



July 2, 2024

*via Electronic Mail to  
Gina.Laddick@FloridaDEP.gov*

Ms. Gina Laddick, Inspector  
Central District Office  
Florida Department of Environmental Protection  
3319 Maguire Blvd., Suite 232  
Orlando, FL 32803

Re: Safety-Kleen Systems, Inc. – Medley, FL  
Hazardous Waste Facility ID No.: FLD984171165  
Response to RCRA Inspection Report and Compliance Assistance Offer

Dear Ms. Laddick,

The purpose of this letter is to respond in writing to the matters set forth in the above referenced Compliance Assistance Offer regarding the Safety-Kleen Systems, Inc., Medley, FL hazardous waste management facility (“Safety-Kleen”) as a result of the Department’s inspection on March 12, 2024. Our response is a good faith effort to resolve your agency’s concerns. It is our intention and expectation that nothing in this letter shall be construed as an admission or used against the Company in any administrative or judicial proceeding. The Company expressly reserves any and all defenses it might have to the matters set forth in your letter and does not intend to waive any of those defenses by making this response.

Our responses follow the sequence of the items set forth in your June 4, 2024, inspection report.

It was noted by the FLDEP inspector that:

1. ***FLDEP Observation:*** 40 CFR 262.17(a)(2): *If the waste is placed in tanks, the large quantity generator must comply with the applicable requirements of subpart J (except §§ 265.197(c) and 265.200 of this subchapter) as well as the applicable requirements of 40 CFR part 265, Subparts AA through CC.*

*40 CFR 295.195(a): The owner or operator must inspect at least once each operating day data gathered from monitoring and leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design.*

*Specifically, the facility failed to conduct inspections at least once each day that the tank system contains hazardous waste. Safety-Kleen conducted inspections each weekday when the facility was in operation but failed to inspect on weekends.*

*Corrective Action: The facility must perform inspections at least once each day that the system contains hazardous waste. The facility shall provide a written response containing a plan moving forward to ensure the tank system is inspected as required and submit documentation of 2 weeks' worth of inspections to demonstrate the corrective action.*

**Safety-Kleen's Response:** Safety-Kleen is in the process of acquiring and installing outdoor cameras to facilitate visual inspections of the hazardous waste tank's secondary containment system to fulfill the daily inspection requirement specified in 40 CFR Part 264.195(b)&(c) when personnel are not actively working at the facility. This inspection may either be performed in-person or via web-based camera access. The inspection will be documented utilizing a written inspection form that will be maintained at the facility and available electronically on our company's network. Additionally, Safety-Kleen currently maintains leak detection equipment within the secondary containment system that is monitored remotely by a third-party monitoring service. Safety-Kleen personnel would be immediately notified by the monitoring service should the equipment detect a release from the permitted hazardous waste storage tank. This existing equipment also fulfills the leak detection and monitoring obligations specified in 40 CFR Part 264.195(d) in lieu of these additional daily inspections. Copies of the recently completed daily inspection forms are attached (Exhibit A) as requested.

2. **FLDEP Observation:** Containers. A large quantity generator must mark or label its containers with the following: (B) An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); [...]

*Specifically, the facility failed to label one 55-gallon drum of hazardous waste with an indication of the hazards of the contents.*

*Corrective Action: During the inspection, the facility stated that the reason this container was not properly labeled is due to the fact that it should have been dumped into the wet dumpster upon arrival. The inspectors informed the facility that any container storing hazardous waste must be labeled with an indication of the hazards of the contents. The drum was dumped into the wet dumpster while the inspectors were on-site. No further action is required.*

**Safety-Kleen's Response:** As a point of clarification concerning waste container marking/labeling, the waste solvent drum did not have a DOT Class 3 label on it

because it is not required per DOT regulations. We apologize if facility personnel misspoke during the inspection. Please note that Safety-Kleen's hazardous waste labels for the used petroleum parts cleaning solvent waste contain language to comply with both DOT and EPA labeling requirements and contain the proper wording for the associated hazards applicable to the waste by including the words **"TOXIC"** and **"Combustible Liquid"** on the label. See enclosed example (Exhibit B) of a hazardous waste label for this type of waste. Safety-Kleen's standardized waste label is placed on all waste solvent containers and was present at the time of the inspection. As noted, 40 CFR 262.17(a)(5)(i)(B) states "a large quantity generator must mark or label its containers with the following: An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, **toxic**); hazard communication consistent with the Department of Transportation requirements at 49 CFR 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram, ..." While the requirements are met by the descriptive words used, it is also important to note the waste solvent is DOT combustible and not flammable and does not require a Class 3 flammable or combustible diamond label per 49 CFR 173.150(f)(2) as suggested during the inspection. The requirements of 40 CFR Part 262.17(a)(5)(i)(B) are and were being met for these hazardous waste containers. Safety-Kleen's labeling has been reviewed by our Transportation Compliance Specialists and was determined to be compliant. Safety-Kleen will continue to meet EPA and DOT requirements with the wording on the hazardous label and will not be adding a DOT label that is not required for combustible liquids in non-bulk containers which are not hazardous wastes. We respectfully request this alleged violation be withdrawn.

We appreciate and welcome the opportunity to further discuss these matters and we will work with the department to resolve any concerns that you might have regarding our compliance status with the FLDEP issued Hazardous Waste Management Permit and regulations.

If you have any questions or need additional information, please contact me at 336-644-0332 or via email at [todd.blake@safety-kleen.com](mailto:todd.blake@safety-kleen.com).

Sincerely,



Todd M. Blake  
Sr. Environmental Compliance Manager

Enclosures

cc: Gary Howard - SK

## Exhibit A

### Daily Tank Inspection Forms



CPK Weekend/Holiday Solvent Tank System Inspection

Form Code: 222

Compliance Header	
Inspector Name	GARY HOWARD
Area of Inspection	TANK FARM
Inspection Date and Time	6/1/24 8:00 AM
CPK - Weekend/Holiday Solvent Tank System Inspection Instructions	
Note condition of inspection items. If item does not apply to an area, mark N/A. All unsatisfactory findings must be explained below. Include any repairs, changes or other remedial actions required or performed.	
CPK - Weekend/Holiday Solvent Tank System Inspection Items	
Inspection Method: In-Person or via Remote Camera Viewing	I.P.
Containment Area - Check for evidence of failure (e.g., visual evidence of a spill/leak, ponding/wet spots, other).	PASS
Compliance Footer	
Inspector Signature	GARY HOWARD
Attach Photo	
Inspection Overall Assessment	PASS



# CPK Weekend/Holiday Solvent Tank System Inspection

Form Code: 222

Compliance Header	
Inspector Name	GARY HOWARD
Area of Inspection	TANK FARM
Inspection Date and Time	6/2/24 9:00 AM
CPK - Weekend/Holiday Solvent Tank System Inspection Instructions	
Note condition of inspection items. If item does not apply to an area, mark N/A. All unsatisfactory findings must be explained below. Include any repairs, changes or other remedial actions required or performed.	
CPK - Weekend/Holiday Solvent Tank System Inspection Items	
Inspection Method: In-Person or via Remote Camera Viewing	I.P.
Containment Area - Check for evidence of failure (e.g., visual evidence of a spill/leak, ponding/wet spots, other).	PASS
Compliance Footer	
Inspector Signature	GARY HOWARD
Attach Photo	
Inspection Overall Assessment	PASS



## CPK Weekend/Holiday Solvent Tank System Inspection

Form Code: 222

Compliance Header	
Inspector Name	GARY HOWARD
Area of Inspection	TANK FARM
Inspection Date and Time	6/15/24 8:00
CPK - Weekend/Holiday Solvent Tank System Inspection Instructions	
Note condition of inspection items. If item does not apply to an area, mark N/A. All unsatisfactory findings must be explained below. Include any repairs, changes or other remedial actions required or performed.	
CPK - Weekend/Holiday Solvent Tank System Inspection Items	
Inspection Method: In-Person or via Remote Camera Viewing	I.P.
Containment Area - Check for evidence of failure (e.g., visual evidence of a spill/leak, ponding/wet spots, other).	PASS
Compliance Footer	
Inspector Signature	GARY HOWARD
Attach Photo	
Inspection Overall Assessment	PASS



## CPK Weekend/Holiday Solvent Tank System Inspection

Form Code: 222

Compliance Header	
Inspector Name	GARY HOWARD
Area of Inspection	TANK ROOM
Inspection Date and Time	6/16/24 8:00am
CPK - Weekend/Holiday Solvent Tank System Inspection Instructions	
Note condition of inspection items. If item does not apply to an area, mark N/A. All unsatisfactory findings must be explained below. Include any repairs, changes or other remedial actions required or performed.	
CPK - Weekend/Holiday Solvent Tank System Inspection Items	
Inspection Method: In-Person or via Remote Camera Viewing	I.P.
Containment Area - Check for evidence of failure (e.g., visual evidence of a spill/leak, ponding/wet spots, other).	PASS
Compliance Footer	
Inspector Signature	GARY HOWARD
Attach Photo	
Inspection Overall Assessment	PASS





# CPK Weekend/Holiday Solvent Tank System Inspection

Form Code: 222

Compliance Header	
Inspector Name	GARY HOWARD
Area of Inspection	TANK ROOM
Inspection Date and Time	6/22/24 8:00 am
CPK - Weekend/Holiday Solvent Tank System Inspection Instructions	
Note condition of inspection items. If item does not apply to an area, mark N/A. All unsatisfactory findings must be explained below. Include any repairs, changes or other remedial actions required or performed.	
CPK - Weekend/Holiday Solvent Tank System Inspection Items	
Inspection Method: In-Person or via Remote Camera Viewing	I.P.
Containment Area - Check for evidence of failure (e.g., visual evidence of a spill/leak, ponding/wet spots, other).	PASS
Compliance Footer	
Inspector Signature	GARY HOWARD
Attach Photo	
Inspection Overall Assessment	PASS



# CPK Weekend/Holiday Solvent Tank System Inspection

Form Code: 222

Compliance Header	
Inspector Name	GARY HOWARD
Area of Inspection	TANK FARM
Inspection Date and Time	6/23/24 10:00 am
CPK - Weekend/Holiday Solvent Tank System Inspection Instructions	
Note condition of inspection items. If item does not apply to an area, mark N/A. All unsatisfactory findings must be explained below. Include any repairs, changes or other remedial actions required or performed.	
CPK - Weekend/Holiday Solvent Tank System Inspection Items	
Inspection Method: In-Person or via Remote Camera Viewing	I.P.
Containment Area - Check for evidence of failure (e.g., visual evidence of a spill/leak, ponding/wet spots, other).	PASS
Compliance Footer	
Inspector Signature	GARY HOWARD
Attach Photo	
Inspection Overall Assessment	PASS

## Exhibit B

### Example Hazardous Waste Label

NA1993 WASTE COMBUSTIBLE LIQUID, N.O.S.  
(PETROLEUM NAPHTHA) PGIII  
(ERG#128) DOT-SP11606  
D039

\*\* TOXIC \*\*

LIQUID

HAZARDOUS  
WASTE

**HAZARDOUS WASTE**

HAZARDOUS  
WASTE

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL.  
IF FOUND, CONTACT THE NEAREST POLICE, OR  
PUBLIC SAFETY AUTHORITY, OR THE U.S.  
ENVIRONMENTAL PROTECTION AGENCY

**NA1993**

IN EVENT OF EMERGENCY  
1-800-468-1760 (SK)

GENERATOR INFORMATION:

ACCOUNT NO.

CA64753

NAME

Castillo Auto Repair

ADDRESS

4070 S Goldenrod Rd

ADDRESS

CITY/STATE

ORLANDO

FL 32822-5623

USA EPA

FLR000047571

STATE EPA  
ID NO.

ACCUMULATION

START DATE

MANIFEST

TRACKING NO.

242761511

GENERATOR

TRANSFER

TSD

STORAGE DATE

START DATE

STORAGE DATE

PRFL: 150055 - 150/PRF/PDF SOLVENT

CONTAINER NO.

240511433509

USE LABEL BY

05/11/25

SK DOT # 0000717

(SERVICE DOCUMENT)

CONT # 240511433509

EXPIRES 05/11/25

SK DOT # 0000717 DOC # 000094568903

MTN

GEN

CA64753

Castillo Auto Repair

02258 22

2423

ACTUAL

WT/GAL

SSN



**SAN**