



Jeb Bush
Governor

Department of
Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

December 14, 2004

W. Barry Olsen, CDS
Freehold Cartage Inc.
P. O. Box 5010
Freehold, NJ 07728-5010

Re: Freehold Cartage Inc.
FLD 984 187 831, Bartow, Polk County
OGC #04-1902

Dear Mr. Olsen:

Enclosed is a copy of the executed Consent Order for the referenced case. The Department has received your check for \$4,728.00 as stipulated by the Order. This enforcement action is now closed.

Your continued cooperation is appreciated. Please direct all questions regarding this letter to Jill A. Seale in the Division of Waste Management at (813) 744-6100 ext 399.

Sincerely,

Bill Kutash
Environmental Administrator
Waste Management

BK/jas

Enclosure

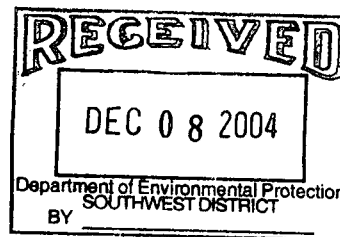
cc: Larry Morgan, OGC
Michael Hirst, Freehold Cartage Inc, Bartow
Arthur Lieberman, Polk County SQG Program
Steve Ray, HWR Section
Jeff Pallas, US EPA Region IV
Compliance File

"More Protection, Less Process"

Printed on recycled paper.



Department of Environmental Protection



Jeb Bush
Governor

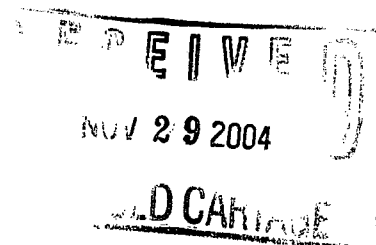
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

November 24, 2004

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Olsen
Director of Safety & Compliance
Freehold Cartage Inc.
P. O. Box 5010
Freehold, NJ 07728-5010



Re: Proposed Settlement of Freehold Cartage Inc.
Bartow, Polk County, FLD 984 187 831
OGC File No.: 04-1902

Dear Mr. Olsen:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated October 27, 2004, 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 \$4,628.00, along with \$100.00 to reimburse the Department costs, for a total of \$4,728.00.

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

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. This payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, FL 33619, within fourteen (14) days of your signing this letter.

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

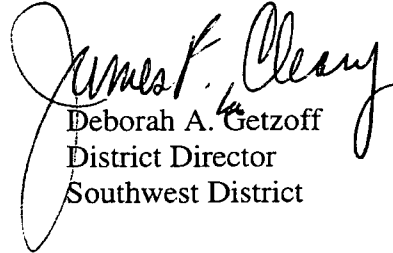
"More Protection, Less Process"

Printed on recycled paper.

Freehold Cartage Inc.
FLD 984 187 831
OGC #04-1902

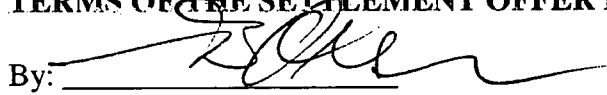
If you do not sign and return this letter to the Department at the District address by December 17, 2004, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely yours,


Deborah A. Getzoff
District Director
Southwest District

FOR THE RESPONDENTS:

I, W. Barry Olsen on behalf of Freehold Cartage Inc., **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

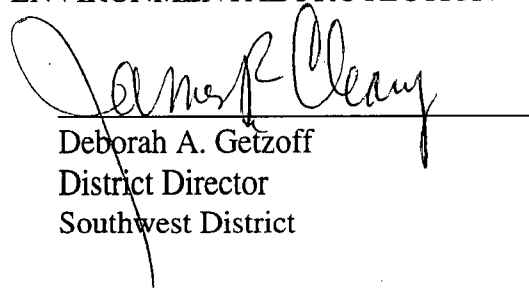
By: 

Date: December 3, 2004

.....
FOR DEPARTMENT USE ONLY

DONE AND ENTERED this 13th day of December, 2004.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Deborah A. Getzoff
District Director
Southwest District

FILING AND ACKNOWLEDGMENT

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

Betty Druffitt 12-14-04
Clerk 7 Date

NOTICE OF RIGHTS

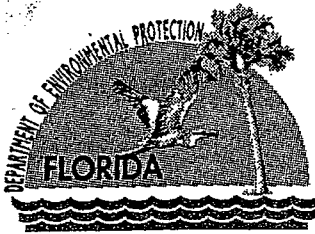
Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and 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.



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

October 27, 2004

Michael Hirst
Freehold Cartage Inc.
175 Bartow Municipal Airport
Bartow, FL 33830

Re: Freehold Cartage Inc.
FLD 984 187 831
Warning Letter #281794
Bartow, Polk County

Dear Mr. Hirst:

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 September 8, 2004, indicates that violations of Florida Statutes and Rules may exist at the above referenced facility. Department of Environmental Protection personnel made observations described in the attached inspection report. Section 10 of the report lists a summary of alleged violations of Department Rules.

Sections 403.161 and 403.727, Florida Statutes (F.S.) provides that it is a violation to fail to comply with rules adopted by the Department. The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Department Rules should cease.

You are requested to contact Jill A. Seale at (813) 744-6100, extension 399, within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

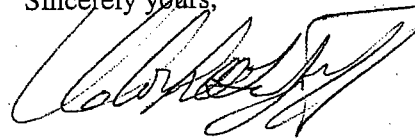
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of a Consent Order which will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In accordance with the United States Environmental Protection Agency's (EPA) RCRA Civil Penalty Policy of 2003, the penalties which would be assessed in this case are \$5,785.00. Costs and expenses in this case will be a minimum of \$100.

"More Protection, Less Process"

Printed on recycled paper.

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/jas

Enclosure

cc: Barry Olsen, Freehold Cartage Inc, New Jersey
Arthur Lieberman, Polk County SQG Program
Steve Ray, HWR Section
Jeff Pallas, US EPA Region IV
Compliance File

Memorandum

Florida Department of
Environmental Protection

ENFORCEMENT/COMPLIANCE COVER MEMO

TO: Deborah A. Getzoff, District Director *12/13*

FROM/THROUGH: William Kutash, Environmental Administrator
 James Dregne, Environmental Manager *12/13*
 Elizabeth Knauss, Environmental Manager
Jill A. Seale, Environmental Specialist II *JS*

DATE: December 13, 2004

FILE NAME: Freehold Cartage Inc.

PROJECT # 281794

PROGRAM: Hazardous Waste

COUNTY: Polk

TYPE OF DOCUMENT:

- | | | |
|---|--|--|
| <input type="checkbox"/> Draft or <input checked="" type="checkbox"/> Final | <input type="checkbox"/> NOV | <input checked="" type="checkbox"/> Short Form Consent Order for Execution |
| <input type="checkbox"/> Final Order | <input type="checkbox"/> Case Report | <input checked="" type="checkbox"/> Case Closed Letter |
| <input type="checkbox"/> Warning Letter | <input type="checkbox"/> Inspection Report | |

DESCRIPTION OF VIOLATIONS:

This hazardous waste and used oil transporter and transfer station was not documenting weekly facility/waste inspections, failed to update contingency plan, has been mismanaging universal wastes, has some training deficiencies, and has not been determining halogen content of used oil prior to transportation.

SUMMARY OF CORRECTIVE ACTIONS:

Freehold Cartage documented their complete return to compliance, signed the Short Form Consent Order, and submitted the entire payment of penalty and costs.

PENALTY SUMMARY:

Potential for Harm:	Minor	Extent of Deviation:	Major
Modifiers:			
Penalty Amount:	\$4,628	Expenses:	\$100

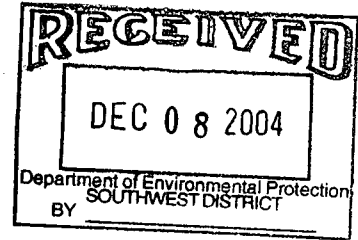
TOTAL PENALTY AMOUNT: **\$4,728**



825 HIGHWAY 33 EAST • P.O. BOX 5010 • FREEHOLD, NJ 07728-5010 • 908-462-1001 • FAX 908-308-0924

December 3, 2004

Florida Dept. of Env. Protection
3804 Coconut Palm Drive
Tampa, FL 33619



RE: OGC File No.: 04-1902
Freehold Cartage, Inc.
FLD 984 187 831

Dear Sir or Madam:

Enclosed, please find signed Proposed Settlement Letter, and our check in the amount of \$4,628.00.

This represents settlement of the above referenced case. If you should have any questions or require any additional information, please feel free to contact me at (732) 462-1001, ext. 7201.

Sincerely,
Freehold Cartage, Inc.

W. Barry Olsen, CDS
Director of Safety & Compliance

Via certified mail, RRR

Cc: Michael Hirst, FCI

FREEHOLD CARTAGE INC.



Collection Point Log Remittance

AREA **SWD** Total **\$4,728.00** GRAF006A

Remittance: **595449** Type: **CP** Received Date: **12/08/2004** Status: **RECEIVED**

SYS\$RCPT: **478452** PNR: **PNR** Check #: **509066949** Amount: **4,728.00**

SSN/EEI#: **SSN/EEI#** Name: **FREEHOLD CARTAGE INC**

First: **First** Middle: **Middle** Title: **Title** Suf: **Suf**

Address1: **825 HIGHWAY 33 EAST** Short Comments: **OGC 04-1802 HW**

Address2: **PO BOX 5010**

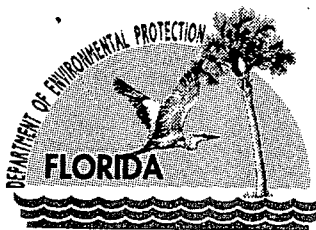
City: **FREEHOLD** ST: **NJ** Zip: **07728 5010** Country: **Country**

PAYMENT(S)

Payment#	Area	Code/Description	Payment Amount	Reference#	Fund *	status
651872	SWD	018803 LCT-REIMB.LEGAL	\$100.00	041902	ECOSYS	COMPLETE
651873	SWD	012008 LCT-PENALTIES	\$4,628.00	041902	ECOSYS	COMPLETE

COMMIT FREQUENTLY **\$4,728.00** Payment total

Handwritten signature and date: AD 12/10 HW



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

November 24, 2004

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Olsen
Director of Safety & Compliance
Freehold Cartage Inc.
P. O. Box 5010
Freehold, NJ 07728-5010

Re: Proposed Settlement of Freehold Cartage Inc.
Bartow, Polk County, FLD 984 187 831
OGC File No.: 04-1902

Dear Mr. Olsen:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated October 27, 2004, 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 \$4,628.00, along with \$100.00 to reimburse the Department costs, for a total of \$4,728.00.

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

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. This payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, FL 33619, within fourteen (14) days of your signing this letter.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address

2. Restricted Delivery

Consult postmaster for fee.

cept Service. Thank you for using Return

3. Article Addressed to:

4a. Article Number
7002 3150 0003 8459 6498

MR. BARRY OLSEN
DIRECTOR OF SAFETY & COMPLIANCE
FREEHOLD CARTAGE, INC.
POST OFFICE BOX 5010
FREEHOLD, NJ 07728-5010

4b. Service Type

Registered Certified

Express Mail Insured

Return Receipt for Merchandise COD

7. Date of Delivery
11/29

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

Barry Olsen

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

7002 3150 0003 8459 6498

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark Here
11-24-04

Total Postage

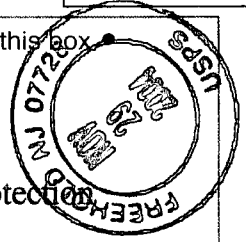
Sent To
MR. BARRY OLSEN
DIRECTOR OF SAFETY & COMPLIANCE
FREEHOLD CARTAGE, INC.
POST OFFICE BOX 5010
FREEHOLD, NJ 07728-5010



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box.

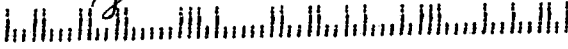
RECEIVED
DEC 01 2004
Department of Environmental Protection
SOUTHWEST DISTRICT
BY



State of Florida
Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-1352

Jill Seale
Waste Mgt

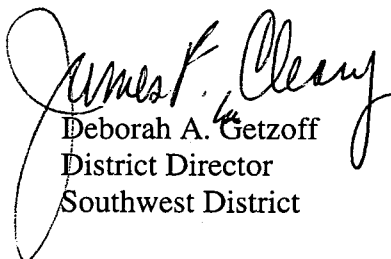
54



Freehold Cartage Inc.
FLD 984 187 831
OGC #04-1902

If you do not sign and return this letter to the Department at the District address by December 17, 2004, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely yours,



Deborah A. Getzoff
District Director
Southwest District

FOR THE RESPONDENTS:

I, _____ on behalf of Freehold Cartage Inc., **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: _____
Date: _____

.....
FOR DEPARTMENT USE ONLY

DONE AND ENTERED this _____ day of _____, 2004.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Deborah A. Getzoff
District Director
Southwest District

FILING AND ACKNOWLEDGMENT

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

Clerk

Date

NOTICE OF RIGHTS

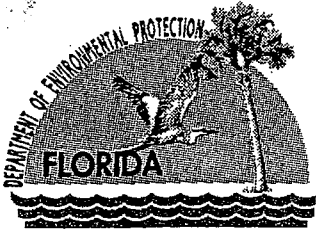
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(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice 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.

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



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

October 27, 2004

Michael Hirst
Freehold Cartage Inc.
175 Bartow Municipal Airport
Bartow, FL 33830

Re: Freehold Cartage Inc.
FLD 984 187 831
Warning Letter #281794
Bartow, Polk County

Dear Mr. Hirst:

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 September 8, 2004, indicates that violations of Florida Statutes and Rules may exist at the above referenced facility. Department of Environmental Protection personnel made observations described in the attached inspection report. Section 10 of the report lists a summary of alleged violations of Department Rules.

Sections 403.161 and 403.727, Florida Statutes (F.S.) provides that it is a violation to fail to comply with rules adopted by the Department. The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Department Rules should cease.

You are requested to contact Jill A. Seale at (813) 744-6100, extension 399, within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

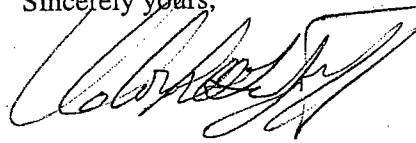
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of a Consent Order which will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In accordance with the United States Environmental Protection Agency's (EPA) RCRA Civil Penalty Policy of 2003, the penalties which would be assessed in this case are \$5,785.00. Costs and expenses in this case will be a minimum of \$100.

"More Protection, Less Process"

Printed on recycled paper.

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/jas

Enclosure

cc: Barry Olsen, Freehold Cartage Inc, New Jersey
Arthur Lieberman, Polk County SQG Program
Steve Ray, HWR Section
Jeff Pallas, US EPA Region IV
Compliance File

Memorandum

Florida Department of Environmental Protection

ENFORCEMENT/COMPLIANCE COVER MEMO

11/23
[Handwritten signature]

TO: Deborah A. Getzoff, District Director

FROM/THROUGH: William Kutash, Environmental Administrator
 James Dregne, Environmental Manager
 Elizabeth Knauss, Environmental Manager
Jill A. Seale, Environmental Specialist II

DATE: November 22, 2004

FILE NAME: Freehold Cartage Inc.

PROJECT # 281794

PROGRAM: Hazardous Waste

COUNTY: Polk

TYPE OF DOCUMENT:

- Draft or Final
- Final Order
- Warning Letter
- NOV
- Case Report
- Inspection Report
- Short Form Consent Order
- Penalty Authorization

DESCRIPTION OF VIOLATIONS:

This hazardous waste and used oil transporter and transfer station was not documenting weekly facility/waste inspections, failed to update contingency plan, has been mismanaging universal wastes, has some training deficiencies, and has not been determining halogen content of used oil prior to transportation.

SUMMARY OF CORRECTIVE ACTIONS:

Freehold Cartage documented their complete return to compliance and have agreed to settle in a Short Form Consent Order. The District would like to reduce this penalty by 20% for post-inspection good-faith efforts.

PENALTY SUMMARY:

Potential for Harm:	Minor	Extent of Deviation:	Major
Modifiers:			
Penalty Amount:	\$5,785 x 20% Reduction = \$4,628	Expenses:	\$100

TOTAL PENALTY AMOUNT: \$4,728

Legal Case Tracking - Case Record (Part 1) 11/22/2004 11:49:11

Case Record (Part 1)

OGC Number: * 1902 53 HW
 District: * 6 SOUTHWEST County: * 53 POLK
 Status: OPEN
 Mode: E ENFORCEMENT Desc:

Style of Case: _____
 Alias Name: *
 Site Name: *

Lead Attorney: Supervisor Initials:
 2nd Attorney: Supervisor Initials:

Primary Program Area	Date *	OGC Case Activity *
<input checked="" type="checkbox"/> HAZARDOUS WASTE <input type="checkbox"/>	11/22/2004	DSFO CASE OPENED IN DISTRICT WITH SHORT FOR
	11/22/2004	ACO ADMIN. CASE OPENED IN OGC

Secondary Program Areas:

Case Origin: DISTRICT Case In Litigation? *

PENALTY COMPUTATION WORKSHEET

Violator's Name: Freehold Cartage Inc.

Identify Violator's Facility: FLD 984 187 831

Name of Department Staff Responsible for the Penalty Computations: Jill A. Seale

ComHaz Case # 281794

Date: October 26, 2004

	Violation Type	Manual Guide	Potential for Harm	Extent of Deviation	Penalty Matrix	Multi Day	Other Adjustments	Total
1	40 CFR 265.15 & .174 <i>weekly inspections</i>	14.2	Minor	Major	\$1650 - \$3299			\$2475
2	40 CFR 265.16(c) <i>annual training for alt EC</i>	9.1	Minor	Minor	\$110 - \$549			\$110
3	40 CFR 265.35 <i>aisle space</i>	10.3	Minor	Moderate	\$550 - \$1649			\$1100
4	40 CFR 265.54 <i>updated contingency plan</i>	11.2	Minor	Moderate	\$550 - \$1649			\$1100
5	40 CFR 273.13(d)(2) & .16 62-737.400(5) FAC <i>universal wastes</i>	ELRA 403.121(4)	NA	NA	\$500			\$500
6	40 CFR 279.44 <i>no used oil halogen checks</i>	ELRA 403.121(4)	NA	NA	\$500			\$500
TOTAL PENALTY = \$5,785								

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

4628
+ 100

20%
Reduction

Send to Barry in New Jersey

Freehold Cartage, Inc.

1-863-533-4599
FAX 863-533-1613

175 BARTOW MUNICIPAL AIRPORT
BARTOW, FL 33830

Florida Dept. of Env. Protection
Attn: Ms. Jill A. Seale, Env. Specialist II
Southwest District
3804 Coconut Palm Drive
Tampa, FL 33619

November 19, 2004

RE: Warning Letter # 281794
FLD 984 187 831

Dear Ms. Seale,

Please be advised that the following actions have been taken in response to your inspection of the Freehold Cartage, Inc. facility in Bartow, Florida on September 8, 2004, and the recommendations in Warning Letter dated October 27, 2004.

40 CFR 265.15
40 CFR 265.174

The facility is inspected daily when in use. An inspection form has been developed for these inspections for the purpose of documenting the inspections. At a minimum, the following items are inspected daily: spill response equipment, secondary containment pad condition, fire extinguishers, safety shower & eye wash, trailer conditions and general yard conditions. Daily inspections are combined with weekly inspections. Attached is a copy of the inspection form used.

40 CFR 265.16(c)

The alternate emergency coordinator identified in our previous Contingency Plan has been replaced with two alternate emergency coordinators who have received training. Attached are the training records for these individuals.

40 CFR 265.35

When hazardous waste drums are stored in a trailer that is used only for storage purposes, drums will be placed in the trailer in such a manner as to maintain aisle space to allow access for inspection of the drums.

40 CFR 265.54

Our Contingency Plan has been updated to specifically remove Mr. Davila from all responsibilities. Attached is a copy of the updated Contingency Plan, with the new responsible parties identified.

40 CFR 273 (d)(2)

Broken universal waste lamps that you observed in one of our trailers were addressed immediately following your inspection. The universal waste was cleaned up and put into containers for proper handling at the designated facility.

40 CFR 273.16
62-737.400(5) FAC

All employees who handle or have responsibility for managing universal waste have been informed of the proper handling and emergency procedures appropriate for the types of universal wastes handled at this facility. Attached are the training records.

40 CFR 279.44

Freehold Cartage, Inc. transports very little used oil (approximately 30 – 40 drums per month), and with most of these shipments, we are the 2nd transporter. For these shipments, the used oil is not being recycled, but rather it is shipped to a hazardous waste disposal facility where it is used in a fuel blending process that is not affected by total halogen content in the used oil. As the 2nd transporter of used oil that is being disposed, is Freehold Cartage, Inc. still required to test this oil for total halogen content?

In those few cases where Freehold Cartage, Inc. is the 1st transporter of used oil being shipped to a recycling facility, we will refuse to accept that used oil unless the broker or generator has tested the oil for total halogen content and documented the results of that

Page 3

test by indicating on the manifest if the total halogen content of the used oil is above or below 1000 ppm. These manifests will be maintained for a minimum of 3 years.

I trust this information is sufficient to close this matter, however, if you should have any questions or require any additional information, please feel free to contact me at (732) 462-1001, ext. 7201.

Very Truly Yours,
Freehold Cartage, Inc.

A handwritten signature in black ink, appearing to read 'W. Olsen', written in a cursive style.

W. Barry Olsen, CDS
Director of Safety & Compliance

Hand delivered.

Cc: Ms. Beth Knauss

Freehold Cartage Inc.
175 Bartow Municipal Airport
Bartow, FL 33830

REC'D
11/22/04
in EMT

FCI BARTOW FACILITY INSPECTIONS

DATE AND TIME: _____

INSPECTOR'S NAME: _____

Inspect the condition:

Safety Shower: _____

Containment Pad: _____

Spill Equipment: _____

Trailer Conditions: _____

Fire Extinguishers: _____

Yard Conditions: _____

Document any out of compliance issues below:

Check and Document all loaded trailers and tankers for leaks or deterioration caused by corrosion or other factors:

Document below any facility issues that need immediate attention:

FREEHOLD CARTAGE, INC.
HIGHWAY 33 EAST
FREEHOLD, NJ 07728

RECD
11/22/04
in EMT

IN-SERVICE TRAINING RECORD

SUBJECT: Proper Handling and Emergency Procedures for Universal Wastes

TRAINING LOCATION: Bartow, FL

TOPICS COVERED: Mercury Spill Kits and Spill Response

DATE OF TRAINING: 11/18/04

TRAINING STAFF: B. Olsen

ATTENDEES: PRINT SIGNATURE

<u>Michael HIRST</u>	<u>MUSTO</u>
<u>Andrew Bouchard</u>	<u>Andrew Bouchard</u>
<u>Brian Brien</u>	<u>Brian Brien</u>
<u>Steven Moore</u>	<u>Steven Moore</u>
<u>William Hlas</u>	<u>William L Hlas</u>
<u>KEVIN HALL</u>	<u>Kyrriel</u>
<u>PAT MUSTENSEN</u>	<u>Pat</u>
<u>HARRY MARRELLI</u>	<u>Harry Marrelli</u>
<u>Charles Rockefeller</u>	<u>Charles Rockefeller</u>
<u>Jon Rushny</u>	<u>Jon Rushny</u>
<u>STEVE GARDNER</u>	<u>Steve Gardner</u>
_____	_____

**FREEHOLD CARTAGE, INC.
HIGHWAY 33 EAST
FREEHOLD, NJ 07728**

IN-SERVICE TRAINING RECORD

SUBJECT: ANNUAL HAZARDOUS MATERIALS TRAINING CLASS

TRAINING LOCATION: Dunmore, Pennsylvania

TOPICS COVERED: DOT Hours of Service; Hazmat, Haz Waste, Manifesting, LDR's,

Hazmat Security, Accident Procedures, Defensive Driving

DATE OF TRAINING: 06/05/04

TRAINING STAFF: B. Olsen, A Mancini

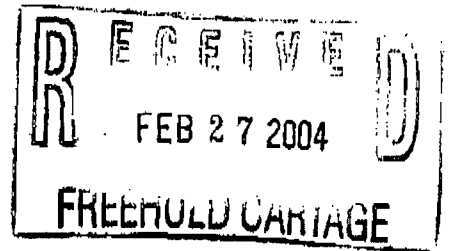
ATTENDEES:

PRINT

SIGNATURE

Bob Roe
John Russo II
Richard Butcher
DALE A WOODRUS
Jerry Cummings Jr
PAT MASTIKSON
MARK MORAN
Bob Williams
JAMES DEBOER

[Signature] ✓
[Signature] ✓
[Signature] ✓
[Signature] ✓
[Signature] ✓
[Signature] ✓
[Signature] ✓
[Signature] ✓
[Signature] ✓
[Signature] ✓



FREEHOLD CARTAGE, INC.
HIGHWAY 33 EAST
FREEHOLD, NJ 07728

IN-SERVICE TRAINING RECORD

SUBJECT: ANNUAL HAZARDOUS MATERIALS TRAINING CLASS

TRAINING LOCATION: Bartow, Fl

TOPICS COVERED: DOT Hours of Service; Hazmat, Haz Waste, Manifesting, LDR's,
Hazmat Security, Accident Procedures, Defensive Driving, Universal Waste,
used Oil Regs

DATE OF TRAINING: 02/21/04

TRAINING STAFF: B. Olsen

ATTENDEES:

PRINT

SIGNATURE

Steven Moore

Steven Moore

Barry Bunting

Barry Bunting

JOE ALLEN

Joe Allen

Charles Rockafellow

Charles Rockafellow

John W. Foster

John W. Foster

Kevin O'Walt

Kevin O'Walt

DALE TAYLOR

Dale Taylor

Perry Atkins

Perry Atkins

MARK WALKER

Mark Walker

Brian O'Brien

Brian O'Brien

STEVE GARONER

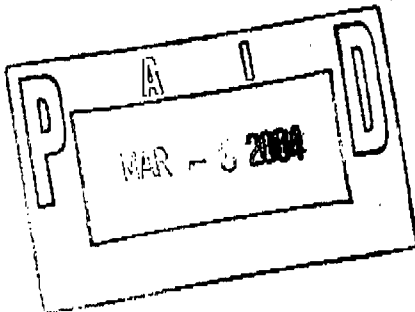
Steve Garoner

Jon Kushing

Jon Kushing

Scott Tracy

Scott Tracy



**FREEHOLD CARTAGE, INC.
HIGHWAY 33 EAST
FREEHOLD, NJ 07728**

IN-SERVICE TRAINING RECORD

SUBJECT: ANNUAL HAZARDOUS MATERIALS TRAINING CLASS

TRAINING LOCATION: Bartow, Fl

TOPICS COVERED: DOT Hours of Service; Hazmat, Haz Waste, Manifesting, LDR's,
Hazmat Security, Accident Procedures, Defensive Driving

DATE OF TRAINING: 02/21/04

TRAINING STAFF: B. Olsen

ATTENDEES:

PRINT

SIGNATURE

KEVIN HALL

[Signature]

Scott Southard

[Signature]

Michael Hest

[Signature]

William Hlas

[Signature]

Paul Bridwell

[Signature]

Gerald R. Shively

[Signature]

Andrew Bouchard

Andrew Bouchard

Victor DEMIDON

Victor Demidon

STEVEN LOTT

[Signature]

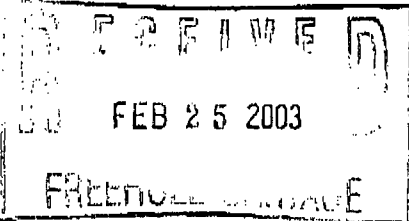
PAUL J. DAVILA

Paul Davila

HARRY J. MARROLI

Harry J. Marrolli

FREEHOLD CARTAGE, INC.
HIGHWAY 33 EAST
FREEHOLD, NJ 07728



IN-SERVICE TRAINING RECORD

SUBJECT: US EPA, US DOT, HAZMAT SECURITY

TRAINING LOCATION: Bartow, FL

TOPICS COVERED: Hazmat/Haz Waste Regs, Security, Defensive Driving, Accident Prevention, Air Brake Systems, Fatigue, Fit Testing

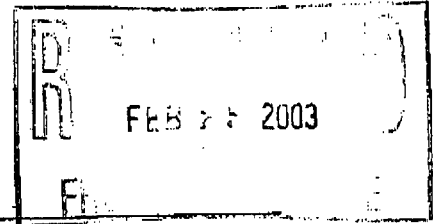
DATE OF TRAINING: 02/22/03

TRAINING STAFF: B. Olsen, M. Pasquerella

ATTENDEES:	PRINT	SIGNATURE
	<u>Benny Bunting</u>	<u>Benny Bunting</u>
	<u>Jones Moffitt</u>	<u>Jones Moffitt</u>
	<u>Ken Rushing</u>	<u>Ken Rushing</u>
	<u>Scott Sauthard</u>	<u>Scott Sauthard</u>
	<u>DOUGLAS J WARNER</u>	<u>Douglas J Warner</u>
	<u>JOE ALLEN</u>	<u>Joe Allen</u>
	<u>Gerald Shively</u>	<u>Gerald R Shively</u>
	<u>Charles Rockafellow</u>	<u>Charles Rockafellow</u>
	<u>JAMES G. FURCHES JR.</u>	<u>James G Furches</u>
	<u>Scott Tracy</u>	<u>Scott Tracy</u>
	<u>HARRY MARRONELLI</u>	<u>Harry Marronelli</u>
	<u>Kevin OSWALT</u>	<u>Kevin Oswalt</u>

02/28/03

**FREEHOLD CARTAGE, INC.
HIGHWAY 33 EAST
FREEHOLD, NJ 07728**



IN-SERVICE TRAINING RECORD

SUBJECT: US EPA, US DOT, HAZMAT SECURITY

TRAINING LOCATION: Bartow, FL

TOPICS COVERED: Hazmat/Haz Waste Regs, Security, Defensive Driving, Accident
Prevention, Air Brake Systems, Fatigue, Fit Testing

DATE OF TRAINING: 02/22/03

TRAINING STAFF: B. Olsen, M. Pasquerella

ATTENDEES:

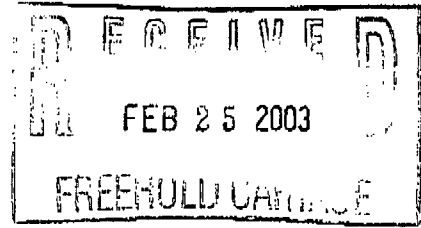
PRINT

SIGNATURE

Perry Atkins
~~John W. Foster~~
David A Gove
Michael Rogis
George Green
Charles Calloway
John Brim
~~Stewart Lott~~
~~Andrew Burchard~~
STEPHEN GARDNER
William Hlas
Pete Blash..

Perry Atkins
John W. Foster • 2/28/03
David A Gove
Michael Rogis
George Green
Charles Calloway
John Brim
Stewart Lott
Andrew Burchard NIA
Stephen Gardner
William Hlas
Pete Blash..

FREEHOLD CARTAGE, INC.
HIGHWAY 33 EAST
FREEHOLD, NJ 07728



IN-SERVICE TRAINING RECORD

SUBJECT: US EPA, US DOT, HAZMAT SECURITY

TRAINING LOCATION: Bartow, FL

TOPICS COVERED: Hazmat/Haz Waste Regs, Security, Defensive Driving, Accident Prevention, Air Brake Systems, Fatigue, Fit Testing

DATE OF TRAINING: 02/22/03

TRAINING STAFF: B. Olsen, M. Pasquerella

ATTENDEES:

PRINT

SIGNATURE

JAMES A SMITH

Michael Taibokett

Michael P. Taibokett

Steven Moore

Steven Moore

Mike Pasquerella

Mike Pasquerella NIA

Mike TRAWICK

Mike TRAWICK

FREEHOLD CARTAGE, INC.
HIGHWAY 33 EAST
FREEHOLD, N.J. 07728

MAR 25 2002

IN-SERVICE TRAINING RECORD

SUBJECT: US DOT. EPA, FLA DEP, HAZMAT, HM 206, FCI SECURITY ISSUES.

TOPICS COVERED: HAZARDOUS MATERIALS/HAZARDOUS WASTE REGULATIONS,
DEFENSIVE DRIVING, ACCIDENT PREVENTION, ACCIDENT PROCEDURES,
AIR BRAKE SYSTEMS, SECURITY, DRIVER FATIGUE, FIT TESTING

DATE OF TRAINING: 02/23/02 LOCATION: BARTOW, FLA

TRAINING STAFF: B. OLSEN M. PASQUERELLA

ATTENDEES:

PRINT

SIGNATURE

- ^{NO ID per name} ✓ Ronnie L Doby
- ✓ JOHN M. PETERSON
- ✓ JOE ALLEN
- ✓ MIKE TAIBOLETTA
- ✓ JAMES G. FURCHES JR.
- ✓ Jerry Smith
- ✓ Andrew Bouchard
- ✓ Charles Rockettlow
- ✓ Gerald R Shively
- ✓ Larry Hutchinson
- ✓ Perry Atkins
- ✓ DOUGLAS J WARNER
- ✓ STEPHEN J. GARDNER
- ✓ Bill Lobdell
- ✓ Mike Trowick
- ✓ Jon Rushing

- Ronnie L Doby
- John M Peterson
- Joe Allen
- Michael Taibolotta
- James Furches Jr.
- Jerry Smith
- Andrew Bouchard
- Charles Rockettlow
- Gerald R Shively
- Larry Hutchinson
- Perry Atkins
- Douglas Warner
- Stephen J Gardner
- Bill Lobdell
- Mike Trowick
- Jon Rushing

FREEHOLD CARTAGE, INC.
HIGHWAY 33 EAST
FREEHOLD, N.J. 07728

IN-SERVICE TRAINING RECORD

SUBJECT: US DOT, EPA, FLA DEP, HAZMAT, HM 206, FCI SECURITY ISSUES,

TOPICS COVERED: HAZARDOUS MATERIALS/HAZARDOUS WASTE REGULATIONS,

DEFENSIVE DRIVING, ACCIDENT PREVENTION, ACCIDENT PROCEDURES,

AIR BRAKE SYSTEMS, SECURITY, DRIVER FATIGUE, FIT TESTING

DATE OF TRAINING: 02/23/02

LOCATION: BARTOW, FLA

TRAINING STAFF: B. OLSEN

M. PASQUERELLA

ATTENDEES:

PRINT

SIGNATURE

James Dolinger
 Scott Tacy
 Kevin OSWALT
 LAMAR ALLEN
 MICHAEL ROGERS
 JAMES ASHTON
 James McEFFY
 Brian A. Edwards
 Pete Olesh
 Ben Southard
 TRACY SHAFER
 Scott Southard
 PAUL J DAVILA
 Steven Spoor
 Michael Pasquerella

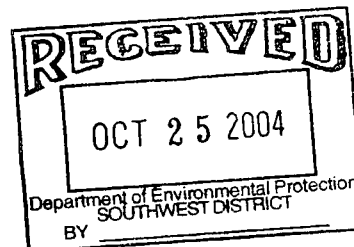
James Dolinger
 Scott Tacy
 Kevin OSWALT
 LAMAR ALLEN
 MICHAEL ROGERS
 James McEFFY → 4 HRS
 Brian A Edwards
 Pete Olesh
 Ben Southard
 TRACY SHAFER
 Scott Southard
 PAUL J DAVILA
 Steven Spoor
 Michael Pasquerella



825 HIGHWAY 33 EAST • P.O. BOX 5010 • FREEHOLD, NJ 07728-5010 • 908-462-1001 • FAX 908-308-0924

October 21, 2004

Florida Dept. of Env. Protection
Southwest District
Attn: Ms. Jill Seale
3804 Coconut Palm Drive
Tampa, FL 33619



RE: Revised Contingency Plan
Freehold Cartage, Inc.
FLD 984 187 831

Dear Ms. Seale,

Enclosed, please find our revised Contingency Plan that reflects the change in our Primary Contact for our Bartow, FL facility.

Copies of the revised plan are also being sent to the appropriate agencies for their records. If you should have any questions or require any additional information, please feel free to contact me at (732) 462-1001, ext. 7201.

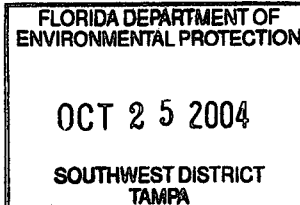
Sincerely,
Freehold Cartage, Inc.

W. Barry Olsen, CDS
Director of Safety & Compliance

FREEHOLD CARTAGE INC.

200
10/25

FREEHOLD CARTAGE, INC.
EMERGENCY SPILL MANAGEMENT



PLAN A

I. FACILITY IDENTIFICATION

Type of Facility: Truck Terminal with 10 day Storage and Transfer Facility Portion of a Waste Control Firm.

Location of Facility: 175 Bartow Municipal Airport
Bartow, FL 33830
Phone: (863) 533-4599
Latitude: 27, 57', 15"
Longitude: 81, 46', 40"

EPA Designation: NJD 054 126 164
FLD 984 187 831

Owner/Operator: Thomas J. Blanchet II
President

Address of Owner/Operator: P.O. Box 5010
Freehold, NJ 07728

Designated Person Accountable for Spills/Emergencies: Michael Hirst
330 Winter Ridge
Winter Haven, FL 33881
Cell Phone: (863) 287-8356

2nd Designated Person Accountable for Spills/Emergencies: John Peterson
243 Eagle Lake Loop Road East
Winter Haven, FL 33880
Home Phone: (863) 318-8878
Cell Phone: (863) 287-9109

RECORD OF AMENDMENTS

As set forth in 40 CFR 112.5 (b) and 264.54, this SPCC/Emergency Management Plan shall be reviewed and/or amended, if necessary, when ever:

1. Required by the Environmental Protection Agency (EPA) after review of the plan which was submitted after an incident.
2. Applicable regulations are revised.
3. The plan fails in an emergency.
4. There is a change in the design of the facility, construction, operations, or maintenance which materially affects the potential for an incident.
5. The list of Responsible Persons or Coordinators changes.
6. The list of Emergency Equipment changes.

The plan shall be reviewed at least once every 3 years and shall be amended if such review indicates more effective control and prevention technology will significantly reduce the likelihood of an incident. Future amendments to this plan shall be recorded in this section as follows:

ACTION TAKEN	REASON	DATE	REMARKS
Revised SPCC/Emergency Management	Additional Information Needed	02/13/92	
Additional Record Requirements	Change in Regulation	02/13/92	Logging Into & Off Site
Revised Pollution Control Equipment	Change in Equipment	02/13/92	
Change in Responsible Party	Retirement	04/07/94	
Changes in Responsible Party	Reorganization	01/30/95	
Add Responsible Party	Review of Plan	01/30/97	

ACTION TAKEN	REASON	DATE	REMARKS
Revised Site Plan	Addition of New Containment Pad	08/07/97	
Revised Site Plan	Addition of New Loading Dock & Canopy	11/30/98	
Change in Responsible Party	Reorganization	04/01/99	
Revision of Primary Emergency Responder	As Requested	04/01/99	
Revised Site Plan	Addition of New Office Building	11/01/99	
Revised Secondary Emergency Contact	Reorganization	03/01/00	
Revised Secondary Emergency Contact & Telephone Numbers	Reorganization	09/09/01	
Revised Emergency Telephone Numbers	As Requested	09/19/01	
Revised Site Plan	Addition to Containment Pad	01/15/02	
Revised Primary & Secondary Emergency Contacts & Telephone Numbers	Reorganization	09/18/03	
Revised Primary Contact & Telephone Number	Personnel Change	10/21/04	

ENVIRONMENTAL POLICY

The purpose of this policy statement is to reaffirm the policy of our Corporation, with regard to the protection of the environment.

It is hereby, the policy of Freehold Cartage, Inc.

To take all practical measures necessary to prevent or abate air, water, and solid waste pollution resulting from its operation.

To insure that qualified personnel, with clearly defined responsibilities and commensurate authority, are assigned to bring and keep pollution under control.

To cooperate fully with all Government Agencies in pollution abatement activities.

To conduct appropriate research and engineering investigations in air and water quality control, and to encourage such research by others outside the Company.

To contribute to the development of sound, equitable, and realistic standards, laws and ordinances.

To maintain a close liaison with organizations involved in pollution abatement, with a view toward improving the Company's environmental program and relationship with its neighbors.

To participate with other companies, organizations and the public in efforts to enhance the quality of the environment in our Community.

To inform our Employees and the Public of our Company's efforts toward environmental control.

To maintain close liaison with organizations and regulatory agencies engaged in the abatement of pollution problems, with a view toward constantly improving the Company's environmental program.

It is the obligation of every Employee of Freehold Cartage, Inc. to adhere to the spirit as well as the letter of this Environmental Control/Emergency Management procedure.

DESCRIPTION OF OPERATION

Freehold Cartage, Inc. is in the business of transporting hazardous and non-hazardous waste from the generators of these wastes to regulated recovery or disposal facilities. In the process of transporting this material, Freehold Cartage, Inc., utilizes van trailers, tank trailers, roll-off trailers and straight trucks. All trucks are equipped with a spill kit where absorbent pads, sealant, shovels and other safety gear is stored.

Normal operation is for a truck to leave the site and pick up waste from one or multiple generators. In some instances, the waste may be brought to the yard. Drums may be transferred from one truck to another for shipment to the facility that has been designated by the generator to receive the waste. At no time will a drum be placed on the ground.

Freehold Cartage, Inc. has permits to pick up and transport waste hazardous materials in forty-eight states. 85% of its business is interstate. Waste transported includes:

ALL RCRA WASTE CODES
POLYCHLORINATED BIPHENYLS
UNIVERSAL WASTE
USED OIL

II. INTRODUCTION AND INTENT OF THIS SPCC/EMERGENCY MANAGEMENT PLAN

The purpose of this plan is to develop, document, implement, and maintain a thoroughly engineered facility designed not only to prevent hazardous substance spills, but in the event of a spill, to minimize the loss of product and subsequent damage to the environment. Contingency plans incorporated in this document will outline the response steps to be taken to minimize the impact of a spill in the environment and to facilitate cleanup.

The Freehold Cartage, Inc., facility is located within the confines of Bartow Air Base, Bartow, Florida. The site is 2.75 acres with a concrete containment parking pad, two office trailers and a storage shed. Incorporated with the containment pad is a 12 x 42 covered loading dock. The lot size is approximately 500' x 225'. The address is 175 Bartow Municipal Airport.

Hazardous and non-hazardous wastes are occasionally stored on trucks for shipment to disposal sites. Any loaded truck containing hazardous waste is parked on the containment pads while it is in this facility. No drums are placed in ground storage nor bulk material placed in holding tank for transfer.

This maintenance and contingency plan includes programs for employee training, regularly scheduled inspections, and the incorporation of fail safe systems.

It is the intent of Freehold Cartage, Inc. to take all practical measures to prevent or abate air, water, and solid waste pollution resulting from its operation. It should further be noted that management will

comply and cooperate fully with all Governmental Agencies charged with pollution control. Qualified, Trained Personnel, with clearly defined responsibilities and commensurate authority are assigned to administer this program and to prevent any environmental incidents.

INSPECTIONS AND RECORDS

Inspections of the site are conducted each work-day by Mr. Paul Davila or his designate according to the attached written procedures. A log of said inspections is kept in the Main Office and entries are initialed by the inspector.

Reports of environmental incidents, personnel training, regulatory agency inspections, and efforts made to enhance environmental control are also kept in the Main Office.

A log of all materials coming onto the site prior to shipment to a disposal facility will be maintained with the following information:

Generator	Date In
Manifest Number	Number of Containers
Destination	Trailer Number
	Date Out

A copy of this Contingency Plan will be located in the Drivers trailer and in the Main Office Building.

III. INTERNAL CALL LIST/EMERGENCY PROCEDURES

U.S. EPA Regulations define a hazardous substance release as the discharge of any material which could create a potential human health or environmental hazard outside of the facility. This would include the discharge of an oily or hazardous material into any navigable waterways and/or the contamination of any drinking water supply by a hazardous substance. Contaminated ground water could also seep, leach or flow into navigable water.

An important facet of an effective response procedure during a substance release incident is to keep it separated from water and/or to minimize its spreading and the resulting increase in human/environmental exposure. Every effort should be made to emphasize substance containment at the source rather than to have to resort to separation of the materials from expanded portions of the environment or downstream water.

A proper cleanup of any spill will usually involve the following procedures:

A. DETECTION

1. Upon the detection of a release, the PLAN environmental coordinator or his designate, shall be notified as soon as the immediate measures necessary are taken to prevent the spread of pollution to the environment.

PRIORITIZED CALL LIST

Michael Hirst	(863) 533-4599	Office
	(863) 287-1830	Cell Phone
John Peterson	(863) 533-4599	Office
	(863) 318-8878	Home
	(863) 287-9109	Cell Phone

2. ~~Mr. Davila~~ shall then notify the proper agencies listed on the external call list as deemed necessary according to the written reporting procedures. If neither the Coordinator, his designate, or person in charge of the office can be reached, the proper authorities and/or response center shall be notified by the person on the Scene according to this spill plan.

B. STOP SPILL SOURCE

If not already done as part of the 1st line response, assure that the source of the leak or spill is determined and additional spillage curtailed. Utilize personal protective equipment as necessary for the job.

C. CONTAIN SPILL

Rapid containment of the spill will hasten and simplify cleanup. Absorbent material floor dry, oil booms, shovels, dirt, etc. shall be utilized as appropriate.

D. PICK UP POLLUTANTS

After containment, the pollutant shall be picked up utilizing a vacuum truck if one is on site. Otherwise, portable pumps, or other appropriate means, shall be used to transfer the material to 55 gallon steel drums or other proper containers for disposal.

E. CLEANUP

After as much of the pollutant as possible has been picked up, the spill residue will be cleaned up utilizing available absorbent materials. Contaminated soils shall be removed and disposed of at an authorized disposal site, and other surfaces shall be decontaminated.

IV. EXTERNAL CALL LIST/REPORTING PROCEDURES

REPORTING PROCEDURES

All possible information shall be obtained so no delay in notification will result. The following information is required:

1. Name, title, telephone number, and address of reporter.
2. Name, telephone number, and address of facility/spill.
3. Time and type of incident.
4. Amount and type of materials involved.
5. The extent of injuries/illness if known.
6. The possible hazards to human health and environment.
7. Any bodies of water involved.
8. Cause of accident/spill.
9. Action taken or proposed by facility/personnel.

R.Q. Spills, National Response Center	(800) 424-8802
Disaster Response Center, Florida	(904) 488-1320
Decontamination Information, Chemtrec	(800) 424-9300
FCI Division Office, Bartow, Florida	(863) 533-4599
FCI Corporate Office, Freehold, NJ	(732) 462-1001
O & H Materials, Inc.	(904) 394-2196
Polk County Firehouse (District #2)	(863) 534-1557
Florida State Police	(863) 686-2164
Polk Sheriff's Office	(863) 533-0344
Public Safety Division	(863) 533-2105
DEP, Tampa Florida	(813) 744-6100
U.S. Coast Guard	(305) 350-5276
American Compliance Technologies	(800) 226-0911 Primary

V. POTENTIAL SPILL SOURCES

SOURCE	CAUSE	QUANTITY	DIRECTION OF FLOW	MATERIAL
Truck (Load)	Rupture/Leak Valve Damage	Less than 7,000 gallons per Truck	Containment Pad	Hazardous & Non-hazardous Wastes
Truck (Fuel)	Rupture/Leak Line Damage	Less than 200 gallons per Truck	Variable	Diesel Fuel Gasoline
Drum	Leak/Damage	less than 55 55 gallons	Truck Liner Containment Pad	Hazardous & Non-hazardous

VI. SPILL PROTECTION MEASURES FOR SPECIFIC SOURCES

Area 1 – Containment Pad 10,000 Gallon Capacity
 Area 2 – Containment Pad 15,600 Gallon Capacity

Past Spills – None
 Possible Cause of Future Spills: Leakage, Rupture
 Existing Protection Measures:

1. Always 2 Personnel in Area
2. Visual Inspections of Trucks
3. Spill Control Supplies in Area
4. Emergency Warning Horn
5. Employee Training
6. 1,100 Gallon Holding Tank
7. Pumping Truck

Area 2 – Truck Parking

Past Spills – None
 Possible Cause of Future Spills: Fuel Tank Rupture or Leak
 Existing Control Measures:

1. Strict rules ensure loaded Hazardous Waste trucks are on pad.
Employee Training backed with corrective discipline.

Area 3 – On the Road During Pick Up/Deliveries

Existing Control Measures:

1. Contingency Plan on all vehicles and in office In-transit contingency plan on all vehicles and in Office.

VII. FIRE OR EXPLOSION

All drums collected from Generator for shipment to disposal facilities remain inside trailers. No drums at any time are removed from that unit to be placed on the ground. In the event of a fire, it should be contained in that unit.

The Standard operational procedures in the event of a fire will be as follows:

- a. Notify all personnel on site and contact the base fire department, informing them of the materials on the trailer. The Sheriff's Office will be informed for traffic control.
- b. Emergency Coordinator will make an immediate assessment of the situation and utilize available fire fighting equipment to extinguish the fire if possible.
- c. Concurrently, the coordinator will have any other trailers removed from the site using the evacuation routes as previously determined and have all nonessential personnel leave the site.
- d. The Coordinator will inform the incident Commander upon arrival of the materials in the trailer and any other information to assist in determining possible hazards to human health or the environment that may result from the incident and require evacuation of surrounding areas.
- e. Immediately after an emergency, the emergency coordinator must provide for treatment, storing or disposing of the recovered waste, contaminated soil or surface water.
- f. All emergency equipment used on the incident is cleaned and fit for its intended use.
- g. Reporting procedures will be completed as outlined on EXTERNAL CALL LIST/REPORTING PROCEDURES.

EVACUATION PLAN

In the event that it is necessary to leave the facility, a warning will be given over the P.A. system to begin evacuation. Trucks will immediately leave through either the east or west gate on First Street. The Primary route will be east on First Street to Ben Durrance Road and the Secondary Route will be going west on First Street and park all vehicles on the west side of the air base.

Office Personnel will evacuate on the same routes upon the sounding of an alarm. (Pages 11, 12, 13)

VIII. POLLUTION CONTROL EQUIPMENT ON SITE

EQUIPMENT	STORAGE LOCATION
Shovels and Rakes	Storage Shed and Loading Dock
Floor Dry Absorbent	Storage Shed and Loading Dock
Vacuum Truck, One Minimum 3,000 Gallons	
First Aid Kits	In All Trucks, Main Office, Loading Dock
Absorbent Pads, 24"x24"x3/4 (Sorbent-Silicate)	Storage Shed and Loading Dock
Tri-reflectors, Miscellaneous Safety Equipment	On All Trucks
Personal Protective Equipment	On All Trucks, Drivers Office, and Loading Dock
Boots	On All Trucks and Storage Shed
Fire Extinguishers 10lb. ABC	1 - Containment Pad, 1 - Drivers Office, 1 - Main Office, 1 - Loading Dock
Respirators and Filters, APR (Organic Vapors, Acid, Ammonia)	Loading Dock, All Trucks, Storage Shed
85 Gallon Steel Recovery Drums	Containment Pad and All Trailers
Safety Shower and Eyewash	Loading Dock

Person responsible for maintenance of Spill/Emergency Response Materials: Mr. Paul Davila

IX. SITE SECURITY

Freehold Cartage, Inc, is located on a corner lot at the Bartow Air Base, Bartow, FL. A six foot high security fence surrounds the facility with entrance and exit gates. The fence is posted with signs that read: "DANGER: UNAUTHORIZED PERSONNEL KEEP OUT". And "HAZARDOUS MATERIALS STORAGE". Two pole lights provide adequate lighting in the evening and night time hours. A Security Guard patrols all areas of the base between the hours of 3:00 P.M. and 7:00 A.M. and the site is located within a mile of Polk County Fire District #2 Firehouse located on the air base.

X. PERSONNEL TRAINING IN ENVIRONMENTAL PROCEDURES

All Freehold Cartage, Inc. employees are properly trained in the following:

- a. Operation and maintenance of equipment they must use, and equipment necessary to the prevention or cleanup of environmental spills.
- b. Location of pollution abatement equipment.
- c. Content of all applicable Safety, Health, Personnel Training, and Environmental Regulations.
- d. All Safety, Health and Environmental procedures in effect at Freehold (these include emergency response procedures).
- e. Methods used to avoid environmental incidents/emergencies and the contents of the Emergency/Spill Management Plan.

NOTE: ALL GENERAL FACILITY RULES ARE STRICTLY ENFORCED, SUCH AS:

No Smoking in Operations area or around trucks
All Drivers MUST complete pre-trip inspection before all trips
All Employees MUST attend safety and environmental control meetings
All trucks loaded with Hazardous Waste MUST be parked on the containment pad.
All spills of any kind MUST be immediately attended to and reported to management
Wearing of proper personal protective equipment for job is mandatory
And similar rules as noted on rules poster

ALL FACILITY RULES ARE STRICTLY ENFORCED THROUGH THE USE OF DAY TO DAY SUPERVISION, GUIDANCE, AND CORRECTIVE DISCIPLINE.

XI. CLOSURE PLAN

**FREEHOLD CARTAGE, INC.
FREEHOLD, NEW JERSEY
1989**

Copies of this closure plan are kept in the Freehold Cartage, Inc. Bartow Facility files, in the facility operating record and in the Freehold Cartage, Inc. Freehold, New Jersey Corporate files.

This plan identifies all steps that will be necessary to completely close the transfer facility at the end of its intended operating life. No partial closure will be affected.

Any modifications to our existing operating plans or facility design affecting the Closure Plan will result in Freehold Cartage, Inc., revising and updating the Closure Plan accordingly.

Freehold will maintain an on-site copy of the approved Closure Plan and all revisions to the plan until the Certification of Closure Completeness has been submitted to and accepted by the State of Florida DEP.

Freehold will notify the State of Florida DEP, Southwest district at least 180 days prior to the date we expect to commence closure.

Upon completion of Closure we will submit to the State of Florida DEP, Southwest District a Certification by both Freehold and a local independent registered professional engineer that the facility has been closed in accordance with the specifications in the approved closure plan.

I. CLOSURE PERFORMANCE STANDARD (40 CFR 265.111)

This Closure Plan was designed to insure that the facility will not require further maintenance and controls, minimizes or eliminates threats to human health and the environment, and avoids escape of hazardous waste, hazardous waste constituents, contaminated rainfall runoff, or waste decomposition products to the ground or surface waters or to the atmosphere.

All Freehold Cartage, Inc. transfer facility activities are located within the confines of the concrete pad, so no ground /soil contamination is to be expected during transfer/storage of wastes.

- A. Any leakage/spillage of hazardous wastes/materials onto the impermeable surface would not result in any permanent contamination of that surface after spill clean up.
- B. Any accidental leakage/spillage of hazardous wastes materials onto the uncovered ground (roadways, access ways) on the property during ingress and egress to the transfer facility impermeable pad would be dealt with immediately as a spill as outlined in the Contingency Plan. No permanent contamination would result necessitating any closure decontamination.

- C. The first containment pad is 40' x 90' and has a capacity for 10,000 gallons in the event of a spill. The second containment pad is 65' x 80' and has a capacity for 15,600 gallons in the event of a spill. The pads drain to a sump which can be pumped to a holding tank or into a vacuum tanker. A chemical analysis will determine which disposal method will be used.

II. CLOSURE PLAN: AMENDMENT OF PLAN (40 CFR 265.112 (c))

In the event that Freehold wishes to amend the approved Closure Plan prior to Final Closure of the facility, we will submit a written request to the State of Florida DEP, Southwest District Office.

Considerations for amending the approved Closure Plan include:

- a. Change in facility size/capacity
- b. Changes in operating procedure
- c. Unexpected events requiring Closure Plan modification
- d. Unexpected events requiring Closure Plan modification during closure

The following amendment time schedule will be adhered to. Freehold Cartage, Inc. will submit the amended Closure Plan to the Southwest District Office:

- a. At least 60 days prior to a proposed change in facility design/operation.
- b. No later than 60 days after an unexpected closure-plan-affecting event has occurred.
- c. No later than 30 days after an unexpected closure-plan-affecting event has occurred during closure.

In the event the Southwest District Office requests a modification of the approved closure plan, Freehold will submit the modified plan:

- a. Within 60 days of the request.
- b. Within 30 days if the request is due to an unexpected event occurring during the closure.

III. DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS (40 CFR 265.114)

During the course of operation of the facility any spill that may occur will be cleaned up immediately under the procedures established by the Contingency Plan. No transfer of any bulk liquid into holding tanks nor placement of drums onto any ground surface area during a transfer will be permitted.

Soils adjacent to the containment pad will be tested for contamination with current test procedures at that time and under the direction of the DEP. In the event contamination is found, all soils will be removed and transported by Freehold's trucks to an approved disposal site.

IV. CERTIFICATION OF CLOSURE (40 CFR 265.115)

Within 60 days of Completion of Closure, Freehold will submit to the State of Florida DEP, Southwest District Office by registered mail, a certification that the transfer facility has been closed in accordance with the specifications in the approved Closure Plan. The certification will be signed by an authorized Company representative and be a local independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification will be furnished upon request to the Southwest District Office until such time as the Office releases Freehold from any financial assurance requirement for closure. (40 CFR 265.143(h))

XII. COORDINATION ARRANGEMENTS

GROUP

Sheriff Lawrence Crow
Polk County Sheriff's Department
455 N. Broadway Avenue
Bartow, FL 33830
(863) 533-0444

Mr. Steve Mason, Administrator
Columbia Memorial Bartow Hospital
P.O. Box 1050
Bartow, FL 33830
(863) 533-8111

Civil Defense Director
Polk County
P.O. Box 1336
Bartow, FL 33830
(863) 533-6060 or
(863) 533-2105

Communication Center
Polk County
(863) 533-2105

Polk County Fire Department
District #2
Bartow Air Base
Bartow, FL 33830
(863) 534-1557

INFORMATION SUBMITTED

Blueprints of Facility
Description of Operation
Contingency Plan

Contingency Plan
Operation Plan

Contingency Plan

Contingency Plan

Contingency Plan

FREEHOLD CARTAGE, INC.

EMERGENCY SPILL MANAGEMENT

PLAN B

XIII. CONTINGENCY PLAN – OFF SITE

CONTACT PERSONS:

Emergency Coordinator

Michael Hirst
330 Winter Ridge
Winter Haven, FL 33881

(863) 533-4599
(863) 287-1830

Office
Cell Phone

Secondary Coordinator

John Peterson
243 Eagle Lake Loop, East
Winter Haven, FL 33880

(863) 533-4599
(863) 318-8878
(863) 287-9109

Office
Home
Cell Phone

EMERGENCY TELEPHONE NUMBERS:

R.Q. Spills; National Response Center	(800) 424-8802
Decontamination Information, Chemtrec	(800) 424-9300
Division Office, Bartow, FL	(863) 533-4599
Corporate Office, Freehold, NJ	(732) 462-1001
CB Radio	Channel 9 and 19
O & H Materials	(904) 394-2196
American Compliance Technologies	(800) 226-0911
Florida State Warning Point Contingency Plan	(800) 320-0519

EMERGENCY EQUIPMENT AND SUPPLIES AVAILABLE ON TRUCK

10lb. Fire Extinguisher
Emergency Triangles
First Aid Kit
Safety Goggles
Respirator
Hard Hat
Gloves – Chemical Resistant
Plug & Dike Kit
Absorbent Pads
Dry Sorb
Shovel
Eye Wash
Coveralls – Regular and Saranex Coated Tyvek
Mercury Spill Kit

EMERGENCY PROCEDURES

Material Handling and transportation of hazardous waste in drum containers.

EMERGENCIES ON THE DOCK

- A. If contamination of a parked vehicle at a dock or dock area takes place due to damaged or leaking drum, clear the area of personnel and report it at once to appropriate supervisory personnel.
- B. If it is determined that it is safe to do so, then repairs may be made to the drum to reduce the leakage.
 1. Wood Plugs
 2. Plug and Dike
 3. Recovery Drum
 4. Repositioning Drum
 5. Diking Around the Drum
- C. If the contamination is on the vehicle, mark the vehicle “Out of Service”, if safe to approach the unit, and get decontamination information from the Shipper.
- D. Isolate the area of contamination whether it is a vehicle or part of the dock.

- E. Allow only those persons absolutely necessary to deal with the emergency to remain in the area.
- F. Make certain all open flames and smoking materials are extinguished.
- G. Provide Public Safety Personnel with all available information when they arrive on the scene.
- H. Prevent leaking liquids from spreading to other areas by damming-up or otherwise containing the flow of the liquid.
- I. If required, as soon as practical, contact the Coast Guard National Response Center and the Florida Disaster Response Center.
- J. If required a D.O.T. Hazardous Materials Incident Report must be filed within 30 days following an incident.

MERCURY SPILL CONTAINMENT

Mercury Spill Kit

1. 5 Gallon Pail
2. Sprayer
3. Broom
4. Container of Hg X

In the event of a spill of Metallic Mercury, Mercury Salts, or materials containing Mercury in any form, be sure to properly ventilate all areas suspected of contamination. Follow emergency procedures as necessary on Page 19 and use the components from Mercury Spill Kit.

Mix the Container of Hg X into the sprayer and apply thoroughly on the contaminated area after spreading "Drysorb". A respirator should be used at all times. After a reasonable period the residual may be swept up and placed in an overpack.

EMERGENCIES WHILE IN TRANSIT

- A. Keep unauthorized persons away and/or upwind.
- B. Keep open flames away.
- C. Set up warning signals on the highway

- D. Seek assistance from Public Safety Personnel but Do Not Leave Vehicle; have someone else make the call for you.
- E. Prevent leaking liquids from draining onto the highway by damming-up or digging a drainage ditch for the liquid.
- F. Repairs to the leaking drum should only be done if you have knowledge of the safety hazards of the materials and have proper safety gear including gloves, rain suit and respirator.
- G. Give all information (including that on the Shipping Papers) to Public Safety Personnel when they arrive on the scene.
- H. Contact your Company as soon as it is practical to do so. If you cannot contact your Company, ask that the Public Safety Personnel do so for you. The Company personnel will notify the Response Centers.
- I. No Statements are to be made to anyone except, State, Federal, and Local Authorities
- J. All manifests and safety information for the material you are transporting must be in the drivers side door compartment.

DRIVER COMMUNICATIONS PROCEUDRE

- A. Immediately attempt to contact Local Police or Fire Officials on Citizens Band Radio Channel 9, or call 911.
- B. Review the source of the leak and do everything possible to stop the spill and contain it, if safe to do so.
- C. Notify Company. (Dispatcher, Emergency Coordinator)
- D. Notify Public Safety Personnel, if they cannot be reached by CB, by using the telephone.
- E. Stay at to scene to direct in containment and cleanup.

DISPATCHER AND EMERGENCY COORDINATOR

- A. Record all pertinent information on Emergency Response & Notification Log.
- B. Determine the severity of the situation.
- C. Immediately notify the National Response Center and State Center, if RQ is met.
- D. Notify Subcontractors (if needed American Technologies, Bartow, FL).
- E. Notify all agencies affected:
 - 1. Medical Personnel
 - 2. Company Officials
 - 3. Shippers Representatives
- F. Record all appropriate information:
 - 1. Name of Person Reporting the Incident.
 - 2. Name, Address, and EPA I.D.# of the Transporter.
 - 3. Phone Number Where the Person Reporting the Incident can be Reached.
 - 4. Date, Time and Location of Incident.
 - 5. Mode of Transportation and Type of Vehicle.
 - 6. Brief Description of Incident, Type of Incident.
 - 7. For Each Waste Involved in the spill:

- A. Name and EPA I.D.# of the Generator.
- B. Shipping Name, Hazardous Class, UN/NA Number of any other Shipping Materials.
- C. Estimated Quantity of Material Spilled.
- D. Extent of Contamination of Land, Water or Air.

DISPOSITION OF CONTIGENCY PLANS

FCI Corporate Office, Freehold, New Jersey

FCI Division Office, Bartow, Florida

American Compliance Technologies, Bartow, Florida

All Company Operated Vehicles

Fire Department – Bartow Air Base, Bartow, Florida

Fire Services Division, Bartow, Florida



Annual Report by Used Oil and Used Oil Filter Handlers*

(*Handlers are any persons subject to the registration requirements of rule 62-710.500 and 62-710.550, F.A.C. (See Section A, Box 5 below) for reporting period January 1, 2003 through December 31, 2003
Use the information recorded in your Record Keeping Form (62-701.800(13) or equivalent) to complete this document

SECTION A TO BE COMPLETED BY ALL REGISTERED PERSONS

Company Name: Freehold Carriage Inc. 2. Telephone No. (863) 533 4599

Site Address: 175 Bartow Mun. Airport
Bartow, FL 33830
3. EPA ID No. FLD 984 187 831
Transporter NSD 054 126 164
Trans fac

Check box if any of the above items (1-3) have changed since your last registration

Name of person preparing report (please print) Nicholas Lucas

Title Mgr Information Technology Phone number (if different from #2, above) (732) 462 1001

Type of operation (check as many as apply to your operations)
Used Oil: Transporter Transfer Facility Processor Marketer Burner (of off-specification used oil)
Used Oil Filter: Transporter Transfer Facility Processor End User

SECTION B USED OIL (TO BE COMPLETED BY ALL REGISTERED USED OIL HANDLERS. USED OIL FILTER HANDLERS SEE SECTION C)

Amount (in gallons) of Used Oil and Oily Wastes collected	Automotive	Industrial	Mixed	Total
a. In Florida.....		215960		215960
b. From out of state.....				
c. Beginning Inventory.....				
d. Total (sum of totals from Lines a + b + c).....				215960

1. Amount (in gallons) of Used Oil and Oily Wastes Managed
- N - Not an end use, transferred to another facility.....
 - O - Marketed as an on-specification used oil fuel.....
 - F - Marketed as an off-specification used oil fuel.....
 - I - Marketed for an industrial process.....
 - B - Burned as an off-specification used oil fuel.....
 - D - Disposed of
 - Landfilled.....
 - Treated at a wastewater treatment unit.....
 - Incinerated.....

In State	Out of State
106784	109176
RECEIVED	
FEB 09 2004	
HAZARDOUS WASTE	
106784	109176
	0

3. Total amount (in gallons) of used oil managed.....
4. End of year, on hand estimate (Difference between Lines 1D and Line 3).....

DEP Form #52-701.00(14)
 Form Title Annual Report by Used Oil
 and Used Oil Filter Handling
 Effective Date March 25, 1997

SECTION C USED OIL FILTERS (OPTIONAL) (USE TABLE IN DIRECTION 1 TO CONVERT TONS OF FILTERS TO NUMBERS)

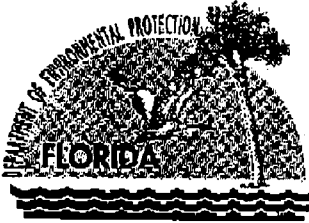
1. Number of filters on hand from previous year.....	0
2. Number of used oil filters collected.....	60318
3. Total number of used oil filters on hand at beginning of year.....	60318
4. Number of used oil filters end used	
a. Transferred to another registered facility.....	60318
b. Burned for energy recovery at a Waste-To-Energy facility.....	0
c. Transferred directly to a metal foundry for recycling.....	0
d. TOTAL.....	60318
5. End of year, on had estimate (Difference between Lines 3 and Line 4d).....	0
6. Gallons of used oil collected as a result of filter processing.....	0
7. Gallons of used oil transferred to a used oil handler (transporter or processor).....	0
8. Volume of oily waste collected and managed as a result of filter processing.....	0
9. Description of oily waste management.....	0

DIRECTIONS FOR COMPLETING SECTION C. USED OIL FILTERS (OPTIONAL)

One 55-gallon drum of <u>crushed</u> used oil filters = approximately <u>400</u> used oil filters
One 55 gallon drum of <u>uncrushed</u> used oil filters = approximately <u>250</u> used oil filters
One ton of drained used oil filters = approximately <u>2,350</u> used oil filters

- List the number of Used Oil Filters on hand, from previous year's inventory.
- List the number of Used Oil Filters collected.
- Sum of Lines 1 + Line 2.
- List the number of filters managed by your facility in the appropriate blocks.
- Enter the number of filters on hand at your site as of December 31, last year.
- Fill in the number of gallons of used oil collected by your filter operation.
- Enter the number of gallons transferred to a used oil transporter or processor.
- List the volume (gallons or cubic yards) of the oily wastes collected through your filter handling. Oily wastes are identified in Chapter 62-701.200(76) of the Florida Administrative Code and include bottom sludges, sorbents, wipes etc.
- Describe how oily wastes were managed (sent to a WTE, hazardous waste facility, landfilled after appropriate testing, etc.).

Any questions concerning this form may be referred to the Used Oil Coordinator, MS 4555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, Phone (850) 245-8755, email: richard.nevas@dep.state.fl.us



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

FAX TRANSMITTAL COVER SHEET

DATE: 10 20 04

TO: Jill Seate

AGENCY: _____

PHONE NUMBER: _____

FAX NUMBER: 813-744-6125

NUMBER OF PAGES (INCLUDING COVER SHEET): 23

FROM: Sheileen

DIVISION/BUREAU: _____

OUR FAX NUMBER :850-245-8811

If any of the pages are not clearly received, please call
850-245-8707 or SUNCOM 205-8707

SENDER'S NAME: _____

COMMENTS: _____

A.R. for Freehold

USED-OIL

EPA ID *	HJ0054126164	Fed ID	21-0735297	Ph	(732)462-1001	Toll Ph		
Bus Name	FREEHOLD CARTAGE, INC.		Name	Freehold Cartage, Inc.				
County		District	N/A					
Fac Address	825 Highway 33					Oil	Filter	
Fac City	Freehold					Transporter	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
State	NJ	Zip	17728		Transfer Facility	<input type="checkbox"/>	<input type="checkbox"/>	
Mall Address	P.O. Box 5010					Processor	<input type="checkbox"/>	<input type="checkbox"/>
City	Freehold					Marketer	<input type="checkbox"/>	<input type="checkbox"/>
State	NJ	Zip	07728		Burner	<input type="checkbox"/>	<input type="checkbox"/>	
End User	<input type="checkbox"/>							
Contact Name	JACK FITZSIMMONS			Contact Ph	(732)462-1001			
Owner Name	FREEHOLD CARTAGE, INC.			Owner Ph	(732)462-1001			
Address	HIGHWAY 33 E			City,ST,Zip	FREEHOLD, NJ 07728			
CY REG	2004	FY REG	2000	Fees Rec Date	05/25/2004	Fees Paid	100	
Permit Num		Permit Exp		Training Required	<input type="checkbox"/>			
Insur Company	ZUR	Insur Exp	10/01/2004	Comments	ZIP CODE IS 07728/FLD984187831			

USED-OIL

EPA ID *	FL0984187831	Fed ID	21-0735297	Ph	(863)633-4699	Toll Ph	
Bus Name	FREEHOLD CARTAGE, INC.		Name	FREEHOLD CARTAGE, INC.			
County	POLK	District	SWD				
Fac Address	175 BARTOW AIRPORT		Transporter	<input type="checkbox"/>	Oil	<input type="checkbox"/>	Filter
Fac City	BARTOW		Transfer Facility	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
State	FL	Zip	33830	Processor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mall Address	175 BARTOW AIRPORT		Marketer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City	BARTOW		Burner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State	FL	Zip	33830	End User	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact Name	JACK FITZSIMMONS		Contact Ph	(732)462-1001			
Owner Name	FREEHOLD CARTAGE, INC.		Owner Ph	(732)462-1001			
Address	HWY 33 E, INDUST.COMPLEX		City,ST,Zip	FREEHOLD, NJ 07728			
CY REG	2004	FY REG	95	Fees Rec Date	02/03/2004	Fees Paid	100
Permit Num		Permit Exp		Training Required	YES		
Insur Company	ZUR	Insur Exp	10/01/2004	Comments	NJ# DOES TRANSP. NJD054126164		



Cybershot Digital Camera
DSC-P73

\$249.50

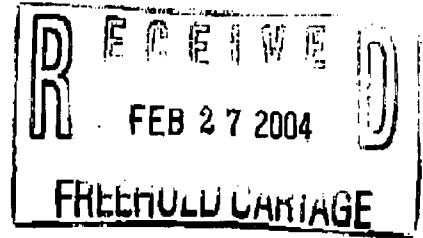
Cybershot Digital Camera
DSC-P41

\$180 on Sony Website

128MB Memory Sticks

\$89 per 2-pack

Cold Stone Creamery



FREEHOLD CARTAGE, INC.
HIGHWAY 33 EAST
FREEHOLD, NJ 07728

IN-SERVICE TRAINING RECORD

SUBJECT: ANNUAL HAZARDOUS MATERIALS TRAINING CLASS

TRAINING LOCATION: Bartow, Fl

TOPICS COVERED: DOT Hours of Service; Hazmat, Haz Waste, Manifesting, LDR's,
Hazmat Security, Accident Procedures, Defensive Driving, Universal Waste,
used Oil Regs

DATE OF TRAINING: 02/21/04

TRAINING STAFF: B. Olsen

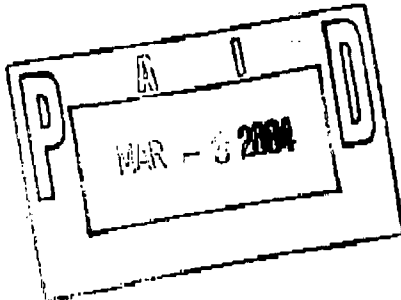
ATTENDEES:

PRINT

SIGNATURE

Steven Moore
Sandy Bunting
JOE ALLEN
Charles Rockafellow
John W. Foster
Kevin O'Neil
DALE TAYLOR
Perry Atkins
MARK WALKER
Brian O'Brien
STEVE GARDNER
Jon Rushing
Scott Tacy

Steven Moore
Bam Bush
Joe Allen
Charles Rockafellow
John W. Foster
Kevin O'Neil
Dale Taylor
Perry Atkins
Mark Walker
Brian O'Brien
Steve Gardner
Jon Rushing
Scott Tacy



**FREEHOLD CARTAGE, INC.
HIGHWAY 33 EAST
FREEHOLD, NJ 07728**

IN-SERVICE TRAINING RECORD

SUBJECT: ANNUAL HAZARDOUS MATERIALS TRAINING CLASS

TRAINING LOCATION: Bartow, FL

TOPICS COVERED: DOT Hours of Service; Hazmat, Haz Waste, Manifesting, LDR's,
Hazmat Security, Accident Procedures, Defensive Driving

DATE OF TRAINING: 02/21/04

TRAINING STAFF: B. Olsen

ATTENDEES:

PRINT

SIGNATURE

KEVIN HAU

[Signature]

Scott Southard

[Signature]

Michael Hest

[Signature]

William Hlas

[Signature]

Paul Bridwell

[Signature]

Gerald R. Shively

[Signature]

Andrew Bouchard

[Signature]

Victor DEMIDON

[Signature]

STEVEN LOTT

[Signature]

PAUL J. DAVILA

[Signature]

Harry J. Marroli

[Signature]

P.O. Box 5010, 825 Hwy. 33
Freehold, NJ 07728
Tel. (732) 462-1001
Fax. (732) 308-0924
e-mail: safety@freeholdcartage.com

**Freehold Cartage
Inc.**

Fax

To: Jill Seale	FROM: Barry Olsen
At: FLDEP	Page: 3
	Date: 10/12/04
Re: FCI Bartow Training Class	

If you should have any questions, please do not hesitate to contact me at (732) 462-1001, ext. 7201.

Barry Olsen

REC'D
9/20/04
during CEI

FREEHOLD CARTAGE, INC.
EMERGENCY SPILL MANAGEMENT
PLAN A

I. FACILITY IDENTIFICATION

Type of Facility: Truck Terminal with 10 day Storage and Transfer Facility Portion of a Waste Control Firm.

Location of Facility: 175 Bartow Municipal Airport
Bartow, FL 33830
Phone: (863) 533-4599
Latitude: 27, 57', 15"
Longitude: 81, 46', 40"

EPA Designation: NJD 054 126 164
FLD 984 187 831

Owner/Operator: Thomas J. Blanchet II
President

Address of Owner/Operator: P.O. Box 5010
Freehold, NJ 07728

Designated Person Accountable for Spills/Emergencies: ~~Paul Davila~~ Steve Moore
169 Yarnell Avenue
Lake Wales, FL 33850
Home Phone: (863) 678-1574
Cell Phone: (863) 287-8356

2nd Designated Person Accountable for Spills/Emergencies: John Peterson
243 Eagle Lake Loop Road East
Winter Haven, FL 33880
Home Phone: (863) 318-8878
Cell Phone: (863) 287-9109

RECORD OF AMENDMENTS

As set forth in 40 CFR 112.5 (b) and 264.54, this SPCC/Emergency Management Plan shall be reviewed and/or amended, if necessary, when ever:

1. Required by the Environmental Protection Agency (EPA) after review of the plan which was submitted after an incident.
2. Applicable regulations are revised.
3. The plan fails in an emergency.
4. There is a change in the design of the facility, construction, operations, or maintenance which materially affects the potential for an incident.
5. The list of Responsible Persons or Coordinators changes.
6. The list of Emergency Equipment changes.

The plan shall be reviewed at least once every 3 years and shall be amended if such review indicates more effective control and prevention technology will significantly reduce the likelihood of an incident. Future amendments to this plan shall be recorded in this section as follows:

ACTION TAKEN	REASON	DATE	REMARKS
Revised SPCC/Emergency Management	Additional Information Needed	02/13/92	
Additional Record Requirements	Change in Regulation	02/13/92	Logging Into & Off Site
Revised Pollution Control Equipment	Change in Equipment	02/13/92	
Change in Responsible Party	Retirement	04/07/94	
Changes in Responsible Party	Reorganization	01/30/95	
Add Responsible Party	Review of Plan	01/30/97	

ACTION TAKEN	REASON	DATE	REMARKS
Revised Site Plan	Addition of New Containment Pad	08/07/97	
Revised Site Plan	Addition of New Loading Dock & Canopy	11/30/98	
Change in Responsible Party	Reorganization	04/01/99	
Revision of Primary Emergency Responder	As Requested	04/01/99	
Revised Site Plan	Addition of New Office Building	11/01/99	
Revised Secondary Emergency Contact	Reorganization	03/01/00	
Revised Secondary Emergency Contact & Telephone Numbers	Reorganization	09/09/01	
Revised Emergency Telephone Numbers	As Requested	09/19/01	
Revised Site Plan	Addition to Containment Pad	01/15/02	
Revised Primary & Secondary Emergency Contacts & Telephone Numbers	Reorganization	09/18/03	

ENVIRONMENTAL POLICY

The purpose of this policy statement is to reaffirm the policy of our Corporation, with regard to the protection of the environment.

It is hereby, the policy of Freehold Cartage, Inc.

To take all practical measures necessary to prevent or abate air, water, and solid waste pollution resulting from its operation.

To insure that qualified personnel, with clearly defined responsibilities and commensurate authority, are assigned to bring and keep pollution under control.

To cooperate fully with all Government Agencies in pollution abatement activities.

To conduct appropriate research and engineering investigations in air and water quality control, and to encourage such research by others outside the Company.

To contribute to the development of sound, equitable, and realistic standards, laws and ordinances.

To maintain a close liaison with organizations involved in pollution abatement, with a view toward improving the Company's environmental program and relationship with its neighbors.

To participate with other companies, organizations and the public in efforts to enhance the quality of the environment in our Community.

To inform our Employees and the Public of our Company's efforts toward environmental control.

To maintain close liaison with organizations and regulatory agencies engaged in the abatement of pollution problems, with a view toward constantly improving the Company's environmental program.

It is the obligation of every Employee of Freehold Cartage, Inc. to adhere to the spirit as well as the letter of this Environmental Control/Emergency Management procedure.

DESCRIPTION OF OPERATION

Freehold Cartage, Inc. is in the business of transporting hazardous and non-hazardous waste from the generators of these wastes to regulated recovery or disposal facilities. In the process of transporting this material, Freehold Cartage, Inc., utilizes van trailers, tank trailers, roll-off trailers and straight trucks.

All trucks are equipped with a spill kit where absorbent pads, sealant, shovels and other safety gear is stored.

Normal operation is for a truck to leave the site and pick up waste from one or multiple generators. In some instances, the waste may be brought to the yard. Drums may be transferred from one truck to another for shipment to the facility that has been designated by the generator to receive the waste. At no time will a drum be placed on the ground.

Freehold Cartage, Inc. has permits to pick up and transport waste hazardous materials in forty-eight states. 85% of its business is interstate. Waste transported includes:

ALL RCRA WASTE CODES
POLYCHLORINATED BIPHENYLS
UNIVERSAL WASTE
USED OIL

II. INTRODUCTION AND INTENT OF THIS SPCC/EMERGENCY MANAGEMENT PLAN

The purpose of this plan is to develop, document, implement, and maintain a thoroughly engineered facility designed not only to prevent hazardous substance spills, but in the event of a spill, to minimize the loss of product and subsequent damage to the environment. Contingency plans incorporated in this document will outline the response steps to be taken to minimize the impact of a spill in the environment and to facilitate cleanup.

The Freehold Cartage, Inc., facility is located within the confines of Bartow Air Base, Bartow, Florida. The site is 2.75 acres with a concrete containment parking pad, two office trailers and a storage shed. Incorporated with the containment pad is a 12 x 42 covered loading dock. The lot size is approximately 500' x 225'. The address is 175 Bartow Municipal Airport.

Hazardous and non-hazardous wastes are occasionally stored on trucks for shipment to disposal sites. Any loaded truck containing hazardous waste is parked on the containment pads while it is in this facility. No drums are placed in ground storage nor bulk material placed in holding tank for transfer.

This maintenance and contingency plan includes programs for employee training, regularly scheduled inspections, and the incorporation of fail safe systems.

It is the intent of Freehold Cartage, Inc. to take all practical measures to prevent or abate air, water, and solid waste pollution resulting from its operation. It should further be noted that management will comply and cooperate fully with all Governmental Agencies charged with pollution control. Qualified, Trained Personnel, with clearly defined responsibilities and commensurate authority are assigned to administer this program and to prevent any environmental incidents.

INSPECTIONS AND RECORDS

Inspections of the site are conducted each work-day by Mr. Paul Davila or his designate according to the attached written procedures. A log of said inspections is kept in the Main Office and entries are initialed by the inspector.

Reports of environmental incidents, personnel training, regulatory agency inspections, and efforts made to enhance environmental control are also kept in the Main Office.

A log of all materials coming onto the site prior to shipment to a disposal facility will be maintained with the following information:

Generator	Date In
Manifest Number	Number of Containers
Destination	Trailer Number
Date Out	

A copy of this Contingency Plan will be located in the Drivers trailer and in the Main Office Building.

III. INTERNAL CALL LIST/EMERGENCY PROCEDURES

U.S. EPA Regulations define a hazardous substance release as the discharge of any material which could create a potential human health or environmental hazard outside of the facility. This would include the discharge of an oily or hazardous material into any navigable waterways and/or the contamination of any drinking water supply by a hazardous substance. Contaminated ground water could also seep, leach or flow into navigable water.

An important facet of an effective response procedure during a substance release incident is to keep it separated from water and/or to minimize its spreading and the resulting increase in human/environmental exposure. Every effort should be made to emphasize substance containment at the source rather than to have to resort to separation of the materials from expanded portions of the environment or downstream water.

A proper cleanup of any spill will usually involve the following procedures:

A. DETECTION

1. Upon the detection of a release, the PLAN environmental coordinator or his designate, shall be notified as soon as the immediate measures necessary are taken to prevent the spread of pollution to the environment.

PRIORITIZED CALL LIST

Paul Davila	(863) 533-4599	Office
	(863) 678-1547	Home
	(863) 287-8356	Cell Phone
John Peterson	(863) 533-4599	Office
	(863) 318-8878	Home
	(863) 287-9109	Cell Phone

2. Mr. Davila shall then notify the proper agencies listed on the external call list as deemed necessary according to the written reporting procedures. If neither the Coordinator, his designate, or person in charge of the office can be reached, the proper authorities and/or response center shall be notified by the person on the Scene according to this spill plan.

B. STOP SPILL SOURCE

If not already done as part of the 1st line response, assure that the source of the leak or spill is determined and additional spillage curtailed. Utilize personal protective equipment as necessary for the job.

C. CONTAIN SPILL

Rapid containment of the spill will hasten and simplify cleanup. Absorbent material floor dry, oil booms, shovels, dirt, etc. shall be utilized as appropriate.

D. PICK UP POLLUTANTS

After containment, the pollutant shall be picked up utilizing a vacuum truck if one is on site. Otherwise, portable pumps, or other appropriate means, shall be used to transfer the material to 55 gallon steel drums or other proper containers for disposal.

E. CLEANUP

After as much of the pollutant as possible has been picked up, the spill residue will be cleaned up utilizing available absorbent materials. Contaminated soils shall be removed and disposed of at an authorized disposal site, and other surfaces shall be decontaminated.

IV. EXTERNAL CALL LIST/REPORTING PROCEDURES

REPORTING PROCEDURES

All possible information shall be obtained so no delay in notification will result. The following information is required:

1. Name, title, telephone number, and address of reporter.
2. Name, telephone number, and address of facility/spill.
3. Time and type of incident.
4. Amount and type of materials involved.
5. The extent of injuries/illness if known.
6. The possible hazards to human health and environment.
7. Any bodies of water involved.
8. Cause of accident/spill.
9. Action taken or proposed by facility/personnel.

R.Q. Spills, National Response Center	(800) 424-8802
Disaster Response Center, Florida	(904) 488-1320
Decontamination Information, Chemtrec	(800) 424-9300
FCI Division Office, Bartow, Florida	(863) 533-4599
FCI Corporate Office, Freehold, NJ	(732) 462-1001
O & H Materials, Inc.	(904) 394-2196
Polk County Firehouse (District #2)	(863) 534-1557
Florida State Police	(863) 686-2164
Polk Sheriff's Office	(863) 533-0344
Public Safety Division	(863) 533-2105
DEP, Tampa Florida	(813) 744-6100
U.S. Coast Guard	(305) 350-5276
American Compliance Technologies	(800) 226-0911 Primary

V. POTENTIAL SPILL SOURCES

SOURCE	CAUSE	QUANTITY	DIRECTION OF FLOW	MATERIAL
Truck (Load)	Rupture/Leak Valve Damage	Less than 7,000 gallons per Truck	Containment Pad	Hazardous & Non-hazardous Wastes
Truck (Fuel)	Rupture/Leak Line Damage	Less than 200 gallons per Truck	Variable	Diesel Fuel Gasoline
Drum	Leak/Damage	less than 55 55 gallons	Truck Liner Containment Pad	Hazardous & Non-hazardous

VI. SPILL PROTECTION MEASURES FOR SPECIFIC SOURCES

Area 1 – Containment Pad 10,000 Gallon Capacity

Area 2 – Containment Pad 15,600 Gallon Capacity

Past Spills – None

Possible Cause of Future Spills: Leakage, Rupture

Existing Protection Measures:

1. Always 2 Personnel in Area
2. Visual Inspections of Trucks
3. Spill Control Supplies in Area
4. Emergency Warning Horn
5. Employee Training
6. 1,100 Gallon Holding Tank
7. Pumping Truck

Area 2 – Truck Parking

Past Spills – None

Possible Cause of Future Spills: Fuel Tank Rupture or Leak

Existing Control Measures:

1. Strict rules ensure loaded Hazardous Waste trucks are on pad. Employee Training backed with corrective discipline.

Area 3 – On the Road During Pick Up/Deliveries

Existing Control Measures:

1. Contingency Plan on all vehicles and in office In-transit contingency plan on all vehicles and in Office.

VII. FIRE OR EXPLOSION

All drums collected from Generator for shipment to disposal facilities remain inside trailers. No drums at any time are removed from that unit to be placed on the ground. In the event of a fire, it should be contained in that unit.

The Standard operational procedures in the event of a fire will be as follows:

- a. Notify all personnel on site and contact the base fire department, informing them of the materials on the trailer. The Sheriff's Office will be informed for traffic control.
- b. Emergency Coordinator will make an immediate assessment of the situation and utilize available fire fighting equipment to extinguish the fire if possible.
- c. Concurrently, the coordinator will have any other trailers removed from the site using the evacuation routes as previously determined and have all nonessential personnel leave the site.
- d. The Coordinator will inform the incident Commander upon arrival of the materials in the trailer and any other information to assist in determining possible hazards to human health or the environment that may result from the incident and require evacuation of surrounding areas.
- e. Immediately after an emergency, the emergency coordinator must provide for treatment, storing or disposing of the recovered waste, contaminated soil or surface water.
- f. All emergency equipment used on the incident is cleaned and fit for its intended use.
- g. Reporting procedures will be completed as outlined on EXTERNAL CALL LIST/REPORTING PROCEDURES.

EVACUATION PLAN

In the event that it is necessary to leave the facility, a warning will be given over the P.A. system to begin evacuation. Trucks will immediately leave through either the east or west gate on First Street. The Primary route will be east on First Street to Ben Durrance Road and the Secondary Route will be going west on First Street and park all vehicles on the west side of the air base.

Office Personnel will evacuate on the same routes upon the sounding of an alarm. (Pages 11, 12, 13)

VIII. POLLUTION CONTROL EQUIPMENT ON SITE

EQUIPMENT	STORAGE LOCATION
Shovels and Rakes	Storage Shed and Loading Dock
Floor Dry Absorbent	Storage Shed and Loading Dock
Vacuum Truck, One Minimum 3,000 Gallons	
First Aid Kits	In All Trucks, Main Office, Loading Dock
Absorbent Pads, 24"x24"x3/4 (Sorbent-Silicate)	Storage Shed and Loading Dock
Tri-reflectors, Miscellaneous Safety Equipment	On All Trucks
Personal Protective Equipment	On All Trucks, Drivers Office, and Loading Dock
Boots	On All Trucks and Storage Shed
Fire Extinguishers 10lb. ABC	1 - Containment Pad, 1 - Drivers Office, 1 - Main Office, 1 - Loading Dock
Respirators and Filters, APR (Organic Vapors, Acid, Ammonia)	Loading Dock, All Trucks, Storage Shed
85 Gallon Steel Recovery Drums	Containment Pad and All Trailers
Safety Shower and Eyewash	Loading Dock

Person responsible for maintenance of Spill/Emergency Response Materials: Mr. Paul Davila

IX. SITE SECURITY

Freehold Cartage, Inc, is located on a corner lot at the Bartow Air Base, Bartow, FL. A six foot high security fence surrounds the facility with entrance and exit gates. The fence is posted with signs that read: "DANGER: UNAUTHORIZED PERSONNEL KEEP OUT". And "HAZARDOUS MATERIALS STORAGE". Two pole lights provide adequate lighting in the evening and night time hours. A Security Guard patrols all areas of the base between the hours of 3:00 P.M. and 7:00 A.M. and the site is located within a mile of Polk County Fire District #2 Firehouse located on the air base.

X. PERSONNEL TRAINING IN ENVIRONMENTAL PROCEDURES

All Freehold Cartage, Inc. employees are properly trained in the following:

- a. Operation and maintenance of equipment they must use, and equipment necessary to the prevention or cleanup of environmental spills.
- b. Location of pollution abatement equipment.
- c. Content of all applicable Safety, Health, Personnel Training, and Environmental Regulations.
- d. All Safety, Health and Environmental procedures in effect at Freehold (these include emergency response procedures).
- e. Methods used to avoid environmental incidents/emergencies and the contents of the Emergency/Spill Management Plan.

NOTE: ALL GENERAL FACILITY RULES ARE STRICTLY ENFORCED, SUCH AS:

No Smoking in Operations area or around trucks
All Drivers MUST complete pre-trip inspection before all trips
All Employees MUST attend safety and environmental control meetings
All trucks loaded with Hazardous Waste MUST be parked on the containment pad.
All spills of any kind MUST be immediately attended to and reported to management
Wearing of proper personal protective equipment for job is mandatory
And similar rules as noted on rules poster

ALL FACILITY RULES ARE STRICTLY ENFORCED THROUGH THE USE OF DAY TO DAY SUPERVISION, GUIDANCE, AND CORRECTIVE DISCIPLINE.

XI. CLOSURE PLAN

FREEHOLD CARTAGE, INC. FREEHOLD, NEW JERSEY 1989

Copies of this closure plan are kept in the Freehold Cartage, Inc. Bartow Facility files, in the facility operating record and in the Freehold Cartage, Inc. Freehold, New Jersey Corporate files.

This plan identifies all steps that will be necessary to completely close the transfer facility at the end of its intended operating life. No partial closure will be affected.

Any modifications to our existing operating plans or facility design affecting the Closure Plan will result in Freehold Cartage, Inc., revising and updating the Closure Plan accordingly.

Freehold will maintain an on-site copy of the approved Closure Plan and all revisions to the plan until the Certification of Closure Completeness has been submitted to and accepted by the State of Florida DEP.

Freehold will notify the State of Florida DEP, Southwest district at least 180 days prior to the date we expect to commence closure.

Upon completion of Closure we will submit to the State of Florida DEP, Southwest District a Certification by both Freehold and a local independent registered professional engineer that the facility has been closed in accordance with the specifications in the approved closure plan.

I. CLOSURE PERFORMANCE STANDARD (40 CFR 265.111)

This Closure Plan was designed to insure that the facility will not require further maintenance and controls, minimizes or eliminates threats to human health and the environment, and avoids escape of hazardous waste, hazardous waste constituents, contaminated rainfall runoff, or waste decomposition products to the ground or surface waters or to the atmosphere.

All Freehold Cartage, Inc. transfer facility activities are located within the confines of the concrete pad, so no ground /soil contamination is to be expected during transfer/storage of wastes.

- A. Any leakage/spillage of hazardous wastes/materials onto the impermeable surface would not result in any permanent contamination of that surface after spill clean up.
- B. Any accidental leakage/spillage of hazardous wastes materials onto the uncovered ground (roadways, access ways) on the property during ingress and egress to the transfer facility impermeable pad would be dealt with immediately as a spill as outlined in the Contingency Plan. No permanent contamination would result necessitating any closure decontamination.

- C. The first containment pad is 40' x 90' and has a capacity for 10,000 gallons in the event of a spill. The second containment pad is 65' x 80' and has a capacity for 15,600 gallons in the event of a spill. The pads drain to a sump which can be pumped to a holding tank or into a vacuum tanker. A chemical analysis will determine which disposal method will be used.

II. CLOSURE PLAN: AMENDMENT OF PLAN (40 CFR 265.112 (c))

In the event that Freehold wishes to amend the approved Closure Plan prior to Final Closure of the facility, we will submit a written request to the State of Florida DEP, Southwest District Office.

Considerations for amending the approved Closure Plan include:

- a. Change in facility size/capacity
- b. Changes in operating procedure
- c. Unexpected events requiring Closure Plan modification
- d. Unexpected events requiring Closure Plan modification during closure

The following amendment time schedule will be adhered to. Freehold Cartage, Inc. will submit the amended Closure Plan to the Southwest District Office:

- a. At least 60 days prior to a proposed change in facility design/operation.
- b. No later than 60 days after an unexpected closure-plan-affecting event has occurred.
- c. No later than 30 days after an unexpected closure-plan-affecting event has occurred during closure.

In the event the Southwest District Office requests a modification of the approved closure plan, Freehold will submit the modified plan:

- a. Within 60 days of the request.
- b. Within 30 days if the request is due to an unexpected event occurring during the closure.

III. DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS (40 CFR 265.114)

During the course of operation of the facility any spill that may occur will be cleaned up immediately under the procedures established by the Contingency Plan. No transfer of any bulk liquid into holding tanks nor placement of drums onto any ground surface area during a transfer will be permitted.

Soils adjacent to the containment pad will be tested for contamination with current test procedures at that time and under the direction of the DEP. In the event contamination is found, all soils will be removed and transported by Freehold's trucks to an approved disposal site.

IV. CERTIFICATION OF CLOSURE (40 CFR 265.115)

Within 60 days of Completion of Closure, Freehold will submit to the State of Florida DEP, Southwest District Office by registered mail, a certification that the transfer facility has been closed in accordance with the specifications in the approved Closure Plan. The certification will be signed by an authorized Company representative and be a local independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification will be furnished upon request to the Southwest District Office until such time as the Office releases Freehold from any financial assurance requirement for closure. (40 CFR 265.143(h))

XII. COORDINATION ARRANGEMENTS

GROUP

Sheriff Lawrence Crow
Polk County Sheriff's Department
455 N. Broadway Avenue
Bartow, FL 33830
(863) 533-0444

INFORMATION SUBMITTED

Blueprints of Facility
Description of Operation
Contingency Plan

Mr. Steve Mason, Administrator
Columbia Memorial Bartow Hospital
P.O. Box 1050
Bartow, FL 33830
(863) 533-8111

Contingency Plan
Operation Plan

Civil Defense Director
Polk County
P.O. Box 1336
Bartow, FL 33830
(863) 533-6060 or
(863) 533-2105

Contingency Plan

Communication Center
Polk County
(863) 533-2105

Contingency Plan

Polk County Fire Department
District #2
Bartow Air Base
Bartow, FL 33830
(863) 534-1557

Contingency Plan

FREEHOLD CARTAGE, INC.

EMERGENCY SPILL MANAGEMENT

PLAN B

XIII. CONTIGENCY PLAN – OFF SITE

CONTACT PERSONS:

Emergency Coordinator

Paul Davila	(863) 533-4599	Office
1169 Yarnell Avenue	(863) 678-1547	Home
Lake Wales, FL 33850	(863) 287-8356	Cell Phone

Secondary Coordinator

John Peterson	(863) 533-4599	Office
243 Eagle Lake Loop, East	(863) 318-8878	Home
Winter Haven, FL 33880	(863) 287-9109	Cell Phone

EMERGENCY TELEPHONE NUMBERS:

R.Q. Spills; National Response Center	(800) 424-8802
Decontamination Information, Chemtrec	(800) 424-9300
Division Office, Bartow, FL	(863) 533-4599
Corporate Office, Freehold, NJ	(732) 462-1001
CB Radio	Channel 9 and 19
O & H Materials	(904) 394-2196
American Compliance Technologies	(800) 226-0911
Florida State Warning Point Contingency Plan	(800) 320-0519

EMERGENCY EQUIPMENT AND SUPPLIES AVAILABLE ON TRUCK

10lb. Fire Extinguisher
Emergency Triangles
First Aid Kit
Safety Goggles
Respirator
Hard Hat
Gloves – Chemical Resistant
Plug & Dike Kit
Absorbent Pads
Dry Sorb
Shovel
Eye Wash
Coveralls – Regular and Saranex Coated Tyvek
Mercury Spill Kit

EMERGENCY PROCEDURES

Material Handling and transportation of hazardous waste in drum containers.

EMERGENCIES ON THE DOCK

- A. If contamination of a parked vehicle at a dock or dock area takes place due to damaged or leaking drum, clear the area of personnel and report it at once to appropriate supervisory personnel.
- B. If it is determined that it is safe to do so, then repairs may be made to the drum to reduce the leakage.
 1. Wood Plugs
 2. Plug and Dike
 3. Recovery Drum
 4. Repositioning Drum
 5. Diking Around the Drum
- C. If the contamination is on the vehicle, mark the vehicle “Out of Service”, if safe to approach the unit, and get decontamination information from the Shipper.
- D. Isolate the area of contamination whether it is a vehicle or part of the dock.

- E. Allow only those persons absolutely necessary to deal with the emergency to remain in the area.
- F. Make certain all open flames and smoking materials are extinguished.
- G. Provide Public Safety Personnel with all available information when they arrive on the scene.
- H. Prevent leaking liquids from spreading to other areas by damming-up or otherwise containing the flow of the liquid.
- I. If required, as soon as practical, contact the Coast Guard National Response Center and the Florida Disaster Response Center.
- J. If required a D.O.T. Hazardous Materials Incident Report must be filed within 30 days following an incident.

MERCURY SPILL CONTAINMENT

Mercury Spill Kit

1. 5 Gallon Pail
2. Sprayer
3. Broom
4. Container of Hg X

In the event of a spill of Metallic Mercury, Mercury Salts, or materials containing Mercury in any form, be sure to properly ventilate all areas suspected of contamination. Follow emergency procedures as necessary on Page 19 and use the components from Mercury Spill Kit.

Mix the Container of Hg X into the sprayer and apply thoroughly on the contaminated area after spreading "Drysorb". A respirator should be used at all times. After a reasonable period the residual may be swept up and placed in an overpack.

EMERGENCIES WHILE IN TRANSIT

- A. Keep unauthorized persons away and/or upwind.
- B. Keep open flames away.
- C. Set up warning signals on the highway

- D. Seek assistance from Public Safety Personnel but Do Not Leave Vehicle; have someone else make the call for you.
- E. Prevent leaking liquids from draining onto the highway by damming-up or digging a drainage ditch for the liquid.
- F. Repairs to the leaking drum should only be done if you have knowledge of the safety hazards of the materials and have proper safety gear including gloves, rain suit and respirator.
- G. Give all information (including that on the Shipping Papers) to Public Safety Personnel when they arrive on the scene.
- H. Contact your Company as soon as it is practical to do so. If you cannot contact your Company, ask that the Public Safety Personnel do so for you. The Company personnel will notify the Response Centers.
- I. No Statements are to be made to anyone except, State, Federal, and Local Authorities
- J. All manifests and safety information for the material you are transporting must be in the drivers side door compartment.

DRIVER COMMUNICATIONS PROCEUDRE

- A. Immediately attempt to contact Local Police or Fire Officials on Citizens Band Radio Channel 9, or call 911.
- B. Review the source of the leak and do everything possible to stop the spill and contain it, if safe to do so.
- C. Notify Company. (Dispatcher, Emergency Coordinator)
- D. Notify Public Safety Personnel, if they cannot be reached by CB, by using the telephone.
- E. Stay at to scene to direct in containment and cleanup.

DISPATCHER AND EMERGENCY COORDINATOR

- A. Record all pertinent information on Emergency Response & Notification Log.
- B. Determine the severity of the situation.
- C. Immediately notify the National Response Center and State Center, if RQ is met.
- D. Notify Subcontractors (if needed American Technologies, Bartow, FL).
- E. Notify all agencies affected:
 - 1. Medical Personnel
 - 2. Company Officials
 - 3. Shippers Representatives
- F. Record all appropriate information:
 - 1. Name of Person Reporting the Incident.
 - 2. Name, Address, and EPA I.D.# of the Transporter.
 - 3. Phone Number Where the Person Reporting the Incident can be Reached.
 - 4. Date, Time and Location of Incident.
 - 5. Mode of Transportation and Type of Vehicle.
 - 6. Brief Description of Incident, Type of Incident.
 - 7. For Each Waste Involved in the spill:

- A. Name and EPA I.D.# of the Generator.
- B. Shipping Name, Hazardous Class, UN/NA Number of any other Shipping Materials.
- C. Estimated Quantity of Material Spilled.
- D. Extent of Contamination of Land, Water or Air.

DISPOSITION OF CONTIGENCY PLANS

FCI Corporate Office, Freehold, New Jersey

FCI Division Office, Bartow, Florida

American Compliance Technologies, Bartow, Florida

All Company Operated Vehicles

Fire Department – Bartow Air Base, Bartow, Florida

Fire Services Division, Bartow, Florida

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHWEST DISTRICT

CONVERSATION RECORD

Date October 12, 2004 Subject _____

Time 2:50 pm

County _____

Barry Olson _____ Telephone No. (732)462-1001

Representing Freehold Cartage NJ, Corp. Office

Phoned Me Was Called Scheduled Meeting Unscheduled Meeting

Other Individuals Involved in Conversation/Meeting _____

Summary of Conversation/Meeting I asked Barry for copies of the latest (Feb 2004) employee training. Barry said that that documentation is kept at the Bartow facility, but that Michael Hirst may not have been aware of it. I also asked for an updated Contingency Plan, pointing out that the one posted at the facility had Paul Davila's name as a designated contact, and he had been replaced by Steme Moore last year. I asked if he had any job descriptions/required training and he said no. He will fax me the training info and mail me the CP.

Signature Jill A. Seale

Title Environmental Specialist II

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. FLR000035261	Manife. Document No. 03003	2. Page 1 of 1	Information in the shaded areas is not required by Federal law.	
3. Generator's Name and Mailing Address EPC STAR PARTS BODY 4901 15TH STREET EAST BRADENTON, FL 34203		6. US EPA ID Number NJ D 0 8 0 6 3 1 3 6 9		A. State Manifest Document Number MMI407717		
4. Generator's Phone (941) 758-5152		8. US EPA ID Number NJ D 0 5 4 1 2 6 1 8 4		B. State Generator's ID SAME		
5. Transporter 1 Company Name ONYX ENVIRONMENTAL SVCS L.L.C.		10. US EPA ID Number AL D 0 7 0 5 1 3 7 8 7		C. State Transporter ID ND080631369		
7. Transporter 2 Company Name FREEHOLD CARTAGE INC				D. Transporter's Phone (973) 347-7111		
9. Designated Facility Name and Site Address M & M CHEMICAL COMPANY 1229 VALLEY DRIVE ATTALLA, AL 35954				E. State Transporter ID ND054126164		
				F. Transporter's Phone (732) 462-1001		
				G. State Facility's ID		
				H. Facility's Phone (256) 538-3800		
11. US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number)		12. Containers No.	13. Total Quantity	14. Unit Wt/Vol	1. Waste No.	
a. <input checked="" type="checkbox"/> RQ, WASTE FLAMMABLE LIQUIDS, n.o.s., (TOLUENE, XYLENE), 3, UN1993, II, (D001)		002	DM 06 110	G	F003	
b. <i>WASTE OILS NON-RES per ALCA & DOT</i>		004	DM 08 220	G		
c.						
d.						
J. Additional Descriptions for Materials Listed Above: A) LA, T M&M 19520, F005, D035				K. Handling Codes for Wastes Listed Above:		
15. PACKING SLIPS ATTACHED FOR QUANTIFICATION EMERGENCY NUMBER INFOTRAC: 1-800-535-5053						
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.						
Printed/Typed Name Greg Biggerman		Signature <i>[Signature]</i>		Month Day Year 08/13/04		
17. Transporter 1 Acknowledgement of Receipt of Materials		Printed/Typed Name Phil Bennett		Signature <i>[Signature]</i>		Month Day Year 10/27/04
18. Transporter 2 Acknowledgement of Receipt of Materials		Printed/Typed Name Michael Hirst		Signature <i>[Signature]</i>		Month Day Year 09/04/04
19. Discrepancy Indication Space						
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.						
Printed/Typed Name		Signature		Month Day Year		



ORIGINAL-RETURN TO GENERATOR

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. FLR000073122		Manifest Document No. 03005		2. Page 1 of 1		Information in the shaded areas is not required by Federal law.	
3. Generator's Name and Mailing Address JACKIE'S AUTO BODY 19888 VETERANS HWY PORT CHARLOTTE, FL 33952						A. State Manifest Document Number MMI406290			
						B. State Generator's ID			
4. Generator's Phone (941) 255-5067						C. State Transporter's ID SAME			
5. Transporter 1 Company Name ONYX ENVIRONMENTAL SVCS LLC			6. US EPA ID Number NJ D080631369			D. Transporter's Phone (973) 347-7111			
7. Transporter 2 Company Name FREEHOLD CARTAGE INC			8. US EPA ID Number NJ D054126164			E. State Transporter's ID NJ D054126164			
9. Designated Facility Name and Site Address M & M CHEMICAL COMPANY 1229 VALLEY DRIVE ATTALLA, AL 35954						F. Transporter's Phone (732) 482-1001			
						G. State Facility's ID			
11. US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number)						H. Facility's Phone (256) 538-3800			
						12. Containers		13. Total Quantity	
a. <input checked="" type="checkbox"/> RM		No.		Type		Quantity		Unit W/Vol	
a. X		003		D.M.		20/6.5		G	
b.		001		D.M.		0005		G	
b. OIL, n.o.s., NONE, NONE								NONE	
c.									
d.									
J. Additional Descriptions for Materials Listed Above						K. Handling Codes for Wastes Listed Above			
A) LJ, T M&M19538 F005, D035									
B) L- M&M27574									
15. Special Handling Instructions and Additional Information PACKING SLIPS ATTACHED FOR CLARIFICATION - EMERGENCY NUMBER INFOTRAC: 1-800-535-5053									
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.									
Printed/Typed Name Tim Both				Signature <i>[Signature]</i>				Month Day Year 08/01/04	
17. Transporter 1 Acknowledgement of Receipt of Materials									
Printed/Typed Name Phil Bennett				Signature <i>[Signature]</i>				Month Day Year 08/01/04	
18. Transporter 2 Acknowledgement of Receipt of Materials									
Printed/Typed Name Michael Hirst				Signature <i>[Signature]</i>				Month Day Year 09/01/04	
19. Discrepancy Indication Space									
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.									
Printed/Typed Name				Signature				Month Day Year	



ORIGINAL-RETURN TO GENERATOR

Land Disposal Restriction Notification Form

Generator Name JACKIES AUTO BODY Man Doc No 03005
EPA ID Number FLR000073122 Manifest MMI406290

This notice is being provided in accordance with 40 CFR 268.7 to inform you that this shipment contains waste restricted from land disposal by the USEPA under the land disposal restriction program. Identified below for each container is the designation of the waste as a wastewater or non-wastewater, the Clean Water Act (CWA) permit status associated with the treatment/disposal facility, applicable waste codes and any corresponding subcategories, list of any F001-F005 solvent constituents that are present in the waste, and any underlying hazardous constituents (UHC) that are present.

Container Number: **DC-0406290000-001**

WIP / Approval Code:	703591 / M&M19538
Form Designation / CWA Status:	Non-Wastewater / Non-CWA
Waste Codes (Subcategories):	D001 (IGNITABLE CHARACTERISTIC WASTE, LIQUIDS >= 10% TOC PER 261.2 1(a)(1)), D035, F003 (NONE), F005 (NONE)
Constituents (F001 - F005):	ACETONE, METHYL ETHYL KETONE (MEK), TOLUENE, O-XYLENE
UHCs Present:	None
Treatment Requirements:	Restricted waste requires treatment to applicable standards.
Additional Notices:	

I hereby certify that all information in this and associated land disposal restriction documents is complete and accurate to the best of my knowledge and information.

Signature _____

Title _____

Date 8-31-04

INCOMING PACKING SUMMARY

Generator Number: 504245
JACKIES AUTO BODY
19888 VETERANS HWY
PORT CHARLOTTE, FL 33952
Attn: REGINA HOGAN
EPA ID: FLR000073122

Manifest Number: MMI406290
Field System ID: DC
Work Order Number: 0406290000
Date Shipped: 08/04/2004
Document Number: 03005

Container#: DC-0406290000-001 Waste Area: Manifest Page/Line: 01 / A
WIP: 703591 DisposalCode: M&M19538 PHY State: L
Date Accumulated: 08/04/2004 Special Handling: Gen Drum ID:
Shipping Name: RQ, WASTE FLAMMABLE LIQUIDS, n.o.s., (TOLUENE, XYLENE), 3, UN1993, II, (D001)
No. of Commons: 01 Outer Container: 551A1-DM Inner Container:
Primary Waste Codes: F003, F005, D001, D035
Total Cmns Wt: 55 SIC: 7532 Source: G19 Form: W209 System: H061 Cubic Ft.: 7.50

<u>Units</u>	<u>Container Size</u>	<u>Net Weight</u>	<u>Chemical Name</u>
1	55 GAL		ACETONE [12-31%] METHYL ETHYL KETONE [3-15%] HYDROCARBONS [10-60%] TOLUENE [10-35%] XYLENE [5-20%]

Container#: DC-0406290000-002 Waste Area: Manifest Page/Line: 01 / B
WIP: 703592 DisposalCode: M&M27574 PHY State: L
Date Accumulated: 08/04/2004 Special Handling: Gen Drum ID:
Shipping Name: OIL, n.o.s., NONE, NONE
No. of Commons: 01 Outer Container: 551A1-DM Inner Container:
Primary Waste Codes:
Total Cmns Wt: 55 SIC: 7532 Source: G16 Form: W206 System: H061 Cubic Ft.: 7.50

<u>Units</u>	<u>Container Size</u>	<u>Net Weight</u>	<u>Chemical Name</u>
1	55 GAL		OIL [80-100%] WATER [0-20%] DIRT, RUST, SCALE [0-5%]

Seale, Jill

From: Knauss, Beth
Sent: Monday, September 13, 2004 4:19 PM
To: Seale, Jill
Subject: FW: Asbestos Pipe

Jill - it looks like there are no violations associated with the pipe at Freehold

-----Original Message-----

From: Janis, Neal
Sent: Friday, September 10, 2004 4:28 PM
To: Knauss, Beth
Subject: RE: Asbestos Pipe

Beth,

Based on your pictures and description of the material that you encountered at Freehold Cartage, this material is a Category II non-friable, non-regulated material provided that it remains non-friable. The material currently is contained in a poly lined dumpster. This would be considered best handling practice for this type of material. It would be nice to see the top covered, however this material poses no threat, as it sits. The contractor's obligation under rule is to place the material in an approved landfill, in a timely manner (this is open for interpretation as to what is timely). I have nothing else to work with to make them get it to a landfill any sooner. Maybe you do under some waste rules. I hope that this answers you questions.

-----Original Message-----

From: Knauss, Beth
Sent: Wednesday, September 08, 2004 3:50 PM
To: Janis, Neal
Subject: Asbestos Pipe

Jill Seale and I inspected Freehold Cartage's hazardous waste transfer facility today. The facility is at the Bartow Municipal Airport.

They had a roll off container of broken asbestos concrete pipe that had been generated at Baseball City, at I-4 and US 27. The manifest had a note saying to send the return manifest to Midstate Paving, 347 Bolenden Rd. Auburndale, so it may have been generated in connection with the I-4 expansion work at the US 27 overpass.

Anyway, the load was not wetted or bagged. We were able to tell what was in the load because the roll off cover was torn. Photos below. Does the NESHAP cover this material?

<< File: Freehold 011.jpg >> << File: Freehold 015.jpg >>

The load has been stored on site close to a month, because the broker, Environmental Accessories is in financial trouble and the landfill will not accept the waste without payment up front.



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

October 27, 2004

Michael Hirst
Freehold Cartage Inc.
175 Bartow Municipal Airport
Bartow, FL 33830

Re: Freehold Cartage Inc.
FLD 984 187 831
Warning Letter #281794
Bartow, Polk County

Dear Mr. Hirst:

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 September 8, 2004, indicates that violations of Florida Statutes and Rules may exist at the above referenced facility. Department of Environmental Protection personnel made observations described in the attached inspection report. Section 10 of the report lists a summary of alleged violations of Department Rules.

Sections 403.161 and 403.727, Florida Statutes (F.S.) provides that it is a violation to fail to comply with rules adopted by the Department. The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Department Rules should cease.

You are requested to contact Jill A. Seale at (813) 744-6100, extension 399, within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

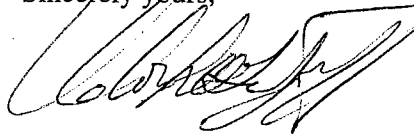
Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of a Consent Order which will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In accordance with the United States Environmental Protection Agency's (EPA) RCRA Civil Penalty Policy of 2003, the penalties which would be assessed in this case are \$5,785.00. Costs and expenses in this case will be a minimum of \$100.

"More Protection, Less Process"

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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/jas

Enclosure

cc: Barry Olsen, Freehold Cartage Inc, New Jersey
Arthur Lieberman, Polk County SQG Program
Steve Ray, HWR Section
Jeff Pallas, US EPA Region IV
Compliance File

PENALTY COMPUTATION WORKSHEET

Violator's Name: Freehold Cartage Inc.

Identify Violator's Facility: FLD 984 187 831

Name of Department Staff Responsible for the Penalty Computations: Jill A. Seale

ComHaz Case # 281794

Date: October 26, 2004

	Violation Type	Manual Guide	Potential for Harm	Extent of Deviation	Penalty Matrix	Multi Day	Other Adjustments	Total
1	40 CFR 265.15 & .174 <i>weekly inspections</i>	14.2	Minor	Major	\$1650 - \$3299			\$2475
2	40 CFR 265.16(c) <i>annual training for alt EC</i>	9.1	Minor	Minor	\$110 - \$549			\$110
3	40 CFR 265.35 <i>aisle space</i>	10.3	Minor	Moderate	\$550 - \$1649			\$1100
4	40 CFR 265.54 <i>updated contingency plan</i>	11.2	Minor	Moderate	\$550 - \$1649			\$1100
5	40 CFR 273.13(d)(2) & .16 62-737.400(5) FAC <i>universal wastes</i>	ELRA 403.121(4)	NA	NA	\$500			\$500
6	40 CFR 279.44 <i>no used oil halogen checks</i>	ELRA 403.121(4)	NA	NA	\$500			\$500
TOTAL PENALTY = \$5,785								

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

**WORKSHEET
RANKING SYSTEM FOR POTENTIAL FOR HARM**

FACILITY NAME: Freehold Cartage Inc.

EPA ID No.: FLD 984 187 831

ComHaz Case #: 281794

Date: October 26, 2004

Violation	Description	Nature of Waste	Amount of Waste	Release	People	Total Points
40 CFR 265.35	Aisle space inside trailers	4	5	1	2	12

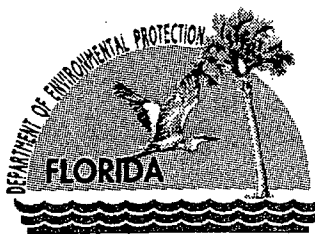
SCORING SYSTEM

NATURE OF WASTE	AMOUNT OF WASTE	RECEPTORS	
		Releases	Affected Population
8 - High hazard wastes	8 - > 5,000 kg (25 drums)	4 - Release	4 - > 1,000
	5 - 1,000 to 5,000 kg	4 - High potential for release	3 - 100 - 1,000
4 - typical hazardous waste	2 - < 1,000 kg (5 drums)		2 - 10 - 100
		1 - No release	1 - <10

MAJOR POTENTIAL FOR HARM: 19-24

MODERATE POTENTIAL FOR HARM: 13-18

MINOR POTENTIAL FOR HARM: 8-12



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

HAZARDOUS WASTE INSPECTION REPORT

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

FACILITY NAME Freehold Cartage Inc. EPA ID # FLD 984 187 831

STREET ADDRESS 175 Bartow Municipal Airport, Bartow, FL 33830

MAILING ADDRESS PO Box 5010, Freehold, NJ 07728

COUNTY Polk PHONE 863/533-4599 DATE 09/08/04 TIME 12:00 pm

NOTIFIED AS: N/A

CURRENT STATUS:

- Non Handler
- CESQG (<100 kg/mo.)
- SQG (100-1000 kg/mo.)
- Generator (>1000 kg/mo.)
- Transporter
- Transfer Facility
- Interim Status TSD Facility
- TSD Facility
- Unit Type(s):
- Exempt Treatment Facility
- Used Oil: Transporter/Transfer

- Non Handler
- CESQG (<100 kg/mo.)
- SQG (100-1000 kg/mo.)
- Generator (>1000 kg/mo.)
- Transporter
- Transfer Facility
- Interim Status TSD Facility
- TSD Facility
- Unit Type(s):
- Exempt Treatment Facility
- Used Oil: Transporter/Transfer

2. APPLICABLE REGULATIONS:

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

3. RESPONSIBLE OFFICIAL(s):

Barry Olsen, Freehold Cartage Inc. – New Jersey Office

4. INSPECTION PARTICIPANTS:

Michael Hirst, Operations Supervisor

Jill A. Seale, Beth Knauss, FDEP

5. LATITUDE/LONGITUDE: 27°57'15.16" 81°46'37.67"

6. SIC Code: 4213, 4214

7. TYPE OF OWNERSHIP: Private Federal State County Municipal

8. Permit: na

"More Protection, Less Process"

Printed on recycled paper.

9. PROCESS DESCRIPTION:

Freehold Cartage Inc. (Freehold) was inspected September 8, 2004, to evaluate the facility's compliance with state and federal hazardous waste regulations. Michael Hirst, Operations Supervisor, accompanied the inspectors through out the inspection. The last hazardous waste DEP inspection of this facility was in 2000.

Freehold currently employs approximately 20 drivers, who each may transport hazardous waste or used oil or both. Waste is transported in box trucks, roll-offs and tankers. Freehold's vehicles are maintained in a repair shop near this facility. The repair shop was not inspected.

Hazardous Waste Operations

This Freehold facility appears to have met all registration and insurance requirements of hazardous waste transporters and transfer facilities within the state of Florida. The Freehold New Jersey facility is also a certified, registered hazardous waste transporter.

The transfer area consists of a concrete pad with speed bumps at both ends. The concrete pad had some sand and standing water, which had accumulated during the recent hurricanes. Debris and sand in the secondary containment pad prohibits accurate inspections of the integrity of the secondary containment pad. The Department requests that the secondary containment pad be cleaned out.

A loading dock is in the center of the secondary containment pad, and trailers are backed up and parked on both the west and east sides of the dock. This facility was storing more waste than usual due to scheduling disruptions from recent hurricanes. At the time of the inspection, all parking stations were full and there was one trailer parked adjacent too the secondary containment pad. According to facility personnel, this trailer came in the night before and was going to be moved onto the pad later that day. The trailer contained approximately 40 drums of hazardous and non-hazardous waste. Note that per 62-730.171(d) FAC, hazardous waste stored in containers or vehicles at transfer facilities shall be stored on a manmade surface which is capable of preventing spills or releases to the ground. Within 24 hours of arrival at the Freehold facility, all waste must be on the concrete pad.

At the time of the inspection, two trailers were being used to stage incoming drums to start preparing outgoing loads. Four other trailers were in the process of being loaded for shipment to specific TSD facilities. Freehold is not required to provide aisle space on trucks loaded for transport. However, aisle space is required for drums containing hazardous waste that are being staged in trailers that are not the final transport trailer. The two staging trailers that were inspected had drums loaded two deep against the trailers wall with no aisle space to allow for unobstructed movement, a violation of **40 CFR 265.35**, as adopted for transfer facilities in 62-730.171(2)(a) F.A.C.

The second staging trailer had broken universal waste lamps on the floor. Failure to manage universal waste lamps in a way that prevents breakage or release of their components to the environment is a violation of **62-737.400(5) F.A.C.** Failure to immediately clean up the waste mercury containing lamps is in violation of **40 CFR 273.13(d)(2)**. Facility personnel did not appear to be aware of the proper handling requirements of universal waste lamps or that the crushed universal waste lamps needed to be cleaned up. Failure to adequately train employees regarding proper handling and emergency procedures for universal wastes is in violation of **40 CFR 273.16**. Freehold's contingency plan addresses general spills and specifically outlines actions to be taken in the event that a mercury containing device is spilled, and the plan was not followed in this instance.

In the second trailer inspected at the loading dock, three closed boxes of pharmaceuticals were observed. The generator of these pharmaceuticals appeared to be Schering Plough Products in Puerto Rico, but

Activated Polishing Materials of Lake Park co-signed the shipping papers, and Covanta was listed as the designated facility in Okahumpka, FL. No further information regarding the contents or ingredients of the pharmaceuticals was available. Beth Knauss contacted Covanta during the inspection. Covanta stated that according to the waste profile, the boxes contain waste theophylline that was removed from process equipment sold to Activated Polishing Materials by Schering Plough. It appears that this particular waste was not the prescription asthma medication, but manufacturing process waste, and is not a listed or characteristically hazardous waste. The Department recommends that Freehold consult with the Florida Department of Health's Bureau of Pharmaceuticals prior to managing other pharmaceutical wastes, as Florida regulations are more stringent than Federal regulations.

At the time of the inspection, seven roll-offs of solid waste were being stored in the west yard. One roll-off contained asbestos concrete pipe that was not bagged or wetted, and this issue was referred to the Department's Air Program for evaluation.

Fire extinguishers and spill cleanup equipment were provided. However, the emergency eyewash station was out of order. The water supply line had been damaged and has not been repaired. According to the Contingency Plan, Paul Davila is responsible for maintaining the spill and emergency response materials, and according to facility personnel, Mr. Davila is currently not employed at Freehold. Facility inspections are not being documented, as required by **40 CFR 265.15** and **40 CFR 265.174**, as adopted for transfer facilities in 62-730.171(2)(a) FAC.

Freehold's contingency plan was last updated September 2003 and is posted inside the back door near the manifests. The plan's designated person accountable for spills and emergencies is no longer employed at this facility. Failure to update the contingency when an emergency coordinator changes is a violation of **40 CFR 265.54**, as adopted for transfer facilities in 62-730.171(2)(a) FAC.

On October 25, 2004, the Department received an updated copy of the facility's contingency plan. Michael Hirst is the new emergency coordinator. Mr. Davila is still listed as the employee designated to conduct facility inspections, maintaining emergency equipment, and is listed in the prioritized call list.

Training was last conducted February 21, 2004 by Barry Olson of Freehold Cartage, and appears to be conducted annually. A sign-in sheet from this training session was reviewed. Note that per 40 CFR 265.16(d), as adopted for transfer facilities in 62-730.171(2)(a) FAC, all training documentation must be maintained at the actual facility. Maintaining them only at the corporate office is not acceptable.

John Peterson is listed as the alternative emergency contact for spills and emergencies, but he does not have documented annual training, a violation of **40 CFR 265.16(c)**, as adopted for transfer facilities in 62-730.171(1)(a) FAC.

The hazardous waste manifests were organized by truckload, and are kept in a designated area near the back office door. The date the waste arrived at the Freehold facility is hand written on the back of each manifest. Note that as a hazardous waste transfer facility, no hazardous waste may be store on-site for longer than ten days per 40 CFR 263.12. If this ten-day time limit is exceeded Freehold is subject to the permitting requirements for a hazardous waste storage facility.

Used Oil Operations

This Freehold facility is a registered transfer facility for used oil and used oil filters. Used oil and filters are transported under the Freehold New Jersey EPA ID number, NJD 054 126 164. Freehold has submitted the required Annual Report by Used Oil and Used Oil Filter Handlers to DEP Tallahassee, per 62-710.510 FAC.

Freehold facility personnel stated that waste is only accepted from brokers, not from individual generators, and that a waste profile must be received by Freehold before any waste will be transported. Freehold relies on the waste profile to determine halogen content of used oil, and drivers do not screen any used oil prior to transporting. This practice does not meet the requirements of **40 CFR 279.44**. Freehold drivers must begin screening all used oil for halogen content prior to transporting, and must begin documenting those results.

During the inspection it was noted that four drums of used oil were transported by Freehold from Five Star Auto of Bradenton on manifest number 03003. There was no waste profile available for this shipment and therefore no documentation that any party attempted to determine halogen content of the used oil, an example of how relying on another party to determine halogen content does not meet the requirements of 40 CFR 279.44, which specifically identifies the used oil transporter as being responsible for making this determination.

10. SUMMARY OF ALLEGED VIOLATIONS:

62-737.400(5) FAC	Failure of a handler to manage universal waste in a way that prevents breakage and releases of their components to the environment.
40 CFR 265.15 40 CFR 265.174	Failure to document facility inspections.
40 CFR 265.16(c)	Failure to document annual training for alternate emergency coordinator.
40 CFR 265.35	Failure to maintain aisle space between waste drums in storage trailers that are not the final transportation trailer.
40 CFR 265.54	Failure to update contingency plan.
40 CFR 273.13(d)(2)	Failure of a handler to immediately clean up and place in a container any universal waste lamp that is broken.
40 CFR 273.16	Failure to adequately train employees who handle or have responsibility for managing universal wastes as to proper handling and emergency procedures.
40 CFR 279.44	Failure of a used oil transporter to determine whether the total halogen content of used oil being transported or stored at a transfer facility is above or below 1,000 ppm.

11. RECOMMENDATIONS:

40 CFR 265.15
40 CFR 265.174

Effective immediately, Freehold shall begin documenting inspections per these codes. Freehold must develop and follow a written schedule for inspecting all monitoring, safety and emergency equipment, security devices and operating and structural equipment such as pumps and dikes that are important to preventing, detecting or responding to environmental or human health hazards. At a minimum, these records must include the date and time of inspection, inspector name, notation of observations, date and nature of repairs or remedial actions. The Department expects that at a minimum, the safety shower, spill equipment, fire extinguishers, secondary containment pad, condition of each trailer, and the entire yard should be inspected and documented. These inspections may be combined with the weekly inspection required under 265.174 of all areas where containers are stored for leaks and for deterioration caused by corrosion or other factors. Within 30 days of receiving this report, submit a written schedule of inspection for this facility to the Department for review. Also, include who at Freehold will be responsible for conducting the inspections, and an alternate inspector.

40 CFR 265.16(c)

Effective immediately, the alternate emergency coordinator must be trained. Within 30 days of receiving this report, submit training documentation to the Department for this individual.

40 CFR 265.35

Effective immediately, Freehold shall begin maintaining enough aisle space between waste drums in trailers to allow for employees to inspect and access each drum. This does not include the trailers that store containers loaded in accordance with DOT regulations per 40 CFR 263.10. Within 30 days of receipt of this report, submit documentation to the Department explaining how this requirement will be met.

40 CFR 265.54

Effective immediately, Freehold must update their Contingency Plan, specifically to remove/reassign Mr. Davila's responsibilities if he is no longer employed at Freehold. Within 30 days of receipt of this report, submit an updated Contingency Plan to the Department for review.

40 CFR 273.13(d)(2)


Within 30 days of receipt of this report, submit to the Department documentation that the broken universal waste lamps observed during the inspection have been addressed.

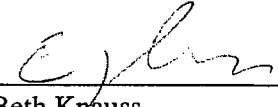
40 CFR 273.16
62-737.400(5) FAC

Effective immediately, all employees who handle or have responsibility for managing universal waste must be informed of the proper handling and emergency procedures appropriate to the types of universal waste handled at the facility. Within 30 days of receipt of this report, submit training documentation to the Department.

40 CFR 279.44

Effective immediately, Freehold as the transporter must begin to determine whether the total halogen content of used oil being transported or stored at a transfer facility is above or below 1,000 ppm. The Department will not accept a waste profile from the broker to make this determination. The transportation drivers must check each container of used oil for halogen content prior to transporting the used oil, and the results of this halogen check must be documented on the manifest. Records of analysis of this determination must be maintained by the transporter for a minimum of three years. Within 30 days of receipt of this report, submit to the Department an explanation of how Freehold will meet this requirement.

Report prepared by:  Date 10/26/04
Jill A. Seale
Environmental Specialist II

Approved by:  Date 10/26/04
Beth Krauss
Environmental Manager

TRANSPORTERS CHECKLIST

1. Site Name: Freehold Cartage Inc.
Location where records are maintained: Bartow and New Jersey Offices

Transporter Requirements (40 CFR 263)

1. Do vehicles transporting hazardous waste have the appropriate placards? (263.10)(49 CFR 172.500) Y N
2. Does transporter have an EPA identification number? (263.11(a)) Y X N
3. Does the transporter use the manifest system as required by 263.20?
Do the manifests contain at least:
- a. Name, address, and EPA ID of transporter? Y X N
- b. Name, address, and EPA ID code of generator? Y X N
- c. Name, address, identification code of designated permitted facility? Y X N
- d. Corresponding manifest document number? Y X N
- e. Description and quantity of each hazardous waste? Y X N
- f. Signature of subsequent transporters? Y X N
- g. Signatures signifying proper delivery or reasons why delivery could not be certified? Y X N
- h. EPA waste codes? Y X N
4. International shipments: (Exports - 263.20(g)) NA X
- a. Are records kept of the dates waste left the U.S.? Y N
- b. Presence of one signed manifest copy in the transporter's records? Y N
- c. Is a signed copy of the manifest returned to the generator? Y N
- d. Is a copy of the manifest given to a U.S. Customs official at the point of departure from the United States? Y N
5. Tolling Agreements for SQG waste: X N/A
- a. Is all waste transported by tolling agreements generated by SQGs? Y N
- b. Is following information recorded on a shipping paper:
Name, address, and EPA ID of waste generator Y N
Quantity of waste accepted Y N
DOT - required shipping info Y N
Date waste is accepted Y N
- c. Does transporter carry this shipping paper during transport? Y N
- d. Are records maintained for three years after termination or expiration of reclamation agreement? Y N
6. Are copies of the manifest retained for 3 years? (263.22) Y X N
7. Is there evidence of discharge of hazardous waste? (263.30) Y N X

8. Has transporter demonstrated the financial responsibility required under 62-730.170(2) Y X N
9. Does the transporter verify financial responsibility with the Department annually (62-730.170(3))? Y X N
10. Does the transporter mix/consolidate hazardous wastes of different DOT shipping descriptions 263.10(c)(2)? Y N X
If yes, complete the Generator checklist.

Transfer Facility Requirements (62-730.171)

1. Does transporter comply with 10 day storage limit for transfer facilities? (263.12) Y X N
- a.. Is the hazardous waste packaged according to 262.30? (263.12) Y N
2. Has the facility notified the department on Form 62-730.900(6) (Transfer facility notification form)? (62-730.171(3)) Y X N
3. Does the transfer facility have an EPA/DER ID number? Y X N
4. Is a written log maintained for all waste entering or leaving the transfer facility? (62-730.171(2)(e)) Y N
- Does the log contain:
- | | |
|--|-----|
| Generators' names? | Y N |
| Manifest numbers? | Y N |
| Dates when waste enters and leaves facility? | Y N |
5. Does facility have a written closure plan satisfying requirements of closure performance, notification, and decontamination standards of 40 CFR 265.111, 265.112(c), 265.114, 265.115? (62-730.171(2)(b)) Y N
- Has the facility supplied DEP with a copy of the plan? Y X N

General Facility Standards (265 Subpart B, adopted by reference in 62-730.171)

1. Security (265.14)
- (a) Is the facility security system adequate to minimize unauthorized entry? Y X N
- (b) Are signs posted and legible for 25 feet? Y N
2. Inspection Requirements (265.15)
- (a) Does the facility have a copy of the Inspection Plan? Y N X
- (b) Does the facility have completed inspection logs? Y N X
- (c) Were the deficiencies corrected in a timely manner? Y NA X
- (d) Are the inspection logs maintained at the facility for 3 years? Y N X

3. Personnel Training (265.16)

- (a) Do management personnel complete hazardous waste training? Y X N _____
Do laborers who handle hazardous waste complete training? Y X N _____
Is training on the job? _____ in the classroom? _____ both? X
- (b) Does training include:
Emergency response procedures? Y X N _____
Inspection procedures? Y X N _____
Operation of hazardous waste handling equipment? Y X N _____
- (c) How often is training reviewed? Annually - February
- (d) Does the facility have personnel training records including:
Job title and description of position? Y _____ N X _____
Description of employee's training Y _____ N X _____
- (e) Is training successfully completed within 6 months of hiring/
transfer to HW position? Y _____ N _____
- (f) Are records maintained for three years at the facility? Y _____ N X _____

4. Ignitable, Reactive, or Incompatible Waste (265.17)

- (a) Is the waste separated and confined from sources of ignition or
reaction, sparks, spontaneous ignition, and radiant heat? Y _____ N _____
- (b) Are "No Smoking" signs posted in the area? Y _____ N _____

Preparedness and Prevention (265 Subpart C adopted by reference in 62-730.171)

1. Is there evidence of fire, explosion or contamination of the
environment? (265.31 Maintenance and Operation of Facility) Y _____ N X _____

If yes, use narrative explanation.

2. Is the facility equipped with (265.32 - required equipment):

- (a) Internal communications or alarm system? Y X N _____
Is it easily accessible in case of emergency? Y X N _____
- (b) Telephone or two-way radio to call emergency response personnel? Y X N _____
- (c) Portable fire extinguishers, fire control equipment, spill control
equipment and decontamination equipment? Y X N _____
Is this equipment tested to assure its proper operation? Y X N _____
How frequently? Annually
- (d) Water of adequate volume for hoses, sprinklers or water spray system? Y _____ N _____

(1) Describe source of water. _____

(2) Indicate flow rate and/or pressure and storage capacity, if applicable. _____

3. Is there sufficient aisle space to allow unobstructed movement of personnel and
equipment? (e.g., adequate aisle space in between barrels to check for leakage,
corrosion and proper labeling, etc.) (265.35 -Required Aisle Space) Y _____ N _____

4. Has the facility made emergency response arrangements with the following: (265.37)

Fire Department: _____ Y X N _____
Police: _____ Y X N _____
Hospital: _____ Y X N _____
Emergency Response Contractor: _____ Y X N _____

If NA, explain _____

5. If not, has the facility attempted to do so and is the refusal documented? Y _____ NA X _____

6. Does the owner/operator have phone number of and agreements with state emergency response teams, emergency response contractors and equipment suppliers? (265.37 - Arrangements with Local Authorities) Y _____ N _____

Are they readily available to the emergency coordinator? Y _____ N _____

Contingency Plan and Emergency Procedures (265 Subpart D adopted by reference in 62-730.171)

1. Does the facility have a contingency plan? (265.51 - Purpose and Implementation of Contingency Plan) Y X N _____

2. Is it maintained at the facility? (265.53 - Copies of Contingency Plan) Y X N _____

3. Is the contingency plan a revised SPCC Plan (265.52 - Content of Contingency Plan) Y _____ N X _____

(a) Does the plan include:

(1) Action personnel will take? Y X N _____

(2) Evacuation routes? Y X N _____

(3) Emergency Equipment? Y X N _____

(4) Is the emergency equipment properly inspected and maintained? Y _____ N X _____

4. Is there an emergency coordinator on site or within short driving distance of the plant at all times? (265.55 - Emergency Coordinator) Y X N _____

5. Who is the emergency coordinator? Steve Moore _____

6. Has the facility supplied local police and fire departments with a copy of the contingency plan? (265.53(b) - Content of Contingency Plan) Y _____ N _____

7. Has the facility supplied DEP with a copy of the Contingency Plan? (62-730.171(2)(a)) Y X N _____

Container Management (see 62-730.171(2)(a))

1. Is hazardous waste that is stored in containers or vehicles stored on a man made surface which is capable of preventing spills or releases to the ground? (62-730.171(2)(d)) Y X N _____
2. Are the containers in good condition (265.171)?
(Check for leaks, corrosion, bulges, etc.) Yes X No _____
3. If a container is found to be leaking, does the operator transfer the hazardous waste from the leaking container? Yes _____ No _____
4. Is the waste compatible with the containers and/or its liner (265.172)? Yes _____ No _____
5. Are the containers kept closed except when adding or removing wastes (265.173(a))? Yes X No _____
6. Are containers holding hazardous waste opened, handled or stored in such a manner as to cause the container to rupture or leak (265.173(b))? If Yes, explain using narrative. Yes _____ No _____
7. Are each of the containers inspected at least weekly? (265.174)? Yes _____ No X _____
Are records kept including: (62-730.160 (6) F.A.C.)
Date of inspection? Yes _____ No X _____
Time of inspection? Yes _____ No X _____
Legibly printed name of the inspector? Yes _____ No X _____
Number of Containers? Yes _____ No X _____
Condition of containers? Yes _____ No X _____
Notes of observations made? Yes _____ No X _____
Date and nature of any repairs or corrective actions? Yes _____ No X _____
8. Are incompatible wastes stored in the same containers? Yes _____ No _____
9. Are containers holding incompatible wastes kept apart by physical barrier or sufficient distance? (n/a to wastes loaded per DOT standards) Yes _____ No _____
10. Is there sufficient aisle space to allow full inspection of the containers and labels of containers not loaded in vehicles? Yes _____ No X _____

Unregulated Wastes – HHW/CESQG Waste N/A X

1. Does the transporter have documentation that this waste was generated by an unregulated source? Y _____ N _____
2. If no, is the transporter assuming responsibility as the generator of this waste? Y _____ N _____

If yes, complete the applicable Generator or Small Quantity Generator checklist.

If not, explain circumstances in narrative, including a discussion of applicable exemptions.

Memorandum

Florida Department of
Environmental Protection

ENFORCEMENT/COMPLIANCE COVER MEMO

TO: Deborah A. Getzoff, District Director

[Handwritten signature] 10/27/04

FROM/THROUGH: William Kutash, Environmental Administrator
 James Dregne, Environmental Manager *[initials]*
 Elizabeth Knauss, Environmental Manager
Jill A. Seale, Environmental Specialist II *[initials]*

DATE: **October 26, 2004**

FILE NAME: **Freehold Cartage Inc.**

PROJECT # **281794**

PROGRAM: **Hazardous Waste**

COUNTY: **Polk**

TYPE OF DOCUMENT:

- Draft or Final
- Final Order
- Warning Letter
- NOV
- Case Report
- Inspection Report
- Consent Order
- Penalty Authorization

DESCRIPTION OF VIOLATIONS:

This hazardous waste and used oil transporter and transfer station was not performing weekly facility/waste inspections, failed to update contingency plan, has been mismanaging universal wastes, has some training deficiencies, and has not been determining halogen content of used oil prior to transporting it.

SUMMARY OF CORRECTIVE ACTIONS:

Facility must come in for a meeting with the Department, must come into compliance, and enter into a consent order to pay penalty.

PENALTY SUMMARY:

Potential for Harm:	Minor	Extent of Deviation:	Major
Modifiers:		Expenses:	\$100
Penalty Amount:	\$5,785		

TOTAL PENALTY AMOUNT: **\$5,885**

APPROVAL REQUIRED