



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

FACILITY INFORMATION:

Facility Name: Kelly Tractor Co

On-Site Inspection Start Date: 05/05/2023

On-Site Inspection End Date: 05/05/2023

ME ID#: 41299

EPA ID#: FLD981926843

Facility Street Address: 5460 Okeechobee Blvd, West Palm Beach, Florida 33417-4587

Contact Mailing Address: 8255 NW 58 Street, Doral, Florida 33166-2639

County Name: Palm Beach

Contact Phone: (305) 592-5360

NOTIFIED AS:

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

WASTE ACTIVITIES:

Generator: SQG **Used Oil:** Used Oil, Oil Filters **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 Transporter Facility

Routine Inspection for Used Oil Transfer Facility Facility

Routine Inspection for SQG (100-1000 kg/month) Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Kaitlyn Taylor, Inspector

Other Participants: Johanna Polycart, Inspector, Gary Conklin, Service Manager, Mark Griffin, Parts Manager

LATITUDE / LONGITUDE: Lat 26° 42' 19.9601" / Long 80° 7' 29.9274"

NAIC: 811310 - Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance

TYPE OF OWNERSHIP: Private

Introduction:

On May 5th, 2023 (05/05/2023) Kaitlyn Taylor with the Florida Department of Environmental Protection (DEP) conducted a routine Compliance Evaluation Inspection (CEI) for used oil and hazardous waste at Kelly Tractor Co., located at 5460 Okeechobee Blvd, West Palm Beach 33417. Kelly Tractor was inspected to determine the facility's compliance with the State and Federal hazardous waste regulations described in Title 40, Code of Federal Regulations (CFR) Parts 260-268, adopted and incorporated by reference in Rule 62-730, Florida Administrative Code (F.A.C.), as well as the state Used Oil Rule 62-710 F.A.C. The inspector was accompanied by Johanna Polycart, Environmental Specialist III from the FDEP.

The inspectors were escorted around the facility by Gary Conklin, Service Manager and Mark Griffin, Parts Manager. Upon arrival at the facility the inspectors presented their credentials and explained the purpose of the inspection.

Kelly Tractor has been operating at its current location since approximately 1980 and employs 90 staff. The facility is connected to public water and sewer services and operates from 7:30 a.m. to 5:00 p.m. Monday to Friday.

Notification History:

Kelly Tractor initially notified with the Department as a transporter and transfer facility for used oil and used oil filters on 10/10/2010. The facility was assigned the EPA Identification ("EPAID") Number FLD981926843.

Inspection Date: 05/05/2023

The facility's most recently registered with the department on 05/23/2023 as a used oil Transporter, Transfer Facility, Filter Transporter, and Filter Transfer Facility, expiring on 06/30/2024. The facility also registered as a Small Quantity Generator (SQG) on 06/21/2022.

Inspection History:

On 09/15/2010, a compliance evaluation inspection was conducted by the Department and the facility was out of compliance for failure to document disposal of lead acid batteries, failure to make waste determinations, failure to properly contain universal waste lamps, and oil caddies were not labeled used oil.

Personal Protective Equipment (PPE) was required to enter the facility. The Department inspectors were equipped with steel-toed boots, safety vest, and safety glasses.

Process Description:

Kelly Tractor is the Caterpillar heavy equipment Dealer in the South Florida area. They provide rentals, leasing, sales, and servicing for all types of construction and industrial equipment.

Kelly Tractor is a hazardous waste and used oil generator, used oil transporter, used oil filter transporter, and used oil and used oil filter transfer facility. They generate their own used oil from maintenance on their own equipment and transport it themselves to their facility. They do not transport any used oil from third-party customers. They also generate Universal Waste lamps and batteries. Waste is also generated in the service shop, main shop, and the paint department.

Service shop:

The service shop contains one of two central accumulation areas. Inspectors observed six 55-gallon drums labeled "Uncrushed Used Oil Filters Only" and two 55-gallon drums labeled "Absorbent material Only". The hazardous waste observed in this area was one 55-gallon drum for waste solvent wipes labeled "Hazardous Waste" (Waste Code F003, F005, D001, D018), the drum did not have an accumulation start date [40 CFR 262.16(b)(6)(i)(C)] and compliance assistance was offered in the exit interview.

Main shop:

The main shop contains the second central accumulation area. Inspectors observed five 55-gallon drums. At the time of the inspection two drums were empty, two were labeled "Uncrushed Used Oil Filters Only", and one contained waste solvent wipes labeled "Hazardous Waste" (Waste Code F003, F005, D001, D018). The hazardous waste drum did not have an accumulation start date [40 CFR 262.16(b)(6)(i)(C)] and compliance assistance was offered in the exit interview.

Inspectors observed an open container of used oil filters and some not in a container [62-710.850, F.A.C], compliance assistance was offered to move the filters into one of the closed and labeled drums which was corrected onsite during the inspection.

Inspectors observed a used oil caddy with no label [40 CFR 279.22(c)(1)]. Compliance assistance was offered onsite and in the exit interview.

Paint Department

The paint department is used for small paint jobs and inspectors were informed that it does not get used frequently. The paint filters are changed out as needed, which is approximately once a year. There was no hazardous waste observed in this area at the time of the inspection.

Universal Waste

Universal waste lamps and spent lead acid batteries are generated from around the facility and machines. Inspectors observed five batteries on a pallet stored in a storage room away from the elements.

Universal waste lamps were observed in the hose room. The lamps were in a closed container with no label [62-

Inspection Date: 05/05/2023

730.160(3), F.A.C.]. Compliance assistance was offered on site and in the exit interview to add a "Universal waste lamps" label.

Used Oil Tank Farm

The used oil tanks are located outside at the back of the facility. There were two used oil tanks located here in a concrete secondary containment area that were labeled with the words "Used Oil". Each tank has a capacity of 1,000 gallons. Inspectors were informed that one of the tanks was not in use due to repairs.

Inspectors observed used oil in the secondary containment near where trucks connect to pump oil into the tanks [40 CFR 279.22(d)(3)]. Compliance assistance was offered on site and in the exit interview to clean up the oil.

Records Review

SQG Requirements

Manifest records are maintained on-site and readily available for review.

At the time of inspection, the most recent pickup had occurred on 04/28/2023; transported by Heritage - Crystal Clean LLC (EPAID ILR000130062); the designated facility is Giant Resource Recovery (EPAID SCD036275626). The facility transported one container (50 gallons) of Waste Flammable Liquids, N.O.S., 3, PG II, (Toluene, Methanol) (EPA Waste Code F003, F005, D001, D018)

Based on the manifest records, the facility operates as an SQG of hazardous waste and is compliant with the 180-day storage requirements [40 CFR 262.16(b)].

Preparedness and Prevention:

Kelly Tractor does maintain and operate its facility in a manner that minimizes the possibility of fire, explosion, or releases of hazardous waste [40 CFR 262.16(b)(8)]. Spill kits, fire alarms, and fire extinguishers are available on-site [40 CFR 262.16(b)(8)(ii)]. The facility does conduct routine inspections, testing, and maintenance of all communications systems, fire protection equipment, spill control equipment, and decontamination equipment [40 CFR 262.16(b)(8)(iii)]. Safety equipment and supply lockers are located throughout the facility with small eyewash stations, fire extinguishers, and first aid kits. Adequate aisle space is maintained throughout the CAAs [40 CFR 262.16(b)(8)(v)/Rule 62-730.160(4), F.A.C.].

The facility could demonstrate that arrangements with local authorities were made [40 CFR 262.16(b)(8)(vi)].

Emergency Procedures:

The facility has an emergency coordinator [40 CFR 262.16(b)(9)(i)]. The emergency coordinator is Mark Griffin.

The facility could demonstrate that the following information was posted next to telephones or in areas directly involved in the generation and accumulation of hazardous waste:

- The name and emergency contact number for the emergency coordinator
- The location of fire extinguishers and spill control material, and, if present, a fire alarm
- The telephone number of the fire department, unless the facility has a direct alarm

[40 CFR 262.16(b)(9)(ii)(A)-(C)]

The facility does not conduct weekly inspections of hazardous waste containers [40 CFR 262.17(b)(2)(iv)]. The facility was requested to immediately begin documenting the weekly container inspections and provide the Department with two (2) weeks of records. These records were received on [05/18/2023].

Training:

The facility does ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies [40 CFR 262.16(b)(9)(iii)].

Inspection Date: 05/05/2023

Used oil requirements

Manifest records are maintained on-site and readily available for review.

At the time of inspection, the most recent used oil pickup had occurred on 04/19/2023; transported by Heritage - Crystal Clean LLC (EPAID ILR000130062). The facility transported 906 gallons of non-DOT regulated used oil /oily water. The designated facility is Heritage - Crystal Clean LLC (EPAID ILR000130062).

Contingency Plan/Spill Prevention, Control, and Countermeasure (SPCC) Plan:

During the inspection, inspectors reviewed the SPCC Plan onsite which included all emergency contacts for Kelly Tractor, local emergency responders, cleanup contractors, emergency response strategy and reporting, spill control actions, spill control equipment, and discharge notification procedures.

Kelly tractor Co. is a self-transporter of used oil and used oil filters; therefore, the facility is exempt from recordkeeping and reporting requirements [62-710.510(3)].

Registration and liability insurance were up to date and posted in the facility.

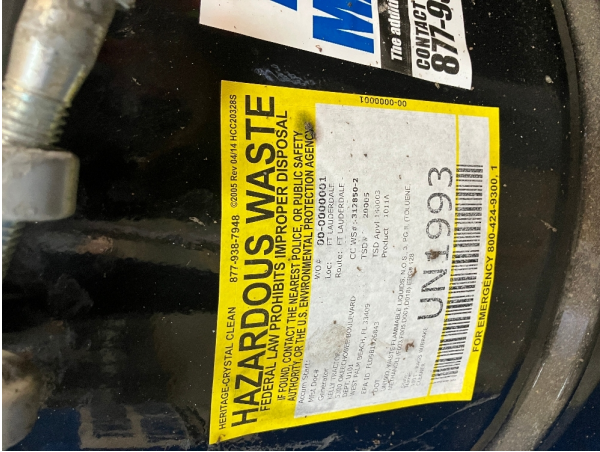
New Potential Violations and Areas of Concern:**Violations**

Type:	Violation
Rule:	262.16(b)(2)(iv)
Question Number:	3.67
Question:	Does the generator conduct weekly inspections of areas where hazardous waste containers are stored? (Sometime during calendar week) 262.16(b)(2)(iv)
Explanation:	The facility does not conduct weekly inspections of hazardous waste.
Corrective Action:	Provide proof of conducting weekly inspections by submitting inspection log.

Type:	Violation
Rule:	262.16(b)(6)(i)(C)
Question Number:	3.46
Question:	Has the generator ensured the accumulation start date is visible for inspection on each hazardous waste container? 262.16(b)(6)(i)(C)
Explanation:	The facility has two hazardous waste containers with no accumulation start date.
Corrective Action:	Provide picture proof of Hazardous waste labels with accumulation start dates.

Photo Attachments:

Hazardous waste label with no accumulation start date



Type: Violation
Rule: **273.14(e)**
Explanation: Universal waste lamp containers were not labeled.
Corrective Action: Provide photo documentation of waste lamp containers properly labeled "Universal Waste Lamps"

Photo Attachments:

Waste lamps not labeled



Labeled



Type: Violation
Rule: **279.22(c)(1)**
Explanation: Caddies that transport used oil were not labeled "Used Oil".
Corrective Action: Provide photo documentation of caddies labeled "Used Oil"

Photo Attachments:

Used oil caddy not labeled



Labeled



Type:	Violation
Rule:	279.22(d)(3)
Question Number:	5.17
Question:	clean up and manage properly the released used oil and other materials? 279.22(d)(3)
Explanation:	Inspectors observed oil near the used oil tank inside the secondary containment.
Corrective Action:	The facility should provide picture proof that the oil release has been cleaned up.

Photo Attachments:

Oil release



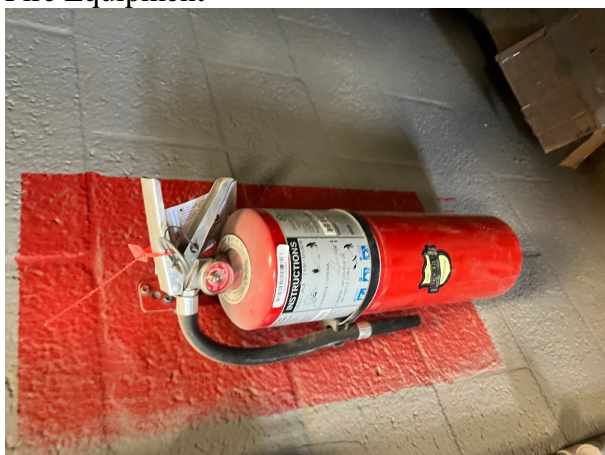
Cleaned



Type:	Violation
Rule:	62-730.160(3)
Question Number:	3.68
Question:	Does the generator properly document the weekly inspections? This should include at a minimum:(Check items below that are NOT in compliance) 62-730.160(3)
Explanation:	The facility does not document weekly inspections.
Corrective Action:	Provide proof of documenting weekly inspections by submitting completed inspection logs. (Weekly inspection log templates were provided by the department)

PHOTO ATTACHMENTS:

Fire Equipment



Central Accumulation Area



Used Oil Tanks



Spill kit



Conclusion:

Kelly Tractor Co. was inspected as a Small Quantity Generator of hazardous waste and a generator of used oil, used oil filters, and universal waste and was found to be out compliance for the following:

- Failure to conduct and document weekly inspections of hazardous waste per Rule 62-730.160(3), F.A.C.
- Failure to label universal waste lamp containers per 40 CFR 273.14(e).
- Failure to have accumulation start dates on hazardous waste containers per 40 CFR 262.16(b)(6)(i)(C).
- Failure to label used oil caddies per 40 CFR 279.22(c)(1).
- Failure to stop operations and clean up releases of oil in secondary containment per 40 CFR 279.22(d)(3).

Compliance assistance was provided during the inspection and in the exit interview. The facility was provided

with a deadline of 05/19/2023 to complete the corrective actions.

On 05/18/2023 the facility submitted all requested documentation demonstrating that the corrective actions have been completed. The facility has since returned to compliance.

Inspection Date: 05/05/2023

3.0: Small Quantity 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.	40 CFR 262 Subpart A -- General Standards	Yes	No	N/A
3.1	Has the facility properly identified all hazardous waste streams? 262.11	✓		
3.2	Has the facility obtained an EPA ID number? 262.18(a)	✓		
3.3	Is the facility disposing of all its hazardous wastes to facilities permitted to accept the waste? 262.18(c)	✓		
3.4	Are any hazardous wastes treated or disposed of on site?			
3.5	If YES, did the facility meet an exclusion or exemption from hazardous waste permit requirements? 268.7(a)(5), 62-730.240(1)			✓
Item No.	Land Disposal Restrictions	Yes	No	N/A
3.6	Does the facility ensure restricted waste streams are not diluted as a substitute for treatment? 268.3(a)			✓
3.7	Is the generator managing and treating prohibited waste or contaminated soil in tanks, containers, or containment buildings to meet applicable LDR treatment standards found at 268.40? 268.7(a)(5)			✓
3.8	Has the generator developed a waste analysis plan (WAP) describing procedures they will carry out to comply with the treatment standards? 268.7(a)(5)			✓
3.9	If the generator has a WAP, is it based on a detailed chemical and physical analysis of the prohibited waste(s) being treated? 268.7(a)(5)(i)			✓
3.10	If the generator has a WAP, does it include all the information necessary to treat the waste(s), including selected testing frequency? 268.7(a)(5)(i)			✓
3.11	Is the waste analysis plan in the facility's on-site files and available to inspectors? 268.7(a)(5)(ii)			✓
3.12	Did the generator comply with the notification requirements of 268.7(a)(3) for treated wastes shipped off-site? 268.7(a)(5)(iii)			✓
3.13	Has the generator determined all applicable hazardous waste codes associated with hazardous waste generated? 268.9(a)			✓
3.14	If the waste is characteristic hazardous waste (and not D001 nonwastewater treated by CMBST, RORGS, or POLYM of 268.42 Table 1) did the generator identify reasonably expected underlying hazardous constituents? 268.9(a)			✓
3.15	If the hazardous waste is land disposed, did it meet the treatment standard requirements of 268.40? 268.40(a)			✓
3.16	If the waste or contaminated soil does not meet the treatment standards did the generator send a one-time written notice to the TSD containing all required information? 268.7(a)(2)			✓
3.17	If the generator chooses not to determine if the waste meets the treatment standards did the generator send a one-time written notice to the TSD containing all required information? 268.7(a)(2)			✓

Inspection Date: 05/05/2023

3.18	If the waste or contaminated soil met the treatment standards did the generator send a one-time written notice to the TSD containing all required information? 268.7(a)(3)			✓
3.19	Did the generator retain on-site a copy of all notices, certifications, waste analysis data, and other documentation produced for at least 3 years from the date the waste was last shipped? 268.7(a)(8)			✓
3.20	Is the generator managing lab packs using the alternative treatment standard for lab packs in 268.42(c)? 268.7(a)(9)			
3.21	Did the generator meet the requirements identified in 268.7(a)(9) for use of the alternative treatment standards for lab packs? 268.7(a)(9)			✓
3.22	Is the generator a small quantity generator (SQG) using a tolling agreement pursuant to 40 CFR 262.20(e)?			
3.23	Did the SQG comply with the applicable notification and certification requirements of 268.7(a) for the initial shipment of waste subject to the agreement? 268.7(a)(10)			✓
3.24	Has the SQG retained on-site a copy of the notification and certification, along with the tolling agreement, for at least 3 years after termination or expiration of the agreement? 268.7(a)(10)			✓
Item No.	The Manifest	Yes	No	N/A
3.25	Did the facility use a properly completed manifest for all its hazardous waste shipments? (Check items below that are NOT in compliance) 262.20(a)(1) Item 1. Generator's U.S. EPA Identification Number Item 2. Page 1 of "X" (total number of pages used to complete the manifest) Item 3. Emergency Response Phone Number (must meet requirements below) Item 4. Manifest Tracking Number Item 5. Generator's Mailing Address, Phone Number and Site Address Item 6. Transporter 1 Company Name & U.S. EPA ID Number Item 7. Transporter 2 Company Name & U.S. EPA ID Number Item 8. Designated Facility Name, Site Address, Phone Number, and U.S. EPA ID Number Item 9. U.S. DOT Description (Including Proper Shipping Name, Hazard Class or Division, Identification Number and Packing Group) Item 10. Containers (Number and Type) Item 11. Total Quantity (Round to nearest whole unit; container capacities are not acceptable as estimates) Item 12. Units of Measure (Weight/Volume) Item 13. Waste Codes. Enter up to 6 of the most representative waste codes. Item 14. Special Handling Instructions and Additional Information Item 15. Generator's / Offeror's Certifications Item 16. International Shipments (Import or Export must be noted) Item 17. Transporter's Acknowledgment of Receipt (printed name, signature, date of receipt) Item 18. Discrepancy (Discrepancies between waste described on manifest and waste received by facility) Item 19. Hazardous Waste Report Management Codes Item 20. Designated Facility Owner or Operator Certification of Receipt (printed name, signature, date of receipt)	✓		
3.26	Did the facility designate on the manifest one facility which is permitted to handle the waste described on the manifest? 262.20(b)	✓		
3.27	Did the generator sign the manifest certification by hand? 262.23(a)(1)	✓		

Inspection Date: 05/05/2023

3.28	Did the generator obtain the handwritten signature of the initial transporter and date of acceptance on the manifest? 262.23(a)(2)	✓		
3.29	Did the generator retain one copy of the manifest for 3 years or until a copy of the signed manifest was received from the Designated Facility (TSD)? 262.23(a)(3)	✓		
3.30	For any bulk shipments within the U.S. solely by water did the generator provide 3 copies of the signed and dated manifest to the Designated Facility? 262.23(c)	✓		
3.31	For rail shipments originating at the site of generation did the generator provide at least 3 signed and dated manifests to one of the entities below: (Check items below that are not in compliance) 262.23(d) The next non-rail transporter? The Designated Facility if transported solely by rail? The last rail transporter to handle the waste in the U.S. if exported by rail?			✓
3.32	If the generator did not receive a signed return copy of the manifest from the designated facility within 60 days of shipment, did the generator file an exception report? 262.42(b)	✓		
3.33	Did the generator maintain manifests for 3 years? 262.40(a)	✓		
3.34	Did the facility have any rejected shipments of hazardous waste or container residues returned by the Designated Facility?			
3.35	If YES, did the generator meet the requirements of 40 CFR 262.23(f)? 262.23(f)			✓
Item No.	Pre Transport Requirements	Yes	No	N/A
3.36	Before transporting or offering hazardous waste for transport off-site, did the generator package the waste in accordance with 49 CFR parts 173, 178, and 179? 262.30	✓		
3.37	Before transporting or offering hazardous waste for transport off-site, did the generator label each package in accordance with 49 CFR part 172? 262.31	✓		
3.38	Before transporting or offering hazardous waste for transport off-site, did the generator mark each package in accordance with 49 CFR part 172? 262.32(a)	✓		
3.39	Before transporting or offering hazardous waste for transport off-site, did the generator mark each container of 119 gallons or less with the following? (Check items below that are NOT in compliance) 262.32(b) Generator's Name and Address? Generator's EPA ID Number? Manifest Tracking Number?	✓		
3.40	Before transporting or offering hazardous waste for transport off-site, did the generator offer the initial Transporter the appropriate DOT Placards? 262.33	✓		
Item No.	Accumulation Requirements	Yes	No	N/A
3.41	Does the facility accumulate hazardous waste on-site prior to treatment or disposal? 262.16	✓		
3.42	Check the applicable accumulation unit if the facility accumulates hazardous waste on-site prior to treatment or disposal Containers - Complete Container Checklist below Tanks - Complete Tanks Checklist below			
3.43	Does the facility comply with the 180-day accumulation time limit? 262.16(b)	✓		
3.44	If NO, has the facility been issued an extension by the Department? 262.16(d)			✓
3.45	Does the facility comply with the 6000 kg maximum accumulation of hazardous waste? 262.16(b)(1)	✓		
3.46	Has the generator ensured the accumulation start date is visible for inspection on each hazardous waste container? 262.16(b)(6)(i)(C)		✓	

Inspection Date: 05/05/2023

3.47	Has the generator ensured each hazardous waste container and tank is labeled or marked clearly with the words "Hazardous Waste"? 262.16(b)(6)(i)(A)	✓		
3.48	Are Satellite Accumulation points used? (If No, mark all items below as N/A.)			
3.49	Are satellite containers at, or near, the point of generation where wastes initially accumulate? 262.15(a)	✓		
3.50	Are satellite containers under the control of the operator of the process generating the waste? 262.15(a)	✓		
3.51	Are satellite containers in good condition? (Check for leaks, corrosion, dents, bulges, etc.) 262.15(a)(1)	✓		
3.52	Are satellite containers in use made of, or lined with, materials that are compatible with the hazardous waste to be stored? 262.15(a)(2)	✓		
3.53	Does the generator keep satellite containers closed during storage, except when adding or removing waste? 262.15(a)(4)	✓		
3.54	Has the generator marked satellite containers with the words "Hazardous Waste"? 262.15(a)(5)	✓		
3.55	Is greater than 55 gallons of hazardous waste or 1 quart of acutely hazardous waste accumulated in the Satellite point?			
3.56	If YES, after 3 days did the generator mark or label an accumulation start date on the excess waste containers ? 262.15(a)(6)	✓		
Item No.	Emergency Information/Personnel Training	Yes	No	N/A
3.58	Has the facility identified at least one employee to act as the Emergency Coordinator? 262.16(b)(9)(i)	✓		
3.59	Has the facility posted required emergency information next to a telephones or in areas directly involved in the generation and accumulation of hazardous waste? (Check items below that are NOT in compliance) 262.16(b)(9)(ii) Name and telephone number of the Emergency Coordinator Location of fire extinguishers and spill control material, and, if present, fire alarm Telephone number of the fire department, unless the facility has a direct alarm (911 is acceptable)	✓		
3.60	Are all employees thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies? 262.16(b)(9)(iii)	✓		
3.61	Has the facility had to respond to any emergencies in the past 3 years?			
3.62	If YES, did the facility respond in a manner described below, or other appropriate manner? (Check items below that are NOT in compliance) 262.16(b)(9)(iv) FIRE - Call fire department or attempt to extinguish with a fire extinguisher SPILL - Contain the waste and clean up any hazardous waste and contaminated materials and soil FIRE, EXPLOSION, or RELEASE that posed threat - Notify the State Watch Office and National Response Center and report			✓
Item No.	Use and Management of Containers	Yes	No	N/A
3.63	Does the generator use hazardous waste containers that are in good condition? (Check for leaks, corrosion, dents, bulges, etc.) 262.16(b)(2)(i)	✓		
3.64	Does the generator use hazardous waste containers that are made of, or lined with, materials compatible with the hazardous waste to be stored? 262.16(b)(2)(ii)	✓		
3.65	Has the generator keep hazardous waste containers closed during storage, except when adding or removing waste? 262.16(b)(2)(iii)(A)	✓		

Inspection Date: 05/05/2023

3.66	Does the generator ensure hazardous waste containers are not opened, handled, or stored in a manner that may rupture the container or cause it to leak? 262.16(b)(2)(iii)(B)	✓		
3.67	Does the generator conduct weekly inspections of areas where hazardous waste containers are stored? (Sometime during calendar week) 262.16(b)(2)(iv)		✓	
3.68	Does the generator properly document the weekly inspections? This should include at a minimum:(Check items below that are NOT in compliance) 62-730.160(3) Date and Time of inspection Legibly printed name of inspector Number of hazardous waste containers Condition of containers Notation of observations made Date and nature of any repairs or remedial actions		✓	
3.69	If the facility places incompatible wastes, or incompatible waste and materials in the same container, is it done in compliance with 40 CFR 262.16(b)(2)(v)(A)? 262.16(b)(2)(v)(A)	✓		
3.70	If the facility places hazardous waste in an unwashed container that previously held incompatible wastes or materials, is it done in compliance with 40 CFR 262.16(b)(2)(v)(B)? 262.16(b)(2)(v)(B)	✓		
3.71	Are containers holding a hazardous waste that are stored near incompatible waste or other materials protected from that waste or material (kept apart)? 262.16(b)(2)(v)(C)	✓		
Item No.	Tanks Requirements for SQGs	Yes	No	N/A
3.72	Does the facility treat or store hazardous waste in tanks?			
3.73	If YES, does the facility comply with the requirements of 40 CFR 265.17(b)? 262.16(b)(3)(ii)(A)			✓
3.74	Has the facility ensured no hazardous waste or treatment reagent is placed in a tank that could cause the tank or inner liner to rupture, leak, corrode, or otherwise fail? 262.16(b)(3)(ii)(B)			✓
3.75	Are uncovered tanks operated to ensure at least 60 centimeters (2 feet) of freeboard, unless the tank is equipped with containment that meets or exceeds the volume of the top 2 feet of the tank? 262.16(b)(3)(ii)(C)			✓
3.76	If hazardous waste is continuously fed into a tank, is the tank equipped with a means to stop this inflow (waste feed cut-off or by-pass system)? 262.16(b)(3)(ii)(D)			✓
3.77	Does the facility inspect, where present, the following at least once each operating day:			
3.78	Discharge Control Equipment (waste feed cut-off, by-pass, and drainage systems)? 262.16(b)(3)(iii)(A)			✓
3.79	Data gathered from monitoring equipment (e.g., pressure and temperature gauges)? 262.16(b)(3)(iii)(B)			✓
3.80	The level of waste in the tank? 262.16(b)(3)(iii)(C)			✓
3.81	Does the facility inspect the following at least weekly:			
3.82	The construction materials of the tank to detect corrosion or leaking of fixtures or seams? 262.16(b)(3)(iii)(D)			✓
3.83	The construction materials of, and the area immediately surrounding, discharge confinement structures (e.g., dikes) to detect erosion or obvious signs or leakage? 262.16(b)(3)(iii)(E)			✓

Inspection Date: 05/05/2023

3.84	Does the facility accumulate waste in tanks or tank systems that have full secondary containment and either leak detection equipment to alert facility personnel to leaks or established workplace practices to ensure leaks are promptly identified?			
3.85	If YES, does the facility inspect Discharge Control Equipment, Data, and Level of waste in tanks at least weekly? 262.16(b)(3)(iv)			✓
3.86	Is the use of the alternate inspection schedule (weekly versus daily) documented in the facility's operating record? 262.16(b)(3)(iv)			✓
3.87	Does the documentation include a description of the established workplace practices at the facility? 262.16(b)(3)(iv)			✓
3.88	Upon closure of the facility, was all hazardous waste removed from tanks, discharge control equipment, and confinement structures? 262.16(b)(3)(vi)			✓
3.89	Does the facility manage ignitable or reactive waste in tanks?			
3.90	If YES, does the facility meet one of the following 3 conditions? (Check the condition that applies below) 262.16(b)(3)(vii)(A) If ignitable or reactive waste is placed in a tank is the waste treated, rendered, or mixed before or immediately after placement in the tank so that (A) the resulting mixture no longer meets the definition of ignitable or reactive waste and (B) the requirements of 265.17(b) - no risk of fire, explosion, fumes, gases, damage to integrity of the device, etc. - are met? If ignitable or reactive waste is placed in a tank is the waste treated or stored in such a way that it is protected from any material or conditions that may cause the waste to ignite or react? If ignitable or reactive waste is placed in a tank is the tank used solely for emergencies?			✓
3.91	If the facility treats or stores ignitable or reactive waste in a covered tank does the facility comply with the buffer zone requirements for tanks contained in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code"? 262.16(b)(3)(vii)(B)			✓
3.92	If incompatible wastes or incompatible waste and materials are placed in the same tank does the facility comply with the requirements of 265.17(b) - no risk of fire, explosion, fumes, gases, damage to integrity of the device, etc. - are met? 262.16(b)(3)(vii)(C)(1)			✓
3.93	If hazardous waste is placed in an unwashed tank which previously held an incompatible waste or material does the facility comply with the requirements of 265.17(b) - no risk of fire, explosion, fumes, gases, damage to integrity of the device, etc. - are met? 262.16(b)(3)(vii)(C)(2)			✓
Item No.	Preparedness and Prevention	Yes	No	N/A
3.94	Is there no evidence of a fire, explosion or release of hazardous waste or hazardous waste constituents to the environment? 262.16(b)(8)(i)	✓		
3.95	Does the facility have an internal communication or alarm system? 262.16(b)(8)(ii)(A)	✓		
3.96	Is there a telephone, alarm, 2-way radio or other device at the scene of operations immediately available and capable of summoning assistance? 262.16(b)(8)(ii)(B)	✓		
3.97	Is the fire control equipment adequate? 262.16(b)(8)(ii)(C)	✓		
3.98	Is spill control and decontamination equipment present? 262.16(b)(8)(ii)(C)	✓		
3.99	If sprinklers, water hoses or foam producing equipment is part of the facility fire control equipment, is water available at adequate volume and pressure? 262.16(b)(8)(ii)(D)	✓		

Inspection Date: 05/05/2023

3.100	Is the emergency equipment inspected and tested periodically? 262.16(b)(8)(iii) If yes, how many times per year? 262.16(b)(8)(v)	✓		
3.101	Is there adequate aisle space to allow unobstructed movement of facility personnel and emergency equipment to any area of the facility where needed? 262.16(b)(8)(v)	✓		
3.102	Has the facility made emergency response arrangements with the following: 262.16(b)(8)(vi)(A) Fire Department Police Hospital Emergency Response Contractor	✓		
3.103	If NO has the facility attempted to do so and is the refusal documented? 262.16(b)(8)(vi)(B)			✓
Item No.	Record keeping and Reporting	Yes	No	N/A
3.104	Is the generator keeping records of exception reports? 262.42(b)	✓		
3.105	Is the generator keeping records of test results, waste analysis or other determinations made in accordance with 262.11? 262.11(f)	✓		
3.106	Are the records kept on-site? 262.40	✓		
3.107	Are records kept for a minimum of 3 years? 262.40	✓		
3.108	Has the generator exported any waste outside the U.S.? (If No, mark item below as N/A.)			
3.109	If YES, did the generator provide EPA with notification of the intended export 60 days before the initial shipment was intended to be shipped off-site? 262.83(b)			✓
3.110	Has the generator imported any hazardous waste into the U.S.? (If No, mark item below as N/A.)			
3.111	If YES, did the generator meet all of the requirements of 40 CFR 262.83? 262.83			✓

Inspection Date: 05/05/2023

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)	✓		

Inspection Date: 05/05/2023

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
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
5.32	Is the mixture being managed as listed hazardous waste? 279.10(b)(1)			✓
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:			

Inspection Date: 05/05/2023

5.42	Does the facility manage mixtures of UO and fuel/fuel products under 279 used oil standards? [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)			✓

Inspection Date: 05/05/2023

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

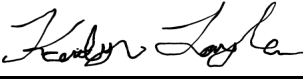
Inspection Date: 05/05/2023

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

Kaitlyn Taylor
Principal Investigator Name

Inspector
Principal Investigator Title


Principal Investigator Signature

DEP
Organization

06/07/2023
Date

Johanna Polycart
Inspector Name

Inspector
Inspector Title

DEP
Organization

Gary Conklin
Representative Name

Service 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.

Mark Griffin
Representative Name

Parts 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.

Report Approvers:

Approver: Alannah B Irwin

Inspection Approval Date: 06/07/2023