Florida Department of

Environmental Protection

Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: FCC Environmental

On-Site Inspection Start Date: 09/16/2009 **On-Site Inspection End Date:** 10/09/2009

ME ID#: 28737 **EPA ID#:** FLD065680613

Facility Street Address: 105 S Alexander St, Plant City, Florida 33563-4833

Contact Mailing Address: 105 S Alexander St, Plant City, Florida 33563-4833

County Name: Hillsborough **Contact Phone:** (813) 754-1504

NOTIFIED AS:

CESQG (<100 kg/month)
Transfer Facility
TSD Facility Unit Type(s)
Used Oil

INSPECTION TYPE:

Routine Inspection for Used Oil Marketer facility

Routine Inspection for Used Oil Transfer Facility

Routine Inspection for Used Oil Transporter facility

Routine Inspection for CESQG (<100 kg/month) facility

INSPECTION PARTICIPANTS:

Principal Inspector:	Kelly M. Honey, Environmental Specialist III
Other Participants:	Elizabeth Knauss, Environmental Manager; Rick Mobley, Transportation Manager; Carol Barrick, Laboratory Manager; Jack Thornburgh, Branch Manager

LATITUDE / LONGITUDE: Lat 28° 0' 42.0089" / Long 82° 8' 24.5084"

SIC CODE: 5093 - Wholesale trade - scrap and waste materials

TYPE OF OWNERSHIP: Private

Introduction:

FCC Environmental (FCCE) was inspected to determine its compliance with state and federal regulations governing used oil and hazardous waste. A second site visit was conducted on October 9, 2009. FCCE is a used oil processor and marketer of on-spec used oil operating under permit #0030676-HO-005, which expires on August 20, 2013. FCCE produces a fuel oil that is equivalent to No. 5 Fuel Oil and a flotation oil for the phosphate industry. The FCCE eight-acre site contains an oil re-refinery facility, laboratory, industrial wastewater pretreatment facility, storage tanks, maintenance garage and administration buildings. Little has changed at the facility since the previous inspection of January 18, 2008, except as noted. At the time of this inspection, Mr. Jack Thornburgh, the Branch Manager, was on vacation, however, he was present during the second site visit.

Process Description:

The FCCE tank farms consist of thirty aboveground storage tanks (ASTs), all of which have secondary containment consisting of coated concrete walls and floors designed to contain oil spills. Overall, the containment areas were clean and in good condition. The majority of used oil, used oil filters and oily wastes are brought in to the facility by FCCE trucks, common carriers, independent oil transporters and tanker rail cars. Water that is distilled during the processing of used oil is pretreated in the company's wastewater treatment plant prior to being discharged to the Plant City POTW. The containment in water treatment area was also clean and in good condition.

There was used oil on the floor in the area around the used oil filter crusher although this could be reasonably expected since the unit was undergoing repairs at the time of the inspection. The hazardous waste satellite container near the crusher was being properly managed. There were three hoppers of used oil filters awaiting crushing that were unlabeled, however. The strainer tank near the shaker unit was also unlabeled. There were two containers of oily solid waste next to the shaker unit. Please note that all solid waste is to be processed, consolidated and solidified in accordance with the solid waste permit.

Crushed used oil filters are sometimes shipped off site by rail. Used oil delivered by rail only stays at the facility for a few days depending on the time it is staged at the spur. At the time of the initial visit, there was a rail car on site that was observed to be leaking from the bottom at several locations onto the asphalt between the rails. According to staff the rail car was empty and had arrived at the facility to be loaded with crushed used oil filters. Examination of the interior of the rail car showed numerous used oil filters, as well as what appeared to be several inches of used oil. During the subsequent site visit on October 9, 2009, the rail car was still on site and was still leaking from the bottom. Several pans had been placed under the car, however, not all the leaks were being captured. According to staff, the rail car was to be removed from the site by October 16, 2009.

The rail car transfer area is equipped with sumps that are supposed to contain and direct spills and stormwater to the facility's oil / water separator. At the time of the initial inspection, it was observed that the sumps in this area appeared full, and there was evidence that the system had overflowed. Used oil contamination was observed on the ground from the rail car transfer area. Also, it was noted that at the rear of the property were several hoses used to transfer used oil on the ground. The hoses had leaked a small amount of used oil onto the soil. It was confirmed during the following site visit that these issues had been addressed.

During the inspection, it was noted that the spill cabinet needed to be restocked, and at least one eyewash station may not have been maintained in accordance with the permit. There were also a couple of containers near the maintenance area that the Department had concerns about. One was a drum labeled "used oil" with a missing bung. The drum was full of what appeared to be water, but as it was identified as "used oil" it should have been closed. The other container was an uncovered hopper containing an inch or so of used oil and a block of crushed filters. Ensure that containers such as this are actually empty before relocating them to this area.

Records were reviewed. FCCE maintains its records as required, with the following exceptions. The used oil acceptance records did not always have all the required information, and there were some records of used oil pick ups where the driver did not document the halogen level.

New Potential Violations and Areas of Concern:

Checklist Independent Potential Violations and Areas of Concern

Type:	Violation
Rule:	279.54(g)(3)
Explanation:	During the initial inspection, it was noted that used oil had overflowed the rail car sump system causing contamination outside the rail car transfer area. Additionally, there was some used oil on the ground at the rear of the facility from several transfer hoses that had been allowed to drain onto the ground. (corrected)
Corrective Action:	During the subsequent site visit, it was observed that the affected areas had been cleaned up.

Type:	Violation

Rule:	279.56(a)
Explanation:	The facility is not recording all required tracking information on its acceptance records. Specifically, there were many cases where the EPA ID number of the generator was not recorded, several cases where the address of the generator was not recorded, and several cases where the type of used oil accepted was not recorded. In the latter two instances, the affected records were ones which were handwritten by the drivers rather than preprinted by FCCE.
Corrective Action:	During the inspection, Mr. Thornburgh stated that the required information would be reviewed with the drivers and that the facility would look into ways to ensure the EPA ID number for generator that had them were also on the preprinted forms. If this has not already been done, FCCE must immediately address this recordkeeping issue.

Type:	Violation
Rule:	279.44(d)
Explanation:	It was noted the determination of whether a load of used oil picked up was greater than or less then 1,000-ppm was not always recorded. The problem was most often noted on records pertaining to acceptance of oily water and records associated with a specific driver. (corrected)
Corrective Action:	During the inspection, the facility provided documentation of the driver's training from the previous week and his most recent acceptance records showing that the information was now being recorded. Additionally, the driver was interviewed and confirmed that the screening had been done, though it was undocumented. The facility was also reminded that oily water meets the definition of used oil and must therefore also be screened.

Type:	Area Of Concern
Rule:	62-710.401(6)
Explanation:	During the initial inspection there was a 55-gallon drum labeled "used oil" with an open bung near the maintenance area. The drum was full of what appeared to be rain water, rather than used oil. Empty hoppers are also stored near this area, however, there was one hopper that was observed to contain at least one inch of used oil in the bottom, along with a block of crushed used oil filters. Not only was the container uncovered and without containment, but in accordance with Permit Condition I.27, the Permittee is only allowed to store used oil in the ASTs within the secondary containment , as shown in Attachment A of the permit.
Corrective Action:	Ensure that any container or tank labeled "used oil" is kept closed or otherwise protected from the weather. Additionally, ensure that any hopper moved to this area is indeed empty and that used oil is stored in accordance with the permit conditions.

Type:	Area Of Concern
Rule:	403.727(1)(c)
Explanation:	During the initial inspection, a hopper and a 55-gallon drum were observed next to the shaker unit. Both the hopper and the drum were full of solid waste

with free floating used oil. The inspector did not ask if the containers arrived at the with the observed materials within or if the materials were consolidated into the containers after arrival.

Please note that in accordance with the facility's solid waste permit #137964-006-SO/31, solid waste is not to be processed, solidified or consolidated except in the Consolidation/Bulking Station, and should not be performed next to the shaker unit.

Corrective Action: Ensure that oily solid waste processing, solidification and consolidation are performed in accordance the facility's solid waste permit.

Type: Violation

Rule: 279.52(a)(1)

Explanation: In accordance with Permit Condition I.25, the Permittee shall maintain and operate the facility to minimize the possibility of a unplanned release of used oil, sludge, residues or constituents to soil.

The rail car transfer area is equipped with sumps that are supposed to contain and direct spills and stormwater to the facility's oil water separator. At the time of the initial inspection, it was observed that the sumps in this area appeared full, and there was evidence that the system had either been overwhelmed or was clogged, causing used oil and stormwater to exit the system. At least two, distinct areas of stained, oily gravel were observed extending from the sump containment system outside the rail car transfer area. (corrected)

Corrective Action: During the subsequent site visit, staff stated that the sumps had all been cleaned out and appeared to be flowing properly. It was also noted that the rail sumps were no longer full.

Type: Violation

Rule: 62-710.850(5)(a)

Explanation: Near the filter crushing area, there were three unlabeled hoppers storing used oil filters. (corrected)

Corrective Action: The hoppers of used oil filters were correctly labeled after the inspection, as confirmed during the subsequent site visit.

Type: Area Of Concern

Rule: 279.54(b)(2)

Explanation: In accordance with Permit Condition I.37, if a container holding used oil, PCW, used oil residues or used oil filters begins to leak, the Permittee shall transfer the waste to another container.

At the time of the initial visit, there was a rail car on site that was observed to be leaking from the bottom at several locations onto the asphalt between the rails. According to staff the rail car was empty and had arrived at the facility to be loaded with crushed used oil filters, which were to be transferred off site via rail. After its arrival, a rainfall event had occurred, and it was noted that the car leaked. There was no cover provided for the car. Examination of the interior of the rail car showed numerous used oil filters, as well as what appeared to be several inches of used oil.

During the subsequent site visit on October 9, 2009, the rail car was still on site and was still leaking from the bottom. Several pans had been placed under the car, however, not all the leaks were being captured.

Corrective Action: According to staff, the rail car was to be removed from the site by October 16, 2009. Upon receipt of this report, submit to the Department a statement indicating the disposition of the leaking rail car.

Type: Area Of Concern

Rule: 279.52(a)(3)

Explanation: In accordance with the schedule specified in Attachment 6 of the Permit Application, the eyewash stations are supposed to be flushed and inspected monthly, however, based on the condition of the eyewash station near the rail transfer area and the appearance of the water coming from it, it appears that this is not being done.

Corrective Action: Immediately ensure that all emergency equipment, including eyewash and shower stations, are maintained in accordance with the specified schedules.

Type: Violation

Rule: 279.52(b)(2)(v)

Explanation: In accordance with Permit Condition I.44, the Permittee shall inspect the facility emergency equipment in accordance with the schedules approved in Attachment 6 of the Permit Application.

The SPCC plan in Attachment 6 states that the spill cabinet is to be inspected weekly and restocked as necessary. During the site visit on October 9, 2009, it was observed that several items specified in Attachment 6 were not in the cabinet. Specifically, the cabinet lacked one bag of sorbent pads, brooms, two squeegees and one pair of gloves.

Corrective Action: At the time of the inspection, staff stated that the cabinet would be restocked as soon as possible. If this has not yet been, immediately restock the cabinet in accordance with Attachment 6 of the Permit Application.

Type: Violation

Rule: 279.54(f)(1)

Explanation: The strainer tank near the shaker unit was not clearly labeled with the words "used oil."

Corrective Action: During the initial inspection, staff indicated that the tank would be labeled, however, it was not confirmed during the subsequent site visit that this was done. If not already done, immediately label the used oil strainer tank near the shaker unit.

Summary of Potential Violations and Areas of Concern:

Potential Violations

Rule Number	Area	Date Cited	Explanation

Checklist Independent Violations

Rule Number	Area	Date Cited	Explanation
279.54(g)(3)		09/16/2009	During the initial inspection, it was noted that used oil had overflowed the rail car sump system causing contamination outside the rail car transfer area. Additionally, there was some used oil on the ground at the rear of the facility from several transfer hoses that had been allowed to drain onto the ground. (corrected)
279.56(a)		10/09/2009	The facility is not recording all required tracking information on its acceptance records. Specifically, there were many cases where the EPA ID number of the generator was not recorded, several cases where the address of the generator was not recorded, and several cases where the type of used oil accepted was not recorded. In the latter two instances, the affected records were ones which were handwritten by the drivers rather than preprinted by FCCE.
279.44(d)		10/09/2009	It was noted the determination of whether a load of used oil picked up was greater than or less then 1,000-ppm was not always recorded. The problem was most often noted on records pertaining to acceptance of oily water and records associated with a specific driver. (corrected)
279.52(a)(1)		09/16/2009	In accordance with Permit Condition I.25, the Permittee shall maintain and operate the facility to minimize the possibility of a unplanned release of used oil, sludge, residues or constituents to soil. The rail car transfer area is equipped with sumps that are supposed to contain and direct spills and stormwater to the facility's oil water separator. At the time of the initial inspection, it was observed that the sumps in this area appeared full, and there was evidence that the system had either been overwhelmed or was clogged, causing used oil and stormwater to exit the system. At least two, distinct areas of stained, oily gravel were observed extending from the sump containment system outside the rail car transfer area. (corrected)
62-710.850(5)(a)		09/16/2009	Near the filter crushing area, there were three unlabeled hoppers storing used oil filters. (corrected)
279.52(b)(2)(v)		10/09/2009	In accordance with Permit Condition I.44, the Permittee shall inspect the facility emergency equipment in accordance with the schedules approved in Attachment 6

Rule Number	Area	Date Cited	Explanation
			of the Permit Application. The SPCC plan in Attachment 6 states that the spill cabinet is to be inspected weekly and restocked as necessary. During the site visit on October 9, 2009, it was observed that several items specified in Attachment 6 were not in the cabinet. Specifically, the cabinet lacked one bag of sorbent pads, brooms, two squeegees and one pair of gloves.
279.54(f)(1)		09/16/2009	The strainer tank near the shaker unit was not clearly labeled with the words "used oil."

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Checklist Independent Areas of Concern			
62-710.401(6)		09/16/2009	During the initial inspection there was a 55-gallon drum labeled "used oil" with an open bung near the maintenance area. The drum was full of what appeared to be rain water, rather than used oil. Empty hoppers are also stored near this area, however, there was one hopper that was observed to contain at least one inch of used oil in the bottom, along with a block of crushed used oil filters. Not only was the container uncovered and without containment, but in accordance with Permit Condition I.27, the Permittee is only allowed to store used oil in the ASTs within the secondary containment , as shown in Attachment A of the permit.
403.727(1)(c)		09/16/2009	During the initial inspection, a hopper and a 55-gallon drum were observed next to the shaker unit. Both the hopper and the drum were full of solid waste with free floating used oil. The inspector did not ask if the containers arrived at the with the observed materials within or if the materials were consolidated into the containers after arrival. Please note that in accordance with the facility's solid waste permit #137964-006-SO/31, solid waste is not to be processed, solidified or consolidated except in the Consolidation/Bulking Station, and should not be performed next to the shaker unit.
279.54(b)(2)		09/16/2009	In accordance with Permit Condition I.37, if a container holding used oil, PCW, used oil residues or used oil filters begins to leak, the Permittee shall transfer the

Rule Number	Area	Date Cited	Explanation
			waste to another container. At the time of the initial visit, there was a rail car on site that was observed to be leaking from the bottom at several locations onto the asphalt between the rails. According to staff the rail car was empty and had arrived at the facility to be loaded with crushed used oil filters, which were to be transferred off site via rail. After its arrival, a rainfall event had occurred, and it was noted that the car leaked. There was no cover provided for the car. Examination of the interior of the rail car showed numerous used oil filters, as well as what appeared to be several inches of used oil. During the subsequent site visit on October 9, 2009, the rail car was still on site and was still leaking from the bottom. Several pans had been placed under the car, however, not all the leaks were being captured.
279.52(a)(3)		09/16/2009	In accordance with the schedule specified in Attachment 6 of the Permit Application, the eyewash stations are supposed to be flushed and inspected monthly, however, based on the condition of the eyewash station near the rail transfer area and the appearance of the water coming from it, it appears that this is not being done.

Conclusion:

Based on the observation made during this inspection, FCCE was not in compliance with rules governing used oil processors and transporters.

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.

Kelly M. Honey	Environmental Specialist III
PRINCIPAL INSPECTOR NAME	**PRINCIPAL INSPECTOR TITLE**
	FDEP 11/2/2009
PRINCIPAL INSPECTOR SIGNATURE	**ORGANIZATION** **DATE**
Elizabeth Knauss	Environmental Manager
INSPECTOR NAME	**INSPECTOR TITLE**
NO SIGNATURE	FDEP
INSPECTOR SIGNATURE	**ORGANIZATION**
Rick Mobley	Transportation Manager
REPRESENTATIVE NAME	**REPRESENTATIVE TITLE**
NO SIGNATURE	FCC Environmental
REPRESENTATIVE SIGNATURE	**ORGANIZATION**
Carol Barrick	Laboratory Manager
REPRESENTATIVE NAME	**REPRESENTATIVE TITLE**
NO SIGNATURE	FCC Environmental
REPRESENTATIVE SIGNATURE	**ORGANIZATION**
Jack Thornburgh	Branch Manager
REPRESENTATIVE NAME	**REPRESENTATIVE TITLE**
NO SIGNATURE	FCC Environmental
REPRESENTATIVE SIGNATURE	**ORGANIZATION**

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