

February 21, 2018

Mr. Bryan Baker, PG
Environmental Administrator
Florida Department of Environmental Protection

RE: **Response to 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

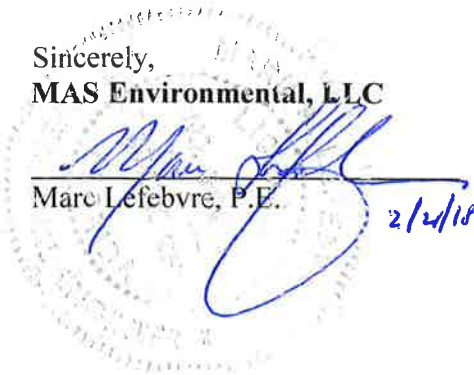
Dear Mr. Baker:

MAS Environmental LLC (MAS) received the review letter regarding the Five Year Permit Renewal Application dated November 17, 2017. MAS is pleased to provide you with the following responses to the comments contained in your review letter. For ease of review our responses are provided under each comment listed below.

If you have any further questions feel free to contact Marc Lefebvre at mlefebvre@mas-env.com

Sincerely,
MAS Environmental, LLC

Marc Lefebvre, P.E.



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.

Response: Addressed in application in referenced section.

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.

Response: Ricky's Oil Service owns the property and is owned by Chris Ricci. Ricky's Oil and Environmental Services, LLC is the entity applying for the permit and is leasing the property from Ricky's Oil Service.

- 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.

Response: Addressed in application in referenced section(s) as Figures only.

- 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.

Response: There are two roll-off containers on-site, one contains used oil filters and the second contains rags and absorbents. The location of the containers are included in Figure 2

- 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.”

Response: The facility is using >1000ppm as the threshold. This has been replaced throughout the application.

- 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).

Response: Addressed in application in referenced section.

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.

Response: The facility plans to continue operating as a used oil marketer, this has been addressed in the referenced section.

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.

Response: Addressed in application in referenced section(s) and corrected to used oil throughout the document.

- 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.

Response: The term “hazardous products” was used incorrectly. It has been replaced with the term “hazardous wastes” throughout the application.

- 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.”

Response: Addressed in application in referenced section

- 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.

Response: Addressed in application in Attachment M.

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.

Response: The 40 CFR 261 edit has been made in the referenced section. The CESQG clause was removed in error and has been re-inserted.

- 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.

Response: There are two roll-off containers on-site, one contains used oil filters and the second contains rags and absorbents. Covered bins are also used for storage of used oil filters to be transported to a licensed used oil filter recycler. The absorbents and rags are transferred to the roll-offs from the 55 gallon drums. The absorbents and rags are disposed of at a permitted landfill that can accept this material. The location of the containers are included in Figure 2. The absorbents and rags are disposed of approximately once per month. The used oil filters are sent to a licensed used oil filter recycler.

Paragraph 7: This paragraph discusses avoiding overfill 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.

Response: The plant operator is responsible for this activity. This has been addressed in the referenced section.

- (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.

Response: The plant operator will determine how much additional used oil can be added using a stick measurement with a 2 person monitoring system. The ASTs are not equipped or required to be outfitted with overfill alarms.

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.

Response: The facility plans on utilizing the used oil halogen content logs throughout this upcoming permit’s five year lifespan and is further described in Attachment C. Ricky’s primarily bulks the Used Oil for shipment to Synergy Recycling located in Kingsland, Georgia for the purpose of Re-refining. The used oil is not classified as on-specification fuel

in this scenario; hence, no record of testing, given absence of the requirement. In the event Ricky's markets the used oil as on-specification fuel the requirements of 40 C.F.R. Part 279.11 [as adopted in subsection 62-710.210(2), F.A.C.] will be met. This will continue for the next 5 years.

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.

Response: Addressed in application in referenced section.

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.

Response: Addressed in application in referenced section.

- 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?

Response: Addressed in application in referenced section.

- 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.

Response: An SP-001 tank integrity test was performed in December 2016 on 10 out of 11 tanks. The test was not performed on the 11th tank because the riveted tank was converted to oily wastewater and would no longer be required to have a tank integrity inspection. The tank inspection reports from Down Under Tank Testing are pending.

- 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.

Response: Addressed in application in referenced section, sentence was incorrectly included.

- 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.

Response: Addressed in application in referenced section.

- 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.

Response: Addressed in application in referenced section.

- 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.

Response: Addressed in application in referenced 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.

Response: Addressed in application in referenced section.

- (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.

Response: Addressed in application in referenced section.

- 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.

Response: Addressed in application in referenced section.

- j. Attachment 1, Substantial Harm Determination: This document is missing the certification signature and date. Please sign and resubmit this page.

Response: Addressed in application in referenced section.

- k. Attachment 6, Storage Tanks: Tank #11 lists its contents as Used Oil or/ PCW. Does this tank store PCW?

Response: Addressed in application in referenced section. This tank does not 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.

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).

- c. 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.

Response: Addressed in application in referenced section(s) of Attachment H.

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.

Response: Addressed in application in referenced 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.

Response: Addressed in application in referenced section(s) and Figure 2.

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.

Response: Addressed in application in referenced section

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).

Response: The 55-gallon drums which contain absorbents and oily rags are bulked into a roll off for disposal and will be used in the same manner and quantity as referenced in the current permit. They are removed approximately once per month.

2. 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).

Response: This is performed once per year and the volume generated is five (5) gallons per month.

3. 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).

Response: Addressed in application in referenced section.

4. 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).

Response: Addressed in application in referenced section. Figure 1 includes the property boundary and legal description of the property.

5. 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).

Response: Addressed in application in referenced section.

6. 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).

Response: Addressed in application in referenced section.

7. 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).

Response: Addressed in application in referenced section.

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.

Response: Addressed in application in referenced section(s).