Florida Department of

Environmental Protection

Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: FPL - Ft Myers Lee & Thompson Service Center

On-Site Inspection Start Date: 03/21/2013 **On-Site Inspection End Date:** 03/21/2013

ME ID#: 52574 **EPA ID#:** FLD000807370

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

Contact Mailing Address: 2455 Port West Blvd, Riviera Beach, Florida 33407-1214

County Name: Lee **Contact Phone:** (561) 845-4973

NOTIFIED AS:

CESQG (<100 kg/month)
Used Oil

INSPECTION TYPE:

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

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Used Oil Transfer Facility

INSPECTION PARTICIPANTS:

Principal Inspector:	Laura M. Comer, Environmental Specialist
Other Participants:	Pete Andreasen, Area Environmental Coordinator; Dave Sawin, Lead - Fleet Maintenance; Isiah Bryant, Subcontractor

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

SIC CODE: 4931 - Trans. & utilities - electric and other services combined

TYPE OF OWNERSHIP: Private

Introduction:

A hazardous waste compliance evaluation was conducted at this facility on March 21, 2013. A file review indicated that the facility had previously been inspected 8/31/2005 and 12/4/2008.

FPL owns the property which is connected to city sewer and water. The facility has approximately 70 employees.

The facility is registered as a used oil transporter and a used oil transfer facility. Fleet maintenance is also located at this facility and generates conditionally exempt small quantities of hazardous waste. A conditionally exempt small quantity generator (CESQG) generates less than 220 pounds of hazardous waste in a calendar month.

Process Description:

Several buildings on the property are used for parts storage, oil spill equipment storage, and offices. No wastes were noted to be stored in these buildings. Solid waste is picked up by the City of Fort Myers or hauled to Okochobee Landfill. Spent fluorescent lamps generated from the office buildings on-site are managed by Facilities Maintenance and would go to FPL's Gladiolus Service Center located at 15834 Winkler Road in Fort Myers (FLD000807651).

USED OIL TRANSPORTER/TRANSFER FACILITY

The facility is registered as a used oil transporter and a used oil transfer facility. The facility has a spill response plan and maintains employee training records. Training records for Isiah Bryant were reviewed and noted to include annual 8 hour Hazwopper refresher courses.

The facility transports its own used oil generated at its own non-contiguous operations to this central facility for storage prior to having the used oil picked up by a certified used oil transporter and is therefore not subject to the record keeping and reporting requirements of Rule 62-710.510, F.A.C., and is exempt from Rule 62-710.600, F.A.C. with the exception of financial responsibility requirements. A Certification of Financial Responsibility good from 5/1/12 to 4/30/13 was available for inspection.

FPL maintains and repairs aerial and pad mounted transformers located throughout their service area. The facility subcontracts with SWS Environmental Services to assist with oil spill response, management, and record keeping. Oil from transformers not clearly labeled "no PCBs" is tested on location using a Chlor-n-oil test to determine if PCBs are present. If the oil fails the Chlor-n-oil test a sample is collected and sent to FPL's Physical Distribution Center (PDC) for further analysis. The wastes associated with clean up of that transformer are brought back to this facility and stored in a yellow plastic containment pallet labeled "mineral oil pending analysis". The secondary containment pallet can contain 60 gallons. The container was empty, clean and in perfect condition at the time of this inspection. (See photos) Any oily debris or used mineral oil determined to contain >50ppm PCBs is tracked on an internal shipping paper and sent to the PDC which is located at 2455 Port West Blvd. in Riviera Beach. A review of recent shipping papers indicated 200# of PCB contaminated soil was shipped to the PDC on 7/20/2012.

Damaged transformers, oily debris (dirt, absorbents) and used mineral oil not containing PCBs are brought back to one of the FPL service centers and stored in a used oil shed (photos of the shed are included in the previous inspection report). The used oil shed at this location is constructed of metal and the seams are welded to ensure integrity. A grated containment area is built into the floor of the shed. Previous correspondence in Department files indicates that the shed is a double-walled, self-contained unit capable of holding 150% of the volume of oil in the largest transformer that may be placed into the shed. The outside of the shed is labeled "used oil only <50 ppm". At the time of the inspection one transformer labeled with a serial number and address was stored in the shed. Two closed 55-gallon drums containing used mineral oil were also stored in the shed and were noted to be unlabeled. The two drums were labeled with the words "used oil" during the inspection.

Non-PCB used mineral oil is collected from the on-site used oil shed and FPL service centers in Charlotte, Lee, and Collier counties using a single transfer truck. The truck was parked on-site at the time of the inspection. The driver logs the date of pick-up, quantity of used oil, and his signature on the 'transporter used oil acceptance log' next to the appropriate name, address and EPA ID# of the oil pickup location. The form has the addresses of the eight local service centers pre-filled out and blanks to write in other pick up locations such as actual transformer sites. (See sample log filed in Oculus.) When the truck is full it is pumped into a 6,000 gallon, double-walled, above ground storage tank at this location. The tank is labeled with the words "used mineral oil only". The tank is registered and a current placard was posted (TKS ID#8519172). The driver is supposed to enter on the log the date the truck was emptied along with the total amount of used oil transferred. The driver is also supposed to sign the log. Some of the logs were missing the date the truck was pumped and signature. Based on the acceptance dates and tank empty dates on the logs it appears that the truck containing used oil is often parked on-site for more than 24 hours. Comparing the dates of the logs with manifests for used oil it also appears the oil stored in the tank may have exceeded 35 days storage on at least one occasion. {A manifest indicates the tank was emptied 1/29/13. Acceptance log indicates 910 gallons was moved from the truck to the tank on 1/30/13 and the next manifest is dated 3/14/13 for a storage time of 43 days.}

Used mineral oil picked up from the facility is tracked using a uniform hazardous waste manifest. The 3/14/13 manifest indicates the transporter as 'Robbie D. Wood ALD067138891' with no address. The manifest lists the name and address of the designated facility (TCI of Alabama). An EPA ID# is not recorded for the designated facility. TCI is listed as a registered facility in our database (ALD071951628). The waste description is "used mineral oil, Non-hazardous. The generator's initial copy with the generator and transporters signature is kept on file at this facility.

Manifests for 2012-2013 were reviewed. The most recent manifests indicate the following

quantities were picked up.
3/14/13 - 4000 gallons used mineral oil (Robbie Wood and TCI)
1/29/13 - 5600 gallons used mineral oil
12/10/12 - 5000 gallons used mineral oil
10/15/12 - 4000 gallons used mineral oil (JAM Environmental and Four R Marketing)
7/17/12 - 2861 gallons used mineral oil
6/5/12 - 2097 gallons used mineral oil
4/24/12 - 2150 gallons used mineral oil
3/1/12 - 4018 gallons used mineral oil

RECYCLABLES AND UNIVERSAL WASTES
Recyclable materials and universal wastes are transported by Ryder Logistics (FLR000088377) to FPL's PDC in Riviera Beach. Internal shipping papers are used to document the transfer of materials. However, it was noted that the shipping papers had the incorrect FPL facility name and address for the shipping facility. The shipping name and address on the template forms was updated during the inspection. Recent shipping papers indicated the following special wastes were transported to the PDC:
3/13/13 240# asbestos containing arrestors (non-friable, bagged and taped)
70# lamps
9/16/12 100# aerosols (empty - from fleet maintenance)
8/22/12 45# batteries

Closed, labeled, 55-gallon drums stored on pallets are used to store wastes prior to shipping to the PDC. One drum each labeled aerosol cans, used photo cells, and lead pins and two drums labeled porcelain arrestors were observed at the time of the inspection. One drum labeled "Sodium Vapor Bulbs" and "Spent Mercury Containing Lamps for recycling" and dated "3-12-13" was also observed. Large open top metal containers are used to collect scrap metal, wire, plastic and salvaged streetlights. Each container is clearly labeled. (see photos)

Empty drums are stored on a rack on their sides. The drums are maintained on-site to use for managing waste materials in the event of a spill. Some of the drums were noted to be rusted and Mr. Andreason indicated they are planning to scrap the ones in poor condition. One empty drum with an open bung was noted to be standing upright next to the rack. Mr. Andreason was advised to close or store it on its side to prevent the accumulation of rain water.

TRUCK WASH
A truck wash bay is located on the south end of the fleet maintenance building. The bay has three walls and roof and a floor drain in the center of the bay. A sump on the west wall passes wastewater through to another room which houses the recirculating truck wash system. The facility uses ZEP Split-Ron to wash the vehicles. The detergent is diluted and applied to vehicles using a hand pump sprayer. Water from the recirculated system is applied with a hose. Sludge from the sump and floor drain and filters from the wastewater treatment system are managed as solid waste after drying out in drums along the walls of the facility. Wastewater is discharged directly to city sewer after passing through the sump and the wastewater treatment system. The system was just serviced by Faitella Enterprises on 3/11/13. However, a water leak was observed to be discharging water to the floor of the wastewater treatment room. A floor drain in this room discharges to city sewer. Mr. Sawin plans to look into the leak immediately.

The previous report indicated that waste sludge analysis was on file at the facility and indicated truck wash sludge was non-hazardous. The facility could not locate the information during this inspection and more recent data has not been collected as the process has not changed. The facility was advised that they must keep documentation of the waste determination available for inspection.

The following were observed along the south wall, inside of the truck wash bay; one open drum containing trash, a high walled secondary containment tub holding a closed 16-gallon product drum labeled 'ZEP Dyna Clean 143' solvent and a closed 55-gallon labeled product oil drum, a secondary containment tray holding two closed plastic 'ZEP Split-Ron' drums, a Rubbermaid cabinet storing hand pump sprayers, a secondary containment pallet with four empty metal drums covered

with a yellow plastic tarp. A secondary containment pallet with three closed partially full white plastic drums of Blue Thunder concentrated detergents and one closed blue plastic drum labeled "degreaser" was observed in the northwest corner of the bay. Mr. Sawin indicated these items were brought from another facility and he is awaiting additional information about the products and direction from corporate as to whether he can use them or will need to dispose of them. The following drums were noted along the inside north wall of the bay (see photo); one unlabeled, closed blue and white drum strapped to a pallet containing sludges from the recently maintained wastewater treatment system, one open top blue drum with drainage holes in the side observed to contain three corrugated filters from the wastewater treatment system, one open unlabeled blue drum with drainage holes lined with filter cloth and containing sludges removed from the floor drain and sump, one open top black drum labeled 'truck wash sludge' but containing trash, three open drums containing trash, and a bag of unused absorbent boom.

A Tennant floor washer is used to clean the fleet maintenance shop floors. Wastewater is put through the truck wash sump/wastewater treatment prior to discharge to sewer.

A cargo trailer on the southwest corner of the property was observed to contain recap tires and 5-gallon containers of product grease. A propane tank is used to heat the water for the truck wash system.

FLEET MAINTENANCE

This facility maintains a fleet of 300 cars and trucks for FPL. Work is performed inside a building with one wall open.

Rags are stored in a closed, metal rag bin labeled 'oily waste' and are laundered by Unifirst. Aerosol cans including paint and brake cleaner are stored in a metal cabinet labeled 'flammable'. The facility uses non-chlorinated products that have been reviewed and authorized by FPL for use. Bowman brake cleaner ingredients list was reviewed and F-listed solvents were not noted. Mr. Sawin indicated no liquid wastes are generated from the use of the aerosol products. Any waste would be on rags which are laundered. Empty aerosol cans are placed in the recycle drum and taken to PDC as noted above. A container of alcohol was also noted in the flammable cabinet and is used on a rag to wash rubber parts.

ZEP Dyna Clean 143 solvent containing light aliphatic naptha is used in a ZEP parts washer with side filter and sandbag filter. FPL tests the filters every few years for heavy metals and a review of the analysis results on file dated 7/20/2010 indicate they did not fail for metals. The facility does not allow halogenated solvent use at the facility and uses this product and process knowledge along with the heavy metals analysis to make a non-hazardous waste determination.

The facility has a System One parts washer on-site as well. Mr. Sawin said this parts washer has not been used for a couple of years. However, the unit still contains solvent and sediment. In the past sediment from this parts washer had been tested and determined to be non-hazardous waste. The sediment was disposed of with used oil. Mr. Sawin was advised that if the parts washer is unused then wastes from the unit should be disposed. As a CESQG, the facility can add the spent solvent to its used oil with permission from the hauler. Mr. Sawin plans to request approval and instruction from FPL PDC on management of this unit.

Storage Area - Inside South Wall of Shop (see photos)
A closed 55-gallon metal drum on rollers was labeled "oily dirt" and contained oily absorbent pads. Used absorbents are disposed of at the Okochobee Landfill. The facility has a used oil filter crusher which collects any released oil in a reservoir at the bottom labeled "oil". Crushed used oil filters are managed in a closed blue poly 55-gallon drum labeled 'used oil filters'. The side of the drum was stained with used oil and the floor had oily residue. A black square grated pan on wheels labeled "used oil" is used to collect used oil from vehicles. A red 250-gallon double walled tank labeled "used motor oil" and "used oil only" had a funnel in the bung which was in use to drain used oil filters. Absorbent material was placed on top of the drum to collect drippage. Two red square 55-gallon tanks labeled "antifreeze" were observed and Mr. Sawin indicated both tanks are unused. The facility has two on-site antifreeze recycle units that have not yet been used enough to generate

waste filters. FPL is now using a 5 year antifreeze product and making modifications to the vehicles to allow for connecting the on-site recycling units. The facility was advised that a waste determination will need to be made on spent filters from the units prior to disposal. Four new motor oil drums and a 240 gallon new oil tank are also stored in this area.

Used oil and filters from Fleet Maintenance are picked up by FCC Environmental. Receipts indicate the used oil is checked for halogens.
2/21/13 30 gallons used oil
2/12/13 180 gallons used oil
11/6/12 330 gallons used oil
7/24/12 250 pounds used oil filters
187 gallons used oil
5/7/12 258 gallons used oil
2/28/12 250 pounds used oil filters
2/1/12 201 gallons used oil
10/4/11 134 gallons used diesel

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	279.45(a)
Explanation:	Used oil transfer facilities are transportation related facilities including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than 24 hours during the normal course of transportation and not longer than 35 days. Transfer facilities that store used oil for more than 35 days are subject to regulation under subpart F of this part.
Corrective Action:	The facility must establish procedures to ensure used oil is not stored longer than 35 days OR must meet the requirements for a used oil processing facility.

Type:	Violation
Rule:	279.45(b)
Explanation:	Storage units. Owners or operators of used oil transfer facilities may not store used oil in units other than tanks, containers, or units subject to regulation under parts 264 or 265 of this chapter.
Corrective Action:	If the transfer truck containing used oil is parked at one location for more than 24 hours the location is a transfer facility AND the truck is subject to container regulations including secondary containment capable of holding 110% of the volume of the truck. Alternatively, the facility can establish procedures ensuring the truck is pumped out before parking the vehicle for more than 24 hours.

Type:	Violation
Rule:	279.45(g)(1)
Explanation:	Containers and aboveground tanks used to store used oil at transfer facilities must be labeled or marked clearly with the words "Used Oil."
Corrective Action:	This violation was previously noted during the 12/4/2008 inspection. Two drums of used mineral oil stored in the used oil <50 ppm shed were not labeled. The facility labeled both containers with the words "used oil" during

the inspection.

PHOTO ATTACHMENTS:

Containment for used oil with analysis pending (inside)

Storage for Used oil with analysis pending

Recyclable/Universal Waste storage - Used oil transfer truck

Universal Waste Storage - Used oil transfer truck in background

Containers inside north wall of truck wash bay

Truck Wash Bay

oily wastes, used oil filters, crusher, collection pan

Used oil Tank

antifreeze recyclers - empty 55-gallon tanks in back

Conclusion:

It is recommended the facility review used mineral oil acceptance log procedures with the drivers to ensure that the date the truck is emptied is noted and signed. The facility also needs to review procedures and documentation to ensure that used oil is not stored on-site for more than 35 days or the facility will need to be permitted as a used oil processing facility.

If the transfer truck (containing used oil) is parked in one place for more than 24 hours then the container storage requirements including secondary containment for the truck must be met. Alternatively, the facility can ensure that the truck is emptied before parking for more than 24 hours.

40 CFR279.46 (b) requires documentation for used oil delivered to another handler to include the name, address, EPA ID#, quantity, date, and signature of the receiving facility OR transporter. It is recommended FPL review the manifests prior to signing to make sure all required information is noted. For example the 3/14/13 manifest has partial information for the transporter and partial information for the designated facility.

Shipping papers reviewed during the inspection showed the incorrect facility name and address for the shipper. The facility should review shipping paper documents for accuracy before signing and sending out to the PDC.

The facility is required to make waste determinations on all wastes generated using product or process knowledge or analytical testing. Documentation including waste analysis, Material Safety Data Sheets or other product and process information used to make waste determinations must be kept available for inspection. Any changes in the process or products used should prompt a

review of the waste determination. The facility needs to keep the analytical results supporting the non-hazardous waste determination on truck wash sludges and filters available for inspection. The facility will also need to make a hazardous waste determination on antifreeze filters from the recycling unit when they are generated. If the drums of detergent and degreaser stored in the truck wash bay are determined to be unusable (waste) then a waste determination will need to be made and the materials disposed of appropriately.

The facility should ensure all product and waste containers are properly labeled as to their contents. (Sludge and trash containers in the truck wash were not correctly labeled).

It is advisable to leave enough aisle space in the waste storage area of the shop to inspect containers and detect releases. Drippage and spills (from used oil and filters) should be contained and cleaned up immediately to prevent injury from slips and falls as well as prevent releases from the facility.

If the facility is no longer using the System One parts washer than wastes from the unit should be managed. A conditionally exempt small quantity generator of hazardous waste may add spent fluids from the parts washer to their used oil for disposal, with written permission from the facility's used oil hauler. A copy of the written authorization must be retained at the facility. If written permission is not granted, the spent fluids must be kept in a closed and labeled container, disposed of properly, and disposal receipts will need to be acquired and retained for a minimum of three years.

The spill response plan was not reviewed during the inspection. The plan should address possible emergencies, equipment needs and availability, and describe training provided to prepare for handling such emergencies. Used oil transporters and transfer facilities are subject to all applicable Spill Prevention, Control and Countermeasures as noted in 40 CFR Part 112. Guidance on preparing a SPCC plan can be found at www.epa.gov/oem/docs/oil/spcc/guidance/SPCC_Guidance_fulltext.pdf.

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.

Laura M. Comer	Environmental Specialist
PRINCIPAL INSPECTOR NAME	**PRINCIPAL INSPECTOR TITLE**
	FDEP South
	ORGANIZATION

Supervisor: **Laura Comer**

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.