Winston, Kathy

From: Winston, Kathy
Sent: Thursday, April 7, 2016 7:33 AM
To: 'angelo.pousa@Crystal-Clean.com'
Subject: Department visit of February 11, 2016
Attachments: approved4-4-16HazardousWasteInspectionReport.pdf

The purpose of this email is to acknowledge return to compliance from the Department's inspection on February 11, 2015 at the above mentioned facility. Attached please find the final report for that inspection. Please feel free to contact me if you have any questions concerning this inspection or any other compliance issue. Thank you for your cooperation in this matter.

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Florida Department of

Environmental Protection

Hazardous Waste Inspection Report

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FACILITY INFORMATION:

Facility Name: Heritage Crystal-Clean LLC

On-Site Inspection Start Date: 02/11/2016 **On-Site Inspection End Date:** 02/11/2016

ME ID#: 28736 **EPA ID#:** FLD984262410

Facility Street Address: 1280 NE 48th St, Pompano Beach, Florida 33064-4909

Contact Mailing Address: 6305 E Lombard St, Baltimore, Maryland 21224-1734

County Name: Broward **Contact Phone:** (410) 284-1717

NOTIFIED AS:

CESQG (<100 kg/month)
Transporter
Transfer Facility
Used Oil

INSPECTION TYPE:

Routine Inspection for CESQG (<100 kg/month) facility

Routine Inspection for Used Oil Processor facility

Routine Inspection for Hazardous Waste Transporter facility

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Hazardous Waste Transfer Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Kathy R. Winston, Inspector

Other Participants: Scott Crandall, EHS; Angelo Pousa, REgional Manager East Coast Operations

LATITUDE / LONGITUDE: Lat 26° 17' 22.5635" / Long 80° 6' 23.2854"

SIC CODE: 5093 - Wholesale trade - scrap and waste materials

TYPE OF OWNERSHIP: Private

Introduction:

Heritage Crystal Clean, LLC (HCC) bought out FCC Environmental LLC (FCC) in June of 2015 and has ceased most of their services out of this facility. They are still collecting used oil filters; however, HCC are not bulking these but shipping them to US Foundry in their original containers. The facility is operating as a hazardous waste transfer facility and the parts washer service is still being conducted from this site. The have ceased operating the full-service recycling, recovery, and remediation services that has been operating at this facility since 1993. The facility sits on approximately 4 acres and the company employs 7 people at this branch, 3 of whom work in operations. The facility is connected to city water and sewer. HCC is still technically a used oil transporter, transfer facility, processor and marketer at this site. HCC drivers do still leave from this yard for used oil pickups; however, the drivers then arrange to offload at Transflo. All operations are now within the bermed area. The new parts washer solvent is being stored under the pole barn; while the waste solvent drums are loaded along with any transfer facility hazardous waste on to a tractor trailer which is picked up once a week for delivery to the appropriate Treatment, Storage and Disposal facilities.

The facility's last inspection took place on January 28, 2014 and involved only minor violations and areas of concerns. The facility return to compliance, from that inspection, without enforcement, on April 4, 2014. The previous inspection to that took place on April 23, 2012, and the involved only

minor violations. The facility return to compliance, from that inspection, without enforcement, on August 8, 2012.

Process Description:

The facility maintains a tank farm with a capacity of 432,000 gallons, a wastewater pre-treatment plant, a used oil processing area and a truck repair garage. The garage is rarely used as most repairs are contracted out. A trailer containing spill response equipment is stationed near the garage and is designed for on-site use, if needed. The entire facility is surrounded by a 10-foot high concrete wall and, according to HCC's records, has an impervious base consisting of three feet of reinforced concrete over 60-mil geothermic lining. Telephones and fire extinguishers are stationed throughout the facility for easy access and all employees carry cellular phones. While performing the facility tour, a large tote opened and labeled Optisphere HSP 3102 was noted directly to the west of the operating water plant. Per the facility representatives, this was just process water with diatamous earth in it. The inspector suggested it be covered just to avoid any overflow situations.

Before purchasing FCC, HCC had a hazardous waste transfer facility at Port Everglades. Therefore; when they purchased FCC, a business decision was made to close that facility and move their transfer facility to the HCC's newly acquired Pompano Beach location. HCC has erected a free standing loading dock approximately 75 feet from the facility's east wall and within the bermed area. On the south end of the dock were the two trailers for collection of the transfer facility waste and dirty solvent waste. One of the trailers was completely full and waiting for pick up. In the second trailer, loading was still in progress and there was paperwork corresponding to all the waste that had already been loaded onto this trailer. At the other end of the dock were two more trailers. One of these trailers was completely full of used oil filters and a second one was partial loaded and awaiting more used oil filter containers.

Record Review

The facility had several minor issues in its' Contingency Plan (CP). The facility diagram that was provided in the CP didn't include evacuation routes or a muster station. After a search through some of their older CP, a document including the requested additions to the diagram was found and inserted into the CP at the time of the inspection. The CP was missing a statement concerning the emergency coordinator's ability to commit funds. A statement to that effected was inserted into the appropriate CP page and that new page was printed out and inserted into the document at the time of the inspection. The only other small problem with the facility's CP was that it had the old address for FDEP Office of Emergency Response. This was also inserted on the appropriate page and that page was inserted into the updated CP, while the inspector was still on site. All the rest of the documents that were reviewed during the inspection appeared to be in order: the manifests, general facility inspection logs, container inspection logs, the permit which included the closure plan and the waste analysis plan, as well as, the acceptance and delivery logs for both hazardous waste and used oil. HCC's training records were sufficient to show proper and up-to-date training for their employees and included position descriptions and titles.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	265.55
Question Number:	28.370
Question:	Is the emergency coordinator authorized to commit funds for incident response?

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Explanation:	The facility's Contingency Plan didn't indicate that whomever was the designated emergency coordinator would have the ability to commit funds for cleanup.
Corrective Action:	Please include a statement indicating that the emergency coordinator has the ability to commit funds, in case of an emergency beyond the facility's capability's to address. While still on site, the EHS officer sent an email to the inspector with the rewritten section of the Contingency Plan including the above mentioned statement.

Type:	Violation
Rule:	279.52(b)(2)(vi)
Explanation:	The evacuation routes and the assembly area were not indicated on the facility's diagram in the Contingency Plan.
Corrective Action:	Please provide the Department with a facility diagram that includes evacuation routes and the muster station. The facility representatives searched some of their older version of their Contingency Plan that included the corrected diagram and it was inserted into the updated document while the inspector was still on-site.

Type:	Violation
Rule:	279.52(b)(4)(iii)
Explanation:	The facility had an old address for the FDEP's Office of Emergency Response (OER).
Corrective Action:	Please add the correct address for FDEP's OER in the facility's Contingency Plan. A revised Contingency Plan with the corrected address was emailed to the inspector while she was still on site.

Conclusion:

An exit interview was conducted at the conclusion of the inspection which addressed the potential violations listed above. The facility was not in compliance at the beginning of the inspection; however, compliance was achieved before the inspector finished 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.

Kathy R. Winston	Inspector
PRINCIPAL INSPECTOR NAME	**PRINCIPAL INSPECTOR TITLE**
	2/15/2016
PRINCIPAL INSPECTOR SIGNATURE	**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.