Department of Environmental Protection

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Virginia B. Wetherell
Secretary

December 16, 1997

CERTIFIED
P-337-151-214

OCD-HW/P-97-0501

Ms. Brenda Simmons
Post Office Box 157
Astor, Florida 32102

Lake County - HW
North Florida Oil, Inc.
Used Oil Processing Permit #HO06-0027221
RE: First Notice of Deficiency

Dear Ms. Simmons:

The Department has reviewed the Used Oil Processing Permit Application submitted by North Florida Oil on August 15, 1997. Listed below are items considered to be deficient or in need of further explanation.

Application Form, Part I:

1. Section A. General Information, Item #12, Legal Structure: Individual.

   Comment: Please provide a revised page indicating the change in legal structure from "individual" to "corporation" since the application was submitted.

   Section C. Operating Information, Item #2, Applicable EPA hazardous waste codes: You have shown this to be "None".

   Comment: Although you have indicated the generator status as Conditionally Exempt Small Quantity Generator, you must provide the waste codes associated with all hazardous waste generated by NFO at this facility. This information should be available on documents such as hazardous waste manifests for disposal of such things as tank sludge, waste solvent, paint, etc. from maintenance of your facility. (See Comment 1 on Attachment 4). Also note that the Hazardous Waste Rule (62-730) requires that:

   > "A conditionally exempt small quantity generator which chooses to send its hazardous waste to an off-site treatment, storage or disposal facility shall document delivery of its hazardous waste through written receipts and other records which are retained for at least three years. The written receipts and other records shall include names and addresses of the generator and the treatment, storage or disposal facility, the type and amount of hazardous waste delivered, and the date of shipment."

Attachment 1, Facility Description - The description of facility operations is not complete. Since this Attachment is used to briefly describe the nature of the business, facility operations, etc., it should be expanded to include all operations up to the time used oil leaves the NFO facility. Detail on such items as testing, treatment, etc. should be included in Attachment 2. Specific comments on Attachment 1 include:

1. Testing Performed states: "Halogen test (test kit) is performed *on-site* dependent of visual, olfactory, and customer waste history."

   Comment: This section is only required to include operations taking place at the NFO facility. If this statement refers to testing at the generator's site prior to pick-up (transporter function), it is not necessary.

2. General Activities - since NFO accepts a variety of filters for processing, please identify all types of filters processed at your facility (fuel, transmission, etc.).

3. Facility Operation - clarify how Tank #4 (15,000 gallon - steel) - additional storage" will be used, whether to store "Used Oil" or another material. Verify it is properly labeled as to the contents it will be storing?

Attachment 2, Process Description - this Attachment should include detail on processes that take place from the time the used oil, antifreeze, filters, petroleum contact water, etc. are received at the NFO facility until the processed material and waste leave the site. Specifically, please clarify and expand the following:

1. Oil Product Pickup - Attachment 2 is only required to address procedures taking place as part of the processing process after oil product is received at the NFO facility. If you wish to address pickup policy here, then see Comment "f" under Oil Product Testing and include response here.

2. Oil Product Testing needs additional clarification, as follows

   a) Who collects samples from each truck and who performs the testing?

   b) Explain how you determine whether the viscosity test is needed?

   c) Clarify that the temporary holding tank is tank #4, if this is the case, and note this on the attached Figure 1 as well.

   d) Add additional labels to Figure 1 explaining that tanks 5 and 6 are for treated bulk storage and tank #4 is for temporary storage, etc. This information should be consistent with the tank designations used in Attachment 8.

   e) Par. 1 states: "If water content is high (>5%) the product is heated at Tank #8 to 190°F and chemical additives are incorporated to the product (demulsifiers)."

   Comment: Has NFO investigated the necessity for an air permit / exemption? If not, please contact the DEP Air Program.

3. Par. 2 states: "Oil product containing greater or equal than 1000 ppm of halogens is segregated and placed into a temporary holding tank and a sample is collected and analyzed to determine exact halogen content. Once the results are received, the customer (generator) is contacted to address the issue..... "A letter stating that the waste is classified as rebuttable (62-279.63) is requested from the generator and if necessary the product is disposed as waste as applicable."

In the case of oil collected from generators, this issue should be addressed as a transporter activity and information seems to be more appropriately included under Oil Product pick-up, as part of the procedure for addressing used oil with >1000 ppm halogens.

In the case of oil collected from household centers and remote igloos, the rebuttal process NFO follows should be different and should be explained. Also identify the procedures NFO will follow if a rebuttable presumption would be necessary.

When you say "if necessary, the product is disposed as waste as applicable", do you mean the product will be disposed of as hazardous waste? Please clarify this statement by identifying alternatives; i.e., how NFO will dispose of used oil not qualifying for the rebuttable presumption.

a) Provide a copy of the "Daily Log" form to attach to the application.

b) Also, the correct rule citation is 40 CFR 279.63, not 62-279.63.

4. Oil Product Transfer states: "Antifreeze is collected and kept segregated from the used oil and is currently transferred to an industrial wastewater treatment facility. North Florida Oil is planning to recycle antifreeze in the near future."

Comment: The non-hazardous waste manifest used by North Florida Oil indicates that antifreeze is collected as non-hazardous per generator's knowledge 40 CFR §262.11, and is destined for recycling. As discussed with Bob Simmons on September 16, 1997, generators are not required to perform a waste determination, if the antifreeze is destined for recycling,. Since waste antifreeze collected by NFO is transported to an industrial wastewater treatment facility for treatment and disposal, which is not recycling, NFO must advise its customers that a waste determination is required from them (the generators), verifying the antifreeze is non-hazardous.

The non-hazardous waste manifest used by NFO for antifreeze is misleading and implies to generators that the antifreeze is being recycled. Please correct this practice and provide evidence to the Department that either the non-hazardous waste manifest has been changed or procedures have been put in place for NFO to verify that spent antifreeze is non-hazardous before it is accepted.

a) Figure 1 - Process Flow Diagram includes several boxes with "F". Does this indicate "filtering opportunities for the used oil. If so, please explain the process since there is presently one filter box located within the secondary containment. Are the particulate filters identified in the process flow diagram filters on the trucks or the referenced filter box?

b) Identify how NFO will determine frequency of disposal, properly characterize, and dispose of the sludge found in the filter box(s).

c) Explain how DM-5000 Demulsifier is added to Tank #8; i.e., timing, use or lab testing, etc., any protective equipment worn, and how NFO determines the amount of demulsifier to add to the tank. Is this the only chemical added in this process?

5. Oil Product Sample - Explain:

a) Are the "additional samples" taken from incoming loads? If so, What how is the oil managed on the truck until results are received? Or, are these samples the same samples referred to in Attachment 3, Outgoing Shipments?

Attachment 3, Analysis Plan: This Attachment should address only sampling and analyses associated with processing once the used oil arrives at the facility and should include procedure for determining number of samples analyzed, how on-site lab integrity is maintained, calibration of lab equipment and how lab results are used to control incoming and outgoing shipments.

1. Oil Product Incoming Shipments states: "Upon arrival at the Facility, the oil product is tested for water content (distillation), pH, halogen content (CLOR-D-TECH), API (hydrometer), and viscosity (viscosity gauge). The analysis is conducted on-site at the Facility's laboratory." Please clarify:

a) Describe how samples are collected from incoming shipments; i.e., by whom, and where, whether composite or by layers, whether each tanker truck load, each compartment, etc.?

b) Explain procedures, including cleaning and decontamination of equipment and sample containers to maintain sample integrity.

c) Attachment 9 (Training) should describe the training involved in performing these activities, noting who is trained and by whom.

2. Outgoing Shipments states: "For outgoing shipments, a batch sample is collected by means of a coliwasa as specified in Appendix I of 40 CFR part 261. The sample is sent to Precision Petroleum Laboratories (Houston, Texas) to determine the on-specification rule requirements." Please clarify:

a) How a "batch sample" is collected, by whom and where collected from; i.e. storage tank, tanker (truck) compartment, etc.

b) Explain procedures, including cleaning and decontamination of equipment and sample containers to maintain sample integrity.

c) Note how long it takes for test results to come back to NFO and , explain how NFO isolates the tank from having material added after the sample has been taken, and what procedures are in place if the criteria for on-spec used oil have been exceeded (i.e., flashpoint low, high halogen, PCB's present, metal content high).

d) Attachment 9 (Training) should describe the training involved in performing these activities, noting who is trained and by whom.

Attachment 4, Sludge, Residue, and Byproduct Management

1. Sludge, Residues & By-product Storage states: "Oil sludges and residues are kept in storage at the tank bottoms until sufficient volume is collected."

   Comment: Identify the typical timeframe for sludge removal (for example, how often has NFO removed sludge from the tank bottoms in the past 3 years)? Can NFO identify how the tank sludge material was characterized in the past and provide analytical results? If the sludge was characterized as hazardous waste, please submit copies of all manifests for this wastestream and use these waste codes in Section C of the Application Form.

2. Sludge, Residues & By-product Storage states: "The product is analyzed for total halogen (D-808); PCB's (SW 8080); total heavy metals arsenic (SW 7061), cadmium (SW 7131), chromium (SW 7190), and lead (SW 7420)."

   Comment: If this material is a waste destined for disposal, NFO would need characterize the waste for additional constituents (RCRA metals, flashpoint, etc.).

Attachment 5, Tracking Plan

1. Oil Product Pick-up states: "When the oil product, antifreeze, oil filters, or contact water is collected at the generator's facility, a copy of a "non-hazardous waste manifest" is provided to the generator". Also identify the procedures NFO will follow if a rebuttable presumption would be necessary.

   Comment: This statement is assuming the halogen content of the oil is acceptable and the antifreeze has either been tested by the generator or is going to be recycled by NFO.

   Please explain the process NFO follows to document and report to owner of igloos for igloo (household waste) pickups and how "hot oil" from igloo pickups is managed,.

2. Oil Product Incoming Shipments clarify the following:

   a) Whether the tank data load log includes both incoming and outgoing loads or just incoming.

   b) Are incoming manifests cross referenced to tanks where material is pumped and if so, how.

   c) What happens to manifests from incoming loads; who accepts them and what happens to them while testing takes place; do any logs identify tanks receiving contents of trucks and/or individual compartments?

3. Outgoing shipments - clarify whose EPA I.D. number is included on the semi load log, NFO or the purchaser. Are sample results provided to purchaser to verify acceptability of shipment? If not, why and what is basis for purchaser acceptance?

Attachment 6, Facility Emergency Preparedness, Prevention and Contingency Plan

1. This Attachment (and Attachment 8, Facility Closure Plan) states: "The Tank Farm is 1,800 SF (square feet)".

   Comment: Attachment 7 indicates the containment area to be 45 ft x 60 ft. This would mean the containment slab would be 2700 SF, verify the dimensions of the tank farm.

2. Facility Description, Page 1 of 13 identifies a description of the tanks with their appropriate numbering.

   Comment: This varies slightly with what was included in Attachment #1. Identify the treatment conducted in Tank #6: Treated Bulk Oil Treatment, Attachment #1 indicates this tank to be a receiving tank for oil that has been treated in Tank #8.

3. Nature of Business states: "These materials are delivered to the facility to be tested for water and Halogen content."

   Comment: Do you mean for "further testing"? If not, then is this not a transporter issue? See previous comments on transporter issues. If you choose to address this as a transporter issue, explain why the materials are brought to NFO.

4. Outside Agency Listing, Page 4 of 13, states: "If agency assistance is needed, the Emergency Coordinator or Designee shall notify the necessary agency with the following information: .....(5) The possible hazards to human health, or the environment outside the plant, if any."

   Comment: Remove "outside the plant". Add to the list of agencies the Florida Department of Environmental Protection Hazardous Waste Section (407) 893-3323 who should be notified whenever the Contingency Plan is enacted. Also, the telephone number for the State Warning Point is presently (850) 413-9911.

5. Specific Spill Containment Procedures, Page 8 of 13, states: "Steam or power-flush ground to remove residue".

   Comment: How will NFO capture the residue or prevent contamination from spreading?

6. Decontamination, Page 9 of 13, states: "All equipment used in the emergency response action will be decontaminated with an appropriate compatible cleaning solution before the articles leave the work area. Oil contaminated equipment should be cleaned using a surfactant and water solution."

   Comment: Identify where the decontamination efforts would take place to precautions prevent the release of further contamination.

7. Emergency Preparedness, Page 10 of 13, states where the emergency equipment is located.

   Comment: Provide a facility layout plan indicating where this equipment is located.

8. Emergency Preparedness, Page 10 of 13, identifies a list of emergency equipment or spill control equipment.

   Comment: NFO will need to maintain an inspection log which identifies elements of the inspection (i.e. secondary containment has no liquid in it, containers are closed and in good condition, emergency equipment is available and in working order, etc.), inspector's initials and dated to identify the inspections are conducted on a weekly basis.

9. Corrective Action for Spills / Leak, Page 11 of 13, s states: "All spills will be assessed and remediated per this plan and applicable State and Federal requirements including FAC 62-761.700 and 62-762.700."

   Comment: The Department shall be notified as far in advance prior to corrective action activities being conducted.

Attachment 7, Unit Management Description,

1. Page 1 of 1, identifies the Oil Product Storage Management Description.

   Comment: Address the following comments regarding this section:

   a) Overfill Protection - Identify procedures covering overfill protection for the storage tanks (alarms, gauges, etc.). Explain how and which "storage records" are used in overfill protection. Define "operator" position and list other duties of this position.

   b) Tank Level - States the tanks, except 5, 6 and 8 are visually monitored (from the top) during filling operations. Explain how this is done and by whom. Does this mean there are at least two people involved in the off-loading of used oil?

   c) Secondary Containment - Provide all secondary containment volume calculations.

   d) Secondary Containment - This section indicates that accumulated stormwater is removed within one week via pumping following state and federal stormwater guidelines. Provide the procedures NFO has for removal of stormwater within one week, including how disposed and which state and federal stormwater guidelines are used, if discharged to the ground.

   e) Storage Repairs - How will NFO identify to the drivers when a storage tank is out-of-service?

   f) Storage Repairs and Inspections - Identify criteria for the storage tank inspection report form; i.e., condition of tanks and valves, leaks, presence of rainwater, cracks, evidence of a release (with details).

   g) Add drum management section which will address adequate aisle space, drum inspection (closed / leaking).

   h) Also address the used oil filter process, how will NFO conduct this activity to prevent the release of a contaminant to the environment (ex: tank overfilling inside the garage).

2. Identify how NFO will address the requirements outlined in the Aboveground Storage Tank Systems Performance Standards (62-762.500, .510, and .520), general release detection standards (62-762.600) and repairs, operation, maintenance of storage tank systems (62-762.700).

Attachment 8, Facility Closure Plan

Comment: Under the General Information Section, page 2 of 3, include a statement identifying a Detailed Closure Plan will be submitted and approved by the Department prior to beginning of closure activities.

Attachment 9, Training Program,

Comment: Address the following comments regarding this section:

a) Provide a copy of the training manual given to each employee.

b) Identify how the initial training as well as the refresher training is conducted (i.e., classroom, on the job training, etc.).

c) Identify all documentation maintained by NFO of training (i.e., sign-in sheets, testing, etc.).

d) Identify the training related to specific materials handled (i.e., used oil, filters, pcw, etc.).

e) Identify the equipment orientation (i.e., detection meters, laboratory equipment, emergency equipment, etc.).

f) PPE - who does this training and what type of PPE will be available?

g) Add confined space training, for employees who will be inside tanks.

Please do not hesitate to contact Lu Burson or Bob Snyder at (407) 893-3323 to schedule a meeting if you would like to discuss the items identified in this Notice of Deficiency. Because of the holidays, a response is required by January 31, 1998.

Sincerely,

Robert T. Snyder, P.E.
Program Manager
Hazardous Waste Section

RTS/mm

Rick Neves, FDEP Tallahassee

TRANSMISSION VERIFICATION REPORT

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