



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

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**FACILITY INFORMATION:**

**Facility Name:** Heritage - Crystal Clean LLC

**On-Site Inspection Start Date:** 05/08/2018

**On-Site Inspection End Date:** 05/08/2018

**ME ID#:** 89575

**EPA ID#:** FLR000154278

**Facility Street Address:** 11643 103rd St, Jacksonville, FL 32210-8686

**Contact Mailing Address:** 2175 Point Blvd Suite 375, Elgin, IL 60123-9216

**County Name:** Duval

**Contact Phone:** (847) 783-5355

**NOTIFIED AS:**

Non-Handler

Transfer Facility

Transporter

Used Oil

**INSPECTION TYPE:**

Routine Inspection for Hazardous Waste Transporter facility

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Hazardous Waste Transfer Facility facility

Routine Inspection for Used Oil Transfer Facility facility

Routine Inspection for Non-Handler facility

**INSPECTION PARTICIPANTS:**

Principal Inspector: Cheryl L Mitchell, Inspector

Other Participants: Kevin Falls, General Manager

**LATITUDE / LONGITUDE:** Lat 30° 14' 49.6256" / Long 81° 51' 31.0079"

**SIC CODE:** 5084 - Wholesale trade - industrial machinery and equipment

**TYPE OF OWNERSHIP:** Private

**Introduction:**

Heritage-Crystal Clean, LLC (HCC) was inspected on May 8, 2018. A site visit was also conducted on May 31, 2018, for records review. HCC was last inspected by both the USEPA's and the Department's Hazardous Waste Program on June 6, 2014, and by the Department's Hazardous Waste Program on June 1, 2009. Mr. Ricky Powell, Warehouseman, was present during the inspection on May 8, and Mr. Kevin Falls, General Manager, was present during the May 31 visit. Mr. Vinnie Glorioso, HCC Regional Manager, participated by phone during a portion of the May 31 site visit.

HCC is a registered Used Oil Transporter/Transfer facility, a Used Oil Filter Transporter/Transfer facility, a Hazardous Waste Transporter/Transfer Facility and a Universal Waste Transfer Facility. HCC is currently a Non-Handler of hazardous waste. The facility has been issued EPA/DEP identification number FLR 000 154 278. Please use this number on all correspondence with the Department's Hazardous Waste Program.

HCC has been at this location since 2009. HCC leases approximately one acre of a seven-acre parcel that is owned by Group IV Cecil, Inc., based in Jacksonville, FL. The facility is connected to a private water supply and city sewer. It operates three used oil vacuum trucks, one fuel-only pump truck and three box trucks. The facility's vehicle fleet is maintained off-site by a third-party vendor. HCC has eight employees, including five drivers, and operates Monday through Friday from 6:00 AM to 5:00 PM. The facility consists of administrative offices, a Main Warehouse, a Truck Parking Lot and the Waste Transfer Area.

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**Process Description:****USED OIL TRANSPORTER AND TRANSFER FACILITY**  
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HCC transports used oil in vacuum trucks that return to the facility at the end of the work shift and park in the Truck Parking Lot described below. When the vacuum truck is full, the vacuum truck transports the used oil to the Jacksonville Transflo Facility (Transflo, FLD 984 253 526) where it is loaded onto a rail car and shipped to HCC's facility in Atlanta, GA (GAR 000 078 279) for processing. According to Mr. Falls, used oil is transferred to Transflo two to three times each week. Occasionally, a truck that is not empty will be parked at the facility over a weekend and longer than 24-hours. The Truck Parking Lot is unsealed asphalt, loose limerock and dirt, is not oil-impermeable and does not have secondary containment [62-710.401(6), FAC]. HCC also transports oily water collected from customers to Liquid Environmental Solutions of Florida (FLD 981 928 484) for processing.

Mr. Falls stated that new customers are required to complete a "Generator Certification" form upon requesting service. The form requires the customer to identify its hazardous waste generator category and EPA ID, if applicable, and to certify that its used oil meets the definition of used oil contained in 40 CFR 279. HCC uses this form to determine whether a customer has an EPA ID number and to determine the frequency that HCC performs used oil halogen screening prior to transport. Mr. Falls stated that used oil generated during automotive repair/maintenance work is screened with Chlor-D-Tect kits prior to pick-up from first-time customers and then it is only screened approximately every six months thereafter. Used oil generated during industrial-related work is screened prior to each pick-up. Because every load from some customers is not screened every time, HCC failed to screen all used oil prior to transport [40 CFR 279.44(a)].

A used oil sample is collected from each customer and a batch sample is collected from the vacuum truck prior to transferring the used oil to Transflo. The samples are kept in the Main Warehouse (Photo 1), described below, for three months in case the receiving facility in Atlanta requests lab analysis. After three months, the used oil is emptied into one of two used oil containers located inside the Main Warehouse (Photo 2). When the containers are full, the used oil is pumped into the vacuum truck. Both used oil containers were closed and properly labeled.

HCC generates a routine wastestream, "Branch Debris," during the transport and transfer of used oil. This wastestream includes solid wastes such as wipes, absorbents, PPE and similar items. HCC manages Branch Debris as non-hazardous waste, but it has not made a hazardous waste determination on this wastestream by having the waste analyzed for hazardous waste characteristics [40 CFR 262.11]. At the time of the inspection, two containers of Branch Debris were accumulating inside the Warehouse. Both containers were closed and labeled as non-hazardous waste. One of the containers was opened for inspection (Photo 3).

**Used Oil Transporter and Transfer Facility Records Review:**

HCC maintains shipping documents for used oil it accepted for transfer for a period of three years. While reviewing used oil shipping documents for Very Small Quantity Generators (VSQGs), the inspector noted that at least two VSQG customers identified only by "VSQG" on the shipping papers did have EPA ID numbers. However, HCC failed to document the EPA ID number of the generator on the acceptance shipping documents [40 CFR 279.46(a)(2)]. In addition, HCC failed to maintain used oil records on FDEP form 62-710.901(2), or on a substantially equivalent form [62-710.510(1), FAC].

HCC also failed to record the results of the Chlor-D-Tect tests on shipping records. A Used Oil Transporter/Transfer Facility should record results of the halogen screening test and retain these records for at least three years [62-710.510(1)(g), FAC].

**USED OIL FILTER TRANSPORTER AND TRANSFER FACILITY**  
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HCC transports used oil filters in 55-gallon containers that are kept in box trucks. After returning to the facility, the containers are transferred directly from the box truck into one of the semi-trailers located in the Waste Transfer Area described below. Mr. Powell stated that the used oil filters typically remain on-site for one to two weeks and are then transported to HCC's facility in Plant City (FLD 065 680 613). At the time of the inspection, there were approximately 20 containers of used oil filters accumulating in the trailer (Photo 4). The floor bed of the trailer appeared to be metal plate and plywood. This is not an oil-impermeable surface. The trailer is also parked on top of asphalt, described below in the Waste Transfer Area section. It is also not oil-impermeable due to the condition of the asphalt [62-710.850(5)(a), FAC].

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#### Used Oil Filter Transporter and Transfer Facility Records Review:

HCC maintains shipping papers for used oil filters it accepted for transfer for a period of three years. However, HCC failed to maintain used oil filter records on FDEP form 62-710.901(2), or on a substantially equivalent form [62-710.510(1), FAC].

#### HAZARDOUS WASTE TRANSPORTER AND TRANSFER FACILITY

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HCC transports hazardous waste in box trucks that return to the facility where the containers are transferred directly from the trucks into one of the semi-trailers located in the Waste Transfer Area described below. At least every ten days, a trailer with new products and supplies is brought into the facility, unhitched and then the trailer with the waste containers is attached to the truck cab and transported to HCC's facility in Atlanta. At the time of the inspection, the trailer contained approximately 20 drums of non-hazardous spent parts washer solvent (Photo 5). No hazardous waste was accumulating in the trailer.

#### Hazardous Waste Transporter and Transfer Facility Records Review:

Mr. Falls stated that new customers are required to complete a "Generator Certification" form upon requesting service. The form requires the customer to identify its hazardous waste generator category and EPA ID, if applicable. HCC uses the "Generator Certification" form to determine whether a customer has an EPA ID number. Hazardous wastes are accepted from customers regardless of generator category. Hazardous wastes from VSQGs are shipped on Bills of Lading (BOLs) rather than hazardous waste manifests. Hazardous wastes from Small Quantity Generators (SQGs) and Large Quantity Generators (LQGs) are shipped on hazardous waste manifests. BOLs are also used to transport non-hazardous wastes.

A Hazardous Waste Transporter/Transfer Facility should maintain a written log of hazardous waste for three years. HCC maintains a hazardous waste log for a period of three years. However, the log only included records for hazardous waste transported under a manifest and did not include any shipping information for VSQG hazardous waste. Additionally, two manifested hazardous waste shipments in 2017 and 2018 were not entered on the log. As a result, HCC failed to enter all data required in the hazardous waste record log [62-730.171(6), FAC].

#### UNIVERSAL WASTE TRANSFER FACILITY

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HCC is a Universal Waste Mercury-Containing Lamps or Devices Transfer Facility. HCC transports universal waste under EPA ID #ILR 000 130 062, but the Jacksonville facility acts as the transfer facility. HCC transports universal waste in box trucks or in a trailer with the hazardous waste, described above, to HCC's facility in Atlanta. At the time of the inspection, no universal waste was accumulating on-site.

#### PARTS WASHER SALES/LEASING AND SOLVENT RECOVERY OPERATIONS

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HCC provides parts washers for sale or lease to customers and maintains the equipment in the field. This includes removing the spent solvent and refilling the equipment with new or recycled product. HCC offers two types of solvent to its customers: one type has a flashpoint of 142°F and is referred to as "142 solvent," and the other type is an aqueous-based solvent. HCC collects the spent 142 solvent from its customers and ships it to HCC's facility in Atlanta for processing and reuse as a commercial chemical product. The aqueous solvent is also shipped to Atlanta and then managed through an industrial wastewater treatment plant.

Mr. Falls stated that new customers are required to complete a "Generator Certification" form upon requesting service. The form requires the customer to identify its hazardous waste generator category and EPA ID, if applicable, to certify that additives or other materials will not be added to the parts washer solvent while in use at the customers' facility, and to certify whether the waste solvent qualifies to be managed as non-hazardous waste or qualifies for HCC's solvent reuse program. HCC uses this "Generator Certification" as the customers' wastestream determination and does not perform analysis on these wastestreams unless requested to do so by the customer.

#### FACILITY AREAS

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An inspection of the facility's operation areas revealed the following:

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## MAIN WAREHOUSE

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The Main Warehouse is used to store materials, supplies, absorbents, tools, spill kits, empty parts washers and new product solvent and antifreeze. The used oil samples, used oil containers and Branch Debris containers, described above, are also kept in this area. No additional used oil, other than noted previously, or used oil filters, non-hazardous, hazardous or universal wastes are accumulated in the Main Warehouse.

## TRUCK PARKING LOT

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This parking area is located on the northside of the Main Warehouse and adjacent to the facility's northern property fence. The parking lot where the vacuum trucks are parked is unsealed asphalt, loose limerock and dirt. At the time of the inspection, there appeared to be several areas of what appeared to be used oil released in the vicinity of one of the vacuum trucks that had not been cleaned-up (Photos 6-8) [40 CFR 279.22(d)]. The northeast side of the parking lot is used for pump truck and box truck parking. One pump truck and one box truck were parked in the lot at the time of the inspection (Photo 9). All other vehicles were out of the yard for pick-ups or deliveries.

## WASTE TRANSFER AREA

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Used oil filters, hazardous waste, non-hazardous waste, universal waste and materials and supplies are transferred directly from incoming trucks into one of three unhitched semi-trailers parked on the east side of the Main Warehouse and southeast of the Truck Parking Lot described above (Photo 10). This area has an asphalt base that appears to be cracked in several areas adjacent to and under the semi-trailers.

The trailer on the left in Photo 10, and described above, is used to accumulate hazardous and non-hazardous wastes, universal waste and spent parts washer solvent. The trailer in the middle in Photo 10 is used to store new parts washer product and supplies (Photo 11). The trailer on the right in Photo 10, and described above, is used to accumulate used oil filters.

## SECURITY

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The facility is surrounded by a chain link fence topped with barbed wire. It appeared to be in good condition. The facility is accessed through a main entrance gate that is kept open during business hours when HCC employees are on-site. An exit gate is electronically controlled and motion-activated to open for trucks exiting the facility. Both gates are manually locked at night. At the time of inspection, the main gate was open for business, and the exit gate was closed. Adequate warning signage had been posted (Photo 12).

## RECORDS REVIEW

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Records reviewed included hazardous waste manifests, shipping papers, inspection logs, Contingency Plan, Closure Plan, annual registration, insurance liability coverage, personnel training records, and receiving and shipping waste inventory logs. Records reviewed appeared to be in order unless otherwise described above or as follows:

- 1) A review of the facility's Contingency Plan revealed that it only included response actions during transportation and did not include response actions at the facility. This is a failure to maintain a complete Contingency Plan at the facility [40 CFR 265.52(a)].
- 2) Additionally, HCC did not have documentation demonstrating that the Contingency Plan had been distributed to local authorities [40 CFR 265.53(b)].
- 3) HCC also did not have documentation that the required emergency arrangements had been made with local authorities [40 CFR 265.37].

\*\*\*\*\*NOTE: As of June 18, 2018, the State of Florida adopted the recently-updated Federal hazardous waste rules, more commonly known as the Generator Improvement Rule. As a generator of hazardous waste, your facility is impacted by the rule change.

Please see the eCFR site for a copy of the Federal rule at - [https://www.ecfr.gov/cgi-bin/text-idx?SID=ab7ac7e8d2fb42037c72a0de5162bcfe&mc=true&tpl=/ecfrbrowse/Title40/40cfrv28\\_02.tpl#0](https://www.ecfr.gov/cgi-bin/text-idx?SID=ab7ac7e8d2fb42037c72a0de5162bcfe&mc=true&tpl=/ecfrbrowse/Title40/40cfrv28_02.tpl#0)

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The November 28, 2016 Federal Register also has a good discussion about the new requirements - <https://www.gpo.gov/fdsys/pkg/FR-2016-11-28/pdf/2016-27429.pdf>

Copies of PowerPoint presentations that discuss the new requirements may also be found here - <https://floridadep.gov/northeast/ne-compliance-assurance/content/compliance-assurance-resources>

#### For Outstanding Items of Potential Non-Compliance

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Please review the following section – New Potential Violations and Areas of Concern. This section includes potential violations observed at your facility during this inspection. For any potential violations below that have not been corrected, please refer to the Corrective Action for each item that is suggested to bring your facility into compliance. Once the corrective action has been completed, please send documentation to the DEP's NED inspector listed as the Principal Inspector on Page 1 of the Inspection report. This documentation includes, but is not limited to, photos of corrected items, manifests, SDSs or other documents that will show that each potential violation has been fully addressed.

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

##### Violations

Type:	Violation
Rule:	62-710.401(6)
Explanation:	Used oil in the vacuum truck is occasionally parked in the Truck Parking Lot at the facility for periods greater than 24-hours. The Truck Parking Lot is not oil-impermeable and does not have secondary containment.
Corrective Action:	In order to return to compliance, the facility should either: 1) Park trucks containing used oil on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest truck within the containment area; or 2) Ensure that any trucks containing used oil are not parked in the Truck Parking Lot for greater than 24-hours.

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Type:	Violation
Rule:	279.44(a)
Explanation:	The facility failed to screen all used oil for halogen content prior to transport.
Corrective Action:	In order to return to compliance, the facility should determine the total halogen content of all future shipments of used oil.

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Type:	Violation
Rule:	262.11
Explanation:	The facility failed to manage its residues from the transport and transfer of used oil, referred to as Branch Debris, by disposing of the waste without performing a hazardous waste determination that includes analytical testing for hazardous waste characteristics.
Corrective Action:	In order to return to compliance, the facility should complete a hazardous waste determination for its Branch Debris. The facility may make a hazardous waste determination by having the wastestream analyzed by a certified laboratory for the following:  - Ignitability, pursuant to 40 CFR 261.21, via method 1010;

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- Toxicity Characteristic Leaching Procedure (TCLP) for RCRA Metals, pursuant to 40 CFR 261.24, via method 6010; and
- Toxicity Characteristic Leaching Procedure (TCLP) for Volatiles, pursuant to 40 CFR 261.24, via method 8260.

A copy of the result of this determination should be submitted to this office. None of the wastes is to be disposed of until written approval has been given by the Department. The waste should be disposed of in a proper manner once written approval has been given by the Department. Hazardous waste should be sent off-site to a permitted treatment, storage, or disposal facility.

NOTE: None of the samples are to be composites. The samples are to be collected and analyzed in accordance with EPA publication SW# 846 "Test Methods for Evaluating Solid Waste" 3rd Edition. All sampling and analysis shall be conducted in accordance with Rule 62-160, Florida Administrative Code (FAC). A National Environmental Laboratory Accreditation Program (NELAP) certified laboratory should analyze the samples.

Further enforcement action is possible, pending the results of the analytical tests.

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Type:	Violation
Rule:	279.46(a)(2)
Explanation:	The facility failed to document the EPA ID number of the generator on the used oil acceptance shipping documents.
Corrective Action:	In order to return to compliance, the facility should document the EPA ID number for used oil generators on all future shipments of used oil and maintain the records at the facility for three years.

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Type:	Violation
Rule:	62-710.510(1)
Explanation:	The facility failed to maintain records on FDEP form 62-710.901(2), or on a substantially equivalent form, for the following: 1) Used oil acceptance and shipments; and 2) Used oil filter acceptance and shipments.
Corrective Action:	In order to return to compliance, the facility should maintain records for all future used oil and used oil filter acceptance and shipments on FDEP form 62-710.901(2), or on a substantially equivalent form. The records should be maintained at the facility for three years.

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Type:	Violation
Rule:	62-710.510(1)(g)
Explanation:	The facility failed to record the results of Chlor-D-Tect tests on shipping records.
Corrective Action:	In order to return to compliance, the facility should record the results of Chlor-D-Tect tests, or other halogen screening tests, on acceptance documents and maintain these records at the facility for three years.

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Type:	Violation
Rule:	62-710.850(5)(a)
Explanation:	The facility accumulated used oil filters in containers that were not stored on an oil-impermeable surface.
Corrective Action:	In order to return to compliance, the facility should store used oil filters in containers on an oil-impermeable surface.

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Type:	Violation
Rule:	62-730.171(6)(a)
Explanation:	The facility failed to maintain a written record of all hazardous waste that entered and left the transfer facility. Specifically, the facility did not include one manifested shipment from 2017, one manifested shipment from 2018 and did not include any shipping information for VSQG hazardous waste.
Corrective Action:	In order to return to compliance, the facility should maintain a written record for all hazardous waste entering and leaving the transfer facility including shipping information for VSQG hazardous waste. The records should be maintained at the facility for three years.

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Type:	Violation
Rule:	279.22(d)(3)
Explanation:	The facility failed to respond to and clean-up several areas of what appeared to be used oil releases in the Truck Parking Lot.
Corrective Action:	In order to return to compliance, the facility should immediately perform the following steps upon detection of a release of used oil to the environment: <ol style="list-style-type: none"><li>1. Stop and contain the release of used oil;</li><li>2. Clean up and properly manage the released used oil and remove any contaminated materials or soil for proper disposal; and</li><li>3. If necessary to prevent future releases, repair or replace any equipment leaking used oil before returning the equipment to service.</li></ol>

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Type:	Violation
Rule:	265.52(a)
Explanation:	The facility's Contingency Plan only included emergency response actions for vehicles during transport and did not include emergency response actions for the facility.
Corrective Action:	In order to return to compliance, the facility should ensure that its Contingency Plan includes response actions to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituent to air, soil, or surface water. In addition, the facility should submit a copy of its Contingency Plan to the Department for review.

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Type:	Violation
Rule:	265.53(b)
Explanation:	The facility failed to distribute its Contingency Plan to the local authorities.
Corrective Action:	In order to return to compliance, the facility should submit copies of its Contingency Plan



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to the local police and fire departments, hospitals, and the state emergency response team after the Plan has been updated to include all required information.

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Type:	Violation
Rule:	265.37
Explanation:	The facility failed to make required arrangements with local authorities and notify them of the potential need for their services.
Corrective Action:	In order to return to compliance, the facility should make the required arrangements listed in 40 CFR 265.37 with the local authorities and submit documentation to the Department that the arrangements were made.

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PHOTO ATTACHMENTS:

Photo 1

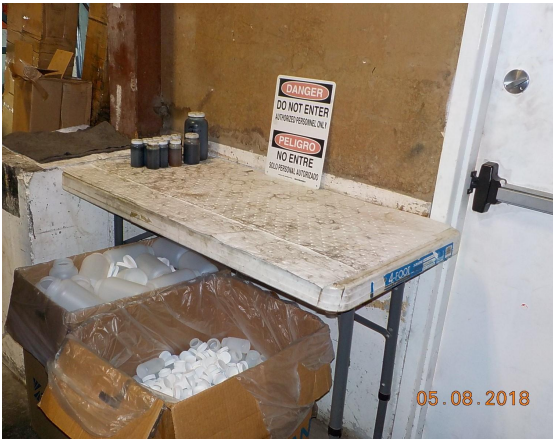


Photo 2



Photo 3



Photo 4





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Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Photo 10



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Photo 11



Photo 12



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**1.0 - Pre-Inspection Checklist**

## Requirements:

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

**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	✓		

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**Signed:**

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

Cheryl L Mitchell

Inspector

**Principal Inspector Name****Principal Inspector Title**

DEP

07/20/2018

**Principal Inspector Signature****Organization****Date**

Kevin Falls

General Manager

**Representative Name****Representative Title**

Heritage-Crystal Clean, LLC

**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:**

Cheryl L Mitchell

**Inspection Approval Date:**

07/20/2018