

Thursby, Kim

From: Baker, Bryan
Sent: Wednesday, November 29, 2017 10:06 AM
To: Thursby, Kim
Subject: FW: Still Need Response-Dawn's Facility
Attachments: image004.emz

Ricky's Oil receipt confirmed.

From: Marc Lefebvre [mailto:mlefebvre@mas-env.com]
Sent: Wednesday, November 29, 2017 9:56 AM
To: Baker, Bryan <Bryan.Baker@dep.state.fl.us>
Subject: RE: Still Need Response-Dawn's Facility

Hi Bryan

Yes we have the comments and are working on the response.

Thanks

Marc

Marc A. Lefebvre, PE
Vice President of Engineering Services
5761 N Andrews Way
Ft Lauderdale Fl. 33309
954 520-3766



From: Baker, Bryan [mailto:Bryan.Baker@dep.state.fl.us]
Sent: Wednesday, November 29, 2017 9:53 AM
To: Marc Lefebvre <mlefebvre@mas-env.com>
Subject: FW: Still Need Response-Dawn's Facility

Marc, can you confirm receipt of the Nov 17 letter for Ricky's Oil? Thanks,

Bryan Baker, P.G.
Environmental Administrator
Hazardous Waste Program and Permitting
2600 Blair Stone Rd MS 4560
Florida Department of Environmental Protection
Tallahassee, FL 32399
850-245-8787
Bryan.baker@Floridadep.gov

Please note: Florida has a broad public records law. Most written communications to or from state employees are public records and may be made available to the public or media upon request. This email communication, and future emails to my attention may therefore be subject to public disclosure.

From: Thursby, Kim
Sent: Wednesday, November 29, 2017 7:13 AM
To: Baker, Bryan <Bryan.Baker@dep.state.fl.us>
Subject: Still Need Response-Dawn's Facility

Bryan,

I have not received response from Dawn's facility Ricky's Oil-November 17, 2017 e post. It did not get on response report so that is why it is not attached. It was sent to gpaul@synergycycling.org. Please let me know if you have any questions or comments.

Thanks,
Kim

*Kim Thursby
Department of Environmental Protection
2600 Blair Stone Road
Mail Station 4560
Tallahassee, Florida 32399-2400
Direct with voice mail (850) 245-8792*



Thursby, Kim

From: Epost HWRS
Sent: Friday, November 17, 2017 12:36 PM
To: 'EPaul@Synergyrecycling.org'
Cc: Baker, Bryan; Walker, Kim (Waste); McBride, Ashanti; Kothur, Bheem; Buselli, Bradley; Eldredge, Susan F.; Jarmolowski, James; Blandin, Norva; 'daniel.g.lopez@Floridadep.gov'; 'mlefebvre@mas-env.com'; Cinquino, Dawn
Subject: Ricky's Oil & Environmental Services, LLC;FLD 981 019 755; First Request for Additional Information (RAI)
Attachments: 11-17-17 Ricky's_RAI.pdf.Receipt.pdf

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Program and Permitting section is forwarding the attached document to you by electronic correspondence "e-correspondence" in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a "reply" message to epost_hwrs@dep.state.fl.us. (An automatic "reply message" is not sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

The attached document is in "pdf" format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at www.adobe.com/products/acrobat/readstep2.html.

Your cooperation in helping us affect this process by replying as requested is greatly appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Bryan Baker, P.G.
Environmental Administrator

Hazardous Waste Program & Permitting



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

REQUEST FOR ADDITIONAL INFORMATION

November 17, 2017

Mr. Elliott Paul
510 Shotgun Road, Suite 110
Sunrise, FL 33326
epaul@synergyrecycling.org

RE: **First Request for Additional Information (RAI)**
Miami Dade County – Hazardous Waste
Facility Name: Ricky's Oil & Environmental Services, LLC
EPA I.D. No.: FLD 981 019 755
Current Permit Number: 61835-006-HO; 61835-007-SO
DEP Application No.: 62835-008-HO; 61835-009-SO

Dear Mr. Paul:

Thank you for your application for renewal of the Used Oil Operating Permit for the above referenced Facility. The Department has assigned DEP Application No. 62835-008-HO; 61835-009-SO to the application. A Department staff review of the application and supporting documentation submitted on October 19, 2017 indicates the application is incomplete. Pursuant to the provisions of Rule 62-730.220 F.A.C. and Rule 62-730.220(6), F.A.C., please provide the information in the attached document and refer to this correspondence in your response. The response to this correspondence must be signed, sealed, and dated by a registered Florida Professional Engineer.

In order for the Department to continue processing your application, please submit the requested information as soon as possible. The Department must receive a response within 30 days of the date of this letter, December 17, 2017, unless a written request for additional time to provide the requested information is submitted and approved. Pursuant to Rule 62-730.220(6), F.A.C. and Section 120.60, F.S., failure of an applicant to provide the timely requested information by the applicable deadline may result in denial of the application. You are encouraged to contact this office to discuss the items requested to assist you in developing a complete and adequate response.

Mr. Elliott Paul
Page 2 of 9
November 17, 2017

Please submit the response in electronic format to HWPP@dep.state.fl.us, with a copy to Dawn.Cinquino@Floridadep.gov. If the file is very large, you may post it to a folder on this office's ftp site at: [ftp://ftp.dep.state.fl.us/pub/incoming/DWM/\[name of folder\]](ftp://ftp.dep.state.fl.us/pub/incoming/DWM/[name of folder]). After posting the document, send an e-mail to HWPP@dep.state.fl.us, with a copy to Dawn.Cinquino@Floridadep.gov, alerting us that it has been posted.

If you have any questions, please contact Dawn Cinquino by telephone at 850-245-8766 or by e-mail at Dawn.Cinquino@Floridadep.gov.

Sincerely,



Bryan Baker, P.G.
Environmental Administrator
Florida Department of Environmental Protection

Attached: List of Requested Information

cc:

Ashanti McBride, DEP OGC, ashanti.mcbride@Floridadep.gov
Bheem Kothur, DEP Headquarters, bheem.kothur@Floridadep.gov
Bradley Buselli, DEP Headquarters, bradley.buselli@Floridadep.gov
Susan Eldredge, DEP Headquarters, susan.f.eldredge@Floridadep.gov
James Jarmolowski, DEP Headquarters, james.jarmolowski@Floridadep.gov
Norva Blandin, DEP Southeast District, norva.blandin@Floridadep.gov
Daniel Lopez, DEP Southeast District, daniel.g.lopez@Floridadep.gov
Marc Lefebvre, MAS Environmental, mlefevre@mas-env.com

Attachment: List of Requested Information

Facility Name: Ricky's Oil & Environmental Services, LLC
EPA I.D. No.: FLD 981 019 755
Current Permit Number: 61835-008-HO; 61835-009-SO
DEP Application No.: 62835-008-HO; 61835-009-SO

Review Comments for the Used Oil Renewal Application: Comments on the used oil portion of the renewal application are included below. Please submit any necessary revisions, unless otherwise indicated, electronically for our records.

1. Per the Used Oil Processing Facility Permit Application Instructions, the submitted application should include a header with the revision number, page number and date on each page of the application. Please include this information in the header in subsequent submittals.
2. Consistency throughout application: Several portions of the submitted renewal application are inconsistent. The Department has attempted to point out the crucial inconsistencies in your application, but please review the entire application for consistency and revise as necessary.
 - a. Facility and Land Owner's Names: Please confirm the name and address of the entity that owns the property. This information should be consistent with the 8700-12FL form on file with the Department.
 - (1) Form 1, Page 2 of 8, #13, Site ownership status: The land owner's name is listed as Chris Ricci in the application. The Miami-Dade property appraiser's website lists the property owner as Ricky's Oil Service, Inc.
 - (2) Form 1, Page 7 of 8, Land Owner Certification: It is the Department's understanding that Elliot Paul is not the land owner (please see comment above). If necessary, please re-submit the land owner certification page signed by the correct person.
 - (3) Form 2, Page 1 and 2, # 4 and #8: It is the Department's understanding that the facility and applicant's name should read "Ricky's Oil & Environmental Services, LLC", not Rick's.
 - (4) Form 2, Page 2, #10, Landowner: The landowner is listed as "same as applicant." It is the Department's understanding that the applicant and landowner are not the same entity.
 - b. Figures: Figures are denoted as "Site Drawing" on the actual figures, but referred to as "Figures" within the text of the application. Please select one term and be consistent throughout the entirety of the application.
 - c. Number of Roll-offs: Please clarify how many roll-offs are located at the facility. Revise the affected sections (Attachments B and H; Figures 2 and 3) as necessary.
 - d. Tek Mate Leak Detector: Please clarify the Tek Mate Leak Detector halogen content alert threshold; Attachments B and C state the sensitivity is at ">800ppm" while all other sections in the permit application state the sensitivity is ">1000ppm."

- e. Emergency Contact Information: Please ensure all emergency notification information is up-to-date and consistent. Inconsistencies were noted for Elliott Paul's contact information in Attachments 3 (SPCC Plan), F (Section 9.4) and J (page 7).
3. Form 1, Used Oil Processing Facility Permit Application, Page 1 of 8, #3 Facility Type: The facility is listed in the 2017 application as a Used Oil Transporter and a facility "disposing of used oil". This identification has changed since the last renewal (2012) when the facility was identified as a Used Oil Marketer instead of as a facility "disposing of used oil". Please confirm that the form submitted in 2017 is correct.
 4. Attachment A, Facility Operation:
 - a. The Department believes the term "waste oil" was mistakenly used throughout this attachment and others. The term "waste oil", which is used oil that has been mixed with hazardous waste, is not interchangeable with the term "used oil". Please clarify and revise all affected attachments accordingly.
 - b. The Department believes the term "hazardous products" may have been mistakenly used throughout this attachment and others. Please note that the term "hazardous products" is not synonymous with the term "hazardous wastes". Please provide an explanation regarding the use of the term "hazardous products" or revise the affected pages.
 - c. Please change the paragraph that starts, "This facility does not collect 'hazardous products' ..." to "This facility does not collect 'hazardous waste' (as defined by 40 CFR 261)" and add the sentence, "However, the facility has the potential to generate CESQG quantities of hazardous waste in the future."
 - d. In accordance with 40 CFR 279.43(b), used oil transporters must comply with all applicable requirements under Department of Transportation (DOT) regulations in 49 CFR parts 171 through 180. Please provide a copy of the appropriate DOT certification.
 5. Attachments B, Process Flow Description:
 - a. Paragraph 3, last line: The last line reads, "The product may be subsequently collected if laboratory analysis indicates that the product is non-hazardous per 40 CFR 261." The 2012 permit application added the clause "or the generator is found to be a CESQG" to the end of that sentence. Please confirm that this clause was intentionally omitted in the 2017 application.
 - b. Paragraph 5, Used Oil Filters/Absorbent/Oily Rags: This paragraph states that used oil filters and absorbent/oil rags are "transferred into a designated "product-specific" sealed roll-off container." Please describe the location of these roll-off containers (i.e., refer to figure) and how often the covering to the container is removed. Please also identify the name of the foundry and incinerator mentioned in this paragraph.
 - c. Paragraph 7: This paragraph discusses avoiding overflow of the storage tanks.
 - (1) In previous applications, the plant operator was responsible for determining the remaining capacity in an AST, not the fleet vehicle

operator. Is the fleet vehicle operator an employee? Please confirm the change in who is responsible for this determination.

- (2) How does the fleet vehicle operator determine how much additional used oil can be added to any given AST?
 - (3) Are the ASTs equipped with overfill alarms? If so, please ensure that these overfill alarms are compliant with Department SPCC regulations.
 - (4) Please note that your current permit and this renewal permit will permit the storage tanks to be filled to only 95% of their capacity. To avoid overflow, the Permittee shall notify the Department when the volume of used oil, oily wastewater or PCW (if applicable) stored in any of the permitted tanks exceeds 95% of the maximum storage capacity of the tank.
6. Attachment C, Analysis Plan:
- a. Please describe how your facility will track and record information obtained during the waste analysis process.
 - b. The last paragraph of the Waste Analysis Plan has changed significantly from the 2012 application. It appears that instead of the product being analyzed at a certified laboratory and sold as industrial fuel after the test results are received, it is now shipped to Synergy Refinery in Kingsland, Georgia for further testing and analysis. Please explain the change in your waste analysis process in greater detail, especially in regard to on-specification used oil.
7. Attachment E, Tracking Plan: The forms provided in this section are blurry, difficult to read, and five years old (dated "2012"). Please provide updated and legible forms.
8. Attachment F, Spill Prevention, Control, & Countermeasures (SPCC) Plan:
- a. Section 6.0, General Information and Site Description: In the second paragraph, secondary containment calculations are in Attachment 4 of the SPCC Plan, not in Attachment 5. Please revise.
 - b. Section 6.1.2, Fleet Vehicles: Please clarify the last two lines of this section. Does the roll-off truck for transporting 20-yard containers also have a 7,000-gallon capacity?
 - c. Section 6.3.5, General Tank Integrity: An engineering evaluation of the integrity (thickness testing) of shop fabricated tanks should be conducted at least every 20 years. According to our records, the last scheduled inspection of the tank was to be conducted on July 31, 2013. Please provide documentation of this inspection and reference it in this section.
 - d. Section 9.1, Emergency Response Procedures: The last sentence in this section is incomplete. "Southeast FDEP District office has..." Please revise this section to include the missing information.
 - e. Section 9.3, Emergency Equipment: Please provide a maintenance schedule for the emergency equipment and a map showing the location of the

- equipment. Attachment 7 refers to a “red storage shed” – please identify the shed on the figure.
- f. Section 9.5, Evacuation Plan: Please provide a figure showing evacuation routes. Besides the main entrance, are there any alternative evacuation routes from the facility? This figure can be combined with the location of emergency equipment.
 - g. Section 9.6, Fire & Explosion Response Procedures: The last line of this section references Section 5.0 – Management Approval. Did you mean Section 7? Please revise this section.
 - h. Section 9.7, Reporting / Recordkeeping:
 - (1) In addition to what is already stated in this section of the SPCC Plan, 40 CFR 279.52(b)(6)(ix) requires that a written report due within 15 days of an incident also include the facility owner address and the telephone number of the facility. The information you provided was information required for the verbal notification under 40 CFR 279.52(b)(6)(iv)(B). Please revise.
 - (2) This section along with other sections of the application references Miami-Dade County Department of Environmental Resources Management (DRER). The current name of this agency is the Department of Environmental Resources Management – Pollution Regulation & Enforcement Division (DERM). Please note this for the next permit renewal.
 - i. Section 11.4, Preparedness and Prevention: In the last paragraph of this section, Attachment 7 – Emergency Response Equipment should be referenced instead of Attachment 6. Additionally, emergency contacts and communications are described in Attachment 3, not 2. Please revise.
 - j. Attachment 1, Substantial Harm Determination: This document is missing the certification signature and date. Please sign and resubmit this page.
 - k. Attachment 6, Storage Tanks: Tank #11 lists its contents as Used Oil or/PCW. Does this tank store PCW?
9. Attachment H, Closure Plan:
- a. Page 3, Facility Closure Procedures, Paragraph 1: Rule 62-761, F.A.C., which regulates underground storage tanks, is cited. It is the Department’s understanding that the facility only contains above-ground storage tanks. Please confirm and revise this section as needed.
 - b. Page 3, Facility Closure Procedures, Paragraph 2, Bullet Point 1: Although the county may have different notification requirements, per Rule 62-710.800(5)(d), written notification shall be submitted to the Department at least 60 days prior to the scheduled date of closing the facility, not 30 days as is currently stated in the closure plan. Please revise this section.
 - c. While it’s difficult to prepare a comprehensive Site Closure Plan prior to actual closure, the included plan requires more detail than provided. Please provide additional details regarding the closure plan. The plan should be sufficiently detailed enough so that a third party can implement it. Additional details are especially needed regarding soil assessment and reporting. For

example, how many soil samples are anticipated? Where will you likely take those samples? Will the samples be discrete grab samples? What will you analyze those samples for? Will a closure report be submitted and what will it include? Instructions for sampling during closure of above-ground storage tanks can be found on the Department's website at <http://www.dep.state.fl.us/waste/categories/tanks/pages/rules.htm> (Instructions for Conducting Sampling During Aboveground Storage Tank Closure, April 2016).

- d. Page 4, Cost Estimate: This section states that the closure cost estimate for this facility is \$79,646.88. It is the Department's understanding that this number has been revised to \$67,406.25. Please confirm and revise.

10. Attachment J, Employee Training Manual:

- a. Page 7, Emergency Equipment: The section on Emergency Equipment refers to Table I of the SPCC Plan, however there is no Table I. Attachment 7 of the SPCC Plan contains a list of emergency equipment. Please revise this section.
- b. Page 8, Evacuation Plan: The Evacuation Plan states that details about the alarm system are located in Attachment 8 of the SPCC Plan; information can be found in Sections 9.3, 9.5, 9.6, and Attachment 7 of the SPCC Plan regarding emergency equipment, such as an on-site air horn, but nothing on this system is listed in Attachment 8. Please revise this section.

11. Attachment K, Site Photographs: The photographs provided are the same as those provided in the 2012 application. Please provide updated photographs of your facility.

Review Comments for the Waste Processing Facility Permit Renewal Application:

The renewal application for a material processing facility has been reviewed with respect to the applicable requirements in 62-701.710, F.A.C. The following items are provided:

1. The current Solid Waste Permit 61835-007-SO, Part V, paragraph 1c., page 17 of 22, allows for the storage of up to 500 55-gallon drums for the storage of solids awaiting disposal. The renewal application submitted on October 17, 2017 did not include any information regarding the use of up to 500 55-gallon drums for the storage of solids awaiting disposal. Please indicate if the 55-gallon drums will be used in the same manner and quantity as referenced in the current permit. Also, please provide clarification as to what is stored in the 55-gallon drums, how long they are retained on-site, where they are stored, and any details regarding how the contents of the 55-gallon drums are managed. For example, please indicate if the contents in the 55-gallon drums are combined to create bulk shipments, or if the 55-gallon drums transported separately for off-site for disposal. Rule reference: 62-701.710(2)(a).
2. The renewal application indicates that two sealed roll-off containers are used; one for the storage of used oil filters and one for oily rags. Please indicate how long

each roll-off container is on-site before it is transported off-site for disposal. Rule reference: 62-701.710(2)(a).

3. Attachment D, electronic document page 32, indicated that “Sludges generated at the facility from the units used to filter product prior to tank storage are mixed in with the material in the oil rags container and sent off-site for management.” Please provide additional details such as how often this is done, and the quantity of sludge generated on a monthly basis. Rule reference: 62-701.710(2)(a).
4. The renewal application did not include a site plan that shows the facility location, total acreage of the site, and other relevant features such as water bodies, or wetlands within 200 feet of the site, and potable wells within 500 feet of the site. The site plan should have a scale not greater than 200 feet to one inch, and be signed and sealed by a professional engineer pursuant to Chapter 471, Florida Statutes. A site plan that meets these requirements should be submitted. Rule reference: 62-701.710(2)(b).
5. The application did not include a boundary survey and legal description of the property. A boundary survey and legal description of the property should be submitted. Rule reference: 62-701.710(2)(c).
6. The application did not include information regarding record keeping of the materials associated with the materials processing portion of the permit. Operational records are required to be maintained to include a daily log of the quantity of solid waste received, processed, stored, and removed from the site for recycling or disposal, and the county of origin of the waste, if known. These records shall include each type of solid waste, recovered materials, residuals, and unacceptable waste which is processed, recycled, and disposed. Such records shall be compiled on a monthly basis and shall be available for inspection by the Department. Records shall be retained at the facility for three years. Additional information regarding how the record keeping requirements will be met should be submitted. Rule reference: 62-701.710(2)(e) and 62-701.710(8)(a).
7. It is recommended that the Closure Plan in Attachment H (electronic document page 73) be revised to reflect that the closure plan is also intended to fulfill the closure requirements in Chapter 62-701.710(6). Rule reference: 62-701.710(2)(f) and 62-701.710(6).
8. Review of the SPCC Plan in Attachment F, indicates that the FDEP contact information on page 11-2 (electronic document page 57) should be revised to reflect the current Office of Emergency Response location and telephone number. The correct address is 3301 Gun Club Road, West Palm Beach, and the correct telephone number is (561) 681-6767. Rule reference: 62-701.710(2)(g).

Citation Errors: Please note that the following citation errors were observed in the permit application. Please review, revise and re-submit the appropriate pages electronically for our records:

- (a) Attachment D, Sludge, Residue and Byproduct Management Description:
 - i. Paragraph 1, Page 1 of 1: Chapter 62-710.800(9)(a), F.A.C. does not exist. Please replace with the correct citation.
 - ii. Paragraph 1, Page 1 of 1: Chapter 62-761 refers to Underground Storage tanks. It is the Department's understanding that only above-ground storage tanks exist at this facility. Closure of aboveground storage tanks are regulated under Rule 62-762.801, F.A.C.
- (b) Attachment F, Spill Prevention, Control, and Countermeasures (SPCC) Plan:
 - a. Section 6.2.4, Record Keeping & Reporting Requirements: The correct citation for annual registration is 62-710.500(1), F.A.C.
 - b. Section 6.2.5, Insurance: The correct citation for liability insurance is 62-710.600(e).
- (c) Attachment H, Closure Plan:
 - i. Page 1, Introduction, Paragraph 1: Please refer to Rule 62-710.800(5)(a), F.A.C. for specific requirements regarding closure plans, instead of 62-710.800(9)(a), F.A.C.
 - ii. Page 3, Facility Closure Procedures, Paragraph 2: For closure requirements of aboveground storage tank systems, please refer to Rule 62-762.801(2) and Rule 62-710.800(5)(a), instead of Rule 62-761.800(5), FAC.
- (d) Attachment J, Employee Training Manual:
 - i. Page 2, Understanding the Federal EPA Used Oil Regulations: Reference to Subpart E, Part 255.4 should read "40 CFR 279, Subpart E, Standards for Used Oil Transporter and Transfer Facilities."
 - ii. Page 3, Asterisk to Section E: The rebuttable presumption is provided in 40 CFR 279.53, not 266.40(c).
 - iii. Page 6, paragraph 2: Please reference Rule 62-762, F.A.C. for above-ground storage tanks, not Rule 62-761,460(2), MC.