



FLORIDA DEPARTMENT OF Environmental Protection

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Ron DeSantis
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Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

May 8, 2023

Porfirio Cevallos, Env. Serv. Project Manager
Florida Power & Light Company
2455 Port West Blvd.
Riviera Beach, Florida 33407
Porfirio.Cevallos@FPL.COM

Re: In Compliance Letter
FPL Ft Myers Lee & Thompson Service Center
2425 Thompson Street, Fort Myers, FL
Facility ID No. FLD000807370
Lee County - HW

Dear Mr. Cevallos:

Department personnel conducted a compliance inspection of the above-referenced facility on April 19, 2023. Based on the information provided during and following the inspection, the facility was determined to be in compliance with the Department's rules and regulations. A link 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 Pamela Coffin at (239) 344-5659, or via email at Pamela.Coffin@FloridaDEP.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Elizabeth Sweigert".

Elizabeth Sweigert
Assistant Director of District Management
Florida Department of Environmental Protection
South District

cc: Kelli Gross, FPL, Kelli.Gross@FPL.com

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: 04/19/2023

On-Site Inspection End Date: 04/19/2023

ME ID#: 52574

EPA ID#: FLD000807370

Facility Street Address: 2425 Thompson St, Fort Myers, Florida 33901-3045

Contact Mailing Address: 2455 Port West Blvd, Riviera Beach, Florida 33407-1214

County Name: Lee

Contact Phone: (561) 845-4973

NOTIFIED AS:

Used Oil, VSQG

WASTE ACTIVITIES:

Generator: VSQG **Universal Waste: Indicate types of UW generated and/or accumulated at the facility:**

Generate/Accumulate: Batteries, 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 Transfer Facility Facility

Routine Inspection for Used Oil Transporter Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Pamela S Coffin, Inspector

Other Participants: Kelli Gross, Sr. Environmental Specialist, Genevieve Grah, Environmental Specialist

LATITUDE / LONGITUDE: Lat 26° 38' 30.8212" / Long 81° 51' 54.7139"

NAIC: 221122 - Electric Power Distribution

TYPE OF OWNERSHIP: Private

Introduction:

On April 19, 2023 (04/19/2023), Pamela Coffin with the Florida Department of Environmental Protection ("DEP" or "Department") conducted a routine inspection at the Florida Power & Light Company Ft Myers Lee & Thompson Service Center ("FPL" or "facility"), located at 2425 Thompson Street, Fort Myers, Lee County, Florida. The facility was inspected to determine its compliance with the state and Federal hazardous waste, used oil, and universal waste rules and regulations described in Title 40, Code of Federal Regulations (CFR) Parts 260-268, 40 CFR Part 273, and 40 CFR Part 279, adopted and incorporated by reference in Rules 62-710 and 62-730, Florida Administrative Code (F.A.C.). The inspector was accompanied by Genevieve Grah from the DEP.

The inspectors were escorted around the facility by FPL Sr. Environmental Specialist Kelli Gross. Upon arrival at the facility, we presented our credentials and explained the purpose of the inspection. Ms. Gross provided access and was present throughout the inspection.

The facility is owned by FPL and is connected to city water and sanitary sewer. The facility employs 68 personnel and operates 24 hours a day, seven days a week.

NOTIFICATION HISTORY

This facility is currently registered with the Department as a used oil transporter and used oil transfer facility. The registration expires 06-30-2024. A file review reflects the storage tank system (Facility ID# 8519172) was last inspected by Lee County Division of Natural Resources on 02-09-2021 and determined to be in compliance. The storage tank placard #623255 is maintained on-site and was issued 05-26-2022 and expires 06-30-2023.

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Maintenance is conducted on approximately 150 trucks generating used oil, used oil filters, oily debris and soil, spent lead-acid batteries, oily rags, scrap metal, and spent parts washer filters and cartridges, and hazardous waste in the form of spent propane canisters. 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 streetlamps, spent fluorescent lamps and spent aerosols which are managed as universal waste.

INSPECTION HISTORY

A file review reflects previous inspections by the Department were conducted on 8/31/2005, 12/04/2008, 03/21/2013, 01/15/2019, and 12/08/2021. The facility was found to be out of compliance during the most recent inspection on 12/08/2012 resulting in consent order actions for the following violations:

40 CFR 279.45(a), 62-710.800(1), F.A.C. The facility must establish procedures to ensure used oil is not stored longer than 35 days OR must meet the requirements for a used oil processing facility.

62-710.850(5)(a) Used oil filters shall be stored in above ground containers which are clearly labeled "Used Oil Filters."

Steel-toed boots and safety glasses were the only Personal Protective Equipment (PPE) required to enter the facility.

Process Description:

This facility is responsible for maintaining and repairing aerial and pad mounted transformers located throughout their service area. The facility subcontracts with U.S. Ecology who is on call 24/7 to assist with oil spill response, management, and recordkeeping. 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 Statement of Self Insurance for Used Oil Transporter was provided with the facility's registration annual 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 designated storage tank at the facility. Oily debris including impacted soil and absorbent material is collected in drums or roll-offs, transported to the facility and consolidated in two lined roll-offs. Ryder Transportation Solutions, LLC transports the majority of solid oily waste and debris from the facility directly to Okeechobee Landfill for disposal.

Empty 55-gallon drums are stored outside near the roll-off for oily debris. The drums are used for managing waste material. It was noted that the drums appeared rusted. It is recommended to evaluate the drums prior to placing/collecting any waste material in the drums.

Used mineral oil generated from damaged equipment without a non-PCB label is tested in the field to determine if PCBs are present (<50 ppm). If the sample fails, it is tested again to determine if it is less than 500 ppm 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 bagged, labeled, and stored in either a yellow storage container or metal oil shed at the facility until laboratory analysis results are obtained. Any oily debris or used mineral oil determined to contain >50 ppm PCBs is tracked on an internal shipping paper and sent to the PDC. Ms. Gross indicated they have not shipped any PCB containing material for the past several years.

According to previous inspection reports, the metal 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. The shed is a double-walled, self-contained unit capable of holding 150% of the volume of the oil in the largest transformer that may be

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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 polyethylene storage container. The container was also empty at the time of the inspection. Spill response equipment is maintained in a yellow metal unit adjacent to both the shed and yellow container.

Used oil is offloaded from the collection truck into a 6,000-gallon, double-walled aboveground storage tank (AST) the same day the used oil is picked up. 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 pick-up location /address and EPA ID# of the used oil pick-up. At the bottom of the log, the driver records the date transferred, gallons, signature and tank #/location of used oil off loaded from the truck to the tank. 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 and the log were reviewed. Theta American Group, a DEP-registered used oil transporter and transfer facility, picks up the used oil.

The 6,000-gallon used oil double-walled AST was clearly labeled 'no smoking, combustible, used mineral oil, <50 ppm PCBs. The tank is registered, and the current placard was posted. Training records reviewed for U.S. Ecology staff included current 8-hour HAZWOPER refresher training. Spill response equipment is maintained in a yellow container adjacent to the AST.

General repair and maintenance is conducted on approximately 150 vehicles in an approximate 6,250 square foot building situated in the southwest corner of the property. The maintenance building consists of offices and a shop area with four (4) work bays. The shop area was clean and orderly. Emergency equipment including an eye wash, shower, spill kit, first aid station and fire extinguisher were noted.

Used oil from fleet maintenance is collected in a labeled 250-gallon double-walled storage tank maintained inside the maintenance building. Drain pans and portable grated drain pans are labeled 'used oil'. Adjacent to the used oil storage tank is an OBERG 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' is situated beneath the crusher to collect used oil filters. Receipts reflect Heritage Crystal Clean picks up the facility's used oil and used oil filters. Used antifreeze is collected and recirculated/reused back into vehicles without filtering. Oily shop rags are collected in a labeled 55-gallon drum and picked up by Unifirst for laundering. Refrigerant is evacuated /recovered and re-used.

Aerosol products are stored in a flammable cabinet. The facility uses various products including CRC Brakleen Brake Parts Cleaner which contains 30-60% methanol, 10-30% naphtha, 10-30% toluene, 5-10% heptane, 7-13% acetone, 1-5% n-heptane. According to facility personnel, the product is sprayed onto a part, such as brake linings and pads, and evaporates. No waste is generated from using the product. Any solvent contaminated rags are collected in a red metal self-closing container and picked up by Unifirst for laundering. Spent lead acid batteries are stored indoors and cores are picked up by Rechten International Trucks, Inc. The facility has two ZEP parts washers which utilize ZEP Dyna 143 solvent. The safety data sheet reflects the solvent contains 90-100% petroleum distillates and flashpoint is 143°F. The parts washers are equipped with two filters. The sandbag filter is changed once a year; and the filter cartridge is changed annually and as needed. Analytical results reflect spent filters were last sampled and tested in January 2022 and determined to be non-hazardous.

A truck wash is located on the south end of the fleet maintenance building. The bay has three walls, a 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. Sludge from the sump and floor drain are managed as non-hazardous. Analytical results reflect the sludge was sampled/tested in March 2023 and determined to be non-hazardous.

Several buildings on the property are used for parts storage, oil spill equipment storage and offices. No hazardous waste is generated in these areas.

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Several closed/covered, labeled 55-gallon drums, stored on pallets, outside, are used to store waste/recyclables prior to shipping to the PDC. The drums contained spent sodium vapor bulbs, waste aerosol cans, spent arrestors, and waste propane containers. Spent sodium vapor bulbs, aerosol cans and fluorescent lamps are dated/labeled as universal waste; and waste propane containers are managed/labeled as hazardous waste.

Large open top metal containers are used to collect scrap metal, wire, cutout and disconnect switches, scrap porcelain insulators, scrap polymer arresters, and streetlights prior to shipping to the PDC. Each container is clearly labeled as to its contents. Roll-offs are used to store scrap wood, solid waste, and recyclables.

RECORDS REVIEW

Review of manifests, bills of lading, and receipts were reviewed at the time of inspection. Heritage-Crystal Clean picks up shop-generated used oil quarterly and used oil filters semi-annually. The most recent pickup of used oil occurred on March 7, 2023, and used oil filters on January 12, 2023.

Oily solids and debris is picked up monthly by Ryder Integrated Logistics (EPAID: FLR000088377) and transported to Okeechobee Landfill (EPAID: FLR000046979). The most recent pick up occurred on April 13, 2023.

Non-PCB used mineral oil is picked up monthly by Theta America Group, LLC (EPAID: FLR000110536) with the most recent pick up occurring on March 21, 2023. At the time of inspection, manifests from January 2023 to March 2023 indicated the incorrect EPA ID for the transporter and designated facility. The Department requested corrected manifest copies in the exit interview dated 04/19/2023.

*Subsequent to the inspection, corrected manifest copies were provided to the Department in a submittal dated 04/27/2023.

PHOTO ATTACHMENTS:

Yellow storage container



Drum storage



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Shop used oil tank and used oil filter drum



Metal oil shed



Parts washer



Used oil storage tank



Conclusion:

The FPL Ft Myers Lee & Thompson Service Center facility was inspected as a used oil transporter, a used oil transfer facility, and a small quantity handler of universal waste and was found to be in compliance with state and federal regulations.

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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	✓		

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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

Pamela S Coffin**Principal Investigator Name**Inspector**Principal Investigator Title****Principal Investigator Signature**DEP**Organization**05/08/2023**Date**Kelli Gross**Representative Name**Sr. 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.

Genevieve Grah**Representative Name**Environmental Specialist**Representative Title**DEP**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:**Pamela S Coffin**Inspection Approval Date:**05/08/2023