

Kraemer, Janine

From: Kraemer, Janine
Sent: Wednesday, November 08, 2006 9:05 AM
To: 'Annicella.Alan@epamail.epa.gov'
Cc: Burson, Lu
Subject: RE: Attn: Alan Annicella

I spoke to this gentleman also. I inspected HOWCO in August and the tanks are empty and they have not begun operating (which I explained to Mr. Harrison). I suspect the water in the pipe is from the tank farm containment area. Once again, the tanks are empty, so the water is rain water. I am looking at the pics and I really don't see any problems. The tanks around the property aren't a problem cuz they are empty. We plan on inspecting them when they become operational some time later this year. Maybe when EPA comes down for their visit, we can swing by and put your minds at rest as well.

Janine

-----Original Message-----

From: Annicella.Alan@epamail.epa.gov [mailto:Annicella.Alan@epamail.epa.gov]
Sent: Wednesday, November 08, 2006 8:45 AM
To: Kraemer, Janine; ssd455ta@msn.com
Cc: Burson, Lu; Smith.Quantindra@epamail.epa.gov
Subject: Fw: Attn: Alan Annicella

Hello Stuart,

Thank you for the note. As you and I discussed previously on the phone, the EPA works in conjunction with the Florida Department of Environmental Protection (FDEP). The Central District (CD) of the FDEP performs inspections of facilities such as this, and has the ability to enforce not only Federal rules and regulations, but also enforces a set of State rules and regulations regarding facilities such as this.

I had a discussion with Ms. Janine Kraemer (407.864.7555) of the CD of the FDEP and she informed me that the FDEP is aware of the construction of the facility. Since the facility is in their regulatory district of the FDEP, I am forwarding this information you have supplied to her for her investigation.

Any reports or documents the facility in question has submitted to the State, or documents or reports the State has created and sent to the facility are available for your review. You may contact the FDEP directly to request a review of documents relating to this facility, or you may make a request through this website:

http://myfloridalegal.com/Contact.nsf/Contact?OpenForm&Section=Public_Records

I will keep in contact with Janine to discuss her findings. Should you have questions regarding this matter, please feel free to contact me directly.

Thanks and have a great day!

Alan A. Annicella

EPA Region 4

RCRA Enforcement & Compliance Branch

Phone 404.562.8610

Fax 404.562.8566

----- Forwarded by Alan Annicella/R4/USEPA/US on 11/08/2006 08:31 AM

Stuart C

Harrison

<ssd455ta@msn.co

To

m>

Alan Annicella/R4/USEPA/US@EPA

cc

11/07/2006 11:56

PM

Subject

Attn: Alan Annicella

Hello,

This is regarding the polluting that has been going on at more than one Howco Environmental Oil facility. The following pictures are of the plant located on state road 40 in Astor Florida.

Please see site layout included in this e-mail

A: There are used, cut open oil tanks that have now filled up with rainwater and overflow onto

the ground whenever it rains The lot is full of used truck oil and fuel tanks laying on the ground. There are leaking oil trucks and cut up oil tanker truck parts lying upside down on the dirt leaking oil and contaminated water into our aquifer.

B: Concrete pad to install boiler. (not permitted?)

C: Installing boiler OUT-side of the containment area so leakage will flow into our aquifer. Never mind fire or explosion. We are surrounded by National Forest, Lake George, and less than 1/4 mile from the St.

Johns River.

D & E: Sump pumps are automatic and pump all water and oil out onto the ground and residential back yards, then into our drinking water and aquifer, by-passing the system intentionally.

F: These tanks are all used and were coated in sludge and contamination and were "washed out" with water and pumped directly onto the ground into residential back yards and into our aquifer. The tanks laying on their side in the containment area #1 were painted with lead paint and it was all ground off and pumped out with the rest of the water in the containment area #1 onto residential back yards and into our drinking water and aquifer.

G: They breached the fence and property line into private residential wetland property with a giant loader and mowed down trees, brush and all without permission.

H: This is where they try to get sneaky. They buried the pump line under ground from the vehicle off-load containment area #2 to the property line to automatically pump the contaminated water onto neighboring residential property, into our drinking water and aquifer, with no recovery system in place other than blatant disregard for the rules, laws or regulations.

I: Installed temporary office (without permit?) with 3 buildings on one septic grinder, which is another of many examples of Howco's utter disregard for the environment, the people of this community and the rule of law.

Things like this have been going on at the Astor plant for 9 years!
Howco has other plants in Florida with violations and lawsuits going on right now, and they're just getting started here!

I'm asking that you help us. I hope a total disaster doesn't have to happen before something is done to save this little forest and river community. I have many people of resource who will support, corroborate and witness these allegations. I will be informing the County Department of Health and I've considered the news organizations as an option. I'm hoping your agency will step in and at least hold Howco accountable.

Thank you so much for your time and patience(See attached file:
MVC-250F.JPG)(See attached file: MVC-251F.JPG)(See attached file:
MVC-253F.JPG)(See attached file: MVC-254F.JPG)(See attached file:
MVC-257F.JPG)(See attached file: HE1.bmp)(See attached file: HE2.bmp) (See attached file:
MVC-238F.JPG)(See attached file: MVC-239F.JPG)(See attached file: MVC-244F.JPG)(See
attached file: MVC-245F.JPG)(See attached file: Howcolayout.jpg)

Kraemer, Janine

From: Annicella.Alan@epamail.epa.gov
Sent: Monday, November 13, 2006 10:04 AM
To: Kraemer, Janine
Subject: Fw: Attn: Alan Annicella

Attachments: MVC-355F.JPG



MVC-355F.JPG (61
KB)

Here they are... I was awaiting his response...

Thanks and have a great day!

Alan A. Annicella

EPA Region 4

RCRA Enforcement & Compliance Branch

Phone 404.562.8610

Fax 404.562.8566

----- Forwarded by Alan Annicella/R4/USEPA/US on 11/13/2006 10:03 AM

Stuart C

Harrison

<ssd455ta@msn.co

To

m>

Alan Annicella/R4/USEPA/US@EPA

cc

11/10/2006 09:55

AM

Subject

RE: Fw: Attn: Alan Annicella

Alan,

Just as I was afraid of, someone has alerted Howco. I think it's more than just an amazing co-incidence that Howco is rushing around trying to hide the things I took pictures of and listed in my e-mail to you. Look at the pic I took 10 minutes ago... Only one came out. Thanks

(See attached file: MVC-355F.JPG)





Kraemer, Janine

From: Annicella.Alan@epamail.epa.gov
Sent: Wednesday, November 15, 2006 8:57 AM
To: Stuart C Harrison
Cc: Kraemer, Janine
Subject: RE: Fw: Attn: Alan Annicella

Hello Stuart,

Thanks for the note. Based on information that was provided to me by the State, it is believed that the tanks you observed were empty. Is there the chance that what you saw being emptied was rain?

After the alleged dumping, was there any oil staining on the ground visible? Spilled oil typically leaves a mark. If so, this may be visible and it may be possible for you to snap a picture.

Additionally, information you provided to me previously and confirmed by the State of Florida, this facility was not operating (accepting oil) when these photos were taken. It is my understanding that they began operation this week, subsequent to you taking the photos. Is this information correct?

This email is being sent to the State of Florida regulatory district in which this facility lies to ensure that they have the same information as I have.

Thanks and have a great day!

Alan A. Annicella
EPA Region 4
RCRA Enforcement & Compliance Branch
Phone 404.562.8610
Fax 404.562.8566

Stuart C
Harrison
<ssd455ta@msn.co
m> To
Alan Annicella/R4/USEPA/US@EPA
cc
11/14/2006 10:48
PM Subject
RE: Fw: Attn: Alan Annicella

Kraemer, Janine

From: Annicella.Alan@epamail.epa.gov
Sent: Wednesday, November 15, 2006 7:46 AM
To: Kraemer, Janine
Subject: Fw: Attn: Alan Annicella

FYI... Stuart's response... Please refresh my memory... You stated that they are not operating and the tanks they have are clean...
Correct?

Thanks and have a great day!

Alan A. Annicella
EPA Region 4
RCRA Enforcement & Compliance Branch
Phone 404.562.8610
Fax 404.562.8566

----- Forwarded by Alan Annicella/R4/USEPA/US on 11/15/2006 07:44 AM

Stuart C
Harrison
<ssd455ta@msn.co To
m> Alan Annicella/R4/USEPA/US@EPA
cc
11/14/2006 10:48
PM Subject
RE: Fw: Attn: Alan Annicella

Hi Alan,

Hi Alan,

The two individual photos I just sent you were of the front loader lifting one end of a cut open oil tank, full of contaminated water, and dumping it directly onto the ground (towards and into my back yard) and into our aquifer. This is 1 or 2 days after sending you a picture of that particular oil tank which I told you was full of oil and sludge contaminated water and overflows onto the ground when it rains and into our aquifer that we drink out of and bathe in. I personally find something very wrong with this.... Do You???? The people are all standing in the photos looking in the tank AFTER tipping it up to empty it. One guy is standing to the left of the tank looking up as the loader tips the tank up on end to empty the contaminated water onto the ground.

If any other pictures were worth sending, I would have sent them. Some pictures come out good, some don't show much of anything. Some show activity like the two I sent you. They emptied and moved all the oil tanks into the corner and you have pictures of them doing it taken seconds apart from each other, right from my carport. I can't be watching every second, but I'll send you what I get. Thanks



Fax Transmission

HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, FL 33713
(727) 327-8467
Fax (727) 321-6213

To: Jeanine Kramer

Date: August 3, 2006

Company: FDEP Orlando District

Fax #: 407-893-3167

Pages: 8 including cover sheet

From: Michael Wolfe

Subject: HOWCO Environmental Services
Analysis of Water from the Unused Tank at the Astor Facility

Comments:

Jeanine,

We are sending you the analysis of the rain water that was contained in the unused tank at the Astor Facility. When the tank was being moved the rain water was discharged to grade. A sample was collected and the attached analysis will verify that the water was uncontaminated.

If there are any other questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Wolfe", is written over a horizontal line.

Mike Wolfe
HOWCO Environmental Services



Phoslab Environmental Services, Inc.

806 West Beacon Road • Lakeland, FL 33803 • (863) 682-5897 • Fax: (863) 683-3279

TOLL FREE 1-888-682-6867

FDOH ID: E84925



CERTIFICATE OF ANALYSIS

Client: HOWCO Environmental Services
3701 Central Ave.
St. Petersburg, FL 33713

Attention: Richard Dillen
Phone Number: 727-328-7403
Fax Number: 727-328-7782
Project Name: Astor
Project Number: P.O. # 40029
Project Location: Florida
Sampled By: T.H./HES
Date Sampled: 11/10/06 10:00 am
Date Received: 11/13/06 11:15 am
Date Reported: 11/14/06
Lab. Report #: 111306-004

Project Description

The analytical results for the samples identified in this report were submitted for analysis as outlined by the attached Chain of Custody. The results for the quality control samples were reviewed and found to meet the acceptance criteria for precision and accuracy or properly flagged. Unless noted in this report or a case narrative, all data in this analytical report is in compliance with NELAC standards. This report may not be reproduced in part or whole without the permission of PES.

Notes: Sample results reported at the Practical Quantitation Limit (PQL)
Sample reported on Dry Weight basis.

Approved By: Robert Trsek
Robert Trsek, Laboratory Director

If you have any questions, the above name should be contacted
at 863-682-5897 8:00 A.M. - 5:00 PM M-F

Total pages: 7
PES Report: 4
Data Qualifier: 1
COC: 1
Sample Log-In: 1



Phostab Environmental Services, Inc.

806 West Deaton Road • Lakeland, FL 33803 • (863) 682-5897 • Fax: (863) 683-3279

TOLL FREE 1-800-882-5897

FDOH ID: E84925

CERTIFICATE OF ANALYSIS
EPA 8021B

Sample ID: 111306-11
Sample Description / Matrix: Astor Water
Sample Date: 11/10/06 06:50
Preparation Date / Method: 11/13/06
Analysis Date / Method: 11/14/06 8021B
Batch No. 111306A
Dilution: 1x

Analytes:	Cas No.	Results	Units	MDL	PQL
MTBE	1634-04-4	10.0 U	ug/L	0.67	10.0
Benzene	71-43-2	1.0 U	ug/L	0.36	1.0
Toluene	108-88-3	2.0 U	ug/L	0.48	2.0
Ethylbenzene	100-41-4	2.0 U	ug/L	0.45	2.0
M&P Xylene	95-47-6	2.0 U	ug/L	0.49	2.0
O Xylene	95-47-6	1.0 U	ug/L	0.28	1.0

Surrogate	% Recovery	Limits
a,a,a-Trifluorotoluene	99	80-120
4-Bromofluorobenzene	94	80-120

U = Compound analyzed but not detected to the level shown

Analyst MS

PES

Phoslab Environmental Services, Inc.

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TOLL FREE 1-888-882-5897

FDOH ID: E84925

**CERTIFICATE OF ANALYSIS**
General Analytes (Wet Chemistry)

Sample ID:	111306-11
Sample Description/Matrix:	Astor Storm Water
Sample Date:	11/13/06 08:30
Preparation Date:	11/13/06
Analysis Date/Method:	11/13/06 EPA 1664
Batch No.:	109
Dilution:	2x

Analytes:	Results	Units
HEM-SGT	2.1	mg/L

Analyst RV



Phoslab Environmental Services, Inc.

806 West Benson Road • Lakeland, FL 33803 • (863) 682-5897 • Fax: (863) 683-3279

TOLL FREE 1-888-882-8897

FDOH ID: E84925



QUALITY CONTROL DATA EPA Method 8021B

SPIKE DATA (20 ug/L)

Analysis Date: 11/14/06
Batch No. 111306A

Parameter	CCV	QA/QC LIMITS	Flag
MTBE	93	80-120	
Benzene	102	80-120	
Toluene	102	80-120	
Ethylbenzene	102	80-120	
M&P Xylene	102	80-120	
O Xylene	100	80-120	

LAB BLANK

Analysis Date: 11/14/06
Batch No. 111306A

Analytes:	Cas No.	Results	Units
MTBE	1634-04-4	10.0 U	ug/L
Benzene	71-43-2	1.0 U	ug/L
Toluene	108-88-3	2.0 U	ug/L
Ethylbenzene	100-41-4	2.0 U	ug/L
Xylenes	95-47-6	3.0 U	ug/L

Surrogate	% Recovery	Limits
a,a,a-Trifluorotoluene	100	80-120
4-Bromofluorobenzene	93	80-120

J= Quality control limits exceeded

CCV = Continuing calibration verification

U = Compound analyzed but not detected to the level shown.

Analyst

MS

DATA QUALIFIER CODES

SYMBOL MEANING

- A Value reported is the arithmetic mean (average) of two or more determinations. This code shall be used if the reported value is the average of results for two or more discrete and separate samples. These samples shall have been processed and analyzed independently. Do not use this code if the data are the result of replicate analysis on the same sample aliquot, extract or digestate.
- H Value based on field kit determination; results may not be accurate. This code shall be used if a field screening test (i.e., field gas chromatograph data, immunoassay, vendor-supplied field kit, etc.) was used to generate the value and the field kit or method has not been recognized by the Department as equivalent to laboratory methods.
- I The reported value is between the laboratory method detection limit and the laboratory practical quantitation limit.
- J Estimated value. A "J" value shall be accompanied by a narrative justification for its use. Where possible, the organization shall report whether the actual value is less than or greater than the reported value. A "J" value shall not be used as a substitute for K, L, M, T, V, or Y, however, if additional reasons exist for identifying the value as estimate (e.g., matrix spiked failed to meet acceptance criteria), the "J" code may be added to a K, L, M, T, V, or Y. The following are some examples of narrative descriptions that may accompany a "J" code:
- No known quality control criteria exist for the component;
 - The reported value failed to meet the established quality control criteria for either precision or accuracy (the specific failure must be identified);
 - The sample matrix interfered with the ability to make any accurate determination;
 - The data are questionable because of improper laboratory or field protocols (e.g., composite sample was collected instead of a grab sample).
 - The field calibration verification did not meet calibration acceptance criteria.
- K Off-scale low. Actual value is known to be less than the value given. This code shall be used if:
1. The value is less than the lowest calibration standard and the calibration curve is known to be non-linear; or
 2. The value is known to be less than the reported value based on sample size, dilution.
- This code shall not be used to report values that are less than the laboratory practical quantitation limit or laboratory method detection limit.
- L Off-scale high. Actual value is known to be greater than value given. To be used when the concentration of the analyte is above the acceptable level for quantitation (exceeds the linear range or highest calibration standard) and the calibration curve is known to exhibit a negative deflection.
- M When reporting chemical analyses: presence of material is verified but not quantified; the actual value is less than the value given. The reported value shall be the laboratory practical quantitation limit. This code shall be used if the level is too low to permit accurate quantification, but the estimated concentration is greater than the method detection limit. If the value is less than the method detection limit use "T" below.
- N Presumptive evidence of presence of material. This qualifier shall be used if:
1. The component has been tentatively identified based on mass spectral library search; or
 2. There is an indication that the analyte is present, but quality control requirements for confirmation were not met (i.e., presence of analyte was not confirmed by alternative procedures).
- O Sampled, but analysis lost or not performed.
- Q Sample held beyond the accepted holding time. This code shall be used if the value is derived from a sample that was prepared or analyzed after the approved holding time restrictions for sample preparation or analysis.
- T Value reported is less than the laboratory method detection limit. The value is reported for informational purposes only and shall not be used in statistical analysis.
- U Indicates that the compound was analyzed for but not detected. This symbol shall be used to indicate that the specified component was not detected. The value associated with the qualifier shall be the laboratory method detection limit. Unless requested by the client, less than the method detection limit values shall not be reported (see "T" above).
- V Indicates that the analyte was detected in both the sample and the associated method blank. Note: the value in the blank shall not be subtracted from associated samples.
- Y The laboratory analysis was from an improperly preserved sample. The data may not be accurate.
- ? Data are rejected and should not be used. Some or all of the quality control data for the analyte were outside criteria, and the presence or absence of the analyte cannot be determined from the data.
- * Not currently accredited for this analyte.
- ! Not within scope of method.

HOWCO ENVIRONMENTAL SERVICES
 3701 Central Ave. St. Petersburg, FL 33713-8338
 727-327-8467

CHAIN OF CUSTODY # 111306-004

WASTE DETERMINATION ID# _____

PART 1	Generators Name <u>Howco</u>						Contact Person				
	Location of Waste (address) <u>Astor</u>						Phone Number				
	Client Name						CONTAINER DESCRIPTION / ANALYSIS				
PART 2	Item No.	HOWCO SAMPLE NO.	Sample Description / Specific Location	Date	Time	Matrix	Grab or Composite	602 (YOMVIAL HCL)	HEM-SGT (12 G. H2O2)	Generator's Profile Code Number	No. of Containers
	1	<u>Astor</u>	<u>Stormwater Container</u>	<u>11-10-06</u>	<u>10:10</u>	<u>W</u>	<u>G</u>	<u>2</u>	<u>1</u>	<u>111306-11</u>	<u>3</u>
	2										
	3										
	4										
	5										
Sampling Method and Equipment						Transported By			Total Number of Containers		<u>3</u>
PART 3	SAMPLER Signature <u>[Signature]</u>			WITNESS VERIFICATION Signature			REPRESENTATIVE DATE CERTIFICATION Signature				
	Print Name			Print Name			Print Name				
	Title			Title			Title				
	Employer <u>Howco</u>			Employer			Employer				
	Date <u>11.10.06</u>			Date			Date				
PART 4	Comments			Transfer Number	Item No.	Relinquished By		Accepted By		Date	Time
	<u>P.O. # 40029</u>			<u>1</u>		<u>[Signature]</u>		<u>[Signature]</u>		<u>11/10/06</u>	<u>16:00</u>
				<u>2</u>		<u>[Signature]</u>		<u>[Signature]</u>		<u>11/13/06</u>	<u>10:10</u>
				<u>3</u>		<u>[Signature]</u>		<u>[Signature]</u>		<u>11/13/06</u>	<u>11:15 A</u>
				<u>4</u>							
				<u>5</u>							



Sample Log-in Checklist

Shipping Method: Courier Date/Time of Receipt: 11/30/06 11:15am

Cooler #	Ice in cooler			Custody Seal			
	Yes	No	If No Temp.	Yes	No	Intact	Not Intact
	/		< 4°				

Note: If the temperature of a cooler is above 6°C or a custody seal is damaged then identify the bottles in the affected cooler and note on "Improper Sample List"

- 1) Custody Seal on Bottles present Yes _____ No X
- 2) Condition of Sample containers
Headspace (Volatiles) No
Bubble > 5mm No
Loose caps Yes _____ No X
Broken Containers Yes _____ No X
- 3) Chain of Custody included Yes / No _____
- 4) Acid preserved: pH less than 2 Yes / No _____

Coolers Unpacked/Checked by: Chau Date: 11/30/6
Client: Hawco Project: Astar

Improper Sample List

[illegible]

Howco Environmental

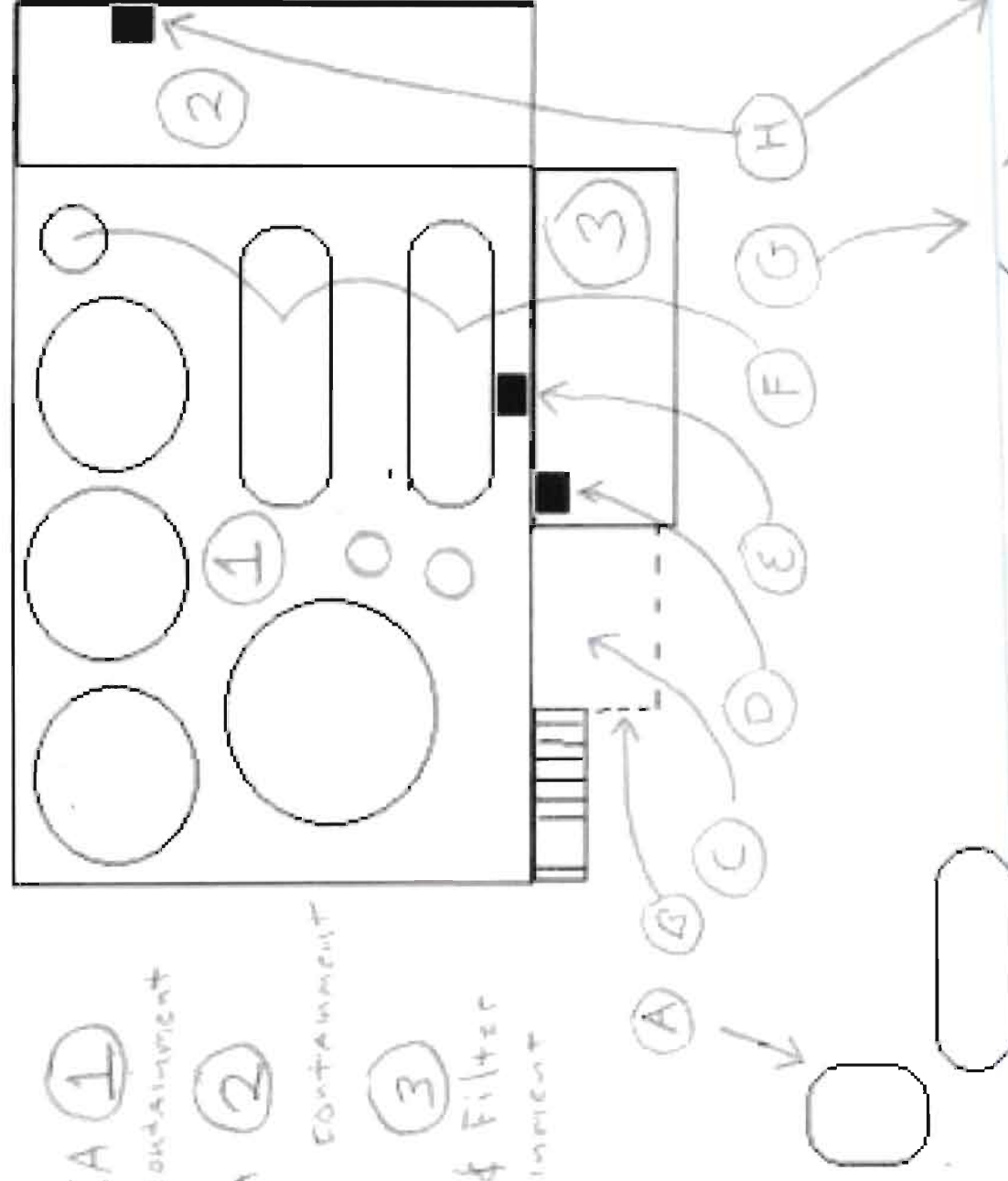
Astor, FL

S.R. 40

AREA 1
MAIN CONTAINMENT

AREA 2
Vehicle Containment

Area 3
Pump & Filter
Containment



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