



FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

October 21, 2021

Mr. Ryan Harris, Program Manager
Moran Environmental Recovery, LLC
251 Levy Road
Atlantic Beach, FL 32233
rharris@moranenvironmental.com

**Re: Compliance Assistance Offer
Moran Environmental Recovery, LLC
EPA/DEP ID: FLD092718576
Duval County – Hazardous Waste**

Dear Mr. Harris:

Department personnel conducted a compliance inspection of the above-referenced facility on January 29, 2021, 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 Chapter 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.

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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. We look forward to your cooperation in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Joni Petry". The signature is cursive and fluid.

Joni Petry
Environmental Administrator

Enclosure: Inspection Report

Ec: Ryan Hopkins, MER (rhopkins@moranenvironmental.com); Travis Porter, MER (tporter@moranenvironmental.com); Jean Richards, City of Jacksonville EPD (JeanR@coj.net)
DEP Internal: Joni Petry, Bonnie Bradshaw, Cheryl L. Mitchell, DEP_NED



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

FACILITY INFORMATION:

Facility Name: Moran Environmental Recovery LLC
On-Site Inspection Start Date: 07/22/2021 **On-Site Inspection End Date:** 07/22/2021
ME ID#: 44626 **EPA ID#:** FLD092718576
Facility Street Address: 251 Levy Rd, Atlantic Beach, Florida 32233-2613
Contact Mailing Address: 251 Levy Road, Atlantic Beach, Florida 32233-0569
County Name: Duval **Contact Phone:** (781) 815-1100

NOTIFIED AS:

Non-Handler, Transporter, Used Oil

WASTE ACTIVITIES:

Generator: VSQG **Transporter:** Commercial Waste **Used Oil:** Transporter, Used Oil, Oil Filters **Universal Waste:** Indicate types of UW generated and/or accumulated at the facility: **Generate/Accumulate:** Mercury Containing Lamps **Transport:** 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 Hazardous Waste Transporter Facility
Routine Inspection for Used Oil Transporter Facility
Routine Inspection for Used Oil Generator Facility
Routine Inspection for VSQG (<100 kg/month) Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Cheryl L Mitchell, Inspector
Other Participants: Ryan Harris, Business Manager

LATITUDE / LONGITUDE: Lat 30° 20' 11.8525" / Long 81° 25' 9.1233"

NAIC: 562910 - Remediation Services

TYPE OF OWNERSHIP: Private

Introduction:

Moran Environmental Recovery, LLC (MER) was inspected on July 22, 2021. The facility was last inspected by the Department's Hazardous Waste Program on September 6, 2017. The facility is a registered Hazardous Waste Transporter, Used Oil and Used Oil Filter Transporter, Universal Waste Transporter, Petroleum Contact Water (PCW) Transporter, and a Very Small Quantity Generator (VSQG) of hazardous waste. MER's Mr. Ryan Harris (Business Manager), Ryan Hopkins (ESH), and Keith Harmon (Logistics) were present during the inspection.

MER is an environmental services company that offers industrial and marine services, site remediation, decontamination and abatement services, and emergency spill response. MER has approximately 20 employees and operates Monday through Friday from 8:00 AM to 5:00 PM and is on-call 24/7 to perform emergency response services. MER has operated at this location since 2001 and the facility is connected to city water and sewer. The facility consists of the main building with administrative offices and a Maintenance Shop, a Wash Pad and Tank Farm, and a Pole Barn.

Hazardous Waste Transporter: MER typically transports hazardous waste in Florida from three to five routine customers; however, MER's EPA ID#FLD092718576 is used to transport hazardous waste in other states.
Universal Waste Transporter: MER maintains its status as a Universal Waste Transporter in case of emergency, but MER does not routinely transport universal wastes. Used Oil and Used Oil Filter Transporter,

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and PCW Transporter: The majority of MER's transportation operations consist of used oil, used oil filters, bilge water, oily waste water and PCW. These wastestreams are generally transported to Water Recovery, LLC (Water Recovery, FLR000069062) for processing.

Process Description:

MAINTENANCE SHOP AND WAREHOUSE

MER operates two 3,000-gallon vacuum trucks, one combination blower/vacuum truck, one 3,500-gallon tanker trailer, one 5,000-gallon tanker trailer, one stakebed/lift gate truck and several service pickup trucks. Vehicles are parked behind the main office building and adjacent to the facility's Maintenance Shop area (Photo 1). General maintenance of vehicles is performed in the Maintenance Shop area. Used oil and used oil filters are collected in 55-gallon drums located inside the shop (Photo 2). The drums were closed, properly labeled and located on a containment pallet inside the warehouse. The facility operates one aqueous parts washer that an area technician stated has not generated any waste in the previous three years. A waste determination previously performed several years ago indicated the spent solvent was non-hazardous. The facility is reminded that a waste determination should be performed prior to disposal. Spent antifreeze is collected in a 55-gallon drum and analyzed prior to disposal. Technicians use aerosol lubricants and penetrants on shop rags that are collected and disposed along with absorbents in a dumpster located adjacent to the shop and described further below. Aerosol cans are punctured in a drum-top puncturer attached to a 55-gallon satellite drum (Photo 3). The drum was closed and properly labeled. Aerosol can puncturing is a new process and no waste has been disposed. The facility is reminded that a waste determination should be performed prior to disposal by either sampling the waste or maintaining an inventory log of all aerosol cans punctured.

Oily rags, absorbents and spill clean-up debris generated from vehicle maintenance activities at the facility and during MER's used oil transportation activities are collected in a solid waste dumpster located outside the Maintenance Shop and disposed at Chesser Island Landfill in Folkston, GA. MER manages its transportation-related waste as non-hazardous waste, but it has not made a hazardous waste determination on this wastestream by having the waste analyzed for hazardous waste characteristics [40 CFR 262.11].

Universal Waste Area

MER stages universal waste in a corner of the Maintenance Shop. At the time of the inspection, there were three containers of universal waste lamps and one 55-gallon drum of universal waste batteries in the area. All the containers were closed, properly labeled and had been accumulating for less than a year. There were no containers of customer-generated universal waste in the area at the time of the inspection.

WASH PAD AND TANK FARM

A large concrete pad and tank farm is located in the rear of the facility (Photos 4 and 5). The concrete pad is used to temporarily park tanker trucks of used oil and wastewater, and as a wash-out area for empty trucks and empty containers when they return to the facility. If MER picks up a load of used oil from a customer, and is not immediately able to transport it to Water Recovery for processing, the truck is parked on the concrete pad for less than 24-hours and then taken to Water Recovery the next morning. There are six horizontal steel aboveground storage tanks (ASTs) and one vertical poly AST located within secondary containment in the tank farm area. Two of the tanks are used to collect wash water from the concrete pad and the other tanks are currently out of service. The facility washes out the inside of its empty skids / tanker trucks on the concrete pad using a dilute solution of Zep Morado Super Cleaner (pH 13.5). The pad is sloped to a sump that collects the wash water and rainwater from the pad. The wash water from the sump, and rainwater that collects in a valve pit located within the secondary containment area (See Photo 5) is pumped into one of the wastewater tanks located within the containment area. The wash water is transported to Water Recovery approximately quarterly or more frequently as needed. The valve pit and sump are cleaned out as needed to remove accumulated solids and the sludge is also transported to Water Recovery for disposal. MER manages both the wash water and the sludge as non-hazardous waste but it has not made a hazardous waste determination on these wastestreams by having the waste analyzed for hazardous waste characteristics [40 CFR 262.11].

POLE BARN

The Pole Barn is a covered, open warehouse storage area in the rear of the property that is used to store spill response materials, hoses and equipment. The area is also used to stage totes and drums of non-hazardous used oil, used oil filters, and oily waste debris pending transportation for final disposal. No waste was

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accumulating at the time of the inspection. In a corner of the Pole Barn is a concrete secondary containment area that is used for storage of product chemicals.

SECURITY

The facility is surrounded by a chain link fence topped with barbed wire. It appeared to be in good condition. The facility is accessed through a main entrance gate that is kept closed and electronically locked at all times. At the time of inspection, the gate was closed and adequate warning signage was posted.

RECORDS REVIEW

MER is currently operating as a Hazardous Waste Transporter, Used Oil and Used Oil Filter Transporter, Universal Waste Transporter, Petroleum Contact Water (PCW) Transporter, and a Very Small Quantity Generator (VSQG) of hazardous waste. Records reviewed included hazardous waste manifests and e-manifests, used oil and used oil filter manifests and logs, MER's and customers waste profiles, annual transporter registration, insurance liability coverage, and personnel training. MER performs halogen screening on each load of used oil prior to transport with Dexsil Clor-D-Tect kits and records the results on the manifest. All records reviewed appeared to be in order unless otherwise described herein.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	262.11
Explanation:	The facility failed to make an accurate waste determination on the following wastestreams: <ol style="list-style-type: none"> 1. Used oil transportation-related wastes; 2. Wash water generated during tank and container cleaning activities; and 3. Sludge generated during clean-out of the concrete wash pad sump and valve pit.
Corrective Action:	In order to return to compliance, the facility should perform and fully document hazardous waste determinations on these wastestreams as follows: <ol style="list-style-type: none"> 1. Toxicity Characteristic Leaching Procedure (TCLP) RCRA metals, pursuant to 40 CFR 261.24, via method 6010; <ul style="list-style-type: none"> - TCLP RCRA volatiles, pursuant to 40 CFR 261.24, via method 8260; and - TCLP RCRA semi-volatiles, pursuant to 40 CFR 261.24, via method 8270 2. TCLP RCRA metals, pursuant to 40 CFR 261.24, via method 6010; <ul style="list-style-type: none"> - TCLP RCRA volatiles, pursuant to 40 CFR 261.24, via method 8260; and - Corrosivity, pursuant to 40 CFR 261.22, via method 9040. 3. TCLP RCRA metals, pursuant to 40 CFR 261.24, via method 6010; <ul style="list-style-type: none"> - TCLP RCRA volatiles, pursuant to 40 CFR 261.24, via method 8260; and - Corrosivity, pursuant to 40 CFR 261.22, via method 9040.

Waste determinations should be made by having a representative sample of the wastestream analyzed separately by a Florida certified laboratory. A copy of the results of these waste determinations should be submitted to the Department. None of these wastes are to be disposed of until written approval has been given by the Department and once written approval has been given, the waste should be disposed of in a proper manner. Hazardous waste should be sent off-site to a permitted Treatment, Storage, and Disposal Facility (TSDF). Non-hazardous solid waste should be collected and sent off-site to a permitted solid waste facility, and non-hazardous liquid waste should be collected and sent off-site to a permitted treatment facility that is authorized to treat that type of waste.

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, FAC. A National Environmental Laboratory Accreditation Program

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(NELAP) certified laboratory should analyze the samples. Alternative methods for hazardous waste determinations should be approved by the Department. Further enforcement action is possible, pending the results of the analytical tests.

PHOTO ATTACHMENTS:

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



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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			✓

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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

Cheryl L Mitchell**Principal Investigator Name****Principal Investigator Signature**Inspector**Principal Investigator Title**DEP**Organization**10/05/2021**Date**Ryan Harris**Representative Name**Business Manager**Representative Title**Moran Environmental
Recovery, LLC**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:**10/05/2021