Florida Department of Environmental Protection

Southwest District
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: 813-632-7600

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

March 31, 2011

Mr. B. Randall Melton, C.E.P., Administrator
Environmental Planning and Environmental, Health & Safety
Tampa Electric Company
Post Office Box 111
Tampa, FL 33601-0111

OGC Case No. 11-0542

RE: Tampa Electric Company – Central Operations Center
Hillsborough County

Dear Mr. Melton:

Enclosed, please find the draft Short Form Consent Order for the resolution of the Tampa Electric Company – Central Operations Center enforcement case. If the Consent Order is acceptable, please have Mr. William T. Whale sign and return it to the Department for execution within 10 business days of receipt of this letter.

If you have any questions, please contact me at (813) 632-7600, extension 410.

Sincerely,

James M. Dregne
Hazardous Waste Program Manager
Southwest District

JD/kmh

Enclosure

Florida Department of Environmental Protection

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March 31, 2011

Mr. William T. Whale, Vice President
Energy Delivery Operations
Tampa Electric Company
Post Office Box 111
Tampa, FL 33601-0111

SUBJECT: Proposed Settlement of Tampa Electric Company – Central Operations Center
EPA ID # FLD 981 477 904
OGC File No.: 11-0542

Dear Mr. Whale:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated November 9, 2010, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, you are assessed civil penalties in the amount of $9,464.00, along with $300.00 to reimburse Department costs, for a total of $9,764.00. The civil penalty in this case includes one violation of $2,000.00 or more.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. Payment shall be made within 15 days of your signing this letter. Payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, 13051 North Telecom Parkway, Temple Terrace, FL 33637-0926.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it and the attachments to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes.

If you do not sign and return this letter to the Department at the District address within ten (10) business days of receipt, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely yours,

Pamala Vazquez

Pamala Vazquez
Program Administrator
Southwest District

FOR THE RESPONDENT:

I, William T. Whale, on behalf of Tampa Electric Company, **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: _____
William T. Whale, Vice President, Energy Delivery Operations

Date: _____

FOR DEPARTMENT USE ONLY

DONE AND ENTERED this _____ day of _____, 2011.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____
Pamala Vazquez
Program Administrator

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to§120.52, Florida Statutes,
With the designated Department Clerk, receipt of which is hereby
Acknowledged.

_____ _____
Clerk Date

Copies furnished to: Lea Crandall, Agency Clerk, Mail Station 35

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:
(a) The Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; (c) An explanation of how the petitioner's substantial interests will be affected by the Consent Order; (d) A statement of when and how the petitioner received notice of the Consent Order; (e) A statement of all material facts disputed by petitioner, if any; (f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Consent Order; (g) A statement of which rules or statutes the petitioner contends require reversal or modification of the Consent Order; and (h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

Florida Department of
Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi Drew
Secretary

November 9, 2010

Ms. Beverly J. Morgan (bjmorgan@tecoenergy.com)
Senior Environmental Technician
Environmental, Health and Safety
Tampa Electric Company
Post Office Box 111
Tampa, FL 33601-0111

RE: **Warning Letter #WL10-0071HW29SWD**
Tampa Electric Company – Central Operations Center
EPA ID# FLD 981 477 904
Hillsborough County

Dear Ms. Morgan:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste program field inspection conducted on September 16, 2010, indicates that violations of Florida Statutes and Rules may exist at the above referenced facility. Department of Environmental Protection (Department) personnel made observations described in the attached inspection report. The report lists a summary of alleged violations of Department Rules.

Sections 403.161 and 403.727, Florida Statutes (F.S.) provide that it is a violation to fail to comply with rules adopted by the Department. The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Department Rules should cease.

You are requested to contact Kelly Honey at (813) 632-7600, extension 369, within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), F.S. If after further investigation the Department's preliminary findings are verified, this matter may be resolved through the entry of a Consent Order which will include a compliance schedule, an appropriate penalty, and reimbursement of the Department's costs and expenses. In accordance with the United States Environmental Protection Agency's (EPA) RCRA Civil Penalty Policy of 2003, the penalties which would be assessed in this case are $14,455.00. Costs and expenses in this case will be a minimum of $300.00.

If this investigation confirms that your facility is significantly out of compliance, and the case is not resolved through timely entry of a Consent Order, under the Department's agreement with the EPA, a formal referral for judicial action must be made to the Department's Office of General Counsel. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely yours,

Camala Vazquez
for Deborah A. Getzoff
District Director
Southwest District

DAG/kmh

enclosure

cc: Parvez Mallick, US EPA Region IV (Mallick.Parvez@epamail.epa.gov)
Glen Perrigan, Department, HWR Section (glen.perrigan@dep.state.fl.us)
Kelley Boatwright, Hillsborough County SQG Program (boatwright@epchc.org)
Jerry Adams, TECO (gwadams@tecoenergy.com)
Compliance File

Florida Department of

Environmental Protection

Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: Tampa Electric Co - Central Operations

On-Site Inspection Start Date: 09/16/2010 **On-Site Inspection End Date:** 09/16/2010

ME ID#: 35654 **EPA ID#:** FLD981477904

Facility Street Address: 2200 E Sligh Ave, Tampa, Florida 33610-1334

Contact Mailing Address: Po Box 111, Tampa, Florida 33601

County Name: Hillsborough **Contact Phone:** (813) 228-4257

NOTIFIED AS:

SQG (100-1000 kg/month)
Used Oil

INSPECTION TYPE:

Routine Inspection for SQG (100-1000 kg/month) facility

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Used Oil Transfer Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Kelly M. Honey, Environmental Specialist III

Other Participants: Jerry Adams, ED Environmental Coordinator; Shannon Camp, Environmental Specialist II; Beverly Morgan, Senior Environmental Technician

LATITUDE / LONGITUDE: Lat 28° 0' 44.9314" / Long 82° 25' 58.1081"

SIC CODE: 4911 - Trans. & utilities - electric services

TYPE OF OWNERSHIP: Private

Introduction:

The Tampa Electric Company Central Operations Center (COC) was inspected to determine its compliance with state and federal hazardous waste regulations. COC notified the Department of Environmental Protection (Department) of its status as a small quantity generator of hazardous waste (SQG) on February 25, 2010. The inspectors were accompanied throughout the inspection by Beverly Morgan, Senior Environmental Technician, and Jerry Adams, ED Environmental Coordinator. The facility was last inspected by the Department's Hazardous Waste Section on March 14, 2006.

Process Description:

The COC is a clearing house for all Tampa Electric Company (TECO) equipment needing repairs, including vehicles and transformers. It also collects hazardous, nonhazardous and universal wastes from other TECO conditionally exempt small quantity generator facilities and ships them for disposal. Used oil may be transported from field locations and temporarily stored here, and the COC is notified as both a used oil transporter and transfer facility. The COC is currently an episodic SQG, and at the time of the inspection, there was at least one drum of hazardous waste in storage subject to SQG unit management rules. Additionally, the Department has estimated the amount of hazardous waste at the facility at the time of the inspection to be approximately 2,150-lbs, which is just under the threshold for SQGs. For these reasons, the Department recommends that the COC comply with SQG rules at all times.

Since the previous inspection, there has been little change to the facility, and more details regarding the facility may be found in the earlier reports. The inspection began in Investment and Recovery, which includes the universal waste processing and storage areas, as well as the 180 Day

Hazardous Waste Storage Area. The Storage Area is equipped with a grated floor over a sealed, concrete sump. Hazardous and nonhazardous wastes are stored here on opposite sides of the Storage Area, and there is also a 55-gallon satellite accumulation drum for spent aerosol spray cans, and another for non-aerosol cans of waste paint. At the time of inspection, there was only one container of hazardous waste awaiting shipment for disposal, a steel 55-gallon drum containing spent blasting media dated 07-22-10. All the drums were closed and properly labeled. Other wastes observed in the Storage Area included one drum for collection of alkaline batteries and a drum for collection of Ni-Cad batteries. The drums were being managed properly. All universal wastes are disposed of through Veolia. Hazardous wastes are usually disposed of at EQ Florida. There were also various spill kits noted around the Storage Area. Outside the building, various containers of universal waste lamps were being stored and processed.

Used oil is picked up from field locations and returned here for temporary storage until being picked up for recycling by PetroTech. Used oil is either transferred into a tank equipped with secondary containment or the tanker trailer is parked in the transfer area. The Substation Supervisor indicated that current practice is to have PetroTech pump out any transformers directly and not bring the used oil back to COC, but TECO intends to keep its status as a transporter and transfer facility in the event of an emergency.

The COC was requiring the transporter that picked up used oil from the facility to sign a log indicating all tanks and containers were emptied out to ensure the 35-day time limit was met, but that has not been done since switching to PetroTech. The COC must keep records that indicate used oil brought from other locations is stored no more than 35 days. The Department recommends that the COC go back to its previous practice.

The COC has a 1,000-gallon and a 10,000-gallon aboveground storage tank (AST) system, both for used oil, near Investment and Recovery, as well as 1,000-gallon AST for used oil from the Garage, all of which are double-walled and properly labeled. The facility is no longer using the two used oil ASTs located outside of Substation Operations. Used oil was also observed in several locations stored in drums and dollies. Several thousand gallons of used oil are picked up monthly for recycling from the COC.

There were several Areas of Concern noted that would be violations during those months when >220-lbs of hazardous waste are generated or when >2,200-lbs of hazardous waste is on site. These included Preparedness and Prevention issues, such as housekeeping and training, as well as unit management issues, such as labeling. Another Area of Concern was noted regarding the secondary containment in the used oil tanker trailer transfer area, which is not impervious, but was not in use at the time of the inspection. These Areas are outlined below.

Releases of hazardous waste were observed in both the Garage, where hazardous waste solvent was discharged onto the ground from a leaking container, and in the Paint Booth, where it was evident that hazardous paint waste was allowed to evaporate, spills of waste paint were left to dry rather than cleaned up and waste solvent contaminated rags were observed discarded into the regular trash. There have been no shipments of hazardous waste rags since before 2009.

Records reviewed included waste manifests, training documentation emergency response arrangements, which were last made in June 2010. Those arrangements refer to the facility's integrated contingency plan, which was not available during the inspection. Staff indicated during the inspection that the contingency plan requirement is now met via posting required information, however, not all required information was posted. Weekly inspections of the hazardous waste storage area are kept, but not all required information is recorded.

New Potential Violations and Areas of Concern:

Checklist Independent Potential Violations and Areas of Concern

Type: Violation

Inspection Date: 09/16/2010

Rule: 273.13(d)(1)

Explanation: At the time of the inspection, there was a pallet of boxes of spent mercury containing lamps, some of which were either open or had gotten wet and were not structurally sound. (corrected)

Corrective Action: During the inspection, the facility wrapped the pallet of boxes in plastic wrap, sealing up the open and damaged boxes.

Type: Area Of Concern

Rule: 279.45(d)(2)

Explanation: The facility is notified as a used oil transfer facility. Some of the used oil transported to this location is stored in ASTs with secondary containment, and some is stored in tanker trailers that are parked in a designated used oil transfer area equipped with berms. It was noted that the containment for this designated transfer station area is constructed of asphalt, and is therefore not impervious to used oil.

At the time of the inspection, there was no used oil in any of the tanker trailers located within the transfer area.

Corrective Action: In the event that used oil is brought to the facility from another location, it will need to either be placed into a tank or container equipped with secondary containment, or the used oil transfer area will need to be sealed with a material to make it impervious to used oil.

Type: Area Of Concern

Rule: 262.11

Explanation: It was noted that at least one paint product in use contains a RCRA heavy metal, and this was confirmed with the MSDSs reviewed after the inspection. Staff indicated that the paint booth filters were being managed as nonhazardous. A copy of the hazardous waste determination was requested but was not available. The facility stated that the last waste determination was done in 2006, and another hazardous waste determination is to be performed on this waste stream.

Corrective Action: Submit a copy of the hazardous waste determination and any supporting documentation to this office upon receipt.

Type: Area Of Concern

Rule: 262.34(d)(2), 262.34(c)(1)(ii)

Explanation: Hazardous paint waste was being accumulated in an unlabeled and open container.

Corrective Action: All hazardous waste should be stored in closed and properly labeled containers.

Type: Area Of Concern

Rule: 262.34(d)(5)(iii)

Explanation: Based on the observations made during this inspection, it does not appear that the facility has ensured that all applicable employees are adequately trained.

Corrective Action: Applicable refresher training should be given to employees to ensure that the facility complies with SQG requirements during those months in which >220-lbs of hazardous waste are generated or when the facility has >2,200-lbs of hazardous waste on site.

Type: Violation

Rule: 403.727(1)(b)

Explanation: During the inspection of the Garage, there was a 55-gallon drum of hazardous waste parts washer solvent that was leaking. This was confirmed through examination of the bottom of the drum, which was elevated on wheels. The waste solvent had leaked onto the pavement under the drum and out the garage door across the threshold crack. (corrected)

Solvents and thinners in use contain, among other things, methylene chloride, methyl ethyl ketone (MEK), xylenes, toluene and ethyl benzene, making the spent solvents and associated wastes, such as contaminated rags, listed hazardous wastes (F003, F002 and / or F005). During the inspection of the Paint Booth, there were no containers designated for hazardous waste rags observed, and numerous waste rags were observed in the regular trash. (corrected)

In the Paint Booth, there was evidence of improper hazardous paint waste disposal by evaporation. Dried paint was observed dripped all around the opening to the trash can indicating improper disposal of liquid waste paint. Additionally, there was a cardboard box measuring approximately 18-inches by 10-inches by 12-inches containing hardened waste paint. Dried paint drips were observed both on and all around the box, which was located on the floor next to the work table in the main paint booth. Staff indicated that the box was used to catch drips from the paint gun. There were 6-8-inches of hardened waste paint accumulated in the cardboard box which had been allowed to evaporate. Note that there was a proper hazardous waste accumulation container next to the full cardboard box. (corrected)

There was a spill response truck parked near the soil storage area at the facility. Facility staff said that the truck had been used the previous night and was emptied out, however, an oily liquid was observed dripping from the vehicle tank fill port onto the truck and spattering onto the ground. (corrected)

Corrective Action: During the inspection, COC staff were directed to obtain an overpack drum for the leaking container in the Garage. After the inspection, TECO confirmed that the contents of the leaking container had been transferred to another container the same day as the inspection.

TECO staff confirmed that the contaminated rags observed in the trash were pulled out and transferred to a hazardous waste container pending review of the MSDSs for the solvents, etc. As stated previously, review of the MSDSs indicate the solvents in use would be listed hazardous waste upon disposal.

As discussed during the inspection, solvent based paint waste may not be allowed to evaporated as a means of disposal. Hazardous waste paint must be placed into a suitable container, designed to hold the waste, and then disposed of properly.

During the inspection, the Facility Services Supervisor was contacted about replacing the cap gasket of the vehicle tank.

Type: Area Of Concern

Rule: 262.34(c)(1)

Explanation: In the Garage, there were two satellite containers for spent parts washer solvent next to each other. Both containers appeared to be approximately 1/3 full. At the time of the inspection, the facility was CESQG, so this is an Area of Concern and not a violation. (corrected)

Corrective Action: After the inspection, the leaking satellite drum was removed from service. Satellite accumulation areas are limited to 55-gallons or less per waste stream. The Department recommends limiting the available container volume to 55-gallons or less to ensure that there is never more than 55-gallons of each waste stream per satellite area.

Type: Area Of Concern

Rule: 262.34(d)(4)

Explanation: Housekeeping needed improvement in the Garage and the Paint Booth. The waste storage of the Garage was crowded and messy, making the leaking drum of hazardous waste not immediately visible from the Garage.

In the Paint Booth, dried paint was observed in both the main booth and the work / storage booth. There were multiple colors of paint dripped all over the wall, floor and lid of the trash can in the work booth. At the mixer, it was evident that at least one can of paint had opened during shaking, there was a thick layer of paint of a different color dried on the floor and neither had been cleaned. Finally, the work table in the main booth was covered with dried paint, along with the surrounding floor, and liquid paint waste had been repeatedly collected in a cardboard box and allowed to evaporate.

Corrective Action: Review housekeeping procedures with applicable employees. Ensure the facility is operated to minimize sudden or nonsudden releases of hazardous waste constituents.

Type: Violation

Rule: 62-730.160(6)

Explanation: The person(s) responsible for performing weekly inspections of the hazardous waste storage area is not recording all of the required information. At the time of the inspection, there was one drum of hazardous waste that was subject to SQG unit management rules.

Corrective Action: As discussed, the number of hazardous waste containers must be recorded during required weekly inspections.

Type: Area Of Concern

Rule: 262.34(d)(5)(ii)

Explanation: The posting of required information did not include the locations of fire extinguishers, spill control equipment and fire alarms. Additionally, only one of the emergency contacts posted is the emergency coordinator for the COC (Jerry Adams), but there was no indication of this in the posting. Facility staff indicated that this posting of information was meant to satisfy the Emergency Preparedness requirements for SQGs, however, at the time of the inspection the facility was CESQG.

Corrective Action: Effective immediately, the COC either needs to post the required information next to a telephone, or alternatively, it may use a contingency plan that meets the requirements for large quantity generators of hazardous waste to comply with the Rule. The Department also recommends clearly identifying which contact is the designated emergency coordinator, since contacting that person should be a priority in the event of an emergency.

Summary of Potential Violations and Areas of Concern:

Potential Violations

Rule Number	Area	Date Cited	Explanation
Checklist Independent Violations			
273.13(d)(1)		09/16/2010	At the time of the inspection, there was a pallet of boxes of spent mercury containing lamps, some of which were either open or had gotten wet and were not structurally sound. (corrected)
403.727(1)(b)		09/16/2010	During the inspection of the Garage, there was a 55-gallon drum of hazardous waste parts washer solvent that was leaking. This was confirmed through examination of the bottom of the drum, which was elevated on wheels. The waste solvent had leaked onto the pavement under the drum and out the garage door across the threshold crack. (corrected) Solvents and thinners in use contain, among other things, methylene chloride, methyl ethyl ketone (MEK), xylenes, toluene and ethyl benzene, making the spent solvents and associated wastes, such as contaminated rags, listed hazardous wastes (F003, F002 and / or F005). During the inspection of the Paint Booth, there were no containers designated for hazardous waste rags observed, and numerous waste rags were observed in the regular trash. (corrected) In the Paint Booth, there was evidence of improper hazardous paint waste disposal by evaporation. Dried paint was observed dripped all around the opening to the trash can indicating improper disposal of liquid waste paint. Additionally, there was a cardboard box measuring approximately 18-inches by

Rule Number	Area	Date Cited	Explanation
			10-inches by 12-inches containing hardened waste paint. Dried paint drips were observed both on and all around the box, which was located on the floor next to the work table in the main paint booth. Staff indicated that the box was used to catch drips from the paint gun. There were 6-8-inches of hardened waste paint accumulated in the cardboard box which had been allowed to evaporate. Note that there was a proper hazardous waste accumulation container next to the full cardboard box. (corrected) There was a spill response truck parked near the soil storage area at the facility. Facility staff said that the truck had been used the previous night and was emptied out, however, an oily liquid was observed dripping from the vehicle tank fill port onto the truck and spattering onto the ground. (corrected)
62-730.160(6)		09/16/2010	The person(s) responsible for performing weekly inspections of the hazardous waste storage area is not recording all of the required information. At the time of the inspection, there was one drum of hazardous waste that was subject to SQG unit management rules.

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Checklist Independent Areas of Concern			
279.45(d)(2)		09/16/2010	The facility is notified as a used oil transfer facility. Some of the used oil transported to this location is stored in ASTs with secondary containment, and some is stored in tanker trailers that are parked in a designated used oil transfer area equipped with berms. It was noted that the containment for this designated transfer station area is constructed of asphalt, and is therefore not impervious to used oil. At the time of the inspection, there was no used oil in any of the tanker trailers located within the transfer area.
262.11		09/16/2010	It was noted that at least one paint product in use contains a RCRA heavy metal, and this was confirmed with the MSDSs reviewed after the inspection. Staff indicated that the paint booth filters were being managed as nonhazardous. A copy of the hazardous waste determination was requested but was not

Rule Number	Area	Date Cited	Explanation
			available. The facility stated that the last waste determination was done in 2006, and another hazardous waste determination is to be performed on this waste stream.
262.34(d)(2), 262.34(c)(1)(ii)		09/16/2010	Hazardous paint waste was being accumulated in an unlabeled and open container.
262.34(d)(5)(iii)		09/16/2010	Based on the observations made during this inspection, it does not appear that the facility has ensured that all applicable employees are adequately trained.
262.34(c)(1)		09/16/2010	In the Garage, there were two satellite containers for spent parts washer solvent next to each other. Both containers appeared to be approximately 1/3 full. At the time of the inspection, the facility was CESQG, so this is an Area of Concern and not a violation. (corrected)
262.34(d)(4)		09/16/2010	Housekeeping needed improvement in the Garage and the Paint Booth. The waste storage of the Garage was crowded and messy, making the leaking drum of hazardous waste not immediately visible from the Garage. In the Paint Booth, dried paint was observed in both the main booth and the work / storage booth. There were multiple colors of paint dripped all over the wall, floor and lid of the trash can in the work booth. At the mixer, it was evident that at least one can of paint had opened during shaking, there was a thick layer of paint of a different color dried on the floor and neither had been cleaned. Finally, the work table in the main booth was covered with dried paint, along with the surrounding floor, and liquid paint waste had been repeatedly collected in a cardboard box and allowed to evaporate.
262.34(d)(5)(ii)		09/16/2010	The posting of required information did not include the locations of fire extinguishers, spill control equipment and fire alarms. Additionally, only one of the emergency contacts posted is the emergency coordinator for the COC (Jerry Adams), but there was no indication of this in the posting. Facility staff indicated that this posting of information was meant to satisfy the Emergency Preparedness requirements for SQGs, however, at the time of the inspection the facility was CESQG.

Conclusion:

Based on the observations made during this inspection, the facility was not in compliance with rules governing CESQGs.

Inspection Date: 09/16/2010

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. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Kelly M. Honey **PRINCIPAL INSPECTOR NAME**	Environmental Specialist III **PRINCIPAL INSPECTOR TITLE**
KMH **PRINCIPAL INSPECTOR SIGNATURE**	FDEP **ORGANIZATION**
10/26/2010 **DATE**	
Shannon Camp **INSPECTOR NAME**	Environmental Specialist II **INSPECTOR TITLE**
NO SIGNATURE **INSPECTOR SIGNATURE**	FDEP **ORGANIZATION**
Jerry Adams **REPRESENTATIVE NAME**	ED Environmental Coordinator **REPRESENTATIVE TITLE**
NO SIGNATURE **REPRESENTATIVE SIGNATURE**	Tampa Electric Company **ORGANIZATION**
Beverly Morgan **REPRESENTATIVE NAME**	Senior Environmental Technician **REPRESENTATIVE TITLE**
NO SIGNATURE **REPRESENTATIVE SIGNATURE**	Tampa Electric Company **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.

Florida Department of

Memorandum **Environmental Protection**

SOUTHWEST DISTRICT ENFORCEMENT COVER MEMO

TO: PLV 3.31.11 Pamala Vazquez, Program Administrator

THROUGH: William Kutash, Waste Program Administrator
James Dregne, Hazardous Waste Program Manager
Elizabeth Knauss, HW Enforcement Coordinator

FROM: Kelly Honey, Environmental Specialist III

DATE: March 31, 2011

FILE NAME: Tampa Electric Co – Central Operations Center

COUNTY: Hillsborough

PROGRAM: Hazardous Waste

PROJECT # WL10-0071HW29SWD

TYPE OF DOCUMENT: Short Form Consent Order for Signature
Cover Letter for SFCO

REQUESTED ACTION: SIGNATURE

DESCRIPTION OF VIOLATIONS:
The facility had several discharges of hazardous waste, including hazardous waste solvent from a leaking drum, evaporation of hazardous waste paint and waste listed rags discarded into the trash. There were also numerous "Areas of Concern" that would have been violations had the facility accumulated just 50 more pounds of hazardous waste on site. There were also a couple of open containers of spent lamps.

STATUS OF CORRECTIVE ACTIONS:
The has returned to compliance and has agreed to settle the matter by entering into a SFCO and paying a penalty.

STATUS OF PENALTY ASSESSMENT:
The penalty has been prepared in accordance with Department and United States EPA RCRA Civil Penalty Policies. The amount below reflects a reduction for Good Faith after the inspection.

PENALTY: ☐ Not Applicable

Amount:	$9,464
Costs & Expenses:	$300
Total:	$9,764

Secretary Approval ☒ Not required / Approved on _____

Attachments: Short Form Consent Order for signature
Cover Letter for SFCO

✓