



Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway, Suite 101
Temple Terrace, FL 33637-0926

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

July 5, 2018

Mr. Robert Kincart
American Compliance Technology
1875 W Main St.
Bartow FL 33830-7718
rkincart@A-C-T.com

Re: American Compliance Technology
EPA ID# FLR000011049
Polk County

Dear Mr. Kincart:

Department personnel conducted a compliance inspection of the above-referenced facility on June 29, 2018. Based on the information provided during the inspection, the facility was determined to be in compliance. A copy of the inspection report is attached for your records.

The Department appreciates your efforts to maintain this facility in compliance with state and federal rules. Should you have any questions or comments, please contact Jeff Tobergte at 813/470-5924, or via e-mail at: Jeff.Tobergte@dep.state.fl.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "SK", is positioned above the name Shannon Kennedy.

Shannon Kennedy
Environmental Manager

Enclosures: 2018 Inspection Report

cc: Ashley Shive, ACT; ashive@A-C-T.com
Pam Merashoff, ACT; pmerashoff@A-C-T.com
Michael Ferguson, Polk County; MichaelFerguson@polk-county.net



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

FACILITY INFORMATION:

Facility Name: American Compliance Technologies Inc
On-Site Inspection Start Date: 06/29/2018 **On-Site Inspection End Date:** 06/29/2018
ME ID#: 41912 **EPA ID#:** FLR000011049
Facility Street Address: 1875 W Main St, Bartow, FL 33830-7718
Contact Mailing Address: 1875 W Main St, Bartow, FL 33830-7718
County Name: Polk **Contact Phone:** (863) 533-2000

NOTIFIED AS:

CESQG (<100 kg/month)

Transporter

Used Oil

INSPECTION TYPE:

Routine Inspection for Transporter facility
Routine Inspection for CESQG (<100 kg/month) facility
Routine Inspection for Used Oil Transporter facility

INSPECTION PARTICIPANTS:

Principal Inspector: Jeff Tobergte, Inspector
Other Participants: Ashley Shive; Pam Merashoff

LATITUDE / LONGITUDE: Lat 27° 53' 48.1223" / Long 81° 51' 57.5606"

SIC CODE: 1799 - Construction - special trade contractors, nec

TYPE OF OWNERSHIP: Private

Introduction:

On June 29, 2018, FDEP conducted a routine hazardous waste inspection at the headquarters and primary facility of American Compliance Technology (ACT), in Bartow (Polk County). The facility is a notifier as a CESQG (VSQG), Transporter, and Used Oil Transporter.

Process Description:

ACT's Bartow facility is a headquarters office, and a storage yard for their response equipment and vehicles. Most work is done at the customer's site, not at this facility.

- ACT transports HW, used oil, and petroleum-contact water (PCW) generated during spill cleanups, and for routine waste removal for some customers. The wastes are transported directly to another transporter or a permitted TSDF, and not stored more than 24 hours at the Bartow facility, since the facility is not a 10-day transfer facility.
- None of the HW transport vehicles were on-site at the time of inspection, but were said to be well-maintained. ACT's vehicles have placards and container labels, to meet DOT requirements.
- Numerous HW manifests were reviewed, and all found to be correct and in order. Each of the ACT participants in the inspection have several years of prior experience in the HW transportation business, and were well-versed in the matter.
- The facility is a Very Small Qty. Generator (VSQG) of HW. Vehicle maintenance activities have greatly curtailed, as the vast majority of vehicle maintenance is now done off-site at retail repair businesses. Thus, the amount of HW and used oil has greatly diminished. Only an occasional paint or spray can waste is

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generated, along with small amounts of Universal Wastes (e.g., batteries, fluorescent light bulbs).

- The facility has a DEP Solid Waste permit, to solidify certain non-hazardous waste streams received from off-site. The wastes are then transported for non-hazardous waste disposal (e.g., landfill). DEP Solid Waste staff recently conducted a separate routine inspection of this process and permitted-activity. Thus, this 6/29/18 HW inspection did not address those matters.
- There were no visual or odor indications of any unpermitted discharges. The grounds and vehicle storage areas were neat and orderly.

Conclusion:

American Compliance Technology (ACT), Bartow facility, was operating in compliance with State and Federal hazardous waste regulations.

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6.0 - Transporters 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.

Note: Checklist items with shaded boxes are for informational purposes only.

Item No.	Transporter Requirements	Yes	No	N/A
6.1	Has the transporter notified the Department as a transporter and received an EPA identification number? 62-730.150(2)(a), 263.11(a)	✓		
6.2	Does the transporter repackage wastes with different USDOT shipping descriptions?			
6.3	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)			✓
6.4	Does the transporter transport waste into the US from abroad?			
6.5	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)			✓
6.6	Does the transporter obtain a signed and dated manifest prior to accepting a hazardous waste for transport?			
6.7	If NO, is the waste exempt from the manifest requirement? 263.20(a)(1) <input type="checkbox"/> Exemption Type - Tolling Agreement <input type="checkbox"/> Exemption Type - VSQG Bill-of-Lading	✓		
6.8	Does the transporter sign and date the manifest upon acceptance? 263.20(b)	✓		
6.9	Does the transporter leave a signed copy of the manifest acknowledging acceptance of the waste? 263.20(b)	✓		
6.10	Does the transporter ensure the manifest and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(c)	✓		
6.11	Does the transporter obtain the signature and date of delivery of the receiving (designated) facility or other transporter upon transferring custody of the waste? 263.20(d)(1)	✓		
6.12	Does the transporter retain one copy of the manifest signed and dated by the designated facility or other transporter? 263.20(d)(2)	✓		
6.13	Does the transporter give the remaining copies of the manifest to the designated facility or accepting transporter? 263.20(d)(3)	✓		
6.14	If the entire quantity of hazardous waste cannot be delivered, does the transporter contact the generator for further direction and revise the manifest in accordance with the generator's instructions? 263.21(b)	✓		
6.15	For a partial load rejection, while the transporter is on the facility's premises, does the transporter obtain a new manifest for the rejected material, accompanied by a copy of the original manifest that includes the manifest tracking number of the new manifest? 263.21(b)	✓		
6.16	Does the transporter retain a copy of the manifest signed by the generator, himself, and the next designated transporter or designated facility for a period of three years from the date the hazardous waste was accepted by the initial transporter? 263.22(a)	✓		
Item No.	Rail Transporters	Yes	No	N/A
6.17	If initial rail transporter, when accepting hazardous waste from a non-rail transporter does the rail transporter sign and date the manifest acknowledging receipt of the hazardous waste? 263.20(f)(1)(i)			✓
6.18	If initial rail transporter, does the rail transporter return a signed copy of the manifest to the non-rail transporter? 263.20(f)(1)(ii)			✓
6.19	If initial rail transporter, does the rail transporter forward at least three copies of the manifest to the next designated non-rail transporter or facility? 263.20(f)(1)(iii)			✓
6.20	If initial rail transporter, does the rail transporter retain one copy of the manifest and rail shipping paper? 263.20(f)(1)(iv)			✓
6.21	Does the rail transporter ensure the shipping paper and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(f)(2)			✓
6.22	Does the final rail transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(f)(3)(i)			✓
6.23	Does the final rail transporter retain a copy of the manifest or signed shipping paper? 263.20(f)(3)(ii)			✓
6.24	When delivering hazardous waste to a non-rail transporter, does the rail transporter obtain the date of delivery and handwritten signature of the next non-rail transporter on the manifest and retain one copy of the manifest? 263.20(f)(4)			✓

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Item No.	Water (Bulk) Transporters	Yes	No	N/A
6.25	Does the water (bulk) transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(e)(3)			✓
6.26	Does the water (bulk) transporter retain a copy of the manifest or signed shipping paper? 263.20(e)(5)			✓
Item No.	SQG Waste	Yes	No	N/A
6.27	For SQG waste, if a manifest is not used is the waste being transported pursuant to a recalculation (tolling) agreement per 262.20(e)? 263.20(h)(1)			✓
6.28	Is the following information recorded on a log or shipping paper for each shipment? (Check items below that are NOT in compliance): 263.20(h)(2) <input type="checkbox"/> Name, address, and EPA identification number of the generator of the waste <input type="checkbox"/> Quantity of waste accepted <input type="checkbox"/> All DOT-required shipping information <input type="checkbox"/> The date the waste is accepted			✓
6.29	Does the transporter carry the shipping paper/log when transporting waste to the reclamation facility? 263.20(h)(3)			✓
6.30	Does the transporter retain shipping papers/logs for a period of at least three years after termination or expiration of the tolling agreement? 263.20(h)(4)			✓
6.31	If hazardous waste was discharged during transport, did the transporter give notice, if required by 49 CFR 171.15, to the National Response Center (800-424-8802)? 263.30(c)(1)			✓
6.32	If hazardous waste was discharged during transport, did the transporter report in writing as required by 49 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590? 263.30(c)(2)			✓
6.33	If hazardous waste was discharged during transport, did the transporter clean up the discharge so that it no longer presents a hazard to human health or the environment? 263.31			✓
6.34	Has the transporter demonstrated the financial responsibility required under 62-730.150(2)(a)? 62-730.150(2)(a)			✓
6.35	Does the transporter verify the evidence of financial responsibility annually? 62-730.150(3)			✓

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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.

Jeff Tobergte
Principal Inspector Name

Inspector
Principal Inspector Title

Jeff Tobergte
Principal Inspector Signature

DEP
Organization 07/02/2018
Date

Ashley Shive
Representative Name

ACT
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.

Pam Merashoff
Representative Name

ACT
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: Shannon Kennedy

Inspection Approval Date: 07/05/2018