



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
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West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

January 21, 2020

Eric Miranda, President
World Petroleum Corp.
3650 SW 47th Ave
Davie, FL 33314
emiranda@wpcorp.net

Re: Warning Letter #20-00009HW06SED
World Petroleum Corp.
EPA ID FLD980709075
Broward County

Dear Mr. Miranda:

Department personnel conducted a compliance evaluation inspection (CEI) of the above-referenced facility on October 31, 2019. During this inspection, possible violations of chapter 403, Florida Statutes (F.S.), chapter 62-730 Florida Administrative Code (F.A.C.), chapter 62-737 F.A.C., 40 CFR part 262, and 40 CFR part 263 were observed.

During the inspection, Department personnel noted the following:

- Failure to comply with hazardous waste transporter requirements by exceeding the 24-hour storage limit of hazardous waste; or notify the Department using the Form 62-730.900(1)(b), "8700-12FL – Florida Notification of Regulated Waste activity" as a hazardous waste transfer facility.
- Facility was acting as an unpermitted Hazardous Waste Treatment, Storage, and Disposal Facility (TSDF) by exceeding the 10-day storage limit for hazardous waste transfer facilities.
- Other potential non-compliance issues pertaining, but not limited to, hazardous waste container storage and labeling practices.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to sections 403.141, 403.161 and 403.727, Florida Statutes.

Please contact Carlos Grajeda, at (561) 681-6670, within **15 days** of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in receiving any

facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter. Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,



Jason Andreotta
Director, Southeast District
Florida Department of Environmental Protection

Enclosure: Hazardous Waste Final Inspection Report, dated 10/31/2019

cc: Chad Gregory, Director of Operations, World Petroleum Corp., cgregory@wpcorp.net
Andrea Miranda, Administrative Staff, World Petroleum Corp, avmirand@wpcorp.net
Jason Andreotta, Sirena Davila, Norva Blandin, Carlos Grajeda, Bheem Kothur - FDEP



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

FACILITY INFORMATION:

Facility Name: World Petroleum Corp
On-Site Inspection Start Date: 10/31/2019 **On-Site Inspection End Date:** 10/31/2019
ME ID#: 50795 **EPA ID#:** FLD980709075
Facility Street Address: 3650 SW 47th Ave, Davie, Florida 33314
Contact Mailing Address: 3701 SW 47th Ave Ste 101, Davie, Florida 33314
County Name: Broward **Contact Phone:** (954) 327-0724

NOTIFIED AS:

Transporter, Used Oil, VSQG

WASTE ACTIVITIES:

Generator: VSQG **Transporter:** Commercial Waste **Used Oil:** On-Spec, Oil Filters, Processor **Universal Waste:** Indicate types of UW generated and/or accumulated at the facility: **Transport:** Mercury Containing Lamps, Mercury Containing Devices **Transfer Facility:** Mercury Containing Lamps, Mercury Containing Devices

INSPECTION TYPE:

Routine Inspection for Used Oil Processor Facility
Routine Inspection for Used Oil Transporter Facility
Routine Inspection for Used Oil Transfer Facility Facility
Routine Inspection for Used Oil Marketer Facility
Routine Inspection for Hazardous Waste Transporter Facility
Routine Inspection for Universal Waste Transporter Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Romina J Lancellotti, Inspector
Norva Blandin, Environmental Administrator; Carlos Grajeda, Environmental Specialist II;
Jared Heyns, Environmental Specialist II; Chad Gregory, Director of Operations; Andrea
Other Participants: Miranda; Eric Miranda, President

LATITUDE / LONGITUDE: Lat 26° 4' 34.1948" / Long 80° 12' 33.0274"

NAIC: 324191 - Petroleum Lubricating Oil and Grease Manufacturing

TYPE OF OWNERSHIP: Private

Introduction:

On October 31, 2019 (10/31/2019), Romina Lancellotti with the Florida Department of Environmental Protection (FDEP) conducted a Compliance Evaluation Inspection (CEI) at World Petroleum Corp. (hereinafter WPC or facility), located at 3650 SW 47th Ave., Davie, FL 33314. The records review was conducted at WPC's main office located at 4100 SW 47th Ave., Davie, FL 33314. WPC was inspected to determine the facility's compliance with the state and federal hazardous waste regulations described in Title 40, Code of Federal Regulations (CFR) Parts 260-268, adopted and incorporated by reference in Rule 62-730, Florida Administrative Code (F.A.C.). The inspector was accompanied by Norva Blandin, Jared Heyns, and Carlos Grajeda from the FDEP.

The inspectors were escorted around the facility by Eric Miranda, President; Chad Gregory, Director of Operations; and Andrea Miranda, administrative staff. Upon arrival at the facility the inspectors presented their credentials and explained the purpose of the inspection.

WPC occupies one acre and is connected to public water and portable toilets. WPC has been operating at its

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current location since 2007, and employs 15 staff.

WPC is a permitted Used Oil and a Material Processing Facility, permit numbers 54228-008-HO and 54228-009-SO, expiration date 12/12/2023.

NOTIFICATION HISTORY

WPC initially notified with the Department as a used oil transporter on 03/07/1983. The facility was assigned the EPA Identification (EPAID) FLD980709075. The facility most recently notified as a Very Small Quantity Generator (VSQG) of hazardous waste, hazardous waste transporter, universal waste transporter, small quantity handler of universal waste and mercury-containing devices, Petroleum Contact Water (PCW) transporter, used oil transporter, used oil transfer facility, used oil processor (on spec), used oil filter transporter, used oil transfer, and used oil filter processor on 03/01/2019.

INSPECTION HISTORY

The facility was previously inspected by the Department on 07/19/2017 as a VSQG and was found to be out of compliance at the time of the inspection for failure to: Conduct a waste determination on 22 drums, include EPA ID numbers for used oil generators in acceptance and delivery records, update the contact information in the contingency plan, and to make emergency arrangements with local authorities. The case was closed with formal enforcement actions and penalties applied.

The facility was also inspected by the Department on 12/22/2014 and was found to be out of compliance during the inspection for failure to: Include the home address of the emergency coordinator on the Contingency Plan, obtain the signature and returned signed copy by the designated facility. The case was resolved through Compliance without Enforcement (CWOE).

Personal Protective Equipment (PPE) was required to enter this facility. The inspectors were equipped with safety boots and hard hats throughout the inspection.

Process Description:

WPC transports hazardous waste from generator facilities to a second transporter, Stericycle (EPA ID FL0000702985), for hazardous waste only. WPC also transports used oil, oily water, used oil filters, PCW, and oily solid waste (rags and absorbents). The facility is also authorized to process used oil, used oil filters, oily water, solid waste, and to collect and transport PCW. WPC does not manage pharmaceutical wastes.

WPC is surrounded by security fencing and concrete-block walls. The facility consists of a tank farm (inside a secondary containment), used oil filters and oily solid waste storage, designated areas for empty container storage, parking for the facility's fleet vehicles, and two small outbuildings: One is used as an office and a laboratory, and the other is used as a maintenance shop in which minor repairs on fleet vehicles are made.

WPC maintains a fleet of 20 trucks that includes 3 vacuum trucks, a vactor truck, 4 tractor trailers, 9 pump trucks, box trucks, and pickups trucks. WPC fleet vehicles are used to transport used oil, PCW, oily water, used oil filters, oily waste; to pump out, vacuum, and transport used oil or oily water; and to transport hazardous waste and solid waste with the box trucks.

Tanks Farm and Used Oil Processing

Used oil and oily wastewater are received in the tank farm area located in the southeast corner of the facility. Used oil is offloaded into Aboveground Tanks (ASTs) located in the tank farm. The used oil is filtered, and then allowed to sit for further oil/water separation. The processed oil is tested for compliance with on-specification standards and is sold as fuel oil to WPC customers.

The inspectors observed the following ASTs in the tank farm:

- >One 30,000-gallon tank for used oil labeled with the words "Used Oil" and the number 1.
- >One 6,000-gallon tank for diesel fuel, labeled with the number 2.
- >One 30,000-gallon tank for used oil, labeled with the words "Used Oil" and the number 3.
- >One 20,000-gallon tank for oily water, labeled with the number 4.
- >One 20,000-gallon tank for used oil, labeled with the words "Used Oil" and the number 5.
- >One 20,000-gallon tank for oily water, labeled with the number 6.
- >One 20,000-gallon tank for used oil, labeled with the words "Used Oil" and the number 7.
- >One 20,000-gallon tank for oily water, labeled with the number 8.

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- >One 20,000-gallon tank for used oil, labeled with the words "Used Oil" and the number 9.
- >One 20,000-gallon tank for oily water, labeled with the number 10.

All the tanks listed above were observed within secondary containment of 50,000-gallon capacity and were properly labeled. Therefore, the facility complied with labeling and secondary containment requirements described under 62-710.401(6) F.A.C and 40 CFR 279.22(c), respectively.

There is a floating disk installed in each tank that measures the current volume of used oil or oily water being stored.

Oily water is filtered, and then transferred to a 30,000-gallon boiler tank where it is heated to 225° F for oil/water separation. The facility utilizes thermal oil for the process, which is heated in a separate heating tank and then transported through pipes directly to the boiler tank. The temperature of the thermal oil raised up to 300° F to complete this process. The process is shut down, and the oily water sits for eight hours to let the oil separate from the water before being transferred to holding tanks. The oil is then marketed to WPC customers as on-spec fuel oil. The separated water is pumped to a truck for delivery to Cliff Berry, Inc.

Mr. Gregory demonstrated to the inspectors that all piping was changed to hard piping to prevent any potential spills. The inspectors observed good housekeeping and best management practices (BMPs) implemented on site.

Storage Area

Used Oil Filters (UOFs) are consolidated into a 20-yard roll-off container before being crushed on site under a tented area surrounded with concrete berms. The UOFs are compacted and sold to US Foundry in Miami as scrap metal, and oily solid waste collected by WPC is shipped out to the Central Landfill in Broward County.

During the inspection, the inspectors observed:

- >Sixty-two 30-gallon plastic containers holding UOFs, labeled as "Used oil filters"
- >One 20-yard roll-off container holding crushed filters, labeled as Used Oil Filters for Recycling"
- >20 empty 55-gallon metal containers.
- >Eleven empty 30-gallon plastic containers.

Oily solid waste (rags and absorbents) are consolidated into a roll-off container for disposal at Waste Management in Pompano Beach, Florida. During the inspection, one 20-yard roll-off container holding oily rags and absorbents was observed in the storage area. The Storage area is located within a secondary containment, all used oil leaks are collected in a oil separator sump located at the northwest side of the property.

The inspector observed 58 spent mercury lamps stored in an open plastic container which was missing an accumulation start date [40 CFR 273.13(d)(1), 40 CFR 273.15(c)(1) & 62-737.400(5)(b) F.A.C., respectively]. The container was also missing the words "Universal Waste - Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)" according to 40 CFR 273.14(e).

During the inspection, the inspectors observed one white closed 55-gallon plastic container labeled as "hazardous waste" and as "Diesel Exhaust Fluid," however, the facility clarified that the hazardous waste labeling was done in error and the content of the container was product. Compliance assistance was offered during the inspection, and the inspectors informed the facility that containers labeled as hazardous waste shall be subject to RCRA regulations. Therefore, the facility shall ensure all containers stored by WPC possess the proper labeling.

According to the facility's Waste Analysis Plan (WAP), when collecting used oil, the driver utilizes an automatic halogen leak detector (Tiff Instruments Inc., model number 5050) to determine if the oil contains less than 1,000 ppm of halogens. If the instrument indicates an elevated reading, the drivers shall perform a field test using a Dexsil Kit Q-4000 to verify the halogen content is less than 1,000 ppm. When the oil is above 1,000 ppm of halogens, the used oil is presumed to be hazardous waste under the rebuttable presumption rule [40 CFR 279.44]; therefore, the used oil shall not be loaded onto the trucks or transported by WPC.

Additionally, WPC has a laboratory in which all used oil received and processed by the facility is tested using Dexsil Clor- D-Tect to determine their halogen content. Each batch of processed oil is also tested to determine the flash point. In accordance with the facility's Waste Analysis Plan (WAP), representative samples are collected for on-spec certification using certified laboratories while keeping records on-site for review.

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Preparedness and Prevention measures including eye wash areas, fire extinguishers, an internal communication system, and spill kits were observed on-site. WPC also conducts weekly and daily inspections (checklists) for their tanks and secondary containment areas, while also keeping documentation on-site for review.

DOT placards were displayed with the US DOT1118579FL on the side of all trucks. The transporters keep copies of the following on each truck: Operations Manual of WPC, Liquid Waste Transporter Permit #LW-000722-2019/2020, the Hazardous Material Management Facility License #ST-00038-19, Spill Prevention and Response Plan, certificate of liability insurance, and blank manifest forms. The trucks are also properly identified and registered as hazardous waste, used oil, and universal waste transporters and have spill kits and fire extinguishers available.

RECORDS REVIEW

All permits and documentation required by the inspectors were available for review on-site during the inspection. Three years worth of records for the shipment of hazardous waste, non-hazardous waste, universal waste, and used oil related waste were available for review. The inspectors reviewed the following:

Disposal Records

> Used oil, used oil antifreeze, used oil filters, oily water, and oily rags: Pick-up and delivery records for the last three years were provided for review during the inspection. Crushed UOFs are shipped as scrap metal to US Foundry (EPA ID FLD004128336), a permitted facility in Miami authorized to recycle used oil filters.

>Hazardous waste: WPC receives hazardous waste and employs Stericycle (EPA ID FL0000702985) as a transporter 2 for the delivery of hazardous waste, and Allworth, LLC. (EPA ID ALD094476793) as the designated facility, located at 500 Medco Rd, Birmingham, AL 35217.

>Universal waste - WPC utilizes the AERC Recycling Solutions, a subsidiary of Clean Earth (EPAID FLD984262782), as a mercury processing facility located at 4317 Fortune PI Ste J, West Melbourne, FL 32904.

Based on records review, WPC maintained hazardous wastes for a period of time that exceeds what is specified for hazardous waste transporters. The records indicate the following:

>>The manifest tracking number 019087930JJK indicates that on 07/15/2019, WPC accepted one 55-gallon drum of hazardous wastes (EPA waste codes D001, D035, F003, F005) from the generator, and delivered it to Stericycle (EPA ID FL0000702985) on 07/17/2019. Based on this information, WPC stored hazardous waste for two days. The manifest tracking number 019087919JJK indicates that on 03/08/2019, WPC accepted one 55-gallon drum of hazardous waste (EPA waste code D001) from the generator and delivered it to Stericycle (EPA ID FL0000702985) on 03/11/2019. Based on this information, WPC stored hazardous waste for three days. The manifest tracking number 019087895JJK indicates that on 11/09/2018, WPC accepted one 55-gallon drum of hazardous wastes (EPA waste codes D001, D035, F003, F005) from the generator, and delivered it to Stericycle (EPA ID FL0000702985) on 11/17/2018. Based on this information, WPC stored hazardous waste for eight days. The manifest tracking number 015912471JJK indicates that on 01/19/2017, WPC accepted one 55-gallon drum of hazardous wastes (EPA waste codes D039, D040) from the generator, and delivered it to Stericycle (EPA ID FL0000702985) on 01/27/2017. Based on this information, WPC stored hazardous waste for eight days.

The transporter who is owner or operator of a transfer facility which stores manifested shipments of hazardous waste for more than 24 hours but 10 days or less (hereinafter referred to as "the transfer facility") shall obtain an EPA/DEP identification number for each transfer facility location and notify the Department using Form 62-730.900(1)(b) F.A.C., "8700-12FL – Florida Notification of Regulated Waste Activity," pursuant to 62-730.171(2)(a). Therefore, the facility failed to comply with time limit requirements for hazardous waste transporters.

>>The manifest tracking number 015912473JJK indicates that on 01/04/2017, WPC accepted one 55-gallon drum of hazardous waste (EPA waste codes F003, F005, D001) from the generator, and delivered it to Stericycle (EPA ID FL0000702985) on 01/27/2019. Based on this information, WPC stored hazardous waste for 23 days. Pursuant to 40 CFR 263.12 & 62-730.171(1) F.A.C., if the facility stores hazardous waste for more than 10 days is subject to the permitting requirements for a hazardous waste storage facility.

Non-hazardous waste, including oily soil and oil absorbents are disposed of through Waste Management Central Landfill, located at 2700 NW 48th Street, Pompano Beach, FL 33073. Non-hazardous disposal records were

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available for review during the inspection.

> Contingency Plan - The facility was able to provide a hard copy of their current Contingency Plan during the inspection. Last revision occurred on 03/14/2018, but no changes have been made since the last arrangement with local authorities was made on 08/14/2017. All elements required by rule were included in the Contingency Plan including: Closure Plan, Waste Analysis Plan (WAP), and Emergency Response Procedures.

>Transport, receiving, and shipping records were available for review at the time of the inspection. The facility was using forms according to 62-710.901(2) F.A.C. All acceptance and delivery records reviewed were in compliance with requirements described in 40 CFR part 279.46. However, it was noted that the specification of "on-spec oil" was not included in the Non-Hazardous Waste Manifests when WPC offers oil as fuel. The inspectors offered compliance assistance and informed the facility that when selling oil as fuel, delivery records shall indicate that the oil is on-spec, and the associated analytical results shall be attached. Some of the customers that receive on-spec oil from WPC are: Tex Par, Triumvirate, Cliff Berry, and Community Asphalt.

> The facility's Used Oil and Used Oil Filter Annual Reports from the last three years were available for review during the inspection. The most recent Annual Report, dated 03/01/2019, appeared to be complete and in-order.

> Liability Records - Records of the facility's Used Oil Handler Certification of Liability Insurance forms from the last three years were available for review. The Certification of Liability Insurance forms appeared to be complete and in order at the time of inspection. The facility provided proof of pollution liability insurance issued by Nautilus Insurance Company in the amount of \$3 million, policy #SSP202312712, expiration date 07/07/2020. The facility also provided proof of automobile liability insurance issued by Great Divide Insurance Company in the amount of \$1 million, policy #BAP202312612, expiration date 07/07/2020. It was confirmed that WPC has not had any lapse in any of their liability insurance policies.

>The last three years of the facility's annual financial reports, specifically for its Used Oil Processing Facility Closing Cost Estimate Forms, were available for review during the inspection and also submitted to the Department. The Closing Cost Estimate forms appeared to be complete and in order at the time of the inspection.

> Records of the facility's Waste Analysis Plan were available for review. The inspector reviewed the facility's Waste Analysis Plan, and appeared to be complete and in order at the time of the inspection. More specifically, the facility appeared to have a standard operating procedure for testing of halogen content of used oil entering the facility.

>Laboratory Results were requested and available for review during the inspection. The facility sends one sample per batch to a laboratory to ensure that the oil meets the specifications for on-spec oil in order to sell it to its customers.

>The facility conducts daily tank inspections, and the associated daily inspection checklists were available for review during the inspection. The inspection checklists included: General housekeeping, security and fire safety, leaks, bonding cables, fire extinguishers, pipe surfaces, Safety Data Sheet (SDS), and Spill Prevention Control and Countermeasure (SPCC) Plan.

> Employee Training - All employees receive initial and annual hazardous waste and used oil training, which includes training on the proper handling of hazardous waste, used oil handling, storage, and spill cleanup. The facility also maintains records of the Used Oil Transporter certification and the hazardous waste transporter training for each of their employees. The last training was conducted on 06/02/2018.

> SPCC was available for review. The last revision dated was on 05/2017. No major changes have occurred since the Department's inspection in 2017. The document appeared to be in order and in compliance.

> All permits, forms, and inspection reports displayed on-site appeared to be complete and in order. In addition, the facility prominently displayed all permits and licenses issued by Broward County for its used oil handling activities in accessible locations on-site. The inspector observed that the posted county permits/licenses appeared to be complete and in-order.

New Potential Violations and Areas of Concern:

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Violations

| | |
|--------------------|---|
| Type: | Violation |
| Rule: | 263.12 , 62-730.171(1) |
| Explanation: | <p>During the inspection, the inspectors observed the manifest tracking number 015912473JJJ indicating that on 01/04/2017, WPC accepted one 55-gallon drum of hazardous waste, EPA waste codes F003, F005, D001 from the generator, and delivered it to Stericycle on 01/27/2019. Based on this information, WPC stored hazardous waste for 23 days.</p> <p>Based on records review, WPC exceeded the 24-hour and 10-day storage time limit for hazardous waste transporters and transfer facilities, respectively. Therefore, the facility is subject to the permitting requirements for a hazardous waste storage facility. Pursuant to Fla. Admin. Code Ann. r. 62-730.171(1) [40 C.F.R. § 263.12(a)], a transfer facility who accumulates hazardous waste for more than 10 days is an operator of a storage facility and is subject to the requirements of Rule 62-730 et seq. of the Fla. Admin. Code Ann. [40 C.F.R. Parts 264, 265, and 267] and the permit requirements of Fla. Admin. Code Ann. r. 62-730.220(1) [40 C.F.R. Part 270].</p> |
| Corrective Action: | <p>The facility is required to register and re-notify with the Department in order receive proper authorizations and permits required to operate as a 10-day hazardous waste transfer facility.</p> <p>If WPC stores hazardous waste for a period more than 10 days under any circumstances the facility will be subject to regulation under 40 CFR 264, 265, 267, 268, and 270 with respect to the storage of those wastes.</p> |

| | |
|--------------------|--|
| Type: | Violation |
| Rule: | 273.13(d)(1) |
| Explanation: | The facility failed to maintain 58 spent mercury lamps in an adequate and compatible container with the size of the spent mercury lamps and to keep it closed. |
| Corrective Action: | The facility shall provide an adequate and compatible container for the 58 spent mercury lamps and keep it closed. |

Comments:

The violation was corrected on-site, during the inspection, on 10/31/2019. The facility provided an adequate and compatible container for the 58 spent mercury lamps and properly closed it. No further action is needed.

Photo Attachments:

Before - Inadequate Open Container for 58 Spent Mercury Lamps



After - Closed Container for Spent Mercury Lamps



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Type: Violation
 Rule: **273.14(e)**
 Explanation: The facility failed to label a container holding 58 spent mercury lamps with the words "Universal Waste - Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)".
 Corrective Action: The facility shall label the container holding spent mercury lamps with the words "Universal Waste - Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)".

Comments:

The violation was resolved on-site, during the inspection, and the container was labeled with the words "Universal Waste."

Photo Attachments:

Before - Unlabeled Container with Spent Mercury Lamps



After - Spent Mercury Box Labeled as Universal Waste



Type: Violation
 Rule: **273.15(c)(1) , 62-737.400(5)(b)**
 Explanation: During the inspection, the inspectors observed 58 spent mercury lamps stored in a open container, not marked with the accumulation start date.
 Corrective Action: The facility shall mark the container with the accumulation start date.

Comments:

The violation was resolved on-site during the inspection by marking the container holding spent mercury lamps with the accumulation start date 10/31/2019. No further action is needed.

Type: Violation
 Rule: **62-730.171(2)(a)**
 Explanation: During the inspection, the inspectors observed the following:
 >>The manifest tracking number 019087930JJK indicates that on 07/15/2019, WPC accepted one 55-gallon drum of hazardous wastes (EPA waste codes D001, D035, F003, F005) from the generator, and delivered it to Stericycle (EPA ID FL0000702985), on 07/17/2019. Based on this information, WPC stored hazardous waste for two days.
 >>The manifest tracking number 019087919JJK indicates that on 03/08/2019, WPC accepted one 55-gallon drum of hazardous waste (EPA waste code D001) from the generator and delivered it to Stericycle (EPA ID FL0000702985), on 03/11/2019. Based on this information, WPC stored hazardous waste for three days.

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>>The manifest tracking number 019087895JJK indicates that on 11/09/2018, WPC accepted one 55-gallon drum of hazardous wastes (EPA waste codes D001, D035, F003, F005) from the generator, and delivered it to Stericycle (EPA ID FL0000702985), on 11/17/2018. Based on this information, WPC stored hazardous waste for eight days.

>>The manifest tracking number 015912471JJK indicates that on 01/19/2017, WPC accepted one 55-gallon drum of hazardous wastes (EPA waste codes D039, D040) from the generator, and delivered it to Stericycle (EPA ID FL0000702985), on 01/27/2017. Based on this information, WPC stored hazardous waste for eight days.

Pursuant to 62-730.171(2)(a) F.A.C. [40 C.F.R. § 263.11(a)], the transporter who is owner or operator of a transfer facility which stores manifested shipments of hazardous waste for more than 24 hours but 10 days or less shall notify the Department as a hazardous waste transfer facility using Form 62-730.900(1)(b), "8700-12FL - Florida Notification of Regulated Waste Activity," effective date April 23, 2013 [adopted by reference in paragraph 62-730.150(2)(a), F.A.C.].

Corrective Action: The facility shall cease hazardous waste transfer facility activities until the proper permits and registrations have been authorized and approved.

The facility shall register as hazardous waste transfer facility using Form 62-730.900(1)(b), "8700-12FL - Florida Notification of Regulated Waste Activity," and provide a copy to the Department.

PHOTO ATTACHMENTS:

Tanks Farm



Roll-off with Oily Solid Waste



WPC Truck with DOT Number



Roll-off with Scrap Metal from Crushed Used Oil Filters



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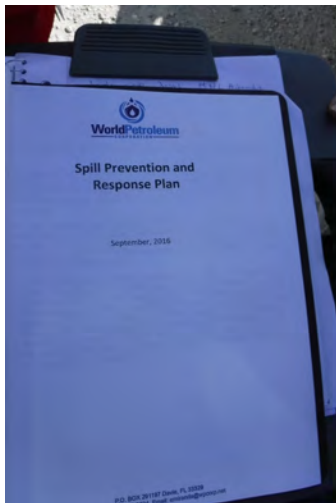
30,000-gallon Process Tank



Dexsil Halogen Test



Spill and Prevention Response Plan in Trucks



Conclusion:

WPC was inspected as a VSQG of hazardous waste, hazardous waste transporter, universal waste transporter, small quantity handler of universal waste and mercury-containing devices, petroleum contact water transporter, used oil transporter, used oil transfer facility, on-spec used oil processor, used oil filter transporter, used oil transfer, and used oil filter processor.

During the inspection, it was determined that the facility was out of compliance with the following: 62-730.171(2) F.A.C. for failure to comply with hazardous waste transporter requirements by exceeding the 24-hour storage

Tanks Valves to Manage Flow



Daily Tank Inspection Checklists

WPC Tank Farm - Daily Inspection Checklist Tank 1,2,3,4,5,6,7,8,9,10

Facility: World Petroleum Corp Location: Davis, Florida Supervisor: [Signature] Month: [Month] Year: [Year]

| Daily Inspections | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
|---|---------------------------|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| General Housekeeping/Maintenance | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Security and Fire Safety | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Leaks | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Bonding Cables | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Fire Extinguishers | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Hoses & Nozzles | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Signs & Placards | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Tank Exterior | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Tank High Level Controls | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Pipe Surface | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| MSDS (Available) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| SPCC Plan (Available) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Signature of person performing tasks or person accepting responsibility for tasks performed | [Signature] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Comments: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Maintenance Action: | Pressure Wash Containment | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

World Petroleum Corp Inspection Report

Inspection Date: 10/31/2019

time limit for hazardous waste; 40 CFR 263.12(a) and 62-730.171(1) F.A.C. for failure to comply with hazardous waste transporter and transfer facility requirements by exceeding the 10-day storage time limit for hazardous waste; 40 CFR 273.15(c)(1) and 62-737.400(5)(b) F.A.C. for failure to mark a container of spent mercury lamps with the accumulation start date; 40 CFR 273.14(e) for failure to label a container with spent mercury lamps with the words "Universal Waste-Lamps;" 40 CFR 273.13(d)(1) for failure to maintain spent mercury lamps in an adequate and compatible closed container.

The violations pertaining the spent mercury lamps were resolved during the inspection by providing an adequate closed container, labeling with the words "Universal Waste," and the accumulation start date. These actions resolved the violations 40 CFR 273.15(c)(1), 62-737.400(5)(b) F.A.C, 40 CFR 273.14(e) and 40 CFR 273.13(d)(1).

The inspector requested additional information in an exit interview which was sent via email on 11/15/2019. The facility responded to the exit interview on 11/26/2019 and provided the requested WAP and proof of submittal of the liability insurance to the Department. In the email, WPC also claimed that hazardous waste was not stored at the facility. WPC stated that the hazardous waste drums were never unloaded from the transport vehicle; therefore, the drums were to be considered "in-transit" under the DOT regulations and never stored at the facility. However, DOT regulations do not apply and the trucks are considered a storage vessel under RCRA. Under 40 CFR 260.10, storage means the holding of hazardous waste for a period of time, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

The facility shall not store hazardous waste for more than 24 hours. However, if the facility elects to register as a hazardous waste transfer facility it shall ensure that hazardous waste is not stored more than 10 days and meets all the requirements under 40 CFR 263 and 62-710 F.A.C. for hazardous waste transporters.

If the facility stores hazardous waste for a period more than 10 days the facility will be subject to regulation under 40 CFR 264, 265, 267, 268, and 270 with respect to the storage of those wastes, including permitting requirements.

To date, the violations 62-730.171(2) F.A.C., 40 CFR 263.12 and 62-730.171(1) F.A.C. are still pending resolution. Therefore, a Warning Letter will be issued by the Department to address the issues described in this report.

Inspection Date: 10/31/2019

5.0: Used Oil Generator 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. | Used Oil Container and Tank Management | Yes | No | N/A |
|----------|---|-----|----|-----|
| 5.1 | Does the facility store used oil only in tanks, containers or permitted hazardous waste storage units? 279.22(a) | ✓ | | |
| 5.2 | Are used oil containers/tanks in good condition? 279.22(b)(1) | ✓ | | |
| 5.3 | Are used oil containers/tanks not leaking? 279.22(b)(2) | ✓ | | |
| 5.4 | Are used oil containers/tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(1) | ✓ | | |
| 5.5 | Are fill pipes used to fill underground tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(2) | ✓ | | |
| Item No. | Secondary Containment | Yes | No | N/A |
| 5.6 | Are containers/tanks 55-gallons or smaller that are stored inside: | | | |
| 5.7 | Stored on an oil-impermeable surface? 62-710.401(6) | ✓ | | |
| 5.8 | Are containers/tanks larger than 55-gallons that are stored inside: | | | |
| 5.9 | Stored on an oil-impermeable surface? 62-710.401(6) | ✓ | | |
| 5.10 | Does the building provide adequate secondary containment, or are the containers/tanks double-walled, or stored within or on engineered secondary containment that has the capacity to hold 110% of the volume of the largest container/tank, or are the containers/tanks portable/wheeled and typically emptied every 24 hours? 62-710.401(6) | ✓ | | |
| 5.11 | Are containers/tanks (regardless of size) that are stored outside: | | | |
| 5.12 | Closed or otherwise protected from the weather? 62-710.401(6) | ✓ | | |
| 5.13 | Double-walled or stored on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest container within the secondary containment? 62-710.401(6) | ✓ | | |
| Item No. | Used Oil Releases | Yes | No | N/A |
| 5.14 | Has the generator, upon detection of a release, done all of the following, as applicable: | | | |
| 5.15 | stop the release? 279.22(d)(1) | ✓ | | |
| 5.16 | contain the released oil? 279.22(d)(2) | ✓ | | |
| 5.17 | clean up and manage properly the released used oil and other materials? 279.22(d)(3) | ✓ | | |
| 5.18 | if necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service? 279.22(d)(4) | ✓ | | |
| 5.19 | Is the facility in compliance with the prohibition against discharges of used oil into soils, sewers, drainage systems, septic tanks, surface or ground waters, watercourses, or marine waters? 62-710.401(2) | ✓ | | |
| 5.20 | Is the facility in compliance with the prohibition against using used oil for road or pavement oiling for dust control, weed abatement, or other similar uses that have the potential to release used oil into the environment? 62-710.401(5) | ✓ | | |
| Item No. | Used Oil Filter Container Management | Yes | No | N/A |

Inspection Date: 10/31/2019

| | | | | |
|----------|--|-----|----|-----|
| 5.21 | Does the facility store used oil filters in containers? 62-710.850(5)(a) | ✓ | | |
| 5.22 | Are the used oil filter containers clearly labeled "Used Oil Filters"? 62-710.850(5)(a) | ✓ | | |
| 5.23 | Are the used oil filter containers in good condition? 62-710.850(5)(a) | ✓ | | |
| 5.24 | Are the used oil filter containers not leaking? 62-710.850(5)(a) | ✓ | | |
| 5.25 | Are the used oil filter containers closed or otherwise protected from weather? 62-710.850(5)(a) | ✓ | | |
| 5.26 | Are the used oil filter containers stored on an oil-impervious surface? 62-710.850(5)(a) | ✓ | | |
| Item No. | Releases from Used Oil Filter Containers | Yes | No | N/A |
| 5.27 | Has the generator, upon detection of a release, done all of the following, as applicable: | | | |
| 5.28 | stop the release? 62-710.850(5)(b) | ✓ | | |
| 5.29 | contain the released oil? 62-710.850(5)(b) | ✓ | | |
| 5.30 | clean up and manage properly the released oil and any subsequent oily waste? 62-710.850(5)62-710.850(5)(b) | ✓ | | |
| 5.31 | repair or replace any leaking used oil filter storage containers prior to returning them to service? 62-710.850(5)(b)4 | ✓ | | |
| Item No. | Used Oil Mixtures | Yes | No | N/A |
| | <input type="checkbox"/> Is the facility a VSQG that mixes hazardous waste with used oil and manages the mixture under 279? Note: VSQGs can mix both listed and characteristic wastes with used oil. | | | |
| | <input type="checkbox"/> Is the facility a SQG or LQG that is mixing listed waste (except for listed waste that only is listed because it exhibits a characteristic - see question below) with used oil? [VSQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so: | | | |
| 5.32 | Is the mixture being managed as listed hazardous waste? 279.10(b)(1) | | | ✓ |
| | <input type="checkbox"/> Is the facility a SQG or LQG that mixes only characteristic waste (or listed waste that only exhibits a characteristic) with used oil? [NOTE: This is also considered HW Treatment and other rules apply. However, VSQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so: | | | |
| 5.33 | Is ignitability the only characteristic of the hazardous waste prior to mixing (or is the HW listed only for ignitability)? If so: | | | |
| 5.34 | Is the mixture managed as HW if it exhibits the ignitability characteristic? 279.10(b)(2)(iii) | | | ✓ |
| 5.35 | Does the hazardous waste exhibit ANY characteristic other than ignitability prior to mixing (or is the HW listed only for a characteristic other than ignitability)? If so: | | | |
| 5.36 | Is the mixture managed as HW if it exhibits ANY characteristic (even if the characteristic of the mixture is from the used oil, rather than from the HW)? 279.10(b)(2)(i) | ✓ | | |
| 5.37 | Does the facility generate mixtures of other materials contaminated with used oil (i.e. absorbents, rags, dirt)? If so: | | | |
| 5.38 | Are UO-contaminated materials that contain visible free-flowing UO managed under 279 used oil standards? 279.10(c)(3) | ✓ | | |
| 5.39 | Does the facility either manage UO-contaminated materials that do not contain visible free-flowing UO as hazardous waste have records documenting the materials are not hazardous waste? 279.10(c)(1)(ii) | ✓ | | |
| 5.40 | Are UO-contaminated materials that will be burned for energy recovery being managed as used oil under 279? (Used oil-contaminated materials should have a heating value of at least 5000 Btu/pound to be burned for energy recovery under 279, so low-Btu-value materials like contaminated soils and clay absorbents are solid waste, subject to 262 HW determinations.) 279.10(c)(3) | | | ✓ |
| 5.41 | Does the facility generate mixtures of used oil with fuel or fuel products? If so: | | | |
| 5.42 | Does the facility manage mixtures of UO and fuel/fuel products under 279 used oil standards? | ✓ | | |

World Petroleum Corp Inspection Report

Inspection Date: 10/31/2019

| | | | | |
|-----------------|--|------------|-----------|------------|
| | [Note: 279.10(d)(2) allows on-site mixing of UO with diesel fuel for use in the generator's own vehicles.] 279.10(d)(1) | | | |
| 5.43 | Is the facility in compliance with the prohibition against mixing or commingling used oil with solid waste that is to be disposed of in landfills or directly disposing of used oil in landfills? (Persons unknowingly disposing into a landfill used oil or used oil filters which have not been properly segregated or separated from other solid wastes by the generator are not subject to this prohibition. Oily waste, sorbents or other materials used for maintenance or clean up as a result of spills or release are not subject to this prohibition.) 62-710.401(3) | ✓ | | |
| 5.44 | Is the facility in compliance with the prohibition against mixing or commingling used oil with hazardous substances that make it unsuitable for recycling or beneficial use? (Notwithstanding the provisions found in 40 CFR 279.10(b)(3)). 62-710.401(4) | ✓ | | |
| Item No. | Space Heaters | Yes | No | N/A |
| 5.45 | Does the generator burn used oil on-site in a used oil-fired space heater? [Generators who burn off site, non household oil, or burn oil in devices not meeting the space heater exemption must comply with 40 CFR 279 - Subpart G.] | | | |
| 5.46 | If so, does the facility burn only used oil generated on-site or only household DIY used oil? 279.23(a) | | | ✓ |
| 5.47 | If so, does the heater have a capacity of no more than 0.5 million BTU/hr? 279.23(b) | | | ✓ |
| 5.48 | If so, are combustion gasses vented to the atmosphere? 279.23(c) | | | ✓ |
| Item No. | Off-site Shipments | Yes | No | N/A |
| 5.49 | Does the generator only use transporters who have received EPA Identification numbers? (Include names and numbers in report narrative) 279.24 | ✓ | | |
| 5.50 | Self transport to collection centers - Does the generator only transport their own used oil and used oil from household DIY to a used oil collection center? If so: | | | |
| 5.51 | Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(a)(1) | | | ✓ |
| 5.52 | Does the generator transport no more than 55 gallons of used oil at one time? 279.24(a)(2) | | | ✓ |
| 5.53 | Does the generator transport the used oil to a used oil collection center that is registered, licensed, permitted or recognized by a state/county/municipal government to manage used oil ? 279.24(a)(3) | ✓ | | |
| 5.54 | Self transport to aggregation points - Does the generator transport used oil that is generated at the generator's site to an aggregation point? If so: | | | |
| 5.55 | Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(b)(1) | | | ✓ |
| 5.56 | Does the generator transport no more than 55 gallons of used oil at one time? 279.24(b)(2) | | | ✓ |
| 5.57 | Does the generator transport the used oil to an aggregation point that is owned/operated by the same generator? 279.24(b)(3) | | | ✓ |
| 5.58 | Tolling Agreement - is the used oil transported and then reclaimed under a contractual agreement pursuant to which reclaimed oil is returned by the processor/re-refiner to the generator for use as a lubricant, cutting oil, or coolant? If so: | | | |
| 5.59 | Does the contract indicate the type and frequency of shipments? 279.24(c)(1) | | | ✓ |
| 5.60 | Does the contract indicate that the vehicle used to transport the used oil to the processing/re-refining facility is owned and operated by the used oil processor/re-refiner? 279.24(c)(2) | ✓ | | |
| 5.61 | Does the contract indicate that the reclaimed oil will be returned to the generator? 279.24(c)(3) | ✓ | | |
| Item No. | Marketing and Processing | Yes | No | N/A |
| | <input checked="" type="checkbox"/> Does the generator claim that the used oil meets the specification in 40 CFR 279.11? [If so, and the oil is to be burned for energy recovery, the generator is a marketer subject to 40 | | | |

Inspection Date: 10/31/2019

| | | | | |
|--|---|--|--|--|
| | CFR 279 Subpart H.] | | | |
| | <input checked="" type="checkbox"/> Does the generator process used oil by filtering, oil/water separation or other methods prior to direct shipment to an off site used oil burner? [If so, the generator is also a used oil processor subject to 40 CFR 279 - Subpart F.] | | | |

Inspection Date: 10/31/2019

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

Romina J Lancellotti**Principal Investigator Name****Principal Investigator Signature**Inspector**Principal Investigator Title**DEP**Organization**12/19/2019**Date**Norva Blandin**Inspector Name**Environmental Administrator**Inspector Title**FDEP**Organization**Carlos Grajeda**Inspector Name**Environmental Specialist II**Inspector Title**FDEP**Organization**Jared Heyns**Inspector Name**Environmental Specialist II**Inspector Title**FDEP**Organization**Chad Gregory**Representative Name**Director of Operations**Representative Title**World Petroleum**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.

Inspection Date: 10/31/2019

Andrea Miranda**Representative Name**World Petroleum**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.

Eric Miranda**Representative Name**President**Representative Title**World Petroleum**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:**Norva Blandin**Inspection Approval Date:**12/19/2019

PENALTY COMPUTATION WORKSHEET
SUBJECT TO FINAL APPROVAL

Violator's Name: **World Petroleum Corp. (EPA ID FLD980709075)**

Address: 3650 SW 47 Ave, Davie, FL 33314

Name of Department Staff Responsible for the Penalty Computations:

Carlos Grajeda

Date: 2/20/2020

PART I - PENALTY DETERMINATIONS

| Violation Type and description | RCRA Guideline | ELRA Schedule | ENVIRONMENTAL Harm | Extent of Dev. | Matrix Amount | Adjust-ments | Total |
|--|---------------------|---------------|--------------------|---|---------------|--------------|------------------------|
| 40 C.F.R. part 263.12, 62-730.171(1) F.A.C. Transfer facility requirements- Non Compliance with Permit conditions. | Line #2 Page #5 | | Minor | Major | \$4,250 | \$0.00 | \$4,250.00 |
| 40 C.F.R. part 273.13(d)(1), 40 C.F.R. part 273.14(e), and 40 C.F.R. part 273.15(c)(1), 62-737.400(5)(b) F.A.C. Standards for Universal Waste management | Line 5&6 Page 11 | | Minor | Moderate | \$2,130 | \$0.00 | \$2,130.00 |
| 62-730.171(2)(a) F.A.C. Notification Requirement for HW Transfer facility | Line #2 Page #4 | | Moderate | Major | \$15,580 | \$0.00 | \$15,580.00 |
| | | | | Minor | \$0 | \$0.00 | \$0.00 |
| | | | | Minor | \$0 | \$0.00 | \$0.00 |
| | | | | Subtotals: | \$21,960 | \$0.00 | \$21,960.00 |
| | | | | <u>Total Penalties for all violations:</u> | | | <u>\$21,960</u> |
| | | | | Department Costs: | | | \$500 |

District Director

Date

Michael Halpin
Assistant Deputy Secretary, Regulatory

Date

Peer Reviewed by Division: Yes () No ()

PART II - MULTI-DAY PENALTIES AND ADJUSTMENTS

| <u>Adjustments</u> | <u>Amount</u> |
|---|---------------|
| Good faith prior to discovery: _____ | \$0 |
| Justification: _____ | |
| Good faith after disco _____ | \$0 |
| Justification: _____ | |
| History of non-compliance: <u>Previous enforcement case in 2017 - within 5 yrs - no repeated violations</u> | \$0 |
| Justification: _____ | |
| Economic benefit of non-compliance <u>Refer to descriptions and calculations below.</u> | |
| Justification: <u>Refer to descriptions and calculations below.</u> | |
| Ability to pay: _____ | \$0 |
| Justification: _____ | |
| Total Adjustments: | \$0.00 |

ECONOMIC BENEFIT CALCULATIONS

Violation 40 CFR 263.12; 62-710.171(1)

$$EB = AC(1-T) + DC(I) =$$

AC = Avoided Costs – expenditures that will never be incurred for violator's noncompliance.

DC = Delayed Costs – expenditures deferred by violator's failure to comply.

T = Corporate Tax Rate = 21% (in 2020)

I = Interest rate charged by IRS for delinquent accounts = **4% (in 2020)**

Avoided Costs (AC) and/or Delayed Costs (DC) for each Violation:

Avoided Costs = \$0

Delayed Costs = \$10,000 (current amount for obtaining a hazardous waste storage operational permit) Facility failed to apply for a hazardous waste storage permit during the past two years.

T = Current Corporate Tax Rate (Current rate as of 2020) = 0.21

I = IRS Interest Rate (2020) = 4 % per year

$$EB = AC(1-T) + DC(I)$$

$$EB = \$10,000(0.04)$$

$$EB = \$400$$

$$EB = \$400 * 2 = \$800$$

The economic benefit was calculated for not obtaining a hazardous waste storage operational permit. Delayed cost was considered because one 55-gallon drum of hazardous waste was stored for 23 days, and this is the first time the facility has this violation. Based on this, Economic Benefit is not being pursued in this case because it was calculated at **\$800**.

Florida RCRA Hazardous Waste Program-Economic Benefit Calculation Guidance

MULTI-DAY PENALTIES

Number of days adjustment factor(s) to be applied:

Justification: _____ \$ -

Or

Number of days matrix amount is to be multiplied:

Justification: _____ \$ -

Comments:

PART III - OTHER ADJUSTMENTS MADE AFTER MEETING WITH THE RESPONSIBLE PARTY

ADJUSTMENT

Dollar Amount

Relative merits of the case:

Resource Considerations:

Other Justification:

Date

, District Director

Memorandum

Florida Department of Environmental Protection

To: WasteCAP@floridadep.gov
Mike Halpin, Assistant Deputy Secretary
Division of Waste Management

Through: Jason Andreotta, District Director
Sirena Davila, Assistant District Director
Southeast District, Compliance Assurance Program

From: Norva Blandin, MSEM Environmental Administrator
Carlos Grajeda, Environmental Specialist II, CAP

Date: 2/24/2020

Subject: Peer Review Request for World Petroleum Corp. in Davie, FL

The Southeast District Compliance Assurance Program is requesting a peer review for the following case.

Program: Hazardous Waste

Facility/Site ID No. FLD980709075

Facility/Site Name: World Petroleum Corp.

Facility Owner: Eric Miranda

Facility Address/Location: 3650 SW 47th Ave, Davie, in Broward County, FL

Brief Description of Facility/Site:

World Petroleum Corp. (WPC) is a permitted used oil and a material processing facility (permit numbers 54228-008-HO and 54228-009-SO). WPC notified as a used oil transporter, Very Small Quantity Generator (VSQG) of hazardous waste, hazardous waste transporter, universal waste transporter, small quantity handler of universal waste and mercury containing devices, Petroleum Contact Water (PCW) transporter, used oil transporter, used oil transfer facility, used oil processor (off-spec), used oil filter transporter, used oil filter transfer facility, and used oil filter processor.

On October 31, 2019, Southeast District (SED) personnel conducted a routine inspection of WPC to evaluate compliance with the regulatory standards of Processor/Transporter/Transfer/Marketer facilities of used oil, Transporters of Hazardous Waste and Transporters of Universal Waste. The inspection report cited a total of two violations related to Transporter and Transfer facility standards for Hazardous Waste stipulated in 40 Code of Federal Regulations (C.F.R.) Part 263 and Rule 62-730, Florida Administrative Code (F.A.C.), and three violations related to Universal Waste Lamps stipulated in 40 C.F.R. Part 273 and Rule 62-737, F.A.C.

A Warning Letter was issued on January 21, 2020 requesting a meeting to discuss the findings listed in the final inspection report. WPC responded to the Warning Letter on January 28, 2020 informing the Department that WPC would submit a notification and all related documents necessary to register as a 10-day hazardous waste transfer facility.

As of this date, all violations have been resolved. The District expects to resolve this case with a Short Form Consent Order (SFCO), if the settlement offer is accepted by the Respondent.

Violation(s) Summary:

1. 40 C.F.R. 263.12, 62-730.171(1), F.A.C. –Hazardous Waste Transfer Facility requirements @ MIN/MAJ

WPC exceeded the 10-day hazardous waste storage time limit for Transfer facilities. One 55-gallon drum of hazardous waste was held for a period of 23 days, from 01/04/2017 to 01/27/2017. This was the only known occurrence where the 10-day hazardous waste storage time limit was exceeded. Violation resolved.

- 2,3,4. 40 C.F.R. part 273.13(d)(1), 40 C.F.R. 273.14(e) 40 C.F.R. 273.15(c)(1), 62-737.400(5)(b), F.A.C. – Standards for Universal Waste Management @ MIN/MOD

WPC failed to properly manage 58 spent mercury lamps. Proper management includes container storage, labeling and marking with the accumulation start date of its content. Violation resolved.

5. 62-730.171(2)(a), F.A.C. – Notification Requirements for Hazardous Waste Transfer Facility @ MOD/MAJ

WPC exceeded the 24-hour hazardous waste transporter time limit. This exceedance occurred four times from 2017 to 2019. One 55-gallon drum of hazardous waste was held for a period of 8 days, from 01/19/2017 to 01/27/2017. One 55-gallon drum of hazardous waste was held for a period of 8 days, from 11/09/2018 to 11/17/2018. One 55-gallon drum of hazardous waste was held for a period of 3 days, from 03/08/2019 to 03/11/2019. One 55-gallon drum of hazardous waste was held for a period of 2 days, from 07/15/2019 to 07/17/2019. Violation resolved.

Violation(s) Classification:

1. 40 C.F.R. part 263.12, 62-730.171(1), F.A.C. – Hazardous Waste Transfer Facility requirements – Non-Compliance with Permit Conditions @ MIN/MAJ

This violation involves a “minor potential for harm” and a “major extent of deviation” from the applicable hazardous waste regulations, placing the violation in the \$2,130-4,250 matrix cell range. “Minor potential for harm” was chosen because the amount of waste

stored at the facility beyond the allowable time during each instance was one-55 gallon drum of hazardous waste and no discharges were noted, therefore, it is reasonably expected to result in pollution in a manner that represents a minimal threat to human health or the environment. The facility was acting as an unpermitted Hazardous Waste Storage Facility which is characterized as a “major extent of deviation” in the Department’s Guidelines for Characterizing Hazardous Waste Violations. Due to history of noncompliance of the facility, the top of the matrix penalty range was selected by the Department.

- 2,3, 4 40 C.F.R. part 273.13(d)(1), 40 C.F.R. part 273.14(e), 40 C.F.R. part 273.15(c)(1), 62-737.400(5)(b) F.A.C – Standards for Universal Waste Management @ MIN/MOD

The three violations were compressed because all violations are related. These violations involve a “minor potential for harm” and a “moderate extent of deviation” from the applicable hazardous waste regulations, placing the violation in the \$710-2,130 matrix cell range. “Minor potential for harm” was chosen because there was no evidence of release of the Universal Waste Mercury Lamps which is reasonably expected to result in pollution in a manner that represents a minimal threat to human health or the environment. Furthermore, WPC failed to properly store 58 spent mercury lamps in a container that is structurally sound and compatible with universal waste lamps, and mark the container with the accumulation start date, resulting in a “moderate extent of deviation” based on the Department’s Guidelines for Characterizing Hazardous Waste Violations. Due to the compression of the violations, the top of the matrix penalty range was selected by the Department.

5. 62-730.171(2)(a) F.A.C. Notification requirements for Hazardous Waste Transfer facility @ MOD/MAJ

This violation involves a “moderate potential for harm” and a “major extent of deviation” from the applicable hazardous waste regulations, placing the violation in the \$11,330-15,580 matrix cell range. “Moderate potential for harm” was chosen because acting as an unauthorized Hazardous Waste Transfer Facility while lacking the knowledge of requirements is reasonably expected to result in pollution in a manner that represents a significant threat to human health or the environment. Furthermore, failure to notify as a transfer facility is characterized as a major extent of deviation based on the Department’s Guidelines for Characterizing Hazardous Waste Violations. Due to the history of noncompliance of the facility, the top of the matrix penalty range was selected by the Department.

Proposed Enforcement & Penalty Calculation In lieu of Compliance Assistance:

The District has calculated a civil penalty and Department costs for this case in accordance with the attached penalty calculation work sheet.

As indicated in the attached penalty calculation worksheets, the District has calculated a total civil penalty of \$22,460.00 (including Department costs) for this case.

Economic Benefit was calculated for the violation of 40 CFR part 263.12, 62-730.171(1), F.A.C. The economic benefit was calculated for the failure to obtain a hazardous waste storage permit. Based on this, Economic Benefit is not being pursued in this case because it was calculated at \$800¹.

Why compliance without enforcement is not an appropriate alternative:

Two violations in this case are considered as significant non-compliance (SNC):

- 62-730.171(2)(a), F.A.C. – Hazardous Waste Transfer facility requirements – facility was acting as an unregistered hazardous waste transfer facility, failing to notify the Department using form 62-730.900(1)(b), “8700-12FL-Florida Notification of Regulated Waste activity” as a Hazardous Waste transfer facility.
- 40 CFR Part 263.12, 62-730.171(1) F.A.C. – Hazardous Waste Transfer requirements – facility failed to comply with hazardous waste transporter requirements by exceeding the 24-hour storage limit of hazardous waste and acting as an unpermitted storage facility for hazardous waste.

Based on the compliance history, the facility has been inspected six times and has had three enforcement cases with the Department since 2010. The most recent enforcement case occurred in 2017.

¹ Florida RCRA Hazardous Waste Program-Economic Benefit Calculation Guidance

Warning Letter Peer Review Checklist Hazardous Waste

| | | | | |
|---|---|-----|----|-------|
| Facility Name: World Petroleum Corp | | | | |
| EPA ID #: FLD980709075 | | | | |
| Peer Review Conducted By: Janet Ashwood | | | | |
| Date: 3/5/2020 | | | | |
| | | YES | NO | Notes |
| | FORMAL OR INFORMAL RESPONSE | | | |
| | If the facility is a first time violator, did the facility know or have reason to know actions were illegal? | | | N/A |
| | If the facility is a first time violator, did the facility refuse to correct the problems? | | | N/A |
| | If the facility is a first time violator, did the violations result in harm to public health or the environment? | | | N/A |
| | If the violations caused no actual harm to human health or the environment this time, did one or more violations create a situation where a significant potential threat to human health (including workers at the facility) or the environment occurred? | X | | |
| | Did the violations deviate substantially from the terms of a permit, order, agreement, or from RCRA statutory or regulatory requirements? | X | | |
| | If the facility has received a CAV/CEI from DEP in the past, were the new violations similar to issues identified in the previous inspection. | | X | |
| | If the facility has been notified of their waste management responsibilities and provided compliance assistance by the county SQG program (per 403.7234), should the violations have been avoided? | | X | |
| | Does the facility have a history of recalcitrant or non compliant behavior? | | X | |
| | Would taking an enforcement action in this situation enhance consistent application and statewide consistency? | X | | |
| | If the violations facilitated an apparent economic benefit for the facility, will enforcement eliminate economic benefits gained by non compliance? | | X | |
| | Will enforcement provide a financial disincentive to discourage future violations not only for the violator but also by others contemplating similar activities? | X | | |
| | Did the facility <u>not</u> adequately address all violations within 240 days? | X | | |
| | Was the facility identified as a Significant Non Complier (SNC) in data? | X | | |

From: [Blandin, Norva](#)
To: [Grajeda, Carlos](#)
Subject: Division Concurrence with SED- Proposed Peer Review Package- World Petroleum Corp. EPA ID FLD980709075
Date: Friday, March 20, 2020 11:58:43 AM
Attachments: [image001.png](#)
[image001.png](#)
[WL World Petroleum.pdf](#)
[2 World Petroleum Corp - Memorandum Florida Department of Environmental Protection.docx](#)
[1 World Petroleum Corp - Waste Penalty Spreadsheet.xlsx](#)
[Hazardous Waste Peer Review Checklist - JABreviewer.docx](#)
[image001.png](#)
Importance: High

Please go ahead pdf these documents including DWM concurrence with SED related to this case. Do not posted yet.
Then, coordinate the teleconference meeting with WP.



Norva Blandin, MSEM
Environmental Administrator
Compliance Assurance Program (CAP)
Florida Department of Environmental Protection
Southeast District – West Palm Beach
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
Norva.Blandin@floridadep.gov
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Main: 561.681.6600
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Good leadership is not advancing yourself. It is
advancing your team

The Department of Environmental Protection values your feedback as a customer. Please take a few minutes to comment on the quality of service you received by completing the [DEP Customer Survey](#).

From: Walker, Kim (Waste) <Kim.Walker@FloridaDEP.gov>
Sent: Friday, March 20, 2020 11:18 AM
To: Andreotta, Jason <Jason.Andreotta@FloridaDEP.gov>; Davila, Sirena <Sirena.Davila@FloridaDEP.gov>
Cc: Bahr, Tim <Tim.Bahr@FloridaDEP.gov>; Boeshaghi, Teresa <Teresa.Boeshaghi@dep.state.fl.us>; Perrigan, Glen <Glen.Perrigan@FloridaDEP.gov>; Blandin, Norva <Norva.Blandin@FloridaDEP.gov>
Subject: FW: Proposed Peer Review Package- World Petroleum Corp. EPA ID FLD980709075
Importance: High

Hi Jason and Sirena,

The Division of Waste Management has completed its review and concurs with the District's proposed enforcement response and draft penalty for World Petroleum Corp. EPA ID FLD980709075. Please let us know if we can be of further assistance.

Have a good weekend,
Kim



Kim Walker
Program Administrator
Florida Department of Environmental Protection
Permitting and Compliance Assistance Program
Kim.Walker@dep.state.fl.us
(850) 245.8934

From: Blandin, Norva <Norva.Blandin@FloridaDEP.gov>
Sent: Friday, February 28, 2020 1:20 PM
To: WasteCAP <WasteCAP@floridadep.gov>
Cc: Perrigan, Glen <Glen.Perrigan@FloridaDEP.gov>; Fisch, Ben <Ben.Fisch@dep.state.fl.us>; Grajeda, Carlos <Carlos.Grajeda@FloridaDEP.gov>; Davila, Sirena <Sirena.Davila@FloridaDEP.gov>
Subject: Proposed Peer Review Package- World Petroleum Corp. EPA ID FLD980709075

WasteCAP Team,

For your review and concurrence.

Total of the penalty: **\$22,460.00**

1. Penalty Calcs: file:///floridadep/data/SED/SED_All_Common/Workflow/3%20-%20For%20Signature/Manager/Norva%20Blandin/Hazardous%20Waste%20Program/Enforcement%20Cases%202019/World%20Petroleum/Penalty%20Calcs/1.%20World%20Petroleum%20Corp.%20-%20Waste_Penalty_Spreadsheet.xlsx
2. Peer Review: file:///floridadep/data/SED/SED_All_Common/Workflow/3%20-%20For%20Signature/Manager/Norva%20Blandin/Hazardous%20Waste%20Program/Enforcement%20Cases%202019/World%20Petroleum/Peer%20Review/2.%20World%20Petroleum%20Corp.%20-%20Memorandum%20Florida%20Department%20of%20Environmental%20Protection.docx
3. Inspection Report: file:///floridadep/data/SED/SED_All_Common/Workflow/3%20-%20For%20Signature/Manager/Norva%20Blandin/Hazardous%20Waste%20Program/Enforcement%20Cases%202019/World%20Petroleum/Warning%20Letter/WL%20World%20Petroleum.pdf

No CPAM is needed and no pending violations. SED expects to resolve this case with a SFCO.
Today is day **120**.

Best regards,



Norva Blandin, MSEM
Environmental Administrator
Compliance Assurance Program (CAP)
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