

From: [Joseph T. Richardson](#)
To: [Lancellotti, Romina](#)
Cc: [Nicole Johnson](#); [Ivy Miller](#)
Subject: Cummins CSSNA Miami FDEP Compliance Response Used Oil
Date: Wednesday, August 4, 2021 2:18:43 PM
Attachments: [Cummins CSSNA Miami FDEP Compliance Response Used Oil_signed.pdf](#)

Good afternoon Ms. Romina Lancellotti,

This correspondence serves as response to your email dated July 16, 2021, regarding additional information requested at the Cummins Sales and Service (CSS NA) branch located at 6350 NW 167th St, Miami Lakes, FL 33014 (facility).

Thank you,

Joseph T. Richardson
HSE Leader

Cummins Sales and Service North America
5515 Frontage Road
Forest Park, Georgia 30297

Cell: 470-215-9921
joseph.richardson@cummins.com

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Ms. Romina Lancellotti, Environmental Specialist II
Florida Environmental Protection Division, Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm, FL 33406

August 4, 2021

Dear Ms. Lancellotti,

This correspondence serves as response to your email dated July 16, 2021, regarding additional information requested at the Cummins Sales and Service (CSS NA) branch located at 6350 NW 167th St, Miami Lakes, FL 33014 (facility):

1. *Please explain what is the source/ generation of used oil transported by Cummins to the site/facility. Please include the equipment serviced and whether it is owned by Cummins or not.*

Response: The facility is a generator of used oil on- and off-site. The on-site generation comes from the service of engines and other vehicle related equipment. The off-site used oil is generated from servicing Cummins'-branded engines and generators at customer locations under an exclusive service agreement with Cummins. This used oil and used oil filters are brought back on-site. The used oil is transported in 55-gallon drums in service vans. Once the used oil is collected off-site it is transported back to the facility. The used oil is transferred to the used oil ASTs on-site. Refer to Attachment A for additional background regarding Cummins' engine service work for customers.

2. *How much used oil is transported by Cummins annually?*

Response: The facility has several customers so the annual amount will vary. The Annual Report for reporting year 2020 is provided in Attachment B. It was submitted and received by Florida in February 2021 and includes the used oil and used oil filter amounts managed and transported.

3. *Please explain how Cummins tracks the quantity of used oil transported in a year. Please provide records, if any. Ideally, Cummins, as a registered used oil transporter, should implement Form 62-710.901(2) F.A.C. Per 62-710.510(1) F.A.C., "each registered person shall maintain records on DEP Form 62-710.901(2), "Used Oil and Used Oil Filter Record Keeping Form and Instructions.*

Response: The facility was tracking the amount of used oil that was being picked-up at the off-site locations. However, the form utilized did not include all the required information. Once the facility identified the discrepancy, they created a form that includes all the tracking requirements. Refer to Attachment C for the tracking form and information maintained related to used oil and used oil filters.



**Sales and
Service**

4. *Does Cummins in Miami Lakes (EPA FLR000233379) receives used oil from other Cummins sites?*

Response: The facility does not receive used oil from any other Cummins location.

5. *Please refer to pages 8, 9, 10, and 11 in Attachment A, in records submitted on 07/01/2021, and confirm if the unit of the last row (QTY) in table, when referring to used oil service, in is given in gallons.*

Response: The amounts are in gallons see the revised spreadsheet with the amounts and units in Attachment D.

6. *Please provide the last three consecutive shipment records (at the time of inspection) of used oil and used oil filters.*

Response: Refer to Attachment D for the bill of lading as requested.

Please advise CSS NA if there is additional information that is needed to close out the above action items.

Sincerely,

Joseph T. Richardson
HSE Leader
Cummins Sales and Service
5515 Frontage Road
Forest Park, GA 30297
Email: jl986@cummins.com
Phone: 470-215-9921



ATTACHMENT A
FDEP LETTER FEBRUARY 18, 2021



FOLEY & LARDNER LLP

ATTORNEYS AT LAW

106 EAST COLLEGE AVENUE, SUITE 900
TALLAHASSEE, FL 32301-7732
850.222.6100 TEL
850.561.6475 FAX
WWW.FOLEY.COM

WRITER'S DIRECT LINE
850.513.3360
jsteverson@foley.com

CLIENT/MATTER NUMBER
089934-0436

February 18, 2021

Via Certified and Electronic Mail

Tim Bahr, Division Director
Division of Waste Management
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399
Tim.Bahr@dep.state.fl.us

**Re: December 22, 2020 Return to Compliance Letter – Cummins Inc.
EPA ID # FLR000233452
Palm Beach County Facility**

Dear Mr. Bahr:

Thank you for the time that you, Jason Andreotta, and Glen Perrigan took to speak to representatives of Cummins Inc. ("Cummins") on February 1st. Following up on that meeting, this letter provides additional background on Cummins' service operations in Florida to document compliance with U.S. EPA and the State of Florida's used oil regulations.

Background on Cummins' Service Operations

Cummins is a global power leader that designs, manufactures, distributes and services diesel, natural gas, electric and hybrid powertrains and powertrain-related components including filtration, aftertreatment, turbochargers, fuel systems, controls systems, air handling systems, automated transmissions, electric power generation systems, batteries, electrified power systems, hydrogen generation and fuel cell products. Cummins is committed to sustainability and environmental compliance. Under the Cummins' Planet 2050 strategy, the company will create a circular lifecycle plan for every part; reduce waste by 25%; reuse and recycle plastics; and reduce water usage.

Cummins operates out of several locations in the State of Florida, including a facility in Palm Beach County, Florida. From that location, Cummins' technicians provide customer and operational support, including servicing to electric power generation systems located in the region, such as large

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stationary emergency generators and other gensets. Consistent with service contracts between customers and Cummins, Cummins' technicians change the oil in customer gensets, manage that oil consistent with the used oil regulations, and arrange for disposal or recycling by licensed third-party used oil vendors that separately test the used oil for halogen content before accepting delivery. Under these contracts, Cummins technicians are the only individuals authorized to add and drain oil from those gensets. Cummins' technicians only service Cummins' equipment: they do not collect other waste oil generated by customers or from other third parties. Finally, they visually monitor oil for signs of contamination, which could cause engine wear in the serviced equipment.

Discussion Points from the November 5, 2020 Inspection

As discussed on our February 1st call, Cummins' Palm Beach County location was inspected by Department personnel on November 5th. The inspection report from that visit identifies certain compliance items raised during the visit. The majority of these items were closed out on the date of the inspection or shortly thereafter, and on December 22nd, the Department issued a Return to Compliance letter to the facility. In support of that Return to Compliance letter, we provide additional information related to two specific items noted in the November 5, 2020 inspection report: specifically (1) why Cummins' vans do not require registration with U.S. DOT for transporting used oil; and (2) the process knowledge basis for Cummins' determination that used oil does not contain halogens.

40 C.F.R. Part 279 and 62-710.510, F.A.C. do not Require Placarding for Cummins' Vans

The November 5, 2020 inspection report includes the following statement related to U.S. DOT placarding:

No Department of Transportation (DOT) number was observed posted on the vehicles. Per 40 C.F.R. § 279.43(b) vehicles used for used oil transportation shall comply with the DOT requirements by demonstrating placards and carrying documentation, such as, UOT notification, liability insurance and contingency plan in the vehicle. The facility was requested to provide corrective action pictures of the vehicles with DOT numbers posted and with the compliant documentation.

Because of the type of used oil and volume being transported, this requirement does not apply. 40 C.F.R. § 279.43(b), incorporated by reference at 62-710.510, F.A.C., states that transporters of used oil are required to comply with the applicable requirements of the HMR. But the HMR does not require placarding or DOT registration for all vehicles transporting used oil. 49 C.F.R. § 173.150(f)(2) provides that placarding and labeling requirements do not apply to non-hazardous combustible liquids with a flash point above 140° Fahrenheit when transported in non-bulk packaging. The service vans at Cummins' Palm Beach County location do not have the

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capacity to carry bulk volumes of used oil, and consistent with § 173.150(f)(2), U.S. DOT registration is not required for those vans. We have attached a U.S. DOT interpretive letter clarifying this point.

Cummins Relies on Process Knowledge to Meet the Rebuttable Presumption Under 40 C.F.R. § 279.44

The November 5, 2020 inspection report also includes the following regarding the need for halogen screening to meet the rebuttable presumption:

Rebuttable Presumption Records – No records from the total halogen screening tests conducted were available for review at the time of inspection. Per 40 CFR 279.44(d), halogen testing records shall be kept onsite for at least three years. The facility was requested to provide documentation of the procedure and tests.

We agree that under 40 C.F.R. § 279.44(a), transporters must determine whether the total halogen content of used oil being transported or stored at a transfer facility is above or below 1,000 ppm. However, halogen testing is one of two options authorized by the regulation to make this demonstration. 40 C.F.R. § 279.44(b)(2) also authorizes a transporter to apply “knowledge of the halogen content of the used oil in light of the materials or processes used” to make this determination. As noted in *U.S. EPA’s Guidance and Summary of Information Regarding the RCRA Used Oil Rebuttable Presumption* (Mar. 2005), evidence sufficient to address the rebuttable presumption may include “a sufficiently detailed description of the process generating the used oil in order to eliminate listed hazardous wastes by knowledge”. *Id.* at 6.

As explained above, Cummins’ service technicians manage motor oil addition and removal for customer gensets under service contracts. The technicians’ track the amount of oil added to the units, as well as the amount drained from them, and so are able to determine if a third party added some volume of oil to a given unit between service visits. In addition, the technicians also troubleshoot operational issues with those units, and have the operational knowledge required to identify the potential for damage that would result from using motor oil contaminated with halogens. Cummins’ technicians only take waste oil directly from gensets: they do not separately collect used oil generated from other non-Cummins units at customer facilities. Finally, Cummins does not directly recycle or otherwise dispose of the collected used oil. Instead, all used oil is disposed of by a third-party contractor that performs its own halogen sampling before accepting the material.

Given that the used oil service is performed by technicians under service contracts and that separate halogen testing is conducted for all oil at the time it is transferred by Cummins to third-party used oil recyclers, Cummins complies with the requirements for the rebuttable presumption through reliance upon process knowledge, consistent with 40 C.F.R. § 279.44 and applicable federal guidance.



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Conclusion

We hope that this additional information is helpful in clarifying the robustness of Cummins' compliance programs and our ongoing efforts to handle used oil in compliance with state and federal regulations. We have appreciated the constructive dialog with you and your colleagues and would like to continue that dialog to work on ensuring compliance for all of our operations. Please let me know if we can provide anything further regarding this facility or any others in the State of Florida.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jon Steverson', with a long horizontal line extending to the right.

Jon Steverson

cc: Ernie Smith (w/enc)
Natalie Stucky, Esq. (w/enc)



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

SEP 5 2001

Mr. Edward D. Caracino
On Site Scheduled Maintenance Coordinator
Southworth-Milton, Inc.
100 Quarry Drive
Milford, MA 01757-1729

Reference No.: 01-0196

Dear Mr. Caracino:

This is in response to your July 24, 2001 letter regarding the classification and proper shipping name for "waste oil" under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

You state that your company transports a product that is classified as "waste oil" by the Massachusetts Department of Environmental Protection but is not subject to the regulations of the U.S. Environmental Protection Agency. Specifically, you ask what the proper shipping name is for "waste petroleum" that has a flash point between 141 °F and 200 °F, or has a flash point of 201 °F or higher. In a phone conversation with a member of my staff, you stated that the "waste oil" is being transported in a bulk packaging.

Under § 173.120(b)(1), a combustible liquid is defined as a material that has a flash point above 60.5 °C (141 °F) and below 93 °C (200 °F) that does not meet the definition of any other hazard class under the HMR. A combustible liquid that is not a hazardous waste, hazardous substance or a marine pollutant and is in a non-bulk package is not subject to the HMR. A combustible liquid in a bulk packaging is subject to the HMR. A material with a flash point of 93 °C (200 °F) or higher that does not meet the definition of any other hazard class and is not a hazardous waste, hazardous substance or a marine pollutant is not subject to the HMR.

Under the HMR, a waste that is subject to the Uniform Hazardous Waste Manifest (UHWM) requirements of the U.S. Environmental Protection Agency specified in 40 CFR part 262 is regulated for purposes of transportation as a "hazardous waste." A waste that does not require completion of a UHWM is not considered a "hazardous waste" for purposes of the HMR and is not subject to the requirements of the HMR unless it meets the definition of a hazardous material under the HMR. Thus, a State regulated waste that does not require completion of a UHWM and is not a hazardous material as defined in the HMR is not subject to the regulations under the HMR. Such a material may be described using a description such as "Waste oil" or "State regulated oil waste." This description on the shipping document may not include a hazard class or identification number specified in the § 172.101 Hazardous Materials Table (see § 172.202(e)).



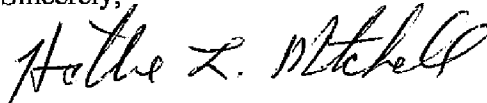
010196

172.101

A combustible liquid in a bulk packaging is subject to the requirements in the HMR (see § 173.150(f)(3)) and may be described on the shipping paper as "Combustible liquid, n.o.s., NA1993, III." The technical name for the hazardous material must be entered in parentheses in association with the basic description. A notation such as "State regulated oil waste" may be shown in item 15 of the waste manifest.

I hope you find this information helpful. If we can be of further assistance, please contact us.

Sincerely,

A handwritten signature in cursive script, reading "Hattie L. Mitchell". The signature is written in dark ink and is positioned above the printed name.

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



**Southworth-
Milton, Inc.**



July 24, 2001

Main Store:
100 Quarry Drive
Milford, MA 01757-1729
(508) 634-3400

14 Kendrick Road
Rte 28
Wareham, MA 02571-1079
(508) 291-1200

79 Robertson Boulevard
Brewer, ME 04412-2246
(207) 989-1890

16 Pleasant Hill Road
Mail: P.O. Box 960
Scarborough, ME 04070-0960
(207) 883-9586

Exit 6, Interstate 89
Hopkinton, NH 03229
Mail: 554 Maple Street
Hopkinton, NH 03229-3343
(603) 746-4611

Exit 7, Interstate 89
Route 103
Warner, NH 03278
Mail: 554 Maple Street
Hopkinton, NH 03229-3343
(603) 746-4671

90 Harts Lane
Albany, NY 12204-2489
(518) 465-5255

2158 Plainfield Pike
Commerce Park West #10
Cranston, RI 02920-2921
(401) 946-6350

Route #2 One Cat Lane
Richmond, VT 05477-9802
(802) 434-4228

U.S. Dept of Transportation DHM-10
400 7th St. Southwest.
Washington, DC 20590

Corbin
§ 172.101
Proper Shipping Name
01-0196

Dear Mr. Mazullo,

We at Southworth-Milton, Inc. provide heavy equipment sales and service in all of Massachusetts. A by-product of some of the services we provide is waste oil. Massachusetts Dept. of Environmental Protection has classified waste oil as a hazardous waste even though the Federal EPA does not.

To comply with state regulations we have obtained a hazardous waste transporter's license and complete a state hazardous waste manifest for the waste oil we transport. One section of the manifest asks for a US DOT description of the material being transported. In an effort to comply I have checked with the Massachusetts DEP on the correct description and they differed the question to the DOT. I inquired with other licensed transporters and facilities only to find numerous descriptions.

After doing some research of my own the key element appears to be flash point. So my questions are: What is the proper US DOT description for waste petroleum with a flash point between 141 and 200 degrees Fahrenheit? What is the proper US DOT description for waste petroleum with a flash point 201 Fahrenheit degrees and above?

I am requesting a written response to these questions to keep in our files should the description on the manifest ever be in question. I appreciate your taking time to respond to this letter and thank you for your assistance.

Sincerely,

Edward D. Caracino

On Site Scheduled Maintenance Coordinator



COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS MATERIALS
One Winter Street
Boston, Massachusetts 02108

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator US EPA ID No.	Manifest Document No.	2. Page 1 of	Information in the shaded areas is not required by Federal law.	
3. Generator's Name and Mailing Address						
4. Generator's Phone ()		6. US EPA ID Number				
5. Transporter 1 Company Name		8. US EPA ID Number				
7. Transporter 2 Company Name		10. US EPA ID Number				
9. Designated Facility Name and Site Address						
11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)		12. Containers No.	13. Total Quantity	14. Unit Wt/Vol	Waste No.	
a. See reverse side						
b.						
c.						
d.						
Additional Descriptions for Materials Listed Above (include physical state and hazard code)		K. Handling Codes for Wastes Listed Above				
15. Special Handling Instructions and Additional Information						
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.						
Printed/Typed Name		Signature		Date Month Day Year		
17. Transporter 1 Acknowledgement of Receipt of Materials		Signature		Date Month Day Year		
18. Transporter 2 Acknowledgement of Receipt of Materials		Signature		Date Month Day Year		
19. Discrepancy Indication Space						
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.						
Printed/Typed Name		Signature		Date Month Day Year		

In case of emergency or spill, immediately call the National Response Center (800) 424-8802.

GENERATOR

TRANSPORTER

FACILITY

MA M37760 COPY 1: FACILITY MALES TO DESTINATION STATE



ATTACHMENT B
MIAMI LAKES ANNUAL REPORT



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mail Station 4560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

DEP Form #62-710.901(3)
Form Title Annual Report by Used
Oil and Used Oil Filter Handlers
Effective Date 12/2019
Incorporated in Rule 62-710.510(5)

Annual Report by Used Oil and Used Oil Filter Handlers*

(*Used Oil handlers are any person(s) subject to the registration requirements of rule 62-710.500 and 62-710.850, F.A.C. See Section A, Box 8 below.)

For the reporting period January 1, _____ through December 31, _____

Use the information recorded in your **Record Keeping Form [62-710.901(2)]** or equivalent to complete this document.

SECTION A TO BE COMPLETED BY ALL REGISTERED PERSONS

1. Company Name: _____ 2. Site Address: _____

3. Telephone No: _____ ☐ Check box if any of the above items (1-3) have changed since your last registration.

4. EPA ID No. _____ 5. Name of person preparing report (please print) _____

6. Title: _____ 7. Phone number (if different from #3, above) _____

8. Type of operation (**check all that apply**): 9. Email Address: _____

Used Oil: ☐ Transporter ☐ Transfer Facility ☐ Collection Center/Aggregation Point ☐ Processor

☐ Marketer: ☐ On Spec ☐ Off Spec

☐ Burner (off-specification used oil): ☐ Industrial Furnace ☐ Industrial Boiler ☐ Utility Boiler ☐ Heater

Used Oil Filter: ☐ Transporter ☐ Transfer Facility ☐ Processor ☐ End User

SECTION B USED OIL (TO BE COMPLETED BY ALL REGISTERED USED OIL HANDLERS). SEE DIRECTIONS BELOW

1. Amount (in gallons) of Used Oil and Oily Wastes collected (type code)

a. In Florida

b. From out of State

c. Beginning Inventory

d. **Total** (sum of totals from Lines a + b + c)

Automotive	Industrial	Mixed	Total

2. Amount (in gallons) of Used Oil and Oily Wastes managed (end use code)

N - Transferred to another facility (not an end use).....

O - Marketed as an on-specification used oil fuel.....

F - Marketed as an off-specification used oil fuel.....

I - Marketed for an industrial process.....

B - Burned as an off-specification used oil fuel.....

D - Disposed of: Landfilled.....

Treated at a wastewater treatment unit.....

Incinerated

3. **Total** amount (in gallons) of Used Oil managed

4. **End of year**, on hand estimate (difference between Line 1d and Line 3)

In State	Out of State

DIRECTIONS FOR SECTION B

- Enter the amount of Used Oil or Oily Waste collected in gallons for type code: Automotive, Industrial, and Mixed.
 - In State
 - from Out of State
 - Beginning Inventory from last year's ending amount
 - Enter the total sum of lines a + b + c
- Enter the amount of used oil managed by your facility by end use code (N, O, F, I, B, and D).
- Enter total amount in gallons of Used Oil managed.
- Enter the end-of-year on hand amount (difference between Line 1d and Line 3).

SECTION C USED OIL FILTERS (USE TABLE BELOW FOR CONVERSIONS)	In State	Out of State
1. Number of filters on hand from previous year		
2. Number of used oil filters collected		
3. Total number of used oil filters to manage (Line 1 plus Line 2)		
4. Disposition of used oil filters collected:		
a. Transferred to another registered facility		
b. Burned for energy recovery at a Waste-To-Energy facility		
c. Transferred directly to a metal foundry for recycling		
d. TOTAL		
5. End of year, on hand estimate (Line 3 minus Line 4d)		
6. Gallons of used oil collected as a result of filter processing		
7. Gallons of used oil transferred to a used oil handler (transporter or processor)		
8. Volume of oily waste collected and managed as a result of filter processing <input type="checkbox"/> gallons <input type="checkbox"/> cubic yards.....		
9. Description of oily waste management		

DIRECTIONS FOR SECTION C

Conversion Table

One 55-gallon drum of crushed used oil filters = approximately 400 used oil filters
One 55- gallon drum of uncrushed used oil filters = approximately 250 used oil filters
One ton of drained used oil filters = approximately 2,350 used oil filters

- Enter the number of Used Oil Filters on hand, from previous year's inventory.
- Enter the number of Used Oil Filters collected.
- Enter the sum of Line 1 + Line 2.
- Enter the number of filters managed by your facility in blocks 4a-c. Enter the sum of 4a-c in block 4d.
- Enter the number of filters on hand at your site as of December 31, last year.
- Fill in the number of gallons of used oil collected by your filter operation.
- Enter the number of gallons transferred to a used oil transporter or processor.
- List the volume (gallons or cubic yards) of the oily wastes collected through your filter handling. Oily wastes are identified in Florida Administrative Code Rule 62-710.201(1), and include wastewaters, filter residues or sludges, tank bottoms, sorbents, wipes, etc.
- Describe how oily wastes were managed (sent to a WTE, hazardous waste facility, landfilled after appropriate testing, etc.).

For assistance with this form, please contact the Used Oil Coordinator at 850-245-8707.

Proof of Delivery

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number

1Z6Y00511304831443

Weight

1.00 LBS

Service

UPS Next Day Air Saver®

Shipped / Billed On

02/25/2021

Delivered On

02/26/2021 11:15 A.M.

Delivered To

TALLAHASSEE, FL, US

Received By

SECURTY

Left At

Front Desk

Thank you for giving us this opportunity to serve you. Details are only available for shipments delivered within the last 120 days. Please print for your records if you require this information after 120 days.

Sincerely,

UPS

Tracking results provided by UPS: 03/01/2021 12:31 P.M. EST

From: [Joseph T. Richardson](#)
To: [Ivy Miller](#)
Cc: [Nicole Johnson](#)
Subject: FW: Correspondence Receipt Acknowledgement
Date: Monday, March 1, 2021 7:04:06 PM

From: no-reply@dep.state.fl.us <no-reply@dep.state.fl.us>
Sent: Friday, February 26, 2021 4:38 PM
To: Joseph T. Richardson <joseph.richardson@cummins.com>; Southern HSE Team <SouthernHSETeam@cummins.com>
Subject: Correspondence Receipt Acknowledgement

EXTERNAL SENDER: This email originated outside of Cummins. Do not click links or open attachments unless you verify the sender and know the content is safe.

**FLORIDA DEPARTMENT OF
Environmental
Protection**

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Noah Valenstein
Secretary

Dear Customer,

This message is to acknowledge the February 26, 2021 receipt of your correspondence regarding:

CUMMINS LLC - FLR000233379

CHAZ Document Type: Registered Used Oil Handler (RUOH)

Please do not confuse this email as an approval - it is only acknowledgement that we received your correspondence. However, we wanted you to know that your correspondence has been assigned tracking ID number: [68100](#). As a service to you, this link allows you to review the status of your correspondence throughout the review process. This site is updated several times daily. To view, simply click on the tracking ID link above to open your record. If no status is currently available, it may take up to four hours until the next posting. Please check back.

In the interim, if you have any questions about the review and processing status of your correspondence, please contact us by e-mail at epost_HWreg@dep.state.fl.us or by phone at 850-245-8707. Please include the tracking ID above as reference to any questions you may have.

There are a number of web resources available to help you comply with regulations and implement best management practices.

1. The Hazardous Waste Regulation Section home page and additional compliance assistance help in your geographic area can be found here:

- <https://floridadep.gov/waste/permitting-compliance-assistance/content/hazardous-waste-management-main-page>
- <https://floridadep.gov/waste/permitting-compliance-assistance/documents/permitting-and-compliance-assistance-program>

2. Florida's Handbook for Small Quantity Generators of Hazardous Waste, A Summary of Hazardous Waste Regulations and other hazardous waste, universal waste and used oil publications can be found here:

- <https://floridadep.gov/waste/permitting-compliance-assistance/content/hazardous-waste-publications>

EPA ID Notification Coordinator
Hazardous Waste Regulation Section

Sincerely,
Your Waste Management Support Team



ATTACHMENT C
TRACKING FORM



USED OIL TRANSPORT RECORD

DATE OF
SHIPMENT:

TRANSPORTER
PHONE:

TRANSPORTER/
DESTINATION
BRANCH:

CUSTOMER
NAME:

ADDRESS:

PHONE:

CONTACT:

QUANTITY OF USED OIL
BEING SHIPPED (IN
GALLONS):

QUANTITY OF USED OIL
FILTERS (EACH):

TRANSPORTER
SIGNATURE:

GENERATOR
SIGNATURE:

* IN CASE OF EMERGENCY ON A PUBLIC ROADWAY, CALL 9-1-1

* IN THE EVENT OF A SPILL, CALL HERITAGE CRYSTAL CLEAN (877-938-7948) OR CLEAN HARBORS (800-645-8265)

* FEDERAL REGULATION REQUIRES EACH REGISTERED PERSON TO MAINTAIN RECORDS ON EITHER THIS OR A SUBSTANTIALLY EQUIVALENT FORM WHICH CONTAINS THE SAME INFORMATION. THIS INFORMATION MUST BE KEPT ON-SITE FOR THREE (3) YEARS AND BE AVAILABLE DURING NORMAL BUSINESS HOURS.

* HALOGEN CONTENT DETERMINED BASED ON CUMMINS' ENGINE SERVICE AND PROCESS KNOWLEDGE, AND CONFIRMATION TESTING BY HERITAGE CRYSTAL CLEAN (or other transporter noted)

* FLORIDA - TYPE CODE: (A)-AUTOMOTIVE (I) INDUSTRIAL

* FLORIDA - END USE CODE: (N)-SHIPMENT TRANSFERRED TO ANOTHER FACILITY FOR STORAGE OR PROCESSING (NOT END USE)



ATTACHMENT D
BILL OF LADING

GEN#	NAME	ADDRESS	CITY	ST	ZIP	SVC DATE	INV#	WO#	PROD#	DESCRIPTION	SVC INT	QTY	Gallons
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	1/4/2018	14932019	00-00AL0LG	1084A	55G USED OIL FILTER PICK-UP		1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	1/10/2018	14932018	00-00AL0H6	306	USED OIL SERVICE		234	234
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	1/17/2018	14947570	00-00AMB7H	1084A	55G USED OIL FILTER PICK-UP		1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	1/30/2018	14967704	00-00ANBD3	1084A	55G USED OIL FILTER PICK-UP		1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	2/1/2018	14966053	00-00AN8HY	306	USED OIL SERVICE		491	491
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	2/9/2018	14983860	00-0096805	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	2/14/2018	14983859	00-00APSWA	306	USED OIL SERVICE		170	170
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	3/1/2018	15014487	00-00AMRM9	1084A	55G USED OIL FILTER PICK-UP	4 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	3/7/2018	15016743	00-00AT9G9	306	USED OIL SERVICE		202	202
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	3/27/2018	15046341	00-00AWT3S	306	USED OIL SERVICE		208	208
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	4/5/2018	15061192	00-00AXWH7	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	4/5/2018	15061193	00-00AXWHA	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	4/17/2018	15078444	00-00B0HL1	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	4/17/2018	15078445	00-00B0GLD	306	USED OIL SERVICE		170	170
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	4/27/2018	15095760	00-00B1NLW	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	5/10/2018	15114615	00-00B3GJA	306	USED OIL SERVICE		218	218
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	5/22/2018	15132307	00-00B5B2V	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	6/1/2018	15147220	00-00B6D6R	306	USED OIL SERVICE		208	208
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	6/20/2018	15177030	00-00B95H1	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	6/21/2018	15179427	00-00B97A0	306	USED OIL SERVICE		202	202
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	7/3/2018	15197289	00-00BB0MA	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	7/6/2018	15201844	00-00BB5D1	306	USED OIL SERVICE		135	135
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	7/16/2018	15215863	00-00BCS90	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	7/27/2018	15235637	00-00BE3RV	1084A	55G USED OIL FILTER PICK-UP	4 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	7/30/2018	15237935	00-00BENCV	306	USED OIL SERVICE		393	393
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	8/13/2018	15260626	00-00BHN0N	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	8/14/2018	15262937	00-00BHREY	306	USED OIL SERVICE		145	145
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	8/21/2018	15273817	00-00BJRSR	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	9/6/2018	15299102	00-00BLSR5	306	USED OIL SERVICE		239	239
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	9/10/2018	15303631	00-00BMJMO	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	9/25/2018	15328033	00-00BPKY7	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	9/27/2018	15332714	00-00BPS7K	306	USED OIL SERVICE		270	270
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	10/4/2018	15344315	00-00BRTWW	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	10/15/2018	15359525	00-00BTJ5E	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	10/18/2018	15366397	00-00BTSXT	306	USED OIL SERVICE		390	390
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	10/29/2018	15381665	00-00BWJ52	1084A	55G USED OIL FILTER PICK-UP	4 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	11/8/2018	15399942	00-00BXSVS	306	USED OIL SERVICE		410	410
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	11/9/2018	15402163	00-00BXX5V	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	11/19/2018	15415699	00-00C0JTD	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	11/28/2018	15427936	00-00C1L0T	306	USED OIL SERVICE		200	200
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	12/17/2018	15457807	00-00C4ET9	1084A	55G USED OIL FILTER PICK-UP	4 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	12/18/2018	15460188	00-00C4JNA	306	USED OIL SERVICE		305	305
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	1/8/2019	15486660	00-00C7BWM	306	USED OIL SERVICE		135	135
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	1/23/2019	15511365	00-00C9H78	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	2/1/2019	15526375	00-00CARSV	306	USED OIL SERVICE		230	230

GEN#	NAME	ADDRESS	CITY	ST	ZIP	SVC DATE	INV#	WO#	PROD#	DESCRIPTION	SVC INT	QTY	Gallons
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	2/5/2019	15530573	00-00CBHPT	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	2/18/2019	15550856	00-00CDHXG	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	2/22/2019	15560274	00-00CDXT8	306	USED OIL SERVICE		310	310
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	2/27/2019	15567505	00-00CETXY	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	3/13/2019	15590174	00-00CJ05T	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	4/4/2019	15626315	00-00CM7AK	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	4/26/2019	15663418	00-00CRGSS	1084A	55G USED OIL FILTER PICK-UP	4 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	5/8/2019	15681876	00-00CTDMT	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	5/10/2019	15686606	00-00CTKPJ	306	USED OIL SERVICE		460	460
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	5/15/2019	15693981	00-00CVH0D	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	5/29/2019	15715005	00-00CXGVW	1084A	55G USED OIL FILTER PICK-UP	4 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	6/6/2019	15729358	00-00CYMGS	306	USED OIL SERVICE		525	525
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	6/10/2019	15733899	00-00D0EPX	1084A	55G USED OIL FILTER PICK-UP	4 Week	3	165
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	6/19/2019	15750527	00-00D1PCJ	1084A	55G USED OIL FILTER PICK-UP	4 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	6/20/2019	15752779	00-00D1T0H	306	USED OIL SERVICE		325	325
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	7/2/2019	15771023	00-00D3RMH	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	7/18/2019	15797082	00-00D60A0	306	USED OIL SERVICE		325	325
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	7/25/2019	15808384	00-00D71TC	1084A	55G USED OIL FILTER PICK-UP	4 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	8/5/2019	15824318	00-00D8WAM	1084A	55G USED OIL FILTER PICK-UP	4 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	8/14/2019	15841001	00-00DA3PK	306	USED OIL SERVICE		475	475
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	8/27/2019	15861131	00-00DC5C8	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	9/12/2019	15888010	00-00DEEJX	306	USED OIL SERVICE		355	355
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	10/3/2019	15923277	00-00DJNJJ	1084A	55G USED OIL FILTER PICK-UP	4 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	10/23/2019	15955437	00-00DMX0N	1084A	55G USED OIL FILTER PICK-UP	4 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	10/23/2019	15955436	00-00DMW9B	306	USED OIL SERVICE		475	475
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	11/25/2019	16009257	00-00DV3CW	306	USED OIL SERVICE	8 Week	695	695
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	43836	16069042	00-00E26GE	306	USED OIL SERVICE	8 Week	525	525
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	43843	16080755	00-00E3AG5	1054A	55G USED OIL	12 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	43852	16097863	00-00E4M3Y	306	USED OIL SERVICE	8 Week	325	325
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	43865	16118788	00-00E6MSH	306	USED OIL SERVICE	8 Week	240	240
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	43887	16156598	00-00EA489	306	USED OIL SERVICE	8 Week	450	450
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	43901	16179951	00-00EC8K3	1054A	55G USED OIL	12 Week	2	110
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	43901	16179950	00-00ECA5Y	306	USED OIL SERVICE	8 Week	115	115
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	44082	16435472	00-00G911W	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55
225614	CUMMINS	6350 167TH ST NW	MIAMI LAKES	FL	33014	44172	16569752	00-00GPMTV	1084A	55G USED OIL FILTER PICK-UP	4 Week	1	55

HERITAGE - CRYSTAL CLEAN

WORK ORDER #: 00-00HHHYD
CUSTOMER ID: 210329
SERVICE REQUEST ID: 271988



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EMERGENCY #: 800-424-9300
DATE: May 10, 2021 12:13:30
CRYSTAL CLEAN REPRESENTATIVE: DONOVAN SANCHEZ

CUSTOMER/SHIPPER	DESTINATION
CUMMINS 6350 167TH ST NW MIAMI LAKES, FL 33014 CONTACT NAME: ERIC FLECHET (305)824-4601 GEN.STATUS:VSQG FEDERAL EPA ID #: FLR000233379 STATE EPA ID #: COMMENTS:	1300 NE 48TH STREET POMPANO BEACH , FL 33064 PHONE NUMBER: 877-938-7948 CARRIER: HERITAGE-CRYSTAL CLEAN, LLC EPA ID #: ILR000130062 PHONE NUMBER: (847)836-5670

BILL OF LADING

	CONTAINER	CNT	TOTAL UNITS
NON-DOT/RCRA REGULATED, (DRAINED USED OIL FILTERS),	DM (55G)	1	50 GAL

SUMMARY OF CHARGES

PRODUCT	DESCRIPTION	QTY	PRICE	TOTAL	INTERVAL	CONTAINER	CNT	WS_NBR
184A	55G EMPTY OIL FILTER CONTAIN	1	26.00	26.00	4 Week		1	
	Interval: 4 Week							
1084A	55G USED OIL FILTER PICK-UP	1	0.00	0.00	4 Week	DM (55G)	1	10-3
	Interval: 4 Week							
PAYMENTS : \$0.00								
CHARGES : \$26.00								
TAX : \$1.82								

This is to certify that the above-named materials are properly classified, described, packaged, marked, and labeled and are in proper condition or transport according to the applicable regulations of the Department of Transportation, as required. I also certify that neither hazardous waste, nor PCB's have been mixed with the used oil/or parts cleaner solvent (if applicable).

Customer also hereby verifies that the above services were performed and that said services and the charges therefore are hereby accepted. Customer also hereby reaffirms the accuracy and completeness of all information contained in this work order and all documentation previously submitted to HCC. This work order is deemed part of the service agreement between Heritage-Crystal Clean, LLC and the certifications contained therein concerning the materials to be handled and the services to be provided are incorporated herein by reference and deemed part hereof and said certifications are deemed remade for the services covered by this work order.

HERITAGE - CRYSTAL CLEAN

WORK ORDER #: 00-00HHYD
CUSTOMER ID: 210329
SERVICE REQUEST ID: 271988



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CUSTOMER SIGNATURE

JKH
Kevin

HERITAGE - CRYSTAL CLEAN

WORK ORDER #: 00-00HJWMB
CUSTOMER ID: 210329
SERVICE REQUEST ID: 271988



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EMERGENCY #: 800-424-9300
DATE: May 20, 2021 9:40:40
CRYSTAL CLEAN REPRESENTATIVE: MICHAEL SOTO

CUSTOMER/SHIPPER CUMMINS 6350 167TH ST NW MIAMI LAKES, FL 33014 CONTACT NAME: ERIC FLECHET (305)824-4601 GEN.STATUS:VSQG FEDERAL EPA ID #: FLR000233379 STATE EPA ID #: COMMENTS:	DESTINATION 1300 NE 48TH STREET POMPANO BEACH , FL 33064 PHONE NUMBER: 877-938-7948 CARRIER: HERITAGE-CRYSTAL CLEAN, LLC EPA ID #: ILR000130062 PHONE NUMBER: (847)836-5670
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BILL OF LADING

NON-DOT REGULATED USED OIL/OILY WATER,	375	gallons
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SUMMARY OF CHARGES

PRODUCT	DESCRIPTION	QTY	PRICE	TOTAL	INTERVAL	CONTAINER	CNT	WS_NBR
306	USED OIL SERVICE <i>Interval: 8 Week</i>	375	0.47	176.25	8 Week <i>Next Service Date: 7/8/2022 (UPDATED)</i>		375	10-54
304	USED ANTIFREEZE <i>Interval: 6 Week</i>	120	0.00	0.00	6 Week <i>Next Service Date: 7/8/2022 (UPDATED)</i>		120	
310	TRIP FEE - USED OIL SERVICE <i>Interval: One Time</i>	1	0.00	0.00	One Time		1	
316	BS&W <i>Interval: One Time</i>	15	0.00	0.00	One Time		15	10-54
PAYMENTS : \$176.25								
CHARGES : \$0.00								
TAX : \$0.00								

HALOGEN SNIFFER TEST

Did this service pass the Halogen Sniffer test? : (Y)

This is to certify that the above-named materials are properly classified, described, packaged, marked, and labeled and are in proper condition for transport according to the applicable regulations of the Department of Transportation, as required. I also certify that neither hazardous waste, nor PCB's have been mixed with the used oil/or parts cleaner solvent (if applicable).

Customer also hereby verifies that the above services were performed and that said services and the charges therefore are hereby accepted. Customer also hereby reaffirms the accuracy and completeness of all information contained in this work order and all documentation previously submitted to HCC. This work order is deemed part of the service agreement between Heritage-Crystal Clean, LLC and the certifications contained therein.

HERITAGE - CRYSTAL CLEAN

WORK ORDER #: 00-00HJWMB
CUSTOMER ID: 210329
SERVICE REQUEST ID: 271988



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concerning the materials to be handled and the services to be provided are incorporated herein by reference and deemed part hereof and said certifications are deemed remade for the services covered by this work order. All paid-for used oil is net of any deductions for water, sediment or other non-oil elements in your waste stream.

CUSTOMER SIGNATURE

A handwritten signature in black ink, consisting of several fluid, overlapping strokes.

HERITAGE - CRYSTAL CLEAN

WORK ORDER #: 00-00HKNVW
CUSTOMER ID: 210329
SERVICE REQUEST ID: 271988



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EMERGENCY #: 800-424-9300
DATE: May 24, 2021 9:26:49
CRYSTAL CLEAN REPRESENTATIVE: DONOVAN SANCHEZ

CUSTOMER/SHIPPER	DESTINATION
CUMMINS 6350 167TH ST NW MIAMI LAKES, FL 33014 CONTACT NAME: ERIC FLECHET (305)824-4601 GEN.STATUS:VSQG FEDERAL EPA ID #: FLR000233379 STATE EPA ID #: COMMENTS:	1300 NE 48TH STREET POMPANO BEACH , FL 33064 PHONE NUMBER: 877-938-7948 CARRIER: HERITAGE-CRYSTAL CLEAN, LLC EPA ID #: ILR000130062 PHONE NUMBER: (847)836-5670

BILL OF LADING

	CONTAINER	CNT	TOTAL UNITS
NON-DOT/RCRA REGULATED, (DRAINED USED OIL FILTERS),	DM (55G)	5	250 GAL

SUMMARY OF CHARGES

PRODUCT	DESCRIPTION	QTY	PRICE	TOTAL	INTERVAL	CONTAINER	CNT	WS_NBR
184A	55G EMPTY OIL FILTER CONTAIN	2	26.00	52.00	4 Week		2	
	Interval: 4 Week							
1084A	55G USED OIL FILTER PICK-UP	5	0.00	0.00	4 Week	DM (55G)	5	10-3
	Interval: 4 Week							
PAYMENTS : \$0.00								
CHARGES : \$52.00								
TAX : \$3.64								

This is to certify that the above-named materials are properly classified, described, packaged, marked, and labeled and are in proper condition for transport according to the applicable regulations of the Department of Transportation, as required. I also certify that neither hazardous waste, nor PCB's have been mixed with the used oil/or parts cleaner solvent (if applicable).

Customer also hereby verifies that the above services were performed and that said services and the charges therefore are hereby accepted. Customer also hereby reaffirms the accuracy and completeness of all information contained in this work order and all documentation previously submitted to HCC. This work order is deemed part of the service agreement between Heritage-Crystal Clean, LLC and the certifications contained therein concerning the materials to be handled and the services to be provided are incorporated herein by reference and deemed part hereof and said certifications are deemed remade for the services covered by this work order.

HERITAGE - CRYSTAL CLEAN

WORK ORDER # : 00-00HKNVW
CUSTOMER ID : 210329
SERVICE REQUEST ID : 271988



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CUSTOMER SIGNATURE

A handwritten signature in black ink, appearing to be "nd" or similar, written in a cursive style.

HERITAGE - CRYSTAL CLEAN

WORK ORDER #: 00-00HP2D7
CUSTOMER ID: 210329
SERVICE REQUEST ID: 271988



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EMERGENCY #: 800-424-9300
DATE: June 15, 2021 11:1:57
CRYSTAL CLEAN REPRESENTATIVE: MICHAEL SOTO

CUSTOMER/SHIPPER CUMMINS 6350 167TH ST NW MIAMI LAKES, FL 33014 CONTACT NAME: ERIC FLECHET (305)824-4601 GEN.STATUS:VSQG FEDERAL EPA ID #: FLR000233379 STATE EPA ID #: COMMENTS:	DESTINATION 1300 NE 48TH STREET POMPANO BEACH, FL 33064 PHONE NUMBER: 877-938-7948 CARRIER: HERITAGE-CRYSTAL CLEAN, LLC EPA ID #: ILR000130062 PHONE NUMBER: (847)836-5670
--	--

BILL OF LADING

NON-DOT REGULATED USED OIL/OILY WATER,	375	gallons
--	-----	---------

SUMMARY OF CHARGES

PRODUCT	DESCRIPTION	QTY	PRICE	TOTAL	INTERVAL	CONTAINER	CNT	WS_NBR
306	USED OIL SERVICE <i>Interval: 8 Week</i>	375	0.57	213.75	8 Week		375	10-54
					<i>Next Service Date: 7/8/2022 (UPDATED)</i>			
304	USED ANTIFREEZE <i>Interval: 6 Week</i>	110	0.00	0.00	6 Week		110	
					<i>Next Service Date: 7/8/2022 (UPDATED)</i>			
310	TRIP FEE - USED OIL SERVICE <i>Interval: One Time</i>	1	0.00	0.00	One Time		1	
316	BS&W <i>Interval: One Time</i>	15	0.00	0.00	One Time		15	10-54
PAYMENTS : \$213.75								
CHARGES : \$0.00								
TAX : \$0.00								

HALOGEN SNIFFER TEST Did this service pass the Halogen Sniffer test? : (Y)
--

This is to certify that the above-named materials are properly classified, described, packaged, marked, and labeled and are in proper condition for transport according to the applicable regulations of the Department of Transportation, as required. I also certify that neither hazardous waste, nor PCB's have been mixed with the used oil/or parts cleaner solvent (if applicable).

Customer also hereby verifies that the above services were performed and that said services and the charges therefore are hereby accepted. Customer also hereby reaffirms the accuracy and completeness of all information contained in this work order and all documentation previously submitted to HCC. This work order is deemed part of the service agreement between Heritage-Crystal Clean, LLC and the certifications contained therein.

HERITAGE - CRYSTAL CLEAN

WORK ORDER #: 00-00HP2D7
CUSTOMER ID: 210329
SERVICE REQUEST ID: 271988



Page 2 of 2

concerning the materials to be handled and the services to be provided are incorporated herein by reference and deemed part hereof and said certifications are deemed remade for the services covered by this work order. All paid-for used oil is net of any deductions for water, sediment or other non-oil elements in your waste stream.

CUSTOMER SIGNATURE

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

February 24, 2021

Jon Steverson, Attorney at Law
Foley & Lardner, LLP
106 East College Avenue, Suite 900
Tallahassee, Florida 32301-7732
jsteverson@foley.com

Re: December 22, 2020 Return to Compliance Letter – Cummins Inc. EPA ID #
FLR000233452 Palm Beach County Facility

Dear Mr. Steverson:

Thank you for your letter providing additional background and supporting documentation on Cummins' service operations in Florida and specifically addressing the two regulatory discussion points made in our February 1, 2021 call.

Discussion point 1 - *40 CFR, Part 279 and 62-710.510, F.A.C. do not require placarding for Cummins' Vans.* The Department has reviewed the supporting documentation provided in your letter and concurs that Cummins' service vans are not subject to the applicable DOT placarding and registration requirements due to the nature and low volume of used oil transported. Please be advised that, transporters should ensure that all containers are labeled with the words "Used Oil" in accordance with Chapter 62-710, F.A.C., and 40 CFR 279.

Discussion point 2 - *Cummins' relies on process knowledge to meet the rebuttable presumption under 40 CFR, 279.44.* The Department has reviewed and concurs with the documentation provided to support the claim that used oil generated from gensets by Cummins' service technicians meets the rebuttable presumption under 279.44. Please be advised that as a registered Used Oil Transporter, all Cummins facilities are required to keep the applicable records as described in Chapter 62-710, F.A.C., and 40 CFR 279.

The Department appreciates the offer for continued constructive discussion and is always available to work on compliance questions you may have at this facility or other facilities in Florida.

Jon Steverson
February 24, 2021
Page 2

If you have any further questions or clarifications, please contact me at Tim.Bahr@floridadep.gov or 850-245-8790.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Bahr". The signature is stylized with a large, looped "T" and a cursive "Bahr".

Tim Bahr, Director
Division of Waste Management

cc: John Truitt, Deputy Secretary, Regulatory
Jason Andreotta, Director, Southeast District Office
Ernie Smith, Cummins
Natalie Stucky, Esq., Cummins

From: [Irwin, Alannah](#)
To: [Steverson, Jon](#); [Tomasi, Pete](#)
Cc: [Lancellotti, Romina](#)
Subject: RE: Cummins Follow Up
Date: Thursday, October 14, 2021 4:41:25 PM

Hi Jon,

Not a problem. We can grant an extension until Monday, November 15, 2021. The case is currently on Day 121 (i.e., 121 days since the inspection) and we are hoping to return the facility to compliance by Day 180 (December 12, 2021). Please let us know if you need anything else and thank you again.

Sincerely,



Alannah Irwin
Environmental Manager
Compliance Assurance Program
Air, Waste, and Underground Injection Control
Florida Department of Environmental Protection
Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, Florida 33406
Alannah.Irwin@floridadep.gov
Office: 561-681-6626

From: Steverson, Jon <jsteverson@foley.com>
Sent: Thursday, October 14, 2021 3:32 PM
To: Irwin, Alannah <Alannah.Irwin@FloridaDEP.gov>; Tomasi, Pete <ptomasi@foley.com>
Cc: Lancellotti, Romina <Romina.Lancellotti@FloridaDEP.gov>
Subject: RE: Cummins Follow Up

EXTERNAL MESSAGE

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Alannah, Thank you for reaching out. I had another conversation with Deputy Secretary Truitt regarding Cummins today. We would greatly appreciate some additional time for the updated forms as we work to resolve this matter. Thank you for your consideration.

From: Irwin, Alannah <Alannah.Irwin@FloridaDEP.gov>
Sent: Thursday, October 14, 2021 3:26 PM
To: Tomasi, Pete <ptomasi@foley.com>; Steverson, Jon <jsteverson@foley.com>
Cc: Lancellotti, Romina <Romina.Lancellotti@FloridaDEP.gov>
Subject: RE: Cummins Follow Up

**** EXTERNAL EMAIL MESSAGE ****

Good afternoon, Pete,

I just wanted to follow up on this below communication regarding the pending corrective actions at Cummins. We made a note that the Department would be providing copies of the updates forms and inspection logs within 45 days of the below email, which would be today's date (10/14/2021). Please let us know if additional time is needed to resolve the noncompliance issues to return the facility to compliance.

Please let us know if you need anything else. Thank you!

Regards,



Alannah Irwin
Environmental Manager
Compliance Assurance Program
Air, Waste, and Underground Injection Control
Florida Department of Environmental Protection
Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, Florida 33406
Alannah.Irwin@floridadep.gov
Office: 561-681-6626

From: Tomasi, Pete <ptomasi@foley.com>

Sent: Monday, August 30, 2021 4:56 PM

To: Irwin, Alannah <Alannah.Irwin@FloridaDEP.gov>; Steverson, Jon <jsteverson@foley.com>

Cc: Lancellotti, Romina <Romina.Lancellotti@FloridaDEP.gov>

Subject: RE: Cummins Follow Up

Dear Alannah,

Thank you for taking the time to speak with representatives of Cummins, LLC regarding used oil matters, and thank you for your note today. As we have discussed, Cummins is working to build an electronic recordkeeping system to minimize paper recordkeeping, enhance auditability, and to facilitate greater visibility on sustainability efforts.

1. Describe what has been done to resolve the non-compliance issue or provide a schedule describing how/when the issue will be addressed (see pages 4 and 6 for "Recommendations of Corrective Actions").

Cummins has developed and shared with FDEP an electronic form that includes the information required by 62 FAC 710.510. We will be working with our transporters to add disposal codes to that form, as well as creating a spreadsheet to document the dates of shipments on and off of our facilities, and the volume present at any one time. T

2. Describe what steps have been taken to prevent, to the extent practicable, a recurrence of

the non-compliance.

In addition to the enhanced recordkeeping procedures noted above, Cummins has registered its service locations as used oil transporters, and is submitting annual reports as a transporter.

3. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid.

We will provide copies of the updated spreadsheets and forms within 45 days of this email.

Please let us know if we can provide any other information.

Best Regards,

Pete

Peter A. Tomasi

FOLEY & LARDNER LLP

777 E. Wisconsin Avenue

Suite 3800

Milwaukee, WI 53202-5306

Office: +1 414-297-5621

Mobile: +1 414-232-8911

Email: ptomasi@foley.com

www.foley.com

From: Irwin, Alannah <Alannah.Irwin@FloridaDEP.gov>

Sent: Monday, August 30, 2021 3:40 PM

To: Tomasi, Pete <ptomasi@foley.com>; Steverson, Jon <jsteverson@foley.com>

Subject: RE: Cummins Follow Up

**** EXTERNAL EMAIL MESSAGE ****

Good afternoon, Pete and Jon,

Hope you all are doing well. I just wanted to follow up with our conversation from last week regarding the Compliance Assistance Offer Letter for Cummins. I know we spoke about getting a response to the Southeast District that outlines the plan the facility has to implement the corrective actions pertaining to the 62-710.510, F.A.C. recordkeeping requirements. My calendar indicates that the response is due today; however, if additional time is needed, please let me know so Romina and I can coordinate accordingly.

I will be out of the office tomorrow (8/31) through Thursday (9/2); however, I will be available via email if you need me. Please let me know if you need anything else. Thank you again for your understanding and cooperation in this matter.

Sincerely,



Alannah Irwin
Environmental Manager
Compliance Assurance Program
Air, Waste, and Underground Injection Control
Florida Department of Environmental Protection
Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, Florida 33406
Alannah.Irwin@floridadep.gov
Office: 561-681-6626

From: Irwin, Alannah

Sent: Wednesday, August 11, 2021 5:24 PM

To: ptomasi@foley.com

Cc: jsteverson@foley.com; Andreotta, Jason <Jason.Andreotta@FloridaDEP.gov>; Davila, Sirena <Sirena.Davila@FloridaDEP.gov>; Perrigan, Glen <Glen.Perrigan@FloridaDEP.gov>

Subject: Cummins Follow Up

Good afternoon, Peter,

My name is Alannah Irwin and I am the Environmental Manager for the Hazardous Waste Compliance Assurance Program here in the Southeast District. I was provided your information from my District Director, Jason Andreotta, to follow up regarding the Cummins recordkeeping requirements. I would like to set up some time next week to discuss the recordkeeping in a little more detail and the experiences we have had out in the field with Cummins facilities to date. My calendar is a little booked, but I have some availability on Monday, 8/16 and in the afternoons on Thursday, 8/19 and Friday, 8/20. Please let me know which of these days works best for you and I can accommodate accordingly.

Jason has asked me to provide you with some information regarding the experiences out in the field when conducting Cummins site inspections. When my inspector was on-site on June 15, 2021, she was initially only shown recycling records and they were very reluctant to provide used oil and used oil filter records that were requested. Additionally, when my inspector requested records for the Miami Lakes facility on June 15th, she was told that the Department was "not allowed to cite them for recordkeeping issues" due to ongoing conversations at the corporate level. I just wanted to share this experience because, in both inspections conducted by the District, there has been reluctance and apprehension to cooperate and provide the records. I have provided the response letter received on July 1, 2021 from Cummins corporate in Georgia.

When my inspector was provided records, she was given a copy of an Excel spreadsheet that

describes the services or work orders from the site. In this spreadsheet, my inspector was informed that the description "Used Oil Service" was used to identify work orders or services where Cummins representatives when to clients to pick up used oil from customers. In some of these work orders, there were quantities well above the 55-gallon threshold, making it difficult for the inspectors to interpret compliance with the state regulations. I have attached a screenshot for your reference. The Department would like to better understand this spreadsheet to identify how much used oil is being transported across public highways by Cummins annually. I would like to discuss this when we meet next week.

Regarding the inspection from June 15th: SED will be issuing a Compliance Assistance Offer (CAO) Letter that will provide the facility with additional time to correct the recordkeeping issues cited in the report. The letter will request a response within 15 days to either resolve the issue or demonstrate that a plan has been set in place to resolve the noncompliance. This letter will not initiate any enforcement action.

Please feel free to call me at the below phone number if you need additional information. I do look forward to meeting with you. Have a great rest of your week!

Sincerely,



Alannah Irwin
Environmental Manager
Compliance Assurance Program
Air, Waste, and Underground Injection Control
Florida Department of Environmental Protection
Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, Florida 33406
Alannah.Irwin@floridadep.gov
Office: 561-681-6626

[Redacted]

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From: [Andreotta, Jason](#)
To: [Steverson, Jon](#)
Cc: [Bahr, Tim](#)
Subject: RE: Cummins Miami Cintas Records
Date: Thursday, July 29, 2021 3:54:10 PM
Attachments: [Cummins Letter.pdf](#)

Jon- I just got your message. Before we talk Cummins Miami Cintas, it's probably best we revisit the discussions from earlier this year with DWM. This is my understanding of where we landed...

-

UOT Placards

Cummins service vans are not subject to the applicable DOT placarding and registration requirements due to the nature and low volume of used oil transported. Transporters should ensure that all containers are labeled with the words "Used Oil" in accordance with Chapter 62-710, F.A.C., and 40 CFR 279.

Used Oil Transporter (UOT) Record keeping

The state UOT record keeping rule is more stringent than the federal UOT record keeping rule in that the state rule does not have an exception for self-transporters. Instead, the state rule requires that "each registered person" shall keep the records therein.

Cummins is registered as a used oil transporter and is therefore required to keep records pursuant to 62-710.510, F.A.C. (i.e. name/address of the used oil generator, the total number of gallons received from each source, the type of used oil received, date of receipt, destination, etc.). Cummins is not required to certify annually, but they are required at a minimum to keep the records. They must use either the DEP form or equivalent.

As a generator of used oil, Cummins can transport no greater than 55 gallons at any time, and no more than 500 gallons of used oil annually, without requiring registration/certification as a used oil transporter.

Rebuttable presumption

Used oil generated from gensets by Cummins' service technicians meets the rebuttable presumption under 279.44. Please be advised that as a registered Used Oil Transporter, all Cummins facilities are required to keep the applicable records as described in Chapter 62-710, F.A.C., and 40 CFR 279.

Please let me know if this summary is accurate and if not, let's talk about the next steps.

Jason

From: Steverson, Jon <jsteverson@foley.com>
Sent: Tuesday, July 20, 2021 5:46 AM
To: Andreotta, Jason <Jason.Andreotta@FloridaDEP.gov>
Subject: Cummins Miami Cintas Records

Jason, Good to speak with you yesterday. Below, you should find the email request we discussed. Cummins takes all DEP requests very seriously and would like to have some additional time to sort out the answers to all of Ms. Lancelotti's questions. Is it possible to get another 15 days to

respond? Thank you for your consideration.

From: Lancellotti, Romina <Romina.Lancellotti@FloridaDEP.gov>

Sent: Friday, July 16, 2021 5:25 PM

To: Joseph T. Richardson <joseph.richardson@cummins.com>

Cc: Nicole Johnson <nicole.m.johnson@cummins.com>

Subject: RE: Cummins Miami Cintas Records

EXTERNAL SENDER: This email originated outside of Cummins. Do not click links or open attachments unless you verify the sender and know the content is safe.

Good afternoon Mr. Richardson,

The Department appreciates you for timely submitting documentation on 07/01/2021 and 07/09/2021. The Department has thoroughly reviewed them and is completing the inspection report. For the purpose of clarifying some information and including accurate information in the report, could you please provide some additional information?

1. Please explain what is the source/generation of used oil transported by Cummins to the site/facility. Please include the equipment serviced and whether it is owned by Cummins or not.
2. How much used oil is transported by Cummins annually?
3. Please explain how Cummins tracks the quantity of used oil transported in a year. Please provide records, if any. Ideally, Cummins, as a registered used oil transporter, should implement Form 62-710.901(2) F.A.C. Per 62-710.510(1) F.A.C., *"each registered person shall maintain records on DEP Form 62-710.901(2), "Used Oil and Used Oil Filter Record Keeping Form and Instructions."*
4. Does Cummins in Miami Lakes (EPA FLR000233379) receives used oil from other Cummins sites?
5. Please refer to pages 8, 9, 10, and 11 in Attachment A, in records submitted on 07/01/2021, and confirm if the unit of the last row (QTY) in table, when referring to used oil service, in is given in gallons.
6. Please provide the last three consecutive shipment records (at the time of inspection) of used oil and used oil filters.

If you have any questions or concerns, please do not hesitate to contact me. I would greatly appreciate if you can provide this information by 07/21/2021.

Kind regards,

Romina Lancellotti
Environmental Specialist II
Florida Department of Environmental Protection
Southeast District – West Palm Beach
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406



Romina.Lancellotti@floridadep.gov
Office: 561.681.6624

From: Lancellotti, Romina
Sent: Friday, July 9, 2021 10:58 AM
To: Joseph T. Richardson <joseph.richardson@cummins.com>
Cc: Nicole Johnson <nicole.m.johnson@cummins.com>
Subject: RE: Cummins Miami Cintas Records

Received. Thank you.



Romina Lancellotti
Environmental Specialist II
Florida Department of Environmental Protection
Southeast District – West Palm Beach
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
Romina.Lancellotti@floridadep.gov
Office: 561.681.6624

From: Joseph T. Richardson <joseph.richardson@cummins.com>
Sent: Friday, July 9, 2021 10:57 AM
To: Lancellotti, Romina <Romina.Lancellotti@FloridaDEP.gov>
Cc: Nicole Johnson <nicole.m.johnson@cummins.com>
Subject: FW: Cummins Miami Cintas Records

Good morning Ms. Lancellotti,

Please see the email and attachment sent 7/6/2021.

Thank you,

Joseph T. Richardson
HSE Leader

Cummins Sales and Service North America
5515 Frontage Road
Forest Park, Georgia 30297

Cell: 470-215-9921
joseph.richardson@cummins.com

From: Joseph T. Richardson
Sent: Tuesday, July 6, 2021 2:05 PM
To: Romina.Lancellotti@floridadep.gov
Subject: Cummins Miami Cintas Records

Good afternoon Ms. Lancellotti,

Attached are the records received from Cintas for our rag laundering service. The shop towels delivered and used shop towels (oily rags) are coded 2160.

Thank you,

Joseph T. Richardson
HSE Leader

Cummins Sales and Service North America
5515 Frontage Road
Forest Park, Georgia 30297

Cell: 470-215-9921
joseph.richardson@cummins.com

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