



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway, Suite 101  
Temple Terrace, FL 33637-0926

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Noah Valenstein  
Secretary

July 18, 2017

Mr. Cris January, Owner  
January Environmental Services, Inc.  
1920 State Road 60 West  
Bartow, FL 33830  
[Cris@januaryservices.com](mailto:Cris@januaryservices.com)

Re: Compliance Assistance Offer  
January Environmental Services, Inc.  
HW Facility ID #FLD982162943  
Polk County

Dear Mr. January:

A Hazardous Waste inspection was conducted at your facility on May 31, 2017. During this inspection, potential non-compliance was noted. The purpose of this letter is to offer compliance assistance as a means of resolving these matters.

Specifically, potential non-compliance with the requirements of Chapter 376 and 403, F.S., Chapter 62-730, Florida Administrative Code (F.A.C.), and Title 40, Code of Federal Regulation (CFR) Parts 262, 265, 279 were observed. Please see the attached inspection report for a full account of Department observations and recommendations.

We request you review the item(s) of concern noted and respond in writing within **15 days** of receipt of this Compliance Assistance Offer. Your written response should include one of the following:

1. Describe what has been done to resolve the non-compliance issue or provide a schedule describing how/when the issue will be addressed.
2. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid, or
3. Arrange for the case manager to visit your facility to discuss the item(s) of concern.

It is the Department's desire that you are able adequately address the aforementioned issues so that this matter can be closed. Your failure to respond promptly may result in the initiation of formal enforcement proceedings.

January Environmental Services, Inc.; Facility ID #FLD982162943  
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Please address your response and any questions to Leslie Pedigo of the Southwest District Office at (813)470-5870 or via e-mail at [Leslie.Pedigo@dep.state.fl.us](mailto:Leslie.Pedigo@dep.state.fl.us) . We look forward to your cooperation with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Kennedy', written over a horizontal line.

Shannon Kennedy  
Interim Environmental Manager  
Compliance Assurance Program  
Southwest District

SK/lep

Enclosure:      Inspection report

ec:      Shannon Kennedy, FDEP; [Shannon.Kennedy@dep.state.fl.us](mailto:Shannon.Kennedy@dep.state.fl.us)  
Leslie Pedigo, FDEP; [Leslie.Pedigo@dep.state.fl.us](mailto:Leslie.Pedigo@dep.state.fl.us)  
[SWD\\_clerical@dep.state.fl.us](mailto:SWD_clerical@dep.state.fl.us)



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

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**FACILITY INFORMATION:**

**Facility Name:** January Environmental Services Inc  
**On-Site Inspection Start Date:** 05/23/2017 **On-Site Inspection End Date:** 05/31/2017  
**ME ID#:** 46304 **EPA ID#:** FLD982162943  
**Facility Street Address:** 1920 Hwy 60 W Main St, Bartow, FL 33830-0000  
**Contact Mailing Address:** 1920 Highway 60 West, Bartow, FL 33830  
**County Name:** POLK **Contact Phone:** (863) 534-8478

**NOTIFIED AS:**

Non-Handler  
Used Oil

**INSPECTION TYPE:**

Routine Inspection for Used Oil Processor facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Leslie Pedigo, Inspector  
**Other Participants:** Elizabeth Knauss, Environmental Consultant; Shannon Kennedy, Environmental Specialist II; Cruz Torres, Driver; Loren January, Secretary

**LATITUDE / LONGITUDE:** Lat 27° 53' 51.5901" / Long 81° 51' 47.2672"

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

**TYPE OF OWNERSHIP:** Private

**Introduction:**

January Environmental Services (January) was inspected to determine the facility's compliance with used oil transporter and transfer facility rules. The facility was originally notified as a small quantity generator on March 25, 1988, under the name Ashland Chemical Company. The 5.18-acre property was sold to January Environmental on October 20, 2004 and the notification was changed to Used Oil Transporter, Transfer Facility, Marketer and Filter Transporter. The company obtained a used oil processor permit (307171-HO-001) on April 16, 2012 due to problems related to storing collected oil more than 35 days. The permit expired April 16, 2017, and January failed to timely file an application to renew the permit. The Department has conducted a number of Hazardous Waste inspections of this facility, most recently on February 20, 2015. Cruz Torres accompanied the inspectors during the facility inspection conducted on May 23, 2017. A follow-up visit was conducted on May 31, 2017; Loren January was available during the second site visit for the paperwork review and to answer additional questions.

**Process Description:**

January is a used oil, used oil filter and oily waste transporter and processor. The facility does not have full time office employees and there are currently two drivers that work out of this location. The facility picks up waste products from its customers, consolidates and stores the waste and arranges for final treatment and disposal. January does not accept used oil or oily water from other transporters, except for one company that was required to notify as a transporter as it transports more than 55 gallons of self-generated oil at a time. The facility does not collect public used oil.

During the last inspection of the facility conducted on February 20, 2015, it was discovered that January was processing used oil through the use of a centrifuge and a vibratory screen filter. As this was not authorized in the permit, January was required to submit an application for a major permit modification. Submittals were received on October 15, 2015, November 12, 2015 and November 17, 2015. The major permit modification was approved by the Department on February 11, 2016. The facility was required to submit an application for

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permit renewal by February 16, 2017; however, the application was not received until April 13, 2017. The Department issued a Request for Additional Information (RAI) on April 21, 2017; a response was due by May 22, 2017; however, an extension was granted until July 3, 2017.

The facility is no longer processing the used oil it receives from customers and has not been for the past several months. During this inspection, the centrifuge had been removed from the treatment system and per Mr. Torres, will be sent to January's Oklahoma facility.

At the time of this inspection, two of the company vehicle operating out of this location were present onsite. A Wastewater Truck was located next to the building. Used Oil Truck #15, which was empty at the time of the inspection, was located at the rail car loading rack. Per Mr. Torres, January uses TIF XL-1A meters to screen used oil for halogen content prior to accepting the used oil from their customers. At the time of the inspection, neither a TIF instrument nor a Dexsil Test Kit was present in Used Oil Truck #15.

In addition to Used Oil Truck #15, one rail car was located at the loading rack. A track pan is located under the rail car loading area. The facility is not currently receiving or shipping used oil via rail. The rail car contained used oil solids as the liquids from this vessel had been placed into Tanker Trailer T-43. January is in the process of getting the solids removed from this railcar. The railcar will be re-certified and will then be sent to January's facility in Oklahoma. A second railcar, which was empty, was sent to January's Oklahoma facility within the past few months.

The facility is currently using six white 24,000-gallon aboveground storage tanks (ASTs) to store used oil. These ASTs are registered with the Department's Storage Tank Program, facility ID # 53/ 9101026. According to the electronic gauge, tank 101 contained 7,741-gallons of liquid, tank 102 contained 22,898-gallons of liquid, tank 103 contained 10,480-gallons of liquid, tank 104 contained 2,566-gallons of liquid, tank 105 contained 1,700-gallons of liquid, and tank 106 contained 22,694-gallons of liquid at the time of the inspection. A green AST has been installed in a separate containment area attached to the existing containment; at the time of the inspection this tank was empty. A second empty green AST and another silver AST were observed laying on their sides in the yard, both are empty. Please note that if any of these ASTs is to be used to store regulated materials they must comply with all regulatory requirements. Regulated tanks are required to be registered 30 days prior to installation, or within 30 days of changing from a waste water or process tank to a regulated used oil storage tank. In addition, a permit modification may be needed if storage capacity is increased. At the time of the inspection the containment around the tank farm was in good repair, did not contain any free liquids, and appeared to be adequate to contain the volume of the tanks.

Three tanker trailers were present at the facility at the time of the inspection. Tankers T-45 and T-120 were both empty. Tanker T-43 contained approximately 5,000-gallons of poor quality oil (high in both sediment and water content) from the railcar. Secondary containment was not provided for Tanker T-43.

Six used oil bins, all empty, were stored in the yard between Tankers T-43 and T-45. Two roll-off containers were located in the yard. The roll-off immediately north of Tanker T-43 contained solids collected from the used oil operations. The last shipment of solids to the landfill in Okeechobee took place in August of 2015. The analytical analysis from the August 2015 shipment, which did not include TCLP for volatiles, documents that the material was not characteristically toxic for any RCRA metals. The second roll-off contained solid waste from the facility: buckets, soil and plant debris.

A number of containers of oily water, used oil and used oil filters were observed in the building. According to Ms. January, some of their clients collect these wastes in drums which are brought back to the facility. Used oil will be pumped out of the drums to the used oil tanks, PCW will be routed to Aqua Clean and used oil filter will be collected until there are enough for a shipment.

Paperwork review included looking at incoming and outgoing bills of lading for 2015 through 2017. All outgoing shipments of used oil are going to Aaron Oil, Saraland, Alabama (EPA ID #ALD983180233). EPA identification numbers of the oil provider or designated facility were typically included on the bill of lading. Used oil filters are being sent to US Foundry in Miami.

Four drivers have worked at this facility in 2015, 2016 and 2017: Leandro Torres, Cruz Torres, Socrates Torres and Lynn Harris. Training records have not been provided as requested during the records review. No verification of training was provided for 2016 or 2017. Daily inspections were present for days when the facility is open and monthly storage tank inspection records are maintained.

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**New Potential Violations and Areas of Concern:****Violations**

Type: Violation  
Rule: 62-710.800(4)  
Explanation: The permit expired April 16, 2017, and January failed to timely file an application to renew the permit  
Corrective Action: Ensure that all required submittals are made to properly renew the permit.

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Type: Violation  
Rule: 62-710.600(2)(c)  
Explanation: No verification of employee training was provided for 2016 or 2017.  
Corrective Action: Immediately provide documentation that the required training has occurred or immediately provide the required training if it has not occurred and provide the documentation to the Department.

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Type: Violation  
Rule: 279.54(c)  
Explanation: Secondary containment was not provided for the trailer storing used oil.  
Corrective Action: Immediately provide secondary containment for this trailer or remove the oil to a container which has secondary containment.

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**Photo Attachments:**

Tanker T-45 and T-43 are stored in the paved part of the yard.



Stormwater drain next to Trailer T-43 which contains used oil.



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Type: Violation  
Rule: 403.161(1)(b)  
Explanation: Neither a halogen monitoring device or test kit was present in the Used Oil Truck #15.  
Corrective Action: Ensure that all used oil trucks are provided with a halogen monitoring device or test kit.

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**Conclusion:**

The facility is not in compliance with state and federal hazardous waste regulations at the time of the inspection.

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**1.0 - Pre-Inspection 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.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.12	✓		
1.2	Has the facility notified of change of status? 62-730.150(2)(b)	✓		
1.3	Did the facility conduct a waste determination on all wastes generated? 262.11	✓		

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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.

Leslie Pedigo

**PRINCIPAL INSPECTOR NAME**

Inspector

**PRINCIPAL INSPECTOR TITLE****PRINCIPAL INSPECTOR SIGNATURE**

DEP

**ORGANIZATION**

07/18/2017

**DATE**

Elizabeth Knauss

**Inspector NAME**

Environmental Consultant

**Inspector TITLE**

FDEP/SWD

**ORGANIZATION**

Shannon Kennedy

**Inspector NAME**

Environmental Specialist II

**Inspector TITLE**

DEP/SWD

**ORGANIZATION**

Cruz Torres

**Representative NAME**

Driver

**Representative TITLE**

January Environmental Services, 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.

Loren January

**Representative NAME**

Secretary

**Representative TITLE**

January Environmental Services, 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:**

Shannon Kennedy

**Inspection Approval Date:**

07/18/2017



## DIGITAL PHOTOGRAPHIC LOG

1. Facility Name: January Environmental Services, Inc.
2. County / Facility ID#: FLD 982 162 943
3. Inspection Type: Routine
4. Inspection Date: 5/23/2017
5. Type of Camera: Canon Easy Share C613 digital camera / Canon Power Shot A 4000 digital camera
6. Digital Recording Media: Kingston Technology SD 512MB / PNY Performance 8 GB
7. All Digital Photos Were Copied To: Digital Photographic Log
8. Original Copy Is Stored In/On: OCULUS
9. Were the photos altered?: NO X YES \_\_\_\_\_ explain yes:
10. Photographer: Leslie Pedigo / Beth Knauss
11. Signature of Photographer: Leslie E. L. Pedigo



Photo ID # 101\_0029: A used oil tank located adjacent to the building.



Photo ID # 101\_0030: The former used oil processing area.



Photo ID # 101\_0031: The centrifuge for the former processing area has been removed and will be shipped to Oklahoma.



Photo ID # 101\_0033: The former used oil processing area.





Photo ID # IMG-2470: The former used oil processing area.



Photo ID # 101\_0035: A used oil tank and drum located in the loading rack area.



Photo ID # 101\_0036: A filter housing located in the loading rack area; the drums collect filtered oil and oily debris.



Photo ID # 101\_0037:



Photo ID # 101\_0038:



Photo ID # 101\_0039: One rail car is located at the loading rack.





Photo ID # 101\_0040: The rail car contains solids, the used oil has been transferred to Tanker Trailer T 43.



Photo ID # IMG\_2476:



Photo ID # IMG\_2475: A track pan is located under the railroad tracks where the rail car is located.



Photo ID # 101\_0041: The facility has six 25,000-gallon aboveground storage tanks for the storage of used oil.



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Photo ID # 101\_0044: The aboveground green tank installed within secondary containment is empty as are the two storage tanks laying in the yard.



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Photo ID # 101\_0046: Tanker Trailer #120 is located in the yard; this tanker is empty.



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Photo ID # 101\_0043: Tanker trailer T-45 on the left is empty; tanker trailer T-43 contained approximately 5,000-gallons of off-spec oil from the rail car; no containment.



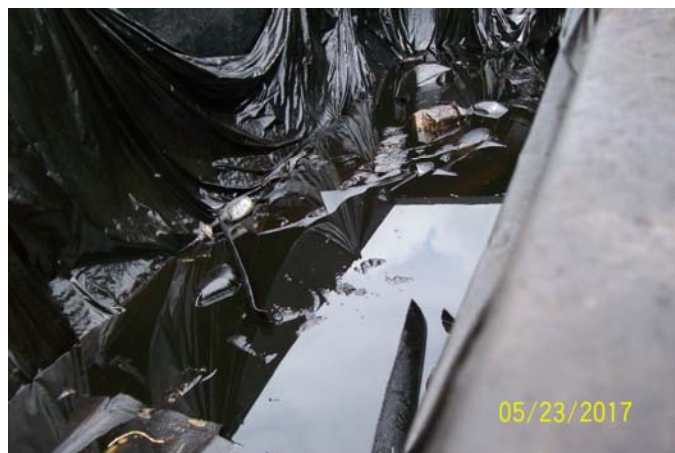
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Photo ID # 101\_0047: Six used oil bins, all empty, were stored in the yard between Tankers T-43 and T-45.



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Photo ID # 101\_0052: A roll-off is located next to tanker trailer T-43.



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Photo ID # 101\_0054: This roll-off is used to collect solids from the used oil storage tanks.





Photo ID # 101\_0049: A second roll-off is located in the yard.



Photo ID # 101\_0051: The second roll-off contained solid waste from the facility: buckets, soil and plant debris.



Photo ID # 101\_0059: Drums containing used oil and used oil filters stored inside a room in the building.



Photo ID # 101\_0058:



Photo ID # 101\_0060: Drums of waste fuel stored inside a room in the building.



Photo ID # 101\_0061: Drums of used oil, used oil filters and water contaminated with fuel stored inside a room in the building.



Photo ID # 101\_0062: Drums of used oil filters stored inside a room in the building.



Photo ID # 101\_0063: Empty polypropylene containers stored in the main storage room.





Photo ID # 101\_0065: Empty drum stored in the main storage room.



Photo ID # 101\_0066: Empty polypropylene containers stored in the main storage room.



Photo ID # 101\_0068: The hood in the on-site oil laboratory.



Photo ID # 101\_0067: The on-site oil laboratory.



Photo ID # 101\_0069: The on-site oil laboratory.



Photo ID # 101\_0072: The on-site retention pond for the site.



Photo ID # 101\_0074: The spillway leading to the stormwater pond.



Photo ID # 101\_0073: The stormwater culvert leading to the on-site stormwater pond.