



Florida Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

January 13, 2009

Pete Andreason
FPL Fort Myers Emergency
1833 Lee Street
Fort Myers, Florida 33901



RE: Lee County - HW
FLD000807370
FPL Fort Myers Emergency
2425 Thompson Street
Fort Myers, Florida 33901

Dear Mr. Andreason:

A hazardous waste compliance evaluation inspection was conducted at your facility on December 4, 2008. A copy of the inspection report is enclosed for your records. This inspection was conducted under the authority of Section 403.091, Florida Statutes and Chapter 403, Part IV, Florida Statutes, and is designed to ascertain compliance status with 40 CFR 260-271 and 279 adopted in Florida Administrative Code (F.A.C.) Chapter 62-730, F.A.C. Chapter 62-710, and Chapter 376 Florida Statutes.

The enclosed report will detail any possible violation(s) or areas of concern. An *Explanation* section for the issues will be included under each violation or area of concern followed by a recommended *Corrective Actions* section. The report also contains a *Summary of Potential Violations and Areas of Concern*.

Please respond to the Department within thirty (30) days, documenting all corrective actions you have taken to address the possible violation(s) cited in the *Pending Potential Violations and Areas of Concern* along with the items listed in the *Comments* section of the inspection report. Failure to address these issues may result in future violations of Department regulations and may subject the facility to enforcement action.

If you have any questions, please feel free to call Narrisa Pannell or Karen Bayly at (239) 332-6975, extension 161 and 151 respectively, or write to the letterhead address. Your cooperation in this matter is appreciated.

Sincerely,

Charles Emery III
Environmental Administrator

Enclosure
CE/NP/rcd



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: FPL - Ft Myers Emergency

On-Site Inspection Start Date: 12/04/2008

On-Site Inspection End Date: 12/04/2008

ME ID#: 52574

EPA ID#: FLD000807370

Facility Street Address: 2425 Thompson St, Fort Myers, Florida 33901-3045

Contact Mailing Address: 1833 Lee Street, Fort Myers, Florida 33901

County Name: Lee

Contact Phone: (239) 332-9121

NOTIFIED AS:

CESQG (<100 kg/month)

Used Oil

CURRENT STATUS:

CESQG (<100 kg/month)

Used Oil

Used Oil Transfer Facility

INSPECTION TYPE:

Pre-Arranged Inspection for Used Oil Transfer Facility

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

INSPECTION PARTICIPANTS:

Principal Inspector: Narrisa Pannell, Environmental Specialist II

Other Participants: Bob Stewart, Environmental Specialist III; Pete Andreason, Area Environmental Coordinator

LATITUDE / LONGITUDE: Lat 26° 38' 30.8212" / Long 81° 51' 54.7139"

SIC CODE:

TYPE OF OWNERSHIP: Private

Introduction:

A hazardous waste compliance evaluation inspection was conducted at this facility on December 4, 2008. The inspection was pre-arranged. A file review indicated that the facility had been inspected by Hazardous Waste personnel on 8/31/05. In addition, a review of COMHAZ (Compliance and Enforcement Tracking System for the Hazardous Waste Program) indicated that is currently listed as a used oil transfer facility.

Process Description:

The facility owns the property. The facility is connected to city water and sewer. The facility has 50 employees. Ryder Truck disposes of solid waste for the facility at the Okeechobee Landfill.

Each sub-station has an Oil Shed similar to the one located at the FPL - Ft. Myers Emergency facility. Transformers are brought to each sub-station, placed in the Oil Shed to be tested and drained of mineral oil. Damaged transformers are shipped to Miami (ERC) for repairs.

The floor of the Oil Sheds are grated in order to allow the used mineral oil to drain to the base of the shed (see photographs 2 and 3). Used mineral oil is pumped directly out of the Oil Shed base by transfer truck.

The used mineral oil is collected by the single transfer truck. Each sub-station receives a regular scheduled visit for the purpose of collecting used mineral oil. The driver uses a Chlor-n-oil Test to test the halogen levels of the used mineral oil. In the event that the halogen level is higher than 1,000 ppm, a sample of the used mineral oil is drawn and sent to the test lab in West Palm Beach. The facility maintains the results of all halogen tests on file for a minimum of three years. The

Inspection Date: 12/04/2008

facility maintains training records for the driver of the transfer truck at the facility.

The used mineral oil is pumped out of the full transfer truck into a labeled 6,000 gallon double-walled above ground storage tank (AST) located at the FPL - Fort Myers Emergency facility. The registration placard number for the AST is 306569. The placard was issued on 06/19/08 and expires on 06/30/09. Atlantic Industrial Service disposes of the used mineral oil.

Atlantic Industrial Service

10/14/08 3,112 gal used mineral oil Low PCB (halogen level less than 1,000 ppm)
08/13/08 3,900 gal used mineral oil Low PCB (halogen level less than 1,000 ppm)
08/04/08 4,979 gal used mineral oil Low PCB (halogen level less than 1,000 ppm)
06/10/08 5,008 gal used mineral oil Low PCB (halogen level less than 1,000 ppm)
04/15/08 4,797 gal used mineral oil Low PCB (FP < 200 F)
04/03/08 4,687 gal used mineral oil Low PCB (halogen level less than 1,000 ppm)
01/07/08 5,000 gal used mineral oil Low PCB (FP < 200 F)

The facility maintains records on file for a minimum of three years of each used mineral oil shipment accepted for transport. The records include the name, address, EPA identification number (if applicable), of the generator, transporter, or process/re-refiner who provided the used oil for transport along with the quantity of used oil accepted, date of acceptance, and are initialed by the driver. It was recommended during the inspection that the signature of the used mineral oil generator be included on the record along with the signature of the driver receiving the used mineral oil.

A spill containment supply cabinet was located to the right of the Oil Shed. The used oil absorbent booms are disposed with solid waste.

Recycle Area

The Recycle Area is north of the Environmental Office. Empty drums are stored in the Environmental Area. The majority of the empty drums were stored on their sides with the bungs parallel to the ground. The remaining empty drums were managed upside down to prevent the accumulation of rainwater. The empty drums are maintained on-site to manage any waste material in the event of a spill.

Recyclable material such as lead, pins, sky blue arrestors, porcelain arrestors, spent mercury containing devices (such as ballasts, HIDS, etc.), old photo cells, empty aerosol canisters, sodium vapor bulbs, scrap porcelain insulators, copper wire, and aluminum wire is managed in the Recycle Area in labeled containers. The facility had placed a start date on the drum containing the spent mercury containing devices. The drum was 3/4 full. The facility intended to add more spent mercury to the drum. It was explained during the inspection that a CESQG is not required to place a start date on drums. Ryder Trucks & Services disposes of the recyclable material. The facility did not have receipts for the recyclable material available for review during the inspection. The receipts for the recyclable material was provided to the Department after the inspection.

Truck Wash Area

The Truck Wash Area is located west of the Environmental Office. The facility uses ZEP Split-Ron to wash the vehicles. The ZEP detergent is a degreaser and contains a corrosive placard on the label. The detergent is routed through a second container to be diluted 50/1 with water. The diluted detergent is pumped into the hand pump sprayer. The diluted detergent is applied to the vehicles with the hand pump sprayer. A floor drain is located in the center of the Truck Wash. A used oil absorbent boom was observed surrounding the floor drain. Sludge removed from the floor drain is disposed with solid waste. The facility has had a sample of the sludge analyzed. The results indicated that the waste sludge was non-hazardous. The results of the analysis are maintained on file.

Waste water is discharged from the floor drain to a self contained holding tank system. The waste

Inspection Date: 12/04/2008

water is recycled in the holding tanks. The filters in the self contained holding tank system are changed every three months. The spent filters are disposed with solid waste. Faitella Enterprises services the self contained holding tank system.

Fleet Maintenance Shop

Cinta launders shop towels for the facility weekly. The shop towels are managed in closed, labeled containers.

Two parts washers were observed in the Fleet Maintenance Shop. The facility has a System One Parts Washer. Sediment generated in the System One Parts Washer is placed in the used oil for disposal. A sample of the sediment has been analyzed by Automotive Engineering in West Palm Beach. The results of the analysis are maintained on file. The results indicated that the sediment was non-hazardous. The second parts washer recycles the solvent. The facility has not disposed of any filters for the parts washer to date. The facility uses Dyna 143 Parts Cleaner Solvent in the parts washer which contains light aliphatic napa.

The facility has an used oil filter crusher. Crushed used oil filters are managed in closed, labeled 55-gallon drum inside the facility. The container managing the used oil filters was approximately 2/3 full. FCC Environmental disposes approximately 250 pounds of used oil filters every six months.

Used oil is managed in a labeled, 150-gallon single walled above ground storage tank (AST) inside the facility. Unlabeled containers used to store and/or transport used oil were observed on top of the used oil AST (see photograph 1). The facility was advised that any container regardless of size managing used oil must be labeled with the words "Used Oil". FCC Environmental disposes of approximately 227 gallons of used oil each month.

Waste lead acid batteries are managed inside the facility on a rack. Exide disposes of the waste lead acid batteries.

Maintenance Shop:

Maintenance Shop

POTENTIAL VIOLATIONS AND AREAS OF CONCERN WITH NO ASSIGNED AREA:

Pending Potential Violations and Areas of Concern:

Used Oil Generator Checklist

Type:	Violation
Rule:	279.22(c)
Question Number:	5.1.3
Explanation:	All containers managing used oil were not labeled with the words "Used Oil".
Corrective Action:	Please provide documentation to the Department that all containers managing used oil have been properly labeled.

Attachments:

Inspection Date: 12/04/2008

Photo 1



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

Rule Number	Area	Date Cited	Explanation
Used Oil Generator Checklist 279.22(c)		12/04/2008	All containers managing used oil were not labeled with the words "Used Oil".

Areas of Concern

No Areas of Concern

Inspection Date: 12/04/2008

COMMENTS:

12/18/2008

In addition to the corrective actions requested to be completed in the inspection report, the following information listed below is an attempt to help the facility to either prevent a future potential violation with the Department or other government agencies, or help the facility improve its overall operations while protecting the environment. Please provide any additional information requested below to the Department within thirty (30) days of receipt of the inspection report.

The facility has made excellent efforts to comply with the Used Oil Management Secondary Containment Requirements. All tanks and containers must have secondary containment (unless they are double-walled) that has the capacity to hold 110% of the volume of the largest tank or container within the containment area. The Department is willing to work with the facility and sub-stations to ensure that all the oil sheds are maintained in compliance. It is recommended that the facility install smaller containment units inside the existing units located in the base of the oil shed. As long as the existing unit is capable of holding 110% of the volume of the smaller containment units, they would meet the secondary containment requirements.

It is recommended that the existing containment units be sealed with an epoxy sealant.

It is recommended that the containment units in the oil sheds be checked for cracks and leaks after the containment units have been drained.

It is recommended that alarm systems be installed in the Oil Sheds to alert the facility and sub-stations of when the containment units are close to be full.

The facility should have the signature of the used mineral oil generator be included on the record along with the signature of the driver receiving the used mineral oil.

All drums, containers and storage tanks should be labeled with words identifying their contents and maintained closed when not actively adding/removing material. Specifically it is a good practice to label all product containers as well. Please be advised that containers or storage tanks may also be labeled by hand as simply with an oil-resistant grease pencil or spray paint.

Please provide documentation to the Department for the disposal of the solid waste, recyclable material and universal waste disposed by Ryder Trucks. The documentation should include the hauler's EPA identification number along with the final destination for the above mentioned waste.

ATTACHMENTS:

Inspection Date: 12/04/2008

Photo 2



Photo 3



Conclusion:

The following documentation is enclosed:

FDEP Used Oil Management Fact Sheets
Used Oil Stencil
FDEP CESQG Guide on Hazardous Waste Management
A Guide for Used Oil Transporter Training Programs

Inspection Date: 12/04/2008

Signed:

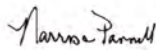
A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection 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. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Narrisa Pannell

PRINCIPAL INSPECTOR NAME

Environmental Specialist II

PRINCIPAL INSPECTOR TITLE**PRINCIPAL INSPECTOR SIGNATURE**

FDEP

ORGANIZATION

12/18/2008

DATE

Bob Stewart

INSPECTOR NAME

Environmental Specialist III

INSPECTOR TITLE

NO SIGNATURE

INSPECTOR SIGNATURE

FDEP

ORGANIZATION

Pete Andreason

REPRESENTATIVE NAME

Area Environmental Coordinator

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

FPL - Ft Myers Emergency

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 "Not Ok" or areas of concern.