Florida Department of

Environmental Protection

Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: January Environmental Services Inc

On-Site Inspection Start Date: 04/12/2022 **On-Site Inspection End Date:** 04/12/2022

ME ID#: 46304 **EPA ID#:** FLD982162943

Facility Street Address: 1920 Hwy 60 W Main St , Bartow, Florida 33830-0000

Contact Mailing Address: 1920 Highway 60 West, Bartow, Florida 33830

County Name: Polk **Contact Phone:** (863) 534-8478

NOTIFIED AS:

Non-Handler, Used Oil

WASTE ACTIVITIES:

Generator: Non-Handler **Used Oil:** Oil Filters, Processor

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter Facility

Routine Inspection for Used Oil Transfer Facility Facility

Routine Inspection for Used Oil Processor Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Sarah M Green, Inspector

Leslie Pedigo, Environmental Consultant; Phillip Wilkerson, Environmental Specialist II;

Other Participants: Loren Dorwart, Manager

LATITUDE / LONGITUDE: Lat 27° 53' 51.5901" / Long 81° 51' 47.2672"

NAIC: 562111 - Solid Waste Collection

TYPE OF OWNERSHIP: Private

Introduction:

An inspection was conducted at January Environmental Services Inc ("January") on April 12, 2022 by the Florida Department of Environmental Protection ("Department") to determine the facility's compliance with state and federal regulations for used oil and used oil filter transporters and transfer facilities. January most recently notified on March 1, 2021 as a used oil and used oil filter transporter and transfer facility. The facility has been inspected several times before, most recently on February 26, 2021. Inspectors were assisted by Loren Dorwart, manager, during the inspection.

Process Description:

January is a used oil, used oil filter and oily waste transporter and storage facility and a wastewater transporter. The 5.18-acre property was purchased by January Transport, Inc., on October 20, 2004. The facility consists of a 5,414 square foot building which houses offices, a laboratory and warehouse, a used oil tank farm, and a rail spur. The facility no longer uses the rail spur however and has discontinued sending waste off by rail. The facility does not have full time office employees; Mrs. Dorwart provides administrative services as needed. Currently, one driver works from this location (Cruz Torres). The facility is open from 8 a.m. to 5 p.m., Monday through Friday. The City of Bartow provides sewer and potable water services.

The facility picks up waste products (wastewater, oily waste, used oil and used oil filters) from its customers. In the past, used oil and used oil filter transportation and storage made up the majority of January’s business, however over the past few years, this side of the business has tapered off significantly. Used oil collected from customers in the used oil truck or tanker trailers is pumped into the used oil aboveground storage tanks (ASTs) using the overhead used oil loading rack adjacent to the railroad spur. Used oil brought back to the facility in

smaller containers is also pumped into the used oil ASTs. The two used oil tanker trailers are used to transport the used oil to used oil processing facilities. January does not accept used oil or oily water from other transporters nor collect public used oil. Used oil filters brought back to the facility in smaller containers are consolidated into large metal bins and stored on-site prior to transportation for final treatment and disposal. The facility is under contract with Aqua Clean Environmental Company (EPA ID #FLR000193466) to transport wastewater; wastewater is not brought back to the facility but transported directly to Aqua Clean Environmental Company for processing.

VEHICLES
Tanker Trailer #113 is used to haul wastewater; Tanker Trailer #182 and Tanker Trailer #187 are used to haul used oil. All three were on site and were empty at the time of the inspection. Used Oil Truck #15 was also located next to the overhead used oil loading rack adjacent to the railroad spur. According to Mrs. Dorwart, at the time of the inspection the flatbed trailer was on the road hauling fourteen large metal bins of used oil filters to the facility's sister facility January Environmental Services in Oklahoma (EPA ID #OKD042146324) for disposal.

ABOVEGROUND STORAGE TANKS
The facility has six white 24,000-gallon aboveground storage tanks (ASTs) which are used to store used oil. These ASTs are registered with the Department's Storage Tank Program, facility ID # 53/9101026. The electronic gauge was not functional at the time of the inspection. According to the facility, the tank inventory at the time of the inspection was: Tank 106 - 1,500-gallons; Tank 105 - 20,000-gallons; and Tank 102 - 1,000-gallons. At the time of the inspection the containment around the tank farm was in good condition, did not contain any free liquids, and appeared to be adequate to contain the volume of the tanks.

OTHER STORAGE TANKS AND CONTAINERS
A green AST has been installed in a separate containment area attached to the existing containment; at the time of the inspection this tank was empty. A second green AST and two silver ASTs were observed laying on their sides in the yard west of the tank farm; all three are empty. Please note that if any of these ASTs are to be used to store regulated materials they must comply with all regulatory requirements. Regulated tanks are required to be registered 30 days prior to installation, or within 30 days of changing from a wastewater or process tank to a regulated used oil storage tank. In addition, a permit modification may be needed if the storage capacity of the facility is increased.

WASTE STORAGE IN WAREHOUSE
While most used oil collected from their clients is pumped into Used Oil Truck #15, some of their clients collect these wastes in drums which are brought back to the facility. Drummed used oil is stored inside the warehouse prior to being pumped out of the drums to the used oil tanks. Used oil filters are consolidated into large metal used oil filter bins until there are enough for a shipment. At the time of the inspection, the following properly labeled containers were present:
• Eight bins of used oil filters
• Twenty-four 55-gallon drums of used oil filters
• Two 55-gallon drums of used absorbent pads
• Two 30-gallon drums of used grease
• One 35-gallon drum of used oil samples
• One 55-gallon drum of petroleum contact water

LABORATORY
The on-site laboratory is used to test the water content of the used oil prior to the used oil being shipped from the facility. A box of new mercury containing lamps was observed in the laboratory with one lamp outside of containment. Best management practices indicates that all lamps should be stored in a manner that prevents breakage. If the lamps were spent, they would be required to be placed in a close, labeled box in accordance with 62-737.400(5) F.A.C.

RECORDS
The company's Operating Permit 307171-004-HO; 307171-005-SO (Permit) was issued on December 7, 2017 and expired on April 16, 2022. While the facility is not currently processing the used oil received from customers and has not been since 2017, the Permit allows used oil to be stored on site for more than 35 days. The complete Permit renewal application was due 60 days prior to expiration (by February 15, 2022). An incomplete permit renewal application was submitted on April 15, 2022; the facility failed to submit a timely and complete application to renew Operating Permit 307171-004-HO; 307171-005-SO by the February 15, 2022 due date and requested an additional 60 days time extension to provide the necessary documents.

The 2022-2023 Used Oil Transporter/Transfer Facility and Used Oil Filter Transporter/Transfer Facility Annual Registration (proof of insurance, renotification using form 8700 and registration fees) and Annual Report were due by March 1, 2022. Proof of insurance (effective from January 25, 2022 through January 25, 2023) was received on February 16, 2022. The Annual Report was not received until April 11, 2022. The updated 8700-12 form and registration fees have not been submitted to date.

A selection of outbound and inbound shipping manifests and bills of lading were reviewed during the inspection. Outbound shipments have been shipped to either the facility's sister facility, January Environmental Services in Oklahoma (EPA ID #OKD042146324), or Origin Texas Recycling, LLC (previously Flex Oil; EPA ID #TXR000036244). Used oil filters were being sent to US Foundry in Miami until February 26, 2021. Since then, they have been sent to the sister facility in Oklahoma.

Inbound bills of lading from 2021 and 2022 were reviewed. All EPA identification numbers of the oil generator were included on the bill of lading as applicable along with the results of the halogen screening performed prior to accepting used oil. The facility is primarily collecting used oil and used oil filters approximately weekly from two Linder Industrial Machinery facilities, one in Plant City (EPA ID #FLD984181784) and one in Fort Myers (EPA ID #FL0000747063).

Training records have not been provided as requested during the records review. Records of driver training for 2021 and 2022 were not available on site.

Daily inspections are entered into an electronic database for days when the facility is open and are printed monthly. Monthly storage tank inspection records as required under Chapter 62-762, F.A.C., are maintained.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	62-710.500(1) , 62-710.500(2) , 62-710.600(2)(a)
Explanation:	Rule: 62-710.500(1)(a), F.A.C.: (1) The following persons shall annually register their used oil handling activities with the Department using Form 62-730.900(1)(b), "8700-12FL – Florida Notification of Regulated Waste Activity," effective date 12-2019, which is hereby adopted and incorporated by reference (http://www.flrules.org/Gateway/reference.asp?No=Ref-11236). This Form can be obtained on the internet at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4500, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. (a) Used oil transporters, except for the operations listed in 40 C.F.R. 279.40(a)(1)-(4), [as adopted in subsection 62-710.210(2), F.A.C.], and transfer facilities; Rule: 62-710.500(2), F.A.C.: The registration form shall be accompanied by a registration fee of $100.00 per facility. It is not necessary to submit more than one form or fee if registering more than one activity, or if the registration is for an entire transportation fleet operating out of one facility site. The registration form and fee shall be due by March 1 of each year. The registration fee is waived for used oil processing facilities for which a permit fee was paid under rule 62-710.800, F.A.C Rule: 62-710.600(2)(a), F.A.C.: (2) To become certified and to maintain certification, used oil transporters shall: (a) Register annually with the Department and comply with the annual reporting and record keeping requirements pursuant to rules 62-710.500 and 62-710.510, F.A.C.; Explanation: The 2022-2023 Used Oil Transporter/Transfer Facility and Used Oil Filter Transporter/Transfer Facility Annual Registration (proof of insurance, renotification using form 8700 and registration fees) and Annual Report were due by March 1, 2022. Proof of insurance (effective from January 25, 2022 through January 25, 2023) was received on

	February 16, 2022. The Annual Report was not received until April 11, 2022. The updated 8700-12 form and registration fees have not been submitted to date.
Corrective Action:	Submit the missing 2022-2023 registration year paperwork. Moving forward, ensure that Used Oil Transporter/Transfer Facility registration documents and fees are submitted by March 1 for the upcoming July 1 to June 30 registration year.

Type:	Violation
Rule:	62-710.510(5)
Explanation:	Rule: 62-710.510(5), F.A.C.: (5) No later than March 1 of each year, each person required to register in accordance with Rule 62-710.500, F.A.C., shall submit an annual report for the preceding calendar year to the Department on DEP Form 62-710.901(3), “Annual Report by Used Oil and Used Oil Filter Handlers,” effective date 12-2019, which is hereby adopted and incorporated by reference (http://www.flrules.org/Gateway/reference.asp?No=Ref-11230). This form can be obtained on the internet at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4500, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The report shall summarize the records kept pursuant to this section. Explanation: Annual Report by Used Oil and Used Filter Handlers, which are required to be submitted by March 1 of the following year, have not been timely submitted by March 1, 2022 as the the Annual Report was not received until April 11, 2022.
Corrective Action:	Moving forward, Annual Report by Used Oil and Used Filter Handlers must be submitted on or before March 1 for the preceding calendar year.

Type:	Violation
Rule:	62-710.600(2)(c)
Explanation:	Rule: 62-710.600(2)(c), F.A.C.: Maintain a record of training in the company's operating record and the individual personnel files indicating the type of training received along with the dated signature of those receiving and providing the training. These records shall be retained for a minimum of three years and available for review by Department personnel during inspections; Explanation: Records of driver training for 2021 and 2022 were not available on site.
Corrective Action:	Immediately provide the 2021 and 2022 driver training records to the Department for review.

Type:	Violation
Rule:	62-710.800(1)
Explanation:	Rule: 62-710.800(4): Notwithstanding the provisions of Rule 62-4.050, F.A.C., the fee for a used oil processor permit application, including a permit renewal application, is $2,000.00. The fee for a substantial modification to the permit is $500.00. No permit fee is required for minor modifications. Applications for renewal of permits shall be submitted to the Department at least 60 days prior to the expiration date of the existing permit in accordance with Rule 62-4.090, F.A.C. Explanation: The company’s Operating Permit 307171-004-HO; 307171-005-SO (Permit) was issued on December 7, 2017 and expired on April 16, 2022. While the facility is not currently processing the used oil received from customers and has not been since 2017, the Permit allows used oil to be stored on site for more than 35 days. The complete Permit renewal application was due 60 days prior to expiration (by February 15, 2022). An incomplete permit renewal application was submitted on April 15, 2022; the facility failed to submit a timely and complete application to renew Operating Permit 307171-

	004-HO; 307171-005-SO by the February 15, 2022 due date and requested an additional 60 days time extension to provide the necessary documents.
Corrective Action:	The facility shall submit a complete and sufficient Permit renewal application. Moving forward, ensure permit renewal paperwork is submitted in a timely manner prior to the 60 day ahead deadline.

Type:	Violation
Rule:	62-710.850(3) , 62-710.850(3)(a) , 62-710.850(3)(b)
Explanation:	Rule: 62-710.850(3), F.A.C., requires that used oil filter transporters and used oil filter transfer facilities register with the Department in accordance with the requirements of subsections 62-710.500(2) and (4), F.A.C. Explanation: Annual Used Oil Filter Transporter/Transfer Facility registration, which are required to be submitted by March 1 for the upcoming July 1 to June 30 registration year, were not submitted for the 2022-2023 registration year.
Corrective Action:	Submit the current 2022-2023 Annual Used Oil Filter Transporter/Transfer Facility registration. Moving forward, ensure that all required annual Used Oil Filter Transporter/Transfer Facility registration documents and fees are submitted by March 1 for the upcoming July 1 to June 30 registration year.

PHOTO ATTACHMENTS:

Used Oil Filter Containers



Used Oil Filter Containers



Used Oil Filter Containers



Tank Farm



Empty Tanks



Used Oil Truck 15



Conclusion:

At the time of the inspection, January Environmental Services was not operating in compliance with state and federal regulations for used oil and used oil filter transporters and transfer facilities.

2.0: VSQG Checklist

Requirements:

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

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

Item No.	Standards for Very Small Quantity Generators	Yes	No	N/A
2.1	Generator Size Determination (If the answer is No for any one question then facility is not a VSQG)			
2.2	Does the facility generate less than 100 kg/mo (220 lb/mo) of all hazardous wastes? 262.14(a)(1)			✓
2.3	Does the facility generate less than 1kg/mo of acutely toxic (P-listed, 40 CFR 261.33(e)) hazardous wastes? 262.14(a)(1)			✓
2.4	Does the facility accumulate onsite no greater than 1,000 Kilograms (2,200 pounds) of hazardous waste at any one time? 262.14(a)(4)			✓
2.5	Does the facility accumulate onsite less than a total of 1 kg of acute hazardous waste listed in 261.31 or 261.33(e)? 262.14(a)(3)			✓
Item No.	Hazardous Waste Determination	Yes	No	N/A
2.6	Has the facility properly identified all hazardous waste streams? (Check any that are not OK) 262.11 ☐ Is it excluded under 261.4? ☐ Is it listed in subpart D of 261 or appendix IX of 261? ☐ Has the waste been analyzed? ☐ Has generator knowledge of the hazard characteristics of the waste in light of the materials used been applied?			✓
Item No.	Record Keeping	Yes	No	N/A
2.7	Has the facility documented delivery of its hazardous waste to a facility permitted or authorized to accept the waste? (Check any that are not OK) 262.14(a)(5) ☐ Name and address of the generator and TSD/authorized facility. ☐ Type and amount of hazardous waste delivered. ☐ Date of shipment			✓
2.8	Are written records and other receipts documenting proper disposal retained for at least 3 years? 62-730.030(2)			✓

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

Sarah M Green	Inspector	
Principal Investigator Name	**Principal Investigator Title**	
	DEP	04/22/2022
Principal Investigator Signature	**Organization**	**Date**

Leslie Pedigo	Environmental Consultant
Inspector Name	**Inspector Title**
	DEP
	Organization

Phillip Wilkerson	Environmental Specialist II
Inspector Name	**Inspector Title**
	DEP
	Organization

Loren Dorwart	Manager
Representative Name	**Representative Title**
	January Environmental Services Inc
	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:	Shannon Lenhart	**Inspection Approval Date:**	04/22/2022