



FLORIDA DEPARTMENT OF Environmental Protection

Southwest District Office
13051 North Telecom Parkway #101
Temple Terrace, Florida 33637-0926

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

March 20, 2019

Flagler Construction Equipment
Attn: Mr. Steve Alexander – Regional Manager
8418 Palm River Road
Tampa, Florida 33619
salexander@flaglerce.com

Re: Flagler Construction Equipment
FLR000088518
Hillsborough County

Dear Mr. Alexander:

Department personnel conducted a compliance inspection of the above-referenced facility on 2/28/2019. 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 Domenic LetoBarone at 813/470-5920, or via e-mail at: Domenic.Letobarone@FloridaDEP.gov

Sincerely,

A handwritten signature in blue ink, appearing to read "S-Kennedy".

Shannon Kennedy
Compliance Assurance Program
Southwest District
Florida Department of Environmental Protection

Enclosures: Inspection Report

cc: Shannon.Kennedy@FloridaDEP.gov
Domenic.Letobarone@FloridaDEP.gov
Gerry Javier, Hillsborough County EPC, Javier@epchc.org
Lisa Albury, Flagler Construction Equipment, lalbury@flaglerce.com



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

FACILITY INFORMATION:

Facility Name: Flagler Construction Equipment

On-Site Inspection Start Date: 02/28/2019

On-Site Inspection End Date: 02/28/2019

ME ID#: 23248

EPA ID#: FLR000088518

Facility Street Address: 8418 Palm River Rd, Tampa, FL 33619-4314

Contact Mailing Address: 8418 Palm River Rd, Tampa, FL 33619-4314

County Name: Hillsborough

Contact Phone: (813) 630-0077

NOTIFIED AS:

Non-Handler

Used Oil

INSPECTION TYPE:

Routine Inspection for Non-Handler facility
Routine Inspection for Used Oil Transporter facility
Routine Inspection for Used Oil Transfer Facility facility
Routine Inspection for Used Oil-Other facility

INSPECTION PARTICIPANTS:

Principal Inspector: Domenic LetoBarone, Inspector

Other Participants: Steve Alexander, Regional Manager; Jamie Arleo, Inspector

LATITUDE / LONGITUDE: Lat 27° 56' 30.4105" / Long 82° 21' 42.5598"

SIC CODE: 7353 - Services - heavy construction equipment rental

TYPE OF OWNERSHIP: Private

Introduction:

Flagler Construction Equipment (Flagler) was inspected on February 28, 2019 to determine the facility's compliance with State and Federal Hazardous Waste Regulations. Flagler is currently registered with the Department for the following activities: Used Oil Transporter, Used Oil Transfer Facility, Used Oil Filter Transporter, Used Oil Filter Transfer Facility, and a Non-Handler of Hazardous Waste. Mr. Steve Alexander - Regional Manager for Flagler, accompanied the Department on the inspection. Additional assistance was provided by Ms. Lisa Albury via email, although not present at the time of the inspection.

The Tampa facility employs approximately 38 employees, who primarily work a Monday through Friday, 8:00 a.m. to 5:00 p.m. shift. Employees are also available on 24-hour standby if necessary. The facility is connected to public utilities and does not have a well or septic tank.

The last inspection took place on October 23, 2014.

Process Description:

Flagler sells, leases, and services heavy construction equipment. The facility generates wastes from repairs and preventative maintenance on the equipment. The facility consists of office space and an eight bay service center. The service center generates used oil, used oil filters, spent lead acid batteries, shop rags and used antifreeze. The facility also uses two Purewash parts washers, which use a high flash (142F) petroleum distillate. No chlorinated or listed solvents were observed.

Used oil is collected in labeled dollies prior to being pumped into a 750 gallon double-walled above ground tank. Used oil filters are stored in labeled 55-gallon drums located within the facility's wash rack. Used oil, used oil filters, and used antifreeze are recycled by Safety-Kleen. Spent lead acid batteries are returned to the vendor for core credit. There were no batteries present at the time of inspection. The facility also has a

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wash rack to clean the equipment. The system is a recirculating system that reuses the wash water. The wash rack is permitted through the Hillsborough County Environmental Protection Commission. Solids are routinely pumped out and managed by Safety-Kleen. Soils knocked off the equipment are also containerized into 55-gallon drums and disposed of via Safety-Kleen. Prior to the last inspection in 2014, the facility renovated the lighting fixtures throughout the building. Since the renovation, the facility no longer has mercury generating lamps. Since the building is leased to Flagler, all lighting maintenance is conducted by the landlord. Fluorescent bulbs are not kept on the premises.

Flagler conducts preventative maintenance (PM) and service on equipment off site. The facility has one PM truck that is equipped with a 100 gallon used oil tank. The facility is registered with the Department as a Used Oil Transporter. The facility's Certificate of Liability Insurance expires on 5-1-2019 and their Used Oil Registration expires on 6-30-2019.

The facility uses three dumpsters, which are managed by Progressive to handle the various waste streams. One dumpster is for solid waste/trash, the second dumpster is used for recycling metal, and the third dumpster is used to recycle wood.

Since the last inspection, the facility has decided to use one vendor to manage all waste generated by their activities. Safety-Kleen is now the sole vendor that Flagler uses to manage their waste.

Flagler addresses employee training via use of the Hazard Communication System (Hazcom) to comply with the requirements of OSHA HCS 2012. Through the Hazcom system, employees receive their annual training. A copy of the Hazcom plan was provided during the inspection, which included the employees signatures.

PHOTO ATTACHMENTS:

Maintenance Shop



Safety-Kleen parts washer



Used Oil & Virgin Oil tanks



Wash area



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Yard



Used oil drums & filters



Conclusion:

At the time of inspection, Flagler Construction Equipment was operating in compliance with State and Federal Regulations governing used oil handlers. Information pertaining to the Public Notice of Pollution reporting requirements as well as emergency numbers to the State Watch Office and National Response Center were also provided. The Department informed Mr. Alexander of FDEP's Emergency Response Program and provided information regarding appropriate measure to take in the event of a spill emergency or pollutant discharge.

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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.

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

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
5.6	Are containers/tanks 55-gallons or smaller that are stored inside:			
5.7	Stored on an oil-impermeable surface? 62-710.401(6)	✓		
5.8	Are containers/tanks larger than 55-gallons that are stored inside:			
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)	✓		
5.11	Are containers/tanks (regardless of size) that are stored outside:			
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
5.14	Has the generator, upon detection of a release, done all of the following, as applicable:			
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)	✓		

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Item No.	Used Oil Filter Container Management	Yes	No	N/A
5.26	Are the used oil filter containers stored on an oil-impervious surface? 62-710.850(5)(a)	✓		
Item No.	Releases from Used Oil Filter Containers	Yes	No	N/A
5.27	Has the generator, upon detection of a release, done all of the following, as applicable:			
5.28	stop the release? 62-710.850(5)(b)			✓
5.29	contain the released oil? 62-710.850(5)(b)			✓
5.30	clean up and manage properly the released oil and any subsequent oily waste? 62-710.850(5)62-710.850(5)(b)			✓
5.31	repair or replace any leaking used oil filter storage containers prior to returning them to service? 662-710.850(5)(b)4			✓
Item No.	Used Oil Mixtures	Yes	No	N/A
	<input type="checkbox"/> Is the facility a VSQG that mixes hazardous waste with used oil and manages the mixture under 279? Note: VSQGs can mix both listed and characteristic wastes with used oil.			
	<input type="checkbox"/> Is the facility a SQG or LQG that is mixing listed waste (except for listed waste that only is listed because it exhibits a characteristic - see question below) with used oil? [VSQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so:			
5.32	Is the mixture being managed as listed hazardous waste? 279.10(b)(1)			✓
	<input type="checkbox"/> Is the facility a SQG or LQG that mixes only characteristic waste (or listed waste that only exhibits a characteristic) with used oil? [NOTE: This is also considered HW Treatment and other rules apply. However, VSQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so:			
5.33	Is ignitability the only characteristic of the hazardous waste prior to mixing (or is the HW listed only for ignitability)? If so:			
5.34	Is the mixture managed as HW if it exhibits the ignitability characteristic? 279.10(b)(2)(iii)			✓
5.35	Does the hazardous waste exhibit ANY characteristic other than ignitability prior to mixing (or is the HW listed only for a characteristic other than ignitability)? If so:			
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)			✓
5.37	Does the facility generate mixtures of other materials contaminated with used oil (i.e. absorbents, rags, dirt)? If so:			
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)			✓
5.41	Does the facility generate mixtures of used oil with fuel or fuel products? If so:			
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
5.45	Does the generator burn used oil on-site in a used oil-fired space heater? [Generators who burn off site, non household oil, or burn oil in devices not meeting the space heater exemption must comply with 40 CFR 279 - Subpart G.]			
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)			✓

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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	✓		
5.50	Self transport to collection centers - Does the generator only transport their own used oil and used oil from household DIY to a used oil collection center? If so:			
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)			✓
5.54	Self transport to aggregation points - Does the generator transport used oil that is generated at the generator's site to an aggregation point? If so:			
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)			✓
5.58	Tolling Agreement - is the used oil transported and then reclaimed under a contractual agreement pursuant to which reclaimed oil is returned by the processor.re-refiner to the generator for use as a lubricant, cutting oil, or coolant? If so:			
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)			✓
Item No.	Marketing and Processing	Yes	No	N/A
	<input type="checkbox"/> Does the generator claim that the used oil meets the specification in 40 CFR 279.11? [If so, and the oil is to be burned for energy recovery, the generator is a marketer subject to 40 CFR 279 Subpart H.]			
	<input type="checkbox"/> Does the generator process used oil by filtering, oil/water separation or other methods prior to direct shipment to an off site used oil burner? [If so, the generator is also a used oil processor subject to 40 CFR 279 - Subpart F.]			

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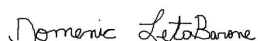
Signed:

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.

Domenic LetoBarone

Principal Inspector Name

Inspector

Principal Inspector Title**Principal Inspector Signature**

DEP

Organization

03/19/2019

Date

Steve Alexander

Representative Name

Regional Manager

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.

Jamie Arleo

Representative Name

Inspector

Representative Title

DEP

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:

03/20/2019











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