



# 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

March 16, 2018

Mr. Steve Gugino, Branch General Manager  
Safety-Clean Systems  
A Clean Harbors Company  
5309 24<sup>th</sup> Avenue South  
Tampa, FL 33619  
[steve.gugina@safety-kleen.com](mailto:steve.gugina@safety-kleen.com)

Re: Compliance Assistance Offer  
Safety-Clean Systems – Tampa Facility  
HW Facility ID #FLD980847271  
Hillsborough County

Dear Mr. Gugino:

A Hazardous Waste inspection was conducted at your facility on February 20 and 23, 2018. 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; or
2. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid.

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.

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@FloridaDEP.gov](mailto:Leslie.Pedigo@FloridaDEP.gov). We look forward to your cooperation with this matter.

Sincerely,



Shannon Kennedy  
Environmental Manager  
Compliance Assurance Program  
Southwest District

SK/lelp

Enclosures: Inspection report

cc: Jeff Curtis, EHS Manager, Safety-Kleen Systems; [jeff.curtis@safety-kleen.com](mailto:jeff.curtis@safety-kleen.com)  
Gerry Javier, Hillsborough County EPC, SQG Program; [javierng@epchc.org](mailto:javierng@epchc.org)  
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)



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

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**FACILITY INFORMATION:**

**Facility Name:** Safety-Kleen Systems Inc

**On-Site Inspection Start Date:** 02/20/2018

**On-Site Inspection End Date:** 02/23/2018

**ME ID#:** 1792

**EPA ID#:** FLD980847271

**Facility Street Address:** 5309 24th Ave S, Tampa, FL 33619-5368

**Contact Mailing Address:** 5309 24th Ave S, Tampa, FL 33619-5368

**County Name:** Hillsborough

**Contact Phone:** (561) 523-4719

**NOTIFIED AS:**

LQG (>1000 kg/month)

TSD Facility

Transfer Facility

Transporter

Used Oil

**INSPECTION TYPE:**

Routine Inspection for TSD Facility facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Leslie Pedigo, Inspector

**Other Participants:** Elizabeth Knauss, Environmental Consultant; Gerry Suarez, Material Handler; Steve Gugino, Branch General Manager

**LATITUDE / LONGITUDE:** Lat 27° 55' 33.9629" / Long 82° 23' 39.6154"

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

**TYPE OF OWNERSHIP:** Private

**Introduction:**

Safety-Kleen Systems, Inc., (SK) was inspected on February 20, 2017, and February 23, 2018, to determine the facility's compliance with state and federal hazardous waste regulations. The Department has conducted Hazardous Waste inspections at this facility for many years, most recently on April 19, 2016. The inspectors were accompanied during the inspection by Steve Gugino, Branch General Manager, and Gerry Suarez, Material Handler.

**Process Description:**

General Facility Information:

SK is a permitted hazardous waste storage and recycling facility. The company operates a hazardous waste transfer facility that receives wastes from its customers for consolidation and shipment to other facilities. All hazardous wastes received or generated at the facility are stored in containers or tanks. The facility has not changed operations since the previous inspection except that they no longer offer the Continued Use Program (CUP) for spent parts washer solvent. The facility also sells and leases out various parts cleaning machines to its customers and provides servicing of these machines. Core business lines include parts cleaners, immersion cleaners and paint gun cleaners, as well as aqueous cleaners (brake and parts cleaners).

In addition, SK collects used oil and used oil filters, spent mercury-containing lamps and spent antifreeze (ethylene glycol) from its customers. According to Mr. Gugino, a halogen meter is used by the drivers to test used oil collected from their customers prior to pick-up. Seventy-five to eighty percent of SK's used oil

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customers are automotive repair facilities, the remained are manufacturing accounts. Other than material handling, the major process taking place at the facility is drum cleaning. Water and sewer services are provided by the City of Tampa.

Spill response equipment throughout the facility. Eyewash and shower stations were operational. Fire extinguishers were charged and are pressure tested annually. Additionally, the facility staff visually checks the fire extinguishers and safety equipment monthly.

The facility utilizes two forklifts which are powered by propane. A third party, Florida Lift, maintains the forklifts.

#### North Storage Building (Non-Flammable Storage Area):

The Non-Flammable Storage Area, located on the west wall, is being used for empty drum inventory. On the east wall of the building in a caged area for the storage of re-refined motor and hydraulic oil which SK began selling in October of 2016. This oil is sold in quart size containers, 5-gallon buckets, and 55-gallon drums. Samples from each truck load of used oil are retained for 90-days in several closed cabinets in this area. At the end of the 90-days, these samples are sent for recycling with the regular used oil.

#### Return/Fill Station Area:

Located between the North and South buildings, the return and fill area is where the drivers of the service trucks pick up the clean solvents in the morning for delivery to customers and drop off spent solvent picked up from the customers at the end of the day. SK no longer offers the Continued Use Program (CUP) and the CUP vat is no longer in use. Spent parts solvent from drums is added to the spent parts washer vat. Waste generated from the dumping and washing of spent parts washer solvent drums is placed in 55-gallon satellite containers. At the time of the inspection, there was a satellite drum accumulating facility derived debris (solids). The drum was closed and labeled as a hazardous waste. Two 6-yard containers containing aqueous parts washer waste (from the soap and water machines) are located on the west side of the loading dock. Containers of aqueous parts washer waste are transferred to the 6-yard containers and aqueous parts washer waste is pumped into one of SK's two vacuum trucks as needed and transported to Clarke Environmental for processing. The secondary containment on both sides of the return/fill station loading dock appeared to be clean, dry and intact.

#### South Storage Building (Non-Flammable Terminated and Transfer Waste Storage Area):

The Non-Flammable Terminated and Transfer Waste Storage Area on the north side of the south storage building was being used to store parts washer machines/equipment from SK customers. SK ships these used machines/equipment to the SK distribution center to be either re-furbished or disposed of. All transfer drums stored within this area were within the 10-day transfer limit. Aisle space between palletized waste drums were maintained.

Used oil filters are also managed in this area. The drums of used oil filters are consolidated on-site into used oil filter bins (each bin holds the contents of approximately six 55-gallon drums of filters). The filters are sent for processing at Oil Filter Recovery (OFR) in Ocala, Florida. The maximum storage volume of 41,220 gallons (equivalent to 750 55-gallon drums) for this area was not exceeded. No container leaks or spills were observed. Secondary containment trenches were all clean and dry.

#### South Storage Building (Flammable and Transfer Waste Storage Area):

Flammable materials are stored in a separate room in the southern storage building. This area contained both waste and new product storage. New products were stored against the north and south sides of the room, waste containers are housed in the center of the building. 5 properly labeled and closed boxes of spent 4-foot fluorescent lamps and one properly labeled and closed boxes of spent 8-foot fluorescent lamps were present at the time of the February 20, 2018, site visit. No container leaks or spills were observed. All transfer waste containers in this area were in storage for less than 10-days. The maximum storage volume of 12,749 gallons (equivalent to 232 55-gallon drums) for this area was not exceeded. Aisle space between pallets containing waste were maintained. The secondary containment trench was clean and dry.

Most of the waste containers observed in this area were properly labeled and dated. Twelve drums from Feld

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Motors Sports, dated January 27, 2018, were labeled as empty. However, during the February 20, 2018, site visit, a number of these drums were examined and found not to be empty. Subsequently, SK staff determined that eight of these drums were not empty but contained methanol waste; proper waste labels were added to the eight drums; the drums were re-profiled and proper manifest documents were prepared; and SK's drivers were retrained on determining when drums can be considered empty.

#### Tank Farm:

There are three 15,000-gallon aboveground storage tanks (ASTs) located within the tank farm area: A Clean 150 Mineral Spirits AST, a Used Oil AST, and a Dirty Parts Washer Solvent (hazardous waste) AST. After emptying and cleaning of the drums containing spent solvent into the spent solvent vat, the spent solvent is pumped to the facility's Spent Solvent AST. Used oil picked up in SK's four used oil pump trucks is typically transported directly to the CSX yard and loaded on to railcars for shipment to an out-of-state SK facility for re-refining. If needed the on-site Used Oil AST is used for temporary storage of used oil; the AST. All three tanks appear to be in good working condition and all were properly labeled. The tank farm is enclosed to minimize rain water in the secondary containment area. The secondary containment area was void of any liquid except for a small amount of liquid observed in the sump located at the northwest corner. There is an alarm sensor within the secondary containment area for alerting personnel if liquid is accumulating in the tank farm containment; the sensor is tested annually.

#### Records Review:

In accordance with the facility's permit, facility inspections are conducted and logged daily) except for non-operating days such as weekends and national holidays). Records included daily inspections of the Storage Tank System/Containment Area (Tank Dike), Container Storage Areas, Container Storage Areas Totals, Inspection of Continued Use, Forklift and Powered Industrial Truck Inspection, and Weekly Inspection of Safety & Emergency Equipment, Security Devices and miscellaneous equipment. Records were reviewed between January 3, 2017, and February 16, 2018, and were found to be in order.

The facility's contingency plan was last revised on May 28, 2016, and was most recently reviewed on January 2, 2018, by Steve Gugino. Arrangements to familiarize the local emergency response authorities (fire department, police, and local hospital) were sent on June 21, 2017. The emergency contact list was posted near the phones within the facility.

Training records, including position descriptions and job titles were available and up to date. Records indicate the last the 8-Hr Annual HazWoper Refresher was conducted on December 18, 2017, and that site-specific training was conducted monthly in one-hour modules for a total of 12 modules/12 hours.

A random sample of inbound and outbound manifests were reviewed. All records reviewed were properly completed and readily available. Chris Abel of SK is signing the used oil shipping records on behalf of CSX. Documentation from CSX stating that Mr. Abel is authorized to sign on their behalf needs to be submitted to the Department.

The 2017 annual report and certification of insurance, dated February 12, 2018, was submitted to the Department on February 21, 2018. The Certificate of Insurance documents that the facility's current policy was effective on November 1, 2017 and expires on November 1, 2018. The Waste Minimization Plan was signed on March 21, 2017, by Steve Gugino.

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

##### Violations

|              |   |
|--------------|---|
| Type:        | Violation   |
| Rule:        | 264.76(a)   |
| Explanation: | Twelve drums in the Flammable and Transfer Waste Storage Area from Feld Motors Sports, dated January 27, 2018, were labeled as empty. However, during the February 20, 2018, site visit, a number of these drums were examined and found not to be empty. |

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Subsequently, SK staff determined that eight of these drums were not empty but contained methanol waste; proper waste labels were added to the eight drums; the drums were re-profiled and proper manifest documents were prepared; and SK's drivers were retrained on determining when drums can be considered empty

**Corrective Action:** If a facility accepts waste for treatment, storage or disposal any hazardous waste from an off-site source without an accompanying manifest, or without an accompanying shipping paper as described by 263.20(e) of this chapter, and if the waste is not excluded from manifest requirement by this chapter, then the owner or operator must prepare and submit a letter to the Regional Administrator within 15 days after receiving the waste. The unmanifested waste report must include the following information:

- (1) The EPA identification number, name, and address of the facility;
- (2) The date the facility received the waste;
- (3) The EPA identification number, name and address of the generator and the transporter, if available;
- (4) A description and quantity of each unmanifested hazardous waste the facility received;
- (5) The method of treatment, storage, or disposal for each hazardous waste;
- (6) The certification signed by the owner or operator of the facility or his authorized representative, and;
- (7) A brief explanation of why the waste was unmanifested, if known.

Please provide an unmanifested waste report to the Department within 15 days.

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|                    |   |
|--------------------|---|
| Type:              | Violation   |
| Rule:              | 279.46(b)(5)(i)   |
| Explanation:       | Chris Abel of SK is signing the used oil shipping records on behalf of CSX.   |
| Corrective Action: | Used oil transporters must keep a record of each shipment of used oil that is delivered to another used oil transporter, or used oil burner, processor/re-refiner, or disposal facility. Records of each delivery must include:<br>(5) The signature, dated upon receipt of the used oil, of a representative of the receiving facility or transporter.<br>Documentation from CSX stating that Mr. Abel is authorized to sign on their behalf needs to be submitted to the Department within 15 days. |

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**Conclusion:**

At the time of the inspection, Safety-Kleen Tampa, Inc., was not operating in compliance with state and federal hazardous waste regulations governing treatment, storage, and disposal facilities.

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**6.0 - Transporters 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.

**Note: Checklist items with shaded boxes are for informational purposes only.**

| Item No. | Transporter Requirements (62-730.170 & 40 CFR 263)   | Yes | No | N/A |
|----------|--|-----|----|-----|
| 6.1      | Has the transporter notified the Department as a transporter and received an EPA identification number? 62-730.150(2)(a), 263.11(a)  | ✓   |    |     |
| 6.2      | Does the transporter repackage wastes with different USDOT shipping descriptions?  |     |    |     |
| 6.3      | If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)   |     |    | ✓   |
| 6.4      | Does the transporter transport waste into the US from abroad?  |     |    |     |
| 6.5      | If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)   |     |    | ✓   |
| 6.6      | Does the transporter obtain a signed and dated manifest prior to accepting a hazardous waste for transport?  |     |    |     |
| 6.7      | If NO, is the waste exempt from the manifest requirement? 263.20(a)(1)<br><input type="checkbox"/> Exemption Type - Tolling Agreement<br><input type="checkbox"/> Exemption Type - CESQG Bill-of-Lading  | ✓   |    |     |
| 6.8      | Does the transporter sign and date the manifest upon acceptance? 263.20(b)   | ✓   |    |     |
| 6.9      | Does the transporter leave a signed copy of the manifest acknowledging acceptance of the waste? 263.20(b)  | ✓   |    |     |
| 6.10     | Does the transporter ensure the manifest and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(c)  | ✓   |    |     |
| 6.11     | Does the transporter obtain the signature and date of delivery of the receiving (designated) facility or other transporter upon transferring custody of the waste? 263.20(d)(1)  | ✓   |    |     |
| 6.12     | Does the transporter retain one copy of the manifest signed and dated by the designated facility or other transporter? 263.20(d)(2)  | ✓   |    |     |
| 6.13     | Does the transporter give the remaining copies of the manifest to the designated facility or accepting transporter? 263.20(d)(3)   | ✓   |    |     |
| 6.14     | If the entire quantity of hazardous waste cannot be delivered, does the transporter contact the generator for further direction and revise the manifest in accordance with the generator's instructions? 263.21(b)(1)  | ✓   |    |     |
| 6.15     | For a partial load rejection, while the transporter is on the facility's premises, does the transporter obtain a new manifest for the rejected material, accompanied by a copy of the original manifest that includes the manifest tracking number of the new manifest? 263.21(b)(2) | ✓   |    |     |
| 6.16     | Does the transporter retain a copy of the manifest signed by the generator, himself, and the next designated transporter or designated facility for a period of three years from the date the hazardous waste was accepted by the initial transporter? 263.22(a)                     | ✓   |    |     |
| Item No. | Rail Transporters  | Yes | No | N/A |
| 6.17     | If initial rail transporter, when accepting hazardous waste from a non-rail transporter does the rail transporter sign and date the manifest acknowledging receipt of the hazardous waste? 263.20(f)(1)(i)   |     |    | ✓   |
| 6.18     | If initial rail transporter, does the rail transporter return a signed copy of the manifest to the non-rail transporter? 263.20(f)(1)(ii)  |     |    | ✓   |
| 6.19     | If initial rail transporter, does the rail transporter forward at least three copies of the manifest to the next designated non-rail transporter or facility? 263.20(f)(1)(iii)  |     |    | ✓   |
| 6.20     | If initial rail transporter, does the rail transporter retain one copy of the manifest and rail shipping paper? 263.20(f)(1)(iv)   |     |    | ✓   |
| 6.21     | Does the rail transporter ensure the shipping paper and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(f)(2)  |     |    | ✓   |
| 6.22     | Does the final rail transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(f)(3)(i)  |     |    | ✓   |
| 6.23     | Does the final rail transporter retain a copy of the manifest or signed shipping paper? 263.20(f)(3)(ii)   |     |    | ✓   |
| 6.24     | When delivering hazardous waste to a non-rail transporter, does the rail transporter obtain the date of delivery and handwritten signature of the next non-rail transporter on the manifest and retain one copy of the manifest? 263.20(f)(4)  |     |    | ✓   |

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| Item No. | Water (Bulk) Transporters   | Yes | No | N/A |
|----------|---|-----|----|-----|
| 6.25     | Does the water (bulk) transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(e)(3)  |     |    | ✓   |
| 6.26     | Does the water (bulk) transporter retain a copy of the manifest or signed shipping paper? 263.20(e)(5)  |     |    | ✓   |
| Item No. | SQG Waste   | Yes | No | N/A |
| 6.27     | For SQG waste, if a manifest is not used is the waste being transported pursuant to a recalculation (tolling) agreement per 262.20(e)? 263.20(h)(1)   |     |    | ✓   |
| 6.28     | Is the following information recorded on a log or shipping paper for each shipment? (Check items below that are NOT in compliance): 263.20(h)(2)<br><input type="checkbox"/> Name, address, and EPA identification number of the generator of the waste<br><input type="checkbox"/> Quantity of waste accepted<br><input type="checkbox"/> All DOT-required shipping information<br><input type="checkbox"/> The date the waste is accepted | ✓   |    |     |
| 6.29     | Does the transporter carry the shipping paper/log when transporting waste to the reclamation facility? 263.20(h)(3)   | ✓   |    |     |
| 6.30     | Does the transporter retain shipping papers/logs for a period of at least three years after termination or expiration of the tolling agreement? 263.20(h)(4)  | ✓   |    |     |
| 6.31     | If hazardous waste was discharged during transport, did the transporter give notice, if required by 49 CFR 171.15, to the National Response Center (800-424-8802)? 263.30(c)(1)   |     |    | ✓   |
| 6.32     | If hazardous waste was discharged during transport, did the transporter report in writing as required by 49 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590? 263.30(c)(2)  |     |    | ✓   |
| 6.33     | If hazardous waste was discharged during transport, did the transporter clean up the discharge so that it no longer presents a hazard to human health or the environment? 263.31  |     |    | ✓   |
| 6.34     | Has the transporter demonstrated the financial responsibility required under 62-730.150(2)? 62-730.150(2)   | ✓   |    |     |
| 6.35     | Does the transporter verify the evidence of financial responsibility annually? 62-730.150(3)  | ✓   |    |     |



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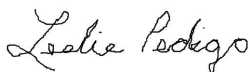
**Signed:**

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**

03/16/2018

**Date**

Elizabeth Knauss

**Inspector Name**

Enironmental Consultant

**Inspector Title**

FDEP/SWD

**Organization**

Steve Gugino

**Representative Name**

Branch Genral Manager

**Representative Title**

Safety-Kleen Systems

**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.

Gerry Suarez

**Representative Name**

Marterial Handler

**Representative Title**

SAfety-Kleen Systems

**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:**

03/16/2018