

Eckoff, Michael

From: Eckoff, Michael
Sent: Monday, May 9, 2022 9:16 AM
To: Curtis, Jeffery S; Tenant, Maggie A
Cc: Useche, Viviana
Subject: RE: Safety-Kleen Systems Inc

Good morning Jeff,

Thank you for your comments and the quick resolution to the issues noted during the inspection. We will review your comments and let you know how the Department will proceed.

Stay tuned.

Michael

From: Curtis, Jeffery S <Jeff.Curtis@safety-kleen.com>
Sent: Monday, May 9, 2022 9:12 AM
To: Eckoff, Michael <Michael.Eckoff@FloridaDEP.gov>; Tenant, Maggie A <Maggie.Tenant@safety-kleen.com>
Cc: Useche, Viviana <Viviana.Useche@FloridaDEP.gov>
Subject: RE: Safety-Kleen Systems Inc

EXTERNAL MESSAGE

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Good morning Michael,

Thank you again for clarifying penalty information regarding the potential violations at our Safety-Kleen Ocala, FL facility. We have reviewed the applicable Florida Statutes and would like to offer the following comments on the potential violations:

1. 40 CFR 279.54(d)(2) Failed to maintain containment system to be sufficiently impervious to used oil. As was communicated during our virtual meeting with the Department, the facility, along with many others, experienced operational and staffing issues due to the Covid-19 pandemic. In addition, the concrete containment system itself is structurally sound and if any used oil were it to be released into the containment, it would not have been able to migrate out of the system to soil, groundwater, or surface water. In this case, there was not harm to the environment or human health. While staffing issues and communication issues prevented the coating resurfacing from being completed last year, the coating resurfacing project was promptly addressed upon your notice from this referenced inspection.
2. 40 CFR 279.54(f)(1) Failed to label containers and a tank of used oil with the words "Used Oil". Again, in this case there was no harm to human health or the environment. The tank used oil label had fallen off, most likely due to age, or weather, and was relabeled in a prompt manner by facility personnel. The other two instances of labeling (pan underneath the oil filter crusher unit/overflow structure at pump station of off-loading area) were also immediately addressed by facility personnel.

Safety-Kleen takes these potential violations very serious, and I have visited the facility since the Department's inspection to conduct in person re-training with facility personnel performing our daily inspections, which are crucial to overall compliance. Finally, I'd like to say that the Safety-Kleen Ocala facility has had a good compliance history.

We would respectfully offer to settle this case for \$3,500 + \$500 (Department Costs). Please let us know your thoughts, and we look forward to bringing this to completion.

Thank you,

Jeff

From: Eckoff, Michael <Michael.Eckoff@FloridaDEP.gov>
Sent: Thursday, May 05, 2022 8:09 AM
To: Curtis, Jeffery S <Jeff.Curtis@safety-kleen.com>; Tenant, Maggie A <Maggie.Tenant@safety-kleen.com>
Cc: Useche, Viviana <Viviana.Useche@FloridaDEP.gov>
Subject: RE: Safety-Kleen Systems Inc

Hi Jeff,

I will have to check to see if can send the original document. As far as the ranking of the potential violations there was none. The penalty amount came straight out of the statute, 403.121(4)(b) and (5).

Hope that helped.

Michael

From: Curtis, Jeffery S <Jeff.Curtis@safety-kleen.com>
Sent: Thursday, May 5, 2022 7:57 AM
To: Eckoff, Michael <Michael.Eckoff@FloridaDEP.gov>; Tenant, Maggie A <Maggie.Tenant@safety-kleen.com>
Cc: Useche, Viviana <Viviana.Useche@FloridaDEP.gov>
Subject: RE: Safety-Kleen Systems Inc

EXTERNAL MESSAGE

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Good morning Michael,

Thank you for sending that information over to us for review. Pages 7-13 of the pdf are a little difficult to make out in this format. Wondering if you would be able to send over that portion in its' original format so we can see clearly the ranking and factor scores that were assigned to each of our two specific violations?

Thanks,
Jeff

From: Eckoff, Michael <Michael.Eckoff@FloridaDEP.gov>
Sent: Tuesday, May 03, 2022 1:45 PM
To: Curtis, Jeffery S <Jeff.Curtis@safety-kleen.com>; Tenant, Maggie A <Maggie.Tenant@safety-kleen.com>
Cc: Useche, Viviana <Viviana.Useche@FloridaDEP.gov>
Subject: Safety-Kleen Systems Inc

Good afternoon,

Thank you again for making time to meet with us to discuss the potential violations noted during the inspection.

As promised, attached is a copy of the penalty calculation. Please review and provide any comments.

Also, here is a link to 403.121, Florida Statutes (specifically 403.121(4)(b) and (5)), that discusses assessing civil penalties:
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0403/Sections/0403.121.html

If you have any questions please let me know.

Thank you and hope you have a great rest of your day!



Michael Eckoff

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