Department of Environmental Protection

Lawton Chiles
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Virginia B. Wetherell
Secretary

March 7, 1997

CERTIFIED MAIL
P 234 894 331

FLD 980-559-728

William Labadie
Chemical Conservation Corporation
10100 Rocket Boulevard
Orlando, Florida 32824

OCD-HW-97-0108

Orange County - HW
Chemical Conservation Corporation
Permit Modification Review and March 13, 1996 Inspection

Dear Mr. Labadie:

Enclosed are the following documents related to your facility:

1. Warning Letter 96-008, addressing alleged violations from the March 13, 1996 inspection.
2. Second Notice of Deficiency addressing the permit modification in process.

During processing of the permit modification last summer, I had hoped to resolve both of these issues at the same time. Regrettably, due to circumstances beyond your and my control, this did not take place.

It is in both your interest and that of the Department that we resolve these issues, as well as the recent bromine release, as soon as possible.

Therefore, we are asking that you review these documents and contact this office within 10 days to schedule a meeting to take place no later than April 15. It is our understanding that you are updating information in the modification submittal to address the recent bromine release and to respond to our concerns discussed previously.

Please contact Mary McGehee at (407)893-3323 to schedule the meeting.

Sincerely,

Robert T. Snyder, P.E.
Program Manager
Hazardous Waste

RTS/la
encl.:
cc: Satish Kastury, FDEP
EPA Region IV

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

MAR 10 1997

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
William Labadie
Chemical Conservation Corp
10100 Rocket Blvd
Orlando Fl 32824

4a. Article Number
P 234 894 331

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
3-11-97

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*
OCD-HW-97-0108

6. Signature: *(Addressee or Agent)*
X

PS Form **3811**, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 234 894 331

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail *(See reverse)*

Sent to William Labadie	
Street & Number ChemCon Corp	
Post Office, State, & ZIP Code 10100 Rocket Blvd Orlando Fl 32824	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	$ 1.007
Postmark or Date OCD-HW-97-0108	

PS Form **3800**, April 1995

Department of Environmental Protection

Lawton Chiles
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Virginia B. Wetherell
Secretary

March 7, 1997

Armando Gonzalez, Compliance Officer
Chemical Conservation Corporation
10100 Rocket Boulevard
Orlando, Florida 32824

OCD-HW\P-97-0110

Orange County -HW
Construction Permit Modification
HCO2-279948 & H002-279952
Second Notice of Deficiency

Dear Mr. Gonzalez:

The Department has completed a partial review of the Chemical Conservation Corporation's (CCC) response to the **first** notice of deficiency which was given to us during the February 13, 1996 meeting at the facility, additional documents provided as the application has evolved and has conducted site visits to facilities performing activities similar to those proposed in the modification. The Department has also conducted a site visit on 2/20/96 for the purpose of understanding procedures used and proposed to manage hazardous waste.

As a result of these activities and the recent events, bromine fuming (release) and mixing of incompatible waste resulting in evacuation of your facility, we believe there is reason to request you immediately make changes to the application addressing the following issues, in order for us to complete processing of the permit modification:

1. Facility inspection reporting procedures must be modified to document all incidents that require personnel to take action not normally included in their day to day duties. This would include at a minimum cleanup of spills, overpacking of leaking drums, etc.
2. Provide a complete listing and explanation of waste codes that will be accepted and/or rejected. This explanation should address each waste process; i.e., transfer waste, waste (liquid and solid) to be bulked, waste for fuel blending, waste for wastewater treatment, and waste to be lab packed.
3. Revise and submit the contingency plan, incorporating procedures to prevent a release such as the bromine fuming during bulking of waste. Enclosed is a copy of the Department's memo *Contingency Plans for RCRA Commercial Treatment, Storage and Disposal Facilities and Offsite Consequence Analysis Requirements*. The Department is now requiring that this issue be addressed in contingency plans.
4. Identify incompatible waste by process, i.e. transfer waste, waste (liquid and solid) to be bulked, waste for fuel blending, waste for wastewater treatment, and waste to be lab packed, explaining procedures presently in place and proposed which will prevent the future mixing of incompatible wastes at your

facility in quantities and/or proportions that will create a reaction requiring implementation of the contingency plan. Procedures should also address response to, and control of, reactions of a magnitude that does not require implementation of the contingency plan.

For example, not all acid waste is compatible, therefore discussion should address named waste products rather than DOT or EPA waste codes.

5. Explain how CCC will be able to provide sufficient analytical results to deal with questionable wastes without in-house laboratory capacity. Our observation of other facilities, including Chemcon's Valdosta plant indicate a strong need for analytical capability to minimize the possibility of incompatible wastes being mixed. We are not convinced that generator profiles are adequate.

6. In the response to the first NOD, not all corrected pages were provided with the response addressing some of these issues, explaining the scope and relationship of transfer waste and permitted waste, defining the sizes and types of containers used, procedure for rearranging layout of storage area based on volume changes, changes to tank capacities, etc.

I have encouraged proposed changes and revisions, anticipating review concurrent with changes being made but have been unable to provide this review. In order to expedite resolution of the processing, please provide four (4) copies of all revised pages so we may provide them to all reviewing agencies.

If there are questions, please feel free to contact Bob Snyder at (407) 893-3323.

Sincerely,

Robert T. Snyder, P.E.
Program Manager
Hazardous Waste Program

RTS/rts

cc: Satish Kastury, FDEP
EPA Region IV

TO: District Directors

THROUGH: Kirby Green, Deputy Secretary

FROM: John Ruddell, Director
Division of Waste Management

SUBJECT: Contingency Plans for RCRA Commercial Treatment, Storage and Disposal Facilities and Offsite Consequence Analysis Requirements

DATE: January 31, 1997

The Department, as a part of its contingency plan requirements, is now requiring an offsite consequence analysis (OSCA) for all commercial treatment, storage and disposal facilities (TSDFs) applying for a permit, a permit renewal or a major modification to submit an OSCA. TSDFs currently subject to this requirement are listed in Attachment 1. For TSDFs listed in Attachment 1 with permit applications currently under review, the OSCA must be submitted and reviewed as a part of the permit application requirements for contingency plans in order to complete the application. The Department is presently reviewing American Environmental Services' OSCA for their proposed facility.

The OSCA provides an analysis of the offsite consequences associated with a worst-case accidental release for toxic and flammable wastes stored at the facility. The Department is requiring the information under 40 CFR 270.32(b)(2) and 403.722(3), F.S. for protection of human health and the environment.

The OSCA portion of the facilities' contingency plan may be conducted using the OSCA guidance, where applicable, developed by EPA to implement similar requirements for Risk Management Plans under Section 112(r) of the Clean Air Act as implemented in 40 CFR 68, Subpart B. The EPA guidance document was published with the title "RMP Offsite Consequence Analysis Guidance" and is dated May 24, 1996.

The guidance document is included as Attachment 2. An OSCA will be reviewed as a part of every commercial TSDF's contingency plan and, distinct from the Risk Management Plan requirements in 40 CFR 68, is required regardless of the quantity of hazardous wastes stored at the facility or it's previous accident history.

Note that only the OSCA portion of the Section 112(r) Risk Management Program in 40 CFR 68, Subpart B, is to be used as guidance. Other elements of the Section 112(r) Risk Management Program are not required. Under the Section 112(r), there is no requirement to meet a specific ambient air standard but the results of the OSCA may lead to additional program requirements.

For RCRA regulated facilities, however, the analysis must be sufficient to demonstrate that maximum airborne concentration will not be exceeded in areas where access is not under the control of the facility, generally the facility property boundary. The maximum airborne concentration is the concentration below which it is believed nearly all individuals could be exposed for up to one hour without experiencing or developing irreversible or other serious health effects or symptoms that could impair an individual's ability to take protective action. The American Industrial Hygiene Association has developed concentration levels for this criteria for a number of chemical substances. These concentrations are known as the ERPG-2 levels. If an ERPG-2 value is not available, a level developed from other sources, again if available, can be used.

The OSCA must include all hazardous waste constituents which may be stored at a facility for which toxicity information is available or whose effects can be related to similar constituents. Constituents formed from products of incomplete combustion (PICs) must be included in the analysis for the fire scenario to the extent the products can be determined. The OSCA process is evolving and the most recent guidance available from EPA should be used.

To comply with the maximum airborne concentration criteria, ERPG-2 if available, all facilities may be required to limit the quantity of the more toxic hazardous wastes stored and/or modify the facility to incorporate additional safety measures. If these types of measures are not adequate or

are not feasible for a particular facility, the facility permit application must be denied.

The OSCA shall be submitted as a part of the Integrated Contingency Plan (ICP) that consolidates multiple plans that a facility may be required to prepare into one functional emergency response plan (40 CFR 28642 dated June 5, 1996). EPA guidance for preparation of an ICP is included as Attachment 3. Note that only the required elements must be included in an ICP. Recommended OSCA tasks based on the guidance in Appendix F are attached to the commercial TSDF facility list.

Please call Doug Outlaw at SC 278-0300 if you have questions regarding OSCA requirements. Technical assistance in reviewing the air modeling portions of the OSCA can be provided by the Division of Air Resource Management and in reviewing risk assessment aspects by the Center for Environmental Toxicology at the University of Florida for each of the facilities.

do

cc: Waste Program Administrators
District Permit Engineers
Kent Williams, EPA/Region 4
Jack Chisolm, OGC
Diana Coleman, OGC
Diana Hadi, Legislative Affairs/Tallahassee
Howard Rhodes, DARM
Tom Rogers, DARM
Beth Hardin, DARM

RECOMMENDED TASKS IN THE RCRA OFFSITE CONSEQUENCE ANALYSIS

- Determine worst-case scenario for spills, vapor cloud explosions and fires
    - 12 drum spill scenario (1 storage rack), for example
    - Extent of fire scenario may be limited by passive measures such as interior firewalls
- Determine release rate for chemicals of concern.
- Use appropriate air dispersion model(s) to calculate offsite concentrations for chemicals of concern in ambient air. In some cases, the tables in the RMP OSCA guidance document can be used.
- Compare calculated concentrations for chemicals of concern to levels of concern. The level of concern for chemicals, as available, are determined from:
    - Emergency Response Planning Guidelines - ERPG-2 available from the American Industrial Hygiene Association, Stock # 211-EA-96, or
    - IDLH/10
    - [TLV-TWA, REL-TWA, PEL-TWA] * 5
    - Determination on a case-by-case basis. Any additional guidance available from the Department will be provided to all facilities.

Evaluation of Offsite Impacts

- Surrounding land use in impacted areas
- Population centers including schools, factories, office complexes, hospitals, residential areas, etc.
- Roads.

1/31/97

FACT SHEET

Offsite Consequence Analysis for Hazardous Waste Treatment
Storage and Disposal Facilities .

The attached memorandum requires an offsite consequence analysis (OSCA) to be conducted at all commercial TSD facilities in Florida that manage hazardous waste. The OSCA provides an analysis of the offsite consequences due to a worst-case accidental release of toxic and flammable wastes stored at the facility. Commercial TSDs accept hazardous waste from generators and may bulk, blend or consolidate the wastes prior to treatment. No TSDs in Florida are currently permitted for disposal of hazardous waste. The authority for requiring an OSCA is discussed in the attached memorandum.

American Environmental Services, Inc. (AES) had already submitted an OSCA for a new storage facility, proposed to be located on the Dames Point peninsula in Jacksonville. Review of the OSCA is in progress. During OSCA review, the ambient air concentrations of hazardous waste constituents are compared to a defined concentration, referred to as the Emergency Response Planning Guideline 2 or ERPG-2 by the American Industrial Hygiene Association.. An ERPG-2 is the maximum concentration below which (it is believed) nearly all individuals could be exposed for up to one hour without developing (1) irreversible or serious health effects or (2) symptoms that could impair an individual's ability to take protective action. If an ERPG-2 value is not available, a level developed from other sources, again if available, can be used.

DARM has estimated the ambient air concentrations which could result from an spill at three other commercial TSDs in Florida that are permitted to manage wastes similar to the range of hazardous wastes requested by AES. Although preliminary and probably conservative, the following table depicts the distance to the point at which the ambient air concentration of the selected hazardous constituents are at the ERPG-2 concentration, compared to the results submitted by AES. The AES results are based on a more comprehensive analysis (labeled as AES-ISC). The analysis for the column labeled AES-Table was conducted similar to the analysis for the three TSDs but does include the more specific design data submitted by the facility.

	Distance, miles				
Substance	Perma-Fix Gainesville	Chemical Conservation	Laidlaw Bartow	AES-Table	AES-ISC
Acrolein	2.2	2.2	2.2	<2.2	>0.31
Dichloromethyl ether*	<3.7	<3.7	<3.7	<3.7	>0.31
Nickel Carbonyl*	4		4	2.7	>0.31
1,1-Dimethylhrdrazine	<0.53	<0.53	<0.53	<0.53	0.12
Methyl hydrazine	<0.53	<0.53	<0.53	<0.53	0

* AES has agreed not to handle this substance

The DARM analysis results are based on a release inside a building. The other three facilities may need modifications in order to meet the criteria for the analysis used.

The distance to the closest property line is about 50 ft or less for all four facilities or less than 0.01 miles. Acrolein, for example, would exceed the ERPG-2 criteria for all four facilities with the analysis parameters used.

Although a more refined analysis may decrease the distances shown in the table, analysis results indicate that none of the four facilities can meet the ERPG-2 standard at the property boundary for the constituents considered, as now permitted or as proposed in the case of AES. It is anticipated that design changes for existing facilities would have an impact similar to the AES results (decreased distance but still beyond the property boundary).

As an alternative to the requirement to meet the ERPG-2 constituent concentration at the facility boundary for the worst case accident scenario, the OSCA could be extended to include an analysis of both worst-case and alternative (i.e., more realistic or likely) release scenarios. A facility whose worst-case exceeds the ERPG-2 level could have it's permit renewed only if (1) its alternative releases do not exceed the ERPG-2 , and (2) the facility applies all reasonable procedures to reduce the risk of a worst-case release. .

Department of Environmental Protection

Lawton Chiles
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Virginia B. Wetherell
Secretary

CERTIFIED MAIL
P-234-894-447

Armondo Gonzalez, Compliance Officer
Chemical Conservation Corporation
10100 Rocket Boulevard
Orlando, Florida 32824

WARNING LETTER
Class I Violations
OWL-HW/C/E/96-0008

Orange County - HW
Chemical Conservation Corporation
FLD980559728

Dear Mr. Gonzalez:

A hazardous waste compliance inspection was conducted at your facility on March 13, 1996. This inspection was conducted under the authority of Section 403.091, Florida Statutes, and Chapter 403, Part IV, Florida Statutes. The inspection is designed to ascertain the compliance status of your facility with 40 CFR 260-268, adopted in Florida Administrative Code Chapter 62-730.

During the inspection, possible Class I violations of rules regarding hazardous waste management were noted. These possible violations are set forth in the "Summary of Potential Noncompliance Items" section of the attached inspection report.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of state statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties pursuant to Sections 403.727, Florida Statutes.

PLEASE BE ADVISED that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), Florida Statutes. The purpose of this letter is to advise you of possible violations and to set up a meeting to resolve any violations and/or civil penalties for which you may be responsible.

Please contact Chris Aoussat or John White, Hazardous Waste Section, at (407)893-3323 within 10 days of your receipt of this letter to schedule an informal conference concerning resolution of this matter.

Sincerely,

Vivian F. Garfein
Director of District Management

Date: March 10, 1997

VFG/rts/ca

Enclosures: RCRA Inspection Report
cc:FDEP, Tallahassee
USEPA, Region IV

Department of Environmental Protection

Lawton Chiles
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Virginia B. Wetherell
Secretary

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION TYPE: ____COMPLAINT __X__ROUTINE ____FOLLOW-UP _____PERMITTING

   FACILITY NAME Chemical Conservation Corporation DEP/EPA ID# FLD980559728

   STREET ADDRESS 10100 Rocket Boulevard

   MAILING ADDRESS 10100 Rocket Boulevard

   COUNTY Orange PHONE (407)859-4441 DATE 03/13/96 TIME 10:00

NOTIFIED AS:	***CURRENT STATUS:***
_____Non-Handler	_____Non-Notifier
_____CESQG (100 kg/mo.)	_____Non-Handler
_____SQG (100-1000 kg/mo.)	_____CESQG (100 kg/mo.)
_____Generator (1000 kg/mo.)	_____SQG (100-1000 kg/mo.)
__X__Transporter	_____Generator (1000 kg/mo.)
__X__Transfer Facility	__X__Transporter
_____Interim Status TSD Facility	__X__Transfer Facility
__X__TSD Facility	_____Interim Status TSD Facility
Unit Type(s):	__X__TSD Facility
_____Exempt Treatment Facility	Unit Type(s):
_____Used Oil	_____Exempt Treatment Facility
	__X__Used Oil

2. Applicable Regulations:

_____40 CFR 261.5	__X__40 CFR 262	__X__40 CFR 263	__X__40 CFR 264
_____40 CFR 265	_____40 CFR 266	_____40 CFR 268	__X__40 CFR 279

3. Responsible Officials:

   Armondo Gonzalez - Compliance Officer

4. Survey Participants and Principal Inspector:
   Armondo Gonzalez (CCC)
   John White (FDEP)
   Chris Aoussat (FDEP)

5. Facility Location: Latitude: 28°25'04" N Longitude: 81°23'10" W UTM:

6. SIC Code: 7389 - Business Services

7. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE X

8. Permit No.: HC48-204160 Date Issued: 3/19/93 Exp. Date: 3/19/96

9. INTRODUCTION

On March 13, 1996, John White and Chris Aoussat, FDEP, accompanied by Armando Gonzalez, Chemical Conservation Corporation (CCC), inspected the facility for compliance with hazardous waste standards. CCC, located at 653 Rocket Boulevard, Orlando, Orange County, Florida, is a transporter, transfer facility and permitted storage facility of hazardous waste and has been at this location since 1985.

CCC was last inspected on June 19, 1995, by Chris Aoussat and Jennifer Hobbs, FDEP, and was not in compliance at that time.

10. CURRENT PROCESS DESCRIPTION

Chemical Conservation Corporation (CCC) collects hazardous waste from generators using its own transportation services. Generators serviced by CCC are those that generate hazardous waste that is exclusive of explosive, radioactive, or biohazardous waste.

Before collecting any waste, the generator's request is reviewed to determine if the waste stream for collection has passed an evaluation process. CCC requires that each new waste stream be tested and that each waste stream's acceptance be updated yearly. The evaluation process used is described in detail in the waste analysis plan section of the facility's permit application. Based on the regulatory status of the waste stream and the conditions set forth in the permit that authorizes CCC to manage hazardous waste, CCC then decides whether to collect the waste.

At the present time, CCC is collecting hazardous waste and storing the material in its facility before transporting the waste to an off-site disposal facility. CCC utilizes the ten-day transfer facility status when possible in order to avoid remanifesting, record keeping, reporting, and other more stringent permit requirements. However, all waste collected must still pass the waste evaluation process. When waste is stored for a period longer than ten days the incoming manifest is amended to reflect that CCC is the designated facility. At this point the containers are relabeled, and the waste is managed in accordance with the permit. Ultimately, the waste is remanifested for transportation to an off-site disposal facility.

CCC manages a wide range of waste with the largest portion being those with high heating value. Wastes are segregated at the facility according to compatibility groups as outlined in their permit. All areas for storage have secondary containment to minimize and prevent possible releases to the environment.

CCC is bulking F006 and lab-packs and consolidating other waste streams. These waste streams consist of residues resulting from waste fuel blending operations and other compatible wastes that are subject to the same treatment method or technology with the purpose of meeting the land disposal restriction requirements.

Bulking and consolidation take place in the waste consolidation building. Lab-packs are opened and processed in this area in an enclosure which is vented to the outside of the building. At the time of this inspection lab-packs were being consolidated in the open area of the consolidation building. An eyewash, safety shower, spill kit, and fire extinguisher were located in this area.

11. DISCREPANCIES WITH PROCESS DESCRIPTION, if Different From Previous Report:

The loading dock area, modified in accordance with the construction permit, was completed and in use at the time of this inspection. Waste was staged in the waste consolidation building prior to bulking solids into an on-site tractor trailer. Two waste storage tanks with secondary containment were in place next to the loading dock but, not in use at the time of this inspection. The parcel of property to the east has been graded and a retention pond is being established to allow for expansion of the facility.

12. **NARRATIVE**

I. INSPECTION:

CCC was inspected as a transporter, transfer facility and permitted storage facility of hazardous waste. Armondo Gonzalez, Compliance Officer, accompanied FDEP inspectors during the inspection.

The following amount of wastes were being stored in the facility at the time of the inspection:

Oxidizers
1,010 gallons of waste oxidizers - D001
Poisons
592 gallons of waste poisonous substances
Corrosive Liquids and Solids
11,937 gallons
Flammable Liquids/Corrosive
1410 gallons
Batteries(mercury)
404 gallons
Bulking Area D007, D011, F006,(inside and outside of building)
6415 gallons hazardous waste

Total = 21,768 gallons.
The facility is permitted to store 38,280 gallons at any one time.

During the inspection two drums of RQ Waste Flammable Liquid/Corrosive D001, D002, D003 were unlabeled. According to Brian Smith, Transportation Manager, the liquid is routinely poured out of these containers into a new container. The solids remain in the original marked containers. The original containers are later cut open in order to remove and bulk the remaining solids. All the containers are stored together as a group. Apparently the facility failed to properly label the two new containers as to their contents.
[40 CFR 268.50(a)(2)(i)]

Twenty-four 55-gallon containers labeled "Hazardous Waste Solid (Silver, Chromium) D007, D011, F006," were stored outdoors next to the secondary containment for the tanks. **[FAC 62-4.160(17)(b)]**

No transfer waste was on-site at the time of inspection.

II. WASTE MANAGEMENT PRACTICES
CCC does not operate any major processes which would generate hazardous waste. All wastes collected by CCC are stored in the RCRA permitted storage area. The majority of hazardous wastes transported by the facility are disposed of at Chemical Conservation of Valdosta, Georgia and Chem-Met Services of Wyandotte, Michigan.

III. RECORD REVIEW
Review of the facility's required paperwork included: manifests, land disposal restriction notifications, permit, personnel training records, revised contingency plan, drum storage inspection logs, and inbound logs.

Inspection logs were reviewed. Jim Barlaan, Chemist, performs the daily inspections at the facility.

The permit was issued on 3/19/93 and expires on 3/19/96. A random review of manifests from generators noted that the following used oil was shipped:

1. Shaw Aero Services - FLD984263178
   a) 5 drums, 275 gallons, Waste Oil N.O.S. (Hydraulic Oil), shipped on 1/4/96.
   b) 9 drums, 495 gallons, Waste Oil N.O.S. (Hydraulic Oil), shipped on 9/9/95.
   c) 3 drums, 165 gallons, Waste Oil N.O.S., shipped on 5/18/95.

2. Delta Airlines - FLD119497151 - Manifest #01506
   a) 1 drum, 55 gallons, Waste Hydraulic Oil, shipped on 1/5/96.
   b) 5 drums, 220 gallons, Waste Hydraulic Oil, shipped 3/22/95, FLD119497154. Discrepancy in the EPA ID number.

3. Environmental Recovery Group
   a) 1 drum, 55 gallons, Waste Oil-Filters-Diesel, Non Hazardous, shipped 4/10/92.

4. Fuel City #3
   a) 3,000 gallons, Oily Water, Non Hazardous, shipped on 8/16/93.
   b) 6 drums, 330 gallons, Waste Oil, Water & Dirt, Non Hazardous, shipped on 9/27/94.

The above manifests indicate that 880 gallons of waste oil were transported by CCC in 1995. Any person who transports over public highways more than 500 gallons of used oil annually, not including oily waste, shall be a certified used oil transporter. [FAC 62-710.600(1)]

Review of the contingency plan found that William Labadie and Brian Smith were identified as the emergency coordinators. Both of these individuals had updated training on 10/4/95. It was pointed out that the facility layout maps in the contingency plan are outdated. This should be corrected in the current permit application. On 11/10/95 a 40 Hour Training class was held in Georgia by Environmental Training and Auditing, for several new employees. Training covered 29 CFR 1910.120, HM 181, HM 126F and HM 215A. An 8 hour refresher course for drivers was given on 10/4/95.

IV. LAND BAN
No land ban violations were found at the time of this inspection.

V. CONCLUSION
Chemical Conservation Corporation is a transporter, transfer facility, and permitted storage facility of hazardous waste and was not in compliance at the time of this inspection.

SUMMARY OF POTENTIAL NON-COMPLIANCE ITEMS AND CORRECTIVE ACTIONS:

A) Violation: 40 CFR 268.50(a)(i)
A generator may accumulate hazardous waste on-site, provided that the date upon which each period of accumulation begins is clearly marked and visible, and that each container is labeled or marked clearly with the words "Hazardous Waste".

CCC failed to comply with dating and labeling requirements for hazardous waste containers.

Corrective Action:
CCC must label new storage containers of waste generated in the process of separating the liquid portion from the solid portion during the bulking process.

B) Violation: FAC 62-4.160(2)
This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits.

CCC stored hazardous waste in an unpermitted area as described in Figure 4.b-3 of page #50 of permit HC48-204160.

Corrective Action:
CCC must not store hazardous waste, for any length of time, in areas that are not specifically permitted for storage of hazardous waste.

C) Violation: FAC 62-710.500(1)/FAC 62-710.600(1)/403.758(2)
Any person who transports over public highways more than 500 gallons of used oil annually, shall be a certified used oil transporter.

CCC failed to acquire the proper certification in order to transport 880 gallons of used oil during 1995.

Corrective Action:
CCC must be a certified used oil transporter in order to continue transporting used oil.

Report Prepared By: Chris Aoussat
Chris Aoussat
Engineer

RTS/ca

EXHIBIT I

FLORIDA DEP HAZARDOUS WASTE COMPLIANCE & ENFORCEMENT

PENALTY REVIEW

FACILITY: Chemical Conservation Corporation

LOCATION: 10100 Rocket Boulevard, Orlando, Florida 32824

EPA ID: FLD980559728

INSPECTION DATE: March 13, 1996

DISTRICT: Central District - Orlando

PENALTIES: The following penalties were calculated using the Department's April 26, 1993, "Guidelines for Characterizing RCRA Violations" and the USEPA October 1990 "RCRA Civil Penalty Policy" and are in accordance with Department policy.

Assessments for each violation are determined on separate work sheets and summarized below.

SUMMARY OF PROPOSED SETTLEMENT OF LIABILITIES:

REGULATION VIOLATED	AMOUNT	E/B	MULTI-DAY	MATRIX CATEGORY
40 CFR 268.50(a)(1)	$300	N/A	N/A	Minor/Minor
FAC 62-4.160(2)	$300	N/A	N/A	Minor/Minor
FAC 62-710.500(1)/ FAC 62-710.600(1)/ FAC 403.758	$300	N/A	N/A	N/A

TOTAL GRAVITY-BASED PENALTIES: $ 900

TOTAL ECONOMIC BENEFIT: $ N/A

TOTAL MULTI-DAY PENALTY: $ N/A

TOTAL PENALTY: $ 900

Prepared By

5/12/96
Date

EXHIBIT II

PENALTY COMPUTATION WORKSHEET

Company Name: Chemical Conservation Corporation

Regulation Violated: 40 CFR 268.50(a)(2)(i)

VIOLATION: The storage of hazardous waste restricted from land disposal is prohibited , unless each container is clearly marked to identify its contents and the date each period of accumulation begins.

CCC failed to identify and date two 55-gallon drums of "Waste Flammable Liquid/Corrosive" material.

The following penalties were calculated using the Department's "Guidelines for characterizing RCRA violations" and are in accordance with Department policy. The guideline violation followed was labeling violations at the facility.

PENALTY JUSTIFICATION

Part I

1. Potential for Harm: Nature of the waste: Listed and characteristic hazardous waste was generated at the facility. The score for this waste is 4.

Volume of waste: The volume of waste stored was less than 6 55-gallon drums. The score for this is 2.

Location of receptors: There was no actual or potential discharge of waste to the environment. The score for this is 1.

The number of people potentially affected by this release was between 1 and 10. The score for this is 1.

The total rank for potential for harm is 8. Therefore, a **Minor** potential for harm is warranted.

2. Extent of Deviation: The number of containers is less than 6. Therefore the extent of deviation is **Minor**.

3. Multi-day Penalty Justification: The guidance when calculating a multi-day penalty for a Minor/Minor violation is discretionary. Therefore no multi-day penalty was calculated.

Note: The Potential for Harm and Extent of Deviation from the regulations are determined for use in evaluating penalty amounts using EPA's Penalty Matrices.

VIOLATION
40 CFR 268.50(a)(2)(i)

Seriousness of Violation Penalty

1.	Potential for Harm:	Minor
2.	Extent of Deviation:	Minor
3.	Matrix Cell Range:	$ 100 - $ 499
	Penalty Amount Chosen:	$ 300 Mid Range of Cell
4.	Assessment:	$ 300

Penalty Adjustments	Percentage Change*	Dollar Amount
a. Good faith efforts to comply/lack of good faith:		N/A
b. Degree of willfulness and/ or negligence:		N/A
c. History of Noncompliance:		N/A
d. Other unique factors:		N/A
e. Justification for adjustments:		N/A

* Percentage adjustments are applied to the dollar amount assessed (Line 4).

5.	Adjusted Per-day Penalty (Line 4, ± Adjustments (Lines a-e):	$ 300
6.	Multi-day Penalty Amount Chosen From Multi-day Matrix Cell:	N/A
7.	Number of Days of Violation Minus One:	N/A
8.	Multi-day Penalty (Line 7 x Line 8, Part II):	N/A
9.	Economic Benefit of Noncompliance:	N/A
10.	Total Penalty (Lines 5 + 8 + 9):	$ 300
11.	Ability to Pay Adjustment: Justification for Adjustment:	N/A
12.	Total Penalty Amount (must not exceed $25,000 per day of violation):	$ 300

EXHIBIT II

PENALTY COMPUTATION WORKSHEET

Company Name: Chemical Conservation Corporation

Regulation Violated: FAC 62-4.160(2)

VIOLATION: This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits.

CCC stored hazardous waste in an unpermitted area. CCC stored hazardous waste in an area other than the permitted area specified in Figure 4.b-3 on page #50 of permit HC48-204160.

The following penalties were calculated using the Department's "Guidelines for characterizing RCRA violations" and are in accordance with Department policy. The guideline violation followed was non-compliance with permit conditions at the facility.

PENALTY JUSTIFICATION

Part I

1. Potential for Harm: The potential for harm is **Minor**.

2. Extent of Deviation: The extent of deviation is **Minor**.

Note: The Potential for Harm and Extent of Deviation from the regulations are determined for use in evaluating penalty amounts using EPA's Penalty Matrices.

VIOLATION
FAC 62-4.160(2)

Seriousness of Violation Penalty

1.	Potential for Harm:	Minor
2.	Extent of Deviation:	Minor
3.	Matrix Cell Range:	$ 100 - $ 499
	Penalty Amount Chosen:	$ 300 Mid Range of Cell
4.	Assessment:	$ 300

Penalty Adjustments	Percentage Change*	Dollar Amount
a. Good faith efforts to comply/lack of good faith:		N/A
b. Degree of willfulness and/ or negligence:		N/A
c. History of Noncompliance:		N/A
d. Other unique factors:		N/A
e. Justification for adjustments:		N/A

* Percentage adjustments are applied to the dollar amount assessed (Line 4).

5.	Adjusted Per-day Penalty (Line 4, ± Adjustments (Lines a-e):	$ 300
6.	Multi-day Penalty Amount Chosen From Multi-day Matrix Cell:	N/A
7.	Number of Days of Violation Minus One:	N/A
8.	Multi-day Penalty (Line 7 x Line 8, Part II):	N/A
9.	Economic Benefit of Noncompliance:	N/A
10.	Total Penalty (Lines 5 + 8 + 9):	$ 300
11.	Ability to Pay Adjustment: Justification for Adjustment:	N/A
12.	Total Penalty Amount (must not exceed $25,000 per day of violation):	$ 300

EXHIBIT II

PENALTY COMPUTATION WORKSHEET

Company Name: Chemical Conservation Corporation

Regulation Violated: FAC 62-710.500(1)/FAC 62-710.600(1)/FAC 403.758(2)

VIOLATION: Any person who transports over public highways more than 500 gallons of used oil annually, shall be a certified used oil transporter.

CCC transported more than 500 gallons of used oil annually and did not register as a used oil transporter.

The following penalties were calculated using the Department's "Settlement Guidelines for Used Oil Penalties" for violations of Department Statutes or Rules" and are in accordance with Department policy.

PENALTY JUSTIFICATION

Any person who fails to register with the department as required by State Statute 403.754 and State Statute 526.01 as amended by chapter 84-338, Laws of Florida, is subject to a fine of $300.

CHEMCON CHRONOLOGY SHEET

5/22/91	Gonzalez(CTA)➲Levin re Pre-application meeting for construction permit (tanks, modify existing storage permit, renewal of their operating permit)
6/21/91	Snyder➲Gonzalez - Response to Gonzalez's letter of 5/22/91 stating:
	1. Chemcon must apply for a construction permit
	2. Chemcon needs to apply for a renewal permit no later than 11/13/91 which should include drum storage/storage and treatment tanks/and tanks for fuel blending.
	3. Letter from Chemcon waiving the permit processing time clock (eliminate the requirement for modification of the existing permit).
	4. Informed of increased fees.
	5. BIF rule - identify Chemcon's policy
	6. Requirements for transporters and marketers regarding hazardous waste as fuel.
7/9/91	Gonzalez➲Levin Re: Diagram interpreting the Departments position on the permitting process.
7/15/91	Gonzalez➲Levin - Updating the contingency Plan
7/19/91	Gonzalez➲Sullivan - Discussing requirements of Chemcon to evaluate regulating implications of bulking F006 waste.
8/7/91	Snyder➲Sullivan Re: Bulking of F006 Waste
9/13/91	Snyder➲Sullivan Re: Permit Renewal (fees and notification requirements)
10/15/91	Clark➲Labadie Re: Meeting liability insurance requirements
11/14/91	Kastury➲Labadie Re: Workshop to Discuss Issuance/Modification of State Permits for Managing TC Wastes.
10/29/91	*Construction Permit Application (HC48-204160) & check $5,000
10/31/91	Clark➲Lobly Re: Trust fund fully funded
12/24/91	Chemcon signed 60 day waiver
1/17/92	Comments from John Griffin reviewing construction application
2/17/92	Additional information transmittal slip Snyder➲Kastury
2/27/92	*First NOD
3/12/92	Additional information transmittal slip Snyder➲Kastury
4/27/92	*Rykowski➲McGehee re:Do not need to submit operating permit application as long as the current (construction) application addresses how operation will be conducted.
5/14/92	Warning Letter - storage of non-regulated waste in corrosives/TCLP Bay.
5/19/92	Clark➲Labadie re:Need to adjust closure cost trust fund.
6/18/92	*Rykowski➲Snyder re; Description plan for operating the facility during the construction phase and location of protective liner.
7/29/92	McGehee➲file re: Meeting with Armondo Gonzales discussing Construction Permit Status
	1.He is still in the process of responding to the first NOD
	2. Additional changes; Chemcon is proposing to submit along with the esponse (ex: Adding Blending Tanks).
	3. Noted they are operating without a permit -operating permit expired 3/92.
	4. Armondo will have response ready by 8/15/92.
	5. Construction phasing - Chemcon not in a position to financially construct the facility this application covers. Time frame as far as 3 years away.
	6. Construct a phase chart indicating the order of construction and anticipated month/year they will be completed.
	7. District will ask Tallahassee for approval to this approach. It's construction is scheduled too far in advance, we may need to issue the permit for what they plan to do now and then apply for a modification permit to construct additional phases.
	8. Closing note: If they are not planning to construct the facility this construction permit application indicates Chemcon may have to reduce the scope of this permit to address what they are anticipating to do at this time.
8/4/92	Construction & Operating Implementation Plan (faxed)

9/22/92	Meeting notes discussing change in container storage area, waste analysis plan, fuel blending for energy recovery, emission control for mixers.
9/30/92	Response to First NOD transmittal Snyder➲Kastury.
11/16/92	Time frame chart showing Phase I - Container Storage Unit and Phase II Waste Removal Process Area (WRPA) and Tank Storage Unit (TSU).
11/24/92	Labadie➲Bostwick, Re: New requirements of Transfer Facilities 1. Updated contingency and emergency plan 2. Closure plan 3. Maintain written record 4. Update and Transfer facility notification form.
1/21/93	Gonzalez➲Tamayo (Orange Co. Public Works)
1/27/93	Intent to Issue sent to Chemcon
2/2/93	Proof of Publication received
2/2/93	Proof of Radio Broadcast received
3/19/93	Permit Issued (HC48-204160)
4/1/93	Fax-Gonzalez➲McGehee Re: Latest update to the Contingency Plan
4/9/93	Monthly Status Report
4/13/93	Fax-Gonzalez➲McGehee Re: Fence replaced
5/10/93	Warning Letter - leaking container & "several" containers not dated
5/11/93	Monthly Status Report
5/13/93	Snyder➲Gonzalez Re: Requesting a pre-modification meeting to discuss construction permit modification.
6/8/93	Meeting notes of this date with Armondo Gonzalez. Stephanie Sorantino and Mary McGehee to discuss inspection/permit concerns.
6/10/93	Monthly Status Report
7/9/93	Monthly Status Report
8/25/93	Monthly Status Report
9/8/93	Gonzalez ➲Alexander Re: Monthly Status Report stating: "Chemcon is waiting for approvals for plans related to tasks that need to be completed before implementation of the construction schedule may resume".
9/8/93	Monthly Status Report
10/4/93	Snyder➲g Re: review of Monthly Status Report vs. items that are considered potential permit modification issues
10/6/93	Williamson➲ Gonzalez Closure cost estimate has satisfied financial requirements.
10/7/93	Snyder➲ Gonzalez Re: Approval of Temporary Container Storage Unit Contingency Plan.
10/7/93	Snyder➲ Gonzalez Re: Minor Modification for Loading Dock - need request in writing for minor mod with a check for $250 processing fee.
10/7/93	Snyder➲ Gonzalez Re: Tank Removal Plan. Confirmation that DEP approves plan and will be present for sampling
10/11/93	Williamson➲Gonzalez Re: Liability coverage in order
10/21/93	Gonzalez ➲Snyder Re: Permit Modification Request for Loading dock along with fee.
10/21/93	Monthly Status Report
11/15/93	Monthly Status Report
11/23/93	Snyder➲Kastury Transmittal on Permit Mod (HCMM-239812)
11/23/93	Permit Modification-Loading Dock
11/23/93	Alexander➲ Gonzalez -Permit Modification issued for Loading Dock
11/23/93	Snyder➲ Kastury -Transmittal slip Re: Permit Modification from Chemcon
12/14/93	Monthly Status Report
2/4/94	Snyder➲ Gonzalez Re: Aerosol can liquid removal process plan would be considered treatment requiring a permit.
2/25/94	Monthly Status Report
3/14/94	Monthly Status Report
4/11/94	Monthly Status Report
4/25/94	Gonzalez ➲Snyder Re: Submittal of modification to the construction permit.

4/28/94 Snyder➲Gonzalez Re: Returning the Permit Modification submitted 4/25/94 stating.
1. Submit as a permit modification with appropriate fee.
2. Mod shale include revised numbered pages and an explanation of the mod.
3. Revised index sealed by PE
4. MSR's are not a mechanism to make changes that represent decisions by the facility to alter permit documents.

10/11/94 Mason➲Gonzalez Re: Financial Assurance is deficient.

5/20/94 Monthly Status Report

7/6/94 Monthly Status Report

10/17/94 Gonzalez ➲Mason Re: Documents for financial instrument for closure (increase in trust fund to close)

10/19/94 Snyder➲ Gonzalez Re: Meeting and phone conversations to address changes made and proposed in the construction permit.
1. CCC must submit a major modification to incorporate all changes made and proposed. Monthly Status Reports is not a mechanism for changes to the permit.
2. Installation of acid neutralization tank would require a permit and be considered treatment when allowed to operate.
3. Fee
4. F006 absorbent not considered treatment.
5. Phase I completed (berming, loading dock).
6. Transfer area not a designated area. CCC will develop a method for inspectors to readily identify transfer waste and address it in the permit modification.
7. Non-hazardous waste being disposed of as a hazardous waste will be clearly market and easily identifiable by inspectors.
8. Crushing or puncturing aerosol cans will not be considered treatment requiring a permit.
9. Segregation of waste in storage area.

11/18/94 Finney➲Wick Re: Review of Closure Cost Estimate listing deficiencies.

11/21/94 E-Mail McGehee➲Snyder & White Re: INCIDENT (Combining to acids which were incompatible). Also Conversation With Armando notes we were anticipating permit mod by Dec. 15, 1994. He wants to extend submittal to end of Jan. 1995.

12/1/94 Snyder➲Gonzalez Re: Department anticipates the revised construction/operation permit application (modification to be submitted 2/95. Discussed fees and need for future modification fees if changes come in after this application modification.

12/2/94 E-Mail Mason➲McGehee. After a series of e-mail messages, final outcome here is that Chemcon is currently in compliance with the financial requirements.

12/29/94 Fax received Gonzalez➲McGehee Re: description of the incident occurring Nov. 21, 1994 along with procedures to prevent future commingling of two incompatible of waste acids.

1/11/95 Chemcon➲DEP Re: Hazardous Waste Permit Construction Development Outline for Chemcon.

1/18/95 Gonzalez➲Snyder Re: Request for authorization to construct secondary containment for hazardous waste fuel storage tanks. (Attached drawings show the proposed location of the tank farm.

1/20/95 Snyder➲Gonzalez Re: DEP has no objections to construction of the walled area adjacent to the loading dock.

2/9/95 Chemcon developed a List of Possible Changes to the Permit application which was discussed in a meeting on this date.

2/20/95 Mason➲Gonzalez Re: Financial assurance demonstrated.

3/30/95 Schedule for construction permit application modification submittal

4/10/95 K. William's➲Snyder Re: Photos sent for review and possible additional information DEP can provide.

8/8/95 Gonzalez➲Farmer Re: Submittal of Class I Permit Modification to amend the list of hazardous waste codes approved in the current permit.

12/4/95 Permit Modification transmittal Snyder➲Kastury for Construction Mod/Operating.