



# FLORIDA DEPARTMENT OF Environmental Protection

Northeast District  
8800 Baymeadows Way West, Suite 100  
Jacksonville, Florida 32256

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

June 13, 2019

Mr. Michael Schorr, EH&S Manager  
Universal Environmental Services, LLC  
411 Dividend Drive  
Peachtree City, GA 30269  
[mschorr@universalenviron.com](mailto:mschorr@universalenviron.com)

**Re: Compliance Assistance Offer  
Universal Environmental Services, LLC  
EPA/DEP ID: FLR 000 220 319  
Duval County – Hazardous Waste**

Dear Mr. Schorr:

A compliance inspection was conducted at your facility on March 19, 2019, under the authority of Section 403.091, Florida Statutes. During this 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 403, Florida Statutes, and Chapters 62-710 and 62-730, 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 'New Potential Violations and Areas of Concern' and respond within 30 days of receipt of this Compliance Assistance Offer. Your response should include one of the following:

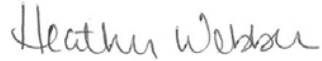
1. Describe what has been done to resolve the non-compliance issue or provide a time schedule describing how/when the issue will be addressed;
2. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid; or
3. Arrange for the case manager to visit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

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

Universal Environmental Services, LLC  
Facility ID No: FLR 000 220 319  
Compliance Assistance Offer  
Page 2 of 2

Please address your response and any questions to Cheryl L. Mitchell of the Northeast District Office at 904-256-1620 or via e-mail at [cheryl.l.mitchell@FloridaDEP.gov](mailto:cheryl.l.mitchell@FloridaDEP.gov). We look forward to your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Heather Webber".

Heather Webber  
Environmental Administrator

Enclosure:     Inspection Report

Ec:     Mr. Kent Rittscher, Universal Environmental Services, LLC ([krittischer@universalenviro.com](mailto:krittischer@universalenviro.com))  
FDEP Jacksonville: Cheryl Mitchell, Pam Fellabaum, Heather Webber, DEP\_NED



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

---

**FACILITY INFORMATION:**

**Facility Name:** Universal Environmental Services LLC

**On-Site Inspection Start Date:** 03/19/2019      **On-Site Inspection End Date:** 03/19/2019

**ME ID#:** 122495      **EPA ID#:** FLR000220319

**Facility Street Address:** 5910 Highway Ave, Jacksonville, FL 32254-6504

**Contact Mailing Address:** 411 Dividend Dr, Peachtree City, GA 30269-1940

**County Name:** Duval      **Contact Phone:** (678) 544-2915

**NOTIFIED AS:**

Non-Handler

Used Oil

**INSPECTION TYPE:**

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Used Oil Transfer Facility facility

**INSPECTION PARTICIPANTS:**

Principal Inspector: Cheryl L Mitchell, Inspector

Other Participants: Daniel Trubey, Environmental Technician

**LATITUDE / LONGITUDE:** Lat 30° 19' 12.0333" / Long 81° 45' .7395"

**NAIC** 423930 - Recyclable Material Merchant Wholesalers

**TYPE OF OWNERSHIP:** Private

**Introduction:**

Universal Environmental Services, LLC (UES) was inspected on March 19, 2019. A site visit was also conducted on March 27, 2019, for records review. The Department has never inspected this facility. UES notified the Department on September 21, 2016, as a Used Oil Transporter/Transfer facility and Used Oil Filter Transporter/Transfer facility and is operating as a Non-Handler of hazardous waste.

UES operates multiple facilities within the southeastern United States. UES collects and processes used oil and antifreeze, and transports bulk fuels and oily water for processing at other facilities. UES has been at this location since 2016, has one full-time employee and operates one vacuum truck. The facility is connected to city water and sewer. UES operates Monday through Friday from 8:00 AM to 5:00 PM. The facility consists of a Truck Loading / Unloading Area, an Aboveground Storage Tank (AST) Compound and a Warehouse. Mr. Daniel Trubey, UES Environmental Technician, and Pam Fellabaum (DEP) were present during the inspection on March 19. Mr. Kent Rittscher, UES Area Manager, was present during the March 27 visit, and Mr. Michael Schorr, UES Regional ES&H Manager, participated by phone during the March 27 visit.

**Process Description:**

**USED OIL TRANSPORTER AND TRANSFER FACILITY**

UES operates one vacuum truck that has a 3,000-gallon compartment for used oil and a 1,000-gallon compartment for oily water and antifreeze (Photo 1).

Mr. Trubey said that a used oil sample is collected from each customer prior to service and screened for halogens using a portable detector (Photo 2). Chlor-D-Tect kits are also kept on the truck for use if needed. The results of the halogen screening are recorded for each customer. The used oil samples are taken

Inspection Date: 03/19/2019

back to the Warehouse, described below, and held for three months in case the receiving facility requests additional analysis. After three months, the used oil is emptied into one of two 55-gallon drums also located in the Warehouse.

#### Truck Loading / Unloading Area

-----

This area is located adjacent to the AST Compound, described below, and is used during transfer operations. At the end of the work shift, the truck returns to the facility, and the used oil is transferred into one of two 18,000 gallon used oil tanks located within the AST Compound. Oily water and antifreeze are transferred into the appropriate tank as needed. Mr. Trubey stated that the vacuum truck is parked in this area when it is not in use, and that it never holds used oil for longer than 24 hours.

Trucks that pump used oil, oily water and antifreeze from the ASTs for off-site transport to other facilities for further processing, described below, also use this area. The area had secondary containment and adequate spill response and emergency equipment available.

#### Aboveground Storage Tank (AST) Compound

-----

This fenced area is located in the rear of the property between the Truck Loading/Unloading Area and the Warehouse. The AST compound is a curbed concrete pad that contains two 18,000-gallon horizontal ASTs for used oil, one 10,000-gallon horizontal AST for oily water, and one 3,600-gallon vertical AST for used antifreeze (Photos 3 and 4). All ASTs are single-walled tanks. The used oil tanks were properly labeled "Used Oil," and the other tanks were labeled as appropriate for the contents. The secondary containment was capable of containing 110% of the volume capacity of the largest tank but did not appear to be oil-impermeable, and there were small gaps and concrete spalling observed where the containment floor and walls were connected to the Warehouse building (Photos 5 - 7) [62-710.401(6), FAC].

Mr. Rittscher stated that used oil in the ASTs is normally transported two to three times a week to the UES refinery in Peachtree City, Georgia for further processing. Oily water is transferred to Water Recovery, Inc. (FLR 000 069 062) for processing. Antifreeze is transferred to the Peachtree City facility and treated by distillation and/or reverse osmosis to remove impurities and sold to recyclers for re-use.

#### Warehouse

-----

The Warehouse area has an office and large bay that is used for storage of supplies, equipment, used oil samples and waste accumulation containers. At the time of the inspection, there were two 55-gallon drums labeled "Non-Hazardous Used Absorbents" accumulating. One of the containers was opened for inspection (Photo 8). Mr. Trubey stated that the drums were used for used oil debris generated during transportation activities. Mr. Schorr stated that this wastestream also includes wastes such as oily rags, absorbents, and oily debris generated from cleaning filter baskets on the truck and at the facility. Mr. Schorr further explained that this wastestream is transported to the UES facility in Peachtree City, bulked with other similar wastes and transferred to a double-bottomed container to remove free-flowing oil. The resulting solid waste debris is analyzed and managed as non-hazardous waste prior to disposal at Chesser Island Solid Waste Landfill in Folkston, Georgia. UES manages this wastestream as non-hazardous waste, but it has not made a hazardous waste determination on this wastestream prior to off-site shipment by having the waste analyzed for hazardous waste characteristics [40 CFR 262.11].

A flammable locker in this area is used to hold the customers' used oil samples for three months. After that time, the samples are emptied into one of two 55-gallon drums. There were two 55-gallons drums labeled "Used Oil" accumulating. Both used oil drums were closed, properly labeled and located within secondary containment (Photo 9).

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

Mr. Rittscher stated that new customers complete a "Generator Status" form prior to servicing. The form requires the customer to identify its hazardous waste generator category and EPA ID number, if applicable. Mr. Schorr stated that UES also uses the DEP Handler website to determine the customer's generator status and whether a customer has an EPA ID number.

Inspection Date: 03/19/2019

UES maintains used oil record logs and shipping documents that include the results of halogen screenings for used oil it accepted for transfer. The records are maintained for a period of three years. While reviewing the used oil records, the inspector noted that several of UES customers had EPA ID numbers, but UES failed to document the EPA ID number on the used oil record [62-710.510(1)(b), FAC].

#### USED OIL FILTER TRANSPORTER AND TRANSFER FACILITY

-----

UES' used oil filter trucks are based at the Ocala, Florida UES facility. Mr. Rittscher stated that the trucks operate out of Ocala on 'milk runs' and return to Ocala for offload and further processing. The Jacksonville UES facility maintains its registration as a Used Oil Filter Transporter and Transfer Facility as secondary support for the Ocala trucks and facility.

Used Oil Filter Transporter and Transfer Facility Records Review:

Shipping papers and used oil filter records are maintained by the Ocala UES facility.

#### RECORDS REVIEW

-----

Records reviewed included hazardous waste manifests, shipping papers, annual registration, insurance liability coverage, personnel training records, and shipping documents and logs. Records reviewed appeared to be in order unless otherwise described above.

#### SECURITY

-----

The AST Compound described above is surrounded by a chain link fence with one access gate. The gate is kept locked when the facility is not manned. The gate and fence appeared to be in good condition. The Warehouse building described above is kept locked when no one is at the facility.

\*\*\*\*\*NOTE: As of June 18, 2018, the State of Florida has adopted the recently-updated Federal hazardous waste rules, more commonly known as the Generator Improvement Rule. As a transporter of hazardous waste, your facility may have customers that are 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)

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 PowerPoints and other workshop files that discuss the new requirements may also be found here: <ftp://ftp.state.fl.us/pub/outgoing/NED%20-%20HazWaste/TRA%20WORKSHOP%2002-13-2019/>

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

-----

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 Principal Inspector listed on page 1 of this 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.

Inspection Date: 03/19/2019

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

Type:	Violation
Rule:	262.11
Explanation:	The facility failed to manage its residues from the transport and transfer of used oil by disposing of the waste without performing a hazardous waste determination that includes analytical testing for hazardous waste characteristics.
Corrective Action:	<p>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:</p> <ul style="list-style-type: none"><li>- Ignitability, pursuant to 40 CFR 261.21, via method 1010;</li><li>- Toxicity Characteristic Leaching Procedure (TCLP) for RCRA Metals, pursuant to 40 CFR 261.24, via method 6010; and</li><li>- Toxicity Characteristic Leaching Procedure (TCLP) for Volatiles, pursuant to 40 CFR 261.24, via method 8260.</li></ul> <p>A copy of the result of this determination should be submitted to this office. None of the waste 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.</p> <p>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.</p>

---

Type:	Violation
Rule:	62-710.401(6)
Explanation:	The secondary containment in the AST Compound did not appear to be oil-impermeable and there were small gaps and concrete spalling observed where the containment floor and walls were connected to the Warehouse building.
Corrective Action:	In order to return to compliance, the facility should repair and seal the secondary containment in accordance with specifications for concrete containment repairs, construction and coatings as referenced in 62-762, FAC.

---

Type:	Violation
Rule:	62-710.510(1)(b); 279.46(a)(2)
Explanation:	The facility failed to document the EPA ID number of the generator on the used oil form and acceptance records.
Corrective Action:	In order to return to compliance, the facility should document the EPA ID number of the generator, if there is one, on the used oil form and acceptance records.

---

Inspection Date: 03/19/2019

PHOTO ATTACHMENTS:

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Inspection Date: 03/19/2019

Photo 7



Photo 8



Photo 9



Inspection Date: 03/19/2019

**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? 262.18(a)	✓		
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			✓

Inspection Date: 03/19/2019

**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

06/02/2019

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

Daniel Trubey

Environmental Technician

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

Universal Environmental Services

**Organization**

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

**Report Approvers:****Approver:**

Cheryl L Mitchell

**Inspection Approval Date:**

06/02/2019