

Heat from processing oil

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

solid waste shaker containment

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

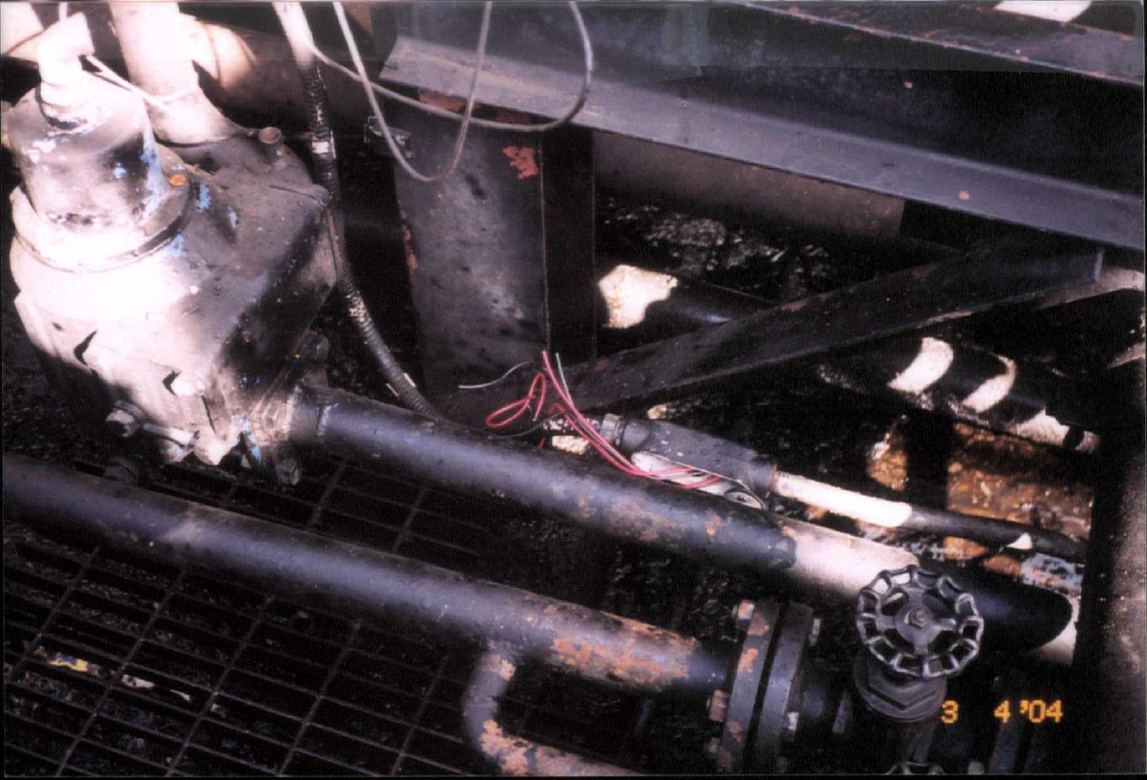
03/04/04
Mar 11, 04 08 0558

Residue from incident

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

03/04/04
Mar 11, 04 08 0558



Material to be placed into processing unit

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

03/04/04
LR, AG, ST, JD

Residue from Incident

HOWCO
PINELLAS COUNTY

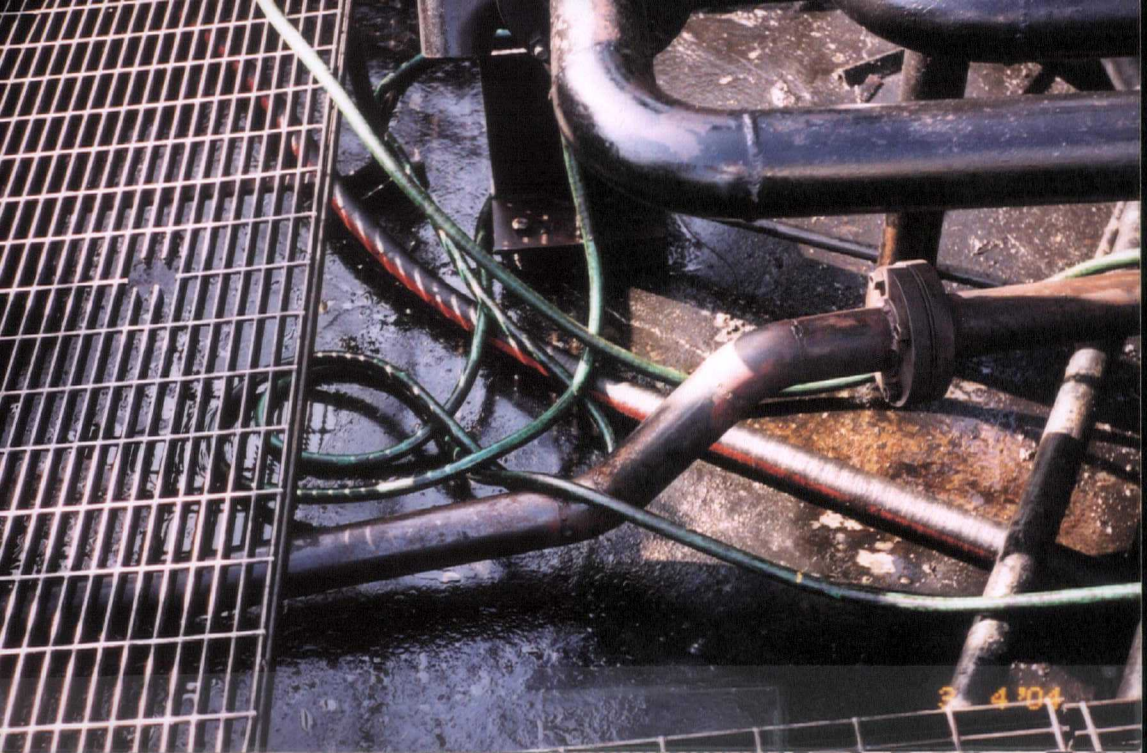
03/04/04
LR, AG, ST, JD

Wires

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

03/04/04
LR, AG, ST, JD



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PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

03305127
40'11"18W 13 8565+

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

03305126
40'11"18W 12 8565+

oil / water leaking out of scrap metal roll-off

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD



Solid waste samples that were hazardous

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

Oil/water leaking at of roll-off (scrap metal)

HOWCO
PINELLAS COUNTY

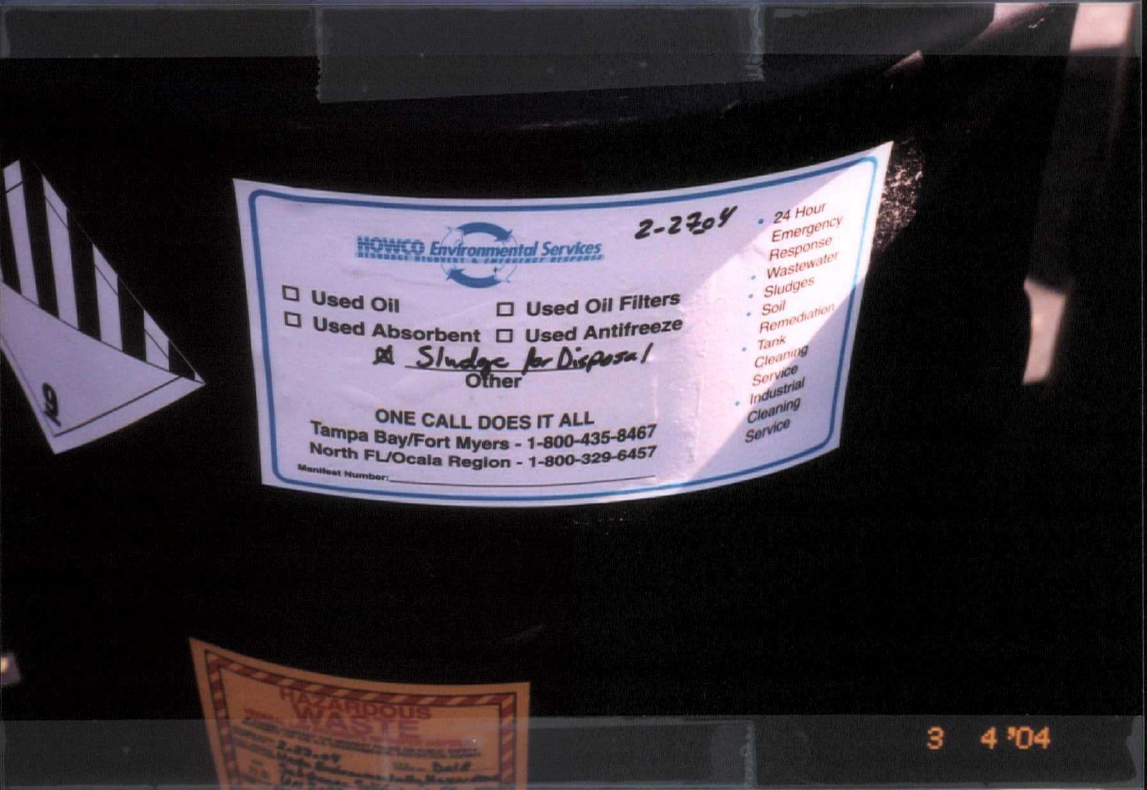
03/04/04
LR, AG, ST, JD

Scrap metal roll-off w/oil

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

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03/04/04
LR, AG, ST, JD

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PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

label on solid waste material that was sampled & indicated it
to be haz.

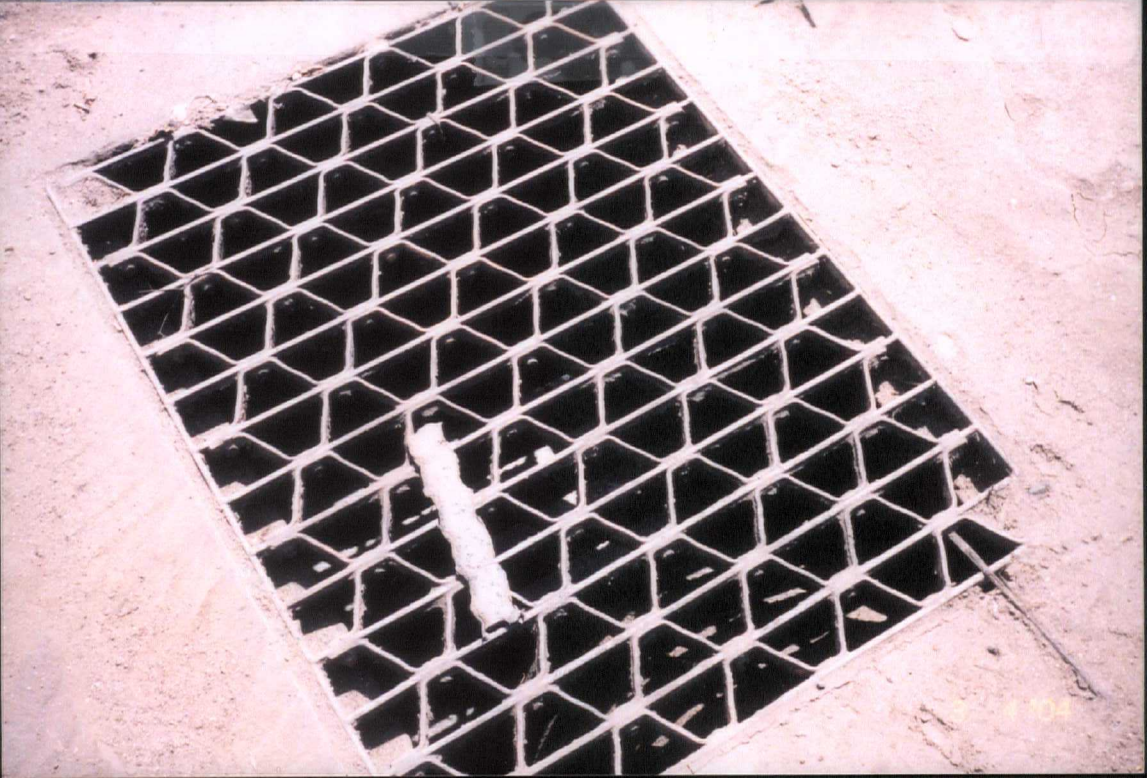
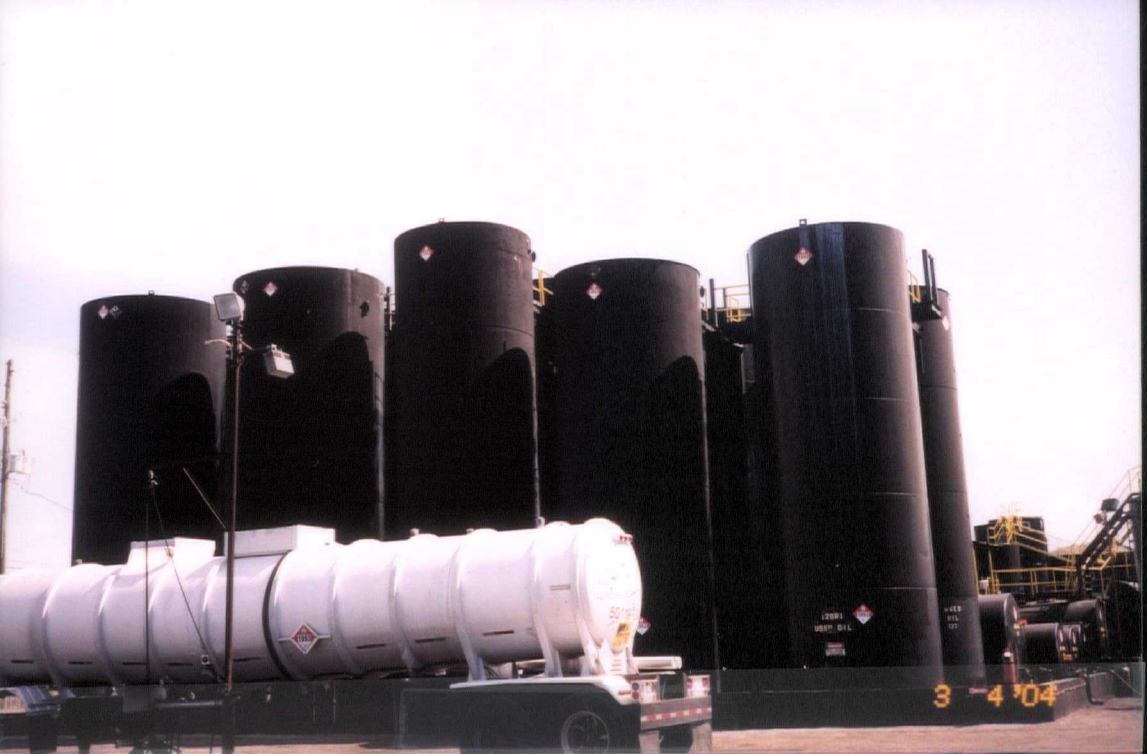
HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

oil filters - not covered

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD



General

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

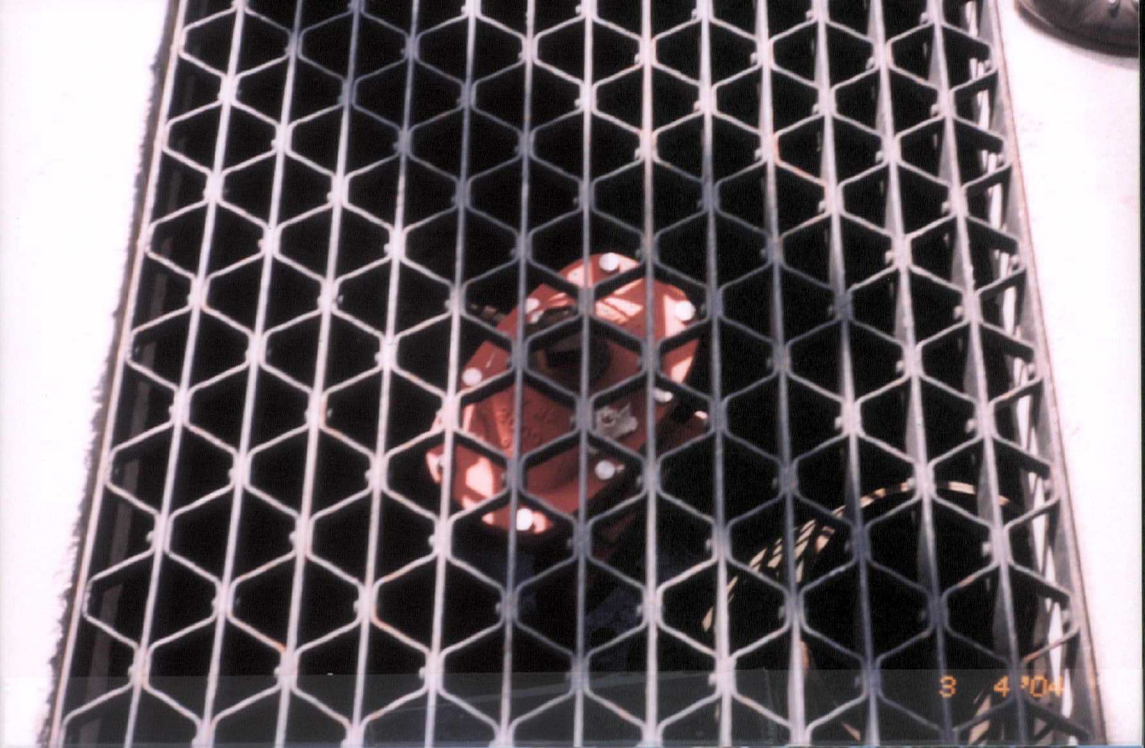
HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

stormwater smp

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD



stormwater system

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

PC
SC
55*

Class I roll-off

HOWCO
PINELLAS COUNTY

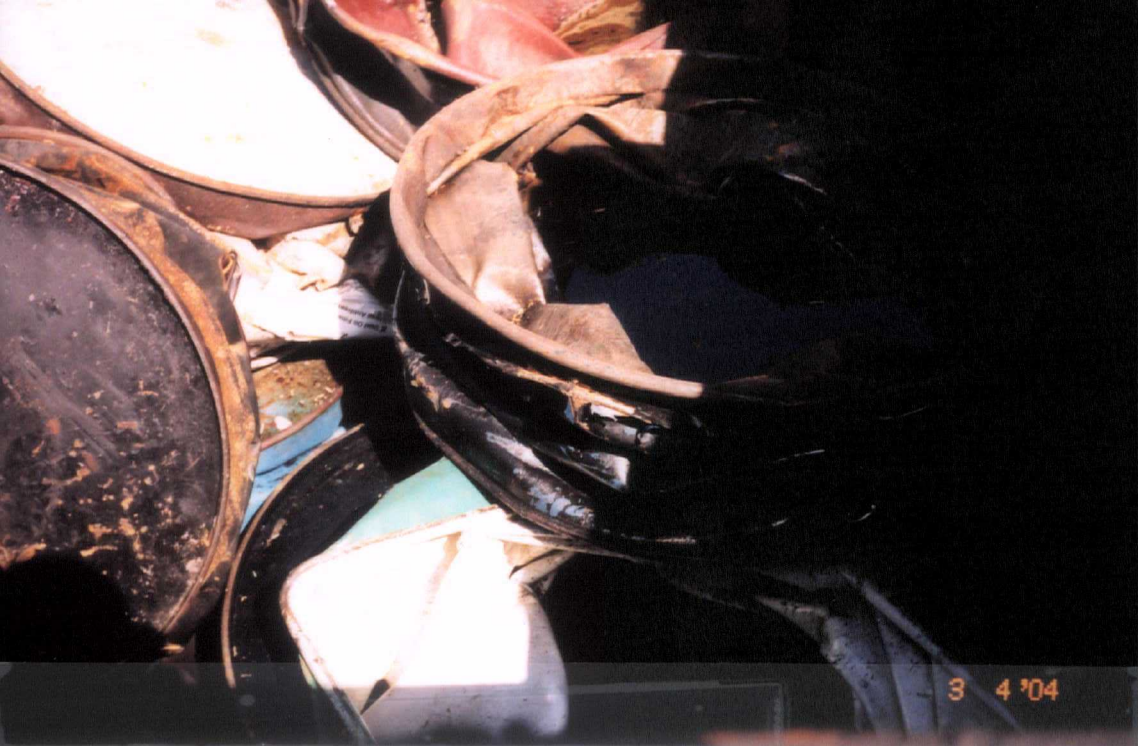
03/04/04
LR, AG, ST, JD

General housekeeping

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

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Oil in scrap metal

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

The Cone

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

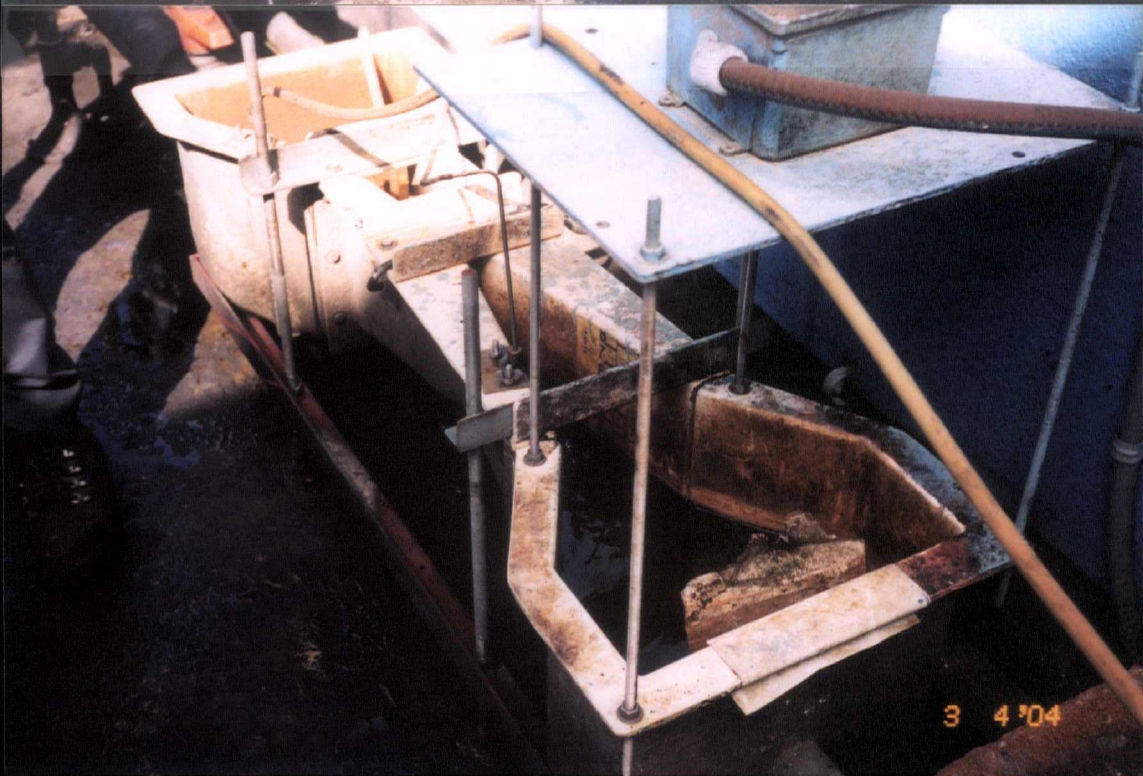
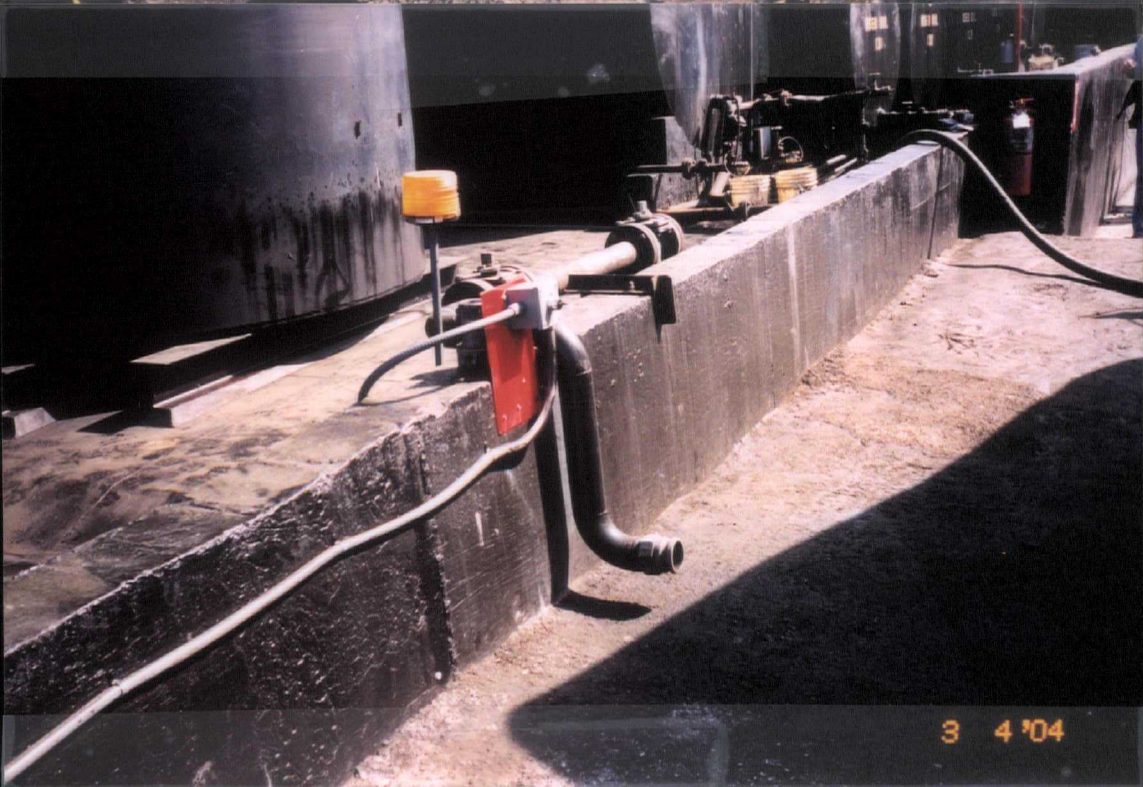
0188
1565#

Mulch used to solidify solid residues

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

0188
1565#



Leachate drain needing to be cleaned)

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

Pipe used for emergency discharge from sump going into the
yard

HOWCO
PINELLAS COUNTY

03/04/04
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WWTP - area tested before discharged to sewer

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD



General

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

Compressor

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

Overview of facility - solid waste section

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

03/04/04
LR, AG, ST, JD



Solid waste sticker

11
12
13

03/04/04
LR, AG, ST, JD

HOWCO
PINELLAS COUNTY

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

03/04/04
LR, AG, ST, JD



- | | |
|---|---|
| <input type="checkbox"/> Used Oil | <input type="checkbox"/> Used Oil Filters |
| <input type="checkbox"/> Used Absorbent | <input type="checkbox"/> Used Antifreeze |
| <i>Sludge for Disposal</i> | |
| Other | |

ONE CALL DOES IT ALL
Tampa Bay/Fort Myers - 1-800-435-6467
North FL/Ocala Region - 1-800-329-6457

- 24 Hour
Emergency
Response
- Wastewater
- Sludges
- Soil
Remediation
- Tank
Cleaning
Service
- Industrial
Cleaning
Service

3 4 '04



3 4 '04

Scrap metal roll-off not properly labeled

HOWCO
PINELLAS COUNTY

03/04/04
LR, AG, ST, JD

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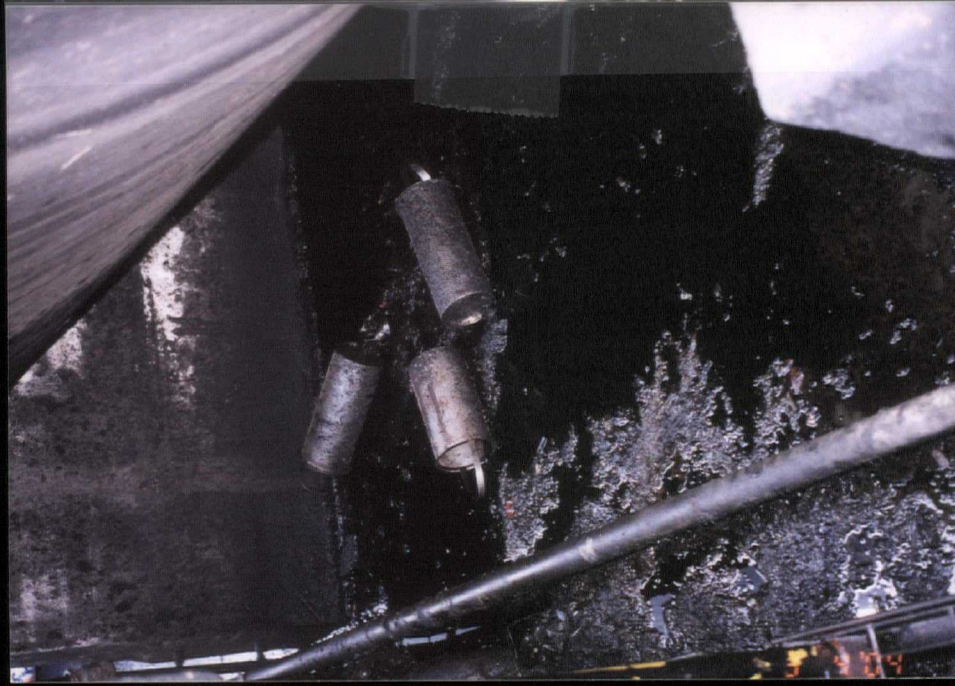
General overview of the site

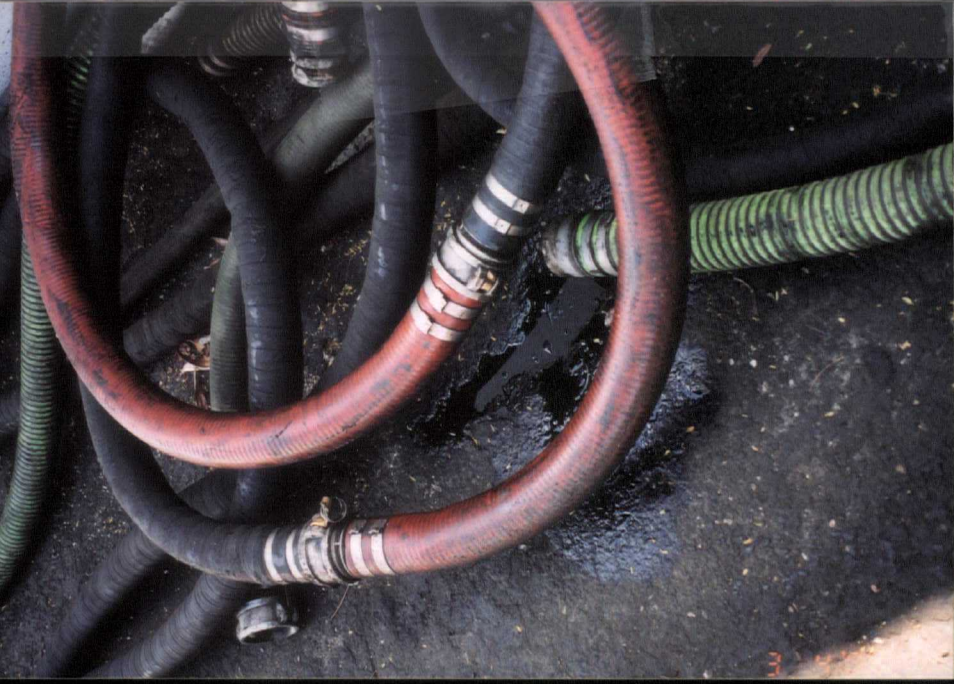
HOWCO
PINELLAS COUNTY

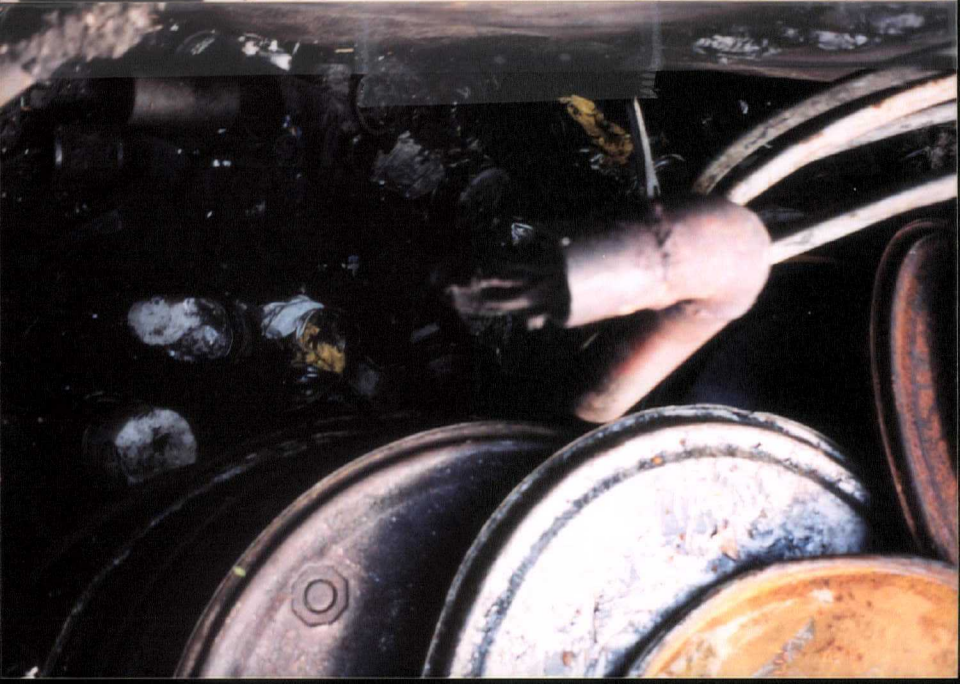
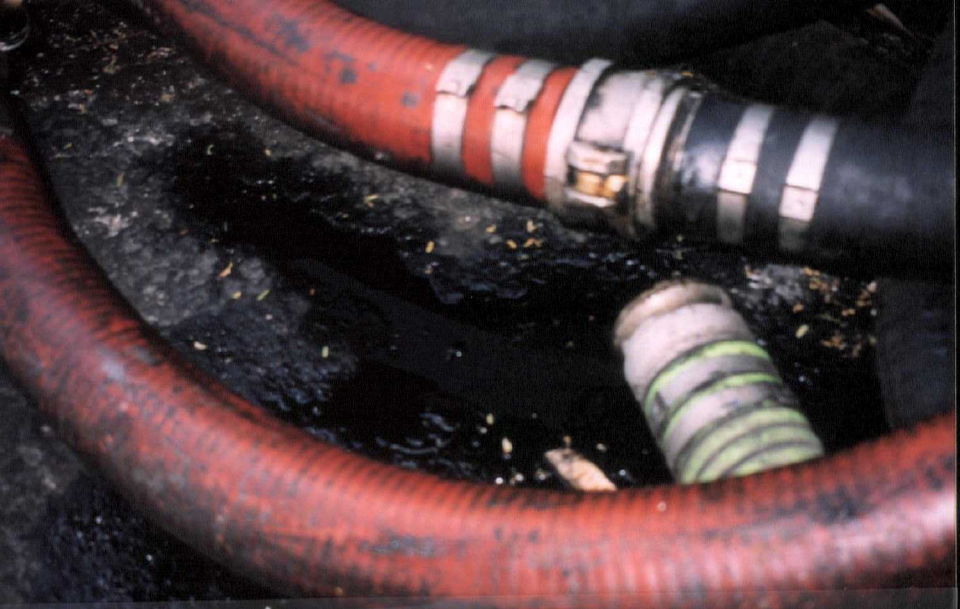
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LR, AG, ST, JD

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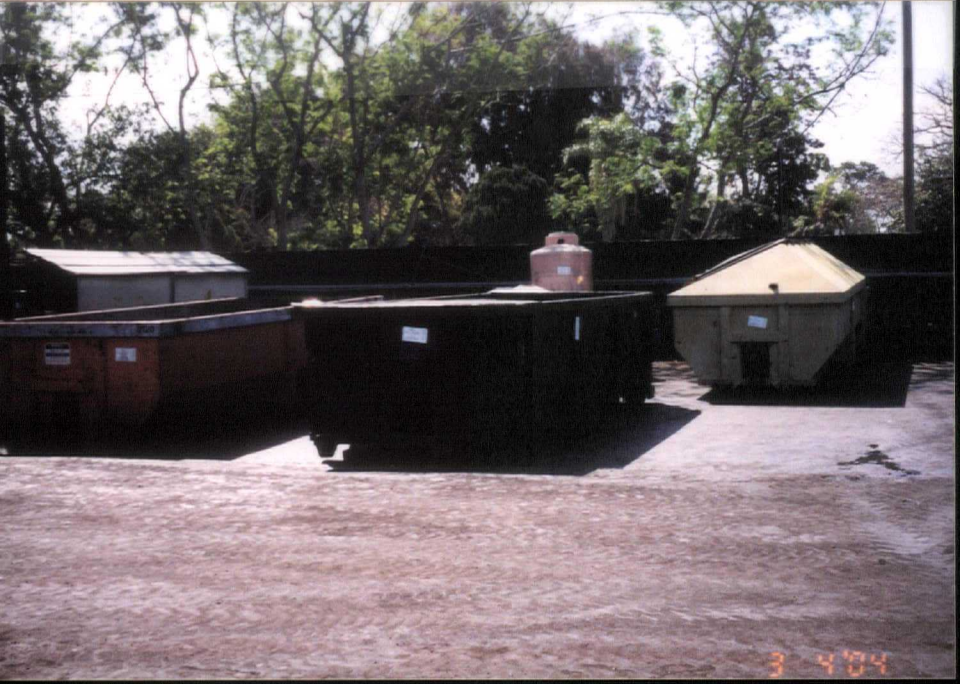
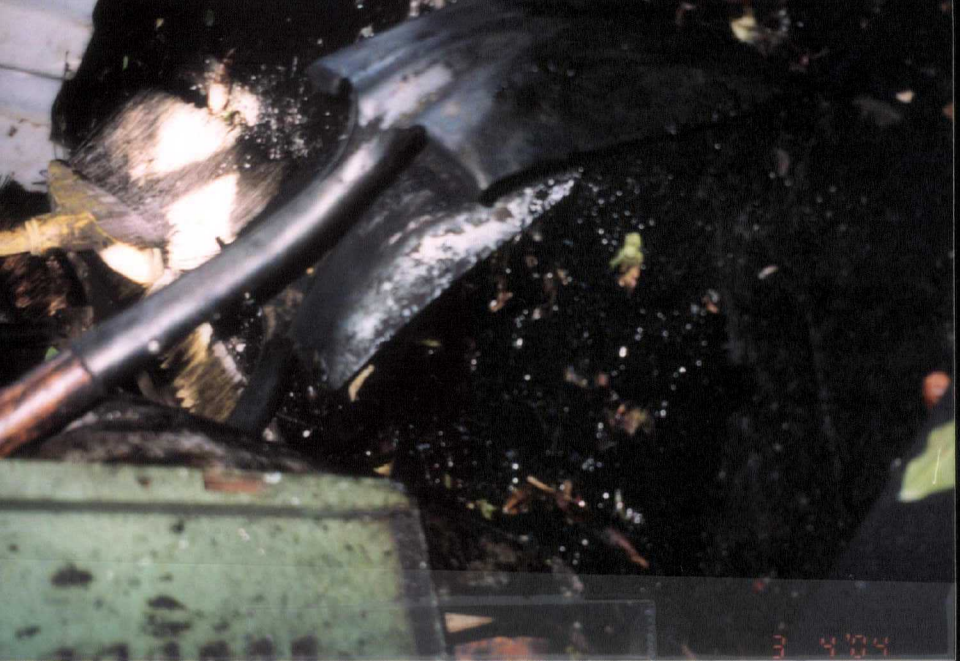
















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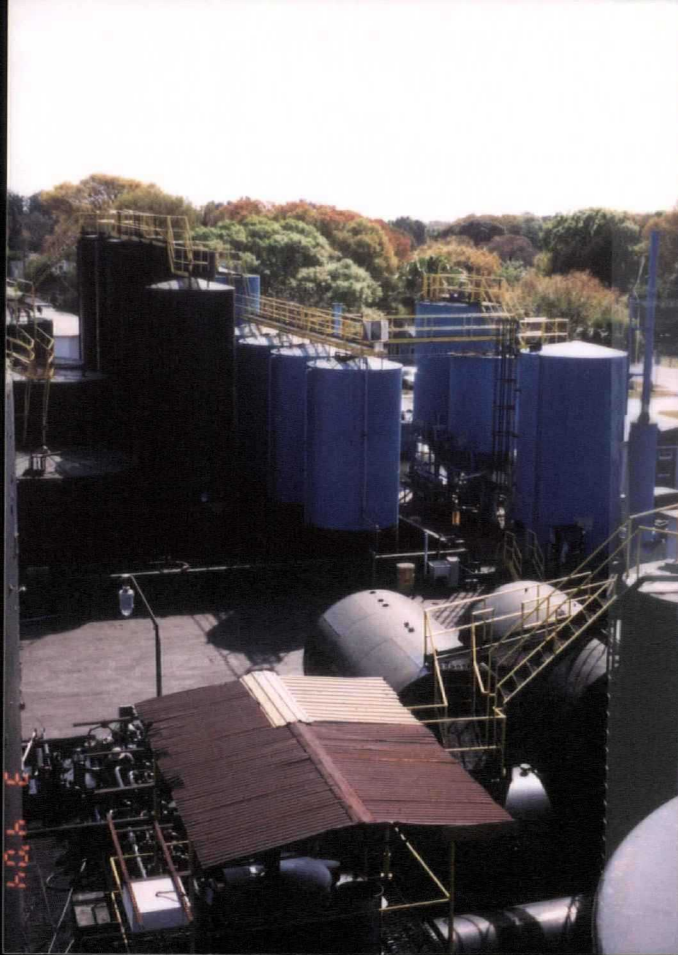
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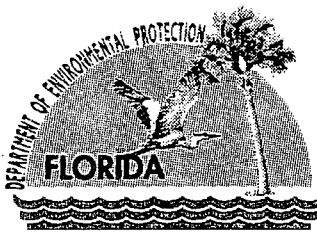






**DO NOT ADD ANY ADDITIONAL
MATERIAL TO THIS FILE.**

BEYOND FFY '05 CEI
AND SFCO



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

July 28, 2005

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

Re: Final Agency Action (Consent Order)
HOWCO Environmental Services
FLD 152 764 767, Pinellas County
OGC File No.: 05-0911

Dear Mr. Hagan:

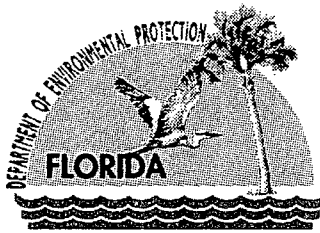
The Department has received your payment totaling \$1,475.00 as stipulated by the Order. The Department is closing the enforcement file associated with the inspection of January 27, 2005.

Sincerely,

William Kutash
Administrator
Division of Waste Management

WK/afg

cc: Jeff Pallas, US EPA Region IV
Kathy Carter, OGC
Steve Ray, HWR Section
Lora Ross, SWD SW Section
Compliance File



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

July 21, 2005

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

SUBJECT: Executed Short Form Consent Order
OGC File No.: 05-0911

Dear Mr. Hagan:

Attached is a copy of the executed Consent Order for the referenced case. In order to close this enforcement case the following must be submitted to the Department by the date indicated:

1. Due August 17, 2005

Submittal of settlement payment of \$1,475.00

Your continued cooperation is appreciated. If you have any questions please call me at (813) 744-6100, extension 372.

Sincerely,

Albert F. Gephart
Engineering Specialist IV
Division of Waste Management

Attachment

cc: Kathy Carter, OGC
Jeff Pallas, US EPA Region IV
Steve Ray, FDEP HWR Section
Compliance File



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

July 11, 2005

Mr. Tim Hagen
Hagan Holding Company (dba HOWCO Environmental Services)
3701 Central Avenue
St. Petersburg, FL 33713

JUL 12 2005

SUBJECT: Proposed Settlement - HOWCO Environmental Services
Pinellas County
OGC File No.: 05-0911

Dear Mr. Hagan:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated March 11, 2005, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed to bring your facility into compliance. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, you are assessed civil penalties in the amount of \$1,375 along with \$100 to reimburse the Department costs, for a total of \$1,475.

The civil penalties are apportioned as follows: a total of \$750.00 for one violation of Florida Administrative Code (FAC) 62-710.850(6), and \$625.00 for violating Specific Condition IV.4.d in the facility's used oil and material processing permit.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. This payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." The payment shall be made within thirty (30) days of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes.

"More Protection, Less Process"

Printed on recycled paper.

Hagan Holding Company (dba HOWCO Environmental Services)
Pinellas County
OGC Case #05-0911

If you do not sign and return this letter to the Department at the District address by July 15, 2005, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely yours,


Deborah A. Getzoff
District Director
Southwest District

FOR THE RESPONDENTS:

I, Tim Hagan, on behalf of Hagan Holding Company, **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**


By: 

Date: 7-18-5

FOR DEPARTMENT USE ONLY

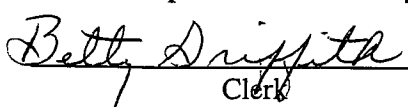
DONE AND ENTERED this 21 day of July, 2005

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Deborah A. Getzoff
District Director
Southwest District

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby Acknowledged.


Clerk

7-21-05
Date

DAG/afg

cc: Kathy Carter – FDEP OGC, Tallahassee

Attachments

2005 NO.2 SFCD



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

May 16, 2005

CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

Mr. Christopher Smart
Carlton Fields Attorneys At Law
Corporate Center Three at International Plaza
4221 W. Boy Scout Boulevard
Tampa, FL 33607-5736

RE: HOWCO Environmental Services
Comments regarding Warning Letter #285070

Dear Mr. Smart:

The Department has reviewed the comments and counter-offer, provided by you in behalf of Mr. Tim Hagan, in your letter dated April 13, 2005, regarding the March 11, 2005, Warning Letter and alleged violations. The following is the Department's response to your letter.

Violation (3). The Department accepts the documentation (submitted on April 12, 2005) supporting the claim that the loading/unloading ramp is an impervious surface and the alleged violation of 62-710.850(6)(a), F.A.C., "Failure to store containers of used oil filters on an impermeable surface," has been deleted.

Violation (4). The Department maintains that this is a violation of 62.710.850(6)(b) F.A.C., "Failure to contain, clean up and properly manage released oil and any subsequent oily waste." Your claim that all work had to stop because there were FDEP inspectors on site, and therefore the release could not be addressed in a timely manner, is not substantiated.

Based on the above, the Penalty Computation Worksheet has been revised. The Department has computed the penalty, using the ELRA guidelines, to be \$2,875.00. Costs and expenses in this case will be \$100.00. A revised short form consent order is attached for Mr. Hagan's signature. If acceptable, Mr. Hagan is to sign the consent order and return it to the Department, at the letter address above, by June 3, 2005.

As further guidance, the Department offers the following in response to your interpretation of "storage." It is the Departments' position that all waste consolidation activities fall within the 62-710 F.A.C. definition of "storage." The dump trailer meets the 40 CFR 260.10 definition of "container." Further, the material was not properly prepared for transport as the container was in violation of 40 CFR 130.21 Packaging requirements: "Each packaging used for the transportation of oil subject to this part must be designed, constructed, maintained, closed, and loaded so that, under conditions normally incident to transportation, there will be no release of oil to the environment." The dump trailer was observed to be

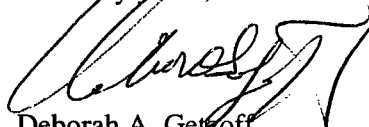
"More Protection, Less Process"

Printed on recycled paper.

leaking oil. The Department also disagrees with your contention on page 3, paragraph 2, that, "The Department does not regulate the staging and loading of transport vehicles as "storage" unless the loaded vehicle remains in a particular location for more than 10 days." Nothing in the rule says that staging waste for less than 10 days is not considered storage. The regulation you cite only places additional registration requirements on facilities that store used oil filters more than 10 days. "Storage" is defined in 40 CFR 261.10 as, "the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of or stored elsewhere." Under 40 CFR 279.1, terms that are defined in 40 CFR 262.10 have the same meaning for purposes of implementing the used oil regulations. The Department believes that the language in 62-710.850(6), F.A.C., is plain: "storage" is "storage" and that "all persons" are required to comply. Contrary to your assertion, the Department has specific authority to enforce DOT requirements for transportation of used oil under the provisions of 40 CFR 279.43(b), which requires all used oil transporters to comply with the provisions of 49 CFR 171 through 180. In regard to comments on page 3 of your letter, the Department believes that you have improperly read 40 CFR 279.45(a). You specifically omitted "storage areas" from the definition of used oil transfer facilities. If "storage" was limited to areas that hold used oil for more than 35 days, there would be no need to include "storage areas" within the definition of transfer facility. Lastly, in paragraph 4 of your letter, the Department notes that the hazardous waste regulations are also specific that the containers must be closed except when actually adding or removing waste from the container. Loading activities were not occurring at the time of the inspection, therefore the trailer should have been covered.

We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely yours,



Deborah A. Getzoff
District Director
Southwest District

DAG/afg

Enclosure

cc: Tim Hagan, HOWCO Environmental Services
Compliance File

REVISED PENALTY COMPUTATION WORKSHEET

Violator's Name: HOWCO Environmental Services FLD 152 764 767

Identify Violator's Facility: 843 43rd Street South; St. Petersburg, Pinellas County, FL 33711

Name of Department Staff Responsible for the Penalty Computations: Al Gephart

ComHaz Case #: 285070

Revision Date: May 13, 2005

	Violation Type	Manual Guide	Florida Statute Citation	Penalty	Multi Day	Other Adjustments	Total
1.	Failure to store used oil filters in sealed containers.	ELRA	403.121(5)	\$500	---	\$500	\$1,000
2.	Failure to properly label containers of used oil filters.	ELRA	403.121(5)	\$500	---	\$250	\$750
3.	Failure to store containers of used oil filters on an impermeable surface.		[DELETED]		---	---	
4.	Failure to contain, clean up and properly manage released oil and oily waste.	ELRA	403.121(5)	\$500	---	---	\$500
5.	Failure to properly label vibrascreen solids container.	ELRA	403.121(5)	\$500	---	\$125	\$625
Total Penalty for all Violations:							\$ 2,875

Multi Day penalties were not selected as it was not possible to determine the number of days out of compliance.

For citation (1) above [62-710.850(6)(a), FAC, failure to seal or otherwise protect from the weather, containers of U.O.F], an additional 100% was added because there have been four previous violations [403.121(7)(c), F.S.].

For citation (2) above [62-710.850(6)(a), FAC, failure to properly label containers, "Used Oil Filters"] an additional 50% was added because there were two previous used oil filter labeling violations [403.121(7)(b), F.S.].

~~Citation (3) above [62-710.850(6)(a), FAC, failure to store containers of used oil filters on an impermeable surface], the penalty assessment cited is in 403.121(4)(b), F.S., failure to install, maintain, or use a required pollution control system or device. [DELETED]~~

Citation (4) corresponds to 62-710.850(6)(b), FAC, failure to contain, clean up and properly manage released oil and oily waste.

For citation (5) above (failure to comply with Specific Condition IV.4.d in the facility's operating permit) an additional 25% was added because there was one previous vibrascreen labeling violation [403.121(7)(a), F.S.].



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

May 16, 2005

Mr. Tim Hagen
Hagan Holding Company (dba HOWCO Environmental Services)
3701 Central Avenue
St. Petersburg, FL 33713

SUBJECT: Proposed Settlement - HOWCO Environmental Services
Pinellas County
OGC File No.: 05-0911

Dear Mr. Hagan:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated March 11, 2005, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed to bring your facility into compliance. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, you are assessed civil penalties in the amount of \$2,875 along with \$100 to reimburse the Department costs, for a total of \$2,975.

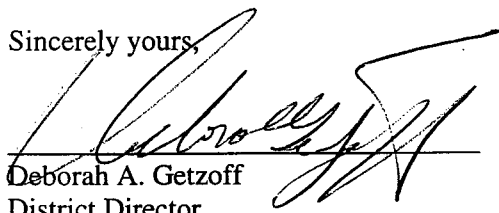
The civil penalties are apportioned as follows: a total of \$2,250.00 for three separate violations of Florida Administrative Code (FAC) 62-710.850(6), and \$625.00 for violating Specific Condition IV.4.d in the facility's used oil and material processing permit.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. This payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." The payment shall be made within thirty (30) days of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes.

If you do not sign and return this letter to the Department at the District address by June 3, 2005, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely yours,


Deborah A. Getzoff
District Director
Southwest District

FOR THE RESPONDENTS:

I, Tim Hagan, on behalf of Hagan Holding Company, **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: _____

Date: _____

.....
FOR DEPARTMENT USE ONLY

DONE AND ENTERED this _____ day of _____, 2005

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Deborah A. Getzoff
District Director
Southwest District

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby Acknowledged.

Clerk

Date

DAG/afg

cc: Kathy Carter – FDEP OGC, Tallahassee

Attachments

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

March 11, 2005

Colleen M. Castille
Secretary

CERTIFIED MAIL 7004 0750 0003 0518 0448
RETURNED RECEIPT REQUESTED

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

RE: HOWCO Environmental Services
EPA ID# FLD 152 764 767
Warning Letter #285070
Pinellas County

Dear Mr. Hagan:

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 joint hazardous waste and solid waste program field inspection conducted on January 27, 2005, indicates that violations of Florida Statutes and Rules may exist at the above referenced 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.

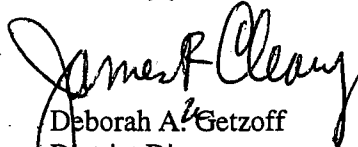
Section 403.727, Florida Statutes (F.S.) provides that it is a violation to fail to comply with rules adopted by the Department. The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Department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

You are requested to contact Al Gephart at (813) 744-6100, extension 372, 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.

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 a Consent Order that will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In 2001 the Florida Legislature enacted the Environmental Litigation Reform Act (ELRA)(2001 Fla. Laws, Ch. 258). ELRA is now codified in Section 403.121, Florida Statutes (FS). ELRA is an efficient means of resolving smaller environmental cases in Administrative Court.

ELRA sets specific penalty amounts for violations covered under the Act. The Department has computed the penalty, using the ELRA guidelines, to be \$6,875.00. Costs and expenses in this case will be a minimum of \$100. If this matter cannot be resolved within 90 days, 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.

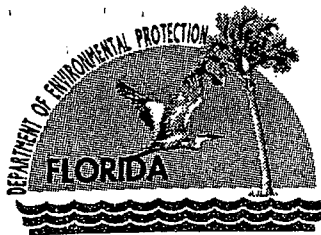
Sincerely yours,


Deborah A. Getzoff
District Director
Southwest District

DAG/afg

Enclosure

cc: Steve Ray, HWR Section
Lora Ross, SWM, SWD
Compliance File



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

HAZARDOUS WASTE INSPECTION REPORT

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

FACILITY NAME: HOWCO Environmental Services DEP/EPA ID #: FLD 152 764 767

STREET ADDRESS: 843 43rd Street South; St. Petersburg, FL 33711

MAILING ADDRESS: 3701 Central Avenue; St. Petersburg, FL 33713

COUNTY: Pinellas PHONE: (727) 327-8467 DATE: 01/27/05 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:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

CURRENT STATUS:

- ☐ non-handler
- ☒ CESQG (<100 Kg per month)
- ☐ SQG (100 Kg - 1000 Kg per month)
- ☐ LQG (>1000 Kg per month)
- ☒ transporter registration
- ☐ transfer facility
- ☐ interim status TSDF
- ☐ permitted TSDF
- ☐ unit types:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

2. APPLICABLE REGULATIONS:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> 40 CFR 261.5 | <input checked="" 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 checked="" type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 273 |
| <input checked="" type="checkbox"/> 40 CFR 279 | <input checked="" type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-730, FAC | <input checked="" type="checkbox"/> 62-740, FAC |

3. RESPONSIBLE OFFICIAL:

Tim Hagan, President

4. INSPECTION PARTICIPANTS:

Al Gephart - FDEP

Lora Ross - FDEP

Kelly Honey - FDEP

Richard Dillen - HOWCO

5. LATITUDE/LONGITUDE: 27°45'41.6" / 82°41'32.5"

6. SIC CODE: 2999

7. TYPE OF OWNERSHIP: PRIVATE FEDERAL STATE COUNTY MUNICIPAL

8. PERMIT #: 92465-HO06-001 ISSUE DATE: 08/03/2000 EXP. DATE: 08/03/2005

"More Protection, Less Process"

Printed on recycled paper.

9. PROCESS DESCRIPTION:

HOWCO Environmental Services is a used oil and material processing facility that stores, processes and markets used oil. The 3.2 acre site contains an oil processing facility, an industrial wastewater pretreatment facility, storage tanks, vehicle maintenance garage and an on-site analytical laboratory. Administrative personnel and facility operating records are located and maintained at the Central Avenue office.

The facility receives used oil, industrial wastewater, petroleum contact water (PCW), antifreeze, used oil filters, oily solids, industrial solids and petroleum contaminated solids. The processing of solid wastes is overseen by the Department's Solid Waste Management Section that also participated in this inspection. According to Mr. Hagan, the facility does not accept off-spec used oil or hazardous waste. On occasion, HOWCO may act as a broker for the disposal of hazardous waste for some clients. The hazardous waste that is brokered is transported directly from the generator to the disposal facility by a registered hazardous waste transporter. HOWCO routinely collects waste antifreeze from its customers. Facility personnel advised the inspectors that all of the antifreeze received at the facility is shipped to an antifreeze recycler.

The majority of used oil, used oil filters and oily wastes are brought into the facility by HOWCO trucks, common carriers and independent oil transporters. Used oils collected by HOWCO trucks are initially screened by the drivers at the pick-up site using a halogen "sniffer". Used oils arriving at the facility are also sampled and analyzed in the facility's on-site laboratory prior to unloading. A representative sample of each incoming shipment is taken, using a bailer, and tested for total halogens using a bench top 200T x-ray analyzer. If the analysis indicates the halide concentration is less than 999 ppm, the used oil is pumped into the tank farm. If total halogens are greater than 999 ppm the load is rejected unless the total halogens are less than 4,000 ppm and a rebuttable presumption is made. Used oils shipped to the facility by other vendors are required to include a manifest describing the material.

Upon arriving at the site, the inspectors were advised that HOWCO had instituted new safety policies and that everyone would need hard hats, safety glasses and safety vests. These were provided by the facility prior to entry. While waiting for the safety equipment, it was observed that facility personnel were inspecting each of the 55-gallon drums of used oil filters in storage and placing labels on those not properly labeled. Once the inspectors were given access, the drum storage area on the south side of the property, west of the used oil filter crusher, was inspected. Of approximately 125 drums, 21 were not labeled properly. This is improper storage of used oil filters and is a *repeat* violation of 62-710.850(6)(a), FAC.

There was one container of wastewater treatment sludge (WWTS) stored near the WWTS press. The sludge was sampled to demonstrate the annual non-hazardous status of the waste stream. However, the samples were not refrigerated properly and could not be used. The facility will sample a future batch for the annual determination. The Department advised the facility to dispose of the existing waste as non hazardous based on the previous annual demonstration.

Crushed and uncrushed used oil filters are received and stored in either drums, roll-off boxes or dump trailers. The uncrushed used oil filters are conveyed to a used oil filter crusher. The used oil from draining the filters is collected in a drip pan under the filter crusher and is pumped to an adjacent storage tank. The tank was properly labeled, "Used Oil." Periodically, the oil from the storage tank is removed

and pumped into one of the facility's used oil storage tanks to be re-processed. During the inspection, the facility's used oil filter crusher was not operational.

Solid waste managed at the facility includes oily solid waste generated by HOWCO and its clients. Solid wastes generated by HOWCO includes solids from the vibrascreen, tanker trucks, cone-bottom tank, oily solid batch treatment tank and storage tanks at the facility. The wastes are managed as non-hazardous waste. The waste solids are sampled and analyzed once per year to demonstrate that the waste is non-hazardous. For incoming solid wastes, each client is to provide the necessary non-hazardous waste determination. A review of the sampling records indicated that the solid wastes were non-hazardous. The solid wastes are bulked and sent to an approved thermal facility or a licensed landfill for disposal. The oily solids may be placed in drums, roll-off boxes, decontamination boxes or other containers for storage. At the time of the inspection, there were three (3) roll-off boxes being stored in the Solids Storage and Sludge Separation Areas. Two contained solid waste, the third was empty. Both of the full containers were covered and labeled. However, when placing sludge in one of the containers the liner must have slid down slightly. Facility personnel were advised to use caution when placing solid waste in the lined roll-off box so that the liner remains in position.

Just north of Tanks #110 and #111, the facility has constructed a below ground loading/unloading dock to unload containers of solid waste and used oil filters. There was a dump trailer of used oil filters stored on the earthen surface. This is a violation of **62-710.850(6)(a), FAC**. The tarp used to cover the dump trailer to protect the contents from the weather did not completely cover the top of the trailer. This is a violation of **62-710.850(6)(a), FAC**. Also, the inspectors observed staining of the soil just east of this area from the loading of used oil filters and there was used oil observed dripping out of the back tail gate of the trailer onto the soil. These are violations of **62-710.850(6)(b), FAC**. Facility personnel were advised to clean up the area and dispose the stained material appropriately. Facility personnel were also reminded that since there is no secondary containment, the loading/unloading dock cannot be used to store trucks containing solid waste, used oil or used oil filters. The facility must also depict this loading/unloading dock in its facility site diagram and submit the diagram to the Department for inclusion in the facility's permit application.

The HOWCO tank farm consists of 47 aboveground storage tanks in five separate containment areas. Eighteen (18) of the tanks (approximate capacity of 339,420 gallons) in containment Areas #1 and #2 are used to store used and re-refined used oil. The tanks have secondary containment consisting of oil impermeable concrete surfaces on the walls and floors to contain oil spills. In general, facility personnel have done a very good job in cleaning and power washing the containment areas. An **Area of Concern** to the inspectors is that the sealant on the cement in the secondary containment in the processing area and south of Tanks #130 thru #135 is peeling off. This was mentioned in the last inspection and is repeated here. The Department requests that Mr. Hagan conduct an assessment of the secondary containment in the processing area to determine if it still meets the impermeable surface standards in Florida's used oil processor rules. It is also requested that the conclusions drawn from the assessment be submitted to the Department.

Used oil is processed utilizing either the Flash Tower or the Cooker Process. In the Flash Tower process the used oil is pumped to a vibrascreen for removal of solids and then heated to flash-off the water. Used oil processed in the Cooker process is pumped to Tank #100 or Tank #101 for thermal/chemical treatment. A de-emulsifier is added to the oil and the mixture is heated. The heated oil is then allowed to cool to facilitate the separation of water. Water that is recovered from these processes is treated in the facility's wastewater pretreatment plant prior to being discharged to the City of St. Petersburg POTW. The light ends from the Flash Tower are pulled-off and blended into processed oil tanks during the

batching process. Facility personnel use a vacuum truck to remove the solids collected from the vibrascreen and then adds them to Tank #110 or Tank #111. The solids from these tanks are tested annually to ensure that they are not a hazardous waste. Upon inspection, the inspectors observed that the receiving drum containing solids from the vibrascreen had a label but it did not have the words, "Screen Filter Residue", as required. This is a violation of **Specific Condition IV.4.d** in the facility's operating permit. Facility personnel were advised to check and maintain labels to ensure that they are in good condition and labeled properly.

Wastewater, including petroleum contact water (PCW), industrial wastewater, rainwater collected in secondary containment areas and water from the re-refining of used oil is accumulated and stored in aboveground storage tanks #151-155, #160-166, #170, #180, #191 and #192. The wastewater is treated in the pre-treatment system prior to discharging to the City of St. Petersburg POTW. Any oil recovered from the tanks by gravity separation is pumped back to the used oil tank farm for processing. The facility stores its wastewater treatment chemicals at the east end of the site. The area was clean indicating that housekeeping has improved in this area.

The fire and emergency equipment are inspected monthly and are tested annually. The inspection records were reviewed and found to be complete. Located east of the truck wash rack is the facility's emergency trailer consisting of absorbents, blankets and booms. The trailer was orderly and contained sufficient amounts of emergency equipment.

In the vehicle maintenance garage area were observed one (1) 55-gallon drum for used oil filters generated on-site and one (1) parts washing machine. The drum of used oil filters was properly labeled, "Used Oil Filters". According to the maintenance staff, the spent parts washer solution is disposed by mixing it in with the facility's used oil. A waste determination had been made on the waste solvent in May 2004 and it was found to have the toxicity characteristic. If the spent parts washer solvent is hazardous, it can only be mixed with the facility's used oil when the facility is a conditionally exempt small quantity generator of hazardous waste. The facility is advised to review its generator status prior to mixing the spent solvent with its used oil to determine proper management.

Evacuation routes were posted at various locations and the emergency phone numbers were posted next to the phones.

The tanks and related piping are inspected monthly. The monthly inspection logs were reviewed and found to be complete. HOWCO is current on its liability and financial assurance requirements and current in required documents and recordkeeping. HOWCO employees receive training as outlined in the company's "Used Oil Training Program". The company's employees are provided initial and annual refresher training. The training records were reviewed and found to be complete. However, facility personnel are due for the 2005 annual training.

Incoming and outgoing manifests for used oil, used oil filters, crushed used oil filters, petroleum contact water and antifreeze are kept by HOWCO at its Central Avenue office for at least three years.

This compliance inspection did not address the facility's compliance with state and federal transporter rules and regulations. This will be conducted on a future inspection date.

10. SUMMARY OF ALLEGED VIOLATIONS:

62-710.850(6)(a), FAC

Failure to seal, or otherwise protect from the weather, containers of used oil filters. (*Repeat Violation*).

Failure to properly label containers, "Used Oil Filters." (*Repeat Violation*).

Failure to store containers of used oil filters on an impermeable surface.

62-710.850(6)(b), FAC

Failure to contain, clean up and properly manage released oil and oily waste.

Specific Condition IV.4.d

Failure to properly label the container receiving solids from the vibrascreen, "Screen Filter Residue". (*Repeat Violation*).

11. RECOMMENDED CORRECTIVE ACTIONS:

62-710.850(6)(a), FAC

Effective immediately and henceforth, the facility shall ensure that used oil filters are stored in containers that are sealed or otherwise protected from the weather, stored on impermeable surfaces and properly labeled.

62-710.850(6)(b), FAC

Effective immediately and henceforth, the facility shall ensure that all released used oil and oily waste are cleaned up and properly managed.

Specific Condition IV.4.d

Effective immediately and henceforth, the facility shall ensure that the container receiving the solids from the vibrascreen is properly labeled, "Screen Filter Residue".

Report Prepared By: _____

Al Gephart
Al Gephart
Engineer IV

Report Reviewed By: _____

Kelly Honey
Kelly Honey
Environmental Specialist II

Report Reviewed By: Lora Ross
Lora Ross
Environmental Specialist I

Report Approved By: Elizabeth Knauss Date 3/8/05
Elizabeth Knauss
Environmental Manager

PENALTY COMPUTATION WORKSHEET

Violator's Name: HOWCO Environmental Services FLD 152 764 767

Identify Violator's Facility: 843 43rd Street South; St. Petersburg, FL 33711

Name of Department Staff Responsible for the Penalty Computations: Al Gephart

ComHaz Case #: 285070

Date: March 8, 2005

	Violation Type	Manual Guide	Florida Statute Citation	Penalty	Multi Day	Other Adjustments	Total
1.	Failure to store used oil filters in sealed containers.	ELRA	403.121(5)	\$500	---	\$500	\$1,000
2.	Failure to properly label containers of used oil filters.	ELRA	403.121(5)	\$500	---	\$250	\$750
3.	Failure to store containers of used oil filters on an impermeable surface.	ELRA	403.121(4)(b)	\$4,000	---	---	\$4,000
4.	Failure to contain, clean up and properly manage released oil and oily waste.	ELRA	403.121(5)	\$500	---	---	\$500
5.	Failure to properly label vibrascreen solids container.	ELRA	403.121(5)	\$500	---	\$125	\$625
Total Penalty for all Violations:							\$ 6,875

Multi Day penalties were not selected as it was not possible to determine the number of days out of compliance.

For citation (1) above [62-710.850(6)(a), FAC, failure to seal or otherwise protect from the weather, containers of U.O.F], an additional 100% was added because there have been four previous violations [403.121(7)(c), F.S.].

For citation (2) above [62-710.850(6)(a), FAC, failure to properly label containers, "Used Oil Filters"] an additional 50% was added because there were two previous used oil filter labeling violations [403.121(7)(b), F.S.].

Citation (3) above [62-710.850(6)(a), FAC, failure to store containers of used oil filters on an impermeable surface], the penalty assessment cited is in 403.121(4)(b), F.S., failure to install, maintain, or use a required pollution control system or device.

Citation (4) corresponds to 62-710.850(6)(b), FAC, failure to contain, clean up and properly manage released oil and oily waste.

For citation (5) above (failure to comply with Specific Condition IV.4.d in the facility's operating permit) an additional 25% was added because there was one previous vibrascreen labeling violation [403.121(7)(a), F.S.].

Inspectors: Gephart / Honey / Ross
Date: January 27, 2005

INSPECTION CHECKLIST

HOWCO Environmental Services
843 43rd Street South
St. Petersburg, FL 33711
FLD 152 764 767

Permit No.	92465-HO06-001	Renewal Application
Issued	08/03/00	Due 6/4/05
Expires	08/03/05	

Last Inspection 3/04/04

Used Oil and Material Processing Facility

47 Aboveground Storage Tanks (See Tables 3-1, 3-2 and 3-3 for descriptions of contents).

GC General Conditions

- GC.2 Have there been any changes in processes or operations? *FACILITY USING UNLOADING RAMP FOR STORAGE OF USED OIL FILTERS. UNLOADING DOCK IS EARTHEN AND NOT AN APPROVED STORAGE AREA.* ☒ Y ☐ N
- GC.12 A copy of the operating permit is maintained at the facility. ☒ Y ☐ N
- GC.14 Operating records contain the required information: ☒ Y ☐ N
- Date, Place and Time of sampling or analyses;
 - Person performing the sampling or analyses;
 - Analytical techniques or methods used;
 - Results of the analyses.

SC Specific Conditions

Part I. General

- I.11 The facility has submitted its annual registration *for 2004 by March 1.* ☒ Y ☐ N
- I.12 Were any shipments of used oil refused due to suspected mixing with hazardous waste? (Any oil analyses pass or fail must be kept for 3 yrs.) ☐ Y ☒ N

Part II. Used Oil Processing

- II.3 Only permitted waste streams are processed at the facility. ☒ Y ☐ N
- Automotive crankcase oil, transmission and differential oil;
 - Oil/water emulsion from ships, barges and other sources;
 - Automotive oils recovered from oil/water separators;
 - Virgin oils contaminated with water;
 - Virgin oils recovered from tank cleaning and tank removals;
 - Used industrial oil.

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ALL ANTIFREEZE
 RECYCLED
Y N

II.4 Generators supply initial TCLP analysis (or generator knowledge statement) of waste antifreeze. (Check facility files for certifications.)

II.6 The following records are maintained at the facility or the Central Ave. office.

- Permit application; Y N
- Operating permit; Y N
- Manifests and Bill-of-Lading of all shipments; Y N
- Shipping papers include all of the required information as stated in 40 CFR 279.56 (Acceptance / Delivery); Y N
- Training records; Y N
- Inspection records; Y N
- Closure Plan; Y N
- Results of Waste Analyses; Y N
- Annual used oil recovery reports; Y N
- Validated annual used oil registration form. Y N

II.8 Processed oil is sampled prior to shipping off-site *once every two weeks*.

Y N

Part III. Tanks

III.1 Used oil tanks and containers are labeled "Used Oil".

Y Y

III.2 Regulated tank systems are inspected monthly.

Y N

III.3 Records are maintained for inspections and monthly release detection monitoring for process and storage tanks.

Y N

III.5 Secondary containment areas are sealed and free of cracks.

Y N

DRUM STORAGE AREAS WILL NEED ATTENTION - STARTING TO DETERIORATE

III.6 The areas of secondary containment provide containment for at least 110 % of the volume of the largest tank.

Y N

III.8 Spilled or leaked waste is removed from containment areas within 3 days of the incident.

Y N

Accumulated precipitation is removed within 1 week after a rainfall event using manually controlled pumps.

Y N

Part IV. Solid Waste Processing

IV.1 Non-hazardous materials that are accepted, processed, stored or otherwise managed are limited to -

Y N

- Petroleum contaminated soil;
- Petroleum contaminated sorbent materials (pads, booms, rags, vermiculite);
- PPE;
- Debris from spill cleanup;
- Petroleum tank bottom sludges from tanks, pits and sumps;
- Petroleum contaminated water;

**HOWCO Environmental Services
Compliance Evaluation Inspection Checklist**

- Petroleum contact water;
- Petroleum contaminated sediments sludges and liquids from oil/water separators at car washes;
- Empty petroleum contaminated drums, pails, gas tanks and fuel filters;
- Non-liquid waste streams from on-site oil processing and wastewater pretreatment facilities.

Household hazardous wastes or wastes from a CESQG are NOT managed as solid waste at the facility.

☒ Y ☐ N

IV.3 Processing equipment is repaired within one week of becoming inoperable.

☒ Y ☐ N

Operations **DO NOT** change the chemical characteristics of any of the solid materials.

☒ Y ☐ N

IV.4 Each solid waste stream is sampled and analyzed at least annually.

☒ Y ☐ N

** LAST SAMPLES WERE RUINED DURING SHIPMENT TO LAB
FACILITY NEEDS TO RE-SAMPLE WASTE STREAMS*
Records are available of annual WWTs sampling and analyses.

☐ Y ☐ N

Records are available of annual oil-extracted sludge (OES) sampling and analyses.

☒ Y ☐ N

Vibratory screen filter solids are containerized, properly sealed and labeled, "Screen Filter Residue".

☐ Y ☒ N

CONTAINER HAD A LABEL BUT NOT IDENTIFIED AS SCREEN FILTER Residue

All tank bottom sludges and screen filter residues are transferred to Tanks 110 or 111 for further processing. (If not, the facility must have records of waste determinations on these streams.)

☒ Y ☐ N

The facility has notified the Department within 3 days prior to sampling any solid waste streams.

☒ Y ☐ N

The facility has records of hazardous waste determinations from each generator for all solid waste streams received.

☒ Y ☐ N

The determinations are updated annually.

☒ Y ☐ N

IV.5 All outgoing materials for disposal are sampled and analyzed annually.

☒ Y ☐ N

IV.6 Storage of solid waste is at or below 22,000 gallons.

☒ Y ☐ N

Where 15 yd³ = 3,030 gallons

20 yd³ = 4,040 gallons

Processed solids are stored in covered, lined, roll-off containers or covered drums and stored on an impervious surface. *FACILITY PERSONNEL NEED TO BE CAREFUL WHEN FILLING SO LINERS DON'T SLIDE DOWN INSIDE ROLL-OFF BOX*

☒ Y ☐ N

All processed and unprocessed solid wastes are stored within the Solids Storage and Sludge Separation Areas.

☒ Y ☐ N

IV.7 All materials are processed on impervious surfaces, tanks or containers.

☒ Y ☐ N

HOWCO Environmental Ser.
Compliance Evaluation Inspection Checklist

- Containers of processed wastes are labeled "Processed Solids" or "Processed Solid Waste". ☒ Y ☐ N
- There is no evidence of liquids or solids being discharged outside of the Solids Storage and Sludge Separation Areas. *USED OIL FROM UOF* ☐ Y ☒ N
- Solid wastes (liquids, sludges, solids, etc.) are only managed within containers, NOT on the ground, on the asphalt or on the concrete areas. *UOF stored on dirt* ☐ Y ☒ N
- The Solids Storage and Sludge Separation Areas are inspected monthly. ☒ Y ☐ N
- IV.9 The facility maintains the following waste records:
- The amount of waste received, stored, processed and disposed [Quantities of drums received (gallons), an estimate of the percentage of solids and liquids in each drum, the quantities of bulk liquids received (gallons), the quantities of bulk solids received (tons), and the quantities of liquids (gallons) and solids (tons) disposed and stored on site]; ☒ Y ☐ N
 - A signed waste profile form and analytical data for each waste stream accepted at the facility or for virgin materials, a waste material profile sheet and MSDS; ☒ Y ☐ N
 - The pre-burn analysis for each shipment of contaminated soil received that will be transferred to a soil treatment facility; ☒ Y ☐ N
 - The pre-acceptance analyses or waste determinations; ☒ Y ☐ N
 - Copies of any analyses required by a disposal facility as a condition of acceptance and documentation of acceptance; ☒ Y ☐ N
 - Monthly Waste Inspection/Corrective Action logs; ☒ Y ☐ N
 - Copies of permits for facilities that receive the processed solids. ☒ Y ☐ N
- Monthly compilations are submitted quarterly of the following:
- Material balance (quantities received versus quantities disposed or in storage); ☒ Y ☐ N
 - Name and location of disposal or treatment facility for all solid wastes removed from the facility. ☒ Y ☐ N
- IV.10 All areas are cleaned to prevent nuisance conditions, hazardous conditions, odor or vector problems. ☒ Y ☐ N
- IV.12 The facility is in compliance with Financial Assurance requirements.
- Closure costs are submitted annually prior to August 3; ☒ Y ☐ N
 - Annual submittal of proof of financial assurance. ☒ Y ☐ N
- Part V. Contingency Plan
- V.2 Emergency and spill equipment is available at the facility. ☒ Y ☐ N
- Check the emergency equipment stored east of the truck wash rack and at the drum crusher.

**HOWCO Environmental Services
Compliance Evaluation Inspection Checklist**

V.3,4 Emergency and safety equipment is available, tested and maintained. ☒ Y ☐ N

V.5 There is adequate aisle space in all storage areas for inspections. ☒ Y ☐ N

V.6 Primary evacuation routes are posted in appropriate locations throughout the facility. ☒ Y ☐ N

V.7 A copy of the Contingency Plan is maintained on-site. ☒ Y ☐ N

The following are still the Emergency Coordinators: *Needs revision due to personnel turnover*
David Roehm Primary ☐ Y ☒ N
Tim Hagan Alternate

A list of emergency response phone numbers is posted by the phones. ☒ Y ☐ N

The Contingency Plan was last amended on (date) 7-21-99

Amendments to the CP are sent to appropriate agencies. ☒ Y ☐ N

Part VI. Training

VI.1,2 The Company's "Used Oil Training Program" is given initially and annually thereafter. ☒ Y ☐ N

Personnel training is documented. 1/15/04
Done for TRAINING ☒ Y ☐ N

Part VII. Closure

VII.1 The facility maintains a copy of the Closure Plan. ☒ Y ☐ N

Used Oil Filter Processing (62-710.850, F.A.C.)

62-710.850(4) The facility has current registration certificates for -
• Used Oil Filter Transporter ☒ Y ☐ N
• Used Oil Filter Processor ☒ Y ☐ N

62-710.850(5) The facility has records indicating the destination or end use of the processed used oil filters and the Name and Address of each destination or end user. ☒ Y ☐ N

The facility has submitted its annual report *For 2004* ~~by March 1.~~ ☒ Y ☐ N

62-710.850(6) All used oil filters are stored in -
• Above ground containers on impermeable surfaces; ☐ Y ☒ N
• Sealed containers that are in good condition; ☐ Y ☒ N
• Containers labeled, "Used Oil Filters". ☐ Y ☒ N

Upon detection of any leaking oil from a container the oil is contained, cleaned-up and managed properly. ☐ Y ☒ N

HOWCO Environmental Ser
Compliance Evaluation Inspection Checklist

Petroleum Contact Water (62-740, F.A.C.)

62-740.300(2) The following records are maintained at the facility:

☒ Y ☐ N

- Name and address of producer;
- Name and address of transporter;
- Date of receipt of the PCW shipment;
- Volume of PCW received;
- A copy of the shipping paper;
- Weekly container or tank inspections.

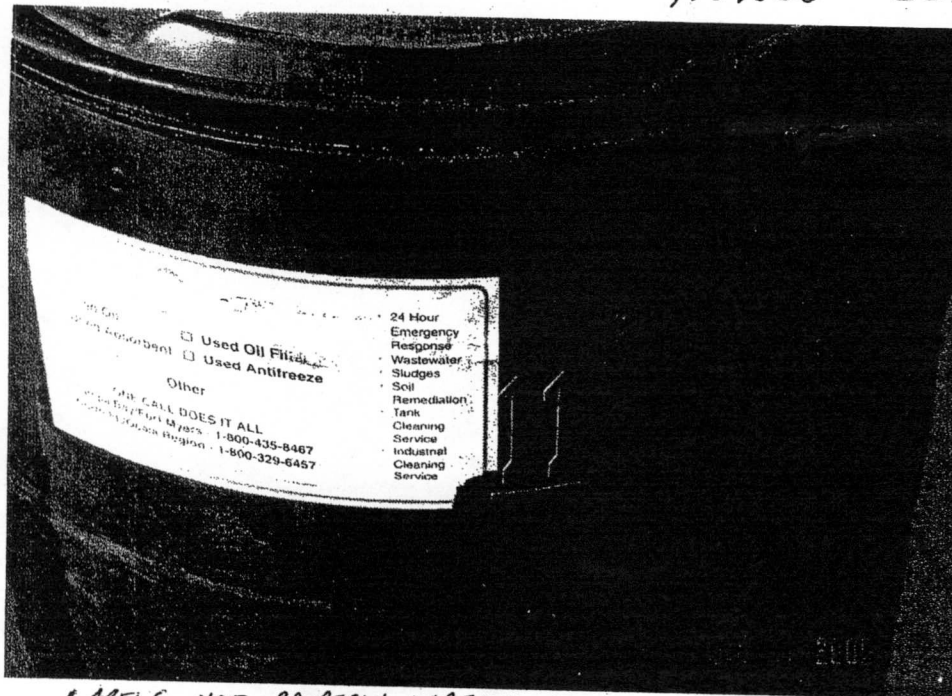
62-740.300(4) The facility has written assurance from the producer that the PCW is non-hazardous.

☒ Y ☐ N

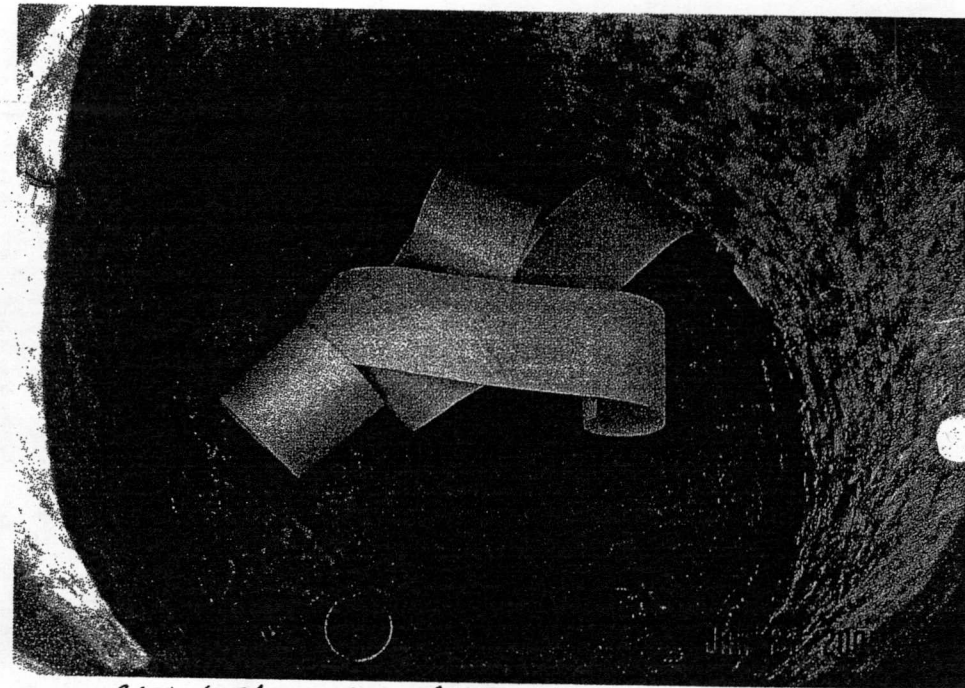
DOCUMENTS AND RECORDKEEPING

<input checked="" type="checkbox"/> Permit Application.	<input checked="" type="checkbox"/> Operating Permit.
<input checked="" type="checkbox"/> Validated Annual Used Oil Registration [Form 62-701.900(13)].	<input checked="" type="checkbox"/> Annual Used Oil Recovery Report. 2004
<input checked="" type="checkbox"/> Annual DEP Registration Placard For Storage Tanks.	<input checked="" type="checkbox"/> Contingency Plan.
<input checked="" type="checkbox"/> Training Logs. 1/15/04 DUE FOR TRAINING	<input checked="" type="checkbox"/> Closure Plan.
<input checked="" type="checkbox"/> Results of Annual Waste Analyses For All Solid Waste Streams <i>Disposed</i> .	<input checked="" type="checkbox"/> Transporter Liability Insurance [\$100,000 minimum].
<input checked="" type="checkbox"/> Results of Annual Waste Analyses For All Solid Waste Streams <i>Received</i> From Generators.	<input checked="" type="checkbox"/> Monthly Inspection Logs Of The Solids Storage and Sludge Separation Areas.
<input checked="" type="checkbox"/> Processed Oil Sampling Logs [Minimum Of One Sample Every Two Weeks].	<input type="checkbox"/> Annual Analyses Of WWT and OES Sludges. <i>NEED TO BE RE-SAMPLED</i>
<input checked="" type="checkbox"/> Tank Inspections and Monthly Release Detection Monitoring.	<input type="checkbox"/> Generator Non-Haz Demonstration For Used Antifreeze. <i>ALL RECYCLED</i>
<input type="checkbox"/> Analysis Of Vibrascreen Filter Solids and Tank Bottom Sludges [Unless Processed In Tanks 110 or 111].	<input type="checkbox"/> Records Of Refused Used Oil Shipments
<input type="checkbox"/> Documentation Of Annual Closure Cost Estimate [Solid Waste Processing].	<input checked="" type="checkbox"/> Documentation Of Annual Financial Assurance [Solid Waste Processing].
<input checked="" type="checkbox"/> Records Of Quantities Of Waste Received, Stored, Processed and Disposed.	<input checked="" type="checkbox"/> Quarterly Submittals Of Material Balance Of Quantities Of Solid Waste.
<input checked="" type="checkbox"/> Records Of Disposal Or Treatment Facility For All Solid Wastes Removed [Name and Location].	<input checked="" type="checkbox"/> Monthly Solid Waste Inspection / Corrective Actions Logs.
<input checked="" type="checkbox"/> Copies Of Permits For Facilities Receiving Processed Wastes.	<input checked="" type="checkbox"/> Manifests / Bill-Of-Lading.
<input checked="" type="checkbox"/> Monthly Inspection Logs Of Safety and Emergency Equipment.	

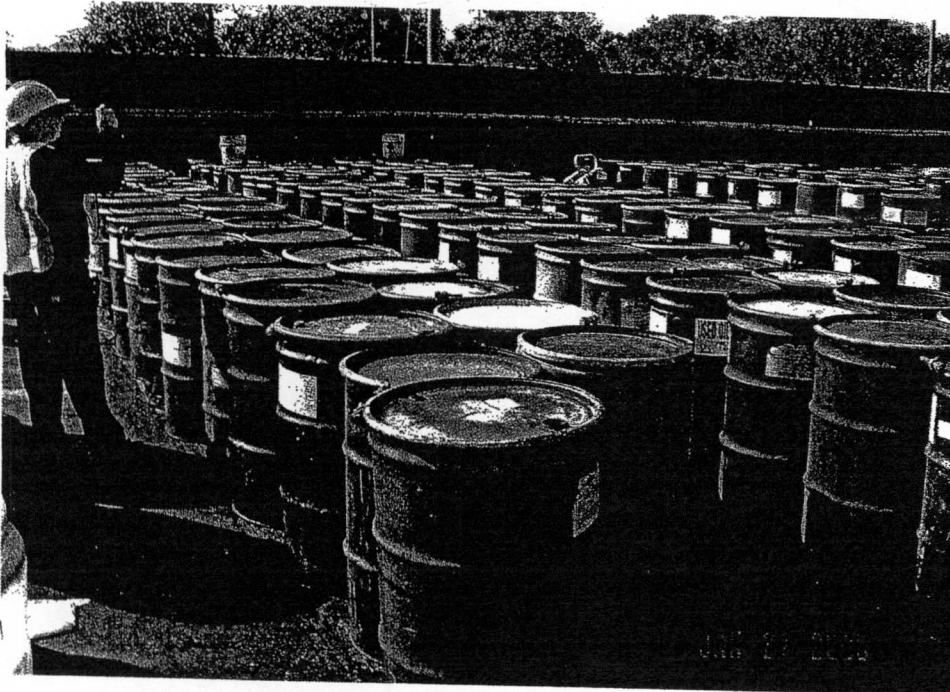
HOWCO CEI FFY '05



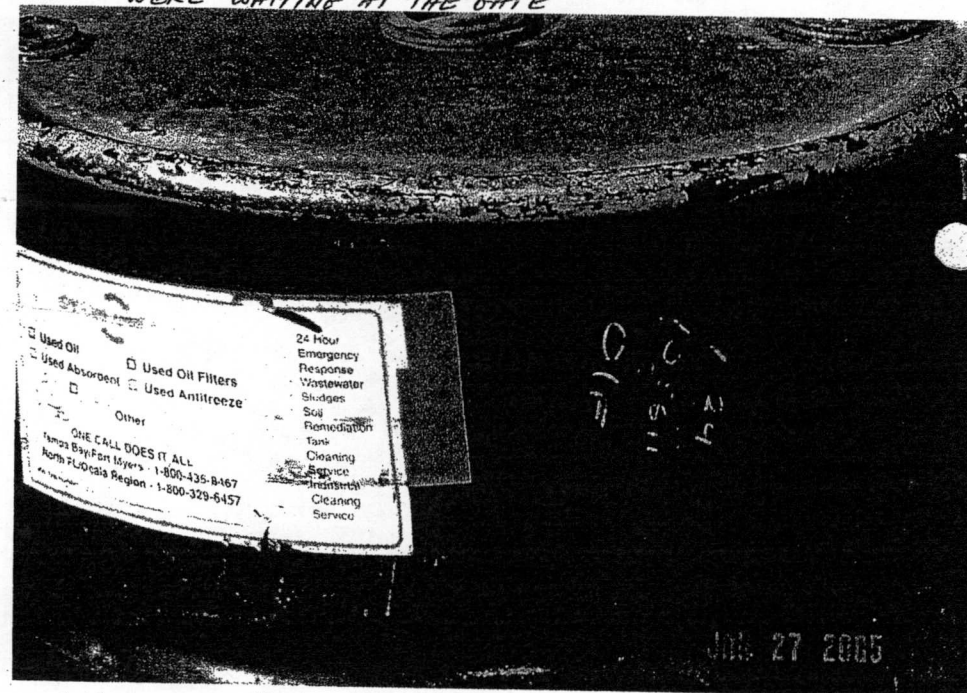
LABELS NOT PROPERLY LABELED, "USED OIL FILTERS"



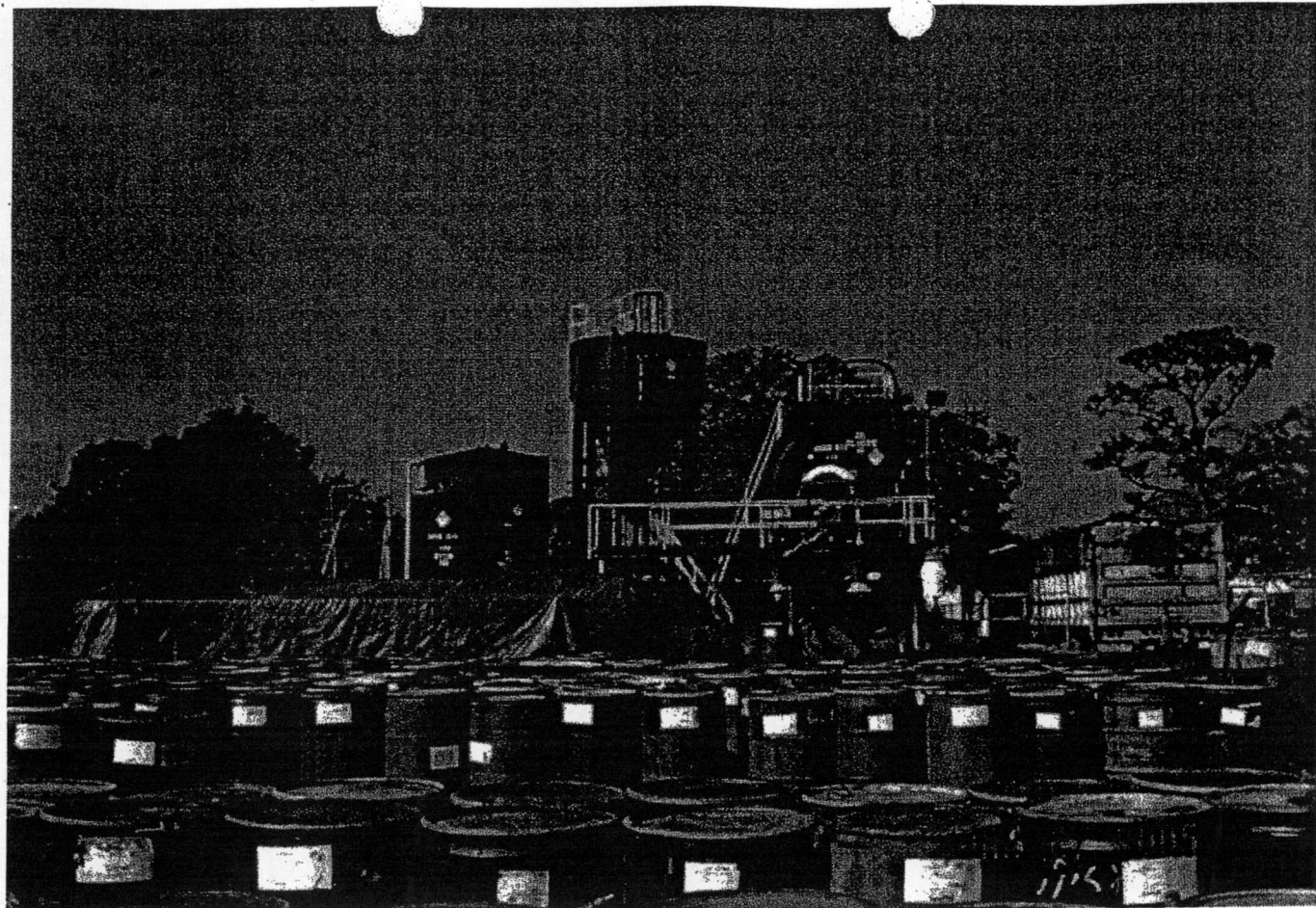
BACKING FROM LABELS PLACED ON DRUMS WHILE INSPECTORS WERE WAITING AT THE GATE



USED OIL FILTER DRUM STORAGE



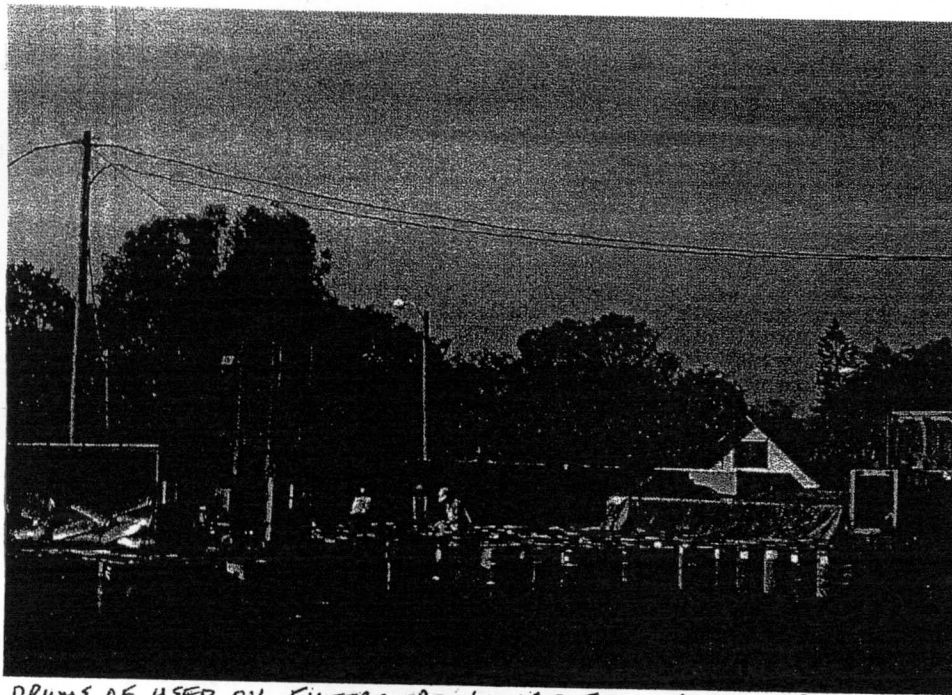
LABELS NOT PROPERLY MARKED USED OIL FILTERS



USED OIL FILTER STORAGE AREA
SOLID WASTE STORAGE

NOTE: DUMP TRAILER IN LOADING/UNLOADING DOCK CONTAINING
USED OIL FILTERS

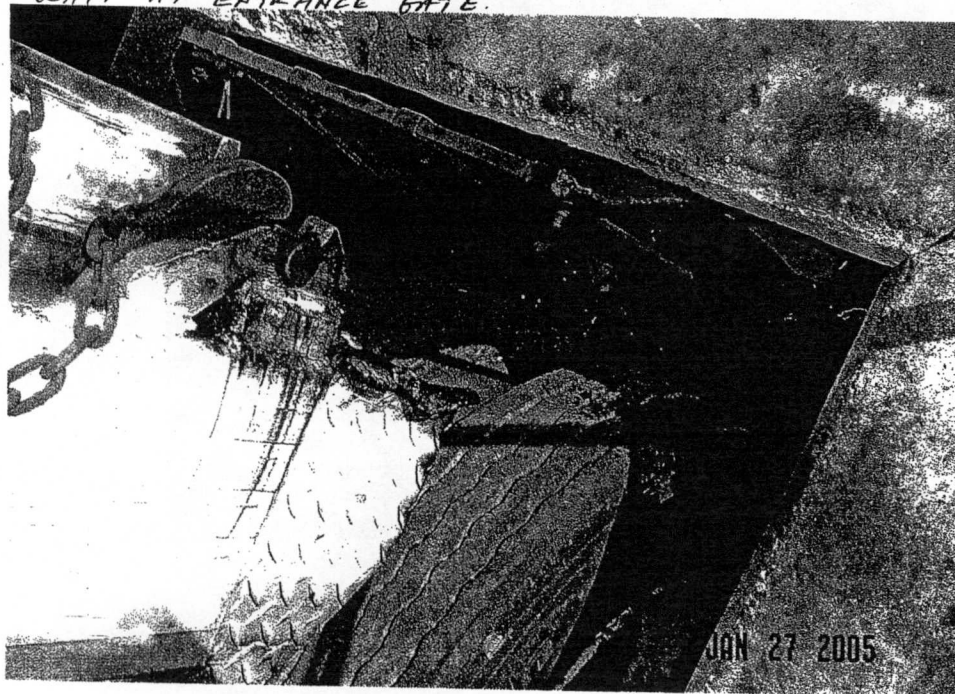
HOWCO CEI FFY '05



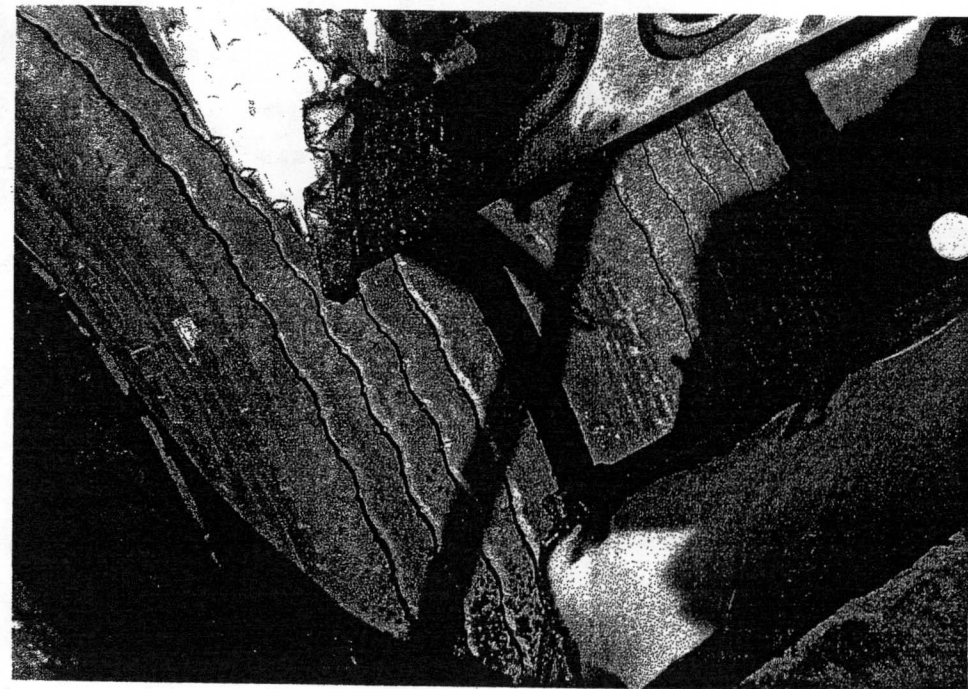
DRUMS OF USED OIL FILTERS BEING LABELED WHILE INSPECTORS WAIT AT ENTRANCE GATE.



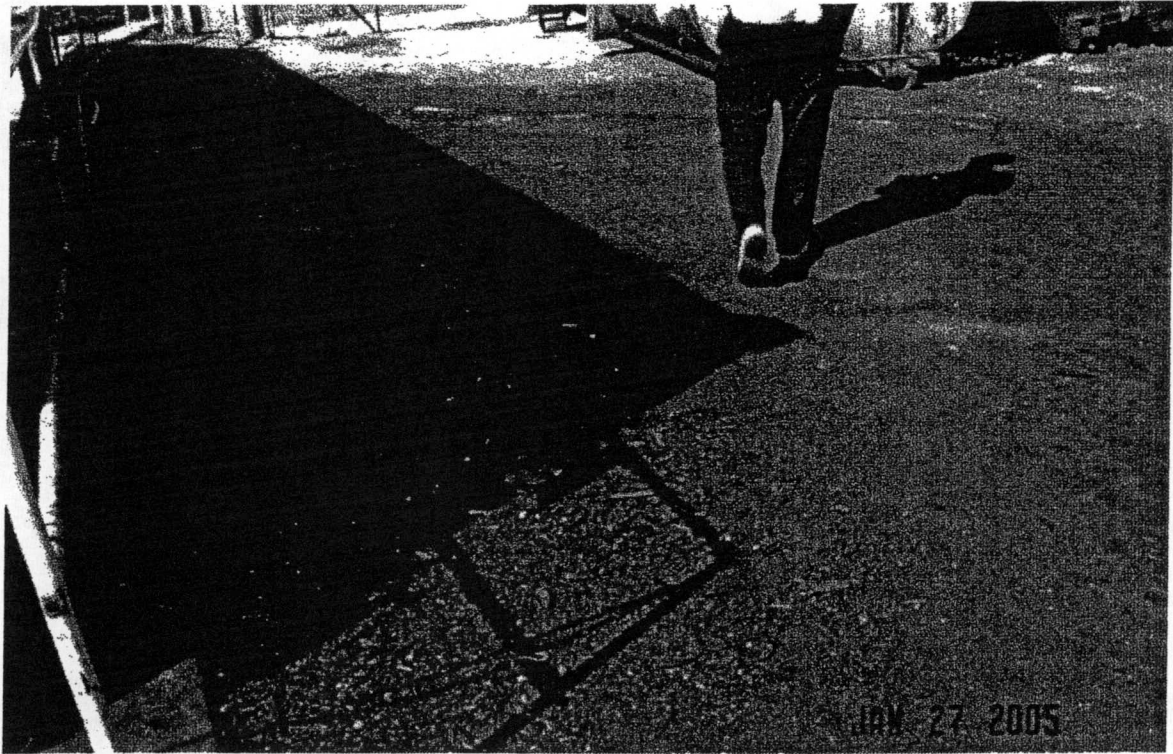
OILY WASTE ALONG LOADING/UNLOADING DOCK



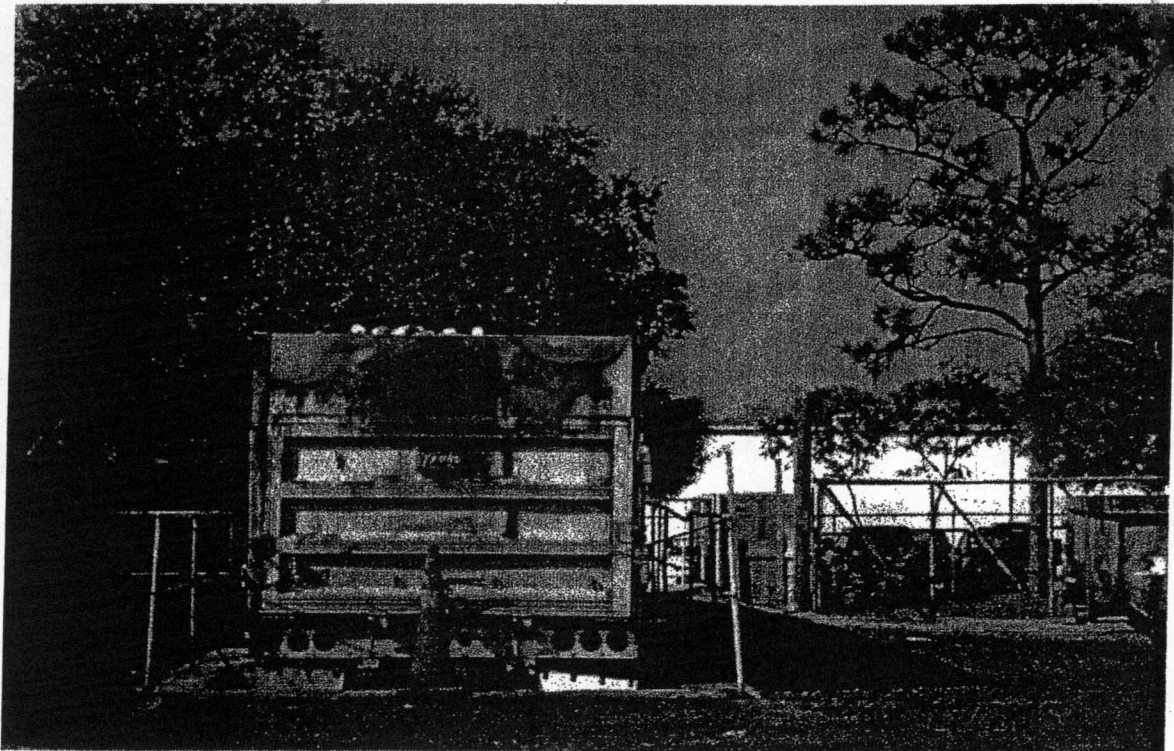
WASTE OIL DRIPPING FROM OIL TRAILER



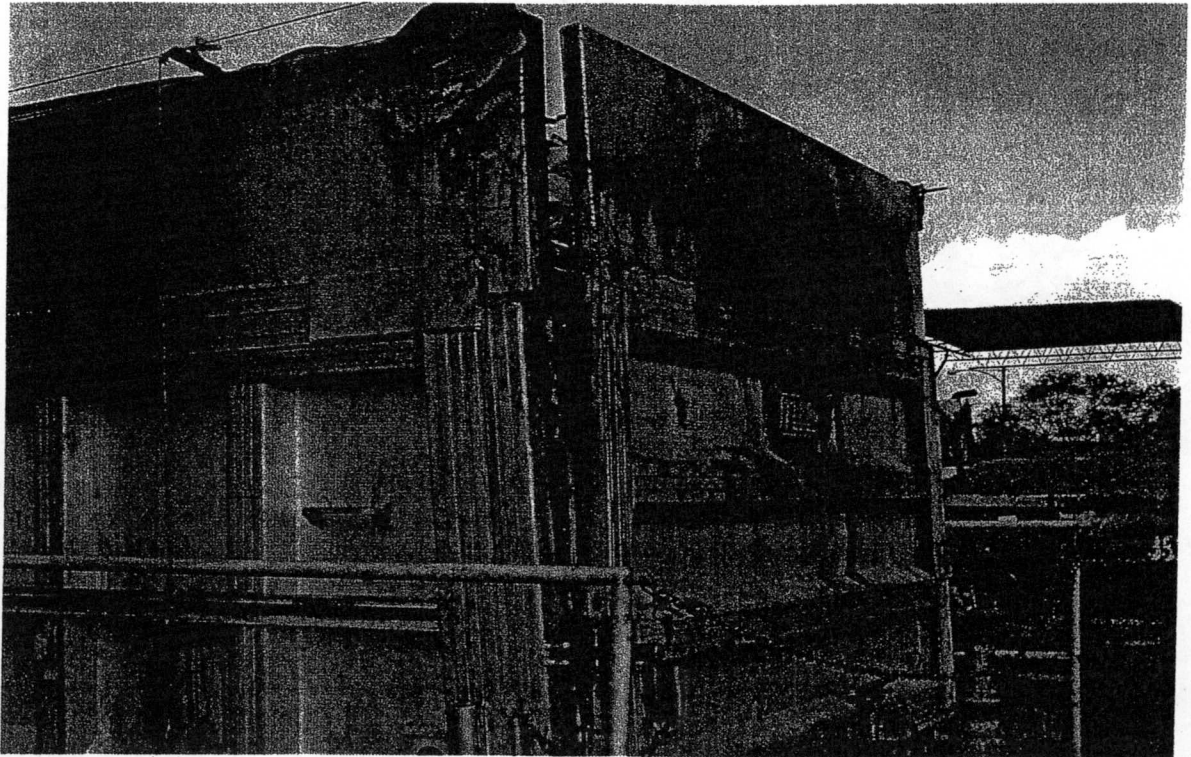
HOWCO CEI FFY 05



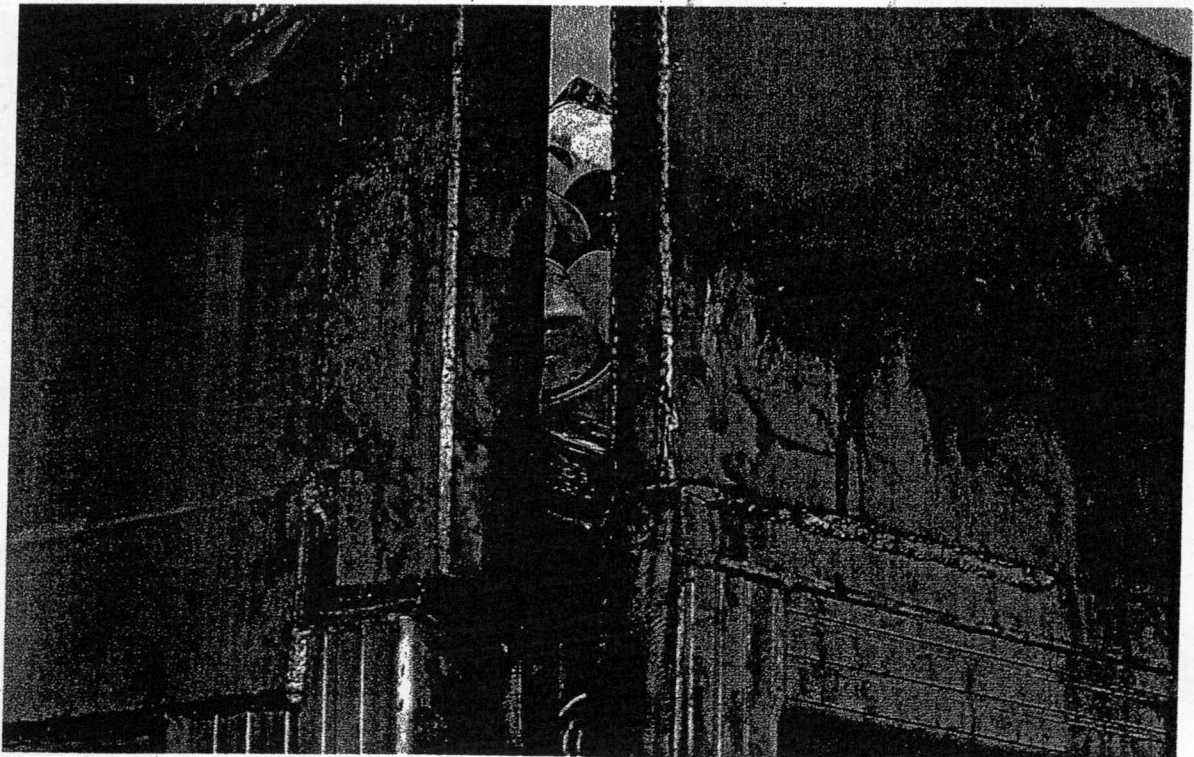
OILY WASTE ON GROUND ALONG LOADING/UNLOADING DOCK



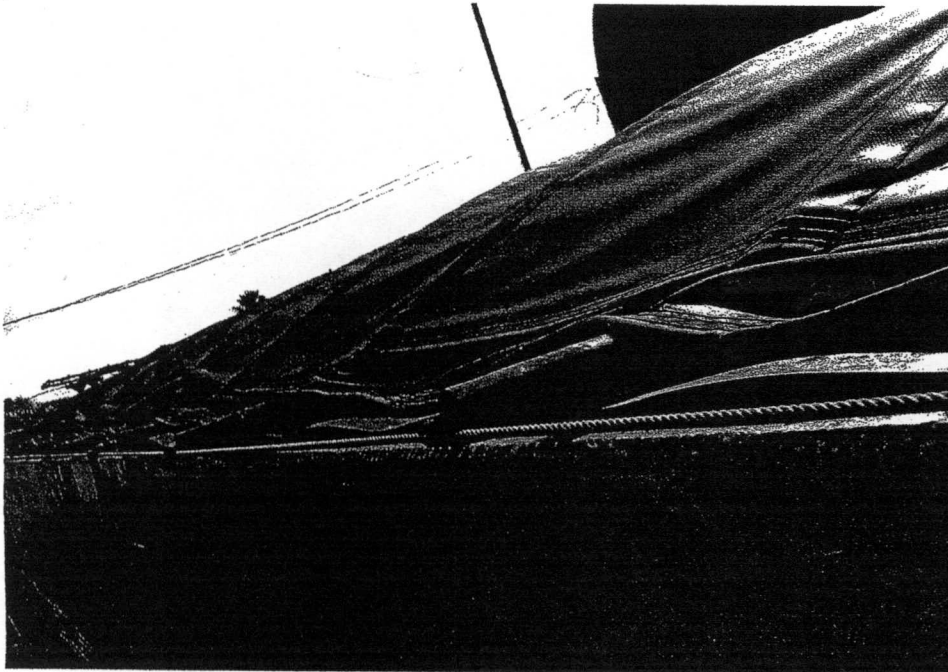
DUMP TRAILER FULL OF USED OIL FILTERS



↑ DUMP TRAILER OF USED OIL FILTERS ↓



HOWCO CEI FFY '05



↑ TARP COVERING DUMP TRAILER OF USED OIL FILTERS ↓



DUMP TRAILER OF USED OIL FILTERS

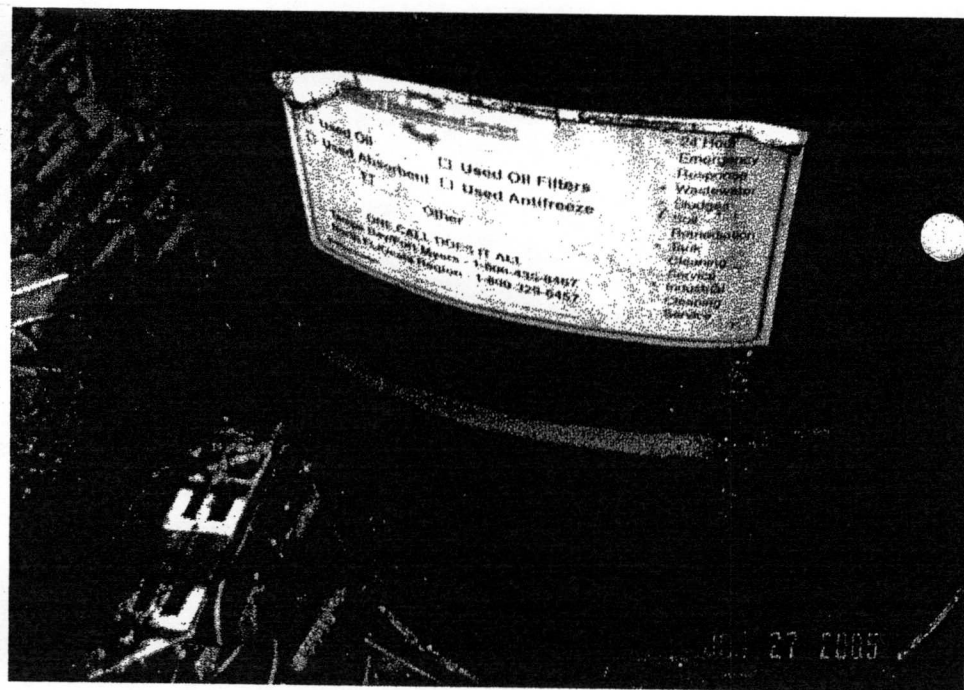
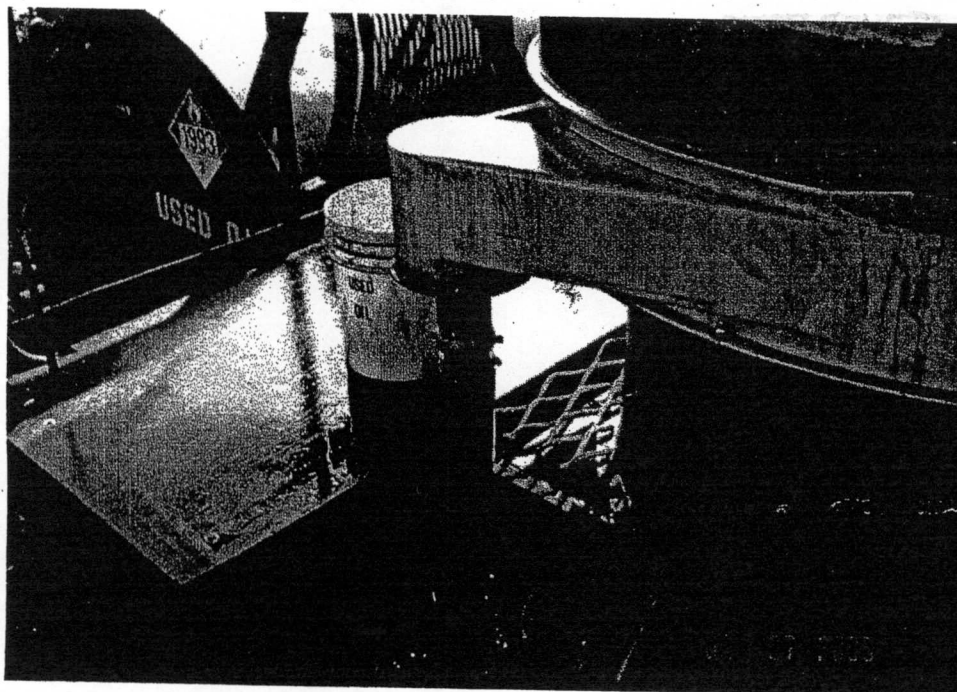


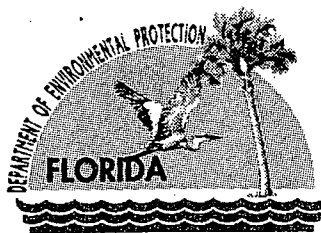
OILY WASTE / STAINS ON GROUND

HOWCO CEI FFY '05



CONTAINER OF
SCREEN FILTER RESIDUE
NOT PROPERLY LABELED.





Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

March 11, 2005

Colleen M. Castille
Secretary

CERTIFIED MAIL 7004 0750 0003 0518 0448
RETURNED RECEIPT REQUESTED

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

RE: HOWCO Environmental Services
EPA ID# FLD 152 764 767
Warning Letter #285070
Pinellas County

Dear Mr. Hagan:

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 joint hazardous waste and solid waste program field inspection conducted on January 27, 2005, indicates that violations of Florida Statutes and Rules may exist at the above referenced 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 (F.S.) 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 cease.

You are requested to contact Al Gephart at (813) 744-6100, extension 372, 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.

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 a Consent Order that will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In 2001 the Florida Legislature enacted the Environmental Litigation Reform Act (ELRA)(2001 Fla. Laws, Ch. 258). ELRA is now codified in Section 403.121, Florida Statutes (FS). ELRA is an efficient means of resolving smaller environmental cases in Administrative Court.

ELRA sets specific penalty amounts for violations covered under the Act. The Department has computed the penalty, using the ELRA guidelines, to be \$6,875.00. Costs and expenses in this case will be a minimum of \$100. If this matter cannot be resolved within 90 days, 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.

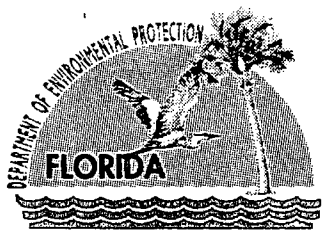
Sincerely yours,


Deborah A. Getzoff
District Director
Southwest District

DAG/afg

Enclosure

cc: Steve Ray, HWR Section
Lora Ross, SWM, SWD
Compliance File ✓



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

HAZARDOUS WASTE INSPECTION REPORT

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

FACILITY NAME: HOWCO Environmental Services DEP/EPA ID #: FLD 152 764 767

STREET ADDRESS: 843 43rd Street South; St. Petersburg, FL 33711

MAILING ADDRESS: 3701 Central Avenue; St. Petersburg, FL 33713

COUNTY: Pinellas PHONE: (727) 327-8467 DATE: 01/27/05 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:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

CURRENT STATUS:

- ☐ non-handler
- ☒ CESQG (<100 Kg per month)
- ☐ SQG (100 Kg - 1000 Kg per month)
- ☐ LQG (>1000 Kg per month)
- ☒ transporter registration
- ☐ transfer facility
- ☐ interim status TSDF
- ☐ permitted TSDF
- ☐ unit types:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

2. APPLICABLE REGULATIONS:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> 40 CFR 261.5 | <input checked="" 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 checked="" type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 273 |
| <input checked="" type="checkbox"/> 40 CFR 279 | <input checked="" type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-730, FAC | <input checked="" type="checkbox"/> 62-740, FAC |

3. RESPONSIBLE OFFICIAL:

Tim Hagan, President

4. INSPECTION PARTICIPANTS:

Al Gephart - FDEP
Kelly Honey - FDEP

Lora Ross - FDEP
Richard Dillen - HOWCO

5. LATITUDE/LONGITUDE: 27°45'41.6" / 82°41'32.5"

6. SIC CODE: 2999

7. TYPE OF OWNERSHIP: PRIVATE FEDERAL STATE COUNTY MUNICIPAL

8. PERMIT #: 92465-HO06-001 ISSUE DATE: 08/03/2000 EXP. DATE: 08/03/2005

"More Protection, Less Process"

Printed on recycled paper.

9. PROCESS DESCRIPTION:

HOWCO Environmental Services is a used oil and material processing facility that stores, processes and markets used oil. The 3.2 acre site contains an oil processing facility, an industrial wastewater pretreatment facility, storage tanks, vehicle maintenance garage and an on-site analytical laboratory. Administrative personnel and facility operating records are located and maintained at the Central Avenue office.

The facility receives used oil, industrial wastewater, petroleum contact water (PCW), antifreeze, used oil filters, oily solids, industrial solids and petroleum contaminated solids. The processing of solid wastes is overseen by the Department's Solid Waste Management Section that also participated in this inspection. According to Mr. Hagan, the facility does not accept off-spec used oil or hazardous waste. On occasion, HOWCO may act as a broker for the disposal of hazardous waste for some clients. The hazardous waste that is brokered is transported directly from the generator to the disposal facility by a registered hazardous waste transporter. HOWCO routinely collects waste antifreeze from its customers. Facility personnel advised the inspectors that all of the antifreeze received at the facility is shipped to an antifreeze recycler.

The majority of used oil, used oil filters and oily wastes are brought into the facility by HOWCO trucks, common carriers and independent oil transporters. Used oils collected by HOWCO trucks are initially screened by the drivers at the pick-up site using a halogen "sniffer". Used oils arriving at the facility are also sampled and analyzed in the facility's on-site laboratory prior to unloading. A representative sample of each incoming shipment is taken, using a bailer, and tested for total halogens using a bench top 200T x-ray analyzer. If the analysis indicates the halide concentration is less than 999 ppm, the used oil is pumped into the tank farm. If total halogens are greater than 999 ppm the load is rejected unless the total halogens are less than 4,000 ppm and a rebuttable presumption is made. Used oils shipped to the facility by other vendors are required to include a manifest describing the material.

Upon arriving at the site, the inspectors were advised that HOWCO had instituted new safety policies and that everyone would need hard hats, safety glasses and safety vests. These were provided by the facility prior to entry. While waiting for the safety equipment, it was observed that facility personnel were inspecting each of the 55-gallon drums of used oil filters in storage and placing labels on those not properly labeled. Once the inspectors were given access, the drum storage area on the south side of the property, west of the used oil filter crusher, was inspected. Of approximately 125 drums, 21 were not labeled properly. This is improper storage of used oil filters and is a *repeat* violation of **62-710.850(6)(a), FAC**.

There was one container of wastewater treatment sludge (WWTS) stored near the WWTS press. The sludge was sampled to demonstrate the annual non-hazardous status of the waste stream. However, the samples were not refrigerated properly and could not be used. The facility will sample a future batch for the annual determination. The Department advised the facility to dispose of the existing waste as non hazardous based on the previous annual demonstration.

Crushed and uncrushed used oil filters are received and stored in either drums, roll-off boxes or dump trailers. The uncrushed used oil filters are conveyed to a used oil filter crusher. The used oil from draining the filters is collected in a drip pan under the filter crusher and is pumped to an adjacent storage tank. The tank was properly labeled, "Used Oil." Periodically, the oil from the storage tank is removed

and pumped into one of the facility's used oil storage tanks to be re-processed. During the inspection, the facility's used oil filter crusher was not operational.

Solid waste managed at the facility includes oily solid waste generated by HOWCO and its clients. Solid wastes generated by HOWCO includes solids from the vibrascreen, tanker trucks, cone-bottom tank, oily solid batch treatment tank and storage tanks at the facility. The wastes are managed as non-hazardous waste. The waste solids are sampled and analyzed once per year to demonstrate that the waste is non-hazardous. For incoming solid wastes, each client is to provide the necessary non-hazardous waste determination. A review of the sampling records indicated that the solid wastes were non-hazardous. The solid wastes are bulked and sent to an approved thermal facility or a licensed landfill for disposal. The oily solids may be placed in drums, roll-off boxes, decontamination boxes or other containers for storage. At the time of the inspection, there were three (3) roll-off boxes being stored in the Solids Storage and Sludge Separation Areas. Two contained solid waste, the third was empty. Both of the full containers were covered and labeled. However, when placing sludge in one of the containers the liner must have slid down slightly. Facility personnel were advised to use caution when placing solid waste in the lined roll-off box so that the liner remains in position.

Just north of Tanks #110 and #111, the facility has constructed a below ground loading/unloading dock to unload containers of solid waste and used oil filters. There was a dump trailer of used oil filters stored on the earthen surface. This is a violation of **62-710.850(6)(a), FAC**. The tarp used to cover the dump trailer to protect the contents from the weather did not completely cover the top of the trailer. This is a violation of **62-710.850(6)(a), FAC**. Also, the inspectors observed staining of the soil just east of this area from the loading of used oil filters and there was used oil observed dripping out of the back tail gate of the trailer onto the soil. These are violations of **62-710.850(6)(b), FAC**. Facility personnel were advised to clean up the area and dispose the stained material appropriately. Facility personnel were also reminded that since there is no secondary containment, the loading/unloading dock cannot be used to store trucks containing solid waste, used oil or used oil filters. The facility must also depict this loading/unloading dock in its facility site diagram and submit the diagram to the Department for inclusion in the facility's permit application.

The HOWCO tank farm consists of 47 aboveground storage tanks in five separate containment areas. Eighteen (18) of the tanks (approximate capacity of 339,420 gallons) in containment Areas #1 and #2 are used to store used and re-refined used oil. The tanks have secondary containment consisting of oil impermeable concrete surfaces on the walls and floors to contain oil spills. In general, facility personnel have done a very good job in cleaning and power washing the containment areas. An **Area of Concern** to the inspectors is that the sealant on the cement in the secondary containment in the processing area and south of Tanks #130 thru #135 is peeling off. This was mentioned in the last inspection and is repeated here. The Department requests that Mr. Hagan conduct an assessment of the secondary containment in the processing area to determine if it still meets the impermeable surface standards in Florida's used oil processor rules. It is also requested that the conclusions drawn from the assessment be submitted to the Department.

Used oil is processed utilizing either the Flash Tower or the Cooker Process. In the Flash Tower process the used oil is pumped to a vibrascreen for removal of solids and then heated to flash-off the water. Used oil processed in the Cooker process is pumped to Tank #100 or Tank #101 for thermal/chemical treatment. A de-emulsifier is added to the oil and the mixture is heated. The heated oil is then allowed to cool to facilitate the separation of water. Water that is recovered from these processes is treated in the facility's wastewater pretreatment plant prior to being discharged to the City of St. Petersburg POTW. The light ends from the Flash Tower are pulled-off and blended into processed oil tanks during the

batching process. Facility personnel use a vacuum truck to remove the solids collected from the vibrascreen and then adds them to Tank #110 or Tank #111. The solids from these tanks are tested annually to ensure that they are not a hazardous waste. Upon inspection, the inspectors observed that the receiving drum containing solids from the vibrascreen had a label but it did not have the words, "Screen Filter Residue", as required. This is a violation of **Specific Condition IV.4.d** in the facility's operating permit. Facility personnel were advised to check and maintain labels to ensure that they are in good condition and labeled properly.

Wastewater, including petroleum contact water (PCW), industrial wastewater, rainwater collected in secondary containment areas and water from the re-refining of used oil is accumulated and stored in aboveground storage tanks #151-155, #160-166, #170, #180, #191 and #192. The wastewater is treated in the pre-treatment system prior to discharging to the City of St. Petersburg POTW. Any oil recovered from the tanks by gravity separation is pumped back to the used oil tank farm for processing. The facility stores its wastewater treatment chemicals at the east end of the site. The area was clean indicating that housekeeping has improved in this area.

The fire and emergency equipment are inspected monthly and are tested annually. The inspection records were reviewed and found to be complete. Located east of the truck wash rack is the facility's emergency trailer consisting of absorbents, blankets and booms. The trailer was orderly and contained sufficient amounts of emergency equipment.

In the vehicle maintenance garage area were observed one (1) 55-gallon drum for used oil filters generated on-site and one (1) parts washing machine. The drum of used oil filters was properly labeled, "Used Oil Filters". According to the maintenance staff, the spent parts washer solution is disposed by mixing it in with the facility's used oil. A waste determination had been made on the waste solvent in May 2004 and it was found to have the toxicity characteristic. If the spent parts washer solvent is hazardous, it can only be mixed with the facility's used oil when the facility is a conditionally exempt small quantity generator of hazardous waste. The facility is advised to review its generator status prior to mixing the spent solvent with its used oil to determine proper management.

Evacuation routes were posted at various locations and the emergency phone numbers were posted next to the phones.

The tanks and related piping are inspected monthly. The monthly inspection logs were reviewed and found to be complete. HOWCO is current on its liability and financial assurance requirements and current in required documents and recordkeeping. HOWCO employees receive training as outlined in the company's "Used Oil Training Program". The company's employees are provided initial and annual refresher training. The training records were reviewed and found to be complete. However, facility personnel are due for the 2005 annual training.

Incoming and outgoing manifests for used oil, used oil filters, crushed used oil filters, petroleum contact water and antifreeze are kept by HOWCO at its Central Avenue office for at least three years.

This compliance inspection did not address the facility's compliance with state and federal transporter rules and regulations. This will be conducted on a future inspection date.

10. SUMMARY OF ALLEGED VIOLATIONS:

62-710.850(6)(a), FAC

Failure to seal, or otherwise protect from the weather, containers of used oil filters. **(Repeat Violation).**

Failure to properly label containers, "Used Oil Filters." **(Repeat Violation).**

Failure to store containers of used oil filters on an impermeable surface.

62-710.850(6)(b), FAC

Failure to contain, clean up and properly manage released oil and oily waste.

Specific Condition IV.4.d

Failure to properly label the container receiving solids from the vibrascreen, "Screen Filter Residue". **(Repeat Violation).**

11. RECOMMENDED CORRECTIVE ACTIONS:

62-710.850(6)(a), FAC

Effective immediately and henceforth, the facility shall ensure that used oil filters are stored in containers that are sealed or otherwise protected from the weather, stored on impermeable surfaces and properly labeled.

62-710.850(6)(b), FAC

Effective immediately and henceforth, the facility shall ensure that all released used oil and oily waste are cleaned up and properly managed.

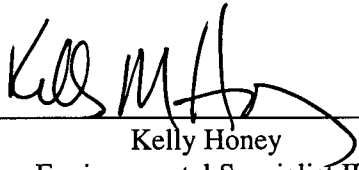
Specific Condition IV.4.d

Effective immediately and henceforth, the facility shall ensure that the container receiving the solids from the vibrascreen is properly labeled, "Screen Filter Residue".

Report Prepared By: _____


Al Gephart
Engineer IV

Report Reviewed By: _____


Kelly Honey
Environmental Specialist II

Report Reviewed By: Lora Ross
Lora Ross
Environmental Specialist I

Report Approved By: Elizabeth Knauss Date 3/8/05
Elizabeth Knauss
Environmental Manager

PENALTY COMPUTATION WORKSHEET

Violator's Name: HOWCO Environmental Services FLD 152 764 767

Identify Violator's Facility: 843 43rd Street South; St. Petersburg, FL 33711

Name of Department Staff Responsible for the Penalty Computations: Al Gephart

ComHaz Case #: 285070

Date: March 8, 2005

	Violation Type	Manual Guide	Florida Statute Citation	Penalty	Multi Day	Other Adjustments	Total
1.	Failure to store used oil filters in sealed containers.	ELRA	403.121(5)	\$500	---	\$500	\$1,000
2.	Failure to properly label containers of used oil filters.	ELRA	403.121(5)	\$500	---	\$250	\$750
3.	Failure to store containers of used oil filters on an impermeable surface.	ELRA	403.121(4)(b)	\$4,000	---	---	\$4,000
4.	Failure to contain, clean up and properly manage released oil and oily waste.	ELRA	403.121(5)	\$500	---	---	\$500
5.	Failure to properly label vibrascreen solids container.	ELRA	403.121(5)	\$500	---	\$125	\$625
Total Penalty for all Violations:							\$ 6,875

Multi Day penalties were not selected as it was not possible to determine the number of days out of compliance.

For citation (1) above [62-710.850(6)(a), FAC, failure to seal or otherwise protect from the weather, containers of U.O.F], an additional 100% was added because there have been four previous violations [403.121(7)(c), F.S.].

For citation (2) above [62-710.850(6)(a), FAC, failure to properly label containers, "Used Oil Filters"] an additional 50% was added because there were two previous used oil filter labeling violations [403.121(7)(b), F.S.].

Citation (3) above [62-710.850(6)(a), FAC, failure to store containers of used oil filters on an impermeable surface], the penalty assessment cited is in 403.121(4)(b), F.S., failure to install, maintain, or use a required pollution control system or device.

Citation (4) corresponds to 62-710.850(6)(b), FAC, failure to contain, clean up and properly manage released oil and oily waste.

For citation (5) above (failure to comply with Specific Condition IV.4.d in the facility's operating permit) an additional 25% was added because there was one previous vibrascreen labeling violation [403.121(7)(a), F.S.].

Inspectors: Gephart / Honey / Ross
Date: January 27, 2005

INSPECTION CHECKLIST

*HOWCO Environmental Services
843 43rd Street South
St. Petersburg, FL 33711
FLD 152 764 767*

Permit No.	92465-HO06-001	Renewal Application
Issued	08/03/00	Due 6/4/05
Expires	08/03/05	

Last Inspection 3/04/04

Used Oil and Material Processing Facility

47 Aboveground Storage Tanks (See Tables 3-1, 3-2 and 3-3 for descriptions of contents).

GC General Conditions

- GC.2 Have there been any changes in processes or operations? *FACILITY USING UNLOADING RAMP FOR STORAGE OF USED OIL FILTERS. UNLOADING DOCK IS EARTHEN AND NOT AN APPROVED STORAGE AREA.* ☒ Y ☐ N
- GC.12 A copy of the operating permit is maintained at the facility. ☒ Y ☐ N
- GC.14 Operating records contain the required information: ☒ Y ☐ N
- Date, Place and Time of sampling or analyses;
 - Person performing the sampling or analyses;
 - Analytical techniques or methods used;
 - Results of the analyses.

SC Specific Conditions

Part I. General

- I.11 The facility has submitted its annual registration *for 2004 by March 1.* ☒ Y ☐ N
- I.12 Were any shipments of used oil refused due to suspected mixing with hazardous waste? (Any oil analyses pass or fail must be kept for 3 yrs.) ☐ Y ☒ N

Part II. Used Oil Processing

- II.3 Only permitted waste streams are processed at the facility. ☒ Y ☐ N
- Automotive crankcase oil, transmission and differential oil;
 - Oil/water emulsion from ships, barges and other sources;
 - Automotive oils recovered from oil/water separators;
 - Virgin oils contaminated with water;
 - Virgin oils recovered from tank cleaning and tank removals;
 - Used industrial oil.

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

- ALL ANTIFREEZE RECYCLED*
- II.4 Generators supply initial TCLP analysis (or generator knowledge statement) of waste antifreeze. (Check facility files for certifications.) Y N
- II.6 The following records are maintained at the facility or the Central Ave. office.
- Permit application; Y N
 - Operating permit; Y N
 - Manifests and Bill-of-Lading of all shipments; Y N
 - Shipping papers include all of the required information as stated in 40 CFR 279.56 (Acceptance / Delivery); Y N
 - Training records; Y N
 - Inspection records; Y N
 - Closure Plan; Y N
 - Results of Waste Analyses; Y N
 - Annual used oil recovery reports; Y N
 - Validated annual used oil registration form. Y N
- II.8 Processed oil is sampled prior to shipping off-site *once every two weeks*. Y N
- Part III. Tanks**
- III.1 Used oil tanks and containers are labeled "Used Oil". Y Y
- III.2 Regulated tank systems are inspected monthly. Y N
- III.3 Records are maintained for inspections and monthly release detection monitoring for process and storage tanks. Y N
- III.5 Secondary containment areas are sealed and free of cracks. Y N
- DRUM STORAGE AREAS WILL NEED ATTENTION - STARTING TO DETERIORATE*
- III.6 The areas of secondary containment provide containment for at least 110 % of the volume of the largest tank. Y N
- III.8 Spilled or leaked waste is removed from containment areas within 3 days of the incident. Y N
- Accumulated precipitation is removed within 1 week after a rainfall event using manually controlled pumps. Y N

Part IV. Solid Waste Processing

- IV.1 Non-hazardous materials that are accepted, processed, stored or otherwise managed are limited to - Y N
- Petroleum contaminated soil;
 - Petroleum contaminated sorbent materials (pads, booms, rags, vermiculite);
 - PPE;
 - Debris from spill cleanup;
 - Petroleum tank bottom sludges from tanks, pits and sumps;
 - Petroleum contaminated water;

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

- Petroleum contact water;
- Petroleum contaminated sediments sludges and liquids from oil/water separators at car washes;
- Empty petroleum contaminated drums, pails, gas tanks and fuel filters;
- Non-liquid waste streams from on-site oil processing and wastewater pretreatment facilities.

	Household hazardous wastes or wastes from a CESQG are <u>NOT</u> managed as solid waste at the facility.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.3	Processing equipment is repaired within one week of becoming inoperable.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	Operations DO NOT change the chemical characteristics of any of the solid materials.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.4	Each solid waste stream is sampled and analyzed at least annually. <i>LAST SAMPLES WERE RUINED DURING SHIPMENT TO LAB</i> <i>FACILITY NEEDS TO RE-SAMPLE WASTE STREAMS</i> Records are available of annual WWTS sampling and analyses.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N
	Records are available of annual oil-extracted sludge (OES) sampling and analyses.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	Vibratory screen filter solids are containerized, properly sealed and labeled, "Screen Filter Residue". <i>CONTAINER HAD A LABEL BUT NOT IDENTIFIED AS SCREEN FILTER Residue</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
	All tank bottom sludges and screen filter residues are transferred to Tanks 110 or 111 for further processing. (If not, the facility must have records of waste determinations on these streams.)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	The facility has notified the Department within 3 days prior to sampling any solid waste streams.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	The facility has records of hazardous waste determinations from each generator for all solid waste streams received.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	The determinations are updated annually.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.5	All outgoing materials for disposal are sampled and analyzed annually.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.6	Storage of solid waste is at or below 22,000 gallons. Where 15 yd ³ = 3,030 gallons 20 yd ³ = 4,040 gallons	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	Processed solids are stored in covered, <u>lined</u> , roll-off containers or covered drums and stored on an impervious surface. <i>FACILITY PERSONNEL need to be careful when filling so LINERS doesn't SLIDE DOWN INSIDE ROLL-OFF BOX</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	All processed and unprocessed solid wastes are <u>stored</u> within the Solids Storage and Sludge Separation Areas.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.7	All materials are <u>processed</u> on impervious surfaces, tanks or containers.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

	Containers of processed wastes are labeled "Processed Solids" or "Processed Solid Waste".	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	There is <u>no</u> evidence of liquids or solids being discharged outside of the Solids Storage and Sludge Separation Areas. <i>USED OIL FROM UOF</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
	Solid wastes (liquids, sludges, solids, etc.) are only managed within containers, <u>NOT</u> on the ground, on the asphalt or on the concrete areas. <i>UOF stored on dirt</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
	The Solids Storage and Sludge Separation Areas are inspected monthly.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.9	The facility maintains the following waste records: <ul style="list-style-type: none">• The amount of waste received, stored, processed and disposed [Quantities of drums received (gallons), an estimate of the percentage of solids and liquids in each drum, the quantities of bulk liquids received (gallons), the quantities of bulk solids received (tons), and the quantities of liquids (gallons) and solids (tons) disposed and stored on site];• A signed waste profile form and analytical data for each waste stream <u>accepted</u> at the facility or for virgin materials, a waste material profile sheet and MSDS;• The pre-burn analysis for each shipment of contaminated soil received that will be transferred to a soil treatment facility;• The pre-acceptance analyses or waste determinations;• Copies of any analyses required by a disposal facility as a condition of acceptance and documentation of acceptance;• Monthly Waste Inspection/Corrective Action logs;• Copies of permits for facilities that receive the processed solids.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	Monthly compilations are submitted quarterly of the following: <ul style="list-style-type: none">• Material balance (quantities received versus quantities disposed or in storage);• Name and location of disposal or treatment facility for all solid wastes removed from the facility.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.10	All areas are cleaned to prevent nuisance conditions, hazardous conditions, odor or vector problems.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.12	The facility is in compliance with Financial Assurance requirements. <ul style="list-style-type: none">• Closure costs are submitted annually prior to August 3;• Annual submittal of proof of financial assurance.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Part V. Contingency Plan		
V.2	Emergency and spill equipment is available at the facility. Check the emergency equipment stored east of the truck wash rack and at the drum crusher.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

- V.3,4 Emergency and safety equipment is available, tested and maintained. ☒ Y ☐ N
- V.5 There is adequate aisle space in all storage areas for inspections. ☒ Y ☐ N
- V.6 Primary evacuation routes are posted in appropriate locations throughout the facility. ☒ Y ☐ N
- V.7 A copy of the Contingency Plan is maintained on-site. ☒ Y ☐ N
- The following are still the Emergency Coordinators: *Needs Revision due to personnel turnover* ☐ Y ☒ N
David Roehm Primary
Tim Hagan Alternate
- A list of emergency response phone numbers is posted by the phones. ☒ Y ☐ N
- The Contingency Plan was last amended on (date) 7-21-99
- Amendments to the CP are sent to appropriate agencies. ☒ Y ☐ N

Part VI. Training

- VI.1,2 The Company's "Used Oil Training Program" is given initially and annually thereafter. ☒ Y ☐ N
- Personnel training is documented. 1/15/04 ☒ Y ☐ N
due FOR TRAINING

Part VII. Closure

- VII.1 The facility maintains a copy of the Closure Plan. ☒ Y ☐ N

Used Oil Filter Processing (62-710.850, F.A.C.)

- 62-710.850(4) The facility has current registration certificates for - ☒ Y ☐ N
• Used Oil Filter Transporter ☒ Y ☐ N
• Used Oil Filter Processor
- 62-710.850(5) The facility has records indicating the destination or end use of the processed used oil filters and the Name and Address of each destination or end user. ☒ Y ☐ N
- The facility has submitted its annual report *FOR 2004* ~~by March 1.~~ ☒ Y ☐ N
- 62-710.850(6) All used oil filters are stored in - ☐ Y ☒ N
• Above ground containers on impermeable surfaces; ☐ Y ☒ N
• Sealed containers that are in good condition; ☐ Y ☒ N
• Containers labeled, "Used Oil Filters". ☐ Y ☒ N
- Upon detection of any leaking oil from a container the oil is contained, cleaned-up and managed properly. ☐ Y ☒ N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

Petroleum Contact Water (62-740, F.A.C.)

62-740.300(2) The following records are maintained at the facility:

☒ Y ☐ N

- Name and address of producer;
- Name and address of transporter;
- Date of receipt of the PCW shipment;
- Volume of PCW received;
- A copy of the shipping paper;
- Weekly container or tank inspections.

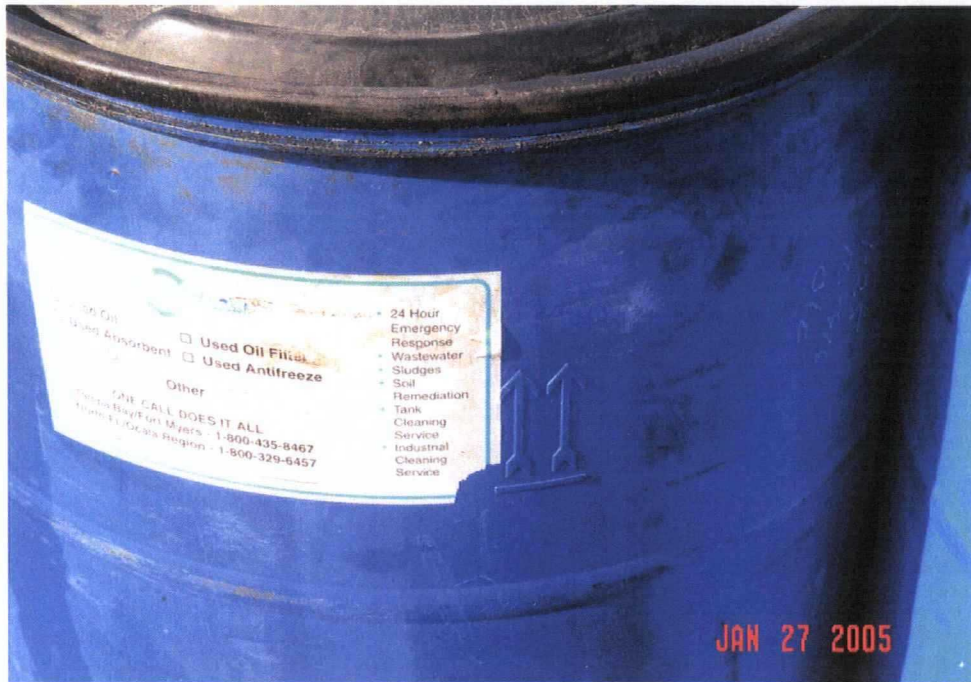
62-740.300(4) The facility has written assurance from the producer that the PCW is non-hazardous.

☒ Y ☐ N

DOCUMENTS AND RECORDKEEPING

<input checked="" type="checkbox"/> Permit Application.	<input checked="" type="checkbox"/> Operating Permit.
<input checked="" type="checkbox"/> Validated Annual Used Oil Registration [Form 62-701.900(13)].	<input checked="" type="checkbox"/> Annual Used Oil Recovery Report. 2004
<input checked="" type="checkbox"/> Annual DEP Registration Placard For Storage Tanks.	<input checked="" type="checkbox"/> Contingency Plan.
<input checked="" type="checkbox"/> Training Logs. 1/15/04 DUE FOR TRAINING	<input checked="" type="checkbox"/> Closure Plan.
<input checked="" type="checkbox"/> Results of Annual Waste Analyses For All Solid Waste Streams <i>Disposed</i> .	<input checked="" type="checkbox"/> Transporter Liability Insurance [\$100,000 minimum].
<input checked="" type="checkbox"/> Results of Annual Waste Analyses For All Solid Waste Streams <i>Received</i> From Generators.	<input checked="" type="checkbox"/> Monthly Inspection Logs Of The Solids Storage and Sludge Separation Areas.
<input checked="" type="checkbox"/> Processed Oil Sampling Logs [Minimum Of One Sample Every Two Weeks].	<input type="checkbox"/> Annual Analyses Of WWT and OES Sludges. <i>NEED TO BE RE-SAMPLED</i>
<input checked="" type="checkbox"/> Tank Inspections and Monthly Release Detection Monitoring.	<input type="checkbox"/> Generator Non-Haz Demonstration For Used Antifreeze. <i>ALL RECYCLED</i>
<input type="checkbox"/> Analysis Of Vibrascreen Filter Solids and Tank Bottom Sludges [Unless Processed In Tanks 110 or 111].	<input type="checkbox"/> Records Of Refused Used Oil Shipments
<input type="checkbox"/> Documentation Of Annual Closure Cost Estimate [Solid Waste Processing].	<input checked="" type="checkbox"/> Documentation Of Annual Financial Assurance [Solid Waste Processing].
<input checked="" type="checkbox"/> Records Of Quantities Of Waste Received, Stored, Processed and Disposed.	<input checked="" type="checkbox"/> Quarterly Submittals Of Material Balance Of Quantities Of Solid Waste.
<input checked="" type="checkbox"/> Records Of Disposal Or Treatment Facility For All Solid Wastes Removed [Name and Location].	<input checked="" type="checkbox"/> Monthly Solid Waste Inspection / Corrective Actions Logs.
<input checked="" type="checkbox"/> Copies Of Permits For Facilities Receiving Processed Wastes.	<input checked="" type="checkbox"/> Manifests / Bill-Of-Lading.
<input checked="" type="checkbox"/> Monthly Inspection Logs Of Safety and Emergency Equipment.	

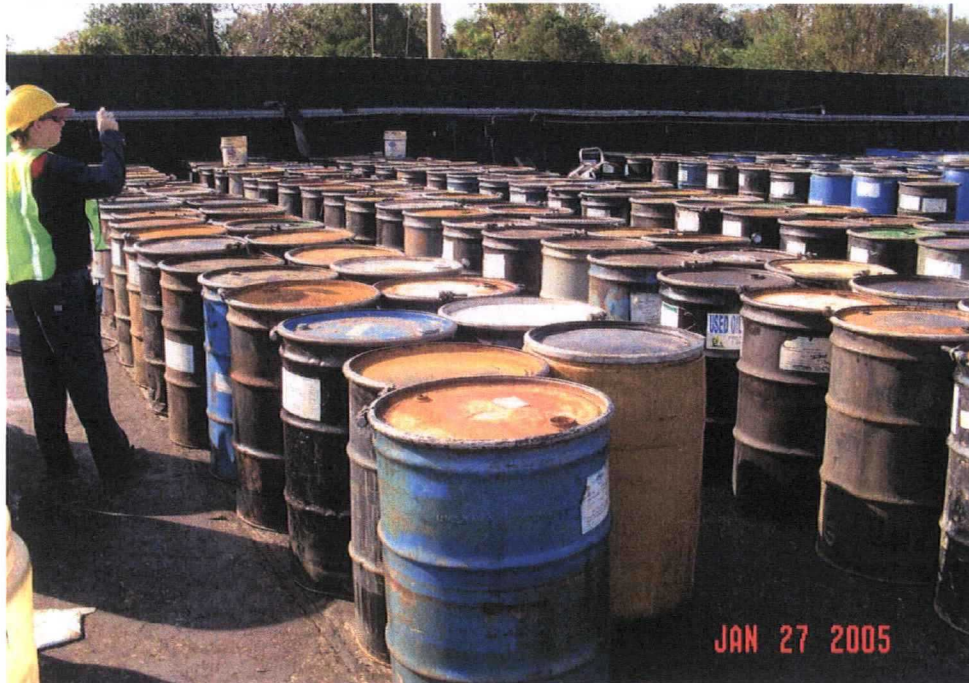
HOWCO CEI FFY '05



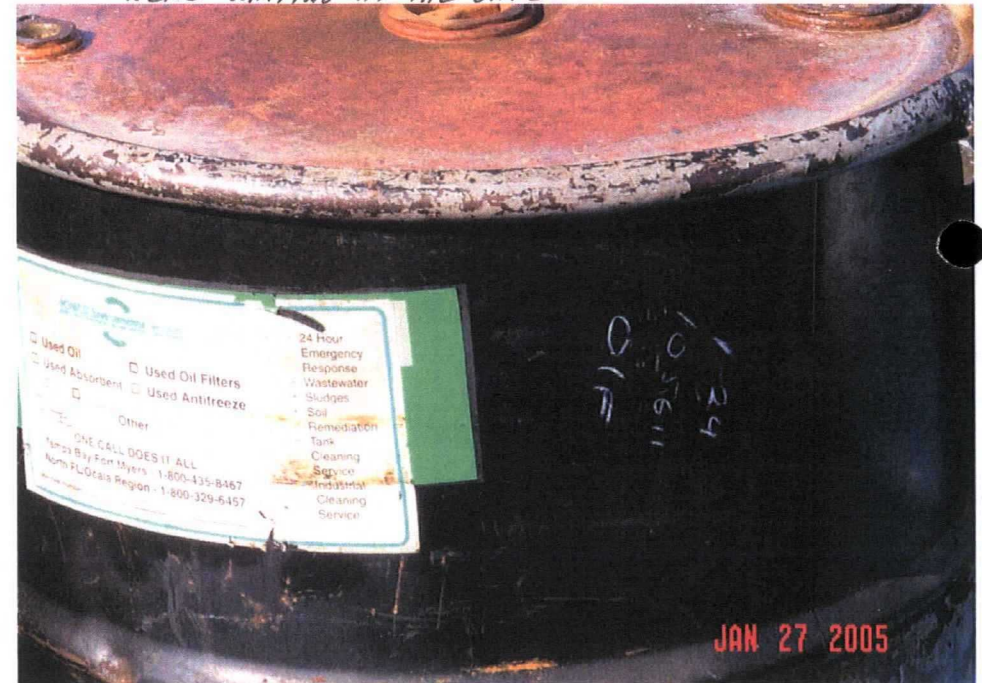
LABELS NOT PROPERLY LABELED, "USED OIL FILTERS"



BACKING FROM LABELS PLACED ON DRUMS WHILE INSPECTORS WERE WAITING AT THE GATE

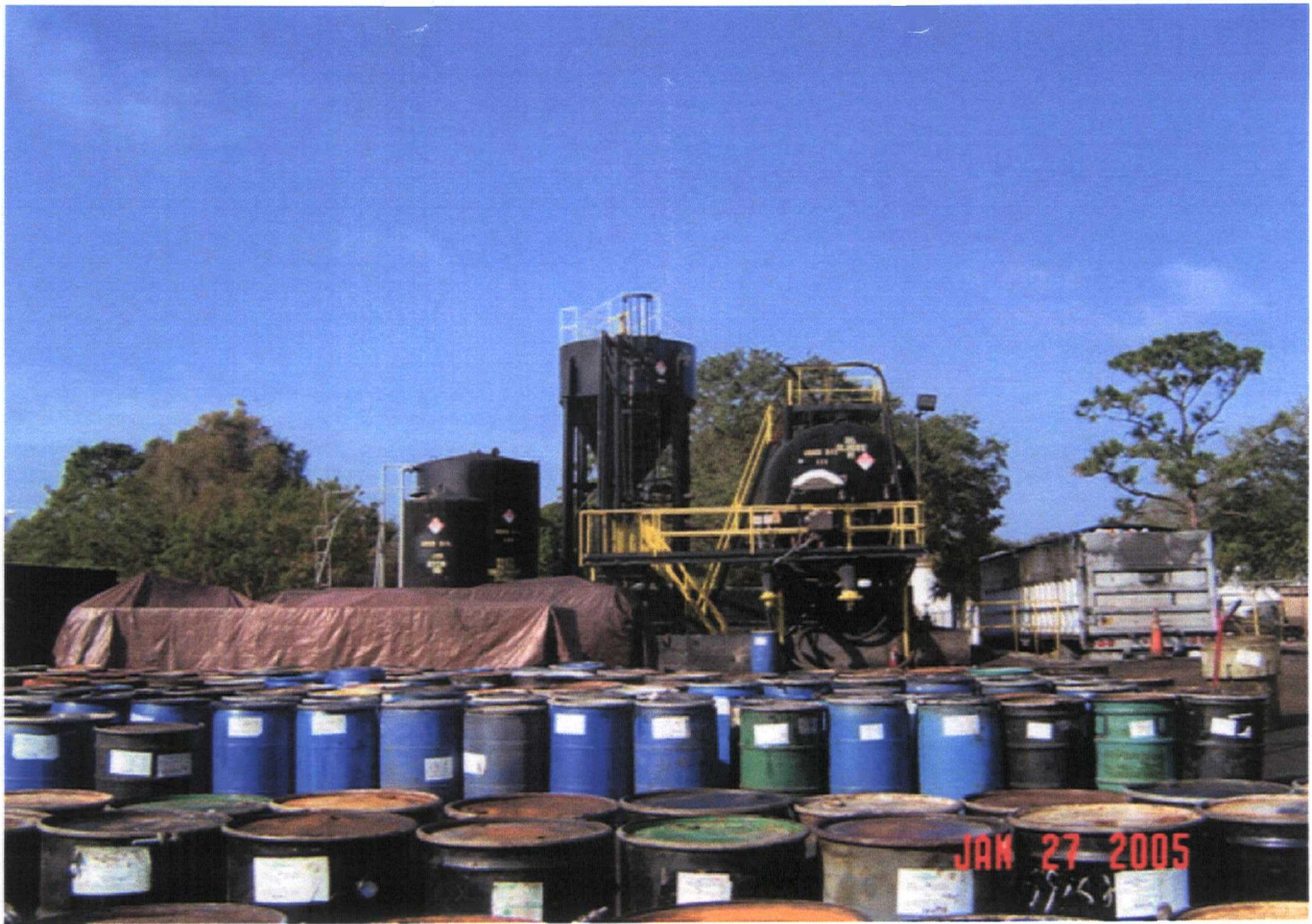


USED OIL FILTER DRUM STORAGE



LABELS NOT PROPERLY MARKED USED OIL FILTERS

HOWCO CEI FFY '05



USED OIL FILTER STORAGE AREA
SOLID WASTE STORAGE

NOTE: DUMP TRAILER IN LOADING/UNLOADING DOCK CONTAINING
USED OIL FILTERS

HOWCO CEI FFY '05



DRUMS OF USED OIL FILTERS BEING LABELED WHILE INSPECTORS WAIT AT ENTRANCE GATE.



OILY WASTE ALONG LOADING/UNLOADING DOCK



WASTE OIL DRIPPING FROM DUMP TRAILER
ONTO THE GROUND AT LOADING/UNLOADING DOCK

Howco CEI FFY '05



OILY WASTE ON GROUND ALONG LOADING/UNLOADING DOCK



DUMP TRAILER FULL OF USED OIL FILTERS

HOWCO CEI FF05



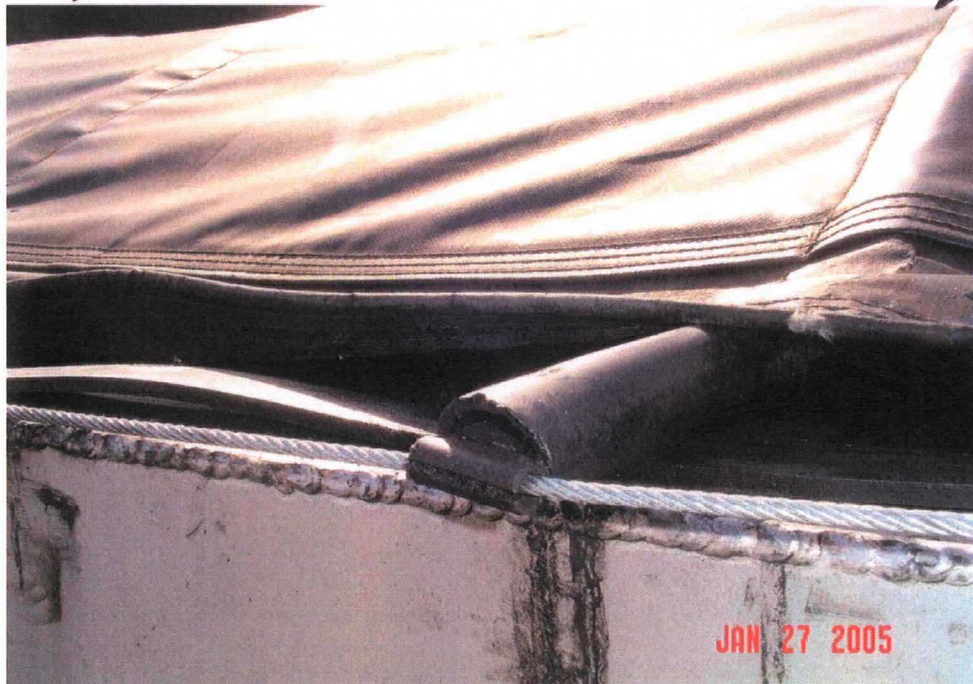
↑ DUMP TRAILER OF USED OIL FILTERS ↓



HOWCO CEI FFY '05



↖ TARP COVERING DUMP TRAILER OF USED OIL FILTERS ↗



DUMP TRAILER OF USED OIL FILTERS



OILY WASTE / STAINS ON GROUND

Trenches in the secondary containment area under Tanks #130 thru #135 contained residual oil.



Sludge, debris and stainless steel filter baskets under Tank #136



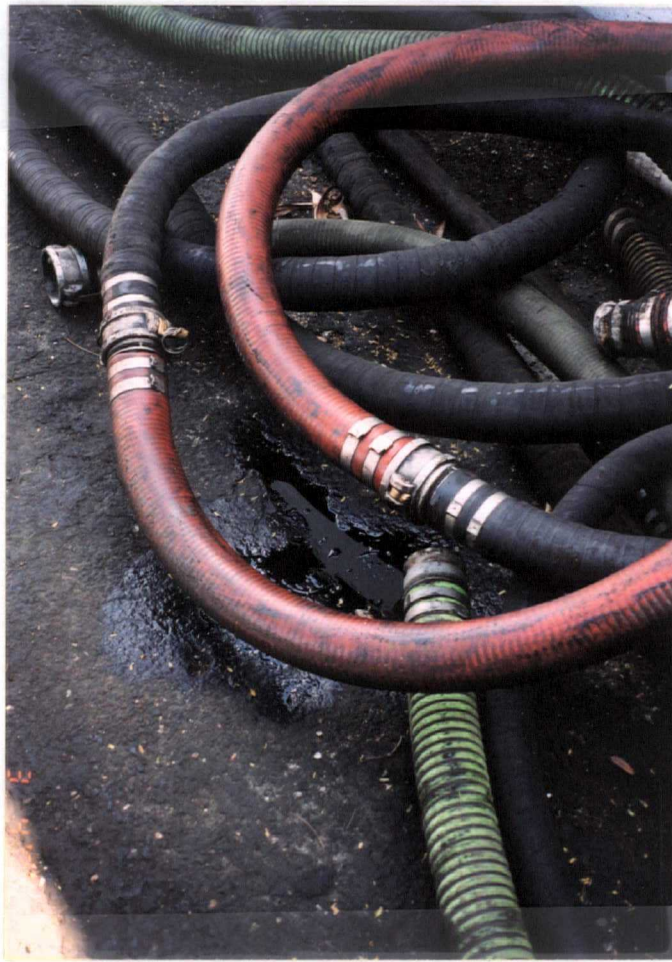
Receiving drum containing solids from the vibrascreen not properly labeled, "Screen Filter Residue".



Truck tires stored behind the east equipment trailer.



Residual oil leaking from oil transfer hoses stored along the equipment trailer, east of the wash rack



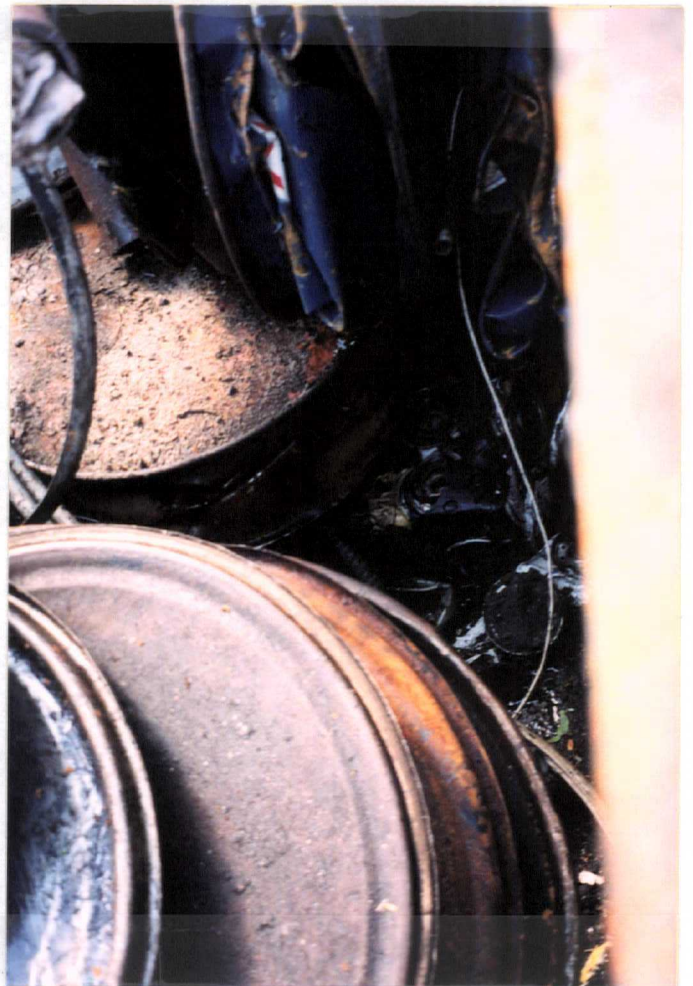
Ten 55-gallon drums of hazardous waste (D018) generated on site.



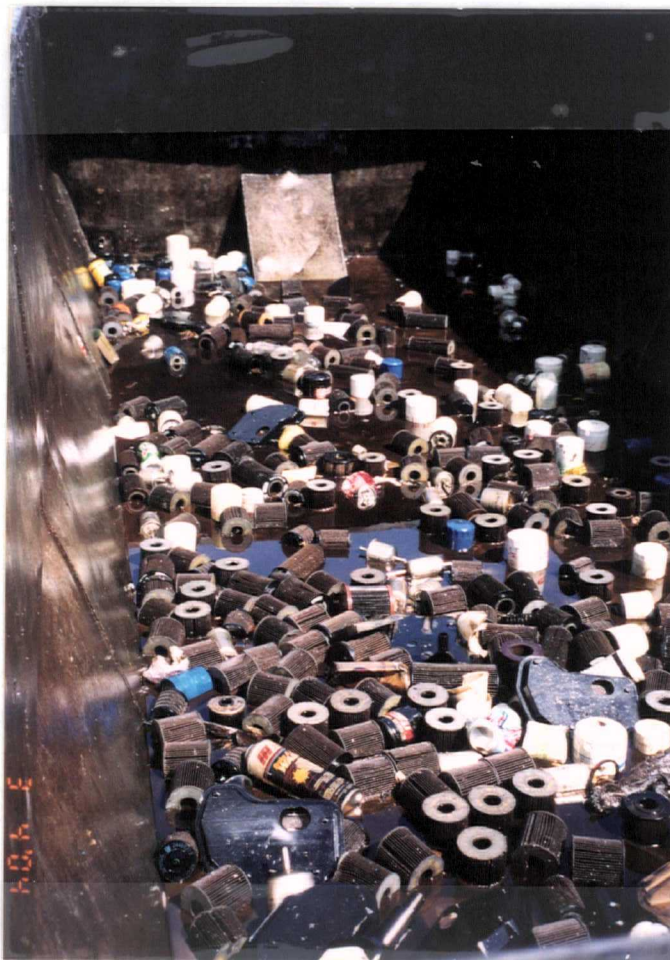
Used oil filters stored in the feed
hopper to the used oil filter crusher
are not protected from the weather.



Roll-off box of crushed drums, scrap pipe and crushed used oil filters not covered and not properly labeled.



Roll-off box of uncrushed used oil filters and water. Roll-off box was not covered, as required, to protect the contents from the weather.



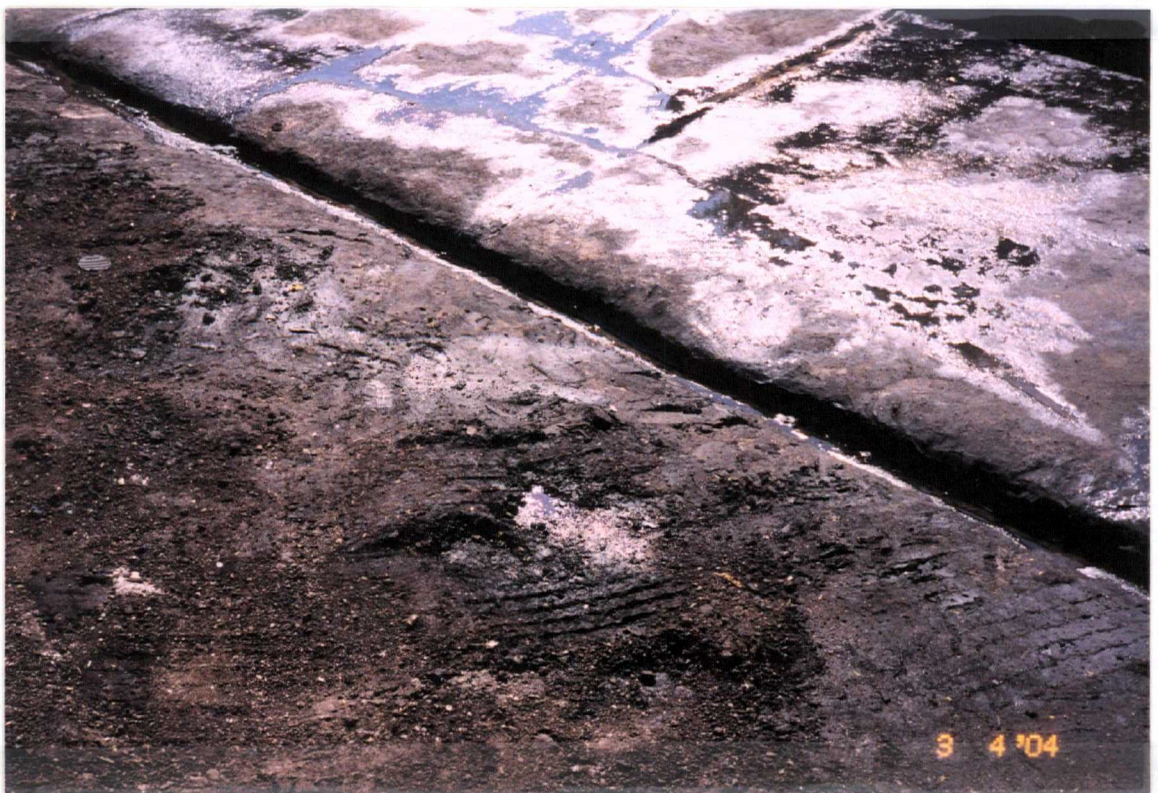
Oil and debris on pavement in the area south of the used oil filter crusher.



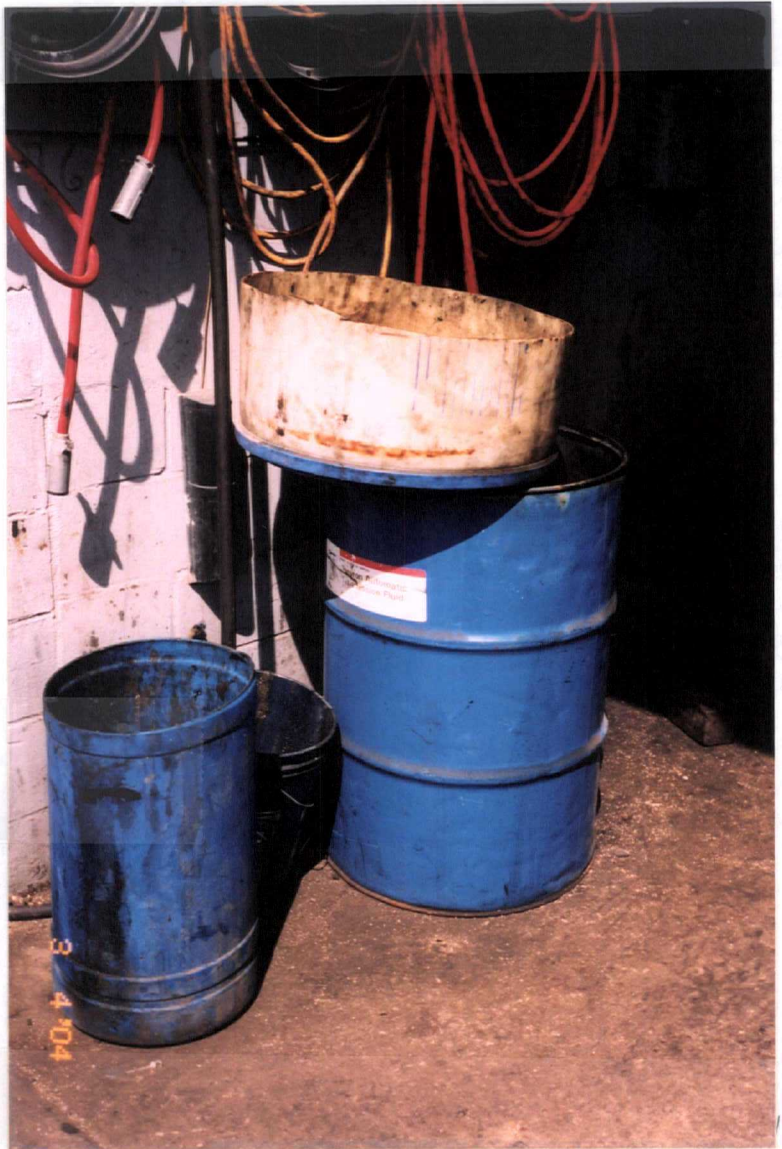
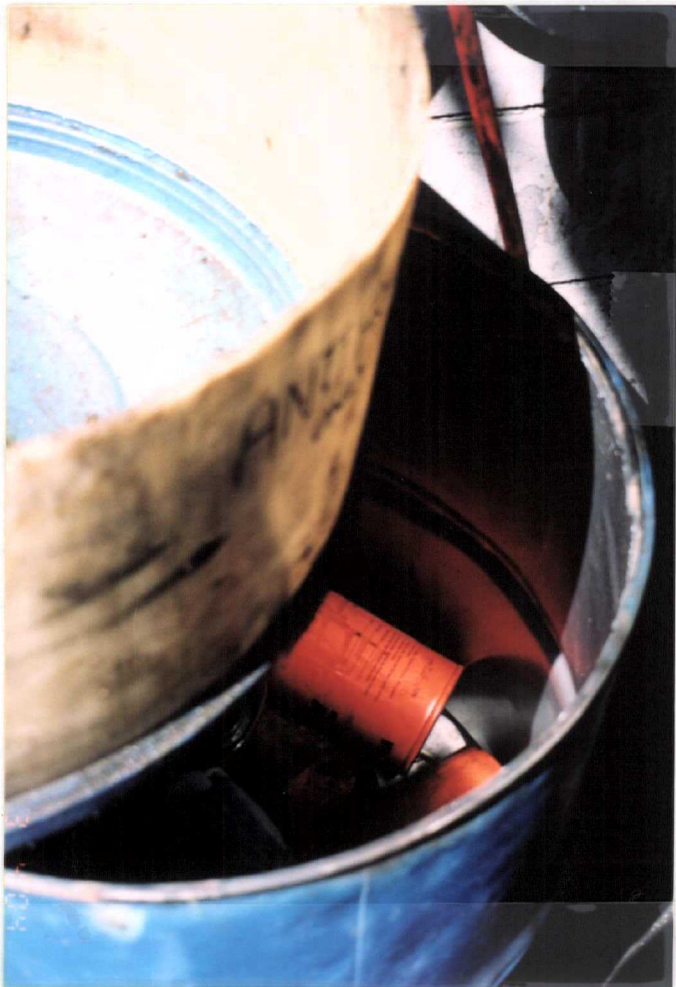
Failure to install liners in
roll-off boxes of solid
waste, as required.



Stained soil outside of the
Solids Storage and Sludge
Separation area, east of the
loading/unloading dock.



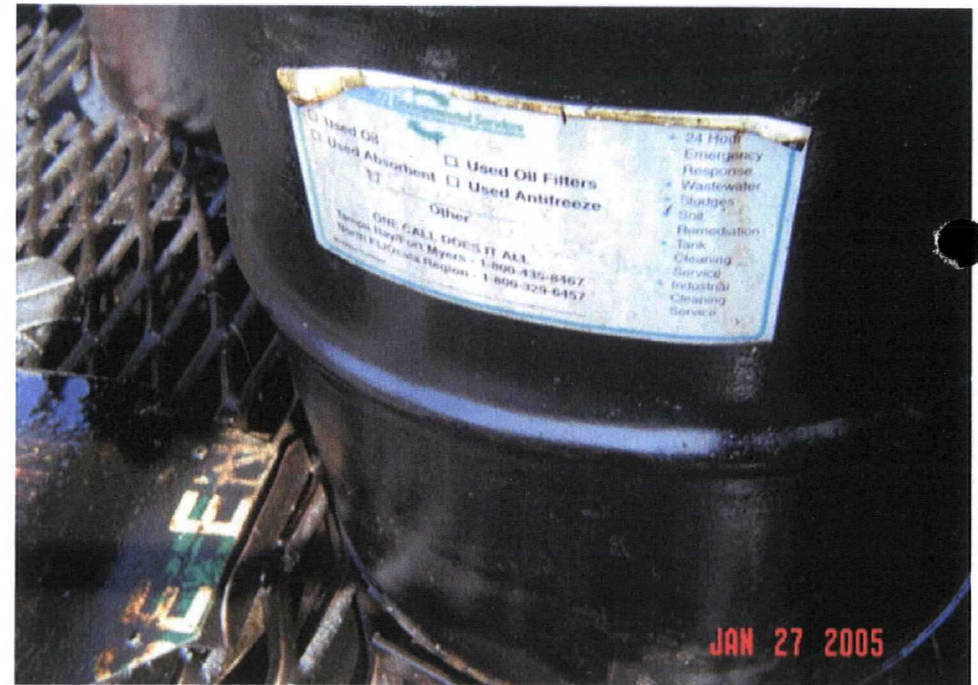
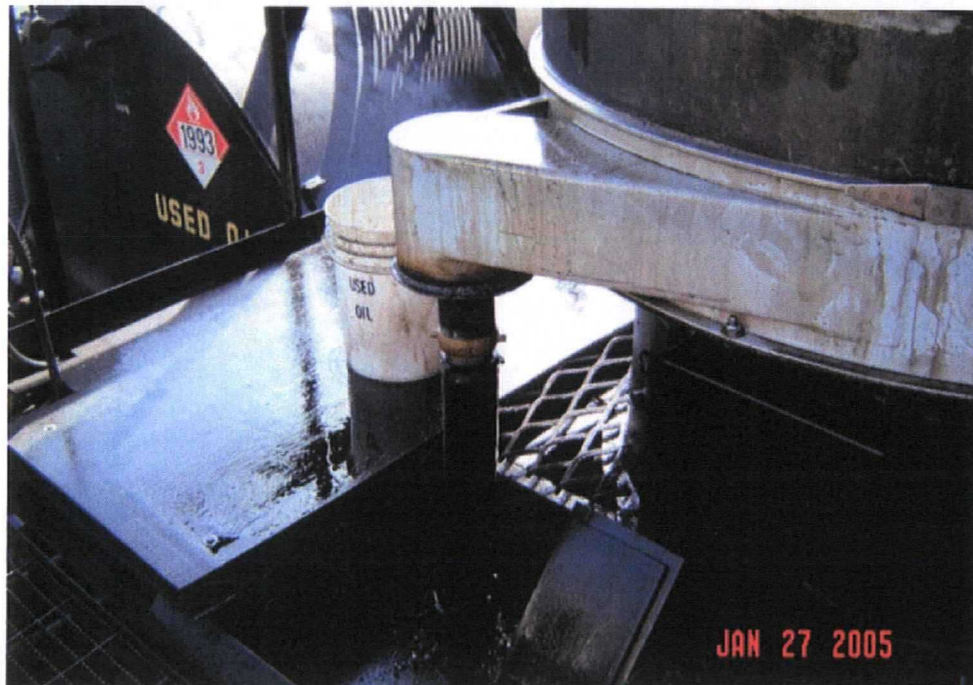
55-gallon drum of used oil filters in the vehicle maintenance garage area not properly labeled, "Used Oil Filters".



HOWCO CEI FFY '05



CONTAINER OF
SCREEN FILTER RESIDUE
NOT PROPERLY LABELED.





Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

February 18, 2004

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

Re: Final Agency Action (Consent Order)
HOWCO Environmental Services
FLD 152 764 767, Pinellas County
OGC File No.: 03-2176

Dear Mr. Hagan:

The Department has received your payment for \$4,975.00 as stipulated by the Order. The Department is closing the enforcement file associated with the inspection of June 24, 2003.

Sincerely,

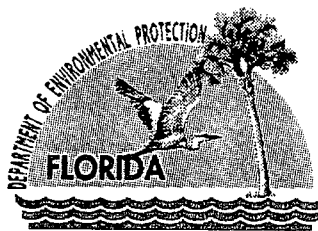
William Kutash
Administrator
Division of Waste Management

WK/afg

cc: Jeff Pallas, US EPA Region IV
Kathy Carter, OGC
Steve Ray, HWR Section
Steve Morgan, FDEP SW District Solid Waste
Compliance File ✓

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Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

November 30, 2004

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

Re: Final Agency Action (Consent Order)
HOWCO Environmental Services
FLD 152 764 767, Pinellas County
OGC File No.: 04-1411

Dear Mr. Hagan:

The Department has received your payments totaling \$3,725.00 as stipulated by the Order. The Department is closing the enforcement file associated with the inspection of March 4, 2004.

Sincerely,

William Kutash
Administrator
Division of Waste Management

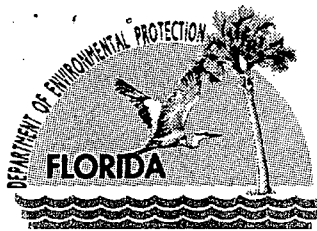
WK/afg

cc: Jeff Pallas, US EPA Region IV
Kathy Carter, OGC
Steve Ray, HWR Section
Lora Ross, SWD SW Section
Compliance File ✓

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~~FILE~~
2404



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

July 15, 2004

CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

RE: HOWCO Environmental Services
EPA ID# FLD 152 764 767
Warning Letter #276795
Pinellas County

Dear Mr. Hagan:

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 joint hazardous waste and solid waste program field inspection conducted on March 4, 2004, indicates that violations of Florida Statutes and Rules may exist at the above referenced 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 (F.S.) 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 cease.

You are requested to contact Al Gephart at (813) 744-6100, extension 372, 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.

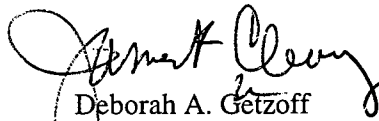
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of a Consent Order that will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In 2001 the Florida Legislature enacted the Environmental Litigation Reform Act (ELRA)(2001 Fla. Laws, Ch. 258). ELRA is now codified in Section 403.121, Florida Statutes (FS). ELRA is an efficient means of resolving smaller environmental cases in Administrative Court.

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ELRA sets specific penalty amounts for violations covered under the Act. The Department has computed the penalty, using the ELRA guidelines, to be \$3,625.00. Costs and expenses in this case will be a minimum of \$100. If this matter cannot be resolved within 90 days, 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 yours,



Deborah A. Getzoff
District Director
Southwest District

DAG/afg

Enclosure

cc: Steve Ray, HWR Section
Compliance File ✓



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

HAZARDOUS WASTE INSPECTION REPORT

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

FACILITY NAME: HOWCO Environmental Services DEP/EPA ID #: FLD 152 764 767

STREET ADDRESS: 843 43rd Street South; St. Petersburg, FL 33711

MAILING ADDRESS: 3701 Central Avenue; St. Petersburg, FL 33713

COUNTY: Pinellas PHONE: (727) 327-8467 DATE: 03/4/04 & 04/1/04 TIME: 9:45 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:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

CURRENT STATUS:

- ☐ non-handler
- ☐ CESQG (<100 Kg per month)
- ☒ SQG (100 Kg - 1000 Kg per month)
- ☐ LQG (>1000 Kg per month)
- ☒ transporter registration
- ☐ transfer facility
- ☐ interim status TSDF
- ☐ permitted TSDF
- ☐ unit types:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

2. APPLICABLE REGULATIONS:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> 40 CFR 261.5 | <input checked="" 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 checked="" type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 273 |
| <input checked="" type="checkbox"/> 40 CFR 279 | <input checked="" type="checkbox"/> 62-710, FAC | <input checked="" type="checkbox"/> 62-730, FAC | <input checked="" type="checkbox"/> 62-740, FAC |

3. RESPONSIBLE OFFICIAL:

Tim Hagan, President

4. INSPECTION PARTICIPANTS:

Al Gephart - FDEP	Lora Ross - FDEP	Dave Roehn - HOWCO
Stanley Tam - FDEP	Richard Dillen - HOWCO	Mike Wolfe - HOWCO
Jim Dregne - FDEP	Mazen Jubrail - HOWCO	

5. LATITUDE/LONGITUDE: 27°45'41.6"/ 82°41'32.5"

6. SIC CODE: 2999

7. TYPE OF OWNERSHIP: PRIVATE FEDERAL STATE COUNTY MUNICIPAL

8. PERMIT #: 92465-HO06-001 ISSUE DATE: 08/03/2000 EXP. DATE: 08/03/2005

"More Protection, Less Process"

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9. PROCESS DESCRIPTION:

HOWCO Environmental Services is a used oil and material processing facility that stores, processes and markets used oil. The 3.2 acre site contains an oil processing facility, an industrial wastewater pretreatment facility, storage tanks, vehicle maintenance garage and an on-site analytical laboratory. Administrative personnel and facility operating records are located and maintained at the Central Avenue office.

The facility receives used oil, industrial wastewater, petroleum contact water (PCW), antifreeze, used oil filters, oily solids, industrial solids and petroleum contaminated solids. The processing of solid wastes is overseen by the Department's Solid Waste Management Section that also participated in this inspection. According to Mr. Hagan, the facility does not accept off-spec used oil or hazardous waste. On occasion, HOWCO may act as a broker for the disposal of hazardous waste for some clients. The hazardous waste that is brokered is transported directly from the generator to the disposal facility by a registered hazardous waste transporter. HOWCO routinely collects waste antifreeze from its customers. Facility personnel advised the inspectors that all of the antifreeze received at the facility is shipped to an antifreeze recycler.

The majority of used oil, used oil filters and oily wastes are brought into the facility by HOWCO trucks, common carriers and independent oil transporters. Used oils collected by HOWCO trucks are initially screened by the drivers at the pick-up site using a halogen "sniffer". Seven drivers were checked at the time of the inspection to verify that they had "sniffer" units and that they were properly documenting that the used oil being picked-up had halogen levels below 1000 ppm. All drivers had "sniffer" units, but one unit appeared to be malfunctioning. Care must be taken to insure that all units are properly calibrated and have working batteries. Used oils arriving at the facility are also sampled and analyzed in the facility's on-site laboratory prior to unloading. A representative sample of each incoming shipment is taken, using a bailer, and tested for total halogens using a bench top 200T x-ray analyzer. If the analysis indicates the halide concentration is less than 999 ppm, the used oil is pumped into the tank farm. If total halogens are greater than 999 ppm the load is rejected unless the total halogens are less than 4,000 ppm and a rebuttable presumption is made. On the day of the inspection, it was determined that one truck contained used oil with a halogen level over 1000 ppm. The truck and load were segregated until it was determined that the "hot oil" had come from a conditionally exempt small quantity generator. The drivers were properly documenting the halogen screening on all pick-up receipts. Used oils shipped to the facility by other vendors are required to include a manifest describing the material.

The HOWCO tank farm consists of 47 aboveground storage tanks in five separate containment areas. Eighteen (18) of the tanks (approximate capacity of 339,420 gallons) in containment Areas #1 and #2 are used to store used and re-refined used oil. The tanks have secondary containment consisting of oil impermeable concrete surfaces on the walls and floors to contain oil spills. In general, facility personnel have done a very good job in cleaning and power washing the containment areas. However, the facility experienced a situation early in the morning of the inspection date in which processed oil overflowed from Tank #134. As a result, trenches in the area of Tanks #130 thru #135 contained residual oil. Facility personnel were advised that the oil in these areas needed to be cleaned up. It was also requested that the facility submit a write-up of the incident to the Department. A description of the incident was submitted to the Department on March 12, 2004. An **Area of Concern** to the inspectors is that the sealant on the cement in the secondary containment in the processing area and south of Tanks #130 thru #135 is peeling off. The Department requests that Mr. Hagan conduct an assessment of the secondary containment in the processing area to determine if it still meets the impermeable surface standards in

Florida's used oil processor rules. It is also requested that the conclusions drawn from the assessment be submitted to the Department. In addition, it was observed that there was sludge, debris and three stainless steel filter baskets under Tank #136. Facility personnel were advised to include this area in their housekeeping activities.

Used oil is processed utilizing either the Flash Tower or the Cooker Process. In the Flash Tower process the used oil is pumped to a vibrascreen for removal of solids and then heated to flash-off the water. Used oil processed in the Cooker process is pumped to Tank #100 or Tank #101 for thermal/chemical treatment. A de-emulsifier is added to the oil and the mixture is heated. The heated oil is then allowed to cool to facilitate the separation of water. Water that is recovered from these processes is treated in the facility's wastewater pretreatment plant prior to being discharged to the City of St. Petersburg POTW. The light ends from the Flash Tower are pulled-off and blended into processed oil tanks during the batching process. Facility personnel use a vacuum truck to remove the solids collected from the vibrascreen and then adds them to Tank #110 or Tank #111. The solids from these tanks are tested annually to ensure that they are not a hazardous waste. Upon inspection, the inspectors observed that the receiving drum containing solids from the vibrascreen was not labeled, "Screen Filter Residue", as required. This is a violation of **Specific Condition IV.4.d** in the facility's operating permit.

Wastewater, including petroleum contact water (PCW), industrial wastewater, rainwater collected in secondary containment areas and water from the re-refining of used oil is accumulated and stored in aboveground storage tanks #151-155, #160-166, #170, #180, #191 and #192. The wastewater is treated in the pre-treatment system prior to discharging to the City of St. Petersburg POTW. Any oil recovered from the tanks by gravity separation is pumped back to the used oil tank farm for processing. The facility stores its wastewater treatment chemicals at the east end of the site. The area was clean indicating that housekeeping has improved in this area.

Truck tires are stored behind the east equipment trailer. It was recommended that the facility clean the area and remove leaves and vegetation growing among the tires. Oil transfer hoses are stored along a second equipment trailer east of the truck wash rack. Residual oil from one of the hoses had leaked onto the pavement. Facility personnel were advised that the oil in this area needs to be cleaned up and hoses are to be completely drained of residual oil prior to placing them in storage.

There were ten (10) drums of hazardous waste (D018) stored in the area of the wastewater treatment sludge (WWTS) press. The accumulation dates on the drums were 2/26/04 and 2/27/04. This waste was generated from filtering sludge from the wastewater treatment plant. The facility is required to sample the sludge annually, to demonstrate that it is a nonhazardous waste. The annual sampling event was performed on December 15, 2003. The sample was analyzed on December 18, 2004, and found to exhibit the characteristic of toxicity for Benzene (D018). Therefore, it was a hazardous waste. The facility received the analytical report on February 4, 2004, and notified the Department of the hazardous waste determination, by letter, on February 11, 2004. However, the facility did not notify the Department of its change in status from a small quantity generator (SQG) to a large quantity generator (LQG). This is a violation of **62-730.150(5), FAC**. The facility's permit requires the sampling of the next two (2) batches of sludge to demonstrate that the waste stream is nonhazardous or continually manage the waste stream as hazardous waste. On May 5, 2004, HOWCO submitted to the Department TCLP analyses of two consecutive batches of WWTS. The analyses indicate that the contaminants in both batches of WWTS were of concentrations below the regulatory levels for the toxicity characteristic.

Crushed and uncrushed used oil filters are received and stored on the south side of the property, west of the used oil filter crusher. The uncrushed used oil filters are conveyed to a used oil filter crusher. The

used oil from draining the filters is collected in a drip pan under the filter crusher and is pumped to an adjacent storage tank. The tank was properly labeled, "Used Oil." Periodically, the oil from the storage tank is removed and pumped into one of the facility's used oil storage tanks to be re-processed. During the inspection, the facility's used oil filter crusher was not operational. Facility personnel advised the inspectors that the used oil filter crusher has not been operational for several months. However, the feed hopper on the crusher was full of used oil filters. This is improper storage of used oil filters and is a *repeat* violation of **62-710.850(6)(a), FAC**. Crushed and uncrushed used oil filters are stored in either drums, roll-off boxes or dump trailers. At the time of the inspection, there were no drums of crushed or uncrushed used oil filters being stored in this area. There were, however, two roll-off boxes of used oil filters. One contained crushed drums, scrap pipe and crushed used oil filters. The roll-off box was not covered and was improperly labeled, "Sludge For Disposal". The second roll-off box contained uncrushed used oil filters, fuel filters and water. The roll-off box was properly labeled, but not covered. These are *repeat* violations of **62-710.850(6)(a), FAC**.

Along the east side of the used oil filter crusher were three (3) drums labeled oil/acid. Facility personnel advised the inspectors that the drums contained an emulsifier product that was re-containerized from another container (tote). Facility personnel were advised to affix proper labels on the containers identifying their true contents.

In the area south of the used oil filter crusher, there was oil and debris on the pavement. Facility personnel were advised to clean the area and maintain good housekeeping practices.

Solid waste managed at the facility includes oily solid waste generated by HOWCO and its clients. Solid wastes generated by HOWCO includes solids from the vibrascreen, tanker trucks, cone-bottom tank, oily solid batch treatment tank and storage tanks at the facility. The wastes are managed as non-hazardous waste. The waste solids are sampled and analyzed once per year to demonstrate that the waste is non-hazardous. For incoming solid wastes, each client is to provide the necessary non-hazardous waste determination. A review of the sampling records indicated that the solid wastes were non-hazardous. The solid wastes are bulked and sent to an approved thermal facility or a licensed landfill for disposal. The oily solids may be placed in drums, roll-off boxes, decontamination boxes or other containers for storage. At the time of the inspection, there were three (3) roll-off boxes being stored in the Solids Storage and Sludge Separation Areas. Two contained solid waste. One was not covered and was not equipped with a liner, as required. The second roll-off box was covered but was not equipped with a liner. The third roll-off box containing sludge was mis-labeled, "Scrap Metal", did not have a liner and was not covered. These are violations of **Specific Condition IV.6.b** in the facility's operating permit.

Also, in the sludge separation area, it was observed that HOWCO has capped the discharge pipe from Tank #111 that extends outside secondary containment. This satisfies the Department's previous recommendation that the facility find a means to ensure that there are no discharges to areas outside of the secondary containment.

Just north of Tanks #110 and #111, the facility has constructed a below ground loading/unloading dock to unload containers of solid waste and used oil filters. The inspectors observed staining of the soil just east of this area. Facility personnel were advised to investigate the source of the staining, clean up the area and dispose the stained material appropriately. Facility personnel were advised that since there is no secondary containment, the loading/unloading dock cannot be used to store trucks or containers of solid waste or used oil. The facility must also depict this loading/unloading dock in its facility site diagram and submit the diagram to the Department for inclusion in the facility's permit application.

The fire and emergency equipment are inspected monthly and are tested annually. The inspection records were reviewed and, with the exception of October 2003, found to be complete. A copy of the missing October 2003 monthly inspection report was submitted to the Department on March 12, 2004. Located east of the truck wash rack is the facility's emergency trailer consisting of absorbents, blankets and booms. The trailer was orderly and contained sufficient amounts of emergency equipment.

In the vehicle maintenance garage area were observed one (1) 55-gallon drum for used oil filters generated on-site and one (1) parts washing machine. The drum of used oil filters was not properly labeled, "Used Oil Filters". This is a violation of **62-710.850(6)(a), FAC**. According to the maintenance staff, the spent parts washer solution is disposed of with the facility's used oil. No waste determination had been made on the waste solvent. If the spent part washer solvent is hazardous, it can only be mixed with the facility's used oil when the facility is a conditionally exempt small quantity generator of hazardous waste. It is requested that the facility submit to the Department its paperwork depicting the proper disposal of the spent parts washer fluid.

Evacuation routes were posted at various locations and the emergency phone numbers were posted next to the phones.

The tanks and related piping are inspected monthly. The monthly inspection logs from January 2003 through February 2004 were reviewed and, with the exception of October 2003, found to be complete. A copy of the missing October 2003 monthly inspection report was submitted to the Department on March 12, 2004.

Incoming and outgoing manifests for used oil, used oil filters, crushed used oil filters, petroleum contact water and antifreeze are kept by HOWCO at its Central Avenue office for at least three years. Incoming and outgoing manifests were being properly filled-out by the drivers. Care must be taken to ensure that all manifests have the signature of the generator and the name of the transporter, not the initials, on the manifest. A random selection of customer files were inspected, all of which were found to be in compliance. Receipts for pick-up and delivery of used oil products are also maintained at the Central Avenue office. A review of the analytical results of processed oil shipped from the facility indicated that all parameters were in compliance.

HOWCO employees receive training as outlined in the company's "Used Oil Training Program". The company's employees are provided initial and annual refresher training. The training records were reviewed and found to be complete.

HOWCO is current on its liability and financial assurance requirements and current in required documents and recordkeeping except that the facility did not submit its Annual Used Oil Recovery Report by March 1, 2004, as required. This is a violation of **62-710.500, FAC**.

10. SUMMARY OF ALLEGED VIOLATIONS:

62-730.150(5), FAC

Failure to notify the Department of all changes in generator status using EPA Form 8700-12.

62-710.500, FAC

Failure to submit the annual Used Oil Recovery Report by March 1.

62-710.850(6)(a), FAC

Failure to seal, or otherwise protect from the weather, containers of used oil filters. *(Repeat Violation)*

Failure to properly label containers, "Used Oil Filters." *(Repeat Violation)*.

Specific Condition IV.4.d

Failure to properly label the container receiving solids from the vibrascreen, "Screen Filter Residue".

Specific Condition IV.6.b

Failure to line, cover, and properly label containers of solid waste.

11. RECOMMENDED CORRECTIVE ACTIONS:

62-730.150(5), FAC

Effective immediately and henceforth, the facility must notify the Department of all changes in generator status using EPA Form 8700-12.

62-710.500, FAC

Effective immediately and henceforth, the facility shall submit its annual Used Oil Recovery Report by March 1 of each year.

62-710.850(6)(a), FAC

Effective immediately and henceforth, the facility shall ensure that all used oil filters are stored in containers that are sealed or otherwise protected from the weather and properly labeled, "Used Oil Filters."

Specific Condition IV.4.d

Effective immediately and henceforth, the facility shall ensure that the container receiving the solids from the vibrascreen is properly labeled, "Screen Filter Residue".

Specific Condition IV.6.b

Effective immediately and henceforth, the facility shall ensure that all solid wastes stored on the property are stored in lined containers that are properly labeled and covered to protect the contents from the weather.

Report Prepared By: Al Gephart
Al Gephart
Engineer IV

Report Reviewed By: Jim Dregne
Jim Dregne
Environmental Specialist III

Report Reviewed By: Lora Ross
Lora Ross
Environmental Specialist I

Report Reviewed By: Stanley Tam
Stanley Tam
Professional Engineer II

Report Approved By: Elizabeth Knauss Date 7/13/04
Elizabeth Knauss
Environmental Manager

PENALTY COMPUTATION WORKSHEET

Violator's Name: HOWCO Environmental Services FLD 152 764 767

Identify Violator's Facility: 843 43rd Street South; St. Petersburg, FL 33711

Name of Department Staff Responsible for the Penalty Computations: Al Gephart

ComHaz Case #: 276795

Date: July 5, 2004

	Violation Type	Manual Guide	Florida Statute Citation	Penalty	Multi Day	Other Adjustments	Total
1.	Failure to notify the Department of all changes in generator status using EPA Form 8700-12.	ELRA	403.121(5)	\$500			\$500
2.	Failure to submit the annual used oil recovery report by March 1	ELRA	403.121(4)(f)	\$500			\$500
3.	Failure to store used oil filters in sealed containers.	ELRA	403.121(5)	\$500		\$500	\$1,000
4.	Failure to properly label containers of used oil filters.	ELRA	403.121(5)	\$500		\$125	\$625
5.	Failure to properly label vibrascreen solids container.	ELRA	403.121(5)	\$500			\$500
6.	Failure to properly line, cover and label cont. of solid waste	ELRA	403.121(5)	\$500			\$500
Total Penalty for all Violations:							\$ 3,625

Citation (1) corresponds to 62-730.150(5), FAC, failure to notify the Department of all changes in generator status using EPA Form 8700-12.

Citation (2) corresponds to 62-710.500, FAC, failure to submit the annual Used Oil Recovery Report by March 1 of each year

For citation (3) above [62-710.850(6)(a), FAC, failure to seal or otherwise protect from the weather, containers of U.O.F], an additional 100% was added because there have been three previous violations. [403.121(7)(b) F.S.]

For citation (4) above [62-710.850(6)(a), FAC, failure to properly label containers, "Used Oil Filters"] an additional 25% was added because there was one previous used oil filter labeling violation. [403.121(7)(a) F.S.]

Citation 5 corresponds to failure to comply with Specific Condition IV.4.d in the facility's operating permit.

Citation 6 corresponds to failure to comply with Specific Condition IV.6.b in the facility's operating permit.

Inspectors: Gephart / Tam / Dregne / Ross
Date: March 4, 2004

INSPECTION CHECKLIST

*HOWCO Environmental Services
843 43rd Street South
St. Petersburg, FL 33711
FLD 152 764 767*

Permit No.	92465-HO06-001
Issued	08/03/00
Expires	08/03/05

Last Inspection 6/24/03

Used Oil and Material Processing Facility

47 Aboveground Storage Tanks (See Tables 3-1, 3-2 and 3-3 for descriptions of contents).

GC General Conditions

- GC.2 Have there been any changes in processes or operations ? Y ☒ N
- GC.12 A copy of the operating permit is maintained at the facility. *Central Ave office has records* Y ☐ N
- GC.14 Operating records contain the required information:
 - Date, Place and Time of sampling or analyses;
 - Person performing the sampling or analyses;
 - Analytical techniques or methods used;
 - Results of the analyses.☒ Y ☐ N

SC Specific Conditions

Part I. General

- I.11 The facility has submitted its annual registration by March 1. Y ☐ N
- I.12 Were any shipments of used oil refused due to suspected mixing with hazardous waste ? (Any oil analyses pass or fail must be kept for 3 yrs.) Y ☒ N

Part II. Used Oil Processing

- II.3 Only permitted waste streams are processed at the facility. Y ☐ N
- Automotive crankcase oil, transmission and differential oil;
 - Oil/water emulsion from ships, barges and other sources;
 - Automotive oils recovered from oil/water separators;
 - Virgin oils contaminated with water;
 - Virgin oils recovered from tank cleaning and tank removals;
 - Used industrial oil.

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

- II.4 Generators supply initial TCLP analysis (or generator knowledge statement) of waste antifreeze. (Check facility files for certifications.) *N/A* Y N
ALL ANTIFREEZE IS SENT OUT FOR RECYCLING
- II.6 The following records are maintained at the facility or the Central Ave. office.
- Permit application; Y N
 - Operating permit; Y N
 - Manifests and Bill-of-Lading of all shipments; Y N
 - Shipping papers include all of the required information as stated in 40 CFR 279.56 (Acceptance / Delivery); Y N
 - Training records; Y N
 - Inspection records; *Kept AT LAB AT FACILITY THIS WAS VERIFIED AND UPON REVIEW OCT 2003 inspection WAS MISSING* Y N
 - Closure Plan; Y N
 - Results of Waste Analyses; Y N
 - Annual used oil recovery reports; Y N
 - Validated annual used oil registration form. Y N
- II.8 Processed oil is sampled prior to shipping off-site *once every two weeks.* Y N

Part III. Tanks

- III.1 Used oil tanks and containers are labeled "Used Oil". Y N
- III.2 Regulated tank systems are inspected monthly. *OCT 2003 inspection sheet WAS MISSING* Y N
- III.3 Records are maintained for inspections and monthly release detection monitoring for process and storage tanks. *OCT 2003 inspection sheet WAS MISSING* Y N
- III.5 Secondary containment areas are sealed and free of cracks. *DOES NOT APPEAR TO BE SEALED. SEALANT PEELING OFF FACILITY IS TO SUBMIT AN ASSESSMENT* Y N
- III.6 The areas of secondary containment provide containment for at least 110 % of the volume of the largest tank. Y N
- III.8 Spilled or leaked waste is removed from containment areas within 3 days of the incident. *oil WAS present in secondary containment BUT PERSONNEL SAID THE SPILL HAPPENED THAT MORNING* Y N
- Accumulated precipitation is removed within 1 week after a rainfall event using manually controlled pumps. Y N

Part IV. Solid Waste Processing

- IV.1 Non-hazardous materials that are accepted, processed, stored or otherwise managed are limited to - Y N
- Petroleum contaminated soil;
 - Petroleum contaminated sorbent materials (pads, booms, rags, vermiculite);
 - PPE;
 - Debris from spill cleanup;
 - Petroleum tank bottom sludges from tanks, pits and sumps;
 - Petroleum contaminated water;

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

	<ul style="list-style-type: none"> • Petroleum contact water; • Petroleum contaminated sediments sludges and liquids from oil/water separators at car washes; • Empty petroleum contaminated drums, pails, gas tanks and fuel filters; • Non-liquid waste streams from on-site oil processing and wastewater pretreatment facilities. 	
	Household hazardous wastes or wastes from a CESQG are <u>NOT</u> managed as solid waste at the facility.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.3	<i>used oil</i> Processing equipment is repaired within one week of becoming inoperable.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	Operations <i>DO NOT</i> change the chemical characteristics of any of the solid materials.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.4	Each solid waste stream is sampled and analyzed at least annually.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	Records are available of annual WWTS sampling and analyses.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	Records are available of annual oil-extracted sludge (OES) sampling and analyses.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	Vibratory screen filter solids are containerized, properly sealed and labeled, "Screen Filter Residue".	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
	All tank bottom sludges and screen filter residues are transferred to Tanks 110 or 111 for further processing. (If not, the facility must have records of waste determinations on these streams.)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	The facility has notified the Department within 3 days prior to sampling any solid waste streams.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	The facility has records of hazardous waste determinations from each generator for all solid waste streams received.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	The determinations are updated annually.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.5	All outgoing materials for disposal are sampled and analyzed annually.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.6	Storage of solid waste is at or below 22,000 gallons. Where $15 \text{ yd}^3 = 3,030 \text{ gallons}$ $20 \text{ yd}^3 = 4,040 \text{ gallons}$	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
	Processed solids are stored in covered, lined, roll-off containers or covered drums and stored on an impervious surface.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
	All processed and unprocessed solid wastes are <u>stored</u> within the Solids Storage and Sludge Separation Areas.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
IV.7	All materials are <u>processed</u> on impervious surfaces, tanks or containers.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

	Containers of processed wastes are labeled "Processed Solids" or "Processed Solid Waste".	<u> </u> Y <u> </u> <input checked="" type="checkbox"/> N
	There is <u>no</u> evidence of liquids or solids being discharged outside of the Solids Storage and Sludge Separation Areas.	<u> </u> <input checked="" type="checkbox"/> Y <u> </u> N
	Solid wastes (liquids, sludges, solids, etc.) are only managed within containers, <u>NOT</u> on the ground, on the asphalt or on the concrete areas.	<u> </u> <input checked="" type="checkbox"/> Y <u> </u> N
	The Solids Storage and Sludge Separation Areas are inspected monthly. <i>OCT 2003 INSPECTION SHEET MISSING</i>	<u> </u> <input checked="" type="checkbox"/> Y <u> </u> N
IV.9	The facility maintains the following waste records: <ul style="list-style-type: none">• The amount of waste received, stored, processed and disposed [Quantities of drums received (gallons), an estimate of the percentage of solids and liquids in each drum, the quantities of bulk liquids received (gallons), the quantities of bulk solids received (tons), and the quantities of liquids (gallons) and solids (tons) disposed and stored on site];• A signed waste profile form and analytical data for each waste stream <u>accepted</u> at the facility or for virgin materials, a waste material profile sheet and MSDS;• The pre-burn analysis for each shipment of contaminated soil received that will be transferred to a soil treatment facility;• The pre-acceptance analyses or waste determinations;• Copies of any analyses required by a disposal facility as a condition of acceptance and documentation of acceptance;• Monthly Waste Inspection/Corrective Action logs; <i>OCT. 2003 Log MISSING</i>• Copies of permits for facilities that receive the processed solids. <i>PERMITS ARE TOO LARGE TO BE COPIED. ACCEPTED PROOF OF HAVING THE PERMIT TO SATISFY THIS CONDITION</i>	<u> </u> <input checked="" type="checkbox"/> Y <u> </u> N <u> </u> <input checked="" type="checkbox"/> Y <u> </u> N <u> </u> <input checked="" type="checkbox"/> Y <u> </u> N <u> </u> <input checked="" type="checkbox"/> Y <u> </u> N <u> </u> <input checked="" type="checkbox"/> Y <u> </u> N <u> </u> <input checked="" type="checkbox"/> Y <u> </u> N <u> </u> <input checked="" type="checkbox"/> Y <u> </u> N
	Monthly compilations are submitted quarterly of the following: <ul style="list-style-type: none">• Material balance (quantities received versus quantities disposed or in storage);• Name and location of disposal or treatment facility for all solid wastes removed from the facility.	<u> </u> <input checked="" type="checkbox"/> Y <u> </u> N <u> </u> <input checked="" type="checkbox"/> Y <u> </u> N
IV.10	All areas are cleaned to prevent nuisance conditions, hazardous conditions, odor or vector problems. <i>ONE AREA OF STORED TIRES NEEDS CLEANING</i>	<u> </u> <input checked="" type="checkbox"/> Y <u> </u> N
IV.12	The facility is in compliance with Financial Assurance requirements. <ul style="list-style-type: none">• Closure costs are submitted annually prior to August 3;• Annual submittal of proof of financial assurance.	<u> </u> <input checked="" type="checkbox"/> Y <u> </u> N <u> </u> <input checked="" type="checkbox"/> Y <u> </u> N
Part V. Contingency Plan		
V.2	Emergency and spill equipment is available at the facility. Check the emergency equipment stored east of the truck wash rack and at the drum crusher.	<u> </u> <input checked="" type="checkbox"/> Y <u> </u> N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

At a minimum the facility shall have:

- | | |
|-------------------------------|---------------------------|
| 5 bales of absorbent booms | 5 bales of absorbent pads |
| 10 bags of granular absorbent | 5 flashlights |
| 3 push brooms | 4 shovels |
| 2 55-gallon containers | 2 rakes |
| 5 tyvek suits | 5 gloves |
| 5 safety glasses | 5 rain gear |

☒ Y ☐ N

V.3,4 The emergency and safety equipment is available, tested and maintained.

☒ Y ☐ N

V.5 There is adequate aisle space in all storage areas for inspections.

☒ Y ☐ N

V.6 Primary evacuation routes are posted in appropriate locations throughout the facility.

☒ Y ☐ N

V.7 A copy of the Contingency Plan is maintained on-site.

☒ Y ☐ N

The following are still the Emergency Coordinators:

☒ Y ☐ N

David Roehm

Primary

Tim Hagan

Alternate

A list of emergency response phone numbers is posted by the phones.

☒ Y ☐ N

The Contingency Plan was last amended on (date) 7-21-99

Amendments to the CP are sent to appropriate agencies.

☒ Y ☐ N

Part VI. Training

VI.1,2 The Company's "Used Oil Training Program" is given initially and annually thereafter.

☒ Y ☐ N

Personnel training is documented.

☒ Y ☐ N

Part VII. Closure

VII.1 The facility maintains a copy of the Closure Plan.

☒ Y ☐ N

Used Oil Filter Processing (62-710.850, F.A.C.)

62-710.850(4) The facility has current registration certificates for -

- Used Oil Filter Transporter
- Used Oil Filter Processor

☒ Y ☐ N
☒ Y ☐ N

62-710.850(5) The facility has records indicating the destination or end use of the processed used oil filters and the Name and Address of each destination or end user.

☒ Y ☐ N

The facility has submitted its annual report by March 1.

☐ Y ☒ N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

62-710.850(6) All used oil filters are stored in –

- Above ground containers on impermeable surfaces;
- Sealed containers that are in good condition;
- Containers labeled, Used Oil Filters”.

☒ Y ☐ N
☐ Y ☒ N
☐ Y ☒ N

Upon detection of any leaking oil from a container the oil is contained,
cleaned-up and managed properly.

☒ Y ☐ N

Petroleum Contact Water (62-740, F.A.C.)

62-740.300(2) The following records are maintained at the facility:

- Name and address of producer;
- Name and address of transporter;
- Date of receipt of the PCW shipment;
- Volume of PCW received;
- A copy of the shipping paper;
- Weekly container or tank inspections.

} NOT
CHECKED
ON THIS
INSPECTION

☐ Y ☐ N

62-740.300(4) The facility has written assurance from the producer that the
PCW is non-hazardous.

☐ Y ☐ N

DOCUMENTS AND RECORDKEEPING

<input checked="" type="checkbox"/> Permit Application.	<input checked="" type="checkbox"/> Operating Permit.
<input checked="" type="checkbox"/> Validated Annual Used Oil Registration [Form 62-701.900(13)].	<input checked="" type="checkbox"/> Annual Used Oil Recovery Report. <i>EXPIRES 6/1/04</i>
<input checked="" type="checkbox"/> Annual DEP Registration Placard For Storage Tanks.	<input checked="" type="checkbox"/> Contingency Plan.
<input checked="" type="checkbox"/> Training Logs.	<input checked="" type="checkbox"/> Closure Plan.
<input checked="" type="checkbox"/> Results of Annual Waste Analyses For All Solid Waste Streams <i>Disposed</i> .	<input checked="" type="checkbox"/> Transporter Liability Insurance [\$100,000 minimum].
<input checked="" type="checkbox"/> Results of Annual Waste Analyses For All Solid Waste Streams <i>Received</i> From Generators.	<input checked="" type="checkbox"/> Monthly Inspection Logs Of The Solids Storage and Sludge Separation Areas. <i>MISSING OCT. 2003</i>
<input checked="" type="checkbox"/> Processed Oil Sampling Logs [Minimum Of One Sample Every Two Weeks].	<input checked="" type="checkbox"/> Annual Analyses Of WWT and OES Sludges.
<input checked="" type="checkbox"/> Tank Inspections and Monthly Release Detection Monitoring. <i>MISSING OCT. 2003</i>	<input type="checkbox"/> Generator Non-Haz Demonstration For Used Antifreeze. <i>N/A ALL ANTIFREEZE BEING RECYCLED</i>
<input checked="" type="checkbox"/> Analysis Of Vibrascreen Filter Solids and Tank Bottom Sludges [Unless Processed In Tanks 110 or 111].	<input type="checkbox"/> Records Of Refused Used Oil Shipments <i>NONE Refused</i>
<input checked="" type="checkbox"/> Documentation Of Annual Closure Cost Estimate [Solid Waste Processing].	<input checked="" type="checkbox"/> Documentation Of Annual Financial Assurance [Solid Waste Processing].
<input checked="" type="checkbox"/> Records Of Quantities Of Waste Received, Stored, Processed and Disposed.	<input checked="" type="checkbox"/> Quarterly Submittals Of Material Balance Of Quantities Of Solid Waste.
<input checked="" type="checkbox"/> Records Of Disposal Or Treatment Facility For All Solid Wastes Removed [Name and Location].	<input checked="" type="checkbox"/> Monthly Solid Waste Inspection / Corrective Actions Logs. <i>MISSING OCT 2003</i>
<input checked="" type="checkbox"/> Copies Of Permits For Facilities Receiving Processed Wastes.	<input checked="" type="checkbox"/> Manifests / Bill-Of-Lading.
<input checked="" type="checkbox"/> Monthly Inspection Logs Of Safety and Emergency Equipment. <i>MISSING OCT 2003</i>	



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

January 12, 2004

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

SUBJECT: Executed Short Form Consent Order
OGC File No.: 03-2176

Dear Mr. Hagan:

Attached is a copy of the executed Consent Order for the referenced case. In order to close this enforcement case the following item must be submitted to the Department by the date indicated:

1. Due February 20, 2004

Submittal of settlement payment of \$4,975

Your continued cooperation is appreciated. If you have any questions please call me at (813) 744-6100, extension 372.

Sincerely,

Albert F. Gephart
Engineer IV
Division of Waste Management

Attachment

cc: Kathy Carter, OGC
Compliance File ✓

"More Protection, Less Process"

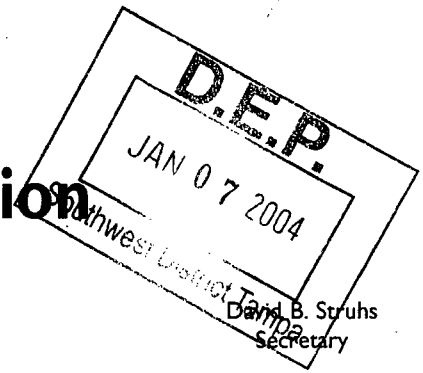
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Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619



SHORT FORM CONSENT ORDER

December 18, 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

DEC 19 2003

SUBJECT: Proposed Settlement of HOWCO Environmental Services
OGC File No.: 03-2176

Dear Mr. Hagan:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated November 4, 2003, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed to bring your facility into compliance. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, you are assessed civil penalties in the amount of \$4,875 along with \$100 to reimburse the Department costs, for a total of \$4,975.

The civil penalty in this case includes one (1) violation of \$2,000.00 or more.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. This payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, 3408 Coconut Palm Drive, Tampa, FL 33619-8318. The payment shall be due sixty (60) days from the date of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes.

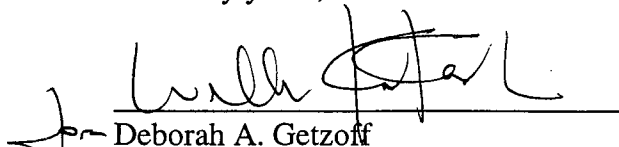
"More Protection, Less Process"

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SHORT FORM CONSENT ORDER
HOWCO Environmental services
OGC Case #03-2176

If you do not sign and return this letter to the Department at the District address by January 15, 2003, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

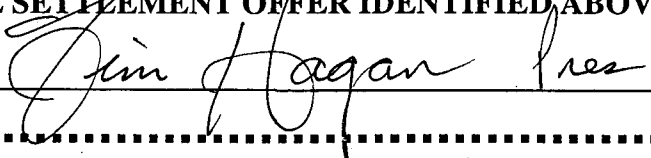
Sincerely yours,


Deborah A. Getzoff
District Director
Southwest District

FOR THE RESPONDENTS:

I, Tim Hagan, on behalf of HOWCO Environmental Services, **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: _____

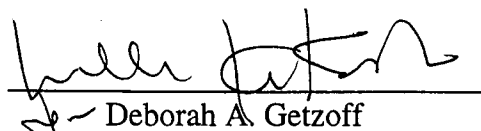


Date: 12.22.03

FOR DEPARTMENT USE ONLY

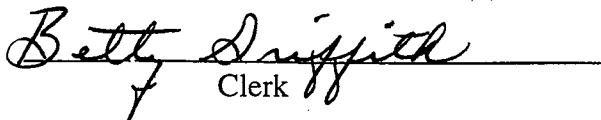
DONE AND ENTERED this 12th day of January, 2004.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Deborah A. Getzoff
District Director
Southwest District

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52, Florida Statutes, With the designated Department Clerk, receipt of which is hereby Acknowledged.


Clerk

1-12-04
Date

DAG/afg

Copies furnished to: Kathy Carter – FDEP OGC, Tallahassee

Attachments

NOTICE OF RIGHTS

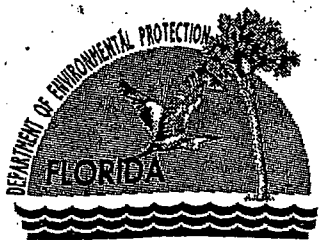
Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

November 4, 2003

CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

RE: HOWCO Environmental Services
EPA ID# FLD 152 764 767
Warning Letter #269743
Pinellas County

Dear Mr. Hagan:

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 June 24, 2003, indicates that violations of Florida Statutes and Rules may exist at the above referenced 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 (F.S.) 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 cease.

You are requested to contact Al Gephart at (813) 744-6100, extension 372, 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.

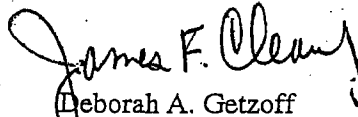
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of a Consent Order which will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In 2001 the Florida Legislature enacted the Environmental Litigation Reform Act (ELRA) (2001 Fla. Laws, Ch. 258). ELRA is now codified in Section 403.121, Florida Statutes (FS). ELRA is an efficient means of resolving smaller environmental cases in Administrative Court.

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ELRA sets specific penalty amounts for violations covered under the Act. The Department has computed the penalty, using the ELRA guidelines, to be \$5,375.00. Costs and expenses in this case will be a minimum of \$100. If this matter cannot be resolved within 90 days, 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 yours,

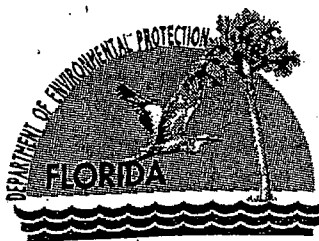


Deborah A. Getzoff
District Director
Southwest District

DAG/afg

Enclosure

cc: Randy Strauss, Pinellas County
Steve Ray, HWR Section
Compliance File



Jeb Bush
Governor

Department of Environmental Protection

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: HOWCO Environmental Services DEP/EPA ID #: FLD 152 764 767

STREET ADDRESS: 843 43rd Street South, St. Petersburg, FL 33711

MAILING ADDRESS: 3701 Central Avenue, St. Petersburg, FL 33713

COUNTY: Pinellas PHONE: (727) 327-8467 DATE: 06/24/03 TIME: 9:55 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:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

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:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

2. APPLICABLE REGULATIONS:

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

3. RESPONSIBLE OFFICIAL:

Tim Hagan, President

4. INSPECTION PARTICIPANTS:

Al Gephart - FDEP	Wade Behnke - FDEP
Stanley Tam - FDEP	Richard Dillen - HOWCO
David Roehm - HOWCO	

5. LATITUDE/LONGITUDE: 27°45'41.6" / 82°41'32.5"

6. SIC CODE: 2999

7. TYPE OF OWNERSHIP: PRIVATE FEDERAL STATE COUNTY MUNICIPAL

8. PERMIT #: 92465-HO06-001 ISSUE DATE: 08/03/2000 EXP. DATE: 08/03/2005

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9. PROCESS DESCRIPTION:

HOWCO Environmental Services is a used oil and material processing facility that stores, processes and markets used oil. HOWCO has been at this location since 1972 and currently employs approximately forty people; thirty of which work at the processing facility. The 3.2 acre site contains an oil processing facility, an industrial wastewater pretreatment facility, storage tanks, vehicle maintenance garage and an on-site analytical laboratory. Administrative personnel and facility operating records are located and maintained at the Central Avenue office.

The facility receives used oil, industrial wastewater, petroleum contact water (PCW), antifreeze, used oil filters, oily solids, industrial solids and petroleum contaminated solids. The processing of solid wastes is overseen by the Department's Solid Waste Management Section that has its own inspections and reporting requirements. According to Mr. Hagan, the facility does not accept off-spec used oil or hazardous waste. On occasion, HOWCO may act as a broker for the disposal of hazardous waste for some clients. The hazardous waste that is brokered is transported directly from the generator to the disposal facility by a registered hazardous waste transporter.

The majority of used oil, used oil filters and oily wastes are brought into the facility by HOWCO trucks, common carriers and independent oil transporters. Used oils collected by HOWCO trucks are initially screened by the drivers at the pick-up site using a halogen "sniffer". Used oils shipped to the facility by other vendors are required to include a manifest describing the material.

Used oils arriving at the facility are sampled and analyzed in the facility's on-site laboratory prior to unloading. A representative sample of each incoming shipment is taken, using a bailer, and tested for total halogens using a bench top 200T x-ray analyzer. If the analysis indicates the halide concentration is less than 999 ppm, the used oil is pumped into the tank farm. If total halogens are greater than 999 ppm the load is rejected unless the total halogens are less than 4,000 ppm and a rebuttable presumption is made. According to facility personnel, no loads were rejected since our last compliance inspection.

The HOWCO tank farm consists of 47 aboveground storage tanks in five separate containment areas. Eighteen (18) of the tanks (approximate capacity of 339,420 gallons) in containment Areas #1 and #2 are used to store used and re-refined used oil. The tanks have secondary containment consisting of oil impermeable concrete surfaces on the walls and floors to contain oil spills. Facility personnel have done a very good job in cleaning and power washing the containment areas. The secondary containment in the processing area was very clean and free of residual oil. Now that the construction activities have been completed for secondary containment in Areas #1 and #2, *the facility must submit documentation to the Department stating that it has met the requirements of Consent Order #97-2190, "as-built" drawings of the tanks and containment areas, and revised calculations of the capacity of secondary containment.* The drawing and secondary containment calculations must be signed and sealed by a professional engineer licensed in the state of Florida.

Used oil is processed utilizing either the Flash Tower or the Cooker Process. In the Flash Tower process the used oil is pumped to a vibrascreen for removal of solids and then heated to flash-off the water. Used oil processed in the Cooker process is pumped to Tank #100 or Tank #101 for thermal/chemical treatment. A de-emulsifier is added to the oil and the mixture is heated. The heated oil is then allowed to cool to facilitate the separation of water. Water that is recovered from these processes is treated in the facility's wastewater pretreatment plant prior to being discharged to the City of St. Petersburg POTW. The light ends from the Flash Tower are pulled-off and blended into processed oil tanks during the

batching process. A vacuum truck is used to remove the solids from the vibrascreen to be added to Tank #110 or Tank #111. The solids from these tanks are tested annually to ensure that they are not a hazardous waste.

Crushed and uncrushed used oil filters are received in 55-gallon drums and stored on the south side of the property, west of the used oil filter crusher. The uncrushed used oil filters are conveyed to a filter crusher. The used oil from draining the filters is collected in a drip pan under the filter crusher and is pumped to an adjacent storage tank. The tank was properly labeled, "Used Oil." Periodically, the oil from the storage tank is removed and pumped into one of the facility's used oil storage tanks to be re-processed. During the inspection, the facility's used oil filter crusher was not operational. Crushed used oil filters are stored in either drums, roll-off boxes or dump trailers. At the time of this inspection, there was one roll-off box of oil filters. The container was covered and properly labeled. Facility personnel were re-coating the storage area where containers are normally stored. It is recommended that the facility continue to inspect the area, make any repairs and re-coat, where necessary, as part of its preventive maintenance program. This would include the area around the drum washer.

The facility was storing approximately 200 used oil filter drums in a manner such that (a) there were no aisle ways for the inspectors to inspect each of the drums, (b) many drums were either without the proper labeling, were mislabeled or were not "sealed" [this included nine (9) drums of sludge of which some were mislabeled used oil or not labeled, and one (1) drum of an unknown material that was stored in a container that had corrosion on the lid to the point that there were holes in the lid. It was recommended that the facility re-containerize or overpack the container and characterize the waste for proper disposal] and (c), facility personnel are placing crushed used oil filters on top of the containers to differentiate containers of crushed filters from those containing uncrushed filters. These are violations of 62-710.850(6)(a). The facility should use some other method than placing crushed used oil filters on the tops of containers to designate the contents. Also observed were housekeeping issues in the area such as discarded paint brushes and a partially full container of oily trash and water.

On May 21, 2003, a Pinellas County Health Dept. inspector observed, during his tank compliance inspection, that HOWCO had dumped used oil filters on the surface of the container storage area (see photos attached). This is a violation of 62-710.850(6)(a), F.A.C. All waste materials at the facility are to be managed in containers, not on the ground or pavement.

HOWCO routinely collects waste antifreeze from its customers. The non-hazardous waste determination for the spent antifreeze is maintained on-site in the form of a record of certification from each generator clearly stating the basis for determining the waste antifreeze to be non-hazardous. HOWCO may treat the non-hazardous waste antifreeze in its industrial wastewater pretreatment plant or ship it to another treatment facility for disposal or recycling. Any used oil present in the antifreeze will be removed by oil/water separation. A review of HOWCO's records showed that there were waste determination documents from its clients on file.

Wastewater, including petroleum contact water (PCW), industrial wastewater, rainwater collected in secondary containment areas and water from the re-refining of used oil is accumulated and stored in aboveground storage tanks #151-155, #160-166, #170, #180, #191 and #192. The wastewater is treated in the pre-treatment system prior to discharging to the City of St. Petersburg POTW. Any oil recovered from the tanks by gravity separation is pumped back to the used oil tank farm for processing.

Solid waste managed at the facility includes oily solid waste generated by HOWCO and its clients. Solid wastes generated by HOWCO includes solids from the vibrascreen, tanker trucks, cone-bottom tank, oily

solid batch treatment tank and storage tanks at the facility. The wastes are managed as non-hazardous waste. The waste solids are sampled and analyzed once per year to demonstrate that the waste is non-hazardous. For incoming solid wastes, each client is to provide the necessary non-hazardous waste determination. A review of the sampling records indicated that the solid wastes were non-hazardous. The solid wastes are bulked and sent to an approved thermal facility or a licensed landfill for disposal. The oily solids may be placed in drums, roll-off boxes, decontamination boxes or other containers for storage. At the time of the inspection, there was one roll-off box of solid waste in the Solids Storage and Sludge Separation Areas. The roll-off box was covered and properly labeled. Also, as noted in previous inspections, the discharge pipe from Tank #111 extends outside secondary containment. Per Specific Condition IV.7(e), the facility is to ensure that Tank #111 discharges into a suitable container, and does not discharge onto the ground or asphalt pavement. It is recommended that the facility install a flexible pipe onto the discharge that would extend back into the area of secondary containment when there is no container under the discharge pipe.

Just north of Tanks #110 and #111, the facility is in the process of constructing a below ground incline to serve as an unloading dock for containers of solid waste and used oil filters. Facility personnel were advised that since there is no secondary containment, it cannot be used to store trucks of containers of solid waste or used oil filters. The facility must also depict this loading dock in its facility site diagram and submit the diagram to the Department for inclusion in the facility's permit application.

The facility stores its wastewater treatment chemicals at the east end of the site. It was observed that hydrated lime had been spilled in several areas. The housekeeping needs to be improved in this area.

Receipts for pick-up and delivery of used oil products are maintained at the Central Avenue office. A review of the analytical results of processed oil shipped from September 2001 through June 2002 indicated that all parameters were in compliance.

Incoming and outgoing manifests for used oil, used oil filters, crushed oil filters, petroleum contact water and antifreeze are kept by HOWCO for at least three years. A random selection of customer files were inspected, all of which were found to be in compliance.

The fire and emergency equipment are inspected monthly and are tested annually. The inspection records were reviewed and, with the exception of September 2002, found to be complete. A copy of the missing September 2002 monthly inspection report was submitted to the Department on July 18, 2003. Located east of the truck wash rack is the facility's emergency trailer consisting of absorbents, blankets and booms. The trailer is in need of housekeeping and re-organization. It was difficult to enter the trailer to make use of the emergency equipment. It was also observed that the facility was deficient in providing safety equipment for use in an emergency. This is a violation of 40 CFR 279.52(a)(3).

Evacuation routes were posted at various locations and the emergency phone numbers were posted next to the phones.

The tanks and related piping are inspected monthly. The monthly inspection logs from July 2002 through May 2003 were reviewed and, with the exception of September 2002, found to be complete. A copy of the missing September 2002 monthly inspection report was submitted to the Department on July 18, 2003.

HOWCO employees receive training as outlined in the company's "Used Oil Training Program". The company's employees are provided initial and annual refresher training. The training records were reviewed and found to be complete.

HOWCO submitted its annual used oil registration and is current on its liability and financial assurance requirements. The facility is current in required documents and recordkeeping.

10. SUMMARY OF ALLEGED VIOLATIONS:

40 CFR 279.52(a)(3)

Failure to provide emergency response equipment.
(Repeat Violation)

62-710.850(6)(a), FAC

Failure to seal, or otherwise protect from the weather, containers of used oil filters. (Repeat Violation)

Failure to store used oil filters in above ground containers.

Failure to properly label containers, "Used Oil Filters."

11. RECOMMENDED CORRECTIVE ACTIONS:

40 CFR 279.52(a)(3)

Effective immediately, the facility shall re-supply the emergency equipment trailer with the appropriate safety equipment as described in Specific Condition V.2(a) in the facility's operating permit.

62-710.850(6)(a), FAC

Effective immediately and henceforth, the facility shall ensure that all used oil filters are stored in above ground containers that are sealed or otherwise protected from the weather and properly labeled, "Used Oil Filters."

Report Prepared By: Al Gephart
Al Gephart
Engineer IV

Report Reviewed By: Wade Behnke
Wade Behnke
Environmental Specialist II

Report Reviewed By: Stanley Tam
Stanley Tam
Professional Engineer II

Report Approved By: Elizabeth Knauss Date 11/3/03
Elizabeth Knauss
Environmental Manager

REVISED
PENALTY COMPUTATION WORKSHEET

Violator's Name: HOWCO Environmental Services FLD 152 764 767

Identify Violator's Facility: 843 43rd Street South; St. Petersburg, FL 33711

Name of Department Staff Responsible for the Penalty Computations: Al Gephart

ComHaz Case #: 269743

Date: October 28, 2003 *12/12/03* *APB*

	Violation Type	Manual Guide	Florida Statute Citation	Penalty	Multi Day	Other Adjustments	Total
1.	Failure to provide emergency equipment.	ELRA	403.121(5)	\$500		\$125	\$625
2.	Failure to store used oil filters in sealed containers.	ELRA	403.121(5)	\$500		\$250	\$750
3.	Failure to store used oil filters in aboveground containers.	ELRA	403.121(5)	\$2000		\$1000	\$3000
4.	Failure to properly label containers of used oil filters.	ELRA	403.121(5)	\$500			\$500
TOTAL							\$4,875

Total Penalties for all Violations:

\$ 4,875.00

Multiday penalties were not selected as it was not possible to determine the number of days out of compliance.

Economic Benefit was considered but not calculated as it is estimated to be less than \$2,000.

For citation (1) above [40 CFR 279.52(a)(3), failure to provide emergency equipment], an additional 25% was added because it was a repeat violation [403.121(7)(a) F.S.].

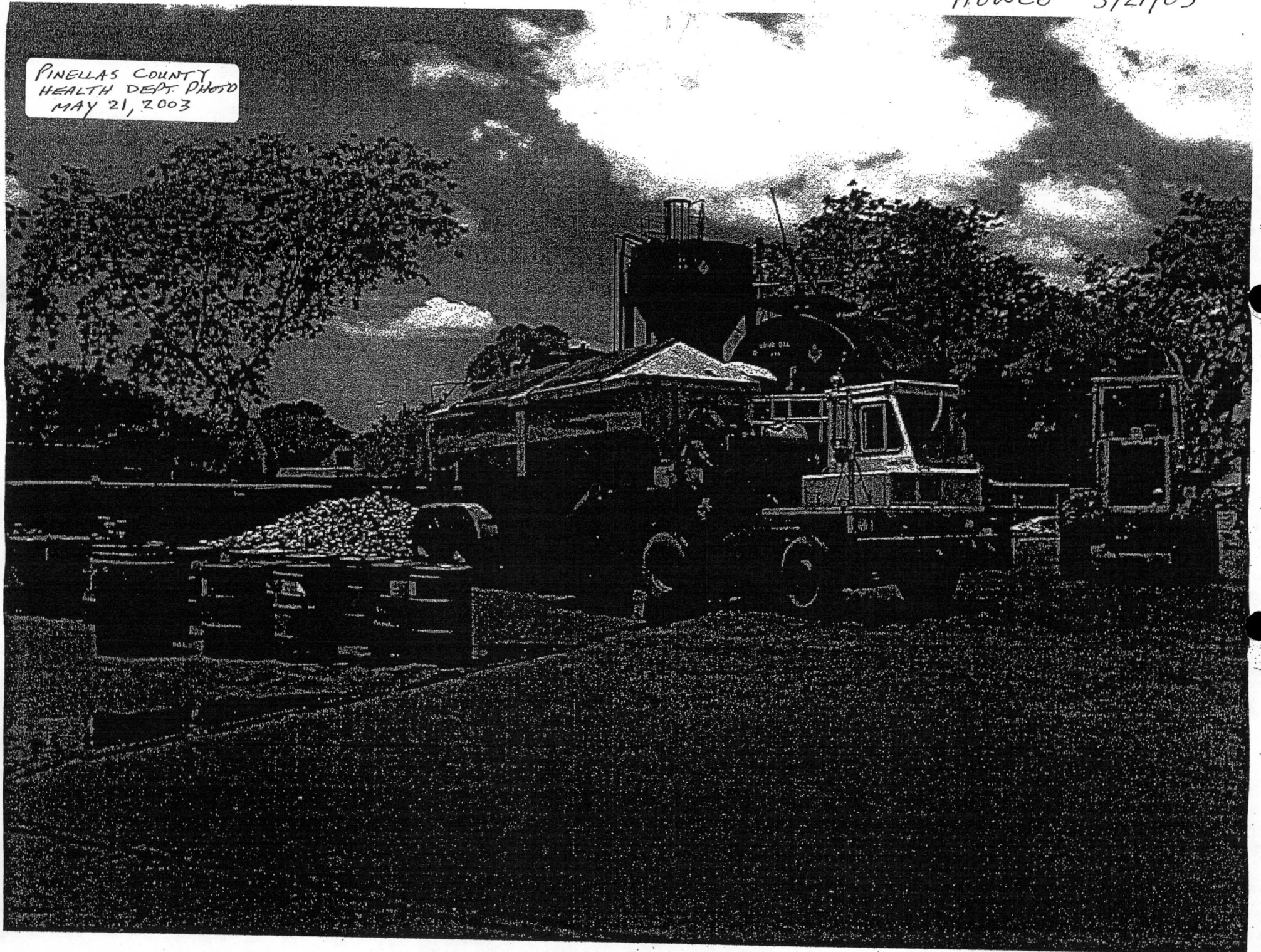
For citation (2) above [62-710.850(6)(a), failure to seal or otherwise protect from the weather, containers of U.O.F], an additional 50% was added because there have been two previous violations [403.121(7)(b) F.S.]

For citation (3) above [62-710.850(6)(a), the failure to store used oil filters in aboveground containers observed on May 21, 2003], a penalty of \$2000 was assessed, per Florida Statute 403.121(3)(e), because HOWCO was documented to be storing undrained used oil filters in a waste pile. The amount of oil released by the filters is estimated to be more than 25 gallons, based on site photographs. Therefore, an adjustment of \$1000 was added per Florida Statute 403.121(3)(e).

Citation (4) corresponds to 62-710.850(6)(a), the failure to properly label containers, "Used Oil Filters."

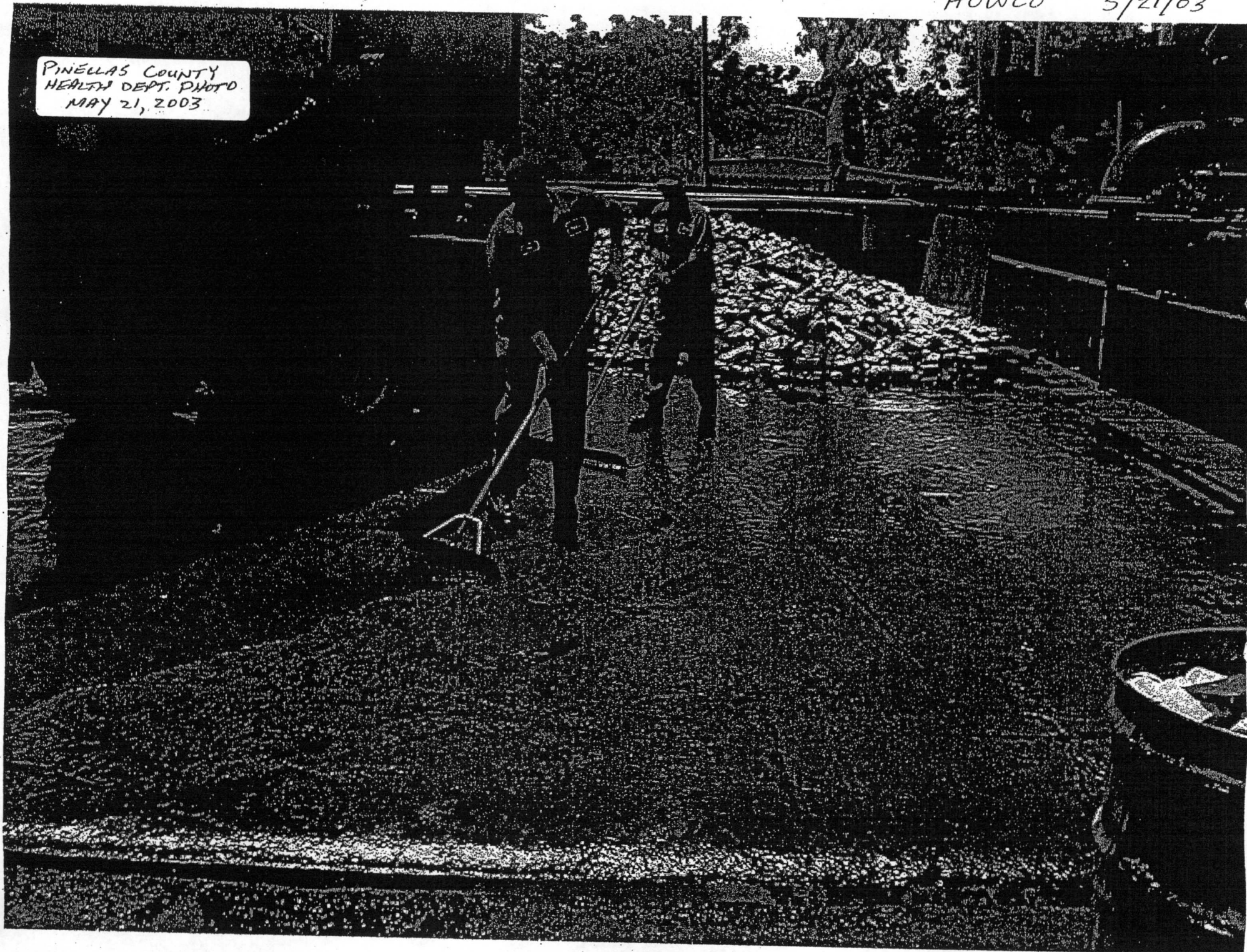
HOWCO 5/21/03

PINELLAS COUNTY
HEALTH DEPT PHOTO
MAY 21, 2003



HOWCO 5/21/03

PINELLAS COUNTY
HEALTH DEPT. PHOTO
MAY 21, 2003



Inspectors: GEHART / TAM / BEHNKE
Date: 6-24-03

INSPECTION CHECKLIST

HOWCO Environmental Services
843 43rd Street South
St. Petersburg, FL 33711
FLD 152 764 767

Permit No.	92465-HO06-001
Issued	08/03/00
Expires	08/03/05

Last Inspection 7/24/02
~~8/14/01~~

Used Oil and Material Processing Facility

47 Aboveground Storage Tanks (See Tables 3-1, 3-2 and 3-3 for descriptions of contents).

GC General Conditions

- GC.2 Have there been any changes in processes or operations? *IN STALLED AN UNLOADING DOCK IN SOUTH WEST CORNER OF PROPERTY NORTH OF TANK #111* ☒ Y ☐ N
- GC.12 A copy of the operating permit is maintained at the facility. *PROPERTY NORTH OF TANK #111* ☒ Y ☐ N
- GC.14 Operating records contain the required information:
 - Date, Place and Time of sampling or analyses;
 - Person performing the sampling or analyses;
 - Analytical techniques or methods used;
 - Results of the analyses.☒ Y ☐ N

SC Specific Conditions

Part I. General

- I.11 The facility has submitted its annual registration by March 1. ☒ Y ☐ N
- I.12 Were any shipments of used oil refused due to suspected mixing with hazardous waste? (Any oil analyses pass or fail must be kept for 3 yrs.) ☐ Y ☒ N

Part II. Used Oil Processing

- II.3 Only permitted waste streams are processed at the facility. ☒ Y ☐ N
- Automotive crankcase oil, transmission and differential oil;
 - Oil/water emulsion from ships, barges and other sources;
 - Automotive oils recovered from oil/water separators;
 - Virgin oils contaminated with water;
 - Virgin oils recovered from tank cleaning and tank removals;
 - Used industrial oil.

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

II.4 Generators supply initial TCLP analysis (or generator knowledge statement) of waste antifreeze. (Check facility files for certifications.) ☒ Y ☐ N

II.6 The following records are maintained at the facility or the Central Ave. office.

- Permit application; ☒ Y ☐ N
- Operating permit; ☒ Y ☐ N
- Manifests and Bill-of-Lading of all shipments; ☒ Y ☐ N
- Shipping papers include all of the required information as stated in 40 CFR 279.56 (Acceptance / Delivery); ☒ Y ☐ N
- Training records; ☒ Y ☐ N
- Inspection records; ☒ Y ☐ N
- Closure Plan; ☒ Y ☐ N
- Results of Waste Analyses; ☒ Y ☐ N
- Annual used oil recovery reports; ☒ Y ☐ N
- Validated annual used oil registration form. ☒ Y ☐ N

II.8 Processed oil is sampled prior to shipping off-site *once every two weeks.* ☒ Y ☐ N

Part III. Tanks

III.1 Used oil tanks and containers are labeled "Used Oil". ☒ Y ☐ N

III.2 Regulated tank systems are inspected monthly. ** MISSING Sept '02* ☒ Y ☐ N

III.3 Records are maintained for inspections and monthly release detection monitoring for process and storage tanks. ** MISSING Sept '02* ☒ Y ☐ N

III.5 Secondary containment areas are sealed and free of cracks. *Some AREAS need maintenance* ☐ Y ☒ N

III.6 The areas of secondary containment provide containment for at least 110 % of the volume of the largest tank. ☒ Y ☐ N

III.8 Spilled or leaked waste is removed from containment areas within 3 days of the incident. ☒ Y ☐ N

Accumulated precipitation is removed within 1 week after a rainfall event using manually controlled pumps. ☒ Y ☐ N

Part IV. Solid Waste Processing

IV.1 Non-hazardous materials that are accepted, processed, stored or otherwise managed are limited to - ☒ Y ☐ N

- Petroleum contaminated soil;
- Petroleum contaminated sorbent materials (pads, booms, rags, vermiculite);
- PPE;
- Debris from spill cleanup;
- Petroleum tank bottom sludges from tanks, pits and sumps;
- Petroleum contaminated water;

- Petroleum contact water;
- Petroleum contaminated sediments sludges and liquids from oil/water separators at car washes;
- Empty petroleum contaminated drums, pails, gas tanks and fuel filters;
- Non-liquid waste streams from on-site oil processing and wastewater pretreatment facilities.

Household hazardous wastes or wastes from a CESQG are NOT managed as solid waste at the facility.

Y _ N

IV.3

Processing equipment is repaired within one week of becoming inoperable.

Y _ N

Operations *DO NOT* change the chemical characteristics of any of the solid materials.

Y _ N

IV.4

Each solid waste stream is sampled and analyzed at least annually.

Y _ N

Records are available of annual WWTS sampling and analyses.

Y _ N

Records are available of annual oil-extracted sludge (OES) sampling and analyses.

Y _ N

Vibratory screen filter solids are containerized, properly sealed and labeled, "Screen Filter Residue". *N/A NOT containerizing. They are using a vacuum truck to remove solids*

_ Y _ N

All tank bottom sludges and screen filter residues are transferred to Tanks 110 or 111 for further processing. (If not, the facility must have records of waste determinations on these streams.)

Y _ N

The facility has notified the Department within 3 days prior to sampling any solid waste streams.

Y _ N

The facility has records of hazardous waste determinations from each generator for all solid waste streams received.

Y _ N

The determinations are updated annually.

Y _ N

IV.5

All outgoing materials for disposal are sampled and analyzed annually.

Y _ N

IV.6

Storage of solid waste is at or below 22,000 gallons.

Y _ N

Where $15 \text{ yd}^3 = 3,030 \text{ gallons}$

$20 \text{ yd}^3 = 4,040 \text{ gallons}$

Processed solids are stored in covered, lined, roll-off containers or covered drums and stored on an impervious surface.

Y _ N

All processed and unprocessed solid wastes are stored within the Solids Storage and Sludge Separation Areas.

Y _ N

IV.7

All materials are processed on impervious surfaces, tanks or containers.

Y _ N

Containers of processed wastes are labeled "Processed Solids" or "Processed Solid Waste".

☒ Y ☐ N

There is no evidence of liquids or solids being discharged outside of the Solids Storage and Sludge Separation Areas.

☒ Y ☐ N

Solid wastes (liquids, sludges, solids, etc.) are only managed within containers, NOT on the ground, on the asphalt or on the concrete areas. ** NO SOLIDS WERE SPILT MANAGED ON DAY OF INSPECTION*

☒ Y ☐ N

The Solids Storage and Sludge Separation Areas are inspected monthly.

☒ Y ☐ N

IV.9

The facility maintains the following waste records:

- The amount of waste received, stored, processed and disposed [Quantities of drums received (gallons), an estimate of the percentage of solids and liquids in each drum, the quantities of bulk liquids received (gallons), the quantities of bulk solids received (tons), and the quantities of liquids (gallons) and solids (tons) disposed and stored on site];
- A signed waste profile form and analytical data for each waste stream accepted at the facility or for virgin materials, a waste material profile sheet and MSDS;
- The pre-burn analysis for each shipment of contaminated soil received that will be transferred to a soil treatment facility;
- The pre-acceptance analyses or waste determinations;
- Copies of any analyses required by a disposal facility as a condition of acceptance and documentation of acceptance;
- Monthly Waste Inspection/Corrective Action logs;
- Copies of permits for facilities that receive the processed solids.

☒ Y ☐ N

☒ Y ☐ N

☒ Y ☐ N

☒ Y ☐ N

☒ Y ☐ N

☒ Y ☐ N

☒ Y ☐ N

Monthly compilations are submitted quarterly of the following:

- Material balance (quantities received versus quantities disposed or in storage);
- Name and location of disposal or treatment facility for all solid wastes removed from the facility.

☒ Y ☐ N

☒ Y ☐ N

IV.10

All areas are cleaned to prevent nuisance conditions, hazardous conditions, odor or vector problems.

☒ Y ☐ N

IV.12

The facility is in compliance with Financial Assurance requirements.

- Closure costs are submitted annually prior to August 3;
- Annual submittal of proof of financial assurance.

☒ Y ☐ N

☒ Y ☐ N

Part V. Contingency Plan

V.2

Emergency and spill equipment is available at the facility.

☒ Y ☐ N

Check the emergency equipment stored east of the truck wash rack and at the drum crusher.

** STORATE TRAILER NEEDS TO BE CLEANED OUT (HOUSE KEEPING)
Need to Re-STOCK safety glasses*

At a minimum the facility shall have:

- | | |
|-------------------------------|---------------------------|
| 5 bales of absorbent booms | 5 bales of absorbent pads |
| 10 bags of granular absorbent | 5 flashlights |
| 3 push brooms | 4 shovels |
| 2 55-gallon containers | 2 rakes |
| 5 tyvek suits | 5 gloves |
| 5 safety glasses | 5 rain gear |

 Y N

V.3,4 The emergency and safety equipment is available, tested and maintained.

 Y N

V.5 There is adequate aisle space in all storage areas for inspections.

** NO Aisle space for containers of sludge and used oil filters*

 Y N

V.6 Primary evacuation routes are posted in appropriate locations throughout the facility.

 Y N

V.7 A copy of the Contingency Plan is maintained on-site.

 Y N

The following are still the Emergency Coordinators:

<u>David Roehm</u>	Primary
<u>Tim Hagan</u>	Alternate

 Y N

A list of emergency response phone numbers is posted by the phones.

 Y N

The Contingency Plan was last amended on (date) 7-21-99

Amendments to the CP are sent to appropriate agencies.

 Y N

Part VI. Training

VI.1,2 The Company's "Used Oil Training Program" is given initially and annually thereafter.

 Y N

Personnel training is documented.

 Y N

Part VII. Closure

VII.1 The facility maintains a copy of the Closure Plan.

 Y N

Used Oil Filter Processing (62-710.850, F.A.C.)

62-710.850(4) The facility has current registration certificates for -

- Used Oil Filter Transporter
- Used Oil Filter Processor

 Y N

 Y N

62-710.850(5) The facility has records indicating the destination or end use of the processed used oil filters and the Name and Address of each destination or end user.

 Y N

The facility has submitted its annual report by March 1.

 Y N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

62-710.850(6) All used oil filters are stored in –

- Above ground containers on impermeable surfaces;
- Sealed containers that are in good condition;
- Containers labeled, "Used Oil Filters".

☒ Y ☐ N
☐ Y ☒ N
☐ Y ☒ N

Upon detection of any leaking oil from a container the oil is contained, cleaned-up and managed properly.

☒ Y ☐ N

Petroleum Contact Water (62-740, F.A.C.)

62-740.300(2) The following records are maintained at the facility:

- Name and address of producer;
- Name and address of transporter;
- Date of receipt of the PCW shipment;
- Volume of PCW received;
- A copy of the shipping paper;
- Weekly container or tank inspections.

☐ Y ☐ N

DID NOT
ADDRESS ON
THIS INSPECTION

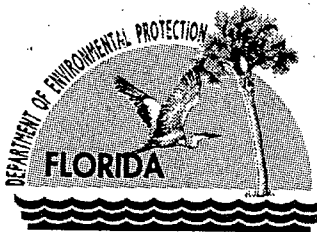
62-740.300(4) The facility has written assurance from the producer that the PCW is non-hazardous.

☐ Y ☐ N

DOCUMENTS AND RECORDKEEPING

<input checked="" type="checkbox"/> Permit Application.	<input checked="" type="checkbox"/> Operating Permit.
<input checked="" type="checkbox"/> Validated Annual Used Oil Registration [Form 62-701.900(13)].	<input checked="" type="checkbox"/> Annual Used Oil Recovery Report.
<input checked="" type="checkbox"/> Annual DEP Registration Placard For Storage Tanks.	<input checked="" type="checkbox"/> Contingency Plan.
<input checked="" type="checkbox"/> Training Logs.	<input checked="" type="checkbox"/> Closure Plan.
<input checked="" type="checkbox"/> Results of Annual Waste Analyses For All Solid Waste Streams <i>Disposed</i> . <i>SAMPLED 12/27/02 AMENDED ON MARCH '03</i>	<input checked="" type="checkbox"/> Transporter Liability Insurance [\$100,000 minimum].
<input checked="" type="checkbox"/> Results of Annual Waste Analyses For All Solid Waste Streams <i>Received</i> From Generators.	<input checked="" type="checkbox"/> Monthly Inspection Logs Of The Solids Storage and Sludge Separation Areas. <i>* MISSING SEPT '02</i>
<input checked="" type="checkbox"/> Processed Oil Sampling Logs [Minimum Of One Sample Every Two Weeks].	<input checked="" type="checkbox"/> Annual Analyses Of WWT and OES Sludges.
<input checked="" type="checkbox"/> Tank Inspections and Monthly Release Detection Monitoring. <i>* SEPT '02 MISSING</i>	<input type="checkbox"/> Generator Non-Haz Demonstration For Used Antifreeze. <i>NONE → ALL RECYCLED</i>
<input checked="" type="checkbox"/> Analysis Of Vibrascreen Filter Solids and Tank Bottom Sludges [Unless Processed In Tanks 110 or 111].	<input type="checkbox"/> Records Of Refused Used Oil Shipments <i>NONE</i>
<input checked="" type="checkbox"/> Documentation Of Annual Closure Cost Estimate [Solid Waste Processing]. <i>REVD BY DEP ON 2-14-03 for \$63,294.93</i>	<input checked="" type="checkbox"/> Documentation Of Annual Financial Assurance [Solid Waste Processing].
<input checked="" type="checkbox"/> Records Of Quantities Of Waste Received, Stored, Processed and Disposed.	<input checked="" type="checkbox"/> Quarterly Submittals Of Material Balance Of Quantities Of Solid Waste.
<input checked="" type="checkbox"/> Records Of Disposal Or Treatment Facility For All Solid Wastes Removed [Name and Location]. <i>ATLANTIC</i>	<input checked="" type="checkbox"/> Monthly Solid Waste Inspection / Corrective Actions Logs.
<input checked="" type="checkbox"/> Copies Of Permits For Facilities Receiving Processed Wastes. <i>ATLANTIC IN OCALA SENDS TO GEORGIA</i>	<input checked="" type="checkbox"/> Manifests / Bill-Of-Lading.
<input checked="" type="checkbox"/> Monthly Inspection Logs Of Safety and Emergency Equipment. <i>* MISSING SEPT '02</i>	<i>HAZ WASTE TRANSPORTER CERTIFICATE EXPIRED 6-2-03</i>

* Inspection Logs were checked from Page 7 July 2002 → MAY 31 2003
SEPT '02 LOG WAS MISSING



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

November 4, 2003

CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

RE: HOWCO Environmental Services
EPA ID# FLD 152 764 767
Warning Letter #269743
Pinellas County

Dear Mr. Hagan:

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 June 24, 2003, indicates that violations of Florida Statutes and Rules may exist at the above referenced 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 (F.S.) 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 cease.

You are requested to contact Al Gephart at (813) 744-6100, extension 372, 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.

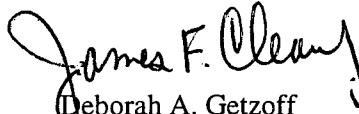
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of a Consent Order which will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In 2001 the Florida Legislature enacted the Environmental Litigation Reform Act (ELRA)(2001 Fla. Laws, Ch. 258). ELRA is now codified in Section 403.121, Florida Statutes (FS). ELRA is an efficient means of resolving smaller environmental cases in Administrative Court.

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ELRA sets specific penalty amounts for violations covered under the Act. The Department has computed the penalty, using the ELRA guidelines, to be \$5,375.00. Costs and expenses in this case will be a minimum of \$100. If this matter cannot be resolved within 90 days, 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 yours,


Deborah A. Getzoff
District Director
Southwest District

DAG/afg

Enclosure

cc: Randy Strauss, Pinellas County
Steve Ray, HWR Section
Compliance File 



Jeb Bush
Governor

Department of Environmental Protection

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: HOWCO Environmental Services DEP/EPA ID #: FLD 152 764 767

STREET ADDRESS: 843 43rd Street South; St. Petersburg, FL 33711

MAILING ADDRESS: 3701 Central Avenue; St. Petersburg, FL 33713

COUNTY: Pinellas PHONE: (727) 327-8467 DATE: 06/24/03 TIME: 9:55 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:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

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:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

2. APPLICABLE REGULATIONS:

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

3. RESPONSIBLE OFFICIAL:

Tim Hagan, President

4. INSPECTION PARTICIPANTS:

Al Gephart - FDEP	Wade Behnke - FDEP
Stanley Tam - FDEP	Richard Dillen - HOWCO
David Roehm - HOWCO	

5. LATITUDE/LONGITUDE: 27°45'41.6"/ 82°41'32.5"

6. SIC CODE: 2999

7. TYPE OF OWNERSHIP: PRIVATE FEDERAL STATE COUNTY MUNICIPAL

8. PERMIT #: 92465-HO06-001 ISSUE DATE: 08/03/2000 EXP. DATE: 08/03/2005

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9. PROCESS DESCRIPTION:

HOWCO Environmental Services is a used oil and material processing facility that stores, processes and markets used oil. HOWCO has been at this location since 1972 and currently employs approximately forty people; thirty of which work at the processing facility. The 3.2 acre site contains an oil processing facility, an industrial wastewater pretreatment facility, storage tanks, vehicle maintenance garage and an on-site analytical laboratory. Administrative personnel and facility operating records are located and maintained at the Central Avenue office.

The facility receives used oil, industrial wastewater, petroleum contact water (PCW), antifreeze, used oil filters, oily solids, industrial solids and petroleum contaminated solids. The processing of solid wastes is overseen by the Department's Solid Waste Management Section that has its own inspections and reporting requirements. According to Mr. Hagan, the facility does not accept off-spec used oil or hazardous waste. On occasion, HOWCO may act as a broker for the disposal of hazardous waste for some clients. The hazardous waste that is brokered is transported directly from the generator to the disposal facility by a registered hazardous waste transporter.

The majority of used oil, used oil filters and oily wastes are brought into the facility by HOWCO trucks, common carriers and independent oil transporters. Used oils collected by HOWCO trucks are initially screened by the drivers at the pick-up site using a halogen "sniffer". Used oils shipped to the facility by other vendors are required to include a manifest describing the material.

Used oils arriving at the facility are sampled and analyzed in the facility's on-site laboratory prior to unloading. A representative sample of each incoming shipment is taken, using a bailer, and tested for total halogens using a bench top 200T x-ray analyzer. If the analysis indicates the halide concentration is less than 999 ppm, the used oil is pumped into the tank farm. If total halogens are greater than 999 ppm the load is rejected unless the total halogens are less than 4,000 ppm and a rebuttable presumption is made. According to facility personnel, no loads were rejected since our last compliance inspection.

The HOWCO tank farm consists of 47 aboveground storage tanks in five separate containment areas. Eighteen (18) of the tanks (approximate capacity of 339,420 gallons) in containment Areas #1 and #2 are used to store used and re-refined used oil. The tanks have secondary containment consisting of oil impermeable concrete surfaces on the walls and floors to contain oil spills. Facility personnel have done a very good job in cleaning and power washing the containment areas. The secondary containment in the processing area was very clean and free of residual oil. Now that the construction activities have been completed for secondary containment in Areas #1 and #2, ***the facility must submit documentation to the Department stating that it has met the requirements of Consent Order #97-2190, "as-built" drawings of the tanks and containment areas, and revised calculations of the capacity of secondary containment.*** The drawing and secondary containment calculations must be signed and sealed by a professional engineer licensed in the state of Florida.

Used oil is processed utilizing either the Flash Tower or the Cooker Process. In the Flash Tower process the used oil is pumped to a vibrascreen for removal of solids and then heated to flash-off the water. Used oil processed in the Cooker process is pumped to Tank #100 or Tank #101 for thermal/chemical treatment. A de-emulsifier is added to the oil and the mixture is heated. The heated oil is then allowed to cool to facilitate the separation of water. Water that is recovered from these processes is treated in the facility's wastewater pretreatment plant prior to being discharged to the City of St. Petersburg POTW. The light ends from the Flash Tower are pulled-off and blended into processed oil tanks during the

batching process. A vacuum truck is used to remove the solids from the vibrascreen to be added to Tank #110 or Tank #111. The solids from these tanks are tested annually to ensure that they are not a hazardous waste.

Crushed and uncrushed used oil filters are received in 55-gallon drums and stored on the south side of the property, west of the used oil filter crusher. The uncrushed used oil filters are conveyed to a filter crusher. The used oil from draining the filters is collected in a drip pan under the filter crusher and is pumped to an adjacent storage tank. The tank was properly labeled, "Used Oil." Periodically, the oil from the storage tank is removed and pumped into one of the facility's used oil storage tanks to be re-processed. During the inspection, the facility's used oil filter crusher was not operational. Crushed used oil filters are stored in either drums, roll-off boxes or dump trailers. At the time of this inspection, there was one roll-off box of oil filters. The container was covered and properly labeled. Facility personnel were re-coating the storage area where containers are normally stored. It is recommended that the facility continue to inspect the area, make any repairs and re-coat, where necessary, as part of its preventive maintenance program. This would include the area around the drum washer.

The facility was storing approximately 200 used oil filter drums in a manner such that (a) there were no aisle ways for the inspectors to inspect each of the drums, (b) many drums were either without the proper labeling, were mislabeled or were not "sealed" [this included nine (9) drums of sludge of which some were mislabeled used oil or not labeled, and one (1) drum of an unknown material that was stored in a container that had corrosion on the lid to the point that there were holes in the lid. It was recommended that the facility re-containerize or overpack the container and characterize the waste for proper disposal] and (c), facility personnel are placing crushed used oil filters on top of the containers to differentiate containers of crushed filters from those containing uncrushed filters. These are violations of **62-710.850(6)(a)**. The facility should use some other method than placing crushed used oil filters on the tops of containers to designate the contents. Also observed were housekeeping issues in the area such as discarded paint brushes and a partially full container of oily trash and water.

On May 21, 2003, a Pinellas County Health Dept. inspector observed, during his tank compliance inspection, that HOWCO had dumped used oil filters on the surface of the container storage area (see photos attached). This is a violation of **62-710.850(6)(a)**, F.A.C. All waste materials at the facility are to be managed in containers, not on the ground or pavement.

HOWCO routinely collects waste antifreeze from its customers. The non-hazardous waste determination for the spent antifreeze is maintained on-site in the form of a record of certification from each generator clearly stating the basis for determining the waste antifreeze to be non-hazardous. HOWCO may treat the non-hazardous waste antifreeze in its industrial wastewater pretreatment plant or ship it to another treatment facility for disposal or recycling. Any used oil present in the antifreeze will be removed by oil/water separation. A review of HOWCO's records showed that there were waste determination documents from its clients on file.

Wastewater, including petroleum contact water (PCW), industrial wastewater, rainwater collected in secondary containment areas and water from the re-refining of used oil is accumulated and stored in aboveground storage tanks #151-155, #160-166, #170, #180, #191 and #192. The wastewater is treated in the pre-treatment system prior to discharging to the City of St. Petersburg POTW. Any oil recovered from the tanks by gravity separation is pumped back to the used oil tank farm for processing.

Solid waste managed at the facility includes oily solid waste generated by HOWCO and its clients. Solid wastes generated by HOWCO includes solids from the vibrascreen, tanker trucks, cone-bottom tank, oily

solid batch treatment tank and storage tanks at the facility. The wastes are managed as non-hazardous waste. The waste solids are sampled and analyzed once per year to demonstrate that the waste is non-hazardous. For incoming solid wastes, each client is to provide the necessary non-hazardous waste determination. A review of the sampling records indicated that the solid wastes were non-hazardous. The solid wastes are bulked and sent to an approved thermal facility or a licensed landfill for disposal. The oily solids may be placed in drums, roll-off boxes, decontamination boxes or other containers for storage. At the time of the inspection, there was one roll-off box of solid waste in the Solids Storage and Sludge Separation Areas. The roll-off box was covered and properly labeled. Also, as noted in previous inspections, the discharge pipe from Tank #111 extends outside secondary containment. Per Specific Condition IV.7(e), the facility is to ensure that Tank #111 discharges into a suitable container, and does not discharge onto the ground or asphalt pavement. It is recommended that the facility install a flexible pipe onto the discharge that would extend back into the area of secondary containment when there is no container under the discharge pipe.

Just north of Tanks #110 and #111, the facility is in the process of constructing a below ground incline to serve as an unloading dock for containers of solid waste and used oil filters. Facility personnel were advised that since there is no secondary containment, it cannot be used to store trucks of containers of solid waste or used oil filters. The facility must also depict this loading dock in its facility site diagram and submit the diagram to the Department for inclusion in the facility's permit application.

The facility stores its wastewater treatment chemicals at the east end of the site. It was observed that hydrated lime had been spilled in several areas. The housekeeping needs to be improved in this area.

Receipts for pick-up and delivery of used oil products are maintained at the Central Avenue office. A review of the analytical results of processed oil shipped from September 2001 through June 2002 indicated that all parameters were in compliance.

Incoming and outgoing manifests for used oil, used oil filters, crushed oil filters, petroleum contact water and antifreeze are kept by HOWCO for at least three years. A random selection of customer files were inspected, all of which were found to be in compliance.

The fire and emergency equipment are inspected monthly and are tested annually. The inspection records were reviewed and, with the exception of September 2002, found to be complete. A copy of the missing September 2002 monthly inspection report was submitted to the Department on July 18, 2003. Located east of the truck wash rack is the facility's emergency trailer consisting of absorbents, blankets and booms. The trailer is in need of housekeeping and re-organization. It was difficult to enter the trailer to make use of the emergency equipment. It was also observed that the facility was deficient in providing safety equipment for use in an emergency. This is a violation of **40 CFR 279.52(a)(3)**.

Evacuation routes were posted at various locations and the emergency phone numbers were posted next to the phones.

The tanks and related piping are inspected monthly. The monthly inspection logs from July 2002 through May 2003 were reviewed and, with the exception of September 2002, found to be complete. A copy of the missing September 2002 monthly inspection report was submitted to the Department on July 18, 2003.

HOWCO employees receive training as outlined in the company's "Used Oil Training Program". The company's employees are provided initial and annual refresher training. The training records were reviewed and found to be complete.

HOWCO submitted its annual used oil registration and is current on its liability and financial assurance requirements. The facility is current in required documents and recordkeeping.

10. SUMMARY OF ALLEGED VIOLATIONS:

40 CFR 279.52(a)(3)	Failure to provide emergency response equipment. (Repeat Violation)
62-710.850(6)(a), FAC	Failure to seal, or otherwise protect from the weather, containers of used oil filters. (Repeat Violation) Failure to store used oil filters in above ground containers. Failure to properly label containers, "Used Oil Filters."

11. RECOMMENDED CORRECTIVE ACTIONS:

40 CFR 279.52(a)(3)	Effective immediately, the facility shall re-supply the emergency equipment trailer with the appropriate safety equipment as described in Specific Condition V.2(a) in the facility's operating permit.
62-710.850(6)(a), FAC	Effective immediately and henceforth, the facility shall ensure that all used oil filters are stored in above ground containers that are sealed or otherwise protected from the weather and properly labeled, "Used Oil Filters."

Report Prepared By: Al Gephart
Al Gephart
Engineer IV

Report Reviewed By: Wade Behnke
Wade Behnke
Environmental Specialist II

Report Reviewed By: Stanley Tam
Stanley Tam
Professional Engineer II

Report Approved By: Elizabeth Knauss Date 11/3/03
Elizabeth Knauss
Environmental Manager

PENALTY COMPUTATION WORKSHEET

Violator's Name: HOWCO Environmental Services FLD 152 764 767

Identify Violator's Facility: 843 43rd Street South; St. Petersburg, FL 33711

Name of Department Staff Responsible for the Penalty Computations: Al Gephart

ComHaz Case #: 269743

Date: October 28, 2003

	Violation Type	Manual Guide	Florida Statute Citation	Penalty	Multi Day	Other Adjustments	Total
1.	Failure to provide emergency equipment.	ELRA	403.121(5)	\$500		\$125	\$625
2.	Failure to store used oil filters in sealed containers.	ELRA	403.121(5)	\$500		\$250	\$750
3.	Failure to store used oil filters in aboveground containers.	ELRA	403.121(5)	\$2000		\$1000	\$3000
4.	Failure to store used oil filters in aboveground containers.	ELRA	403.121(5)	\$500			\$500
5.	Failure to properly label containers of used oil filters.	ELRA	403.121(5)	\$500			\$500
TOTAL							\$5,375

Total Penalties for all Violations:

\$ 5,375.00

Multiday penalties were not selected as it was not possible to determine the number of days out of compliance.

Economic Benefit was considered but not calculated as it is estimated to be less than \$2,000.

For citation (1) above [40 CFR 279.52(a)(3), failure to provide emergency equipment], an additional 25% was added because it was a repeat violation [403.121(7)(a) F.S.].

For citation (2) above [62-710.850(6)(a), failure to seal or otherwise protect from the weather, containers of U.O.F], an additional 50% was added because there have been two previous violations [403.121(7)(b) F.S.]

For citation (3) above [62-710.850(6)(a), the failure to store used oil filters in aboveground containers observed on May 21, 2003], a penalty of \$2000 was assessed, per Florida Statute 403.121(3)(e), because HOWCO was documented to be storing undrained used oil filters in a waste pile. The amount of oil released by the filters is estimated to be more than 25 gallons, based on site photographs. Therefore, an adjustment of \$1000 was added per Florida Statute 403.121(3)(e).

Citation (4) corresponds to 62-710.850(6)(a), the failure to store used oil filters in aboveground containers observed on June 24, 2003.

Citation (5) corresponds to 62-710.850(6)(a), the failure to properly label containers, "Used Oil Filters."

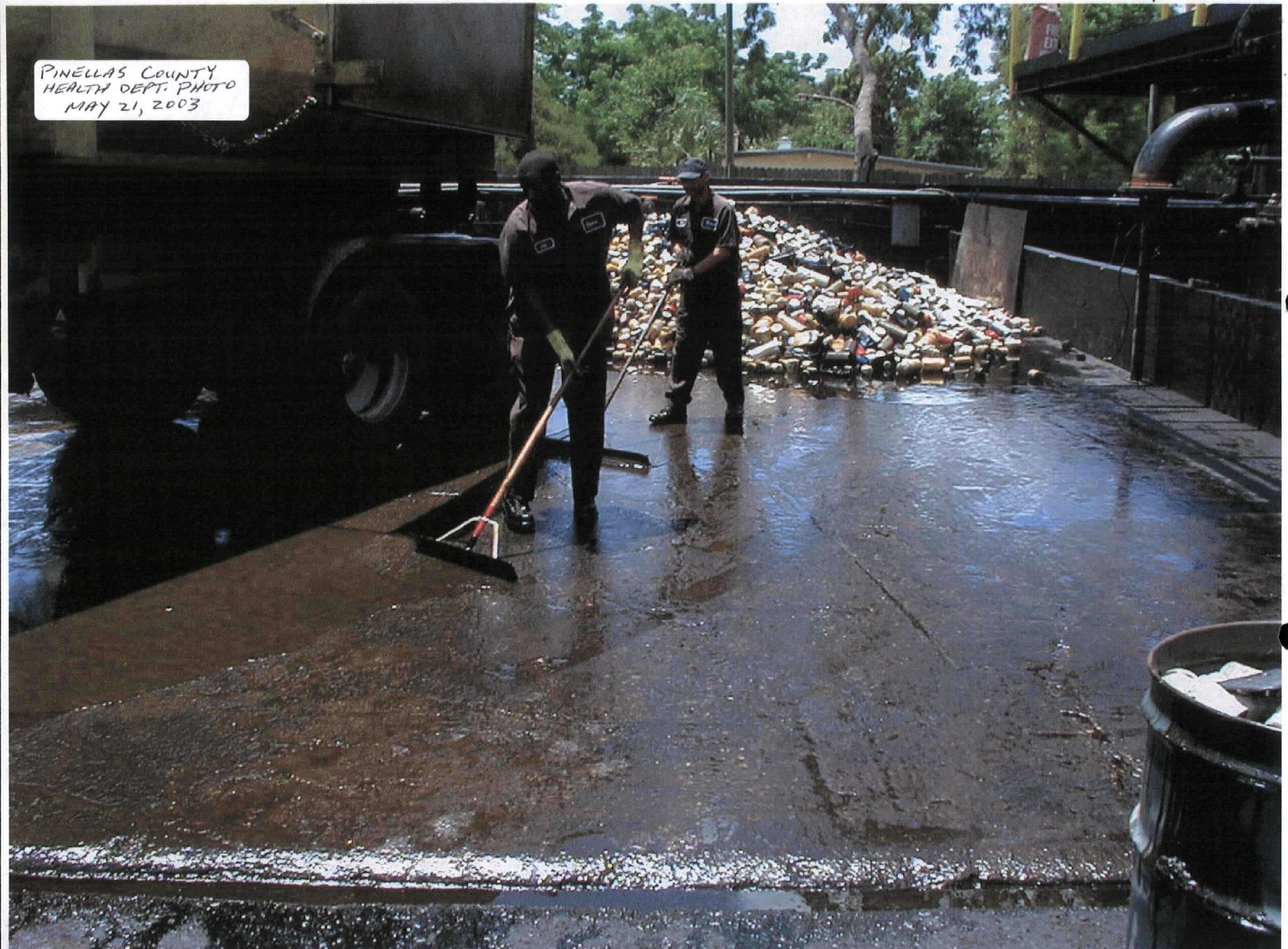
Howco 5/21/03

PINELLAS COUNTY
HEALTH DEPT PHOTO
MAY 21, 2003



HOWCO 5/21/03

PINELLAS COUNTY
HEALTH DEPT. PHOTO
MAY 21, 2003



Inspectors: GEHART / TAM / BEHNKE
Date: 6-24-03

INSPECTION CHECKLIST

HOWCO Environmental Services
843 43rd Street South
St. Petersburg, FL 33711
FLD 152 764 767

Permit No.	92465-HO06-001
Issued	08/03/00
Expires	08/03/05

Last Inspection 7/24/02
~~8/14/01~~

Used Oil and Material Processing Facility

47 Aboveground Storage Tanks (See Tables 3-1, 3-2 and 3-3 for descriptions of contents).

GC General Conditions

- GC.2 Have there been any changes in processes or operations? *IN STALLED AN UNLOADING DECK IN SOUTH WEST CORNER OF PROPERTY NORTH OF TANK #111* ✓Y N
- GC.12 A copy of the operating permit is maintained at the facility. *PROPERTY NORTH OF TANK #111* ✓Y N
- GC.14 Operating records contain the required information: ✓Y N
- Date, Place and Time of sampling or analyses;
 - Person performing the sampling or analyses;
 - Analytical techniques or methods used;
 - Results of the analyses.

SC Specific Conditions

Part I. General

- I.11 The facility has submitted its annual registration by March 1. ✓Y N
- I.12 Were any shipments of used oil refused due to suspected mixing with hazardous waste? (Any oil analyses pass or fail must be kept for 3 yrs.) Y ✓N

Part II. Used Oil Processing

- II.3 Only permitted waste streams are processed at the facility. ✓Y N
- Automotive crankcase oil, transmission and differential oil;
 - Oil/water emulsion from ships, barges and other sources;
 - Automotive oils recovered from oil/water separators;
 - Virgin oils contaminated with water;
 - Virgin oils recovered from tank cleaning and tank removals;
 - Used industrial oil.

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

- II.4 Generators supply initial TCLP analysis (or generator knowledge statement) of waste antifreeze. (Check facility files for certifications.) ☒ Y ☐ N
- II.6 The following records are maintained at the facility or the Central Ave. office.
- Permit application; ☒ Y ☐ N
 - Operating permit; ☒ Y ☐ N
 - Manifests and Bill-of-Lading of all shipments; ☒ Y ☐ N
 - Shipping papers include all of the required information as stated in 40 CFR 279.56 (Acceptance / Delivery); ☒ Y ☐ N
 - Training records; ☒ Y ☐ N
 - Inspection records; ☒ Y ☐ N
 - Closure Plan; ☒ Y ☐ N
 - Results of Waste Analyses; ☒ Y ☐ N
 - Annual used oil recovery reports; ☒ Y ☐ N
 - Validated annual used oil registration form. ☒ Y ☐ N
- II.8 Processed oil is sampled prior to shipping off-site *once every two weeks*. ☒ Y ☐ N
- Part III. Tanks**
- III.1 Used oil tanks and containers are labeled "Used Oil". ☒ Y ☐ N
- III.2 Regulated tank systems are inspected monthly. ** MISSING Sept '02* ☒ Y ☐ N
- III.3 Records are maintained for inspections and monthly release detection monitoring for process and storage tanks. ** MISSING Sept '02* ☒ Y ☐ N
- III.5 Secondary containment areas are sealed and free of cracks. *SOME AREAS need maintenance* ☐ Y ☒ N
- III.6 The areas of secondary containment provide containment for at least 110 % of the volume of the largest tank. ☒ Y ☐ N
- III.8 Spilled or leaked waste is removed from containment areas within 3 days of the incident. ☒ Y ☐ N
- Accumulated precipitation is removed within 1 week after a rainfall event using manually controlled pumps. ☒ Y ☐ N

Part IV. Solid Waste Processing

- IV.1 Non-hazardous materials that are accepted, processed, stored or otherwise managed are limited to - ☒ Y ☐ N
- Petroleum contaminated soil;
 - Petroleum contaminated sorbent materials (pads, booms, rags, vermiculite);
 - PPE;
 - Debris from spill cleanup;
 - Petroleum tank bottom sludges from tanks, pits and sumps;
 - Petroleum contaminated water;

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

- Petroleum contact water;
- Petroleum contaminated sediments sludges and liquids from oil/water separators at car washes;
- Empty petroleum contaminated drums, pails, gas tanks and fuel filters;
- Non-liquid waste streams from on-site oil processing and wastewater pretreatment facilities.

	Household hazardous wastes or wastes from a CESQG are <u>NOT</u> managed as solid waste at the facility.	<u>✓</u> Y __ N
IV.3	Processing equipment is repaired within one week of becoming inoperable.	<u>✓</u> Y __ N
	Operations DO NOT change the chemical characteristics of any of the solid materials.	<u>✓</u> Y __ N
IV.4	Each solid waste stream is sampled and analyzed at least annually.	<u>✓</u> Y __ N
	Records are available of annual WWTS sampling and analyses.	<u>✓</u> Y __ N
	Records are available of annual oil-extracted sludge (OES) sampling and analyses.	<u>✓</u> Y __ N
	Vibratory screen filter solids are containerized, properly sealed and labeled, "Screen Filter Residue". <i>N/A NOT containerizing. They are using a vacuum truck to remove solids</i>	<u> </u> Y __ N
	All tank bottom sludges and screen filter residues are transferred to Tanks 110 or 111 for further processing. (If not, the facility must have records of waste determinations on these streams.)	<u>✓</u> Y __ N
	The facility has notified the Department within 3 days prior to sampling any solid waste streams.	<u>✓</u> Y __ N
	The facility has records of hazardous waste determinations from each generator for all solid waste streams received.	<u>✓</u> Y __ N
	The determinations are updated annually.	<u>✓</u> Y __ N
IV.5	All outgoing materials for disposal are sampled and analyzed annually.	<u>✓</u> Y __ N
IV.6	Storage of solid waste is at or below 22,000 gallons. Where 15 yd ³ = 3,030 gallons 20 yd ³ = 4,040 gallons	<u>✓</u> Y __ N
	Processed solids are stored in covered, lined, roll-off containers or covered drums and stored on an impervious surface.	<u>✓</u> Y __ N
	All processed and unprocessed solid wastes are <u>stored</u> within the Solids Storage and Sludge Separation Areas.	<u>✓</u> Y __ N
IV.7	All materials are <u>processed</u> on impervious surfaces, tanks or containers.	<u>✓</u> Y __ N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

Containers of processed wastes are labeled "Processed Solids" or "Processed Solid Waste".

☒ Y ☐ N

There is no evidence of liquids or solids being discharged outside of the Solids Storage and Sludge Separation Areas.

☒ Y ☐ N

Solid wastes (liquids, sludges, solids, etc.) are only managed within containers, NOT on the ground, on the asphalt or on the concrete areas.

☒ Y ☐ N

The Solids Storage and Sludge Separation Areas are inspected monthly.

* NO SOLIDS WERE SEEN
MANAGED ON GROUND
INSPECTION
☒ Y ☐ N

IV.9

The facility maintains the following waste records:

- The amount of waste received, stored, processed and disposed [Quantities of drums received (gallons), an estimate of the percentage of solids and liquids in each drum, the quantities of bulk liquids received (gallons), the quantities of bulk solids received (tons), and the quantities of liquids (gallons) and solids (tons) disposed and stored on site];
- A signed waste profile form and analytical data for each waste stream accepted at the facility or for virgin materials, a waste material profile sheet and MSDS;
- The pre-burn analysis for each shipment of contaminated soil received that will be transferred to a soil treatment facility;
- The pre-acceptance analyses or waste determinations;
- Copies of any analyses required by a disposal facility as a condition of acceptance and documentation of acceptance;
- Monthly Waste Inspection/Corrective Action logs;
- Copies of permits for facilities that receive the processed solids.

☒ Y ☐ N

☒ Y ☐ N

☒ Y ☐ N

☒ Y ☐ N

☒ Y ☐ N

☒ Y ☐ N

☒ Y ☐ N

Monthly compilations are submitted quarterly of the following:

- Material balance (quantities received versus quantities disposed or in storage);
- Name and location of disposal or treatment facility for all solid wastes removed from the facility.

☒ Y ☐ N

☒ Y ☐ N

IV.10

All areas are cleaned to prevent nuisance conditions, hazardous conditions, odor or vector problems.

☒ Y ☐ N

IV.12

The facility is in compliance with Financial Assurance requirements.

- Closure costs are submitted annually prior to August 3;
- Annual submittal of proof of financial assurance.

☒ Y ☐ N

☒ Y ☐ N

Part V. Contingency Plan

V.2

Emergency and spill equipment is available at the facility.

☒ Y ☐ N

Check the emergency equipment stored east of the truck wash rack and at the drum crusher.

* STORAGE TRAILER NEEDS TO
BE CLEANED OUT (HOUSE KEEPING)
NEED TO RE-STOCK SAFETY GLASSES

**HOWCO Environmental Services
Compliance Evaluation Inspection Checklist**

At a minimum the facility shall have:

- | | |
|-------------------------------------|---------------------------|
| 5 bales of absorbent booms | 5 bales of absorbent pads |
| 10 bags of granular absorbent | 5 flashlights |
| 3 push brooms | 4 shovels |
| 2 55-gallon containers | 2 rakes |
| 5 tyvek suits | 5 gloves |
| 5 safety glasses <i>DID NOT SEE</i> | 5 rain gear |

 Y N

V.3,4 The emergency and safety equipment is available, tested and maintained.

✓ Y N ** However some Equip missing*

V.5 There is adequate aisle space in all storage areas for inspections.

** NO AISLE SPACE FOR CONTAINERS OF SLUDGE AND USED OIL FILTERS*

 Y N *✓*

V.6 Primary evacuation routes are posted in appropriate locations throughout the facility.

✓ Y N

V.7 A copy of the Contingency Plan is maintained on-site.

✓ Y N

The following are still the Emergency Coordinators:

<u>David Roehm</u>	Primary
<u>Tim Hagan</u>	Alternate

✓ Y N

A list of emergency response phone numbers is posted by the phones.

✓ Y N

The Contingency Plan was last amended on (date) 7-21-99

Amendments to the CP are sent to appropriate agencies.

✓ Y N

Part VI. Training

VI.1,2 The Company's "Used Oil Training Program" is given initially and annually thereafter.

✓ Y N

Personnel training is documented.

✓ Y N

Part VII. Closure

VII.1 The facility maintains a copy of the Closure Plan.

✓ Y N

Used Oil Filter Processing (62-710.850, F.A.C.)

62-710.850(4) The facility has current registration certificates for -

- Used Oil Filter Transporter
- Used Oil Filter Processor

✓ Y N

✓ Y N

62-710.850(5) The facility has records indicating the destination or end use of the processed used oil filters and the Name and Address of each destination or end user.

✓ Y N

The facility has submitted its annual report by March 1.

✓ Y N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

62-710.850(6) All used oil filters are stored in –

- Above ground containers on impermeable surfaces;
- Sealed containers that are in good condition;
- Containers labeled, Used Oil Filters”.

☒ Y ☐ N
☐ Y ☒ N
☐ Y ☒ N

Upon detection of any leaking oil from a container the oil is contained,
cleaned-up and managed properly.

☒ Y ☐ N

Petroleum Contact Water (62-740, F.A.C.)

62-740.300(2) The following records are maintained at the facility:

- Name and address of producer;
- Name and address of transporter;
- Date of receipt of the PCW shipment;
- Volume of PCW received;
- A copy of the shipping paper;
- Weekly container or tank inspections.

☐ Y ☐ N

*DID NOT
ADDRESS ON
THIS INSPECTION*

62-740.300(4) The facility has written assurance from the producer that the
PCW is non-hazardous.

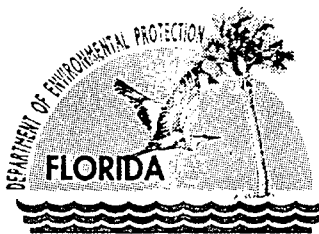
☐ Y ☐ N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

DOCUMENTS AND RECORDKEEPING

<input checked="" type="checkbox"/> Permit Application.	<input checked="" type="checkbox"/> Operating Permit.
<input checked="" type="checkbox"/> Validated Annual Used Oil Registration [Form 62-701.900(13)].	<input checked="" type="checkbox"/> Annual Used Oil Recovery Report.
<input checked="" type="checkbox"/> Annual DEP Registration Placard For Storage Tanks.	<input checked="" type="checkbox"/> Contingency Plan.
<input checked="" type="checkbox"/> Training Logs.	<input checked="" type="checkbox"/> Closure Plan.
<input checked="" type="checkbox"/> Results of Annual Waste Analyses For All Solid Waste Streams <i>Disposed</i> . sampled 12/27/02 AMENDED ON MARCH '03	<input checked="" type="checkbox"/> Transporter Liability Insurance [\$100,000 minimum].
<input checked="" type="checkbox"/> Results of Annual Waste Analyses For All Solid Waste Streams <i>Received</i> From Generators.	<input checked="" type="checkbox"/> Monthly Inspection Logs Of The Solids Storage and Sludge Separation Areas. * MISSING Sept '02
<input checked="" type="checkbox"/> Processed Oil Sampling Logs [Minimum Of One Sample Every Two Weeks].	<input checked="" type="checkbox"/> Annual Analyses Of WWT and OES Sludges.
<input checked="" type="checkbox"/> Tank Inspections and Monthly Release Detection Monitoring. * SEPT '02 MISSING	<input type="checkbox"/> Generator Non-Haz Demonstration For Used Antifreeze. NONE → ALL RECYCLED
<input checked="" type="checkbox"/> Analysis Of Vibrascreen Filter Solids and Tank Bottom Sludges [Unless Processed In Tanks 110 or 111].	<input type="checkbox"/> Records Of Refused Used Oil Shipments NONE
<input checked="" type="checkbox"/> Documentation Of Annual Closure Cost Estimate [Solid Waste Processing]. REV'D BY DEP ON 2-14-03 for \$63,294.93	<input checked="" type="checkbox"/> Documentation Of Annual Financial Assurance [Solid Waste Processing].
<input checked="" type="checkbox"/> Records Of Quantities Of Waste Received, Stored, Processed and Disposed.	<input checked="" type="checkbox"/> Quarterly Submittals Of Material Balance Of Quantities Of Solid Waste.
<input checked="" type="checkbox"/> Records Of Disposal Or Treatment Facility For All Solid Wastes Removed [Name and Location]. ATLANTIC	<input checked="" type="checkbox"/> Monthly Solid Waste Inspection / Corrective Actions Logs.
<input checked="" type="checkbox"/> Copies Of Permits For Facilities Receiving Processed Wastes. ATLANTIC IN OCALA SENDS TO GEORGIA	<input checked="" type="checkbox"/> Manifests / Bill-Of-Lading.
<input checked="" type="checkbox"/> Monthly Inspection Logs Of Safety and Emergency Equipment. * MISSING Sept '02	HAZ WASTE TRANSPORTER CERTIFICATE EXPIRED 6-2-03

* Inspection Logs were checked from Sept '02 Log WAS MISSING Page 7 July 2002 → MAY 31 2003



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

June 4, 2003

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

Re: Final Agency Action (Consent Order)
HOWCO Environmental Services
FLD 152 764 767, Pinellas County
OGC File No.: 02-2050

Dear Mr. Hagan:

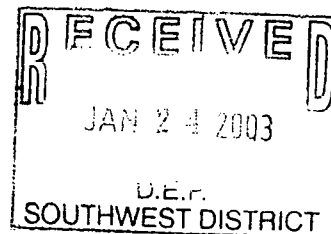
The Department has received your payment for \$5,100.00 as stipulated by the Order. The Department is closing the enforcement file associated with the inspection of July 24, 2002.

Sincerely,

William Kutash
Administrator
Division of Waste Management

WK/afg.

cc: Jeff Pallas, US EPA Region IV
Kathy Carter, OGC
Steve Ray, HWR Section
Steve Morgan, FDEP SW District Solid Waste
Compliance File ✓



January 22, 2003

Mr. Al Gephart
Florida Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, FL 33619-1352

RE: Hagan Holding Company d/b/a
HOWCO Environmental Services
OCG File No.: 02-2050

Dear Mr. Gephart:

Enclosed please find an executed copy of the OCG File No. 02-2050.

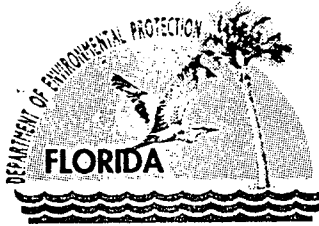
If you have any questions, please feel free to call me at 727-327-8467, extension 225.

Sincerely,


Cathy McGill
Controller

Enclosure

CM/jw



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

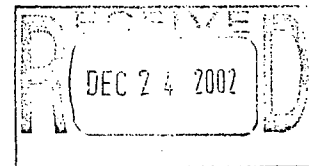
David B. Struhs
Secretary

December 19, 2002

SHORT FORM CONSENT ORDER

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Tim Hagen
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713



SUBJECT: Proposed Settlement of HOWCO Environmental Services
OGC File No.: 02-2050

Dear Mr. Hagan:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated November 18, 2002, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed to bring your facility into compliance. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, you are assessed civil penalties in the amount of \$5,000 along with \$100 to reimburse the Department costs, for a total of \$5,100.

The civil penalties are apportioned as follows: \$500.00 for violation of Florida Administrative Code (FAC) 62-710.850(6)(a); \$4,500 for violations of the operating permit [Specific Conditions III.8, IV.7(c) and V.2(a)].

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. This payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, 3408 Coconut Palm Drive, Tampa, FL 33619-8318. The payment shall be made in five (5) equal monthly installment payments of \$1,020.00 commencing within thirty (30) days of your signing this letter. Failure to timely make any installment payment will allow the Department, at its discretion, to accelerate the balance which will become immediately due.

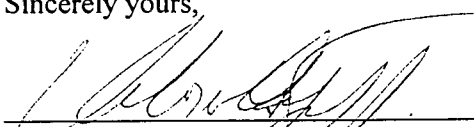
Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes.

"More Protection, Less Process"

Printed on recycled paper.

If you do not sign and return this letter to the Department at the District address by January 13, 2003, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely yours,


Deborah A. Getzoff
Director of District Management
Southwest District

FOR THE RESPONDENTS:

I, Tim Hagan, on behalf of HOWCO Environmental Services, **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: Tim Hagan Pres

Date: 12.26.02

FOR DEPARTMENT USE ONLY

DONE AND ENTERED this _____ day of _____, 200__.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Deborah A. Getzoff
Director of District Management
Southwest District

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby Acknowledged.

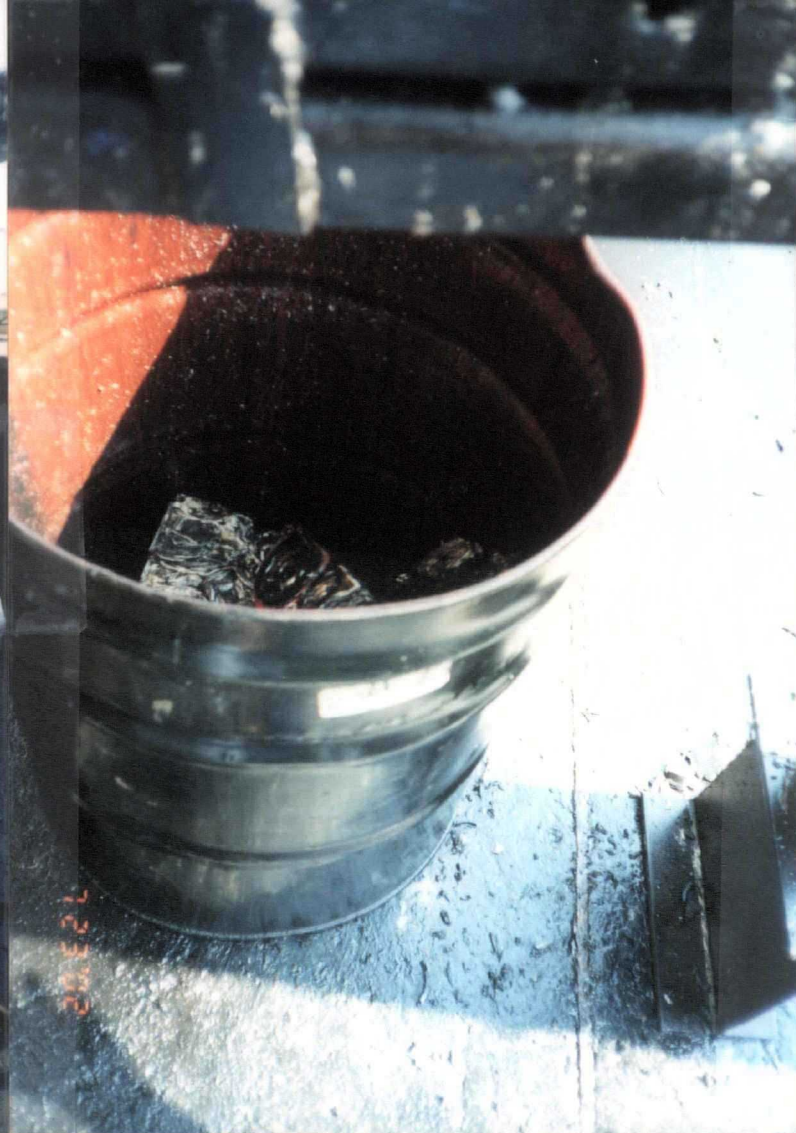
Clerk

Date

DAG/afg

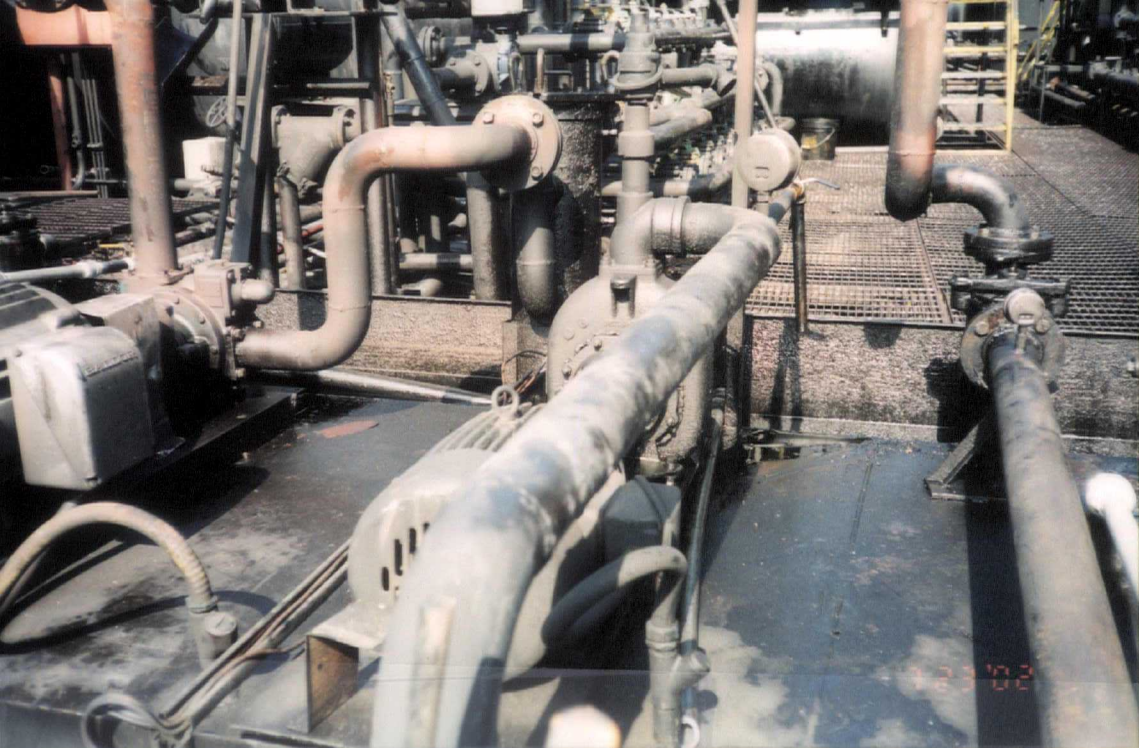
cc: Kathy Carter – FDEP OGC, Tallahassee

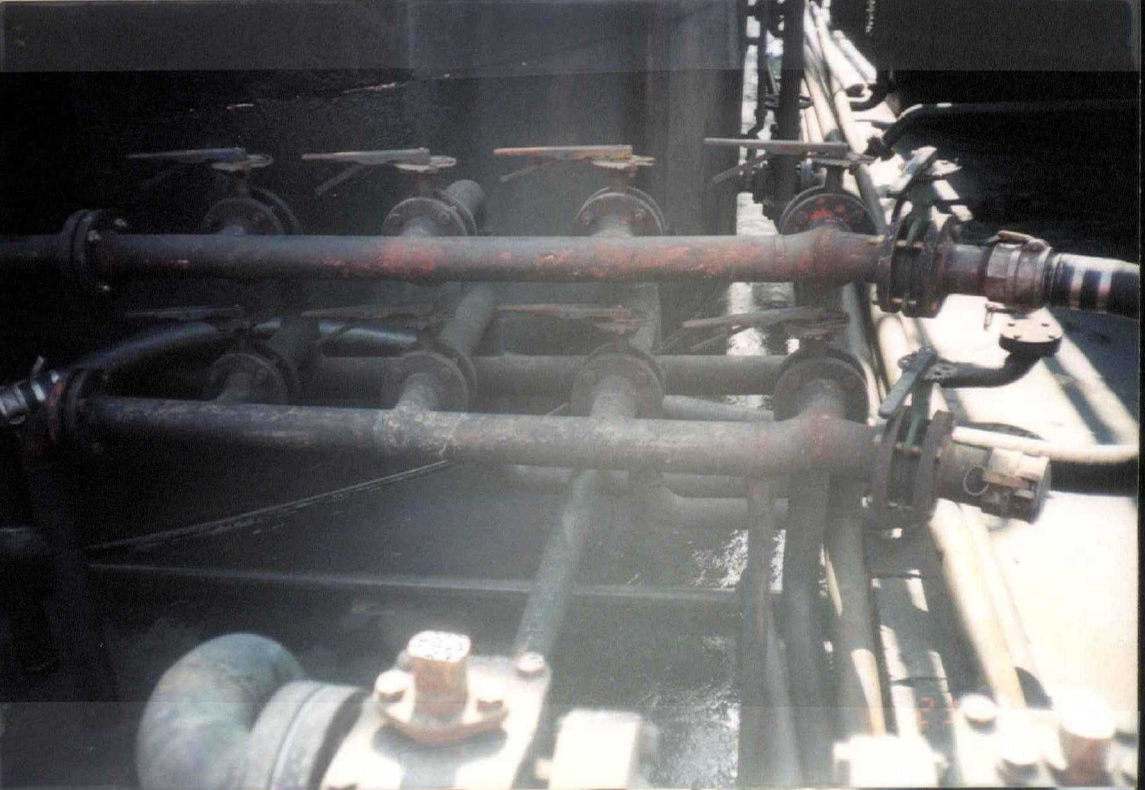
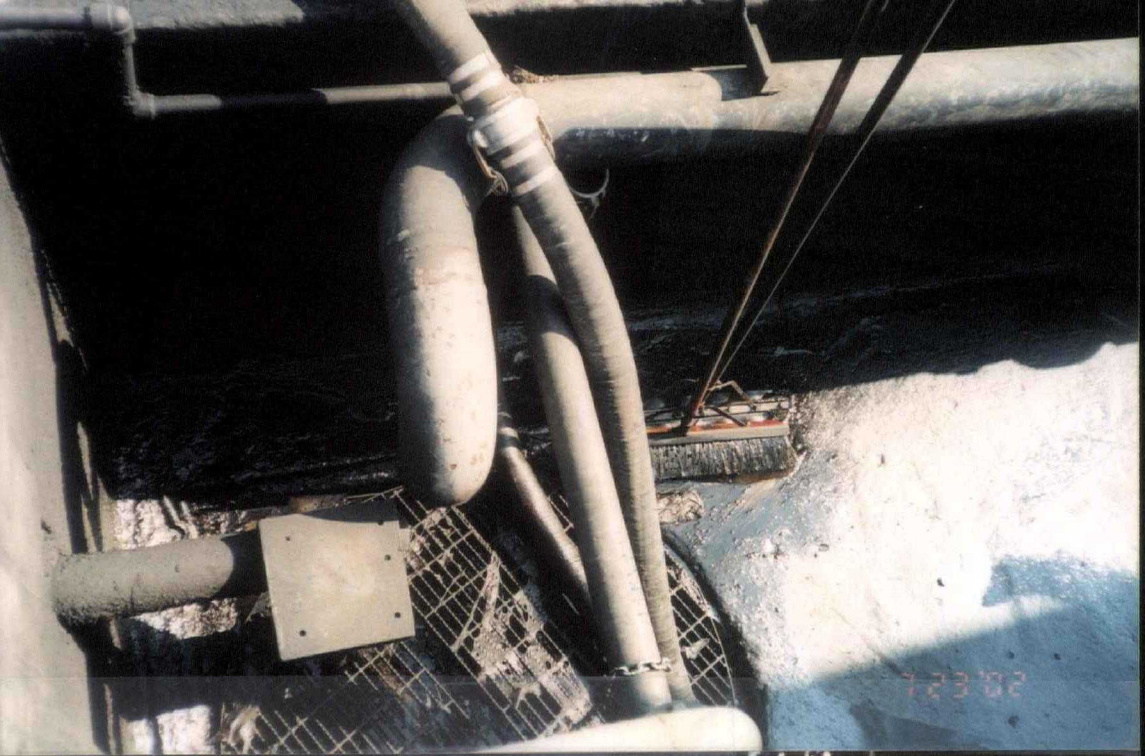
Attachments

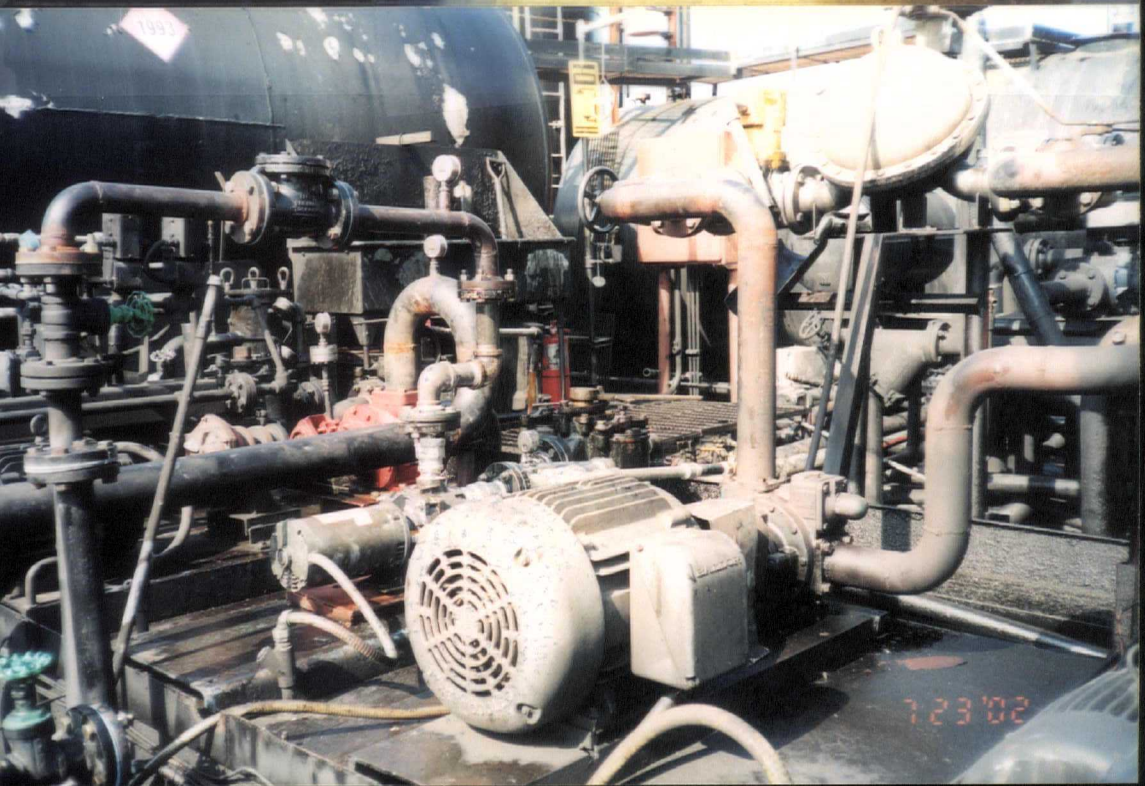
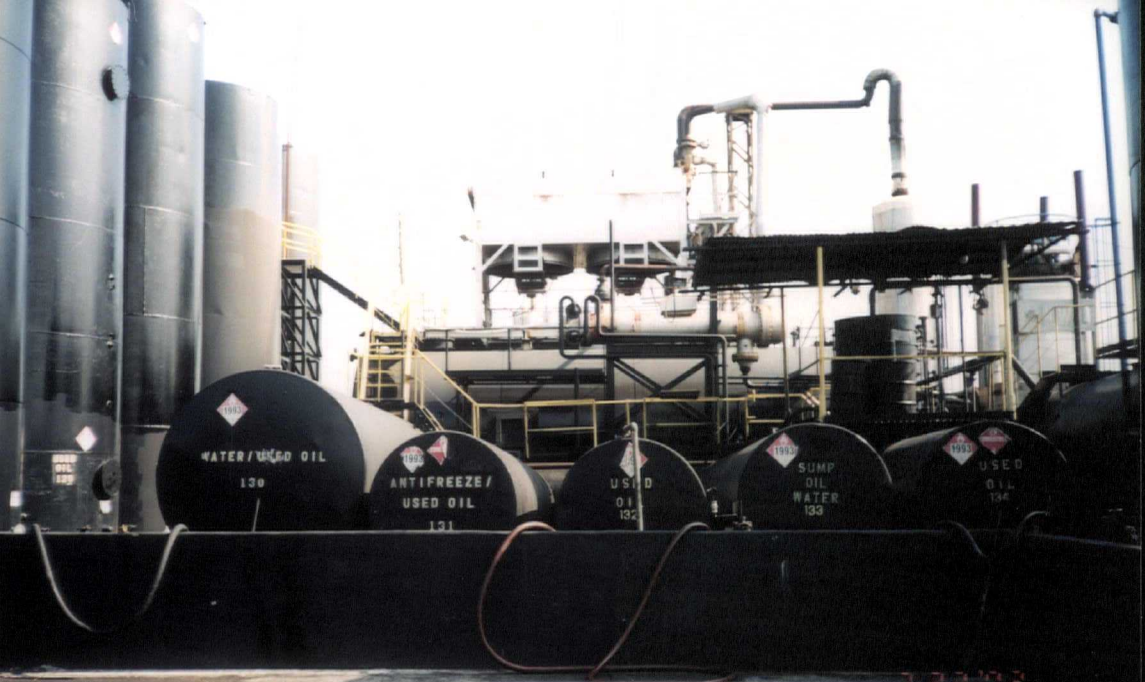




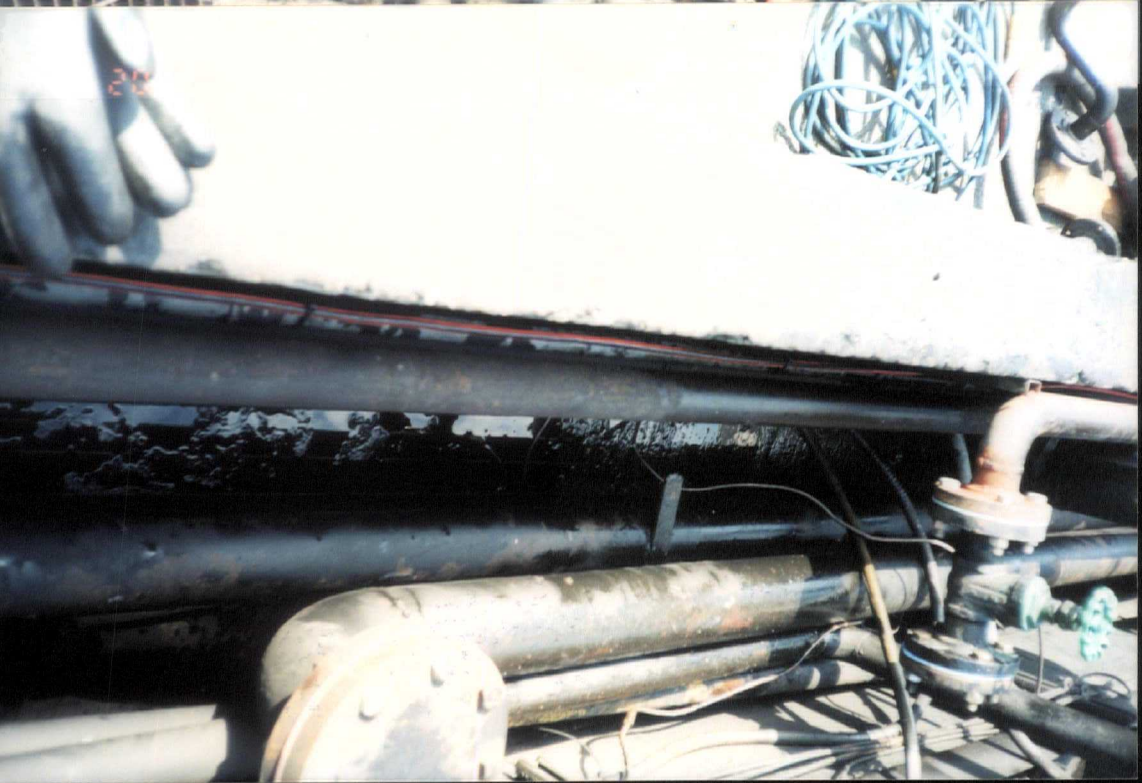
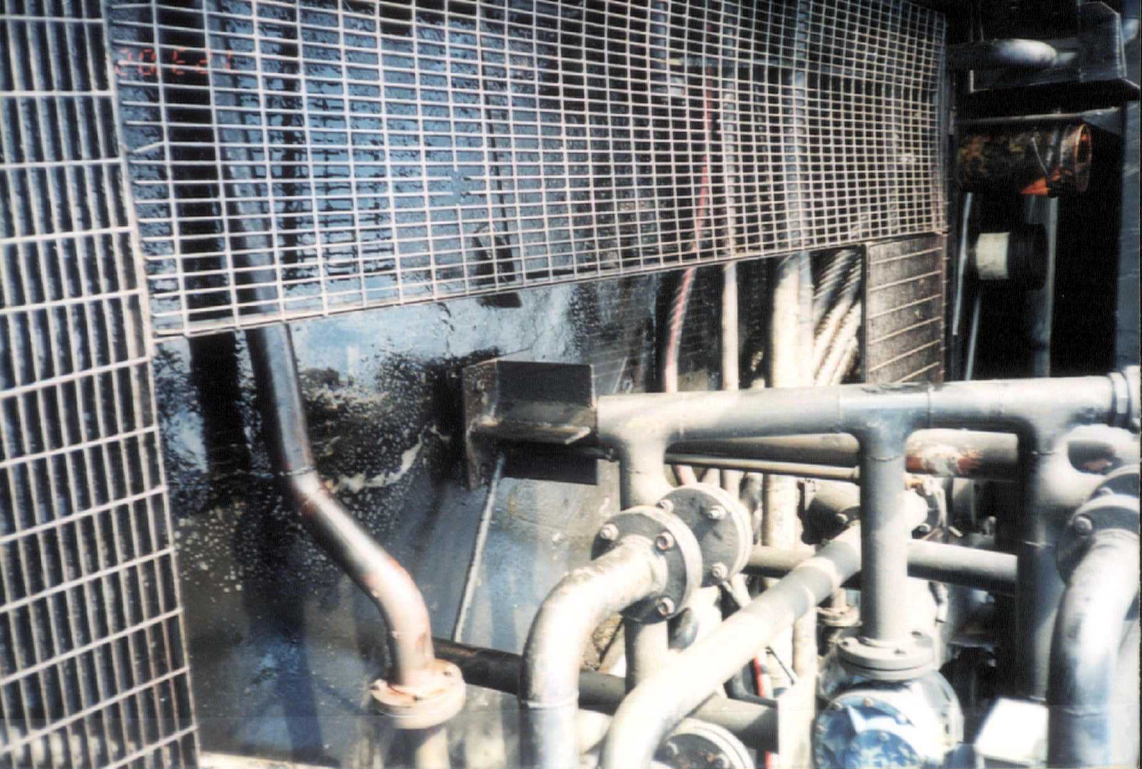










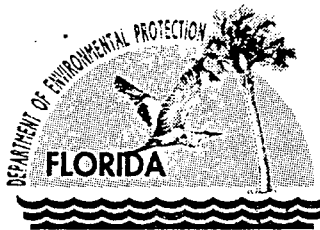




Howed Randy Straws vic e-mail



Baby Strauss Victory



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

November 18, 2002

CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

Mr. Tim Hagan
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713

RE: HOWCO Environmental Services
EPA ID# FLD 152 764 767
Warning Letter #259973
Pinellas County

Dear Mr. Hagan:

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 July 24, 2002, indicates that violations of Florida Statutes and Rules may exist at the above referenced 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 (F.S.) 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 cease.

You are requested to contact Al Gephart at (813)744-6100, extension 372, 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.


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 a Consent Order which will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In 2001 the Florida Legislature enacted the Environmental Litigation Reform Act (ELRA)(2001 Fla. Laws, Ch. 258). ELRA is now codified in Section 403.121, Florida Statutes (FS). ELRA is an efficient means of resolving smaller environmental cases in Administrative Court.

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ELRA sets specific penalty amounts for violations covered under the Act. The Department has computed the penalty, using the ELRA guidelines, to be \$5,000.00. Costs and expenses in this case will be a minimum of \$100. If this matter cannot be resolved within 90 days, 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 yours,

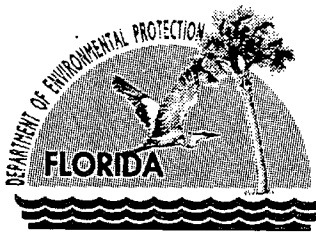


Deborah A. Getzoff
Director of District Management
Southwest District

DAG/afg

Enclosure

cc: Steve Ray, HWR Section
Susan Pelz, Solid Waste Section
Compliance File ✓



Jeb Bush
Governor

Department of Environmental Protection

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: HOWCO Environmental Services DEP/EPA ID #: FLD 152 764 767

STREET ADDRESS: 843 43rd Street South; St. Petersburg, FL 33711

MAILING ADDRESS: 3701 Central Avenue; St. Petersburg, FL 33713

COUNTY: Pinellas PHONE: (727) 327-8467 DATE: 07/24/02 TIME: 9:45 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:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

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:
- ☐ exempt treatment facility
- ☒ used oil: Processing Facility, Transporter
- ☒ used oil filter: Processor, Transporter

2. APPLICABLE REGULATIONS:

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

3. RESPONSIBLE OFFICIAL:

Tim Hagan, President

4. INSPECTION PARTICIPANTS:

Al Gephart - FDEP	Wade Behnke - FDEP
Stanley Tam - FDEP	Richard Dillen - HOWCO
David Roehm - HOWCO	Ed Kerr - HOWCO

5. LATITUDE/LONGITUDE: 27°54'00" / 82°38'11"

6. SIC CODE: 2999

7. TYPE OF OWNERSHIP: PRIVATE FEDERAL STATE COUNTY MUNICIPAL

8. PERMIT #: 92465-HO06-001 ISSUE DATE: 08/03/2000 EXP. DATE: 08/03/2005

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9. PROCESS DESCRIPTION:

HOWCO Environmental Services is a used oil and material processing facility that stores, processes and markets used oil. HOWCO has been at this location since 1972 and currently employs approximately forty people; thirty of which work at the processing facility. The 3.2 acre site contains an oil processing facility, an industrial wastewater pretreatment facility, storage tanks, vehicle maintenance garage and an on-site analytical laboratory. Administrative personnel and facility operating records are located and maintained at the Central Avenue office.

The facility receives used oil, industrial wastewater, petroleum contact water (PCW), antifreeze, used oil filters, oily solids, industrial solids and petroleum contaminated solids. The processing of solid wastes is overseen by the Department's Solid Waste Management Section that has its own inspections and reporting requirements. According to Mr. Hagan, the facility does not accept off-spec used oil or hazardous waste. On occasion, HOWCO may act as a broker for the disposal of hazardous waste for some clients. The hazardous waste that is brokered is not transported by HOWCO, but is transported directly from the generator to the disposal facility.

The majority of used oil, used oil filters and oily wastes are brought into the facility by HOWCO trucks, common carriers and independent oil transporters. Used oils collected by HOWCO trucks are initially screened by the drivers at the pick-up site using a halogen "sniffer". Used oils shipped to the facility by other vendors are required to include a manifest describing the material.

Used oils arriving at the facility are sampled and analyzed in the facility's on-site laboratory prior to unloading. A representative sample of each incoming shipment is taken, using a bailer, and tested for total halogens using a bench top 200T x-ray analyzer. If the analysis indicates the halide concentration is less than 999 ppm, the used oil is pumped into the tank farm. If total halogens are greater than 999 ppm the load is rejected unless the total halogens are less than 4,000 ppm and a rebuttable presumption is made.

The HOWCO tank farm consists of 47 aboveground storage tanks in five separate containment areas. Used oil was observed in containment Area #3 around tanks 105, 140 and 151. **This is a repeat violation of Specific Condition III.8 in the facility's operating permit.** Facility personnel cleaned and power washed the containment area before the inspectors left the site.

Eighteen (18) of the tanks (approximate capacity of 339,420 gallons) in containment Areas #1 and #2 are used to store used and re-refined used oil. The tanks have secondary containment consisting of oil impermeable concrete surfaces on the walls and floors to contain oil spills. In general, the containment areas in the processing area were clean and in good condition. Now that the construction activities have been completed for secondary containment Areas #1 and #2, the facility is to submit to the Department an "as-built" drawing of the tanks and containment areas and revised calculations of the capacity of secondary containment. The drawing and secondary containment calculations shall be signed and sealed by a professional engineer licensed in the state of Florida.

Used oil is processed utilizing either the Flash Tower or the Cooker Process. In the Flash Tower Process the used oil is pumped to a vibrascreen for removal of solids and then heated to flash-off the water. Used oil processed in the Cooker process is pumped to Tank #100 or Tank #101 for thermal/chemical treatment. A de-emulsifier is added to the oil and the mixture is heated. The treated oil is then allowed to cool to facilitate the separation of water. Water that is recovered from these processes is treated in the

facility's wastewater pretreatment plant prior to being discharged to the City of St. Petersburg POTW. The light ends from the Flash Tower are pulled-off and blended into processed oil tanks during the batching process. The solids from the vibrascreen are collected in a drum that was properly labeled, "Screen Filter Residue". The solids are sent to a solid waste landfill or processed for oil recovery. The solids are tested annually to ensure that they are not a hazardous waste.

North of the drum press was a roll-off box of crushed drums (scrap metal). The crushed drums appeared to have been properly cleaned and the roll-off was dry. There was no evidence of used oil leakage.

Crushed and uncrushed used oil filters are received in 55-gallon drums and stored on the south side of the property, west of the used oil filter crusher. The "impermeability" of the surface in the drum storage area appears somewhat marginal. Mr. Roehm showed the inspectors where repairs have been made. It is recommended that the facility continue to inspect the area and make any repairs necessary as part of its preventive maintenance program. This would include the area around the drum washer. The used oil filters are conveyed to a filter crusher. The used oil from draining the filters is collected in a drip pan under the filter crusher where it is pumped to an adjacent storage tank. The tank was properly labeled, "Used Oil". Periodically, the oil from the storage tank is removed and pumped into one of the facility's used oil storage tanks to be re-refined. Crushed filters are stored in either drums, roll-off boxes or dump trailers. At the time of the inspection, three (3) roll-off boxes were sitting on the earthen portion of the property, not on an impermeable surface, and were not covered. **This is a repeat violation of 62-710.850(6)(a), FAC.** It is also the opinion of the inspectors that the roll-offs were filled to over-capacity. The facility should limit the amount of filters in the roll-offs to accommodate an appropriate cover to protect the contents from the weather. Facility personnel were pressure washing the storage area where the roll-off boxes are normally placed. The inspectors were told that upon cleaning the "pad" the roll-offs would be rolled back onto the impermeable surface. During the inspection, the facility was operating its used oil filter crusher. The crusher is in need of repair. As a result of the crusher not performing correctly, there was used oil spilled onto the pad surrounding the crusher area. Oil was leaking from the conveyor belt and blocks of crushed filters were "bridging" on the conveyor and falling off onto the pavement. Facility personnel had to continually pick up the crushed filters that fallen off the conveyor and put them in drums. There were two 55-gallon drums of crushed used oil filters next to the crusher. One was partially full and was open during the crushing process to put the filters in that would fall from the conveyor. The other drum, sitting adjacent to the area, was overly full of used oil filters and not covered. **This is a violation of 62-710.850(6)(a), FAC.** The drums and/or roll-off boxes of crushed filters are shipped to the Pinellas County incinerator for disposal or to a scrap metal recycling facility.

HOWCO routinely collects waste antifreeze from its customers. The non-hazardous waste determination for the spent antifreeze is maintained on-site in the form of a record of certification from each generator clearly stating the basis for determining the waste antifreeze to be non-hazardous. HOWCO may treat the non-hazardous waste antifreeze in its industrial wastewater pretreatment plant or ship it to another treatment facility for disposal or recycling. Any used oil present in the antifreeze will be removed by oil/water separation. A review of HOWCO's records showed that there were waste determination documents from its clients on file.

Wastewater, including petroleum contact water (PCW), industrial wastewater, rainwater collected in secondary containment areas and water from the re-refining of used oil is accumulated and stored in aboveground storage tanks #151-155, #160-166, #170, #180, #191 and #192. The wastewater is treated in the pre-treatment system prior to discharging to the City of St. Petersburg POTW. Any oil recovered from the tanks by gravity separation is pumped back to the used oil tank farm for re-refining.

Solid waste managed at the facility includes oily solid waste generated by HOWCO and its clients. Solid wastes generated by HOWCO includes solids from the vibrascreen, tanker trucks, cone-bottom tank, oily solid batch treatment tank and storage tanks at the facility. The wastes are managed as non-hazardous waste. The waste solids are sampled and analyzed once per year to demonstrate that the waste is non-hazardous. For incoming solid wastes, each client is to provide the necessary non-hazardous waste determination. A review of the sampling records indicated that the solid wastes were non-hazardous. The solid wastes are bulked and sent to an approved thermal facility or a licensed landfill for disposal. The oily solids may be placed in drums, roll-off boxes, decontamination boxes or other containers for storage. At the time of the inspection, there were no roll-off boxes of solid waste in the Solids Storage and Sludge Separation Areas. However, facility personnel were processing solid waste using a front-end loader to mix the waste with mulch directly on the pad. **This is a violation of Specific Condition IV.7(c) in the facility's operating permit.** Also, as noted in last year's inspection, the discharge pipe from Tank #111 extends outside secondary containment. Per Specific Condition IV.7(e), the facility is to ensure that Tank #111 discharges into a suitable container, and does not discharge onto the ground or asphalt pavement. It is recommended that the facility install a flexible pipe onto the discharge that would extend back into the area of secondary containment when there is no container under the discharge pipe.

Receipts for pick-up and delivery of used oil products are maintained at the Central Avenue office. A review of the analytical results of processed oil shipped from September 2001 through June 2002 indicated that all parameters were in compliance.

Incoming and outgoing manifests for used oil, used oil filters, crushed oil filters, petroleum contact water and antifreeze are kept by HOWCO for at least three years. A random selection of customer files were inspected, all of which were found to be in compliance.

HOWCO submitted its annual used oil registration and is current on its liability and financial assurance requirements.

Fire extinguishers at the facility were serviced in January 2002. The fire and emergency equipment are inspected monthly and are tested annually. Inspection records were reviewed and found to be complete. Located east of the truck wash rack is the facility's emergency trailer consisting of absorbents, blankets and booms. It was noted in the January 2002 inspection sheet that the facility was deficient in the equipment inventory. Corrective action was taken in February to order replacement equipment. If received, the equipment has since disappeared. The facility is still deficient in providing safety equipment for use in an emergency. **This is a violation of Specific Condition V.2(a) in the facility's operating permit.** The facility provided the Department with a sales receipt indicating that the emergency equipment was re-stocked on July 26, 2002.

Evacuation routes were posted at various locations and the emergency phone numbers were posted next to the phones.

The tanks and related piping are inspected monthly. The monthly inspection logs from September 2001 through June 2002 were found to be complete. However, although the facility is documenting deficiencies, there is sometimes a 4 month backlog on getting these deficiencies communicated to management. It is recommended that the facility make a photo copy of the handwritten inspection sheets that have deficiencies noted on them and provide the copy to management so that corrective actions can proceed immediately. As currently done, the handwritten sheets are first typed up and then given to management. There is sometimes substantial delay between the date of inspection and the date on which the inspection is typed and provided to management.

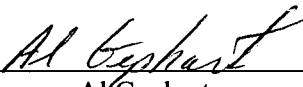
HOWCO employees receive training as outlined in the company's "Used Oil Training Program". The company's employees are provided initial and annual refresher training. The training records were reviewed and found to be complete. However, some of the training certificates were not signed by the instructor. It is recommended that the facility obtain the instructor's signature on future training certificates.


10. SUMMARY OF ALLEGED VIOLATIONS:

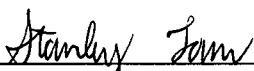
62-710.850(6)(a), FAC	Failure to seal, or otherwise protect from the weather, containers of used oil filters. <i>(Repeat Violation)</i>
Specific Condition III.8	Failure to remove spilled or leaked waste within secondary containment areas. <i>(Repeat Violation) (Corrected)</i>
Specific Condition IV.7(c)	Failure to manage solid waste materials in containers and/or processing tanks.
Specific Condition V.2(a)	Failure to provide emergency response equipment. <i>(Corrected)</i>

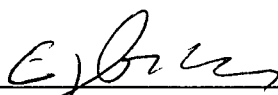
11. RECOMMENDED CORRECTIVE ACTIONS:

62-710.850(6)(a), FAC	Effective immediately and henceforth, the facility shall ensure that all containers of used oil filters are sealed or otherwise protected from the weather.
Specific Condition IV.7(c)	Effective immediately and henceforth, the facility shall manage all solid waste materials in containers and/or processing tanks.

Report Prepared By: 
Al Gephart
Engineer IV

Report Reviewed By: 
Wade Behnke
Environmental Specialist II

Report Reviewed By: 
Stanley Tam
Professional Engineer II

Report Approved By:  Date: 11/15/02
Elizabeth Knauss
Environmental Manager

PENALTY COMPUTATION WORKSHEET

Violator's Name: **HOWCO Environmental Services**

Identify Violator's Facility: 843 43rd Street South; St. Petersburg, FL 33711

Name of Department Staff Responsible for the Penalty Computations: Al Gephart

ComHaz Case #: 259973

Date: November 6, 2002

	Violation Type	Manual Guide	Florida Statute Citation	Penalty	Multi Day	Other Adjustments	Total
1.		ELRA	403.121(5)	\$500			\$500
2.		ELRA	403.121(3)(g)	\$1,000			\$1,000
3.		ELRA	403.121(3)(e)	\$2,000		\$1,000	\$3,000
4.		ELRA	403.121(5)	\$500			\$500
TOTAL							

Total Penalties for all Violations:

\$ 5,000.00

(Examples of Adjustments/Lack of Adjustments)

Multiday penalties were not selected as it was not possible to determine the number of days out of compliance.

Economic Benefit was considered but not calculated as it is estimated to be less than \$2,000

An additional adjustment of \$1,000 was added to violation #3 due to the Classification of the waste.

Inspectors: Gephart / Tam / BehnkeDate: 7-24-029⁴⁵ am**INSPECTION CHECKLIST**

HOWCO Environmental Services
843 43rd Street South
St. Petersburg, FL 33711
FLD 152 764 767

Permit No.	92465-HO06-001
Issued	08/03/00
Expires	08/03/05

Last Inspection 8/14/01**Used Oil and Material Processing Facility**

47 Aboveground Storage Tanks (See Tables 3-1, 3-2 and 3-3 for descriptions of contents).

GC General Conditions

- GC.2 Have there been any changes in processes or operations ? Y ✓N
- GC.12 A copy of the operating permit is maintained at the facility. ✓Y N
- GC.14 Operating records contain the required information: ✓Y N
- Date, Place and Time of sampling or analyses;
 - Person performing the sampling or analyses;
 - Analytical techniques or methods used;
 - Results of the analyses.

SC Specific Conditions**Part I. General**

- I.11 The facility has submitted its annual registration by March 1. ✓Y N
- I.12 Were any shipments of used oil refused due to suspected mixing with hazardous waste ? (Any oil analyses pass or fail must be kept for 3 yrs.) Y ✓N

Part II. Used Oil Processing

- II.3 Only permitted waste streams are processed at the facility. ✓Y N
- Automotive crankcase oil, transmission and differential oil;
 - Oil/water emulsion from ships, barges and other sources;
 - Automotive oils recovered from oil/water separators;
 - Virgin oils contaminated with water;
 - Virgin oils recovered from tank cleaning and tank removals;
 - Used industrial oil.

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

II.4 Generators supply initial TCLP analysis (or generator knowledge statement) of waste antifreeze. (Check facility files for certifications.) Y N

N/A ALL ANTIFREEZE recycled

II.6 The following records are maintained at the facility or the Central Ave. office.

- Permit application; Y N
- Operating permit; Y N
- Manifests and Bill-of-Lading of all shipments; Y N
- Shipping papers include all of the required information as stated in 40 CFR 279.56 (Acceptance / Delivery); Y N
- Training records; Y N
- Inspection records; Y N LAB
- Closure Plan; Y N
- Results of Waste Analyses; Y N LAB
- Annual used oil recovery reports; Y N
- Validated annual used oil registration form. Y N

II.8 Processed oil is sampled prior to shipping off-site *once every two weeks*. Y N

Part III. Tanks

III.1 Used oil tanks and containers are labeled "Used Oil". Y N

III.2 Regulated tank systems are inspected monthly. Y N

III.3 Records are maintained for inspections and monthly release detection monitoring for process and storage tanks. Y N

III.5 Secondary containment areas are sealed and free of cracks. Y N

III.6 The areas of secondary containment provide containment for at least 110 % of the volume of the largest tank. Y N

III.8 Spilled or leaked waste is removed from containment areas within 3 days Y N *

* of the incident. used oil in containment area for Tanks 140, 105, 106, 141-144 AND 180

Accumulated precipitation is removed within 1 week after a rainfall event using manually controlled pumps. Y N

Part IV. Solid Waste Processing

IV.1 Non-hazardous materials that are accepted, processed, stored or otherwise managed are limited to - Y N *

- Petroleum contaminated soil;
- Petroleum contaminated sorbent materials (pads, booms, rags, vermiculite);
- PPE;
- Debris from spill cleanup;
- Petroleum tank bottom sludges from tanks, pits and sumps;

* HOWCO BRINGS IN MULCH for processing with oily waste

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

- Petroleum contaminated water;
- Petroleum contact water;
- Petroleum contaminated sediments sludges and liquids from oil/water separators at car washes;
- Empty petroleum contaminated drums, pails, gas tanks and fuel filters;
- Non-liquid waste streams from on-site oil processing and wastewater pretreatment facilities.

Household hazardous wastes or wastes from a CESQG are NOT managed as solid waste at the facility.

correct
☒ Y ☐ N

IV.3 Processing equipment is repaired within one week of becoming inoperable. ** USED OIL FILTER CRUSHER REQUIRES REPAIR*

☒ Y ☐ N

Operations **DO NOT** change the chemical characteristics of any of the solid materials. *Have been running at least 4 days with filters falling off conveyor. Area contains oil on ground*

correct
☒ Y ☐ N

IV.4 Each solid waste stream is sampled and analyzed at least annually.

☒ Y ☐ N

Records are available of annual WWTS sampling and analyses.

☒ Y ☐ N

Records are available of annual oil-extracted sludge (OES) sampling and analyses. *1st sample failed for Benzene. Re-sampled and found to be within limits.*

☒ Y ☐ N

Vibratory screen filter solids are containerized, properly sealed and labeled, "Screen Filter Residue". *Not sealed on processing platform but labeled O.K.*

☒ Y ☐ N

All tank bottom sludges and screen filter residues are transferred to Tanks 110 or 111 for further processing. (If not, the facility must have records of waste determinations on these streams.)

☒ Y ☐ N

The facility has notified the Department within 3 days prior to sampling any solid waste streams. ** THEY WOULD NOTIFY SUSAN PELZ*

☐ Y ☐ N ***

The facility has records of hazardous waste determinations from each generator for all solid waste streams received. *checked 25 documents*

☒ Y ☐ N

The determinations are updated annually.

☒ Y ☐ N

IV.5 All outgoing materials for disposal are sampled and analyzed annually.

☒ Y ☐ N

IV.6 Storage of solid waste is at or below 22,000 gallons.

☒ Y ☐ N

Where 15 yd³ = 3,030 gallons

20 yd³ = 4,040 gallons

Processed solids are stored in covered, lined, roll-off containers or covered drums and stored on an impervious surface. *FACILITY SAID THE ROLL-OFF WOULD BE DELIVERED THIS AFTERNOON AND SOLIDS WOULD BE PLACED IN IT*

☐ Y ☒ N ***

All processed and unprocessed solid wastes are stored within the Solids Storage and Sludge Separation Areas.

☒ Y ☐ N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

IV.7 All materials are processed on impervious surfaces, tanks or containers. ☒ Y ☐ N

Containers of processed wastes are labeled "Processed Solids" or "Processed Solid Waste". ☐ Y ☐ N
& NONE ON-SITE AT TIME OF INSPECTION

There is no evidence of liquids or solids being discharged outside of the Solids Storage and Sludge Separation Areas. ☒ Y ☐ N *correct*

Solid wastes (liquids, sludges, solids, etc.) are only managed within containers, NOT on the ground, on the asphalt or on the concrete areas. ☐ Y ☒ N

ONLY WASTE & MUCH BEING MIXED ON CONCRETE AREA OUTSIDE SECONDARY CONTAINMENT OF TANKS 108-111
The Solids Storage and Sludge Separation Areas are inspected monthly. ☒ Y ☐ N

IV.9 The facility maintains the following waste records:

- The amount of waste received, stored, processed and disposed [Quantities of drums received (gallons), an estimate of the percentage of solids and liquids in each drum, the quantities of bulk liquids received (gallons), the quantities of bulk solids received (tons), and the quantities of liquids (gallons) and solids (tons) disposed and stored on site]; ☒ Y ☐ N
- A signed waste profile form and analytical data for each waste stream accepted at the facility or for virgin materials, a waste material profile sheet and MSDS; ? ☐ Y ☐ N
- The pre-burn analysis for each shipment of contaminated soil received that will be transferred to a soil treatment facility; *NOT GOING TO SOIL TREATMENT FACILITY* ☐ Y ☐ N
- The pre-acceptance analyses or waste determinations; ☐ Y ☐ N
- Copies of any analyses required by a disposal facility as a condition of acceptance and documentation of acceptance; ? ☐ Y ☐ N
- Monthly Waste Inspection/Corrective Action logs; ☒ Y ☐ N
- Copies of permits for facilities that receive the processed solids. ☐ Y ☒ N *4*

Monthly compilations are submitted quarterly of the following:

- Material balance (quantities received versus quantities disposed or in storage); ☒ Y ☐ N
- Name and location of disposal or treatment facility for all solid wastes removed from the facility. ☒ Y ☐ N

IV.10 All areas are cleaned to prevent nuisance conditions, hazardous conditions, odor or vector problems. ☒ Y ☐ N

IV.12 The facility is in compliance with Financial Assurance requirements.

- Closure costs are submitted annually prior to August 3; ☒ Y ☐ N
- Annual submittal of proof of financial assurance. ☒ Y ☐ N

Part V. Contingency Plan

V.2 Emergency and spill equipment is available at the facility. ☐ Y ☒ N

Check the emergency equipment stored east of the truck wash rack and at the drum crusher.

Emergency trailer is deficient for many items

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

At a minimum the facility shall have:

<input checked="" type="checkbox"/> 5 bales of absorbent booms	<input checked="" type="checkbox"/> 5 bales of absorbent pads
1 10 10 bags of granular absorbent	5 flashlights
2 3 push brooms	4 shovels
2 55-gallon containers	1 2 rakes
None 5 tyvek suits	NO 5 gloves
None 5 safety glasses	NO 5 rain gear

Y ☒ N
 DEFICIENT
 IN MANY
 E.R. ITEMS

V.3,4 The emergency and safety equipment is available, tested and maintained.

Y ☒ N

V.5 There is adequate aisle space in all storage areas for inspections.

☒ Y N

V.6 Primary evacuation routes are posted in appropriate locations throughout the facility.

☒ Y N

V.7 A copy of the Contingency Plan is maintained on-site.

☒ Y N

The following are still the Emergency Coordinators:

<u>David Roehm</u>	Primary
<u>Tim Hagan</u>	Alternate

☒ Y N

A list of emergency response phone numbers is posted by the phones.

☒ Y N

The Contingency Plan was last amended on (date) 7-21-99

Amendments to the CP are sent to appropriate agencies.

☒ Y N

Part VI. Training

VI.1,2 The Company's "Used Oil Training Program" is given initially and annually thereafter.

☒ Y N

Personnel training is documented.

☒ Y N

Part VII. Closure

VII.1 The facility maintains a copy of the Closure Plan.

☒ Y N

Used Oil Filter Processing (62-710.850, F.A.C.)

62-710.850(4) The facility has current registration certificates for -

- Used Oil Filter Transporter
- Used Oil Filter Processor

☒ Y N
☒ Y N

62-710.850(5) The facility has records indicating the destination or end use of the processed used oil filters and the Name and Address of each destination or end user.

☒ Y N

The facility has submitted its annual report by March 1.

☒ Y N

HOWCO Environmental Services
Compliance Evaluation Inspection Checklist

62-710.850(6) All used oil filters are stored in –

- Above ground containers on impermeable surfaces;
- Sealed containers that are in good condition; *2 containers not sealed*
- Containers labeled, Used Oil Filters". *3 Roll-off's not covered*

☒ Y ☐ N
☐ Y ☒ N
☒ Y ☐ N

Upon detection of any leaking oil from a container the oil is contained,
cleaned-up and managed properly.

☒ Y ☐ N

Petroleum Contact Water (62-740, F.A.C.)

62-740.300(2) The following records are maintained at the facility:

☒ Y ☐ N

- Name and address of producer;
- Name and address of transporter;
- Date of receipt of the PCW shipment;
- Volume of PCW received;
- A copy of the shipping paper;
- Weekly container or tank inspections.

62-740.300(4) The facility has written assurance from the producer that the
PCW is non-hazardous.

☒ Y ☐ N