



Jeb Bush
Governor

Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

September 9, 2005

Pamela Shoosmith
Environmental Coordinator
Florida Power and Light
P.O. Box 1119
Sarasota, Florida 34230-1119



Entered into
OCULUS **FILE**
South District

RE: Lee County – HW
FPL Fort Myers Emergency
2425 Thomson St.
Fort Myers, Florida 33901
Caloosahatchee to Lee Coast – EMA

Dear Ms. Shoosmith:

A hazardous waste compliance evaluation inspection was conducted at your facility on August 31, 2005. A copy of the inspection report is enclosed for your perusal. This inspection was conducted under the authority of Section 403.091, Florida Statutes and Chapter 403, Part IV, Florida Statutes, and is designed to ascertain the compliance status of your facility with 40 CFR 260-273 and 279, adopted in Florida Administrative Code (F.A.C.) Chapters 62-730, 62-737 and 62-710.

During the inspection, a few recommendations and areas of concern were noted which are referenced in Section 11 of the enclosed report. **Please submit written documentation concerning your actions to address the above-referenced issues described in Section 11 of the report, to our office by September 22, 2005. Please be advised that failure to address the potential violation and areas of concern may subject the facility to enforcement actions, which could include monetary civil penalties.**

If you have any questions, please feel free to call Karen Wilson or Charles Emery III at (239) 332-6975, extensions 161 or 150 respectively, or write to the letterhead address. Your cooperation in this matter is appreciated.

Sincerely,

Philip A. Barbaccia
Environmental Administrator

Enclosures
PAB/KW/rcd



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South District
P.O. Box 2549
Fort Myers, Florida 33902-2549
HAZARDOUS WASTE INSPECTION REPORT

Colleen M. Castille
Secretary

1. INSPECTION REPORT ☐ Complaint ☒ Routine ☐ Follow-up ☐ Permitting

FACILITY NAME: FPL Ft. Myers Emergency EPA ID FLD000807370

*inspection generated id

ADDRESS 2425 Thompson St. Fort Myers, FL 33901

COUNTY Lee PHONE 239 334-7754 DATE 08/31/05 TIME 11:30 am

TYPE OF FACILITY

GENERATOR

☒ Cond. Exempt S.Q.G.
☐ Small Quantity
☐ Generator
☐ Non-Handler
☐ Closed/Moved

STORAGE

☐ Container
☐ Tank
☐ Waste Pile
☐ Surface Impoundment
☐ Lamps & Devices

TREATMENT

☐ Tank
☐ Land Treatment
☐ Thermal
☐ Chem/Phys/Bio.
☐ Incinerator
☐ Surface
☐ Impoundment

TRANSPORTER

☐ Transporter
☐ Transfer Station

DISPOSAL

☐ Landfill
☐ Surface Impoundment
☐ Waste Pile

OTHER

☐ Used Oil Generator
☒ Used Oil Transporter

2. **Applicable Regulations:**

<input checked="" type="checkbox"/> 40 CFR 261	<input checked="" type="checkbox"/> 40 CFR 262	<input type="checkbox"/> 40 CFR 263	<input type="checkbox"/> 40 CFR 264
<input type="checkbox"/> 40 CFR 265	<input checked="" type="checkbox"/> 40 CFR 268	<input checked="" type="checkbox"/> 40 CFR 279	<input type="checkbox"/> 62-737 F.A.C.
		<input checked="" type="checkbox"/> 62-710 F.A.C.	<input checked="" type="checkbox"/> 62-730 F.A.C.

3. **Responsible Official:** (Name and Title)
Pamela Shoosmith, Environmental Coordinator

4. **Survey Participants & Principal Inspector:**
Pamela Shoosmith, Environmental Coordinator
Karen Wilson - FDEP Hazardous Waste Division

5. Facility Latitude N26° 38' 31.1" Longitude: W81° 51' 53.9" SIC

6. Type of Ownership ☐ FEDERAL ☐ STATE ☐ COUNTY ☐ MUNICIPAL ☒ **PRIVATE**

7. Permit Number: _____ Date Issued: _____ Expiration Date: _____

8. Pre-arranged Inspection: ☐ Yes ☒ No ☐ Preinspection letter mailed ☐ Yes ☒ No

"More Protection, Less Process"

Printed on recycled paper.

9. Process Description or discrepancies from previous report:

A compliance evaluation inspection was conducted at this facility on August 31, 2005. The following is a summary of our findings.

According to DEP's computer database, this facility is currently registered a used oil transporter and transfer facility and assigned EPA ID# FLD000807370.

I proceeded inside and talked with Pete, supervisor by phone. I explained to him that I was there to do an inspection of the facility and look at training records, disposal receipts, and manifests. Pete gave me permission to look around the facility and take pictures until Kip Gilyard, supervisor or Pam Shoosmith, environmental coordinator could meet with me.

Photo 1-3 shows a double walled used mineral oil tank that was labeled and had been drained of oil on 7/25/05. Photo 4-6 shows a containment shed where leaking/damaged transformers are placed. The floor of the containment shed was grated in order to let the oil drain onto a pan below the floor that is later siphoned out and put into the used mineral oil tank. A spill containment supply cabinet was located on a concrete pad in front of the containment shed (photos 7-8). In the general area, almost everything is located on a wooden pallet (photo 9). Photo 10 shows a full 55-gallon metal drum labeled motor oil with a shipping date of 8/3/05. Photo 12 shows 4 blue 55-gallon drums. A yellow arrow is pointing to the only drum that was full, not labeled, and sucked in on the side and top. An employee told Ms. Shoosmith and I that it was Orange Bloom and was not usable. Ms. Shoosmith told him to transfer it into another drum and have it shipped back to the manufacturer or disposed of accordingly. There were twenty-five 55-gallon empty drums located on the side of the environmental warehouse (photo 13). Photo 14 shows a 55-gallon metal drum labeled Orange Supreme, a 100% active natural citrus deodorizer/degreaser. Photo 15 shows two 55-gallon poly drums labeled Bruske Blot-It (spill absorbent), and photo 16 shows a 55-gallon poly drum labeled Orange Bloom All Purpose Cleaner. Photos 17-21 shows several containers labeled for recycling materials. Photo 22 shows a 6,000-gallon aboveground storage tank labeled mineral oil. The storage tank is equipped with an alarm control box. It was questioned if the system is routinely inspected and maintained. Ms. Shoosmith indicated that the tank levels are inspected on a monthly basis, but was unsure if the alarm was routinely checked. The registration record for the storage tank was posted for the year 2005-2006 with placard number 242140, facility ID 8519172, issued on 6/23/05 (photo 23). Photos 24-25 show a phase separator dewatering unit. Photos 26-28 are roll-offs to store oily waste and oily dirt debris. The roll-off in photo 27 was not labeled, but Ms. Shoosmith indicated it was for the oily waste. An environmental warehouse was located in the middle of the property that stored all environmental equipment used for daily use (photos 29-31). Photo 32 shows four fluorescent bulbs lying up against the wall in the entrance to the environmental warehouse. It could not be determined if they were new or spent. Ms. Shoosmith said she would have someone put them in their right location.

There is only one truck used for pick-up of used oil from used oil generators. Each driver maintains a transporter's used oil acceptance log and records name/address of oil pickup, EPA ID # of facility, date of pick-up, quantity in gallons, chlor-n-oil test is done only if container is not labeled, and the driver's signature. If chlor-n-oil test fails in the field than a sample is drawn at the FPL facility and sent to the test lab in West Palm Beach. Address for the West Palm Beach facility is 2455 Port West Boulevard. The contractors for FPL are employed by South Florida Pole Workers in Fort Myers. The employee training records are kept with the employer, thus FPL checks the records once a year. I spoke with Pam Shoosmith on September 7, 2005 about obtaining a copy of the records from the contractor's employer. Ms. Shoosmith contacted Brian Joseph at South Florida Pole Worker for copies of the employee training records and driver license on September 7, 2005. Ms. Shoosmith faxed a copy of Isiah Bryant's Certificate of Technical Training and CDL license to the Department on September 8, 2005.

Ms. Shoosmith gave me a copy of FPL's Conditionally Exempt Hazardous and Recyclable Waste Collection Program. According to the document, The Distribution Business of FPL has been operating for hazardous and recyclable wastes from CESQGs since 1992. Ms. Shoosmith indicated that all aerosol cans, lead-acid batteries, fluorescent lamps, arc-tubes from HID lamps, Nickel Cadmium batteries, and all mercury containing devices are consolidated at the shipment yard at the Gladiolus Facility in Fort Myers and then transported to the Regulated Materials Building at the Port West Properties in West Palm Beach. The Gladiolus Station also keeps all records of hazardous waste generated and shipped off. FPL Certificate of Financial Responsibility was issued to owner/operator Roger Messer on 7/13/98 for \$9,000,000 for the above ground storage tank and \$3,000,000 for underground storage tank with a date of May 2005 – March 30, 2006. Associated Electric Gas Insurance Services Limited issued a Certificate of Liability Insurance for FPL Used Oil Transporters in the amount of \$5,000,000 less the deductible or retention of \$2,000,000. The coverage is provided under policy number X0118A1A04, issued on February 1, 2005.

Receipts

- World Petroleum Corporation EPA ID# FLR000096974 6/10/05 (first removal from AST)
6000 gal. of used mineral oil flash point greater than 200°F
- Monthly HW Generation/Shipment Log/ Year 2005
Spent aerosol cans and propane canisters (1 Full 55-gallon drum = 40 lbs.)
 - January – May 0 generated
 - June 30 lbs. generated
 - July beginning & ending balance of 30 lbs., thus it was transported to West Palm
- FPL Shipping Paper to Property Distribution Center in West Palm 3/22/05
40 lbs. of spent mercury-containing lamps for recycling

10. List and Explain Noncompliance Items:

None at this time.

11. Recommendations and Areas of Concern:

It should be noted that the Department's efforts in listing areas of concern to a facility is an attempt to help that facility to either avoid a future potential violation with the Department or other government agencies, or help the facility improve its overall operations while protecting the environment.

- a. It is recommended the facility routinely inspect and maintain the alarm system for the storage tank to ensure it is working properly in the event of an emergency.
- b. According to **62-710.600(2)(c) F.A.C. Rule**, a training record shall be maintained in the company's operating record and the individual personnel files indicating the type of training received along with the dated signature of those receiving and providing training. These records shall be retained for a minimum of three years and available for review by Department personnel during inspections.
- c. It is recommended to label the roll-off in the back of the property.
- d. According to **62-710.401(6) F.A.C. Rule**, the 55-gallon drum of used motor oil (photos 10-11) shall be stored in secondary containment, which has the capacity to hold 110% of the volume of the largest container within the containment area.

Documentation Provided:

- 62-710.401 F.A.C. Rule and 62-710.600 F.A.C. Rule

Report Prepared By:

A handwritten signature in cursive script, appearing to read "Karen Wilson".

Karen Wilson

Environmental Specialist September 6, 2005