



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

FACILITY INFORMATION:

Facility Name: HEPACO LLC
On-Site Inspection Start Date: 03/23/2022 **On-Site Inspection End Date:** 03/23/2022
ME ID#: 119817 **EPA ID#:** NCD986194306
Facility Street Address: 2711 Burch Drive , Charlotte, North Carolina 28269
Contact Mailing Address: 2711 Burch Dr, Charlotte, North Carolina 28269
County Name: All FL Cntys **Contact Phone:** (704) 598-9782

NOTIFIED AS:

Non-Handler, Transporter, Used Oil

WASTE ACTIVITIES:

Generator: Non-Handler **Transporter:** Commercial Waste **Used Oil:** Transporter, Oil Filters **Universal Waste:** Indicate types of UW generated and/or accumulated at the facility: **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 Universal Waste Transporter Facility
Routine Inspection for Non-Handler Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Cheryl L Mitchell, Inspector
Other Participants: Andy Moats, Project Manager

LATITUDE / LONGITUDE: Data is missing from FIESTA

NAIC: 562998 - All Other Miscellaneous Waste Management Services

TYPE OF OWNERSHIP: Private

Introduction:

HEPACO, LLC (HEPACO) was inspected on March 23, 2022. HEPACO is registered with the Department under EPA ID NCD986194306 as Used Oil Transporter, Used Oil Filter Transporter, Hazardous Waste Transporter, Universal Waste Lamps and Devices Transporter, and Petroleum Contact Water (PCW) Transporter. HEPACO operates a Florida facility (the facility) located at 1830 Clarkson Street in Jacksonville, FL (FLR000005413). Neither HEPACO NCD986194306 nor FLR000005413 have been inspected by the Department's Hazardous Waste Program. HEPACO FLR000005413 was inspected by the City of Jacksonville's Environmental Quality Division (EQD) on January 15, 2019, and was determined to be a Non-Handler of hazardous waste at that time. HEPACO performs all its waste transportation services in Florida under the NCD986194306 EPA ID, although its drivers are based at the Clarkson Street facility.

HEPACO is an environmental contractor that offers emergency spill response, site remediation, transportation, and waste management services. HEPACO has been in operation at this location since 2016 and has 8 employees. HEPACO has one vacuum truck, one tanker truck, six transportation trucks including one stakebed and one flatbed truck, and will rent box trucks, if required. The facility consists of administrative offices, a warehouse, and a vehicle and equipment parking area. The facility is connected to city water and sewer. Andy Moats (Project Manager) and Carl Jones (Chemist) were present throughout the inspection.

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Process Description:

ADMINISTRATIVE OFFICES AND WAREHOUSE

The office area and warehouse are located in the same building. The warehouse area is used for the storage of parts, materials and equipment (Photo 1). Mr. Moats stated that no vehicle maintenance is performed on-site, and that no used oil, used oil filters, or hazardous waste is generated at the facility. A flammable locker was observed in the warehouse that was used for storage of product fuels, and aerosol paints and lubricants (Photos 2 and 3). Subsequent to the inspection, a HEPACO representative provided clarifying information that HEPACO utilizes aerosol products primarily at its client sites, and any waste generated from use of aerosols is managed by the client. No aerosol cans were observed in the trash at the time of the inspection. However, the facility is reminded that spent aerosol cans may contain liquid product and/or flammable propellants which can cause the aerosol can to be a D001 and/or other hazardous waste. Additionally, aerosol cans with broken or clogged nozzles may be considered a hazardous waste. Unless an aerosol can is completely empty of both liquid and propellant, as defined in 40 CFR 261.7, it should not be thrown into the trash. If generated at the facility, any unusable and/or spent aerosol cans should either be safely punctured and properly drained into a closed container which should then be managed as hazardous waste, or be placed unpunctured into a closed container which should then be managed as a hazardous waste. Alternatively, the facility may choose to manage hazardous waste aerosol cans as a universal waste, provided they meet the requirements of 40 CFR 273.

At the time of the inspection there were eleven 55-gallon drums of non-hazardous petroleum-impacted waste, generated by customers, that were staged inside the warehouse pending transportation for disposal (Photo 4). One of the drums labeled as "Diesel-Impacted Pads" appeared to have leaked onto the concrete floor (Photos 5 and 6) [40 CFR 279.22(d)(3)]. HEPACO personnel responded to the release during the inspection by transferring the contents into a new container and using absorbent media to clean-up the spill.

USED OIL TRANSPORTER

HEPACO is authorized to perform used oil transportation services. HEPACO transports used oil directly to the used oil processor, Water Recovery, LLC (FLR000069062). However, HEPACO failed to perform halogen screening on used oil prior to transport [40 CFR 279.44(a)].

Used Oil Transporter Records Review:

HEPACO maintained used oil shipping documents for a period of three years. HEPACO also maintains an electronic log of all shipments. The shipping records were incomplete and did not include all the information required on FDEP form 62-710.901(2) such as the EPA ID# of the generator, and the used oil type codes and end use codes [62-710.510(1), FAC]. The date of delivery to Water Recovery is documented on the shipping documents, but it is recommended that HEPACO also include this information on its electronic log. HEPACO transported two shipments of used oil in 2019, four shipments of used oil in 2020, and three shipments in 2021. HEPACO failed to document results of halogen screening on the shipping documents [62-710.510(1)(g), FAC].

HEPACO provided documentation of its used oil transportation training program and documentation that employees had received the training annually. However, the training program was incomplete because it did not include a detailed description of the company's standard operating procedure for halogen screening at each pick up location [62-710.600(2)(b), FAC].

USED OIL FILTER TRANSPORTER

HEPACO is authorized to perform used oil filter transportation services but infrequently performs this service for its customers.

Used Oil Filter Transporter Records Review:

HEPACO maintained used oil filter shipping documents for a period of three years. HEPACO transported four shipments of used oil filters in April 2020 to Covanta Hunstville (AL0000266726), a waste-to-energy facility located in Alabama.

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HAZARDOUS WASTE TRANSPORTER

HEPACO is authorized to transport hazardous waste. HEPACO does not bring hazardous waste back to the facility, but transports it to a permitted Treatment, Storage, and Disposal facility (TSDF).

Hazardous Waste Transporter Records Review:

HEPACO maintains hazardous waste manifests for a period of three years. HEPACO transported six shipments of hazardous waste in 2021, five shipments of hazardous waste in 2020, and fourteen shipments in 2019. All hazardous waste manifests reviewed appeared to be in order.

PETROLEUM CONTACT WATER (PCW) TRANSPORTER

HEPACO is authorized to transport PCW. HEPACO transports PCW to Water Recovery, LLC (FLR000069062).

Petroleum Contact Water Transporter Records Review:

HEPACO maintained PCW shipping documents for a period of three years. HEPACO transported five shipments of PCW in 2020, 59 shipments in 2021, and three shipments through March 2022. One of the shipping documents reviewed did not correctly identify PCW as "Petroleum Contact Water" on the shipping document [62-740.100(4), FAC]. Shipments of PCW are sampled upon arrival at the PCW recovery facility, Water Recovery, and the results are documented on the shipping documents. Three of the shipping documents reviewed were annotated as having an oil content of 50%, 88% and 95%. Two of these same shipping documents were annotated as having a flashpoint of <75°F. This is an Area of Concern. Under 62-740, FAC, PCW is defined as "water containing product." Additionally, "Petroleum Contact Water" is not a proper shipping name for flammable liquids under Department of Transportation (DOT) Hazardous Material regulations. HEPACO is reminded that 62-740.200(1), FAC, states that transporters shipping PCW for product recovery shall maintain compliance with other applicable Florida Department of Transportation rules. Previous DOT guidance issued on the transportation of PCW in Florida, dated December 19, 2006, is attached to this report.

UNIVERSAL WASTE LAMPS AND DEVICES TRANSPORTER

HEPACO is authorized to transport universal waste but infrequently performs this service for its customers. There were no shipping documents for universal waste during the previous three years.

VEHICLE AND EQUIPMENT PARKING AREA

The parking area is on the south and east side of the property. HEPACO parks its transportation vehicles, emergency response supply trailers, containers and equipment on-site while not in use (Photo 7). The parking lot is primarily compacted limerock. HEPACO's procedure is to deliver any waste it transports directly to its destination without storing it on-site.

At the time of the inspection, HEPACO was in the process of cleaning a mobile FRAC tank (Photo 8). Mr. Moats stated that the tanks are only used for non-hazardous waste and are cleaned after each use. The rinsewater is collected and disposed based on the type of waste it previously contained. It appeared that some rinsewater had been discharged, or overflowed, onto the surrounding limerock. This is an Area of Concern. The facility does not have a stormwater permit for this type of discharge. The facility should either relocate its cleaning process to an impervious surface that allows for collection of any overflow wastewater, or ensure proper collection and disposal of all wastewater generated during container cleaning.

RECORDS REVIEW

At the time of the inspection, HEPACO NCD986194306 was registered and operating as a Used Oil Transporter, Used Oil Filter Transporter, Hazardous Waste Transporter, Universal Waste Lamps and Devices Transporter, and Petroleum Contact Water (PCW) Transporter. HEPACO FLR000005413 is registered as a Non-Handler of hazardous waste. Records reviewed included manifests, shipping papers, annual registration, insurance liability coverage, Training Plan, personnel training records, and receiving and shipping waste inventory logs. All records reviewed appeared to be in order unless otherwise described herein.

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Copies of Northeast District's Transporter Workshop PowerPoint training documents and other workshop files that may be useful can be found here:

<ftp://ftp.dep.state.fl.us/pub/outgoing/NED%20-%20HazWaste/TRA%20WORKSHOP/>

Please note that you cannot access this site using Chrome so you will have to use another browser such as Edge, Firefox, Internet Explorer, etc.

For Outstanding Items of Potential Non-Compliance

Please review the following section – New Potential Violations and Areas of Concern. This section includes potential violations observed at your facility during this inspection. For any potential violations below that have not been corrected, please refer to the Corrective Action for each item that is suggested to bring your facility into compliance. Once the corrective action has been completed, please send documentation to the Principal Inspector listed on page 1 of this Inspection Report. This documentation includes, but is not limited to, photos of corrected items, manifests, SDSs or other documents that will show that each potential violation has been fully addressed.

Area of Concern:

1. Three of the Petroleum Contact Water (PCW) shipping documents reviewed were annotated by the receiving facility as having an oil content of 50%, 88% and 95%. Two of these same shipping documents were annotated as having a flashpoint of <75°F. Under 62-740, FAC, PCW is defined as "water containing product." The elevated percentage of oil and the low flashpoint does not appear to meet this definition. Additionally, "Petroleum Contact Water" is not a proper shipping name for flammable liquids under Department of Transportation (DOT) Hazardous Material regulations. HEPACO should ensure that it transports PCW in compliance with applicable DOT rules as required in 62-740.200(1), FAC.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	279.22(d)(3)
Explanation:	The facility failed to respond to and clean-up a release of used oil from one 55-gallon drum labeled as of "Diesel-Impacted Pads."
Corrective Action:	No further action is required. The facility cleaned-up the release during the inspection.
Type:	Violation
Rule:	279.44(a)
Explanation:	HEPACO failed to perform halogen screening on used oil prior to transport.
Corrective Action:	In order to return to compliance, HEPACO should determine the total halogen content of used oil prior to each shipment.
Type:	Violation
Rule:	62-710.510(1)
Explanation:	HEPACO failed to maintain all the required information on the used oil it transports including the EPA ID# of the generator, and the used oil type codes and end use codes.
Corrective Action:	In order to return to compliance, HEPACO should ensure that it maintains complete records with all the required information including the following: (a) The name, business address, telephone number and EPA identification number of the transporter; (b) The source of the used oil, including the name and street address of each source, and

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the EPA identification number of the source if the generator has one;
(c) The total number of gallons of used oil received from each source;
(d) The type of used oil received, using the type code designation;
(e) The date of receipt;
(f) The destination or end use of used oil and oily wastes, including the name and street address of each destination or end user, the EPA identification number if applicable, and the end use code designation.
A copy of the used oil electronic log that includes the required information listed above should be provided to the inspector listed on page 1 of this report.

Type: Violation
Rule: **62-710.510(1)(g)**
Explanation: HEPACO failed to document results of halogen screening on the shipping documents.
Corrective Action: In order to return to compliance, HEPACO should record the results of halogen screening tests on shipping documents and maintain these records for three years. A copy of a shipping document from each of five different customers, that includes the halogen screening results performed by HEPACO, should be provided to the inspector listed on page 1 of this report.

Type: Violation
Rule: **62-710.600(2)(b)**
Explanation: HEPACO's employee training program was incomplete because it did not include a detailed description of the company's procedure for halogen screening of used oil prior to transport.
Corrective Action: In order to return to compliance, HEPACO should incorporate procedures for halogen screening into its employee training program. A copy of the halogen screening procedure and training program should be provided to the inspector listed on page 1 of this report.

Type: Violation
Rule: **62-740.100(4)**
Explanation: HEPACO failed to correctly identify "Petroleum Contact Water" on at least one shipping document.
Corrective Action: In order to return to compliance, the facility should ensure that the words "Petroleum Contact Water" are used on all shipping documents and not the acronym "PCW."

PHOTO ATTACHMENTS:

Photo 1



Photo 2



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Photo 3



Photo 4



Photo 6



Photo 5

Photo 7



Photo 8



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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	Inspector	
Principal Investigator Name	Principal Investigator Title	
	DEP	06/21/2022
Principal Investigator Signature	Organization	Date
Andy Moats	Project Manager	
Representative Name	Representative Title	
	HEPACO	
	Organization	

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

Report Approvers:

Approver:	Cheryl L Mitchell	Inspection Approval Date:	06/21/2022
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