

Eckoff, Michael

From: Barry, Richard M <rbarry@triumvirate.com>
Sent: Friday, March 23, 2018 3:04 PM
To: Eckoff, Michael; Malone, Kaelyn O; Baker, Bryan
Cc: Skinner, Bret A; King, Christopher K; Klawinski, Tyler T
Subject: Triumvirate response to FLDEP Observations
Attachments: Orlando TSDF Permit Training 11-29-2017[1].pdf; Orlando Permit Training 11-30-2017.pdf

Good afternoon Mr. Eckoff:

The following information (and attached) is provided in response to your email of March 12, 2018, and addresses each of the observations called out in that email. Please review my response and let me know if you have any others or require additional information.

Sincerely,

Richard Barry
Director, Compliance
Triumvirate Environmental, Inc.
Cell: 617-799-2511

Observation

1. Container F116396-03-01 had both a non-hazardous waste label and a hazardous waste label. The non-hazardous waste label was covering up the hazardous waste label rendering it unreadable. There was another hazardous waste label attached to the top of the container. The non-hazardous waste label indicated the drum contains used oil/water, while the hazardous waste label, attached to the top of the drum, indicated waste mineral spirits.

Triumvirate Response/Corrective Action

The contents of this container consisted of oil/water. This container should have been more clearly labeled and the non-hazardous waste label and smaller hazardous waste marking should have more thoroughly covered/obscured the underlying label. The label seen on top of the container was determined to be a remnant of the transportation process, i.e., trash, and although not physically affixed to the top of the container, the label resulted in confusion.

Triumvirate facility personnel will continue to be diligent when receiving and inspecting containers to ensure that marking and labeling is done in a manner that prevents confusion and accurately communicates the container contents and associated hazards. Labels and markings that might lead to confusion will be removed or obscured to prevent this issue.

Observation

2. The labels on a container located in Row 104 were facing the wall and could not be reviewed. Please also remember this is a weekly container inspection checklist item.

Triumvirate Response/Corrective Action

These labels were not readily viewable at the time of the inspection, which we attribute, in the instance, to human error. Whatever the reason, it has been reinforced with facility personnel that all hazardous waste labels and other hazard markings must be readily readable at all times while in storage. Our daily and weekly inspections do address this requirement.

Observation

3. Container F116190-07-01 had both a non-hazardous waste label and a hazardous waste label. The non-hazardous waste label was covering up the hazardous waste label rendering it unreadable. The non-hazardous waste label indicated the drum contains cutting oil/steel.

Triumvirate Response/Corrective Action

Similar to our response to Observation #1, this situation can lead to confusion and non-compliance. For that reason, Triumvirate facility personnel have been instructed to be sure that all containers are clearly labeled/marked so as to eliminate confusion and to accurately communicate contents and hazards. Labels and markings that might lead to confusion will be removed or obscured to prevent this problem.

Observation

4. Several areas of the floor at the entrance of the TSDf (container storage building) appeared to be in need of resealing. Please also remember this is a weekly container inspection checklist item.

Triumvirate Response/Corrective Action

The worn floor areas comprise extremely active portions of the facility and are subject to fairly constant foot and equipment traffic. To address these worn areas of the floor Two industrial flooring contractors have been scheduled to visit the facility the week of March 25th to provide proposals to repair worn areas of the floor surface. The contractors are: 1) Florida Epoxy Floors Co. and 2) SealWell Epoxy Floors. Following the visits Triumvirate will provide FLDEP with details as to when the work will be completed. Our plan is to have the work done as soon as possible.

Observation

5. Inside the fence near the steps leading into the office was a pallet of bags containing silver oxide batteries from consumers. Mr. King explained the batteries are collected from consumers at various hospitals, packaged, bulked, and shipped to Triumvirate via various carriers, i.e., USPS, FedEx, etc. The bags did not have labeling identifying how these wastes are being managed, including no bar code labeling. The batteries are then sorted by Triumvirate personnel, repackaged, and shipped for recycling. Please describe the approval process, as required by the permit, for acceptance of these wastes and how they are accounted for in the inventory of the TSDf.

Triumvirate Response/Corrective Action

Just to clarify one point, the silver oxide batteries do not come from hospitals, but rather directly from consumers as "household hazardous waste."

The approval process works like this. The batteries arrive at the facility in bags. The bags are promptly opened to confirm the contents. The batteries are then added to a properly labeled/marked cubic yard shipping container. This process occurs in the "consolidation area." Once full, the cubic yard container is shipped to an approved TSDf for incineration. The silver oxide batteries are accounted for in our inventory via a bar code affixed the cubic yard box at the beginning of the consolidation process.

It is Triumvirate's intention to more clearly describe this process in our pending permit renewal application.

Observation

6. A tanker of oily water/industrial wastewater, a box truck, and two vacuum trucks were parked near the storm water outfall on the northwest side of the property. According to on-site personnel, wastes are added to the tanker on a routine basis. Please review the Storm Water Pollution Prevention Plan associated with your NPDES Storm Water permit for best management practices regarding the potential for releases.

Triumvirate Response/Corrective Action

Triumvirate will adhere to our SWPPP best management practices (BMPs) aimed to minimize the risk posed by this and similar oil transfer operations. Furthermore, after internal discussion, we have determined it is best to cease this practice of consolidating into the mobile USDOT tanker truck. This practice will be officially ended prior to the 15th of April.

Observation

7. A review of the weekly inspection logs revealed verification of the storage capacity permitted in the container storage area has not been exceeded is not being documented. Please note that permitted storage capacity is facility wide and not just isolated to the container storage area.

Triumvirate Response/Corrective Action

Weekly inspection logs now include a hand-written notation that the maximum container storage limit has not been exceeded. This will also be reflected in our impending permit renewal application.

Observation

8. Please provide a copy of the contingency plan and hazardous waste management trainings given to employees. Please also include the name(s) of the employee(s) that were trained and the date(s) the trainings were given, i.e., sign-in sheet(s).

Triumvirate Response/Corrective Action

The attached training sign-in sheets for November 29 & 30 explain that **Emergency Response Planning** is covered during the Orlando Permit Training; (*See page 2, first line item, highlighted.*). In addition, the attached excerpt from our permit application shows **Emergency Response Planning** as the title, but goes on to explain that, among other things, the **Contingency Plan** is *included* in the training; see page 2ATP-14.

The description on the sign-in sheet was shortened to include only the highlighted entry/title; **Emergency Response Planning**. Going forward we will revise the training sign-in sheet to include "Contingency Plan".

Observation

9. A copy of the current inventory for the TSDF as of March 7, 2018 was provided prior to leaving the facility that day. According to the inventory log, three containers F114394-01-01, F114395-01-01, and F114395-02-01, which were received by Triumvirate on March 7, 2017, exceeded the permitted storage time limit of one year. Specifically, the containers were stored for 366 days. In addition, according to the log, two other containers were at day 364 in storage.

Triumvirate Response/Corrective Action

A review of our records shows that the three containers noted were shipped in 2017 on the following dates and manifests:

3/22/17 - F114394-01-01 was a 55-gal drum of oily water pumped into container 221592FL which shipped out on manifest NHWM093738

4/3/17 - F114395-01-01 was a 55-gal drum of oily rags that was consolidated into container 222051FL which shipped out on manifest NHWM093741

5/15/17 - F114395-02-01 this was an empty container sent for reconditioning, it was shipped on BOL052017FL

Although the March 7th inventory showed three containers had exceed the 365 days limit, in reality we are certain that this was not the case, nor were the other two containers in storage for 364 days, as indicated above. The most reasonable cause for this container date confusion is that an error occurred while reconciling our inventory. In fact, to be certain that the inventory was inaccurate in those five examples, facility personnel conducted a container-by-container hands-on reconciliation just to be sure. The results were as we expected; no containers were at or near to the one year storage limit. However, to be sure that there are no similar future reconciliation errors, Triumvirate will commence monthly container-by-container reconciliations just to be certain. These reconciliations will be documented.

Observation

10. A copy of Tyler Klawinski's and Francis Colosi's position descriptions was not available to review.

Triumvirate Response/Corrective Action

It is Triumvirate's intention to update and possibly revise all permit-related job descriptions when we renew our current operating permit. The current descriptions are provided for Tyler and Frank:

○ **Tyler Klawinski**

Position Title: Facility Specialist

RCRA Classification: Plant/Environmental Personnel

Duties:

- Work in teams to perform lab pack services including chemical segregation, packaging, and disposal.
- Perform chemical inventories.
- Perform audits and inspections of facilities and laboratories.
- Assist management in developing top accounts and devising standard operating procedures.
- Demonstrate supervisory leadership skills through interactions with team members.
- Develop an understanding of OSHA regulations as well as Triumvirate's Health and Safety Practices.
- Learn and work with a computerized waste tracking system.
- Ability to work as a team player.
- Determination/eagerness to learn about the environmental health and safety field
- Conduct consolidations and stabilizations.
- Act as primary back up to the Operations Manager for preparing waste shipments, receiving waste shipments and QA/QC of waste shipment paperwork.

Requisite Skills, Experience and Education:

- BS/BA in Environment Science, Chemistry, Biology, preferred. Must be able to submit college transcript. Successful completion of OSHA/DOT physical examination. Valid Driver's License.

○ **Frank Colosi**

Position Title: Lab Services Manager

RCRA Classification: Plant/Environmental Personnel

Duties:

- Act as Primary Supervisor to Triumvirate Chemists and Drivers working at customer sites.
- Work in teams to perform lab pack services including chemical segregation, packaging, and disposal.
- Perform chemical inventories.
- Perform audits and inspections of facilities and laboratories.
- Assist management in developing top accounts and devising standard operating procedures.
- Demonstrate supervisory leadership skills through interactions with team members.
- Develop an understanding of OSHA regulations as well as Triumvirate's Health and Safety Practices.
- Learn and work with a computerized waste tracking system.
- Ability to work as a team player.
- Determination/eagerness to learn about the environmental health and safety field
- Conduct consolidations and stabilizations.
- Act as secondary back up to the Operations Manager or Facility Specialist for preparing waste shipments, receiving waste shipments and QA/QC of waste shipment paperwork.

Requisite Skills, Experience and Education:

BS/BA in Environment Science, Chemistry, Biology, preferred. Must be able to submit college transcript. Successful completion of OSHA/DOT physical examination. Valid Driver's License.



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 MR ✓ 11/30/17
 ORLTS Occupational ✓
 HAZWOPER WBT ✓

Orlando Permit Training Sign-In

Training Type: ☒ Classroom ☐ On-The-Job

Category: ☒ OSHA ☐ DOT ☐ RCRA ☐ OTHER

Date: 11/29/17 Training Location (Room) Orlando Conference Room

Please select from common regulatory trainings listed below. Please provide start & end times in 15 minute increments.

Check	Regulatory Training Title	Start Time	End Time	Instructor
	Orlando Facility General & Function Specific: Environ Regs: Site Specific Waste Acceptance & Analysis			
	Orlando Facility General & Function Specific: Environmental Regs: Haz Waste Id & RCRA Waste Codes			
	Orlando Facility General & Function Specific: Environmental Regs: Hazardous Waste Profiles			
	Orlando Facility General & Function Specific: Environmental Regs: History & Applicability of RCRA			
	Orlando Facility General & Function Specific: Environmental Regs: Labeling Requirements			
	Orlando Facility General & Function Specific: Environmental Regs: LDRs and Notifications			
	Orlando Facility General & Function Specific: Environmental Regs: Manifesting and Record Keeping			
	Orlando Facility General & Function Specific: Environmental Regs: Site Specific Segregation & Storage			
	Orlando Facility General & Function Specific: Environmental Regs: The Regulated Community			
✓	Orlando Facility General & Function Specific: Occupational Regs: Accident & Injury Reporting	0800	0830	Brooke Rabe
✓	Orlando Facility General & Function Specific: Occupational Regs: Chemical Hazards & Toxicology	1400	1430	
✓	Orlando Facility General & Function Specific: Occupational Regs: Confined Space Awareness	1130	1200	



Check	Regulatory Training Title	Start Time	End Time	Instructor
✓	Orlando Facility General & Function Specific: Occupational Regs: Emergency Response Planning	0830	0900	Brooke Rabe
✓	Orlando Facility General & Function Specific: Occupational Regs: Facility Introduction	0900	0930	
✓	Orlando Facility General & Function Specific: Occupational Regs: General Safety Plans	0930	1000	
✓	Orlando Facility General & Function Specific: Occupational Regs: Hazardous Communications	1200	1230	
✓	Orlando Facility General & Function Specific: Occupational Regs: Health & Safety Plan	1000	1030	
✓	Orlando Facility General & Function Specific: Occupational Regs: Hierarchy of Controls	1230	1300	
✓	Orlando Facility General & Function Specific: Occupational Regs: Job Safety Analysis	1030	1100	
✓	Orlando Facility General & Function Specific: Occupational Regs: Lock Out/Tag Out	1100	1130	
✓	Orlando Facility General & Function Specific: Occupational Regs: Personal Protective Equipment	1300	1330	
✓	Orlando Facility General & Function Specific: Occupational Regs: Respiratory Protection	1330	1400	↓
✓	Orlando Facility General & Function Specific: Fire Extinguisher Safety/Training	1430	1500	↓
	Orlando Facility General & Function Specific: Transportation Regs: Hazard Classifications			
	Orlando Facility General & Function Specific: Transportation Regs: Labeling			
	Orlando Facility General & Function Specific: Transportation Regs: Marking			
	Orlando Facility General & Function Specific: Transportation Regs: Packaging			
	Orlando Facility General & Function Specific: Transportation Regs: Placarding			



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Check	Regulatory Training Title	Start Time	End Time	Instructor
	Orlando Facility General & Function Specific: Transportation Regs: Proper Shipping Names			
	Orlando Facility General & Function Specific: Transportation Regs: Shipping Papers			

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✓ ORL: TSD

Orlando Permit Training Sign-In

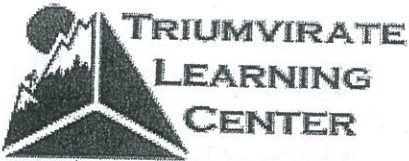
Training Type: ☒ Classroom ☐ On-The-Job

Category: ☒ OSHA ☐ DOT ☐ RCRA ☐ OTHER

Date: 11/30/17 Training Location (Room) Orlando Conference Room

Please select from common regulatory trainings listed below. Please provide start & end times in 15 minute increments.

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	Orlando Facility General & Function Specific: Environmental Regs: Haz Waste Id & RCRA Waste Codes			
	Orlando Facility General & Function Specific: Environmental Regs: Hazardous Waste Profiles			
	Orlando Facility General & Function Specific: Environmental Regs: History & Applicability of RCRA			
	Orlando Facility General & Function Specific: Environmental Regs: Labeling Requirements			
	Orlando Facility General & Function Specific: Environmental Regs: LDRs and Notifications			
	Orlando Facility General & Function Specific: Environmental Regs: Manifesting and Record Keeping			
	Orlando Facility General & Function Specific: Environmental Regs: Site Specific Segregation & Storage			
	Orlando Facility General & Function Specific: Environmental Regs: The Regulated Community			
✓	Orlando Facility General & Function Specific: Occupational Regs: Accident & Injury Reporting	0830	0900	Brooke Rabe
✓	Orlando Facility General & Function Specific: Occupational Regs: Chemical Hazards & Toxicology	1330	1400	
✓	Orlando Facility General & Function Specific: Occupational Regs: Confined Space Awareness	1030	1100	



Check	Regulatory Training Title	Start Time	End Time	Instructor
✓	Orlando Facility General & Function Specific: Occupational Regs: Emergency Response Planning	1000	1030	Brooke Rabe
✓	Orlando Facility General & Function Specific: Occupational Regs: Facility Introduction	0800	0830	↓
✓	Orlando Facility General & Function Specific: Occupational Regs: General Safety Plans	0830	0900	
✓	Orlando Facility General & Function Specific: Occupational Regs: Hazardous Communications	1300	1330	
✓	Orlando Facility General & Function Specific: Occupational Regs: Health & Safety Plan	0930	1000	
✓	Orlando Facility General & Function Specific: Occupational Regs: Hierarchy of Controls	1130	1200	
✓	Orlando Facility General & Function Specific: Occupational Regs: Job Safety Analysis	0900	0930	
✓	Orlando Facility General & Function Specific: Occupational Regs: Lock Out/Tag Out	1100	1130	
✓	Orlando Facility General & Function Specific: Occupational Regs: Personal Protective Equipment	1200 1130	1230 1200	
✓	Orlando Facility General & Function Specific: Occupational Regs: Respiratory Protection	1230 1200	1300 1230	
✓	Orlando Facility General & Function Specific: Fire Extinguisher Safety & Training	1400	1500	
	Orlando Facility General & Function Specific: Transportation Regs: Hazard Classifications			↓
	Orlando Facility General & Function Specific: Transportation Regs: Labeling			
	Orlando Facility General & Function Specific: Transportation Regs: Marking			
	Orlando Facility General & Function Specific: Transportation Regs: Packaging			
	Orlando Facility General & Function Specific: Transportation Regs: Placarding			



Check	Regulatory Training Title	Start Time	End Time	Instructor
	Orlando Facility General & Function Specific: Transportation Regs: Proper Shipping Names			
	Orlando Facility General & Function Specific: Transportation Regs: Shipping Papers			

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