From: Prather, Jeff
To: Lubozynski, Tom; Owens, Danielle; Kraemer, Janine;
cc: Kelley, Lisa;
Subject: RE: HOWCO
Date: Wednesday, August 29, 2012 12:27:41 PM

I'm good to go with the penalties as is. I expect more attention to detail by a permitted facility that manages a large volume of waste and is located so close to a residential neighborhood and St. Johns River. It's also my understanding that this isn't the first time we've seen this lack of detail.

I am concerned with the permit condition that doesn't allow for them maintaining/ storing transportation documents electronically. As long as they can make copies available to us or let us see the documents while we're onsite is what's important. Not sure when their permit is up for renewal, but the facility/DEP should consider modifying this condition along with any others that limit a facility from moving into the digitized age.

Thank you for your work and for providing additional information on this one.

Jeff

From: Lubozynski, Tom
Sent: Tuesday, August 28, 2012 1:12 PM
To: Prather, Jeff
Cc: Kraemer, Janine; Owens, Danielle; Kelley, Lisa
Subject: HOWCO

Jeff

I was wrong about the inspection schedule for permitted used oil processors. They are not inspected annually. The previous inspection was 8/11/2010. The inspection report is at:
http://dwmedms.dep.state.fl.us:80/Oculus/servlet/shell?command=getEntity&[guid=2.246520.1]&[profile=Discovery_Compliance]

Reading the record review section of the inspection report, it is clear that some paper records were available at the facility on the day of the inspection. Some records, such as, training records were allowed by permit to be kept at the corporate headquarters. I have attached HOWCO's response to our noncompliance letter for the 8/11/2010 inspection. In late 2010 HOWCO was still

using paper records.

I do not know when HOWCO switched to electronic records. But, Mr. Dan Medici has been at that facility for more than 2 years. He knew we look at records.

You also asked about the contingency plan. The 8/11/2010 inspection report states that at the time of that inspection the latest version was dated June 11, 2010. But, as a response to a Notice of Deficiency regarding their permit renewal, HOWCO submitted a revised plan on 9/3/2010. Our inspection was on 3/21/2012. In an attempt to provide the documents that were not available on the day of the inspection, Mr. Dillen, HOWCO, sent a copy of the 4/21/2005 contingency plan. So, even when given plenty of time to show us they had an up-to-date contingency plan readily available, HOWCO employees presented an out-of-date plan.

Hopefully this is enough information for you agree that the proposed penalties are appropriate for HOWCO. If you disagree, please make your changes on the documents (SFCO and penalty calculation worksheet) so we can send the SFCO to HOWCO.

Tom