



Jeb Bush  
Governor

# Department of Environmental Protection

Northwest District  
160 Governmental Center  
Pensacola, Florida 32502-5794

Colleen Castille  
Secretary

January 10, 2006

Sent via E-mail to:  
[harry.dail@ipaper.com](mailto:harry.dail@ipaper.com)

## **WARNING LETTER**

Mr. Harry Dail  
International Paper  
Post Office Box 87  
375 Muscogee Road  
Cantonment, Florida 32533

Dear Mr. Dail:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A field inspection by Department of Environmental Protection personnel on November 8 and 14 and December 16 of International Paper in Escambia County, Florida, indicates that violations of the Resource Conservation and Recovery Act (RCRA) and Chapters 376 and 403, Florida Statutes and Rules may exist at the above-described facility. These possible violations are described in the "Summary of Alleged Violations" section of the enclosed Inspection Report. (All Title 40 Code of Federal Regulations provisions have been adopted by reference in Florida Administrative Code, Chapter 62-730).

The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of the above-described statutes or rules may involve potential liability for civil penalties and should be ceased. Operation of a facility in violation of state statutes or rule may result in liability for damages and restoration as set forth in Section 403.727, Florida Statutes.

You are requested to attend a meeting with Department personnel to discuss this matter at the Northwest District Office address above on January 24, 2006, at 11:00 A.M. CST. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter. If you have any other questions, please contact Melissa Woehle at telephone (850) 595-8360, extension 1251 or via email at [melissa.woehle@dep.state.fl.us](mailto:melissa.woehle@dep.state.fl.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Kennedy". The signature is fluid and cursive, with the first name "Michael" being the most prominent.

Michael S Kennedy, P.G.  
Acting Program Administrator  
Waste Management

MSK:mw

Encl: Hazardous Waste Inspection Report

Cc: Mike Steltenkamp via email: [mike.steltenkamp@ipaper.com](mailto:mike.steltenkamp@ipaper.com)

Bill Steen, Site Mgr., Partridge-Sibley



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## HAZARDOUS WASTE INSPECTION REPORT

1. **INSPECTION TYPE:**  Routine  Complaint  Follow-Up  Permitting  Pre-arranged

**FACILITY NAME:** International Paper, Inc. **DEP/EPA ID #:** FLD 008 166 639

**STREET ADDRESS:** 375 Muscogee Road, Cantonment, Florida 32533

**MAILING ADDRESS:** P.O. Box 87, Cantonment, Florida 32533

**COUNTY:** Escambia **PHONE:** (850) 968-3059 **DATE:** Nov. 8 & 14, and Dec. 16 & 20, 2005

### HW facility status

- non-handler
- CESQG
- SQG
- LQG
- transporter
- transfer facility
- TSD
- SQH
- LQH

### used oil facility status

- generator
- transporter
- transfer facility
- marketer
- processor
- on-spec. burner
- off-spec. burner
- filter generator
- filter transporter
- filter transfer facility
- filter processor

### Hg facility status

- exempt
- generator
- transporter
- Hg recovery facility
- Hg reclamation facility

### PCW facility status

- producer
- transporter
- recovery facility

## 2. APPLICABLE REGULATIONS:

- |  |  |   |   |
|--|--|---|---|
| <input checked="" type="checkbox"/> 40 CFR 261 | <input checked="" type="checkbox"/> 40 CFR 262 | <input type="checkbox"/> 40 CFR 263             | <input type="checkbox"/> 40 CFR 264             |
| <input type="checkbox"/> 40 CFR 265            | <input type="checkbox"/> 40 CFR 266            | <input checked="" type="checkbox"/> 40 CFR 268  | <input type="checkbox"/> 40 CFR 270             |
| <input checked="" type="checkbox"/> 40 CFR 273 | <input checked="" type="checkbox"/> 40 CFR 279 | <input checked="" type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-730, FAC |

3. **RESPONSIBLE OFFICIAL:** Chris Read, Plant Manager

4. **INSPECTION PARTICIPANTS:** Harry Dail, E & S Engineer and Mike Steltenkamp, EH & S Mgr.  
/ International Paper ; Bill Steen, Site Mgr. / Partridge-Sibley Industrial Services and Melissa  
Woehle, Nicole McDonald and Thomas Dillard / FDEP

5. **LATITUDE/LONGITUDE:** Lat 30° 36' 21"/Long 087° 19' 25"

6. **TYPE OF OWNERSHIP:** private federal state county municipal

7. **PERMIT No.:** None

#### 8. Site History and Description:

The International Paper Company mill, located in Cantonment, Florida, (IP), formerly owned by Champion International Corporation, operates 24 hours daily and currently employs approximately 600 people. A paper mill has been in operation at this location since 1941. IP notified the Department as a Small Quantity Generator of hazardous waste (SQG) and an off-specification used oil burner in 2001. No subsequent notifications have been recorded. IP was last inspected for hazardous waste and used oil management on April 16, 2001 with no violations cited.

IP produces uncoated Xerox paper and fluff pulp through the traditional Kraft pulping process. Operations at the mill include wood and chip handling, Kraft pulping, chemical recovery, bleaching, and paper manufacturing and converting. Support and auxiliary operations include mill services such as water supply, equipment and vehicle maintenance, machining, preventive predictive maintenance, laboratory analyses, wastewater treatment and air pollution abatement. IP employs contract labor for activities such as painting, welding and heavy equipment operation.

#### 9. Site Inspections:

On November 8, 2005, Department personnel, Melissa Woehle, Thomas Dillard and Nicole McDonald conducted a hazardous waste inspection of IP to ensure compliance with the Resource Conservation and Recovery Act (RCRA) and state and federal used oil regulations. Before entering the mill the inspectors were briefed on mill-wide safety protocol. The inspectors then exchanged introductions with Chris Read, General Mgr. and Harry Dail, Environmental and Safety Engineer. The inspectors briefed Mr. Dail on the intent of the inspection including areas of interest and records to be reviewed. Mr. Dail accompanied the inspectors on a visual inspection of the facility and provided access to records. The Inspection was continued with Mr. Dail on November 14, 2005 by Melissa Woehle and Nicole McDonald. Manifests for 2004 and 2005 were reviewed on site by Melissa Woehle on December 20, 2005.

In addition, a complaint received by the Department on December 2, 2005, alleging mismanagement of used oil by Partridge-Sibley Industry Services (on-site contractor for IP) was investigated on December 16, 2005 by Melissa Woehle.

#### Visual Inspection:

Visual inspection of the converting area, vehicle maintenance area and adjacent machine shop, preventive predictive maintenance (PPM) lab, central lab, bleach plant lab and the less than 180-day hazardous waste accumulation area was conducted on November 8, 2005. The inspection was continued on November 14, 2005 to include determining pH of the dip tank solution and visual inspection of 9 used oil accumulation points, the universal waste storage area and the wood yard maintenance shop.

### Converting Area

There are three process lines in the converting area on which Xerox paper is cut to size, printed with a code and packaged in pre-printed paper. James Eiland, Benco Operator, demonstrated that printing is accomplished by “mod” printers using disposable cartridges which contain MEK. The cartridges are removed from the printers when empty and replaced. Cartridges (usually empty) are placed in a Satellite Accumulation Area (SAA) drum, see picture A. The SAA drum was labeled “Hazardous Waste” and covered, see picture B. Solvent containing MEK used for cleaning purposes is caught in a container attached to a funnel, see picture C. When the container is full it is placed in the SAA drum along with the empty cartridges.

There was one SAA in the Converting Area Maintenance Shop for collecting residue from punctured cans, see picture D. The punctured cans are collected in a dedicated trashcan and handled as scrap metal. Rags used in this area are disposed of with the regular trash. A review of manifests subsequently submitted by IP for aerosol cans observed in this area suggests that none contain any constituents listed for any reason other than ignitability (F003).



picture A



picture B



picture C



picture D

### Vehicle Maintenance

Used oil, used antifreeze and waste gas generated in the vehicle maintenance area are collected in separate tanks located within secondary containment just outside the shop area, see pictures E and F. The tanks were appropriately labeled and in good condition. Gasoline collected in the tank labeled "Waste Gas and Water Mixture" is picked up to be used as a fuel and is therefore exempt from the definition of "solid waste" and not regulated under RCRA. The secondary containment was compromised by an open valve which Mr. Dail closed upon discovery, see picture G. Used Oil Filters are crushed and placed in a drum labeled "Drained Used Oil Filters, see picture H." Aerosol cans are punctured in this area and residue is collected in a closed container labeled "Hazardous Waste". Punctured and un-punctured aerosol cans and fuel filters were found mixed in with the regular trash, see picture I and J.



picture E



picture F



picture G



picture H





picture I



picture J

There is a System One parts washer in this area that uses Premium Gold solvent (> 145 degree, Flash Point). Residue from the System One is put into the used oil. Automotive batteries are picked up daily by Central Auto Part, located across HWY 29 from the mill. Used oil, used oil filters, waste gas and used antifreeze are picked up by McLean Oil, a subsidiary of McPherson Oil Co. Rags are disposed of with the regular trash.

### Machine Shop

There is a System One parts washer and agitating parts washer in this area. Both units use non-hazardous solvent and are serviced monthly by Safety Kleen. Aerosol cans generated in this area are taken to the vehicle maintenance shop to be punctured and rags are disposed of with the regular trash. There was a covered dip tank located just outside the machine shop. A hose was attached to the bottom of the tank and extended out to the end of the building, see picture K - N. The inspectors asked about the use of the hose and how the dip tank solution is normally disposed of when spent. Mr. Dail said that he did not know why the hose had been attached and that it should not be there. He called someone to have the hose removed. He also said that the spent dip tank solution is normally recovered for its caustic value by pumping it into the sodium hydroxide solution (white liquor) used to break down wood chips in the pulping process. There were several rusty drums in the same area. We asked Ken Borne, machinist, what the drums contained. He said that they contained detergent that is diluted and used in the dip tank. There were no waste drums in this area. On 11/14/05 Nicole McDonald and Melissa Woehle tested the pH of the dip tank solution using wide and short range pH paper with the following results:

Range in pH units	Result
0 to 13	13
9 to 13	13
12.4 to 13.9	13.6



picture K



picture L



picture M



picture N

### PPM Lab

Wayne Neal, PPM/Lubrications Supervisor, explained that 39" oil filters are removed from machinery within the mill and drained into buckets. The used oil is then put into one of 10 used oil accumulation areas located throughout the mill. Oil is sampled from the machinery and tested for metals in the PPM lab to determine the extent of wear on moving parts. All machine oil is changed annually.

### Central Lab (Analytical Lab)

The inspectors inquired into the management of hazardous wastes generated in the lab area. Mr. Dail and Don Guilford, Sr. Lab Tech said that COD analysis is not conducted internally and that lab techs call environmental staff to handle unused chemicals that need to be disposed of and materials from spill cleanup. Wastewater and black liquor strength analyses are routinely conducted in the Central Lab. All liquid laboratory process wastes including samples and reagents are disposed of into lab sinks that discharge into IP's on-site wastewater treatment system.

### Bleach Plant Lab

Chemicals used in this area include Sulfuric Acid, Potassium Iodide, Acetone, and Barium Chloride. No hazardous wastes are accumulated in this area and liquid laboratory process wastes are disposed of into sinks that discharge into IP's on-site wastewater treatment system.



### Hazardous Waste Accumulation Area

In the less than 180-day hazardous waste accumulation area, there was one 55-gallon drum labeled Hazardous Waste / solid paint waste F003/D001 dated 11/3/05. The drum was in good physical condition and closed. There were three drums labeled Non-Hazardous / fuel oil dirt from dikes and “oily material tested for halogens & flashpoint.” There were several over-pack drums, spill control kits and absorbents staged in this area for use by IP’s Emergency Response Team (ERT). See pictures O – Q.



picture O



picture P



picture Q

### Used Oil Accumulation Areas

Ten used oil accumulation areas located throughout the mill were visually inspected including the bleach plant, wood yard, digester area, paper machine area, power boiler area, and the recovery boiler area. All used oil containers were in good condition, closed and labeled; however, they were not located within secondary containment, see pictures R - V.



picture R



picture S



picture T



picture U



picture V

### Wood Yard Area

There is a maintenance shop located in the wood yard area. Aerosol cans are punctured in this area and used oil and universal waste is generated. A weathered box of improperly stored fluorescent tubes was observed, see picture W. Two of the tubes were broken.

### Universal Waste Storage Area

Waste fluorescent tubes, batteries and ballast are collected throughout the mill and aggregated for management in the universal waste storage area. The battery container was properly labeled "Used Batteries" and closed; however, the lamp containers were not labeled or closed.



picture W



picture X



picture Y

### Record Review:

A records review was conducted that included manifests for 2004 - 2005, weekly inspection log of the less than 180-day hazardous waste accumulation area, and the contingency plan. Hazardous waste manifests were reviewed with no discrepancies found. The weekly inspection log was complete and retained for at least three years. The facility has a contingency plan that covers preparedness, prevention and emergency response. The plan was up to date and satisfied the requirements for a SQG.

Based on manifest reviewed, IP generated an average of 125lbs of hazardous waste / month from 9/3/04 – 9/16/05. This generation rate qualifies IP for Conditionally Exempt Small Quantity Generator (CESQG) status (< 220 lbs / month). Since periodic increases in hazardous waste generation may occur due to increased maintenance activities, disposal of obsolete chemicals or other unforeseen events, IP maintains the facility to comply with SQG status requirements. Hazardous waste is transported by Onyx Environmental Services, LLC (NJD080631369) to Onyx Environmental Services, LLC (TXD000838896). The largest quantity of hazardous waste being manifested off site consists of paint related wastes.

Spent 150 Solvent is picked up by Safety Kleen (SK) as non-hazardous waste on a bill of lading. Letters on file from SK indicated that the results of a TCLP conducted for spent solvents on 7/26/04 showed it to be non-hazardous.

#### 10. Complaint Inspection of December 16, 2005:

On December 16, 2005, Department personnel, Melissa Woehle, conducted a complaint inspection at International Paper (IP), located in Cantonment, FL. The inspection was initiated by a complaint received on December 2, 2005, attached, and was intended to ensure compliance with state and federal hazardous waste and used oil regulations. The complaint and inspection were confined to the office, shop and truck staging area used by Partridge-Sibley Industrial Services (PSIS). This area is located behind IP's wastewater treatment ponds. PSIS is contracted by IP to haul various waste including boiler ash, wastewater sludge, and lime.

Mike Steltenkamp and Bill Steen accompanied the inspector on a visual inspection of the maintenance shop and the truck parking area. Mr. Steen explained that PSIS has a total of ten long trailers (50 yard), six short trucks (20 yard) and three tankers on site. Of those, three to five short trucks and one trailer were in use at the time.

There was no evidence of stained soil observed under or around the parked trucks, trailer or tankers. There was one open 5-gallon bucket about ½ full of used oil under the back end of a trailer where it had been left to catch leaking fluid. There were two used oil tanks beside the parking area. The tanks were on bare ground and not covered. The smaller tank was labeled "used oil" and open. This tank was less than ½ full. Mr. Steen said that the larger tank would hold 350 gallons. It was closed, but not labeled and about ¼ full. The soil around the used oil tanks was stained about one to two inches down and about one to two feet out from the tanks. There were three open, unlabeled, 5-gallon buckets of used oil and rainwater on the ground beside the tanks. In this area there was one unlabeled, closed, 55-gallon drum. Mr. Steen was not certain of the contents, but said he thought it contained oily soil. There were two 55-gallon drums behind a storage building labeled "Non-Hazardous." Mr. Steen said he thought these drums also contained oily soil. There was a small area (about 1x2 feet) of darkly stained soil behind the storage building.

The maintenance shop is covered and on a concrete slab. There is one parts washer. Mr. Steen said that the parts washer was new and still contained the original solvent. Mr. Steen said that the mechanics put used oil filters into a container, but we were not able to locate the container. The inspector asked for records of used oil pickup. The most recent record on site was from 1996.

Subsequent to the inspection, Mr. Steen faxed copies of receipts for used oil and used oil filters pickup by Aaron Oil Company, Inc. (ALD983180233). He also said that the 5-gallon containers had been emptied into the used oil tank and the tank labeled "Used Oil."

#### 10. Summary of Alleged Violations:

##### **a) 40 CFR 261.5(g)(3)**

##### **CESQG Improper Disposal**

A CESQG may either treat or dispose of hazardous waste in an on-site facility or ensure delivery to an off-site treatment, storage or disposal facility, either of which, if located in the U.S. meets one of the descriptions in 40 CFR 261.5(g)(3)(i-vii).

Waste fuel filters were found in the regular trash. Fuel filters generally are characteristically hazardous (D001/D039) when disposed of. Fluorescent tubes were found abandoned and broken in the wood yard area and generally are characteristically hazardous (D008). The dip tank solution located behind the machine shop will be characteristic hazardous waste (D002) when spent and no determination has been made on whether heavy metals or other contaminants may become entrained as a result of its use. The hose connected to the bottom of the tank appeared to be there for the purpose of draining the dip tank onto the road and no other explanation was offered.

##### **b) 40 CFR 273.13 (d)(1)**

##### **Universal Waste Management**

A small quantity generator of universal waste must contain any lamps in containers that are structurally sound, adequate to prevent breakage and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. Each lamp or a container or package in which the lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

The boxes containing used lamps were not labeled or closed.

##### **c) 40 CFR 279.22**

##### **Used Oil Labeling**

Containers and aboveground tanks used to store used oil at generator facilities must be labeled with the words "Used Oil."

The 350-gallon tank used to store used oil in the Partridge-Sibley parking area was not labeled. Two 5-gallon buckets beside the tank were not labeled and had been left in place long enough to catch rainwater.

**d) 40 CFR 279.22 (d)**

**Failure to Respond to Used Oil Release**

Upon detection of a release of used oil to the environment, a generator must perform the following cleanup steps: (1) stop the release; (2) Contain the released used oil; (3) clean up and manage properly the released used oil and other materials; and (4) if necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

The ground around the used oil tank in the Partridge-Sibley area was stained with used oil about one to two inches deep and about one to two feet out around the tanks. There was also a small area of stained soil behind the storage building. There was no evidence of any attempt to remove the stained soil.

11. Recommendations:

Although IP's hazardous waste generation rate at the time of this inspection (< 220 lbs / month) qualifies them for CESQG status, it is likely that periodic increases in hazardous waste generation will occur. Because of this IP maintains their facility as an SQG and the following recommendations are based on SQG requirements.

- a) IP should ensure that all hazardous waste, universal waste, used oil, and used oil filters generated on mill property including contractor areas is managed appropriately.
- b) IP should ensure that all employees including contractors and their employees are thoroughly familiar with proper waste handling and emergency procedures, including spill response, relative to their jobs as required for SQGs per 40 CFR 262.34 (d)(5)(iii).
  - (1) Training should include management of used fuel filters. Used fuel filters may be managed with used oil filters if accepted by your hauler and destination facility. The containers should be labeled "Used Oil and Fuel Filters" and managed per used oil filter requirements. If the filters are disposed of with the regular trash, they are solid waste and most likely hazardous waste.
  - (2) Training should include management of spent aerosol cans. Employees should be familiar with the proper way to manage un-punctured and punctured cans. The puncturing of aerosol cans is considered hazardous waste treatment requiring a hazardous waste permit unless the punctured cans are managed as scrap metal which causes the puncturing operation to be exempt from RCRA regulation.



- (3) Training should include management of universal waste from generation through to proper containment and labeling. Each container of universal waste lamps should be labeled as specified in 40 CFR 273.14.
- c) IP should perform a hazardous waste determination for the caustic dip tank solution when spent per 40 CFR 262.11. If the waste is excluded or exempted under 261.2-6, then a one-time notice describing such generation, subsequent exclusion or exemption and the disposition of the waste should be placed in IP's on-site files, as required in 268.7(a)(7).
- d) If cartridges are "empty" per 40 CFR 261.7 when discarded, the cartridges and any residue remaining in the cartridge is not subject to regulations under parts 261-265, or part 268, 270 or 124 of Chapter 40 CFR or to the notification requirements of section 3010 of RCRA. Therefore, they may be handled as non-hazardous waste.
- e) IP should ensure that all used oil at the facility is stored in accordance with 40 CFR 279.22 and 62-710 FAC, including secondary containment and labeling.
- f) Releases of used oil should be immediately addressed by removing stained soils and any other spill debris, containerizing, labeling and arranging for proper disposal. Used oil should not be allowed to remain on the ground.

Report prepared by: Melissa Woehle  
Melissa Woehle

Date: December 30, 2005