



FLORIDA DEPARTMENT OF Environmental Protection

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April 29, 2019

Michael Schorr, Environmental, Health and Safety Manager
Avista Oil Group
411 Dividend Drive
Peachtree City, Georgia 30269
E-mail: mschorr@universalenviro.com

Re: Return to Compliance Letter
Universal Environmental Services
Facility ID No. FLR000226019
Lee County - HW

Dear Mr. Schorr:

Department personnel conducted a compliance evaluation inspection of the above-referenced facility on March 21, 2019. Based on the information provided during and following the inspection, the non-compliance item(s) which may have been identified at the time of the inspection have been corrected. A copy of the inspection report is attached for your records.

The Department appreciates your efforts to maintain this facility in compliance with state and federal rules. Should you have any questions or comments, please contact Karen Bayly at (239) 344-5616, or via e-mail at: Karen.Bayly@floridadep.gov.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer L. Carpenter".

Jennifer Carpenter
Assistant Director
South District
Florida Department of Environmental Protection

Enclosure: Inspection Report



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

FACILITY INFORMATION:

Facility Name: Universal Environmental Services LLC
On-Site Inspection Start Date: 03/21/2019 **On-Site Inspection End Date:** 03/21/2019
ME ID#: 128239 **EPA ID#:** FLR000226019
Facility Street Address: 2612B Edison Ave, Fort Myers, FL 33916-5306
Contact Mailing Address: 411 Dividend Dr, Peachtree City, GA 30269-1940
County Name: Lee **Contact Phone:** (678) 544-2915

NOTIFIED AS:

Non-Handler

Used Oil

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter facility
Routine Inspection for Used Oil Transfer Facility facility

INSPECTION PARTICIPANTS:

Principal Inspector: Karen R. Bayly, Environmental Consultant
Other Participants: Ken Rittscher, Area Manager

LATITUDE / LONGITUDE: Lat 26° 37' 58.6953" / Long 81° 51' 33.9817"

NAIC 423930 - Recyclable Material Merchant Wholesalers

TYPE OF OWNERSHIP: Private

Introduction:

A compliance evaluation inspection was conducted by Florida Department of Environmental Protection [FDEP] staff at Universal Environmental Services LLC [UES/facility] on March 21, 2019 to verify the facility's compliance status with state and federal used oil rules and regulations. This is the first FDEP hazardous waste/used oil inspection conducted at this facility. The following is a summary of my observations.

UES submitted an initial 8700-12FL notification in February 2018 as a used oil filter transporter (UOFT) and used oil filter transfer facility (UOFTF) and was issued a registration certificate and associated EPA ID# on March 15, 2018. According to the notification, UES began operating at this location on 10-1-2017. According to Michael Schorr, UES Environmental Health & Safety Manager, used oil filters were not transported/stored at the facility until 3-15-2018. UES submitted an annual report for 2017 which reflects 0 used oil filters were transported/stored. The current registration is valid until 7-1-2020.

Upon arriving at the facility, I reviewed the purpose of the inspection with Ken Rittscher, UES Florida Area Manager. Mr. Rittscher provided access and was present throughout the inspection.

Process Description:

The property is owned by Edison Oil Company. UES leases one unit to store empty used oil filter containers and another unit as office space. UES maintains three trucks on the property including a box truck, collection/pump truck and vacuum truck. At the time of the inspection, the box truck and vacuum truck were at the facility.

Empty used oil filter containers including 65-gallon wheeled carts, 55-gallon drums, 250-gallon totes, and spill equipment are maintained in the storage unit. Empty containers are stored on visqueen. Mr. Rittscher indicated that occasionally full containers of used oil filters are also stored in the unit on visqueen. Outside the unit was a closed 55-gallon drum labeled non-hazardous waste absorbents. Mr. Rittscher indicated the spent absorbent pads were generated by Edison Oil and will be transported with UES spent absorbent pads

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to their Ocala facility; and then to the UES used oil processing facility in Georgia.

Used oil filters are picked up daily from customers/generators and maintained in the box truck until it is full. Mr. Rittscher indicated it takes approximately 1-2 weeks to fill (approximately fifty containers) the box truck. The full truck is then driven to U.S. Foundry & Manufacturing Corp [FLD004128336] in Miami for disposal. U.S. Foundry is registered as a used oil filter processor and end user with FDEP.

At the time of the inspection, the used oil filter box truck was parked over bare ground towards the back (south) of the yard. The truck contained a total of twenty-one full used oil filter containers (twenty 65-gallon wheeled carts and one 55-gallon drum). Also noted was a 55-gallon drum of spent absorbent pads and spill equipment. The floor/base of the truck is wood and was in good condition with no stains. It was discussed that pursuant to Rule 62-710.850(5)(a) used oil filter containers should be stored on an oil-impermeable surface. Several options were discussed including lining the interior floor of the the truck with a sealant or barrier. The facility's registration certificate with the EPA ID# are maintained in the truck. *Subsequent to the inspection, documentation was provided reflecting an oil-impermeable liner was installed inside the box truck.

The driver maintains a truck load report which documents the daily pick-ups. Acceptance and delivery disposal records were provided subsequent to the inspection. No issues were noted.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	62-710.850(5)(a)
Question Number:	5.26
Question:	Are the used oil filter containers stored on an oil-impervious surface? 62-710.850(5)(a)
Explanation:	<p>All persons storing used oil filters shall store used oil filters in above ground containers which are clearly labeled "Used Oil Filters," and which are in good condition (no severe rusting, apparent structural defects or deterioration) with no visible oil leakage. The containers shall be sealed or otherwise protected from weather and stored on an oil-impermeable surface.</p> <p>Containers of used oil filters are stored in a box truck parked over soil. The inside/floor of the truck is wood and not oil-impermeable.</p>
Corrective Action:	Subsequent to the inspection, documentation was provided reflecting an oil-impermeable liner was installed inside the box truck.

Photo Attachments:

used oil filter containers inside box truck



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PHOTO ATTACHMENTS:

empty containers on visqueen



inside box truck



used oil filter box truck



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5.0 - Used Oil Generator Checklist**Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Note: Checklist items with shaded boxes are for informational purposes only.

Item No.	Used Oil Container and Tank Management	Yes	No	N/A
5.1	Does the facility store used oil only in tanks, containers or permitted hazardous waste storage units? 279.22(a)			✓
5.2	Are used oil containers/tanks in good condition? 279.22(b)(1)			✓
5.3	Are used oil containers/tanks not leaking? 279.22(b)(2)			✓
5.4	Are used oil containers/tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(1)			✓
5.5	Are fill pipes used to fill underground tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(2)			✓
Item No.	Secondary Containment	Yes	No	N/A
5.6	Are containers/tanks 55-gallons or smaller that are stored inside:			
5.7	Stored on an oil-impermeable surface? 62-710.401(6)			✓
5.8	Are containers/tanks larger than 55-gallons that are stored inside:			
5.9	Stored on an oil-impermeable surface? 62-710.401(6)			✓
5.10	Does the building provide adequate secondary containment, or are the containers/tanks double-walled, or stored within or on engineered secondary containment that has the capacity to hold 110% of the volume of the largest container/tank, or are the containers/tanks portable/wheeled and typically emptied every 24 hours? 62-710.401(6)			✓
5.11	Are containers/tanks (regardless of size) that are stored outside:			
5.12	Closed or otherwise protected from the weather? 62-710.401(6)			✓
5.13	Double-walled or stored on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest container within the secondary containment? 62-710.401(6)			✓
Item No.	Used Oil Releases	Yes	No	N/A
5.14	Has the generator, upon detection of a release, done all of the following, as applicable:			
5.15	stop the release? 279.22(d)(1)			✓
5.16	contain the released oil? 279.22(d)(2)			✓
5.17	clean up and manage properly the released used oil and other materials? 279.22(d)(3)			✓
5.18	if necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service? 279.22(d)(4)			✓
5.19	Is the facility in compliance with the prohibition against discharges of used oil into soils, sewers, drainage systems, septic tanks, surface or ground waters, watercourses, or marine waters? 62-710.401(2)			✓
5.20	Is the facility in compliance with the prohibition against using used oil for road or pavement oiling for dust control, weed abatement, or other similar uses that have the potential to release used oil into the environment? 62-710.401(5)			✓
Item No.	Used Oil Filter Container Management	Yes	No	N/A
5.21	Does the facility store used oil filters in containers? 62-710.850(5)(a)	✓		
5.22	Are the used oil filter containers clearly labeled "Used Oil Filters"? 62-710.850(5)(a)	✓		
5.23	Are the used oil filter containers in good condition? 62-710.850(5)(a)	✓		
5.24	Are the used oil filter containers not leaking? 62-710.850(5)(a)	✓		
5.25	Are the used oil filter containers closed or otherwise protected from weather? 62-710.850(5)(a)	✓		

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Item No.	Used Oil Filter Container Management	Yes	No	N/A
5.26	Are the used oil filter containers stored on an oil-impervious surface? 62-710.850(5)(a)		✓	
Item No.	Releases from Used Oil Filter Containers	Yes	No	N/A
5.27	Has the generator, upon detection of a release, done all of the following, as applicable:			
5.28	stop the release? 62-710.850(5)(b)			✓
5.29	contain the released oil? 62-710.850(5)(b)			✓
5.30	clean up and manage properly the released oil and any subsequent oily waste? 62-710.850(5)62-710.850(5)(b)			✓
5.31	repair or replace any leaking used oil filter storage containers prior to returning them to service? 662-710.850(5)(b)4			✓
Item No.	Used Oil Mixtures	Yes	No	N/A
	<input type="checkbox"/> Is the facility a VSQG that mixes hazardous waste with used oil and manages the mixture under 279? Note: VSQGs can mix both listed and characteristic wastes with used oil.			
	<input type="checkbox"/> Is the facility a SQG or LQG that is mixing listed waste (except for listed waste that only is listed because it exhibits a characteristic - see question below) with used oil? [VSQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so:			
5.32	Is the mixture being managed as listed hazardous waste? 279.10(b)(1)			✓
	<input type="checkbox"/> Is the facility a SQG or LQG that mixes only characteristic waste (or listed waste that only exhibits a characteristic) with used oil? [NOTE: This is also considered HW Treatment and other rules apply. However, VSQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so:			
5.33	Is ignitability the only characteristic of the hazardous waste prior to mixing (or is the HW listed only for ignitability)? If so:			
5.34	Is the mixture managed as HW if it exhibits the ignitability characteristic? 279.10(b)(2)(iii)			✓
5.35	Does the hazardous waste exhibit ANY characteristic other than ignitability prior to mixing (or is the HW listed only for a characteristic other than ignitability)? If so:			
5.36	Is the mixture managed as HW if it exhibits ANY characteristic (even if the characteristic of the mixture is from the used oil, rather than from the HW)? 279.10(b)(2)(i)			✓
5.37	Does the facility generate mixtures of other materials contaminated with used oil (i.e. absorbents, rags, dirt)? If so:			
5.38	Are UO-contaminated materials that contain visible free-flowing UO managed under 279 used oil standards? 279.10(c)(3)			✓
5.39	Does the facility either manage UO-contaminated materials that do not contain visible free-flowing UO as hazardous waste have records documenting the materials are not hazardous waste? 279.10(c)(1)(ii)			✓
5.40	Are UO-contaminated materials that will be burned for energy recovery being managed as used oil under 279? (Used oil-contaminated materials should have a heating value of at least 5000 Btu/pound to be burned for energy recovery under 279, so low-Btu-value materials like contaminated soils and clay absorbents are solid waste, subject to 262 HW determinations.) 279.10(c)(3)			✓
5.41	Does the facility generate mixtures of used oil with fuel or fuel products? If so:			
5.42	Does the facility manage mixtures of UO and fuel/fuel products under 279 used oil standards? [Note: 279.10(d)(2) allows on-site mixing of UO with diesel fuel for use in the generator's own vehicles.] 279.10(d)(1)			✓
5.43	Is the facility in compliance with the prohibition against mixing or commingling used oil with solid waste that is to be disposed of in landfills or directly disposing of used oil in landfills? (Persons unknowingly disposing into a landfill used oil or used oil filters which have not been properly segregated or separated from other solid wastes by the generator are not subject to this prohibition. Oily waste, sorbents or other materials used for maintenance or clean up as a result of spills or release are not subject to this prohibition.) 62-710.401(3)			✓
5.44	Is the facility in compliance with the prohibition against mixing or commingling used oil with hazardous substances that make it unsuitable for recycling or beneficial use? (Notwithstanding the provisions found in 40 CFR 279.10(b)(3)). 62-710.401(4)			✓
Item No.	Space Heaters	Yes	No	N/A
5.45	Does the generator burn used oil on-site in a used oil-fired space heater? [Generators who burn off site, non household oil, or burn oil in devices not meeting the space heater exemption must comply with 40 CFR 279 - Subpart G.]			
5.46	If so, does the facility burn only used oil generated on-site or only household DIY used oil? 279.23(a)			✓
5.47	If so, does the heater have a capacity of no more than 0.5 million BTU/hr? 279.23(b)			✓
5.48	If so, are combustion gasses vented to the atmosphere? 279.23(c)			✓

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Item No.	Off-site Shipments	Yes	No	N/A
5.49	Does the generator only use transporters who have received EPA Identification numbers? (Include names and numbers in report narrative) 279.24			✓
5.50	Self transport to collection centers - Does the generator only transport their own used oil and used oil from household DIY to a used oil collection center? If so:			
5.51	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(a)(1)			✓
5.52	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(a)(2)			✓
5.53	Does the generator transport the used oil to a used oil collection center that is registered, licensed, permitted or recognized by a state/county/municipal government to manage used oil ? 279.24(a)(3)			✓
5.54	Self transport to aggregation points - Does the generator transport used oil that is generated at the generator's site to an aggregation point? If so:			
5.55	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(b)(1)			✓
5.56	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(b)(2)			✓
5.57	Does the generator transport the used oil to an aggregation point that is owned/operated by the same generator? 279.24(b)(3)			✓
5.58	Tolling Agreement - is the used oil transported and then reclaimed under a contractual agreement pursuant to which reclaimed oil is returned by the processor.re-refiner to the generator for use as a lubricant, cutting oil, or coolant? If so:			
5.59	Does the contract indicate the type and frequency of shipments? 279.24(c)(1)			✓
5.60	Does the contract indicate that the vehicle used to transport the used oil to the processing/re-refining facility is owned and operated by the used oil processor/re-refiner? 279.24(c)(2)			✓
5.61	Does the contract indicate that the reclaimed oil will be returned to the generator? 279.24(c)(3)			✓
Item No.	Marketing and Processing	Yes	No	N/A
	<input type="checkbox"/> Does the generator claim that the used oil meets the specification in 40 CFR 279.11? [If so, and the oil is to be burned for energy recovery, the generator is a marketer subject to 40 CFR 279 Subpart H.]			
	<input type="checkbox"/> Does the generator process used oil by filtering, oil/water separation or other methods prior to direct shipment to an off site used oil burner? [If so, the generator is also a used oil processor subject to 40 CFR 279 - Subpart F.]			

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Signed:

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

Karen R. Bayly

Environmental Consultant

Principal Inspector Name**Principal Inspector Title**

DEP

04/29/2019

Principal Inspector Signature**Organization****Date**

Ken Rittscher

Area Manager

Representative Name**Representative Title**

UES

Organization

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

Report Approvers:**Approver:**

Karen R. Bayly

Inspection Approval Date:

04/29/2019