

Pam 11/24



Jeb Bush
Governor

Department of Environmental Protection

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

Colleen M. Castille
Secretary

November 24, 2004

Mr. Kenneth W. Graden
Independent Waste Oil, Inc.
2231 New Berlin Road
Jacksonville, Florida 32218

Dear Mr. Graden:

· Independent Waste Oil, Inc.
DEP/EPA ID FLR 000 009 563
Duval County - Hazardous Waste

Thank you for your assistance during the RCRA complaint investigation conducted by the Department at your facility on July 14, 2004. Enclosed are the report and inspection checklist that document this inspection.

Based upon the inspection, your facility was found to be in violation of Florida Statutes and Rules concerning used oil. Corrective actions taken during the inspection returned your facility to compliance. No further action is required at this time.

Your continued cooperation is appreciated. If you have any questions regarding this report or hazardous waste regulation in general, please write me at the letterhead address or phone me at (904) 807-3380.

Sincerely,

Pamela Fellabaum
Environmental Specialist
Hazardous Waste Section

la/
PF:ddb

Enclosures



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HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION TYPE: ☐ Compliance Evaluation ☒ Complaint ☐ Follow-up ☐ Permitting

FACILITY NAME: Independent Waste Oil, Inc. DEP/EPA ID #: FLR 000 009 563

STREET ADDRESS: 343 Dennard Street, Jacksonville, Florida 32210

MAILING ADDRESS: 2231 New Berlin Road, Jacksonville, Florida 32218

COUNTY: Duval PHONE: (904) 781-8903 DATE: 7/14/04 TIME: 10:15 a.m.

HW Facility Status

- ☒ Non-handler
- ☐ CESQG
- ☐ SQG
- ☐ LQG
- ☐ Transporter
- ☐ Transfer facility
- ☐ TSD
- ☐ SQH
- ☐ LQH

Used Oil Facility Status

- ☐ Generator
- ☒ Transporter
- ☒ Transfer facility
- ☐ Marketer
- ☐ Processor
- ☐ On-spec. burner
- ☐ Off-spec. burner
- ☐ Filter generator
- ☒ Filter transporter
- ☒ Filter transfer facility
- ☒ Filter processor

Hg Facility Status

- ☐ Exempt
- ☐ Generator
- ☐ Transporter
- ☐ Hg recovery facility
- ☐ Hg reclamation facility

PCW facility status

- ☐ Producer
- ☐ Transporter
- ☐ Recovery facility

2. APPLICABLE REGULATIONS:

- | | | | |
|---------------------------------------|--|---|--------------------------------------|
| <input type="checkbox"/> 40 CFR 261.5 | <input type="checkbox"/> 40 CFR 262 | <input type="checkbox"/> 40 CFR 263 | <input type="checkbox"/> 40 CFR 264 |
| <input type="checkbox"/> 40 CFR 265 | <input type="checkbox"/> 40 CFR 266 | <input type="checkbox"/> 40 CFR 268 | <input type="checkbox"/> 40 CFR 270 |
| <input type="checkbox"/> 40 CFR 273 | <input checked="" type="checkbox"/> 40 CFR 279 | <input checked="" type="checkbox"/> 62-710, FAC | <input type="checkbox"/> 62-740, FAC |

3. RESPONSIBLE OFFICIAL: Mr. Kenneth W. Graden, President

4. INSPECTION PARTICIPANTS: Ken Graden, IWO

Pamela Fellabaum and Richard Batchelder, FDEP

5. LATITUDE/LONGITUDE: 30°19'6" / 81°46'0"

6. TYPE OF OWNERSHIP: private federal state county municipal

7. PERMIT #: n/a

ISSUE DATE:

EXP. DATE:

"More Protection, Less Process"

Printed on recycled paper.

PROCESS DESCRIPTION:

Independent Waste Oil, Inc. (IWO) was inspected on July 14, 2004 as an unannounced hazardous waste Complaint Investigation (CI). Mr. Kenneth W. Graden, President, participated in the inspection. The facility operates four trucks that pick-up used oil, used oil filters, antifreeze, oil contaminated solids and oily wastewater. IWO has seven employees and has approximately 750 customers.

FACILITY INSPECTION:

IWO is a used oil transporter and a used oil transfer facility. IWO is a used oil filter transporter, a used oil filter transfer facility and a used oil filter processor. The facility also transports antifreeze, oil-contaminated solids and oily wastewater. IWO operates three belly tanker trucks and one cargo truck. The belly tanker trucks are used for pick-ups of used oil, antifreeze and oily wastewater. The tankers have separate, dedicated compartments for oil waste and antifreeze.

IWO will go to its customer's facility and pick-up the wastes that it handles. When IWO picks up used oil, the driver analyzes the used oil for halogens with a Dexcel Q-4000 testing unit. If the used oil is hot for halogens, IWO does not pick-up the used oil. There have been occasions when the used oil was hot for halogens and IWO instructed the facility that they must contract with a hazardous waste hauler to properly test and dispose of the waste.

IWO transports all of the wastes that it picks-up from its customers to its Jacksonville facility. The IWO property has two 18,500-gallon aboveground storage tanks (AST) for used oil (Photo 1), one 6,000-gallon AST for oily wastewater, one 6000-gallon AST for antifreeze, and two 8,200-gallon tanker trailers (one of the trailers is used for used oil and the other for oily wastewater). The storage units for used oil are labeled with the words "Used Oil." The storage unit for oily wastewater is labeled with the word "Water."

All of the storage units are within concrete secondary containment that will contain 110% of the volume of the largest tank. Mr. Graden stated that water collected in the secondary containment is collected and disposed with the oily wastewater. An inspection of the area surrounding the secondary containment revealed a small area of soil discoloration at the base of each of the valves of the secondary containment (Photos 2-5). **Failure to respond to a release of used oil is a violation of 40 CFR 279.45(h).** Mr. Graden immediately directed an employee to remove the soil. Used oil is transported at least once a week to Sellers Oil. The oily wastewater is shipped to Industrial Water Services (IWS) as needed.

Antifreeze is stored in the dedicated 6000-gallon AST. Antifreeze is recycled by Safeway.

Used oil filters are processed on-site by crushing. (Photos 6 and 7) After crushing, the used oil filters are put in a trailer and transported to Global Shredding Technology. Global Shredding Technology is the end user and is not required to be a used oil filter processor pursuant to FAC 62-710 as long as IWO retains their status as a used oil filter processor. The trailer storing used oil filters was labeled with the words "Used Oil Filters." IWO transports a load of used oil filters once every three to four weeks.

RECORDS REVIEW:

IWO does have records documenting the quantity of oil picked-up at generator facilities and the quantity of oil dropped-off at used oil-processing facilities. The used oil acceptance records and delivery records appear to meet the requirements of 40 CFR 279.46. IWO has records for the previous three years on-site and available. The volume of waste in appears to equal the volume of waste being delivered to various processing/disposal facilities.

IWO has \$1,000,000 in liability insurance. The coverage is provided by Agricultural Excess & Surplus Insurance Company and documentation was on-site. IWO is a certified used oil transporter/transfer facility and a registered used oil filter transporter/transfer/processor facility. The facility registration form was on-site and available.

IWO has submitted an annual report summarizing the on-site records for the previous calendar year. This was on-site and available for review.

Based on the inspection, IWO is operating as a used oil transporter/transfer facility and a used oil filter transporter/transfer/processor facility. IWO has notified the Department of these activities and has been issued the EPA identification number FLR 000 009 563.

SUMMARY OF VIOLATIONS AND CORRECTIVE ACTIONS:


40 CFR 279.45(h) Used Oil Releases

VIOLATION:

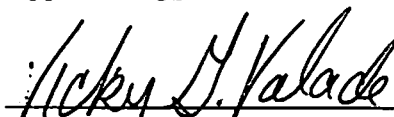
A small area of oil stained soil was noted at each of the secondary containment valves.

CORRECTIVE ACTION:

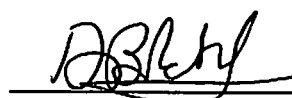
No further action is required. During the visit all of the areas of stained soil were removed and containerized for proper disposal.

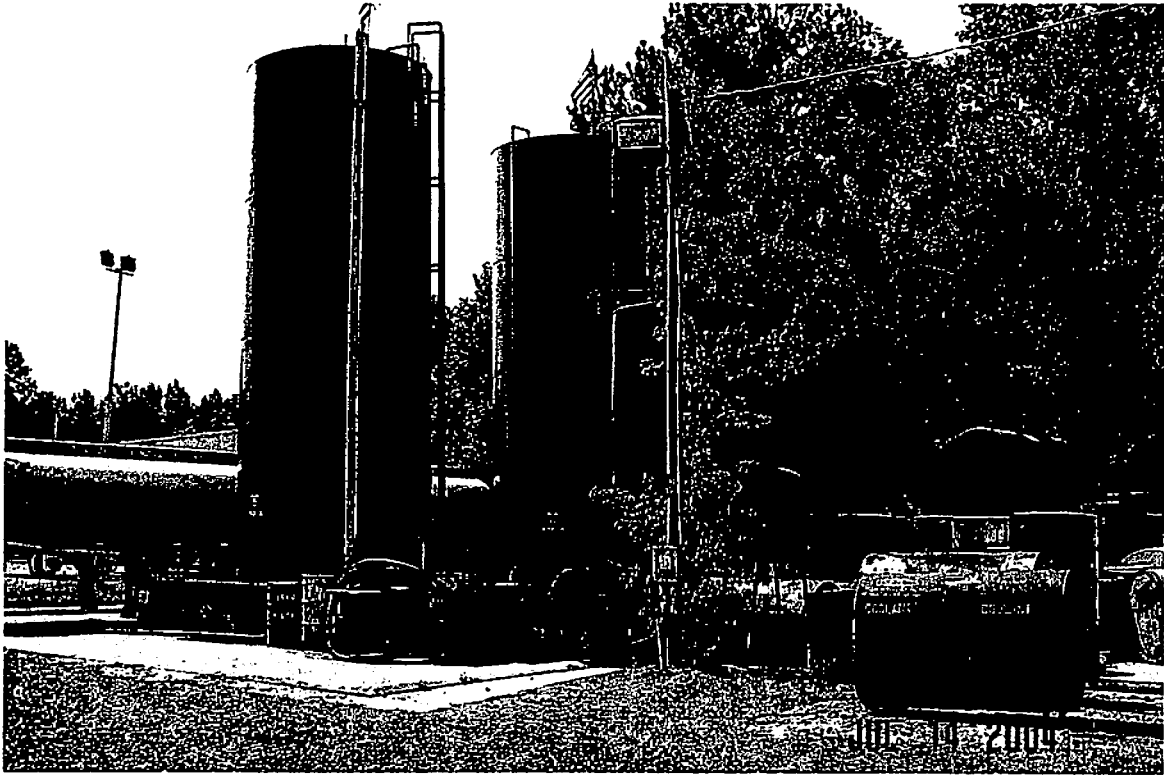
 1/20/04
Pamela Fellabaum Date
Environmental Specialist
Hazardous Waste Section

Approved by:

 1/24/04
Vicky G. Valade Date
Environmental Manager
Hazardous Waste Section

Approved by:

 1/24/04
Ashwin B. Patel Date
Hazardous Waste Supervisor
Hazardous Waste Section



Independent Waste Oil
Photo 1

7/14/04
Photo: P. Fellabaum



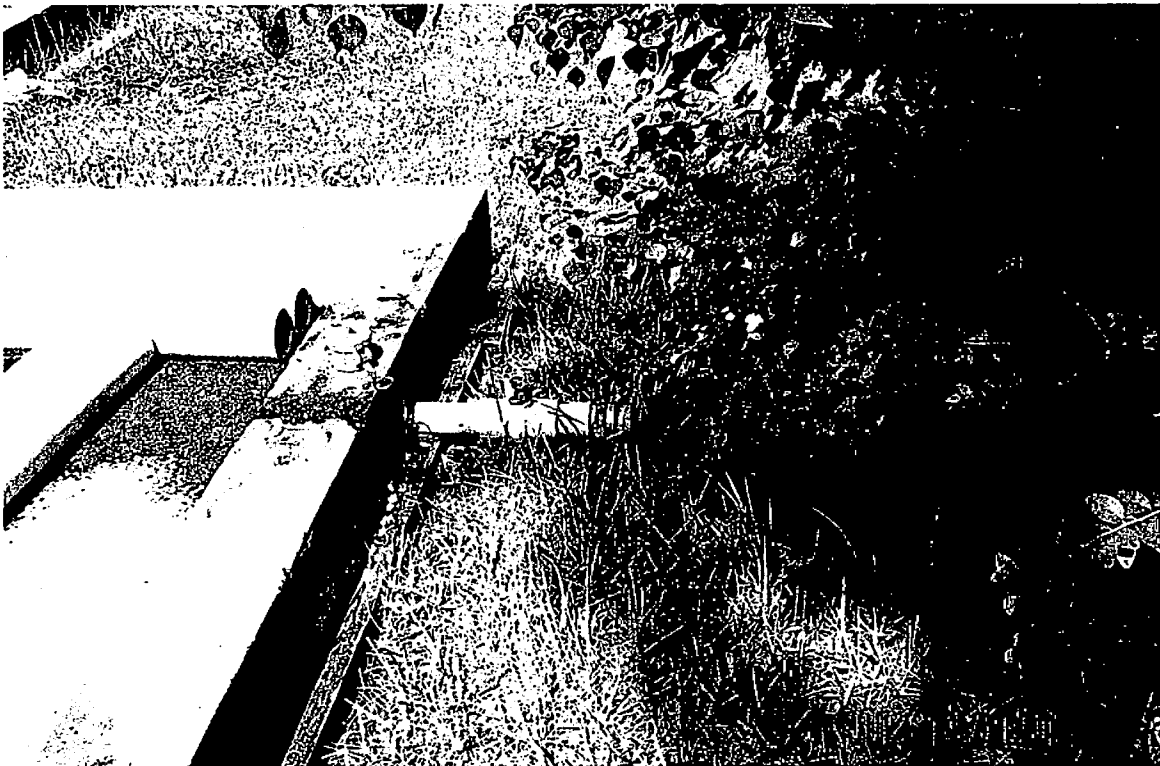
Independent Waste Oil
Photo 2

7/14/04
Photo: P. Fellabaum



Independent Waste Oil
Photo 3

7/14/04
Photo: P. Fellabaum



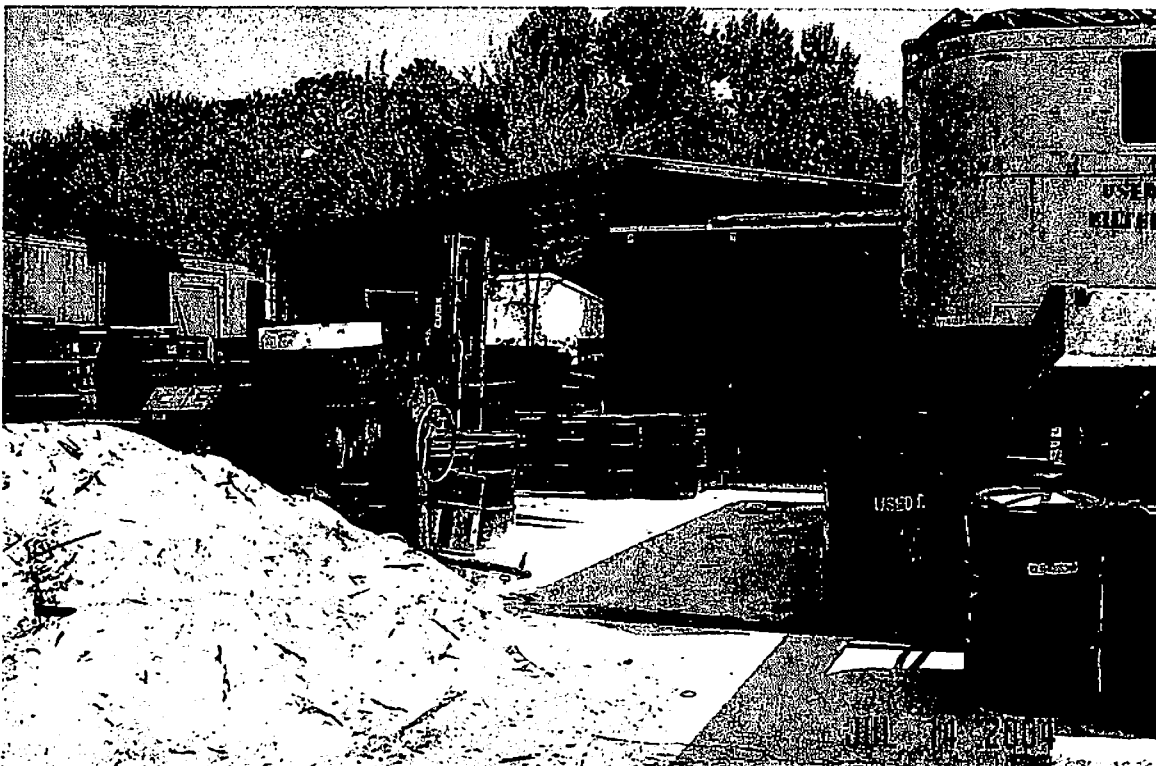
Independent Waste Oil
Photo 4

7/14/04
Photo: P. Fellabaum



Independent Waste Oil
Photo 5

7/14/04
Photo: P. Fellabaum



Independent Waste Oil
Photo 6

7/14/04
Photo: P. Fellabaum



Independent Waste Oil
Photo 7

7/14/04
Photo: P. Fellabaum

used oil → Texpar
Oily H₂O → IWS

Antifreeze → Safeway
Oil filters → Global

USED OIL TRANSPORTER CHECKLIST

Facility Name: Independent Waste Oil Date: 7-14-04
Facility Representative: Ken Braden Facility ID #: FLR 000009563
Inspector: P. Fellabaum Registration #: _____

40 CFR 279 Subpart E – Transporter Standards

1. Is the facility exempt under any of the following? (279.40(a)) Y_____ N X

On site transport?

Generator transporting < 55 g /time to a collection center?

Transporter of < 55 g /time from generator to aggregation point owned by same generator ?

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

3. Does the transporter process used oil incidental to transport? (279.41) Y_____ N X

Are any residues managed as used oil, reclaimed, or used as asphalt manufacture feedstock?

N/A_____ Y_____ N_____

If not, has the transporter conducted a hazardous waste determination? (279.10(e))

N/A_____ Y_____ N_____

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

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

6. Does the transporter comply with DOT requirements? (279.43(b)) Y X N_____

7. If any oil is discharged during transport, does the transporter: (279.43(c))

Notify National Response Center and State Warning Point and Coast Guard per 33 CFR 153.203, as applicable?

Y_____ N_____

Report to DOT in writing per 49 CFR 171.16?

Y_____ N_____

Clean up any discharges until the discharge poses no threat?

Y_____ N_____

8. Does the facility also transport used oil filters? Y X N_____

If so, are the filters stored in above ground containers which are: (62-710.850(6))

In good condition?

Y X N_____

Closed or otherwise protected from weather?

Y X N_____

Labeled "Used Oil Filters"?

Y X N_____

Stored on an oil impervious surface?

Y X N_____

will
↓

Facility: _____
Date: _____

Transporter Recordkeeping - 279.46

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

Name & Address of facility providing the oil for transport?

Y X N _____

EPA ID # of oil provider (if applicable)?

Y _____ N _____

Quantity of oil shipped?

Y _____ N _____

Date of shipment?

Y _____ N _____

Signature of oil provider, dated upon receipt?

Y ✓ N _____

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

Name & Address of receiving facility or transporter?

Y X N _____

EPA ID # of receiving facility or transporter?

Y _____ N _____

Quantity of oil delivered?

Y _____ N _____

Date of delivery?

Y _____ N _____

Signature of oil receiver, dated upon receipt?

Y ✓ N _____

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

Y X N _____

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

Y X N _____

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

Y X N _____

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

Y _____ N NA

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

Y X N _____

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

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

Y X N _____

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

Y X N _____

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

Y X N _____

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

Y ✓ N _____

Facility: _____
Date: _____

Transfer Facility Standards - 279.45

1. Does the transporter store used oil at any transportation related facility (including parking lots) for more than 24 hours and not longer than 35 days during the normal course of transport? Transfer facilities storing used oil more than 35 days must comply with 279 Subpart F
N/A _____ Y X N _____
- Is the transfer facility registered per 62-710.500(1)(a) F. A. C.?
Y X N _____
2. Does the transporter determine whether used oil stored at a transfer facility has a total halogen content above or below 1,000 ppm?
Y X N _____
- Is this done by testing?
Y X N _____
- Is this done by process knowledge? Describe basis in narrative.
Y _____ N X
- Are test records or copies of records providing basis for determination kept for 3 years?
Y X N _____
3. Have any analyses showed exceedances of the 1,000 ppm level?
Y _____ N X
- If so, was the oil managed as hazardous waste?
Y _____ N _____
- If not, was the oil exempt? Describe in narrative.
N/A _____ Y _____ N _____
4. Is used oil stored only in tanks or containers? (Circle applicable units)
Y X N _____
5. If the facility has tanks, do they comply with 62-761 and 62.762 F. A. C rules? (Describe in narrative, including number and size of tanks, noting registration numbers if applicable, and compliance status.)
Y X N _____
- Is secondary containment provided and adequate?
Y X N _____
6. Are containers, and tank trailers in good condition and not leaking?
Y X N _____
7. Are containers provided with secondary containment consisting of walls and floor at a minimum?
Y X N _____
- Is the containment system impervious to oil so as to prevent migration?
Y X N _____
8. Are ASTs, UST tank fill lines and containers labeled "used oil"?
Y X N _____
9. Are used oil filters stored more than 10 days?
If so, is the facility a registered used oil filter transfer facility? (62-710.850) N/A _____ Y _____ N X
10. Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable?
Y X N X

Small stain at valve - see photo

↑
no other stains noted inside 2^o containment