



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

FACILITY INFORMATION:

Facility Name: Flagler Construction Equipment
On-Site Inspection Start Date: 10/23/2019 **On-Site Inspection End Date:** 10/23/2019
ME ID#: 18387 **EPA ID#:** FLR000097378
Facility Street Address: 9601 Boggy Creek Rd , Orlando , Florida 32824-8728
Contact Mailing Address: 9601 Boggy Creek Rd, Orlando, Florida 32824-8728
County Name: Orange **Contact Phone:** (407) 850-9614

NOTIFIED AS:

Non-Handler
Used Oil

Generator:

Non-Handler, None,

Transporter:

TSD:

Used Oil:

Generator : Oil Filters,

HW Fuel:

None

Recycler:

None, None

Other:

Universal Waste:

Generate/Accumulate : Transport : Transfer Facility :

Academic Lab/HSM:

Closure:

None

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Michael Eckoff, Inspector
Other Participants: Howard Wieder, Service Manager

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

811310 - Commercial and Industrial Machinery and Equipment (except Automotive and Electronic)

NAIC: Repair and Maintenance

TYPE OF OWNERSHIP: Private

Introduction:

On October 23, 2019, Michael Eckoff, Florida Department of Environmental Protection (FDEP or Department), accompanied by Howard Wieder, Flagler Construction Equipment (FCE or Facility), inspected FCE for state and federal used oil transporter requirements. The facility most recently notified the Department on March 19, 2019 and was originally issued EPA ID FLR000097378 on March 24, 2015. FCE is a registered used oil transporter and transfer facility, and used oil filter transporter and transfer facility. The current registration expires on June 30, 2020.

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The facility employs approximately 25 people working from 7:00 AM to 5:00 PM, Monday to Friday. The facility is connected to the municipal potable water system and has an onsite septic system. The property is owned by Be Orlando, LLC, C/O Kathy J Amon, 1745 Indian Wood Circle, Suite 250, Maumee, Ohio 43537-4061.

INSPECTION HISTORY

The facility was last inspected by the Department in July 2017 for compliance with state and federal used oil transporter requirements. No potential violations were noted at that time.

Process Description:

The facility sells, leases, and services heavy equipment. Equipment is serviced either onsite or at offsite locations. Offsite services only includes oil changes, any other services are performed at the facility.

Used oil is stored in a double-walled tank that was properly labeled "Used Oil" and closed. The tank was located outside the building in secondary containment.

Used oil filters are stored in a 2-yard dumpster that was properly labeled "Used Oil Filters" and closed. The dumpster was located outside the building.

Records

Service records include site identification, gallons of used oil removed from equipment, date of service, and if oil filter was changed.

Used oil and used oil filters are picked up by Safety Kleen. Records of pickups were not being maintained onsite [40 CFR 279.46(b) and 62-710.510(4), Florida Administrative Code (F.A.C.)].

Used oil and used oil filter handlers annual report for 2018 was received on April 23, 2019.

The certificate of liability insurance on file with the Department expired on May 1, 2019 [62-710.600(2)(e), F.A.C.].

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	279.46(b)
Explanation:	Deliveries. Used oil transporters must keep a record of each shipment of used oil that is delivered to another used oil transporter, or to a used oil burner, processor/re-refiner, or disposal facility.
	Specifically, Flagler Construction Equipment failed to maintain records of off-site used oil shipments.
Corrective Action:	Please provide documentation the records are maintained onsite.

Type:	Violation
Rule:	62-710.600(2)(e)1.a
Explanation:	Evidence of liability insurance, either on a claim made or an occurrence basis, with or without a deductible, if any, to be on a per occurrence or per accident basis and not to exceed ten percent of the equity of the business), using DEP Form 62-730.900(5)(a), "State of Florida Certificate of Liability Insurance Hazardous Waste Transporter and Used Oil Handler," effective date April 23, 2013, which is hereby adopted and incorporated by reference (http://www.flrules.org/Gateway/reference.asp?No=Ref-02081). This form can be obtained on the internet at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4500, Division of Waste Management, Department of

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Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The insurance policy shall be issued by an agent or company authorized or licensed to transact business in the State of Florida. If the facility has an up-to-date DEP Form 62-730.900(5)(a) on file with the Department, an ACORD form will be accepted for renewal of the same policy with the same carrier if the information on the ACORD form matches the DEP Form 62-730.900(5)(a) the Department has on file for the facility, including the policy number, or the Department has received documentation from the insurance company certifying that the liability policy has not changed along with the ACORD form.

Specifically, Flagler Construction Equipment failed to provide evidence of current liability insurance to the Department.

Corrective Action: Please provide documentation of current liability insurance and ensure a copy is submitted to the Department's Financial Coordinator in Tallahassee.

Conclusion:

Flagler Construction Equipment was inspected as a used oil transporter and was not in compliance at that time.

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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.

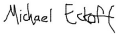
Note: Checklist items with shaded boxes are for informational purposes only.

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: 10/23/2019

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

Michael Eckoff	Inspector	
Principal Investigator Name	Principal Investigator Title	
	DEP	11/18/2019
Principal Investigator Signature	Organization	Date
Howard Wieder	Service Manager	
Representative Name	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:	Daniel K. Hall	Inspection Approval Date:	11/18/2019
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