



April 25, 2013

Laura Comer
Environmental Specialist
Florida Department of Environmental Protection
South District
P.O. Box 2549
Fort Myers, FL 33902-2549

**RE: Compliance Assistance Offer
FPL Fort Myers Service Center
2425 Thompson Street, Fort Myers, Florida 33901
FLD000807370**

Dear Ms. Comer:

On behalf of Florida Power and Light Company (FPL), the purpose of this letter is to respond to the letter from Albert D. McLaurin of the Florida Department of Environmental Protection (FDEP) to Pete Andreasen, FPL, dated April 10, 2013, regarding the hazardous waste and used oil compliance evaluation inspection that you conducted at the FPL Fort Myers Service Center on March 21, 2013.

First, thank you for the thorough and informative inspection report. FPL is committed to environmental excellence and continuous improvement. Your inspection provided us with information that has enabled us to improve our used oil management process, and identified opportunities for targeted environmental awareness training.

Provided below is a summary of the actions we have taken to resolve the issues identified in the "New Potential Violations and Areas of Concern" section of the inspection report.

1. Issue - ensure used oil is not stored longer than 35 days:

Although procedures are in place to ship used oil within 35 days, an exception did occur as a result of human error. A contributing factor was an error using the Used Oil Tank log to calculate day 35. To prevent future errors, we developed a "35-day Calculator" (email Attachment A). In addition, we now require that a Compliance Tracker task (email Attachment B) be created when oil is first added to the Used Oil Tank (starting the 35-day clock). The Compliance Tracker will send email reminders to a predetermined list of people to help prevent a

compliance task from being inadvertently overlooked. If the task is not completed by a specified day (day 30, for example), additional Alerts will be sent as reminders.

2. Issue - 110 % secondary containment for tanker truck used to store used oil:

Immediate action was taken to install a temporary secondary containment at the site for the used oil tanker truck. This is a 5,000 gallon portable secondary containment that we had stored at another location. This is a temporary solution because the secondary containment is too long and creates a traffic flow problem within the yard (email Attachment C). A new portable secondary containment has been purchased and is expected to be in place on April 26, 2013. The capacity of the new secondary containment is 1,780 gallons, or more than 118% of the tanker truck's 1,500 gallon holding capacity.

3. Issue – two drums of used mineral oil stored in the <50 ppm used oil shed were not labeled:

As noted in the inspection report, action was taken during the inspection to properly label the two drums. We did, however, investigate to determine why the drums were placed in the shed without being properly labeled. We learned that when FPL's environmental contractor was putting used oil into the drums, both drums had small leaks ("weepers"). The contractor knows that leaking equipment and leaking drums are to be placed in secondary containment, so the contractor moved the drums into the oil shed. Unfortunately, due to the unusual circumstance of dealing with two leaking drums, the contractor forgot to label the drums. We met with our contractors to reiterate our expectations that containers be properly labeled before placing anything into the container. The contractor held a refresher class with their crews (email Attachment D). In addition, we reviewed our completed monthly self-inspection checklists for 2012 to see if there had been recurring issues with unlabeled containers. We did not find a single inspection in which an unlabeled container was observed.

FPL very much appreciates FDEP's recommendations and willingness to work with us to ensure FPL's operations remain in compliance. If you have any questions or need additional information, please call me at 561-904-3415.

Sincerely,



Loretta Cranmer
Distribution Environmental Manager

Attachments

Cc: Pete Andreasen, FPL

USED OIL 35 DAY CALCULATOR

1-Apr ← ENTER START DATE (This is the date you put oil in the tank)

DATES FOR COMPLIANCE TRACKER

Notification Date	2-Apr	Enter Day #2 with the Start Date counted as Day #1	← NOTE: This date <u>must</u> be at least one day later than the date the task is being entered into the Compliance Tracker
Yellow Alert	25-Apr	Enter Day #25 with the Start Date counted as Day #1	
Red Alert	1-May	Enter Day #31 with the Start Date counted as Day #1	
Schedule Date	1/1/2014	Enter this date (Note: year is 2014) OR the actual schedule date if it has been scheduled	
Deadline	5-May	Enter this date: this is Day #35 and is the hard deadline	

These cells are calculations - do not edit.

From: DL-PGDApps-Admin
Sent: Saturday, April 20, 2013 7:01 AM
To: Cranmer, Loretta
Subject: Daily Environmental Compliance Tracking Update

You are receiving this e-mail as part of the Compliance Tracking application. You have either been assigned responsibility for or have requested notification on the tasks in the table(s) below. Click on the attached links for the full information or to edit these items.





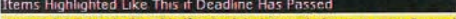
If you feel you should not be receiving a notification, **PLEASE DO NOT REPLY TO THIS MESSAGE**. You can either contact the other assignees on the notification or you can easily remove your name; just click on the link for the item and edit.

If you continue to have issues, please contact PGDApps_Admin@fol.com.

Please note that you may see duplicates of tasks if you are listed on more than one notification team. If the task is completed, all notifications in reference to that task will go away.

As of Saturday, April 20, 2013 7:00:00 AM, you have requested or been assigned the following outstanding environmental task(s):

Color Key






Red Alert Color: 
Yellow Alert Color: 
Assignee, Backup, Fee Color: 
Items Highlighted Like This if Deadline Has Passed 
Items Highlighted Like This if Scheduled Completion Date Has Passed 

Yellow Alert Task(s)

Assigned Task(s)

	Task Title	Scheduled Completion Date	Deadline Completion Date	Link To Task
	DSBN Environmental ETS			
	EXAMPLE - Complete Used Oil 35-Day Offsite Shipment - NOT YET SCHEDULED - Template	1/1/2014	5/23/2013	LINK

Color Key

Red Alert Color: 
Yellow Alert Color: 
Assignee, Backup, Fee Color: 
Items Highlighted Like This if Deadline Has Passed 
Items Highlighted Like This if Scheduled Completion Date Has Passed 

Power Generation -- Environmental Task Orders - Microsoft Internet Explorer provided by NextEra Energy for Company Use

http://powergeneration/content/plant_sites/pmttools2/envirotrach/edit.asp?unitgroupID=615&taskID=133531&savestatus=success

File Edit View Favorites Tools Help

NextEra Energy OrgCharts Power Generation -- E...

Make the changes you desire to the activity/task selected and click on **Save Changes** to commit your modifications to the database. Changes will only be saved if you click this button. If you have changed your mind or are finished editing, click on the **Return** button to exit edit mode.

Activity/Task

Assigned Site:	DSBN Environmental ETS		
Activity/Task Title:	EXAMPLE - Complete Used Oil 35-Day Offsite Shipment -		
Site Event:	Not Event Based		
Notification Date:	4/20/2013		
Yellow Alert Date:	5/13/2013		
Red Alert Date:	5/19/2013		
Scheduled Date:	5/17/2013		
Deadline Date:	5/23/2013		
Completion Date:			
Required Signatory (Primary):			
Required Signatory (Backup):			
Frequency:	Just This Once		
Required By:	Federal - EPA		
Document Reference:	40 CFR 279.45(a)		
Document Cite:			
Program or Media:	Media - Waste & Recycling		
Type of Activity:	Monitoring		
Procedure Link:			
Notes:	Used oil transfer facilities may not store oil onsite for longer than 35 days. Note: Use the USED OIL 35-DAY CLOCK to support task date entries.		

Save above changes before modifying your teams...

[Return](#) [Undo Changes](#) [Save Changes](#)

[Manage] Assigned To:	Pete Andreasen
[Manage] Backup Team:	Andrew Daugherty Jack Alexander
[Manage] Yellow Alert Recipients:	Loretta Cranmer
[Manage] Red Alert Recipients:	

Local intranet 100%

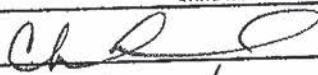
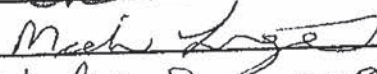

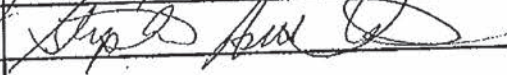


In-House Training Course Attendance Sheet

Course: FPL Labeling Requirements Remedial Training

Date: April Day: 24 of 2013 Time: 1530 am/pm to 1600 am/pm

CLASS LOCATION: Sarasota / FPL WEST

#	Clearly PRINT NAME	SIGNATURE	SERVICE CENTER
1	Chad McCard		Sarasota
2	Michael Livingston		Sarasota
3	Wesley SauvEUR		sarasota
4	Stephen Haskin		stp
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INSTRUCTOR: This document and all other class documents (i.e. projects, skill sheets, quizzes, tests, and evaluations) MUST be forwarded to the Corporate Training Division as soon as reasonably possible following the completion of the class. A scan of the sig. in sheet to Christine.traughber@swsenvironmental.com should be done before mailing in the documents.

Instructor I Juan Mercado (via Email / Conference training)

Instructor II



In-House Training Course Attendance Sheet

Course: FPL Labeling Requirements Remedial Training

Date: April Day: 25 of 2013 Time: 7:30 am/pm to 8:00 am/pm

CLASS LOCATION: Ft. Myer / FPL West

#	Clearly PRINT NAME	SIGNATURE	SERVICE CENTER
1	<i>Isiah Bryant</i>	<i>Isiah O Bryant</i>	<i>FMO</i>
2	<i>Andy Hernandez</i>	<i>Andy Hernandez</i>	<i>FMO</i>
3	<i>Richard Campisi</i>	<i>Richard Campisi</i>	<i>FMO</i>
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INSTRUCTOR: This document and all other class documents (i.e. projects, skill sheets, quizzes, tests, and evaluations) MUST be forwarded to the Corporate Training Division as soon as reasonably possible following the completion of the class. A scan of the sign in sheet to Christine.traughber@swsenvironmental.com should be done before mailing in the documents.

Instructor I Juan Mercado (via Email / Conference training)

Instructor II

Isiah O Bryant

Sheet 1 of 1



Hazardous Materials Labeling

Remedial Training

Client Focused

Safety Oriented

Quality Driven

Hazardous Materials Labeling

Communicates Corporate commitment to materials management practices with emphasis on Labeling Requirements

– Objectives:

- Review and Emphasize SWS labeling requirements for Hazardous Materials as required by EPA and DOT
- Review DOT shipping paper requirements for basic description of Hazardous Materials.

Client Focused

Safety Oriented

Quality Driven

SWS Labeling Practices

- Materials Management Labels
 - Recovered materials
 - Pending Analysis
 - Non Hazardous Waste
 - Hazardous Waste
- HAZCOM
 - DOT Hazard Labels

Client Focused

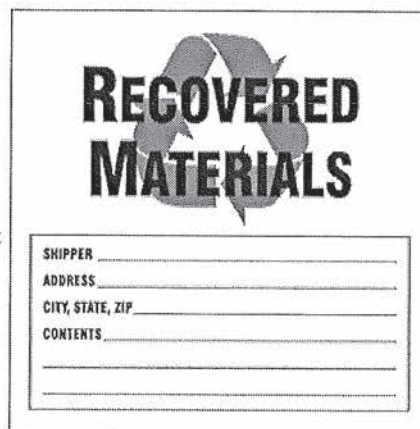
Safety Oriented

Quality Driven

Recovered Materials

Provides flexibility for handling.

- Not classified as waste.
- For holding at the project site.
- For transport to a non-waste facility.
- **Best when left on client property**



RECOVERED MATERIALS

SHIPPER _____

ADDRESS _____

CITY, STATE, ZIP _____

CONTENTS _____

Client Focused

Safety Oriented

Quality Driven

Container on Hold Pending Analysis

Disposal Imminent
Waste Classification unknown
Analytical required
Profiling necessary



THIS CONTAINER ON HOLD PENDING ANALYSIS

ON HOLD

CONTENTS _____

ORIGIN OF MATERIALS _____

ADDRESS _____

CONTACT _____

DO NOT TAMPER WITH CONTAINER! AUTHORIZED PERSONNEL ONLY.

Best when left on client property

Client Focused

Safety Oriented

Quality Driven

Non-Hazardous Waste

Not classified as Waste
based on RCRA
Regulations

A rectangular label with a dark background. The words "NON-HAZARDOUS WASTE" are printed in large, white, bold, sans-serif capital letters, slanted diagonally across the top. Below this, there is a white rectangular box containing the text "OPTIONAL INFORMATION" followed by four lines for "SHIPPER", "ADDRESS", "CITY, STATE, ZIP", and "CONTENTS". At the bottom of the label, the words "NON-HAZARDOUS WASTE" are printed again in smaller, white, sans-serif capital letters.

Best when left on client property

Client Focused

Safety Oriented

Quality Driven

Hazardous Waste

Classified as Hazardous Waste
based on RCRA regulations.

Requires a Uniform
Hazardous Waste Manifest.

A rectangular label with a decorative border. The words "HAZARDOUS WASTE" are printed in large, bold, sans-serif capital letters at the top. Below this, there is a block of text: "FEDERAL LAW PROHIBITS IMPROPER DISPOSAL. IF FOUND, CONTACT THE NEAREST POLICE OR PUBLIC SAFETY AUTHORITY OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY OR THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCE CONTROL. IDENTIFICATION INFORMATION". This is followed by several lines for "NAME", "ADDRESS", "CITY", "STATE", "ZIP", "PHONE", "EPA MANIFEST ID NO. / DOCUMENT NO.", "CA. WASTE NO.", "ACCUMULATION START DATE", and "CONTENTS COMPOSITION". Below these, there are checkboxes for "PHYSICAL STATE" (SOLID, LIQUID, GASEOUS), "HAZARDOUS PROPERTIES" (CORROSIVE, REACTIVITY, OTHER), and "FLAMMABLE" (YES, NO). At the bottom, there is a line for "D.O.T. PROPER SHIPPING NAME AND UN OR HAZARD" and the words "HANDLE WITH CARE!" in bold, sans-serif capital letters.

Best when left on client property

Client Focused

Safety Oriented

Quality Driven

Additional HAZCOM Labeling

- Proper labels and markings as required by the hazardous materials table (HMT).
 - Review of DOT Placards and Labels Module.
- Container content sheets (packing list).
 - In a sealed pouch.
 - For laboratory waste and DEA contract associated waste.

Client Focused

Safety Oriented

Quality Driven

Shipping Document

- Shipping Documents must list the basic description as required by Materials Table HMT
- Hazardous Material Table is the key to Identifying:
 - Identification Number
 - Proper Shipping Name.
 - Hazard class
 - Packaging.
 - Placarding and Labeling.

Client Focused

Safety Oriented

Quality Driven

HMT Columns 1-4

- HMT Column (1) – Symbols
- HMT Column (2) – Descriptions and proper shipping names ... exceptions
- HMT Column (3) – Hazard class/division
- HMT Column (4) – Identification numbers
- HMT Column (6) – Label codes
- HMT Column (7) – Special Provisions



Client Focused

Safety Oriented

Quality Driven

Other Requirements

- Technical names –
- Additional Description requirements
- Hazardous Substances
- Residues

Client Focused

Safety Oriented

Quality Driven

Additional Guidance

- A manifest cannot be completed without a profile and a destination.
- **DO NOT** label anything hazardous waste unless a uniform hazardous waste manifest has been provided.
- Do not forget the tracking documentation
 - Materials in Transit Log
 - Facility Materials in Transit log

Client Focused

Safety Oriented

Quality Driven