



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

April 13, 2021

Ryan Mohansingh, Environmental Manager
Triumvirate Environmental
3701 SW 47th Ave, Fort Lauderdale, FL 33314
rmohansingh@triumvirate.com

Re: Triumvirate Environmental - Compliance Assistance Offer
Facility ID No. FLD981018773
Broward County

Dear Mr. Mohansingh:

A Compliance Evaluation Inspection (CEI) was conducted at your facility on March 18, 2021, under the authority of Section 403.091, Florida Statutes (F.S.). During this inspection, possible violations of chapter 403, Florida Statutes, Chapter 62-730, Florida Administrative Code (F.A.C) and Code of Federal regulations (C.F.R) Parts 263 were noted. The purpose of this letter is to offer compliance assistance as a means of resolving these matters. Please see the attached inspection report for a full account of Department observations and recommendations.

We request you review the items 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 issues or provide a schedule describing how/when the issue will be addressed.
2. Describe what steps have been taken to prevent, to the extent practicable, a recurrence of the non-compliances.
3. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid, or
4. Arrange for the case manager to do a virtual meeting to discuss the item(s) 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 promptly may result in the initiation of formal enforcement proceedings.

Please address your response and any questions to Carlos Grajeda of the Southeast District Office at 561-681-6670 or via e-mail at carlos.grajeda@floridadep.gov . We look forward to your cooperation with this matter.

Triumvirate Environmental
Facility ID No. FLD981018773
Compliance Assistance Offer Letter
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Sincerely,



Alannah Irwin
Environmental Administrator
Southeast District

AI/cg

Enclosure: Hazardous Waste Final Inspection Report dated 03/18/2021

cc: Alannah Irwin, Carlos Grajeda – FDEP SED



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

FACILITY INFORMATION:

Facility Name: Triumvirate Environmental Services Inc
On-Site Inspection Start Date: 03/18/2021 **On-Site Inspection End Date:** 03/18/2021
ME ID#: 50649 **EPA ID#:** FLD981018773
Facility Street Address: 3670 SW 47th Ave, Davie, Florida 33314
Contact Mailing Address: 3701 SW 47th Ave Ste 109, Davie, Florida 33314-2830
County Name: Broward **Contact Phone:** (954) 583-3795

NOTIFIED AS:

Transfer Facility, Transporter, Used Oil, VSQG

WASTE ACTIVITIES:

Generator: VSQG **Transporter:** Own Waste, Commercial Waste, Transfer Facility **Used Oil:** On-Spec, Off-Spec, Oil Filters, Processor, Collection Center (Commercial) **Universal Waste: Indicate types of UW generated and/or accumulated at the facility: Generate/Accumulate:** Batteries, Pesticides, Mercury Containing Lamps, Mercury Containing Devices **Transport:** Batteries, Mercury Containing Lamps, Mercury Containing Devices **Transfer Facility:** Batteries, Mercury Containing Lamps, Mercury Containing Devices **Maximum quantity of UW handled or transported at any time:** Less than 5,000 kg (11,000 lbs); Small Quantity Handler (SQH)

INSPECTION TYPE:

Routine Inspection for Used Oil Processor Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Carlos Grajeda, Inspector
Other Participants: Ryan Mohansigh, Environmental Specialist

LATITUDE / LONGITUDE: Lat 26° 4' 37.4777" / Long 80° 12' 33.4891"

NAIC: 562112 - Hazardous Waste Collection

TYPE OF OWNERSHIP: Private

Introduction:

On March 18, 2021, Carlos Grajeda with the Florida Department of Environmental Protection (FDEP) conducted a Compliance Evaluation Inspection (CEI) at Triumvirate Environmental Services, Inc. (hereinafter TES or facility), located at 3670 SW 47th Ave, Davie, FL 33314. TES 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 escorted around the facility by Ryan Mohansingh, Operations Manager. Upon arrival at the facility the inspector presented their credentials and explained the purpose of the inspection.

TES occupies 2.5 acres and is connected to public water and sewer. TES has been operating at its current location since 2011 and employs 15 staff. TES is a permitted Used Oil and a Material Processing Facility, permit numbers 77390-011-HO and 77390-012-SO, expiration date 11/19/2022.

Notification History

TES initially notified with the Department as a used oil transporter on 10/07/2011. The facility was assigned the EPA Identification (EPAID) FLD981018773. The facility most recently notified as a hazardous waste transporter,

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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 02/10/2021 .

Inspection History

The facility was previously inspected by the Department on 02/20/2019 as a Used Oil Processor Facility, Used Oil Transporter Facility, Used Oil Transfer, Hazardous Waste Transporter and Universal Waste Transporter and was found to be in compliance at the time of the inspection

Personal Protective Equipment (PPE) was required to enter this facility. The inspector was equipped with safety boots, safety glasses and face mask throughout the inspection.

Process Description:

TES transports hazardous waste from generator facilities to a second transporter for hazardous waste only. TES 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.

The facility consists of a tank farm, used oil filters and oily solid waste storage, designated areas for empty container storage, parking for the facility's fleet vehicles, and one small outbuilding: Office and Laboratory.

TES 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.

Hazardous Waste 10-day Storage Area:

In this area, the inspector observed:

- 18 18-gallon plastic containers holding trace chemotherapy waste managed as 'Biomedical Waste'. This waste has a percentage of less than 5 % of Arsenic Trioxide (EPA Waste Code P012). The Arsenic Trioxide contaminated debris falls under the mixture rule classifying the entire mixture as P-Listed hazardous waste as stated on 40 CFR Part 261.3(a)(2)(iv). It is a mixture of solid waste and one or more hazardous wastes listed in subpart D of this part and has not been excluded from paragraph (a)(2) of this section under §§260.20 and 260.22, paragraph (g) of this section, or paragraph (h) of this section. The Transporter shall notify the generator to conduct a proper waste determination of this waste under 40 CFR Part 262.11 and manifest this waste from now on [40 CFR 263.20(a)(1)].
- 12 55-gallon poly containers of hazardous waste labeled with the words "Hazardous Waste" with the accumulation start date and the hazard of its contents.

It was observed that at least one container was marked with the DOT miscellaneous pictogram which is a material that presents a hazard during transportation, but which does not meet the definition of any other indication of the hazards of the contents. The Transporter shall notify the generator that it can keep this pictogram but shall include an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704). Compliance assistance was provided to the facility and the indication of Toxic was included.

- 53 18-gallon poly containers of hazardous waste labeled with the words "Hazardous Waste Pharms" with the accumulation start date and the hazard of its contents.

Tank 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 Storage 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 TES customers.

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In this area, the inspector observed:

- 34 55-gallon containers holding oily water properly labeled.

The inspector observed the following ASTs in the tank farm:

- One 10,000-gallon tanks for used oil properly labeled.
- Two 10,000-gallon tank for used oil properly labeled and the number 5 and 6.
- Two 6,000-gallon tank for used antifreeze properly labeled with the number 4 and used oil with the number 3.
- Two 8,000-gallon tanks. Tank 2 is for used oil and Tank 1 is an overflow tank designated for the 20,000-gallon tanks.
- Ten 20,000-gallon above ground tanks for used oil properly labeled.

All the tanks were in a concrete secondary containment unit. The secondary containment and loading/unloading areas were clean and accessible to inspect. No deficiencies were observed. Fire extinguishers were located directly adjacent to the secondary containment.

North Tank Farm

- One 100,000-gallon above ground tank for used oil. Properly labeled and in secondary containment.

Used Oil Filter Storage Area

During the inspection, the inspector observed:

- 52 55-gallon metal containers holding UOFs, labeled as "Used oil filters"
- One 20-yard roll-off container holding oily solid waste properly labeled.

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

Records Review

Disposal Records

- Used Oil Acceptance and Delivery Records and were kept on site and also, electronically for the last three years. All oily water is sent to Raider Environmental Services (EPA ID FLR000014891) for processing. At this location, Triumvirate did not have any waste water treatment plant. Used oil filters are sent to Environmental Management Conservation Oil Corp. (EPA ID FLR000000166) in Miami, FL to be crushed and ultimately recycled by US Foundry (EPA ID FLD004128336). Used oil rags and absorbents are sent to Waste Management Pompano Facility (EPA ID FLD981019581).
- Hazardous Waste Manifest: Hazardous waste manifests and waste profiles were available for review for generators for the past three years. Hazardous waste is sent to Triumvirate's Orlando facility (EPA ID FLD980559728) and then sent for incineration at Ross Incineration Services, Inc. (EPA ID OHD048415665) in Grafton, Ohio. Paint-related waste is sent to AES Environmental, LLC (EPA ID KYD 985073196) in Calvert City, Kentucky.
- Contingency Plan - The facility was able to provide a copy of their current Contingency Plan during the inspection. Last revision occurred on 08/03/2020, but no changes have been made since the last arrangement with local authorities was made on 08/03/2020. All elements required by rule were included in the Contingency Plan including: Closure Plan, Waste Analysis Plan (WAP), and Emergency Response Procedures.
- 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, Condition of containment, equipment, spill response equipment, and alarm.
- Employee Training - All employees receive initial and annual hazardous waste and, which includes training on the proper handling of hazardous waste, used oil handling, storage, and spill cleanup. The last training was

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conducted on 02/11/2021.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	263.20(a)(1)
Explanation:	A transporter may not accept hazardous waste from a generator unless the transporter is also provided with a manifest form (EPA Form 8700-22, and if necessary, EPA Form 8700-22A) signed in accordance with the requirement of §262.23, or is provided with an electronic manifest that is obtained, completed, and transmitted in accordance with §262.20(a)(3) of this chapter, and signed with a valid and enforceable electronic signature as described in 40 CFR 262.25.
Corrective Action:	Specifically, the facility has been transported Arsenic Trioxide (EPA Waste Code P012) contaminated debris as biomedical waste. Please do not accept hazardous waste from a generator unless the generator provides a manifest form (EPA Form 8700-22, and if necessary, EPA Form 8700-22A) signed in accordance with the requirement of §262.23, or is provided with an electronic manifest that is obtained, completed, and transmitted in accordance with §262.20(a)(3) of this chapter, and signed with a valid and enforceable electronic signature as described in 40 CFR 262.25. Pending resolution.

Photo Attachments:

Arsenic Trioxide contaminated waste transported as biohazard.



PHOTO ATTACHMENTS:

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Photo No. 1: 10 day HW Storage Area.



Photo No. 3: Tank Farm



Photo No. 5: Used Oil Analysis.

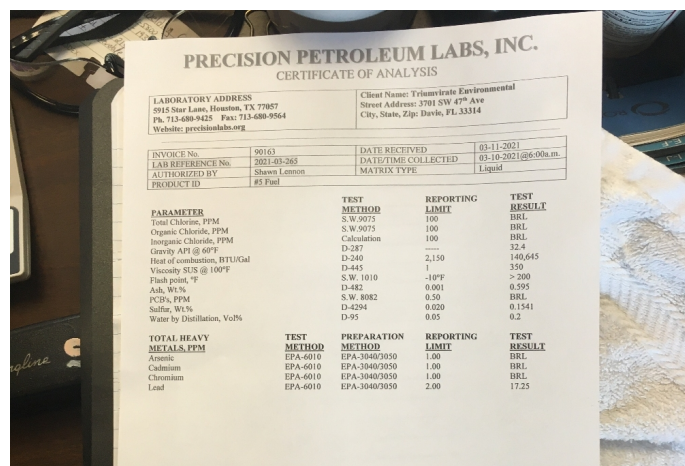


Photo No. 2: Hazardous Waste Pharms.



Photo No. 4: Secondary Containment of Tank Farm.



Photo No. 6: Binder Containing Recordkeeping Requirements.



Conclusion:

TES was inspected as Used Oil Processor Facility, Used Oil Transporter Facility, Used Oil Transfer, Hazardous Waste Transporter, and Universal Waste Transporter and was found to be out of compliance for transporting unmanifested hazardous waste.

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An exit interview was sent on 03/22/2021. A Compliance Assistance Offer will be issued by the Department to address the issues described in this report.

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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)	✓		

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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)	✓		
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

Carlos Grajeda**Principal Investigator Name**

CG

Principal Investigator SignatureInspector**Principal Investigator Title**DEP**Organization**04/08/2021**Date**Ryan Mohansigh**Representative Name**Environmental Specialist**Representative Title**Triumvirate Environmental**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:**Alannah B Irwin**Inspection Approval Date:**04/08/2021