



**Florida Department of
Environmental Protection
Hazardous Waste Inspection Report**

FACILITY INFORMATION:

Facility Name: Flagler Construction Equipment

On-Site Inspection Start Date: 07/06/2017

On-Site Inspection End Date: 07/06/2017

ME ID#: 18387

EPA ID#: FLR000097378

Facility Street Address: 9601 Boggy Creek Rd, Orlando, FL 32824-8728

Contact Mailing Address: 9601 Boggy Creek Road, Orlando, FL 32824

County Name: ORANGE

NOTIFIED AS:

Non-Handler

Used Oil

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter facility

INSPECTION PARTICIPANTS:

Principal Inspector: Zachary R West, Inspector

Other Participants: Helena Ochoa, Environmental Specialist; John White, Environmental Consultant; Lisa Albury, Director of Safety and Training Compliance

LATITUDE / LONGITUDE: Lat 28° 25' 40.972" / Long 81° 21' 1.412"

SIC CODE: 7699 - Services - repair services, nec

TYPE OF OWNERSHIP: Private

Introduction:

On July 6, 2017, Zachary West, Helena Ochoa, and John White, Florida Department of Environmental Protection, inspected Flagler Construction Equipment, located at 9601 Boggy Creek Road, Orlando, Florida, for compliance with state and federal hazardous waste and used oil regulations. Flagler Construction Equipment was represented by Lisa Albury, Director of Safety & Training Compliance. This was a routine compliance inspection. Flagler Construction Equipment is a registered used oil transporter and a conditionally exempt small quantity generator of hazardous waste.

Flagler Construction Equipment initially notified the Department as a non-handler of hazardous waste and as a used oil and used oil filter transporter in March 2015 and received EPA identification number FLR000097378. Inspection of the facility noted the facility is not a non-handler of hazardous waste but is currently regulated as a conditionally exempt small quantity generator of hazardous waste. Should the facility's participation in Safety-Kleen Systems Continued Use Program (CUP) cease, the facility would be regulated as a small quantity generator of hazardous waste due to the number of solvent parts washers currently in use on the facility.

Flagler Construction Equipment has been at this location since 2009 and has approximately forty-five employees. The facility is connected to the municipal potable water system and has an on-site septic system for management of domestic waste.

Process Description:

Flagler Construction Equipment is the certified Volvo construction equipment dealer for the State of Florida. The facility sells, leases, and provides preventive maintenance for Volvo heavy equipment including wheel loaders, haulers, compactors, skid loaders, excavators, etc.

Inspection Date: 07/06/2017

The facility services heavy equipment owned, or leased, by off-site companies. Service vehicles performing oil and filter changes in the field transport the used oil to the facility for temporary storage prior to off-site reclamation/disposal.

When the oil is transported to the facility, it is stored in an aboveground 250-gallon, double-walled used oil tank. The tank was labeled "Used Oil" and was staged within a secondary containment structure.

Review of the facility's used oil transporter registration noted the facility has not registered for the year beginning July 1, 2017. According to Ms. Albury, the facility will complete the registration process within the next couple of weeks. Insurance for transportation operations, previously documented by the Department, has not changed.

Records documenting used oil transportation for calendar year 2016 were requested from Ms. Albury. Ms. Albury submitted the transportation manifests for the last year of used oil transportation. The used oil is picked up by Safety-Kleen every two weeks and transported to Safety-Kleen Systems, Inc. in Sanford Florida, facility ID FLD984171165.

Conclusion:

Flagler Construction Equipment for compliance with state and federal hazardous waste and used oil regulations. No citations were issued during the inspection.

Inspection Date: 07/06/2017

1.0 - Pre-Inspection Checklist

Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.12	✓		
1.2	Has the facility notified of change of status? 62-730.150(2)(b)	✓		
1.3	Did the facility conduct a waste determination on all wastes generated? 262.11	✓		

Inspection Date: 07/06/2017

5.0 - Used Oil Generator Checklist**Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	Used Oil Container and Tank Management	Yes	No	N/A
5.1	Does the facility store used oil only in tanks, containers or permitted hazardous waste storage units? 279.22(a)	✓		
5.2	Are used oil containers/tanks in good condition? 279.22(b)(1)	✓		
5.3	Are used oil containers/tanks not leaking? 279.22(b)(2)	✓		
5.4	Are used oil containers/tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(1)	✓		
5.5	Are fill pipes used to fill underground tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(2)			✓
Item No.	Secondary Containment	Yes	No	N/A
5.7	Stored on an oil-impermeable surface? 62-710.401(6)	✓		
5.9	Stored on an oil-impermeable surface? 62-710.401(6)	✓		
5.10	Does the building provide adequate secondary containment, or are the containers/tanks double-walled, or stored within or on engineered secondary containment that has the capacity to hold 110% of the volume of the largest container/tank, or are the containers/tanks portable/wheeled and typically emptied every 24 hours? 62-710.401(6)	✓		
5.12	Closed or otherwise protected from the weather? 62-710.401(6)	✓		
5.13	Double-walled or stored on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest container within the secondary containment? 62-710.401(6)	✓		
Item No.	Used Oil Releases	Yes	No	N/A
5.15	stop the release? 279.22(d)(1)	✓		
5.16	contain the released oil? 279.22(d)(2)	✓		
5.17	clean up and manage properly the released used oil and other materials? 279.22(d)(3)	✓		
5.18	if necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service? 279.22(d)(4)	✓		
5.19	Is the facility in compliance with the prohibition against discharges of used oil into soils, sewers, drainage systems, septic tanks, surface or ground waters, watercourses, or marine waters? 62-710.401(2)	✓		
5.20	Is the facility in compliance with the prohibition against using used oil for road or pavement oiling for dust control, weed abatement, or other similar uses that have the potential to release used oil into the environment? 62-710.401(5)	✓		
Item No.	Used Oil Filter Container Management	Yes	No	N/A
5.21	Does the facility store used oil filters in containers? 62-710.850(5)(a)			✓
5.22	Are the used oil filter containers clearly labeled "Used Oil Filters"? 62-710.850(5)(a)			✓
5.23	Are the used oil filter containers in good condition? 62-710.850(5)(a)			✓
5.24	Are the used oil filter containers not leaking? 62-710.850(5)(a)			✓
5.25	Are the used oil filter containers closed or otherwise protected from weather? 62-710.850(5)(a)			✓
5.26	Are the used oil filter containers stored on an oil-impervious surface? 62-710.850(5)(a)			✓

Inspection Date: 07/06/2017

Item No.	Releases from Used Oil Filter Containers	Yes	No	N/A
5.28	stop the release? 62-710.850(5)(b)(1)			✓
5.29	contain the released oil? 62-710.850(5)(b)(2)			✓
5.30	clean up and manage properly the released oil and any subsequent oily waste? 62-710.850(5)(b)(3)			✓
5.31	repair or replace any leaking used oil filter storage containers prior to returning them to service? 62-710.850(5)(b)4.			✓
Item No.	Used Oil Mixtures	Yes	No	N/A
5.32	Is the mixture being managed as listed hazardous waste? 279.10(b)(1)			✓
5.34	Is the mixture managed as HW if it exhibits the ignitability characteristic? 279.10(b)(2)(iii)			✓
5.36	Is the mixture managed as HW if it exhibits ANY characteristic (even if the characteristic of the mixture is from the used oil, rather than from the HW)? 279.10(b)(2)(i)			✓
5.38	Are UO-contaminated materials that contain visible free-flowing UO managed under 279 used oil standards? 279.10(c)(3)			✓
5.39	Does the facility either manage UO-contaminated materials that do not contain visible free-flowing UO as hazardous waste have records documenting the materials are not hazardous waste? 279.10(c)(1)(ii)			✓
5.40	Are UO-contaminated materials that will be burned for energy recovery being managed as used oil under 279? (Used oil-contaminated materials should have a heating value of at least 5000 Btu/pound to be burned for energy recovery under 279, so low-Btu-value materials like contaminated soils and clay absorbents are solid waste, subject to 262 HW determinations.) 279.10(c)(3)			✓
5.42	Does the facility manage mixtures of UO and fuel/fuel products under 279 used oil standards? [Note: 279.10(d)(2) allows on-site mixing of UO with diesel fuel for use in the generator's own vehicles.] 279.10(d)(1)			✓
5.43	Is the facility in compliance with the prohibition against mixing or commingling used oil with solid waste that is to be disposed of in landfills or directly disposing of used oil in landfills? (Persons unknowingly disposing into a landfill used oil or used oil filters which have not been properly segregated or separated from other solid wastes by the generator are not subject to this prohibition. Oily waste, sorbents or other materials used for maintenance or clean up as a result of spills or release are not subject to this prohibition.) 62-710.401(3)			✓
5.44	Is the facility in compliance with the prohibition against mixing or commingling used oil with hazardous substances that make it unsuitable for recycling or beneficial use? (Notwithstanding the provisions found in 40 CFR 279.10(b)(3)). 62-710.401(4)			✓
Item No.	Space Heaters	Yes	No	N/A
5.46	If so, does the facility burn only used oil generated on-site or only household DIY used oil? 279.23(a)			✓
5.47	If so, does the heater have a capacity of no more than 0.5 million BTU/hr? 279.23(b)			✓
5.48	If so, are combustion gasses vented to the atmosphere? 279.23(c)			✓
Item No.	Off-site Shipments	Yes	No	N/A
5.49	Does the generator only use transporters who have received EPA Identification numbers? (Include names and numbers in report narrative) 279.24	✓		
5.51	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(a)(1)			✓
5.52	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(a)(2)			✓
5.53	Does the generator transport the used oil to a used oil collection center that is registered, licensed, permitted or recognized by a state/county/municipal government to manage used oil ? 279.24(a)(3)	✓		
5.55	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(b)(1)			✓
5.56	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(b)(2)			✓
5.57	Does the generator transport the used oil to an aggregation point that is owned/operated by the same generator? 279.24(b)(3)			✓
5.59	Does the contract indicate the type and frequency of shipments? 279.24(c)(1)			✓
5.60	Does the contract indicate that the vehicle used to transport the used oil to the processing/re-refining facility is owned and operated by the used oil processor/re-refiner? 279.24(c)(2)			✓
5.61	Does the contract indicate that the reclaimed oil will be returned to the generator? 279.24(c)(3)			✓

Inspection Date: 07/06/2017

Inspection Date: 07/06/2017

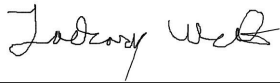
Signed:

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.

Zachary R West

PRINCIPAL INSPECTOR NAME

Inspector

PRINCIPAL INSPECTOR TITLE**PRINCIPAL INSPECTOR SIGNATURE**

DEP

ORGANIZATION

08/07/2017

DATE

John White

Inspector NAME

Environmental Consultant

Inspector TITLE

FDEP

ORGANIZATION

Helena Ochoa

Inspector NAME

Environmental Specialist

Inspector TITLE

FDEP

ORGANIZATION

Lisa Albury

Representative NAME

Director of Safety and Training Compliance

Representative TITLE

Flagler Construction Equipment

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.

Report Approvers:**Approver:**

Reginald F. Phillips

Inspection Approval Date:

08/07/2017