

Florida Department of

Memorandum

Environmental Protection

ENFORCEMENT/COMPLIANCE COVER MEMO

TO:

- Richard Garrity, Ph.D., Director of District Management
- William Kutash, Environmental Administrator
- Office of General Counsel, ATTN: _____

FROM/THROUGH: *SCT* Stanley Tam, Professional Engineer II
EW Elizabeth Knauss, Environmental Manager

DATE: 3/14/99

FILE NAME: USL - City Environmental
 PROGRAM: Hazardous Waste

PROJECT #: 219576
 COUNTY: Hillsborough

TYPE OF DOCUMENT:

- draft or final
- Final Order
- Warning Letter *closure*
- NOV
- Case Report
- Other
- Consent Order
- Penalty Authorization

DESCRIPTION OF VIOLATIONS: one drum not labelled, compressor leaking oil

SUMMARY OF CORRECTIVE ACTIONS: label all drums, contain compressor oil, clean up stained soil

PENALTY SUMMARY: n/a

Potential for Harm: _____ Extent of Deviation: _____
 Modifiers: _____
 Penalty Amount: _____ Expenses: _____

TOTAL PENALTY AMOUNT: _____ TO SECRETARY



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

May 10, 1999

USL - City Environmental Services, Inc.
7202 East Eighth Avenue
Tampa, Florida 33619

Attention: Mr. Bob Mulholland

re: Warning Letter #219576
FLD 981 932 494
Hillsborough County

Dear Mr. Mulholland:

The Department has reviewed your response to the referenced warning letter. As the two cited violations have been corrected, this case file is being closed. We appreciate your prompt attention to the resolution of this matter.

Sincerely,

William Kutash
Waste Program Administrator
Southwest District

WK/ebk

Enclosure

cc: Morgan Liebrandt, HWR Section
Compliance File

D.E.P.

APR 22 1999

Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Southwest District Tampa 20 April, 1999

Attention: Elizabeth Knauss

Re: Warning Letter # 219576
FLD 981 932 494
Hillsborough County

Dear Ms. Knauss,

This letter is provided in response to the hazardous waste field inspection performed on March 4, 1999, which resulted in the above warning letter. Section 10 of the inspection report lists the following summary of alleged violations of Department Rules. The corrective action taken for each item is included.

10. Summary of Alleged Violations:

40 CFR 268.50 (a) (2) (I)

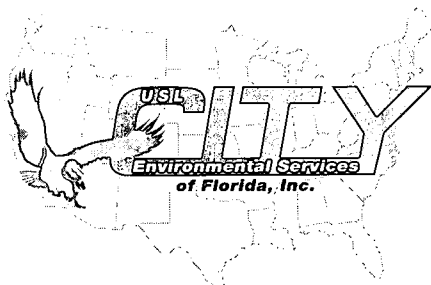
Failure to mark the date accumulation began for container (62306DUI001) received at the TSDF.

Corrective Action: A label identifying the accumulation start date was affixed to container 62306DUI001 on the day of the inspection (March 4, 1999).

40 CFR 279.22 (d) (3)

Failure to clean up used oil released to the environment. Used oil was leaking from an air compressor.

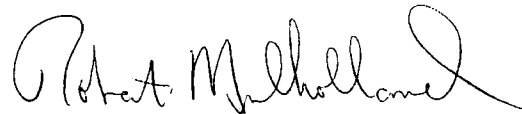
Corrective Action: Upon notification of the oil leak, sorbent pads were placed under the compressor. Air Components Inc., a repair contractor, was contacted to assess and repair the oil leak on the compressor. A worn part was identified and ordered to repair the oil leak. A temporary repair was accomplished using silicone sealant until the installation of a new part in order to stop the oil leak. Air Components Inc. completed the repair on April 20, 1999. The used oil released to the environment from the leaking compressor has been cleaned up.



Should you have any questions or require any additional information on this matter, please contact Michael Knox at (813) 623-5302 extension 235.



Michael D. Knox
Technical Services Manager



Bob Mulholland
Facility Manager



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

April 15, 1999

USL - City Environmental Services, Inc.
7202 East Eighth Avenue
Tampa, Florida 33619

Attention: Mr. Bob Mulholland

re: Warning Letter #219576
FLD 981 932 494
Hillsborough County

Dear Mr. Mulholland:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste program field inspection conducted on March 4, 1999, indicates that violations of Florida Statutes and Rules may exist at the USL - City Environmental Services, Inc. facility. Department of Environmental Protection personnel made observations described in the attached inspection report. Section 10 of the report lists a summary of alleged violations of Department Rules.

Section 403.727 Florida Statutes provides that it is a violation to fail to comply with rules adopted by the Department. The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Department Rules should be ceased.

You are requested to contact Elizabeth Knauss at (813) 744-6100 extension 383 within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter. Alternatively, you may respond in writing within 30 days with documentation that all alleged violations have been corrected.

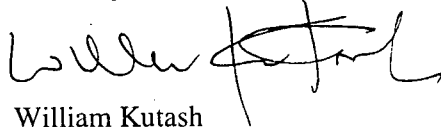
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of

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a Consent Order which will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. If this matter cannot be resolved within 90 days, under the Department's agreement with the EPA, a formal administrative complaint or "Notice of Violation" (NOV) must be issued against you within 150 days of the date of the attached inspection report. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

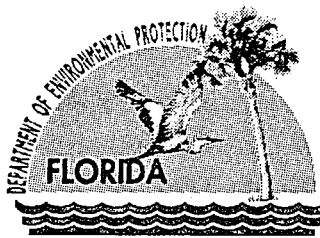


William Kutash
Waste Program Administrator
Southwest District

WK/ebk

Enclosure

cc: Morgan Liebrandt, HWR Section
Compliance File



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION TYPE: Routine Complaint Follow-Up Permitting Pre-Arranged

FACILITY NAME: USL City Environmental Services DEP/EPA ID #: FLD 981 932 494

STREET ADDRESS: 2002 North Orient Road Tampa, Florida

MAILING ADDRESS: 7202 East 8th Avenue Tampa, Florida 33619

COUNTY: Hillsborough PHONE: 813-623-5302 DATE: 03/04/99 TIME: 10:05 am

NOTIFIED AS: N/A

- non-handler
- CESQG (<100 Kg per month)
- SQG (100 Kg - 1000 Kg per month)
- LQG (>1000 Kg per month)
- transporter
- transfer facility
- interim status TSDF
- permitted TSDF
- unit types: Containers, Filter press
- exempt treatment facility
- used oil:
- used oil filter:

CURRENT STATUS:

- non-handler
- CESQG (<100 Kg per month)
- SQG (100 Kg - 1000 Kg per month)
- LQG (>1000 Kg per month)
- transporter
- transfer facility
- interim status TSDF
- permitted TSDF
- unit types: Containers, Filter press
- exempt treatment facility
- used oil: generator
- used oil filter:

2. APPLICABLE REGULATIONS:

- | | | | |
|---------------------------------------|--|---|--|
| <input type="checkbox"/> 40 CFR 261.5 | <input checked="" type="checkbox"/> 40 CFR 262 | <input checked="" type="checkbox"/> 40 CFR 263 | <input checked="" type="checkbox"/> 40 CFR 264 |
| <input type="checkbox"/> 40 CFR 265 | <input type="checkbox"/> 40 CFR 266 | <input checked="" type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 273 |
| <input type="checkbox"/> 40 CFR 279 | <input type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-737, FAC | <input type="checkbox"/> 62-740, FAC |

3. RESPONSIBLE OFFICIAL:

Bob Mulholland, General Manager

4. INSPECTION PARTICIPANTS:

Roger Evans - FDEP	Ray Magsanoc - FDEP	Bob Mulholland - USL City
Al Gephart - FDEP	Larry Sinatra - USL City	

5. LATITUDE/LONGITUDE: 27°57'49"/ 82°22'23"

6. SIC Code: 9511, 5093, 4226, 8734

7. TYPE OF OWNERSHIP: PRIVATE FEDERAL STATE COUNTY MUNICIPAL

8. PERMIT #: HO29-263213 ISSUE DATE: 07/03/95 EXP. DATE: 07/03/2000

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9. Summary of Findings:

USL City Environmental Services, Inc., (USL) of Tampa, is a permitted TSD facility that operates a hazardous waste treatment and storage facility. The primary operation at USL is receiving containerized waste and storing the material on site until it is transported off site for proper treatment and/or disposal. There is also a permitted filter press machine that separates liquid and solid components of sludges for the solidification of wastes. The filter press, formerly located in Bay 1, which was never used has been moved to the adjacent USL property for storage. The facility is a registered transfer facility for managing transfer waste in containers as well as a registered hazardous waste transporter. The warehouse is the permitted storage facility and the concrete loading/unloading area is used for managing transfer waste in trailers.

Arriving at the facility it was observed that the gates were closed. There were three 'outbound' trailers, one tanker (used for accumulating oil and non-hazardous wastewater) and four rollofs (all labeled as non hazardous waste) at the facility. Consolidation of RCRA regulated paint waste with the use of a paint can crusher was observed in the loading area. At the time of the inspection the paint can crusher was not in operation. The electrical plug to the stormwater sump pump was kept locked out /disconnected. An air compressor unit located at the south west end of the container storage building was leaking compressor oil. The oil was observed on the pad and ground. This is a violation of **40 CFR 279.22(d)(3)**.

Inspection of Bays 1(North), 2(Center), and 3(South) revealed the storage volume to be less than the 50,000 gallon storage limit. All sumps were clean and void of any liquid, aisle space was adequate, and containers were kept closed when not in use. A drum (62306DUI001) containing hazardous waste (D008) did not have any markings which identified either the TSD or generator's accumulation start date, a violation of **40 CFR 268.50(a)(2)(i)**. Another drum (59491BDF001) had no label to identify the contents. The explanation given by Larry Sinatra was that they are in the process of changing the labels prior to shipment. The drums were located in Bay 1. All other containers were properly labeled. The current (2-22-99) emergency contact numbers were posted beside the phones.

Emergency equipment is maintained throughout Bays 1, 2 and 3. The fire suppression system was serviced/tested on 2-9-99. According to the tags fire extinguishers were serviced in December 1998. In Bay 2 a 'Class D' fire extinguisher, located near the southwest door exit, and a halon fire extinguisher, located near the northwest door exit, had no service dates or inspection tags. It was determined that both extinguishers are spares and not considered a part of their designated emergency equipment. However, this could become a safety issue if these extinguishers failed during an emergency situation. The north and south spill response lockers contained all the required safety/spill equipment.

Inspection of the facility's security shows that the fence was intact and all warning signs around the perimeter of the property are kept in good condition and legible from 25-feet.

The stormwater treatment system which appears to be operational is inspected quarterly. The carbon filters used to filter stormwater runoff from the parking lot and loading areas were changed on 1-5-99 and 7-24-98 respectively.

Daily inspection logs from September 1998 to March 1999, for the bays, the sumps, and the volume checks of drums and filter press were reviewed for completeness. All were complete except for 2-1-99 the time of the inspection was not entered. Training records for several employees were reviewed and all appeared current and in order. The facility records indicated no 10-day transfer operations since 2-25-98.

A random selection of approximately forty six manifests and land disposal restriction (LDR) notices were reviewed for inbound and outbound waste. No manifest violations were observed.

Several containers were randomly selected to determine if the facility's operating records correctly identify the location, quantity and type of waste within the facility. The records accurately indicated the parameters listed.

The contingency plan was revised on 2-22-99. The plan was distributed to the Department and other appropriate agencies.

The financial assurance for closure cost, approved by DEP-Tallahassee on 7-13-98, was estimated at \$214,334.

10. Summary of Alleged Violations:

- | | |
|------------------------|--|
| 40 CFR 268.50(a)(2)(i) | Failure to mark the date accumulation began for container (62306DUI001) received at the TSDF. |
| 40 CFR 279.22(d)(3) | Failure to clean up used oil released to the environment. Used oil was leaking from an air compressor. |

Report prepared by: R. Evans Date: 4-8-99
Roger Evans
Permitting Engineer

Approved by: E. B. Knauss Date: 4/14/99
Elizabeth B. Knauss
Environmental Manager

RCRA COMPLIANCE INSPECTION REPORT
TSD FACILITIES CHECKLIST

Facility Name: USL City Environmental Service Date: 3-4-99
Facility Representative: Bob Mulholland Facility ID #: FLD 981 932 494
SIC Codes: 9511, 5093 Inspector: R. Evans

General Facility Standards

1. Has facility received hazardous waste from a foreign source?
(264.12 - required notices) Y _____ N

If yes, has he filed a notice with the Regional Administrator and DEP? Y _____ N _____

2. Does the facility have a copy of the permit along with the approved application? Y N _____
3. Which types of regulated units are used for treatment, storage or disposal at the facility:
Fill out appropriate unit checklist(s).

<input checked="" type="checkbox"/> Containers (I)	_____ Landfill (N)
_____ Tanks (J)	_____ Incinerator (O)
_____ Surface Impoundment (K)	_____ Drip Pad (W)
_____ Waste Pile (L)	_____ Miscellaneous Unit (X)
_____ Land Treatment (M)	_____ Containment Building (DD)

Waste Analysis (264.13)

Permit Condition _____

1. Is a copy of the waste analysis plan maintained at the facility? Y N _____
2. Does the facility have copies of completed waste analysis reports? Y N _____
3. Has the waste analysis been reviewed or repeated as required? Y N _____
4. (For off-site facilities) waste analysis that generators have agreed to supply? Y N _____
5. Check waste analysis equipment to see if it is on-site and in working condition? Y N _____

Security (264.14)

Permit Condition _____

1. Is the facility security system adequate to minimize unauthorized entry? Y N _____
2. Are signs posted and legible for 25 feet? Y N _____

Inspection Requirement (264.15)

Permit Condition _____

- 1. Does the facility have a copy of the Inspection Plan? Y N _____
- 2. Does the facility have completed inspection logs? Y N _____
- 3. Were the deficiencies corrected in a timely manner? Y N _____
- 4. Are the inspection logs maintained at the facility for 3 years? Y N _____
- 5. Is the facility equipped to prevent fire, explosion or contamination of the environment and is the equipment in working condition? Y N _____

Personnel Training (264.16)

Permit Condition _____

- 1. Does facility have copy of training plan? Y N _____
- 2. Does facility have personnel training records? Y N _____
- 3. Has management completed training? Y N _____
- 4. Have laborers completed training? Y N _____
- 5. Is training successfully completed within 6 months of hiring/transfer to HW position? Y N _____
- 6. Has the training been conducted as stated in the Training Plan? Y N _____
- 7. Do the facility personnel training records include:
 - a. Job title, description of position and description of qualifications? Y N _____
 - b. Description of employee's training? Y N _____
- 8. Are records maintained for 3 years? Y N _____
- 9. Date of last annual training review FEB. 1999

Ignitable, Reactive, or Incompatible Waste (264.17)

Permit Condition _____

- 1. Is the waste separated and confined from sources of ignition or reaction sparks, spontaneous ignition, and radiant heat? Y N _____
- 2. Are "No Smoking" signs posted in the area? Y N _____

Preparedness and Prevention - 264 C

1. Is there evidence of fire, explosion or contamination of the environment? Y _____ N
2. Is the facility equipment located in accordance with the approved plan and is it functional? Y N _____
3. Is required aisle space maintained? (264.37) Y N _____

Contingency Plan and Emergency Procedures - 264 D

1. Does the facility have a copy of the Contingency Plan? Y N _____
Is it up to date? Y N _____
2. Has the plan been amended and have the amendments been approved? Y N _____
3. Were the plan revisions submitted to all authorities? Y N _____
4. Is the emergency coordinator on-site or within short driving distance of plant at all times? Y N _____
5. Verify equipment location. Is it in working condition? Y N _____

Manifest System, Recordkeeping and Report -- 264 E

1. Does the facility have copies of the manifests for off site waste? Y N _____
a. Are the manifests signed and dated and returned to the generator? Y N _____
b. Is a signed copy given to the transporter? Y N _____
c. Are there any manifests that have not been completely filled out? Y _____ N
2. Are copies of the manifests retained for three years? Y N _____
3. Has the facility received any shipments of hazardous waste which were inconsistent with the manifest? Y _____ N
If yes, has he attempted to reconcile the discrepancy with the generator and transporter? Y _____ N _____
If no, has DEP been notified? Y _____ N _____
4. Does the facility have operating records that show a description and quantity of each hazardous waste and the date and method of T,S,D at the facility? Y _____ N *Drum containing hazardous waste was not marked with the accumulation start date.*
5. Does location and quantity of hazardous waste agree with operating record? Y N _____

Groundwater Monitoring - 264 F N/A

264.90-.100, Permit Condition _____

1. Does the facility have a copy of the Groundwater Monitoring Plan? Y _____ N _____
2. Does the facility have copies of the groundwater analysis? Y _____ N _____
3. Has the analysis been conducted as specified? Y _____ N _____
4. Has there been a statistically significant increase of the value for the parameter from background? Y _____ N _____
5. Did the facility notify the Department of the parameter that showed a statistically significant increase within 7 days? Y _____ N _____
6. Verify location of wells? Y _____ N _____
7. Verify condition of wells and check for caps and locks? Y _____ N _____

Closure and Post-Closure - 264 G

264.110-.120, Permit Condition _____

1. Is a copy of the approved plan and all revisions kept at the facility? Y N _____
2. Does the maximum inventory of wastes at the facility exceed that specified in the Closure Plan? Y _____ N
3. Does the facility have an approved post-closure plan (for land disposal facilities)? N/A Y _____ N _____
4. Has the plan been amended and approved by the Department and distributed to the appropriate agencies? Y _____ N _____

Financial - 264 H

264.140-.151, Permit Condition _____

1. Does the facility have a written estimate, in current dollars, of the cost of closing the facility? Y N _____
2. Has the financial assurance been updated for the last year? Y N _____
3. Is the facility in compliance with the financial assurance regulation with respect to:
 - Closure cost? Y N _____
 - Post-closure cost? Y _____ N _____ NA
 - Sudden liability? Y N _____
 - Non-sudden liability? Y _____ N _____ NA
 - Corrective action? Y _____ N _____ NA