



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

---

**FACILITY INFORMATION:**

**Facility Name:** Aqua Clean Environmental/Florida Recycling Solutions

**On-Site Inspection Start Date:** 04/15/2013

**On-Site Inspection End Date:** 04/15/2013

**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: Shannon D. Camp, Inspector

Other Participants: Mike Zellars, Plant Manager; Susan Pelz, Environmental Manager; Nancy Gaskin, Env. Eng.

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

**SIC CODE:** 7389 - Services - business services, nec

**TYPE OF OWNERSHIP:** Private

**Introduction:**

Aqua Clean Environmental (ACE)/Florida Recycling Solutions (FRS) was inspected on April 12, 2013, to determine the facility's compliance with state and federal hazardous waste and used oil regulations. ACE and FRS are sister corporations that share this facility and this EPA Identification Number. ACE is a registered transporter of used oil, used oil filters, and petroleum contact water (PCW). ACE also operates a Centralized Waste Pretreatment facility at this location that discharges to the City of Lakeland sewer system. FRS is a permitted used oil processor and receives used oil transported by ACE. FRS is also permitted to process oil contaminated debris.

**Process Description:**

ACE/FRS operations are discussed in detail in the facility's Used Oil and Material Processing Permit. Minor discrepancies in the permit and operations include: FRS currently only has and uses one boiler to burn on specification used oil incidently to processing used oil. The Annual Report by Used Oil and Used Oil Filter Handlers submitted to the Department by FRS for 2012 indicates that the facility only burned 321 gallons of on specification used oil in 2013.

The Department has received several complaints about off-site odors at the ACE/FRS facility. Department staff detected odors on-site during the inspection and discussed possible odor sources and current odor control measures taken onsite with facility staff. The Department requests that ACE/FRS provide information regarding on-going odor investigation and remediation efforts at the facility.

Excessive dust was also observed on site during this inspection. The Department requests that ACE/FRS employ a method of dust control, such as a screened cover, for the piles of sawdust stored on site to prevent off-site dust migration.

04/15/2013

Inspection Date:

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

Type:	Violation
Rule:	262.11
Explanation:	Prior to the inspection, the facility was not conducting a proper waste determination on filter basket solids and tank bottoms generated from tanks 6,7,8 and 9. ACE/FRS was solidifying these wastes prior to testing to determine if they were characteristically toxic by analysis.
Corrective Action:	ACE/FRS must conduct a proper waste determination on these materials as they are generated (prior to comingling or diluting with solidification materials). A proper waste determination includes analyzing the material by the Toxicity Characteristic Leaching Procedure for the eight RCRA heavy metals, volatile organic compounds and semi-volatiles.

---

Type:	Violation
Rule:	403.727(1)(c)
Explanation:	<p>The facility failed to comply with the following conditions of the used oil and material processing permit:</p> <p>Part IV.1.c&amp;d: the facility was unable to demonstrate to the Department that the amount of non-hazardous oil contaminated solid waste accumulated on site at any given time does not exceed fifty 55-gallon drums (or equivalent volume) and three 35 cubic yard containers. In addition, the facility could not demonstrate that they had not exceeded the maximum permitted amount of oil contaminated solid waste that is to be brought into and processed at the facility outlined in the permit (720 cubic yards).</p> <p>Part I.27 At the time of the inspection, the facility was storing used oil in at least one 55-gallon drum in the used oil filter processing area. The permit does not allow for the storage of used oil outside the permitted tank system shown in Attachment A of the permit. In addition, it is unclear if this area has appropriate secondary containment.</p> <p>Part IV: Facility records show receipt of potentially non-oil contaminated wastes at the facility such as clean-out fluff and sludge from Cintas industrial laundry. Facility staff indicated that these wastes were off-loaded directly onto the mixing pad or "moat" for solidification and disposal. The current facility waste processing and used oil processor permit authorizes the management of oil contaminated solid wastes only.</p>
Corrective Action:	The facility appears to manifest all solid waste, including the oil contaminated solid waste, to ACE only. Records provided during the inspection, along with discussions with facility personnel, indicate that all solid waste received, generated, or processed at the facility, including solid wastes generated from the industrial wastewater treatment portion of the facility are co-mingled and managed by ACE. Unless the facility (ACE/FRS) operations can be clearly distinguished, oil contaminated debris should be segregated on manifests in which FRS is the destination facility. The facility must maintain appropriate documentation that demonstrates that amount of this material on site and processed annually does not exceed the permit limits.

Please ensure only oil contaminated solid wastes are managed on the mixing

04/15/2013

Inspection Date:

pad. Alternatively, submit an application for a modification to the facility permit and operation plan to allow for other types of wastes to be managed at the facility.

---

Type:	Violation
Rule:	62-710.401(6)
Explanation:	At the time of the inspection, the facility was collecting used oil in multiple unlabeled containers. For example, the reservoirs beneath the used oil filter crusher were holding a large amount of used oil but were not labeled with the words "Used Oil." Also, several collection buckets were located within the tank containment system that were unlabeled.
Corrective Action:	All tanks and containers used to collect or store used oil must be clearly labeled with the words "Used Oil."

---

**Areas of Concern**

Type:	Area Of Concern
Rule:	403.727(1)(c)
Explanation:	During the inspection, cracking and minor staining or seepage was observed along the base of the containment wall on the southern side of the "moat".
Corrective Action:	Please repair or reseal these areas and restore leachate control to prevent mixing with stormwater pursuant to Florida Administrative Code Chapter 62-701.710(3)b F.A.C.

---

Type:	Area Of Concern
Rule:	62-710.510(5)
Explanation:	Review of the annual reports submitted by the facility (both ACE and FRS) for 2012 along with generator oily waste profiles indicates there are some discrepancies in characterizing "Used Oil." ACE's annual report indicates a large quantity of oily waste being solidified and landfilled. As FRS is the portion of the facility that is permitted to process this waste, this material should be included in FRS's annual report. Ideally, the only material ACE should be reporting on the Annual Report is the used oil that is transported from the generator to FRS (in addition to the PCW transported and processed). Several profiles of oily waste waters were reviewed and it was not clear if the material is "Used Oil" or was intended to be recycled by the generator pursuant to 40 CFR 279.
Corrective Action:	Department recommends modifying the profile sheet to include language such as: "Is this material regulated under 40 CFR 279? Yes or No." Adding this line item will help clarify which oily waste waters are intended to be managed as used oil. If the materials are intended to be managed as used oil under 40 CFR 279, it should be manifested to FRS as the destination facility. The manifests reviewed during the inspection note ACE as the destination facility.

---

04/15/2013

Inspection Date:

**Conclusion:**

At the time of the inspection, Aqua Clean Environmental/Florida Recycling Solutions was not operating in compliance with state and federal used oil regulations and with their used oil processor permit. The Department requests that the facility contact the Southwest District Office to arrange for a meeting to discuss the findings of this inspection.

04/15/2013

Inspection Date:

**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**

5/6/2013

**DATE****Supervisor:** Erin DiBacco**Inspection Approval Date:** 06/17/2013

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.