



FLORIDA DEPARTMENT OF Environmental Protection

South District
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Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

April 13, 2020

Roy Subia, Safety & Environmental Manager
Kelly Tractor Co.
8255 NW 58 Street
Miami, Florida 33166-3493
E-mail: Roy_Subia@kellytractor.com

Re: Kelly Tractor Co.
801 E Sugarland Hwy., Clewiston, FL
Facility ID Number: FLD981926488
Hendry County

Dear Mr. Subia:

Department personnel conducted a compliance inspection of the above-referenced facility on February 12, 2020. Based on the information provided during and following the inspection, the facility was determined to be in compliance. 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: Kelly Tractor Co
On-Site Inspection Start Date: 02/12/2020 **On-Site Inspection End Date:** 02/12/2020
ME ID#: 45454 **EPA ID#:** FLD981926488
Facility Street Address: 801 E Sugarland Hwy, Clewiston, Florida 33440-2639
Contact Mailing Address: 8255 NW 58 Street, Doral, Florida 33166
County Name: Hendry **Contact Phone:** (305) 592-5360

NOTIFIED AS:

SQG (100-1000 kg/month), Used Oil

WASTE ACTIVITIES:

Generator: VSQG **Used Oil:** Used Oil, Oil Filters **Universal Waste:** Indicate types of UW generated and/or accumulated at the facility: **Generate/Accumulate:** Mercury Containing Lamps **Maximum quantity of UW handled or transported at any time:** Less than 5,000 kg (11,000 lbs); Small Quantity Handler (SQH)

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
Routine Inspection for Used Oil Generator Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Karen R. Bayly, Inspector
Roy Subia, Safety & Environmental Manager; Jim Murray, Production Support Branch
Other Participants: Manager; Glenn Whitman, Trainer

LATITUDE / LONGITUDE: Lat 26° 45' 16.2507" / Long 80° 55' 18.8553"

811310 - Commercial and Industrial Machinery and Equipment (except Automotive and Electronic)

NAIC: Repair and Maintenance

TYPE OF OWNERSHIP: Private

Introduction:

A compliance inspection conducted was conducted by Florida Department of Environmental Protection (FDEP) hazardous waste staff at Kelly Tractor (facility) on 2-12-2020 to verify the facility's compliance status with state and federal hazardous waste, used oil and universal waste rules and regulations. The facility was previously inspected on 04-21-2015. The following is a summary of my observations.

Kelly Tractor is currently registered as a used oil/used oil filter transporter and transfer facility; and a small quantity generator of hazardous waste. According to the Hendry County Property Appraiser, Clewiston Motor Co owns the property at 801 E Sugarland Hwy., Clewiston. Previous inspection reports reflect the property is on municipal water and sewer. The facility has been operating at this location since 1933 and currently has approximately 30 employees.

The facility was determined to be a very small quantity generator (VSQG) of hazardous waste at the time of the inspection. A VSQG generates less than 220 pounds of hazardous waste in any calendar month and never accumulates greater than 2,200 pounds of hazardous waste at any one time. The facility generates hazardous waste including solvent contaminated wipes and aerosol can residual. The facility also generates used oil, used oil filters, used antifreeze, oily absorbents, oily waste, spent lead-acid batteries, waste diesel, sediment and wastewater from wash rack, spent parts washer solvent and spent fluorescent lamps.

Kelly Tractor Co Inspection Report

Inspection Date: 02/12/2020

Process Description:

Kelly Tractor provides rental, leasing, sales and service of construction and industrial equipment. Used oil is generated from conducting mobile servicing of leased equipment. Used oil is transported back to the facility in a 130-gallon labeled tank within a totally enclosed truck. Used oil is pumped from the tank/truck into the facility's used oil storage tank at the end of the day. When not in use, the truck is parked by the tank farm. Used oil filters are placed in a drain tray/compartment within the truck (see photo). Used oil that collects in the tray is pumped into the used oil storage tank. FDEP's "Used Oil and Used Oil Filter Record Keeping Form" is utilized to track the locations and quantities of used oil/filters generated off-site and transported to the facility. One designated truck/driver is utilized for conducting preventive maintenance and transporting used oil and filters. The truck is equipped with absorbent pads in the event of a spill or release. The driver receives annual training including spills response, safety and hazardous waste training.

Used oil and used oil filters are also generated from servicing equipment on-site. Used oil is collected in drain pans labeled 'used oil', transferred into a drain table/basin and pumped directly into the used oil storage tank. Used oil filters are drained prior to placing into closed, labeled 55-gallon drums (see photo). Disposal documentation reflects Heritage Crystal Clean (HCC) routinely picks up the used oil and used oil filters.

Olly shop rags and drip pads are stored in closed 55-gallon drums labeled 'non-hazardous used absorbents' and picked up for disposal by HCC.

The facility owns and maintains four aqueous parts washers. TNT Degreaser is used in the parts washers. The label on the container indicates it is biodegradable, non-flammable, and contains no naphthas, chlorinated solvents or benzenes. The safety data sheet (SDS) reflects the product has a pH of 10 and contains 10% sodium hydroxide, nonyl phenol ethoxylate, sodium metasilicate, water and non active ingredients. The parts washers are equipped with filters which are changed approximately every 2-3 months and disposed with the used oil filters; and spent solvent is changed approximately every two weeks and disposed in the wash rack water at the truck wash area. A file review reflected the spent solvent was last characterized/profiled in 2015. It was discussed the facility will need to conduct waste determination on spent solvent/sludge removed from the parts washers at the point of generation prior to disposing into the wash rack water. Immediately following the inspection, Mr. Subia conducted analytical testing on the spent solvent from each parts washer and verified it was non-hazardous.

The facility uses Z-Maxx Brake Wash X4402 for cleaning equipment. The product is sprayed onto the machine or part when cleaning and no waste is generated. The SDS reflects the product contains 90-100% petroleum naphtha and 1-5% heptane, and a flashpoint of -9.4 C (15 degrees F).

The facility utilizes an aerosol can crusher attached to a 55-gallon drum with a filter unit (see photo). Liquid/residue waste collects in the drum which was closed and labeled hazardous waste. Empty scrap metal cans are recycled. Mr. Subia indicated that very little liquid/residue waste is generated and the drum was estimated <1/4-full. It was discussed that the hazard of the contents of the container should be identified on the drum, i.e. 'toxic' or 'flammable'.

Used antifreeze is collected in a closed, 55-gallon drum labeled used antifreeze and picked up by HCC.

Spent lead-acid batteries are stored indoors and transferred to the Kelly Tractor facility located in Miami where they traded/exchanged back to the dealer.

Solvent-contaminated wipes, pads and absorbent are collected in a closed, 55-gallon drum labeled hazardous waste (see photo). Disposal documentation reflects one 55-gallon drum is picked up every 12 weeks for disposal by HCC. It was discussed that the hazard of the contents of the container should be identified on the drum, i.e. 'toxic' or 'flammable'.

Waste diesel fuel is managed/collected in closed 55-gallon drums labeled hazardous waste and flammable; and picked up by HCC as non-hazardous energy recovery. It was not discussed during the inspection however if used gasoline/diesel is burned for energy recovery it is not considered a solid waste, and therefore not a hazardous waste.

The tank farm is located outside. Used oil is stored in a 1,000-gallon above ground storage tank co-located with

Kelly Tractor Co Inspection Report

Inspection Date: 02/12/2020

product oil tanks within secondary containment covered by a roof and three walls. The secondary containment structure appeared in good condition. The storage tank is protected from weather and labeled 'used oil'.

Spent fluorescent lamps are stored in a closed box labeled universal waste lamps used fluorescent light bulbs in a safe, secure manner (see photo). Disposal documentation reflects 356 spent lamps were picked up by EnviroLight & Disposal on 6-12-16. Mr. Subia indicated that the facility is converting to LED lighting and HCC is scheduled to pick up the current box. It was discussed that spent lamps may be stored up to 12 months and recommended the facility date the box when the first spent lamp is placed in the box.

The facility has a closed loop wash water recycling system for a covered truck wash rack area used to remove exterior dirt from heavy equipment (see photo). Water flows into a retention area and oil is skimmed off the surface and collects in a 55-gallon drum. The drum was labeled 'used oil' and protected from weather.

*Following the inspection, photos were provided documenting the drum was situated on a spill containment pallet. HCC picks up the drum for disposal. Sediment from the wash rack is collected in a walled area protected from weather and allowed to dry out (see photo). A puddle of water and residual oil was observed in front of the sediment. It was indicated that a forklift recently had a hydraulic leak causing the residual oil. *Following the inspection, documentation was provided reflecting the oily water was removed and a berm was put in place to prevent excess water from escaping the dirt pile. The sediment was last tested for metals in 2010 and results were well below maximum concentration for TCLP. It was discussed and agreed the facility would have the sediment and wash water re-profiled. Disposal receipts reflect HCC picks up the wash rack water for disposal; and transports the sediment as non-regulated petroleum contaminated soil to Clean Earth of Southern Florida. Immediately following the inspection, Mr. Subia conducted analytical testing on the wash rack water and sediment and verified it was non-hazardous.

PHOTO ATTACHMENTS:

Used oil filter compartment in truck



used oil filter drums



Inspection Date: 02/12/2020

aerosol can crusher



solvent-contaminated wipes drum



spent fluorescent lamps



truck wash area



sediment from wash rack



Inspection Date: 02/12/2020

1.0: Pre-Inspection 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.

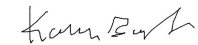
Note: Checklist items with shaded boxes are for informational purposes only.

Item No.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.18(a)	✓		
1.2	Has the facility notified of change of status? 62-730.150(2)(b)	✓		
1.3	Did the facility conduct a waste determination on all wastes generated? 262.11	✓		

Inspection Date: 02/12/2020

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 Investigator Name****Principal Investigator Signature**Inspector**Principal Investigator Title**DEP**Organization**04/13/2020**Date**Roy Subia**Representative Name**Safety & Environmental Manager**Representative Title**Kelly Tractor**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.

Jim Murray**Representative Name**Production Support Branch Manager**Representative Title**Kelly Tractor**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.

Glenn Whitman**Representative Name**Trainer**Representative Title**Kelly Tractor**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.

Report Approvers:**Approver:**Karen R. Bayly**Inspection Approval Date:**04/13/2020