



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
Secretary

April 20, 2022

Eric Gerstenberg, Director
Safety-Kleen Systems, Inc.
42 Longwater Drive
Norwell, Massachusetts 02061
gerstenberge@cleanharbors.com

Re: Warning Letter
Safety-Kleen Systems, Inc.
HW FLR000060301
Marion County

Dear Mr. Gerstenberg:

A Compliance evaluation inspection was conducted at your facility on February 3, 2022. During this inspection, possible violations of Chapter 403, F.S., and Chapter 62-710, Florida Administrative Code (F.A.C.), were observed.

During the inspection Department personnel noted the following:

- Failure to maintain the used oil tank farm containment system to be sufficiently impervious to used oil; and
- Failure to mark tanks of used oil with the words "Used Oil."

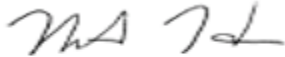
Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Section 403.121, Florida Statutes.

Please contact Michael Eckoff, at (407) 897-4308, within **7 days** of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in receiving any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Safety-Kleen Systems, Inc.; Facility ID No.:FLR000060301
Warning Letter
Page 2 of 2
April 20, 2022

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "AW 7L", is positioned below the word "Sincerely,".

On behalf of:

Aaron Watkins, Director
Central District
Florida Department of Environmental Protection

AW/nh/vu/me

Enclosures: Inspection Report (with attachments)

cc: Jeff Curtis, Safety-Kleen Systems, Inc., jeff.curtis@safety-kleen.com



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

FACILITY INFORMATION:

Facility Name: Safety-Kleen Systems Inc
On-Site Inspection Start Date: 02/03/2022 **On-Site Inspection End Date:** 02/03/2022
ME ID#: 1538 **EPA ID#:** FLR000060301
Facility Street Address: 359 Cypress Rd, Ocala, Florida 34472-3101
Contact Mailing Address: 359 Cypress Road, Ocala, Florida 34472
County Name: Marion **Contact Phone:** (561) 523-4719

NOTIFIED AS:

Used Oil, VSQG

WASTE ACTIVITIES:

Generator: VSQG **Used Oil:** On-Spec, Used Oil, Oil Filters, Processor

INSPECTION TYPE:

Routine Inspection for Used Oil Processor Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Michael Eckoff, Inspector
Other Participants: Wanda Hutchinson, Manager Oil Terminal

LATITUDE / LONGITUDE: Lat 29° 4' 54.72" / Long 81° 59' 28.96"

NAIC: 562112 - Hazardous Waste Collection

TYPE OF OWNERSHIP: Private

Introduction:

On February 3, 2022, Michael Eckoff, Florida Department of Environmental Protection (FDEP or Department), accompanied by Wanda Hutchinson, Safety-Kleen Systems, Inc. (Safety-Kleen or Facility), inspected Safety-Kleen for compliance with state and federal used oil processing regulations.

Safety-Kleen operates on twelve acres of land owned by Safety-Kleen Systems, Inc. The facility began operations in 2000 as a used oil and material processing facility. The facility is currently authorized under FDEP Operating Permits 161967-010-HO and 161967-011-SO. The permits, issued May 3, 2017, authorize the facility to process used oil and nonhazardous industrial wastewater and to solidify non-hazardous oily solids. The application to renew the permit is currently under review by the Department.

Inspection History (Past 5 Years):

Safety-Kleen was last inspected on February 25, 2021, as a used oil processor. The facility was in compliance at the time of the inspection.

On May 7, 2019, the Department inspected Safety-Kleen as a used oil processor and very small quantity generator of hazardous waste. The only issue identified was the list of emergency coordinators in the contingency plan needed to be updated. The contingency plan was updated before the completion of the inspection and no further action was required.

On May 12, 2017, the Department inspected Safety-Kleen as a used oil processor and conditionally exempt small quantity generator of hazardous waste. The facility was in compliance at the time of the inspection.

Process Description:

Safety-Kleen consists of a main building, containing offices and laboratories, a tank farm, a building that contains the used oil processing area, control room, and used oil filter processing area, and a covered waste solidification

Safety-Kleen Systems Inc Inspection Report

Inspection Date: 02/03/2022

area. The facility maintains fifty-five (55) above ground storage tanks ranging in size from 110 to 159,000 gallons. All tanks are staged in secondary containment units. The tanks are specifically identified in Attachment B to the permit.

The facility only receives used oil and solid waste from Safety-Kleen branch locations. The non-hazardous sludges are profiled at the branch locations before shipment to the Ocala facility. Used oil received from off-site branch locations notes the volume of used oil and that halogens are less than 1,000 parts per million.

Located in the main office building is a laboratory for on-site analysis of oil. The laboratory was not inspected.

The used oil filter processing area is located within the southern half of the warehouse. Used oil, used oil filters, and used absorbent containers are stored in this section of the warehouse. The used oil filter processing operation consists of a used oil filter receiving pit, conveyor, and sorting/crushing unit. Approximately 20,000 pounds of used oil filters are processed in the crusher during a normal run. The crushed metal filters accumulate in a roll-off container stored outside the warehouse. Used oil generated by the operation accumulates in a pan underneath the crusher unit. The pan was not labeled "Used Oil" [40 CFR 279.54(f)(1)]. Used oil in the pan is directed into the storage tanks. Plastic and soft (paper) filter waste is stored in hoppers and transferred to the solid waste processing / solidification area.

The northern half of the warehouse formerly used as a distribution center is now used as a drum and tote product oil filling area. No wastes are stored in this area.

Located between the warehouse and the solid waste processing area were two roll-off containers. One contained crushed used oil filters and the other contained processed solid waste but was labeled "Drained Used Oil Filters" and "Processed Solid Waste." The facility's permit requires processed solid waste to be labeled "Processed Solid Waste."

NOTE: On February 10, 2022, Ms. Hutchinson emailed stating the roll-off container is properly labeled "Processed Solid Waste."

The solid waste processing area (solidification area) is located on the west side of the property. The solidification area consists of a covered concrete pad that slopes towards the east wall. Solid waste received from off-site sources and solid waste generated by on-site cleaning of equipment, tankers, and trucks is taken to the solidification area to be solidified by mixing with lime dust. The materials processing facility is authorized under Solid Waste Permit No. 161967-011-SO to consolidate and process non-hazardous petroleum-contaminated solid wastes and other solid wastes not constituting used oil subject to permit conditions. The resultant nonhazardous mixture is shipped to an off-site solid waste landfill located in Bartow, Florida.

Inspection of the storage tanks and the tank secondary containment areas found the tanks in good condition with no apparent leaks. One tank was not labeled "Used Oil" [40 CFR 279.54(f)(1)]. The containment areas were clean and free of standing water but are in need of resurfacing [40 CFR 279.54(d)(2)]. This was mentioned during the previous inspection on February 25, 2021.

At the truck off-loading area there are four pump stations to deliver used oil to the storage tanks. There is an overflow structure at the pumps to capture used oil. The structure was not labeled "Used Oil" [40 CFR 279.54(f)(1)]. Used oil in the structure is pumped to the storage tanks.

Records documenting the facility has met the financial assurance requirements have been provided to the Department and are in compliance as of September 21, 2021.

Review of weekly tank visual inspection logs, warehouse/safety and emergency equipment, daily inspection logs, non-hazardous weekly inspection records, and training records found no issues.

Outgoing shipments of oil are transported by Florida Central Railroad Co., EPA identification number FLR000226837, to destination facilities that include Safety-Kleen Systems, East Chicago, Indiana, Universal Environmental Services, Peachtree, Georgia, Vertex Oil Swap, Marrero, Louisiana, and Synergy Recycling, Georgia. No issues were noted with off-site shipments of used oil and on-specification fuel.

New Potential Violations and Areas of Concern:

Inspection Date: 02/03/2022

Violations

Type:	Violation
Rule:	279.54(d)(2)
Explanation:	The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.
Corrective Action:	<p>Specifically, Safety-Kleen Systems, Inc. failed to maintain the containment system to be sufficiently impervious to used oil.</p> <p>Safety-Kleen Systems, Inc. shall maintain the containment system to be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.</p> <p>Please provide a plan to address the resealing of the containment system to render the system sufficiently impervious to used oil to the Department within 30 days from the date of your receipt of this report.</p>

Type:	Violation
Rule:	279.54(f)(1)
Explanation:	Containers and aboveground tanks used to store or process used oil at processing and re-refining facilities must be labeled or marked clearly with the words "Used Oil."
Corrective Action:	<p>Specifically, Safety-Kleen Systems, Inc. failed to label the pan underneath the used oil filter crusher, one 30,000-gallon tank, and the overflow structure at the truck off-loading area with the words "Used Oil."</p> <p>Safety-Kleen Systems, Inc. is required to label or mark clearly containers and aboveground tanks used to store used oil with the words "Used Oil."</p> <p>On February 10, 2022, Ms. Hutchinson emailed photos of the pan, tank, and structure properly labeled "Used Oil."</p>

Conclusion:

Safety-Kleen Systems, Inc. was inspected as a permitted used oil processor and was not in compliance at that time.

Inspection Date: 02/03/2022

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: 02/03/2022

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	
Michael Eckoff	DEP	03/31/2022
Principal Investigator Signature	Organization	Date
Wanda Hutchinson	Manager Oil Terminal	
Representative Name	Representative Title	
	Safety-Kleen Systems	
	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:	Viviana Useche	Inspection Approval Date:	03/31/2022
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