

# Florida Department of Environmental Protection

Southwest District  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926  
Telephone: 813-632-7600

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

September 6, 2011

Sent via email only  
[thagan@howcousa.com](mailto:thagan@howcousa.com)

Mr. Tim Hagan, President  
Hagan Holding Company  
d/b/a HOWCO Environmental Services  
3701 Central Avenue  
St. Petersburg, FL 33713

Re: Final Agency Action (Short Form Consent Order)  
HOWCO Environmental Services  
EPA ID #FLD 152 764 767, Pinellas County  
**OGC File No.: 10-2712**

Dear Mr. Hagan:

The Department of Environmental Protection has received your fourth and final check for \$700.00, for a total of \$2,800.00, as stipulated by the Order. A copy of the executed Order was previously mailed to you on November 10, 2010. This enforcement action is now closed. Thank you for your cooperation.

Sincerely,

William Kutash, P.G.  
Administrator  
Division of Waste Management

WK/kmh

enclosure

cc: Lee Morris, HOWCO Environmental ([LeeMorris@howcousa.com](mailto:LeeMorris@howcousa.com))  
Laurie Benton-DiGaetano, US EPA Region IV ([Benton-DiGaetano.Laurie@epa.gov](mailto:Benton-DiGaetano.Laurie@epa.gov))  
Glen Perrigan, Department, HWR Section ([glen.perrigan@dep.state.fl.us](mailto:glen.perrigan@dep.state.fl.us))  
Lea Crandall, Department, Office of General Counsel ([lea.crandall@dep.state.fl.us](mailto:lea.crandall@dep.state.fl.us))

Inserted into OCULUS

OCT 18 2011

Initials: KLS

## Coogle, Deon

---

**From:** Microsoft Exchange  
**To:** 'thagan@howcousa.com'; 'leemorris@howcousa.com'  
**Sent:** Tuesday, September 06, 2011 2:35 PM  
**Subject:** Relayed: HOWCO Environmental Services - Case Closed Letter

**Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:**

'thagan@howcousa.com'

'leemorris@howcousa.com'

**Subject:** HOWCO Environmental Services - Case Closed Letter

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Sent by Microsoft Exchange Server 2007

**Coogle, Deon**

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**From:** Microsoft Exchange  
**To:** Crandall, Lea; Perrigan, Glen  
**Sent:** Tuesday, September 06, 2011 2:35 PM  
**Subject:** Delivered: HOWCO Environmental Services - Case Closed Letter

**Your message has been delivered to the following recipients:**

Crandall, Lea

Perrigan, Glen

**Subject:** HOWCO Environmental Services - Case Closed Letter


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

Sent by Microsoft Exchange Server 2007

Memorandum

Environmental Protection

SOUTHWEST DISTRICT ENFORCEMENT COVER MEMO

TO:  William Kutash, Waste Program Administrator

THROUGH:  James Dregne, Hazardous Waste Program Manager  Elizabeth Knauss, HW Enforcement Coordinator

FROM:  Kelly Honey, Environmental Specialist III

DATE: September 2, 2011

FILE NAME: HOWCO Environmental Services

COUNTY: Pinellas

PROGRAM: Hazardous Waste

PROJECT # WL10-0052HW52SWD

TYPE OF DOCUMENT: Case Closed Letter for OGC #10-2712

REQUESTED ACTION: SIGNATURE

DESCRIPTION OF VIOLATIONS:

The facility had several unit management violations, including two drums without containment, and also had some old, open containers of spent lacquer thinner.

STATUS OF CORRECTIVE ACTIONS:

The facility has returned to compliance, entered into a SFCO with the Department, and has paid the penalty.

STATUS OF PENALTY ASSESSMENT:

The penalty has been prepared in accordance with United States EPA RCRA Civil Penalty Policy. Penalty has been fully paid.

PENALTY: ☐ Not Applicable

Amount: \$2,500

Costs & Expenses: \$300

Total: \$2,800

Secretary Approval ☒ Not required / Approved on \_\_\_\_\_

Attachments: Case Closed Letter

Honey, Kelly

**From:** Honey, Kelly  
**Sent:** Thursday, September 01, 2011 3:20 PM  
**To:** 'Lee Morris'  
**Subject:** RE: Payment #4 of 4 (OGC #10-2712)?

Lee,

You are totally correct. My mistake! I checked out our database, and it clearly shows you've made 4 payments (see below). The first one shows \$400 because this is only the penalty, not the \$300 costs included with the first payment. I will be drafting and sending you a case closed letter. Sorry about that!

See you on the 16<sup>th</sup>!

Florida Department of Environmental Protection - Enterprise Application

Legal Case Tracking System - Monies Collected History

09/01/2011 15:50

OGC Number: 10-2712-52, INV, Dept: SOUTHWEST, County: PINELLAS

Site of Case: HAWK HOLDING COMPANY DEP VS.

Program Area: HAZARDOUS WASTE, Mode: ENFORCEMENT

Lead Agency: SOUTHWEST, SF-COMMO LIST, Status: CLOSED

Permit Number: , Permit Appl: , Final Order Number: DEPR-8643

Assessment Due	Assessment Amount	Category	Fund	Monies Assessed	Monies Collected	Receipt Number	Receipt Date	Payment Number
12/12/2010	\$7,500.00	PENALTIES	100000					
12/12/2010	\$400.00					727144	12/01/2010	1064250
03/02/2011	\$700.00					727111	03/02/2011	1064250
06/02/2011	\$700.00					726934	06/02/2011	1064250
09/02/2011	\$700.00					726979	09/02/2011	1064250

Inserted into OCULUS

OCT 18 2011

Initials: *KVA*

**From:** Lee Morris [mailto:LeeMorris@howcousa.com]  
**Sent:** Thursday, September 01, 2011 10:46 AM  
**To:** Honey, Kelly  
**Subject:** RE: Payment #4 of 4 (OGC #10-2712)?

Kelly,

Attached is a .pdf scan of the last payment. According to Polly in our A/P department, she stated that this was the last payment on the schedule.

Let me know if its not and I'll research further.

Thanks,  
Lee Morris

**From:** Honey, Kelly [mailto:Kelly.Honey@dep.state.fl.us]

**Sent:** Wednesday, August 31, 2011 5:31 PM

**To:** Lee Morris

**Subject:** Payment #4 of 4 (OGC #10-2712)?

Hi Lee,

I meant to mention this earlier today, but I forgot. HOWCO still owes the last payment on this enforcement case. It was due a couple of weeks ago. Could you let me know when I can expect it? Jim hasn't asked about it yet, but I'm sure he will soon. Thanks!

*Kelly Honey*

*FL Department of Environmental Protection*

*RCRA Compliance and Enforcement*

*T: 813/632-7600, ext. 369*

*F: 813/632-7664*

*Please Note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.*

*Please take a few minutes to share your comments on the service you received from the department by clicking on this link Copy the url below to a web browser to complete the DEP survey:*

<http://survey.dep.state.fl.us/?refemail=Kelly.Honey@dep.state.fl.us>

## Honey, Kelly

---


**From:** Lee Morris [LeeMorris@howcousa.com]  
**Sent:** Thursday, September 01, 2011 10:46 AM  
**To:** Honey, Kelly  
**Subject:** RE: Payment #4 of 4 (OGC #10-2712)?  
**Attachments:** COPIER\_20110901\_112920.pdf

Kelly,

Attached is a .pdf scan of the last payment. According to Polly in our A/P department, she stated that this was the last payment on the schedule.


Let me know if its not and I'll research further.

Thanks,  
Lee Morris



---

**From:** Honey, Kelly [mailto:Kelly.Honey@dep.state.fl.us]  
**Sent:** Wednesday, August 31, 2011 5:31 PM  
**To:** Lee Morris  
**Subject:** Payment #4 of 4 (OGC #10-2712)?



Hi Lee,

I meant to mention this earlier today, but I forgot. HOWCO still owes the last payment on this enforcement case. It was due a couple of weeks ago. Could you let me know when I can expect it? Jim hasn't asked about it yet, but I'm sure he will soon. Thanks!

*Kelly Honey  
FL Department of Environmental Protection  
RCRA Compliance and Enforcement  
T: 813/632-7600, ext. 369  
F: 813/632-7664*

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*Please take a few minutes to share your comments on the service you received from the department by clicking on this link Copy the url below to a web browser to complete the DEP survey:  
<http://survey.dep.state.fl.us/?refemail=Kelly.Honey@dep.state.fl.us>*

Inserted into OCULUS

OCT 18 2011

Initials: KA

Cash Receiving Application - Collection Point Log Remittance

CL AREA: **SWD** CRAF006A

Logged Total: **\$700.00**

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**Collection Point Log Remittance**

Remittance ID: **948128** Type: **CP** Received Date: **07/29/2011** Status: **RECEIVED**

System Receipt: **752579** PNR:  Check #: **3766** Amount: **700.00**

SSN/FEID:  Name: **HOWCO ENVIRONMENTAL SERVICES**

First:  Middle:  Title:  Suffix:

Address1: **3701 CENTRAL AVENUE**

Address2:

City: **ST PETERSBURG** ST: **FL** Zip: **33713**

Country:  Short Comments: **OGC 10-2712 HW 4 OF 4**

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**PAYMENT(S)**

Payment ID	CL Area	Distribution	Object	Code/Description	Payment Amount	Reference#	Appl	Fund	Grant	Status
<b>1103943</b>	<b>SWD</b>	<b>012008</b>	<b>LCT-PENALTIES</b>		<b>700.00</b>	<b>102712</b>		<b>ECOSYS</b>		<b>COMPLETE</b>

**COMMIT FREQUENTLY** **700.00** Payment Total

Inserted into OCULUS

OCT 18 2011

Initials: \_\_\_\_\_

✓

70  
511





Florida Department of  
Environmental Protection  
Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Mimi Drew  
Secretary

October 4, 2010

**CERTIFIED MAIL 7009 1680 0001 0455 3034**  
**RETURN RECEIPT REQUESTED**

Mr. Lee Morris, Director of Operations  
Hagan Holding Company  
d/b/a HOWCO Environmental Services  
3701 Central Avenue  
St. Petersburg, FL 33713

*Due 8/8/2011*  
*700.00*

SUBJECT: Proposed Settlement of HOWCO Environmental Services  
EPA ID #FLD 152 764 767  
OGC File No.: 10-2712

Dear Mr. Morris:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated August 12, 2010, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. 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 \$2,500.00, along with \$300.00 to reimburse Department costs, for a total of \$2,800.00. The civil penalty in this case does not include any violations 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. The payment shall be made in four, equal payments of \$700.00, with the first payment due within thirty (30) days of your signing this letter. The remaining three payments shall be due quarterly thereafter. Final payment is due no later than August 8, 2011. Failure to timely make any installment payment will allow the Department, at its discretion, to accelerate the balance which will become immediately due. Payments 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." Payments shall be sent to the Department of Environmental Protection, 13051 North Telecom Parkway, Temple Terrace, FL 33637-0926.

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 and the attachments 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.

## Honey, Kelly

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**From:** Honey, Kelly  
**Sent:** Thursday, July 21, 2011 3:48 PM  
**To:** 'Lee Morris'  
**Subject:** HOWCO Payment #3 of 4 received (OGC #10-2712)

Hi Lee,

It looks like I didn't send this previously, but I wanted to make sure you knew we received HOWCO's payment 3 of 4. It looks like the last payment is due August 8, 2011. Sorry about the delay in acknowledgement.

Have a good weekend!

*Kelly Honey  
FL Department of Environmental Protection  
RCRA Compliance and Enforcement  
T: 813/632-7600, ext. 369  
F: 813/632-7664*

Please Note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

Inserted into OCULUS

OCT 18 2011

Initials:

Cash Receiving Application - Collection Point Log Remittance

CL AREA **SWD** CRAF006A

Logged Total **\$700.00**

**Collection Point Log Remittance**

Remittance ID: **934169** Type: **CP** Received Date: **05/27/2011** Status: **RECEIVED**

System Receipt: **746934** PNR:  Check #: **3533** Amount: **700.00**

SSN/FEID:  Name: **HOWCO ENVIRONMENTAL SERVICES**

First:  Middle:  Title:  Suffix:

Address1: **3701 CENTRAL AVENUE**

Address2:

City: **ST PETERSBURG** ST: **FL** Zip: **33713**

Country:  Short Comments: **OGC 10-2712 HW 3 OF 4**

**PAYMENT(S)**

Payment ID	CL Area	Code/Description	Payment Amount	Reference#	Appl.	Fund	Grant	Status
<b>1086205</b>	<b>SWD</b>	<b>012000 LCT-PENALTIES</b>	<b>700.00</b>	<b>102712</b>		<b>ECOSYS</b>		<b>COMPLETE</b>

**COMMIT FREQUENTLY** **700.00** Payment Total

Inserted into OCULUS

OCT 18 2011

Initials: KIA

## Honey, Kelly

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**From:** Honey, Kelly  
**Sent:** Wednesday, March 02, 2011 3:02 PM  
**To:** 'Lee Morris'  
**Subject:** OGC #10-2712; payment #2 received

Lee,

This is to acknowledge receipt of HOWCO's payment #2 of 4 for the above referenced enforcement case. The third quarterly payment of \$700.00 is due no later than May 27, 2011. Please feel free to call if you have any questions. Have a great day!

Sincerely,  
*Kelly Honey*  
*FL Department of Environmental Protection*  
*RCRA Compliance and Enforcement*  
*T: 813/632-7600, ext. 369*  
*F: 813/632-7664*

Please Note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

Inserted into OCULUS

OCT 18 2011

Initials:



Query Coll Rpts Rfnd Exit CRA Window

ORACLE



Cash Receiving Application - Collection Point Log Remittance

CL AREA **SWD**

Logged Total **CRAF006A**  
**\$700.00**

**Collection Point Log Remittance**

Remittance ID	<b>919088</b>	Type *	<b>CP</b>	Received Date *	<b>02/22/2011</b>	Status	<b>RECEIVED</b>
System Receipt	<b>733111</b>	PNR		Check # *	<b>94373</b>	Amount *	<b>700.00</b>
SSN/FEID	Name * <b>HOWCO ENVIRONMENTAL SERVICES</b>						
First		Middle		Title		Suffix	
Address1	<b>3701 CENTRAL AVENUE</b>						
Address2							
City	<b>ST PETERSBURG</b>	ST	<b>FL</b>	Zip	<b>33713</b>		
Country		Short Comments <b>OCG 10-2712 HW 2 OF 4</b>					

**PAYMENT (S)**

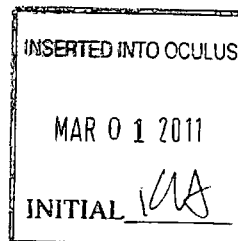
Payment ID	CL Area	Code/Description	Payment Amount	Reference#	Appl	Fund *	Grant *	Status
<b>1064258</b>	<b>SWD</b>	<b>012008 LCT-PENALTIES</b>	<b>700.00</b>	<b>102712</b>		<b>ECOSYS</b>		<b>COMPLETE</b>

**COMMIT FREQUENTLY** **700.00** Payment Total

Press <TAB> to accept Collection Point or enter F&A.

Record: 1/1

List of Valu...



*HW*  
*2-22-11*  
*2 of 4*

*[signature]*

## Honey, Kelly

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**From:** Honey, Kelly  
**Sent:** Thursday, December 09, 2010 8:05 AM  
**To:** 'Lee Morris'  
**Subject:** OCG #10-2712

Lee,

I just wanted to let you know that the Department has received HOWCO's first payment of \$700.00. The second quarterly payment is due no later than February 27, 2011. Please call if you have any questions. Have a great day!

Sincerely,  
*Kelly Honey*  
*FL Department of Environmental Protection*  
*RCRA Compliance and Enforcement*  
*T: 813/632-7600, ext. 369*  
*F: 813/632-7664*

Please Note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

CL AREA **SWD**

CRAF006A

Logged Total **\$700.00**

**Collection Point Log Remittance**

Remittance ID **907446** Type \* **CP** Received Date \* **11/29/2010** Status **RECEIVED**  
 System Receipt **723144** PNR  Check # \* **0221351038** Amount \* **700.00**  
 SSN/FEID  Name \* **HOWCO ENVIRONMENTAL SERVICES**  
 First  Middle  Title  Suffix   
 Address1 **3701 CENTRAL AVENUE**  
 Address2   
 City **ST PETERSBURG** ST **FL** Zip **33713**  
 Country  Short Comments **OGC 10-2712 HW 1 OF 4**

**- PAYMENT (S) -**

Payment ID	CL Area	Code/Description	Payment Amount	Reference#	Appl	Fund *	Grant *	Status
1048361	SWD	018003 LCT-REIMBLEGAL	300.00	102712		ECOSYS		COMPLETE
1048362	SWD	012008 LCT-PENALTIES	400.00	102712		ECOSYS		COMPLETE

COMMIT FREQUENTLY


**700.00** Payment Total

# Memorandum


# Florida Department of Environmental Protection



## SOUTHWEST DISTRICT ENFORCEMENT COVER MEMO

TO:

 Deborah A. Getzoff, District Director

THROUGH:

 William Kutash, Waste Program Administrator

 James Dregne, Hazardous Waste Program Manager 

 Elizabeth Knauss, HW Enforcement Coordinator

FROM:

 Kelly Honey, Environmental Specialist III

DATE:

November 9, 2010

FILE NAME: HOWCO Environmental Services

COUNTY: Pinellas

PROGRAM: Hazardous Waste

PROJECT # WL10-0052HW52SWD

TYPE OF DOCUMENT: Short Form Consent Order for Execution

REQUESTED ACTION: SIGNATURE

### DESCRIPTION OF VIOLATIONS:

The facility had several unit management violations, including two drums without containment, and also had some old, open containers of spent lacquer thinner.

### STATUS OF CORRECTIVE ACTIONS:

The facility has returned to compliance and has entered into a SFCO with the Department.

### STATUS OF PENALTY ASSESSMENT:

The penalty has been prepared in accordance with United States EPA RCRA Civil Penalty Policy. Payment 1 of 4 is due no later than 11-27-10.

PENALTY: ☐ Not Applicable

Amount: \$2,500

Costs & Expenses: \$300

Total: \$2,800

Secretary Approval ☒ Not required / Approved on \_\_\_\_\_

Attachments: Short Form Consent Order for execution

✓





Florida Department of  
Environmental Protection  
Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Mimi Drew  
Secretary

November 10, 2010

Mr. Lee Morris  
Director of Operations  
HOWCO Environmental Services  
3701 Central Avenue  
St. Petersburg, FL 33713

**RE: HOWCO Environmental Services  
FLD 152 764 767  
Pinellas County  
OGC Case #10-2712**

Dear Mr. Morris:

Enclosed within, please find the executed Short Form Consent Order #10-2712 regarding the above referenced facility. The Department of Environmental Protection (Department) expects submission of the first payment of \$700.00 no later than November 27, 2010, as specified in the Order.

Should you have any questions, please direct them to me at (813) 632-7600, extension 369.

Sincerely,

Kelly Honey  
Environmental Specialist III  
Division of Waste Management

/kmh

enclosure

cc: Parves Mallick, US EPA Region IV  
Lea Crandall, Department, Office of General Counsel  
Glen Perrigan, Department, HWR Section  
Gene Quinn, Pinellas County SQG Program  
Compliance File



Florida Department of  
Environmental Protection  
Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Mimi Drew  
Secretary

October 4, 2010

**CERTIFIED MAIL 7009 1680 0001 0455 3034**  
**RETURN RECEIPT REQUESTED**

Mr. Lee Morris, Director of Operations  
Hagan Holding Company  
d/b/a HOWCO Environmental Services  
3701 Central Avenue  
St. Petersburg, FL 33713

SUBJECT: Proposed Settlement of HOWCO Environmental Services  
EPA ID #FLD 152 764 767  
OGC File No.: 10-2712

Dear Mr. Morris:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated August 12, 2010, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. 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 \$2,500.00, along with \$300.00 to reimburse Department costs, for a total of \$2,800.00. The civil penalty in this case does not include any violations 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. The payment shall be made in four, equal payments of \$700.00, with the first payment due within thirty (30) days of your signing this letter. The remaining three payments shall be due quarterly thereafter. Final payment is due no later than August 8, 2011. Failure to timely make any installment payment will allow the Department, at its discretion, to accelerate the balance which will become immediately due. Payments 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." Payments shall be sent to the Department of Environmental Protection, 13051 North Telecom Parkway, Temple Terrace, FL 33637-0926.

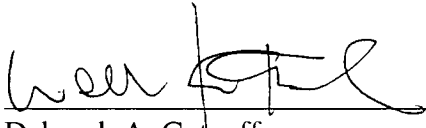
Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it and the attachments to the Department at the address indicated above. The Department will then countersign the letter and file it with 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"*  
[www.dep.state.fl.us](http://www.dep.state.fl.us)

Dept. Of Environmental Protection  
NOV 08 2010  
Southwest District

If you do not sign and return this letter to the Department at the District address within 15 days of receipt, 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.

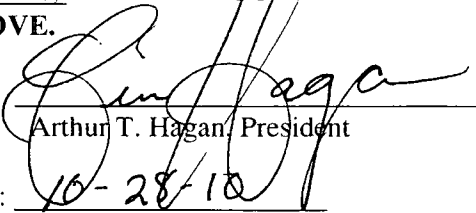
Sincerely yours,

  
for Deborah A. Getzoff  
District Director  
Southwest District

**FOR THE RESPONDENT:**

I, Arthur T. Hagan, on behalf of Hagan Holding Company d/b/a HOWCO Environmental Services, **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By:

  
Arthur T. Hagan, President

Date:

10-28-10

.....  
**FOR DEPARTMENT USE ONLY**

DONE AND ENTERED this 10th day of November, 2010.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
for Deborah A. Getzoff  
District Director

**FILING AND ACKNOWLEDGMENT**

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

Annabally 11/10/2010  
Clerk Date

Copies furnished to: Lea Crandall, Department, OGC

## 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.



# Florida Department of Environmental Protection

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

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

August 12, 2010

**CERTIFIED MAIL 7009 1680 0001 0455 2884**  
**RETURN RECEIPT REQUESTED**

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

**RE: Warning Letter #WL10-0052HW52SWD**  
HOWCO Environmental Services  
EPA ID #FLD 152 764 767  
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, 2010, indicates that violations of Florida Statutes and Rules may exist at the above referenced facility. Department of Environmental Protection (Department) personnel made observations described in the attached inspection report. The report lists a summary of alleged violations of Department Rules.

Sections 403.161 and 403.727, Florida Statutes (F.S.) provide 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 Kelly Honey at (813) 632-7600, extension 369, 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.

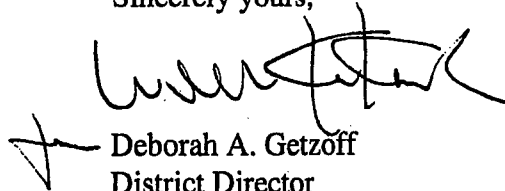
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), F.S. If after further investigation the

Inserted Into Oculus
AUG 12 2010
Initials: 

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 accordance with the United States Environmental Protection Agency's (EPA) RCRA and the Department's Civil Penalty Policies, the penalties which would be assessed in this case are \$2,500.00. Costs and expenses in this case will be a minimum of \$300.00.

If this investigation confirms that your facility is significantly out of compliance, and the case is not resolved through timely entry of a Consent Order, under the Department's agreement with the EPA, a formal referral for judicial action must be made to the Department's Office of General Counsel. 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/kmh

enclosure

cc: Alan A. Annicella, US EPA Region IV (via electronic mail)  
Glen Perrigan, Department, HWR Section (via electronic mail)  
Gene Quinn, Pinellas County SQG Program (via electronic mail)  
Compliance File



**Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report**

**FACILITY INFORMATION:**

**Facility Name:** HOWCO Environmental Services

**On-Site Inspection Start Date:** 06/24/2010

**On-Site Inspection End Date:** 06/24/2010

**ME ID#:** 1038

**EPA ID#:** FLD152764767

**Facility Street Address:** 843 43rd St S, St Petersburg, Florida 33711-1922

**Contact Mailing Address:** 843 43rd St S, St Petersburg, Florida 33711-1922

**County Name:** Pinellas

**Contact Phone:** (727) 327-8467

**NOTIFIED AS:**

Non-Handler

Used Oil

**INSPECTION TYPE:**

Routine Inspection for Used Oil Processor facility

Routine Inspection for Used Oil Marketer facility

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Used Oil Generator facility

Routine Inspection for Used Oil Transfer Facility

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

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Kelly M. Honey, Environmental Specialist III

**Other Participants:** Shannon Camp, Environmental Specialist II; Lee Morris, Director of Operations;  
Richard Dillen, Quality Assurance Officer

**LATITUDE / LONGITUDE:** Lat 27° 45' 40.8037" / Long 82° 41' 32.5519"

**SIC CODE:** 2911 - Manufacturing - petroleum refining

**TYPE OF OWNERSHIP:** Private

**Introduction:**

HOWCO Environmental Services (HOWCO) was inspected by the Department of Environmental Protection (Department) to evaluate the facility's compliance with state and federal hazardous waste regulations. The inspectors were accompanied throughout by Richard Dillen, who manages the Laboratory, and Lee Morris, who manages the Yard. In the past ten years, the facility has been inspected by the Department eight times, most recently on April 23, 2009. HOWCO has a used oil processing permit issued by the Department on July 7, 2007. This permit expires on August 3, 2010. HOWCO submitted its permit renewal application on June 8, 2010.

**Process Description:**

HOWCO stores, processes and markets used oil and is a registered used oil filter transporter and processor, as well. Additionally, HOWCO accepts oily waste solids which are processed and solidified prior to disposal. As a result of the lab wastes generated during QA testing, HOWCO is also a conditionally exempt small quantity generator of hazardous waste (CESQG). At the plant, there are currently five employees, plus two recovery truck drivers and one tanker trailer driver. The facility is on City of St. Petersburg water and sewer systems. The processes at the facility have not changed since the previous inspection.

Since the previous inspection, HOWCO has replaced all its underground piping with aboveground

Inspection Date: 06/24/2010

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Inspection Date: 06/24/2010

activities several years ago. It appears that the dirty thinner was generated during the job, and the old products were determined to be unusable a couple of years later. Since the inspection, the contents of the containers were transferred to a drum and are awaiting disposal as hazardous waste.

Behind the laboratory, there are two 55-gallon drums of used oil in secondary containment. The drums are covered and labeled. The drums collect sample waste from the laboratory. Processed oil is randomly sampled biweekly and tested to confirm it is on-spec. Metal analyses are done off site by PhosLab. Samples of processed oil are retained in the laboratory for thirty days. Hazardous COD testing waste is generated in the laboratory, and spent vials are accumulated in a box labeled "spent vials." Staff said fluorescent lamps are taken on CESQG days to the County collection center for disposal, which is also how laboratory wastes are disposed of. Hazardous wastes have not been disposed of since the last inspection.

Records were reviewed and found to be complete and up to date with the following exception. It was noted that the contingency plan originally approved in the permit application does not contain the home addresses of the emergency coordinators. In accordance with 40 CFR 279.52(b)(2)(iv), the plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator. Ensure that this information is added to the plan. Most HOWCO employees, including all the designated emergency coordinators, attended a Used Oil Management Workshop on 12-05-09, and all HOWCO drivers also attended the associated Driver Training Class.

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

##### Checklist Independent Potential Violations and Areas of Concern

Type:	Violation
Rule:	62-710.401(6), 279.54(c)
Explanation:	At the time of the inspection, there were two drums of used oil without secondary containment behind the vehicle maintenance area. (corrected)
Corrective Action:	Subsequent to the inspection the facility moved the drums of used oil across the street and processed the used oil.

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Type:	Violation
Rule:	273.14(e), 273.13(d)(1)
Explanation:	At the time of the inspection, there was one spent fluorescent lamp in the vehicle maintenance area that was not labeled or in a container. (corrected)
Corrective Action:	After the inspection, the spent lamp was placed into a closed and properly labeled container.

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Type:	Area Of Concern
Rule:	62-710.401(6)
Explanation:	In the drum washing area and next to the drum washing area, there were several staged drums that did not have properly fitting lids or had open bung holes. These drums contained rainwater and used oil, technically making them subject to used oil container management requirements, such as labeling.
Corrective Action:	As discussed during the inspection, drums with used oil residue should be protected from the weather to keep them from filling with rainwater while staged.

Inspection Date: 06/24/2010

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**Type:** Violation**Rule:** 279.52(b)(2)(v)**Explanation:** The equipment list provided in the plan does not include an up to date list of emergency equipment at the facility, and the list maintained in the HazMat / emergency response trailer did not match the equipment available at the time of the inspection. Specifically, there were two empty drums and four bags of absorbent material missing from the trailer. (corrected)**Corrective Action:** After the inspection, the missing items in the trailer were replaced. Note that a copy of this list must be included in the contingency plan as required by Rule.

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**Type:** Area Of Concern**Rule:** 279.52(b)(2)(iv)**Explanation:** The home addresses of the designated emergency coordinators is not provided in the contingency plan.**Corrective Action:** By Rule, the contingency plan must include the home addresses and phone numbers of the emergency coordinators. This information must be added to the plan immediately.

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**Type:** Violation**Rule:** 279.54(f)(1)**Explanation:** At the time of the inspection, there was an unlabeled pan of used oil under the filter crusher and a drum of used oil next to the vehicle maintenance area that was labeled "used antifreeze." (corrected)**Corrective Action:** The catch pan and the drum were both correctly labeled during the inspection.

---

**Type:** Area Of Concern**Rule:** 261.5(g)(3)(iii)**Explanation:** At the time of the inspection, there were two partially full aerosol cans (D001) observed in the trash in the vehicle maintenance area. (corrected)**Corrective Action:** During the inspection, the aerosol cans were removed from the trash and put aside for proper disposal as hazardous waste.

---

**Type:** Violation**Rule:** 279.52(a)(1)**Explanation:** At the time of the inspection, there were six 5-gallon containers of paint related wastes on a pallet next to the vehicle maintenance area. Some of the containers were in deteriorating condition and appeared to have been forgotten. This is a violation of specific permit condition I.14.(a). (corrected)**Corrective Action:** After the inspection, the facility transferred the contents of the six containers into a 55-gallon drum. Arrangements are being made to have the waste picked up and disposed of as hazardous.

Inspection Date: 06/24/2010

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Type: Violation

Rule: 62-710.850(5)(a)

Explanation: There were two drums of used oil filters that were not labeled. (corrected)

Corrective Action: The drums of used oil filters were labeled during the inspection.

---

Type: Violation

Rule: 62-710.401(6)

Explanation: Also observed during the inspection were two ASTs in the solid waste processing area with open access ports. ASTs #133 and #134 also had open access ports. (corrected)

Corrective Action: During the inspection, facility staff were directed to obtain plugs for the openings in all four ASTs.

---

**Summary of Potential Violations and Areas of Concern:**Potential Violations

Rule Number	Area	Date Cited	Explanation
Checklist Independent Violations			
62-710.401(6), 279.54(c)		06/24/2010	At the time of the inspection, there were two drums of used oil without secondary containment behind the vehicle maintenance area. (corrected)
273.14(e), 273.13(d)(1)		06/24/2010	At the time of the inspection, there was one spent fluorescent lamp in the vehicle maintenance area that was not labeled or in a container. (corrected)
279.52(b)(2)(v)		06/24/2010	The equipment list provided in the plan does not include an up to date list of emergency equipment at the facility, and the list maintained in the HazMat / emergency response trailer did not match the equipment available at the time of the inspection. Specifically, there were two empty drums and four bags of absorbent material missing from the trailer. (corrected)
279.54(f)(1)		06/24/2010	At the time of the inspection, there was an unlabeled pan of used oil under the filter crusher and a drum of used oil next to the vehicle maintenance area that was labeled "used antifreeze." (corrected)
279.52(a)(1)		06/24/2010	At the time of the inspection, there were six-5-gallon containers of paint related wastes on a pallet next to the vehicle maintenance area. Some of the containers were in deteriorating condition and appeared to have been forgotten. This is a violation of specific

Inspection Date: 06/24/2010

Rule Number	Area	Date Cited	Explanation
			permit condition I.14.(a). (corrected)
62-710.850(5)(a)		06/24/2010	There were two drums of used oil filters that were not labeled. (corrected)
62-710.401(6)		06/24/2010	Also observed during the inspection were two ASTs in the solid waste processing area with open access ports. ASTs #133 and #134 also had open access ports. (corrected)

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Checklist Independent Areas of Concern			
62-710.401(6)		06/24/2010	In the drum washing area and next to the drum washing area, there were several staged drums that did not have properly fitting lids or had open bung holes. These drums contained rainwater and used oil, technically making them subject to used oil container management requirements, such as labeling.
279.52(b)(2)(iv)		06/24/2010	The home addresses of the designated emergency coordinators is not provided in the contingency plan.
261.5(g)(3)(iii)		06/24/2010	At the time of the inspection, there were two partially full aerosol cans (D001) observed in the trash in the vehicle maintenance area. (corrected)

**Conclusion:**

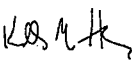
Based on the observations made during this inspection, HOWCO was not in compliance with its permit or rules governing used oil processors. The facility has since returned to compliance.

Inspection Date: 06/24/2010

**Signed:**

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Kelly M. Honey	Environmental Specialist III
<b>PRINCIPAL INSPECTOR NAME</b>	<b>PRINCIPAL INSPECTOR TITLE</b>
	
<b>PRINCIPAL INSPECTOR SIGNATURE</b>	<b>ORGANIZATION</b>
	<b>DATE</b>
	FDEP 8/12/2010
Shannon Camp	Environmental Specialist II
<b>INSPECTOR NAME</b>	<b>INSPECTOR TITLE</b>
NO SIGNATURE	FDEP
<b>INSPECTOR SIGNATURE</b>	<b>ORGANIZATION</b>
Lee Morris	Director of Operations
<b>REPRESENTATIVE NAME</b>	<b>REPRESENTATIVE TITLE</b>
NO SIGNATURE	HOWCO Environmental Services
<b>REPRESENTATIVE SIGNATURE</b>	<b>ORGANIZATION</b>
Richard Dillen	Quality Assurance Officer
<b>REPRESENTATIVE NAME</b>	<b>REPRESENTATIVE TITLE</b>
NO SIGNATURE	HOWCO Environmental Services
<b>REPRESENTATIVE SIGNATURE</b>	<b>ORGANIZATION</b>

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

Brantley, Anna

---

**From:** Brantley, Anna  
**Sent:** Wednesday, November 10, 2010 12:38 PM  
**To:** Crandall, Lea  
**Cc:** Honey, Kelly  
**Subject:** HOWCO\_FLD 152 764 767\_Executed SFCO #10-2712.pdf - Adobe Acrobat Professional  
**Attachments:** HOWCO\_FLD 152 764 767\_Executed SFCO #10-2712

Attached please find unsecured "Executed Short Form Consent Order, OGC Case No.: 10-2712 for the subject Hazardous Waste Facility.

**NOTE:** If you have questions concerning the content of this document, please contact [kelly.honey@dep.state.fl.us](mailto:kelly.honey@dep.state.fl.us)

This is the only electronic copy you will receive. Acrobat Reader 6.0 or greater is required to read this document, and is available for downloading at: <http://www.adobe.com/products/acrobat/readstep.html>

Anna

Anna Brantley  
Administrative Assistant II  
FL DEP / SWD / Waste Management  
13051 North Telecom Parkway  
Temple Terrace FL 33637-0629  
Tel: 813/632-7600, Ext. 377  
Fax: 813/632-7664  
[anna.brantley@dep.state.fl.us](mailto:anna.brantley@dep.state.fl.us)

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

**From:** Brantley, Anna  
**Sent:** Wednesday, November 10, 2010 12:36 PM  
**To:** Mallick.Parvez@epamail.epa.gov; Perrigan, Glen; Gene Quinn (gquinn@co.pinellas.fl.us); Dregne, James  
**Cc:** Honey, Kelly  
**Subject:** HOWCO\_FLD 152 764 767\_Executed SFCO #10-2712.pdf (SECURED) - Adobe Acrobat Professional  
**Attachments:** HOWCO\_FLD 152 764 767\_Executed SFCO #10-2712

Attached please find "Executed Short Form Consent Order, OGC Case No.: 10-2712 for the subject Hazardous Waste Facility. This is the only copy you will receive.

**NOTE:** If you have questions concerning the content of this document, please contact [kelly.honey@dep.state.fl.us](mailto:kelly.honey@dep.state.fl.us)

This is the only electronic copy you will receive. Acrobat Reader 6.0 or greater is required to read this document, and is available for downloading at: <http://www.adobe.com/products/acrobat/readstep.html>

Anna

Anna Brantley  
Administrative Assistant II  
FL DEP / SWD / Waste Management  
13051 North Telecom Parkway  
Temple Terrace FL 33637-0629  
Tel: 813/632-7600, Ext. 377  
Fax: 813/632-7664  
[anna.brantley@dep.state.fl.us](mailto:anna.brantley@dep.state.fl.us)

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Lee Morris, Director of Operations  
Hagan Holding Company  
dba Howco Environmental Services  
3701 Central Avenue  
St. Petersburg, FL 33713

2. Article Number  
(Transfer from service label)

7009 1680 0001 0455 3034

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *[Signature]*

☒ Agent

☐ Addressee

B. Received by (Printed Name)

*Sam Hagan*

C. Date of Delivery

7 OCT 16

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☒ No

3. Service Type

☒ Certified Mail

☐ Registered

☐ Insured Mail

☐ Express Mail

☒ Return Receipt for Merchandise

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7009 1680 0001 0455 3034

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**OFFICIAL USE**

FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

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OCT 04 2010

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Return Receipt Fee  
(Endorsement Required)

SOUTHWEST DISTRICT  
TEMPLE TERRACE

Restricted Delivery Fee  
(Endorsement Required)

Total Po

Mr. Lee Morris, Director of Operations  
Hagan Holding Company  
dba Howco Environmental Services  
3701 Central Avenue  
St. Petersburg, FL 33713

Sent To

Street, Ap

or PO Bo

City, State

PS Form 3800, August 2003

See reverse for instructions



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USPS  
Permit No. G-10

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Dept. Of Environmental Protection

OCT 14 2010

Southwest District

State of Florida  
Department of Environmental Protection  
Southwest District  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926

Honey

Howco

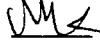


H/W

# Memorandum

# Florida Department of Environmental Protection

## SOUTHWEST DISTRICT ENFORCEMENT COVER MEMO

TO:  Deborah A. Getzoff, District Director

THROUGH:  William Kutash, Waste Program Administrator  
 James Dregne, Hazardous Waste Program Manager  
 Elizabeth Knauss, HW Enforcement Coordinator

FROM:  Kelly Honey, Environmental Specialist III

DATE: September 30, 2010

FILE NAME: HOWCO Environmental Services

COUNTY: Pinellas

PROGRAM: Hazardous Waste

PROJECT # WL10-0052HW52SWD

TYPE OF DOCUMENT: Short Form Consent Order for Signature

REQUESTED ACTION: SIGNATURE

### DESCRIPTION OF VIOLATIONS:

The facility had several unit management violations, including two drums without containment, and also had some old, open containers of spent lacquer thinner.

### STATUS OF CORRECTIVE ACTIONS:

The facility has returned to compliance and agreed to enter into a SFCO with the Department.

### STATUS OF PENALTY ASSESSMENT:

The penalty has been prepared in accordance with United States EPA RCRA Civil Penalty Policy.

PENALTY: ☐ Not Applicable

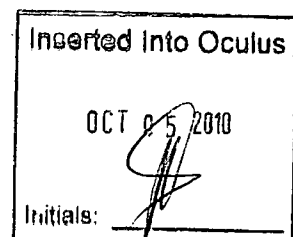
Amount: \$2,500

Costs & Expenses: \$300

Total: \$2,800

Secretary Approval ☒ Not required / Approved on \_\_\_\_\_

Attachments: Short Form Consent Order for signature





Florida Department of  
Environmental Protection  
Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Mimi Drew  
Secretary

October 4, 2010

**CERTIFIED MAIL 7009 1680 0001 0455 3034**  
**RETURN RECEIPT REQUESTED**

Mr. Lee Morris, Director of Operations  
Hagan Holding Company  
d/b/a HOWCO Environmental Services  
3701 Central Avenue  
St. Petersburg, FL 33713

SUBJECT: Proposed Settlement of HOWCO Environmental Services  
EPA ID #FLD 152 764 767  
OGC File No.: 10-2712

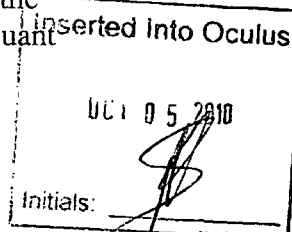
Dear Mr. Morris:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated August 12, 2010, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. 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 \$2,500.00, along with \$300.00 to reimburse Department costs, for a total of \$2,800.00. The civil penalty in this case does not include any violations 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. The payment shall be made in four, equal payments of \$700.00, with the first payment due within thirty (30) days of your signing this letter. The remaining three payments shall be due quarterly thereafter. Final payment is due no later than August 8, 2011. Failure to timely make any installment payment will allow the Department, at its discretion, to accelerate the balance which will become immediately due. Payments 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." Payments shall be sent to the Department of Environmental Protection, 13051 North Telecom Parkway, Temple Terrace, FL 33637-0926.


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 and the attachments 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"*  
[www.dep.state.fl.us](http://www.dep.state.fl.us)



If you do not sign and return this letter to the Department at the District address within 15 days of receipt, 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,

  
for Deborah A. Getzoff  
District Director  
Southwest District

**FOR THE RESPONDENT:**

I, Arthur T. Hagan, on behalf of Hagan Holding Company d/b/a HOWCO Environmental Services, **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: \_\_\_\_\_  
Arthur T. Hagan, President

Date: \_\_\_\_\_

**FOR DEPARTMENT USE ONLY**

DONE AND ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

Deborah A. Getzoff  
District Director

## 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 \_\_\_\_\_

Copies furnished to: Lea Crandall, Department, OGC

## 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.



# Florida Department of Environmental Protection

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

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

August 12, 2010

**CERTIFIED MAIL 7009 1680 0001 0455 2884**  
**RETURN RECEIPT REQUESTED**

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

RE: **Warning Letter #WL10-0052HW52SWD**  
HOWCO Environmental Services  
EPA ID #FLD 152 764 767  
Pinellas County

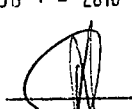
Dear Mr. Hagan:

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, 2010, indicates that violations of Florida Statutes and Rules may exist at the above referenced facility. Department of Environmental Protection (Department) personnel made observations described in the attached inspection report. The report lists a summary of alleged violations of Department Rules.

Sections 403.161 and 403.727, Florida Statutes (F.S.) provide 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 Kelly Honey at (813) 632-7600, extension 369, 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.

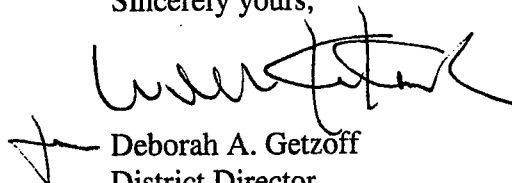
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), F.S. If after further investigation the

Inserted into Oculus
AUG 12 2010
Initials: 

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 accordance with the United States Environmental Protection Agency's (EPA) RCRA and the Department's Civil Penalty Policies, the penalties which would be assessed in this case are \$2,500.00. Costs and expenses in this case will be a minimum of \$300.00.

If this investigation confirms that your facility is significantly out of compliance, and the case is not resolved through timely entry of a Consent Order, under the Department's agreement with the EPA, a formal referral for judicial action must be made to the Department's Office of General Counsel. 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/kmh

enclosure

cc: Alan A. Annicella, US EPA Region IV (via electronic mail)  
Glen Perrigan, Department, HWR Section (via electronic mail)  
Gene Quinn, Pinellas County SQG Program (via electronic mail)  
Compliance File



**Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report**

**FACILITY INFORMATION:**

**Facility Name:** HOWCO Environmental Services

**On-Site Inspection Start Date:** 06/24/2010

**On-Site Inspection End Date:** 06/24/2010

**ME ID#:** 1038

**EPA ID#:** FLD152764767

**Facility Street Address:** 843 43rd St S, St Petersburg, Florida 33711-1922

**Contact Mailing Address:** 843 43rd St S, St Petersburg, Florida 33711-1922

**County Name:** Pinellas

**Contact Phone:** (727) 327-8467

**NOTIFIED AS:**

Non-Handler

Used Oil

**INSPECTION TYPE:**

Routine Inspection for Used Oil Processor facility

Routine Inspection for Used Oil Marketer facility

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Used Oil Generator facility

Routine Inspection for Used Oil Transfer Facility

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

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Kelly M. Honey, Environmental Specialist III

**Other Participants:** Shannon Camp, Environmental Specialist II; Lee Morris, Director of Operations;  
Richard Dillen, Quality Assurance Officer

**LATITUDE / LONGITUDE:** Lat 27° 45' 40.8037" / Long 82° 41' 32.5519"

**SIC CODE:** 2911 - Manufacturing - petroleum refining

**TYPE OF OWNERSHIP:** Private

**Introduction:**

HOWCO Environmental Services (HOWCO) was inspected by the Department of Environmental Protection (Department) to evaluate the facility's compliance with state and federal hazardous waste regulations. The inspectors were accompanied throughout by Richard Dillen, who manages the Laboratory, and Lee Morris, who manages the Yard. In the past ten years, the facility has been inspected by the Department eight times, most recently on April 23, 2009. HOWCO has a used oil processing permit issued by the Department on July 7, 2007. This permit expires on August 3, 2010. HOWCO submitted its permit renewal application on June 8, 2010.

**Process Description:**

HOWCO stores, processes and markets used oil and is a registered used oil filter transporter and processor, as well. Additionally, HOWCO accepts oily waste solids which are processed and solidified prior to disposal. As a result of the lab wastes generated during QA testing, HOWCO is also a conditionally exempt small quantity generator of hazardous waste (CESQG). At the plant, there are currently five employees, plus two recovery truck drivers and one tanker trailer driver. The facility is on City of St. Petersburg water and sewer systems. The processes at the facility have not changed since the previous inspection.

Since the previous inspection, HOWCO has replaced all its underground piping with aboveground



Inspection Date: 06/24/2010

pipings, in accordance with Chapter 62-762, FAC. Additionally, the yard has been resurfaced. The majority of old equipment that used to be in the "bone yard" has also been removed. The overall appearance of the yard was relatively tidy. In the tank farm, it was noted that two of the ASTs (#134 and #133) had open access ports on top. During the inspection, HOWCO staff were directed to replace the port plugs.

One of the facility's bullhorns was tested and found to be operable. The fire and emergency equipment are inspected monthly and tested annually. HazMat supplies are stored in one of three large trailers on the south side of the property. The contents of the HazMat trailer included personal protective equipment as well as spill control equipment. During the inventory of the trailer, it was determined that some of the equipment referenced on HOWCO's inventory list were missing, including two drums and four bags of absorbent. It was noted that these materials were at the facility, but not in the designated trailer. These materials have since been replaced. In the past, the Department has allowed HOWCO to keep its list of emergency equipment in the trailer, however, in accordance with 40 CFR 279.52(b)(2)(v), HOWCO must include this list in its contingency plan.

At the time of the inspection, there was one properly labeled 20 cubic yard roll-off of oily waste. At the rear of the solid waste pad were two aboveground storage tanks (ASTs) that were labeled used oil. These ASTs were open. Staff indicated that these ASTs were probably returned from customers. Near the drum washing area, there were approximately 25 drums to be cleaned. Some of the drums were not closed or the lids were cracked allowing rainwater to enter the drums and mix with the oil residue inside. In future, HOWCO should ensure that these drums are protected from the weather. In the oily waste staging area, there were approximately 39 drums of grease, oily sorbent material, asphalt, recovered diesel fuel and paper filters. There was also one unlabeled drum of used oil filters. In the used oil filter processing area, there were approximately 100 drums of used oil filters in storage. One of these drums was not labeled. The crusher was equipped with a small pan to collect leaking hydraulic oil. This pan was also not labeled. All these containers were labeled during the inspection, and staff were directed to replace the plugs in the open ASTs. Crushed used oil filters are shipped to a smelter. Used oil collected in the crushing unit is transferred to tank #109.

Solid waste managed at the facility includes oily solid waste generated by HOWCO and its customers. Solid waste streams received are analyzed at least once every five years in accordance with the permit. The WTU sludge and the oil-extracted sludge generated at the facility is to be analyzed annually. The sludge was sampled on April 23, 2009, and again on July 14, 2010, and results indicate that both wastestreams are nonhazardous. Solid waste is either sent to a landfill or to the incinerator. HOWCO is under both its 40,000-gallon limit for sending received solid wastes to a landfill and its 200,000-gallon limit for sending received solid wastes to an energy recovery facility.

The Maintenance Shop generates used oil filters, used oil, used antifreeze and oily waste. There is also a 25-gallon parts washer in use. Spent solvent from the parts washer is disposed of with the shop's used oil. Used oil and antifreeze containers are equipped with secondary containment. During the inspection, it was noted that the container labeled "used antifreeze" actually contained used oil. There were also two, partially full aerosol cans observed in the trash. Aerosol cans that are not empty are hazardous waste. HOWCO needs to review proper hazardous waste management with applicable staff to prevent this from occurring again. In the room next to the Maintenance Shop, there was one spent lamp observed without a box or label. This has since been corrected. Batteries are returned to the vendor for core credit.

In the area next to the Maintenance Shop, there were two full drums labeled "used oil" without containment. After the inspection, the drums were moved across the street to the plant and processed. Also in this area were six 5-gallon containers of waste, some of which appeared were open and in poor shape, especially around the openings. The containers were on a containment pallet covered with a piece of plywood and appeared to have been forgotten. Some of the containers were labeled "dirty lacquer thinner," and some were not labeled and appeared to be old product containers. This is a violation of specific permit condition I.14.(a). After investigating the source of the containers, HOWCO determined that the material was from facility maintenance.

Inspection Date: 06/24/2010

activities several years ago. It appears that the dirty thinner was generated during the job, and the old products were determined to be unusable a couple of years later. Since the inspection, the contents of the containers were transferred to a drum and are awaiting disposal as hazardous waste.

Behind the laboratory, there are two 55-gallon drums of used oil in secondary containment. The drums are covered and labeled. The drums collect sample waste from the laboratory. Processed oil is randomly sampled biweekly and tested to confirm it is on-spec. Metal analyses are done off site by PhosLab. Samples of processed oil are retained in the laboratory for thirty days. Hazardous COD testing waste is generated in the laboratory, and spent vials are accumulated in a box labeled "spent vials." Staff said fluorescent lamps are taken on CESQG days to the County collection center for disposal, which is also how laboratory wastes are disposed of. Hazardous wastes have not been disposed of since the last inspection.

Records were reviewed and found to be complete and up to date with the following exception. It was noted that the contingency plan originally approved in the permit application does not contain the home addresses of the emergency coordinators. In accordance with 40 CFR 279.52(b)(2)(iv), the plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator. Ensure that this information is added to the plan. Most HOWCO employees, including all the designated emergency coordinators, attended a Used Oil Management Workshop on 12-05-09, and all HOWCO drivers also attended the associated Driver Training Class.

**New Potential Violations and Areas of Concern:****Checklist Independent Potential Violations and Areas of Concern**

Type:	Violation
Rule:	62-710.401(6), 279.54(c)
Explanation:	At the time of the inspection, there were two drums of used oil without secondary containment behind the vehicle maintenance area. (corrected)
Corrective Action:	Subsequent to the inspection the facility moved the drums of used oil across the street and processed the used oil.

---

Type:	Violation
Rule:	273.14(e), 273.13(d)(1)
Explanation:	At the time of the inspection, there was one spent fluorescent lamp in the vehicle maintenance area that was not labeled or in a container. (corrected)
Corrective Action:	After the inspection, the spent lamp was placed into a closed and properly labeled container.

---

Type:	Area Of Concern
Rule:	62-710.401(6)
Explanation:	In the drum washing area and next to the drum washing area, there were several staged drums that did not have properly fitting lids or had open bung holes. These drums contained rainwater and used oil, technically making them subject to used oil container management requirements, such as labeling.
Corrective Action:	As discussed during the inspection, drums with used oil residue should be protected from the weather to keep them from filling with rainwater while staged.

Inspection Date: 06/24/2010

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Type: Violation  
Rule: 279.52(b)(2)(v)  
Explanation: The equipment list provided in the plan does not include an up to date list of emergency equipment at the facility, and the list maintained in the HazMat / emergency response trailer did not match the equipment available at the time of the inspection. Specifically, there were two empty drums and four bags of absorbent material missing from the trailer. (corrected)  
Corrective Action: After the inspection, the missing items in the trailer were replaced. Note that a copy of this list must be included in the contingency plan as required by Rule.

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Type: Area Of Concern  
Rule: 279.52(b)(2)(iv)  
Explanation: The home addresses of the designated emergency coordinators is not provided in the contingency plan.  
Corrective Action: By Rule, the contingency plan must include the home addresses and phone numbers of the emergency coordinators. This information must be added to the plan immediately.

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Type: Violation  
Rule: 279.54(f)(1)  
Explanation: At the time of the inspection, there was an unlabeled pan of used oil under the filter crusher and a drum of used oil next to the vehicle maintenance area that was labeled "used antifreeze." (corrected)  
Corrective Action: The catch pan and the drum were both correctly labeled during the inspection.

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Type: Area Of Concern  
Rule: 261.5(g)(3)(iii)  
Explanation: At the time of the inspection, there were two partially full aerosol cans (D001) observed in the trash in the vehicle maintenance area. (corrected)  
Corrective Action: During the inspection, the aerosol cans were removed from the trash and put aside for proper disposal as hazardous waste.

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Type: Violation  
Rule: 279.52(a)(1)  
Explanation: At the time of the inspection, there were six-5-gallon containers of paint related wastes on a pallet next to the vehicle maintenance area. Some of the containers were in deteriorating condition and appeared to have been forgotten. This is a violation of specific permit condition I.14.(a). (corrected)  
Corrective Action: After the inspection, the facility transferred the contents of the six containers into a 55-gallon drum. Arrangements are being made to have the waste picked up and disposed of as hazardous.

Inspection Date: 06/24/2010

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Type: Violation  
 Rule: 62-710.850(5)(a)  
 Explanation: There were two drums of used oil filters that were not labeled. (corrected)  
 Corrective Action: The drums of used oil filters were labeled during the inspection.

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Type: Violation  
 Rule: 62-710.401(6)  
 Explanation: Also observed during the inspection were two ASTs in the solid waste processing area with open access ports. ASTs #133 and #134 also had open access ports. (corrected)  
 Corrective Action: During the inspection, facility staff were directed to obtain plugs for the openings in all four ASTs.

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**Summary of Potential Violations and Areas of Concern:**Potential Violations

Rule Number	Area	Date Cited	Explanation
Checklist Independent Violations			
62-710.401(6), 279.54(c)		06/24/2010	At the time of the inspection, there were two drums of used oil without secondary containment behind the vehicle maintenance area. (corrected)
273.14(e), 273.13(d)(1)		06/24/2010	At the time of the inspection, there was one spent fluorescent lamp in the vehicle maintenance area that was not labeled or in a container. (corrected)
279.52(b)(2)(v)		06/24/2010	The equipment list provided in the plan does not include an up to date list of emergency equipment at the facility, and the list maintained in the HazMat / emergency response trailer did not match the equipment available at the time of the inspection. Specifically, there were two empty drums and four bags of absorbent material missing from the trailer. (corrected)
279.54(f)(1)		06/24/2010	At the time of the inspection, there was an unlabeled pan of used oil under the filter crusher and a drum of used oil next to the vehicle maintenance area that was labeled "used antifreeze." (corrected)
279.52(a)(1)		06/24/2010	At the time of the inspection, there were six-5-gallon containers of paint related wastes on a pallet next to the vehicle maintenance area. Some of the containers were in deteriorating condition and appeared to have been forgotten. This is a violation of specific

Inspection Date: 06/24/2010

Rule Number	Area	Date Cited	Explanation
			permit condition I.14.(a). (corrected)
62-710.850(5)(a)		06/24/2010	There were two drums of used oil filters that were not labeled. (corrected)
62-710.401(6)		06/24/2010	Also observed during the inspection were two ASTs in the solid waste processing area with open access ports. ASTs #133 and #134 also had open access ports. (corrected)

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Checklist Independent Areas of Concern			
62-710.401(6)		06/24/2010	In the drum washing area and next to the drum washing area, there were several staged drums that did not have properly fitting lids or had open bung holes. These drums contained rainwater and used oil, technically making them subject to used oil container management requirements, such as labeling.
279.52(b)(2)(iv)		06/24/2010	The home addresses of the designated emergency coordinators is not provided in the contingency plan.
261.5(g)(3)(iii)		06/24/2010	At the time of the inspection, there were two partially full aerosol cans (D001) observed in the trash in the vehicle maintenance area. (corrected)

**Conclusion:**

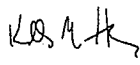
Based on the observations made during this inspection, HOWCO was not in compliance with its permit or rules governing used oil processors. The facility has since returned to compliance.

Inspection Date: 06/24/2010

**Signed:**

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Kelly M. Honey	Environmental Specialist III
<b>PRINCIPAL INSPECTOR NAME</b>	<b>PRINCIPAL INSPECTOR TITLE</b>
	
<b>PRINCIPAL INSPECTOR SIGNATURE</b>	<b>ORGANIZATION</b>
	<b>DATE</b>
	FDEP 8/12/2010
Shannon Camp	Environmental Specialist II
<b>INSPECTOR NAME</b>	<b>INSPECTOR TITLE</b>
NO SIGNATURE	
<b>INSPECTOR SIGNATURE</b>	<b>ORGANIZATION</b>
	FDEP
Lee Morris	Director of Operations
<b>REPRESENTATIVE NAME</b>	<b>REPRESENTATIVE TITLE</b>
NO SIGNATURE	
<b>REPRESENTATIVE SIGNATURE</b>	<b>ORGANIZATION</b>
	HOWCO Environmental Services
Richard Dillen	Quality Assurance Officer
<b>REPRESENTATIVE NAME</b>	<b>REPRESENTATIVE TITLE</b>
NO SIGNATURE	
<b>REPRESENTATIVE SIGNATURE</b>	<b>ORGANIZATION</b>
	HOWCO Environmental Services

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

# PENALTY COMPUTATION WORKSHEET

VIOLATOR'S NAME: HOWCO ENVIRONMENTAL SERVICES

IDENTIFY VIOLATOR'S FACILITY: 843 43<sup>RD</sup> ST., ST. PETERSBURG, FL (FLD 152 764 767)

NAME OF DEPARTMENT STAFF RESPONSIBLE FOR THE PENALTY COMPUTATIONS: KELLY HONEY

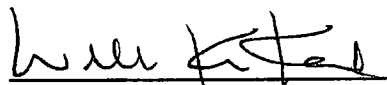
CASE #: WL10-0052HW52SWD

DATE: AUGUST 11, 2010

VIOLATION TYPE	MANUAL GUIDE	POTENTIAL FOR HARM	EXTENT OF DEVIATION	MATRIX RANGE	TOTAL
1. FAILURE TO MINIMIZE THE POSSIBILITY OF FIRE / EXPLOSION OR RELEASE OF HAZARDOUS CONSTITUENTS <b>40 CFR 279.52(a)(1)/Permit Condition I.14(a).</b>	UO-119	ELRA	ELRA	\$1,000	\$1,000
2. FAILURE TO MAINTAIN EMERGENCY EQUIPMENT AS SPECIFIED IN INVENTORY LIST <b>40 CFR 279.52(b)(2)(v)</b>	UO-112	ELRA	ELRA	\$1,000	NO PENALTY ASSESSED
3. FAILURE TO PROVIDE SECONDARY CONTAINMENT FOR TWO DRUMS OF USED OIL <b>40 CFR 279.54(c); 62-710.401(6), FAC</b>	UO-102	ELRA	ELRA	\$1,000	\$1,000
4. FAILURE TO LABEL ONE PAN AND ONE DRUM WITH THE WORDS "USED OIL" <b>40 CFR 279.54(f)(1)</b>	UO-147	ELRA	ELRA	\$500	\$500
5. FAILURE TO KEEP FOUR ASTs CLOSED OR OTHERWISE PROTECTED FROM THE WEATHER <b>40 CFR 279.56(a)(1)</b>	UO-145	ELRA	ELRA	\$500	COMBINED WITH ITEM 4
6. FAILURE TO LABEL TWO DRUMS OF USED OIL FILTERS WITH THE WORDS "USED OIL FILTERS" <b>62-710.850(5)(a), FAC</b>	UO-133	ELRA	ELRA	\$500	COMBINED WITH ITEM 4
SUB-TOTAL					\$2,500
DEPARTMENT COSTS					\$300

**TOTAL PENALTIES INCLUDING DEPARTMENT COSTS:**

**\$2,800**

  
DEBORAH A. GETZOFF  
DISTRICT DIRECTOR  
SOUTHWEST DISTRICT

8/12/10  
DATE

Enforcement Teleconference Mtg:  
9-30-10 - Discussed WL - they're returned to compliance and will sign a SPCO - asked for installments - we said no problem.

-KRA





STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
SOUTHWEST DISTRICT

CONVERSATION RECORD

Date 09-08-10 Subject Howco Environmental Svcs  
Time 2:40 pm Permit No. \_\_\_\_\_  
County Pinellas  
M.R. Lee Morris Telephone No. (727) 543-5429  
Representing Howco  
☐ Phoned Me ☒ Was Called ☐ Scheduled Meeting ☐ Unscheduled Meeting  
Other Individuals Involved in Conversation/Meeting \_\_\_\_\_

Summary of Conversation/Meeting I called to ask why I haven't heard from Howco ~~se~~ since they received the Warning letter. (I had to leave a V.M. message) I said I would contact Tim Hagan, Sr., directly if I didn't hear from someone by ~~tom~~ tomorrow afternoon.

9-9-10 2:25 p - I called and left another VM asking Lee if I should be calling Tim Sr. directly.  
9-9-10 4:30 p - I called & said since I hadn't heard from him - ~~that~~ I would call Tim Sr / main office tomorrow - Main office # ~~727-323-2249~~ 800-435-8467

9-10-10 10:55A - I called and left a VM message for Tim Hagan asking to set up a meeting to discuss WL I sent last month.

Signature

Kelly Honey

Title Environmental Specialist III

**Memorandum**

**Florida Department of  
Environmental Protection**

**SOUTHWEST DISTRICT ENFORCEMENT COVER MEMO**

TO: \_\_\_\_\_ Deborah A. Getzoff, District Director

THROUGH:

W William Kutash, Waste Program Administrator  
JD James Dregne, Hazardous Waste Program Manager *8/12*  
EK Elizabeth Knauss, HW Enforcement Coordinator

FROM:

KH Kelly Honey, Environmental Specialist III

DATE: August 11, 2010

FILE NAME: HOWCO Environmental Services

COUNTY: Pinellas

PROGRAM: Hazardous Waste

PROJECT # WL10-0052HW52SWD

TYPE OF DOCUMENT: Warning Letter  
Penalty Computation Worksheet

REQUESTED ACTION: SIGNATURE

**DESCRIPTION OF VIOLATIONS:**

The facility had several unit management violations, including two drums without containment, and also had some old, open containers of spent lacquer thinner.

**STATUS OF CORRECTIVE ACTIONS:**

The facility has returned to compliance.

**STATUS OF PENALTY ASSESSMENT:**

The penalty has been prepared in accordance with United States EPA RCRA Civil Penalty Policy.

PENALTY: ☐ Not Applicable

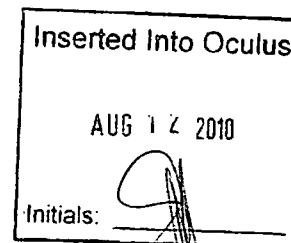
Amount: \$2,500

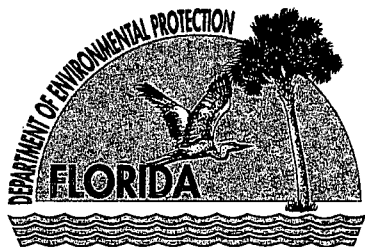
Costs & Expenses: \$300

Total: \$2,800

Secretary Approval ☒ Not required / Approved on \_\_\_\_\_

Attachments: Warning Letter  
Penalty Computation Worksheet





# Florida Department of Environmental Protection

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

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

August 12, 2010

**CERTIFIED MAIL 7009 1680 0001 0455 2884**  
**RETURN RECEIPT REQUESTED**

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

RE: **Warning Letter #WL10-0052HW52SWD**  
HOWCO Environmental Services  
EPA ID #FLD 152 764 767  
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, 2010, indicates that violations of Florida Statutes and Rules may exist at the above referenced facility. Department of Environmental Protection (Department) personnel made observations described in the attached inspection report. The report lists a summary of alleged violations of Department Rules.

Sections 403.161 and 403.727, Florida Statutes (F.S.) provide 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 Kelly Honey at (813) 632-7600, extension 369, 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.

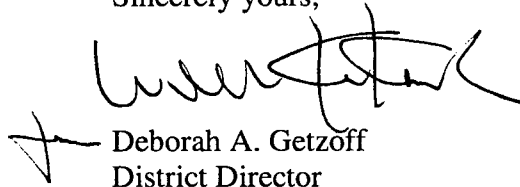
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), F.S. If after further investigation the

Inserted Into Oculus
AUG 12 2010
Initials: 

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 accordance with the United States Environmental Protection Agency's (EPA) RCRA and the Department's Civil Penalty Policies, the penalties which would be assessed in this case are \$2,500.00. Costs and expenses in this case will be a minimum of \$300.00.

If this investigation confirms that your facility is significantly out of compliance, and the case is not resolved through timely entry of a Consent Order, under the Department's agreement with the EPA, a formal referral for judicial action must be made to the Department's Office of General Counsel. 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/kmh

enclosure

cc: Alan A. Annicella, US EPA Region IV (via electronic mail)  
Glen Perrigan, Department, HWR Section (via electronic mail)  
Gene Quinn, Pinellas County SQG Program (via electronic mail)  
Compliance File



Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report

**FACILITY INFORMATION:**

**Facility Name:** HOWCO Environmental Services

**On-Site Inspection Start Date:** 06/24/2010

**On-Site Inspection End Date:** 06/24/2010

**ME ID#:** 1038

**EPA ID#:** FLD152764767

**Facility Street Address:** 843 43rd St S, St Petersburg, Florida 33711-1922

**Contact Mailing Address:** 843 43rd St S, St Petersburg, Florida 33711-1922

**County Name:** Pinellas

**Contact Phone:** (727) 327-8467

**NOTIFIED AS:**

Non-Handler

Used Oil

**INSPECTION TYPE:**

Routine Inspection for Used Oil Processor facility

Routine Inspection for Used Oil Marketer facility

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Used Oil Generator facility

Routine Inspection for Used Oil Transfer Facility

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

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Kelly M. Honey, Environmental Specialist III

**Other Participants:** Shannon Camp, Environmental Specialist II; Lee Morris, Director of Operations;  
Richard Dillen, Quality Assurance Officer

**LATITUDE / LONGITUDE:** Lat 27° 45' 40.8037" / Long 82° 41' 32.5519"

**SIC CODE:** 2911 - Manufacturing - petroleum refining

**TYPE OF OWNERSHIP:** Private

**Introduction:**

HOWCO Environmental Services (HOWCO) was inspected by the Department of Environmental Protection (Department) to evaluate the facility's compliance with state and federal hazardous waste regulations. The inspectors were accompanied throughout by Richard Dillen, who manages the Laboratory, and Lee Morris, who manages the Yard. In the past ten years, the facility has been inspected by the Department eight times, most recently on April 23, 2009. HOWCO has a used oil processing permit issued by the Department on July 7, 2007. This permit expires on August 3, 2010. HOWCO submitted its permit renewal application on June 8, 2010.

**Process Description:**

HOWCO stores, processes and markets used oil and is a registered used oil filter transporter and processor, as well. Additionally, HOWCO accepts oily waste solids which are processed and solidified prior to disposal. As a result of the lab wastes generated during QA testing, HOWCO is also a conditionally exempt small quantity generator of hazardous waste (CESQG). At the plant, there are currently five employees, plus two recovery truck drivers and one tanker trailer driver. The facility is on City of St. Petersburg water and sewer systems. The processes at the facility have not changed since the previous inspection.

Since the previous inspection, HOWCO has replaced all its underground piping with aboveground

Inspection Date: 06/24/2010

pipings, in accordance with Chapter 62-762, FAC. Additionally, the yard has been resurfaced. The majority of old equipment that used to be in the "bone yard" has also been removed. The overall appearance of the yard was relatively tidy. In the tank farm, it was noted that two of the ASTs (#134 and #133) had open access ports on top. During the inspection, HOWCO staff were directed to replace the port plugs.

One of the facility's bullhorns was tested and found to be operable. The fire and emergency equipment are inspected monthly and tested annually. HazMat supplies are stored in one of three large trailers on the south side of the property. The contents of the HazMat trailer included personal protective equipment as well as spill control equipment. During the inventory of the trailer, it was determined that some of the equipment referenced on HOWCO's inventory list were missing, including two drums and four bags of absorbent. It was noted that these materials were at the facility, but not in the designated trailer. These materials have since been replaced. In the past, the Department has allowed HOWCO to keep its list of emergency equipment in the trailer, however, in accordance with 40 CFR 279.52(b)(2)(v), HOWCO must include this list in its contingency plan.

At the time of the inspection, there was one properly labeled 20 cubic yard roll-off of oily waste. At the rear of the solid waste pad were two aboveground storage tanks (ASTs) that were labeled used oil. These ASTs were open. Staff indicated that these ASTs were probably returned from customers. Near the drum washing area, there were approximately 25 drums to be cleaned. Some of the drums were not closed or the lids were cracked allowing rainwater to enter the drums and mix with the oil residue inside. In future, HOWCO should ensure that these drums are protected from the weather. In the oily waste staging area, there were approximately 39 drums of grease, oily sorbent material, asphalt, recovered diesel fuel and paper filters. There was also one unlabeled drum of used oil filters. In the used oil filter processing area, there were approximately 100 drums of used oil filters in storage. One of these drums was not labeled. The crusher was equipped with a small pan to collect leaking hydraulic oil. This pan was also not labeled. All these containers were labeled during the inspection, and staff were directed to replace the plugs in the open ASTs. Crushed used oil filters are shipped to a smelter. Used oil collected in the crushing unit is transferred to tank #109.

Solid waste managed at the facility includes oily solid waste generated by HOWCO and its customers. Solid waste streams received are analyzed at least once every five years in accordance with the permit. The WTU sludge and the oil-extracted sludge generated at the facility is to be analyzed annually. The sludge was sampled on April 23, 2009, and again on July 14, 2010, and results indicate that both wastestreams are nonhazardous. Solid waste is either sent to a landfill or to the incinerator. HOWCO is under both its 40,000-gallon limit for sending received solid wastes to a landfill and its 200,000-gallon limit for sending received solid wastes to an energy recovery facility.

The Maintenance Shop generates used oil filters, used oil, used antifreeze and oily waste. There is also a 25-gallon parts washer in use. Spent solvent from the parts washer is disposed of with the shop's used oil. Used oil and antifreeze containers are equipped with secondary containment. During the inspection, it was noted that the container labeled "used antifreeze" actually contained used oil. There were also two, partially full aerosol cans observed in the trash. Aerosol cans that are not empty are hazardous waste. HOWCO needs to review proper hazardous waste management with applicable staff to prevent this from occurring again. In the room next to the Maintenance Shop, there was one spent lamp observed without a box or label. This has since been corrected. Batteries are returned to the vendor for core credit.

In the area next to the Maintenance Shop, there were two full drums labeled "used oil" without containment. After the inspection, the drums were moved across the street to the plant and processed. Also in this area were six 5-gallon containers of waste, some of which appeared were open and in poor shape, especially around the openings. The containers were on a containment pallet covered with a piece of plywood and appeared to have been forgotten. Some of the containers were labeled "dirty lacquer thinner," and some were not labeled and appeared to be old product containers. This is a violation of specific permit condition I.14.(a). After investigating the source of the containers, HOWCO determined that the material was from facility maintenance

Inspection Date: 06/24/2010

activities several years ago. It appears that the dirty thinner was generated during the job, and the old products were determined to be unusable a couple of years later. Since the inspection, the contents of the containers were transferred to a drum and are awaiting disposal as hazardous waste.

Behind the laboratory, there are two 55-gallon drums of used oil in secondary containment. The drums are covered and labeled. The drums collect sample waste from the laboratory. Processed oil is randomly sampled biweekly and tested to confirm it is on-spec. Metal analyses are done off site by PhosLab. Samples of processed oil are retained in the laboratory for thirty days. Hazardous COD testing waste is generated in the laboratory, and spent vials are accumulated in a box labeled "spent vials." Staff said fluorescent lamps are taken on CESQG days to the County collection center for disposal, which is also how laboratory wastes are disposed of. Hazardous wastes have not been disposed of since the last inspection.

Records were reviewed and found to be complete and up to date with the following exception. It was noted that the contingency plan originally approved in the permit application does not contain the home addresses of the emergency coordinators. In accordance with 40 CFR 279.52(b)(2)(iv), the plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator. Ensure that this information is added to the plan. Most HOWCO employees, including all the designated emergency coordinators, attended a Used Oil Management Workshop on 12-05-09, and all HOWCO drivers also attended the associated Driver Training Class.

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

##### **Checklist Independent Potential Violations and Areas of Concern**

Type:	Violation
Rule:	62-710.401(6), 279.54(c)
Explanation:	At the time of the inspection, there were two drums of used oil without secondary containment behind the vehicle maintenance area. (corrected)
Corrective Action:	Subsequent to the inspection the facility moved the drums of used oil across the street and processed the used oil.

---

Type:	Violation
Rule:	273.14(e), 273.13(d)(1)
Explanation:	At the time of the inspection, there was one spent fluorescent lamp in the vehicle maintenance area that was not labeled or in a container. (corrected)
Corrective Action:	After the inspection, the spent lamp was placed into a closed and properly labeled container.

---

Type:	Area Of Concern
Rule:	62-710.401(6)
Explanation:	In the drum washing area and next to the drum washing area, there were several staged drums that did not have properly fitting lids or had open bung holes. These drums contained rainwater and used oil, technically making them subject to used oil container management requirements, such as labeling.
Corrective Action:	As discussed during the inspection, drums with used oil residue should be protected from the weather to keep them from filling with rainwater while staged.

Inspection Date: 06/24/2010

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Type: Violation  
Rule: 279.52(b)(2)(v)  
Explanation: The equipment list provided in the plan does not include an up to date list of emergency equipment at the facility, and the list maintained in the HazMat / emergency response trailer did not match the equipment available at the time of the inspection. Specifically, there were two empty drums and four bags of absorbent material missing from the trailer. (corrected)  
Corrective Action: After the inspection, the missing items in the trailer were replaced. Note that a copy of this list must be included in the contingency plan as required by Rule.

---

Type: Area Of Concern  
Rule: 279.52(b)(2)(iv)  
Explanation: The home addresses of the designated emergency coordinators is not provided in the contingency plan.  
Corrective Action: By Rule, the contingency plan must include the home addresses and phone numbers of the emergency coordinators. This information must be added to the plan immediately.

---

Type: Violation  
Rule: 279.54(f)(1)  
Explanation: At the time of the inspection, there was an unlabeled pan of used oil under the filter crusher and a drum of used oil next to the vehicle maintenance area that was labeled "used antifreeze." (corrected)  
Corrective Action: The catch pan and the drum were both correctly labeled during the inspection.

---

Type: Area Of Concern  
Rule: 261.5(g)(3)(iii)  
Explanation: At the time of the inspection, there were two partially full aerosol cans (D001) observed in the trash in the vehicle maintenance area. (corrected)  
Corrective Action: During the inspection, the aerosol cans were removed from the trash and put aside for proper disposal as hazardous waste.

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Type: Violation  
Rule: 279.52(a)(1)  
Explanation: At the time of the inspection, there were six 5-gallon containers of paint related wastes on a pallet next to the vehicle maintenance area. Some of the containers were in deteriorating condition and appeared to have been forgotten. This is a violation of specific permit condition I.14.(a). (corrected)  
Corrective Action: After the inspection, the facility transferred the contents of the six containers into a 55-gallon drum. Arrangements are being made to have the waste picked up and disposed of as hazardous.



Inspection Date: 06/24/2010

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Type: Violation  
 Rule: 62-710.850(5)(a)  
 Explanation: There were two drums of used oil filters that were not labeled. (corrected)  
 Corrective Action: The drums of used oil filters were labeled during the inspection.

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Type: Violation  
 Rule: 62-710.401(6)  
 Explanation: Also observed during the inspection were two ASTs in the solid waste processing area with open access ports. ASTs #133 and #134 also had open access ports. (corrected)  
 Corrective Action: During the inspection, facility staff were directed to obtain plugs for the openings in all four ASTs.

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**Summary of Potential Violations and Areas of Concern:**Potential Violations

Rule Number	Area	Date Cited	Explanation
<b>Checklist Independent Violations</b>			
62-710.401(6), 279.54(c)		06/24/2010	At the time of the inspection, there were two drums of used oil without secondary containment behind the vehicle maintenance area. (corrected)
273.14(e), 273.13(d)(1)		06/24/2010	At the time of the inspection, there was one spent fluorescent lamp in the vehicle maintenance area that was not labeled or in a container. (corrected)
279.52(b)(2)(v)		06/24/2010	The equipment list provided in the plan does not include an up to date list of emergency equipment at the facility, and the list maintained in the HazMat / emergency response trailer did not match the equipment available at the time of the inspection. Specifically, there were two empty drums and four bags of absorbent material missing from the trailer. (corrected)
279.54(f)(1)		06/24/2010	At the time of the inspection, there was an unlabeled pan of used oil under the filter crusher and a drum of used oil next to the vehicle maintenance area that was labeled "used antifreeze." (corrected)
279.52(a)(1)		06/24/2010	At the time of the inspection, there were six-5-gallon containers of paint related wastes on a pallet next to the vehicle maintenance area. Some of the containers were in deteriorating condition and appeared to have been forgotten. This is a violation of specific

Inspection Date: 06/24/2010

Rule Number	Area	Date Cited	Explanation
			permit condition I.14.(a). (corrected)
62-710.850(5)(a)		06/24/2010	There were two drums of used oil filters that were not labeled. (corrected)
62-710.401(6)		06/24/2010	Also observed during the inspection were two ASTs in the solid waste processing area with open access ports. ASTs #133 and #134 also had open access ports. (corrected)

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Checklist Independent Areas of Concern			
62-710.401(6)		06/24/2010	In the drum washing area and next to the drum washing area, there were several staged drums that did not have properly fitting lids or had open bung holes. These drums contained rainwater and used oil, technically making them subject to used oil container management requirements, such as labeling.
279.52(b)(2)(iv)		06/24/2010	The home addresses of the designated emergency coordinators is not provided in the contingency plan.
261.5(g)(3)(iii)		06/24/2010	At the time of the inspection, there were two partially full aerosol cans (D001) observed in the trash in the vehicle maintenance area. (corrected)

**Conclusion:**

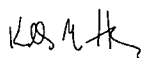
Based on the observations made during this inspection, HOWCO was not in compliance with its permit or rules governing used oil processors. The facility has since returned to compliance.

Inspection Date: 06/24/2010

**Signed:**

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Kelly M. Honey	Environmental Specialist III
<b>PRINCIPAL INSPECTOR NAME</b>	<b>PRINCIPAL INSPECTOR TITLE</b>
	
<b>PRINCIPAL INSPECTOR SIGNATURE</b>	<b>ORGANIZATION</b> FDEP <b>DATE</b> 8/12/2010
Shannon Camp	Environmental Specialist II
<b>INSPECTOR NAME</b>	<b>INSPECTOR TITLE</b>
NO SIGNATURE	FDEP
<b>INSPECTOR SIGNATURE</b>	<b>ORGANIZATION</b>
Lee Morris	Director of Operations
<b>REPRESENTATIVE NAME</b>	<b>REPRESENTATIVE TITLE</b>
NO SIGNATURE	HOWCO Environmental Services
<b>REPRESENTATIVE SIGNATURE</b>	<b>ORGANIZATION</b>
Richard Dillen	Quality Assurance Officer
<b>REPRESENTATIVE NAME</b>	<b>REPRESENTATIVE TITLE</b>
NO SIGNATURE	HOWCO Environmental Services
<b>REPRESENTATIVE SIGNATURE</b>	<b>ORGANIZATION</b>

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

## PENALTY COMPUTATION WORKSHEET

VIOLATOR'S NAME: HOWCO ENVIRONMENTAL SERVICES

IDENTIFY VIOLATOR'S FACILITY: 843 43<sup>RD</sup> ST., ST. PETERSBURG, FL (FLD 152 764 767)

NAME OF DEPARTMENT STAFF RESPONSIBLE FOR THE PENALTY COMPUTATIONS: KELLY HONEY

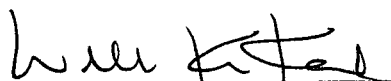
CASE #: WL10-0052HW52SWD


DATE: AUGUST 11, 2010

VIOLATION TYPE	MANUAL GUIDE	POTENTIAL FOR HARM	EXTENT OF DEVIATION	MATRIX RANGE	TOTAL
1. FAILURE TO MINIMIZE THE POSSIBILITY OF FIRE / EXPLOSION OR RELEASE OF HAZARDOUS CONSTITUENTS <b>40 CFR 279.52(a)(1)/Permit Condition I.14(a).</b>	UO-119	ELRA	ELRA	\$1,000	\$1,000
2. FAILURE TO MAINTAIN EMERGENCY EQUIPMENT AS SPECIFIED IN INVENTORY LIST <b>40 CFR 279.52(b)(2)(v)</b>	UO-112	ELRA	ELRA	\$1,000	NO PENALTY ASSESSED
3. FAILURE TO PROVIDE SECONDARY CONTAINMENT FOR TWO DRUMS OF USED OIL <b>40 CFR 279.54(c); 62-710.401(6), FAC</b>	UO-102	ELRA	ELRA	\$1,000	\$1,000
4. FAILURE TO LABEL ONE PAN AND ONE DRUM WITH THE WORDS "USED OIL" <b>40 CFR 279.54(f)(1)</b>	UO-147	ELRA	ELRA	\$500	\$500
5. FAILURE TO KEEP FOUR ASTS CLOSED OR OTHERWISE PROTECTED FROM THE WEATHER <b>40 CFR 279.56(a)(1)</b>	UO-145	ELRA	ELRA	\$500	COMBINED WITH ITEM 4
6. FAILURE TO LABEL TWO DRUMS OF USED OIL FILTERS WITH THE WORDS "USED OIL FILTERS" <b>62-710.850(5)(a), FAC</b>	UO-133	ELRA	ELRA	\$500	COMBINED WITH ITEM 4
SUB-TOTAL					\$2,500
DEPARTMENT COSTS					\$300

**TOTAL PENALTIES INCLUDING DEPARTMENT COSTS:**

**\$2,800**

  
DEBORAH A. GETZOFF  
DISTRICT DIRECTOR  
SOUTHWEST DISTRICT

  
DATE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

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

2. Article Number

(Transfer from service label)

7009 1680 0001 0455 2884

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☒ Agent

☐ Addressee

B. Received by (Printed Name)

Samuel Monev

C. Date of Delivery

13 AUG 10

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☒ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7009 1680 0001 0455 2884

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ENVIRONMENTAL PROTECTION

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(Endorsement Required)

SOUTHWEST DISTRICT  
TEMPLE TERRACE

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(Endorsement Required)

Total Postage & Fees

Sent To

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

Street, Apt  
or PO Box

City, State

PS Form

See reverse for instructions

UNITED STATES POSTAL SERVICE

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USPS  
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

Dept. of Environmental Protection

State of Florida  
Department of Environmental Protection  
Southwest District  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926

AUG 16 2010

Southwest District

HONEY

HOWCO



## Stewart, Patricia

---

**From:** Stewart, Patricia  
**Sent:** Thursday, August 12, 2010 1:46 PM  
**To:** 'annicella.alan@epamail.epa.gov'; Perrigan, Glen; 'Quinn, Earl (Gene) E'  
**Subject:** HOWCO Environmental Services FLD 152 764 767 Warning Letter  
**Attachments:** HOWCO 8-12-10.pdf

Attached please find a copy of a warning letter. This is the only copy you will receive.

**NOTE:** If you have any questions concerning the contents of this document, please contact the DEP Environmental Specialist III [Kelly.Honey@dep.state.fl.us](mailto:Kelly.Honey@dep.state.fl.us)

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

Thank you,  
Patricia Stewart  
Senior Clerk  
Department of Environmental Protection  
Southwest District  
13051 N. Telecom Parkway  
Temple Terrace, Florida 33637  
813-632-7600, X 356  
FAX: 813-632-7664  
[Patricia.Stewart@dep.state.fl.us](mailto:Patricia.Stewart@dep.state.fl.us)

**Stewart, Patricia**

---

**From:** Microsoft Exchange  
**To:** 'Quinn, Earl (Gene) E'  
**Sent:** Thursday, August 12, 2010 1:46 PM  
**Subject:** Relayed: HOWCO Environmental Services FLD 152 764 767 Warning Letter

**Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:**

'Quinn, Earl (Gene) E'

**Subject:** HOWCO Environmental Services FLD 152 764 767 Warning Letter

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Sent by Microsoft Exchange Server 2007



**Stewart, Patricia**

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**From:** Microsoft Exchange  
**To:** Perrigan, Glen  
**Sent:** Thursday, August 12, 2010 1:46 PM  
**Subject:** Delivered: HOWCO Environmental Services FLD 152 764 767 Warning Letter

**Your message has been delivered to the following recipients:**

Perrigan, Glen

**Subject:** HOWCO Environmental Services FLD 152 764 767 Warning Letter

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Sent by Microsoft Exchange Server 2007

**Stewart, Patricia**

---

**From:** Mail Delivery System [MAILER-DAEMON@mseive02.rtp.epa.gov]  
**To:** annicella.alan@epamail.epa.gov  
**Sent:** Thursday, August 12, 2010 1:46 PM  
**Subject:** Relayed: HOWCO Environmental Services FLD 152 764 767 Warning Letter

**Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:**

[annicella.alan@epamail.epa.gov](mailto:annicella.alan@epamail.epa.gov)

Subject: HOWCO Environmental Services FLD 152 764 767 Warning Letter