

06-10-15

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SECRETARY OF STATE

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
UNDERGROUND STORAGE TANKS &
SOLID WASTE DISPOSAL CONTROL BOARD**

IN THE MATTER OF :)
)
VOLUNTEER OIL SERVICE, LLC,)
)
 Petitioner,)
)
vs.)
)
THE BOARD OF PUBLIC UTILITIES OF)
THE CITY OF TULLAHOMA, TENNESSEE)
a/k/a TULLAHOMA UTILITIES BOARD)
)
And)
)
TENNESSEE DEPARTMENT OF)
ENVIRONMENT AND CONSERVATION)
)
 Respondents.)

CASE NO. _____

PETITION FOR DECLARATORY ORDER

I. INTRODUCTION

Petitioner, Volunteer Oil Service, LLC ("Volunteer Oil"), brings this action, pursuant to Tenn. Code Ann. §§ 68-212-117 and 4-5-223, seeking a contested case hearing to determine whether the Tennessee Department of Environment and Conservation ("TDEC") is authorized to waive the nondiscretionary functions required pursuant to the Hazardous Waste Management Act of 1977 and 1983 and the Used Oil Collection Act of 1993 (collectively "the Act"), Tenn. Code Ann. §§ 68-212-101 *et seq.*, 68-212-201 *et seq.* and 68-211-1001 *et seq.* Petitioner requests the Board convene a contested case hearing and make an expedited ruling as to the applicability and validity of the Act and the Official Compilation of the Tennessee Hazardous

Waste Rules and Regulations 0400-12-01 *et seq.* (hereinafter “the Regulations and/or the Rules”) governing the management of PCB contaminated used oil and whether the Act grants TDEC authority to waive the mandatory generator provisions contained in the Rules and the Act. Petitioner asserts TDEC’s failure to require compliance with the Rules and the Act violates the authority the U.S. EPA has delegated to the State of Tennessee; TDEC’s failure to require compliance renders the Rules and Act less stringent than the federal counterparts.

As background, Volunteer Oil removed used oil from City of Tullahoma, Tennessee, a/k/a Tullahoma Utilities Board (“TUB”), on June 26, 2014, and June 27, 2014, totaling 5,000 gallons. TUB marketed the used oil as specification used oil. Pursuant to Rule 04000-12-01-.03, generators are required to characterize waste that is being removed from a site. Randall Tucker, on behalf of TUB, informed Volunteer Oil that TUB had characterized the used oil and that the used oil was non-PCB used oil (specification used oil, less than 2 ppm PCBs). See, Rule 0400-12-01 *et seq.*; and Tenn. Code Ann. § 68-211-1016 *et seq.*

Volunteer Oil transported 5,000 gallons of TUB’s used oil to a refinery and unloaded it into a tank containing 40,000 gallons of specification used oil (as defined by Rule 0400-12-01 *et seq.*; and Tenn. Code Ann. § 68-211-1016 *et seq.*). The following day Volunteer Oil was informed by the refinery that TUB’s “used oil” contained high levels of PCB which contaminated an entire tank of specification used oil at the refinery. TUB denied liability by asserting the mandatory regulations do not apply to TUB. Consequently, Volunteer Oil incurred \$119,717.36 in disposal costs to properly dispose of the PCB contaminated used oil. Shortly thereafter, TDEC personnel visited the TUB site. TDEC personnel failed to sample the used oil onsite, failed to obtain any documentation or analysis supporting TUB’s claim that it was in compliance with the Act. TDEC failed to require the TUB comply with the Act and/or the

applicable Rules and Regulations. Petitioner brings this action before the Board for a contested case hearing to review whether the Act, the Rules and Regulations and federal counterparts cited herein grant TDEC unbridled authority to waive mandatory regulatory requirements, thereby making the Act and Rules less stringent than the federal counterparts.

II. FACTS

1. Volunteer Oil Service, LLC, is a Limited Liability Company organized and existing under the laws of the State of Tennessee with its principal office located at 133 S. Cannon Avenue, Murfreesboro, Rutherford County, Tennessee.

2. The City of Tullahoma, Tennessee, a/k/a Tullahoma Utilities Board (“TUB”), is an instrumentality of the City of Tullahoma, Tennessee, created by ordinance of the Board of Mayor and Alderman of City of Tullahoma, Tennessee, pursuant to Tenn. Code Ann. § 7-52-101 *et seq.* TUB is the supervisory body exercising general supervision and control of the acquisition, improvement operation and maintenance of water, sewer and fiber optic systems of the City of Tullahoma, Tennessee. TUB’s primary business office is located at 901 S. Jackson Street, Tullahoma, Coffee County, Tennessee. TUB is a "Person" pursuant to Tenn. Code Ann. § 68-212-104 (13).

3. On or about May 20, 2014, TUB issued a *Bid Solicitation and Specifications for Transformer Salvage/Disposal* (“Bid Solicitation”). (Attached as Exhibit 1 and incorporated herein by this reference.) The TUB Bid Solicitation provided that all bidders should contact “Randall Tucker at 931-455-4515” on all environmental concerns. The Bid Solicitation stated TUB would provide the most recent oil test/analysis on file to any bidder. (Exhibit 1.)

4. TUB marketed the used oil as specification used oil when it asked for bids to “buy” the used oil. Rule 0400-12-01-.11(8) and 40 CFR 279 defines marketer as the person

(TUB) who either directed a shipment of off-specification used oil from their facility or first claimed the used oil met the used oil fuel specifications set forth in Rule 0400-12-01-.11(2)(b).

5. TUB employees Randall Tucker, Larry Osterman and Brian Coathe represented TUB's used oil as non-PCP oil to Volunteer Oil as defined in Rule 0400-12-01-.11(8). The generator is required to comply with the Standards for Used Oil Generators. Rule 0400-12-01-.11(8). The generator determines whether used oil meets the specification for used oil (less than 2ppm PCBs) by performing analyses or by obtaining other information which supports the generator's claim that the used oil is non-PCB used oil. *Id.* Rule 0400-12-01-.11(3)(b) and 40 CFR 279.72. In the event the used oil contains less than 2 ppm PCBs and the person claiming the used oil complies with subparagraphs (8)(c) and (8)(e)2 of Rule 04400-12-01-.11, then the used oil is not subject to the remaining mandatory PCB contaminated used oil regulations. Rule 0400-12-01-.11(3)(b).

6. On or about May 30, 2014, Volunteer Oil submitted a bid in response to TUB's Bid Solicitation. (Attached as Exhibit 2 and incorporated herein by this reference.) TUB accepted Volunteer Oil's bid on or about June 19, 2014.

7. On June 26, 2014, TUB official David Johnson signed a non-hazardous waste manifest form, under penalty of perjury, pursuant to the Rule 0400-12-01 *et seq.* and Tenn. Code Ann. § 68-211-1016 *et seq.* representing the used oil from TUB did not contain PCBs. Tenn. Code Ann. § 68-211-1016(b)(4), (Manifest attached as Exhibit 3 and incorporated herein by this reference.)

8. Volunteer Oil removed TUB's used oil on June 26, 2014, and June 27, 2014, totaling 5,000 gallons. Based on the sworn statement of TUB representative and the

representations made by TUB employees, Volunteer Oil transported the used oil as specification used oil (less than 2 ppm PCBs).

9. Volunteer Oil took 5,000 gallons of TUB used oil to a refinery and unloaded it into a tank containing 40,000 gallons of specification used oil, as defined in Rule 0400-12-01 *et seq.* and Tenn. Code Ann. § 68-211-1016 *et seq.* One day following the delivery of TUB's used oil, the refinery contacted Volunteer Oil reporting TUB's used oil contained high levels of PCB's which resulted in contamination of the entire tank of used oil at the refinery. Volunteer Oil immediately contacted TUB informing TUB, the generator, it was liable for disposal of the off-specification used oil. TUB denied liability; therefore, Volunteer Oil was forced to buy the entire load of 52,711 gallons from the refinery and dispose of the waste as (PCB) contaminated used oil incurring \$119,717.36 in disposal costs and expenses. (Invoice attached as Exhibit 4 and incorporated herein by this reference.)

10. Because TUB continued to deny its culpability for providing PCB contaminated oil, Volunteer Oil coordinated a composite sampling event at TUB which was split between Volunteer Oil and TUB to ensure accuracy and chain of custody. Volunteer Oil took a composite sample, identified as TUB #1: TUB #1 sample result was 13.1 ppm for PCBs. TUB took its composite sample at the same time, identified as TUB #2: TUB #2 sample result was 13.2 ppm for PCBs. These two samples unequivocally confirmed the source of the PCB contamination at the refinery emanated from TUB. (Report attached as Exhibit 5 and incorporated herein by this reference.)

III. APPLICABLE LAW

11. Tenn. Code Ann. § 68-211-1002 defines "used oil" as a used oil that is not suitable for its original purpose but which may be suitable for further use. The statute provides

all persons are prohibited from mixing or comingling used oil with PCBs which make the oil unsuitable for recycling or beneficial use without a discharge permit. Tenn. Code Ann. § 68-211-1016(a)(3).

12. The standards for the management of used oil are found in Rule 0400-12-01-.11(2)(a)9. Pursuant to Rule 0400-12-01-.11(2)(a)9, used oil containing PCBs at any concentration less than 50 ppm is subject to the Management of Used Oil Rule (and in some circumstances, is governed by Hazardous Waste Management Rule 0400-12-01-02(4)). By marketing off-specification used oil to sell, the regulation mandated TUB “must” include a copy of each certification notice received or prepared relating to transactions involving PCB-containing used oil. To date, TUB has failed to provide proof of compliance with 0400-12-01-.11 thereby violating the Act, the Rules and federal counterparts. (40 CFR part 279 and 40 CFR 761.)

13. TUB marketed its used oil as specification used oil by requesting bids to purchase TUB’s used oil. By soliciting bids to sell TUB’s used oil, TUB offered its used oil as specification used oil (2 ppm or less of PCBs). See also, 40 CFR 761.20. As the generator of off-specification used oil, TUB should have requested bids to pay for the disposal of off-specification used oil.¹ TDEC’s failure to require a marketer of used oil containing 2 ppm or more of PCBs to comply with the mandatory provisions contained in Rule 0400-12-01-.11(3) violates the Rules, Act and the federal counterpart. (40 CFR 761.20.)

14. TDEC’s failure to require compliance with Rule 0400-12-01-.11(3) has rendered the Tennessee Rules less stringent than the federal counterparts. (40 CRF 761.3) Rule 0400-12-01-.11(3)(a)(2) mandates a used oil generator of off-specification used oil (greater than 2ppm

¹ TUB should have expected to pay approximately \$25,000-\$30,000 to a transporter to dispose of TUB off specification used oil.

and less than 50 ppm of PCBs) comply with subsections: (b) Hazardous Waste Mixing; (c) Used Oil Storage; (e) Off-site Shipments; and all applicable Spill Prevention, Control and Countermeasures. To date, the TDEC has failed to require TUB comply with the mandatory requirements contained in Rule 0400-12-01-.11(3); TDEC's failure to require compliance renders the regulations less stringent than the federal law. (40 CFR 761.3)

15. TDEC's failure to require TUB to provide copies of the records of each shipment of used oil TUB generated over the last three (3) years violates the Act and the Rules. As the generator of off-specification used oil, TUB is required to keep a record of each shipment with the name and address of the transporter, name and address of the burner who received the used oil, installation identification number of the transporter, the installation identification number of the burner, analysis or other information used to make the determination that previous oil shipments met specification, record of quantity of used oil generated and date of shipment for at least three (3) years. Rule 0400-12-01-.11(2) and (8). TDEC's failure to require proof of compliance with Rule 0400-12-01-.11(2) and (8) exceeds the powers delegated to the TDEC in the enabling statute and renders the Act and Rules null and void. TDEC's failure to require proof of compliance with Rule 0400-12-01-.11 deems the Tennessee Rules less stringent than the federal counterparts found in 40 CFR 761.

16. TDEC's failure to require TUB, the generator, to comply with Rule 004-12-01-.11 renders the Rule less stringent than the federal counterparts. Personnel from the Columbia Environmental Field Office of the TDEC visited the TUB facility in 2015 to conduct an inspection. The TDEC inspector did not take any samples at the TUB site or obtain any documentation from TUB proving TUB complied with either the Act or the Regulations. TDEC failed to issue a notice of violation or take any enforcement action whatsoever against the TUB

in direct conflict with Act and the Regulations. TDEC's failure to require TUB comply with Rule 004-12-01-.11 violates the Rules and the federal counterparts. (40 CFR 262.)

17. TDEC has failed to require TUB to comply with the Standards for Used Oil Generators mandated in Rule 0400-12-01-.11(8)(c), (d), (e) and (f). To date, the TDEC has failed to require TUB, the marketer of off-specification used oil, to provide proof of compliance with the analysis and document retention requirements contained in Rule 0400-12-01-.11.

18. To date, the TDEC has failed to take any action against the TUB for executing a manifest, in violation of Tenn. Code Ann. § 68-212-213, wherein TUB falsely represented off-specification used oil as non-PCB used oil (less than 2 ppm PCB) thereby directing transportation of PCB contaminated used oil in violation of Rule 0400-12-01-.11(2)(b).

IV. DECLARATORY ORDER

19. Petitioner asks the Board to commence a contested case hearing to review TDEC's failure to enforce the generator rules and regulations, including, but not limited to, Rule 0400-12-01-.11 against the TUB.

20. Petitioner asks the Board to commence a contested case hearing to review TDEC's failure to enforce Tenn. Code Ann. §§ 68-212-114 and 213 and to assess fines and penalties against TUB, the generator, for providing false information on a waste manifest and for marketing specification used oil to sell, though the used oil was off-specification, in violation of the Act and Rule 0400-12-01-.11.

21. Petitioner asks the Board to issue an Order proclaiming the TDEC lacks authority to waive the mandatory generator requirements articulated in subparagraphs (3)(b),(8)(c) and (8)(e) of Rule 0400-12-01-.11 and the Act.

22. Petitioner asks the Board to issue an Order proclaiming the TDEC lacks authority to waive the labeling, containerizing, sampling, manifest and disposal requirements contained in Tenn. Code Ann. §§ 68-212-105(4), 68-212-113 and 114 for any generator, including the TUB.

23. Petitioner asks the Board to issue an Order proclaiming TDEC lacks statutory authority to ignore TUB's failure to comply with the Used Oil Collection Act of 1993. Tenn. Code Ann. § 68-211-1016. TDEC's failure to require compliance has permitted TUB to commingle used oil with PCBs without a permit, provide false information in a waste manifest form and disregard all reporting, record keeping and document retention requirements, all in direct violation of Tenn. Code Ann. § 68-211-1016, the Rules and federal counterparts.

24. Petitioner asks the Board to issue an Order proclaiming the TDEC's failure to commence an enforcement action against the TUB and assess civil penalties for violating Rules 00400-12-01-.02, 00400-12-01-.11(2)(iv) and (8) and Tenn. Code Ann. § 68-212-114 is unlawful and violates the Rules, Act and federal counterparts.

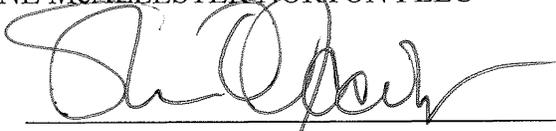
25. Petitioner asks the Board to Order the TUB pay damages of at least \$119,717.36 plus interest, the disposal costs incurred to dispose of TUB's off specification used oil, pursuant to Tenn. Code Ann. § 68-212-114(4) or, in the alternative, Petitioner asks the Board to Order the TDEC reimburse Volunteer Oil for all disposal costs incurred to dispose of the used oil contaminated by TUB's PCB contaminated used oil plus interest, pursuant to Tenn. Code Ann. § 68-211-1105.

26. The Petitioner asks the Board to Order the TUB to pay Volunteer Oil's attorney fees and all associated costs, pursuant to Tenn. Code Ann. § 68-212-117(b).

27. The Petitioner asks the Board to Order all other relief it deems appropriate.

Respectfully submitted,

BONE McALLESTER NORTON PLLC

By: 

Anne C. Martin (BPR #15536)
Sharon O. Jacobs (BPR #14626)
Bone McAllester Norton PLLC
511 Union Street, Suite 1600
Nashville, TN 37219
Telephone: (615) 238-6300

Attorneys for Petitioner

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing document has been mailed by U.S. First-Class Mail, postage prepaid, and /or hand-delivery to the following on June 9th, 2015:

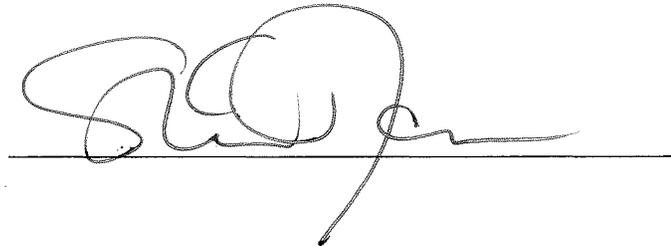
Patrick J. Flood, P.E., Technical Secretary
Underground Storage Tank & Solid Waste Disposal Board
William R. Snodgrass Tennessee Tower
312 Rosa L Parks Ave, 14th Floor
Nashville, TN 37243

Administrative Hearings Division
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Ave., 8th Floor
Nashville, TN 37243

Office of General Counsel
Tennessee Department of Environment and Conservation
William R. Snodgrass Tennessee Tower
312 Rosa L Parks Ave, 2nd Floor
Nashville, TN 37243

William C. Rieder, Esq.
Hull, Ray, Rieder, Ewell, Lane & Lynch, P.C.
214 N. Atlantic Street
P. O. Box 878
Tullahoma, TN 37388

W. Carl Spining, Esq.
Ortale, Kelley, Herbert & Crawford
330 Commerce Street, Suite 110
Nashville, TN 37201

A handwritten signature in black ink, appearing to read 'W. Carl Spining', is written over a horizontal line. The signature is stylized and cursive.



A.C. CHALMERS

OIL CIRCUIT BREAKER

WITH TYPE LCP INTERRUPTOR

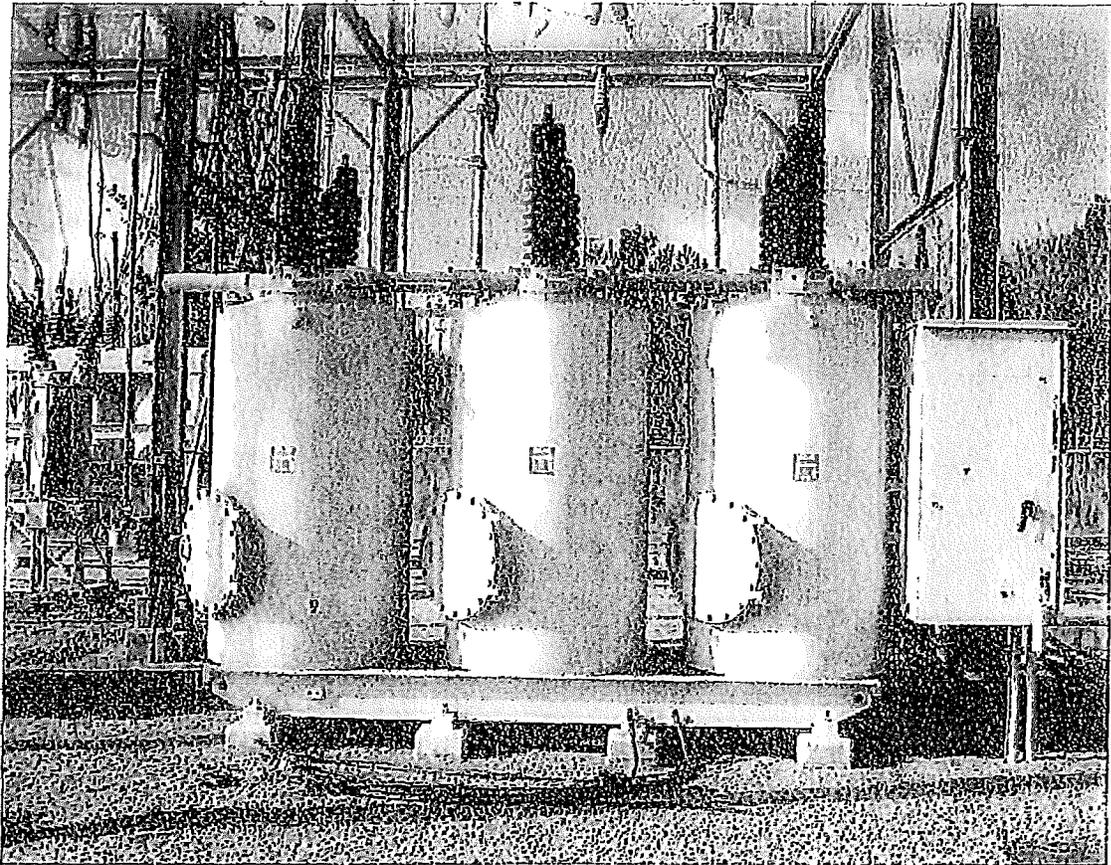
TYPE SERIAL NO.
AMPS KV FREQUENCY CYCLES
IMPULSE INSULATION LEVEL KILO-VOLTS
INTER. AMPS AT RATED VOLTAGE
DATE OF MFR. OIL PER TANK GALS
WEIGHT OF BREAKER WITHOUT OIL LBS
WEIGHT OF NO. POLE UNIT WITH OIL LBS
FILL TO OIL LEVEL AT 20° C WITH A-C UNIVERSAL NO. 3 OIL
HT TO REMOVE BUSHING INS.-WT. OF BUSHING LBS
INST. & PARTS LIST
ONE OR MORE U.S. PATENTS: 2,629,462; 3,067,307; 3,075,080

MADE IN U.S.A. BOSTON WORKS, BOSTON, MASS. U.S.A.

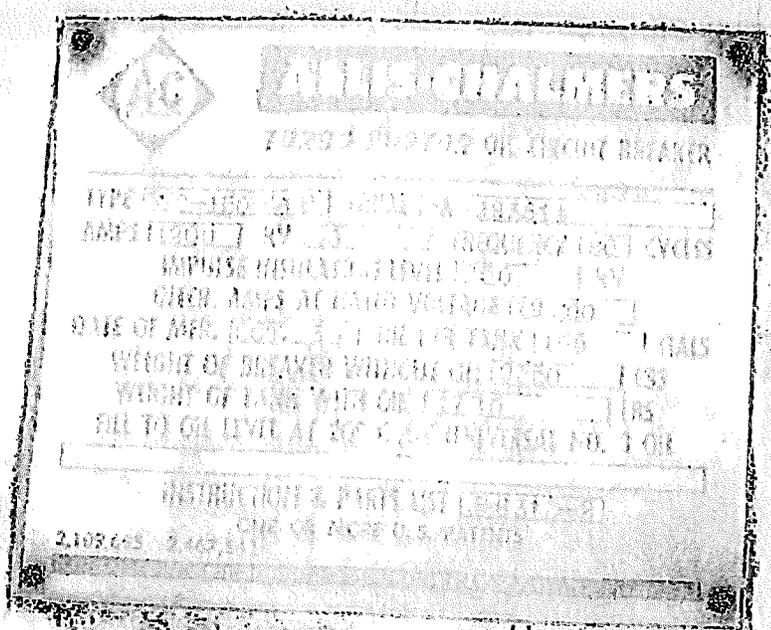
EXHIBIT

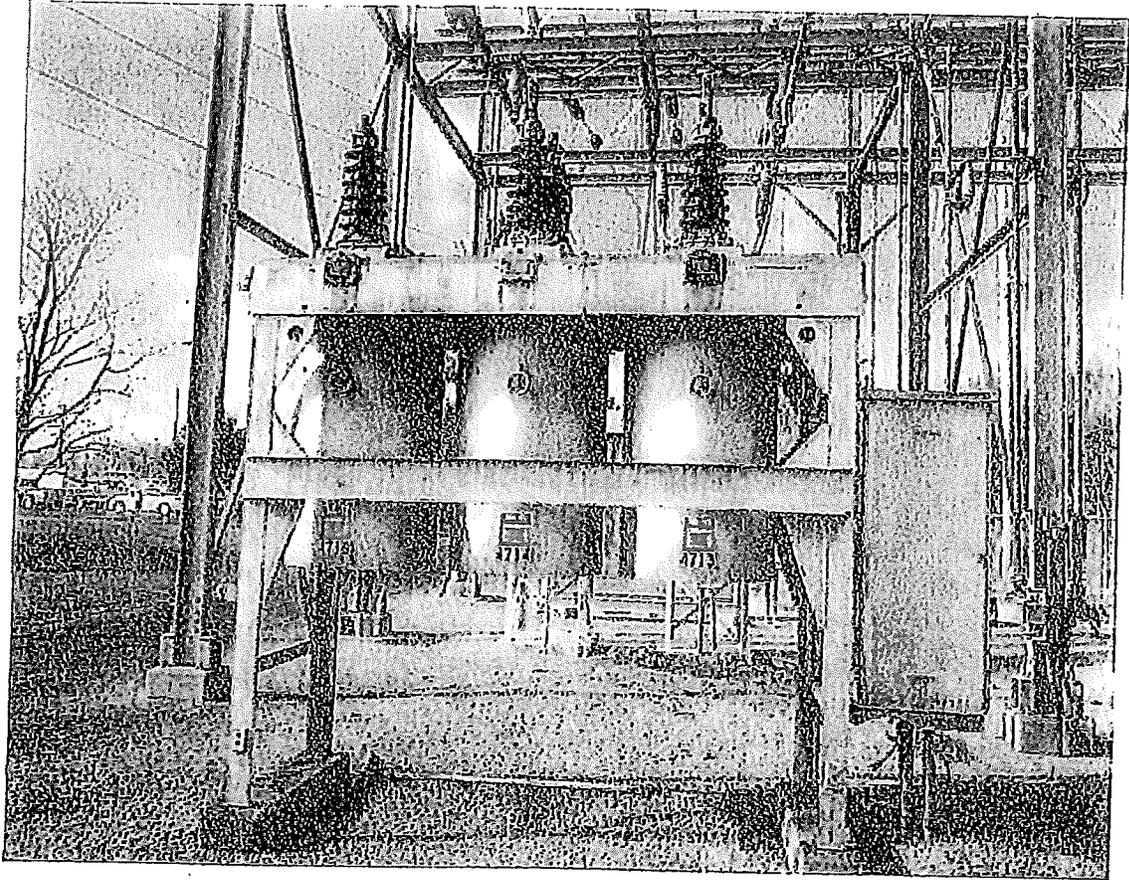
1

500127



Manufacturer: Allis Chalmers
 Type: FZO-150-46F
 Rating: 46000 volts
 Amperes: 1200
 Cycles: 60
 Height to top of bushing: 11' - 10"
 Weight of bushing: unknown
 Weight of tank with oil: 1780 lbs.
 Oil per tank: 155 gallons
 Weight of Breaker with oil: 9350 lbs.





Manufacturer: General Electric
 Type: FK-439-46-500
 Rating: 46000 volts
 Amperes: 600
 Cycles: 60
 Height to top of bushing: 12' - 6"
 Weight of bushing: 90 lbs.
 Weight of tank with oil: 1340 lbs.
 Oil per tank: 133 gallons
 Weight of Breaker with oil: 10100 lbs.



GENERAL ELECTRIC

OIL-BLAST CIRCUIT BREAKER

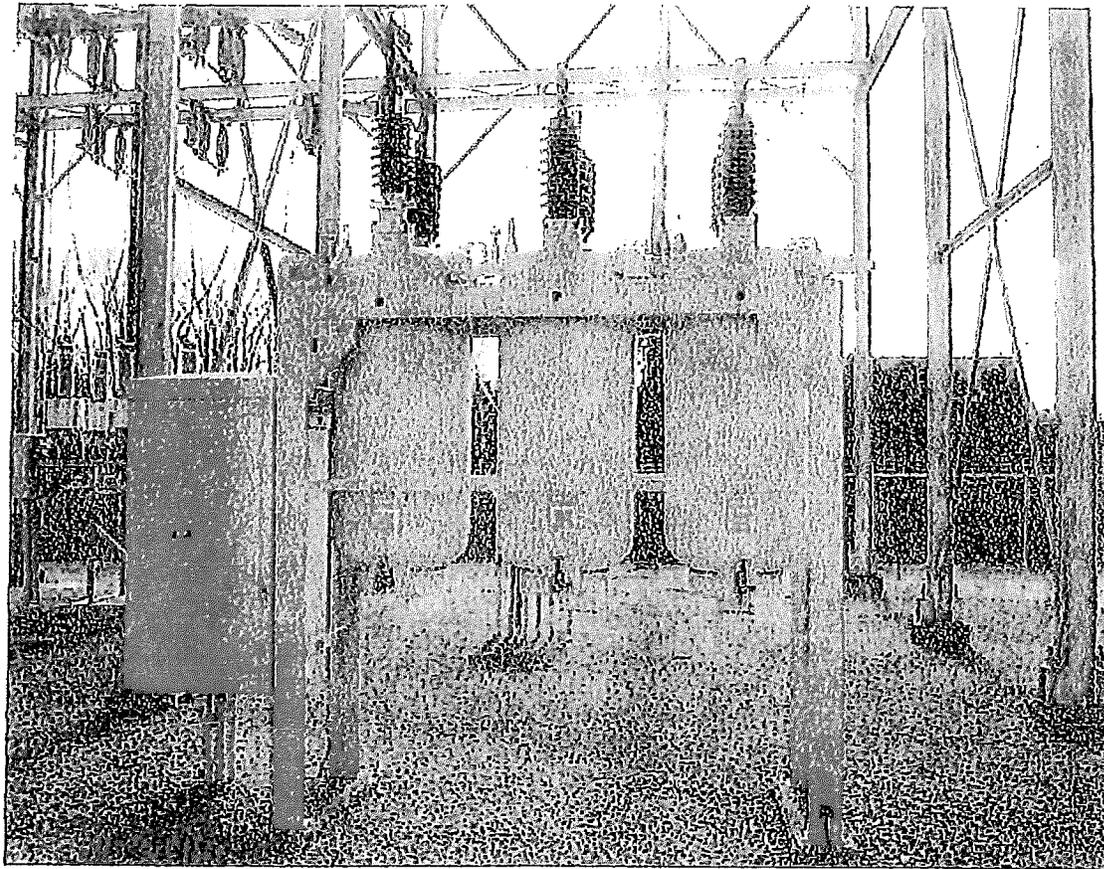
NO. _____ TYPE _____
 RATING _____ VOLTS _____ AMPERES _____ CYCLES _____
 INTERRUPTING CURRENT AT RATED VOLTAGE _____ AMP.
 IMPULSE WITHSTAND _____ KV.
 HEIGHT TO REMOVE BUSHING _____ FT. WEIGHT OF BUSHING _____ LB.
 WEIGHT OF TANK WITH OIL _____ LB. OIL PER TANK _____ GAL.
 WEIGHT OF BREAKER WITH OIL _____ LB.

PNEUMATIC OPERATING MECHANISM TYPE _____
OPERATING PRESSURE RANGE _____ PSI

	OPERATING RANGE		AMP.
CONTROL VALVE COIL _____	NO. 1 _____	TO _____	V D C _____
	NO. 2 _____	TO _____	V D C _____
	NO. 3 _____	TO _____	V D C _____
AUXILIARY VALVE COIL _____	_____	TO _____	V D C _____
POTENTIAL TRIP COIL _____	_____	TO _____	V D C _____
EXCITING COIL _____	_____	TO _____	V D C _____

PARTS BULLETIN-BREAKER _____ MECHANISM _____
CAUTION! BEFORE INSTALLING OR OPERATING READ INST.
 BREAKER _____ BUSHING _____ MECHANISM _____

H.P. 130567 SCHENECTADY, N. Y. MADE IN U.S.A.



Manufacturer: General Electric
 Type: FK-339-161-5000
 Rating: 161000 volts
 Amperes: 1200
 Cycles: 60
 Height to top of bushing: 17' - 6"
 Weight of bushing: 1350 lbs.
 Weight of tank with oil: 26300 lbs.
 Oil per tank: 1760 gallons
 Weight of Breaker with oil: 79400 lbs.

GENERAL ELECTRIC

OIL-BLAST CIRCUIT BREAKER

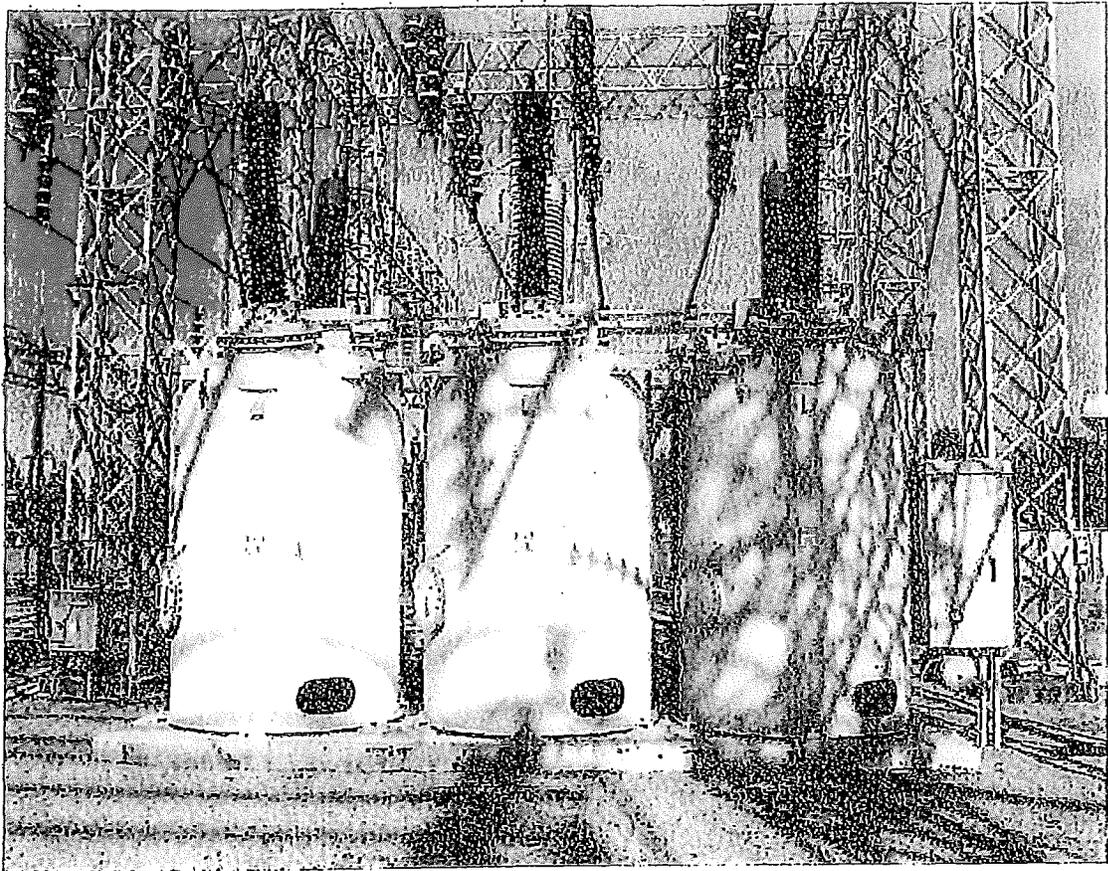
NO. _____ TYPE _____
 RATING _____ VOLTS _____ AMPERES _____ CYCLES _____
 INTERRUPTING CURRENT AT RATED VOLTAGE _____ AMP.
 IMPULSE WITHSTAND _____ KV. MAX. DESIGN _____ VOLTS
 HEIGHT TO REMOVE BUSHING _____ FT. WEIGHT OF BUSHING _____ LB.
 WEIGHT OF TANK WITH OIL _____ LB. OIL PER TANK _____ GAL.
 WEIGHT OF BREAKER WITH OIL _____ LB.

PNEUMATIC OPERATING MECHANISM TYPE _____
 OPERATING PRESSURE RANGE _____ PSI

	NO. 1	NO. 2	NO. 3		
CONTROL VALVE COIL _____	TO _____	TO _____	TO _____	V	C
AUXILIARY VALVE COIL _____	TO _____	TO _____	TO _____	V	C
POTENTIAL TRIP COIL _____	TO _____	TO _____	TO _____	V	C
EXCITING COIL _____	TO _____	TO _____	TO _____	V	C

PARTS BULLETIN-BREAKER _____ MECHANISM _____
CAUTION! BEFORE INSTALLING OR OPERATING READ INST.
 BREAKER _____ BUSHING _____ MECHANISM _____

N.P. 130567 PHILADELPHIA, PA. MADE IN U.S.A.

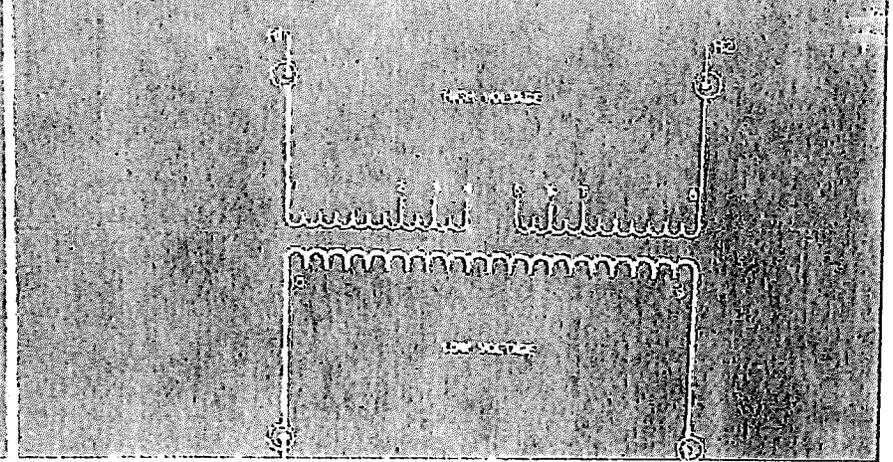


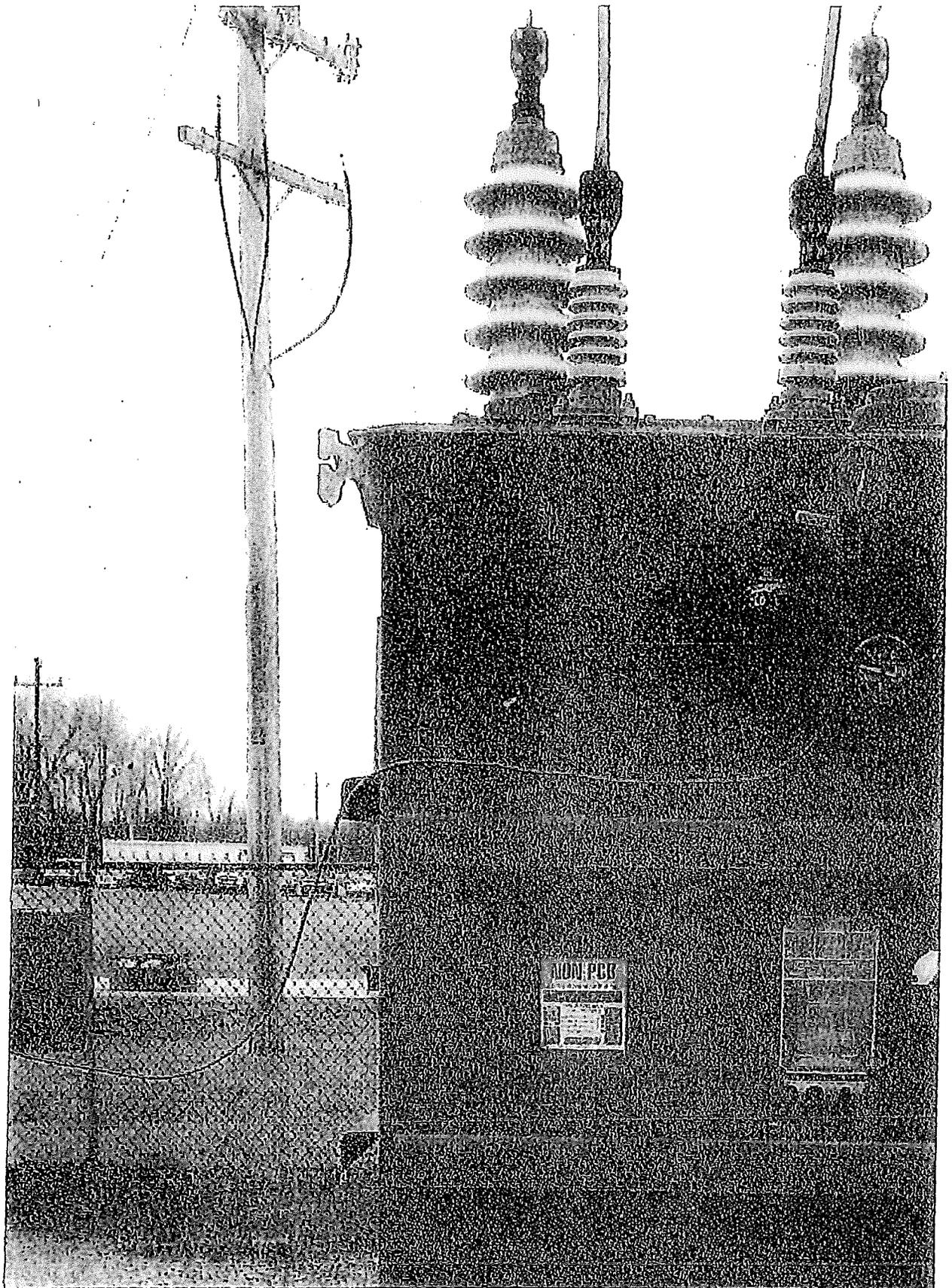
Westinghouse



<p>3000 (60) 3000 VOLTS 60 HZ L. SIZE 147 4000 0</p>	<p>SINGLE PHASE TRANSFORMER CLASS OF RELIABILITY</p>	<p>TYPE AND SUBJECTIVE SERIAL</p>
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WESTINGHOUSE 100 4000 GALLONS OIL 107
 FULL WAVE RECTIFIER WITH HEATER HIGH VOLTAGE 25000V LOW VOLTAGE 100V
 OPERATE 500 500 507 100 50000 100 0 10000
 MADE IN U.S.A. WESTINGHOUSE ELECTRIC CORPORATION





APPENDIX "A" BID RESPONSE FORM

EXECUTION OF PROPOSAL

By submitting this proposal, the potential contractor certifies the following:

An authorized representative of the firm signs this proposal.

It can obtain insurance certificates as required within 10 calendar days after notice of award.

The cost and availability of all equipment, materials, and supplies associated with performing the services described herein have been determined and included in the proposed amount.

All labor costs, direct and indirect, have been determined and included in the proposed amount.

The potential contractor has read and understands the conditions set forth in this RFP and agrees to them with no exceptions.

Therefore, in compliance with this Request for Proposals, and subject to all conditions herein, the undersigned offers and agrees, if this proposal is accepted within 60 days from the date of the opening, to pay or invoice to the Tullahoma Utilities Board for the items listed in this Request for Proposal and to remove, in compliance with the requirements of this document, all circuit breakers within 60 days of acceptance of this Proposal, the amounts as follows:

BID TO REMOVE/RECLAIM INSULATING OIL: \$1.25 to TUB

BID TO REMOVE/DISPOSE OF EQUIPMENT: \$ to TUB

** USE () to indicate a CHARGE TO TUB **

OFFEROR: Volunteer Oil

ADDRESS: 129 South Cannon Ave.

CITY, STATE, ZIP: Murfreesboro, TN 37129

TELEPHONE NUMBER: 615-904-6802

FEDERAL EMPLOYER IDENTIFICATION NUMBER: 33-1100527

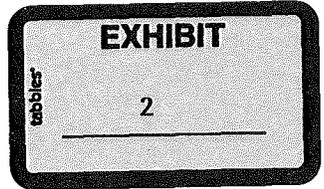
BY: Leslie Faceuvre TITLE: TUB Specialist DATE: May 30, 2014

Leslie Faceuvre
(Typed or printed name)

ACCEPTANCE OF PROPOSAL TULLAHOMA UTILITIES BOARD
BY: Randall R. Tucker TITLE: Purchasing Agent DATE: 6-19-2014

1 THIS PAGE MUST BE SIGNED AND INCLUDED IN YOUR PROPOSAL

UNSIGNED PROPOSALS WILL NOT BE CONSIDERED





Manifest Document Number
TU1901062014
24 HR Emergency Phone
615-904-6802

"WE GOT THIS"

**\$20.00 OFF
1st Service!**
exp. 02/28/15

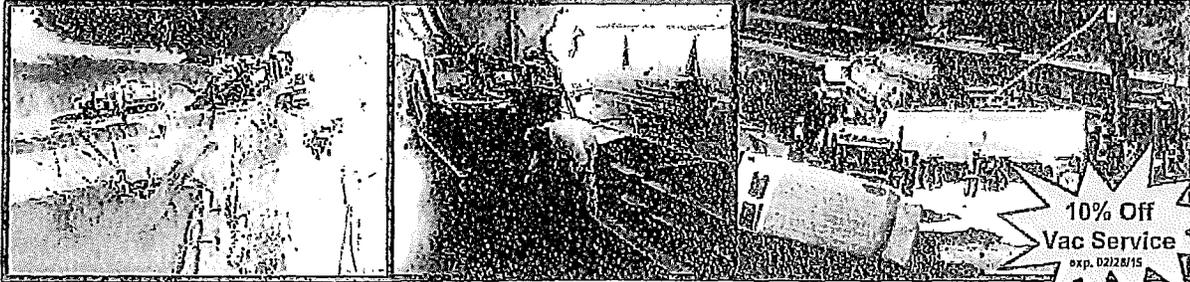
\$159.00

\$10.00 OFF
exp. 02/28/15

\$79.00 (200 ct)

INDUSTRIAL WASTE SERVICES

\$95/hr Truck | \$.65/gallon Liquid | \$.89/gallon Sludges



**10% Off
Vac Service**
exp. 02/28/15

SHIPPING / RECEIVING MANIFEST

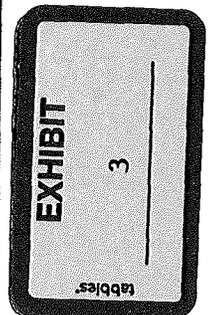
SHIPPING INFORMATION

Generators / Shippers Name Tallahassee Utilities Board	Phone Number 931-571-7107
Service Location 901 South Jackson Tallahassee	City State Zip Code FL 32308

WASTE DESCRIPTION	NON-HAZARDOUS
<input checked="" type="checkbox"/> USED OIL Flash greater than 200 F	No Placards Necessary Gallons / lbs 8755
USED ANTIFREEZE	No Placards Necessary Gallons / lbs
USED OIL FILTERS 6-26-14 6-27-14	No Placards Necessary Drums / lbs
OILY WATER 5 55 30	
MISC 40 55 90 41	
4570 + 3060 + 1125 = 8755	

GENERATOR CERTIFICATION: We, the generator, of this product hereby certify that it is in full compliance with all the regulations of the United States Environment Protection Agency, and the Tennessee Department of Environment and Conservation and the, under 40 CFR PART 279 and the Standards for the Management of Used Oil, Hazardous Waste Management, Chapter 1200-1-11.

Transporter Acknowledgement Receipt of Material	Signature <i>[Signature]</i>	Date 6-27-14
Recycle / Reuse Receiving Facility Acknowledgement of Receipt of Material	Signature	Date
Generator's Signature SIGN HERE X:	Signature <i>[Signature]</i>	Date 6/26/14



VOLUNTEER OIL SERVICE

PO Box 11981
 Murfreesboro, TN 37129
 Phone: (615) 904-6802

Invoice

Date	Invoice #
9/17/2014	12606

Bill To
Tullahoma Utilities Board 901 South Jackson Street Tullahoma, TN 37388

Ship To

Bill of Lading	P.O. No.	Ship Via	Terms	Ship Date	Due Date
		Our Truck		9/17/2014	9/17/2014
Qty	Description	Rate	Amount		
52,711	Contaminated Oil	1.76	92,771.36		
8	Transportation of Contaminated Oil	885.75	7,086.00		
1	MOB/DEMOB Frac Tank	4,350.00	4,350.00		
48	Daily Frac Tank Rental	50.00	2,400.00		
1	Frac Tank Cleaning	1,200.00	1,200.00		
8	Trailer Clean Out	350.00	2,800.00		
1	Demerige	3,500.00	3,500.00		
8	Site Supervisor	95.00	760.00		
10	Analytical	485.00	4,850.00		

Thank you. \$119,717.36

Phone # 615.904.6802 Fax # 615.904.6883 MKing@voloil.com www.voloil.com





SUMMIT
ENVIRONMENTAL TECHNOLOGIES, INC
Analytical Laboratories

Summit Environmental Technologies, Inc.
3310 Win St.
Cuyahoga Falls, Ohio 44223
TEL: (330) 253-8211 FAX: (330) 253-4489
Website: <http://www.settek.com>

WO#: 14070128

Date Reported: 7/2/2014

Company: Volunteer Oil

Address: 129 S Canon Ave PO Box 11981
Murfreesboro TN 37129

Laboratory Report

Date Collected: 6/30/2014

Date Received: 7/2/2014

Project#: Tub #1

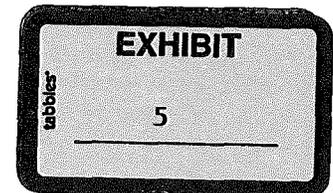
Client SampleID: Tub #1

Laboratory SampleID: 14070128-001

Matrix: Oil

Parameter	Method	Result	Analysis Date
Total PCBs	EPA 8082	13.1 ppm	7/2/2014

James M. ...





Summit Environmental Technologies, Inc.
 3210 W. in Street
 Cincinnati, Ohio 45223
 Tel: 303.253.8211 Fax: 303.253.4480

Analysis Request/Chain of Custody

For Summits for hire use only. For use only

Project Name Volunteer Oil		Project Address 153 S CAMDEN AVE		Project City NOT RECORDED TO 37129		Project State OH		Project Zip 43084		Project Phone 615-964-6802		Project Fax 615-964-6803		Project Email adam@deutsche.com		Project Contact ADAM DEUTSCHER		Project Date ADAM DEUTSCHER		Project Time ADAM DEUTSCHER		Project Method ADAM DEUTSCHER	
Sample #		Sample Identification		Check if this VAP sample <input checked="" type="checkbox"/>		Date Collected		Time Collected		Matrix: Solid, Liquid, Gas		Storage: Air, Water, Other		Preservative		Number of Containers		Notes/Comments		Analytical Parameters and Methods			
1 TWB#1						6/20/15		4:57								1		K					

1530228015
 1530228015

Relinquished by ADAM DEUTSCHER	Date 6/20/15	Time 4:57	Received by	Date	Time	Notes/Comments PUSH - ASPP
Received in lab by STEPH KACZMAREK	Date 7/1/15	Time 10:00	Rush Requested By	Date	Time	

When collecting, use standard operating procedures. For use only. For use only.

Sun-Net Environmental Technologies, Inc. Cooler Receipt Form

Company Name: XXXXXXXXXX
Address: XXXXXXXXXX
City: XXXXXXXXXX
State: XXXXXXXXXX
Zip: XXXXXXXXXX

Product Name: XXXXXXXXXX
Quantity: XXXXXXXXXX
Unit: XXXXXXXXXX
Lot Number: XXXXXXXXXX
Expiration Date: XXXXXXXXXX

Received by: XXXXXXXXXX
Signature: XXXXXXXXXX
Title: XXXXXXXXXX

Received on: XXXXXXXXXX
Time: XXXXXXXXXX
Location: XXXXXXXXXX

Comments: XXXXXXXXXX

Product Code: XXXXXXXXXX
Product Description: XXXXXXXXXX

Product Status: XXXXXXXXXX
Product Type: XXXXXXXXXX

Product Weight: XXXXXXXXXX
Product Volume: XXXXXXXXXX

Product Temperature: XXXXXXXXXX
Product Condition: XXXXXXXXXX

Product Date: XXXXXXXXXX
Product Time: XXXXXXXXXX

Product Location: XXXXXXXXXX
Product Status: XXXXXXXXXX

Product Type: XXXXXXXXXX
Product Weight: XXXXXXXXXX

Product Volume: XXXXXXXXXX
Product Temperature: XXXXXXXXXX

Product Condition: XXXXXXXXXX
Product Date: XXXXXXXXXX



SUMMIT
 ENVIRONMENTAL TECHNOLOGIES, INC.
 Analytical Laboratories

Summit Environmental Technologies, Inc.
 3310 Win St.
 Cuyahoga Falls, Ohio 44223
 TEL: (330) 253-8211 FAX: (330) 253-4489
 Website: <http://www.settek.com>

WO#: 14070133
 Date Reported: 7/2/2014
 Company: Volunteer Oil
 Address: 129 S Cannon Ave PO Box 11981
 Murfreesboro TN 37129

Laboratory Report

Date Collected: 6/30/2014

Date Received: 7/2/2014

Project#: Tullahoma Utilities-Transformer

Client SampleID: Tub #2

Laboratory SampleID: 14070133-001

Matrix: Oil

Parameter	Method	Result	Analysis Date
EPA 8082 EPA 8	13.2 ppm	7/2/2014	Total PCBs

James M. Wood



Summit Environmental Technologies, Inc.
1700 Main Street
Fond du Lac, WI 54932

Tel: 920.233.8211 Fax: 920.253.4480

Analysis Request/Chain of Custody

Summit Environmental Technologies, Inc. use only
Page of 10/27/97

Location		Sample Identification		Date Collected		Time Collected		Analytical Parameters and Methods	
Tullahoma Utilities 901 South Jackson Tullahoma TN 37388 431-511-7107 Please fax results to Randy at tubo.net Randal Tucker Adam Deebler		Transfer MUR		10/30/97 4:56pm		✓		PCB ✓	
#	Sample Identification	Date Collected	Time Collected	Composite		Matrix: Solid, Liquid, Gas	Preservative	Number of Containers	Analytical Parameters and Methods
2	tubo #2	10/30/97	4:56pm	✓				✓	
NOTED									

Relinquished by: Randy Tucker	Date: 10/30/97	Time: 4:56	Received by:	Date:	Time:	Notes/Comments: Bill to Volunteer On! RUSH ASAP
Received in lab by: Adam Deebler	Date: 10/30/97	Time: 6:00	Received by:	Date:	Time:	

Page 12
Date: 11/14/2011

Shimadzu Environmental Technologies, Inc.
Cobalt Receipt Form

Name: Shimadzu Address: 11111
City: San Jose State: CA Zip: 95128
Phone: 408-735-1000 Fax: 408-735-1000

Product Name: COBALT Part Number: 1000
Quantity: 1 Unit: EA
Serial Number: 1000 Lot Number: 1000

Customer Name: Shimadzu Customer Address: 11111
City: San Jose State: CA Zip: 95128
Phone: 408-735-1000 Fax: 408-735-1000

Product Name: COBALT Part Number: 1000
Quantity: 1 Unit: EA
Serial Number: 1000 Lot Number: 1000

Product Name: COBALT Part Number: 1000
Quantity: 1 Unit: EA
Serial Number: 1000 Lot Number: 1000

Product Name: COBALT Part Number: 1000
Quantity: 1 Unit: EA
Serial Number: 1000 Lot Number: 1000

Product Name: COBALT Part Number: 1000
Quantity: 1 Unit: EA
Serial Number: 1000 Lot Number: 1000

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Quantity: 1 Unit: EA
Serial Number: 1000 Lot Number: 1000

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Quantity: 1 Unit: EA
Serial Number: 1000 Lot Number: 1000

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Quantity: 1 Unit: EA
Serial Number: 1000 Lot Number: 1000

Product Name: COBALT Part Number: 1000
Quantity: 1 Unit: EA
Serial Number: 1000 Lot Number: 1000

Product Name: COBALT Part Number: 1000
Quantity: 1 Unit: EA
Serial Number: 1000 Lot Number: 1000

Product Name: COBALT Part Number: 1000
Quantity: 1 Unit: EA
Serial Number: 1000 Lot Number: 1000

