

InterOffice Memorandum

CENTRAL DISTRICT

TO: Fuels Unlimited File
Seminole County - HW

FROM: John White
Environmental Consultant

DATE: March 23, 2015

SUBJECT: Review of On-Specification Shipping Papers to Burners – With Corrections

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 & 7/10/2014

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 36,396 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 | 7,500 gallons | OD 002637 – to VA Paving |
| 7/10/2014 | 7,131 gallons | OD 002638 – to VA Paving |

2. SHIPMENTS BETWEEN 4/03/2014 & 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 92,452 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> |
|-------------|---------------|---------------------------------|
| 4/03/2014 | 7,658 gallons | OD 002620 – to VA Paving |
| 4/07/2014 | 6,836 gallons | OD 002621 – to VA Paving |
| 4/14/2014 | 7,420 gallons | OD 002622 – to VA Paving |
| 4/17/2014 | 7,332 gallons | OD 002623 – 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 | 6,841 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 156,662 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, 10/21/2013, 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 |
| 9/16/2013 | 7,503 gallons | OD 002526 – to VA Paving |
| 10/01/2013 | 7,445 gallons | OD 002533 – to VA Paving |
| 10/07/2013 | 7,194 gallons | OD 002534 – to VA Paving |
| 10/13/2013 | 7,801 gallons | OD 002539 – to VA Paving |
| 10/28/2013 | 6,571 gallons | OD 002529 – to Baldwin Paving |
| 10/29/2013 | 7,713 gallons | OD 002545 – to VA Paving |
| 11/11/2013 | 7,374 gallons | OD 002546 – to VA Paving |
| 11/25/2013 | 6,805 gallons | OD 002554 – to VA Paving |
| 12/03/2013 | 6,794 gallons | OD 002544 – to Baldwin Paving |
| 12/17/2013 | 2,797 gallons | OD 002557 – to Baldwin Paving |

| | | |
|------------|---------------|-------------------------------|
| 12/17/2013 | 6,897 gallons | OD 002556 – to VA Paving |
| 1/7/2014 | 7,176 gallons | OD 002603 – to VA 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 3/19/2013 & 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 177,658 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, 4/26/2013, 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> |
|-------------|---------------|---------------------------------|
| 3/29/2013 | 6,673 gallons | OD 002459 – to VA Paving |
| 4/16/2013 | UNK gallons | OD 002463 – to VA Paving |
| 4/16/2013 | 6,930 gallons | OD 000416 – 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 |
| 5/10/2013 | 6,546 gallons | OD 002471 – 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 |
| 7/25/2013 | 6,378 gallons | OD 002497 – 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 |

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|-----------|---------------|-------------------------------|
| 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.