



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: EQ Florida Inc

On-Site Inspection Start Date: 04/19/2011 **On-Site Inspection End Date:** 04/19/2011

ME ID#: 21659 **EPA ID#:** FLD981932494

Facility Street Address: 2002 N Orient Rd, Tampa, Florida 33619-3356

Contact Mailing Address: 7202 E 8th Ave, Tampa, Florida 33619-3380

County Name: Hillsborough **Contact Phone:** (813) 319-3423

NOTIFIED AS:

LQG (>1000 kg/month)

Transporter

Transfer Facility

TSD Facility Unit Type(s)

Used Oil

INSPECTION TYPE:

Routine Inspection for TSD Facility Unit Type(s)

Routine Inspection for Hazardous Waste Transfer Facility

Routine Inspection for Hazardous Waste Transporter facility

Routine Inspection for LQG (>1000 kg/month) facility

INSPECTION PARTICIPANTS:

Principal Inspector: Shannon D. Camp, Inspector

Other Participants: Larry Sinatra, Plant Manager; Hector Danois, EPA Inspector; Bob Mulholland, Manager

LATITUDE / LONGITUDE: Lat 27° 57' 44.8953" / Long 82° 22' 25.1455"

SIC CODE: 4953 - Trans. & utilities - refuse systems

TYPE OF OWNERSHIP: Private

Introduction:

EQ Florida, Inc. was inspected on April 19, 2011, to determine the facility's compliance with state and federal hazardous waste regulations. This inspection was a joint Environment Protection Agency, Region IV/Florida Department of Environmental Protection inspection. Mr. Sinatra accompanied the inspectors throughout the inspection. The Department's Hazardous Waste Section last inspected this facility in August 2010.

Process Description:

EQ Florida (EQ) is a permitted Treatment, Storage and Disposal Facility as well as a registered Hazardous Waste, Used Oil and Universal Waste Transporter and Transfer Facility. The facility is currently in the process of renewing their permit with the Department.

Operations at EQ have not changed significantly since the previous inspections. The inspection included all three bays within the storage building, the transport trucks, the vehicle maintenance area, the laboratory and a review of pertinent records. All five sumps within the storage building appeared clean and dry. The facility had only documented eight new shipments on the transfer facility log since the previous inspection. EQ's contingency plan was last revised in January 2010 and the training documentation appeared adequate.

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The only changes to the EQ since the Department's last inspection is that EQ is no longer emptying all the spent aerosol cans prior to shipping them off site. Currently, the majority of the aerosols are segregated: those with chlorofluorocarbons which are generally in aluminum cans and those in steel cans. They normally only empty the cans that are almost empty to remove the propellant and residual contents. Spent hazardous waste aerosols are currently shipped to Rineco for disposal.

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

Type: Violation
Rule: 279.22(c)(1)
Explanation: The facility failed to label one used oil dolly and one used oil drum that were located within the vehicle maintenance shop with the words "Used Oil." (corrected)
Corrective Action: Personnel labeled the used oil dolly and used oil drum with the words "Used Oil" during the inspection.

Type: Violation
Rule: 273.14(a)
Explanation: At the time of the inspection, EQ was storing multiple 55-gallon drums containing universal waste batteries that were improperly marked as "Non-regulated Waste."
Corrective Action: Effective immediately, EQ must ensure that all containers storing universal waste batteries are marked with the words "Universal Waste Batteries."

Type: Violation
Rule: 264.173(a), 264.173(b)
Explanation: At the time of the inspection, at least two cubic yard boxes storing hazardous waste were observed to be open. One of the boxes was observed in the processing area. That container was storing spent aerosol cans. No workers were observed adding or removing waste from the container. At the time, the workers were processing aerosols from the hoppers only. The second container was observed in Bay 3. That container was marked as Hazardous Waste, without waste codes, and had DOT shipping description of corrosive solids.

Also, one cubic yard box was observed in the processing area with damage to the bottom corner. The container was storing ignitable hazardous waste aerosol cans. An additional drum was observed in an outbound truck that had a bad bung seal. Hazardous waste was observed to be bubbling out of the bung during the inspection in the truck.

Corrective Action: Effective immediately, all containers storing or holding hazardous waste must always be closed except as necessary to add or remove waste. In addition, EQ must ensure that all containers holding or storing hazardous waste are handled and stored in a manner that will not cause a rupture or leak.

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Type: Violation
Rule: 264.15(d)
Explanation: EQ is failing to record the date and nature of corrective actions or repairs in the daily inspection logs.
Corrective Action: Effective immediately, EQ must record the date and the nature of any corrective action or repair in the daily inspection logs.

Type: Violation
Rule: 403.727(1)(c)
Explanation: At the time of the inspection, several containers located in Bays 2 and 3 and within a trailer being loaded for outbound shipment, were not marked with applicable EPA waste identification codes in violation of permit condition S.C.II.22.a. Some containers did not have the generator's information marked on the container, either.
Corrective Action: Effective immediately, EQ must ensure that all containers storing hazardous waste are clearly marked with the contents of each container, including all applicable EPA waste identification codes and generator information.

Type: Area Of Concern
Rule: 403.727(1)(c)
Explanation: The Department is concerned that EQ may be exceeding the maximum quantity of receipted waste that remains unloaded. Records indicate that the amount often exceeds 10,000 gallons at any one time. It is unclear, however, if the documented inbound quantities are receipted or not.
Corrective Action: In a subsequent teleconference, EQ explained that there were issues concerning the facility's inspector and the documentation of the daily inspections. The facility stated that they have retooled the inspections, provided the inspectors with new training and are using a new log to document the container inventory. EQ was not able to say with certainty that the facility had not exceeded either the inbound capacity or the facility's total capacity during the teleconference.

Type: Violation
Rule: 403.727(1)(c)
Explanation: At the time of the inspection, over thirty 55-gallon drums and over twenty 5-gallon containers of hazardous waste were observed being stored in a trailer. Most of the waste had been received at the facility at least 14 days prior to the inspection. Some of the containers had been stored over two months. It was explained by Mr. Mullholland that the materials had been received but were pending an internal approval. The materials were not being loaded for outbound shipment. Storage of hazardous waste outside the permitted storage building is a violation of permit condition S.C.II.1. (corrected)
Corrective Action: Personnel relocated the material to within the storage building during the inspection.

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Type: Violation
Rule: 263.10(d)
Explanation: At least three manifests were observed in which EQ as the hazardous waste transporter failed to ensure that the manifests included the transporter name and EPA identification number. In all three instances, the EQ facility noted the discrepancies after accepting the wastes. The noted manifest numbers are 007799732 JJK, 007799801 JJK and 007799791 JJK.
Corrective Action: Effective immediately, EQ must ensure that the manifests are properly filled out prior to transporting hazardous waste.

Type: Violation
Rule: 264.31
Explanation: At the time of the inspection, multiple containers that were located on a pallet within Bay 1 were observed with hazardous waste pooled on the tops. At least three of the containers appeared to have improper lids secured with tape. All the containers had arrived at EQ on April 14, 2011. No attempt had been made to repackage the material prior to the inspection.
Corrective Action: Effective immediately, EQ must ensure all containers storing hazardous waste are clean and must immediately recontainerize containers that are not in good condition.

Type: Violation
Rule: 264.1080(a)
Explanation: EQ routinely processes hazardous waste aerosol cans in a unit that has a "carbon absorption device". In a letter from the Department dated September 24, 2002, it was explained to the facility that they would either need to demonstrate that the filter is at least 95% efficient (by weight) in reducing the total organic content of the inlet vapor unless the control device is exempt. EQ responded in a letter dated October 14, 2002 that they would not be able to demonstrate compliance with 40 CFR 264 Subpart CC, and would therefore only use the device on containers smaller than 26 gallons to exempt the unit. At the time of the inspection, the facility was using two of the devices, which were mounted onto 55-gallon drums. EQ could not demonstrate during the inspection how often the filters were replaced. In addition, the filter on one of the units appeared "full" and in need of replacement, and the filter on the other unit that was in use during the inspection, had a filter that was visibly damaged.
Corrective Action: Effective immediately, EQ must demonstrate that the units are in compliance with the rule. In addition, EQ must ensure the units' filters are replaced when full or damaged if compliance can be certified.

Type: Violation
Rule: 62-737.400(7)
Explanation: At the time of the inspection, EQ was storing universal waste lamps in an open box truck. The facility was not actively loading or unloading spent lamps into the truck at the time of the inspection.

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Corrective Action: As an universal waste lamp transfer facility, EQ must store its universal waste lamps or devices indoors, within a closed box truck or cover the lamp containers with a tarp if the truck is to remain open.

Type: Violation

Rule: 268.50(a)(2)(i)

Explanation: At the time of the inspection, several containers at the facility were not marked with the date the containers were received at the facility. The containers were located within all three bays and outside in the processing area and a trailer located in the yard. Failure to clearly mark upon receipt each container of hazardous waste with the date the waste was received at the facility is a violation of permit condition S.C.II.22b.

At the time of the inspection, one cubic yard box storing hazardous waste aerosols was observed without being labeled with the words "Hazardous Waste" or being dated.
(Corrected)

Corrective Action: Effective immediately, EQ must mark all containers of hazardous waste with the receipt date upon acceptance of the waste.

Type: Violation

Rule: 264.177(c)

Explanation: At the time of the inspection, multiple containers storing unknown wastes were being stored on carts in Bay 2. Personnel indicated that the wastes were placed on the cart because they were unknown or had caused an unanticipated reaction during consolidation. Most of the containers were labeled only as hazardous waste. In addition, a sign was observed on the second cart stating it was a "Unknown Holding Area." Failure to segregate unknown wastes is also a violation of permit condition S.C.II.6.

Corrective Action: Effective immediately, EQ must ensure that unknown wastes are segregated from each other.

Type: Violation

Rule: 403.727(1)(c)

Explanation: EQ failed to accurately document the inventory of wastes on the daily inventory log. In addition, the inventories were not being conducted at the opening of each business day as required by S.C.II.17 of the permit. For instance, the facility's daily counts on the date of the inspection did not appear to reflect the waste on site. The facility's waste count was conducted after the inspectors finished the facility portion of the inspection. The inspectors did not observe any trucks with inbound waste, only four being loaded for outbound and one storing hazardous waste. However, the facility documented 20,865 gallons of inbound waste.

Corrective Action: Effective immediately, EQ must accurately document the waste inventories and inventories should be conducted at the same time each business day.

Type: Violation

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Rule: 62-737.400(5)(a)

Explanation: At the time of the inspection, at least two boxes storing universal waste lamps within the box truck did not appear to be structurally sound.

Corrective Action: Effective immediately, EQ must ensure that universal waste lamps are stored in closed, labeled and structurally sound containers.

Summary of Potential Violations and Areas of Concern:

Potential Violations

Rule Number	Area	Date Cited	Explanation
279.22(c)(1)	Checklist Independent Violations	04/19/2011	The facility failed to label one used oil dolly and one used oil drum that were located within the vehicle maintenance shop with the words "Used Oil." (corrected)
273.14(a)		04/19/2011	At the time of the inspection, EQ was storing multiple 55-gallon drums containing universal waste batteries that were improperly marked as "Non-regulated Waste."
264.173(a), 264.173(b)		04/19/2011	<p>At the time of the inspection, at least two cubic yard boxes storing hazardous waste were observed to be open. One of the boxes was observed in the processing area. That container was storing spent aerosol cans. No workers were observed adding or removing waste from the container. At the time, the workers were processing aerosols from the hoppers only. The second container was observed in Bay 3. That container was marked as Hazardous Waste, without waste codes, and had DOT shipping description of corrosive solids.</p> <p>Also, one cubic yard box was observed in the processing area with damage to the bottom corner. The container was storing ignitable hazardous waste aerosol cans. An additional drum was observed in an outbound truck that had a bad bung seal. Hazardous waste was observed to be bubbling out of the bung during the inspection in the truck.</p>
264.15(d)		04/19/2011	EQ is failing to record the date and nature of corrective actions or repairs in the daily inspection logs.
403.727(1)(c)		04/19/2011	At the time of the inspection, several containers located in Bays 2 and 3 and within a trailer being loaded for outbound shipment, were not marked with applicable EPA waste identification

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Rule Number	Area	Date Cited	Explanation
403.727(1)(c)		04/19/2011	<p>codes in violation of permit condition S.C.II.22.a. Some containers did not have the generator's information marked on the container, either.</p> <p>At the time of the inspection, over thirty 55-gallon drums and over twenty 5-gallon containers of hazardous waste were observed being stored in a trailer. Most of the waste had been received at the facility at least 14 days prior to the inspection. Some of the containers had been stored over two months. It was explained by Mr. Mullholland that the materials had been received but were pending an internal approval. The materials were not being loaded for outbound shipment. Storage of hazardous waste outside the permitted storage building is a violation of permit condition S.C.II.1. (corrected)</p>
263.10(d)		04/19/2011	<p>At least three manifests were observed in which EQ as the hazardous waste transporter failed to ensure that the manifests included the transporter name and EPA identification number. In all three instances, the EQ facility noted the discrepancies after accepting the wastes. The noted manifest numbers are 007799732 JJK, 007799801 JJK and 007799791 JJK.</p>
264.31		04/19/2011	<p>At the time of the inspection, multiple containers that were located on a pallet within Bay 1 were observed with hazardous waste pooled on the tops. At least three of the containers appeared to have improper lids secured with tape. All the containers had arrived at EQ on April 14, 2011. No attempt had been made to repackage the material prior to the inspection.</p>
264.1080(a)		04/19/2011	<p>EQ routinely processes hazardous waste aerosol cans in a unit that has a "carbon absorption device". In a letter from the Department dated September 24, 2002, it was explained to the facility that they would either need to demonstrate that the filter is at least 95% efficient (by weight) in reducing the total organic content of the inlet vapor unless the control device is exempt. EQ responded in a letter dated October 14, 2002 that they would not be able to demonstrate compliance with 40 CFR 264 Subpart CC, and would therefore only use the device on containers smaller than 26 gallons to exempt the unit. At the time of the inspection, the facility was using two of</p>

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Rule Number	Area	Date Cited	Explanation
			the devices, which were mounted onto 55-gallon drums. EQ could not demonstrate during the inspection how often the filters were replaced. In addition, the filter on one of the units appeared "full" and in need of replacement, and the filter on the other unit that was in use during the inspection, had a filter that was visibly damaged.
62-737.400(7)		04/19/2011	At the time of the inspection, EQ was storing universal waste lamps in an open box truck. The facility was not actively loading or unloading spent lamps into the truck at the time of the inspection.
268.50(a)(2)(i)		04/19/2011	At the time of the inspection, several containers at the facility were not marked with the date the containers were received at the facility. The containers were located within all three bays and outside in the processing area and a trailer located in the yard. Failure to clearly mark upon receipt each container of hazardous waste with the date the waste was received at the facility is a violation of permit condition S.C.II.22b. At the time of the inspection, one cubic yard box storing hazardous waste aerosols was observed without being labeled with the words "Hazardous Waste" or being dated. (Corrected)
264.177(c)		04/19/2011	At the time of the inspection, multiple containers storing unknown wastes were being stored on carts in Bay 2. Personnel indicated that the wastes were placed on the cart because they were unknown or had caused an unanticipated reaction during consolidation. Most of the containers were labeled only as hazardous waste. In addition, a sign was observed on the second cart stating it was a "Unknown Holding Area." Failure to segregate unknown wastes is also a violation of permit condition S.C.II.6.
403.727(1)(c)		04/19/2011	EQ failed to accurately document the inventory of wastes on the daily inventory log. In addition, the inventories were not being conducted at the opening of each business day as required by S.C.II.17 of the permit. For instance, the facility's daily counts on the date of the inspection did not appear to reflect the waste on site. The facility's waste count was conducted after the inspectors finished the facility portion of the inspection. The inspectors did not observe any trucks

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Rule Number	Area	Date Cited	Explanation
62-737.400(5)(a)		04/19/2011	with inbound waste, only four being loaded for outbound and one storing hazardous waste. However, the facility documented 20,865 gallons of inbound waste.
			At the time of the inspection, at least two boxes storing universal waste lamps within the box truck did not appear to be structurally sound.

Areas of Concern

Rule Number	Area	Date Cited	Explanation
403.727(1)(c)	Checklist Independent Areas of Concern	04/19/2011	The Department is concerned that EQ may be exceeding the maximum quantity of receipted waste that remains unloaded. Records indicate that the amount often exceeds 10,000 gallons at any one time. It is unclear, however, if the documented inbound quantities are receipted or not.

Conclusion:

At the time of the inspection, EQ Florida was not operating in compliance with state and federal hazardous waste 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.

Shannon D. Camp

PRINCIPAL INSPECTOR NAME

Inspector

PRINCIPAL INSPECTOR TITLE**PRINCIPAL INSPECTOR SIGNATURE**

6/13/2011

DATE

Hector Danois

INSPECTOR NAME

EPA Inspector

INSPECTOR TITLE

NO SIGNATURE

INSPECTOR SIGNATURE

EPA Region 4

ORGANIZATION

Larry Sinatra

REPRESENTATIVE NAME

Plant Manager

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

Bob Mulholland

REPRESENTATIVE NAME

Manager

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

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.