



FLORIDA DEPARTMENT OF Environmental Protection

South District
PO Box 2549
Fort Myers FL 33902-2549
SouthDistrict@FloridaDEP.gov

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

December 21, 2021

Michael Schorr, Director, Governmental and Regulatory Affairs
Avista Oil USA
411 Dividend Drive
Peachtree City, Georgia 30269
E-mail: mschorr@universalenviro.com

Re: Return to Compliance Letter
Universal Environmental Services/FLR000225029
Universal Environmental Services/FLR000226019
Lee County - HW

Dear Mr. Schorr:

Department personnel conducted compliance inspections of the above-referenced facilities on October 14, 2021. Based on the information provided during and following the inspections, the used oil non-compliance items which may have been identified at the time of the initial inspections have been corrected. Copies of the hazardous waste inspection reports are attached for your records.

The Department appreciates your efforts to maintain the facilities 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

Cc: Lane Bryant, UES Operations Manager lbryant@universalenviro.com



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

FACILITY INFORMATION:

Facility Name: Universal Environmental Services LLC
On-Site Inspection Start Date: 10/14/2021 **On-Site Inspection End Date:** 10/14/2021
ME ID#: 127125 **EPA ID#:** FLR000225029
Facility Street Address: 6940B Mission Ln, Fort Myers, Florida 33916-4862
Contact Mailing Address: 411 Dividend Dr, Peachtree City, Georgia 30269-1940
County Name: Lee **Contact Phone:** Data is missing from FIESTA

NOTIFIED AS:

Non-Handler, Used Oil

WASTE ACTIVITIES:

Generator: Non-Handler

INSPECTION TYPE:

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

INSPECTION PARTICIPANTS:

Principal Inspector: Karen R. Bayly, Inspector
Lane Bryant, Operations Manager; Don Henshaw, Lubricant Sales; Walter E. Eakins Jr.,
Other Participants: President

LATITUDE / LONGITUDE: Lat 26° 38' 33.2993" / Long 81° 49' 58.0226"

NAIC: 423930 - Recyclable Material Merchant Wholesalers

TYPE OF OWNERSHIP: Private

Introduction:

A compliance evaluation inspection was conducted by Florida Department of Environmental Protection (FDEP) hazardous waste staff at Universal Environmental Services (UES/facility) on October 14, 2021 to verify the facility's compliance status with state and federal used oil rules and regulations. The following is a summary of my observations.

This facility was previously inspected by FDEP hazardous waste staff on 02-13-2018 and was not in compliance at that time. Violations cited included failure to register used oil handling activities with FDEP and failure to maintain entire containment system sufficiently impervious to used oil. The violations were corrected and the case was closed with formal enforcement.

UES is currently registered with FDEP as a used oil transporter for hire, used oil transfer facility, used oil filter transporter and used oil filter transfer facility. The registration expires 06-20-2022. According to the previous inspection report, UES has been operating at this location since 10-01-2017. The UES corporate office is located at 411 Dividend Drive, Peachtree City, Georgia.

Lee County Property Appraiser records identify Edison Oil Company (EOC) as the property owner of 6940 Mission Lane, Fort Myers, FL. EOC is a bulk oil storage facility. UES leases three 15,000-gallon aboveground storage tanks (ASTs) from EOC. The storage tank system (Facility ID 8519437), consisting of 14 ASTs, is registered to EOC. It was noted that the tank registration reflects the three leased tanks (#'s 1,2 and 4) contain 'new/lube' oil and should be revised to 'used oil' or 'waste oil'. The tank system was last inspected by Lee County Division of Natural Resources on 04-21-2021 and determined to be in compliance. EOC maintains financial assurance for the tank system and was verified to be current prior to the inspection [03-21-2021 to 03-21-2022].

Universal Environmental Services LLC Inspection Report

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This facility is unmanned by UES personnel. Prior to the inspection, Michael Schorr, UES Director, Governmental and Regulatory Affairs, was contacted regarding the inspection. Mr. Schorr granted permission to conduct the inspection and agreed to provide all requested documentation electronically. Upon arriving at the facility, the purpose of the inspection was reviewed with Lane Bryant, UES Florida Operations Manager. Mr. Bryant provided access and was present throughout the inspection. Walter (Gene) Eakins Jr., President of EOC and Don Hendshaw, Lubricant Sales of EOC, were also present at the conclusion of the inspection.

Process Description:

UES transports used oil from generator sites, Monday - Friday, to this location where it is stored in storage tanks until transported to the UES re-refinery facility in Peachtree City, Georgia [EPA ID# GAR000020131] for processing. The facility is surrounded by a chain-link fence secured with an access gate. The gate and fence appeared to be in good condition. Mr. Eakins indicated that the gate is locked at night.

According to UES representatives, this facility utilizes one truck and one driver for transporting used oil. UES representatives indicated they may also occasionally pick up used antifreeze and oily water. No used oil filters are transported or stored at this facility.

At the time of the inspection, the truck and driver were not at the facility. According to UES representatives, the transporter registration form and EPA Identification number are maintained in the truck, as well as a contingency plan and emergency response and spill equipment. Drivers complete an equipment checklist on their phones every morning ensuring the truck is equipped with proper equipment.

Halogen leak detectors (sniffers) are used at every generator location to test the halogen content in used oil and oily water prior to collection. If the sniffer detects the presence of halogenated compounds, a Chlor-D-Tect test is conducted. UES representatives indicated they have not detected any exceedances greater than 1000 ppm at any generators. According to Mr. Schorr, the driver checks the sniffer each morning with a diesel fuel sample to make sure it is working properly. No routine maintenance is conducted on the sniffer unless it is not operating correctly. The driver maintains tips in case they need to be changed.

Upon returning at the end of the day, the driver tests the used oil before off-loading into the designated storage tank. An inbound receiving log is maintained documenting the date, truck number, gallons off-loaded, halogen results, tank # loaded and the driver initials. After the truck is off-loaded, it is parked at the EOC location at 2612 Edison Ave., Fort Myers. An outbound transfer report is also maintained documenting the date and volume of used oil and oily water removed from this facility and transported to the UES Georgia facility. Records reflect approximately 6000-gallons of used oil is transported to Georgia 2-3 times a week where it is re-refined.

Each storage tank has a designated fill port and drain port (see photo). The ports are labeled with the associated tank number and 'in' and 'out'. Each storage tank is an aboveground, horizontal mounted, single-walled tank that is 15,000-gallon in capacity (see photo). The tanks and piping are labeled used oil, UES and number. The tanks are equipped with a gauge to visually determine the tank volume. What appeared to be rust stains on the sides of the tanks were noted (see photo). Mr. Eakins indicated that the storage tanks were scheduled to be re-painted but due to a labor shortage has been delayed but should be completed within a month. Following the inspection, Mike Schorr indicated he would arrange to have the storage tanks re-painted. Documentation was provided following the inspection reflecting the tanks were re-painted and photos would be provided.

The storage tanks are situated within a concrete block secondary containment structure. The containment structure was clean and free of debris (see photo). Rainwater that collects in the containment structure is discharged via a drain sump located in the southwest corner of the containment structure. The drain port/valve was verified closed at the time of the inspection (see photo). Rainwater is checked for sheen prior to discharging. If a sheen is detected, absorbent pads are used to remove the sheen prior to discharging. The sealant on the base of the structure appeared to be showing signs of weathering as well as slight/superficial cracks. Mr. Eakins indicated that the containment structure was scheduled to be re-caulked/re-sealed but due to a labor shortage was delayed and should be completed within a month. Following the inspection, Mike Schorr indicated he would arrange to have the containment structure re-caulked and re-sealed. Information was provided reflecting an approved Sherwin Williams product (EQ-512) from FDEP's Approved/Registered Storage Tank System Equipment List 11-23-21 would be used. Documentation was provided following the inspection

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reflecting the containment structure is being re-sealed and photos of the completed work would be provided.

Records review included annual registration, 2020 annual report, proof of insurance, training records for 2021, contingency plan, shipping documents and logs for 2021. It was noted that the contingency plan should be updated to reflect Lane Bryant has replaced Kent Rittscher as primary contact for Florida. An updated contingency plan was provided immediately following the inspection. It was noted the facility is not consistently documenting the generator EPA identification numbers, type (e.g. automotive, industrial, mixed) and end use on shipping papers. Mr. Schorr indicated that all used oil is picked up from automotive type generators and all used oil is transferred to another facility for storage. The source and destination/end use information is in the UES customer management system for each account and readily accessible. Data is pulled from the system to complete the FDEP annual reports. Following the inspection, UES updated their database and shipping papers; and verified generator site locations for EPA Identification numbers and added as applicable.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	279.46(a)(2) , 62-710.510(1)(b)
Explanation:	Transporters are required to document the source of the used oil, including the name and street address of each source, and the EPA identification number of the source if the generator has one.
	Review of records noted the facility is not consistently documenting EPA identification numbers on shipping papers.
Corrective Action:	Immediately following the inspection, Mr. Schorr updated the forms to reflect all required information and verified EPA identification numbers for all customer locations and updated the UES database accordingly.

PHOTO ATTACHMENTS:

storage tank ports



storage tanks



Inspection Date: 10/14/2021

rust stains on side of tank



containment structure



containment structure drain port/valve



Conclusion:

The storage tank registration reflects the three leased tanks (#'s 1,2 and 4) contain 'new/lube' oil and should be revised to 'used oil' or 'waste oil'.

Inspection Date: 10/14/2021

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			✓

Inspection Date: 10/14/2021

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

Karen R. Bayly**Principal Investigator Name**Inspector**Principal Investigator Title****Principal Investigator Signature**DEP**Organization**12/21/2021**Date**Lane Bryant**Representative Name**Operations Manager**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.

Don Henshaw**Representative Name**Lubricant Sales**Representative Title**Edison Oil**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.

Walter E. Eakins Jr.**Representative Name**President**Representative Title**Edison Oil**Organization**

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Report Approvers:**Approver:**Karen R. Bayly**Inspection Approval Date:**12/21/2021



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

FACILITY INFORMATION:

Facility Name: Universal Environmental Services LLC
On-Site Inspection Start Date: 10/14/2021 **On-Site Inspection End Date:** 10/14/2021
ME ID#: 128239 **EPA ID#:** FLR000226019
Facility Street Address: 2612B Edison Ave, Fort Myers, Florida 33916-5306
Contact Mailing Address: 411 Dividend Dr, Peachtree City, Georgia 30269-1940
County Name: Lee **Contact Phone:** Data is missing from FIESTA

NOTIFIED AS:

Non-Handler, Used Oil

WASTE ACTIVITIES:

Generator: Non-Handler

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Karen R. Bayly, Inspector
Other Participants: Lane Bryant, Operations 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) hazardous waste staff at Universal Environmental Services (UES/facility) on October 14, 2021 to verify the facility's compliance status with state and federal used oil rules and regulations. The following is a summary of my observations.

This facility was previously inspected by FDEP hazardous waste staff on 03-21-2019 and was not in compliance at that time. One violation was cited for failing to store used oil containers on an oil-impervious surface. The violation was corrected and the case was closed without formal enforcement.

This facility is currently registered with FDEP as a used oil filter transporter and used oil filter transfer facility. The registration expires on 06-30-2022. According to the previous inspection report, UES has been operating at this location since 03-15-2018. The UES corporate office is located at 411 Dividend Drive, Peachtree City, Georgia. Lee County Property Appraiser records identify Edison Oil Company (EOC) as the property owner of 2612 Edison Avenue. UES leases a portion of the facility from EOC.

The facility is unmanned. Prior to the inspection, Michael Schorr, UES Director, Governmental and Regulatory Affairs, was contacted regarding the inspection. Mr. Schorr granted permission to conduct the inspection and agreed to provide all requested documentation electronically. Upon arriving at the facility, the purpose of the inspection was reviewed with Lane Bryant, UES Florida Operations Manager. Mr. Bryant provided access and was present throughout the inspection.

Process Description:

UES leases one warehouse unit to store containers including empty used oil filter carts, full used oil filter carts and 55-gallon drums containing spill pads/absorbents and contaminated soil/oily dry; and leases a second unit as office space. Mr. Bryant indicated the facility utilizes one driver and one box truck to collect containers of

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used oil filters from generators, Monday - Friday. The driver and box truck were not present during the inspection.

According to Mr. Bryant, the box truck is equipped with emergency response and spill control equipment, contingency plan, an oil-impervious liner and FDEP used oil filter transporter registration. Drivers complete an equipment checklist on their phones every morning ensuring the truck is equipped with proper equipment. A photo of the truck was provided by Mr. Schorr following the inspection (see photo). The box truck is parked at the facility when not in use. The facility is surrounded by a chain-link fence and two access gates. The gate and fence appeared to be in good condition. The warehouse building is kept locked when no one is at the facility.

Used oil filter carts are picked up from generators and off-loaded daily inside the warehouse unit. The carts are maintained on visqueen (see photo). When approximately 40 carts are accumulated, the driver loads them onto the box truck and are currently being transported to the UES facility in Ocala (FLR000012906). The UES facility in Ocala is registered as a used oil filter transporter and transfer facility with FDEP. The carts are either off-loaded into a warehouse or directly onto a 53-foot trailer and transported to the UES facility in Peachtree, Georgia where they are crushed into blocks. Any used oil is extracted and re-refined. The blocks are transported to either U.S. Foundry & Manufacturing Corp (FLD004128336) in Miami or to one of several scrap metal dealers in Georgia. It was discussed that UES previously transported used oil filters directly from the UES Fort Myers facility to U.S. Foundry. Mr. Bryant indicated that U.S. Foundry has stopped accepting used oil filters due to an oxygen shortage. U.S. Foundry is registered as a used oil filter processor and end user with FDEP.

At the time of the inspection, there were approximately eighteen used oil filter carts and two 55-gallon drums of used oil filters stored inside the warehouse in addition to six 55-gallon drums of spill pads/absorbent and eleven 55-gallon drums of contaminated soil/oil dry. All the drums/carts were closed, labeled and in good condition. According to Mr. Schorr, non-filter material is transported along with used oil filters and processed at the UES Peachtree facility to extract any used oil and disposed as solid waste.

Records reviewed included annual registration, driver training records for 2021, contingency plan, shipping documents and logs for 2021. Review of the records noted UES is not consistently documenting the generator and/or destination facility EPA identification numbers on shipping papers and transfer papers. Immediately following the inspection, Mr. Schorr provided updated shipping documents that include EPA identification numbers. It was noted that the contingency plan should be updated to reflect Lane Bryant has replaced Kent Rittscher as UES primary contact for Florida. Immediately following the inspection, a revised contingency plan dated October 2021 was provided reflecting the update.

PHOTO ATTACHMENTS:

used oil filter carts on visqueen



box truck



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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.

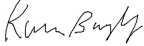
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Inspection Date: 10/14/2021

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

Karen R. Bayly	Inspector	
Principal Investigator Name	Principal Investigator Title	
	DEP	12/21/2021
Principal Investigator Signature	Organization	Date
Lane Bryant	Operations 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:	12/21/2021
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