



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

FACILITY INFORMATION:

Facility Name: The Queen of Oil

On-Site Inspection Start Date: 04/19/2024

On-Site Inspection End Date: 04/19/2024

ME ID#: 153895

EPA ID#: FLR000258491

Facility Street Address: 4409 Hartford St, Tampa, Florida 33619-6709

Contact Mailing Address: 4733 W Waters Ave, Tampa, Florida 33614

County Name: Hillsborough

Contact Phone: (813) 580-3082

NOTIFIED AS:

Non-Handler

WASTE ACTIVITIES:

Generator: Non-Handler **Used Oil:** Transporter

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Sean C Lynch, Inspector

Other Participants: Betsy Loaiza , Environmental Specialist II, No Facility Representative

LATITUDE / LONGITUDE: Lat 27° 54' 41.7528" / Long 82° 24' 27.0864"

NAIC: 562112 - Hazardous Waste Collection

TYPE OF OWNERSHIP: Private

Introduction:

The Queen of Used Oil (Queen) was inspected by the Florida Department of Environmental Protection (Department) on April 19, 2024, to determine the facility's compliance with state and federal hazardous waste regulations governing Used Oil and Used Oil Filter Transporters (UOTs). The facility originally notified as a UOT on June 27, 2023 and received their Used Oil/Used Oil Filter Transporter registration August 21, 2023: this registration expires on June 6, 2024. This was the Department's first inspection of the facility. While a facility representative was not present at the time of inspection, site access was given verbally over the phone to conduct the inspection of the facility.

Process Description:

Queen is a used oil and used oil filter transporter that collects used oil and used oil filters from their clients and bring the used oil and used oil filters back to the leased property for storage prior to delivery to the disposal facility. There is no sewer, water, and lighting associated with this business. There are only two employees with only one being the driver/ hauler.

Used oil and used oil filters are collected using a facility owned truck that holds 1,000 gallons of used oil and one container of used oil filters. After the truck has completed the daily run, the used oil is offloaded into a ~6, 400 gallon tank for storage until it is picked up by the disposal company. While the tank is located in a containment structure, it does not appear that the containment is 110 percent of the volume of the tank. Used oil filters are stored in closed bins located on a permeable surface adjacent to the used oil AST while they are on-site. Also located onsite is a ~1,000 gallon container of used oil tank not in secondary containment, this is for emergency purposes. Queen has a contract with Universal Environmental Service (UE), EPA ID. FLR000012906, to collect the used oil and used oil filters from their facility on a weekly schedule. UE conducts the halogen testing of the used oil before accepting the used oil, records of the testing was provided by the facility.

RECORDS

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- Used Oil Delivery Records: Used Oil and Used Oil Filters were provided via email and reviewed following the inspection as they are not kept at the facility; this is noted in the DEP 8700-12FL Form. Records show the facility collects an average of 11,000 gallons of used oil per month.
- Used Oil Acceptance Records: Facility did not have a complete acceptance record history for the used oil and used oil filters. The facility was given DEP Form 62-710.901(2) to record all transactions involving used oil and used oil filters going forward.
- Employee Training Records: No employee training records were documented. Facility was given guidance on training requirements.
- Proof of Liability Insurance: Records of the facility's Used Oil Handler Certification of Liability Insurance forms indicate that the Westchester Surplus Line Insurance Company policy expired on March 5, 2024. A copy of the March 5, 2024 to March 5, 2025, coverage period will need to be provided to the Department. The Progressive Express Insurance Company policy expires on July 19, 2024.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	279.46(a)
Explanation:	<p>Following the inspection, the Facility could not provide all acceptance receipts from the Per 40 CFR 279.46(a), used oil transporters must keep a record of each used oil shipment accepted for transport. Records for each shipment must include:</p> <p>(1) The name and address of the generator, transporter, or processor/re-refiner who provided the used oil for transport;</p> <p>(2) The EPA identification number (if applicable) of the generator, transporter, or processor/re-refiner who provided the used oil for transport;</p> <p>(3) The quantity of used oil accepted;</p> <p>(4) The date of acceptance; and</p> <p>(5)</p> <p>(i) Except as provided in paragraph (a)(5)(ii) of this section, the signature, dated upon receipt of the used oil, of a representative of the generator, transporter, or processor/re-refiner who provided the used oil for transport.</p> <p>(ii) Intermediate rail transporters are not required to sign the record of acceptance.</p>
Corrective Action:	<p>Please use DEP Form 62-710.901(2) to record all transactions involving used oil and used oil filters and submit the next four weeks of records keeping to the Department.</p>

Type: Violation
Rule: 62-710.401(6)
Explanation: The ~6,400 gallon used oil AST is located in a containment structure, it does not appear that the containment is 110 percent of the volume of the tank. The ~1,000 gallon used oil AST is no located in secondary containment.

Per Rule 62-710.401(6), F.A.C., if tanks or containers are not double-walled, they shall be stored on an oil-impermeable surface such as sealed concrete or asphalt, and must have secondary containment which has the capacity to hold 110% of the volume of the largest tank or container within the containment area.

Corrective Action: Document the size of the containment structure and provide this to the Department within one week. If the structure is not 110 percent of the volume of the tank, a new containment structure meeting this requirement will need to be provided. Place the ~1,000 gallon used oil tank into secondary containment or provide documentation that it is double walled.

Type: Violation
Rule: 62-710.500(1)(a)
Explanation: The facility is storing used oil the in the Used Oil AST for more than 24 hours and up to a week. As such, the facility meets the definition of a Used Oil Transfer Facility as defined in Rule 62-710.201(11), F.A.C. Queen has not notified as a Used Oil Transfer Facility.

Per Rule 62-710.500(1)(a), F.A.C., used oil transfer facilities are required to register annually.

Corrective Action: Immediately complete an 8700-12FL - Florida Notification of Regulated Waste Activity Form to notify as a used oil transfer facility. Provide a paper copy of the form to the Department within one week.

Type: Violation
Rule: 62-710.600(2)(b)
Explanation: The Facility did not have nor maintained training for the employees.

Per Rule 62-710.600(2)(b), used oil transporters shall show evidence of familiarity with applicable state laws and rules governing used oil transportation by submitting a certification that the used oil transporter is familiar with applicable Florida and federal laws and rules governing used oil transportation, and has an annual and new employees training program in place covering the applicable rules

Corrective Action: Please review state laws and rules governing used oil transportation by submitting a certification that the used oil transporter is familiar with applicable Florida and federal laws and rules governing used oil transportation. Submit a training plan to the Department within four weeks for review and approval.

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Type: Violation
Rule: 62-710.600(2)(c)
Explanation: The Facility did not conduct training.

Per Rule 62-710.600(2)(c), F.A.C., used oil transporters shall maintain a record of training in the company's operating record and the individual personnel files indicating the type of training received along with the dated signature of those receiving and providing the training. These records shall be retained for a minimum of three years and available for review by Department personnel during inspections.

Corrective Action: Maintain a record of training in the company's operating record and the individual personnel files indicating the type of training received along with the dated signature of those receiving and providing the training. Submit documentation of completing a training program to the Department within one week of receiving the Department approval of the training plan.

Type: Violation
Rule: 62-710.600(2)(e)1.a
Explanation: The facility's documented insurance policy expired on March 5, 2024.

Per Rule 62-710.600(2)(e), F.A.C., used oil transporters shall have, verify, and maintain vehicle insurance with a combined single limit of no less than \$1,000,000.00. Such insurance, or additional policy, must in no way exclude pollution coverage for sudden and accidental alleged or threatened discharge, dispersal, seepage, migration, release or escape of used oil, and must include any cost or expense relating to pollution damage for which the transporter is legally liable. Such insurance must be maintained at all times and be exclusive of legal defense costs.

Corrective Action: Provide a copy of the current insurance policy to the Department within one week.

Type: Violation
Rule: 62-710.850(5)(a)
Explanation: At the time of inspection the Used Oil Filter containers were being stored directly on the dirt.

Per Rule 62-710.850(5)(a), F.A.C., all persons storing used oil filters shall store used oil filters in above ground containers which are clearly labeled "Used Oil Filters," and which are in good condition (no severe rusting, apparent structural defects or deterioration) with no visible oil leakage. The containers shall be sealed or otherwise protected from weather and stored on an oil-impermeable surface.

Corrective Action: Immediately begin storing the Used Oil Filter containers on an oil-impermeable surface and submit photographic documentation to the Department of this corrective action within one week.

Type: Violation

Rule: 62-762.401(1)

Explanation:

Per 62-762.401(1)(b), F.A.C., for new facilities, which are facilities that began construction after January 11, 2017, a completed Form 62-762.901(2), Storage Tank Facility Registration Form (Registration Form), effective date, July 2019, hereby adopted and incorporated by reference, shall be submitted in electronic or paper format to the Department no later than 30 days prior to installation. For facilities with existing registered storage tank systems, a completed Registration Form shall be submitted in electronic or paper format to the Department no later than seven days prior to regulated substances being put into any new storage system. The Department encourages the electronic submittal of the Registration Form available online here: <http://www.fldepportal.com/go/submit-registration/>, or to obtain copies of the form see rule 62-762.901, F.A.C., or

Corrective Action: Immediately register this tank with the Department. Registration information can be found at: <https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-facility-registration>

Provide documentation of registration to the Department within one week.

Immediately contact Amanda Mosley of the Hillsborough County Environmental Protection Commission (EPC) Storage Tank Program (the EPC is under contract with the Department to manage the Storage Tank Program in Hillsborough County) to schedule an installation inspection. Ms. Mosley can be reached at (813) 627-2600, ext. 1333 or via email at moseleya@epchc.org.

PHOTO ATTACHMENTS:

Overview of Facility



Used Oil Filters containers



Used Oil Storage Tank



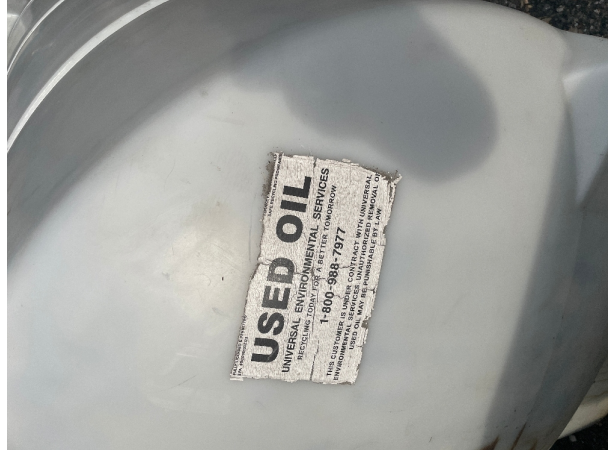
Used Oil Filters containers



Labeled Used Oil Tank ~6,400 gallons



Used Oil Labeled Tank ~1,000 gallons



Conclusion:

At the time of inspection Queen was not operating in compliance with state and federal regulations governing Used Oil/Used Oil Filter Transporters and Use Oil Transfer Facilities.

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	✓		

6.0: Transporters 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.	Transporter Requirements	Yes	No	N/A
6.1	Has the transporter notified the Department as a transporter and received an EPA identification number? 62-730.150(2)(a), 263.11(a)	✓		
6.2	Does the transporter repackage wastes with different USDOT shipping descriptions?			
6.3	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)			✓
6.4	Does the transporter transport waste into the US from abroad?			
6.5	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)			✓
6.6	Does the transporter obtain a signed and dated manifest prior to accepting a hazardous waste for transport?			
6.7	If NO, is the waste exempt from the manifest requirement? 263.20(a)(1) <input type="checkbox"/> Exemption Type - Tolling Agreement <input type="checkbox"/> Exemption Type - VSQG Bill-of-Lading			✓
6.8	Does the transporter sign and date the manifest upon acceptance? 263.20(b)	✓		
6.9	Does the transporter leave a signed copy of the manifest acknowledging acceptance of the waste? 263.20(b)	✓		
6.10	Does the transporter ensure the manifest and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(c)	✓		
6.11	Does the transporter obtain the signature and date of delivery of the receiving (designated) facility or other transporter upon transferring custody of the waste? 263.20(d)(1)	✓		
6.12	Does the transporter retain one copy of the manifest signed and dated by the designated facility or other transporter? 263.20(d)(2)	✓		
6.13	Does the transporter give the remaining copies of the manifest to the designated facility or accepting transporter? 263.20(d)(3)	✓		
6.14	If the entire quantity of hazardous waste cannot be delivered, does the transporter contact the generator for further direction and revise the manifest in accordance with the generator's instructions? 263.21(b)			✓
6.15	For a partial load rejection, while the transporter is on the facility's premises, does the transporter obtain a new manifest for the rejected material, accompanied by a copy of the original manifest that includes the manifest tracking number of the new manifest? 263.21(b)			✓
6.16	Does the transporter retain a copy of the manifest signed by the generator, himself, and the next designated transporter or designated facility for a period of three years from the date the hazardous waste was accepted by the initial transporter? 263.22(a)			✓
Item No.	Rail Transporters	Yes	No	N/A

6.17	If initial rail transporter, when accepting hazardous waste from a non-rail transporter does the rail transporter sign and date the manifest acknowledging receipt of the hazardous waste? 263.20(f)(1)(i)			✓
6.18	If initial rail transporter, does the rail transporter return a signed copy of the manifest to the non-rail transporter? 263.20(f)(1)(ii)			✓
6.19	If initial rail transporter, does the rail transporter forward at least three copies of the manifest to the next designated non-rail transporter or facility? 263.20(f)(1)(iii)			✓
6.20	If initial rail transporter, does the rail transporter retain one copy of the manifest and rail shipping paper? 263.20(f)(1)(iv)			✓
6.21	Does the rail transporter ensure the shipping paper and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(f)(2)			✓
6.22	Does the final rail transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(f)(3)(i)			✓
6.23	Does the final rail transporter retain a copy of the manifest or signed shipping paper? 263.20(f)(3)(ii)			✓
6.24	When delivering hazardous waste to a non-rail transporter, does the rail transporter obtain the date of delivery and handwritten signature of the next non-rail transporter on the manifest and retain one copy of the manifest? 263.20(f)(4)			✓
Item No.	Water (Bulk) Transporters	Yes	No	N/A
6.25	Does the water (bulk) transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(e)(3)			✓
6.26	Does the water (bulk) transporter retain a copy of the manifest or signed shipping paper? 263.20(e)(5)			✓
Item No.	SQG Waste	Yes	No	N/A
6.27	For SQG waste, if a manifest is not used is the waste being transported pursuant to a recalculation (tolling) agreement per 262.20(e)? 263.20(h)(1)			✓
6.28	Is the following information recorded on a log or shipping paper for each shipment? (Check items below that are NOT in compliance): 263.20(h)(2) <input type="checkbox"/> Name, address, and EPA identification number of the generator of the waste <input type="checkbox"/> Quantity of waste accepted <input type="checkbox"/> All DOT-required shipping information <input type="checkbox"/> The date the waste is accepted			✓
6.29	Does the transporter carry the shipping paper/log when transporting waste to the reclamation facility? 263.20(h)(3)			✓
6.30	Does the transporter retain shipping papers/logs for a period of at least three years after termination or expiration of the tolling agreement? 263.20(h)(4)			✓
6.31	If hazardous waste was discharged during transport, did the transporter give notice, if required by 49 CFR 171.15, to the National Response Center (800-424-8802)? 263.30(c)(1)			✓
6.32	If hazardous waste was discharged during transport, did the transporter report in writing as required by 49 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590? 263.30(c)(2)			✓

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6.33	If hazardous waste was discharged during transport, did the transporter clean up the discharge so that it no longer presents a hazard to human health or the environment? 263.31			✓
6.34	Has the transporter demonstrated the financial responsibility required under 62-730.150(2)(a)? 62-730.150(2)(a)			✓
6.35	Does the transporter verify the evidence of financial responsibility annually? 62-730.150(3)			✓

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

Sean C Lynch
Principal Investigator Name

Inspector
Principal Investigator Title


Principal Investigator Signature

DEP
Organization

05/15/2024
Date

Betsy Loaiza
Representative Name

Environmental Specialist II
Representative Title

DEP
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.

No Facility Representative
Representative Name

The Queen of Used 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.

Report Approvers:

Approver: Michael Miller

Inspection Approval Date: 05/17/2024