



FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, FL 32502

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

January 22, 2019

Scott Terrio, Terminal Manager
5200 Sterling Way
Pace, FL 32571
sterrio@mckenzie-tank.com

Re: Compliance Assistance Offer
McKenzie Tank Lines, Inc.
EPA ID: FLR000193292
Santa Rosa County

Dear Mr. Terrio:

An inspection was conducted at your facility on December 20, 2018. During inspection, potential non-compliance was noted. The purpose of this letter is to offer compliance assistance as a means of resolving this matter.

Specifically, potential non-compliance with the requirements of Chapter 62-710.401(6) and 62-710.850(5)(a) Florida Administrative Code were observed. Please see the attached inspection report for a full account of Department observations and recommendations.

We request you review the item(s) of concern noted and respond in writing within **15 days** of receipt of this Compliance Assistance Offer. Your written response should include one of the following:

1. Describe what has been done to resolve the non-compliance issue or provide a schedule describing how/when the issue will be addressed.
2. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid, or
3. Arrange for the inspector to visit your facility to discuss the item of concern.

It is the Department's desire that you are able to adequately address the issues so that this matter can be closed. Your failure to respond promptly may result in the initiation of formal enforcement proceedings.

McKenzie Tank Lines, Inc.
Facility ID No. FLR000193292
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Please address your response and any questions to Ms. Paige Plier of the Northwest District Office at 850-595-0621 or via e-mail at paige.plier@floridadep.gov. We look forward to your cooperation with this matter.

Sincerely,



Russell Sullivan
Environmental Manager
Compliance Assurance Program

RS/pp

Enclosures: Inspection Report



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

FACILITY INFORMATION:

Facility Name: McKenzie Tank Lines Inc
On-Site Inspection Start Date: 12/20/2018 **On-Site Inspection End Date:** 12/20/2018
ME ID#: 100900 **EPA ID#:** FLR000193292
Facility Street Address: 5200 Sterling Way, Pace, FL 32571-2762
Contact Mailing Address: PO Box 1200, Tallahassee, FL 32302
County Name: Santa Rosa **Contact Phone:** (850) 576-1221

NOTIFIED AS:

Transporter
VSQG

INSPECTION TYPE:

Routine Inspection for Hazardous Waste Transporter facility

INSPECTION PARTICIPANTS:

Principal Inspector: Paige L Plier, Inspector
Other Participants: Scott Terrio, Terminal Manager

LATITUDE / LONGITUDE: Lat 30° 34' 26.3388" / Long 87° 6' .8568"

SIC CODE: 4231 - Trans. & utilities - trucking terminal facilities

TYPE OF OWNERSHIP: Private

Introduction:

McKenzie Tank Lines, Inc. (MTL) is located in Santa Rosa County, Florida, and is a registered transporter and Very Small Quantity Generator (VSQG) of hazardous waste. MTL was last inspected by this program in September 2012, with one violation cited for used oil secondary containment that was corrected via compliance assistance. This facility's transporter registration will expire on November 30, 2019. There are currently 29 drivers employed with MTL and 9 full-time office staff members.

Process Description:

A routine unannounced inspection of MTL was conducted to document the facility's compliance with State and Federal hazardous waste transporter and used oil regulations. MTL's current terminal manager is Mr. Scott Terrio, who facilitated this inspection. Nicole Hetzel and Catherine Hajcak, of the Florida Department of Environmental Protection ("Department") were also present.

MTL is a tanker transport facility located in Pace, Florida, adjacent to Sterling Fibers Inc. MTL currently has a fleet of about 35 tractor/trailers primarily transporting jet fuel, methanol, and ammonium amines. Shipments are most often transported to and from military installations and local manufacturers of resin products (i.e., Taminco Air Products). Mr. Terrio stated that a trailer may be stored onsite temporarily prior to final transport, but usually does not exceed a few days. Based off this information, MTL is not subject to Transfer Facility regulations with respect to storage of hazardous materials according to 40 Code of Federal Regulations (CFR) Part 263.12.

Mr. Terrio explained that during the month of January 2019, MTL is in the process of transitioning business ownership to Groendyke, Inc. We advised Mr. Terrio it would be necessary to update their facility records indicating new ownership and contact information via the Department's 8700-12 Florida Notification of Regulated Waste Activity Form.

This location has an administrative building for offices and training classrooms with a conjoined maintenance shop with two garage bays for minor truck maintenance and parts storage. The property is surrounded by a

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fence and is mostly gravel for tanker truck parking and vehicle storage. In addition, there are two covered buildings: one diesel refueling station and a second independent station near the southern edge of the property equipped as a wash rack to clean the interior/exterior of the trucks and trailers.

A visual inspection of the Maintenance Shop, Wash Rack, and Refueling Station was conducted followed by a records review.

Maintenance Shop:

Within the maintenance garage there are containers established for used oil, antifreeze used oil filters, excluded shop rags, and scrap metal. The used oil container is a 350-gallon double walled storage tank, antifreeze is stored in a 150-gallon plastic PIG prior to recycling, and drained used oil filters are stored in two 55-gallon drums (Photo 1). The containers had secondary containment and were in good condition but none had labels indicating the contents. I explained the used oil labeling requirements promulgated in Chapter 62-710 Florida Administrative Code and also provided labels and stencils at the conclusion of the inspection.

There was one parts washer in this area, Mr. Terrio indicated it is serviced about every 12 weeks by Safety-Kleen, Inc (Photo 2). I inquired about universal waste spent lamp management, to which he explained spent lamps were previously being disposed of as solid waste. I stated regulations from Part 273 CFR which requires mercury-containing waste to be managed separately and recycled. Mr. Terrio confirmed they would update their lamp disposal process in accordance with state and federal regulations.

Wash Rack:

MTL has an enclosed wash rack system for washing the interior and exterior of their tanker trucks. Wash water is collected in either a restricted 5,000-gallon tank or a general 5,000-gallon waste water collection tank (Photo 3). The restricted tank collects the interior wash water and the general tank is designated for exterior wash water. The water from the restricted tank is sent to Oil Recovery waste water treatment plant in Mobile, AL and the general tank water is sent to Pace, FL utility. Mr. Terrio explained the wastewater is periodically sampled to meet treatment standards and is analyzed for pH, metals, nitrate, nitrite, and oxygen demand. No issues were noted in this area.

Refueling Station:

At the entry of the property there is a covered refueling station with one double-walled 12,000-gallon tank (Photo 4). The tanks contain product diesel and are registered with the Department Storage Tank Program (ID #9812547). No issues were noted.

Records:

Training records were reviewed first. Training is required upon hire for drivers. Drivers and employees also receive onsite training in a classroom setting by MTL employee, Henry Garrett, and additional training is required monthly through an online system called Infinity. Course modules include emergency response, hazmat, communications, spill response, and awareness. Training sign-in sheets are kept electronically and were reviewed with no deficiencies noted. Quarterly wash rack inspections were reviewed for 2018 and appeared to be complete. A batch disposal receipt for the restricted waste water tank was reviewed with no concerns noted. Manifests were reviewed for hazardous waste and used oil from FY 2018 and appeared to be complete.

New Potential Violations and Areas of Concern:

Violations

Type: Violation

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Rule: 62-710.401(6), 62-710.850(5)(a)

Explanation: Storage containers in the Maintenance Shop did not have labels.

Corrective Action: Apply labels indicating "Used Oil" storage containers and "Used Oil Filters."

PHOTO ATTACHMENTS:

Photo 1 - Used Oil Filter Storage



Photo 2 - Parts Washer



Photo 3 - Wash Rack Tanks



Photo 4 - Diesel Fuel Tank



Conclusion:

The facility appeared to be out-of-compliance with state used oil regulations at the conclusion of this inspection.

Guidance materials and extra labels and stencils were provided at the end of this inspection. Please ensure the appropriate labeling techniques and container management for all used oil storage (labels, closed lids, good container integrity, etc.) and ensure the correct management of universal waste.

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2.0 - VSQG 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 Very 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 VSQG)			
2.2	Does the facility generate less than 100 kg/mo (220 lb/mo) of all hazardous wastes? 262.14(a)(1)	✓		
2.3	Does the facility generate less than 1kg/mo of acutely toxic (P-listed, 40 CFR 261.33(e)) hazardous wastes? 262.14(a)(1)	✓		
2.4	Does the facility accumulate onsite no greater than 1,000 Kilograms (2,200 pounds) of hazardous waste at any one time? 262.14(a)(4)	✓		
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)? 262.14(a)(3)			✓
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 <input type="checkbox"/> Is it excluded under 261.4? <input type="checkbox"/> Is it listed in subpart D of 261 or appendix IX of 261? <input type="checkbox"/> Has the waste been analyzed? <input type="checkbox"/> 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) 262.14(a)(5) <input type="checkbox"/> Name and address of the generator and TSD/authorized facility. <input type="checkbox"/> Type and amount of hazardous waste delivered. <input type="checkbox"/> Date of shipment	✓		
2.8	Are written records and other receipts documenting proper disposal retained for at least 3 years? 62-730.030(3)	✓		

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6.0 - Transporters Checklist

Requirements:

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

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

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

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

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Signed:

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

Paige L Plier

Principal Inspector Name

Inspector

Principal Inspector Title



Principal Inspector Signature

DEP

Organization 01/15/2019

Date

Scott Terrio

Representative Name

Terminal Manager

Representative Title

MTL

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: Russell G Sullivan

Inspection Approval Date: 01/16/2019