

December, 2012
(revised)

**KELLY TRACTOR CO.
USED OIL TRANSPORTER TRAINING PROGRAM**

Kelly Tractor is a generator of used oil and oil filters and it is necessary for us to be registered with the Florida Department of Environmental Protection. We must register each year as Used Oil and Oil Filter Handlers. Handlers are any persons subject to the registration requirements of Rule 62-710.500 and 62-710.850, Florida Administrative Code (F.A.C.)

There is a Federal Law in Chapter 40, 279, Subpart E, of the Code of Federal Regulations (C.F.R., U.S. Environmental Protection Agency) and then under Florida Statutes there is 403.767 Certification of used oil transporters.

Florida Administrative Code (F.A.C.)

“Used oil transporter” means any person who transports used oil over public highways in shipments of greater than 55 gallons at one time.

Certification of Used Oil Transporters

To become certified and to maintain certification, used oil transporters must register annually with the Florida Department of Environmental Protection and comply with annual reporting and record keeping requirements.

This Kelly Tractor training program was developed for understanding of the state laws and rules governing used oil transportation and this program has to be approved by the state. Kelly Tractor Preventive Maintenance Supervisors, Preventive Maintenance Coordinators and Preventive Maintenance Technicians are required to attend this training at least once each year.

The state says our training program must include the following:

1. Compliance with state and federal rules governing used oil
2. Proper used oil management practices, including appropriate response action to release or spill.

3. Introduction of each new employee to the applicable laws and rules before unsupervised driving of a used oil transportation vehicle; and
4. Documentation that all company personnel handling or transporting used oil have successfully completed the training program. New employees shall complete the training program as soon as possible, but no later than 90 days after beginning employment.

The state says we must maintain a record of training in the company's operating record and the individual personnel files indicating the type of training received along with the dated signature of those receiving and providing the training. These records must be retained for a minimum of three years and available for review by state personnel during inspections.

Each year at annual registration time we notify the state that the training program is still operating and is being followed as intended and that it has been reviewed and updated to address changes which apply to the operation.

You will be expected to familiarize yourself with the following Federal Rules, Florida Law and Florida Administrative Code and successfully respond to questions when asked:

Under Federal Rules (Code of Federal Regulations, C.F.R.)

1. 40 CFR, Part 279.40 This section (Subpart E) describes the used oil management standards which are applicable to used oil transporters (persons who transport used oil) and transfer facilities (facilities which store used oil from over 24 hours, but less than 35 days).
2. 40 CFR, Part 279.41 Transporters cannot process used oil.
3. 40 CFR, Part 279.42 Transporters must have an EPA/DEP identification number.
4. 40 CFR, Part 279.43 Transporters must deliver used oil to another transporter, processor or burner which has an EPA/DEP identification number. All discharges of used oil must be managed. (Our spill response plan is attached and includes all of the emergency phone numbers).
5. 40 CFR, Part 279.44 The transporter must use either product knowledge or testing to determine whether the halogen content of the used oil to be picked up is above or below 1,000 parts per million.
6. 40 CFR, Part 279.45 Used oil must be stored at a transfer facility which has notified (has an EPA/DEP identification number) and has secondary containment. Used oil cannot be stored at a transfer facility for longer than 35 days.

7. 40 CFR, Part 279.46 Transporters must keep records of all used oil accepted and delivered for three years. The records must include the name, address, EPA/DEP identification number and signature of the person who provided or accepted the used oil, the quantity of used oil handled and the date.

Under Florida Law (Florida Statutes, FS.)

1. 403.121 DEP may recover damages for any injury to the air, waters, or property of the State. DEP may impose a \$10,000 penalty for each offense (each day of violation is a separate offense).
2. 403.141 Anyone who pollutes may be held jointly and severally liable (anyone involved in the chain of custody, from the generator through the final destination can be held liable for the pollution).
3. 403.161 It is a violation of state law to cause pollution, fail to comply with any laws or rules, make false statements regarding these laws and rules or fail to report discharges. There are three types of violations: a) anyone who willfully pollutes is guilty of a third degree felony, punishable by \$50,000 and/or 5 years imprisonment for each offense; b) anyone who pollutes, due to reckless indifference or gross careless disregard, is guilty of a second degree misdemeanor, punishable by \$5,000 and/or 60 days in jail for each offense; and c) anyone who fails to comply with any laws or rules is guilty of a first degree misdemeanor, punishable by \$10,000 and/or 60 months in jail.
4. 403.708 (1) No person shall deposit any solid waste in or on the land or waters located within the State. (14) No person shall dispose of used oil in landfills.
5. 403.751 No person may manage used oil in any manner which endangers public health or welfare. No person may discharge used oil into any storm drain, sewer, septic tank or body of water. No person may mix used oil with solid waste that is to be disposed of in a landfill. No person may mix used oil with a hazardous substance. Used oil shall not be used for road oiling, dust control, weed abatement or other similar activities that have the potential to harm the environment.
6. 403.754 Used oil transporters and transfer facilities must register annually, keep appropriate records and report to the Department.
7. 403.7545 Nothing shall prohibit the Department from regulating used oil as hazardous waste. (If violations occur, and the used oil portion of the mismanagement, spill, or contaminated site is considered a hazardous waste, fines are automatically \$50,000 per offense).
8. 403.767 Anyone who transports more than 500 gallons of used oil over public highways must be certified by the Department. Certification includes demonstration of adequate training and insurance.

Under Department Rule 62-710, Florida Administrative Code, (F.A.C.): Used Oil Management

1. 62-710.201 Training should include definitions of (1) oily wastes and (5) used oil.

“Oily wastes” means those materials which are mixed with used oil and have become separated from that used oil. Oily wastes also means materials, including wastewaters, centrifuge solids, filter residues or sludges, bottom sediments, tank bottoms, and sorbents which have come into contact with, and have been contaminated by, used oil.

“Used oil” means any oil which has been refined from crude oil or synthetic oil and as a result of use, storage, or handling, has become contaminated and unsuitable for its original purpose due to the presence of physical or chemical impurities or loss of original properties.

2. 62-710.400 Prohibitions. No person may store used oil in tanks or containers unless they are clearly labeled with the words “used oil” and are in good condition (no severe rusting, apparent structural defects or deterioration) with no visible oil leakage. If tanks or containers are not stored inside a structure, the contents shall be closed, covered or otherwise protected from the weather. If tanks or containers are not double-walled, they shall be stored on an oil-impermeable surface such as sealed concrete or asphalt, and must have secondary containment which has the capacity to hold 110% of the volume of the largest tank or container within the containment area.
3. 62-710.900(2) The Used Oil Record Keeping form, or another form with the same information, must be used and maintained on-site for three years.
4. 62-710.500 Used oil transporters and transfer facilities must register with the Department.
5. 62-710.510 Used oil transporters must, on the appropriate forms, keep records (for three years) and provide an annual report to the Department. Any shipment of used oil which is refused pick-up due to suspected mixing with hazardous waste (halogens above 1,000 parts per million) must be reported to the appropriate District office.
6. 62-710.600 Used oil transporters who transport over 500 gallons per year over public highways must be Certified by the Department and must show evidence of adequate training (to include a company a company SOP for halogen screening), and \$1 million minimum insurance that does not exclude pollution clean up costs.
7. 62-710.850 Persons involved in the management of used oil filters must comply

with this section.

Oil Spills information:

Preparing for Oil Spills – A minimum of 50 absorbent pads on each truck. Other absorbent materials; booms, pillows and rolls are in inventory.

Responding to Oil Spills – Preventive maintenance personnel could be responsible for a spill and as a responsible party you must move promptly to contain and clean up the spill. A spill could require assistance from FCC Environmental. Phone number 954-785-2320. They are capable to handle anything in the state of Florida.

State law requires immediate notification of spill of a petroleum product of more than 24 gallons to the state warning point 1-800-320-0519.

General Information review:

Kelly Tractor is a generator of used oil. When we change oils and filters we are a generator and we are a self-transporter because we are transporting our own used oil.

Kelly Tractor is a used oil self-transporter and we have an aggregation point which is the used oil storage tank on our property. The oil in the used oil tank will be picked up by FCC Environmental.

Kelly Tractor is a used oil filter self-transporter and FCC Environmental picks up the used filters and also any used absorbent pads.

Kelly Tractor is not a processor.

Preventive Maintenance Lube Trucks:

Each PM lube truck needs to have the engine oil and coolant level checked each morning by the PM Technician. Also the PM Tech will make a pre-start visual walk around inspection of the vehicle noting any problems that need correction. This is reported to the Supervisor. All tires will be checked with a gauge each morning before putting the truck into service. The trucks need to be kept clean including clean windows, lights and no oil, grease or hand prints on the trucks.

The used oil evacuation equipment must be fully functional.

A minimum of 50 absorbent pads must be on board.

Any concerns regarding the truck and/or lube equipment must be reported to the Supervisor.

Any questions regarding the completion of the Used Oil and Used Oil Filter Record Keeping Form are reported to your Supervisor.

End

This training reviewed with the appropriate personnel at least once each year.

Supervisor _____ Date _____ Attendee _____
(print) (print)

Signature _____

Signature _____

Job title _____

Any concerns regarding the truck and/or lube equipment must be reported to the Supervisor.

Any questions regarding the completion of the Used Oil and Used Oil Filter Record Keeping Form are reported to your Supervisor.

End

This training reviewed with the appropriate personnel at least once each year.

Supervisor MIKE ISOM Date 12-26-12 Attendee Michael Doran
(print) (print)

Signature Mike Isom

Signature Michael Doran

Job title Michaure

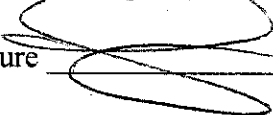
Any concerns regarding the truck and/or lube equipment must be reported to the Supervisor.

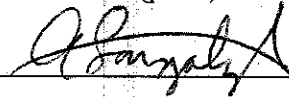
Any questions regarding the completion of the Used Oil and Used Oil Filter Record Keeping Form are reported to your Supervisor.

End

This training reviewed with the appropriate personnel at least once each year.

Supervisor Ismael Vargas Date 1-7-13 Attendee Alexis Gonzalez
(print) (print)

Signature 

Signature 

Job title Technician

Any concerns regarding the truck and/or lube equipment must be reported to the Supervisor.

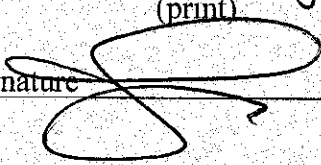
Any questions regarding the completion of the Used Oil and Used Oil Filter Record Keeping Form are reported to your Supervisor.

End

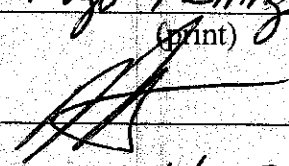
This training reviewed with the appropriate personnel at least once each year.

Supervisor Ismael Vargas Date 1-8-13 Attendee Hugo Hettling
(print) (print)

Signature



Signature



Job title

Field Technician