



Florida Department of
Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi Drew
Secretary

December 20, 2010

Sent via email only to
Conrad.Thornburgh@fccenvironmental.com

Mr. Jack Thornburgh, Branch Manager
FCC Environmental, LLC
105 South Alexander Street
Plant City, FL 33563

Re: FLD 065 680 613
Hillsborough County

Dear Mr. Thornburgh:

Thank you for your assistance and cooperation during the Department of Environmental Protection's November 10, 2010, Hazardous Waste Compliance Evaluation Inspection.

Enclosed is the inspection report generated from this visit. Based upon the information gathered during the inspection, FCC Environmental, LLC, was found to be in violation of regulations governing used oil processors. The violations are set forth in the "Summary of Violations" section of the inspection report.

The violations cited in the report were corrected during the inspection. Having returned to compliance, no enforcement action will be taken.

If you have any questions, please feel free to call me at (813) 632-7600, extension 369.

Sincerely,

Kelly M. Honey
Environmental Specialist
Division of Waste Management
Southwest District

/kmh

Enclosure

cc: Kelley Boatwright, Hillsborough County SQG Program (boatwright@epchc.org)



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: FCC Environmental LLC

On-Site Inspection Start Date: 11/10/2010 On-Site Inspection End Date: 11/10/2010

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

Used Oil

INSPECTION TYPE:

Routine Inspection for Used Oil Processor facility

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Used Oil Generator facility

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

INSPECTION PARTICIPANTS:

Principal Inspector: Kelly M. Honey, Environmental Specialist III

Other Participants: John Ruchlewicz, Plant Manager

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

SIC CODE: 2999 - Manufacturing - petroleum and coal products, nec

TYPE OF OWNERSHIP: Private

Introduction:

FCC Environmental, LLC, (FCCE) was inspected to determine its compliance with state and federal regulations governing used oil and hazardous waste. Records were reviewed on December 1, 2010. 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 September 16, 2009, except as noted. At the time of this inspection, Mr. Jack Thornburgh, the Branch Manager, was out of town, however, he was present during the records review. The inspector was accompanied by Mr. John Ruchlewicz, the Plant Manager.

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. At the time of the inspection, the facility was resurfacing the truck off-loading area. According to Mr. Ruchlewicz, it was noted that some cracks had formed in the concrete. They were in the process of jack-hammering out the cracks, refilling them with concrete patch and then

Inspection Date: 11/10/2010

resealing the concrete.

During the previous routine compliance inspection, the Department determined that the sumps in the rail car transfer area were not being maintained properly, and also that a rail car that had been used to transport used oil filters was leaking used oil. FCCE now cleans the sumps out weekly, and gondola rail cars are no longer accepted at the facility. The appearance of the rail car transfer area was improved since the previous inspection.

In the used oil filter crushing area, there was one hopper of used oil filters, and four hoppers of blocks of crushed used oil filters. These containers were all being properly managed. In the staging area, there were approximately 26 containers of used oil filters, including two cubic yard boxes of used jet filters and one drum of individually crushed filters, or "pucks." All these containers except one was being managed properly. The facility has a satellite accumulation container near the crushing unit for waste aerosol cans pulled from the drums of used oil filters. The 55-gallon drum is equipped with a can puncturing assembly, but it was observed that the hazardous waste label is now illegible and should be replaced.

Other containers observed included approximately 75 empty drums staged for head cutting and crushing, plus four containers of antifreeze to be transferred into tank #20. Seven drums of used oil were noted, two of which were labeled "oily water," and twelve drums of used oil filters. The containers were being managed properly except as noted. There were also eleven containers of oily waste solids, such as oil impacted soil and oil soaked clay absorbent, and two drums of used grease for disposal at the landfill in Okeechobee, FL. Mr. Ruchlewicz was asked about disposal of materials, such as waste grease, at the landfill. He stated that FCCE will not accept any waste for landfill disposal without a profile and analysis.

During the inspection, there was some used oil noted inside the containment next to the rail spur. A pail of used oil and oily solid materials was observed overflowing into the containment. Discussion with staff indicate that the filter basket in the rail unloading area had been cleaned out, and the bucket was left sitting in the containment. According to Mr. Ruchlewicz, this area was cleaned on Saturday, so the longest the bucket could have been left out was three days. During the inspection, staff were directed to removed the bucket, transfer the contents to an appropriate container, and to clean up the containment where the container had overflowed.

Water was observed on the floor of this same containment on the vehicle loading side. It was determined during the inspection that the water supply / fire hose had not been shut off properly and it was dripping into the containment. This was corrected during the inspection. It was also noted that the coating on tank #12 is peeling, and the tank appears rusted in some areas. FCCE should ensure that all tanks are maintained in accordance with 62-762, FAC, as applicable.

Finally, there was some water observed accumulating in the containment for tank #552. A small drip at the valve coupling where tank bottoms are routinely pumped off was observed, however, the slow drip did not account for the rate at which water was observed entering the containment. Further investigation revealed that the facility's two rainwater collection tanks (#10 and #82) were overflowing into the containment. According to staff, there was a heavy rain the previous week which filled up the two stormwater collection tanks. The contents of the tanks are treated in the facility water treatment plant, but the contents do not automatically pump over. During the inspection, facility staff started the pumps to transfer the contents of the two stormwater collection tanks to the treatment plant, and also set up a diaphragm pump to return the water in the containment back to the two collection tanks.

Records were reviewed. FCCE maintains its records as required, with the following exceptions. There were some records of used oil pick ups where the driver did not document the halogen level. Other records reviewed included records of rejected loads, annual closure costs estimates, inspection logs and analyses used to demonstrate that used oil sold by FCCE meets specifications.

New Potential Violations and Areas of Concern:

Checklist Independent Potential Violations and Areas of Concern

Inspection Date: 11/10/2010

Type: Violation
Rule: 62-710.850(5)(a)
Explanation: There was one drum of crushed used oil filters ("pucks") that was labeled only "filters." (corrected)
Corrective Action: The label was corrected during the inspection.

Type: Violation
Rule: 279.22(c)(1), 62-710.401(6)
Explanation: At the time of the inspection, there were at least two drums of used oil that were mislabeled "oily water." (Corrected)
 In the containment near the rail loading side, there was a bucket filled with used oil and oily solid materials. The bucket was not labeled and was not closed. (corrected)
 In the water treatment plant, several buckets are available throughout for collecting samples from various tanks. Past practice has been to collect the samples and leave the partially filled bucket under the sampling point until it is full, at which point it is transferred to the process tanks. The buckets are all labeled "used oil" and located within containment, but covers are not placed on the partially filled buckets to protect them from the weather. (corrected)
Corrective Action: As discussed during the inspection, mixtures of used oil and water are regulated as used oil and should be labeled as such. The labels were corrected during the inspection.
 The bucket of used oil and oily solid materials was transferred to the strainer tank. In future, staff should ensure that waste is transferred promptly to the appropriate container.
 Additionally, as discussed, lids or other covers should be provided for all the sample containers of used oil in the water plant. This practice was previously allowed, however, the Department has determined that since the containers hold used oil for an extended period of time, FCCE must comply with the requirement to protect them from the weather.

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 than 1,000-ppm was not always recorded. (corrected)
Corrective Action: As discussed, FCCE must ensure that all drivers are properly trained regarding recording the results of required testing. Additional training on what materials meet the definition of used oil should be provided to all drivers.

Summary of Potential Violations and Areas of Concern:

Potential Violations

Rule Number	Area	Date Cited	Explanation
Checklist Independent Violations			

Inspection Date: 11/10/2010

Rule Number	Area	Date Cited	Explanation
62-710.850(5)(a)		11/10/2010	There was one drum of crushed used oil filters ("pucks") that was labeled only "filters." (corrected)
279.22(c)(1), 62-710.401(6)		11/10/2010	At the time of the inspection, there were at least two drums of used oil that were mislabeled "oily water." (Corrected) In the containment near the rail loading side, there was a bucket filled with used oil and oily solid materials. The bucket was not labeled and was not closed. (corrected) In the water treatment plant, several buckets are available throughout for collecting samples from various tanks. Past practice has been to collect the samples and leave the partially filled bucket under the sampling point until it is full, at which point it is transferred to the process tanks. The buckets are all labeled "used oil" and located within containment, but covers are not placed on the partially filled buckets to protect them from the weather. (corrected)
279.44(d)		11/10/2010	It was noted the determination of whether a load of used oil picked up was greater than or less than 1,000-ppm was not always recorded. (corrected)

Areas of Concern

No Areas of Concern

Conclusion:

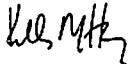
Based on the observations made during this inspection, the facility was not operating in compliance with rules governing used oil processors. The facility has since returned to compliance.

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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.

Kelly M. Honey	Environmental Specialist III
PRINCIPAL INSPECTOR NAME	PRINCIPAL INSPECTOR TITLE
	FDEP
PRINCIPAL INSPECTOR SIGNATURE	ORGANIZATION
	12/15/2010
	DATE
<hr/>	
John Ruchlewicz	Plant Manager
REPRESENTATIVE NAME	REPRESENTATIVE TITLE
NO SIGNATURE	FCC Environmental, LLC
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.

Memorandum

Environmental Protection

SOUTHWEST DISTRICT ENFORCEMENT COVER MEMO

TO: [Signature] James Dregne, Hazardous Waste Program Manager *12/10*

THROUGH: [Signature] Elizabeth Knauss, HW Enforcement Coordinator

FROM: [Signature] Kelly Honey, Environmental Specialist III

DATE: December 16, 2010

FILE NAME: Hydrocarbon Recovery Services, Inc., COUNTY: Hillsborough
d/b/a FCC Environmental *KIA*

PROGRAM: Hazardous Waste PROJECT # N/A

TYPE OF DOCUMENT: Inspection Report and Cover Letter

REQUESTED ACTION: Approval

DESCRIPTION OF VIOLATIONS:

The facility had a couple of open pails of used oil, there were two mislabeled drums of used oil and one mislabeled drum of used oil filters and the halogen determinations were not always recorded.

STATUS OF CORRECTIVE ACTIONS:

The facility has returned to compliance.

STATUS OF PENALTY ASSESSMENT:

N/A

PENALTY: Not Applicable

Amount:

Costs & Expenses:

Total: N/A

Secretary Approval Not required / Approved on _____

Attachments: Inspection Report and Cover Letter

From: Brantley, Anna
Sent: Monday, December 20, 2010 1:46 PM
To: 'conrad.thornburgh@fccenvironmental.com'; Kelley Boatwright (boatwright@epchc.org); Dregne, James
Cc: Honey, Kelly
Subject: FCC Environmental FLD 065 680 613.pdf (SECURED) - Adobe Acrobat Professional
Attachments: FCC Environmental FLD 065 680 613

Attached please find "Inspection Report" for the subject Hazardous Waste Facility. This is the only copy you will receive.

NOTE: If you have questions concerning the content of this document, please contact the DEP hazardous waste staff kelly.honey@dep.state.fl.us

This is the only electronic copy you will receive. Acrobat Reader 6.0 or greater is required to read this document, and is available for downloading at: <http://www.adobe.com/products/acrobat/readstep.html>

Anna

Anna Brantley
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