



# FLORIDA DEPARTMENT OF Environmental Protection

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**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

August 14, 2024

Roy Subia, Safety & Environmental Manager  
Kelly Tractor Co  
8255 NW 58<sup>th</sup> Street  
Miami, FL 33166  
[Roy\\_Subia@kellytractor.com](mailto:Roy_Subia@kellytractor.com)

Re: Return to Compliance Letter  
Kelly Tractor Co  
801 E Sugarland Hwy, Clewiston, FL  
Facility EPAID No. FLD981926488  
Hendry County - HW

Dear Mr. Subia:

Department personnel conducted a compliance evaluation inspection of the above-referenced facility on July 24, 2024. 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 copy of the inspection report is attached for your records, and any non-compliance items which may have been identified at the time of the inspection have been corrected.

The Department appreciates your compliance efforts. Should you have any questions or comments, please contact Pamela Coffin at 239-344-5659 or via email at [Pamela.Coffin@FloridaDEP.gov](mailto:Pamela.Coffin@FloridaDEP.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Louise Chang".

Louise Chang  
Environmental Administrator  
Compliance Assurance Program  
South District  
Florida Department of Environmental Protection

Enclosure: Inspection Report

ec: Mike Irely, Kelly Tractor Co. - [Michael\\_Irely@kellytractor.com](mailto:Michael_Irely@kellytractor.com)



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

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**FACILITY INFORMATION:**

**Facility Name:** Kelly Tractor Co

**On-Site Inspection Start Date:** 07/24/2024

**On-Site Inspection End Date:** 07/24/2024

**ME ID#:** 45454

**EPA ID#:** FLD981926488

**Facility Street Address:** 801 E Sugarland Hwy, Clewiston, Florida 33440-2639

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

**County Name:** Hendry

**Contact Phone:** (305) 592-5360

**NOTIFIED AS:**

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

**WASTE ACTIVITIES:**

**Generator:** 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 Used Oil Generator Facility

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

**INSPECTION PARTICIPANTS:**

Principal Inspector: Pamela S Coffin, Inspector

Other Participants: Ashley Giron, Environmental Specialist, Mike Irey, Service Manager

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

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

**TYPE OF OWNERSHIP:** Private

**Introduction:**

A routine compliance evaluation inspection (CEI) of Kelly Tractor Co (hereinafter, "Kelly Tractor" or "facility") was conducted on July 24, 2024 (07/24/2024) by Pamela Coffin with the Florida Department of Environmental Protection (Department, or DEP). The facility is located at 801 E Sugarland Hwy, Clewiston, Hendry 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, 279, and 273, adopted and incorporated by reference in Rule 62-730, 62-710, Florida Administrative Code (F.A.C.). The inspector was accompanied by Ashley Giron, DEP Environmental Specialist.

The inspectors were escorted around the facility by Mike Irey, Service Manager. Upon arrival at the facility, inspectors presented credentials and explained the purpose of the inspection.

The Kelly Tractor facility occupies and operates on approximately 2.4 acres over four parcels within Clewiston. Facility offices and storage are located at 801 E Sugarland Hwy. The maintenance shop is located across the street from the office building at 815 E Esperanza Ave. The wash rack is located on the 821 E Esperanza Ave parcel, and the outdoor equipment storage area is located at 841 E Esperanza Ave.

The facility is connected to municipal water and sanitary sewer. The facility has been operating at its location since 1933 and employs approximately 25 staff. The facility operates from 7:30 a.m. – 5 p.m., five days a week.

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**Notification and Inspection History:**

Kelly Tractor notifies annually with the Department as a used oil generator, used oil transporter, used oil transfer facility, and small quantity generator of hazardous waste - EPA Identification (EPAID) Number FLD981926488. Their current registration is valid until 06/30/2025. The facility's Certificate of Liability Insurance with Liberty Mutual Fire Insurance Company expires 03/01/2025.

At the time of inspection, 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 any calendar month and never accumulates greater than 2,200 pounds of hazardous waste at any one time. The facility generates hazardous waste including solvent contaminated wipes and aerosol can residual. The facility also generates used oil, used oil filters, used antifreeze, oily absorbents, oily waste, spent lead-acid batteries, waste fuel, waste tires and tracks, and sediment and wastewater from wash rack.

The facility was previously inspected by the Department on 02/12/2020 and was found to be in compliance at the time of inspection.

Personal Protective Equipment (PPE) was not required to enter the facility. Department personnel were equipped with steel-toed boots.

**Process Description:**

Kelly Tractor provides rental, leasing, sales and service of construction and industrial equipment. Used oil is generated from conducting mobile servicing of leased equipment. Used oil is transported back to the facility in a labeled tank within a totally enclosed lube truck with a 360-gallon capacity. Used oil is pumped from the tank /truck into the facility's used oil storage tank at the end of the day. The facility is not required to submit DEP's "Annual Report by Used Oil and Used Oil Filter Handlers" form 62-710.901(3) because they are a self-transporter facility. One designated truck/driver is utilized for conducting preventive maintenance and transporting used oil. The truck is equipped with absorbent pads in the event of a spill or release. The driver receives annual training including spills response, safety and hazardous waste training.

Used oil and used oil filters are also generated from servicing equipment on-site. Used oil is collected in large drain tables labeled "used oil" (photo 1) and pumped directly into the used oil storage tank (photo 2). Used oil filters are drained prior to placing into closed, labeled 55-gallon drums (photo 3). Disposal documentation reflects Heritage Crystal Clean, LLC (HCC) routinely picks up the used oil and used oil filters.

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

The facility uses ZEP Z-Maxx Brake Wash for cleaning equipment (photo 4). The product is sprayed onto the machine or part when cleaning and no waste is generated. The SDS reflects the product contains 90-100% petroleum naphtha and 1-5% heptane, and a flashpoint of -9.4 C (15 degrees F).

Solvent-contaminated wipes, pads and absorbent are collected in a closed, 55-gallon drum labeled "flammable." Disposal documentation reflects one 55-gallon drum is picked up for disposal by HCC. It was discussed that the words "hazardous waste" should be identified on the drum [40 CFR 262.16(b)(6)(i)(A)].

\*Subsequent to the inspection, the facility provided photo documentation of the properly labeled solvent-contaminated absorbent drum.

The facility utilizes an aerosol can crusher attached to a 55-gallon drum with a filter unit. Liquid/residue waste collects in the drum which was closed but labeling was not visible. Empty scrap metal cans are recycled. It was discussed that the words "hazardous waste", the hazard of the contents of the container should be identified on the drum, i.e. "toxic" or "flammable," and a start accumulation date indicated [40 CFR 262.16(b)(6)(i)(A-C)].

\*Subsequent to the inspection, the facility provided photo documentation of the properly labeled waste paint drum.

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

Waste fuel is managed/collected in closed 55-gallon drums labeled hazardous waste and flammable; and picked up by HCC as non-hazardous energy recovery.

Spent lead-acid batteries are stored indoors and transferred to the Kelly Tractor facility located in Miami where they are recycled by East Penn Manufacturing Co., Inc. At the time of inspection, inspectors observed approximately five pallets of spent lead-acid batteries (photo 5). The batteries are contained and protected from the weather.

Spent fluorescent lamps were not observed at the time of inspection. The facility has mostly converted to LED lighting. Receipts indicate that spent mercury-containing lamps are picked up for disposal by HCC.

Waste tires and tracks are transferred to the Kelly Tractor facility located in Miami for recycling.

Scrap metal is collected in a 20-yard roll-off container stored outside and picked up by Palm Beach Metals for recycling.

The tank farm is located outside. Used oil is stored in a 1,000-gallon above ground storage tank (AST) co-located with three (3) 1,000-gallon product oil tanks and one (1) 500-gallon mineral spirits tank within secondary containment covered by a roof and three walls. The secondary containment structure appeared in good condition. The storage tank is protected from weather and labeled "used oil." Facility representatives stated that the mineral spirits tank is empty and no longer in use. Piping on the three product oil tanks was recently replaced. Regulated tanks are registered with the DEP storage tanks program (FAC ID 8733600).

The facility utilizes a closed loop wash water recycling system for a covered truck wash rack area to remove exterior dirt from heavy equipment (photo 6). Water flows into a retention area and oil is skimmed off the surface and collects in a 55-gallon drum. The drum was labeled "used oil" and protected from weather. HCC picks up the drum for disposal. Wash water from the retention area is collected in a retention tank for reuse. Sediment from the wash rack is collected in a walled area protected from weather and allowed to dry out. At the time of inspection, the recycling system was out of service due to skimmer malfunction. Disposal receipts reflect HCC picks up the wash rack water for disposal as non-DOT used oil/oily water. Sediment has not been shipped off-site for several years. Facility representatives stated the system is expected to be repaired within the next two weeks, at which point the sediment and water will be tested and disposed of as appropriate.

#### Records Review

Manifest records are maintained on-site and readily available for review. Records for 2021 through 2024 were available for review during the inspection. The facility prepares the Uniform Hazardous Waste Manifest (OMB Control number 2050-0039) on EPA Form 8700-22 for each hazardous waste shipment [40 CFR 262.20(a)(1)]. The facility could demonstrate receipt of all final signed copies of the manifest from the designated facility [40 CFR 262.40(a)(2)].

- At the time of inspection, the most recent pickup had occurred on 03/27/2024; transported by Heritage Crystal Clean, LLC (EPAID ILR000130062); to designated facility Giant Resource Recovery-Sumter (EPAID SCD036275626). The facility transported one DM-type container 50 gallons of waste flammable solids, organic N.O.S., 4.1, PG II, (Toluene, Xylene) exhibiting a characteristic of ignitability (EPA Waste Code D001). This waste is also listed as solvent waste (EPA waste codes F003 and F005).

SQG standards implemented on-site:

#### Preparedness and Prevention:

Kelly Tractor maintains and operates 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 conducts routine inspections, testing, and maintenance of all

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communications systems, fire protection equipment, spill control equipment, and decontamination equipment [40 CFR 262.16(b)(8)(iii)]. The facility utilizes cell phones, two-way radios, and landlines at the work benches for internal communications. 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 CAA [40 CFR 262.16(b)(8)(v)/Rule 62-730.160(4), F.A.C.].

The facility could not demonstrate that arrangements with local authorities were made [40 CFR 262.16(b)(8)(vi)]. Compliance assistance was provided both during the inspection and the exit interview to make the appropriate arrangements with local emergency authorities.

\*Subsequent to the inspection, the facility provided documentation of proper notification of local authorities.

#### Emergency Procedures:

The facility has designated an emergency coordinator [40 CFR 262.16(b)(9)(i)]. The emergency coordinator is Jason Jones, Parts Manager. 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 conducts weekly inspections of hazardous waste containers [40 CFR 262.17(b)(2)(iv)]; however, the facility was not documenting these inspections in accordance with Rule 62-730.160(3), F.A.C. 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 08/06/2024. The most recent container inspection was conducted on 08/05/2024. The container inspection log included the date and time of inspection, the name of the staff member conducting the inspection, any corrective actions taken, and the total number of bins in the CAA [62-730.160(3), F.A.C.]. Weekly inspection records are maintained for at least three years.

#### Training:

The facility ensures 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)].

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

##### Violations

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:	A small quantity generator must mark or label its containers with the following: A. The words "Hazardous Waste"; B. An indication of the hazards of the contents; and C. The date upon which each period of accumulation begins clearly visible for inspection on each container. At the time of inspection, a drum containing aerosol can paint residual and a drum containing solvent contaminated absorbents was observed without proper labeling.
Corrective Action:	Please provide photo documentation of properly labeled drums.

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#### Photo Attachments:



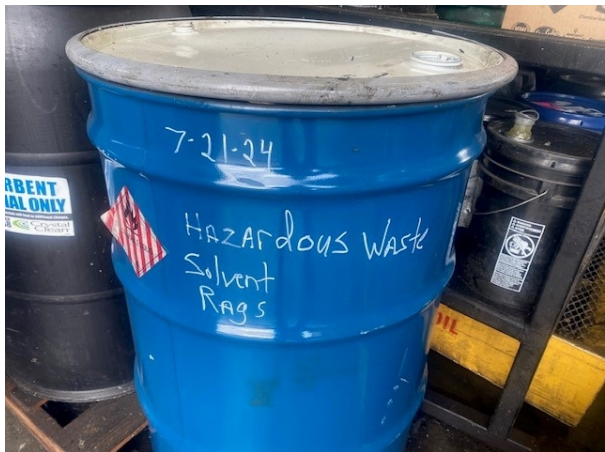
Waste absorbent drum



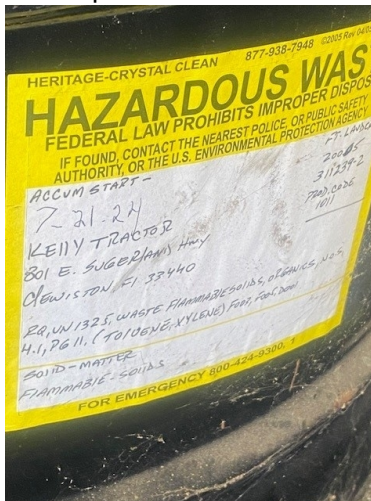
Waste paint drum



Waste absorbent drum - corrected



Waste paint drum - corrected



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Type:	Violation
Rule:	262.16(b)(8)(vi)(A)
Question Number:	3.102
Question:	Has the facility made emergency response arrangements with the following: 262.16(b)(8)(vi)(A)
Explanation:	A small quantity generator must attempt to make arrangements with local authorities. At the time of inspection, documentation of arrangements was not readily available for review.
Corrective Action:	Please submit photo documentation of certified mailing receipts or mail invoices that show proof that notification was made with local authorities in the area in the event of an emergency to the DEP by the given deadline.

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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:	A small quantity generator must at least weekly conduct container inspections. At the time of inspection, the facility could not provide weekly container inspections logs for review.
Corrective Action:	Effective immediately, please begin conducting weekly container inspections and provide two weeks logs to the Department.

## PHOTO ATTACHMENTS:

Photo 1 Drip Cart



Photo 2 Used oil AST



Photo 3 Used oil filter drum



Photo 4 Zep cleaner





Photo 5 Spent lead-acid batteries



Photo 6 Wash rack



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**Conclusion:**

Kelly Tractor was inspected as a used oil transporter, used oil transfer facility, used oil generator, and small quantity generator of hazardous waste. The facility was found to be out of compliance for improper container labeling, failure to conduct weekly container inspections, and failure to notify local authorities. Compliance assistance was provided during the inspection and in the exit interview dated 07/25/2024. The facility was provided with a deadline of 08/09/2024 to complete the corrective actions.

The facility submitted photos and documentation on 07/24/2024, 07/30/2024, 08/06/2024, and 08/13/2024 demonstrating that the corrective actions have been completed. The facility has since returned to compliance.



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**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)			✓

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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)	✓		

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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)		✓	

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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)	✓		



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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)			✓

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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)	✓		

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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			✓

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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
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:			

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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)			✓

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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

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

08/14/2024  
Date

Ashley Giron  
Inspector Name

Environmental Specialist  
Inspector Title

DEP  
Organization

Mike Irey  
Representative Name

Service Manager  
Representative Title

Kelly Tractor Co  
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: 08/14/2024