

Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

March 26, 1998

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

Attn: Fran Braaksma

Re: RCRA Compliance Inspection
Florida Waste Environmental Services, Inc.
Project # 191810, FLR 000013888
Hillsborough County

Dear Ms. Braaksma:

Thank you for your assistance during the RCRA compliance inspection conducted on January 9, 1998. Enclosed is the inspection report generated from this visit.

The discharge of oily waste from the secondary containment area has been satisfactorily remediated. The violations associated with the processing of solid waste without a permit is being addressed by the Department's Solid Waste Section. The RCRA portion of this case is closed.

If you have any questions, or if I can be of further assistance to you, please contact me at (813) 744-6100, extension 379.

Sincerely,

James M. Dregne
Environmental Specialist II
Division of Waste Management

JMD/jd

cc: Panduranga Ojili, HWR Section
Susan Pelz, Solid Waste Section, SW District
Kelley Boatwright, Hillsborough Co. EPC

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

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HAZARDOUS WASTE INSPECTION REPORT

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

FACILITY NAME: Florida Waste Environmental Services, Inc. DEP/EPA ID #:FLR000013 888

STREET ADDRESS: 5218 St. Paul Street, Tampa, Florida 33619

MAILING ADDRESS: same

COUNTY: Hillsborough PHONE: (813)246-4711 DATE: January 9, 1998 TIME: 1030 hrs

NOTIFIED AS: N/A

- | | |
|---|---|
| <input type="checkbox"/> non-handler | <input type="checkbox"/> non-handler |
| <input type="checkbox"/> CESQG (<100 Kg per month) | <input type="checkbox"/> CESQG (<100 Kg per month) |
| <input type="checkbox"/> SQG (100 Kg - 1000 Kg per month) | <input type="checkbox"/> SQG (100 Kg - 1000 Kg per month) |
| <input type="checkbox"/> LQG (>1000 Kg per month) | <input type="checkbox"/> LQG (>1000 Kg per month) |
| <input type="checkbox"/> transporter | <input type="checkbox"/> transporter |
| <input type="checkbox"/> transfer facility | <input type="checkbox"/> transfer facility |
| <input type="checkbox"/> interim status TSDF | <input type="checkbox"/> interim status TSDF |
| <input type="checkbox"/> permitted TSDF | <input type="checkbox"/> permitted TSDF |
| <input type="checkbox"/> unit types: | <input type="checkbox"/> unit types: |
| <input type="checkbox"/> exempt treatment facility | <input type="checkbox"/> exempt treatment facility |
| <input checked="" type="checkbox"/> used oil: transp., transfer, marketer fac. | <input checked="" type="checkbox"/> used oil: generator, transporter, transfer facility |
| <input checked="" type="checkbox"/> used oil filter: transporter, transfer fac. | <input checked="" type="checkbox"/> used oil filter: transporter, transfer fac. |

2. APPLICABLE REGULATIONS:

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

3. RESPONSIBLE OFFICIAL:

Fran Braaksma - Co-Owner

4. INSPECTION PARTICIPANTS:

Fran Braaksma - FWES
Robert Butera - FDEP

Al Summers - FWES
Susan Pelz - FDEP

Tom Brislin - ESM
Jim Dregne - FDEP

5. LATITUDE/LONGITUDE: 27°55'01"/81°23'50"

6. SIC Code: 5093

7. TYPE OF OWNERSHIP: PRIVATE FEDERAL STATE COUNTY MUNICIPAL

8. PERMIT #: n/a ISSUE DATE: _____ EXP. DATE: _____

9. Facility and Process Description:

Florida Waste Environmental Service (FWES) was inspected on January 9, 1998, to evaluate its compliance with state and federal regulations governing an used oil transporter and used oil transfer facility. The inspectors were accompanied throughout the inspection by a co-owner of FWES, Ms. Fran Braaksma. A follow-up site visit was conducted on March 26, 1998.

A segment of the company's business is dedicated to the collection and delivery of on-specification used oil, oily wastewater, and petroleum contact water (PCW) to local processors. The company has properly registered with the state of Florida to transport and handle the above stated waste, along with used oil filters. Used oil is picked-up from customers and is either delivered directly to a processor or is brought to the St. Paul Street facility for temporary storage. Crushed and uncrushed used oil filters and used antifreeze are usually managed in drums and are taken to the Magnum Environmental Service's transfer facility at New Port of Tampa. Oily water is sent to HOWCO for processing. PCW is sent to several processing facilities including IWS, Envirotec, Magnum, and HOWCO..

The company has a 6000 gallon tanker trailer which is used to store used oil for up to 35 days. The trailer was properly labeled "Used Oil", but appeared to have some damage to the exterior. There was no used oil leaking from the tanker at the time of the inspection. The trailer is parked on a concrete pad within a secondary containment area. A series of drain ports were located along the east side of the secondary containment area. The drains were connected by a drain pipe which ran along the outside of the east wall. The pipe's drain valve was located at the northeast corner of the secondary containment area. The ground around the drain pipe outlet was stained with petroleum. Failure to clean up and manage properly the released used oil and other materials is a violation of 40 CFR 279.45(h)(3). During the follow-up visit, the soil around the drain pipe was clean and a wooden box with absorbent pads was placed under the drain. The drain has also been capped and locked.

The secondary containment area was also used as a drum storage area. At the time of the inspection, there were approximately twenty 55-gallon drums on-hand. Eight of the drums were labeled "drill cuttings and investigative derived waste". The drums had "Non Hazardous Waste" labels affixed to the drums. This waste will be discussed later in the report. At the time of the follow-up visit, no drums were stored on the pad.

The company operates a fleet of three tractors, five tankers (approximately 5000 gallons each), and three vacuum trucks. The company performs routine vehicle maintenance on its own equipment in a maintenance building located at the south end of the facility. A small quantity of used oil is generated by the company during the servicing of vehicles. One metal drum is kept inside the maintenance building to collect used oil filters. The drum was properly labeled.

Located at the north end of the property is a waste processing building. The metal building has two work bays. Each bay was full of various kinds of waste that had been mixed with sawdust to reduce the liquid content. It was later determined that one of the bays has a concrete lined pit, while the second bay has a ground level concrete floor. Waste observed in the bays included restaurant grease, loose rags, plastic bags filled with rags, and black and silver asphaltic material mixed with sawdust. According to Ms. Braaksma, solid waste is brought to the facility, placed in the processing building, mixed with sawdust, and then transported to a solid waste disposal facility when approximately four truck loads are accumulated. Most of the non-liquid solid waste streams that are processed at FWES are transported to the Chambers Landfill at Okeechobee for disposal. After some discussion, it was determined that FWES did not have a permits to

manage the solid waste it was processing at the facility. Following the inspection, FWES was notified by the District's Solid Waste Section that it was operating a solid waste management facility without a proper permit and should cease accepting solid waste at the facility. During a meeting with the company on February 12, 1998, representatives indicated that solid waste was not being processed at the facility any longer. During the follow-up visit, it was observed that the two bays had been cleaned of all solid waste and the south bay had been converted to an employee's weight room.

At the time of the inspection, there was concern about the identity of the silver, metallic liquid that was being mixed with the sawdust in the processing building. The material safety data sheet (MSDS) provided the inspectors on the day of the inspection was for a black asphalt coating, not the MSDS for the silver roof coating. A MSDS provided the Department on February 11, 1998, correctly identified the material as a silver colored mastic liquid. The MSDS reported that the coating material had a flash point of 105 degrees F.. Mr. Michael Yap, Technical Director at Gardner Asphalt, said that the flash point on the roof coating MSDS was wrong and the flash point was actually greater than 200 degrees F. He further said that the MSDS would be corrected and republished.

Approximately sixty 55-gallon drums were located on the south side of the solid waste processing building. The drums were on plastic, but material from the drums and water had drained off the north side of the plastic. The drums were not labeled. According to Ms. Braaksma, the drums were a combination of empty drums and drums of roofing material from Gardner Asphalt. Some of the roofing material was used on the processing building. The remaining drums were going to be disposed of at the Chamber's Landfill. Attempts had been made to clean-up the spilled asphaltic material with absorbent pads. Susan Pelz reported that on a follow-up inspection, the asphalt drum area had been cleaned-up the drums of waste asphalt had been removed. A concrete pad had been constructed on the south side of the old processing building and lime rock had been placed around the pad.

A review of the FWES waste pick-up log sheets for 1997 and 1998 show that the solid waste being picked-up and delivered to the facility include absorbents, contaminated soils, sludges, ink water, car wash sand, juice concentrate, wall adhesive, drill cuttings, tanker rinse-out, roof coatings, asbestos, laundry sludges and neutralized water. Due to poor administrative procedures at the time of the inspection, it was difficult to determine if any of the solid waste picked-up by FWES was hazardous. On February 12, 1998, the Department requested waste determination documentation for sixty-seven waste shipments handled by the company between June 27, 1997, and January 29, 1998. On March 5, 1998, the Department was furnished with the requested documentation. Most shipments had waste profile sheet completed by the generator or analytical results. Some shipments had both generator profile sheets and analytical results. While it is the generators responsibility to make a proper waste determination, 40 CFR 262.11, the accepting facility has an obligation to insure that the generator has made a proper waste determination. In some cases, the documentation provided by the generator was not enough to make a determination of non-hazardous. Errors were made in making some waste determinations.

1. Sludges from oil/water separators need analytical results to validate a waste determination. Generator's knowledge is not sufficient.
2. Proper sampling procedures must be followed in order for analytical results to be accepted.
3. Waste must be analyzed for all applicable parameters to be considered complete.
4. Minimum detection limits (MDL) must be low enough to determine if the waste is within the regulatory limits.

5. Material Safety Data Sheets (MSDS) can not be used as the sole source of a waste that contains other contaminants.

Training records were being kept on file at the facility. Drivers had received FDEP and FDOT used oil transporter driver training given by the United Association of Used Oil Services. A copy of proof of insurance was provided the Department.

10. Summary of Alleged Violations:

40 CFR 279.45(h)(3)

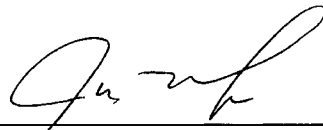
Failure to clean up used oil released to the environment near secondary containment drain pipe..

403.707(1) F.S.*

Failure to obtain a valid permit before operating a solid waste management facility.


* Referred to DEP Solid Waste Section for compliance.

Report prepared by:



James M. Dregne
Environmental Specialist II

Approved by:



Elizabeth B. Knauss
Environmental Manager

Date:

3/20/98

USED OIL TRANSPORTER CHECKLIST

Facility Name: FWES Date: JANUARY 9, 1998
Facility Representative: FRAN BRAAKSMA Facility ID #: FLR 000 013 888
Inspector: JIM DREGNE Registration # _____

40 CFR 279 Subpart E -- Transporter Standards

1. Is the facility exempt under any of the following? (279.40(a)) Y _____ N
On site transport?
Generator transporting < 55 g /time to a collection center?
Transporter of < 55 g /time from generator to aggregation point owned by same generator ?

2. If the transporter also transports hazardous waste in the same trucks as are used to transport used oil, are the vehicles emptied per 261.7 after HW shipments? (If not, the used oil must be managed as hazardous) Y _____ N

3. Does the transporter process used oil incidental to transport? (279.41) Y _____ N
Are any residues managed as used oil, reclaimed, or used as asphalt manufacture feedstock? N/A Y _____ N _____
If not, has the transporter conducted a hazardous waste determination? (279.10(e)) N/A Y _____ N _____

4. Has the facility notified of used oil activities? Check EPA form 8700-12 Y N _____

5. Does the transporter only deliver used oil to other transporters, oil processors, off specification used oil burners with EPA ID Numbers, or to on-specification oil burners? (279.43(a)) Y N _____

6. Does the transporter comply with DOT requirements? (279.43(b)) Y N _____

7. If any oil is discharged during transport, does the transporter: (279.43(c)) NO DISCHARGES
Notify National Response Center and State Warning Point and Coast Guard per 33 CFR 153.203, as applicable? Y _____ N
Report to DOT in writing per 49 CFR 171.16? Y _____ N _____
Clean up any discharges until the discharge poses no threat? Y _____ N

8. Does the facility also transport used oil filters? Y N _____
If so, are the filters stored in above ground containers which are: (62-710.850(6))
In good condition? Y N _____
Closed or otherwise protected from weather? Y N _____
Labeled "Used Oil Filters"? Y N _____
Stored on an oil impervious surface? Y N _____

Facility Name: FWES

Date: JANUARY 9, 1998

Transporter Recordkeeping - 279.46

1. Do used oil acceptance records include: (279.46(a))

Name & Address of facility providing the oil for transport? Y N
EPA ID # of oil provider (if applicable)? Y N
Quantity of oil shipped? Y N
Date of shipment? Y N
Signature of oil provider, dated upon receipt? Y N

2. Do used oil delivery records include: (279.46(b))

Name & Address of receiving facility or transporter? Y N
EPA ID # of receiving facility or transporter? Y N
Quantity of oil delivered? Y N
Date of delivery? Y N
Signature of oil receiver, dated upon receipt? Y N

3. Do the above records also include state required information on the type of oil and destination or end use? (62-710.510(1)(c & e))

Y N

4. Does the facility keep records on DEP Form 62-710.900(2) or equivalent? (62-710.501(1))

Y N

5. Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year? (62-710.520)

Y N

If not, is the facility an electric utility transporting only self generated used oil for recycling, which is exempt from state registration and reporting requirements? (62-710.530)?

Y N

7. Does the transporter keep copies of the record and reports for three years at the street address of the facility? (62-710.510(2))

Y N

Transporter Certification (62-710 F.A.C.)

1. Is the transporter certified? (local governments, and < 55g/time transporters are exempt) (62-710.600)

Y N

2. Does the facility maintain training records? (62-710.600(2)(c))

Y N

3. Does the facility maintain insurance or financial assurance of \$100,000 combined single limit? (62-710.600(2)(d))

Y N

4. Is the facility registration form and ID number displayed? (62-710.500)

Y N

Facility Name: FWES

Date: January 9, 1998

Transfer Facility Standards - 279.45

1 Does the transporter store used oil at any transportation related facility (including parking lots) for more than 24 hours and not longer than 35 days during the normal course of transport? Transfer facilities storing used oil more than 35 days must comply with 279 Subpart F N/A Y N

Is the transfer facility registered per 62-710.500(1)(a) F. A. C.? Y N

2. Does the transporter determine whether used oil stored at a transfer facility has a total halogen content above or below 1,000 ppm? Y N

Is this done by testing? Y N

Is this done by process knowledge? Describe basis in narrative. Y N

Are test records or copies of records providing basis for determination kept for 3 years? Y N

3. Have any analyses showed exceedances of the 1,000 ppm level? Y N

If so, was the oil managed as hazardous waste? Y N

If not, was the oil exempt? Describe in narrative. N/A Y N

4. Is used oil stored only in tanks or containers? (Circle applicable units) Y N

5. If the facility has tanks, do they comply with 62-761 and 62.762 F. A. C rules? (Describe in narrative, including number and size of tanks, noting registration numbers if applicable, and compliance status.) Y N

Is secondary containment provided and adequate? Y N

6. Are containers, and tank trailers in good condition and not leaking? Y N *lawyer dented*

7. Are containers provided with secondary containment consisting of walls and floor at a minimum? Y N

Is the containment system impervious to oil so as to prevent migration? Y N

8. Are ASTs, UST tank fill lines and containers labeled "used oil"? Y N

9. Are used oil filters stored more than 10 days? If so, is the facility a registered used oil filter transfer facility? (62-710.850) N/A Y N

10. Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable? Y N