



**Florida Department of
Environmental Protection
Hazardous Waste Inspection Report**

FACILITY INFORMATION:

Facility Name: Aqua Clean Environmental Company Inc

On-Site Inspection Start Date: 08/31/2011

On-Site Inspection End Date: 08/31/2011

ME ID#: 21896

EPA ID#: FLR000034033

Facility Street Address: 3210 Whitten Rd, Lakeland, Florida 33811-1086

Contact Mailing Address: 3210 Whitten Rd, Lakeland, Florida 33811-1086

County Name: Polk

Contact Phone: (863) 644-0665

NOTIFIED AS:

Non-Handler

Used Oil

INSPECTION TYPE:

Routine Inspection for Used Oil Processor facility

INSPECTION PARTICIPANTS:

Principal Inspector: Elizabeth Knauss, Environmental Manager

Other Participants: Mike Zellars, Plant Manager; Audrey Scruggs, Office Manager; W. D. Miller, Vice President

LATITUDE / LONGITUDE: Lat 28° 0' 18.6604" / Long 82° 2' 33.4423"

SIC CODE: 7389 - Services - business services, nec

TYPE OF OWNERSHIP: Private

Introduction:

A routine inspection was conducted at Aqua Clean Environmental Company (Aqua Clean) and Florida Recycling Solutions, a permitted used oil processing facility. Aqua Clean is currently registered as a used oil transporter and transfer facility. Florida Recycling Solutions and Aqua Clean have the same facility identification number. Florida Recycling Solutions was not registered as a used oil processor in the most recent registration for the facility, dated March 2011. Aqua Clean processes industrial waste water as an NPDES permitted centralized waste water processing facility. Florida Recycling does not transport any material, and mainly receives oil through Aqua Clean. Aqua Clean is currently still operating at partial capacity due to fire earlier this year, on July 7, 2011. Mechanical reconstruction is complete, and staff anticipate that full operation will resume soon. At the time of the inspection, electrical work was 95% complete, with some building department inspections pending. Mike Zellars, the Plant Manager and Audrey Scruggs, the Office Manager provided assistance during the inspection.

Process Description:

The fire at the facility was caused by a contractor conducting welding during vehicle unloading operations. A load of material shipped to Aqua Clean as "Non Hazardous Non DOT regulated (water with trace petroleum product)" from the Marathon Petroleum Ft. Lauderdale bulk terminal was unloaded into the facility's open collection sump. Dense vapors from unloading traveled along the ground surface to the welding operations, ignited and flashed back to the truck. As a result of the fire, a control panel and several tanks were damaged. The facility has continued to accept waste water during repair operations. Other changes since the previous inspection included installing insulation on Florida Recycling's used oil processing tanks. The insulation covered the old labels on Tanks 6 and 7. New labels had been received, but not yet applied to the tanks.

The facility is currently having problems with excess storm water from the summer rainy season. Storm water collects from traffic areas into the the open pit used to unload vacuum trucks. The pit

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was full at the time of the inspection, and the sump previously used to transfer waste water to the water treatment tanks was also full. A trench had been opened in the pavement nearby to place new electrical lines to the new control panel.

The solidification pad was full of wood chips soaking up excess liquid. The facility disposed of 37 - 26 cubic yard loads of this material between August 24 and August 31 to the Cedar Trails landfill in Polk County. The sludge is analyzed once a calendar month, and has not been found to be characteristically hazardous. Ms. Scruggs indicated that this is typical of the current rate of generation. Neither Florida Recycling Solutions nor Aqua Clean had shipped any recovered oil off site as of the initial date of the inspection. The facility intends to burn its on-specification processed oil in an on site process heater to assist in treatment. In a telephone conversation after the inspection, Mike Zellars stated that Florida Recycling had recently shipped 6,000 gallons of oil to Synergy.

The containment area around the pumps of the unloading area on the east side of the solidification pad had standing discolored water that could not fully drain back to the plant headworks. The storm water containment and aeration tank north of the large tank farm and south of the traffic area contained contaminated water, dark in color, and with a sheen that appeared to be biological in origin rather than petroleum. The biofilm was also noted in the lined ditch leading from the aeration tank to the storm water pond. No sheen was observed on the pond. The facility's permit requires removal of collected storm water within 24 hours from secondary containment areas around units containing used oil.

Records were reviewed, including all incoming manifests for the previous day. A number of issues were noted with regard to the company's waste profiling procedures. Aqua Clean does not require the generator to provide information on the process generating the waste water. In addition, Aqua Clean approves profiles that do not have information provided in the material composition, flash point, number of phases or percent solids fields as long as the generator signs the Generator Certification statement. This has been an area of concern in previous inspections. The Department has documented several incidents where Aqua Clean has accepted hazardous waste that has been misidentified on profiles and shipping papers, including acid digestion waste from Rincat LLC's catalytic converter recycling process and flammable glycerin bottoms from biodiesel manufacturing.

During this inspection, the Department found that Aqua Clean has accepted chromic acid anodizing and chromate conversion coating waste waters and sludge from a non-notified surface finishing facility, Quality Aerospace Coatings. Treatment of chromic acid anodizing waste water will generate a listed hazardous waste, EPA Waste No. F006. Treatment of chromate conversion coating waste water generates EPA Waste No. F019 sludge. Aqua Clean accepted 2,906 gallons of this material on August 22, 2011, and previously accepted 2,300 gallons of the material on November 23, 2010. None of the solids separated from treating waste in this time frame were managed as listed hazardous waste. Aqua Clean's failure to require the generator of the waste water to submit process information has resulted in Aqua Clean's failure to conduct a hazardous waste determination and the improper disposal of listed hazardous waste to a facility that is not permitted to accept hazardous waste. This issue was previously discussed during the 2005 inspection, when Aqua Clean was treating waste waters from MRC Precision Metal Optics and PCI of Titusville.

Aqua Clean also transported oil skimmings from Prima Die Casting's oil water separator belt press as waste water and solids, although Prima manages these as used oil while being accumulated on site. The Department is concerned that Aqua Clean is recycling very little oil compared to the volume accepted, and that the company is primarily treating the material for landfill disposal. Used oil that is recycled for energy recovery is excluded from regulation as a hazardous waste. However, used oil that is treated for disposal is not excluded, and is subject to the requirement that the generator perform a hazardous waste determination prior to treatment, storage or disposal. This would include water soluble cutting oils and coolants. Aqua Clean's profile approval process does not require the generator to disclose the percent of non aqueous phase material or solids in the waste streams.

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

Type:	Violation
Rule:	279.54(f)(1)
Explanation:	Used Oil tanks were not labeled. (Corrected)
Corrective Action:	Replacement labels had been obtained, but not yet applied to the used oil tanks. In the future, Florida Recycling Solutions must ensure that all containers and tanks holding used oil are labeled as soon as oil is placed in the unit. Temporary labels are permissible.

Type:	Violation
Rule:	262.11(b)
Explanation:	Aqua Clean failed to address the pre-existing area of concern identified in 2008, and as a result has accepted and disposed of F006/F019 listed waste water treatment sludge generated by Quality Aerospace Coatings from chromic acid anodizing and chromate conversion coating. Aqua Clean accepted this waste based on incomplete profiles. Aqua Clean does not required its customers to submit process information that would ensure that the facility is able to determine if listed hazardous waste is generated by its treatment process.
Corrective Action:	Aqua Clean must amend its waste profiles and train sales personnel to ensure that process information is submitted in its waste profiles. Process information must include sufficient detail to ensure that accurate hazardous waste determinations may be conducted on Aqua Clean's treatment residues.

Pre-existing Potential Violations and Areas of Concern:**Pre-Inspection Checklist**

Type:	Area Of Concern
Rule:	262.12
Question Number:	26.10
Question:	Facility notified with correct status.
Explanation:	Aqua Clean has made the business decision not to accept manifested hazardous wastewater for pretreatment. However, the Department has documented several occasions after the facts where unmanifested hazardous waste has been accepted by Aqua Clean on the basis of inaccurate or incomplete profiles.
Corrective Action:	Aqua Clean should improve its waste profiling and review procedures to ensure that hazardous waste is rejected in the future.

Summary of Potential Violations and Areas of Concern:Potential Violations

Rule Number	Area	Date Cited	Explanation
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Rule Number	Area	Date Cited	Explanation
Checklist Independent Violations 279.54(f)(1)		08/31/2011	Used Oil tanks were not labeled. (Corrected)
262.11(b)		08/31/2011	Aqua Clean failed to address the pre-existing area of concern identified in 2008, and as a result has accepted and disposed of F006/F019 listed waste water treatment sludge generated by Quality Aerospace Coatings from chromic acid anodizing and chromate conversion coating. Aqua Clean accepted this waste based on incomplete profiles. Aqua Clean does not required its customers to submit process information that would ensure that the facility is able to determine if listed hazardous waste is generated by its treatment process.

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Pre-Inspection Checklist 262.12		11/18/2008	Aqua Clean has made the business decision not to accept manifested hazardous wastewater for pretreatment. However, the Department has documented several occasions after the facts where unmanifested hazardous waste has been accepted by Aqua Clean on the basis of inaccurate or incomplete profiles.

Conclusion:

Aqua Clean Environmental is accepting waste water that will generated listed hazardous waste sludges, and has not performed accurate hazardous waste determinations on the solids generated from the treatment process. Aqua Clean's waste profiling practices are not adequate to allow the facility to exclude waste water that will cause the facility's treatment residuals to be listed hazardous waste. Aqua Clean is also transporting materials that have high concentrations of oil as "waste water" for treatment rather than recycling, without requiring complete hazardous waste determination information.

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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

PRINCIPAL INSPECTOR NAME

Environmental Manager

PRINCIPAL INSPECTOR TITLE**PRINCIPAL INSPECTOR SIGNATURE**

FDEP - SWD

ORGANIZATION

9/26/2011

DATE

Mike Zellars

REPRESENTATIVE NAME

Plant Manager

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

Aqua Clean

ORGANIZATION

Audrey Scruggs

REPRESENTATIVE NAME

Office Manager

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

Aqua Clean

ORGANIZATION

W. D. Miller

REPRESENTATIVE NAME

Vice President

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

Aqua Clean

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.