



FLORIDA DEPARTMENT OF Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

September 21, 2020

Ken Graden, Owner
Independent Waste Oil, Inc.
2231 New Berlin Road
Jacksonville, Florida 32218
independentwasteoil@gmail.com

Re: **Compliance Assistance Offer**
Independent Waste Oil, Inc.
Facility ID No.: FLR 000 009 563
Duval County – Hazardous Waste Program

Dear Mr. Graden:

Department personnel conducted a compliance inspection of the above-referenced facility on June 23, 2020, under the authority of Section 403.091, Florida Statutes. During this inspection, potential non-compliance was noted. The purpose of this letter is to offer compliance assistance as a means of resolving this matter.

Specifically, potential non-compliance with the requirements of Chapter 403, Florida Statutes, and Chapters 62-710 and 62-730, Florida Administrative Code, were observed. Please see the attached inspection report for a full account of Department observations and recommendations.

We request you review the 'New Potential Violations and Areas of Concern' and respond within 30 days of receipt of this Compliance Assistance Offer. Your response should include one of the following:

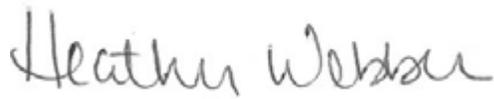
1. Describe what has been done to resolve the non-compliance issue or provide a time schedule describing how/when the issue will be addressed;
2. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid; or
3. Arrange for the case manager to visit your facility to discuss the Areas of Concern.

It is the Department's desire that you are able to adequately address the aforementioned issues so that this matter can be closed. Your failure to respond appropriately may result in the initiation of formal enforcement proceedings.

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Please address your response and any questions to Cheryl L. Mitchell of the Northeast District Office at 904-256-1620 or via e-mail at cheryl.l.mitchell@FloridaDEP.gov. We look forward to your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Heather Webber".

Heather Webber
Environmental Administrator

Enclosures: Final Inspection Report

Ec: DEP: Cheryl L. Mitchell, Heather Webber



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

FACILITY INFORMATION:

Facility Name: Independent Waste Oil Inc
On-Site Inspection Start Date: 06/17/2020 **On-Site Inspection End Date:** 06/17/2020
ME ID#: 59611 **EPA ID#:** FLR000009563
Facility Street Address: 343 Dennard Ave # B, Jacksonville, Florida 32254-3401
Contact Mailing Address: 2231 New Berlin Rd, Jacksonville, Florida 32218
County Name: Duval **Contact Phone:** (904) 781-8903

NOTIFIED AS:

Non-Handler, Used Oil

WASTE ACTIVITIES:

Generator: Non-Handler **Used Oil:** Used Oil, Oil Filters

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter Facility
Routine Inspection for Used Oil Transfer Facility
Routine Inspection for Non-Handler Facility
Routine Inspection for Used Oil Generator Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Cheryl L Mitchell, Inspector
Other Participants: Ken Graden, Owner

LATITUDE / LONGITUDE: Lat 30° 19' 10.0643" / Long 81° 45' 58.2762"

NAIC: 423930 - Recyclable Material Merchant Wholesalers

TYPE OF OWNERSHIP: Private

Introduction:

Independent Waste Oil, Inc. (IWO, the facility) was inspected on June 17, 2020. A return site visit was conducted on August 28, 2020, for records review. The facility was last inspected by the Department's Hazardous Waste Program on July 14, 2016. The facility is registered and operating as a Used Oil Transporter, Used Oil Transfer Facility, Used Oil Filter Transporter and Used Oil Filter Transfer Facility. The facility is also operating as a used oil generator and Non-Handler of Hazardous Waste (NHR). IWO's Mr. Ken Graden and Terry Schlosser were present throughout the inspection on June 17; and Mr. Bob Graden (IWO) and Mr. Schlosser were present during the records review on August 28.

IWO provides used oil and used oil filter transportation services primarily for automotive repair and maintenance facilities located in several counties throughout Northeast Florida. The facility also transports antifreeze, oil-contaminated solids and non-hazardous oily wastewater. IWO transports these non-hazardous wastes collected from its customers back to this facility for bulking and transportation by other solid waste and used oil transporters. IWO has been in operation at this location since 1995 and Mr. Ken Graden owns the property. The facility has a private well and a septic tank. IWO has four employees and its hours of operation are Monday through Friday from 7:00 am – 4:00 pm. Areas inspected at the facility were the Tank Farm, Tool House, and the Drum House.

Independent Waste Oil Inc Inspection Report

Inspection Date: 06/17/2020

Process Description:

Tank Farm:

When IWO picks up the used oil, the driver screens it for halogens with a portable halogen detector. If additional screening is required, IWO uses a Dexcel Q-4000 testing unit. If the used oil appears to contain halogens, based upon the test kit, IWO does not pick-up the used oil. Results of the halogen screening are documented on the shipping records. The Tank Farm has two 18,500-gallon aboveground storage tanks (ASTs), one 15,000-gallon AST, one 6,000-gallon AST, and one 5,000 AST that are designated for used oil; one 10,000-gallon AST is designated for spent antifreeze; one 6,000-gallon AST is designated for non-hazardous oily wastewater; and two 1,000-gallon ASTs are used for product diesel fuel (Photo 1). The facility operates a pumping station that has a dedicated line connected to each tank. Adjacent to the pump station was one 55-gallon drum that collects used oil absorbent from spills around the pump station. All of the storage tanks are located within a concrete secondary containment that will contain 110% of the volume of the largest tank. The concrete is sealed with an oil-impermeable coating. The facility is reminded that routine maintenance and re-application of the coating may be required to maintain the oil-impermeable surface. Rainwater that collects in the secondary containment is drained from the berm if no sheen is present. If there is a sheen on the rainwater, the water is collected and disposed of with the non-hazardous oily wastewater. Used oil is collected once or twice a week, primarily by Howco Environmental Services (FLD 152 764 767) in St. Petersburg, Florida. Used oil filters are collected for recycling every four to six weeks by U.S. Foundry and Manufacturing (FLD 004 128 336) in Medley, Florida. The non-hazardous oily wastewater is transported to Water Recovery, Inc. (FLR 000 069 062) for processing as needed. Spent antifreeze is recycled by Howco as needed.

Tool House:

The Tool House is a small building, located within a bermed area that is used to store the facility's tools and equipment. At the time of the inspection, no waste was being generated or stored in this area.

Drum House:

This small building, also located within a bermed area, is adjacent to the Tool House and is used to store empty 55-gallon drums. The bermed area is sealed with an oil-impermeable coating. Used oil filters are collected from customers in 55-gallon drums and transferred to a small 8-cubic yard (CY) dumpster located in this area until they are picked-up by U.S. Foundry (Photo 2). Infrequently, used oil filters in 55-gallon drums are stored outside of the Drum House until transfer to the dumpster, typically within one work day. The dumpster was closed, properly labeled and located within the bermed area.

Security

The facility is surrounded by a chain link fence with one access gate. The gate is kept locked when the facility is not manned and after normal business hours. The gate and fence appeared to be in good condition.

Record Review:

Records reviewed included used oil and used oil filter shipping documents, annual transporter and transfer facility registration, used oil and used oil filter annual reports, insurance liability coverage, personnel training records, and used oil and used oil filter transportation logs. Records reviewed appeared to be in order unless otherwise described below.

IWO maintains shipping documents for used oil and used oil filters it accepted for transfer for a period of three years. IWO records results of the halogen screening on its shipping records. IWO maintains used oil and used oil filter logs, but the logs were incomplete and were not maintained on FDEP form 62-710.901(2), or on a substantially equivalent form [62-710.510(1), FAC]. Personnel training had not been conducted annually, therefore IWO failed to ensure its personnel were trained to be familiar with laws and rules for Used Oil Transporters, and did not maintain records for a period of three years [62-710.600(2)(c), FAC]. IWO had made hazardous waste determinations for its used oil residues and debris generated during storage and transportation of used oil; however, it appeared that this wastestream was sometimes co-mingled with other non-hazardous solid wastes generated by IWO and its customers prior to being analyzed. This is an Area of Concern. IWO should ensure that the residues and debris generated during its own used oil transportation-related activities are containerized and analyzed separately from other solid wastestreams collected at the facility.

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Inspection Date: 06/17/2020

Copies of Northeast District's Hazardous Waste Generator Workshop PowerPoint training documents and other workshop files that may be useful can be found here: <ftp://ftp.dep.state.fl.us/pub/outgoing/NED%20-%20HazWaste/TRA%20WORKSHOP/>

New Potential Violations and Areas of Concern:

Violations

Type: Violation
 Rule: **62-710.510(1)**
 Explanation: The facility failed to maintain used oil and used oil filter records on FDEP form 62-710.901(2), or on a substantially equivalent form.
 Corrective Action: In order to return to compliance, within 15 days of receipt of this report, the facility should ensure that its used oil and used oil filter records are maintained on FDEP form 62-710.901(2), or on a substantially equivalent form. Copies of the records should be provided to the Department, and the records should be maintained at the facility for a period of three years.

Type: Violation
 Rule: **62-710.600(2)(c)**
 Explanation: The facility failed to ensure its personnel were annually trained to be familiar with laws and rules for Used Oil Transporters, and did not maintain personnel training records for a period of three years
 Corrective Action: In order to return to compliance, within 15 days of receipt of this report, the facility should ensure that all its personnel are trained with laws and rules for Used Oil Transporters. Documentation of this training should be provided to the Department and maintained at the facility for a period of three years.

PHOTO ATTACHMENTS:

Photo 1



Photo 2



Independent Waste Oil Inc Inspection Report

Inspection Date: 06/17/2020

1.0: Pre-Inspection 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.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.18(a)	✓		
1.2	Has the facility notified of change of status? 62-730.150(2)(b)			✓
1.3	Did the facility conduct a waste determination on all wastes generated? 262.11			✓

Independent Waste Oil Inc Inspection Report

Inspection Date: 06/17/2020

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

Cheryl L Mitchell <hr/> Principal Investigator Name  <hr/> Principal Investigator Signature	Inspector <hr/> Principal Investigator Title DEP <hr/> Organization	 <hr/> 08/31/2020 <hr/> Date
Ken Graden <hr/> Representative Name	Owner <hr/> Representative Title Independent Waste Oil <hr/> 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: Cheryl L Mitchell <hr/>	Inspection Approval Date: 08/31/2020 <hr/>
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