

InterOffice Memorandum

CENTRAL DISTRICT

TO: Fuels Unlimited File
Seminole County - HW

FROM: John White
Environmental Consultant

DATE: February 20, 2015

SUBJECT: Review of On-Specification Shipping Papers to Burners

On August 12, 2014, records were received from Fuels Unlimited documenting all 2013 and 2014 shipments of on-specification oil to VA Paving, located in Cocoa, Florida. On January 30, 2015, records were received from Baldwin Paving, located in Newnan, Georgia, documenting shipments of on-specification oil received from Fuels Unlimited in 2012, 2013, and 2014.

Fuels Unlimited, Inc. was issued used oil processor permit #266845-HO-002 on September 9, 2012. The permit expires on March 26, 2017. Fuels Unlimited's January 30, 2012, "Application for a Used Oil Processing Facility Permit" identifies the largest tank size on the property as 20,490 gallons. The facility's Permit, number 266845-HO-002, Attachment B Tank Table identifies the following permitted tanks as containing used oil; AST #1, AST #2, AST #3, AST #4, AST #5, and AST #6. These six tanks have a combined capacity of 110,014 gallons.

Review of the shipping papers and accompanying oil analysis documenting compliance with the specification level in Table 1 of 40 CFR 279.11 found a significant number of discrepancies.

1. SHIPMENTS BETWEEN 6/17/2014 & 7/03/2014

The sample for oil shipments identified below was collected from Tank T6 on 5/1/2014 and received by the testing laboratory, American Testing Technologies, on 5/7/2014, according to the analyticals that accompanied the shipping papers. American Testing Technologies reported the sample ID as "Oils Collection." Tank T6 is identified in Fuels Unlimited's January 30, 2012 Application for a Used Oil Processing Facility Permit as a 20,490-gallon above ground storage tank. The records reviewed found that, between 6/17/2014 and 7/3/2014, Fuels Unlimited shipped 28,765 gallons of on-specification oil from this tank to VA Paving for burning using the same waste analysis results.

<u>Date</u>	<u>Volume</u>	<u>Manifest Tracking Number</u>
6/17/2014	7,120 gallons	OD 002633 – to VA Paving
6/20/2014	7,577 gallons	OD 002634 – to VA Paving
6/23/2014	7,068 gallons	OD 002635 – to VA Paving
7/03/2014	7,000 gallons	OD 002637 – to VA Paving

2. SHIPMENTS BETWEEN 4/07/2014 & 6/11/2014

The analytical records that accompanied the shipments below indicate the sample for oil shipments identified below was collected from Tank T6 on 3/24/2014 and received by the testing laboratory, American Testing Technologies, on 3/27/2014. Records provided by American Testing Technologies found no samples collected or received for analysis in March 2014. The records reviewed found that, between 4/7/2014 and 6/11/2014, Fuels Unlimited shipped 84,716 gallons of on-specification oil from tank T6 to VA Paving and Baldwin Paving for burning using the same waste analysis results

<u>Date</u>	<u>Volume</u>	<u>Manifest Tracking Number</u>
4/07/2014	6,836 gallons	OD 002621 – to VA Paving
4/14/2014	7,332 gallons	OD 002623 – to VA Paving
4/14/2014	7,420 gallons	OD 002622 – to VA Paving
4/22/2014	6,584 gallons	OD 002624 – to Baldwin Paving
5/03/2014	7,658 gallons	OD 002620 – to VA Paving
5/05/2014	6,741 gallons	OD 002626 – to VA Paving
5/09/2014	7,561 gallons	OD 002627 – to VA Paving
5/14/2014	6,839 gallons	OD 002628 – to VA Paving
5/16/2014	6,482 gallons	OD 002629 – to Baldwin Paving
5/28/2014	7,600 gallons	OD 002630 – to VA Paving
6/05/2014	7,269 gallons	OD 002631 – to VA Paving
6/11/2014	6,372 gallons	OD 002632 – to VA Paving

3. SHIPMENTS BETWEEN 8/29/2013 & 3/12/2014

Between August 29, 2013, and March 12, 2014, Fuels Unlimited made fourteen shipments of “on-specification” used oil to VA Paving and Baldwin Paving totaling 90,754 gallons. The fourteen oil shipments were accompanied by seven sets of analytical records indicating sampling for the “on-specification” designation was done on 8/15/2013, 9/19/2013, 11/27/2013, 12/23/2013, 1/13/2014, 2/3/2014, and 2/24/2014. Review of information provided to the Department by American Testing Technologies found no samples collected and received for analysis between 8/29/2013 and 3/12/2014 matched the reported results.

<u>Date</u>	<u>Volume</u>	<u>Manifest Tracking Number</u>
8/29/2013	6,631 gallons	OD 002517 – to Baldwin Paving
9/04/2013	6,739 gallons	OD 002518 – to VA Paving
9/05/2013	6,767 gallons	OD 002519 – to VA Paving
10/28/2013	6,571 gallons	OD 002529 – to Baldwin Paving
12/03/2013	6,794 gallons	OD 002544 – to Baldwin Paving
12/17/2013	2,797 gallons	OD 002557 – to Baldwin Paving
1/13/2014	7,037 gallons	OD 002605 – to VA Paving
2/04/2014	6,825 gallons	OD 002609 – to VA Paving
2/10/2014	6,681 gallons	OD 002610 – to VA Paving
2/17/2014	6,524 gallons	OD 002612 – to VA Paving
2/24/2014	6,930 gallons	OD 002613 – to VA Paving
3/03/2014	7,051 gallons	OD 002615 – to VA Paving
3/05/2014	6,441 gallons	OD 002614 – to Baldwin Paving
3/12/2014	6,966 gallons	OD 002616 – to VA Paving

4. SHIPMENTS BETWEEN 4/06/2013 & 9/10/2013

Between April 16, 2013, and September 10, 2013, Fuels Unlimited made twenty-five shipments of “on-specification” used oil to VA Paving and Baldwin Paving totaling over 147,273 gallons. The twenty-five oil shipments were accompanied by four sets of analytical records indicating sampling for the “on-specification” designation was done on 2/12/2013, 6/1/2013, 7/1/2013, and 7/26/2013. Samples for 6/1/2013 and 7/1/2013 were noted on the analytical records as having been analyzed by the laboratory before the laboratory received the sample, indicating the date is false. Review of information provided to the Department by American Testing Technologies found only one sample collected and received for analysis between 2/12/2013 and 7/26/2013 matched the reported results. This was a sample taken on 2/12/2013. The data for this sampling event was modified and used for each of the twenty-five shipments.

<u>Date</u>	<u>Volume</u>	<u>Manifest Tracking Number</u>
4/16/2013	UNK gallons	OD 002463 – to VA Paving
4/16/2013	6,930 gallons	OD 002416 – to VA Paving
4/17/2013	5,056 gallons	OD 002464 – to Baldwin Paving
4/24/2013	6,483 gallons	OD 002467 – to VA Paving
4/25/2013	7,194 gallons	OD 002468 – to VA Paving
5/09/2013	7,046 gallons	OD 002470 – to VA Paving
6/11/2013	6,908 gallons	OD 002479 – to VA Paving
6/19/2013	6,535 gallons	OD 002481 – to VA Paving
6/25/2013	6,620 gallons	OD 002484 – to Baldwin Paving
6/28/2013	5,817 gallons	OD 002487 – to Baldwin Paving
6/28/2013	7,114 gallons	OD 002488 – to VA Paving
7/02/2013	6,770 gallons	OD 002489 – to VA Paving
7/12/2013	5,754 gallons	OD 002491 – to Baldwin Paving
7/15/2013	6,761 gallons	OD 002492 – to VA Paving
7/17/2013	6,988 gallons	OD 002495 – to VA Paving
7/23/2013	7,283 gallons	OD 002496 – to VA Paving
8/01/2013	6,667 gallons	OD 002499 – to VA Paving
8/05/2013	7,009 gallons	OD 002502 – to VA Paving
8/06/2013	5,944 gallons	OD 002503 – to Baldwin Paving
8/13/2013	6,690 gallons	OD 002504 – to VA Paving
8/15/2013	7,641 gallons	OD 002506 – to VA Paving
8/22/2013	5,980 gallons	OD 002494 – to Baldwin Paving
8/23/2013	7,313 gallons	OD 002511 – to VA Paving
8/23/2013	7,214 gallons	OD 002510 – to VA Paving
9/10/2013	4,344 gallons	OD 002513 – to Baldwin Paving

The sample taken on 2/12/2013 for oil shipments identified above was collected from a Tank identified as "CSO." There is no Tank "CSO" identified on Fuels Unlimited's January 30, 2012 Application for a Used Oil Processing Facility Permit.

5. SHIPMENTS BETWEEN 1/19/2012 & 7/12/2012

Between January 19, 2012 and July 12, 2012, Fuels Unlimited made seven shipments of “on-specification” used oil to Baldwin Paving totaling 26,976 gallons. The seven shipments were accompanied by analytical records indicating the sampling for the “on-specification” designation was done on 12/6/2011 and analyzed by the testing laboratory, American Testing Technologies, on 12/19/2011. The “Tank” sampled is designated 2/5/6 and/or 2-5-6 indicating this is possibly a composite sample from three tanks and not an accurate analytical record of the used oil shipped to Baldwin Paving as “on-specification.” The Client ID identified in records provided by American Testing Technologies for the sample collected on 12/6/2011 is “T-2 FGT.”

<u>Date</u>	<u>Volume</u>	<u>Manifest Tracking Number</u>
1/19/2012	5,947 gallons	OD 002321 – to Baldwin Paving
2/02/2012	5,081 gallons	OD 002322 – to Baldwin Paving
3/08/2012	1,991 gallons	OD 002323 – to Baldwin Paving
4/04/2012	2,940 gallons	OD 002329 – to Baldwin Paving
5/17/2012	3,062 gallons	OD 002335 – to Baldwin Paving
6/08/2012	4,824 gallons	OD 002334 – to Baldwin Paving
7/12/2012	3,131 gallons	OD 002330 – to Baldwin Paving

6. ADDITIONAL ISSUES NOTED DURING REVIEW

Review of analytical records provided by American Testing Technologies found a sample collected on 9/11/2012 with the Client ID identified as T3 contained 1,258 parts per million total halogens. This used oil would be presumed to contain a hazardous waste. There is no indication that Tank T3 was sampled again until 2/18/2013 when the total halogens were at 284 parts per million.

A sample of Tank T-1 taken on 8/27/2012 was found to contain 200 parts per million lead. This exceeds the maximum “on-specification” limit of 100 parts per million identified in 40 CFR 279.11. Tank T1 was sampled again on 9/11/2012 and was found to contain 40 parts per million lead.

Tank T-3 was sampled on 8/26/2012 and was found to have a flashpoint of 97 degrees Fahrenheit. This is less than the 100 degree Fahrenheit “on-specification” limit identified in 40 CFR 279.11. Tank T3 was sampled again 9/19/2012 when the issue of the 1,258 parts per million of total halogens, which presumes the used oil contains a hazardous waste, was found. There is no record that Tank T3 was sampled again prior to 8/25/2014.

Tank T2 was sampled on 2/18/2013 and the used oil was found to contain 120 parts per million lead. This exceeds the maximum “on-specification” limit of 100 parts per million identified in 40 CFR 279.11. There is no indication Tank T2 was sampled again prior to 8/25/2014.