

Eckoff, Michael

From: Hess, Nathan
Sent: Wednesday, April 20, 2022 10:08 AM
To: Useche, Viviana
Cc: Eckoff, Michael
Subject: RE: FOR REVIEW: Safety-Kleen Systems Inc

Penalty sheet signed, please proceed.

Thanks.

From: Useche, Viviana <Viviana.Useche@FloridaDEP.gov>
Sent: Wednesday, April 20, 2022 8:59 AM
To: Hess, Nathan <Nathan.Hess@FloridaDEP.gov>
Cc: Eckoff, Michael <Michael.Eckoff@FloridaDEP.gov>
Subject: FW: FOR REVIEW: Safety-Kleen Systems Inc

Nathan,

Please see below WL for Safety Clean (HW). We are sending a WL that we are expecting to resolve with a LFCO where the facility will need to reseal their containment system. Penalties have been calculated for all violations.

PRM and Penalty Calc: file:///floridadep/data/CD/all_common/Sites/Marion/HW/Safety-Kleen%20Ocala_FLR000060301/PRM_220412

Thanks,



Viviana Penuela Useche
Environmental Manager
Florida Department of Environmental Protection
Central District
Viviana.Useche@floridadep.gov
407-897-2919

From: Eckoff, Michael <Michael.Eckoff@FloridaDEP.gov>
Sent: Tuesday, April 12, 2022 11:04 AM
To: Useche, Viviana <Viviana.Useche@FloridaDEP.gov>
Subject: FOR REVIEW: Safety-Kleen Systems Inc

I will work on the PRM and penalty calculation.

Processor: Michael Eckoff

File/Folder Hyperlink: file:///floridadep/data/CD/all_common/Sites/Marion/HW/Safety-Kleen%20Ocala_FLR000060301/WL_220203

Email Subject Line: **FLR000060301 – Safety-Kleen Systems Inc – Warning letter**

CC's: **Michael Eckoff**

Oculus Info:

Catalog:	Hazardous Waste
Profile:	Enforcement_Legal
Facility/Site Id:	FLR000060301
Document Type:	WARNING LETTER
Facility Type:	REGISTERED USED OIL HANDLER (RUOH)
Document Subject:	Warning letter



Michael Eckoff

Environmental Consultant
Compliance Assurance Program
Central District
michael.eckoff@floridadep.gov
Office: 407.897.4308



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PENALTY COMPUTATION WORKSHEET
SUBJECT TO FINAL APPROVAL

Violator's Name: **Safety-Kleen Systems, Inc.**

Address: 359 Cypress Road, Ocala, Florida 34472

Name of Department Staff Responsible for the Penalty Computations:
Michael Eckoff

Date: 4/12/2022

PART I - PENALTY DETERMINATIONS

Violation Type and description	RCRA Guideline	ELRA Schedule	ENVIRON- MENTAL Harm	Extent of Dev.	Matrix Amount	Adjust- ments	Total
1 40 CFR 279.54(d)(2) - Secondary containment	Line # or Page #	403.121(d)	Include rank score		\$6,000	\$0.00	\$6,000.00
2 40 CFR 279.54(f)(1) - Used oil label		403.121(5)			\$1,000	\$0.00	\$1,000.00
					\$0	\$0.00	\$0.00
					\$0	\$0.00	\$0.00
					\$0	\$0.00	\$0.00
					\$0	\$0.00	\$0.00
					\$0	\$0.00	\$0.00
		\$0	Subtotals:		\$7,000	\$0.00	\$7,000.00

Total Penalties for all violations: \$7,000

<u>Department Costs:</u>	\$500
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Date

Michael Halpin Assistant Deputy Secretary, Regulatory	Date
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Peer Reviewed by Division: Yes () No ()

PART II - MULTI-DAY PENALTIES AND ADJUSTMENTS

<u>Adjustments</u>	<u>Amount</u>
Good faith prior to discovery: _____	\$0
Justification: _____	
Good faith after discovery: _____	\$0
Justification: _____	
History of non-compliance: _____	\$0
Justification: _____	
Economic benefit of non-compliance: _____ Refer to descriptions and calculations below.	
Justification: _____ Refer to descriptions and calculations below.	
Ability to pay: _____	\$0
Justification: _____	
Total Adjustments:	\$0.00

ECONOMIC BENEFIT CALCULATIONS

EB = AC(1-T) + DC(I) =

AC = Avoided Costs – expenditures that will never be incurred for violator's noncompliance.

DC = Delayed Costs – expenditures deferred by violator's failure to comply.

T = Corporate Tax Rate = 21% (in 2020)

I = Interest rate charged by IRS for delinquent accounts = 4% (in 2020)

Avoided Costs (AC) and/or Delayed Costs (DC) for each Violation:

Add description including assumptions used for cost calculations.

MULTI-DAY PENALTIES

Number of days adjustment factor(s) to be applied:

Justification: _____ \$ -

Or

Number of days matrix amount is to be multiplied:

Justification: _____ \$ -

Comments:

PART III - OTHER ADJUSTMENTS MADE AFTER MEETING WITH THE RESPONSIBLE PARTY

ADJUSTMENT

Dollar Amount

Relative merits of the case:

Resource Considerations:

Other Justification:

Date

, District Director