



FLORIDA DEPARTMENT OF Environmental Protection

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February 7, 2019

Pam Shoosmith, Senior Environmental Specialist
Florida Power & Light Company
1177 N Lime Avenue
Sarasota, Florida 34237
E-mail: Pamela.Shoosmith@FPL.com

Re: Return to Compliance Letter
FPL – Fort Myers Lee & Thompson Service Center
Facility ID No. FLD000807370
Lee County - HW

Dear Ms. Shoosmith:

Department personnel conducted a compliance evaluation inspection of the above-referenced facility on January 15, 2019. Based on the information provided during and following the inspection, the non-compliance item(s) which may have been identified at the time of the inspection have been corrected. A copy of the inspection report is attached for your records.

The Department appreciates your efforts to maintain this facility in compliance with state and federal rules. Should you have any questions or comments, please contact Karen Bayly at (239) 344-5616, or via e-mail at: Karen.Bayly@floridadep.gov.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer L. Carpenter".

Jennifer Carpenter
Assistant Director
South District
Florida Department of Environmental Protection

Enclosure: Inspection Report



**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: 01/15/2019 **On-Site Inspection End Date:** 01/15/2019
ME ID#: 52574 **EPA ID#:** FLD000807370
Facility Street Address: 2425 Thompson St, Fort Myers, FL 33901-3045
Contact Mailing Address: 2455 Port West Blvd, Riviera Beach, FL 33407-1214
County Name: Lee **Contact Phone:** (561) 845-4973

NOTIFIED AS:

Used Oil

VSQG

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter facility
Routine Inspection for Used Oil Transfer Facility facility
Routine Inspection for VSQG (<100 kg/month) facility

INSPECTION PARTICIPANTS:

Principal Inspector: Karen R. Bayly, Environmental Consultant
Other Participants: Rick Roudebush, Environmental Specialist; Pam Shoosmith, Senior Environmental Specialist; Pren Beauchamp, Fleet Area Leader; 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 compliance evaluation inspection was conducted at the Florida Power & Light Company [FPL] Ft Myers Service Center [facility] on January 15, 2019 to determine the facility's compliance status with state and federal hazardous waste, used oil and universal waste regulations. A file review indicates the facility was previously inspected on 8-31-2005, 12-4-2008 and 3-21-2013.

FPL owns the property which is connected to city sewer and water. The facility has approximately 50 employees.

The facility is registered as a used oil transporter and used oil transfer facility. The facility also conducts fleet maintenance on approximately 150 trucks generating used oil, used oil filters, spent lead acid batteries, oily rags, scrap metal, spent parts washer filters and hazardous waste in the form of waste aerosols. The facility was determined to be a very small quantity generator [VSQG] of hazardous waste. A VSQG generates less than 220 pounds of hazardous waste in a calendar month; and never accumulates more than 2,200 pounds of hazardous waste; or 2.2 pounds of acutely toxic hazardous waste at any time. The facility also generates spent sodium vapor street lamps and spent fluorescent lamps which are managed as universal waste.

We arrived on-site and reviewed the purpose of the inspection with Pam Shoosmith. We were escorted throughout the inspection by Ms. Shoosmith.

Process Description:

This facility is responsible for maintaining and repairing aerial and pad mounted transformers located throughout their service area. The facility subcontracts with National Recovery Company (NRC)/SWS Environmental Services who is on call 24/7 to assist with oil spill response, management and recordkeeping.

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FPL transports its own used oil generated at its own non-contiguous operations to this facility for storage prior to having the used oil picked up by a certified used oil transporter and is therefore not subject to the recordkeeping 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 '2018 Statement of Self Insurance for Used Oil Transporter' was provided with the facility's registration renewal package.

Used mineral oil generated from damaged equipment labeled as non-PCB [polychlorinated biphenyls] is pumped into the collection/transfer truck and off-loaded into a storage tank at the facility. Oily debris including impacted soil and absorbent material is collected in roll-offs or drums and transported to the facility. NRC/SWS transports the solid oily waste and debris from the facility directly to Okeechobee Landfill for disposal. Disposal documentation was reviewed. It was noted and discussed that on several non-hazardous manifests, the EPA ID# for the transporter and disposal facility were incorrect and/or reversed.

Used mineral oil generated from damaged equipment without a non-PCB label is tested in the field with chlor-n-oil 50 kits to determine if PCBs are present (<50ppm). If the sample fails, it is tested again with the chlor-n-oil 500 kits to determine if it is less than 500ppm PCB. After the field testing is completed, another sample is collected and sent to FPL's laboratory at the Physical Distribution Center [PDC], 2455 Port West Blvd., Riviera Beach, for further confirmation. Oil filled equipment and debris are stored in the oil shed, bagged and labeled, until laboratory analysis results are obtained. Any oily debris or used mineral oil determined to contain >50ppm PCBs is tracked on an internal shipping paper and sent to the PDC. Ms. Shoosmith indicated they have had not shipped any PCB containing material for several years.

The oil shed is constructed of metal and the seams are welded to ensure integrity. A grated containment sump is built into the floor of the shed. According to the previous inspection report, 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 oil shed was empty at the time of the inspection. Equipment and debris may also be stored in an enclosed yellow plastic containment pallet. The pallet was also empty at the time of the inspection. The shed and yellow containment pallet were both faintly labeled 'caution containing PCBs' and 'mineral oil pending analysis'. It was not discussed during the inspection however it is recommended to clearly re-label the oil shed and yellow containment pallet; and routinely inspect the integrity of the structures.

Non-PCB used mineral oil is also collected from other FPL service centers in Charlotte, Lee and Collier counties with the collection/transfer truck. The truck was not at the facility at the time of the inspection. Used oil is off loaded from the truck into a 6,000-gallon, double-walled above ground storage tank the same day the used oil is picked up. Ms. Shoosmith indicated that used oil is never stored in the truck for >24 hours. The truck is parked on visqueen when at the facility. The driver records the date of pick-up, quantity of used oil, and signature on the 'transporters used oil acceptance log daily used oil pickup log' next to the appropriate name, address and EPA ID# of the used oil pick-up. At the bottom of the log, the driver records the tank #, date transferred, gallons and signature reflecting the total volume of used oil off loaded from the truck to the tank. It was noted that some logs were either incomplete or incorrectly completed i.e. initials rather than the drivers signature, or the drivers signature box was blank. Another log is maintained documenting the start date of used oil in the storage tank to ensure the used oil is not stored longer than 35 days. Used oil disposal manifests were reviewed confirming the used oil is not stored for longer than 35 days. Orlando Industrial Contractors (EPA ID# FLR000220392) picks up used oil every month and transports it to Theta America Group (EPA ID# FLR000220202). It was noted the facility does not maintain copies of the completed manifests. Ms. Shoosmith indicated she would obtain and maintain all completed manifests.

The storage tank was clearly labeled 'no smoking, combustible, used mineral oil, <50ppm PCBs'. The tank is registered and a current placard was posted (TKS ID#8519172). Records reflect Lee County environmental staff inspected the storage tank system on 12-20-2017 and was found in compliance.

The facility maintains a spill prevention control and countermeasure (SPCC) plan which was last revised in 2016. SPCC refresher training is included with annual environmental training for employees. Emergency response and waste handling is incorporated in the environmental training. Training records were reviewed for the four National Recovery Company (NRC)/SWS drivers/staff and noted to include annual 8-hour hazwopper refresher courses completed on 3-13-18.

General repair and maintenance is conducted on approximately 150 vehicles in one building situated in the southwest corner of the property. The shop area was very clean and orderly. No floor drains were noted. Used oil is collected in a 250-gallon double walled tank labeled 'used oil'. Several drain pans and wheeled

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grated pans were noted and all labeled 'used oil'. Adjacent to the storage tank is a used oil filter crusher. A PVC pipe transfers used oil from crushing the filters directly into the used oil storage tank. A blue 55-gallon drum labeled 'used oil filters only' is situated beneath the crusher. Receipts also reflect Heritage Crystal Clean picks up used oil, used oil filters and oily water. Used antifreeze is collected and recirculated/reused back into vehicles without filtering. Oily rags, and absorbent pads are collected and transferred with other oily debris to Okeechobee Landfill. Scrap metal, spent fluorescent lamps and waste aerosols are transported by Ryder Logistics [FLR000088377] to the PDC. The facility manages waste aerosols as D001 hazardous waste/compressed gas. Shipping papers are maintained documenting 74 pounds of aerosol cans was shipped to the PDC on 8-1-2018; and approximately 75 pounds of spent mercury lamps are shipped monthly. A 'hazardous waste generation - monthly generation & on-site accumulation - 2018' log is maintained documenting the pounds of hazardous waste generated monthly. Spent lead acid batteries are stored indoors. Receipts reflect Wallace International picks up/exchanges battery cores. The facility has two ZEP parts washers which are equipped with two filters. The sandbag filter is changed once a year; and the filter cartridge is changed twice a year. Analytical results reflect spent filters were last sampled and tested on 2-20-2017 and determined to be non-hazardous. Solvent is replenished as needed, approximately every 2 years.

The truck wash 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 waste system. 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 in wheeled carts labeled 'truck wash sludge' as solid waste after drying out. Analysis results were reviewed for the sludge and filters conducted in March 2018 and reflect the material is non-hazardous. Wastewater is discharged directly to city sewer after passing through the sump and wastewater treatment system. Faitella Enterprises services the system annually which was last done November 2018. The facility maintains a log of waste removed from the system annually.

An eye wash was noted outside a storage building located towards the center of the yard. Ms. Shoosmith indicated the eye wash is routinely inspected. A pallet of boxes was situated near the eye wash. It was discussed that areas around emergency equipment (i.e. eye wash, shower, fire extinguishers, etc.) should be maintained unobstructed pursuant to OSHA regulations.

Empty 55-gallon drums are stored horizontally on a rack behind a building. Ms. Shoosmith indicated the drums are used for managing waste material in the event of a spill, etc. The drums appeared rusted. Ms. Shoosmith indicated the drums will be evaluated and any unusable drums will be shipped to PDC for disposal.

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. Drain covers are maintained by storm drains throughout the yard in the event of release or emergency.

Several closed/covered and labeled 55-gallon drums, stored on pallets, outside, are used to store wastes/recyclables prior to shipping to the PDC. Drums were labeled aerosol cans, arrestors bagged & taped, lead pins, photo cells. One drum was labeled 'sodium vapor bulbs, spent mercury containing lamps for recycling, empty' and dated 11-1-18. Large open top metal containers are used to collect scrap metal, wire, cutout & disconnect switches, scrap porcelain insulators, polymer arrestors, salvaged street lights, plastic, etc. Each container is clearly labeled as to its contents. Roll-offs are used to store scrap wood, solid waste and recyclables. It was not discussed during the inspection however the drum containing aerosol cans should be labeled 'waste' or 'spent' aerosol cans.

Three closed/covered 55-gallon drums were noted near the used oil storage tank. The drums were dated and labeled as containing oily debris. Following the inspection, Ms. Shoosmith indicated the drums were re-located to the used oil shed.

Two metal roll-off containers were noted and labeled 'oily waste <50 ppm absorbents, used poly bags, rags, kitty litter' and 'under 50 ppm oily dirt & debris'. Ms. Shoosmith indicated that the roll-off containers are lined. The roll-offs were closed and contents not verified. One of the roll-offs was leaking what appeared to be water which led to a storm drain. No sheen or oil was detected in the water. The facility had placed down absorbent beneath the leak/dripping and placed absorbent boom around the floor drain.

Two gray bins containing streetlight bulbs were noted outside the east side of the parts storage building. The

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bins were open and not labeled. Ms. Shoosmith indicated the bulbs were spent. Immediately following the inspection, Mr. Shoosmith provided documentation reflecting the bins/bulbs were placed in a closed, labeled drum in the recycle area.

New Potential Violations and Areas of Concern:

Violations

Type: Violation

Rule: 273.13(d)(1), 273.14(e), 273.15(a)

Explanation: Spent fluorescent lamps should be stored inside containers or boxes in an area and in a manner that will prevent them from breaking. Containers must be closed, structurally sound, compatible with the contents of the lamps and must lack evidence of leakage and spillage.

The containers must be clearly labeled as 'universal waste - lamps', or 'waste lamps' or 'used lamps'.

Spent lamps may be accumulated for no longer than one year from the date of generation and must be able to demonstrate the length of storage time for the spent lamps. It is recommended to date the container managing the spent lamps to document when a lamp was first placed into it and maintain receipts for shipments of lamps off-site.

At the time of the inspection, two gray bins containing streetlight bulbs were observed outside the east side of the parts storage building. The bins were open and not labeled.

Corrective Action: Following the inspection, the facility provided documentation reflecting the spent lamps were being properly managed in closed/labeled/dated containers.

Photo Attachments:

spent lamps



PHOTO ATTACHMENTS:

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fleet maintenance area



used oil shed



visqueen for collection/transfer truck



eye wash



empty drum storage



drain covers



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used oil storage tank



spent mercury containing lamps



oily debris drums



discharge from roll-off

**Conclusion:**

It is recommended the facility review record keeping procedures with the drivers to ensure all disposal documentation and used oil acceptance logs are completed correctly. Copies of completed manifests should be maintained at the facility.

It is recommended to clearly re-label the oil shed and yellow containment pallet; and routinely inspect the integrity of the structures.

Areas around all emergency equipment (i.e. eye wash, shower, fire extinguishers, etc.) should be maintained unobstructed allowing employees a clear path in the event of an emergency.

It is recommended to label the drums containing aerosol cans 'waste' or 'spent' aerosol cans.

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2.0 - VSQG Checklist**Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

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

Item No.	Standards for Very Small Quantity Generators	Yes	No	N/A
2.1	Generator Size Determination (If the answer is No for any one question then facility is not a VSQG)			
2.2	Does the facility generate less than 100 kg/mo (220 lb/mo) of all hazardous wastes? 262.14(a)(1)	✓		
2.3	Does the facility generate less than 1kg/mo of acutely toxic (P-listed, 40 CFR 261.33(e)) hazardous wastes? 262.14(a)(1)	✓		
2.4	Does the facility accumulate onsite no greater than 1,000 Kilograms (2,200 pounds) of hazardous waste at any one time? 262.14(a)(4)	✓		
2.5	Does the facility accumulate onsite less than a total of 1 kg of acute hazardous waste listed in 261.31 or 261.33(e)? 262.14(a)(3)	✓		
Item No.	Hazardous Waste Determination	Yes	No	N/A
2.6	Has the facility properly identified all hazardous waste streams? (Check any that are not OK) 262.11 <ul style="list-style-type: none"> <input type="checkbox"/> Is it excluded under 261.4? <input type="checkbox"/> Is it listed in subpart D of 261 or appendix IX of 261? <input type="checkbox"/> Has the waste been analyzed? <input type="checkbox"/> Has generator knowledge of the hazard characteristics of the waste in light of the materials used been applied? 	✓		
Item No.	Record Keeping	Yes	No	N/A
2.7	Has the facility documented delivery of its hazardous waste to a facility permitted or authorized to accept the waste? (Check any that are not OK) 262.14(a)(5) <ul style="list-style-type: none"> <input type="checkbox"/> Name and address of the generator and TSD/authorized facility. <input type="checkbox"/> Type and amount of hazardous waste delivered. <input type="checkbox"/> Date of shipment 	✓		
2.8	Are written records and other receipts documenting proper disposal retained for at least 3 years? 62-730.030(3)	✓		

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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.

Karen R. Bayly

Principal Inspector Name

Environmental Consultant

Principal Inspector Title**Principal Inspector Signature**

DEP

Organization

02/07/2019

Date

Rick Roudebush

Inspector Name

Environmental Specialist

Inspector Title

FDEP

Organization

Pam Shoosmith

Representative Name

Senior Environmental Specialist

Representative Title

FPL

Organization

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

Pren Beauchamp

Representative Name

Fleet Area Leader

Representative Title

FPL

Organization

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

Isiah Bryant

Representative Name

Subcontractor

Representative Title

NRC/SWS

Organization

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

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Report Approvers:**Approver:** Karen R. Bayly**Inspection Approval Date:** 02/07/2019