

Thursby, Kim

From: Stuart Stapleton [Stuart.Stapleton@eqonline.com]
Sent: Tuesday, September 03, 2013 11:03 AM
To: Epost HWRS
Cc: Bahr, Tim; Goddard, Charles; Gene Cieply; Knauss, Elizabeth; Morgan, Steve; Thomas.Sprehe@kci.com; Russell, Merlin; Tripp, Anthony
Subject: RE: EQ Florida, Inc.; FLD 981 932 494;First Notice of Deficiencies

Received.



Stuart Stapleton
EHS Manager

EQ – The Environmental Quality Company

EQ Florida, Inc.

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From: Epost HWRS [<mailto:EpostHWRS@dep.state.fl.us>]
Sent: Tuesday, September 03, 2013 11:00 AM
To: Stuart Stapleton
Cc: Bahr, Tim; Goddard, Charles; Gene Cieply; Knauss, Elizabeth; Morgan, Steve; Thomas.Sprehe@kci.com; Russell, Merlin; Tripp, Anthony
Subject: EQ Florida, Inc.; FLD 981 932 494;First Notice of Deficiencies

I am sending this again because the request receipts were unchecked for some reason so I have checked them and am resending again. Kim

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
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TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

September 3, 2013

SENT VIA E-MAIL

stuart.stapleton@eqonline.com

Mr. Stuart Stapleton, EHS Manager
EQ Florida, Inc.
7202 E. 8th Avenue
Tampa, Florida 33619

Subject: EQ Florida, Inc.; FLD 981 932 494; Construction and Operating Permit Renewal
Application 34875-HO-010
Hillsborough County
First Notice of Deficiencies

Dear Mr. Stapleton:

Your application for a hazardous waste permit has been reviewed and found to be incomplete. The required information and amendments necessary to complete your application are itemized in the enclosed Notice of Deficiencies.

When a permit application is incomplete, all processing of the application is suspended. You are hereby advised to provide us with the requested additional information pursuant to Florida Administrative Code (F.A.C.) Rule 62-730.220 and Chapter 403.722, Florida Statutes (F.S.).

If you cannot submit this information within thirty (30) days, you must provide a detailed schedule with dates when this information will be submitted.

You are encouraged to contact this office to discuss the deficiencies noted by the application review. This exchange of ideas will assist you in developing a complete and adequate response. If you would like to arrange a meeting or have any questions, please call me at 850-245-8796 or merlin.russell@dep.state.fl.us

Sincerely,

A handwritten signature in black ink, appearing to read "Merlin D. Russell Jr." with a horizontal line extending to the right.

Merlin D. Russell Jr.
Professional Geologist II
Hazardous Waste Program and Permitting

MR/mdr

Enclosure

cc with enclosure via e-mail:

Gene Cieply, EQFL, gene.cieply@eqonline.com
Beth Knauss, DEP Tampa, Elizabeth.Knauss@dep.state.fl.us
Steve Morgan, DEP Tampa, Steve.Morgan@dep.state.fl.us
Thomas Sprehe, KCI Technologies, Inc., Thomas.Sprehe@kci.com

ENCLOSURE
The Environmental Quality Company FLD981932494
Construction and Operating Permit Renewal dated July 29, 2013
2002 N. Orient Road, Tampa, Florida 33619

General Comment:

All revisions to the Part B in one location must be made throughout the entire Part B.

Specific Comments

1.0 FDEP Application Forms

Part I

1. I.A.I: Containment Building should not be checked. As noted in your September 22, 2010 First Notice of Deficiency (Specific Comment 2), EQ does not operate a 264 Subpart DD Containment Building.

2. I.D.3 (Attachment B):

1. The design capacity for each regulated unit was not included (see instructions on page 8, item D.3 of the Hazardous Waste Permit Application).
2. A number of the permitted hazardous waste codes are no longer listed in 40 CFR 261.32, and should be removed from your tables.

2.0 General Facility Information

3. Page 13, 6,000 gallon oil-water separator: Carefully edit the entire Part B and ensure that the dimensions of this unit (and secondary containment) are consistent. Then recalculate the secondary containment calculations with those units, incorporating the volume of the tank in the calculations where needed.

4. Page 17, Section 2.3.4 Aerosol Can Recycle; and Page 21, paragraph 2: There is no area "2A" on Figure 14. Figure 14 illustrates two "Paint Can Crushers". Is one of these actually the Aerosol Can Crusher? Figure 17 (SWMU locations) seems to show the aerosol can recycling (SWMU 17) near the Bay 3A/Bay 2 area. Also, the Paint Can Crushing location on Figures 14 and 17 appear to be in different locations.

5. Page 17, Section 2.3.6: Somewhere in this section you need to identify where the hazardous material will be staged prior to treatment and how it will be kept separate from non-hazardous material.

6. Page 18, paragraph 4: De-characterized wastes must also meet LDRs before being disposed in a Subtitle D landfill.

3.0 General Facility Standards

7. Injection and withdrawal wells, both on site and off site, within 1,000 feet around the hazardous waste management area were not identified (Part II.A.1.a.5 of the Hazardous Waste Permit application).

8. Submit copies of the reports of the chemical and physical analyses of the hazardous wastes and hazardous debris handled at the facility, including all information which must be known to treat, store, or dispose of the wastes in accordance with 264.13 (Part II.A.5 of the Hazardous Waste Permit application). Because this requirement is voluminous, you may submit examples of the most common chemicals managed at your facility.

9. Page 21, paragraph 4: Safety and Fire Control equipment are not on Figure 11. Figure 11 illustrates evacuation routes. The figure is located in Appendix D, Sheet 2 of 2. Also, the locations of the safety equipment are discussed in Section 8.4.

4.0 Waste Analysis Plan

10. Although the filter press is not operating at this time, and in the event you wish to operate the filter press, the WAP should include a section on the procedures for sampling and characterizing the treated wastes. Include discussion on how LDR compliance will be verified (as discussed in Section 15.1.1).

11. Page 26, Section 4.3: This would be a logical place to briefly describe the omitted health and safety procedures for the protection of your sampling personnel (chemist or coordinator).

12. Page 27, Characteristic and Others: Should this section state "D004-43" or should there be a comma after "lead, etc.)"? "

13. Page 31, Section 4.5.2, item 9: Explain the procedures for determining if a waste is suspected of having a potential for radioactivity.

14. Page 31, Section 4.5.2, Note at the end: The 10% QC Screen should be explained here.

15. Page 34, first paragraph: A number of listed wastes contain metals (e.g. U151). State that none of these listed wastes will be stabilized in the unit.

16. Page 34, second paragraph: Although waste will be decharacterized, it must still be treated to meet LDRs before the treated waste can be disposed in a Subtitle D landfill. The WAP should be updated to include the Universal Treatment Standards for the various wastes that will be treated.

17. Page 29, paragraph 1: It would be appropriate to cite and use DEP's current Standard Operating Procedure (SOP) FS 5000 on waste sampling. Your Part B (pg. 101) actually notes that this SOP is used when approaching and sampling unknown wastes. DEP SOPs (Chapter 62-160) can be located at:

<http://www.dep.state.fl.us/water/sas/sop/sops.htm>

18. Page 36, item 6: Indicate how frequently the mixture's temperature will be taken, how long the compatibility test will be run, where and how the results are recorded, and where they are maintained.

19: The following comments are based upon EPA's January 2013 *Waste Analysis at Facilities That Generate, Treat, Store, and Dispose of Hazardous Wastes: A Guidance Manual* sent to you on March 1, 2013:

1. Decontamination procedures for sampling equipment must be included.
2. Sampling strategy techniques (e.g., grab, composite) have not been clearly specified. Although your discussions on the incoming waste shipments (page 32, paragraph 4) indicate that container shipments from a single generator may be composited if individual samples are similar in appearance, it is unclear how other wastes will be sampled. In particular, this issue is not addressed in Section 4.8 that discusses treatment. The WAP needs to specify if the metal-bearing waste samples will be discrete or composited. For metals, the Department will allow composites for TCLP analysis. However, note that testing compliance with LDRs, for non-wastewaters, must be made on grab samples (40 CFR Part 268.48(a)).
3. Include procedures for sampling multi-phase wastes.
4. Document proper packing and shipping procedures.
5. Provide procedures for the maintenance of sampling equipment.
6. Provide the precision and accuracy of all sampling equipment.
7. Specify procedures for chain-of-custody procedures.

7.0 Facility Preparedness and Prevention:

20. Page 56, paragraph 2 states that the control lab is located within the office building. At least one figure must illustrate the location of the lab.

8.0 Hazardous Waste Contingency/Emergency Response Plan

21. The Department *recommends*:

1. That the first page contain all of the emergency contacts and phone numbers so that they are easy to find.
2. An annual review of the CP.
3. A copy be maintained nearby, off site, in the event onsite access is not available. In your particular situation, copies at the northern and southern properties would suffice.
4. The inclusion of neighboring facility contacts and phone numbers in the event an evacuation is necessary.
5. Electronic copies be offered to local authorities/first responders.
6. Reference to, and compliance with, Chapter 62-150 Hazardous Substance Release Notification.

22. Because your Preparedness and Prevention Plan, and Contingency Plan are not stand-alone documents, you must ensure that appropriate figures from the Part B are

included with these plans when they are submitted to local authorities. When you submit the CP and PPP to local authorities, please send us an electronic copy of your submittal. If you wish, you may combine the CP and PPP into a single document as there is some overlap in the requirements.

23. Your Contingency Plan must include responses to natural disasters such as hurricanes. For your information, EPA maintains a website containing information on how to prepare for a hurricane. The webpage is entitled: *As Hurricane Season Begins: A Reminder to Minimize Process Shutdown Related Releases and to Report Releases In a Timely Manner*, and it can be located at http://www.epa.gov/region4/r4_hurricanereleases.html

24. Page 60, paragraph 3, 5th line: Something appears to be incorrect with "...in front of Bay_Waste materials..."

25. Page 62: Ensure that the list of safety equipment in Appendix H is consistent with the list in Section 8.4. There are differences.

26. Page 62: The new DEP Tampa telephone number is (813) 470-5700.

27. Page 63, item 8: If SCBA is stored only in Bay 3, how will SCBA be accessed if it was needed to access Bay 3?

28. Page 63: The HAZCAT identification kit mentioned at the top of page 67 should be listed and described here and added to Appendix H.

29. Page 65, Section 8.6.3:

1. The Office of Waste Management (850-245-8705) would not be the appropriate number to contact for emergency situations although the Division could be contacted after the incident is under control. FDEP's Office of Emergency Response (OER) Reportable Incident website (http://www.dep.state.fl.us/oer/reportable_incident.htm) lists the State Watch Office contact at 1-800-320-0519.
2. Your 850-413-9911 number is not DEP; rather the State Emergency Response Team (SERT) phone number (<http://www.floridadisaster.org/response/operations/Index.htm>)
3. It would be appropriate to include timeframes for notification. If an RQ is exceeded, guidance suggests that the NRC be notified within 15 minutes. Subsection 62-150.300(1), F.A.C., requires that DEP be notified "... within one working day of discovery of the release¹."
4. Last paragraph (and elsewhere throughout the CP): The "Regional Administrator" is the FDEP.

¹ Also, any release to the environment, unless exempt per 264.96(d)(2) of this section, must be reported to the Regional Administrator (FDEP) within 24 hours of its detection. If the release has been reported pursuant to 40 CFR part 302, that report will satisfy this requirement (40 CFR 264.196(d)(1)).

30. Page 70, item 4: CHRIS (Chemical Hazards Response Information System) should be spelled out the first time it is used.
31. Page 71, Section 8.9.2, item 1 (and elsewhere): Because this CP is not a stand-alone document, you need to cite the drawing.
32. Page 71: Section 8.9.3 appears to be somewhat redundant with Section 8.9.1 on the previous page. Both sections itemize steps for dealing with an incident; however, some of the steps and sequence of steps are different. Section 8.9.1 appears to address fires and explosions more so than spills although item 2 indicates that the procedures are for spills, fires and explosions. Section 8.9.3 appears to address spills. If your intention is to separate procedures for fires/explosions from spills, then it should be clearly stated at the beginning of each section.
33. Page 72, item 13: It appears that the reference to the response contractors is missing (“...response contractors listed in [something missing] and request...”).
34. Page 75, Reporting: Reporting to the DEP Southwest District Office must be submitted electronically to the Southwest District Compliance Assurance Program at SWD_Waste@dep.state.fl.us.

10.0 Solid Waste Management Units

35. Page 81, SWMU 7: The hazardous waste treatment tank and reactivities magazine are new Solid Waste Management Units located within SWMU-7. You may identify these as new SWMUs and number them accordingly or you may include them within the description of SWMU-7. If you include them within SWMU-7, then the description here needs to be updated to include the additions of the hazardous waste treatment tank and reactivities magazine. In any case, it needs to be updated to discuss the relocation of the solid waste treatment unit.

In addition, the description of this SWMU must be updated if there is storage of treated or untreated waste to the west (or elsewhere). Figure 17 identifies a dirt/mulch area. In addition, the current Google aerial photography shows container storage (rolloffs) in this area (although they may be empty).

We would suggest that where the Solid Waste Permit application contains details on a SWMU, that you reference the portion(s) of the solid waste application, e.g., “...for additional information, see Section X in the Solid Waste Permit application...”

Part II.P Information Regarding Potential Releases from Solid Waste Management Units

36. Although the permit application instructions are not entirely clear, *permitted* hazardous waste units do not need to be included (container storage, treatment tank, filter press). Therefore, at a minimum, the following “Yes” boxes must be checked: surface impoundment (stormwater ponds), container storage area (SAA, dumpster,

etc.), transfer station, waste recycling operations, wastewater treatment unit, and “other”.

Part II.Q Information Requirements for Solid Waste Management Units

37. This part of the application was not submitted, although some of the information was provided in Section 10.0 of your Part B. Ensure that the information in Part II.P.1 is included in the descriptions in Section 10.0:

1. 1a: Figure 17 will be acceptable after comments on the figure are addressed. We do not need the SWMU locations on a *topographic* map.
2. 1b: Include the type of unit(s) in the description in Section 10.0, if not intuitively obvious. As an example, used oil facilities often contain tanks but your UO facility appears to use containers. If there are UO tanks, include “tanks” in the description, and in Part II.P. Remember that “tote tanks” are containers by definition.
3. 1c-1e: You can reference the May 13, 2011 RFA; however, changes at SWMUs since the finalization of the RFA, must be included in the description.

38. Parts II.Q.2 and 3: You do not need to resubmit documents we already have. These requirements can be met by simply referencing previously submitted documents such as:

Sediment Sampling Report, 8th Avenue Property Stormwater Retention Pond dated February 29, 2012.

11.0 Closure Plan

39. The Closure Plan must be updated to include closure of the hazardous waste treatment tank and any hazardous waste staged there, the reactive’s magazine, and the 6,000 gallon tank. Similarly, these need to be added to the closure cost estimate.

40. Page 88, Section 11.6, first paragraph: This paragraph should clarify that the Stormwater Retention Pond (SWMU 3) is to be sampled (we presume) as there are two retention ponds at EQFL. Unless there is direct knowledge or evidence that a release occurred from the container storage unit into SWMU 3, then contamination in the pond might be from other onsite sources. If this is the case, then any contamination that is discovered would be done under HSWA corrective actions rather than under closure of the container storage unit. In any case, assessment and cleanup would follow the requirements of Chapter 62-780, F.A.C.

41. Page 89: Provide detailed cost estimates for decontamination, assessment, and include contingencies.

14.0 On Ground Treatment Tank

42. Page 106, paragraph 5, the new system must be inspected and certified by a qualified professional engineer.

43. Page 107, first paragraph: Identify the location where the reagents will be stored. If the reagents are not packaged or containerized, discuss how and where the piles will be managed. Include estimated volume or estimated maximum volume of piles.

44. The treatment section needs to address a number of issues:

1. Will every batch of treated waste be tested to ensure that the waste has been decharacterized? Will the sample be discrete or a composite? If composite, describe the procedures for obtaining the composite (e.g., sampling device, number of samples for compositing, sample locations (e.g., different locations, top, middle, sides of container, etc.)).
2. Will every batch of treated waste be tested to ensure that the waste meets LDRs? Keep in mind that testing LDRs for non-wastewaters must be made on grab samples (40 CFR Part 268.48(a)). Compositing is not allowed for non-wastewaters.
3. Your Waste Characterization Report (Section 11) requires the identification of UHCs. Describe your verification process (this verification process must be consistent with the WAP).
4. A table with the non-wastewater UTSes for metals should be included with the Part B. Also, because you propose to treat metal-bearing soils, the alternate LDR Treatment Standards for soils (40 CFR Part 268.49) should be included. You might wish to also include the TCLP limit as the TCLP limit and UTS are not necessarily the same (e.g., lead).
5. A discussion of how the alternate LDR Treatment Standards in 268.49 apply to soils should be included here. Sampling procedures to meet the 90% reduction must be included.
6. Under what conditions will the mixing equipment be decontaminated? How will the mixing equipment be decontaminated?
7. If debris will be treated, discuss the treatment process including sampling, UTSs and LDR requirements.

45. Page 107, Section 14.2: Because tank decontamination will not necessarily be needed after each batch treatment, explain the conditions under which the treatment tank is decontaminated. Also, provide some initial and periodic characterization of the decon solids and liquids. In developing your response, consider periodic testing when different types of materials are treated.

46. As discussed in comments on the closure plan, the closure plan must include closure of the treatment tank. Periodic replacement of the tank does not constitute closure. If the tank is to be replaced, the following steps will be required:

1. Notification to the Department (e-mail is acceptable) of your intent to replace the tank and schedule of major events (tank decon, offsite shipment, recycler, replacement/construction day(s), etc.).
2. Decontaminate the existing tank and send off as scrap metal. Properly manage decontamination wastes.

3. Construct the replacement tank.
4. Submit a final report (tank assessment) and as-builts stating that the tank was constructed in accordance with the Part B.
5. Do not begin using the unit until approval has been received in writing from the Department.

15.0 Miscellaneous Units

47. The oil/water separator is not a miscellaneous (Subpart X) unit under RCRA because it should not be managing hazardous waste. It should be removed from this section.

48. Discharge of the liquid portion of the treated waste from the filter press may be discharged to a POTW with proper notification and permission (See subsection 62-625.600(15), F.A.C.).

49. Section 14.1, Page 107, first paragraph: Where will the treatment reagents be stored? Also, identify where the hazardous waste will be staged prior to treatment.

50. Page 109, second paragraph: Because filter press decontamination will not necessarily be needed after each batch treatment, explain the conditions under which the press will be decontaminated.

51. Page 110, Section 15.1.4: For clarity, the first sentence should state "...because the unit is not a disposal unit, and it..."

16.0 Facility Air Emission Requirements

53. Tables 16-1 through 16-5: Rather than discuss the inconsistencies in the equations presented here, the Department will simply agree that, provided that the operational conditions of 40 CFR Part 264 Subparts BB and CC are adhered to, the emissions from this facility should be less than 10 tons per year.

17.0 Exposure Information

54. While the basic conclusions of this section are probably correct, it is difficult to verify this due to our inability to extract useful information from Appendix K. Please provide a key that describes the different codes used to describe the waste codes. For example, what is "Treatment: 1007 AH Min-Tranship-TSD" with regards waste codes and waste type (solid, liquid, sludge)?

Figures

55. Figure 1: Well 490957 is identified but there is no additional information on this well. The text should briefly describe the purpose of the well, its depth and screened interval, and a narrative summary of sampling results. If this well has been historically monitored, provide the agency and contact information.

56. Figure 3, City of Tampa Zoning Map: Submit a legible copy.

57. Figure 15a: The reactive magazine is located in an area where it is exposed to the elements, an entry ramp, and the loading area of the shredder. Please describe what procedures will be in place to protect the magazine from traffic. Also, please describe the process by which materials are placed into and taken out of the reactive magazine, where these materials are staged during these activities, how these materials are shielded from exposure to the elements, and how they are kept secure.

58. Figure 17: The locations of SWMUs-6 and -8 are missing.

59. Figure 18: Only a portion of the text in this figure is legible. Also, what do the different colors represent on the individual figures?

Appendices

60. Appendix H, Emergency and Safety Equipment, appears to be missing a number of items. Ensure that these items are included and discussed in Section 8.4 (description of equipment, its location and capabilities). To assist you, missing equipment is listed along with at least one page from the Part B where its use is noted:

HAZCAT Identification Kit	pp. 67, 73, 101
Fully encapsulated (Level A) suits	p. 69
Air purifying respirators & filters	p. 69
Chemical detector tubes (Draeger, MSA)	p. 73
OVA	p.73
Portable pH meter	p. 73
Specific ion meter	p. 73
ADT Security System	p. 60