

## Craciun, Cynthia

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**From:** Craciun, Cynthia  
**Sent:** Friday, July 10, 2015 8:50 AM  
**To:** 'loren@januaryservices.com'  
**Cc:** 'Michael.Ferguson@polk-county.net'; Kothur, Bheem; Vaughn, Richard; Knauss, Elizabeth; SWD\_Clerical (Shared Mailbox)  
**Subject:** FLD 982 162 943-Polk Co-January Environmental Services, Inco.  
**Attachments:** January Environmental FLD-982162943-CL + Insp Rpt.Binder1.pdf

| <b>Tracking:</b> | <b>Recipient</b>                   | <b>Delivery</b>              |
|------------------|------------------------------------|------------------------------|
|                  | 'loren@januaryservices.com'        |                              |
|                  | 'Michael.Ferguson@polk-county.net' |                              |
|                  | Kothur, Bheem                      | Delivered: 7/10/2015 8:50 AM |
|                  | Vaughn, Richard                    | Delivered: 7/10/2015 8:50 AM |
|                  | Knauss, Elizabeth                  | Delivered: 7/10/2015 8:50 AM |
|                  | SWD_Clerical (Shared Mailbox)      | Delivered: 7/10/2015 8:50 AM |

Sent on behalf of Richard Vaughn

Dear Mr. January,

Attached please find the above subject letter and inspection report. In an effort to reduce costs and waste, our agency is moving to electronic rather than paper correspondence. This is the only copy that you will receive, unless you request otherwise.

Acrobat Reader 6.0 or greater is required to read this document. It is available for downloading at: <http://www.adobe.com/products/acrobat/readstep.html>.

If you have any questions concerning the contents of the attached document, please contact Richard Vaughn at the FDEP 813-470-5799 or via email [Richard.Vaughn@dep.state.fl.us](mailto:Richard.Vaughn@dep.state.fl.us)

Sincerely,  
Ms.Cynthia Craciun  
Department of Environmental Protection  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

July 10, 2015

Cris January, President  
January Environmental Services, Inc.  
1920 HW 60 W  
Bartow, FL 33830  
c/o [loren@januaryservices.com](mailto:loren@januaryservices.com)

Re: Compliance Assistance Offer  
January Environmental Services, Inc.  
Facility ID No. FLD 982 162 943  
Polk County

Dear Mr. January,

A compliance inspection was conducted at your facility on February 20, 2015, under the authority of Section 403.061, Florida Statutes (F.S.). During this inspection, possible violations of 40 CFR 279, and Chapter 62-710, Florida Administrative Code (F.A.C.) were observed. The purpose of this letter is to offer you compliance assistance as a means of resolving these matters.

Please see the attached inspection report for a full account of Department observations and be advised this Compliance Assistance Offer is part of an agency investigation preliminary to agency action in accordance with Section 120.57(5), F.S. We request you review the items of concern noted in the attached inspection report and respond in writing within **15 days** of receipt of this Compliance Assistance Offer. Your written response should either:

1. Describe what you have done to resolve the issue (see "Recommendations for Corrective Action" section of the report),
2. Provide information that either mitigates the concerns or demonstrates them to be invalid, or
3. Arrange for one of our inspectors to visit your property to offer suggested actions to return to compliance without enforcement.

It is the Department's desire that you are able to document compliance or corrective actions concerning the possible violations identified in the attached inspection report so that this

January Environmental Services, Inc.  
Facility ID No.: FLD 982 162 943  
Compliance Assistance Offer  
Page 2 of 2

matter can be closed without enforcement. Your failure to respond promptly in writing (or by e-mail) may result in the initiation of formal enforcement proceedings.

Please address your response and any questions to Richard Vaughn of the Southwest District Office at (813) 470-5799 or via e-mail at [Richard.Vaughn@dep.state.fl.us](mailto:Richard.Vaughn@dep.state.fl.us). We look forward to your cooperation with this matter.

Sincerely,



Kelly L. Bishop, PG  
Assistant Director  
Southwest District  
Florida Department of Environmental Protection

KLB/rv/rn

Enclosures: Inspection Report

ec: Mike Ferguson, Polk County SQG, [Michael.Ferguson@polk-county.net](mailto:Michael.Ferguson@polk-county.net)  
Richard Vaughn, FDEP SWD, [Richard.Vaughn@dep.state.fl.us](mailto:Richard.Vaughn@dep.state.fl.us)  
Bheem Kothur, FDEP, [Bheem.Kothur@dep.state.fl.us](mailto:Bheem.Kothur@dep.state.fl.us)



Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report

**FACILITY INFORMATION:**

**Facility Name:** January Environmental Services Inc  
**On-Site Inspection Start Date:** 02/20/2015      **On-Site Inspection End Date:** 02/20/2015  
**ME ID#:** 46304      **EPA ID#:** FLD982162943  
**Facility Street Address:** 1920 Hwy 60 W Main St, Bartow, Florida 33830-0000  
**Contact Mailing Address:** 1920 Highway 60 West, Bartow, Florida 33830  
**County Name:** Polk      **Contact Phone:** (863) 534-8478

**NOTIFIED AS:**

Non-Handler  
Used Oil

**INSPECTION TYPE:**

Routine Inspection for CESQG (<100 kg/month) facility  
Routine Inspection for Used Oil facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Rebecca L. Nipper, Environmental Specialist II  
**Other Participants:** Beth Knauss, Environmental Consultant; Lynn Harris, Yard Man; Loren January, Secretary

**LATITUDE / LONGITUDE:** Lat 27° 53' 51.5901" / Long 81° 51' 47.2672"

**SIC CODE:** 4212 - Trans. & utilities - local trucking, without storage

**TYPE OF OWNERSHIP:** Private

**Introduction:**

An announced inspection was conducted at January Environmental Services on February 20, 2015 to determine the facility's compliance with used oil transporter and transfer facility rules and to investigate a complaint. Lynn Harris represented the company during the inspection. A follow-up visit was conducted on February 25, 2015. Loren January was available at this time for the paperwork review and to answer additional questions.

**Process Description:**

The complaint alleged that the facility had covered an oil spill rather than cleaning it up. The inspection determined that there had been a small spill caused by an equipment malfunction. The contaminated dirt had been excavated for proper disposal, and the hole had been filled with clean sand. There was no evidence of contamination at the facility.

January currently has two drivers. A third driver and a process operator had been fired the previous week. At the time of this inspection, all the company vehicles operating out of this location appeared to be on site. The vac trucks holding used oil were not parked within secondary containment. One of these had been parked on site for more than 24 hours due to staff changes, but was scheduled to be emptied that day. A compartmented tank trailer was parked on the east side of the facility. Mr. Harris said that the trailer was used to transport oily waste water, and was currently empty.

In addition, an empty baker tank and empty roll off container were parked on site. The loading rack had a parked tanker, a portable UN tank and two rail cars. The facility currently has a track pan only under the rail car loading area. Full rail cars are not provided with containment. Rail cars may take more than 24 hours to load or unload.

Inspection Date: 02/20/2015

At this time, January is mainly processing oily water and bilge waste. Mr. Harris initially said that oil was being brought in by rail, but then later also said that the rail cars were used to ship water separated from the oil. The UN Tank is used to bring in waste from ships at the port. At this time January has not shipped via rail in the last few years. There is currently waste water being stored in the rail cars which was analyzed in January 2015.

Mr. Harris said that the oil recovered from processing was tested for water content, solids content and ash content. No chemical testing is done on the oil for sulfur, BTU content or any of the used oil specifications. In addition, Mr. Harris said that the incoming material was not being tested to his knowledge. No Dexil test kits were on site. He identified the incoming material as Number 6 oil.

Oily waste that is received is pumped into one of six holding tanks. A new green tank has been installed in a separate containment area attached to the existing containment. At the time of the inspection this tank was empty, and a second green tank was in the yard, on its side. The facility is reminded that if they plan to use this tank to store regulated materials they must comply with all regulatory requirements. Regulated tanks are required to be registered 30 days prior to installation, or within 30 day of changing from a waste water or process tank to a regulated used oil storage tank. In addition, a permit modification may be needed if storage or procession capacity is increased. At the time of the inspection the containment around the tank farm was in good repair, did not contain any free liquids, and appeared to be adequate to contain the volume of the tanks.

From the holding tanks, the oil is pumped into one of two processing tanks, where it is heated and chemicals are added to help gravimetric separation and de-emulsification. Acid and caustic are available on site for pH adjustment. After separation, oil is processed through a centrifugal separator, and solids are dropped into an open roll off container staged under the centrifuge. The roll off is under cover, and within a containment area. The roll off held visible liquids at the time of this inspection. Only one shipment of the solids generated in the centrifuge has been disposed of to date. A sample was collected on December 29, 2014 and was found to be non-hazardous. The material was then shipped via SWS on January 22, 2015 to the Okeechobee landfill as a non-hazardous waste.

Used oil is processed through a centrifuge and then vibratory screen filter. It does not appear that this has been authorized in the permit, and January must apply for a permit modification for these activities. Reject material is collected in a 55 gallon drum that was not labeled. There was a second unlabeled drum holding oily waste was not within secondary containment. This drum was relocated into the secondary containment shortly following the inspection. Processed oil is stored in the frac tank prior to being transported to Aaron Oil Company in Saraland, AL for disposal. Wastewater that is picked up from customers is transported directly to Aqua Clean. January does not accept used oil or oily water from other transporters, nor does the facility collect public used oil.

Paperwork review included looking at incoming and outgoing bill of ladings. During the paperwork review it was noted that some of the bills of lading that were going between January facilities did not have a terminating signature. A number of shipping papers did not include the EPA identification numbers of the oil provider or designated facility. In may cases, oil appeared to have been delivered to alternate facilities, not the original designated facility.

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

### **Violations**

Type: Violation

Inspection Date: 02/20/2015

Rule: 279.46(b)(5)

Question Number: 29.290

Question: Signature of oil receiver, dated upon receipt?

Explanation: Some used oil shipments were rerouted to alternate facilities and it was unclear which facility actually received the waste.

Some shipments of used oil between January facilities were not signed by the destination facility.

Corrective Action: Ensure that all documentation is complete and accurately reflects the disposition of each shipment.

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Type: Violation

Rule: 62-710.800(2), 62-710.800(3)

Explanation: January has added used oil processing equipment without filing an application to modify the facility permit. Before operating, closing or making any substantial modification to a used oil processing facility, the owner or operator shall submit to the Department the Used Oil Processing Facility Permit Application, DEP Form 62-710.901.

Corrective Action: Contact the Department to schedule a meeting to discuss submittal of an application for a permit modification.

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**Conclusion:**

January was found to have paperwork violations applicable to used oil transporters. January must ensure that all paperwork for both incoming and outgoing shipments are complete. Additionally January may require a permit modification for the centrifuge and shaker screen as well as the additional aboveground storage tanks that were located at the facility. The facility waste analysis plan may require modification to address used oil specification testing.

Inspection Date: 02/20/2015

**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.

Rebecca L. Nipper  
\_\_\_\_\_  
**PRINCIPAL INSPECTOR NAME**

Environmental Specialist II  
\_\_\_\_\_  
**PRINCIPAL INSPECTOR TITLE**

  
\_\_\_\_\_  
**PRINCIPAL INSPECTOR SIGNATURE**

FDEP  
\_\_\_\_\_  
**ORGANIZATION**

5/26/2015  
\_\_\_\_\_  
**DATE**

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.