

Thursby, Kim

From: Kothur, Bheem
Sent: Wednesday, February 29, 2012 9:19 AM
To: Thursby, Kim
Subject: FW: Fuels Unlimited, Inc.;FLR 000 050 369;First Notice of Deficiency

Hi Kim,
For your information and update.
Thank you.
Bheem

From: Alison Crouse [mailto:alison_crouse@hotmail.com]
Sent: Wednesday, February 29, 2012 9:17 AM
To: Kothur, Bheem
Subject: RE: Fuels Unlimited, Inc.;FLR 000 050 369;First Notice of Deficiency

Thank you, I have received the e-mail and I will get this to Karen Violet as soon as she is in the office.

Alison Crouse
Administrative Assistant
Oils Unlimited
407-302-3193

From: Bheem.Kothur@dep.state.fl.us
To: alison_crouse@hotmail.com
CC: oilsunlimited@bellsouth.net; Kim.Thursby@dep.state.fl.us
Date: Wed, 29 Feb 2012 09:01:15 -0500
Subject: FW: Fuels Unlimited, Inc.;FLR 000 050 369;First Notice of Deficiency

Hi Alison,
Please respond to this e-mail that you have received this document.
Thanks.

Bheem.

From: Epost HWRS
Sent: Friday, February 24, 2012 8:14 AM
To: oilsunlimited@bellsouth.net
Cc: Bahr, Tim; Coates, John; Kraemer, Janine; White, John; oilsunlimited@bellsouth.net; Wick, Fred; Holmes, Georgiana; Hornbrook, Frank; andreyevn@gmail.com; Kothur, Bheem; Tripp, Anthony
Subject: Fuels Unlimited, Inc.;FLR 000 050 369;First Notice of Deficiency

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Regulation Section is forwarding the attached document to you by electronic correspondence "e-correspondence" in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a "reply" message to epost_hwrs@dep.state.fl.us. (An automatic "reply message" is not sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

The attached document is in "pdf" format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at www.adobe.com/products/acrobat/readstep2.html.

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

Your cooperation in helping us affect this process by replying as requested is greatly appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Tim Bahr
Environmental Administrator
Hazardous Waste Regulation
Department of Environmental Protection
E-Mail Address: epost_hwrs@dep.state.fl.us

Please take a few minutes to share your comments on the service you received from the department by clicking on this link [DEP Customer Survey](#).



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

February 24, 2012

SENT VIA E-MAIL

oilsunlimited@bellsouth.net

Mr. Ronald C. Patterson, Owner
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

RE: Fuels Unlimited, Inc.
EPA I.D. No. FLR 000 050 369
Permit Numbers: 00266845-HO-002
Used Oil Processing Facility Renewal Permit
First Notice of Deficiency

Dear Mr. Patterson:

The Florida Department of Environmental Protection (the Department) has reviewed your permit renewal application dated January 30, 2012 and received on January 31, 2012 to operate a Used Oil Processing facility in Sanford, Florida.

The review of the permit application indicates that it is incomplete. Please provide the information requested in the enclosed Attachment. In preparing your response, the Department recommends that you identify each comment followed by your response and also provide your revised pages of the application. The revised pages are to include the new revision date.

The Department will be contacting you to schedule a meeting or conference call to discuss these comments. Additional communications will be scheduled as needed prior to your submittal of an official response to minimize the time and effort required to formulate adequate replies to the comments. This exchange of ideas will assist you in developing a complete and adequate response that should eliminate the need for additional official responses and therefore accelerate the permit renewal process.

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit two copies of your written response (one hard copy and one electronic copy for Tallahassee, and one hard copy to the Central District Office). If

Mr. Ronald Patterson, Owner

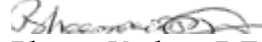
February 24, 2012

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you cannot submit all this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

Should you like to arrange a meeting or if you have any questions, please contact me at (850) 245-8781 or e-mail: Bheem.kothur@dep.state.fl.us

Sincerely,



Bheem Kothur, P.E. III

Hazardous Waste Regulation

BK/bk

Enclosure: Attachment

cc: Janine Kraemer, FDEP/Central District, janine.kraemer@dep.state.fl.us
John White, FDEP/Central District, john.white@dep.state.fl.us
Karen Violet, Fuels Unlimited, oilsunlimited@bellsouth.net
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Georgiana, Holmes, OGC/Tallahassee, Georgiana.holmes@dep.state.fl.us
Frank Hornbrook, DEP/Tallahassee, frank.hornbrook@dep.state.fl.us
Nicolas E. Andreyev/Sanford, andreyevn@gmail.com

ENCLOSURE

Fuels Unlimited, Inc.

Used Oil Facility Operating Permit No.: 00266845-HO-002

First Notice of Deficiencies

February 24, 2012

SPECIFIC COMMENTS: Application Form for a Used Oil Processing Facility Permit.

1. Florida DEP Application Form # 62-710.901(6), Page 8, and Part I.A.3, Note: According to the permit application and approved Florida Notification of Regulated Waste Activity Form 8700-12FL, the facility appears to be a marketer. Therefore, the facility must mark on Form # 62-710.901(6), Part I.A.3 as a marketer also. Please review the form and revise as appropriate.
2. According to Form 8700-12FL, the facility is registered as a used oil transporter, used oil transfer facility, used oil marketer, used oil filter transporter, used oil filter transfer facility, and used oil filter processor which expires on June 30, 2012. As of today the Department has not received renewal registration documents from the facility. The registration renewal due date to submit such documents is March 1, 2012. Please submit the documents in a timely manner.
3. Florida DEP Application, Form # 62-710.901(6), B.1- Site Information, and Page 9: The facility latitude and longitude of 28.80760, -81.27285 translate into 28° 47 27, -81° 16 22, respectively. Please update the entry.
4. Tab 1, Attachment 1, Facility Operational Information: The description of the operations planned for the facility needs to be expanded. The facility also picks up oily waste water, which they transport to an offsite treatment facility. They may choose to store in the onsite tank for more than 7 days. They have historically identified the material as non-hazardous oily waste water, not used oil. The tank is not part of a Clean Water Act treatment system. Please expand the paragraph to include where the on-spec used oil is shipped, where the oily waste water is shipped, and where the used antifreeze is shipped for recycling.

Also clarify Tank # 7, Product Type: Is this Oily Water or Oily Wastewater?

5. Tab 2, Attachment 2, Section 7-Off-Spec Used Oil: Please explain in detail where the off-spec used oil is marketed and transported to a permitted used oil processing facility.

6. Tab 2, Attachment 2, Section 8 – Items Which are Not Accepted by Fuels Unlimited, Inc.: No sludge material is accepted or transported by Fuels Unlimited. Please verify this statement since the last inspection on May 10, 2011, the department found a number of sludge drums generated off site that were transported to the facility. The facility was not able to provide analytical results for these drums nor determine from where they came. Please explain and expand this paragraph as appropriate.
7. Tab 3, Attachment 3, Analysis Plan, Section 3-Product Analysis Procedures By Fuels Unlimited Inc. Prior to Transport Off-Site: The current analysis plan as written does not meet the requirements of 40 CFR Part 279.55. The plan must identify steps taken to close off the above ground storage Tank (AST) to prevent the addition of used oil once the Tank has been sampled. The Plan must also meet the requirements of 40 CFR Part 279.72.

If Fuels Unlimited is claiming used oil meets the on-specification requirements of 40 CFR Part 279.11, the used oil list of parameters that must be tested include that the Flash Point meets the 100 degrees Fahrenheit (F°) minimum, Total Halogens meets the 1,000 ppm maximum, PCB meets the 2 ppm maximum, and Halides meets the 4000 ppm maximum. Please add these constituents to the existing list.

Marketing of On-Specification Oil: If any Fuels Unlimited outgoing shipments are to be sold as on-specification oil, the batch of oil shall be analyzed by a laboratory by the DOH Environmental Laboratory Certification Program (ELCP) in the solid and chemical matrix for the analytical and test combinations to be performed. Fuels Unlimited shall be in receipt of the laboratory analytical results before selling the selected batch of used oil as “on-specification” oil.

Any used oil that is marketed and sold by Fuels Unlimited will not be marketed as “on-specification” without supporting documentation from a National Environmental Laboratory Accreditation Program (NELAP) certified laboratory.

8. Tab 6, Attachment 6, Emergency Preparedness, Prevention & Contingency Plan, Page 9: Please attach the following Forms: The Daily Inspection should be documented. The list of emergency response equipment –List should include the quantity/amount of each item; Oil Spill Event Report Form; Florida DEP Discharge Report Form; Monthly Inspection Report Form; Maintenance Log; Storm Water Removal Report Form; Secondary Containment Structure Integrity Form etc.

Phone Number of Local Authorities And Agencies, Page 21: Please include Seminole County Emergency Management Phone Number and complete comment Column.

All of the Attachments in this application are identified in numerical order. However, Attachment 6, is identified using Roman Numerals rather than Arabic. Please review this Attachment and be consistent throughout the permit application.

The Emergency Coordinators (ECs) identified in the Plan do not include the address and telephone number, both home and office. Emergency Coordinators must live close enough to the facility to respond in a timely fashion to an emergency. Please review and revise as appropriate.

9. Tab 7, Attachment 7, Unit Management Description; Appendix D-Copy Of Inspection Sheet For 2011: Inspection sheet indicates only monthly inspection. Please provide the documentation for daily and annually performed inspections. Also, please explain the process used when checking for water in the bottom of tanks.
10. Attachment 8-Closure Plan, Section 3-Closure Cost Estimate, Page 26, and Figure 1, Site Map: The facility has a total of six (6) tanks with a total capacity of 111,940 gallons of used oil. In addition there are three (3) other tanks with oily waste water, recyclable coolant and one an inactive tank respectively. It appears that the submitted closure cost estimates are insufficient to close the facility by a third party with the storage capacity indicated here. Closure cost estimates must be prepared utilizing the maximum capacity of the tanks. Please revise the estimate and resubmit. If this revision results in the need to adjust and update your financial assurance documents, then those adjustments will also need to be made at this time.
11. Attachment 9, Training: The employee training program does not include USDOT hazardous materials training. Used oil is commonly contaminated with gasoline, and the mixture may be flammable. Fuels Unlimited used oil screening procedure from the waste analysis plan only includes halogen screening. Chlor –D-Tect kits will not assess the flammability of the materials Fuels Unlimited may be called upon to transport. Please modify the employee training program to include USDOT hazardous materials training.

GENERAL COMMENTS:

1. Facility needs to submit a site map in an electronic format (pdf preferred) so that this map can be inserted into the permit.
2. Facility needs to submit a used oil tank table in an electronic format (pdf preferred) so that this can be inserted into the permit.
3. Tank Inspection: Tanks 1 through 4 were installed in 1920, tanks 5 through 6 were installed in 1981 and tanks 7 through 9 were installed in 1988. The facility must provide the documentation of tank's detailed last inspection and certifications to the Department. Tanks 1 through 4 appear to be more than 90 years old. Please explain in detail when was the latest thickness test performed and the latest tank system integrity assessment performed by a professional engineer registered in the State of Florida. Also, the facility must specify the frequency of sludge removal from the tanks in the application.

4. According to the latest inspection report, the inspection was conducted by the Central District office on May 10, 2011. The facility was storing ten (10) 55-gallon drums of sludge from a spill clean-up. Please identify the drum storage location and filter storage and absorbent material location on a site plan.
5. Any oily wastes or sludge generated at the facility that cannot be managed for energy recovery, a hazardous waste determination will be conducted and the materials will be managed in accordance with 40 CFR Part 279.10(c) and (e).