Florida Department of Environmental Protection

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

August 15, 2016

Mr. Ed Kinley, President
Universal Environmental Solutions, LLC
1650 Hemlock Street Bldg 2
Tampa, FL 33605-6602
ekinley@uestampa.com

Re: Universal Environmental Solutions, LLC
Facility ID Number FLR000199802
Hillsborough County

Dear Mr. Kinley:

Department personnel conducted a hazardous waste compliance inspection of the above referenced facility on July 22, 2016. Based on the information provided during and following the inspection, the facility was determined to have returned to 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 Ms. Kelly Honey at (813) 470-5786, or via e-mail at: kelly.honey@dep.state.fl.us.

Sincerely,

Richard Vaughn
Environmental Manager
Compliance Assurance Program
Southwest District
Florida Department of Environmental Protection

Enclosures: Inspection Report

cc: David Payton, EHS Director, Hendry Marine Industries, Inc.
(dpayton@hendrymarine.com)
Bheem Kothur, Department, RCRA Permitting Section
(bheem.kothur@dep.state.fl.us)

Florida Department of

Environmental Protection

Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: Universal Environmental Solutions LLC

On-Site Inspection Start Date: 07/22/2016 **On-Site Inspection End Date:** 07/22/2016

ME ID#: 108745 **EPA ID#:** FLR000199802

Facility Street Address: 1650 Hemlock St, Tampa, FL 33605-6602

Contact Mailing Address: 1650 Hemlock St, Tampa, FL 33605-6602

County Name: HILLSBOROUGH **Contact Phone:** (813) 390-0659

NOTIFIED AS:

Used Oil Transporter
Used Oil Generator
Used Oil Processor

INSPECTION TYPE:

Routine Inspection for Used Oil Processor facility

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: Ed Kinley, President; David Payton, Health, Safety and Environmental Director

LATITUDE / LONGITUDE: Lat 27° 56' 17.0326" / Long 82° 26' 28.1097"

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

TYPE OF OWNERSHIP: Private

Introduction:

Universal Environmental Solutions, LLC (UES) is a used oil processor and transporter specializing in pretreatment of wastewater, including bilge water, oily wastewater and fuel contaminated water (i.e., petroleum contact water / PCW) from shipyards and port terminal facilities under permit #330300-HO-001, which was issued 04-07-15. Some associated solids are also received in drums (e.g., used oil filters, oily debris). The separation of used oil and fuel from water is primarily done through gravity, and the facility is a processor by virtue of the volume of used oil on site (i.e., >25,000-gallons). The facility also accepts landfill leachate, fertilizer contaminated waste water and other non-hazardous industrial waste waters for pretreatment prior to discharge to the City of Tampa's Howard F. Curren domestic wastewater treatment facility. The plant is located on property leased from Hendry Corporation at the Port of Tampa. Ed Kinley, the company president, and David Payton, the HSE Director for UES's parent company, Hendry Marine Industries, Inc., accompanied the inspector throughout. The facility has been inspected once previously by the Department's Hazardous Waste Section, on 08-12-14.

Process Description:

Processes at the facility have not changed since the previous inspection, and more details regarding them may be found in the associated report. UES still accepts wastewater from just one other transporter. Otherwise, trucked waste is transported by UES vehicles and are generated usually by UES's tank and barge cleaning activities. A halogen detector or "sniffer" is now used for screening incoming oil. Test results are noted on the shipping papers.

UES also receives waste through a six inch underground pipeline from the Hendry/Gulf Marine docks. The underground portion of the pipeline is provided with secondary containment, and a flange connects to two, three inch lines leading to the treatment plant. All portions of the system that contain wastewater to be

processed and/or used oil are now provided with secondary containment.

The treatment plant includes an outdoor concrete secondary containment structure surrounding treatment and storage tanks where settling and oil/water separation takes place. Waste water from the outdoor treatment tanks is pumped for further treatment into additional tanks located within an adjacent metal building. Wastewater inside the building is treated by gravimetric separation, pH adjustment, flocculation and dissolved air flotation (DAF). Recovered organics are managed as used oil. Wastewater is discharged through pipes to the sanitary sewer. Additional details on the treatment process may be found in the facility's submittals to the City of Tampa's pretreatment program and on the company's web site. The facility performs quarterly monitoring of its effluent, and the City of Tampa is on site sampling two to three times monthly. Recovered used oil is sent back through the processing tanks outside. The treatment building is also used for container storage. At the time of this inspection, there was a roll-off for the consolidation of oily wastes, such as rags, and absorbents, and some drums of used oil filters, which were labeled. Used oil filters and oily wastes are disposed of at the Hillsborough County waste-to energy incinerator. Sediments from the treatment process are accumulated in a roll-off container located on the west side of the building, and are disposed of as nonhazardous waste at EQ Florida, Inc. The waste is analyzed annually, most recently in May 2016 (for totals) and June 2016 (TCLP for benzene only) and was confirmed to be nonhazardous.

The outdoor tanks include three 69,300-gallon capacity compartmented tanks used for settling solids and for oil/water separation. The three tanks are operated in parallel, and all connect to a fourth tank located perpendicular that provides for additional settling before water is pumped into the building for additional treatment. The facility is in the process of modifying this tank to include a heating element to increase the efficiency of the separation, and an electric boiler is to be installed. As discussed during the inspection, this modification should be discussed with the Used Oil Permitting Section in Tallahassee to determine whether it requires a permit modification.

The outdoor containment area also includes three 5,000-gallon steel tanks, one labeled for gasoline/PCW storage and two labeled for diesel/PCW. The gasoline and diesel tanks are dedicated to holding fuel and PCW removed from ships and port terminal facilities. This off specification fuel is not returned to the ship or terminal. Instead it is marketed as fuel for further processing by a broker. A 10,000-gallon tank for storing recovered oil is also located within the outdoor containment. The tank within the containment dike were all labeled as required.

At the time of this inspection, the facility was storing received used oil and treated used oil in several frac tanks located outside the containment dike, but on a contained pad. The frac tanks were not labeled with the words "used oil," but this was corrected after the inspection. Raider Environmental Services is currently accepting UES's processed oil as off-spec. UES was in compliance with acceptance and delivery recordkeeping requirements. The facility had submitted its annual report on time, and maintained the required certificate of insurance.

The overall appearance of the facility was good, but the areas around the containments appeared in need of better housekeeping protocols. Mr. Kinley explained that the facility has just finished a large project involving the cleanout of a barge containing bunker C fuel (no. 6 fuel oil) which is a very thick and greasy product. After the inspection, Mr. Kinley submitted pictures of the areas showing a marked improvement in appearance.

Note that the facility has filed the required Notice of Intent under the NPDES Multi-Sector Generic Permit since the previous inspection, and was evaluated for compliance with the No Exposure Exclusion as part of this inspection. A separate report will be issued for that portion of the inspection.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	62-710.401(6)
Explanation:	The facility was storing used oil in frac tanks that were not labeled "used oil." (corrected)
Corrective Action:	After the inspection, the facility submitted photographs showing the tanks were properly

labeled.

Conclusion:

At the time of the inspection, the facility was not in compliance with all applicable used oil rules. The facility has returned to compliance.

5.0 - Used Oil Generator Checklist

Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	Used Oil Container and Tank Management	Yes	No	Unk	N/A
5.1	Does the facility store used oil only in tanks, containers or permitted hazardous waste storage units? 279.22(a)	✓			
5.2	Are used oil containers/tanks in good condition? 279.22(b)(1)	✓			
5.3	Are used oil containers/tanks not leaking? 279.22(b)(2)	✓			
5.4	Are used oil containers/tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(1)		✓		
5.5	Are fill pipes used to fill underground tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(2)	✓			
Item No.	Secondary Containment	Yes	No	Unk	N/A
5.7	Stored on an oil-impermeable surface? 62-710.401(6)	✓			
5.9	Stored on an oil-impermeable surface? 62-710.401(6)	✓			
5.10	Does the building provide adequate secondary containment, or are the containers/tanks double-walled, or stored within or on engineered secondary containment that has the capacity to hold 110% of the volume of the largest container/tank, or are the containers/tanks portable/wheeled and typically emptied every 24 hours? 62-710.401(6)	✓			
5.12	Closed or otherwise protected from the weather? 62-710.401(6)	✓			
5.13	Double-walled or stored on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest container within the secondary containment? 62-710.401(6)	✓			
Item No.	Used Oil Releases	Yes	No	Unk	N/A
5.15	stop the release? 279.22(d)(1)	✓			
5.16	contain the released oil? 279.22(d)(2)	✓			
5.17	clean up and manage properly the released used oil and other materials? 279.22(d)(3)	✓			
5.18	if necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service? 279.22(d)(4)	✓			
5.19	Is the facility in compliance with the prohibition against discharges of used oil into soils, sewers, drainage systems, septic tanks, surface or ground waters, watercourses, or marine waters? 62-710.401(2)	✓			
5.20	Is the facility in compliance with the prohibition against using used oil for road or pavement oiling for dust control, weed abatement, or other similar uses that have the potential to release used oil into the environment? 62-710.401(5)	✓			
Item No.	Used Oil Filter Container Management	Yes	No	Unk	N/A
5.21	Does the facility store used oil filters in containers? 62-710.850(5)(a)	✓			
5.22	Are the used oil filter containers clearly labeled "Used Oil Filters"? 62-710.850(5)(a)	✓			
5.23	Are the used oil filter containers in good condition? 62-710.850(5)(a)	✓			
5.24	Are the used oil filter containers not leaking? 62-710.850(5)(a)	✓			
5.25	Are the used oil filter containers closed or otherwise protected from weather? 62-710.850(5)(a)	✓			
5.26	Are the used oil filter containers stored on an oil-impervious surface? 62-710.850(5)(a)	✓			

Item No.	Releases from Used Oil Filter Containers	Yes	No	Unk	N/A
5.28	stop the release? 62-710.850(5)(b)(1)	✓			
5.29	contain the released oil? 62-710.850(5)(b)(2)	✓			
5.30	clean up and manage properly the released oil and any subsequent oily waste? 62-710.850(5)(b)(3)	✓			
5.31	repair or replace any leaking used oil filter storage containers prior to returning them to service? 62-710.850(5)(b)(4)	✓			
Item No.	**Used Oil Mixtures**	**Yes**	**No**	**Unk**	**N/A**
5.34	Is the mixture being managed as listed hazardous waste? 279.10(b)(1)	✓			
5.37	Is the mixture managed as HW if it exhibits the ignitability characteristic? 279.10(b)(2)(iii)	✓			
5.39	Is the mixture managed as HW if it exhibits ANY characteristic (even if the characteristic of the mixture is from the used oil, rather than from the HW)? 279.10(b)(2)(i)	✓			
5.41	Are UO-contaminated materials that contain visible free-flowing UO managed under 279 used oil standards? 279.10(c)(3)	✓			
5.42	Does the facility either manage UO-contaminated materials that do not contain visible free-flowing UO as hazardous waste have records documenting the materials are not hazardous waste? 279.10(c)(1)(ii)	✓			
5.43	Are UO-contaminated materials that will be burned for energy recovery being managed as used oil under 279? (Used oil-contaminated materials should have a heating value of at least 5000 Btu/pound to be burned for energy recovery under 279, so low-Btu-value materials like contaminated soils and clay absorbents are solid waste, subject to 262 HW determinations.) 279.10(c)(3)	✓			
5.45	Does the facility manage mixtures of UO and fuel/fuel products under 279 used oil standards? [Note: 279.10(d)(2) allows on-site mixing of UO with diesel fuel for use in the generator's own vehicles.] 279.10(d)(1)	✓			
5.46	Is the facility in compliance with the prohibition against mixing or commingling used oil with solid waste that is to be disposed of in landfills or directly disposing of used oil in landfills? (Persons unknowingly disposing into a landfill used oil or used oil filters which have not been properly segregated or separated from other solid wastes by the generator are not subject to this prohibition. Oily waste, sorbents or other materials used for maintenance or clean up as a result of spills or release are not subject to this prohibition.) 62-710.401(3)	✓			
5.47	Is the facility in compliance with the prohibition against mixing or commingling used oil with hazardous substances that make it unsuitable for recycling or beneficial use? (Notwithstanding the provisions found in 40 CFR 279.10(b)(3)). 62-710.401(4)	✓			
Item No.	**Space Heaters**	**Yes**	**No**	**Unk**	**N/A**
5.49	If so, does the facility burn only used oil generated on-site or only household DIY used oil? 279.23(a)	✓			
5.50	If so, does the heater have a capacity of no more than 0.5 million BTU/hr? 279.23(b)	✓			
5.51	If so, are combustion gasses vented to the atmosphere? 279.23(c)	✓			
Item No.	**Off-site Shipments**	**Yes**	**No**	**Unk**	**N/A**
5.52	Does the generator only use transporters who have received EPA Identification numbers? (Include names and numbers in report narrative) 279.24	✓			
5.54	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(a)(1)	✓			
5.55	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(a)(2)	✓			
5.56	Does the generator transport the used oil to a used oil collection center that is registered, licensed, permitted or recognized by a state/county/municipal government to manage used oil ? 279.24(a)(3)	✓			
5.58	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(b)(1)	✓			
5.59	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(b)(2)	✓			
5.60	Does the generator transport the used oil to an aggregation point that is owned/operated by the same generator? 279.24(b)(3)	✓			
5.62	Does the contract indicate the type and frequency of shipments? 279.24(c)(1)	✓			
5.63	Does the contract indicate that the vehicle used to transport the used oil to the processing/re-refining facility is owned and operated by the used oil processor/re-refiner? 279.24(c)(2)	✓			
5.64	Does the contract indicate that the reclaimed oil will be returned to the generator? 279.24(c)(3)	✓			

Item No.	Marketing and Processing	Yes	No	Unk	N/A
5.66	Does the generator process used oil by filtering, oil/water separation or other methods prior to direct shipment to an off site used oil burner? [If so, the generator is also a used oil processor subject to 40 CFR 279 - Subpart F.]				

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.

Kelly M. Honey	Environmental Specialist III	
PRINCIPAL INSPECTOR NAME	**PRINCIPAL INSPECTOR TITLE**	
Kelly M Honey	FDEP	08/09/2016
PRINCIPAL INSPECTOR SIGNATURE	**ORGANIZATION**	**DATE**

Ed Kinley	President
Representative NAME	**Representative TITLE**
	Universal Environmental Solutions, LLC
	ORGANIZATION

David Payton	Health, Safety and Environmental Director
Representative NAME	**Representative TITLE**
	Hendry Marine Industries, 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 "Potential Violations" or areas of concern.

Report Approvers:

Approver: Richard M Vaughn **Inspection Approval Date:** 08/09/2016