

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

FACILITY INFORMATION:

Facility Name: January Environmental Services Inc

On-Site Inspection Start Date: 12/20/2010

On-Site Inspection End Date: 12/20/2010

ME ID#: 46304

EPA ID#: FLD982162943

Facility Street Address: 1920 Hwy 60 W Main St, Bartow, Florida 33830-0000

Contact Mailing Address: 2701 S Prospect, Oklahoma City, Oklahoma 73129-6451

County Name: Polk

Contact Phone: (405) 670-2030

NOTIFIED AS:

SQG (100-1000 kg/month)

Used Oil

INSPECTION TYPE:

Routine Inspection for Used Oil Transfer Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Elizabeth Knauss, Environmental Manager

Other Participants: Loren January, Corporate Secretary; Cruz Torres, Driver

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

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

TYPE OF OWNERSHIP: Private

Introduction:

An announced inspection was conducted at January Environmental Services to determine the facility's compliance with used oil transporter and transfer facility regulations. The company has one driver that works out of this location, although at times other drivers pick up or deliver materials to the facility. There are no full time office employees. Loren January and Cruz Torres represented the company during the inspection.

Process Description:

January is a used oil, used oil filter and oily waste water transporter. The facility picks up waste from its customers, consolidates it and arranges for final treatment and disposal. Facility operations have changed since the previous inspections. The facility is now managing drums of used antifreeze and some other drummed waste in addition to the old grease that was managed previously. These were being stored within a bay inside the facility. At the time of the inspection, a drum labeled "parts washer sludge" and a drum of used antifreeze were in storage. These had been accepted from Wal Mart Distribution Center #7038 in Ft. Pierce on November 29, 2010. The shipping paper includes a generator certification statement section regarding the nature of the waste. However the shipping paper was not signed by the customer in that area. The facility is a small quantity generator, not a CESQG, according to the notification forms filed by Wal-Mart in 2006 and again in December 2010. In addition, two 20 gallon containers holding parts washing solvent were on site that were generated by Great Wide, the vehicle maintenance contractor operating at Wal Mart Distribution Center #7023 in Desoto County. This Distribution Center has also notified as a small quantity generator. This material had been accepted for transportation on November 1, 2010. The certification statement had been signed on the shipping paper for this waste. The generator's EPA identification number was not included on either of these shipping papers. January Environmental does not have a solid waste permit or a used oil permit authorizing acceptance of drummed wastes. In addition, the Department is concerned that these wastes have been accepted without adequate waste characterizations.

The bay also held a drum collecting used oil samples that was located next to a roll up door. Either secondary containment must be provided, or the drum must be moved to a location that will contain releases. The bay also held empty drums, several full drums of waste grease, along with containers of used absorbent. Ms. January was requested to provide additional information on the management of drummed wastes by the facility.

Used antifreeze is also managed in one of the facility's 20,000 gallon storage tanks. Cruz Torres said that the antifreeze was being disposed of to January's Nashville TN facility. The only shipping records for waste from Bartow to Nashville were for tanker loads identified as ~3,500 gallons of used oil. Florida does not include waste antifreeze within its definition of used oil, and spent antifreeze is not exempt from regulation as hazardous waste if burned. In a letter dated January 13, 2011, Ms. January said that Nashville was reclaiming the antifreeze, which is an exempt activity in Florida. However January's web site states that the Nashville facility recovers organics which are then fuel blended. Further clarification is being sought on this issue.

Three tanks were being used to hold used oil at the time of the inspection. One of the tanks, with ~17,500 gallons of oil was being loaded into a rail car. The rail car was provided with track pans that drained to a concrete sump with a sump pump for secondary containment. January began shipping by rail on March 11, 2009. Ms. January said that they began loading a rail car beginning when oil had been stored in the tank farm for 30 days. However, the rail car would stay on site for up to 60 days after that time while January finished loading it. Full rail cars were shipped to various facilities on seven occasions. Used oil delivery records for rail shipments were incomplete in that the EPA identification numbers were not recorded for CSX or Omega Refining in Marrero La., one of the destination facilities.

Used oil disposal records indicate that the facility exceeded the 35 day storage limit before shipments that occurred on July 30, 2009, September 4, 2009, December 18, 2009, September 24, 2010 and the day of the inspection. Other exceedences may have occurred during that time frame, if the Nashville shipments were used antifreeze rather than used oil. Used oil transfer facilities are not permitted to hold used oil more than 35 days without a permit in Florida. This is a repeat violation for this facility, and as a corrective action the Department will be requiring the facility to obtain a used oil processing permit. January has contracted with a consultant to prepare the permit application.

Used oil filters were last disposed of in April 2010. The flatbed trailer had 6 labeled containers, and six additional containers were on the pavement, along with a small double walled tank for oil generated on site. A larger empty double walled tank was located behind the filter containers. This tank, along with others located within the storage bay are provided to the company's customers.

The facility's SPCC plan was out of date. The last revision was in May 2007 and still listed Mark Cook as the manager. Tom Byerly, the company's listed emergency coordinator has retired. An updated plan will be required as part of the permit application.

New Potential Violations and Areas of Concern:

Used Oil Processor

| | |
|--------------------|--|
| Type: | Violation |
| Rule: | 62-710.800(2) |
| Question Number: | 28.50 |
| Question: | Does the processor have a used oil processing permit? |
| Explanation: | January Environmental is consistently storing used oil more than 35 days without a used oil processor permit. |
| Corrective Action: | Obtain a used oil processor permit. Cease storing used oil for more than 35 days until a permit can be obtained. Submit a permit application, along with |

the required financial assurances to the Department within 30 days.

Used Oil Transporter

Type: Violation
Rule: 279.46(b)(2)
Question Number: 29.260
Question: EPA ID # of receiving facility or transporter?
Explanation: Used oil rail delivery records and invoices did not include the EPA Identification number of the transporter CSX or the designated facility Omega Refining.
Corrective Action: Ensure that used oil delivery records include the EPA identification numbers of the transporters and designated facilities.

Type: Violation
Rule: 279.45(d)(1)
Question Number: 29.550
Question: Are containers provided with secondary containment with minimum requirements?
Explanation: A container collecting used oil samples was not provided with secondary containment as it was located immediately next to a door.
Corrective Action: Either place containers holding used oil within secondary containment, or located them away from doors where leaked oil could be released.

Checklist Independent Potential Violations and Areas of Concern

Type: Violation
Rule: 279.45
Explanation: The facility's SPCC plan was out of date. Emergency contact information and facility operations had changed since the last revision.
Corrective Action: Submit an updated SPCC plan to the Department.

Type: Violation
Rule: 62-701.300(1)(a)
Explanation: January Environmental Services was storing drummed wastes in addition to used oil and oil filters.
Corrective Action: Solid waste management activities must be authorized under a permit issued by the Department. Incidental oily waste management may be authorized as part of a used oil processing permit. A used oil permit will not authorize management of regulated hazardous waste.

Summary of Potential Violations and Areas of Concern:

Potential Violations

| Rule Number | Area | Date Cited | Explanation |
|--|------|------------|---|
| Used Oil Processor 62-710.800(2) | | 12/20/2010 | January Environmental is consistently storing used oil more than 35 days without a used oil processor permit. |
| Used Oil Transporter 279.46(b)(2) | | 12/20/2010 | Used oil rail delivery records and invoices did not include the EPA Identification number of the transporter CSX or the designated facility Omega Refining. |
| 279.45(d)(1) | | 12/20/2010 | A container collecting used oil samples was not provided with secondary containment as it was located immediately next to a door. |
| Checklist Independent Violations 279.45 | | 12/20/2010 | The facility's SPCC plan was out of date. Emergency contact information and facility operations had changed since the last revision. |
| 62-701.300(1)(a) | | 12/20/2010 | January Environmental Services was storing drummed wastes in addition to used oil and oil filters. |

Areas of Concern

No Areas of Concern

Conclusion:

January Environmental Services was not in compliance with used oil transfer facility regulations.

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. The above noted potential items of non-compliance were identified by the inspector(s).

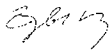
This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Elizabeth Knauss

PRINCIPAL INSPECTOR NAME

Environmental Manager

PRINCIPAL INSPECTOR TITLE



PRINCIPAL INSPECTOR SIGNATURE

FDEP - SWD

ORGANIZATION

2/1/2011

DATE

Loren January

REPRESENTATIVE NAME

Corporate Secretary

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

January Environmental

ORGANIZATION

Cruz Torres

REPRESENTATIVE NAME

Driver

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

January Environmental

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.



Florida Department
of
Environmental
Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

August 12, 2011

SENT VIA E-MAIL

cris@januaryservices.com

Mr. Cris January, Owner
January Environmental Services, Inc.
2701 S. Prospect
Oklahoma City, OK 73129-6451

RE: January Environmental Services, Inc.
EPA I.D. No. FLD 982 162 943
Permit Numbers: 00307171-HO-001
Used Oil Processing Facility New Permit
Notice of Deficiency - 1

Dear Mr. January:

The Florida Department of Environmental Protection (the Department) has received your permit new application dated July 11, 2011 and DEP received on July 13, 2011 and reviewed to operate a Used Oil Processing facility at 1750 West Main Street, Bartow Florida, 33830.


The review of the permit application NOD -1, Comments indicates that it is incomplete. Please provide the information requested in the enclosed Attachment. In preparing your response, the Department recommends that you identify each comment followed by your response and also provide your revised pages of the application. The revised pages are to include the new revision date.

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit three copies of your written response (two copies to the Tallahassee Solid and Hazardous Waste Regulation Section, and one to the Southwest District Office). If you cannot submit all this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

Mr. Cris January, Owner
August 12,, 2011
Page Two

Should you like to arrange a meeting or if you have any questions, please contact Bheem Kothur at (850) 245-8781, e-mail: kothur@dep.state.fl.us

Sincerely,


Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/bk

Enclosure: Attachment

cc: Jim Dregne, DEP/Tampa, james.Dregne@dep.state.fl.us
Beth Knauss, DEP/Tampa, Beth.Knauss@dep.state.fl.us
Lee Martin, DEP/Tallahassee, lee.martin@dep.state.fl.us
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Gerogiana, Holmes, DEP/Tallahassee, Georgiana.holmes@dep.state.fl.us
Frank Hornbrook, DEP/Tallahassee, frank.hornbrook@dep.state.fl.us
Wyatt Grant, Enercon/Tampa, wgrant@enercon.com

ENCLOSURE

January Environmental Services, Inc.

Used Oil Facility Operating Permit NO.: 00307171-HO-001

First Notice Of Deficiencies

DRAFT Comments: 8/03/2011

General Comments:

1. Facility must review the entire Used Oil permit application and correct the Facility I.D.(EPA Identification Number) as appropriate.
2. Facility must update and re-submit the "8700-12FL, Florida Notification of Regulated Waste Activity Form", since facility is planning to change their activities at the site or facility.
3. B. Site Information, Page 9: Please review the facility location w.r.t. Latitude and Longitude and be consistent.
4. Figure 2, Facility Site Layout: Please identify Tank BT-301 and Tank BT-302 as an UO Oil Blending Tanks.
5. Section 5. Operating Plan, Fourth Paragraph and page 5 of 14; Sub-Section 9.2.3, Sampling Methods, Page 10 of 14, and First Paragraph: No sludge or byproducts have been produced at the facility and therefore, no management of these materials is conducted. Whereas the closure of the facility will require sampling of any remaining used oil materials. These materials may include used oil and sludge. Please review these two sections and clarify and or revise as appropriate.
6. Appendix F, Secondary Containment Calculations, Page 3 of 4, and Item 4 and 5: Please correct the Total area of tanks as "63.6" square feet instead "127" square feet. Also, correct the volume in item 5 as "7386.26" gallons instead "6732" gallons.
7. Section E-Facility Closure Cost Estimate, and Common Ground Environmental, Inc.(Supporting documents): The facility has a total of ten (10) tanks with a total capacity of 175,420 gallons of used Oil to dispose when the facility decides to close the facility. It appears that the submitted closure cost estimates are insufficient to close the facility by a third party. Please review the estimate and revise submit. Also, the supporting documents are not signed by Common Ground Environmental, Inc.
8. Facility must submit a site map in a pdf format and on a eight and half by eleven inches in size, so that this map can be inserted into the permit.
9. Facility must submit an used oil tank table in a pdf format and on a eitht and half by eleven inches in size, so that this can be easily inserted into the permit.
10. According to the inspection report, the inspection was conducted by the Southwest district office and was held on December 20, 2010, the facility was storing used antifreeze in one of the facility's 20,000 gallons storage tank. If this is the case, then facility must identify which is

dedicated to store Used antifreeze. Please review and revise the table and site plan as appropriate. Also identify the filter storage are on a site plan.

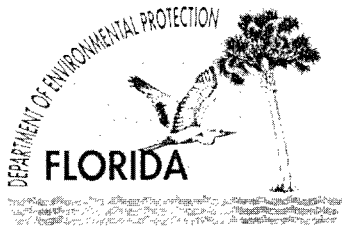
11. Appendix C, Facility Images; Section F-Process Flow Diagrams; and Figures 1 through 4: Please provide the tank design calculations for all the tanks, as built-drawings for the tank farm and pumps and piping drawings for the department records, since it appears that the work has been completed. These records must be signed and sealed by a Registered Professional Engineer in State of Florida.
12. Section 3- Overview, Page 3 of 14: The only solid wastes included in the description are used oil filters. Will any additional oil contaminated solid wastes, such as petroleum contaminated debris and oil, rags, absorbent pads, booms, filters, and kitty litters, other than used oil filters, be managed on site? If so, please include a description of the type of wastes, quantities to be managed, acceptance criteria, how the wastes will be managed and stored, and a closure cost estimate for the removal and disposal of the maximum amount of these wastes allowed to accumulate on site at any given time.
13. Section 10 – Employee Training: If acceptance of all oil contaminated solid wastes, other than used oil filters, are anticipated, what spotter training requirements will be included to meet the 62-701.302(15) requirements?. Please review and revise as appropriate.

ATTACHMENT B TANK TABLE

LIST OF OIL STORAGE TANKS

| Tank Identification | Contents | Diameter (Feet) | Capacity (Gallons) | Location (Notes) |
|----------------------------|-----------------|------------------------|---------------------------|---|
| TK-101 | Used Oil | 12 | 24,000 | Secondary Containment Structure #2 |
| TK-102 | Used Oil | 12 | 24,000 | Secondary Containment Structure #2 |
| TK-103 | Used Oil | 12 | 24,000 | Secondary Containment Structure #2 |
| TK-104 | Used Oil | 12 | 24,000 | Secondary Containment Structure #2 |
| TK-105 | Antifreeze | 12 | 24,000 | Secondary Containment Structure #2 |
| TK-106 | Used Oil | 12 | 24,000 | Secondary Containment Structure #2 |
| #1 | Used Oil | - | 220 | No Containment Structure Double Walled Tank |
| BT-301 | Empty | 9 | 5,600 | Covered Secondary Containment Structure #3 |
| BT-302 | Empty | 9 | 5,600 | Covered Secondary Containment Structure #3 |
| Railcar-Typical | Used Oil | N/A | 20,000 | Coverer Secondary Containment Structure Bulk Loading/Unloading Area |
| Transport Tank | Empty | 9.9 | 5,500 | Transport tank kept empty when on-site. |
| Transport Tank | Empty | - | 3,200 | Transport tank kept empty when on-site. |

Note that the transport trailers/trucks are kept on-site in an empty state.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Jim Drafne
813-787-3457
(cc)

August 12, 2011

SENT VIA E-MAIL

CES@fld.dep.state.fl.us

Mr. Cris January, Owner
January Environmental Services, Inc.
2701 S. Prospect Ave
Oklahoma City, OK 73129-6451

RE: January Environmental Services, Inc.
EPA I.D. No. FLD 982 162 943
Permit Numbers: 00307171-HO-001
Used Oil Processing Facility New Permit
Notice of Deficiency

Dear Mr. January:

The Florida Department of Environmental Protection (the Department) has reviewed your permit application dated July 11, 2011 and received on July 13, 2011 to operate a Used Oil Processing facility in Bartow Florida.

The review of the permit application indicates that it is incomplete. Please provide the information requested in the enclosed Attachment. In preparing your response, the Department recommends that you identify each comment followed by your response and also provide your revised pages of the application. The revised pages are to include the new revision date.

The Department will be contacting you to schedule a meeting or conference call to discuss these comments. Additional communications will be scheduled as needed prior to your submittal of an official response to minimize the time and effort required to formulate adequate replies to the comments. This exchange of ideas will assist you in developing a complete and adequate response that should eliminate the need for additional official responses and therefore accelerate the permit renewal process.

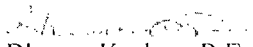
Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit three copies of your written response (two copies to the Tallahassee Solid and Hazardous Waste Regulation Section, and one to the Southwest District

Mr. Cris January, Owner
August 12, 2011
Page Two

Office). If you cannot submit all this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

If you have any questions, please contact me at (850) 245-8781 or e-mail:
Bheem.kothur@dep.state.fl.us

Sincerely,


Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/bk

Enclosure: Attachment

cc: Jim Dregne, DEP/Tampa, James.Dregne@dep.state.fl.us
Lee Martin, DEP/Tallahassee, lee.martin@dep.state.fl.us
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Georgiana Holmes, OGC/Tallahassee, Georgiana.holmes@dep.state.fl.us
Frank Hornbrook, DEP/Tallahassee, frank.hornbrook@dep.state.fl.us
Wyatt Grant, Enercon/Tampa, wgrant@enercon.com

ENCLOSURE

**January Environmental Services, Inc.
Used Oil Facility Operating Permit No: 00307171-HO-001
First Notice of Deficiencies**

SPECIFIC COMMENTS: Application Form for a Used Oil Processing Facility Permit; and Application to Construct, Operate, or Modify Waste Processing Facility.

1. Part I.A.6, Page 8; Part II, Page 12 through 15: For the purposes of this permit application, the Facility ID number is FLD 982 162 943 (the EPA Identification Number). Please update the Used Oil permit application throughout and correct the Facility I.D. (EPA Identification Number) as appropriate.
2. Part I.A.7, and Part I.A.8, Page 8; Part II: The street address is 1750 W. Main St. in some records and 1920 in others. Please verify the street address and direction (West or East) and revise as appropriate.
3. Part I.A.9 through Part I.A.13, and Page 8, 9: The Oklahoma City street address is listed as “2701 S. Prospect Ave” and “2701 S. Prospect”. Please be consistent and revise as appropriate.
4. DEP Form #62-701.900(4), F.A.C.; A. General Information, Item 5, and Page 1 of 4: The DEP I.D. Number should be FLD 982 162 943, and the county should be “Polk” not “Bartow”. Please revise as appropriate.
5. DEP Form #62-701.900(4), F.A.C.; A. General Information, Item 7, and Page 2 of 4: The facility township should be “30S” not “305”. The conversion between decimal degrees and degrees, minutes, and seconds is incorrect. The facility latitude and longitude of 27.897968, -81.862934 translates into 27° 53 53 , -81° 51 47 , respectively. Please update the entry. The Facility has the site located on E. Main Street rather than W. Main Street. Please review and revise as appropriate.
6. DEP Form #62-701.900(4), F.A.C.; A. General Information, Item 15, and Page 2 of 4: The expected volume of waste to be received is 0.012 cubic yards per day. We request clarification on this figure. Please review this figure and revise as appropriate.
7. DEP Form#62-701.900(4), F.A.C.; A. General Information, Item 16, and Page 2 of 4: Part I.A.16 – The description of the operations planned for the facility needs to be expanded. The facility also picks up oily waste water, which they transport to an offsite treatment facility. They may choose to store in the onsite tanks for more than 7 days. They have historically identified the material as non-hazardous oily waste water, not used oil. The tanks are not part of a Clean Water Act treatment system.
8. During the inspection, containers of grease, absorbents and used (allegedly) non-hazardous parts washing solvent were being stored on site within the warehouse for more than 7 days. The facility is not exempt from financial assurance requirements per 62-701.710(10)(a), F.A.C.

SECTION B - SITE INFORMATION

1. Figure 1 – This figure does not provide adequate detail regarding piping layout and solid waste storage. Please submit an additional figure (or figures) illustrating the tanks piping layout along with details of the part of the warehouse where solid waste is stored. The rail car loading/unloading area is provided with secondary containment and should be certified as adequate, as used oil is being stored in rail cars for more than 24 hours.
2. Please identify Tank BT-301 and Tank BT-302 as used oil blending tanks.

SECTION C - OPERATIONAL INFORMATION

1. 3.0 - Overview, Para. 1 - Text appears to be missing in this paragraph. January Environmental Services, Inc. did not begin operating at the site in 1986. This is inconsistent with the text in Section 3.0 of the SPCC plan. Please review and revise as appropriate.
2. 3.0 – Overview, Para. 2 - The Tanks Program ID number is 53-9101026. The Hazardous Waste Program ID number is FLD 982 162 943. The paragraph does not mention management of oily wastes, antifreeze or non hazardous wastewater, which are also managed by January Environmental Services, Inc.
The statement "The used oil is sold to US Foundries" is new information. In past inspections, January has only shipped used oil filters to US Foundry & Manufacturing Corp. and was not shipping any oil directly to burners. US Foundry is not registered to burn used oil, just to process filters. If January is shipping used oil directly to a burner that is not registered to burn off specification used oil fuel, January is a used oil marketer and must maintain documentation that the oil is on specification pursuant to 40 CFR 279.72. As January is not the oil generator, the process knowledge claim in Section C.5 Para 2 is not acceptable for this purpose. The only US Foundry operation registered with the Department's Used Oil program is located in Medley, Miami-Dade County, not Bartow. The text is also inconsistent with the text in the SPCC plan, Section 3.1 which references sales to Halco Environmental (sic). "Halco" appears to be a typographical error, as no such facility is registered as a used oil transporter or processor. If this was intended to read "HOWCO," it should be revised, as HOWCO is not able to accept oil shipped via rail.

The Department suggests that this paragraph be modified to contain more general language, i.e. "The used oil and oil filters are stored on site until they are delivered to either a processor registered with the State of Florida, or to a registered transporter that will deliver the material to an out of state facility that has notified the USEPA of its used oil management activities." No specific customer should be specified in this paragraph.

3. 4.0 Detailed Description, Para. 1 - Only the six 24,000 gallon tanks are registered with the Tanks program. All are registered as holding used oil. There are not any 22,000 gallon double walled tanks registered, and none observed during inspections. This appears to be a typo in reference to the small double walled tank east of the compressor building. Figure 1 labels it "220 gallon waste oil tank #1". Is information available on any sealant used on the concrete containment structure? Please review this paragraph and revise as appropriate.
4. 4.0 Detailed Description, Para 4; reference is made to a double walled tank that provides secondary containment for a 220 –gallon waste oil tank. Is a more accurate statement; the 220-gallon waste oil tank utilizes double –walled construction to provide secondary containment? This statement is also made on page 10 of 20 (first paragraph) of the SPCC Plan. Please review and revise as appropriate.

5. 4.0 Detailed Description, Last Paragraph: The text refers to Figure 2 as the detailed site layout map. This should be Figure 1. Please update.
6. 5.0 Operating Plan, Para 2: There is a typographical error in the regulatory citation, which should read 40 CFR 279.11. In addition, as January is not the used oil generator, process knowledge may not be used to demonstrate that the used oil meets the specification. Oil must be assumed to be off specification unless January complies with the marketer requirements under 40 CFR 279.72. If January obtains information from the oil generator to demonstrate that it meets the specification, copies of this information must be maintained.
7. 5.0 Operating Plan, Para 4: Sludges and byproducts may be produced if tanks are cleaned out, for example for the tank integrity testing scheduled for November 2011. An acceptable statement would be "If oily wastes or sludges are generated at the facility that cannot be managed for energy recovery, a hazardous waste determination will be conducted and the materials will be managed in accordance with 40 CFR 279.10(c) and (e)."
8. Section 5. Operating Plan, Fourth Paragraph and page 5 of 14; Sub-Section 9.2.3, Sampling Methods, Page 10 of 14, and First Paragraph: No sludge or byproducts have been produced at the facility and therefore, no management of these materials is conducted. Whereas the closure of the facility will require sampling of any remaining used oil materials. These materials may include used oil and sludge. Please review these two sections and clarify and or revise as appropriate.
9. 8.0 Unit Management Plan: This section only references the SPCC plan, not information on the construction of the tanks, piping and secondary containment. Please review and revise as appropriate
10. 9.2.1 - The closure schedule: A "5 years" decision time frame is not realistic. The permit will be up for renewal within that time frame. Is this taken from Tanks Program rules? Please review and revise with appropriate Rule citation.
11. 10.0 – Employee Training: The employee training program does not include USDOT hazardous materials training. Used oil is commonly contaminated with gasoline, and the mixture may be flammable. January's used oil screening procedure from the waste analysis plan only includes halogen screening. Chlor D Test kits will not assess the flammability of the materials January may be called upon to transport. Please see the invoice that January uses (last page in Section C) - The generator is not required to certify that the oil has not been mixed with a flammable material, but the shipping description for the used oil says that the material is not a USDOT hazardous material.

SECTION D - SPCC PLAN

1. 2.1 – Facility Contacts, Page 6 of 20: The Plan should include the address of the Spill Response Coordinator and there should be an Alternate Spill Response Coordinator designated. Please review and revise as appropriate.
2. 3.1 Para.2 – Facility Operations and Brief History, Page 9 of 20: The Plan states that used oil is sent to Halco Environmental recycling facility in Bartow. The Department is not familiar with this facility. Please correct the destination for used oil.
3. 5.1.2 –Drums and Containers, page 16 of 20: The filter bins have not historically been stored under the roof. They are not required to be. The containers are kept closed. This section should address filter consolidation

and repackaging practices. Also, a figure identifying the location of the drums and containers should be provided.

4. 5.3 – Inspection and Testing Program, Table 5, Page 17 of 20: The 20,000 gallon steel tank referenced in this table should be identified as the rail car? Please review the table and revise as appropriate.
5. 5.3.2 – The Daily Inspections should be documented. Please revise as appropriate.
6. Please review the numbering in section 5.3 and revise as appropriate.
7. 6.0- Contingency Plan, Bullet 6, and Page 20 of 20: The statement, “Cleanup of a reportable oil spill will be initiated under the guidelines of the appropriate regulatory agency” needs to be explained.
8. List of Emergency Response Equipment: The list should include the quantity/amount of each item.
9. 5.1.3, Mobile, Page 16 of 20: Please clarify the terms “mobile storage tanks” and temporary storage containers” as to their use and where they would be positioned.
10. 5.5 – Employee Training, Page 19 of 20: If acceptance of all oil contaminated solid wastes, other than used oil filters, are anticipated, specify the spotter training requirements that will be included to meet the 62-701.302(15), F.A.C., requirements. Please review and revise as appropriate.

SECTION E – FACILITY CLOSURE COST ESTIMATE, AND COMMON GROUND ENVIRONMENTAL, INC. (SUPPORTING DOCUMENTS):

1. The facility has ten (10) tanks with a total of 175,420 gallons of used oil and antifreeze to dispose when the facility decides to close the facility. It appears that the submitted closure cost estimates is insufficient to close the facility by a third party. Please review the estimate and resubmit.
2. The supporting documents need to be signed by Common Ground Environmental, Inc.

APPENDIX F:

1. Secondary Containment Calculations, Page 1 of 4: In calculating the secondary containment volumes, the facility should not use the volume of secondary containment that is available via a sump pump. Please review and revise as appropriate throughout the secondary containment volume calculations.
2. Appendix F, Secondary Containment Calculations, Page 3 of 4, and Item 4 and 5: Please correct the total area of the tanks as “63.6” square feet instead of “127” square feet. Also, correct the volume in item 5 to “7386.26” gallons instead of “6732” gallons.
3. Secondary Containment Calculations, Page 2 of 4: there are six tanks, but only five of them appear to be counted in the calculations. The calculations do not include other items in the secondary containment, such as the concrete pedestals for the tank, support beams, etc., all visible in the photographs of the area.

SECTION G - VIOLATIONS

1. The section does not include the previous Consent Orders, OGC Cases 07-0302 and 08-1663. Please address.

GENERAL COMMENTS:

1. The Facility needs to submit a site map in an electronic format (pdf preferred) so that this map can be inserted into the permit.
2. The Facility needs to submit a used oil tank table in an electronic format (pdf preferred) so that this can be inserted into the permit.
3. According to the December 20, 2010 inspection report by the Southwest District office, the facility was storing used antifreeze in one of the facility's 24,000 gallon storage tank. If this is the case, then the facility must identify which tank is dedicated to storage of used antifreeze. Please review and revise the tank table and site plan as appropriate. Also identify the filter storage area on a site plan.
4. Appendix C, Facility Images; Section F-Process Flow Diagrams; and Figures 1 through 4: For the Department records, please provide the tank design calculations for all the tanks, as built-drawings for the tank farm and pumps and piping drawings. These records must be signed and sealed by a Florida Registered Professional Engineer.
5. Section 3- Overview, Page 3 of 14: The only solid wastes included in the description are used oil filters. Will any additional oil contaminated solid wastes, such as petroleum contaminated debris and oil, rags, absorbent pads, booms, filters, and kitty litters, other than used oil filters, be managed on site? If so, please include a description of the type of wastes, quantities to be managed, acceptance criteria, how the wastes will be managed and stored, and a closure cost estimate for the removal and disposal of the maximum amount of these wastes allowed to accumulate on site at any given time.
6. The Plan does not address solid waste. Please review and address as appropriate.
7. At the time this document was issued the facility was working on providing financial assurance for closing cost estimates. The Department recognizes that this requires agreement on the closure cost estimate value. The permit application cannot be considered complete and a permit issued until such time as financial assurance has been provided and approved.