

Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

February 14, 2000

CERTIFIED MAIL

Z 291 348 888

Attention: Bill Patterson, owner
Oils Unlimited Inc.
655 West Fulton Street, Suite 8
Sanford, Florida 32771

OCD-HW/C-00-0041

Seminole County – HW
Oils Unlimited Inc.
Compliance Assistance Site Visit

Dear Mr. Patterson:

Thank you for your assistance during the Compliance Assistance Site Visit conducted at your Sanford facility on January 5, 2000. An Inspection Report is attached which outlines your facility operations as presented to Department inspectors at the time of the inspection. Please let us know if there are any items that need correction or clarification.

Section 13 of the attached Inspection Report includes areas that your facility needs to address in order to be in compliance with, or for the Department to make a determination of compliance with, State and Federal environmental regulations. Please respond in writing within **30 days of receipt of this letter.**

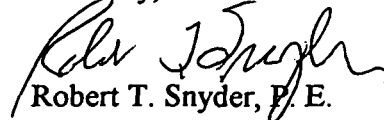
You will note that you are being required to contact our Used Oil Permitting Engineer, Chris Aoussat, to initiate an application for a facility Used Oil Processor Permit. Chapter 62-710.800 Florida Administrative Code requires any facility that accepts used oil from other registered Transporters to obtain a Processor Permit. Because the inspection was conducted as a Compliance Assistance Site Visit, DEP will work with you on developing a time frame for application submittal. If you do not elect to apply for a Processor Permit then you can only accept oil from other Transporters if it has already been specification tested, and documentation of on spec is available.

"More Protection, Less Process"

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Please send your response to Lu Burson at the Orlando address above. An unannounced follow up site visit will be conducted sometime in the next 120 days. If you would like to meet to discuss any of the requests in the Inspection Report or have any questions regarding this letter, the follow up site visit, or environmental regulations in general, please call Lu or me at (407) 893-3323. Thanks again for your cooperation.

Sincerely,


Robert T. Snyder, P. E.
Program Manager
Hazardous Waste

lb
JK

cc: Rick Neves, DEP Tallahassee

HAZARDOUS WASTE INSPECTION REPORT

1. **INSPECTION TYPE:** ☐ Routine ☐ Complaint ☐ Follow-Up ☐ Permitting ☒ Pre-Arranged (CASV)

FACILITY NAME Oils Unlimited Inc., Sanford EPA ID # FLR000050369
Division

STREET ADDRESS 509 South French Street, Sanford, Florida 32771 (Transfer facility)

MAILING ADDRESS 655 West Fulton Street, Sanford, Florida 32771 (Business office)

COUNTY, Seminole PHONE 407-302-3193 DATE 01/05/00 TIME 10:00 am

NOTIFIED AS: ☐ N/A

CURRENT STATUS:

- ☒ Non Handler
- ☐ CESQG (<100 kg/mo.)
- ☐ SQG (100-1000 kg/mo.)
- ☐ Generator (>1000 kg/mo.)
- ☐ Transporter
- ☐ Transfer Facility
- ☐ Interim Status TSD Facility
- ☐ TSD Facility
- Unit Type(s):
- ☐ Exempt Treatment Facility
- ☒ Used Oil/Filter: **Transporter,**
Transfer Facility, Marketer

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- ☐ Transfer Facility
- ☐ Interim Status TSD Facility
- ☐ TSD Facility
- Unit Type(s):
- ☐ Exempt Treatment Facility
- ☒ Used Oil/Filter: **Transporter, Transfer**
Facility, Marketer

2. **APPLICABLE REGULATIONS:**

- | | | | |
|--|--------------------------------------|---|--------------------------------------|
| ☐ 40 CFR 261.5 | ☐ 40 CFR 262 | ☐ 40 CFR 263 | ☐ 40 CFR 264 |
| ☐ 40 CFR 265 | ☐ 40 CFR 266 | ☐ 40 CFR 268 | ☐ 40 CFR 273 |
| ☒ 40 CFR 279 | ☐ 62-704, FAC | ☒ 62-710, FAC | ☐ 62-730, FAC |

3. **RESPONSIBLE OFFICIAL(s):**

William Patterson, Owner

Karen Violet, Office Manager

4. **INSPECTION PARTICIPANTS:**

William Patterson, Oils Unlimited
Karen Violet, Oils Unlimited

Lu Burson, FDEP
Bill Kappler, FDEP

5. **LATITUDE/LONGITUDE:** 28:48:28.32 / 81:16:22.55

6. **SIC Code:** 5172 – Petroleum Products, nec

7. **TYPE OF OWNERSHIP:** Private Federal State County Municipal

8. **PERMIT #:** N/A **ISSUE DATE:** **EXP. DATE:**

9. Introduction:

On January 5, 2000, Lu Burson, and Bill Kappler, Florida Department of Environmental Protection (FDEP), accompanied by Bill Patterson and Karen Violet, Oils Unlimited, inspected the facility for compliance with state and federal hazardous waste and used oil regulations. The inspection was conducted as a Compliance Assistance Site Visit (CASV) at the request of Oils Unlimited (OU). As a CASV a follow up site visit will be performed within 120 days of the original inspection date.

10. Inspection History:

This is the first inspection at OU's current location. An inspection was conducted at their former Sanford Airport location on October 20, 1997.

11. Narrative:

I. INSPECTION:

The inspection at Oils Unlimited (OU) was initiated as a Compliance Assistance Site Visit (CASV) at the request of the facility. OU is a registered used oil/used oil filter Transporter, Transfer Facility, used oil filter processor, and Marketer of on-spec used oil fuel.

OU has narrowed its customer base to only accept used oil from other transporters and a few select facilities. Facilities include FL Gas Transmission, Cape Canaveral Marine Services, Necessary Services, Jan's Oil, Pilot Oil, Central FL Used Oil Services, Petrotech, Amoco, Byrd Oil, and Atlantic Dry Dock. OU personnel screen oil for halogens with a *Dexil Q4000* at individual customer sites. All truck loads, whether from another transporter or from OU's own trucks, are screened a second time via *Dexil Q4000* before off loading at the Transfer location. The Transfer facility is located at Byrd Oil on French Street in Sanford. OU has three trucks and two drivers for collection and delivery.

Individual truckloads that are accepted from other used oil transporters are not specification tested individually but are screened for halogens before offloading. The only specification testing performed by OU is from the holding tank, tank #6, once per week. If an individual truckload fails for halogens it is segregated into one of two 5000-gallon holding tanks until additional testing is performed. It is not off loaded directly into the holding tank.

After an acceptable halogen screening, used oil is off loaded into a 17,000 gallon holding tank, tank #6. Tank #6 is sampled once per week and the sample is sent overnight to Necessary Oil Company's laboratory in Bristol Tennessee for specification testing. The test results are FAXED back to OU within 24 hours. Once declared on-specification, the used oil product is transferred to a second 17,000 gallon storage tank, tank #4, until sold. On spec oil is sold to Orlando Paving, Florida Power, International Paper, and Soil Treatment Services. Per Mr. Patterson, OU sold one million gallons of on spec used oil in 1999.

Used oil facilities receiving used oil from other used oil transporters are required to obtain a Used Oil Processor Permit. Accepting used oil from other used oil transporters is not considered to be operations "incidental to transportation." [62-710.800(1)(b)(2) FAC]

One wastewater tank is on site for collection of water from secondary containment and non-hazardous wastewater. Industrial wastewater is shipped to *AquaClean*. *AquaClean* tests the waste to ensure it is non-hazardous but does not currently provide the analytical results to OU. OU must ensure that secondary containment water and other industrial wastewater collected is kept segregated as two separate waste streams. Industrial wastewater must have a waste determination performed to determine proper disposal requirements. Secondary containment water not exhibiting a sheen is exempt from this requirement. [62-761.700(3)(a)(2) FAC] OU needs to request a copy of *AquaClean's* testing protocol and obtain results for each shipment of industrial wastewater sent to them for disposal. [40 CFR 262.11]

Laboratory test results were reviewed. OU needs to cross reference sample numbers to individual loads. *It was also noted that while an area is available for reporting Flash Point on the data sheets, it was not being recorded.* A negative number is used to indicate test results that were below detection limits on the report. *OU needs to request that the lab report BDL instead of negative numbers to avoid confusion.*

One of the laboratory reports indicated a halogen content greater than 1000 ppm but did not indicate what happened to the load. According to Mr. Patterson the high result was a load from Cape Canaveral Marine Services and was the result of saltwater intrusion. Used Oil having a halogen content ≥ 1000 ppm is presumed to be a hazardous waste unless it can be demonstrated that the used oil does not contain hazardous waste under the rebuttable presumption. [40 CFR 279.44] *While the load was successfully rebutted, OU needs to document the resolution of all halogen results > 1000 ppm.*

OU discontinued collecting used oil filters in 1998. All filter customers are referred to Necessary Services in Polk County. Contaminated absorbent is generated approximately once every two months. Waste absorbent is profiled and shipped to Ogden Martin for use as a fuel source.

OU needs to close out their old EPA identification number used at the Sanford Airport and update the notification for their current EPA ID number to reflect the correct mailing address. A change of status form is enclosed with this report.

12. Summary of Non-Compliance Items and Recommended Corrective Actions:

a) Regulation: 40 CFR 262.11 – Waste Determination

It is the generator's responsibility to determine whether a solid waste, as defined in 40 CFR 261.2, and generated at the facility is a hazardous waste. Specifically, Oils Unlimited needs to document non-hazardous waste determinations for any industrial wastewater managed by their facility.

Corrective Actions:

Any wastewater collected by Oils Unlimited and shipped to an off site disposal facility must have analytical test results documenting that the wastewater is non-hazardous. Oils Unlimited needs to contact the wastewater disposal facility used to obtain a copy of their testing protocol and must keep on file any test results for wastewater loads shipped off site. Secondary containment water not exhibiting a sheen is exempt if it can be demonstrated that the wastewater is from *secondary containment only*. [62-761.700(3)(a)(2) FAC]

b.) Regulation: 40 CFR 279.44 – Rebuttable Presumption

If used oil contains ≥ 1000 ppm total halogens it is assumed to be hazardous waste because it has been mixed with hazardous waste. The owner/operator may rebut the presumption by demonstrating that the used oil does not contain hazardous waste. Specifically, a laboratory report dated December 7, 1999, indicated a halogen content of 1052.7 ppm. According to Mr. Patterson, a second Dexil test was performed on the load that came back under 1000 ppm. This second test was not documented. It was further determined that the load tested high due to saltwater intrusion.

Corrective Actions:

Oils Unlimited **must** document all rebuttable presumption efforts and indicate resolution of all questionable loads. **Within 30 days of receipt of this report**, provide a summary of events outlining resolution of the load in question as well as a procedure for how high halogen loads will be managed in the future.

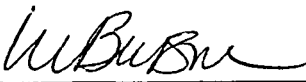
c.) Regulation: 62-710.800(1)(b)(2) – Used Oil Processor Permit

Used oil facilities receiving used oil from other used oil transporters are required to obtain a Used Oil Processor Permit. Accepting used oil from other used oil transporters is not considered to be operations "incidental to transportation." Specifically, Oils Unlimited accepts used oil from Pilot Oil, Central Florida Used Oil Services, Jan's Oil, Cape Canaveral Marine Services, and Petrotech, all State of Florida registered used oil transporters. Facilities accepting used oil from other registered transporters must obtain a Used Oil Processor Permit.

Corrective Actions:

Within 30 days of receipt of this report, contact Chris Aoussat, FDEP Central District, to initiate a Used Oil Processor Permit Application. An application packet is provided with this report.

Report Prepared By:


Lu Burson, Environmental Specialist II


RTS/lb

Enclosures

cc: Rick Neves, FDEP, Tallahassee