



FLORIDA DEPARTMENT OF Environmental Protection

Southwest District Office
13051 North Telecom Parkway #101
Temple Terrace, Florida 33637-0926

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

February 24, 2021

Brian Kolessar, General Manager
5910 E Hillsborough Ave
Tampa, Florida 33610
Brian.Kolessar@cummins.com

Re: Cummins Inc
Facility ID No. FLD046702122
Hillsborough County

Dear Mr. Kolessar:

Department personnel conducted a compliance inspection of the above-referenced facility on January 27, 2021. Based on the information provided during the inspection, the facility was found to be out of compliance at the time of the inspection. The information received by the department after the inspection via email resolved the cited violations. After receiving the information, the facility has been determined to have returned to compliance. A copy of the inspection report is attached for your records.

The Department appreciates your compliance efforts. Should you have any questions or comments, please contact Sarah Brownlee at 813-470-5911, or via e-mail at: Sarah.Brownlee@FloridaDEP.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Lynch", is written over a horizontal line.

Michael Lynch
Compliance Assurance Program
Southwest District
Florida Department of Environmental Protection

ec: Michael Lynch, DEP; Michael.Lynch@FloridaDEP.gov
Sarah Brownlee, DEP; Sarah.Brownlee@floridadep.gov



**Florida Department of
Environmental Protection
Hazardous Waste Inspection Report**

FACILITY INFORMATION:

Facility Name: Cummins Inc
On-Site Inspection Start Date: 01/27/2021 **On-Site Inspection End Date:** 01/27/2021
ME ID#: 44923 **EPA ID#:** FLD046702122
Facility Street Address: 5910 E Hillsborough Ave, Tampa, Florida 33610-5419
Contact Mailing Address: 5910 E Hillsborough Ave, Tampa, Florida 33610
County Name: Hillsborough **Contact Phone:** Data is missing from FIESTA

NOTIFIED AS:

Used Oil, VSQG

WASTE ACTIVITIES:

Generator: VSQG Used Oil: Transporter, Used Oil

INSPECTION TYPE:

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

INSPECTION PARTICIPANTS:

Principal Inspector: Sarah M Brownlee, Inspector
Other Participants: Leslie Pedigo, Environmental Consultant; Butch Kolessar, General Manager

LATITUDE / LONGITUDE: Lat 27° 59' 49.7393" / Long 82° 23' 20.0183"

NAIC: 811111 - General Automotive Repair

TYPE OF OWNERSHIP: Private

Introduction:

An inspection was conducted at Cummins Inc ("Cummins") on January 27, 2021 by the Florida Department of Environmental Protection ("Department") to determine the facility compliance with state and federal regulations for very small quantity generators ("VSQG") of hazardous waste and used oil. Cummins has been inspected by the Department once before in 2011. The facility last notified the Department of its status as a VSQG on March 11, 2020, and this status was confirmed during this inspection. Inspectors were assisted by Butch Kolessar, General Manager, during the inspection.

Process Description:

Cummins primarily repairs and services diesel engines in trucks and motor coaches. The facility also services marine engines and generators on site and in the field. Oil that is collected while in the field, in either closed labeled drums or containers, is brought back to the facility and collected in their used oil tank.

Cummins consists of two main buildings as well as a work yard. The western building (Building 1) contains the service bays, while the eastern building (Building 2) contains the warehouse and offices. The facility currently has about 30 employees and operates from 7:30 am to 4:30 pm, Monday through Friday. The facility has municipal water service. Sanitary wastes are disposed of in a septic system, and industrial waste water is treated and recycled on site in their own closed loop system.

Building 2 previously held a paint booth as mentioned in the previous report, but has since been removed. A parts washer is located in this building but is currently out of service. The service bays in Building 2 are not currently in use.

The facility has 20 service bays, most in Building 1. The west building has two Crystal Clean parts washers, which are serviced by Heritage-Crystal Clean and contain an aqueous washing medium. One of the washers is

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in the Rebuild area in the building's south end. The rebuild area also includes various machine tools and a bead blaster. A wash bay was located adjacent to this area for steam cleaning parts. The waste water is collected and treated in a recirculating wastewater treatment system which is cleaned out twice per year by Crystal Clean, with the waste disposed of to as non hazardous. The most recent clean-out occurred on November 5, 2020.

Waste generated at the facility is stored in the used oil storage room. At the time of the inspection, the room contained: (1) 350-gallon, double-walled, aboveground used oil tank, (1) full 55-gallon used oil filter drum, (5) partially filled 55-gallon used oil filter drums, (1) 250-gallon used antifreeze tank, and (2) 55-gallon used absorbents drums. All containers were properly labeled and managed. This room also contained several temporary used oil storage containers that were not labeled with the words "Used Oil". Facility corrected the labeling and submitted photo documentation to the Department following the inspection.

Spent lamps are collected in a closed, labeled box provided by Crystal Clean which contained (2) lamps at the time of the inspection. Spent batteries are collected and sent for core credit with Royal Batteries on a weekly basis. Solvent contaminated wipes are collected in (2) containers within Building 1 and are managed by Heritage-Crystal Clean.

Records were reviewed during the inspection. Heritage-Crystal Clean manages the majority of the facility's waste (spent parts washer fluid, used oil, used oil filters, antifreeze and spent lamps). The hazardous waste manifests appeared to be accurate. Hazardous waste is transported on an as needed basis when parts washer waste is changed out and Heritage-Crystal Clean is the designated facility. Heritage-Crystal clean comes on a 6-12 week basis to dispose of oily wastes; they generate an approximated 300-gallons of used oil every 6-weeks, with the most recent pick-up on January 21, 2021 for 335-gallons of used oil/oily water.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	279.22(c)(1)
Question Number:	5.4
Question:	Are used oil containers/tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(1)
Explanation:	Several temporary used oil containers were not marked with the words "Used Oil". (Corrected)
Corrective Action:	Submit photo documentation of the properly labeled containers to the Department.

Photo Attachments:

Unlabeled Used Oil Containers



Corrected Used Oil Containers



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PHOTO ATTACHMENTS:

Parts Washer 1



Parts Washer 2



Used Oil Tank



Used Oil Filters Storage



Service Bay



Spent Lamps Storage



Conclusion:

At the time of the inspection, Cummins Inc was not operating in compliance with state and federal regulations for very small quantity generators of hazardous waste and used oil. The facility returned to compliance shortly following the inspection.

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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 <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) <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(2)	✓		

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5.0: Used Oil Generator 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.	Used Oil Container and Tank Management	Yes	No	N/A
5.1	Does the facility store used oil only in tanks, containers or permitted hazardous waste storage units? 279.22(a)	✓		
5.2	Are used oil containers/tanks in good condition? 279.22(b)(1)	✓		
5.3	Are used oil containers/tanks not leaking? 279.22(b)(2)	✓		
5.4	Are used oil containers/tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(1)		✓	
5.5	Are fill pipes used to fill underground tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(2)			✓
Item No.	Secondary Containment	Yes	No	N/A
5.6	Are containers/tanks 55-gallons or smaller that are stored inside:			
5.7	Stored on an oil-impermeable surface? 62-710.401(6)	✓		
5.8	Are containers/tanks larger than 55-gallons that are stored inside:			
5.9	Stored on an oil-impermeable surface? 62-710.401(6)	✓		
5.10	Does the building provide adequate secondary containment, or are the containers/tanks double-walled, or stored within or on engineered secondary containment that has the capacity to hold 110% of the volume of the largest container/tank, or are the containers/tanks portable/wheeled and typically emptied every 24 hours? 62-710.401(6)	✓		
5.11	Are containers/tanks (regardless of size) that are stored outside:			
5.12	Closed or otherwise protected from the weather? 62-710.401(6)			✓
5.13	Double-walled or stored on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest container within the secondary containment? 62-710.401(6)	✓		
Item No.	Used Oil Releases	Yes	No	N/A
5.14	Has the generator, upon detection of a release, done all of the following, as applicable:			
5.15	stop the release? 279.22(d)(1)			✓
5.16	contain the released oil? 279.22(d)(2)			✓
5.17	clean up and manage properly the released used oil and other materials? 279.22(d)(3)			✓
5.18	if necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service? 279.22(d)(4)			✓
5.19	Is the facility in compliance with the prohibition against discharges of used oil into soils, sewers, drainage systems, septic tanks, surface or ground waters, watercourses, or marine waters? 62-710.401(2)			✓
5.20	Is the facility in compliance with the prohibition against using used oil for road or pavement oiling for dust control, weed abatement, or other similar uses that have the potential to release used oil into the environment? 62-710.401(5)			✓
Item No.	Used Oil Filter Container Management	Yes	No	N/A

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5.21	Does the facility store used oil filters in containers? 62-710.850(5)(a)	✓		
5.22	Are the used oil filter containers clearly labeled "Used Oil Filters"? 62-710.850(5)(a)	✓		
5.23	Are the used oil filter containers in good condition? 62-710.850(5)(a)	✓		
5.24	Are the used oil filter containers not leaking? 62-710.850(5)(a)	✓		
5.25	Are the used oil filter containers closed or otherwise protected from weather? 62-710.850(5)(a)	✓		
5.26	Are the used oil filter containers stored on an oil-impervious surface? 62-710.850(5)(a)	✓		
Item No.	Releases from Used Oil Filter Containers	Yes	No	N/A
5.27	Has the generator, upon detection of a release, done all of the following, as applicable:			
5.28	stop the release? 62-710.850(5)(b)			✓
5.29	contain the released oil? 62-710.850(5)(b)			✓
5.30	clean up and manage properly the released oil and any subsequent oily waste? 62-710.850(5)62-710.850(5)(b)			✓
5.31	repair or replace any leaking used oil filter storage containers prior to returning them to service? 62-710.850(5)(b)4			✓
Item No.	Used Oil Mixtures	Yes	No	N/A
	<input type="checkbox"/> Is the facility a VSQG that mixes hazardous waste with used oil and manages the mixture under 279? Note: VSQGs can mix both listed and characteristic wastes with used oil.			
	<input type="checkbox"/> Is the facility a SQG or LQG that is mixing listed waste (except for listed waste that only is listed because it exhibits a characteristic - see question below) with used oil? [VSQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so:			
5.32	Is the mixture being managed as listed hazardous waste? 279.10(b)(1)			✓
	<input type="checkbox"/> Is the facility a SQG or LQG that mixes only characteristic waste (or listed waste that only exhibits a characteristic) with used oil? [NOTE: This is also considered HW Treatment and other rules apply. However, VSQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so:			
5.33	Is ignitability the only characteristic of the hazardous waste prior to mixing (or is the HW listed only for ignitability)? If so:			
5.34	Is the mixture managed as HW if it exhibits the ignitability characteristic? 279.10(b)(2)(iii)			✓
5.35	Does the hazardous waste exhibit ANY characteristic other than ignitability prior to mixing (or is the HW listed only for a characteristic other than ignitability)? If so:			
5.36	Is the mixture managed as HW if it exhibits ANY characteristic (even if the characteristic of the mixture is from the used oil, rather than from the HW)? 279.10(b)(2)(i)			✓
5.37	Does the facility generate mixtures of other materials contaminated with used oil (i.e. absorbents, rags, dirt)? If so:			
5.38	Are UO-contaminated materials that contain visible free-flowing UO managed under 279 used oil standards? 279.10(c)(3)			✓
5.39	Does the facility either manage UO-contaminated materials that do not contain visible free-flowing UO as hazardous waste have records documenting the materials are not hazardous waste? 279.10(c)(1)(ii)			✓
5.40	Are UO-contaminated materials that will be burned for energy recovery being managed as used oil under 279? (Used oil-contaminated materials should have a heating value of at least 5000 Btu/pound to be burned for energy recovery under 279, so low-Btu-value materials like contaminated soils and clay absorbents are solid waste, subject to 262 HW determinations.) 279.10(c)(3)			✓
5.41	Does the facility generate mixtures of used oil with fuel or fuel products? If so:			
5.42	Does the facility manage mixtures of UO and fuel/fuel products under 279 used oil standards?			✓

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	[Note: 279.10(d)(2) allows on-site mixing of UO with diesel fuel for use in the generator's own vehicles.] 279.10(d)(1)			
5.43	Is the facility in compliance with the prohibition against mixing or commingling used oil with solid waste that is to be disposed of in landfills or directly disposing of used oil in landfills? (Persons unknowingly disposing into a landfill used oil or used oil filters which have not been properly segregated or separated from other solid wastes by the generator are not subject to this prohibition. Oily waste, sorbents or other materials used for maintenance or clean up as a result of spills or release are not subject to this prohibition.) 62-710.401(3)			✓
5.44	Is the facility in compliance with the prohibition against mixing or commingling used oil with hazardous substances that make it unsuitable for recycling or beneficial use? (Notwithstanding the provisions found in 40 CFR 279.10(b)(3)). 62-710.401(4)			✓
Item No.	Space Heaters	Yes	No	N/A
5.45	Does the generator burn used oil on-site in a used oil-fired space heater? [Generators who burn off site, non household oil, or burn oil in devices not meeting the space heater exemption must comply with 40 CFR 279 - Subpart G.]			
5.46	If so, does the facility burn only used oil generated on-site or only household DIY used oil? 279.23(a)			✓
5.47	If so, does the heater have a capacity of no more than 0.5 million BTU/hr? 279.23(b)			✓
5.48	If so, are combustion gasses vented to the atmosphere? 279.23(c)			✓
Item No.	Off-site Shipments	Yes	No	N/A
5.49	Does the generator only use transporters who have received EPA Identification numbers? (Include names and numbers in report narrative) 279.24	✓		
5.50	Self transport to collection centers - Does the generator only transport their own used oil and used oil from household DIY to a used oil collection center? If so:			
5.51	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(a)(1)			✓
5.52	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(a)(2)			✓
5.53	Does the generator transport the used oil to a used oil collection center that is registered, licensed, permitted or recognized by a state/county/municipal government to manage used oil ? 279.24(a)(3)			✓
5.54	Self transport to aggregation points - Does the generator transport used oil that is generated at the generator's site to an aggregation point? If so:			
5.55	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(b)(1)			✓
5.56	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(b)(2)			✓
5.57	Does the generator transport the used oil to an aggregation point that is owned/operated by the same generator? 279.24(b)(3)	✓		
5.58	Tolling Agreement - is the used oil transported and then reclaimed under a contractual agreement pursuant to which reclaimed oil is returned by the processor.re-refiner to the generator for use as a lubricant, cutting oil, or coolant? If so:			
5.59	Does the contract indicate the type and frequency of shipments? 279.24(c)(1)			✓
5.60	Does the contract indicate that the vehicle used to transport the used oil to the processing/re-refining facility is owned and operated by the used oil processor/re-refiner? 279.24(c)(2)			✓
5.61	Does the contract indicate that the reclaimed oil will be returned to the generator? 279.24(c)(3)			✓
Item No.	Marketing and Processing	Yes	No	N/A
	<input type="checkbox"/> Does the generator claim that the used oil meets the specification in 40 CFR 279.11? [If so, and the oil is to be burned for energy recovery, the generator is a marketer subject to 40			

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	CFR 279 Subpart H.]			
	<input type="checkbox"/> Does the generator process used oil by filtering, oil/water separation or other methods prior to direct shipment to an off site used oil burner? [If so, the generator is also a used oil processor subject to 40 CFR 279 - Subpart F.]			

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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

Sarah M Brownlee

Inspector

Principal Investigator Name

Principal Investigator Title



DEP

02/17/2021

Principal Investigator Signature

Organization

Date

Leslie Pedigo

Environmental Consultant

Inspector Name

Inspector Title

DEP

Organization

Butch Kolessar

General Manager

Representative Name

Representative Title

Cummins Inc

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: Michael C Lynch

Inspection Approval Date: 02/19/2021

Caution

FOR YOUR SAFETY
WEAR GLOVES

Approximate
Crystal
Clean
Parts Cleaner
Model 27-40

M

01/27/2021

USED OIL

USED OIL
ONLY

01/27/2021



PUSHED USE
FILTERS ONLY

C-1000

01/27/2021



UNCRUSHED USED
FILTERS ONLY

WASTE



01/27/2021



01/27/2021



01/27/2021



USED
AMERICAN OIL

DANGER
FLAMMABLE LIQUID

USED
AMERICAN OIL

01/27/2021



01/27/2021

Caution
Hot
Attention

FOR YOUR SAFETY
READ MANUAL & LABELS
BEFORE YOU OPERATE AND ALWAYS
USE COMMON SENSE

Central
Equipment



01/27/2021



01/27/2021

Crystal
Clean
USED
LIGHT BULBS ONLY!

WASTE

01/27/2021

INGERSOLL-RAND

2 YEAR WARRANTY WITH T30

EXCLUDED SOLVENT CONTAMINATED WIPES
EXCLUDED SOLVENT CONTAMINATED WIPES

Spill Kit
OIL COOLANTS
SOLVENTS & WATER

01/27/2021



01/27/2021



01/27/2021



WATER

WATER

WATER

FUEL TANK

USED OIL