



Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
February 24, 2003

David B. Struhs
Secretary

CERTIFIED MAIL

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Dave Gannon, Project Manager
Asphalt Plants
Orlando Paving Company
P.O. Box 547186
Orlando, FL 32854-7186

OCD-HW-C-03-0064

Seminole County- HW
Inspection Summary

Dear Mr. Gannon,

A hazardous waste compliance inspection was conducted at your facility on January 30, 2003. The inspection was conducted under the authority of Section 403.091, Florida Statutes, and Chapter 403, Part IV, Florida Statutes. The inspection was designed to ascertain the compliance status of your facility with 40 CFR 260-268, adopted in Florida Administrative Code Chapter 62-730. The inspection was initiated due to a complaint received by the Department alleging strong odors and health complaints occurring in conjunction with the operation of the plant.

Orlando Paving Company (Orlando Paving) is a Division of Hubbard Construction Company. Orlando Paving manufactures asphalt for retail sale.

The asphalt is manufactured from virgin and recycled aggregate material, which is heated and mixed with liquid asphalt. The final product is stored in two large silos on the property.

Orlando Paving uses used oil as a fuel for heat generation. The used oil is supplied by Oils Unlimited, Inc. (Oils Unlimited) of Sanford, Florida. Orlando Paving receives an oil analysis with each shipment of used oil from Oils Unlimited. During the inspection, six months worth of used oil analysis were reviewed. It was noted that Orlando Paving had several shipments with duplicated used oil analysis because the used oil originated from the same Oils Unlimited batch. Orlando Paving received duplicate analysis (one batch) that reported a high level of cadmium (3.67 PPM), exceeding the 2 ppm specification level for used oil, for the following shipments: 1/7/03, 1/10/03, 1/13/03, 1/14/03, 1/23/03, and 1/29/03.

During the inspection out-briefing, the Department recommended additional laboratory testing be conducted on the used oil with the reported high level of cadmium. Specifically, the Department requested that semi-volatiles, volatiles, and 8 RCRA metals be conducted on the used oil.

On February 10, 2003, the Department received test results. The analysis conducted included 4 metals (arsenic, cadmium, chromium, and lead), flashpoint, and total halogens. The results indicated that cadmium was 0.89 PPM (on-spec); however, total halogens were 5,752 PPM.

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On February 10, 2003, a meeting was held at the Department to discuss the test results. At that time, it was stated that Orlando Paving had pumped out and segregated the "hot" used oil and was currently using natural gas as a fuel for heat generation. Also, it was stated that Orlando Paving would be starting a new procedure to ensure that it would not receive hot used oil in the future.

During the meeting, the Department requested that additional testing be conducted on the hot used oil prior to disposal. During a subsequent telephone conversation with Orlando Paving, the Department was told that testing could not be performed because the used oil had been taken away.

On February 19, 2003, the Department conducted an additional complaint inspection at Orlando Paving. During the time of the inspection, it was observed that the hot used oil in question was being stored in a large tank at Orlando Paving's facility.

The Department conducted a site inspection of Oils Unlimited on February 17, 2003. Oils Unlimited stated that the used oil analysis that was reported to be high in cadmium was a type error and that corrected analysis would be redistributed.

Also, Oils Unlimited had researched the origin of the hot used oil reported at Orlando Paving and found, using a Dexil 1400, that all of their used oil and used oil that was delivered to other clients (which was the same batch delivered to Orlando Paving) was on-spec.

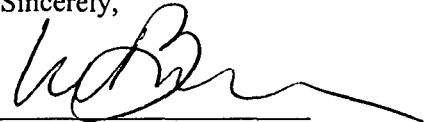
Within 10 days of your receipt of this letter, Orlando Paving should make arrangements to have the hot oil disposed of as hazardous waste or have additional testing conducted on the oil to make a claim that the oil is non-hazardous. The testing must include volatiles, semi-volatiles, and 8 RCRA metals.

Within 30 days your receipt of this letter, provide the Department with the following information:

1. The names of your used oil suppliers, other than Oils Unlimited.
2. If the oil in question is determined to be hazardous waste, provide disposal receipts and an explanation of how the contamination is suspected to have occurred.
3. If the oil in question is determined to be non-hazardous waste, provide the laboratory analysis documenting the non-hazardous claim.

If you have any questions or comments please address them to Nancy McKee at (407) 893-3323.

Sincerely,



Lu Burson
Environmental Manager
Hazardous Waste Section

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CC: Lewis Tillery, Division Manager, Orlando Paving Company (email)
Calvin Patterson, Oils Unlimited, Inc.
John Turner, Compliance Supervisor, Air Resource Management (email)
Caroline Shine, Enforcement Supervisor, Air Resource Management (email)