



# Florida Department of Environmental Protection

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September 22, 2010

**SENT VIA E-MAIL**

[stuart.stapleton@eqonline.com](mailto:stuart.stapleton@eqonline.com)

Mr. Stuart Stapleton  
EHS Manager  
EQ Florida, Inc.  
7202 E. 8<sup>th</sup> Avenue  
Tampa, Florida 33619

Subject: EQ Florida, Inc.; FLD 981 932 494; Operating Permit Renewal Application 34875-HO-009  
Hillsborough County  
**First Notice of Deficiencies**

Dear Mr. Stapleton:

Your application for a hazardous waste permit has been reviewed and found to be incomplete. The required information and amendments necessary to complete your application are itemized in the enclosed Notice of Deficiencies.

When a permit application is incomplete, all processing of the application is suspended. You are hereby advised to provide us with the requested additional information pursuant to Florida Administrative Code (F.A.C.) Rule 62-730.220 and Chapter 403.722, Florida Statutes (F.S.).

If you cannot submit this information within thirty (30) days, you must provide a detailed schedule with dates when this information will be submitted.

You are encouraged to contact this office to discuss the deficiencies noted by the application review. This exchange of ideas will assist you in developing a complete and adequate response. If you would like to arrange a meeting or have any questions, please call me at 850-245-8796 or [merlin.russell@dep.state.fl.us](mailto:merlin.russell@dep.state.fl.us)

Sincerely,

Merlin D. Russell Jr.  
Professional Geologist II  
Hazardous Waste Regulation

MR/mdr

Enclosure

cc with enclosure via e-mail:

Shannon Camp, DEP Tampa, [Shannon.Camp@fldep.net](mailto:Shannon.Camp@fldep.net)

Jim Dregne, DEP Tampa, James. [Dregne@dep.state.fl.us](mailto:Dregne@dep.state.fl.us)

Robert Fox, ERM, [bob.fox@erm.com](mailto:bob.fox@erm.com)

**ENCLOSURE**  
**The Environmental Quality Company FLD981932494**  
**Operating Permit Renewal dated July 22, 2010**  
**7202 E. 8<sup>th</sup> Avenue, Tampa, Florida 33619**

**General Comments:**

1. For clarification purposes, the loading and unloading areas and the trucks that are backed up to the warehouse are not part of the facility's permitted storage area. The permit application and current operating permit do not indicate or allow storage in the loading and unloading areas.

**Specific Comments:**

2. Part I.A.1: As discussed with Mr. Stapleton on August 9, 2010, EQ does not operate a 264 Subpart DD Containment Building.

3. Part I.A.10: The Operator's name is Scott Marris, VP Regulatory Affairs as he has signed the certification page as the operator.

4. Part I.A.11: The Facility Owner's name is Robert Mulholland as he has signed the certification pages as the owner.

5. Part I.A.19:

- ✚ The "Waste Transporter" expired on August 1, 2010. The current HW transporter certificate was renewed on August 17, 2010 and it expires on August 1, 2011.
- ✚ The Used Oil Certification was issued June 16, 2010.

6. Part I.B.1: The method and datum for the latitude and longitude were not provided.

7. Part I.B.2: Here and elsewhere in this application, the area of the facility is indicated as 1.4 acres although the July 15, 2005 renewal and the Preparedness and Prevention Plan (Section 7 Page 3) indicate a total acreage of 4.46 acres. This discrepancy needs to be resolved throughout the application.

8. Part P Information Requirements Regarding Potential Releases from Solid Waste Management Units, item 1. The instructions should be clarified to exclude hazardous waste units that are permitted or are seeking a permit. EQ does operate a number of "waste recycling operations" or "other (units not listed above)" including but not limited to the Paint Can Crushing, Aerosol Can recycling, drum crushing, rag compacting, fluorescent lamp crusher, any additional municipal waste dumpsters, the sanitary sewer drain field and septic tank (Attachment 9, Figures 1 and 2). the Transfer Facility, Used Oil facility, Materials Processing Facility, satellite accumulation areas (HW inspection report dated March 17, 2008), the 30-gallon Heritage Crystal Clean parts washer (HW inspection report dated July 22, 2009) and any areas managing universal wastes, etc. Each meets the definition of a Solid Waste Management Unit (SWMU) and the information required by Part P must be submitted. Please note that it is not necessary to submit substantial documents that have already been submitted to the Department. As an example, the application for the Materials Processing Facility can be referenced. Summarizing the SWMU information here and in Section 10 should be an easy task as most of the information is already provided throughout the Part B. Also note that SWMUs such as the Materials Processing Facility will be

identified in the permit as a No Further Action because the permit (34757-006-SO/30) has closure requirements that must be implemented. Some SWMUs may require sampling pending evaluation of the required information.

9. Section 2-Page 3: The permit number, and issue and expiration dates are outdated. We suggest removing this information from this page to eliminate the potential for updating this section (The current permit is already listed in Part I.19).

10. Section 2-Page 4: The last paragraph should probably reference Figure 5.12. There is no Figure 5.12A. Figure 5.12A is also referenced on the top of Section 2-Page 5.

11. Section 3-Page 9: Indicate all other federal laws that may apply to the issuance of the permit according to 270.3 (Part II.A.8).

12. Section 4-Pages 18-19: The "Quality Control Policy" needs updating as much has changed (e.g., DEP SOPs have been in place as well as the requirements to utilize NELAC certified laboratories).

13. Section 5-Page 5: The Facility Inspection Log should include the Filter Press (miscellaneous unit) as a checklist item because it is a permitted unit (even though it is currently not being operated). The log should also include the trucks that are temporarily storing hazardous waste in containers. There is a reference to an inspection schedule in Section 15-Page 7, last paragraph, but it was not to be found.

14. Section 6, pages 6-7: These pages need to add the additional training noted in Section 8-Page 4 that states "All operations personnel at this site are trained in emergency response, hazardous waste operations, fire fighting procedures, emergency first aid, and CPR."

15. Section 8: The Hazardous Waste Contingency/Emergency Response Plan must be updated to include:

- ✚ Page 6 must be updated to indicate that the emergency response coordinators are available at all times (264.55).
- ✚ Page 8 lists equipment; however, not all of the information on the equipment is provided. The description of equipment, its location and capabilities must all be provided in accordance with 264.52(e).
- ✚ Page 29 Decontamination Procedures must be expanded to include management of decontamination equipment and decontamination fluids.
- ✚ Attach a description of procedures, structures, or equipment used at the facility to mitigate effects of equipment failure and power outages (Part II. A.4.c(2)). Such a scenario is likely in the event of a hurricane.
- ✚ Attach a description of procedures, structures, or equipment used at the facility to prevent releases to atmosphere (Part II. A.4.c(6)).

The Department strongly recommends that copies of the Hazardous Waste Contingency/Emergency Response Plan and Preparedness and Prevention Plans be kept off site but easily and readily accessible in case of an onsite incident prevents access to the document. The Department intends to require annual reviews and updates of these plans. The Department also intends to require electronic copies be submitted to each local authority.

In addition, please consider any additional changes based upon EPA guidance document, *Preparedness and Prevention Requirements for RCRA TSDFs* dated March 5, 2010.

At some point, you may want to combine the Contingency Plan and Preparedness & Prevention Plans as there is a fair amount of overlap. The document should be a stand-alone document (with figures) as this document is required to be distributed to local authorities.

16. Section 8-Page 33: John Griffin has not been with the Department for some time. The current project Manager is Merlin D. Russell Jr.

17. Section 9-Page 3: The section on Use of Manifest System needs an update because of the 2006 changes in the federal regulations (Uniform Hazardous Waste Manifests).

18. Section 10 (Solid Waste Management Units) will need to be updated to include the additional SWMUS (see comment 8).

19. Section 10-Page 4: The first paragraph states that the filter press has been removed as a treatment process. This appears inconsistent with other parts of the application that state, although currently inactive, it is retained on site to be used if needed (see Section 15).

20. Section 11-Page 6: The last paragraph does not discuss partial closure. If partial closure is contemplated at some point, then it should be discussed; otherwise, this section should eliminate Partial Closure from the title.

21. Section 11-Page 13: In the first paragraph, additional soil samples should also be taken under buildings or in sumps if there are visible cracks or indications that contamination could have migrated into the soils and/or groundwater.

22. Section 11-Page 22: If and when EQ decides to close the facility, the Department strongly recommends a meeting to discuss details of the closure plan. Based upon new regulations and/or guidance or policy issues, the Closure Plan may need to be amended and/or updated prior to its implementation.

23. Section 11-Page 23: The Department continues to evaluate the closure cost estimates. Comments may be forthcoming.

24. Section 14-Page 3: Incoming and Outbound vehicles are currently being parked in areas other than those depicted in Attachment 5.13. Vehicles containing hazardous waste must be parked on paved areas as required by Specific Condition Part II.14 of the current permit.

25. Section 14-Page 4: Hazardous wastes stored in areas other than the warehouse must have secondary containment unless it is in the 10-day storage area.

26. Section 14-Page 8: A paragraph should be added to address the management of Universal Waste Lamps and Batteries. This area must also be illustrated on figure 5.13.

27. Section 14-Page 10: The top paragraph should be revised to indicate that containers that are triple rinsed, because they held acutely toxic hazardous waste, must be triple rinsed using an

appropriate *solvent* or other method found in 40 CFR Part 261.7(b)(3). Rinsing with water may not be an acceptable solvent.

28. Section 14-Page 10: Item number “1” at the bottom of the page should specifically reference DEP SOP 5000 (Waste Sampling) and/or other “procedures and guidelines” mentioned in this paragraph.

29. Section 15: Supply the following:

- ✚ Information on the potential pathways of exposure of humans or environmental receptors to hazardous waste or hazardous constituents and on the potential magnitude and nature of such exposures as per 264.601(a)(8), (b)(10) and (c)(6). Although page 6 states that the unit will be used in an enclosed building with containment, page 3 (paragraph 2) states that it may be used off site at generator locations.
- ✚ Schedule and procedure for meeting the inspection requirement of 264.15.
- ✚ A copy of the closure cost estimate (270.14(b)(14)).

30. Section 15-Page 10: The text appears incorrect. Solids which are not hazardous waste do not need to meet LDR treatment standards.

31. Section 16-Page 5 (aerosol can recycling): Describe the operations procedures for monitoring and maintaining the carbon filter units for the least retained volatile organic compounds.

32. Section 16-Page 8 (item 1.): Describe the vapor control.

33. Section 16-Page 10: Identify the instrument used for reading vapor emissions mentioned under the Subpart BB discussions. In the same paragraph, is the equipment used to transfer hazardous waste still used less than 300 hours per calendar year? Also, the exemption cited should be 40 CFR Part 264.1050(e) and (f).

34. Section 16-Page 11: Are the identifications for the vacuum trucks current?

35. Attachment 2-Page 2: The K-listed wastes on this page are a subset of the K-listed wastes on page 4, and appear redundant. If there is a reason for separate lists, it should be clarified in each page; otherwise, the list on page 2 should be removed.

36. Attachment 5:

- ✚ Figure 5.1 does not have a scale on the map (Part II A.1.a.(1); 40 CFR Part 270.14(b)(19)i).
- ✚ Figure 5.5: Although not a deficiency, Figure 5.5 does not contain the explanation of flood zone designations in a legend but Figure 10.6 has the explanations. Figure 10.6 does not indicate a facility location but Figure 5.5 does. Together, these two figures provide the information. Also, the street locations on these two maps are inconsistent with other maps (e.g. Google maps). For example, see locations of E. 7<sup>th</sup> Ave. Also the N 73<sup>rd</sup> St. location is different for Figure 5.5 compared to Figure 10.6 and Google aerial maps.
- ✚ Figure 5.6 still references USL-City Environmental Services.
- ✚ Figure 5.10 does not have a scale (Part II A.1.a.(1); 40 CFR Part 270.14(b)(19)i) or north arrow (Part II A.1.a.(3); 40 CFR Part 270.14(b)(19)vi) on the map

✚ Figure 5.14 will need to be updated to include all SWMUs.

37. Attachment 14:

- ✚ “Evidence” (last column heading) is misspelled on the table.
- ✚ Waste managed in the Stormwater Retention Pond should be stormwater.
- ✚ There are slight differences in this table and the one in Section 10-Page 8. To avoid these inconsistencies, the Department has no objection to one of the tables being eliminated.