



# FLORIDA DEPARTMENT OF Environmental Protection

Northeast District  
8800 Baymeadows Way West, Suite 100  
Jacksonville, Florida 32256

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

April 30, 2019

*Sent electronically to: [Brian.Brown@ringpower.com](mailto:Brian.Brown@ringpower.com)*

Mr. Brian Brown, Environmental and Property Manager  
Ring Power Corporation  
500 World Commerce Parkway  
St. Augustine, Florida 32092

**RE: Warning Letter No. WL19-103 (Significant Non-Complier)**  
**EPA/DEP ID: FLD 984 209 346**  
**Duval County – Hazardous Waste**

Dear Mr. Brown:

A hazardous waste compliance inspection was conducted at your facility on January 30, 2019. During this inspection, possible violations of Chapters 403 and 376, Florida Statutes (F.S.), and Chapters 62-710 and 62-730, Florida Administrative Code (Fla. Admin. Code), were observed.

During the inspection, Department personnel noted the following:

- The facility failed to make an accurate hazardous waste determination on parts washer spent solvent;
- The facility improperly disposed of hazardous waste in the service shop, wash rack and paint shop;
- The facility failed to provide secondary containment for used oil;
- The facility failed to provide an oil impermeable surface for used oil filters; and
- The facility failed to label one used oil filter container.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Sections 403.121 and 376.121, Florida Statutes.

Please contact Bonnie Bradshaw at (904) 256-1638, or via email at [Bonnie.Bradshaw@FloridaDEP.gov](mailto:Bonnie.Bradshaw@FloridaDEP.gov), within 15 days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in receiving any facts that you may have that which might 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), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this as soon as possible.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Strong", written in a cursive style.

Gregory J. Strong  
District Director

Attachment: Final Inspection Report

Tec: DEP: Bonnie Bradshaw, Pam Fellabaum, Cheryl Mitchell, Matt Kershner, DEP\_NED  
Brook Tefft, Ring Power Corporation – [Brooke.Tefft@RingPower.com](mailto:Brooke.Tefft@RingPower.com)



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

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**FACILITY INFORMATION:**

**Facility Name:** Ring Power Corp

**On-Site Inspection Start Date:** 01/30/2019

**On-Site Inspection End Date:** 01/30/2019

**ME ID#:** 34171

**EPA ID#:** FLD984209346

**Facility Street Address:** 8040 Philips Hwy, Jacksonville, FL 32256-7406

**Contact Mailing Address:** 500 World Commerce Pkwy, St Augustine, FL 32092-3788

**County Name:** Duval

**Contact Phone:** (904) 494-1417

**NOTIFIED AS:**

SQG (100-1000 kg/month)

Used Oil

**INSPECTION TYPE:**

Routine Inspection for Used Oil Transporter facility  
Routine Inspection for Used Oil Transfer Facility facility  
Routine Inspection for VSQG (<100 kg/month) facility  
Routine Inspection for Used Oil Generator facility

**INSPECTION PARTICIPANTS:**

Principal Inspector: Bonnie M Bradshaw, Inspector

Other Participants: Rusty Davis, Service Manager

**LATITUDE / LONGITUDE:** Lat 30° 13' 30.8539" / Long 81° 35' 21.8391"

**NAIC** 811310 - Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance  
Private

**TYPE OF OWNERSHIP:**

**Introduction:**

Ring Power Corporation (Ring Power) was inspected January 30, 2019, as an unannounced hazardous waste compliance inspection. The records review portion of the inspection was conducted on February 1, 2019. Ring Power was last inspected by the Department's Hazardous Waste program on March 13, 2015. The facility is registered and operating as a Used Oil Transporter, Used Oil Transfer Facility, Used Oil Filter Transporter and Used Oil Filter Transfer Facility. The facility is also operating as a used oil generator and Very Small Quantity Generator (VSQG) of hazardous waste.

Ring Power is a dealer and service agent for forklifts, trucks, heavy equipment, generators, parts and other equipment. The facility has 78 employees. Ring Power owns the property and the building which is connected to city water and sewer. Hours of operation are Monday – Friday from 7:30 am – 5:00 pm for the Service Division and from 6:00 am – 3:00 pm for the Utility Truck Division. The facility consists of offices, a Service Shop, a Wash Rack, a Paint Shop, and a Shipping and Receiving Warehouse. The facility operates 4 repair trucks and 11 vans. Pam Fellabaum (DEP) was present throughout the inspection. Rusty Davis (Ring Power) was present during the forklift division portions of the inspection. Don Wendt (Ring Power) was present during the utility truck division portions of the inspection.

**Process Description:**

Mobile Servicing  
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Ring Power services lift trucks in the field. Used oil, used oil filters and used antifreeze generated during field servicing activities are transported back to the facility and accumulated with the wastestreams generated at the facility. The facility transports only its own used oil generated at its own non-contiguous operations to its

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own central collection facility for storage prior to having its used oil picked up by a certified used oil transporter. Used oil is collected in 15-gallon drums maintained on the trucks (Photo 1). The drum of used oil observed on truck 17-4277 was closed and properly labeled. A 5-gallon drum is taken to jobs to collect used antifreeze when used antifreeze will be generated. Used oil filters are typically collected in 5-gallon drums maintained on the trucks. However, one used oil filter was being accumulated in a drip pan that was not labeled "Used Oil Filters" on truck 17-4277 (Photo 2) [62-710.850(5)(a), FAC]. Absorbent mats used to clean-up drips, leaks or spills of used oil are collected in clear plastic bags.

### Service Shop

The Service Shop has a Forklift Division and a Utility Truck Division. The Forklift Truck Division area contains four bays for servicing forklifts (Photo 3). The Utility Truck Division has four areas where utility trucks are "up-fitted" by cutting, welding and fitting trucks with pre-fabricated equipment or equipment fabricated on site and then filling the equipment with the necessary hydraulic fluids.

Used oil generated by Service Shop operations is drained into portable drain containers and then pumped into a 400-gallon double-walled tank located outside under an overhang (Photo 4). The used oil tank and most of the used oil drain containers were properly labeled as "Used Oil." Two used oil drain containers were observed that were labeled as "Waste Oil." The facility is reminded that all used oil containers should be properly labeled only with the words "Used Oil."

Used oil filters collected by the Service Shop are taken to the Wash Rack area, as described below, to be drained and collected for disposal.

Used antifreeze is rarely generated by the Forklift Division service operations. When generated, it is drained into portable drain containers and then transferred into a 250-gallon tote located in the Wash Rack area and managed as described below.

Oil absorbent pads generated by Service Shop operations are stored in plastic bags or step cans. The bags are then placed into the used oil filter collection container located in the Wash Rack for disposal by Safety-Kleen.

The facility operates two, 15-gallon Safety-Kleen parts washers that use Safety-Kleen Premium Solvent (hydrotreated light petroleum distillates 100%; flash point 148°F) (Photo 5). The units are on an 8-week schedule with Safety-Kleen. Spent solvent is managed as non-hazardous waste, and the last shipment was December 31, 2018. The facility had a sample of this waste stream analyzed, however, the adjusted Method Detection Limits (MDLs) and adjusted Practical Quantification Limits (PQLs) were well above the Toxicity Characteristic Leaching Procedure (TCLP) regulatory limits for the volatile constituents. As a result, the facility has not made an accurate hazardous waste determination on this waste stream [40 CFR 262.11]. The samples should be re-evaluated ensuring the MDLs and PQLs are below the regulatory limits.

Laundered rags are generated by forklift maintenance activities and may be contaminated with oil, grease or Brakleen Brake Parts Cleaner-Non-Chlorinated (methanol 40-50%, toluene 10-20%, acetone 5-15%, 3-methylhexane 5-10%, carbon dioxide 5-10%, n-heptane 5-10%, methylcyclohexane 3-5%, hydrotreated light naphtha (petroleum) 3-5%, cyclohexane 1-3%, ethylbenzene <0.2%; flashpoint 0° F). Rags are accumulated in closed containers labeled as "Excluded Solvent Contaminated Wipes" (Photo 6). Rags are laundered by Cintas weekly.

Disposable blue rags are used in the Service Shop primarily for cleaning hands and dirt, but may be used on occasion with Brakleen Brake Parts Cleaner-Non-Chlorinated or Finish Pro General Purpose Lacquer Thinner (methanol 1-100%, toluene 1-100%, acetone 1-100%, light hydrotreated distillate 1-100%; flash point 51.8°F) for paint clean-up. Disposable Brakleen Brake Parts Cleaner-Non-Chlorinated and Disposable Finish Pro General Purpose Lacquer Thinner rags are a F005 hazardous waste. Both are disposed of into the trash [40 CFR 262.14(a)(5)]. Disposable blue rags were observed in the trash (Photo 7). The facility is reminded that rags that contain a non-solvent listed hazardous waste, exhibit the characteristic of corrosivity, exhibit the characteristic of reactivity, or are contaminated with heavy metals above TCLP levels, may not be managed under the solvent contaminated wipes exclusion.

Aerosol cans of Brakleen Brake Parts Cleaner-Non-Chlorinated, WD-40 (aliphatic hydrocarbon 45-50%, petroleum base oil <25%, LVP aliphatic hydrocarbon 12-18%, carbon dioxide 2-3%; flash point 122°F), Mac's

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Dry Graphite Film Lube (isobutane 20-40%, acetone 10-20%, heptane 10-20%, petroleum naphtha 10-20%, propane 10-20%, petroleum solvent naphtha 10-20%, cyclohexane 2.5-10%, graphite 2.5-10%, n-hexane 0.1-1%, octane 0.1-1%; flash point -99.4°F), Permatex Copper Gasket Sealant (butane 15-40%, dichloromethane 10-30%, acetone 10-30%, propane 10-30%, ethyl acetate 3-7%, copper 1-5%, solvent naphtha 1-5%, propylene oxide 0.1-1%; flash point -156°F) and various touch-up paints are used in the Service Shop. Liquid generated from puncturing and draining non-empty aerosols cans of these products will generate a D001 hazardous waste. Due to the wide variety of touch-up paints used, a hazardous waste determination should be conducted on these products prior to disposal to ensure additional waste codes are not also required.

Aerosol cans of Fluid Film (refined petroleum oil 40-80%, petroleum gases, 25%, calcium petroleum sulfonate 1-10%; flash point 405°F), CRC Wasp and Hornet Killer (petroleum distillates 90-100%, carbon dioxide 1-3%, tetramethrin 0.2%, d-phenothrin 0.1%; flash point 205°F), CRC Hydroforce Glass Cleaner (water 80-90%, petroleum gas 5-10%, 2-butoxyethanol 1-3%, ethanol 1-3%, ammonia <1%, methanol <0.2%; no flash point) and Deka Battery Cleaner Spray (water 80-90%, liquified petroleum gas 5-10%, 2-butoxyethanol 1-3%; no flash point) used in the Service Shop generate non-hazardous liquid waste when punctured and drained.

The facility's process indicates that aerosol cans should be punctured and drained into the 55-gallon drum with a drum-top aerosol can puncturing device that is located in the Wash Rack area and managed as described below. However, several empty cans were observed in various trash cans and dumpsters that appeared to have been punctured in some other manner and had not been properly drained (Photo 8). One non-empty aerosol can of Brakleen Brake Parts Cleaner-Non-Chlorinated was observed in the trash can located in the Utility Truck Division area (Photo 9) [40 CFR 262.14(a)(5)]. Liquid from the can leaked out when it was removed from the trash can.

A band saw and plasma table are used in the Utility Truck Division area. Only steel and aluminum are cut. The facility uses Lube Corp Green Cut Plasma Fluid (1,2-propylene glycol 15-40%; no flash point) as a coolant in the cutting process. Non-contaminated coolant is a non-hazardous waste if only aluminum or raw steel are cut. A hazardous waste determination should be conducted on contaminated coolant prior to disposal if stainless steel or brass is cut by the saw. Unused welding rods, also generated in the Utility Truck Division area, are disposed of as scrap metal.

Service Shop floors are cleaned with Mean Green 9 (2-butoxyethanol 2.5-10%). Mop water is disposed of in the Wash Rack described below.

Spent lead acid batteries generated by the Service Shop are stored on a pallet outside of the building (Photo 10). Batteries are picked up as needed by Battery Distributors Southeast, Inc. for recycling.

At the time of inspection, the facility did not generate used antifreeze filters, perform tire service or generate air bag waste.

#### Wash Rack

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The Wash Rack (Photo 11), located adjacent to the Paint Shop, is a covered area used to wash equipment potentially contaminated with oil prior to service with Mean Green 9 and/or heated water. Wash water drains to a collection pit and is pumped to a biofiltration unit. The biofiltration unit treats the water with microbes and a defoaming agent, prior to discharge to the POTW. If needed, the filters would be pressure washed in the wash rack area. Sludge from the collection pit and loose dirt swept off the vehicles is accumulated in a roll-off dumpster. The sludge and dirt is disposed of as non-hazardous waste as needed at Evergreen Landfill in Valdosta, Georgia. TCLP metal and volatile constituent analysis has indicated that the waste is non-hazardous. The facility is reminded to ensure that when sampling is conducted that a representative sample is collected and analyzed in accordance with EPA publication SW#846 "Test Methods for Evaluating Solid Waste" 3rd Edition and with Rule 62-160, Florida Administrative Code (FAC). The facility is also reminded to conduct a hazardous waste determination on any waste generated from the biofiltration unit, including TCLP analysis, prior to disposal.

The used oil filters from the Service Shop and field trucks are brought to this area to be drained on top of a 55-gallon drum. The 55-gallon drum of used oil that the used oil filters were being drained into (Photo 12) was labeled "Used Oil" and was stored on a spill pallet, but the pallet was full of liquid, and therefore did not meet the requirement for secondary containment [62-710.401(6), FAC]. Once the filters are drained, they are accumulated in a 330-gallon steel container in this area. The used oil filter container was in good condition

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and properly labeled, but was not stored on an oil-impermeable surface due to cracks in the unsealed concrete (Photo 13) [62-710.850(5)(a), FAC].

The used antifreeze from the Service Shop and field trucks is brought to this area and transferred into a 250-gallon tote (Photo 14). The tote was labeled as "Waste Antifreeze." The facility is reminded to follow best management practices for managing used antifreeze, including, but not limited to, labeling containers as "Used Antifreeze," using dedicated collection equipment, keeping stored antifreeze free of cross-contamination, keeping containers closed at all times except when emptying or filling and inspecting containers weekly.

The facility's process indicates that aerosol cans from the facility are supposed to be brought to this area to be punctured and drained into a drum-top aerosol can puncturing device located on top of a 55-gallon drum (Photo 15). The aerosol can puncturing drum was missing the cap on the can puncturing device, which allows the liquid drained from the aerosol cans to evaporate (Photo 15) [40 CFR 262.14(a)(5)]. In addition, there was another unlabeled, 55-gallon drum adjacent to the can puncturing drum which appeared to be one-half full of aerosol can liquid waste. The top of this drum was not completely closed thus allowing the hazardous waste to evaporate (Photo 16) [40 CFR 262.14(a)(5)]. Punctured and drained cans should be recycled as scrap metal according to facility procedures, but some punctured cans were also observed in the trash.

There was also one 55-gallon drum in this area that the facility representative stated contained rain water.

#### Paint Shop

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The facility Paint Shop (Photo 17) has two paint areas for prepping and painting equipment and parts. One area services the Forklift Division. The second area services the Utility Truck Division. The utility paint booth was recently installed due to increased production.

#### Forklift Division Paint Area

Approximately one forklift is painted every 1.5 weeks. The facility only paints previously owned Caterpillar and Mitsubishi equipment which will be re-sold.

After the forklifts are washed in the Wash Rack, they are sanded with hand-held grinders. A TCLP metals analysis of the facility's sanding waste has indicated that the waste is non-hazardous. The sanding waste is swept up and disposed of into the trash.

The forklifts are then wiped with Vietek Wax and Grease Remover (isopropyl alcohol 1-100%, xylene 1-100%, light hydrotreated distillate 1-100%; flash point >50°F). Rags contaminated with Vietek Wax and Grease Remover generate a non-hazardous waste when used as described and are thrown into the trash.

The forklifts are then primed, touch-up sanded and color coated. All coatings with the exception of Delfleet ESH 200 Hardener (flash point 168°F) used during this process have flash points between -4°F and 117°F. In addition, several coatings contain barium sulfate and/or methyl ethyl ketone. The shop uses 3M paint gun liners. Liquid paint waste left in the liners or other containers is drained through a drum-top funnel into a 55-gallon drum of paint waste, before the empty container is discarded in the trash. Liquid paint waste from liners or cans is a D001 and possibly a D005 and/or D035 hazardous waste. The 55-gallon drum of paint waste was in good condition, closed and properly labeled.

Paint guns are flushed into the 55-gallon paint waste drum with Vietek Gun Flush (acetone 40-50%, propane 10-20%, isobutane 10-20%, n-butane 5-10%, xylene 1-5%, n-butanol 1-5%, VM&P naphtha 1-5%, glycol ether 1-5%, toluene 1-5%, isopropanol 1-5%, n-butyl acetate 1-5%; flash point -180°F). Flushed guns are placed onto a rag which is thrown into the trash. The rags are non-hazardous waste when used as described. Liquid waste generated from this process is placed into the 55-gallon drum of paint waste. This waste is a D001/F003/F005, and possibly D005 and/or D035 hazardous waste.

Finish Pro General Purpose Lacquer Thinner (methanol 1-100%, toluene 1-100%, acetone 1-100%, light hydrotreated distillate 1-100%; flash point 43°F) is used on a rag for clean-up. Spent rags are a F005 hazardous waste when used as described. Lacquer thinner contaminated rags are thrown into the trash [40

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CFR 262.14(a)(5)].

A TCLP metals and volatiles analysis of the facility's paint booth filters has indicated that this waste stream is non-hazardous. The paint booth filters are placed into plastic bags and disposed of into the trash.

No chemical paint stripping is conducted in this area.

#### Utility Truck Division Paint Shop

Trucks arrive already primed with Zinc Rich Weld Thru Primer (propane 13%, butane 12%, heptane 3%, light aliphatic hydrocarbon solvent 3%, toluene 5%, methyl ethyl ketone 11%, zinc 47%; flash point <0°F) or Amercoat 370 (barium sulfate 20-50%, silica 20-50%, epoxy resin 5-10%, 4-methylpentan-2-one 5-10%, xylene 5-9.5%, silica 1-5%, epoxy resin 1-5%, carbon black 1-5%, ethylbenzene <1%; flash point 62.6°F). Trucks are first sanded with hand-held grinders. A TCLP metals analysis of the facility's sanding waste has indicated that the waste is non-hazardous. The sanding waste is swept up and disposed of into the trash.

The trucks are then wiped with Vietek Wax and Grease Remover (isopropyl alcohol 1-100%, xylene 1-100%, light hydrotreated distillate 1-100%; flash point >50°F). Spent rags contaminated with Vietek Wax and Grease Remover are non-hazardous waste when used as described and are thrown into the trash.

The trucks are then taped and color coated. Smaller parts may also be primed. All coatings with the exception of Permatex Ultra Black (flash point >200°) used during this process have flash points between -143°F and 122°F. Several coatings contain barium sulfate and/or methyl ethyl ketone. The shop uses 3M paint gun liners. According to facility personnel, liners are allowed to dry for 24-hours in the paint booth before being discarded into the trash. This is not ensuring proper disposal of hazardous waste [40 CFR 262.14(a)(5)]. A non-empty liner containing liquid white coating and a non-empty container of solidified PPG ALK-200 were observed in the trash can (Photos 18 and 19). This is also not ensuring proper disposal of hazardous waste [40 CFR 262.14(a)(5)]. Liquid paint waste from liners or other non-empty containers generates a D001 and possibly a D005 and/or D035 hazardous waste. TCLP analysis of the facility's overspray paper and tape waste stream has indicated that the waste is a non-hazardous waste and is disposed of into the trash.

Paint guns are flushed into a 55-gallon paint waste drum through a drum-top funnel with SEM Universal Gun Cleaner (acetone 40-60%, petroleum gases 13-30%, xylene 10-13%, methanol 10-13%, 2-butoxyethanol 5-7%, solvent naphtha 1.5-5%, butanone 1.5-5%, toluene 1.5-5%, 1,2,4-trimethylbenzene 1-1.5%; flash point -71°F). The 55-gallon paint waste drum was in good condition, closed and properly labeled. Liquid waste generated from this process is a D001/F003/F005, and possibly D005 and/or D035 hazardous waste.

Finish Pro General Purpose Lacquer Thinner (methanol 1-100%, toluene 1-100%, acetone 1-100%, light hydrotreated distillate 1-100%; flash point 43°F) is used on a rag for clean-up. Spent rags are a F005 hazardous waste when used as described. Lacquer thinner contaminated rags are thrown into the trash [40 CFR 262.14(a)(5)].

A TCLP metals and volatiles analysis of the facility's paint booth filters has indicated that this waste stream is non-hazardous. The paint booth filters are placed into plastic bags and disposed of into the trash.

No chemical paint stripping is conducted in this area.

In addition to regular paints and coatings, the facility applies Rock-It Liner, a two-part bedliner (HDI Prepolymer 70-100%, n-butyl acetate 13-30%; flashpoint 80.6°F and tert-butyl acetate 10-13%, heptan-2-one 7-10%, n-butyl acetate 5-7%, acetone 1.5-5%, 4-chloro-alpha, alpha, alpha-trifluorotoluene 1.5-5%, xylene 1.5-5%, silica 1-1.5%; flashpoint 44.6°F). According to facility personnel, the product hardens very quickly and often hardens during application. TCLP metal and volatile constituent analysis has indicated that the hardened material is a non-hazardous waste.

#### Shipping and Receiving Warehouse

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There is a Shipping and Receiving Warehouse (Photo 20) located adjacent to the Service Shop. The only hazardous waste generated in this area would be if a defective aerosol can or other product was discovered.

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The parts manager stated that if the can could not be repaired, he would probably throw it away. The facility is reminded that a hazardous waste determination must be conducted on all waste prior to disposal.

Fluorescent bulbs are changed out and handled by the St. Augustine Ring Power facility. Electronic waste is also handled by the St. Augustine Ring Power facility.

#### Records

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The facility appears to be operating as a VSQG of hazardous waste, but may potentially be a Small Quantity Generator (SQG) of hazardous waste based on the results of an accurate hazardous waste determination on the parts washer waste.

Used oil, used oil filters, used oil absorbents and used antifreeze are transported by Safety-Kleen (TXR 000 081 205).

Records indicate used oil is scheduled for pick-up by Safety-Kleen for recycling every four weeks and was last transported on January 31, 2019. The facility is reminded that transfer facilities that store used oil for more than 35 days are subject to regulation as a used oil processor.

Records indicate used oil filters and absorbents are scheduled for pick-up every eight weeks by Safety-Kleen and were last transported January 23, 2019.

The facility generates very little used antifreeze and has not transported any used antifreeze in the past three years. The facility is reminded that a hazardous waste determination should be conducted on used antifreeze if it is not properly recycled.

Records indicate that parts washers are serviced by Safety-Kleen every eight weeks and were last serviced on December 31, 2018.

Paint waste has not been transported in the past three years.

Lead acid batteries were last transported by Battery Distributors Southeast, Inc. for recycling on January 31, 2019.

Records indicate Cintas picks up rags weekly for laundering.

The used oil registration, which expires on June 30, 2019, was posted.

\*\*\*\*\*NOTE: As of June 18, 2018, the State of Florida has adopted the recently-updated Federal hazardous waste rules, more commonly known as the Generator Improvement Rule. As a generator of hazardous waste, your facility is impacted by the rule change.

Please see the eCFR site for a copy of the Federal rule at - [https://www.ecfr.gov/cgi-bin/text-idx?SID=ab7ac7e8d2fb42037c72a0de5162bcfe&mc=true&tpl=/ecfrbrowse/Title40/40cfrv28\\_02.tpl#0](https://www.ecfr.gov/cgi-bin/text-idx?SID=ab7ac7e8d2fb42037c72a0de5162bcfe&mc=true&tpl=/ecfrbrowse/Title40/40cfrv28_02.tpl#0)

The November 28, 2016, Federal Register also has a good discussion about the new requirements - <https://www.gpo.gov/fdsys/pkg/FR-2016-11-28/pdf/2016-27429.pdf>

Copies of PowerPoints that discuss the new requirements may also be found here - <https://floridadep.gov/northeast/ne-compliance-assurance/content/compliance-assurance-resources>

Please note that the new rule in 40 CFR 262.18 requires re-notification for LQGs every other year effective immediately and every four years for SQGs starting in 2021.



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## For Outstanding Items of Potential Non-Compliance

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Please review the following section – New Potential Violations and Areas of Concern. This section includes potential violations observed at your facility during this inspection. For any potential violations below that have not been corrected, please refer to the Corrective Action for each item that is suggested to bring your facility into compliance. Once the corrective action has been completed, please send documentation to the DEP NED inspector listed as the Principal Inspector on page 1 of this Inspection Report. This documentation includes, but is not limited to, photos of corrected items, manifests, SDSs or other documents that will show that each potential violation has been fully addressed.

**New Potential Violations and Areas of Concern:****Violations**

Type:	Violation 1
Rule:	262.11
Explanation:	Service Shop: The facility did not make an accurate hazardous waste determination on the spent solvent from two Safety Kleen parts washers.
Corrective Action:	Service Shop: In order to return to compliance, the facility should re-analyze the spent parts washer solvent for volatile organic compound TCLP constituents pursuant to 40 CFR 261.24, via method 8260, ensuring that the MDLs and PQLs are below the regulatory maximum concentrations.
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Type:	Violation 2
Rule:	262.14(a)(5)
Explanation:	Service Shop (Utility Truck): 1. The facility disposed of rags contaminated with Brakleen Brake Parts Cleaner-Non-Chlorinated and Finish Pro General Purpose Lacquer Thinner for paint clean-up in the trash.  2. The facility disposed of one non-empty aerosol can of D001 hazardous waste Brakleen Brake Parts Cleaner-Non-Chlorinated in the trash.  Wash Rack: 3. The 55-gallon aerosol can puncturing drum was open.  4. A 55-gallon drum of punctured aerosol can liquid hazardous waste was open.  Paint Shop: 5. F005 hazardous waste lacquer thinner rags used for paint clean-up in the Forklift Division area and the Utility Division area were being disposed of in the trash.  6. D001 and possibly D005 and/or D035 hazardous waste liquid contained in paint gun liners is allowed to dry for 24-hours before being placed into the trash in the Utility Truck Paint Shop.  7. D001 and possibly D005 and/or D035 hazardous waste liquid paint waste was disposed of in the trash. A D001, and possibly D005 and/or D035, container of hazardous waste paint which had solidified was disposed of in the trash.
Corrective Action:	Service Shop (Utility Truck): 1. No further action is required. The facility returned to compliance via an email dated 4/3/19 that included a copy of an email that was sent out to all employees on 2/25/19

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instructing them to collect, label and manage all solvent contaminated wipes as excluded solvent contaminated wipes. In addition, the facility sent an email on 4/5/19 stating that all shops and paint booths were equipped with "Excluded Solvent Contaminated Wipes" collection containers the week following the inspection with photos of example containers.

2. No further action is required. The aerosol can was removed from the trash can at the time of inspection and added to the facility's aerosol can waste stream. In addition, the facility provided an email dated 4/3/19 that included a copy of an email that was sent out to all employees on 2/25/19 instructing them on the proper way to manage aerosol cans.

Wash Rack:

3. No further action is required. The facility returned to compliance via an email dated 4/2/19 that included a photo of the aerosol can puncturing device equipped with a cap.

4. No further action is required. The facility returned to compliance via an email dated 4/4/19 which provided a manifest for the open drum of aerosol can waste showing that the drum had been shipped off-site on 2/15/19.

Paint Shop:

5. No further action is required. The facility returned to compliance via an email dated 4/3/19 that included a copy of an email that was sent out to all employees on 2/25/19 instructing them to collect, label and manage all solvent contaminated wipes as excluded solvent contaminated wipes. In addition, the facility sent an email on 4/5/19 stating that all shops and paint booths were equipped with "Excluded Solvent Contaminated Wipes" collection containers the week following the inspection with photos of example containers.

6. No further action is required. The facility return to compliance via an email dated 4/8/19 with a copy of a roster and outline of a training conducted for Paint Shop staff regarding the proper disposal methods for paint gun liners. The container was removed from the trash at the time of inspection for management with the facility's paint waste stream.

7. No further action is required. The facility return to compliance via an email dated 4/8/19 with a copy of a roster and outline of a training conducted for Paint Shop staff regarding the proper disposal methods for non-empty containers of paint/product on 4/8/19.

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Type:	Violation 3
Rule:	62-710.401(6)
Explanation:	Wash Rack: One 55-gallon drum of used oil was stored on a secondary containment pallet that was full of water, and did not meet the requirement for secondary containment.
Corrective Action:	No further action is required. The facility returned to compliance via an email dated 4/2/19 that included a photo showing that the drum and spill pallet had been relocated to area where water will not fill up the spill pallet and showing that there was no longer liquid in the spill pallet.

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Type:	Violation 4
Rule:	62-710.850(5)(a)
Explanation:	Field Truck: One used oil filter container on field truck 17-4277 was not properly labeled as "Used Oil Filters."

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Wash Rack: One 330-gallon used oil filter container was not stored on an oil-impermeable surface.

Corrective Action: No further action is required. The facility returned to compliance via a 4/5/19 email which stated that all trucks were inspected and brought into compliance with labeling and included a photo of one truck with an appropriately labeled container.

The facility returned to compliance via an email dated 4/2/19 that included a photo showing that the used oil filter container had been relocated to an oil-impermeable surface.

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## PHOTO ATTACHMENTS:

Photo 1



Photo 2



Photo 3



Photo 4





Inspection Date: 01/30/2019

Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Photo 10





Inspection Date: 01/30/2019

Photo 11



Photo 12



Photo 13



Photo 14



Photo 15



Photo 16



Inspection Date: 01/30/2019

Photo 17



Photo 19



Photo 18



Photo 20



Inspection Date: 01/30/2019

**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.

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

Item No.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.18(a)	✓		
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: 01/30/2019

**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.

Bonnie M Bradshaw

Inspector

**Principal Inspector Name****Principal Inspector Title**

DEP

04/15/2019

**Principal Inspector Signature****Organization****Date**

Rusty Davis

Service Manager

**Representative Name****Representative Title**

Ring Power

**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:**

Pam Fellabaum

**Inspection Approval Date:**

04/15/2019