Florida Department of

Environmental Protection

Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: Ft Lauderdale Transflo Terminal

On-Site Inspection Start Date: 03/14/2018 **On-Site Inspection End Date:** 03/14/2018

ME ID#: 12133 **EPA ID#:** FLD984253542

Facility Street Address: 890 SW 21st Ave, Ft Lauderdale, FL 33312-2226

Contact Mailing Address: 500 Water Street, J-975, Jacksonville, FL 32202

County Name: Broward **Contact Phone:** (904) 359-1323

NOTIFIED AS:

CESQG (<100 kg/month)

Used Oil

INSPECTION TYPE:

Routine Inspection for Used Oil Generator facility
Routine Inspection for Used Oil Transfer Facility facility
Routine Inspection for CESQG (<100 kg/month) facility
Routine Inspection for Used Oil Transporter facility

INSPECTION PARTICIPANTS:

Principal Inspector:	Daniel G Lopez, Environmental Specialist I
Other Participants:	Gary Smith, Terminal Manager

LATITUDE / LONGITUDE: Lat 26° 6' 32.9426" / Long 80° 10' 11.7511"

SIC CODE: 4013 - Trans. & utilities - switching and terminal devices

TYPE OF OWNERSHIP: Private

Introduction:

On March 14, 2018 (03/14/2018), one (1) representative of the Florida Department of Environmental Protection (FDEP) conducted a routine compliance evaluation inspection (CEI) at Fort Lauderdale Transflo Terminal.

During the inspection, Fort Lauderdale Transflo Terminal was represented by Mr. Gary Smith, the Terminal Manager of the facility. The DEP was represented by Mr. Daniel Lopez, an Environmental Specialist I.

Fort Lauderdale Transflo Terminal (FLTT) is situated on an approximately 6.6 acre property. The facility has been in operation for at least twenty-seven (27) years, and has eight (8) employees. The entire facility is connected to the city of Fort Lauderdale's water and sewer system.

The property on which FLTT operates is owned by the United States Department of Transportation (USDOT), whose representatives have leased the use of the rail depot to CSX. CSX is the parent company of Transflo, whose representatives have contracted Arrow Material Services to conduct/oversee all operations occurring at the FLTT facility.

The facility's most recent Hazardous Waste Generator Notification Form (EPA Form 8700-12FL) was filed on 03/21/2018, which characterized FLTT as a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste. In addition, the facility's most recent Used Oil Registration Form was filed on 03/01/2018, which characterized FLTT as a Used Oil Transporter and a Used Oil Transfer Facility.

FLTT was most recently inspected by the Department on 03/18/2014. No violations were observed, and the facility was therefore in compliance.

PPE (Personal Protective Equipment) was required to enter the facility. The inspector wore safety boots, safety glasses, and a hard hat throughout the inspection.

Process Description:

The Fort Lauderdale Transflo Terminal (FLTT) facility consists of one (1) outdoor waste storage area, one (1) outdoor product storage area, one (1) outdoor tanker rail car loading area, and one (1) office building.

Mr. Gary Smith accompanied the inspector throughout the inspection of the facility.

According to Mr. Gary Smith, FLTT mainly operates as a rail freight transport and temporary storage facility. More specifically, FLTT personnel transfer used oil transport to the facility by Heritage Crystal-Clean (HCC) transport trucks into tanker rail cars, which - once full - transport the used oil to various HCC used oil processing facilities for further processing. However, according to Mr. Smith, FLTT personnel do not transport any used oil from used oil generators to the FLTT facility, but rather only coordinate the off-site transport of the used oil deposited in the facility's various tanker rail cars to HCC's various used oil processing facilities.

As a result of these used oil transport, transfer, and temporary storage operations, FLTT generates hazardous waste in the form of spent parts washer solvent. In addition, FLTT has the potential to generate hazardous waste in the form of waste peroxides. Furthermore, FLTT generates used oil, used oil filters, oily rags, oil-contaminated spill cleanup materials, and oil-contaminated equipment waste. Lastly, FLTT generates universal waste in the form of spent lead acid batteries and spent fluorescent lamps.

> OUTDOOR WASTE STORAGE AREA <

Approximately twenty-five (25) yards from the facility's main office building, FLTT personnel maintain one (1) outdoor waste storage area, in which - according to Mr. Smith - all hazardous/oily waste destined for off-site transport is stored. According to the observations of the inspector, the entire outdoor waste storage area is protected by an overhanging roof.

In the outdoor waste storage area, the inspector observed the following six (6) waste storage containers (all of which were situated on three [3] adequately sized secondary containment pallets):

> Two (2) 55-gallon drums of used oil, which were closed and properly labeled with the words "Used Oil"
* According to Mr. Smith, the facility's four (4) pieces of diesel-fired equipment generate much of the used oil stored within the two (2) drums
* In addition, Mr. Smith informed the inspector that FLTT personnel deposit any spilled used oil that has been collected by the facility's various drip pans during the transfer of used oil into the tanker rail cars on-site into the two (2) aforementioned drums

> Two (2) 55-gallon drums of oily rags, which were closed and properly labeled with the words "Oily Rags"
* According to Mr. Smith, FLTT personnel use these disposable rags to clean up any de minimis used oil spills that may occur as a result of the facility's used oil handling/transfer operations

> One (1) 55-gallon drum of used oil and diesel filters, which was closed but improperly labeled with the words "Oil + Fuel Filters"
* According to Mr. Smith, the facility's four (4) pieces of diesel-fired oil generate the used oil and diesel filters, all of which are transferred into the one (1) 55-gallon drum

> One (1) 55-gallon used oil storage drum, which - according to the observations of the inspector - was empty (i.e. at the time of the inspection)

In addition, the inspector observed the following containers stacked on top of the one (1)aforementioned used oil and diesel filter storage drum:

> Three (3) grey plastic used oil drip pans
* According to Mr. Smith, these used oil drip pans are used by FLTT personnel to collect any used oil that may spill either from either HCC's tanker trucks or by FLTT's mobile used oil transfer cart during the transfer of used oil into the facility's various used oil tanker rail cars
* According to the observations of the inspector, all of the used oil drip pans were empty (i.e. at the time of the inspection)

Furthermore, the inspector observed the following on one (1) of the secondary containment pallets:

> One (1) red parts washer, which - according to the observations of the inspector - appeared to be in active use
* During the inspection, the inspector observed that the parts washer was closed and labeled with the words "Solvent Parts Washer"
* According to Mr. Smith, the parts washer is used by FLTT personnel to clean oil-contaminated drip pans
* In addition, Mr. Smith informed the inspector that all spent parts washer solvent generated by the parts washer is stored in the parts washer's 16-gallon drum, directly from which representatives of Safety-Kleen remove any spent parts washer solvent for off-site transport and proper disposal approximately once per quarter

However, upon further inspecting the six (6) oily waste storage drums situated in the facility's outdoor waste storage area, the inspector noted that the roof overhanging the area may not be adequately protecting the drums from the elements. More specifically, the inspector noted that rainwater had collected on top of many of the six (6) of the aforementioned storage drums, some of which had lids (according to the observations of the inspector) that appeared to have been rusted by the collecting rainwater.

Upon observing this standing rainwater on the six (6) storage drums, the inspector informed Mr. Smith that the overhanging roof may not be adequately protecting the drums from the elements. Mr. Smith then informed the inspector that FLTT personnel had tried to waterproof the roof with sealant (which - according to the observations of the inspector - had been deposited throughout various parts of the roof by FLTT personnel). Upon hearing Mr. Smith's explanation of the facility's attempts to waterproof the overhanging roof, the inspector recommended to Mr. Smith that FLTT personnel regularly dry the rainwater from the lids of the containers (so that the structural integrity of the drums contained within the outdoor waste storage area can be preserved).

While the facility does have the potential to generate hazardous peroxide waste, Mr. Smith informed the inspector that the facility has not recently generated any hazardous peroxide waste. Therefore, no hazardous peroxide waste was observed to be accumulating on-site by the inspector during the inspection.

Within and in the immediate vicinity of the outdoor waste storage area, FLTT personnel maintain multiple Safety Preparedness Areas. More specifically, the inspector observed one (1) fire extinguisher (which was mounted on one [1] of the walls of the outdoor waste storage area) and one (1) roll of oil absorbent pads (which was observed within a storage crate [labeled "FL643"] that was situated directly adjacent to the outdoor storage area). According to Mr. Smith, any oil absorbent pads used by FLTT personnel are deposited into one (1) of the facility's various oily rags storage drums for disposal.

> OUTDOOR PRODUCT STORAGE AREA <

Directly adjacent to the facility's outdoor waste storage area, FLTT personnel maintain one (1) outdoor product storage area, in which - according to Mr. Smith - most of the facility's oil, diesel, and paint products are stored. According to the observations of the inspector, much of the outdoor product storage area is protected from the elements by a metal overhanging roof.

According to Mr. smith, FLTT personnel regularly generate empty waste aerosol spray paint cans in the outdoor product storage area. More specifically, Mr. Smith informed the inspector that - once the aerosol cans are completely empty - FLTT personnel puncture the bottoms of the aerosol cans with a nail affixed to a wooden board, onto which any small quantities of residual paint flow (and subsequently dry). In addition, Mr. Smith informed the inspector that the punctured/emptied cans are then disposed of as solid waste.

> OUTDOOR TANKER RAIL CAR LOADING AREA <

Approximately 125 yards from the facility's outdoor product storage area, FLTT personnel maintain one (1) outdoor tanker rail car loading area, in which - according to Mr. Smith - FLTT personnel transfer all used oil brought to the facility by Heritage Crystal-Clean (HCC) tanker trucks into the facility's various tanker rail cars. In addition, Mr. Smith informed the inspector that the outdoor tanker rail car loading area is used as a staging area for all used oil tanker rail cars awaiting off-site travel to Heritage Crystal-Clean's main used oil processing facility.

During the inspection, Mr. Smith informed the inspector that HCC regularly transports (via tanker truck) used oil to the FLTT facility, whose personnel then offload the used oil into one (1) of the approximately thirty (30) tanker rail cars used by HCC to transport used oil to its various used oil processing facilities. More specifically, Mr. Smith informed the inspector that HCC transports approximately three to four (4) tanker truckloads of used oil to the FLTT facility each day, the contents of which are then emptied into one (1) of the two to three (2-3) tanker rail cars that are usually present at the FLTT facility at any time. However, according to Mr. Smith, FLTT personnel only fill one (1) tanker rail car with used oil at a time (each of which usually takes approximately three [3] days to completely fill). Therefore, according to Mr. Smith, one (1) of the aforementioned used oil tanker rail cars is usually completely filled with used oil, one (1) of the tanker rail cars is actively being filled by FLTT personnel (and is therefore partially filled), and one (1) of the tanker rail cars is usually empty (and is therefore waiting to be filled by FLTT personnel).

Once completely filled with used oil, the tanker rail car is transferred to the staging section of the outdoor tanker rail car loading area, from which the rail car departs to HCC's used oil processing facility in Indianapolis, Indiana. According to Mr. Smith, the filled tanker rail car usually depart from the facility soon after being completely filled with used oil, as - in recent memory - no filled tanker rail car has stayed on-site at the FLTT facility for more than nine (9) days. Furthermore, Mr. Smith informed the inspector that - once emptied of used oil at the aforementioned Heritage Crystal-Clean processing facility - the tanker rail cars are sent back to the FLTT facility by HCC to be re-filled with used oil.

On the day of the inspection, three (3) used oil tanker rail cars were present at the FLTT facility. However, the inspector only specifically inspected two (2) of the three (3) aforementioned tanker rail cars, as one (1) of the tanker rail cars was empty at the time of the inspection.

In terms of the two (2) used oil tanker rail cars specifically inspected during the inspection, the inspector observed the following:

> One (1) completely filled used oil tanker rail car (labeled "TCIX 25034"), which is approximately sixty (60) feet in length and has a total capacity of 25,360 gallons
* According to Mr. Smith, this rail car had been completely filled with used oil by FLTT personnel, and was now awaiting off-site transport to Heritage Crystal-Clean's used oil processing facility in Indianapolis
* According to the observations of the inspector, the tanker rail car was closed and properly labeled with the words "Used Oil"

> One (1) partially filled used oil tanker rail car (labeled "GATX 30313"), which is approximately 60 feet in length and has a total capacity of 29,958 gallons
* According to Mr. Smith, FLTT personnel had begun filling this tanker rail car the day before the date of the inspection (i.e. on 03/13/2018), and would continue filling the tanker rail car with new used oil shipments brought to the facility by HCC truck drivers until the rail car was completely filled

During the inspection, Mr. Smith informed the inspector that the two (2) tanker rail car are probably double-walled, as the interior storage tanks into which used oil is pumped are surrounded by the metal "shell" exteriors of the tanker rail cars (which - if the interior tank were to be damaged - would contain the used oil that would seep out of the damaged interior tank within the confines of the rail car). However, as the quantity of available interstitial space within each of the two (2) tanker rail cars is unknown, the inspector noted that the double-walled design of the two (2) tanker rail cars may not serve as adequately sized secondary containment for the used oil stored within the tanker rail car's interior tanks.

During the inspection, the inspector also noted that the one (1) partially filled used oil tanker rail car had not been labeled with the words "Used Oil." After being made aware of the unlabeled tanker rail car by the inspector, Mr. Smith instructed FLTT personnel to place a magnetic "Used Oil" label onto the tanker rail car during the inspection.

In addition, according to the observations of the inspector, the hatch situated at the top of the one (1) partially filled tanker rail car was open. The inspector informed Mr. Smith of the open tanker rail car hatch, who then informed the inspector that FLTT personnel leave the hatch of any tanker rail car that is being filled with used oil until the rail car is completely filled with used oil. However, the inspector noted that the open hatch exposed the used oil to the elements, thereby posing a spill risk. More specifically, the inspector noted that rainwater could enter the tanker rail car via the open hatch, out of which - in turn - water and used oil could

overflow onto the tracks below (i.e. if the tank were to become filled with a quantity of used oil and rainwater that would overflow out of the tank).

Adjacent to the one (1) partially filled tanker rail car, the inspector also observed the following:

> One (1) mobile used oil transfer cart, which - according to the observations of the inspector - appeared to be in active use (i.e. at the time of the inspection)

According to Mr. Smith, the facility's one (1) mobile used oil transfer cart is equipped with two (2) yellow rubber hoses and one (1) metal pipe, which are used by FLTT personnel to transfer used oil from HCC's tanker trucks into an adjacent tanker rail car. More specifically, FLTT personnel insert one (1) end of one (1) of the hoses (i.e. the hose closest to the ground) into the tank of an HCC tanker truck (which is parked next to the mobile used oil transfer cart and the adjacent rail car), and insert the other end into the end of the metal pipe situated closest to the ground. In addition, FLTT personnel insert one of the ends of the other hose onto the opening of the metal pipe closest to the top hatch of the rail car, and insert the other end of the other hose through the open hatch of the rail car. After the two (2) hoses have been securely attached to each end of the metal pipe (which rises approximately ten [10] feet of the ground and then bends at a ninety-degree angle over the open hatch of the rail car), FLTT personnel pump the used oil from the tanker truck into the rail car (i.e. via the connected hoses and the vertically oriented metal pipe, all of which are powered by a truck pump). In addition, Mr. Smith informed the inspector that the end of the rubber hose placed through the open hatch of the rail car is bent at a ninety-degree angle, which - when inserted approximately twenty (20) inches into the rail car's interior tank - allows the used oil to freely flow into the rail car's tank.

Within the one (1) mobile used oil transfer cart, the inspector observed the following one (1) five-gallon bucket (which - according to Mr. Smith - is also used to collect used oil spilled during the used oil transfer process) and unused oil absorbent spill pads.

On the ground immediately adjacent to the mobile used oil transfer cart, the inspector also observed the following:

> One (1) black plastic grooved used oil spill pan, which was labeled with the words "Used Oil"

According to Mr. Smith, this grooved used oil spill pan is used to collect any used oil that may spill during the transfer of used oil from a HCC truck into an awaiting tanker rail car. More specifically, FLTT personnel place the grooved spill pan below the piping connecting the HCC truck and the mobile used oil transfer cart. Once the grooved spill pan is placed below the aforementioned piping, FLTT personnel place a smaller grey plastic used oil spill pan (i.e. one [1] of the spill pans observed in the outdoor waste storage area during the inspection) within the grooved used oil spill pan, which would contain any used oil spilled from either the HCC truck or the used oil transfer equipment. However, if the smaller grey spill pan were to overflow, the larger grooved used oil spill pan would contain the overflowing used oil, thereby preventing any used oil from flowing onto the surrounding ground.

Furthermore, Mr. Smith informed the inspector that - in addition to using the two (2) aforementioned types of used oil spill pans - FLTT personnel have also installed a metal spill pan beneath Track # 4 (i.e. the track on which all tanker rail cars that will receive used oil transferred from HCC trucks are situated). Therefore, as the metal spill pans runs along the entirety of Track # 4, this spill pan serves as an additional secondary containment structure (i.e. in addition to the double-walled structure of the used oil tanker rail cars) for all used oil stored in the facility's various tanker rail cars (as well as for any used oil that may spill onto the tracks during the transferring of used oil from an HCC tanker truck into a tanker rail car). However, as the volume of the metal track pan was not provided, the inspector noted that the metal track pan installed below Track # 4 may not be able to contain 110% of the used oil that may spill out of full and partially full tanker rail cars placed on the track by FLTT personnel.

During the inspection, Mr. Smith also informed the inspector that the facility did not maintain a storage area for the spent lead acid batteries generated by the facility's four (4) pieces of diesel-fired equipment, as any spent lead acid batteries generated in the machines are removed directly from the machines for off-site transport. Therefore, the inspector did not observe any accumulating spent lead acid batteries at FLTT on the day of the inspection.

Throughout the outdoor tanker rail car loading area, FLTT personnel maintain multiple Safety Preparedness

Areas. More specifically, the inspector observed two (2) fire extinguishers (which were mounted on the side of the one (1) mobile used oil transfer cart, three (3) spill kits (which contained spill pads, oil absorbent bags/socks, and/or granular oil absorbent), and one (1) mobile emergency eyewash/shower station

>> OFFICE BUILDING <<

Approximately twenty-five yards from the facility's outdoor waste storage area, FLTT personnel maintain one (1) office building, in which all of the facility's administrative operations are conducted.

During the inspection, Mr. Smith informed the inspector that all spent fluorescent lamps generated at the facility are stored within two (2) boxes situated inside of the one (1) office building. However, Mr. Smith also informed the inspector that the facility had not recently generated any spent fluorescent lamps. Therefore, as the two (2) aforementioned spent mercury lamp boxes were not in use (i.e. at the time of the inspection), the inspector did not observe any accumulating universal waste lamps.

In addition, the inspector noted that FLTT personnel had posted an emergency evacuation map on one (1) of the walls of the one (1) office building. According to the observations of the inspector, the posted evacuation map indicated the locations of all emergency equipment present on the property (as well as the evacuation routes that are available throughout the property to FLTT personnel during any on-site emergency).

>> RECORD REVIEW <<

> HAZARDOUS WASTE, USED OIL, AND UNIVERSAL WASTE RECORDS <

> Disposal records for the facility's hazardous waste shipments from the past three (3) years were available for review. More specifically, the inspector reviewed nine (9) hazardous waste disposal records (dated between 04/23/2015 and 02/09/2018).

According to the facility's hazardous waste disposal records, all of FLTT's hazardous waste is handled by Safety-Kleen Systems, Inc. (EPA ID # TXR000091205), Clean Harbors Environmental Services, Inc. (EPA ID # MAD039322250), and Robbie D. Wood, Inc. (EPA ID # ALD067138891), facilities that have formally registered with the Department as Hazardous Waste Transporters. In addition, FLTT's hazardous waste disposal records indicate that all of FLTT's hazardous spent parts washer solvent waste has been transported to Safety-Kleen Systems, Inc. (EPA ID # FLD984167791), a facility in Boynton Beach that is authorized by the Department to operate as a Treatment, Storage, and Disposal (TSD) Facility of hazardous waste. Furthermore, FLTT's hazardous waste disposal records indicate that FLTT's hazardous waste has also been transported to Clean Harbors Recycling Services of Ohio, LLC (EPA ID # OHD980587364), a facility in Ohio that operates as a Treatment, Storage, and Disposal (TSD) Facility of hazardous waste.

According to FLTT's most recent hazardous spent parts washer solvent record (dated 02/09/2018), Safety-Kleen Systems, Inc. transported a total of seven (7) gallons of "CSX Transflo['s]" (i.e. the name listed for FLTT on the disposal record) hazardous spent parts washer solvent waste (EPA waste code D039) to Safety-Kleen Systems, Inc. for proper treatment, storage, and/or disposal.

Upon reviewing the facility's other waste disposal records, the inspector noted that - in addition to hazardous spent parts washer solvent waste - the facility also occasionally generates other forms of hazardous waste. More specifically, the inspector reviewed one (1) hazardous waste disposal record (dated 04/27/2017) that indicated that Clean Harbors Environmental Services, Inc. transported a total of 400 pounds (or one [1] 55-gallon drum) of "Waste Alcohols" (EPA waste codes D001 and D018) to Clean Harbors Recycling Services of Ohio, LLC for proper treatment, storage, and/or disposal. According to Mr. Smith, the "Waste Alcohols" listed on the manifest was ethanol product that had to be removed from a malfunctioning storage tank (and its adjoined pipes) that required repair (thereby transforming the removed ethanol into a hazardous waste). However, Mr. Smith further informed the inspector that the facility no longer handles/transports ethanol product (and would therefore not generate hazardous ethanol waste again).

According to Mr. Smith, the facility would only generate hazardous peroxide waste if FLTT personnel had to replace/repair a malfunctioning pump within one (1) of the facility's four (4) pieces of diesel-fired equipment. However, Mr. Smith further informed the inspector that FLTT had not generated any hazardous peroxide waste within the past five (5) years. Therefore, no hazardous peroxide waste disposal records were available for review.

> Disposal records for the facility's used oil, used oil filters, and oily solids waste (i.e. oily rags and oil-contaminated equipment waste) More specifically, the inspector reviewed fifteen (15) used oil, used oil filter, and oily solids waste disposal records (dated between 02/04/2015 and 12/27/2017).

According to the facility's used oil, used oil filters, and oily solids waste disposal records, all of FLTT's used oil, used oil filters, and oily solids waste is handled by Clean Harbors Environmental Services, Inc. (EPA ID # MAD039322250), Robbie D. Wood, Inc. (EPA ID # ALD067138891), and Safety-Kleen Systems, Inc. (EPA ID # TXR000081205), facilities that have all formally registered with the Department as Used Oil Transporters. In addition, FLTT's used oil, used oil filters, and oily solids waste disposal records indicate that FLTT's used oil, used oil filters, and oily solids waste have been transported to Clean Harbors Chattanooga LLC (TND982141392), a facility in Tennessee that operates as a Used Oil Processor facility. Furthermore, FLTT's used oil, used oil filters, and/or oily solids waste disposal records indicate that FLTT's used oil, used oil filters, and/or oily solids waste have also been transported to Clean Harbors Florida LLC (EPA ID # FLD980729610), a facility in Bartow that is authorized by the Department to operate as a Used Oil Processor facility.

According to FLTT's most recent used oil, used oil filter, and/or oily solids waste disposal record (dated 12/29/2017), Clean Harbors Environmental Services, Inc. transported a total of 380 pounds (or one [1] 55-gallon drum) of used oil to Clean Harbors Chattanooga LLC for processing.

> According to Mr. Smith, all of FLTT's spent lead acid batteries are transported off-site by Napa Auto Parts, whose representative would then most likely dispose of the spent lead acid batteries via recycling. In addition, Mr. Smith informed the inspector that all of FLTT's spent fluorescent lamps would most likely be transported off-site by Veolia Environmental Services for disposal via recycling. However, as (according to Mr. Smith) FLTT personnel had not recently generated any spent lead acid batteries or spent fluorescent lamps, no universal waste battery/lamp disposal records were available for review.

> USED OIL TRANSPORTER/TRANSFER FACILITY RECORDS <

> Acceptance records for the facility's used oil transport/transfer activities from the past three (3) years were also available for review. More specifically, the inspector reviewed thirty-four (34) used oil acceptance records (dated between 03/04/2015 and 03/13/2018) that listed the used oil transported to FLTT (whose name is also listed as "Transflo," "CSX Bids Terminal," or "CSX Transportation, Inc." on some of the used oil acceptance records provided by Mr. Smith) for transfer into the tanker rail cars present on-site in March of 2015, March of 2016, March of 2017, February of 2018, and March of 2018.

According to FLTT's used oil acceptance records, all of the used oil brought to the facility for transfer into the facility's various tanker rail cars has been transported by Heritage-Crystal Clean, LLC (EPA ID # ILR000130062) and FCC Environmental Services LLC (EPA ID # TXR000078094), facilities that have formally registered with the Department as Used Oil Transporters/Transfer Facilities.

According to FLTT's two (2) most recent used oil acceptance records (both dated 03/13/2018), Heritage-Crystal Clean, LLC transported a total of 5,187 gallons of used oil to FLTT for transfer from HCC's tanker trucks into two (2) of FLTT's tanker rail cars (i.e. GATX 30313 and TCIX 25034).

During the inspection, Mr. Smith informed the inspector that FLTT personnel do not conduct any halogen content testing on the used oil transported to the facility by HCC tanker trucks, as all halogen content testing on used oil shipments is conducted by HCC personnel prior to the used oil's transport to FLTT for transfer into FLTT's various tanker rail cars. Therefore, no used oil halogen content testing records were available on-site for review.

> Delivery records for the facility's used oil transport/transfer activities from the past three (3) years were also available for review. More specifically, the inspector reviewed fifteen (15) used oil delivery records (dated between 03/12/2015 and 03/05/2018) that listed the used oil that was transported from FLTT (whose name is listed as "CSX Transportation, Inc.," "CSX Transportation," or "Transflo Terminal Services Inc") to HCC's various used oil processing facilities by FLTT's various tanker rail cars in March of 2015, March of 2016, March of 2017, February of 2018, and March of 2018.

According to FLTT's used oil delivery records, much of the used oil transferred into the facility's various tanker rail cars is transported to Heritage Crystal Clean LLC (EPA ID # FLD065680613), a facility in Plant City that is

authorized by the Department to operate as a Used Oil Processor facility. In addition, according to FLTT's used oil delivery records, much of the used oil transferred into the facility's various tanker rail cars is also transported to Heritage-Crystal Clean LLC (EPA ID # INR000006536) and Heritage-Crystal Clean LLC NOLA, facilities in Indianapolis, Indiana and New Orleans, Louisiana that operate as Used Oil Processor facilities. According to Mr. Smith, the three (3) aforementioned Heritage Crystal Clean LLC facilities are listed as the "Consignee" on FLTT's used oil delivery records. Furthermore, while the quantity of used oil listed on each used oil delivery record is expressed in pounds, Mr. Smith informed the inspector that the quantity of gallons transported off-site can be calculated by dividing the total pounds of used oil listed on the used oil delivery record by 7.3 (which is a conversion factor that was provided to FLTT by HCC).

According to FLTT's most recent used oil delivery record (dated 03/05/2018), FLTT coordinated the transport of a total of 181,380 pounds (or approximately 24,847 gallons) of used oil (via Tanker Rail Car # GATX080619) to Heritage Crystal Clean LLC's used oil processing facility in Indianapolis for further processing.

> The facility's 2017 Used Oil Annual Report was available for review. According to FLTT's 2017 Annual Report, FLTT accepted a total of 1,956,382 gallons of "mixed" oil for transfer into the facility's various tanker rail cars, which then "transferred" the entire quantity of used oil listed above "to another facility" (i.e. to HCC's various used oil processing facilities).

> Records of the facility's Used Oil Handler Certification of Liability Insurance forms from the past three (3) years were also available for review. According to the facility's most recent (i.e. 2018) Used Oil Handler Certification of Liability Insurance forms, FLTT had purchased the following liability insurance packages:

* Policy # MWZZ30295303 (issued 10/01/2017, and set to expire on 10/01/2018) - provided by Old Republic Insurance Company

According to the observations of the inspector, the insurance package outlined in the facility's most recent Certification of Liability Insurance form appeared to be up-to-date and to meet the Department's minimum liability insurance coverage requirements.

> While only six (6) of FLTT's eight (8) employees actually handle used oil, Mr. Smith informed the inspector that all eight (8) FLTT employees receive initial and annual training (which includes training concerning the facility's proper hazardous waste and used oil handling, storage, and spill cleanup procedures). More specifically, all FLTT employees receive "Used Oil," "Oily Water," and "Sludge via Truck Pump Procedures" training.

Records of FLTT employee training for the six (6) employees responsible for handling used oil were available on-site for review, all of which - according to the observations of the inspector - appeared to be complete and up-to-date. According to Mr. Smith, records of FLTT employee training have been maintained on-site since FLTT began conducting operations on the property (i.e. at least for the past twenty-seven [27] years).

In addition, Mr. Smith informed the inspector that the most recent of these employee training session had occurred on 12/13/2017 (i.e. as of the date of the inspection).

> The facility's Spill Prevention, Control, and Countermeasures (SPCC) Plan was not available on-site for review during the inspection.

> All DEP permits and forms were available for review, and were prominently displayed in an accessible location in the facility. More specifically, FLTT's most recent Used Oil Transporter/Transfer Facility registration form (dated 03/20/2017, and set to expire on 06/30/2018) was prominently posted on a wall inside FLTT's one (1) office building.

> Records of the facility's United States Department of Transportation (USDOT) Hazardous Materials Certificates of Registration were also available for review. More specifically, the inspector observed that the facility's most recent USDOT Hazardous Materials Certificate of Registration (Registration # 060217551036Z; issued 07/01/2017, and set to expire on 06/30/2018) was prominently displayed on the same wall of the facility's one (1) office building on which FLTT's Used Oil Transporter/Transfer Facility Registration Form was posted. According to the observations of the inspector, the facility's most recent USDOT Hazardous Materials Certification of Registration appeared to be complete and in-order.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	279.45(g)(1), 62-710.401(6)
Explanation:	The facility did not close or properly label one (1) partially filled used oil tanker rail car (i.e. Tanker Rail Car # GATX 30313) observed in the outdoor tanker rail car loading area during the inspection. The overhanging roof situated above the outdoor waste storage area is not sufficiently waterproof, and therefore cannot protect the used oil storage containers stored within the outdoor waste storage area from the elements.
Corrective Action:	Please close the top hatch of the one (1) aforementioned used oil tanker rail car. Please also label the one (1) tanker rail car with the words "Used Oil." Please submit (via email) photographs that the one (1) aforementioned tanker rail car has been closed and properly labeled with the words "Used Oil." In addition, please acquire a new sufficiently waterproof overhanging roof of the outdoor waste storage area, or acquire/install another weather protection mechanism that will adequately protect all used oil storage drums in the outdoor waste storage area from the elements. Please then submit (via email) photographs and documentation demonstrating that the facility has acquired/installed a weather protection mechanism that will now protect all used oil storage drums stored within the outdoor waste storage area from the elements. Furthermore, please keep the top hatches of all used oil tanker rail cars closed unless used oil is actively being transferred into and/or out of the tanker rail cars' onboard tanks. ** The labeling aspect of this violation was corrected on-site by FLTT personnel during the 03/14/2018 inspection. **

Photo Attachments:

Open Partially Filled Used Oil Tanker Rail Car



Unlabeled Used Oil Tanker Rail Car



Properly Labeled Used Oil Tanker Rail Car



Damaged Overhanging Roof of Outdoor Waste Storage Area



Standing Rain Water on Used Oil Storage Drum Lid



Standing Water on Oily Rags Storage Drum Lid



Used Oil Storage Drum Lid Rusted by Rain Water



Type:	Violation
Rule:	279.45(e)
Explanation:	The facility has not installed an adequately sized secondary containment structure below Track #4 that can contain up to 110% of the capacities of the two to three (3) full and/or partially full tanker rail cars placed on the track by FLTT personnel at any one (1) time.
Corrective Action:	Please construct an adequately sized secondary containment structure that can hold up to 110% of the capacities of the two to three (3) full and/or partially full tanker rail cars placed on the track by FLTT personnel at any one (1) time.

Please then submit (via email) photographs illustrating that FLTT personnel have constructed and installed an adequately sized secondary containment structure below and/or around Track # 4.

Photo Attachments:

View 1 of Inadequate Secondary Containment



View 2 of Inadequate Secondary Containment



Type: Violation

Rule: 279.45

Explanation: The facility failed to maintain a written Spill Prevention, Control, and Countermeasures (SPCC) Plan on-site.

Corrective Action: Please draft a written Spill Prevention, Control, and Countermeasures (SPCC) Plan that specifically details the facility's spill prevention, emergency response, and cleanup procedures.

Please then submit (via email) the written SPCC plan to the Department for review.

Type: Violation

Rule: 279.46(a), 279.46(b), 62-710.510(1)

Explanation: The facility did not list the name and specific EPA ID number (i.e. EPA ID # FLD984253542) as the name and specific EPA ID number of the "Receiving Facility" of the used oil transported by Heritage-Crystal Clean tanker trucks to FLTT listed on thirty-one (31) used oil acceptance records (dated between 03/04/2015 and 03/13/2018).

In addition, a representative of FLTT did not sign or date the entries designated for the "Receiving Facility" on thirty (30) used oil acceptance records (dated between 03/11/2016 and 03/13/2018).

Furthermore, the facility failed to list the specific EPA ID numbers of FLTT (i.e. EPA ID # FLD984253542) and/or the three (3) Heritage-Crystal Clean used oil processing facilities (i.e. EPA ID # ILR000130062) that accepted FLTT's used oil rail shipments for further processing on fifteen (15) used oil delivery records (dated between 03/12/2015 and 03/05/2018).

Lastly, the facility failed to ensure that the names and dated signatures of the representatives of the three (3) HCC used oil processing facilities that accepted the used oil rail shipments from FLTT for further processing were included on fifteen (15) used oil delivery records (dated between 03/12/2015 and 03/05/2018).

Corrective Action:	Please edit the thirty-one (31) aforementioned used oil acceptance records (i.e. those ddated between 03/04/2015 and 03/13/2018) in a manner that lists the name and specific EPA ID number (i.e. EPA ID # FLD984253542) of FLTT as the name and specific EPA ID number of the "Receiving Facility" of the used oil transported by HCC tanker trucks to FLTT listed on the thirty-one (31) records. Please acquire the written name and dated signature of the FLTT representative that accepted the used oil transported by HCC tanker trucks on the dates listed on the thirty (30) used oil acceptance records in the entries on the used oil acceptance records designated for the "Receiving Facility" provided on the thirty (30) aforementioned used oil acceptance records (i.e. those dated between 03/11/2016 and 03/13/2018). In addition, please edit the fifteen (15) aforementioned used oil delivery records (i.e. those dated between 03/12/2015 and 03/05/2018) in a manner that lists the specific EPA ID numbers of FLTT (i.e. EPA ID # FLD984253542) and the three (3) Heritage-Crystal Clean used oil processing facilities (i.e. EPA ID # ILR000130062) that accepted FLTT's used oil rail shipments for further processing. Furthermore, please acquire the written names and dated signatures of the representatives of the three (3) HCC used oil processing facilities that accepted the used oil rail shipments from FLTT for further processing listed on the fifteen (15) aforementioned used oil delivery records (i.e. those dated between 03/12/2015 and 03/05/2018). Please then submit (via email) the corrected versions of the aforementioned used oil acceptance and delivery records to the Department for review. Lastly, please ensure that all future used oil acceptance and delivery records are formatted in a manner that includes all of the aforementioned required facility names, specific EPA ID numbers, signatures, and dates.

Type:	Violation
Rule:	62-710.850(5)(a)
Question Number:	5.22
Question:	Are the used oil filter containers clearly labeled "Used Oil Filters"? 62-710.850(5)(a)
Explanation:	The facility did not properly label one (1) 55-gallon used oil filter storage drum with the words "Used Oil Filters." In addition, the overhanging roof situated above the outdoor waste storage area is not sufficiently waterproof, and therefore cannot sufficiently protect the used oil filter storage containers stored within the outdoor waste storage area from the elements.
Corrective Action:	Please properly label the one (1) aforementioned 55-gallon used oil filter storage drum with the words "Used Oil Filters." Please then submit (via email) photographs indicating that the one (1) aforementioned 55-gallon used oil filter storage drum has been labeled with the words "Used Oil Filters." In addition, please acquire a new sufficiently waterproof overhanging roof of the outdoor waste storage area, or acquire/install another weather protection mechanism that will adequately protect all used oil filter storage drums in the outdoor waste storage area from the elements. Please then submit (via email) photographs and documentation demonstrating that the facility has acquired/installed a weather protection mechanism that will now protect all used oil filter storage drums stored within the outdoor waste storage area from the elements.

Photo Attachments:

Improperly Labeled Used Oil Filter Storage Drum



Damaged Overhaning Roof Over Outdoor Waste Storage Area



PHOTO ATTACHMENTS:

Outdoor Waste Storage Area



Secondary Containment for Containers in Outdoor Waste Storage Area



Smaller Gray Used Oil Drip Pans



Solvent Parts Washer



Fire Extinguisher in Outdoor Waste Storage Area



Oil Absorbent Pads in Crate Next to Outdoor Waste Storage Area



Outdoor Product Storage Area



Empty Used Aerosol Can Puncturing Nail Affixed to Wooden Board



Mobile Used Oil Transfer Cart



Hose on Mobile Used Oil Transfer Cart



Grooved Used Oil Drip Pan



Fire Extinguishers Mounted on Mobile Used Oil Transfer Cart



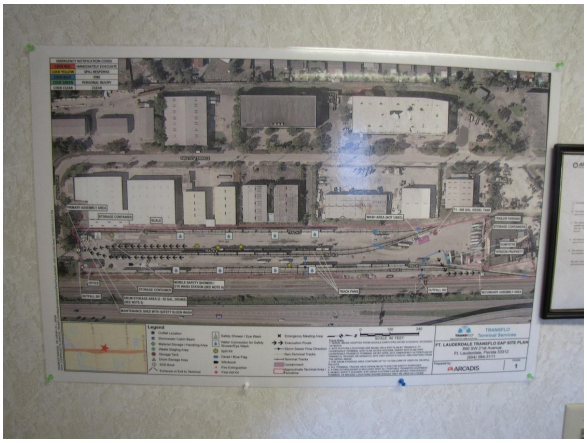
Spill Kits in Outdoor Rail Car Loading Area



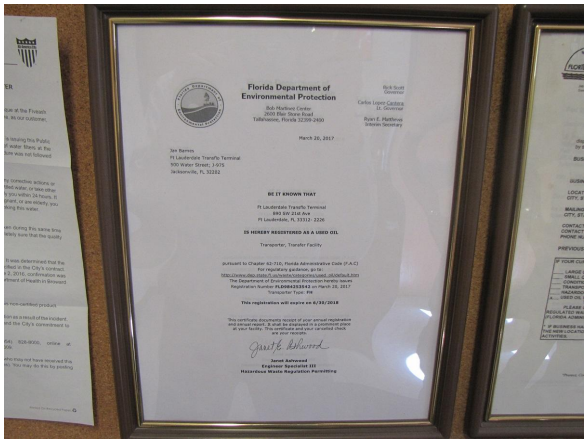
Mobile Emergency Eyewash/Shower Station



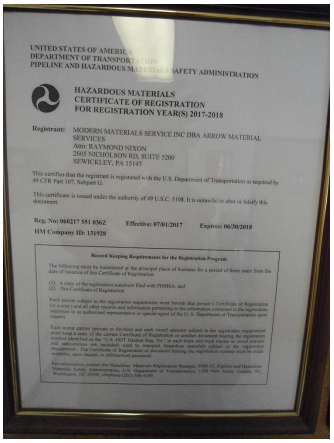
Posted Emergency Equipment and Evacuation Map



Posted Used Oil Transporter/Transfer Facility Registration Form



Posted USDOT Hazardous Materials Certificate of Registration


UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

HAZARDOUS MATERIALS
CERTIFICATE OF REGISTRATION
FOR REGISTRATION YEAR(S) 2017-2018

Registrant: MODERN MATERIALS SERVICE INC DBA ARROW MATERIAL SERVICES
Attn: RAYMOND NIXON
2605 NICHOLSON RD, SUITE 5200
SEWICKLEY, PA 15143

This certificate that the registrant is registered with the U.S. Department of Transportation as required by 49 CFR Part 107, Subpart G.

This certificate is issued under the authority of 49 U.S.C. 5108. It is unlawful to alter or falsify this document.

Reg. No: 064217 551 036Z Effective: 07/01/2017 Expires: 06/30/2018
HM Company ID: 131928

Record Keeping Requirements for the Registration Program

The following must be maintained at the principal place of business for a period of three years from the date of issuance of this Certificate of Registration:

(1) A copy of the registration statement filed with PHMSA; and
(2) This Certificate of Registration.

Each person subject to the registration requirement must furnish that person's Certificate of Registration (or a copy) and all other records and information pertinent to hazardous materials transportation activities maintained to an authorized representative or special agent of the U.S. Department of Transportation upon request.

Each motor carrier (private or for-hire) and each vessel operator subject to the operating registration must keep a copy of the current Certificate of Registration or another document reporting the registration number identified on the "U.S. DOT Identification No." in each truck and truck tractor or vessel (except combination vehicles not included) used to transport hazardous materials subject to the registration requirements. Each driver or vessel operator of shipments bearing the registration number must be able to produce, upon request, to enforcement personnel.

For information, contact the Hazardous Materials Registration Manager, PHH-52, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE, Washington, DC 20590, telephone (202) 366-4109.

Conclusion:

According to the observations of the inspector, FLTT transports (via rail) and transports/temporarily stores used oil. Therefore, the facility appears to be operating as a Used Oil Transporter and a Used Oil Transfer Facility. In addition, according to the observations of the inspector, FLTT generates less than 100 kilograms (or 220 pounds) of hazardous waste per month. Therefore, the facility appears to be operating as a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste. Furthermore, according to the observations of the inspector, the facility appears to generate used oil, used oil filters, and oily solid waste (i.e. oily rags, oil-contaminated spill cleanup materials, and oil-contaminated equipment waste). Therefore, the facility appears to be operating as a Used Oil/Used Oil Filter Generator. Lastly, according to the observations of the inspector, the facility has the potential to generate less than 5,000 kilograms of spent lead acid batteries and spent fluorescent lamps per year. Therefore, the facility appears to be operating as a Small Quantity Handler (SQH) of universal waste. All records required of Used Oil Transporters/Transfer Facilities, Used Oil/Used Oil Filter Generators, CESQGs, and SQHs were reviewed by the inspector, and five (5) potential noncompliance issues were observed.

At the end of the 03/14/2018 inspection, an exit interview was provided to Mr. Smith by the inspector. In the exit interview, the inspector recommended that the FLTT facility adopt the following Best Management Practices (BMPs):

> Update the EPA waste codes listed for the hazardous wastes generated by the facility on FLTT's most recent Hazardous Waste Generator Notification Form (EPA Form 8700-12FL)
* During the inspection, the inspector noted that the facility's hazardous spent parts washer solvent waste disposal records listed the EPA waste code that applied to the facility's hazardous spent parts washer solvent waste as "D039"
* However, the inspector also noted that the facility's most recent Hazardous Waste Generator Notification Form listed the EPA waste codes that applied to the facility's hazardous spent parts washer solvent waste as "D001"
* Therefore, the inspector recommended that FLTT update the facility's most Hazardous Waste Generator Notification Form (so that the EPA waste codes listed on the facility's hazardous waste disposal records match those listed on the facility's Hazardous Waste Generator Notification Form)

In the exit interview, the inspector also informed Mr. Smith that the Department would review FLTT's aerosol can puncturing procedures.

>> POST-INSPECTION FILE REVIEW <<

In the weeks following the 03/14/2018 inspection, the inspector further reviewed the FLTT used oil acceptance and delivery records provided by Mr. Smith during the inspection.

> USED OIL ACCEPTANCE RECORDS <

Upon further reviewing the facility's used oil acceptance records, the inspector noted that FLTT has not been properly listed on many of the thirty-four (34) used oil acceptance records dated between March of 2016 and

March of 2018. More specifically, the inspector noted that FLTT (whose name is listed as "Transflo") is listed as the second transporter (or, as indicated on many of the used oil delivery records, "Transporter 2") of the used oil transported to the facility by HCC trucks for transfer into FLTT's various tanker rail cars on many of the thirty-four (34) aforementioned used oil acceptance records. In addition, the inspector noted that FLTT's name and/or specific EPA ID number (i.e. EPA ID # FLD984253542) is missing from many of the thirty-four (34) aforementioned used oil acceptance records.

Furthermore, the inspector noted that - instead of FLTT - the name and EPA ID number of the "Receiving Facility" on many of the thirty-four (34) aforementioned used oil acceptance records dated between March of 2016 and March of 2018 is listed as Heritage-Crystal Clean, LLC (EPA ID # ILR000130062). However, the address provided on the used oil acceptance records is that of FLTT (890 SW 21st Avenue, Fort Lauderdale, FL 33312). Furthermore, the inspector noted that - on thirty (30) of the thirty-four (34) used oil acceptance records - a representative of FLTT did not sign or date the entries designated for the "Receiving Facility."

Therefore, the inspector concluded that the facility must correct the twenty-one (21) used oil acceptance records (dated between 03/01/2018 and 03/13/2018) in a manner that lists FLTT's name and specific EPA ID number (i.e. EPA ID # FLD984253542) in the boxes on the used oil acceptance record designated for the "Receiving Facility."

The inspector also concluded that the facility must also correct the following six (6) used oil acceptance records in a manner that lists FLTT's name and specific EPA ID number (i.e. EPA ID # FLD984253542) in the boxes on the used oil acceptance record designated for the "Receiving Facility:"

* Acceptance record dated 02/23/2018 (1,871 gallons of used oil listed)
* Acceptance record dated 02/13/2018 (2,239 gallons of used oil listed)
* Acceptance record dated 02/08/2018 (3,220 gallons of used oil listed)
* Acceptance record dated 03/14/2017 (3,061 gallons of used oil listed)
* Acceptance record dated 03/03/2017 (4,433 gallons of used oil listed)
* Acceptance record dated 03/17/2016 (4,735 gallons of used oil listed)

In addition, the inspector concluded that FLTT must edit the following four (4) used oil acceptance records in a manner that includes the specific EPA ID number of Heritage Crystal Clean NOLA (i.e. the facility in New Orleans, Louisiana that is listed as the "Designated Facility" on the FLTT's 2015 used oil acceptance records):

* Acceptance record dated 03/20/2015 (6,644 gallons listed)
* Acceptance record dated 03/11/2015 (4,367 gallons listed)
* Acceptance record dated 03/11/2015 (7,272 gallons listed)
* Acceptance record dated 03/04/2015 (6,609 gallons listed)

Furthermore, the inspector concluded that FLTT must edit the thirty (30) aforementioned used oil acceptance records dated (i.e. those dated between March of 2016 and March of 2018) in a manner that includes name and the dated signature of a FLTT representative on the lines of the manifest designated for a representative of the "Receiving Facility."

Lastly, the inspector concluded that the facility must format all future used oil acceptance records in a manner that indicates all of the aforementioned required information (i.e. the name and specific EPA ID number of FLTT as the "Receiving Facility," and the name and dated signature of a FLTT representative on the lines designated for a representative of the "Receiving Facility.")

> USED OIL DELIVERY RECORDS <

Upon further reviewing the facility's used oil delivery records, the inspector noted that certain EPA ID numbers were missing from the fifteen (15) used oil delivery records (dated between March of 2015 and March of 2018). More specifically, the inspector noted that Transflo's specific EPA ID number (i.e. EPA ID # FLD984253542) was not listed on the fifteen (15) aforementioned used oil delivery records. In addition, the inspector noted that Heritage Crystal Clean's specific EPA ID number (EPA ID # ILR000130062) was not included alongside the names and addresses of the three (3) HCC used oil processing facilities in Indianapolis, Indiana, Plant City, Florida, and New Orleans, Louisiana that accepted the used oil rail shipments from FLTT for further processing on any of the fifteen (15) aforementioned used oil delivery records. Furthermore, the inspector noted that the names and dated signatures of the representatives of the

three (3) HCC used oil processing facilities that accepted the used oil rail shipments from FLTT for further processing were not included on the fifteen (15) aforementioned used oil delivery records.

Therefore, the inspector concluded that FLTT must edit the following fifteen (15) used oil delivery records in a manner that includes the specific EPA ID numbers of both FLTT and the HCC used oil processing facilities that accept used oil rail shipments from FLTT for further processing:

* Delivery record dated 03/05/2018 (181,380 pounds of used oil listed)
* Delivery record dated 02/23/2018 (181,640 pounds of used oil listed)
* Delivery record dated 02/16/2018 (174,180 pounds of used oil listed)
* Delivery record dated 02/12/2018 (179,600 pounds of used oil listed)
* Delivery record dated 02/06/2018 (166,780 pounds of used oil listed)
* Delivery record dated 02/01/2018 (178,531 pounds of used oil listed)
* Delivery record dated 03/27/2017 (181,468 pounds of used oil listed)
* Delivery record dated 03/13/2017 (180,761 pounds of used oil listed)
* Delivery record dated 03/03/2017 (179,883 pounds of used oil listed)
* Delivery record dated 03/28/2016 (180,000 pounds of used oil listed)
* Delivery record dated 03/16/2016 (180,000 pounds of used oil listed)
* Delivery record dated 03/02/2016 (180,000 pounds of used oil listed)
* Delivery record dated 03/23/2015 (180,000 pounds of used oil listed)
* Delivery record dated 03/13/2015 (180,300 pounds of used oil listed)
* Delivery record dated 03/12/2015 (180,000 pounds of used oil listed)

Furthermore, the inspector concluded that the inspector concluded that FLTT must edit the aforementioned fifteen (15) used oil delivery records in a manner that includes the name and dated signature of the representative of the HCC used oil processing facilities that accepted the used oil rail shipments from FLTT for further processing.

Lastly, the inspector concluded that the facility must format all future used oil delivery records in a manner that indicates all of the aforementioned required information (i.e. the specific EPA ID number of FLTT and the HCC used oil processing facility that will accept the FLTT used oil rail shipment for further processing, and the name and dated signature of a representative of the HCC used oil processing facility that will accept the FLTT used oil rail shipment for further processing.

>> POST-INSPECTION NOTES/PHOTOGRAPHS REVIEW <<

After conducting the post-inspection review of the facility's used oil acceptance and delivery records, the inspector further reviewed the notes and photographs taken during the 03/14/2018 inspection.

Upon reviewing the photographs taken of the overhanging roof situated above FLTT's outdoor waste storage area, the inspector determined that the overhanging roof is insufficiently waterproof. In turn, the inspector concluded that the facility needs to either replace the overhanging roof or adopt a new waste container management system that adequately protects the used oil and used oil filter containers stored within the outdoor waste storage area from the elements.

In addition, upon reviewing the notes and photographs taken concerning the facility's aerosol can puncturing procedures, the inspector determined that FLTT can no longer puncture waste aerosol cans with nails. In addition, the inspector concluded that the facility must either acquire a Department-approved aerosol can puncturing device (and manage any residues removed from the aerosol cans as hazardous waste) or (once ensuring the aerosol cans are RCRA-empty) dispose of the aerosol cans as solid waste in the trash.

Upon reviewing the photographs of the various forms posted in FLTT's one (1) main office building, the inspector noted that a photograph was not taken of the facility's most recent USDOT Hazardous Materials Certificate of Registration. The inspector then contacted Mr. Smith (via telephone) one 05/30/2018, and requested that Mr. Smith submit (via email) a photograph of the posted USDOT Hazardous Materials Certificate of Registration. Mr. Smith then submitted (via email) photographs of the facility's most recent USDOT Hazardous Materials Certificate of Registration on 05/30/2018.

In addition, upon further reviewing the four (4) FLTT 2015 used oil acceptance records (dated between 03/04/2015 and 03/20/2015), the inspector noted that FLTT personnel had listed two (2) different quantities of

used oil on each of the four (4) used oil acceptance records. The inspector then contacted Mr. Smith on 05/30/2018, and requested that Mr. Smith clarify the reasoning behind why FLTT personnel had written two (2) different quantities of used oil on the four (4) aforementioned records. After listening to the inspector's inquiries, Mr. Smith informed the inspector that the circled number provided on the four (4) 2015 used oil acceptance records reviewed by the inspector was the actual quantity of used oil transferred into FLTT's various tanker rail cars on the four (4) dates listed on the records.

Furthermore, the inspector noted that FLTT had not provided a Spill Prevention, Control, and Countermeasures (SPCC) Plan to the inspector for review on the day of the inspection. The inspector then contacted Mr. Smith on 05/30/2018, and requested that FLTT submit (via email) a copy of the facility's SPCC Plan. However, upon receiving the inspector's request, Mr. Smith told the inspector that FLTT was exempt from maintaining a written SPCC plan on-site. Nevertheless, Mr. Smith informed the inspector that FLTT personnel have been trained to handle and store used oil in accordance with the facility's own used oil spill prevention procedures.

However, upon reviewing Mr. Smith's claim, the inspector concluded that FLTT is not exempt from maintain a written SPCC Plan on-site, as (according to 40 CFR 279.45) all Used Oil Transfer Facilities "are subject to all applicable Spill Prevention, Control, and Countermeasures (40 CFR Part 112)." In addition, the inspector concluded that the facility must therefore draft a written SPCC Plan and - in turn - submit the written SPCC Plan to the Department for review.

Lastly, while further researching the Heritage-Crystal Clean used oil processing facilities to which FLTT had shipped used oil (via rail) for further processing, the inspector noted that specific EPA ID number for the Heritage-Crystal Clean facility in New Orleans, Louisiana that is listed on four (4) of the facility's used oil acceptance records and three (3) of the facility's used oil delivery records could not be found in either the Department's records or the EPA hazardous waste generator database. The inspector also researched the facility on Heritage-Crystal Clean's website, but could not find any records indicating that the facility is still in operation. Therefore, the inspector concluded that the facility may no longer be operating. However, in order to conclusively determine whether or not the facility is still in operation, the inspector concluded that FLTT must both inquire from HCC about the status of the aforementioned used oil processor facility and acquire the facility's EPA ID number (so that the specific EPA ID number can be added to the four [4] used oil acceptance records and the three [3] used oil delivery records that list the facility as the final destination of the used oil rail shipments transported by FLTT on the seven [7] dates provided on the records).

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.

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

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	✔		

2.0 - CESQG 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.	Standards for Conditionally Exempt Small Quantity Generators	Yes	No	N/A
2.1	Generator Size Determination (If the answer is No for any one question then facility is not a CESQG)			
2.2	Does the facility generate less than 100 kg/mo (220 lb/mo) of all hazardous wastes? 261.5	✓		
2.3	Does the facility generate less than 1kg/mo of acutely toxic (P-listed, 40 CFR 262.33) hazardous wastes? 261.5	✓		
2.4	Does the facility accumulate onsite no greater than 1,000 Kilograms (2,200 pounds) of hazardous waste at any one time? 261.5	✓		
2.5	Does the facility accumulate onsite less than a total of 1 kg of acute hazardous waste listed in 261.31 or 261.33(e)? 261.5	✓		
Item No.	Hazardous Waste Determination	Yes	No	N/A
2.6	Has the facility properly identified all hazardous waste streams? (Check any that are not OK) 262.11 ☐ Is it excluded under 261.4? ☐ Is it listed in subpart D of 261 or appendix IX of 261? ☐ Has the waste been analyzed? ☐ Has generator knowledge of the hazard characteristics of the waste in light of the materials used been applied?	✓		
Item No.	Record Keeping	Yes	No	N/A
2.7	Has the facility documented delivery of its hazardous waste to a facility permitted or authorized to accept the waste? (Check any that are not OK) 261.5(g)(3) ☐ Name and address of the generator and TSD/authorized facility. ☐ Type and amount of hazardous waste delivered. ☐ Date of shipment	✓		
2.8	Are written records and other receipts documenting proper disposal retained for at least 3 years? 62-730.030(3)	✓		

5.0 - Used Oil Generator Checklist

Requirements:

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

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

Item No.	Used Oil Container and Tank Management	Yes	No	N/A
5.1	Does the facility store used oil only in tanks, containers or permitted hazardous waste storage units? 279.22(a)	✓		
5.2	Are used oil containers/tanks in good condition? 279.22(b)(1)	✓		
5.3	Are used oil containers/tanks not leaking? 279.22(b)(2)	✓		
5.4	Are used oil containers/tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(1)			✓
5.5	Are fill pipes used to fill underground tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(2)			✓
Item No.	Secondary Containment	Yes	No	N/A
5.6	Are containers/tanks 55-gallons or smaller that are stored inside:			
5.7	Stored on an oil-impermeable surface? 62-710.401(6)	✓		
5.8	Are containers/tanks larger than 55-gallons that are stored inside:			
5.9	Stored on an oil-impermeable surface? 62-710.401(6)	✓		
5.10	Does the building provide adequate secondary containment, or are the containers/tanks double-walled, or stored within or on engineered secondary containment that has the capacity to hold 110% of the volume of the largest container/tank, or are the containers/tanks portable/wheeled and typically emptied every 24 hours? 62-710.401(6)	✓		
5.11	Are containers/tanks (regardless of size) that are stored outside:			
5.12	Closed or otherwise protected from the weather? 62-710.401(6)			✓
5.13	Double-walled or stored on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest container within the secondary containment? 62-710.401(6)			✓
Item No.	Used Oil Releases	Yes	No	N/A
5.14	Has the generator, upon detection of a release, done all of the following, as applicable:			
5.15	stop the release? 279.22(d)(1)	✓		
5.16	contain the released oil? 279.22(d)(2)	✓		
5.17	clean up and manage properly the released used oil and other materials? 279.22(d)(3)	✓		
5.18	if necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service? 279.22(d)(4)	✓		
5.19	Is the facility in compliance with the prohibition against discharges of used oil into soils, sewers, drainage systems, septic tanks, surface or ground waters, watercourses, or marine waters? 62-710.401(2)	✓		
5.20	Is the facility in compliance with the prohibition against using used oil for road or pavement oiling for dust control, weed abatement, or other similar uses that have the potential to release used oil into the environment? 62-710.401(5)	✓		
Item No.	Used Oil Filter Container Management	Yes	No	N/A
5.21	Does the facility store used oil filters in containers? 62-710.850(5)(a)	✓		
5.22	Are the used oil filter containers clearly labeled "Used Oil Filters"? 62-710.850(5)(a)		✓	
5.23	Are the used oil filter containers in good condition? 62-710.850(5)(a)	✓		
5.24	Are the used oil filter containers not leaking? 62-710.850(5)(a)	✓		
5.25	Are the used oil filter containers closed or otherwise protected from weather? 62-710.850(5)(a)			✓

Item No.	Used Oil Filter Container Management	Yes	No	N/A
5.26	Are the used oil filter containers stored on an oil-impervious surface? 62-710.850(5)(a)	✓		
Item No.	Releases from Used Oil Filter Containers	Yes	No	N/A
5.27	Has the generator, upon detection of a release, done all of the following, as applicable:			
5.28	stop the release? 62-710.850(5)(b)(1)	✓		
5.29	contain the released oil? 62-710.850(5)(b)(2)	✓		
5.30	clean up and manage properly the released oil and any subsequent oily waste? 62-710.850(5)(b)(3)	✓		
5.31	repair or replace any leaking used oil filter storage containers prior to returning them to service? 62-710.850(5)(b)4.	✓		
Item No.	Used Oil Mixtures	Yes	No	N/A
	☐ Is the facility a CESQG that mixes hazardous waste with used oil and manages the mixture under 279? Note: CESQGs can mix both listed and characteristic wastes with used oil.			
	☐ Is the facility a SQG or LQG that is mixing listed waste (except for listed waste that only is listed because it exhibits a characteristic - see question below) with used oil? [CESQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so:			
5.32	Is the mixture being managed as listed hazardous waste? 279.10(b)(1)			✓
	☐ Is the facility a SQG or LQG that mixes only characteristic waste (or listed waste that only exhibits a characteristic) with used oil? [NOTE: This is also considered HW Treatment and other rules apply. However, CESQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so:			
5.33	Is ignitability the only characteristic of the hazardous waste prior to mixing (or is the HW listed only for ignitability)? If so:			
5.34	Is the mixture managed as HW if it exhibits the ignitability characteristic? 279.10(b)(2)(iii)			✓
5.35	Does the hazardous waste exhibit ANY characteristic other than ignitability prior to mixing (or is the HW listed only for a characteristic other than ignitability)? If so:			
5.36	Is the mixture managed as HW if it exhibits ANY characteristic (even if the characteristic of the mixture is from the used oil, rather than from the HW)? 279.10(b)(2)(i)			✓
5.37	Does the facility generate mixtures of other materials contaminated with used oil (i.e. absorbents, rags, dirt)? If so:			
5.38	Are UO-contaminated materials that contain visible free-flowing UO managed under 279 used oil standards? 279.10(c)(3)			✓
5.39	Does the facility either manage UO-contaminated materials that do not contain visible free-flowing UO as hazardous waste have records documenting the materials are not hazardous waste? 279.10(c)(1)(ii)			✓
5.40	Are UO-contaminated materials that will be burned for energy recovery being managed as used oil under 279? (Used oil-contaminated materials should have a heating value of at least 5000 Btu/pound to be burned for energy recovery under 279, so low-Btu-value materials like contaminated soils and clay absorbents are solid waste, subject to 262 HW determinations.) 279.10(c)(3)			✓
5.41	Does the facility generate mixtures of used oil with fuel or fuel products? If so:			
5.42	Does the facility manage mixtures of UO and fuel/fuel products under 279 used oil standards? [Note: 279.10(d)(2) allows on-site mixing of UO with diesel fuel for use in the generator's own vehicles.] 279.10(d)(1)			✓
5.43	Is the facility in compliance with the prohibition against mixing or commingling used oil with solid waste that is to be disposed of in landfills or directly disposing of used oil in landfills? (Persons unknowingly disposing into a landfill used oil or used oil filters which have not been properly segregated or separated from other solid wastes by the generator are not subject to this prohibition. Oily waste, sorbents or other materials used for maintenance or clean up as a result of spills or release are not subject to this prohibition.) 62-710.401(3)			✓
5.44	Is the facility in compliance with the prohibition against mixing or commingling used oil with hazardous substances that make it unsuitable for recycling or beneficial use? (Notwithstanding the provisions found in 40 CFR 279.10(b)(3)). 62-710.401(4)			✓
Item No.	Space Heaters	Yes	No	N/A
5.45	Does the generator burn used oil on-site in a used oil-fired space heater? [Generators who burn off site, non household oil, or burn oil in devices not meeting the space heater exemption must comply with 40 CFR 279 - Subpart G.]			
5.46	If so, does the facility burn only used oil generated on-site or only household DIY used oil? 279.23(a)			✓
5.47	If so, does the heater have a capacity of no more than 0.5 million BTU/hr? 279.23(b)			✓
5.48	If so, are combustion gasses vented to the atmosphere? 279.23(c)			✓

Item No.	Off-site Shipments	Yes	No	N/A
5.49	Does the generator only use transporters who have received EPA Identification numbers? (Include names and numbers in report narrative) 279.24	✓		
5.50	Self transport to collection centers - Does the generator only transport their own used oil and used oil from household DIY to a used oil collection center? If so:			
5.51	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(a)(1)			✓
5.52	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(a)(2)			✓
5.53	Does the generator transport the used oil to a used oil collection center that is registered, licensed, permitted or recognized by a state/county/municipal government to manage used oil ? 279.24(a)(3)			✓
5.54	Self transport to aggregation points - Does the generator transport used oil that is generated at the generator's site to an aggregation point? If so:			
5.55	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(b)(1)			✓
5.56	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(b)(2)			✓
5.57	Does the generator transport the used oil to an aggregation point that is owned/operated by the same generator? 279.24(b)(3)			✓
5.58	Tolling Agreement - is the used oil transported and then reclaimed under a contractual agreement pursuant to which reclaimed oil is returned by the processor.re-refiner to the generator for use as a lubricant, cutting oil, or coolant? If so:			
5.59	Does the contract indicate the type and frequency of shipments? 279.24(c)(1)			✓
5.60	Does the contract indicate that the vehicle used to transport the used oil to the processing/re-refining facility is owned and operated by the used oil processor/re-refiner? 279.24(c)(2)			✓
5.61	Does the contract indicate that the reclaimed oil will be returned to the generator? 279.24(c)(3)			✓

Item No.	Marketing and Processing	Yes	No	N/A
	☐ Does the generator claim that the used oil meets the specification in 40 CFR 279.11? [If so, and the oil is to be burned for energy recovery, the generator is a marketer subject to 40 CFR 279 Subpart H.]			
	☐ Does the generator process used oil by filtering, oil/water separation or other methods prior to direct shipment to an off site used oil burner? [If so, the generator is also a used oil processor subject to 40 CFR 279 - Subpart F.]			

Signed:

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62 -740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C.

Daniel G Lopez	Environmental Specialist I	
Principal Inspector Name	**Principal Inspector Title**	
	DEP	05/31/2018
Principal Inspector Signature	**Organization**	**Date**

Gary Smith	Terminal Manager
Representative Name	**Representative Title**
	Arrow Material Services
	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: Norva Blandin **Inspection Approval Date:** 05/31/2018