



Florida Department of Environmental Protection

Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

File 8/7

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

mailed on Aug. 7, 2009

CERTIFIED MAIL # 7008 1300 000 6190 5011
RETURN RECEIPT REQUESTED

Mr. J.B. Coomes, Owner
Coomes Oil & Supply
P.O. Box 175
St. Augustine, Florida 32085

Re: Coomes Oil & Supply
8 Hartshorn St, St. Augustine, FL 32084
Warning Letter WL09-2438HWSNY55NED
EPA/DEP ID: FLD 000 612 010
St. Johns County - Hazardous Waste

Dear Mr. Coomes:

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 hazardous waste program compliance inspection conducted on March 19, 2009, indicates that violations of Florida Statutes and Rules may exist at your facility. Florida Department of Environmental Protection (DEP) personnel made observations described in the attached inspection report. The "Summary of Potential Violations and Corrective Actions" section of the report lists the alleged violations.

Section 403.727, Florida Statutes, provides that it is a violation to fail to comply with rules adopted by the DEP. The activities observed during the DEP's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Rules should be ceased.

You are requested to contact Jenna Perry at 904.807.3382 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The DEP 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. If after further investigation, the DEP's preliminary findings are verified, this matter may be resolved through the entry of Consent Order, which will include a compliance schedule, an appropriate penalty, and reimbursement of the DEP's costs and expenses. In accordance with Section 403.727(3), Florida Statutes, the penalties, which could be assessed in hazardous waste cases, are up to \$50,000 per day per violation. DEP costs are a minimum of \$250.00.

If this investigation confirms that your facility is significantly out of compliance, and the case is not resolved through a timely entry of a Consent Order, under the DEP's agreement with the EPA, a formal referral for judicial action must be made to the DEP's Office of General Counsel. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,

A handwritten signature in black ink, reading "Michael J. Fitzsimmons". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Michael J. Fitzsimmons, Administrator
Waste Program

DBP

MJF:jp

Enclosure



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: Coomes Oil & Supply

On-Site Inspection Start Date: 03/19/2009

On-Site Inspection End Date: 03/19/2009

ME ID#: 25663

EPA ID#: FLD000612010

Facility Street Address: 8 Hartshorn St, St Augustine, Florida 32084-3412

Contact Mailing Address: PO Box 175, St Augustine, Florida 32085-0175

County Name: St. Johns

Contact Phone: (904) 829-2251

NOTIFIED AS:

Non-Handler

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Used Oil Transfer Facility

Routine Inspection for Used Oil Generator facility

INSPECTION PARTICIPANTS:

Principal Inspector: Jenna Perry, Environmental Specialist III

Other Participants: Meaghan Bernier, Environmental Specialist I; J.B. Coomes, Owner

LATITUDE / LONGITUDE: Lat 29° 53' 30.3521" / Long 81° 19' 37.0103"

SIC CODE: 5989 - Retail trade - fuel dealers, nec

TYPE OF OWNERSHIP: Private

Introduction:

Coomes Oil & Supply (Coomes) was inspected on April 19, 2009, as an unannounced hazardous waste compliance inspection. Mr. J.B. Coomes, Owner, and Mr. Kenny Deford, facility employee, were both present throughout the inspection. A follow-up visit was made to the facility on May 08, 2009.

Coomes sells product oil, gas, diesel, mineral spirits, toluene, and kerosene to customers from various industries in northeast Florida. According to Mr. Coomes, the facility also collects and transports used oil and used oil filters from some of its customers and accepts used oil and used oil filters from the nearby community. The facility is currently operating as a used oil transporter/transfer facility, a used oil filter transporter/transfer facility, and a public used oil collection center. The facility operates ten tanker trucks and one box truck. Coomes employs seven people and has been in operation for approximately 30 years. The facility consists of a used oil storage area, product pumping station, product tanks, and a warehouse with offices.

Process Description:

USED OIL STORAGE AREA:

Used oil and used oil filters are brought into the facility by Coomes transportation trucks. The used oil is either pumped into one of the facility's two tanks or is left in a 55-gallon drum. Area businesses also bring their used oil to Coomes for disposal. According to Mr. Coomes, the used oil is usually left outside the facility's fence or is brought in and left near the secondary containment area. Coomes will then add this used oil to the tanks or drums.

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The secondary containment area is used to hold the facility's two 250-gallon used oil tanks, waste drums, and empty drums (Photo 1). The secondary containment structure is 36 feet long, 8 feet wide, and 4.5 inches deep and could hold approximately 808 gallons of liquid if the containment were structurally sound. The secondary containment wall was cracked in several areas (Photos 2 - 5) and therefore was not oil impervious, which is a violation of 40 CFR 279.45(d). The facility's two tanks were both labeled; however, the round tank was near the edge of the containment structure on the end closest to vehicle traffic flow, and the second tank's release valve was over the containment wall on the other side of the containment (Photos 6 and 7). This is an area of concern.

Immediately outside the secondary containment structure were five 55-gallon drums of used oil, one 55-gallon drum of used oil filters, and one 5-gallon bucket of used oil (Photos 8 and 9). All of these containers were sitting on soil. Failure to store used oil containers on an oil-impermeable surface inside secondary containment is a violation of 40 CFR 279.45(d). Failure to store used oil filters on an oil-impermeable surface is a violation of Rule 62-710.850(5)(a), FAC. The 5-gallon bucket of used oil was open and unprotected from the weather, which is a violation of Rule 62-710.401(6), FAC. Four of the 55-gallon drums of used oil and the 5-gallon bucket were not properly labeled with the words "Used Oil," which is a violation of 40 CFR 279.45(g). The 55-gallon drum of used oil filters was moved into the secondary containment during the inspection.

Also immediately outside the containment area near the used oil drums was a large area of what appeared to be oil stained soil (Photos 10 and 11). No attempts had been made to clean up this release. Failure to cleanup a release of used oil is a violation of 40 CFR 279.45(h). During the May visit to the facility, it was noted that this area was covered with a fresh layer of dirt; however, after removing the loose surface soil in a few spots, it was observed that there was still used oil stained soil underneath (Photos 12 and 13). There were also several other areas of used oil stained soil throughout the facility (Photos 14 - 19). No attempts had been made to cleanup the releases [40 CFR 279.45(h)].

FILL STATION:

The facility operates five 20,000-gallon tanks of product diesel fuel and gas. The tanks are registered with the Department and are inspected by the county on a yearly basis.

At the time of the inspection, the dispensing units and pumps were leaking into the fill station's secondary containment (Photo 20). There were several containers in this area to catch the leaking fluid; however, a large amount of the liquids had gathered in a grated trap system within the containment (Photo 21). According to Mr. Coomes, the containment trap is pumped out three times per week and any liquids removed from it are re-used if they are determined to still be good product or are placed into the facility's used oil. Mr. Coomes stated that very little diesel or gas is placed into the used oil. There were two 55-gallon drums within the tank containment area that were marked "F" and "G" for diesel fuel and gas, respectively (Photo 22). These drums contained liquids that had been pumped out of the containment trap.

The dispensing unit was also leaking onto the concrete immediately outside of the containment area (Photos 23 and 24). Soil which was on top of the concrete was stained with diesel fuel and gas. According to Mr. Coomes, this stained soil is collected on a regular basis and placed in a pile on the concrete nearby (Photo 25). After a significant amount has been collected in this pile, facility personnel will place the soil in a drum for disposal as non-hazardous waste.

Near the stained dirt pile was a diesel/gas stain on the soil which had not been cleaned up (Photo 26). During the visit on May 08, 2009, more diesel/gas staining was observed on the soil near a pile of road ties to the right of the fill station (Photo 27).

Adjacent to this area was the facility's old pump house, which is no longer used. A small kerosene tanker was parked in this area, and the back of the truck was leaking product kerosene onto the concrete around the truck. A bucket had been placed under the truck to catch the leaking fluid; however, a large amount of kerosene was still leaking onto the concrete (Photo 28).

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The petroleum discharges mentioned in this section of the report are being referred to the Department's Tanks Section to be addressed under Chapter 770, FAC.

WAREHOUSE:

The Warehouse is used to store parts and products for sale to customers. The facility keeps its product drums of mineral spirits and toluene in this area as well. No hazardous waste is generated in this area.

RECORD REVIEW:

Coomes Oil & Supply is currently operating as a used oil transporter/transfer facility, used oil filter transporter/transfer facility, and a public used oil collection center. At the time of the inspection, the facility was not certified for any of these activities. Failure of a used oil transporter to become certified through the Department is a violation of Rule 62-710.600(1), FAC. Failure of a used oil transfer facility to register with the Department is a violation of Rule 62-710.500(1)(a), FAC. Failure of a used oil filter transporter/transfer facility to register with the Department is a violation of Rule 62-710.850(3), FAC. Failure of a public used oil collection center to notify the Department that it accepts used oil from the public is a violation of Rule 62-710.500(5), FAC.

According to Mr. Coomes, sometimes when the facility picks up used oil from customers it does not record the pickup or leave a record of the pickup with the generator. The facility does not maintain documentation of all shipments of used oil that it accepts for transport, which is a violation of 40 CFR 279.46(a). The facility does not maintain acceptance and delivery records on DEP Form 62-710.901(2) or on substantially equivalent forms, which is a violation of Rule 62-710.510(1), FAC.

The facility did not submit its used oil annual report to the Department for the year 2008. Failure of a used oil transporter to submit an annual report by March 1 for the preceding calendar year is a violation of Rule 62-710.510(5), FAC.

The facility does not perform halogen screening when it accepts used oil from each customer for transport. Failure to determine whether the total halogen content of used oil transported was above or below 1,000 parts per million (ppm) is a violation of 40 CFR 279.44(a). According to Mr. Coomes, Atlantic Industrial Services (now Safety-Kleen) performs a halogen screening when it collects used oil from Coomes.

The facility does not have an adequate training program for its used oil drivers. The only training records that the facility provided addressed only spill response procedures, and this training was conducted in 1990. Failure to provide an adequate training program as a used oil transporter is a violation of Rule 62-710.600(2)(c), FAC.

The facility is reminded that all used oil acceptance and delivery records should be kept for at least three years. The records should include at least the name, address, EPA/DEP identification number and signature of the person who provided or accepted the used oil, the quantity of used oil handled and the date.

Conclusion:

Coomes Oil & Supply has been given the EPA ID # FLD 000 612 010. Please use this number on all transporter documents and on all correspondence with the Department.

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New Potential Violations and Areas of Concern:**Used Oil Generator Checklist**

Type: Violation

Rule: 62-710.401(6)

Question Number: 5.70

Question: Closed or otherwise protected from the environment

Explanation: The facility failed to keep one 5-gallon container of used oil closed or otherwise protected from the weather.

Corrective Action: In order to return to compliance, the facility should close the container or place it under a roofed structure in order to protect the contents from the weather.

Used Oil Transporter

Type: Violation

Rule: 62-710.850(5)(a)

Question Number: 29.170

Question: Stored on an oil impervious surface?

Explanation: One 55-gallon of used oil filters was placed on soil near the containment area. Soil is not an oil impervious surface.

Corrective Action: No further action is required. The facility returned to compliance during the inspection.

Type: Violation

Rule: 62-710.510(1)

Question Number: 29.330

Question: Does the facility keep records on DEP Form 62-710.901(2) or equivalent?

Explanation: The facility was not maintaining records on DEP Form 62-710.901(2).

Corrective Action: In order to return to compliance, the facility should begin keeping record of used oil source and destination on DEP Form 62-710.901(2), a copy of which is attached (Attachment 1).

Type: Violation

Rule: 62-710.510(5)

Question Number: 29.340

Question: Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year?

Explanation: The facility failed to submit an annual report to the Department for the 2008 calendar year summarizing its used oil transporting activities.

Corrective Action: In order to return to compliance, the facility should submit an annual report to the Department for the 2008 calendar year. In the future, the facility is reminded that no later than March 1 of each year, used oil transporters should submit an annual report for the preceding calendar year to the Department on

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DEP Form 62-710.901(3) (Attachment 2). The report shall summarize the records kept pursuant to Chapter 62-710, FAC. The report should be addressed to: Used Oil Coordinator, MS 4555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400.

Type: Violation

Rule: 62-710.600(1)

Question Number: 29.370

Question: Is the transporter certified? (local governments, and < 55g/time transporters are exempt)

Explanation: The facility did not submit the appropriate information to the DEP to become a certified used oil transporter.

Corrective Action: In order to return to compliance, the facility should:

- Submit DEP Form 62-710.901(1) (Attachment 3).
- Submit DEP Form 62-710.901(4) (Attachment 4).
- Submit a training program that meets the requirements of Rule 62-710.600(2), FAC.
- Maintain records that document personnel are meeting applicable training requirements.
- Annually demonstrate proof of liability insurance, or other means of financial responsibility, for any liability that may be incurred in the transport of used oil.
- Annually certify that the training program is still operating, is being adhered to, and has been reviewed and updated to address changes in regulations.

Type: Violation

Rule: 62-710.600(2)(c)

Question Number: 29.380

Question: Does the facility maintain training records?

Explanation: The facility was not conducting adequate training as a used oil transporter.

Corrective Action: In order to return to compliance, the facility should conduct training for used oil transporter drivers which includes instruction on compliance with state and federal rules governing used oil, proper used oil management practices, including appropriate response actions to any release or spill, a detailed description of the company's standard operating procedure for halogen screening at each pick up location (this description shall include instrument specifications and capabilities, calibration methods and frequency, procedures addressing the handling of loads which indicate halogen levels in excess of 1,000 ppm, and record keeping procedures for all loads accepted or refused), an introduction of each new employee within 90 days of hire to the applicable laws and rules before unsupervised driving of a used oil transportation vehicle. The facility should maintain a record of this training in the company's operating record and individual personnel files indicating the type of training received along with the dated signature of those receiving and providing the training.

Type: Violation

Rule: 62-710.500(1)(a)

Question Number: 29.420

Question: Is the transfer facility registered per 62-710.500(1)(a) F.A.C?

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Explanation: The facility did not notify the Department that it was operating a used oil transfer facility.

Corrective Action: In order to return to compliance, the facility should notify the Department that it is a used oil transfer facility on DEP Form 62-710.901(1) or on Form 8700-12FL.

Type: Violation

Rule: 279.44(a)

Question Number: 29.430

Question: Does the transporter determine whether used oil stored at a transfer facility has total halogen content above or below 1,000 ppm?

Explanation: The facility did not determine whether the total halogen content of used oil that it transported was above or below 1,000 parts per million (ppm).

Corrective Action: In order to return to compliance, the facility should determine if the total halogen count of all future shipments of used oil is less than 1,000 ppm by testing the used oil for its halogen content.

Type: Violation

Rule: 279.45(g)

Question Number: 29.570

Question: Are ASTs, UST tank fill lines and containers labeled "used oil"?

Explanation: Four 55-gallon drums and one 5-gallon bucket of used oil were not properly labeled.

Corrective Action: In order to return to compliance, the facility should label all containers storing used oil with the words "Used Oil."

Type: Violation

Rule: 279.45(h)

Question Number: 29.600

Question: Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable?

Explanation: The facility failed to clean up a large release of used oil around the containment area as well as in several spots throughout the yard.

Corrective Action: In order to return to compliance, the facility should immediately perform the following steps upon detection of a release of used oil to the environment:

1. Stop the release of used oil.
2. Contain the released of used oil.
3. Clean up and properly manage the released used oil and remove any contaminated materials or soil for proper disposal.
4. If necessary to prevent future releases, repair or replace any equipment leaking used oil before returning the equipment to service.

Checklist Independent Potential Violations and Areas of Concern

Type: Violation

Inspection Date: 03/19/2009

Rule: 279.45(d)

Explanation: 1. The secondary containment structure for the used oil tanks was cracked in several places and, therefore, was not oil impervious.

2. The facility failed to provide secondary containment for five 55-gallon drums and one 5-gallon bucket of used oil.

Corrective Action: In order to return to compliance, the facility should :

1. Repair the cracks in the containment structure or replace the containment. The containment should be impervious to used oil.

2. Place all used oil containers completely within the containment area. All used oil containers and tanks stored outside of a structure, regardless of size, must be closed or covered or otherwise protected from the weather and must either be double-walled or stored on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest container within the containment area.

Type: Area Of Concern

Rule: 279.45(d), 279.45(e)

Explanation: The facility's used oil tanks were situated within the secondary containment structure but were very near the edge of the bermed wall.

Corrective Action: The facility should make sure that its two used oil tanks are situated completely within the secondary containment structure.

Type: Violation

Rule: 62-710.850(3)

Explanation: The facility failed to register its used oil filter transporter/transfer activities with the Department.

Corrective Action: In order to return to compliance, the facility should notify the Department that it is a used oil filter transporter/transfer facility on DEP Form 62-710.901(1) or on Form 8700-12FL.

Type: Violation

Rule: 279.46(a)

Explanation: The facility failed to keep a record of each used oil shipment accepted for transport.

Corrective Action: In order to return to compliance, the facility should begin keeping records of all used oil shipments that are accepted for transport by the facility. The facility should maintain used oil acceptance records that include the following information: the name and address of the generator, the EPA ID number (if applicable), the quantity of used oil accepted, the date of acceptance, and the signature of the used oil generator dated upon receipt. These records should be kept for a minimum of three years and a copy of each record should be left with the generator.

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Type: Violation

Rule: 62-710.500(5)

Explanation: The facility failed to notify the Department that it was acting as a Public Used Oil Collection Center.

Corrective Action: In order to return to compliance, the facility should submit notification to the Department that it is a Public Used Oil Collection Center on DEP Form 62-710.901(5), a copy of which is attached (Attachment 5).

Type: Violation

Rule: 403.708(1)(a)

Explanation: The facility failed to prevent and cleanup two areas of diesel/gas stained soil near the fill station.

Corrective Action: In order to return to compliance, the facility should immediately perform the following steps upon detection of a release of diesel or gas to the environment:

1. Stop the release.
2. Contain the release.
3. Clean up, properly manage, and dispose of the stained soil and other contaminated materials and any subsequent absorbent waste.
4. If necessary to prevent future releases, repair or replace any equipment leaking diesel or gas prior to returning them to service.

Summary of Potential Violations and Areas of Concern:

Potential Violations

| Rule Number | Area | Date Cited | Explanation |
|---|------|------------|---|
| Used Oil Generator Checklist 62-710.401(6) | | 03/19/2009 | The facility failed to keep one 5-gallon container of used oil closed or otherwise protected from the weather. |
| Used Oil Transporter 62-710.850(5)(a) | | 03/19/2009 | One 55-gallon of used oil filters was placed on soil near the containment area. Soil is not an oil impervious surface. |
| 62-710.510(1) | | 03/19/2009 | The facility was not maintaining records on DEP Form 62-710.901(2). |
| 62-710.510(5) | | 03/19/2009 | The facility failed to submit an annual report to the Department for the 2008 calendar year summarizing its used oil transporting activities. |
| 62-710.600(1) | | 03/19/2009 | The facility did not submit the appropriate information to the DEP to become a certified used oil transporter. |
| 62-710.600(2)(c) | | 03/19/2009 | The facility was not conducting adequate training as a used oil transporter. |
| 62-710.500(1)(a) | | 03/19/2009 | The facility did not notify the Department that it was operating a used oil transfer facility. |
| 279.44(a) | | 03/19/2009 | The facility did not determine whether |

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| Rule Number | Area | Date Cited | Explanation |
|----------------------------------|------|------------|--|
| 279.45(g) | | 03/19/2009 | the total halogen content of used oil that it transported was above or below 1,000 parts per million (ppm). Four 55-gallon drums and one 5-gallon bucket of used oil were not properly labeled. |
| 279.45(h) | | 03/19/2009 | The facility failed to clean up a large release of used oil around the containment area as well as in several spots throughout the yard. |
| Checklist Independent Violations | | | |
| 279.45(d) | | 03/19/2009 | 1. The secondary containment structure for the used oil tanks was cracked in several places and, therefore, was not oil impervious. 2. The facility failed to provide secondary containment for five 55-gallon drums and one 5-gallon bucket of used oil. |
| 62-710.850(3) | | 03/19/2009 | The facility failed to register its used oil filter transporter/transfer activities with the Department. |
| 279.46(a) | | 03/19/2009 | The facility failed to keep a record of each used oil shipment accepted for transport. |
| 62-710.500(5) | | 03/19/2009 | The facility failed to notify the Department that it was acting as a Public Used Oil Collection Center. |
| 403.708(1)(a) | | 03/19/2009 | The facility failed to prevent and cleanup two areas of diesel/gas stained soil near the fill station. |

Areas of Concern

| Rule Number | Area | Date Cited | Explanation |
|--|------|------------|--|
| Checklist Independent Areas of Concern | | | |
| 279.45(d), 279.45(e) | | 03/19/2009 | The facility's used oil tanks were situated within the secondary containment structure but were very near the edge of the bermed wall. |

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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. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Jenna Perry

PRINCIPAL INSPECTOR NAME

Environmental Specialist III

PRINCIPAL INSPECTOR TITLE**PRINCIPAL INSPECTOR SIGNATURE**

FDEP

ORGANIZATION

8/6/2009

DATE

Meaghan Bernier

INSPECTOR NAME

Environmental Specialist I

INSPECTOR TITLE

NO SIGNATURE

INSPECTOR SIGNATURE

FDEP

ORGANIZATION

J.B. Coomes

REPRESENTATIVE NAME

Owner

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

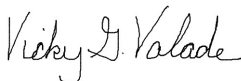
Coomes Oil & Supply, Inc

ORGANIZATION**Report Approvers:**

Vicky Valade

SUPERVISOR NAME

Environmental Manager

SUPERVISOR TITLE**SUPERVISOR SIGNATURE**

FDEP

ORGANIZATION

8/6/2009

DATE

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.

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Used Oil Transporter

| 40 CFR279 Subpart E --Transporter Standards | | Potential Violation or AOC cited |
|---|---|----------------------------------|
| 29.10 | Is the facility exempt under any of the following? <div style="border: 1px solid black; padding: 2px;">On site transport?</div> <div style="border: 1px solid black; padding: 2px;">Generator transporting < 55 g /time to a collection center?</div> <div style="border: 1px solid black; padding: 2px;">Transporter of < 55 g /time from generator to aggregation point owned by same generator?</div> | |
| 29.20 | If the transporter also transports hazardous waste in the same trucks as are used to transport used oil, are the vehicles emptied per 261.7 after HW shipments? (If not, the used oil must be managed as hazardous). | |
| 29.30 | Does the transporter process used oil beyond what would be considered incidental to transport? | |
| 29.40 | If 'yes' are they in compliance with 279 Subpart F? | |
| 29.50 | Has the facility notified of used oil activities? Check EPA form 8700-12. | |
| 29.60 | Does the transporter only deliver used oil to other transporters, oil processors, off specification used oil burners with EPA ID numbers? | |
| 29.70 | Does the transporter comply with DOT requirements? | |
| 29.80 | If any oil is discharged during transport, does the transporter: | |
| 29.90 | Notify National Response Center and State Warning Point and Coast Guard per 33 CFR 153.203, as applicable? | |
| 29.100 | Report to DOT in writing per 49 CFR 171.16? | |
| 29.110 | Clean up any discharges until the discharge poses no threat? | |
| 29.120 | Does the facility also transport used oil filters? | |
| 29.130 | If so, are the filters stored in above ground containers which are: | |
| 29.140 | In good condition? | |
| 29.150 | Closed or otherwise protected from weather? | |
| 29.160 | Labeled "Used Oil Filters"? | |
| 29.170 | Stored on an oil impervious surface? | ✓ |

| Transporter Recordkeeping -279.46 | | Potential Violation or AOC cited |
|-----------------------------------|---|----------------------------------|
| 29.180 | Do used oil acceptance records include: | |
| 29.190 | Name & Address of facility providing the oil for transport? | |
| 29.200 | EPA ID # of oil provider? | |
| 29.210 | Quantity of oil shipped? | |
| 29.220 | Date of acceptance? | |
| 29.230 | Signature of oil provider, dated upon receipt? | |
| 29.240 | Do used oil delivery records include: | |
| 29.250 | Name & Address of receiving facility or transporter? | |
| 29.260 | EPA ID # of receiving facility or transporter? | |

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| Transporter Recordkeeping -279.46 | | Potential Violation or AOC cited |
|-----------------------------------|--|----------------------------------|
| 29.260 | | |
| 29.270 | Quantity of oil delivered? | |
| 29.280 | Date of delivery? | |
| 29.290 | Signature of oil receiver, dated upon receipt? | |
| 29.300 | Do the above records also include: | |
| 29.310 | State required information on the type of oil? | |
| 29.320 | Destination or end use? | |
| 29.330 | Does the facility keep records on DEP Form 62-710.901(2) or equivalent? | ✓ |
| 29.340 | Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year? | ✓ |
| 29.350 | If not, is the facility an electric utility transporting only self generated used oil for recycling, which is exempt from state registration and reporting requirements? | |
| 29.360 | Does the transporter keep copies of the record and reports for three years at the street address of the facility? | |

| Transporter Certification (62-710 F.A.C.) | | Potential Violation or AOC cited |
|---|---|----------------------------------|
| 29.370 | Is the transporter certified? (local governments, and < 55g/time transporters are exempt) | ✓ |
| 29.380 | Does the facility maintain training records? | ✓ |
| 29.390 | Does the facility maintain insurance or financial assurance of \$1,000,000 combined single limit? | |
| 29.400 | Is the facility registration form and ID number displayed? | |

| Transfer Facility Standards -279.45 | | Potential Violation or AOC cited |
|-------------------------------------|--|----------------------------------|
| 29.410 | Does the transporter store used oil at any transportation related facility (including parking lots) for more than 24 hours and not longer than 35 days during the normal course of transport? Transfer facilities storing used oil more than 35 days must comply with 279 Subpart F. | |
| 29.420 | Is the transfer facility registered per 62-710.500(1)(a) F.A.C? | ✓ |
| 29.430 | Does the transporter determine whether used oil stored at a transfer facility has total halogen content above or below 1,000 ppm? | ✓ |
| 29.440 | Is this done by testing? | |
| 29.450 | Is this done by process knowledge? Describe basis | |
| 29.460 | Are test records or copies of records providing basis for determination kept for 3 years? | |
| 29.470 | Have any analyses showed Exceedence of the 1,000 ppm level? | |
| 29.480 | If so, was the oil managed as hazardous waste? | |
| 29.490 | If not, was the oil exempt? Describe | |
| 29.500 | Is used oil stored only in tanks or containers, or units subject to 264 and 265? | |

Inspection Date: 03/19/2009

| Transfer Facility Standards -279.45 | | Potential Violation or AOC cited |
|-------------------------------------|--|----------------------------------|
| 29.500 | | |
| 29.510 | If the facility has tanks, do they comply with 62-761 and 62.762 rules? | |
| 29.520 | Describe, including number and size of tanks, noting registration numbers if applicable, and compliance status. | |
| 29.530 | Is secondary containment provided and adequate? | |
| 29.540 | Are containers and tank trailers in good condition and not leaking? | |
| 29.550 | Are containers provided with secondary containment with minimum requirements? | |
| 29.560 | Is the containment system impervious to oil so as to prevent migration? | |
| 29.570 | Are ASTs, UST tank fill lines and containers labeled "used oil"? | ✓ |
| 29.580 | Are used oil filters generated off-site stored more than 10 days? | |
| 29.590 | If so, is the facility a registered used oil filter transfer facility? | |
| 29.600 | Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable? | ✓ |



Photo 1 - 3/19/09



Photo 5 - 5/8/09



Photo 2 - 5/8/09



Photo 6 - 3/19/09



Photo 3 - 5/8/09



Photo 7 - 5/8/09



Photo 4 - 5/8/09



Photo 8 - 3/19/09



Photo 12 - 5/8/09



Photo 9 - 3/19/09



Photo 13 - 5/8/09



Photo 10 - 3/19/09



Photo 14 - 3/19/09



Photo 11 - 3/19/09



Photo 15 - 3/19/09



Photo 16 - 3/19/09



Photo 20 - 3/19/09



Photo 17 - 3/19/09



Photo 21 - 3/19/09



Photo 18 - 3/19/09



Photo 22 - 3/19/09



Photo 19 - 3/19/09



Photo 23 - 3/19/09



Photo 26 - 3/19/09



Photo 27 - 5/8/09



Photo 24 - 3/19/09



Photo 28 - 3/19/09



Photo 25 - 3/19/09



Department of Environmental Protection

Twin Towers Office Bldg. 2600 Blair Stone Road Tallahassee, Florida 32399-2400

Used Oil and Used Oil Filter Record Keeping Form

DEP Form #62-710.901(2)
Form Title Used Oil and Used Oil Filter
Record Keeping Form
Effective Date June 9, 2005

Rule 62-710.510 of the Florida Administrative Code requires each registered person to maintain records on either this or a substantially equivalent form which contains the same information. This information must be kept on-site for three (3) years and be available for inspection by DEP during normal business hours.

Used Oil Filter information is optional (but recommended), the Used Oil from filter management must be recorded and reported.

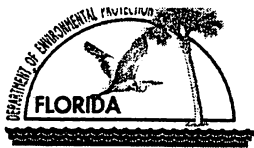
| A. Used Oil Source Name, Street Address, City, State, Zip Code, EPA ID Number, if applicable | B. Date | C. Number of Filters | D. Gallons of Used Oil | E. Type Code | F. End Use Code | G. Destination of Used Oil /Used Oil Filters Name, Street Address, City, State, Zip Code, EPA ID Number, if applicable | H. State Mark "X" if not Florida |
|---|------------|----------------------------|------------------------------|--------------------|--------------------------|---|---|
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I. TOTAL COLLECTED

| | Automotive | Industrial | Mixed |
|--------------|------------|------------|-------|
| In State | | | |
| Out of State | | | |

J. TOTAL END USED

| End Use Code | N | O | F | B | I | D |
|--------------|---|---|---|---|---|---|
| In State | | | | | | |
| Out of State | | | | | | |



Annual Report by Used Oil and Used Oil Filter Handlers*

(*Handlers are any persons subject to the registration requirements of rule 62-710.500 and 62-710.850, F.A.C. [See Section A, Box 5 below])
for reporting period January 1, 2008 through December 31, 2008

Use the information recorded in your Record Keeping Form [62-710.901(2)] or equivalent to complete this document

SECTION A TO BE COMPLETED BY ALL REGISTERED PERSONS

1. Company Name: _____ 2. Telephone No. (____) _____

Site Address: _____

3. EPA ID No. _____

☐ Check box if any of the above items (1-3) have changed since your last registration

4. Name of person preparing report (please print) _____

Title _____ Phone number (if different from #2, above) (____) _____

5. Type of operation (check as many as apply to your operations)

Used Oil: ☐ Transporter ☐ Transfer Facility ☐ Collection Center/Aggregation Point ☐ Processor ☐ Marketer

☐ Burner (of off-specification used oil)

Used Oil Filter: ☐ Transporter ☐ Transfer Facility ☐ Processor ☐ End User

SECTION B USED OIL (TO BE COMPLETED BY ALL REGISTERED USED OIL HANDLERS. USED OIL FILTER HANDLERS SEE SECTION C)

1. Amount (in gallons) of Used Oil and Oily Wastes collected

a. In Florida.....

b. From out of state.....

c. Beginning Inventory.....

d. Total (sum of totals from Lines a + b + c).....

| Automotive | Industrial | Mixed | Total |
|------------|------------|-------|-------|
| | | | |
| | | | |
| | | | |
| | | | |

2. Amount (in gallons) of Used Oil and Oily Wastes Managed

N - Not an end use, transferred to another facility for storage or processing.....

O - Marketed as an on-specification used oil fuel.....

F - Marketed as an off-specification used oil fuel.....

I - Marketed for an industrial process.....

B - Burned as an off-specification used oil fuel

D - Disposed of

Landfilled.....

Treated at a wastewater treatment unit.....

Incinerated.....

3. Total amount (in gallons) of used oil managed.....

4. End of year, on hand estimate (Difference between Lines 1D and Line 3).....

| In State | Out of State |
|----------|--------------|
| | |
| | |
| | |
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Page 2 of 2



8700-12FL - FLORIDA NOTIFICATION OF REGULATED WASTE ACTIVITY

DEP Waste Management Division-HWRS, MS4560
2600 Blair Stone Rd. Tallahassee, FL 32399-2400
(850) 245-8772

Date Received
(For FDEP Official Use Only)

EPA ID

| | | | | | | | | | | | | | | | | | | | |
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MTS

RCRA Info

1. Reason for Submittal

Mark 'X' in correct box:

- ☐ To provide **initial notification** (to obtain an EPA ID Number for hazardous waste, universal waste, or used oil activities).
- ☐ To provide **subsequent notification** (to update status and facility identification information).
- ☐ Is this the **final notification** (see instructions) for the facility?

2. Facility or Business Name

FEID No.

| | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

3. Facility Operator (List additional Operators in the comments section).

Name of Operator:

☐ New Operator

Date became Operator: ____/____/____
mm dd yy

Street or P.O. Box:

Phone Number:

City or Town:

State:

Zip Code:

Operator Type: ☐ Private ☐ Federal ☐ Municipal ☐ State ☐ Other _____

4. Facility Physical Location Information

Physical Street Address:

City or Town:

State: FL

Zip Code:

County: Choose ____

If available, please attach a map or sketch of the facility boundaries.

Latitude: ____ . ____ Longitude: ____ . ____ Method: ____
dd mm ss.ssss dd mm ss.ssss Datum:

5. Facility North American Industry Classification System (NAICS) Code(s)

A.

B.

C.

D.

6. Facility or Business Mailing Address

Street Address or P.O. Box:

City or Town:

State:

Zip Code:

7. Facility or Business Contact Person

First Name:

Last Name:

Title:

Phone Number:

Extension:

E-Mail:

Street or P.O. Box:

City or Town:

State:

Zip Code:

8. Real Property (Land) Owner of the Facility's Physical Location (List additional real property owners in the comments section.)

Name of Real Property (Land) Owner:

☐ New Owner

Date became Owner: ____/____/____
mm dd yy

Street or P.O. Box:

Phone Number:

City or Town:

State:

Zip Code:

Owner Type: ☐ Private ☐ Federal ☐ Municipal ☐ State ☐ Other _____

9. Type of Regulated Waste Activity (Mark 'X' in all that apply):**A. Hazardous Waste Activities:****(1) Generator of Hazardous Waste**

(Choose only one of the following three categories.)

- ☐ a. Large Quantity Generator (LQG):
Generates in any calendar month 1,000 kilograms or greater per month (kg/mo) (2,200 lbs.) of *non-acute* hazardous waste; or Greater than 1 kg (2.2 lbs) of *acute* hazardous waste
- ☐ b. Small Quantity Generator (SQG):
Generates in any calendar month greater than 100kg/mo but less than 1,000 kg/mo (>220 to <2,200 lbs.) of *non-acute* hazardous waste and/or 1 kg (2.2 lbs) or less of *acute* hazardous waste
- ☐ c. Conditionally Exempt SQG (CESQG):
Generates in any calendar month 100 kg/mo or less (220 lbs.) of *non-acute* hazardous waste and 1 kg (2.2 lbs) or less of *acute* hazardous waste

In addition, indicate other generator activities that apply.

- ☐ d. United States Importer of hazardous waste
- ☐ e. Mixed Waste (hazardous and radioactive) Generator

For Items 2 through 7, mark 'X' in all that apply.

(2) Treater, Storer, or Disposer of Hazardous Waste

(at your facility) Note: A hazardous waste permit may be required for this activity.

- ☐ a. Operating Commercial TSD
- ☐ b. Operating Non-commercial TSD
- ☐ c. Non-operating: Postclosure or Corrective Action Permit or Consent Order (HSWA, etc.)

(3) ☐ Recycler of Hazardous Waste (at your facility)Specify: ☐ Commercial; ☐ Non-Commercial.

A permit is required for storage prior to recycling.

(4) ☐ Exempt Boiler and/or Industrial Furnace

- ☐ a. Small Quantity On-site Burner Exemption
- ☐ b. Smelting, Melting, and Refining Furnace Exemption

(5) ☐ Person Authorized to Manage Conditionally Exempt Waste Generated at Other Facilities - Choose this management activity ONLY if you attach EITHER a copy of your application for such authorization OR the authorization you received from FDEP.**(6) ☐ Underground Injection Control - Mark an 'X' even if the UIC well at your facility does not receive hazardous waste.****(7) ☐ Transporter of Hazardous Waste [Note: A Certificate of Liability Insurance is required along with this registration.]**
Registration must be renewed annually. ☐ a. For own waste only ☐ b. For commercial purposes**c. Hazardous Waste Transporter Insurance Information**

Insurance Company _____

Address _____

Contact _____ Telephone _____

Policy Number _____ Expiration date _____

d. **Transportation Mode** ☐ Air ☐ Rail ☐ Highway ☐ Water ☐ Other - specify _____e. ☐ **Hazardous Waste Transfer Facility:** Storage Volume _____☐ **Initial notification**

The following items are required to be submitted with the initial notification for a transfer facility [Rule 62-730.171(3), Florida Administrative Code (F.A.C.)]:

- ☐ Certification by a responsible corporate officer of the transporter that the proposed location satisfies the criteria of Section 403.7211(2), Florida Statutes (F.S.) [Rule 62-730.171(3)(a)1., F.A.C.]
- ☐ Evidence of the transporter's financial responsibility [Rule 62-730.171(3)(a)3., F.A.C.]
- ☐ A brief general description of the transfer facility operations [Rule 62-730.171(3)(a)4., F.A.C.]
- ☐ A copy of the facility closure plan [Rule 62-730.171(3)(a)5., F.A.C.]
- ☐ A copy of the contingency and emergency plan [Rule 62-730.171(3)(a)6., F.A.C.]
- ☐ A map or maps of the transfer facility [Rule 62-730.171(3)(a)7., F.A.C.]
- ☐ **Notification of changes in above items**
- ☐ **Annual update notification**

B. Universal Waste (UW) Activities (Mark 'X' in all that apply) ("accumulated" means at any one time):

- ☐ Large Quantity Handler (LQH) = 5,000 kg (11,000 lb) or more of any combination of UW accumulated
- ☐ Small Quantity Handler (SQH) = always less than 5,000 kg accumulated
- ☐ Mercury-containing devices LQH = 100 kg (220 lb) or more accumulated by for-hire handler
- ☐ Mercury-containing devices SQH = less than 100 kg accumulated by for-hire handler
- ☐ Mercury-containing lamps LQH = 2,000 kg (4400 lbs/8,000 lamps) or more accumulated by for-hire handler
- ☐ Mercury-containing lamps SQH = less than 2,000 kg (8,000 lamps) accumulated by for-hire handler
- [Note: 4 lamps = 1 kg, 62-737.200(10)]
- ☐ Pharmaceuticals LQH = 5,000 kg or more of universal pharmaceutical waste (UPW) accumulated
- ☐ Pharmaceuticals LQH = more than 1 kg (2.2 lb) of acutely hazardous ("P-listed") pharmaceutical waste accumulated
- ☐ Pharmaceuticals SQH = always less than 5,000 kg of UPW and always 1 kg or less of acutely hazardous UPW accumulated

| (1) For those Managing | Generate/ Accumulate | Transport (see note in instructions) | Handle at Transfer Facility | (2) Enter your estimate of the maximum amount (in pounds) of each type of UW on site or transported at any one time. |
|-------------------------------|--------------------------|--|--------------------------------|---|
| a. Batteries | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| b. Pesticides | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| c. Pharmaceuticals | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| d. Mercury Containing Devices | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| e. Mercury Containing Lamps | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |

(3) Mercury Recovery and/or Reclamation Facility ☐ [Chapter 62-737, F.A.C.]

Note: A hazardous waste permit is required for this activity. [Rule 62-737.800, F.A.C.]

(4) Reverse Distributor of UW ☐ Pharmaceuticals ☐ Lamps ☐ Devices ☐

(5) Destination Facility for UW ☐ Note: for this activity, a facility must treat, dispose or recycle a UW. A permit is required for storage prior to recycling.

C. Used Oil Activities:

- (1) Used Oil Transporter - indicate type(s) of activity(ies):
- ☐ a. Transporter
- ☐ b. Transfer Facility
- (2) ☐ Collection Center
- (3) ☐ Used Oil Processor (A permit is required for this activity.)
- (4) ☐ Off-Specification Used Oil Burner
- (5) ☐ Used Oil Fuel Marketer
- (6) Used Oil Filter
- ☐ a. Transporter
- ☐ b. Transfer Facility
- ☐ c. Processor
- ☐ d. End User

(8) Specific Certification to be signed by all Used Oil Transporters

I certify as a Used Oil Transporter that the training program and financial responsibility required under Section 62-710.600, F.A.C., are in place, current and being adhered to. If any modifications have been made to the originally approved training program, they are explained in attachments to this registration form. Evidence of financial responsibility is demonstrated by the attached Used Oil Transporter Certificate of Liability Insurance, DEP form 62-710.901(4), F.A.C.

Signature of Authorized Person

Print Name of Authorized Person

(7) Used Oil Transporters, Transfer Facilities, Collection Centers, Off-Specification Burners and Marketers must pay an annual \$100 registration fee. Used Oil Processors are exempt from this fee. If applicable, enclose a check or money order, in the amount of \$100, payable to Florida Department of Environmental Protection.

☐ A check is enclosed.

(9) The records required under the provisions of Rule 62-710.510, F.A.C., are kept at (check one):

- ☐ Our mailing (business) address
- ☐ The site (facility) address

EPA ID No.

D. Other State Regulated Waste Activities:
☐ **Petroleum Contact Water (PCW) Handler** [Chapter 62-740, F.A.C.]

Note: A water facility permit may be required for this activity.

10. Waste Codes for Federally Regulated Hazardous Wastes: List the waste codes of the Federal hazardous wastes handled at your facility. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112).

Hazardous waste transporters list codes routinely or usually transported. Use an additional page if more spaces are needed.

| | | | | | | |
|----|----|----|----|----|----|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |

11. Other Status Changes (Mark 'X' in all that apply):**A. Non-Handler of Regulated Waste at This Facility**

- ☐ (1) Business no longer generates, transports, treats, stores, or disposes of hazardous waste
- ☐ (2) Waste generated by business has been delisted.
- ☐ (3) Other (explain) _____

B. Facility Closed

- ☐ (1) Closed at this location and **moved or moving** to another - submit a new Form 8700-12FL for the new location if you will be handling regulated waste there.
- ☐ (2) Out of Business - Business closed on _____ (Date). Please provide a contact person, mailing address, and phone number where you can be reached after closing.

Contact _____ Phone _____

Address _____

City, State, Zip _____

☐ **C. Property Tax Default**
☐ **D. Petition for Bankruptcy Protection**

12. Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. If I have notified as a transfer facility, I am aware that transfer facilities must comply with the requirements of Rule 62-730.171, FAC, and Rule 62-730.182, FAC.

| Signature of owner, operator, or an authorized representative | Print Name and Title | Date Signed (mm-dd-yyyy) |
|---|----------------------|--------------------------|
| | | |
| | | |
| | | |

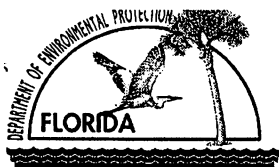
If the person who filled in this form is not the Facility Contact or Operator, please complete the information below:

(Name of person completing this form)

(Phone Number)

(E-mail Address)

13. Comments:



Certificate of Liability Insurance Used Oil Transporters

Please Print or Type Form

1. _____, (the Insurer), _____
(Name of the Insurer) (Address of the Insurer)

hereby certifies that it has issued liability insurance to: _____ (the Insured),
(Name of the Insured)

_____ whose EPA Identification number is _____
(Address of the Insured)

This insurance complies with the insured's obligation to demonstrate the financial responsibility required by Florida
Administrative Code Rule 62-710.600(2)(e). [See page 2 on the back side of this Form]

The insurance is primary and the company shall be liable for amounts up to \$ _____ less the deductible or
retention of \$ _____ for each accident exclusive of legal defense costs. If a deductible or retention is applied,
its amount may not exceed 10% of the equity of the Insured.

This coverage is provided under policy number _____, issued on _____
(Date)

The expiration date of said policy is _____ or the annual renewal date is _____
(Date) (Date)

2. The Insurer further certifies the following with respect to the insurance described in Paragraph 1:

- a. Bankruptcy or insolvency of the insured shall not relieve the Insurer of its obligations under this policy.
- b. The Insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the Insured for any such payment made by the Insurer.
- c. Whenever requested by the Secretary (or designee) of the Florida Department of Environmental Protection (FDEP), the Insurer agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.
- d. Cancellation of the insurance, whether by the Insurer or the Insured or by any other termination of the insurance (e.g. expiration or non-renewal), will be effective only upon written notice and only after the expiration of thirty (30) days after a copy of such written notice is received by the Secretary of the FDEP as evidenced by certified mail return receipt.
- e. The Insurer shall not be liable for the payment of any judgment or judgments against the insured for claims resulting from accidents which occur after the termination of the insurance described herein, but such termination shall not affect the liability of the Insurer for the payment of any such judgments resulting from accidents which occur during the time the policy is in effect.

I hereby certify that the Insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one or more States, including Florida.

(Signature of Insurer or Authorized Representative)

Authorized Representative of

(Type Name)

(Name of Insurer)

(Title)

(Address of Representative)

**Chapter 62-710.600(2)(e), Florida Administrative Code
Certification Program for Used Oil Transporters**

(e) Have, verify, and maintain vehicle insurance with a combined single limit of no less than \$1,000,000. Such insurance, or additional policy, must in no way exclude pollution coverage for sudden and accidental alleged or threatened discharge, dispersal, seepage, migration, release or escape of used oil, and must include any cost or expense relating to pollution damage for which the transporter is legally liable. Such insurance must be maintained at all times and be exclusive of legal defense costs.

1. The insurance required in this paragraph may be established by:

a. Evidence of liability insurance, either on a claim made or an occurrence basis, with or without a deductible (with the deductible, if any, to be on a per occurrence or per accident basis and not to exceed ten percent of the equity of the business), using DEP Form 62-710.901(4). The insurance policy shall be issued by an agent or company authorized or licensed to transact business in the State of Florida. An ACORD form will only be accepted for renewal of a policy with the same carrier; or

b. For business entities registered in Florida, evidence of self-insurance provided by the chief financial officer of the business entity.

2. States and the federal government are exempt from the requirements of this paragraph.

Any questions concerning this form may be referred to the Used Oil Coordinator, MS 4560, Department of Environmental Protection 2600 Blair Stone Road, Tallahassee, FL 32399-2400, Phone (850) 245-8754, email: sebrena.bolton@dep.state.fl.us , OR Phone (850) 245-8755, email: aprilia.graves@dep.state.fl.us



Public Used Oil Collection Center Notification and Annual Report

1. Notification

To qualify for the protection from liability provided under state law, each Public Used Oil Collection Center must notify the Florida Department of Environmental Protection no later than 30 days after first accepting used oil from the public. Also required is the submission of an annual report estimating the quantity of used oil accepted from the public at the center for the previous calendar year. This report will help the state evaluate the effectiveness of this effort to encourage the public to recycle its used oil.

2. Collection Center Name and Street Address (if different from the mailing address above)

Name _____

Street Address _____

City _____ County _____ Zip Code _____

Telephone No. (____) _____ Operator's Name _____

3. Annual Report

Amount of used oil collected/estimated from the public during the previous calendar year (2008) _____ Gallons

4. Certification

To the best of my knowledge and belief, I certify the information provided in this application is true, accurate and correct.

(Name of Authorized Applicant [print or type])

(Signature of Authorized Applicant)

E-mail address of Authorized Applicant

Please submit this form to:

Used Oil Coordinator, MS 4560
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

PUBLIC USED OIL COLLECTION CENTER (PUOCC)

In order to encourage the recycling of used oil generated by households, State Law (Chapter 403.760, Florida Statutes) provides some protection from liability in cases of a spill for PUOCCs that have notified the Florida Department of Environmental Protection (DEP).

To be eligible for these benefits, those businesses wishing to be designated as a PUOCC must follow these simple precautions:

1. Notify the DEP (using this form);
2. Accept used oil from households;
3. Use this Form to annually report to the DEP the estimated amount of used oil accepted by the center from the public during the previous year;
4. Comply with existing state and federal rules concerning the management of used oil
5. Store used oil in containers which are in good condition, not leaking and are clearly labeled with the words "Used Oil";
6. Respond to all releases of used oil (stop the release, contain the released oil, clean up and properly manage the released oil and make necessary repairs);
7. Do not mix anything with used oil;
8. Do not knowingly accept any used oil containing hazardous substances; and
9. Use only a Used Oil Transporter which is certified by DEP for removal of used oil from the collection center.

THANK YOU FOR PROVIDING THIS SERVICE

Chapter 403.760, Florida Statutes, Public Used Oil Collection Centers.

- (1) The department shall encourage the voluntary establishment of public used oil collection centers and recycling programs and provide technical assistance to persons who organize such programs.
- (2) All government agencies, and businesses that change motor oil for the public, are encouraged to serve as public used oil collection centers.
- (3) A public used oil collection center must:
 - (a) Notify the department annually that it is accepting used oil from the public; and
 - (b) Annually report quantities of used oil collected from the public.
- (4) The Department of Agriculture and Consumer Services shall assist the department in inspecting public used oil collection centers.
- (5) No person may recover from the owner or operator of a used oil collection center any costs of response actions, as defined in s. 376.301 (14), resulting from a release of either used oil or a hazardous substance or use the authority of ss. 376.307, 376.3071, and 403.724 against the owner or operator of the used oil collection center if such oil is:
 - (a) Not mixed with any hazardous substance by the owner or operator of the used oil collection center;
 - (b) Not knowingly accepted with any hazardous substance contained therein;
 - (c) Transported from the used oil collection center by a certified transporter pursuant to s. 403.767;
 - (d) Stored in a used oil collection center that is in compliance with this section; and
 - (e) In compliance with s. 114(c) of the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended.

This subsection only to that portion of the public used oil collection used for the collection of used oil and does not apply if the owner or operator is grossly negligent in the operation of the public used oil collection center. Nothing in this section shall affect or modify in any way the obligations or liability of any person under any other provisions of state or federal law, including common law, for injury or damage resulting from a release of used oil or hazardous substances. For the purpose of this section, the owner or operator of a used oil collection center may presume that a quantity of no more than 5 gallons of used oil from any member of the public is not mixed with a hazardous substance provided that such owner or operator acts in good faith