



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

July 11, 2022

Jeff Curtis, EH&S Manager
Safety-Kleen Systems, Inc.
600 Central Park Dr.
Sanford, Florida 32771
Jeff.Curtis@safety-kleen.com

Re: Warning Letter
Safety-Kleen Systems Inc
HW Facility ID # FLD984171165
Seminole County

Dear Mr. Curtis:

An inspection was conducted at your facility on April 20, 2022. During this inspection, possible violations of Chapter 403, F.S., 40 CFR 262.15, and 40 CFR 262.20 were observed.

During the inspection Department personnel noted the following:

- The facility failed to use a registered hazardous waste transporter on manifest number 007578259SKS rendering the manifest incomplete.
- The facility failed to keep one satellite accumulation area container of hazardous waste closed during accumulation.

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 120.57(5), Florida Statutes.

Please contact Miranda Rothenberger at Miranda.Rothenberger@FloridaDEP.gov and Daniel Hall at Daniel.K.Hall@FloridaDep.gov 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.

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.

Safety-Kleen Systems Inc; Facility ID No.: FLD984171165
Warning Letter
Page 2 of 2
July 11, 2022

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Watkins', is written over a faint, circular official stamp or seal.

On behalf of:
Aaron Watkins, Director
Central District
Florida Department of Environmental Protection

AW/dkh/mr

Enclosures: April 20, 2022, Inspection Report

cc: Miranda Rothenberger, FDEP
Gary Howard, Gary.Howard@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: 04/20/2022 **On-Site Inspection End Date:** 04/20/2022
ME ID#: 40794 **EPA ID#:** FLD984171165
Facility Street Address: 600 Central Park Dr , Sanford, Florida 32771-6690
Contact Mailing Address: 600 Central Park Dr, Sanford, Florida 32771-6690
County Name: Seminole **Contact Phone:** (561) 523-4719

NOTIFIED AS:

LQG (>1000 kg/month), TSD Facility, Transfer Facility, Transporter, Used Oil

WASTE ACTIVITIES:

Generator: LQG **Other Status:** Offsite Waste Received **Transporter:** Own Waste, Commercial Waste, Transfer Facility **TSD:** Treater, Disposer **Used Oil:** On-Spec, Oil Filters **Universal Waste: Indicate types of UW generated and/or accumulated at the facility: Generate/Accumulate:** Mercury Containing Lamps, Mercury Containing Devices **Transport:** Mercury Containing Lamps, Mercury Containing Devices **Transfer Facility:** Mercury Containing Lamps, Mercury Containing Devices **Maximum quantity of UW handled or transported at any time:** Less than 5,000 kg (11,000 lbs); Small Quantity Handler (SQH)

INSPECTION TYPE:

Routine Inspection for TSD Facility Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Miranda Rothenberger, Inspector
Michael Eckoff, Inspector; Travid McGathy, Lead Material Handler; Gary Howard, Branch
Other Participants: Manager

LATITUDE / LONGITUDE: Lat 28° 48' 23.2028" / Long 81° 19' 4.803"

NAIC: 562112 - Hazardous Waste Collection

TYPE OF OWNERSHIP: Private

Introduction:

On April 20, 2022, Miranda Rothenberger and Michael Eckoff, Florida Department of Environmental Protection (FDEP), inspected Safety-Kleen Systems, Inc. for compliance with state and federal hazardous waste regulations. Gary Howard, Branch General Manager, represented the facility. Safety-Kleen Systems, located at 600 Central Park Drive, Sanford, Florida, operates under a hazardous waste storage permit for containers and a solvent storage tank. The hazardous waste storage permit, Permit Number 22198-HO-008, was issued on April 23, 2019, and expires on April 23, 2024.

Safety-Kleen Systems is currently registered as a hazardous waste transporter (expires June 30, 2023) and transfer facility in accordance with the provisions of Rules 62-730.170 and 171, F.A.C. and as a used oil transporter, transfer facility, and marketer, and a used oil filter transporter and transfer facility (expires June 30, 2023) in accordance with the provisions of Rule 62-710, F.A.C. The facility is also registered as a universal waste lamps and devices transporter, universal waste lamps transfer facility, universal waste devices transfer facility, and universal waste lamps and devices small quantity handler in accordance with the provisions of Chapter 62-737, F.A.C.

Hazardous waste transporter and used oil handler liability insurance coverage expires November 1, 2022.

Safety-Kleen Systems initially notified the Department of its hazardous waste activities at this location in 1990

Safety-Kleen Systems Inc Inspection Report

Inspection Date: 04/20/2022

and received EPA identified number FLD984171165 on February 20, 1990. The facility has approximately fifteen employees and normal operating hours are Monday through Friday 7:00 AM to 5:00 PM.

Inspection History – Last 5 Years

Safety-Kleen Systems was last inspected by FDEP on February 4, 2021, and no violations were cited at that time.

Safety-Kleen Systems was inspected by FDEP on June 21, 2019, and no violations were cited at that time.

Safety-Kleen Systems was inspected by FDEP on July 7, 2017, and no violations were cited at that time.

Process Description:

Safety-Kleen Systems operates a hazardous waste container storage unit at the facility. The Container Storage Unit, which is completely enclosed, is located in the northern portion of the warehouse. The Container Storage Unit is approximately 34' 1" x 47' 8" with a sloped floor leading to a collection sump. The Container Storage Unit is permitted to hold a maximum of 6,912 gallons of hazardous waste in containers at any one time. The dimensions of the secondary containment systems are large enough to contain spills up to at least 10% of the maximum permitted storage capacity. The drums are stored on pallets and may be double stacked. A synthetic coating material resistant to the solvents stored at this facility has been applied to the floor surface to protect the floor and reduce its permeability. Only hazardous waste with waste codes shown in Attachment E of the operating permit may be accumulated in the Container Storage Unit.

Five above ground storage tanks are maintained at the facility. Four of the storage tanks are underlain by concrete slab with a three-foot high concrete wall for secondary containment. Of these four tanks, one 20,000-gallon tank is permitted for storage of hazardous waste solvent, two of the 20,000-gallon tanks are used for storing used oil, and one 20,000-gallon tank is used for storing fresh parts washer solvent. The used oil storage tanks meet the requirements of 40 CFR 279.54, as well as the tank requirements of Chapter 62-762, F.A.C. An additional 12,000-gallon double-walled tank storing non-hazardous used antifreeze waste is located adjacent to the tank farm.

In-coming spent mineral spirits parts washer solvent is emptied into one of two tanks, referred to as wet dumpsters, located in the Return & Fill area. Only one wet dumpster is in operation during any given day. Each wet dumpster, also known as a solvent return/fill station, has a storage capacity of 108-gallons and is located on a raised deck over secondary containment. Solvent from the wet dumpster is directed to a drum washer where chemical and mechanical means are used to clean the inside and outside of drums. The spent solvent is then pumped to the 20,000-gallon waste solvent storage tank. Clean drums are refilled with product mineral spirits for use in parts washers.

Sludge and debris from the drum washer is periodically removed and stored in a satellite accumulation drum staged in the area. The drum was labeled "Hazardous Waste" and marked with a flammable label. The lid on the flip-top cover of the drum was severely corroded rendering the drum open [40 CFR 262.15(a)(4)]. Once full, the drum will be dated and moved to the central accumulation area. On June 23, 2022 the facility submitted a photo the drum with a new, sealed, lid.

Located on the north side of the Return & Fill area were ten bulk containers for storage of used oil filters. Drums containing used oil filters are emptied into the bulk containers for shipment off-site to a processing facility.

Two shower/eyewash stations, fire extinguishers, spill control materials, fire alarm pull stations, and two mercury spill kits are available in the warehouse. The warehouse is equipped with a sprinkler system.

Located just inside the warehouse doorway is a satellite accumulation area. In the area was one 55-gallon drum of hazardous waste aerosols and one 55-gallon drum of hazardous waste solids. Both drums were closed, labeled "Hazardous Waste" and marked with flammable labels.

Wastes managed by Safety-Kleen Systems include dry cleaning wastes, paint related wastes, used oil, used oil filters, and mercury containing lamps. These wastes remain in the original container while at the facility and are shipped off-site to a final destination facility for treatment or reclamation. Safety-Kleen Systems may store up to 11,880 gallons of waste in the transfer facility area at any one time in accordance with the maximum design

Safety-Kleen Systems Inc Inspection Report

Inspection Date: 04/20/2022

capacity for storage limit reported on their Transfer Facility Notification Form. The storage amount in the transfer area counts against the total hazardous waste storage capacity of the facility, 6,912 gallons.

Since the last quarter of 2020, Safety-Kleen Systems has operated mainly as a pass-through facility, using the 10-day storage area instead of accepting hazardous waste into the storage area.

No hazardous waste was in storage during this inspection. In the 10-day hazardous waste transfer area were thirty-three containers, both hazardous and non-hazardous. All the containers were closed, properly labeled, and in good condition. All other drums stored in the area were product.

The central accumulation area for branch generated waste had four 55-gallon containers labelled hazardous waste flammable and dated 02/17/22 – 04/12/22.

In the northwest corner of the property was a frac tank used to store used oil. The tank was labeled "Used Oil" and appeared to be managed properly.

Inspection of the tank farm found the secondary containment area was in good condition and the tanks were all properly labeled. The tank farm itself contains two used oil tanks, one hazardous waste tank for storage of used parts washer solvent, one tank for storing antifreeze, and one tank for storing new mineral spirits. All tanks, except for the one containing antifreeze, are located within concrete secondary containment that is in good condition. The tanks are all labeled with their contents, hazards, and capacities. They are monitored continuously with electronic release detection and equipped with overfill alarms when they reach 95% capacity. Their fill ports are capped, locked, labeled, and located within a spill-box that was relatively clean and free of product.

Records

A copy of the hazardous waste permit and permit application were maintained on-site.

The contingency plan was present, and revisions noted by Safety-Kleen personnel were documented on 4/19/2019, 10/5/2020, and 01/15/2021. The plan has yet to be reviewed in 2022. The primary emergency coordinator (EC), Gary Howard, is clearly designated and his primary, office, and cell phone numbers are present. The alternate EC, Tom Bright, and his contact information are also present. Mr. Howard indicated Mr. Bright was recently transferred. He stated Shane Adams will be the new alternate emergency coordinator. The facility has not been required to implement the contingency plan in the past two years. A quick reference guide was present and complete.

Arrangements with the local police department, fire department, hospital and emergency response personnel were made in 2019 and again in 2022 upon review of the contingency plan following the inspection. The Sanford Police Department, Central Florida Regional Hospital, and the Sanford Fire Department were made on May 20, 2022.

Training records for staff were provided for review and found to be in compliance. Training is conducted annually. Job descriptions were not reviewed as part of this inspection.

A review of the facilities 10-day storage log was conducted on site and no issues were identified.

Daily and weekly inspections are conducted on a mobile device with the records being stored on an electronic database. If any non-compliance is noted a work order is generated immediately. The issue is then either fixed in the field or sent on to Gary Howard for further review. Records provided to FDEP included the weekly branch generated hazardous waste central accumulation area (CAA) and the hazardous waste tank (40 CFR 264 Subpart J) inspections for the period of 09/2021 – present. The weekly inspections for the CAA and the tank farm were reviewed and found to be in compliance.

A review of branch generated hazardous waste shipping manifests found that manifest number 007578259SKS listed "VNCA Trucking" as transporter 1 and an EPA ID number was not listed. VNCA Trucking is not a registered hazardous waste transporter [40 CFR 262.20(a)(1)]. The facility acknowledged this incident in an email to the Department on May 26, 2022.

New Potential Violations and Areas of Concern:

Inspection Date: 04/20/2022

Violations

Type: Violation
Rule: **262.15(a)(4)**
Explanation: A container holding hazardous waste must be closed at all times during accumulation.
The facility has one SAA drum near the drum washer where the lid on the flip-top cover of the drum was severely corroded rendering the drum open.
Corrective Action: The facility is required to keep all SAA containers closed at all times during accumulation.
The facility submitted a photo via email on June 23, 2022 of the drum with a new, sealed, lid.

Type: Violation
Rule: **262.20(a)(1)**
Explanation: A generator that transports, or offers for transport a hazardous waste for offsite treatment, storage, or disposal, or a treatment, storage, or disposal facility that offers for transport a rejected hazardous waste load, must prepare a Manifest (OMB Control number 2050-0039) on EPA Form 8700-22, and, if necessary, EPA Form 8700-22A.
The facility failed to properly complete a manifest. A transporter with a valid EPA Identification number was not listed.
Corrective Action: The facility is required to complete a hazardous waste manifest for each shipment. In doing so, the facility must insure that a registered hazardous waste transporter with a valid EPA ID number is listed.
The facility acknowledged this incident in an email to the Department on May 26, 2022.

Conclusion:

Safety-Kleen Systems was inspected for compliance with state and federal hazardous waste regulations and was out of compliance.

Inspection Date: 04/20/2022

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: 04/20/2022

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

Miranda Rothenberger	Inspector
Principal Investigator Name	Principal Investigator Title
	DEP
Principal Investigator Signature	Organization
	06/23/2022
	Date

Michael Eckoff	Inspector
Inspector Name	Inspector Title
	DEP
	Organization

Travid McGathy	Lead Material Handler
Representative Name	Representative Title
	Safety-Kleen Systems 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.

Gary Howard	Branch Manager
Representative Name	Representative Title
	Safety-Kleen Systems 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: Daniel K. Hall	Inspection Approval Date: 06/30/2022
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