



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 7, 2022

Ms. Anita Decina, Vice President
Heritage-Crystal Clean, LLC
2175 Point Boulevard, Suite 375
Elgin, IL 60123-9216
Anita.Decina@Crystal-Clean.com

**Re: Compliance Assistance Offer
Heritage-Crystal Clean, LLC
EPA/DEP ID: FLR000154278
Duval County – Hazardous Waste**

Dear Ms. Decina:

Department personnel conducted a compliance inspection of the above-referenced facility on May 4, 2022, 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 Chapters 62-710 and 62-730, Florida Administrative Code, was 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@dep.state.fl.us.

Sincerely,

A handwritten signature in blue ink that reads "Joni Petry". The signature is written in a cursive style.

Joni Petry
Environmental Administrator

Enclosure: Inspection Report

Ec: Dalton Register, HCC (Dalton.Register@Crystal-Clean.com); Billy Hurin, HCC (Billy.Hurin@Crystal-Clean.com); Jean Richards, City of Jacksonville EPD (JeanR@coj.net)
DEP Internal: Joni Petry, Cheryl L. Mitchell, Bonnie Bradshaw, DEP_NED



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

FACILITY INFORMATION:

Facility Name: Heritage - Crystal Clean LLC
On-Site Inspection Start Date: 05/04/2022 **On-Site Inspection End Date:** 05/04/2022
ME ID#: 89575 **EPA ID#:** FLR000154278
Facility Street Address: 11643 103rd St , Jacksonville, Florida 32210-8686
Contact Mailing Address: 2175 Point Blvd Suite 375, Elgin, Illinois 60123-9216
County Name: Duval **Contact Phone:** (847) 783-5355

NOTIFIED AS:

Non-Handler, Transfer Facility, Transporter, Used Oil

WASTE ACTIVITIES:

Generator: Non-Handler **Transporter:** Commercial Waste, Transfer Facility **Universal Waste: Indicate types of UW generated and/or accumulated at the facility: Generate/Accumulate:** Mercury Containing Lamps
Transport: 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 Hazardous Waste Transporter Facility
Routine Inspection for Hazardous Waste Transfer Facility
Routine Inspection for Used Oil Transporter Facility
Routine Inspection for Used Oil Transfer Facility
Routine Inspection for Non-Handler Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Cheryl L Mitchell, Inspector
Other Participants: Dalton Register, Branch Manager

LATITUDE / LONGITUDE: Lat 30° 14' 49.6256" / Long 81° 51' 31.0079"

NAIC: 562112 - Hazardous Waste Collection

TYPE OF OWNERSHIP: Private

Introduction:

Heritage-Crystal Clean, LLC (HCC, the facility) was inspected on May 4, 2022. HCC was last inspected by the Department's Hazardous Waste Program on May 8, 2018. Mr. Dalton Register, HCC General Manager, was present throughout the inspection. Ms. Anita Decina, HCC Vice President (Operational, Safety & Environmental Excellence) provided documents during the records review portion of the inspection that was conducted electronically.

HCC is a registered Used Oil Transporter/Transfer Facility, a Used Oil Filter Transporter/Transfer Facility, a Hazardous Waste Transporter/Transfer Facility, a Universal Waste Transporter/Transfer Facility, and a Petroleum Contact Water Transporter. HCC transports these wastes under EPA ID #ILR000130062 and the Jacksonville facility acts as the transfer facility. HCC is currently a Non-Handler of hazardous waste.

HCC has been at this location since 2009. HCC leases approximately one acre of a seven-acre parcel that is owned by Group IV Cecil, Inc., based in Jacksonville, FL. The facility is connected to a private water supply and city sewer. It operates two used oil vacuum trucks, one fuel-only pump truck and four box trucks. The facility's vehicle fleet is maintained off-site by a third-party vendor. HCC has nine employees, including six drivers, and operates Monday through Friday from 6:00 AM to 5:00 PM. The facility consists of administrative offices, a Main Warehouse, a Truck Parking Lot, and the Waste Transfer Area.

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Process Description:**USED OIL TRANSPORTER AND TRANSFER FACILITY OPERATIONS**

HCC transports used oil in vacuum trucks that return to the facility at the end of the work shift and park in the Truck Parking Lot described below. When the vacuum truck is full, the vacuum truck transports the used oil to Jacksonville Transflo Terminal (Transflo, FLD984253526) where it is loaded onto a rail car and shipped to HCC's facility in Atlanta, GA (GAR000078279) for processing. Used oil is transferred to Transflo two to three times each week. Occasionally, a truck that is not empty will be parked at the facility over a weekend and/or longer than 24-hours. When this occurs, the truck is parked within the facility's sealed, curbed concrete secondary containment area located in the Truck Parking Lot described below. HCC also transports oily water collected from customers to Liquid Environmental Solutions of Florida (FLD981928484) for processing.

HCC screens all used oil with Chlor-D-Tect kits prior to pick-up. A halogen detector is used for confirmatory testing if the technician deems it necessary. A used oil sample is collected from each customer and a batch sample is collected from the vacuum truck prior to transferring the used oil to Transflo. The samples are kept in the Main Warehouse for three months in case the receiving facility in Atlanta requests lab analysis (Photo 1). After three months, the samples are emptied into a used oil container located inside the Main Warehouse. When the containers are full, the used oil is pumped into the vacuum truck. No containers of used oil were observed at the time of the inspection.

HCC generates a routine wastestream, "Branch Debris," during the transport and transfer of used oil. This wastestream includes solid wastes such as wipes, absorbents, PPE and similar items. HCC manages Branch Debris as non-hazardous waste and had analysis to support this process. There were two containers of Branch Debris accumulating at the time of the inspection (Photo 2). Both containers were closed and labeled.

Used Oil Transporter and Transfer Facility Records Review:

HCC maintains an electronic log for used oil for a period of three years, and Ms. Decina provided three years of electronic logs for used oil transported by HCC. However, the electronic log did not include the used oil generator EPA ID#, and did not include the date that the used oil was delivered to the receiving facility/another transporter [40 CFR 279.46(a)(2), 40 CFR 279.46(b)(4), 62-710.510(1)(b), FAC]. HCC records results of halogen screening on electronic records and shipping documents.

USED OIL FILTER TRANSPORTER AND TRANSFER FACILITY OPERATIONS

HCC transports used oil filters in 55-gallon containers in box trucks. After returning to the facility, the containers are transferred directly from the box truck into one of the semi-trailers located in the Waste Transfer Area described below. Mr. Register stated that the used oil filters typically remain on-site for one to two weeks and are then transported to HCC's facility in Plant City (FLD065680613). At the time of the inspection, there were approximately 10 containers of used oil filters accumulating in one of the trailers. The floor bed and approximately 18" of the trailer wall connected to the floor was constructed of metal plate that provided an oil-impermeable surface (Photo 3). One of the drums of used oil filters was open (Photo 4). The container was closed at the time of the inspection.

Used Oil Filter Transporter and Transfer Facility Records Review:

HCC maintains an electronic log for used oil filters for a period of three years, and Ms. Decina provided three years of electronic logs for used oil filters transported by HCC.

HAZARDOUS WASTE TRANSPORTER AND TRANSFER FACILITY OPERATIONS

HCC transports hazardous waste containers in box trucks. After returning to the facility, the containers are transferred directly from the box truck into one of the semi-trailers located in the Waste Transfer Area described below. At least every ten days, a trailer with new products and supplies is brought into the facility, unhitched and then the trailer with the waste containers is attached to the truck cab and transported to HCC's facility in Atlanta. At the time of the inspection, the trailer was full and prepared for off-site shipment. Two drums of what appeared to be ignitable hazardous waste were open (Photo 5) [40 CFR 265.173(a), 62-730.171(4)(a), FAC]. The

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containers were closed at the time of the inspection.

Hazardous Waste Transporter and Transfer Facility Records Review:

HCC maintains an electronic hazardous waste log for a period of three years, and Ms. Decina provided three years of electronic logs for hazardous waste transported by HCC. However, the electronic logs did not include shipping information for any VSQG hazardous wastes, and did not include the date hazardous wastes left the facility [62-730.171(6), FAC]. Hard copies of the manifests are retained at the facility until the waste is shipped off-site. Mr. Register stated that a trailer is ordered at least one week in advance to ensure that the oldest waste is shipped off-site within 10 days.

UNIVERSAL WASTE TRANSPORTER AND TRANSFER FACILITY OPERATIONS

HCC transports universal waste mercury-containing lamps and/or devices in box trucks. After returning to the facility, the containers are transferred directly from the box truck into one of the semi-trailers located in the Waste Transfer Area described below, and then transported to HCC's facility in Atlanta. At the time of the inspection, no universal waste was observed at the facility.

PETROLEUM CONTACT WATER (PCW) TRANSPORTER OPERATIONS

HCC will also transport PCW if its customers request the service although this is an infrequent service. If requested, HCC transports the PCW to Liquid Environmental Solutions of Florida (FLD981928484) for processing.

PARTS WASHER SALES/LEASING AND SOLVENT RECOVERY OPERATIONS

HCC provides parts washers for sale or lease to customers and maintains the equipment in the field. This includes removing the spent solvent and refilling the equipment with new or recycled product. HCC offers two types of solvent to its customers: one type is a mineral spirits-base solvent with a flashpoint of 142°F and is referred to as "142 solvent," and the other type is an aqueous-based solvent. HCC collects the spent 142 solvent from its customers and ships it to HCC's facility in Atlanta where it is bulked into a tanker or railcar, shipped to HCC's Indianapolis, IN (INR000006536) recycling facility for recycling/distillation, and then returned to the customer. The aqueous solvent is also shipped to Atlanta and then managed through an industrial wastewater treatment plant.

HCC requires new customers to complete a "Generator Certification" form upon requesting service. The form requires the customer to identify its hazardous waste generator category and EPA ID, if applicable, to certify that additives or other materials will not be added to the parts washer solvent while in use at the customers' facility, and to certify whether the waste solvent qualifies to be managed as non-hazardous waste or qualifies for HCC's solvent reuse program. HCC uses this "Generator Certification" as the customers' wastestream determination and does not perform analysis on these wastestreams unless requested to do so by the customer.

MAIN WAREHOUSE

The Main Warehouse is used to store materials, supplies, absorbents, tools, spill kits, empty parts washers, and new product solvent and antifreeze. The used oil samples, used oil containers and Branch Debris containers, described above, are also kept in this area. No additional wastes, other than described above, are accumulated in the Main Warehouse.

TRUCK PARKING LOT

This parking area is located on the northside of the Main Warehouse and adjacent to the facility's northern property fence. The northeast section of the parking lot is asphalt and used for fuel truck parking; the northwest section side of the parking lot is compacted limerock and used for box truck parking. One fuel truck and two box trucks were parked in the lot at the time of the inspection. The center section of the parking lot where the vacuum trucks are parked is a sealed, curbed concrete secondary containment. The sealed containment section of the parking lot was being used to store 17 totes of antifreeze product and 3 empty totes (Photo 6). The 17 totes contained various quantities of product antifreeze. HCC collects used antifreeze which is shipped to its Plant City facility (FLD065680613) for recycling and then returned to customers for use. The facility is reminded that the capacity of the containment should always be capable of containing 110% of the contents of

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the largest used oil container (such as a vacuum truck) that is located within the containment. There was also what appeared to be an oily sheen on the standing water inside the containment (Photo 7). The facility is reminded that water with a sheen cannot be discharged to the environment. All sheens should be removed prior to discharge to the environment, or the water should be discharged to the sewer upon approval from the public utility operator (Jacksonville Electric Authority), or the water should be properly disposed at a permitted treatment facility that is authorized to manage the waste water.

WASTE TRANSFER AREA

This area is located on the east side of the Main Warehouse and southeast of the Truck Parking Lot described above. Used oil filters, hazardous waste, non-hazardous waste, universal waste, and materials and supplies are transferred directly from incoming trucks into one of the unhitched semi-trailers that are parked in the area (Photo 8).

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 open during business hours when HCC employees are on-site. An exit gate is electronically controlled and motion-activated to open for trucks exiting the facility. Both gates are manually locked at night. At the time of inspection, the main gate was open for business, and the exit gate was closed. The Warning signs on the main gate and along the front of the facility were faded and not easily visible at a 25-yard distance (Photo 9). It is recommended that HCC replace the signs with larger, more easily visible signs warning signs.

RECORDS REVIEW

Records reviewed included manifests, shipping papers, inspection logs, Contingency Plan, Closure Plan, annual registration, insurance liability coverage, personnel training records, and waste inventory logs. Records reviewed appeared to be in order unless otherwise described herein.

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 DEP's NED inspector listed as the Principal Inspector on Page 1 of the 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.

New Potential Violations and Areas of Concern:

Violations

| | |
|--------------------|--|
| Type: | Violation |
| Rule: | 265.173(a) , 62-730.171(4)(a) |
| Explanation: | The facility failed to close two 55-gallon containers of ignitable hazardous waste during storage. |
| Corrective Action: | No further action is required. HCC closed the containers at the time of the inspection. |
| Type: | Violation |
| Rule: | 279.46(a)(2) , 279.46(b)(4) , 62-710.510(1)(b) |
| Explanation: | The facility failed to document the EPA ID number of the used oil generator, and failed to document the date of delivery to the receiving facility/another transporter on its used oil logs. |
| Corrective Action: | In order to return to compliance, the facility should submit documentation to the inspector |

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listed on page 1 that demonstrates that this information is being maintained on its used oil logs. The records should be maintained at the facility for three years. DEP requests that the facility temporarily submit a copy of its electronic records of used oil shipments to the inspector on a quarterly basis through December 31, 2023.

| | |
|--------------------|--|
| Type: | Violation |
| Rule: | 62-730.171(6) |
| Explanation: | The facility failed to include shipping information for VSQG hazardous wastes, and did not include the date hazardous wastes left the facility on its hazardous waste logs. |
| Corrective Action: | In order to return to compliance, the facility should submit documentation to the inspector listed on page 1 that demonstrates that this information is being maintained on its hazardous waste logs. The records should be maintained at the facility for three years. DEP requests that the facility temporarily submit a copy of its electronic records of hazardous waste shipments to the inspector on a quarterly basis through December 31, 2023. |

PHOTO ATTACHMENTS:

Photo 1



Photo 2



Photo 3



Photo 4



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Photo 5



Photo 6



Photo 7

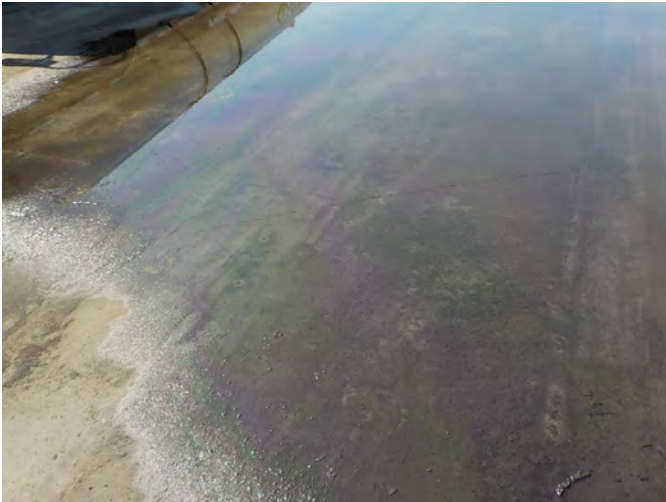


Photo 8



Photo 9



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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

| | | |
|---|-------------------------------------|-------------------|
| <u>Cheryl L Mitchell</u> | <u>Inspector</u> | |
| Principal Investigator Name | Principal Investigator Title | |
|  | <u>DEP</u> | <u>09/28/2022</u> |
| Principal Investigator Signature | Organization | Date |
| <hr/> | | |
| <u>Dalton Register</u> | <u>Branch Manager</u> | |
| Representative Name | Representative Title | |
| | <u>Crystal Clean</u> | |
| | 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: | <u>Cheryl L Mitchell</u> | Inspection Approval Date: | <u>09/28/2022</u> |
|------------------|--------------------------|----------------------------------|-------------------|