



# Department of Environmental Protection

Lawton Chiles  
Governor

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Virginia B. Wetherell  
Secretary

February 13, 1998

Frances Braaksma, President  
Florida Waste Environmental Services, Inc.  
5218 St. Paul Street  
Tampa, Florida 33619

**RE: Florida Waste Environmental Services, FLR 000 013 888  
Operating Permit Application 76517-HO06-001  
First Notice of Deficiency**

Dear Ms. Braaksma :

The Florida Department of Environmental Protection (FDEP) has completed its review of the referenced application and determined that the information submitted is not complete. The information needed to complete the application is itemized in the attached Notice of Deficiency.

When a permit application is incomplete, all processing of the application is suspended. You are hereby advised to provide us with the necessary additional information, pursuant to the Florida Administrative Code (FAC) Rule 62-710.800 and Chapter 403.769 Florida Statutes (FS).

The deficiencies noted in the attached Notice of Deficiency constitute a violation of FDEP rules. Failure to correct these deficiencies within 45 days could subject you to formal enforcement action. If you cannot submit this information in 45 days, you must provide a schedule with dates indicating when this information will be submitted. If a complete response to each item is not submitted within the time frame given above, the FDEP will issue a Notice of Violation, begin the formal process to deny the permit pursuant to Section 120.60, FS, or take other appropriate actions.

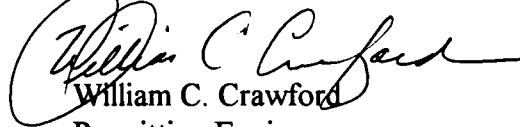
The response made by Florida Waste Environmental Services (FWES) to each item shall be as noted in Section 62-710.800(6), FAC which details the Certification of plans, specifications and other related documents supporting the permit application by a professional engineer registered in the State of Florida.

In addition, each response must note that a revision has been made (a revised date in the revision block, the revision number should remain "0" until the application is deemed complete) and the response must be labeled and numbered such that it can be placed in the appropriate section of the submitted application. This might necessitate the submittal of a new table of contents reflecting the revisions and correct page numbers.

Two copies of your response shall be submitted to the FDEP office in Tampa, Florida. 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.

Should you like to arrange a meeting or if you have any questions, please contact me at 813 744-6100 extension 372.

Sincerely,



William C. Crawford

Permitting Engineer

Hazardous Waste Section

Division of Waste Management

wc/WWC

Attachment

cc: Raoul Clarke, Administrator, FDEP - Tallahassee  
Satish Kastury, Administrator, FDEP - Tallahassee

## ***NOTICE OF DEFICIENCY***

### ***General***

The application must be reformatted to include page numbers and a revision block (in the upper right corner of each page), and submitted bound in a 3-ring binder (DEP Form 62-710.901, page 2 - Completion of the Application). Additionally, each question of the application must include a response. Questions that do not apply to the facility should include "N/A" as the response. The pages should be numbered sequentially within each attachment.

The revision block should include the revision number ("0" until the application is determined to be complete), date of page revision, and page number.

Discussions of the facility's description, operation, management practices, etc., needs to be expanded to give specific details in lieu of citing the governing regulations.

### ***Specific Comments***

The Table of Contents is presented on page 2. Page 1 of the application could not be found.

Application - Part I.A.4 indicates that the current operations began in 1996, but page 6 of the SPCC plan in Attachment 6 identifies it as November 1, 1995. Please clarify this inconsistency.

Application - Part I.A.6 identifies the EPA Identification Number as FLR 000 013 888, but page 6 of the SPCC plan in Attachment 6 identifies it as FLD 980 839 468. Please clarify this inconsistency.

**Application - Part I.A.14** must include the firm/organization with whom the professional engineer is associated.

Application - Part I.B.1 does not include the UTM for the site. The application must be revised to include this number. The Latitude/Longitude number included in this section does not match the FDEP data base for the EPA ID Number, nor does the number in Addendum I match either number. Please clarify this inconsistency.

Application - Part I.B.3. The application should direct the reviewer to the map(s) that are intended to satisfy this requirement. As a general comment, references in the narrative portion of the application should direct the reviewer to the location of the reference.

**Application - Part I.C.3.** The included topographic maps did not indicate the location of the facility. The scale drawing of the facility did not indicate the location of the requested information. A map indicating the location of flood prone areas could not be located in the application. A generalized discussion of the number of employees and their job descriptions could not be located in the application.

***Attachment 1.0***

Section 1.1. The list of materials handled indicates that this site has notified as a hazardous waste transporter. The state records of hazardous waste transporters does not confirm this statement. The application must be revised to correct this statement.

The second sentence of the first paragraph, refers to “petroleum residue defined by the State of Florida”. The reference is unclear and needs to be revised.

The next to the last sentence in the second paragraph refers to ‘Another category of waste is fuels which are combustible, flammable, and petroleum contact water’. The application needs to be revised to clarify this statements.

Paragraph 2 discusses the testing of solid waste destined for disposal. The application must be revised to describe the solid waste management activities that are conducted at this location.

The application includes a copy of a registration to operate a terminal facility. This registration is not referenced in the application and this information is not requested by the application form. The application should explain the inclusion of the registration, or the registration should be removed. Should this information be included in the revised application, the application should describe why this location is called a terminal facility.

Periodic references to hazardous waste do not clearly describe the specific practices FWES uses in the management of hazardous waste. The application must be revised to clearly describe the hazardous waste management activities at the facility.

Section 1.2. The first paragraph incorrectly indicates that the used oil transporter registration process is a licensing process. The application must be revised to indicate that FWES is a registered use oil transporter.

The second paragraph does not describe operations at the facility and should be removed. The information included in the application should be technical in nature and restricted to the information requested in the application form.

Section 1.3.3. The title “Residual Solids(Sludge)” implies that the materials to be managed in the describe manner are generated during the processing of used oil, while the narrative description includes materials received from offsite. The application should be revised to clarify this issue.

Section 1.3.3. The application should describe the meaning of ‘material substation’ as described in the text.

Section 1.3.5. The application should describe what records are maintained, for what period, and the retention of these records.

Section 1.3.6 states that FWES is a non-handler of hazardous waste. Section 1.1 indicates that FWES is a transporter. The application should be revised to be consistent.

Section 1.3.6.1. The facility drawings should be revised to include the location of the referenced storage area.

Section 1.3.6.2. The application should describe what is meant by ‘FWES is already approved by numerous hazardous waste facilities’.

Section 1.5. The application should describe what a Coast Guard OSRO is, and how it relates to the processing of used oil.

#### **Application - Part I.C.4.**

The FLD & E Survey, Inc. map, included in Attachment 2.0, does not indicate the location of the 100-year flood plain area. The photo copies of the legal boundaries of the facility includes a notation that flood zones have been added to the drawing. The drawing indicates the existence of two zones (A-10 and B) but does not describe what these designations mean. The application must clearly describe the flood zones.

The required detailed description and discussion of the **used oil process** could not be located in Attachment 2. The limited discussion of the waste water treatment process did not address the information required by this part of the application.

The application should include a detailed discussion of management of used oil filters, and include the location of used oil filter storage and processing (some of the information in Attachment 1 Section 1.3.5 might be moved to Attachment 2 and expanded).

#### ***Attachment 2.0***

Section 2.1.1. The application should describe in detail how liquids are processed at the facility through chemical and physical means. Additionally, the term ‘waste oil’ should not be used interchangeably with used oil.

The individual processes shown in Exhibit 1 and identified in Section 1.3 must be defined and explained in detail.

The pages following page 10 contain a variety of information. The application should specify why the information is presented, and how it relates to the used oil processing facility.

Exhibit 2 identifies Sharon Summers as the applicant for the sanitary sewer discharge permit. What relationship does Sharon Summers have to FWES? The application should describe the reason a copy of a sanitary discharge permit is included in the application.

**Application - Part I.C.5.a.**

The waste analysis plan does not include a discussion of samples to be taken, the system used to identify the samples, how the sample identification process relates the sample to a specific shipment or generator and the parameters of analysis. The sampling of outgoing shipments should be included in this discussion.

***Attachment 3.0***

Section 3.0. The definition contained in item 1 is not the definition of used oil in 40 CFR 279. The application must be revised to contain the correct definition of used oil, or the definition removed.

The second, and additional, item(s) in this section could not be located.

Section 3.1. Paragraph 1 indicates that generators with total halogens greater than 1000 ppm are required to test for non-specification parameters. The waste analysis plan should be designed to ensure that the facility does not accept any hazardous waste. Line 7 indicates that the used oil will be sampled and analyzed, while line 8 indicates that generator knowledge will be used to determine the course of action. The application must be revised to clarify this issue.

Exhibits 4 and 5 could not be identified.

The application must be revised to explain why the bulleted items are included in the application and waste analysis plan.

Paragraph 4 states that shipments are subject to halogen screening and questionable loads will be rejected. The waste analysis plan must be revised to describe how operators at the facility will determine questionable loads. The application should also clearly describe under what circumstances shipments of used oil will be screened for halogens.

Page 13 could not be located.

Section 3.2.1. The application should be revised to clarify the meaning of the second sentence in this section.

Based upon the process description it is not clear how FWES manages the waste antifreeze that is received from their customers. This section needs to describe the management of waste antifreeze. The discussion should describe how waste antifreeze/water, received from generators, is tested to verify that it is not a hazardous waste prior to acceptance at the facility.

Attachment I of the Waste Analysis Plan identifies the minimum Pre-Acceptance or Post Acceptance QC Analyticals. The information contained in this attachment does not address or satisfy the waste analysis plan requirements of 62-730 FAC. Additionally, the sampling identified for other waste stream is also incomplete and inaccurate. Waste classification for the various programs should be reviewed with appropriate representatives from those programs.

#### ***Attachment 4.0***

The profiles included in this section duplicate the forms in Attachment 3.0 or describe the waste acceptance procedures for FWES offsite disposal. The application need only address the waste analysis and profiling procedures used by FWES to monitor the materials received for processing at the used oil facility, and the verification of on-specification used oil.

Section 4.0. The application should describe the meaning of 'tank sludges is handled one in two segments' per year.

The discussion of waste analysis procedures should be moved to Attachment 3.0. The meaning of Florida PRO should be included in the application.

The application should not include any internal editorial comments, as an example 'Gary Insert Profiles'.

This attachment contains two cover pages. The 'Exhibits' page should be revised to be consistent with the quality of the remainder of the application.

The application should explain: 1) the presence of the waste profile sheet containing analytical data, 2) the presence of a soil site information sheet from Soil Treatment Services, 3) the presence of a Howco generator's waste material profile sheet, and 4) the presence of a Chambers waste disposal application.

Pages 17 through 19 could not be located.

***Attachment 5.0***

The majority of the information in Attachment 5.0 should be part of the Attachment 3.0. Section 5.4 should contain the description of sample identification and record keeping discussed in the tracking plan. Exhibits 3 and 5 could not be located.

Section 5.1. The second paragraph states "... all paper work will be completed...". The application must describe in detail the specific paperwork to be completed.

The use of the word 'product' to refer to waste materials is confusing. The application should be revised to distinguish between product and waste.

Section 5.2. The first paragraph of this section states that the Box Truck driver will insure that material being picked up matches the approved profile. The application must describe the specific inspection activities the driver will conduct to accomplish this task.

Section 5.3. The *process description* in this section contradicts the information in Attachment 1 of the Waste Analysis Plan that states antifreeze is for disposal. The application must describe in detail how FWES will recycle the waste antifreeze.

Section 5.4. The application must describe who (Job Title) is responsible for the records, and where the records will be maintained.

**Application - Part I.C.6**

Attachment 6.0 includes an unreferenced Annex 7 that is footnoted as the Florida Waste Environmental Services SPCC Plan. The plan has not been modified (as allowed by the application form) to include the information required by 40 CFR 279.52(a). This Annex appears to be a guide for preparing an SPCC with the editorial/instructional information unedited. The SPCC plan must be modified to include the specific information required by 279.52(a).

***Attachment 6.0***

The first paragraph indicates that the tanks are in one continuous secondary containment area. The location of the tanks, secondary containment areas, and details of the secondary containment system have not been provided. The application must be revised to reflect what is currently at the facility.

Page 6 includes an EPA ID number that is different than the number in Part I.A.6. The application should identify the correct EPA ID number and be consistent in the use of this number.

The Management Certification, page 7 of the SPCC Plan, is not signed.



Page 9 Section 1.1 must be revised to include all the activities conducted at FWES.

Page 11, Section 2.1. The areas described in the text could not be identified on Figure 1. The figure should be revised to reflect the areas described in the text.

Figure 2, mentioned on page 11, could not be located.

Page 13 Section 2.2 Miscellaneous Leakage references a routine inspection. The inspection forms are not described or identified in any section of the application. These forms must be include in the facility's unit management plan in Attachment 7.

Page 13 Section 2.3-Tank Truck Operations - Loading/Unloading Procedures must include the specific procedures that FWES has established to minimize the potential of a release at this facility.

The containment area for tank/truck unloading area must be described in the unit management plan.

Page 14 Section 2.4-Facility Drainage mentions a concrete settling retention pond. This pond could not be located on Figure 1 (following page 11 of this section). The referenced Figure 2 could not be located. Is the stormwater system equipped with an oil/water separator?

The paragraph on Containment Storage Area references Section 2.0 Drainage. Section 2.0 could not be located.

Page 15 Section 2.6 indicates that FWES recycles antifreeze. The application should include a description of the recycling process and should consistently indicate recycling (see comment on Section 5.3 of Attachment 5.0).

Page 16 Section 2.8-Existing Monitoring Data. This section references Addendum I. The Addendum I of the application is "The Facility Response Plan", the Groundwater Monitoring Plan could not be located.

Page 17 Section 3.1 references Figure 3 which could not be located.

Page 22 Section 4.6 states that FWES employees will ensure compliance with applicable water standards by inspection. The application must describe the activities the employees will take to ensure this compliance.

Page 24 Management Inspection Standards describes an inspection checklist that was not included in the application. The application must be revised to include the inspection checklist.

Page 26 Maintenance Repair Shops mentions 'Spill Stations'. The application must be revised to describe the spill stations.

Page 34 Section 6.1 references Exhibit 1 which could not be located.

Page 36 Section 6.3 describes the tank system secondary containment. The first sentence is confusing and should be revised.

Page 36 Section 6.5 describes the tank farm at Magnum Environmental Services. This application is for a used oil processing permit at FWES and should describe this facility.

Page 43 Exhibit 8.1 Oil Transfer mentions 'ear cracking valve position'. The application should describe this phrase.

#### Application - Part I.C.7

The application indicates that the information submitted to address the requirements of this part can be found in Attachment 6. The information required by this part was split between Attachment 6 and Addendum I. The application must be revised to combine the information into a single document.

The telephone number and home address of the emergency response coordinators were not included in the emergency notification list found in Addendum I. The application did not describe the specific qualifications (education or experience) that FWES has established for the emergency coordinator.

The list of facility response equipment in Addendum I did not include the location of the equipment.

The application did not identify the location of containers or tank number(s) that are to be utilized for the storage of materials recovered from on site emergency response activities.

The application did not describe how equipment and/or supplies used in response to an emergency event are cleaned and/or replaced.

The application did not identify the specific emergency evacuation routes used by personnel at the facility, nor did it specify where the map of the routes are posted.

The application did not discuss the distribution of the SPCC plan, and the location of the plans at the facility.

***Addendum I***

The facility Latitude on the General Facility Notification Information is incorrect, and must be revised to indicate the correct facility location.

The number of aboveground oil storage tanks identified on page 2 of the General Facility Notification Information does not match the number of tanks specified in Table 1 of the FWES SPCC plan or section 8.3 of Attachment 8.0.

The State Warning Point number has been changed to 850-413-9911.

**Application - Part I.C.8**

The Unit Management Plan did not contain all the information necessary to evaluate the management practices at FWES.

The discussion of container management did not include a description of aisle space during storage, a discussion of the secondary containment system, or a copy of the inspection documents.

The discussion of tank management did not include any information on the tanks (number, size, dimensions, materials of construction, etc.); process flow; or a copy of the inspection documents.

***Attachment 7.0***

Section 7.1 Paragraph 1 discussed the management of containers of solid waste. The application must be revised to describe the management of containers of used oil and used oil filters.

The paragraph makes reference to a 'completed materials profile form'. This form must be discussed and included in Attachment 4.0 (Waste Analysis Plan).

The paragraph makes reference to DOT shipping requirements and overpacking if the container is not in compliance with the DOT shipping standards. DOT shipping regulations cover a wide range of issues from labeling to container performance standards. The application, as written, indicates that FWES will overpack a container if the labels are incorrect. The application must be revised to discuss the specific practices FWES will follow in the management of containers.

The paragraph mentions 'drum cells or secondary containment cells'. Neither of these two areas are identified on any included map or facility drawing. The application must be revised to be consistent in the use of terms and references to different areas.

Paragraph 2 is a repeat of information in paragraph 1. The citing of specific regulations within the narrative portion of the application must be accompanied by specific FWES management practices. Additionally, 40 CFR contains several different sets of container management standards depending on which portion of the hazardous waste regulations are applicable at individual facilities. The application must be revised to reflect the practices to be followed by FWES.

Section 7.2 paragraph 2 describes the secondary containment capacity for the tank farm. The drawings and calculations necessary to review the ability of the secondary containment to contain greater than 110% of the largest tank and 25 year, 24-hour storm event must be included in the application.

Section 7.2 paragraph 3 mentions Table 1 which could not be located.

Section 7.3 did not include any text. The application must be revised to describe the unit management practices associated with this system.

The application refers to a ground water monitoring plan in several locations (Section 2.4 of Attachment 6.0, Section 3.1 of Attachment 6.0, Section 7.2, Section 8.3, etc.) The application should be revised to include a section in Attachment 7.0 that describes in detail the groundwater monitoring plan. The section should include well locations, well construction details, frequency of monitoring, and analytical parameters.

#### Application - Part I.C.9

The closure plan as presented does not include all the information identified in the instructions for completion of the application. The information not provided is listed in the following comments:

A listing of the specific tanks and areas to be closed.

The application did not include a listing of the sampling procedures that will be followed during closure or the specific parameters that will demonstrate successful decontamination and clean closure.

#### ***Attachment 8.0***

Section 8.1 second paragraph indicates that a detailed schedule will be submitted 60 days prior to closure. The application, section 8.5, includes a detailed closure schedule. The application should be revised to clarify the intentions.

Section 8.2 first paragraph mentions a "wipe test" to determine the effectiveness of decontamination efforts. The application must be revised to include a description of the number, location, and method of obtaining these samples.

The application must describe the calculations used to determine the stated maximum inventories. These calculations could be added to another section. The stated capacity of 10,000 gallons is less than the 78,000 gallons identified in Table 1, Attachment 6.0.

Section 8.3 includes a discussion of soil and groundwater sampling. This discussion should be included in section 8.4.

This section should be revised to include a brief discussion of the tank and secondary containment decontamination procedures identified in the closure schedule.

Section 8.4.2 describes the soil sampling procedures. This section must be revised to clarify the specific actions to be taken at the mandatory soil sampling locations and the random soil sampling locations. The random sample grid system must cover the entire site and not just a 100' by 100' grid.

The first paragraph in this section references an Annex I that could not be located.

The third paragraph references "Florid Pro" samples. The application must describe the meaning of this reference.

#### **Application - Part I.C.10**

The application (Attachment 9.0) states that the FDEP has previously approved FWES's Used Oil Training Plan as part of the Used Oil Transporter Application. The FDEP rules governing used oil transporters is a registration process that does not require FDEP review or approval of facility training plans. This portion of the application must be revised to present the information identified in the instruction for completion of the application, and must be the training to be conducted at FWES.

#### ***Attachment 9.0***

The first paragraph refers to Addendum II. This addendum contains portions of various rule and regulations that relate to the management of used oil in Florida. The training plan should must be revised to describe how FWES plans to train employees.

Application - Part II Certification includes an incomplete EPA ID number. The certification page should be revised to include the complete EPA ID number.