



FLORIDA DEPARTMENT OF Environmental Protection

Central District Office
3319 Maguire Blvd., Suite 232
Orlando, Florida 32803

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Interim Secretary

August 25, 2021

Kerry Welborn, President
Southern Oil Recovery, Inc.
1221 Mullet Lake Park Road
Geneva, Florida 32732-9695
southernoil@aol.com

Re: Compliance Assistance Offer
Southern Oil Recovery, Inc.
HW FLR000216697
Seminole County

Dear Ms. Welborn :

A(n) inspection was conducted at your property on July 20, 2021. During this inspection, potential non-compliance was noted. The purpose of this letter is to offer compliance assistance as a means of resolving these matter(s).

Specifically, potential non-compliance with the requirements of chapter 403, Florida Statutes, and chapter(s) 62-710, 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 item(s) of concern noted and respond in writing within **30 days** of receipt of this Compliance Assistance Offer. Your written response should include one of the following:

1. Describe what has been done to resolve the non-compliance issue or provide a 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 item(s) 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 promptly may result in the initiation of formal enforcement proceedings.

Please address your response and any questions to Michael Eckoff of the Central District Office at (407) 897-4308 or via e-mail at michael.eckoff@floridadep.gov. We look forward to your cooperation with this matter.

Southern Oil Recovery, Inc.; Facility/Incident ID No.:FLR000216697
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Sincerely,

A handwritten signature in black ink that reads "Daniel K. Hall". The signature is written in a cursive style with a large, stylized initial "D".

Daniel K. Hall, Manager
Central District
Florida Department of Environmental Protection

Enclosures: Inspection Report (with attachments)



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

FACILITY INFORMATION:

Facility Name: Southern Oil Recovery Inc
On-Site Inspection Start Date: 07/20/2021 **On-Site Inspection End Date:** 07/20/2021
ME ID#: 118397 **EPA ID#:** FLR000216697
Facility Street Address: 1221 Mullet Lake Park Rd, Geneva, Florida 32732-9695
Contact Mailing Address: 1221 Mullet Lake Park Rd, Geneva, Florida 32732
County Name: Seminole **Contact Phone:** (407) 349-9132

NOTIFIED AS:

Non-Handler, Transporter, Used Oil

WASTE ACTIVITIES:

Generator: Non-Handler **Transporter:** Commercial Waste

INSPECTION TYPE:

Pre-Arranged Inspection for Non-Handler Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Michael Eckoff, Inspector
Other Participants: Kerry Welborn, Owner; David Welborn, Owner

LATITUDE / LONGITUDE: Lat 28° 46' 1.297" / Long 81° 8' 59.42"

NAIC: 562998 - All Other Miscellaneous Waste Management Services

TYPE OF OWNERSHIP: Private

Introduction:

On July 20, 2021, Michael Eckoff, Florida Department of Environmental Protection (FDEP of Department), accompanied by Kerry Welborn and David Welborn, Southern Oil Recovery, Inc. (SOR or Facility), inspected SOR for compliance with state and federal used oil regulations. The facility most recently notified the Department on August 30, 2020 as transporters of hazardous waste, used oil, and used oil filters but current proof of liability insurance, as required by Florida Administrative Code 62-710.600(2)(e), was not received. The Department issued a notification letter on March 23, 2021, informing Ms. Welborn the facility's status as a non-handler of hazardous waste with no current registrations or permits. The facility's most recent used oil transporter certification expired on June 30, 2020 [62-710.500(3), Florida Administrative Code].

Inspection History (past five years)

The facility was inspected in April 2019 by the Department for compliance with state and federal used oil transportation requirements and no potential violations were noted at that time.

Process Description:

The facility uses a pump truck equipped with a two-compartment 5,000-gallon tank to collect used oil. Mr. Welborn stated used oil was in the tank. On a concrete pad were 27 55-gallon drums containing oily rags, oil dry, and used oil filters.

Mr. Welborn stated EMC, based in Miami, Florida, picks up used oil filters every couple weeks. Please note, if used oil filters are stored at the facility for greater than ten days, the facility is a used oil filter transfer facility, as defined in 62-710.201(9), Florida Administrative Code. The facility is currently not registered as a used oil filter transfer facility.

Records are kept at a different location than the facility. Please note, the notification form signed on August 30, 2020 indicates records required to be maintained under Florida Administrative Code 62-710.510 will be kept at

Southern Oil Recovery Inc Inspection Report

Inspection Date: 07/20/2021

the facility address, 1221 Mullet Lake Park Rd, Geneva, Seminole County, Florida.

Records reviewed during the inspection indicate the most recent used oil pick up from a customer occurred on July 6, 2021. SOR conducted used oil transportation activities without being properly registered [62-710.401(1), Florida Administrative Code].

Records received via email indicate the most recent delivery of used oil to a used oil processor occurred on July 9, 2021. SOR conducted used oil transportation activities without being properly registered [62-710.401(1), Florida Administrative Code].

Based on the above information, used oil was stored at the facility for more than 24 hours and no more than 35 days without being properly registered as a used oil transfer facility [62-710.500(1)(a), Florida Administrative Code].

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	62-710.401(1)
Explanation:	No person may collect, transport, store, recycle, use, or dispose of used oil, used oil filters or oily wastes except as authorized in this chapter or in Chapter 403, F.S. Specifically, Southern Oil Recovery, Inc. collected and transported used oil without a current registration as required by Florida Administrative Code 62-710.500.
Corrective Action:	On July 26, 2021, the Department issued a registration letter for used oil transportation and used oil filters transportation. The registration is valid until June 30, 2022.
Type:	Violation
Rule:	62-710.500(1)(a)
Explanation:	The following persons shall annually register their used oil handling activities with the Department using Form 62-730.900(1)(b), "8700-12FL - Florida Notification of Regulated Waste Activity," effective date 12-2019, which is hereby adopted and incorporated by reference (http://www.flrules.org/Gateway/reference.asp?No=Ref-11236). This form can be obtained on the internet at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4500, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. (a) Used oil transporters, except for the operations listed in 40 C.F.R. 279.40(a)(1)-(4), [as adopted in subsection 62-710.210(2), F.A.C.], and transfer facilities...
Corrective Action:	Specifically, Southern Oil Recovery, Inc. failed to notify as a used oil transfer facility. Please notify the Department as a used oil transfer facility using the 8700-12FL form within 30 days from the date of your receipt of this report.
Type:	Violation
Rule:	62-710.500(3)
Explanation:	Upon receipt of the complete and accurate Form 62-730.900(1)(b) as adopted by reference in subsection 62-710.500(1), F.A.C. and registration fee, the Department shall issue to each registered person a validated registration form which shall be valid until June 30 of the following year. For used oil transporters, acknowledgement of registration shall be included in the certification process of Rule 62-710.600, F.A.C. If the registration is not renewed by June 30 of the following year because the Department has not received complete and accurate registration renewal documents and the registration fee, the facility will no longer be authorized to transport, or market used oil, or used oil filters, or burn off-specification used oil.

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Specifically, Southern Oil Recovery, Inc. failed to provide current proof of liability insurance coverage during the renewal process.

Corrective Action: On July 26, 2021, the Department issued a registration letter for used oil transportation and used oil filters transportation. The registration is valid until June 30, 2022.

Conclusion:

Southern Oil Recovery, Inc. was inspected as a non-handler of hazardous waste and was not in compliance at that time.

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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	✓		

Southern Oil Recovery Inc Inspection Report

Inspection Date: 07/20/2021

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

Michael Eckoff	Inspector	
Principal Investigator Name	Principal Investigator Title	
<i>Michael Eckoff</i>	DEP	08/24/2021
Principal Investigator Signature	Organization	Date
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Kerry Welborn	Owner	
Representative Name	Representative Title	
	Southern Oil Recovery, Inc.	
	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.

David Welborn	Owner	
Representative Name	Representative Title	
	Southern Oil Recovery, Inc.	
	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:	<u>Daniel K. Hall</u>	Inspection Approval Date:	<u>08/24/2021</u>
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