



Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report

**FACILITY INFORMATION:**

**Facility Name:** January Environmental Services Inc  
**On-Site Inspection Start Date:** 12/20/2010 **On-Site Inspection End Date:** 12/20/2010  
**ME ID#:** 46304 **EPA ID#:** FLD982162943  
**Facility Street Address:** 1920 Hwy 60 W Main St, Bartow, Florida 33830-0000  
**Contact Mailing Address:** 2701 S Prospect, Oklahoma City, Oklahoma 73129-6451  
**County Name:** Polk **Contact Phone:** (405) 670-2030

**NOTIFIED AS:**

SQG (100-1000 kg/month)  
Used Oil

**INSPECTION TYPE:**

Routine Inspection for Used Oil Transfer Facility

**INSPECTION PARTICIPANTS:**

Principal Inspector: Elizabeth Knauss, Environmental Manager  
Other Participants: Loren January, Corporate Secretary; Cruz Torres, Driver

**LATITUDE / LONGITUDE:** Lat 27° 53' 51.5901" / Long 81° 51' 47.2672"

**SIC CODE:** 4212 - Trans. & utilities - local trucking, without storage

**TYPE OF OWNERSHIP:** Private

**Introduction:**

An announced inspection was conducted at January Environmental Services to determine the facility's compliance with used oil transporter and transfer facility regulations. The company has one driver that works out of this location, although at times other drivers pick up or deliver materials to the facility. There are no full time office employees. Loren January and Cruz Torres represented the company during the inspection.

**Process Description:**

January is a used oil, used oil filter and oily waste water transporter. The facility picks up waste from its customers, consolidates it and arranges for final treatment and disposal. Facility operations have changed since the previous inspections. The facility is now managing drums of used antifreeze and some other drummed waste in addition to the old grease that was managed previously. These were being stored within a bay inside the facility. At the time of the inspection, a drum labeled "parts washer sludge" and a drum of used antifreeze were in storage. These had been accepted from Wal Mart Distribution Center #7038 in Ft. Pierce on November 29, 2010. The shipping paper includes a generator certification statement section regarding the nature of the waste. However the shipping paper was not signed by the customer in that area. The facility is a small quantity generator, not a CESQG, according to the notification forms filed by Wal-Mart in 2006 and again in December 2010. In addition, two 20 gallon containers holding parts washing solvent were on site that were generated by Great Wide, the vehicle maintenance contractor operating at Wal Mart Distribution Center #7023 in Desoto County. This Distribution Center has also notified as a small quantity generator. This material had been accepted for transportation on November 1, 2010. The certification statement had been signed on the shipping paper for this waste. The generator's EPA identification number was not included on either of these shipping papers. January Environmental does not have a solid waste permit or a used oil permit authorizing acceptance of drummed wastes. In addition, the Department is concerned that these wastes have been accepted without adequate waste characterizations.

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The bay also held a drum collecting used oil samples that was located next to a roll up door. Either secondary containment must be provided, or the drum must be moved to a location that will contain releases. The bay also held empty drums, several full drums of waste grease, along with containers of used absorbent. Ms. January was requested to provide additional information on the management of drummed wastes by the facility.

Used antifreeze is also managed in one of the facility's 20,000 gallon storage tanks. Cruz Torres said that the antifreeze was being disposed of to January's Nashville TN facility. The only shipping records for waste from Bartow to Nashville were for tanker loads identified as ~3,500 gallons of used oil. Florida does not include waste antifreeze within its definition of used oil, and spent antifreeze is not exempt from regulation as hazardous waste if burned. In a letter dated January 13, 2011, Ms. January said that Nashville was reclaiming the antifreeze, which is an exempt activity in Florida. However January's web site states that the Nashville facility recovers organics which are then fuel blended. Further clarification is being sought on this issue.

Three tanks were being used to hold used oil at the time of the inspection. One of the tanks, with ~17,500 gallons of oil was being loaded into a rail car. The rail car was provided with track pans that drained to a concrete sump with a sump pump for secondary containment. January began shipping by rail on March 11, 2009. Ms. January said that they began loading a rail car beginning when oil had been stored in the tank farm for 30 days. However, the rail car would stay on site for up to 60 days after that time while January finished loading it. Full rail cars were shipped to various facilities on seven occasions. Used oil delivery records for rail shipments were incomplete in that the EPA identification numbers were not recorded for CSX or Omega Refining in Marrero La., one of the destination facilities.

Used oil disposal records indicate that the facility exceeded the 35 day storage limit before shipments that occurred on July 30, 2009, September 4, 2009, December 18, 2009, September 24, 2010 and the day of the inspection. Other exceedences may have occurred during that time frame, if the Nashville shipments were used antifreeze rather than used oil. Used oil transfer facilities are not permitted to hold used oil more than 35 days without a permit in Florida. This is a repeat violation for this facility, and as a corrective action the Department will be requiring the facility to obtain a used oil processing permit. January has contracted with a consultant to prepare the permit application.

Used oil filters were last disposed of in April 2010. The flatbed trailer had 6 labeled containers, and six additional containers were on the pavement, along with a small double walled tank for oil generated on site. A larger empty double walled tank was located behind the filter containers. This tank, along with others located within the storage bay are provided to the company's customers.

The facility's SPCC plan was out of date. The last revision was in May 2007 and still listed Mark Cook as the manager. Tom Byerly, the company's listed emergency coordinator has retired. An updated plan will be required as part of the permit application.

## **New Potential Violations and Areas of Concern:**

### **Used Oil Processor**

Type: Violation  
Rule: 62-710.800(2)  
Question Number: 28.50  
Question: Does the processor have a used oil processing permit?  
Explanation: January Environmental is consistently storing used oil more than 35 days without a used oil processor permit.  
Corrective Action: Obtain a used oil processor permit. Cease storing used oil for more than 35 days until a permit can be obtained. Submit a permit application, along with

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the required financial assurances to the Department within 30 days.

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**Used Oil Transporter**

Type: Violation  
Rule: 279.46(b)(2)  
Question Number: 29.260  
Question: EPA ID # of receiving facility or transporter?  
Explanation: Used oil rail delivery records and invoices did not include the EPA Identification number of the transporter CSX or the designated facility Omega Refining.  
Corrective Action: Ensure that used oil delivery records include the EPA identification numbers of the transporters and designated facilities.

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Type: Violation  
Rule: 279.45(d)(1)  
Question Number: 29.550  
Question: Are containers provided with secondary containment with minimum requirements?  
Explanation: A container collecting used oil samples was not provided with secondary containment as it was located immediately next to a door.  
Corrective Action: Either place containers holding used oil within secondary containment, or located them away from doors where leaked oil could be released.

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**Checklist Independent Potential Violations and Areas of Concern**

Type: Violation  
Rule: 279.45  
Explanation: The facility's SPCC plan was out of date. Emergency contact information and facility operations had changed since the last revision.  
Corrective Action: Submit an updated SPCC plan to the Department.

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Type: Violation  
Rule: 62-701.300(1)(a)  
Explanation: January Environmental Services was storing drummed wastes in addition to used oil and oil filters.  
Corrective Action: Solid waste management activities must be authorized under a permit issued by the Department. Incidental oily waste management may be authorized as part of a used oil processing permit. A used oil permit will not authorize management of regulated hazardous waste.

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**Summary of Potential Violations and Areas of Concern:**

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Potential Violations

<b>Rule Number</b>	<b>Area</b>	<b>Date Cited</b>	<b>Explanation</b>
Used Oil Processor 62-710.800(2)		12/20/2010	January Environmental is consistently storing used oil more than 35 days without a used oil processor permit.
Used Oil Transporter 279.46(b)(2)		12/20/2010	Used oil rail delivery records and invoices did not include the EPA Identification number of the transporter CSX or the designated facility Omega Refining.
279.45(d)(1)		12/20/2010	A container collecting used oil samples was not provided with secondary containment as it was located immediately next to a door.
Checklist Independent Violations 279.45		12/20/2010	The facility's SPCC plan was out of date. Emergency contact information and facility operations had changed since the last revision.
62-701.300(1)(a)		12/20/2010	January Environmental Services was storing drummed wastes in addition to used oil and oil filters.

Areas of Concern

No Areas of Concern

**Conclusion:**

January Environmental Services was not in compliance with used oil transfer facility regulations.

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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.

Elizabeth Knauss	Environmental Manager
<b>PRINCIPAL INSPECTOR NAME</b>	<b>PRINCIPAL INSPECTOR TITLE</b>

	FDEP - SWD	2/1/2011
<b>PRINCIPAL INSPECTOR SIGNATURE</b>	<b>ORGANIZATION</b>	<b>DATE</b>

Loren January	Corporate Secretary
<b>REPRESENTATIVE NAME</b>	<b>REPRESENTATIVE TITLE</b>

NO SIGNATURE	January Environmental
<b>REPRESENTATIVE SIGNATURE</b>	<b>ORGANIZATION</b>

Cruz Torres	Driver
<b>REPRESENTATIVE NAME</b>	<b>REPRESENTATIVE TITLE</b>

NO SIGNATURE	January Environmental
<b>REPRESENTATIVE SIGNATURE</b>	<b>ORGANIZATION</b>

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.