

Thursby, Kim

From: Garry Allen [gallen@synergyrecycling.org]
Sent: Monday, June 01, 2009 11:28 AM
To: Epost HWRS
Cc: Kothur, Bheem; 'Mike Stillinger'
Subject: Notice of Deficiency - 3 Used Oil Processing Permit ;FLD 000 053 611;292753-HO-001

We have received the Notice of Deficiency - 3 Used Oil Processing Permit ;FLD 000 053 611;292753-HO-001.

Garry

Garry R. Allen
Operating Partner
Synergy Recycling of Central Florida, LLC
3800 W. Lake Hamilton Drive
Winter Haven, FL 33881
Phone: (863) 419-0556
Fax: (863) 419-0126
Cell: (813) 410-4013

Thursby, Kim

From: Epost HWRS
Sent: Friday, May 15, 2009 8:21 AM
To: 'gallen@synergyrecycling.org'
Cc: Dregne, James; 'mike@imperialtesting.com'; Wick, Fred; Posner, Augusta; Hornbrook, Frank; Martin, Lee; Bahr, Tim; Kothur, Bheem; Tripp, Anthony
Subject: Synergy Recycling;FLD 000 053 611;292753-HO-001;Notice of Deficiency - 3
Attachments: 5-15-09-Synergy .pdf-Receipt.pdf

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Regulation Section is forwarding the attached document to you by electronic correspondence "e-correspondence" in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a "reply" message to epost_hwrs@dep.state.fl.us. (An automatic "reply message" is not sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

The attached document is in "pdf" format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at www.adobe.com/products/acrobat/readstep2.html.

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

Your cooperation in helping us affect this process by replying as requested is greatly appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Tim Bahr
Environmental Administrator
Hazardous Waste Regulation
Department of Environmental Protection
E-Mail Address: epost_hwrs@dep.state.fl.us



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

May 15, 2009

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

SENT VIA E-MAIL

gallen@synergyrecycling.org

Mr. Garry R. Allen, President
Synergy Recycling of Central Florida, LLC
3800 West Lake Hamilton Drive
Winter Haven, FL 33881

RE: Synergy Recycling of Central Florida, LLC
EPA I.D. NO. FLD 000 053 611
Permit Number: 292753-HO-001
Used Oil Processing Facility Permit
Notice of Deficiency - 3

Dear Mr. Allen:

The Florida Department of Environmental Protection (the Department) has received your permit renewal application NOD response dated April 20, 2009 and DEP received on April 23, 2009 and reviewed to operate a Used Oil Processing facility at 3800 West Lake Hamilton Drive, Winter Haven, Florida, 33881.

The review of the permit renewal application NOD responses indicates that it is incomplete. Please provide the information requested in the enclosed attachment. In preparing your response, the Department recommends that you identify each comment followed by your response and also provide your revised pages of the application. The revised pages are to include the new revision date.

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit three copies of your written response (two copies to the Tallahassee Solid and Hazardous Waste Regulation Section, and one to the Southwest District office). If you cannot submit all this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

Mr. Garry Allen, President
May 15, 2009
Page Two

Should you like to arrange a meeting or if you have any questions, please contact Bheem Kothur at (850) 245-8781, e-mail: kothur@dep.state.fl.us

Sincerely,



Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/

Enclosure: Attachment

cc: Jim Dregne, DEP/South West District, james.dregne@dep.state.fl.us
Michael Stillinger, Imperial Testing Laboratories/Lakeland, mike@imperialtesting.com
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Augusta Posner, OGC/Tallahassee, augusta.posner@dep.state.fl.us
Frank Hornbrook, DEP/Tallahassee, frank.hornbrook@dep.state.fl.us
Lee Martin, DEP/Tallahassee, lee.martin@dep.state.fl.us

ATTACHMENT

May 15, 2009

Synergy Recycling of Central Florida, LLC

Winter Haven, Florida

EPA I.D. Number: FLR 000 053 611

Notice of Deficiency-3

PREVIOUS COMMENTS: Notice of Deficiency – 2 and Responses, dated April 20, 2009

Please edit Attachment II (Facility Operations)

Para 2 line 1 –change first sentence to read: “collected and transported”

Para 2 line 6 – This sentence should be revised to read: “Used oil filters will be managed in accordance with Process Flow Step 13 below and Attachment XI.” Item 13 does not discuss what is done if items other than oil filters are found during the inspection.

Para 2 line 7 – The sentence beginning with “Rags, booms..” is confusing. Please clarify whether these materials are being physically separated from the used oil filters, are being generated on site, are being accepted from off site sources or all of the above. Please clarify what is meant by “is impacted by oil.” Any material removed from a used oil filter container is potentially “impacted by oil.” In addition, part of the confusion regarding this sentence is because it is a run on sentence. Please correct the grammar of this sentence.

Para 2 last sentences – Please specify which oily wastes will be analyzed prior to shipment for disposal in accordance with 40 CFR 279.10(c). Please specify the information Synergy will require the generator to provide to document that a complete hazardous waste determination has been conducted on materials which will not be processed for oil recovery. Please specify how Synergy will differentiate between these materials on the facility’s shipping documents.

Para 3 line 2- What sort of antifreeze processing will be conducted?

Paragraph 3 also should be consistent with the later description of water processing in Attachment III. See Step 9. Wastewater shipped for treatment rather than further processing for product recovery is subject to hazardous waste regulations if characteristically toxic for benzene or other hazardous constituents. How will Synergy determine which regulations apply to these process residuals?

Item 3, 5 and 11 (Response #10,18, Paragraph 1 Pg 2 Attachment IV) The Department memo dated 2/28/2007 attached to your submittal refers to transporter screening requirements. Used oil processors have separate screening and analysis requirements pursuant to 40 CFR 279.55 which are more stringent than the 40 CFR 279.44 transporter requirements. It is the Department's position that freon leak detectors

do not provide accurate quantitative data and are not acceptable as the only method of determining whether a sample does not contain excess halogens. In addition, these are not acceptable for determining whether or not the oil meets the 4,000 ppm specification level for halogens. The 4,000 ppm level includes both inorganic halogens derived from salt water as well as halogens derived from halogenated hazardous constituents, as both forms of halogens contribute to acid gas formation.

EPA Method 9020B detects only total organic halogens. This method is not acceptable for determining total halogen content in your waste analysis plan. EPA method 5050/9253 uses chromium and silver solutions, and the method will detect sulfur along with chlorine. More modern methods for determining total chloride content are preferred. Regarding the metals analyses proposed in the waste analysis plan, EPA method 7060 has been superseded by method 7061A. Methods 7131, 7191 and 7421 have all been superseded and are not acceptable. The definition of “batch” is still unclear. The last sentence of Attachment III Step 10 should read “As an alternative, Synergy may market its used oil directly as off specification used oil fuel.” Synergy is required to conduct specification analysis for all oil shipped as “on specification” fuel regardless of whether it is sold to another processor. This determination is separate from the determination required for purposes of DOT hazardous materials compliance.

The text in your response discussing instrument sensitivity applies to detecting leaks in refrigeration equipment capable of releasing 11 grams of Freon in a year. This sensitivity does not translate to detection of halogens in a liquid sample. The Department instituted the 2005 rule change (as referenced in the 2007 memo) due to concerns that the industry was making claims about sniffer use that could not be validated.

Attachment V –Is not specific as to when residuals separated from used oil will be analyzed for purposes of hazardous waste determinations under 40 CFR 279.10(c)(1)(ii). Please review this attachment and revise as appropriate.

Attachment VIII – inspecting the exterior of a double walled tank is not an acceptable leak detection plan. The tank should be fitted with some sort of inspection port or automatic leak detection. The weekly inspection of the tank interstice and/or automatic alarm should be recorded in the inspection plan. Please review this attachment and revise as appropriate.