be labeled "used oil" and closed, but did not have secondary containment. There was also a small area of sand on the asphalt that was stained with used oil and needed to be cleaned up.

During the inspection, the lack of containment for the totes and the drums was discussed, and Mr. Ellis was directed to either provide secondary containment for the containers, or recycle the used oil. He was also directed to scrape up the stained sand. Mr. Ellis indicated that it would not be an issue to transfer the contents of the totes into his storage trailer located at Stepp's, nor would it take very long since the trailer currently has enough freeboard to accept all the used transformer oil currently on site. Regarding the drums, he indicated that it would take longer since he was going to have to consolidate the used oil. Additionally, this used oil is not suitable for co-mingling with the used transformer oil and will have to be picked up for recycling here rather than placed in the off site storage trailer.

After the inspection, Mr. Ellis submitted photographs of the drum storage area. The photographs indicate that the area has been completely cleaned up and the drums are now gone. There was nothing, however, submitted regarding the totes of used oil, and there was no indication of the disposition of the used oil from the drums. Electrical Engineering was subsequently contacted several times by email and by telephone, but to date, has not provided the requested information.

Electrical Engineering does not work on transformers containing polychlorinated biphenols (PCBs) and therefore obtains a sample of transformer oil before any work is performed and has it analyzed for PCBs. The only exception would be for a piece of equipment that has a current analysis and certification. If the job is for a retrofitted transformer (i.e., it formerly contained PCB oil), samples are obtained to ensure no PCBs have leached from the equipment into the mineral oil. Samples are analyzed by either T & R Electric or by Weidmann Electric. Electrical Engineering subcontracts TCI Alabama (ALD983167891) to handle any transformer oil that contains more that 10 ppm PCBs. Electrical Engineering only transports from the job site to either the facility or the AST at Stepp's. Electrical Engineering submitted its most recent State of Florida Certificate of Liability Insurance to the Department on 11-12-15. Used oil is transported from Electrical Engineering by Clean Harbors, Bartow, FL, either directly from the job site or from the tanker trailer at Stepp's.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	279.22(d)(3)
Explanation:	Next to the drum storage area on the east side of the property, there was a small area (less than 2-ft by 2-ft) of sand contaminated with used oil observed on the asphalt.
Corrective Action:	After the inspection, Mr. Ellis submitted photographs documenting that the drum storage area had been completely cleaned out, the drums removed and the stained soil removed, however, there was no documentation of proper disposal of the used oil included. Within 15 days, provide the Department with copies of the disposal records associated with the cleanup of the drum storage area.

Type:	Violation

Rule:	62-710.401(6)
Explanation:	At the time of the inspection, there were approximately ten totes of used oil in the old loading dock without secondary containment. There were also four totes in the yard containing used oil without secondary containment. Additionally, in the yard, there were 15-50 drums of used oil without containment.
Corrective Action:	Tanks and containers must be provided with secondary containment which has the capacity to hold 110% of the volume of the largest tank or container within the containment area. After the inspection, the facility submitted photographs showing that all the drums of used oil have been removed, however, nothing has been provided regarding the totes. Within 15 days, provide the Department with documentation that the fourteen totes observed on site are now equipped with adequate secondary containment. Alternatively, provide the Department with documentation that the used transformer oil has been removed from the facility.

Conclusion:

Based on the observations made during this inspection, the facility was not operating in compliance with rules applicable to used oil handlers. The facility has not yet returned to compliance.

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.

Kelly M. Honey	Environmental Specialist III	
PRINCIPAL INSPECTOR NAME	**PRINCIPAL INSPECTOR TITLE**	
	FDEP	1/14/2016
PRINCIPAL INSPECTOR SIGNATURE	**ORGANIZATION**	**DATE**

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.

Hazardous Waste Program
CASE REVIEW FORM

Check Case Review Type:
____Case Specific Classification Review

__✔__Enforcement Case Review

Current Date:	Inspection Date:	Inspector:
December 9, 2015	December 4, 2015	Kelly Honey, ES III

EPA ID: FLR000215376

Facility Name: Electrical Engineering Enterprises, Inc.

Facility Address: 5316 E. Henry Ave., Tampa, Hillsborough County, FL

Reference Links:

	Alleged Violation Citation/Regulator Reference	Manual Guide	Potential for Harm	Extent of Deviation	Check All That Apply
1.	Failure to provide secondary containment for containers of used oil 62-710.401(6), FAC	UO-144 UO-145	Moderate	Major	☐ Repeat Violations ☐ Actual or substantial exposure to HW constituents
Comments: (Optional) UO-144 is for matrix and is "yellow." UO-145 is for ELRA and is "green." This is the first inspection of this facility.					
2.	Failure to immediately cleanup spilled used oil. 279.22(d)(3)	UO-142 UO-143	Moderate	Minor	☐ Repeat Violations ☐ Actual or substantial exposure to HW constituents
Comments: (Optional) UO-142 is for matrix and is "yellow." UO-143 is for ELRA and is "green." This is the first inspection of this facility.					
3.			Minor	Minor	☐ Repeat Violations ☐ Actual or substantial exposure to HW constituents
Comments: (Optional)					
4.			Minor	Minor	☐ Repeat Violations ☐ Actual or substantial exposure to HW constituents
Comments: (Optional)					
5.			Minor	Minor	☐ Repeat Violations ☐ Actual or substantial exposure to HW constituents
Comments: (Optional)					
6.			Minor	Minor	☐ Repeat Violations ☐ Actual or substantial exposure to HW constituents
Comments: (Optional)					

Hazardous Waste Program
CASE REVIEW FORM

7.			Minor	Minor	☐ ☐	Repeat Violations Actual or substantial exposure to HW constituents
Comments: (Optional)						
8.			Minor	Minor	☐ ☐	Repeat Violations Actual or substantial exposure to HW constituents
Comments: (Optional)						
9.			Minor	Minor	☐ ☐	Repeat Violations Actual or substantial exposure to HW constituents
Comments: (Optional)						
10.			Minor	Minor	☐ ☐	Repeat Violations Actual or substantial exposure to HW constituents
Comments: (Optional)						
11.			Minor	Minor	☐ ☐	Repeat Violations Actual or substantial exposure to HW constituents
Comments: (Optional)						
12.			Minor	Minor	☐ ☐	Repeat Violations Actual or substantial exposure to HW constituents
Comments: (Optional)						
13.			Minor	Minor	☐ ☐	Repeat Violations Actual or substantial exposure to HW constituents
Comments: (Optional)						
14.			Minor	Minor	☐ ☐	Repeat Violations Actual or substantial exposure to HW constituents
Comments: (Optional)						
15.			Minor	Minor	☐ ☐	Repeat Violations Actual or substantial exposure to HW constituents
Comments: (Optional)						

DWM Notes:

Note: This staff assessment is preliminary and is designed to assist in the compliance review process, prior to final agency direction. Comments provided herein are not the final position of the Department and may be subject to revision, pursuant to additional information and/or further review.