

From: [Roy P. Subia](#)
To: [Coffin, Pamela](#)
Subject: RE: Kelly Tractor Co (EPAID: FLD981926488) - Exit Interview
Date: Tuesday, July 30, 2024 10:33:55 AM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[June report for Kelly Gen 311239.pdf](#)

EXTERNAL MESSAGE

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Good morning Pamela,

I had some questions on the exit interview that I wanted to ask you.

On number one, you are asking for the disposal records. Mike let me know that you did review this during the visit. Could you let me know specifically what year was missing so I can provide that to you?

You mentioned to label the used antifreeze/coolant. This antifreeze is recycled back to its original state. Since it is recycled, does this not fall out of the hazardous classification? I attached an activity report where you will see our hauled takes this as Used Antifreeze.

If the attached report works for you to show disposal records, may I send you those for the year you were missing? I will also send the manifest as requested, which is only three or four of them.

Thank you,

Roy Subia

Safety and Environmental Manager
Kelly Tractor Co.
8255 NW 58th Street
Miami, FL 33166
W: 305-592-5360
C: 305-332-7244
Roy_Subia@kellytractor.com



From: Coffin, Pamela <Pamela.Coffin@FloridaDEP.gov>
Sent: Thursday, July 25, 2024 11:25 AM
To: Roy P. Subia <Roy_Subia@kellytractor.com>; Michael T. Irely <Michael_Irely@kellytractor.com>

Cc: Giron, Ashley <Ashley.Giron@FloridaDEP.gov>; Chang, Louise <Louise.Chang@floridadep.gov>
Subject: Kelly Tractor Co (EPAID: FLD981926488) - Exit Interview

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Good morning,

This email serves as an exit interview for the Compliance Evaluation Inspection (CEI) conducted at Kelly Tractor Co, located at 801 E Sugarland Hwy, Clewiston, Florida on 07/24/2024 by the Florida Department of Environmental Protection (DEP) to determine this facility's compliance with federal and state hazardous waste regulations.

I want to thank you for your cooperation and time during the inspection process. We truly appreciate it. As discussed during our visit, I am reaching out to request some additional information and supporting documentation to facilitate the completion of the inspection report.

Please provide the following documentation by **08/09/2024**:

1. Disposal records.

At the time of the inspection, disposal receipts, and manifests for the last three years were not available for review. These records should include any disposal for waste streams including, but not limited to used oil, used oil filters, oily absorbent, wastewater and sediment from wash rack area, waste diesel, spent lamps, used antifreeze, solvent contaminated rags, and aerosol can residual. Please provide disposal records to the DEP by the given deadline.

2. Documentation of weekly inspections as per Rule 62-730.160(3), Florida Administrative Code (F.A.C.) / 40 Code of Federal Regulations (CFR) 262.16(b)(2)(iv).

(3) Generators of hazardous waste who accumulate hazardous waste on-site under 40 CFR 262.16, and 262.17 [as adopted in subsection 62-730.160(1), F.A.C.], shall maintain written documentation of the inspections required under 40 C.F.R 262.16 and 262.17 [as adopted in subsection 62-730.160(1), F.A.C.]. The generator shall keep the written documentation of the inspections under this section for at least three years from the date of the inspection. At a minimum, this documentation shall include the date and time of the inspection, the legibly printed name of the inspector, the number of containers, the condition of the containers, a notation of the observations made, and the date and nature of any repairs or other remedial actions.

At the time of the inspection, weekly container inspections were not available for review. Please begin properly documenting weekly container inspections and submit documentation of two weeks of logs after this has started to the DEP. I have attached an inspection log

template for your use.

3. Arrangements with local authorities as per 40 CFR 262.16(b)(8)(vi).

The small quantity generator must attempt to make arrangements with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals, taking into account the types and quantities of hazardous wastes handled at the facility. Arrangements may be made with the Local Emergency Planning Committee, if it is determined to be the appropriate organization with which to make arrangements.

(1) A small quantity generator attempting to make arrangements with its local fire department must determine the potential need for the services of the local police department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals.

(2) As part of this coordination, the small quantity generator shall attempt to make arrangements, as necessary, to familiarize the above organizations with the layout of the facility, the properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes as well as the types of injuries or illnesses that could result from fires, explosions, or releases at the facility.

(3) Where more than one police or fire department might respond to an emergency, the small quantity generator shall attempt to make arrangements designating primary emergency authority to a specific fire or police department, and arrangements with any others to provide support to the primary emergency authority.

At the time of the inspection, documentation that showed the facility had notified the local police, fire department, hospital, or emergency response in the area in the event of any emergency at the facility was not readily available for review. Notification can be in the form of a letter along with a copy of your modified contingency plan, at your discretion. I have attached a template of the letter for your reference. Also, submit a copy of all emergency contacts at your facility with the notification letter. To show proof please keep a copy of any dated certified email receipts of FEDEX/UPS invoices obtained when the letter is sent. 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.

4. Hazardous waste container labeling as per 40 CFR 262.16(b)(6)(i)(A - C).

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 (examples include, but are not limited to,

the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at [49 CFR part 172 subpart E](#) (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at [29 CFR 1910.1200](#); or a chemical hazard label consistent with the National Fire Protection Association code 704); and

C. *The date upon which each period of accumulation begins clearly visible for inspection on each container.*

At the time of the inspection, a drum containing used antifreeze, solvent contaminated absorbent labeled "flammable solvent," and a drum containing aerosol can paint residual was observed without proper labeling. The drum containing used antifreeze should be labeled with the words, "hazardous waste", an indication of the hazards of the contents, and an accumulation start date in order to comply with the 180-day accumulation time limit for a small quantity generator. Similarly, the drum of solvent contaminated absorbents while labeled "flammable solid," should also be labeled with the words, "hazardous waste", and an accumulation start date. Labeling on the aerosol can paint residual drum was not visible. The paint solvent drum should be labeled accordingly with the words, "hazardous waste", an indication of the hazards of the contents, and an accumulation start date. Please provide photo documentation of properly labeled drums by the given deadline.

If you have any questions or concerns, please don't hesitate to reach out.

Kind Regards,



Pamela Coffin

Florida Department of Environmental Protection
South District – Compliance Assurance Program
Environmental Consultant, Hazardous Waste
2295 Victoria Ave, Suite 364
Fort Myers, FL 33901
Office: 239-344-5659