



FLORIDA DEPARTMENT OF Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

April 27, 2021

Mr. Robert Pottgieser, HSSE Manager
Crowley Liner Services, Inc.
2831 Talleyrand Avenue
Jacksonville, FL 32206
Robert.Pottgieser@crowley.com

Re: **Compliance Assistance Offer**
Crowley Liner Services, Inc.
3001 Talleyrand Avenue
EPA/DEP ID: FLR 000 054 221
Duval County – Hazardous Waste

Dear Mr. Pottgieser:

Department personnel conducted a compliance inspection of the above-referenced facility on January 29, 2021, under the authority of Section 403.091, Florida Statutes. During this inspection, potential non-compliance was noted. The purpose of this letter is to offer compliance assistance as a means of resolving this matter.

Specifically, potential non-compliance with the requirements of Chapter 403, Florida Statutes, and Chapter 62-730, Florida Administrative Code, were observed. Please see the attached inspection report for a full account of Department observations and recommendations.

We request you review the 'New Potential Violations and Areas of Concern' and respond within 30 days of receipt of this Compliance Assistance Offer. Your response should include one of the following:

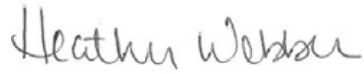
1. Describe what has been done to resolve the non-compliance issue or provide a time schedule describing how/when the issue will be addressed;
2. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid; or
3. Arrange for the case manager to visit your facility to discuss the Areas of Concern.

It is the Department's desire that you are able to adequately address the aforementioned issues so that this matter can be closed. Your failure to respond appropriately may result in the initiation of formal enforcement proceedings.

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Please address your response and any questions to Cheryl L. Mitchell of the Northeast District Office at 904-256-1620 or via e-mail at cheryl.l.mitchell@FloridaDEP.gov. We look forward to your cooperation in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Heather Webber". The signature is fluid and cursive, with the first name "Heather" being more prominent than the last name "Webber".

Heather Webber
Environmental Administrator

Enclosure: Inspection Report

Ec: Jean Richards, City of Jacksonville EPD (JeanR@coj.net)
DEP Internal: Heather Webber, Bonnie Bradshaw, Cheryl L. Mitchell, DEP_NED



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

FACILITY INFORMATION:

Facility Name: Crowley Liner Services Inc
On-Site Inspection Start Date: 01/29/2021 **On-Site Inspection End Date:** 01/29/2021
ME ID#: 62506 **EPA ID#:** FLR000054221
Facility Street Address: 3001 Talleyrand Ave, Jacksonville, Florida 32206-3474
Contact Mailing Address: 2831 Talleyrand Avenue, Jacksonville, Florida 32206
County Name: Duval **Contact Phone:** (904) 727-4290

NOTIFIED AS:

Non-Handler, Transfer Facility, Transporter

WASTE ACTIVITIES:

Generator: VSQG **Transporter:** Commercial Waste, Transfer Facility **Used Oil:** Used Oil, Oil Filters **Universal Waste:** Indicate types of UW generated and/or accumulated at the facility: **Generate/Accumulate:** 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 Hazardous Waste Transporter Facility
Routine Inspection for Hazardous Waste Transfer Facility
Routine Inspection for VSQG (<100 kg/month) Facility
Routine Inspection for Used Oil Generator Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Cheryl L Mitchell, Inspector
Other Participants: Robert Pottgieser, HSSE Manager

LATITUDE / LONGITUDE: Lat 30° 21' 26.0" / Long 81° 37' 35.0"

NAIC: 484230 - Specialized Freight (except Used Goods) Trucking, Long-Distance

TYPE OF OWNERSHIP: Private

Introduction:

Crowley Liner Services, Inc. (Crowley, the facility), located at 3001 Talleyrand Avenue, was inspected by the Department's Hazardous Waste Program on January 29, 2021. A second Crowley-owned facility, located at 1163 Talleyrand Avenue (FLD 058 092 146), was also inspected on January 29, 2021, and that inspection report will be issued under separate correspondence. The Department's Hazardous Waste Program last inspected both facilities on April 27, 2017. Mr. Robert Pottgieser (HSSE Manager) was present throughout the inspection.

Crowley transports hazardous materials and hazardous wastes, and other cargo, between Puerto Rico ports and Jacksonville via 'CON-RO' vessels. Each vessel is capable of accommodating over 800 containers (cargo or tank) which, upon arrival at their respective terminal destinations, are staged at the facility pending transport to final destinations. In July 2018, Crowley changed some of its fleet to LNG-fueled multi-deck barges and relocated the bulk of its shipping operations, including hazardous waste transfer activities, to its 3001 Talleyrand Avenue facility. Crowley leases approximately 50 acres of property that is owned by the Jacksonville Port Authority (JAXPORT).

The areas described below were inspected including the Container HVAC Unit Repair Area (Reefer Row), Dry (Vehicle) Maintenance Building 6, and the Hazardous Waste Transporter and Transfer Area. Photos of these locations in this report are limited due to technical problems encountered during the inspection.

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Process Description:

Container HVAC Unit Repair Area (Reefer Row)

Located in the southwestern portion of the Crowley facility is a minor maintenance work area for the refrigeration and generator units on cargo containers and trailers. The facility uses several types of aerosol cleaners and lubricants including Knock'er Loose Penetrating Solvent (50-60% heavy hydrotreated petroleum distillates, 10-20% dipropylene glycol monomethyl ether acetate, 10-20% turpentine oil, 1-3% pine oil; flashpoint 147°F), Zep Brake Wash Clean (70-90% light hydrotreated petroleum, 5-10% propan-2-ol, 1-5% heptane, 1-5% methanol; flashpoint -0.4°F), Zep Anti-Seize Compound (30-50% light hydrotreated paraffinic petroleum, 30-50% heavy hydrotreated paraffinic petroleum, 10-20% heavy hydrotreated naphthenic petroleum, 5-10% graphite, 3-5% silicon, 1-3% Stoddard solvent; flashpoint 400°F), and Fluid Film Lubricant and Corrosion Inhibitor (40-80% heavy hydrotreated paraffinic petroleum, 1-25% petroleum gases, 1-10% calcium petroleum sulfonate; flashpoint 405°F). Lubricants are sprayed directly onto the equipment and residual liquid drains into the drip pans and is managed with the used oil. Cleaners may be either sprayed directly onto the equipment or applied to wipes that are used to clean the equipment. Residual liquid drains into the drip pans and is managed with the used oil and the wipes are collected in plastic lined step cans and managed as non-hazardous waste. Minor paint touch-ups may be made using Dem-Kote Acrylic Enamels. A review of SDSs for paint colors used in the shop revealed that the paints do not contain heavy metals. Empty aerosol cans are routinely collected and transferred to Crowley's Material Management Building, located at 1150 Talleyrand Avenue, for puncturing and scrap metal recycling. No cans were accumulating in the area at the time of the inspection.

Used oil is collected in drip pans or mobile carts and then transferred to a 250-gallon tote inside the building (Photo 1). The tote was closed, properly labeled and had adequate secondary containment. Used oil filters are drained and collected in 55-gallon drums. At the time of the inspection, there were two 55-gallon drums of used oil filters accumulating inside the building. Both drums were properly labeled, and located on a spill pallet. Used oil, used oil filters, oily rags, and spill clean-up absorbent are managed by Cliff Berry (FLR 000 083 071).

There was one 15-gallon "142 solvent" mineral spirits parts washer in the area. Spent solvent from the parts washer is managed as non-hazardous waste by Crystal Clean (ILR 000 130 062), but the facility did not have analytical data on this wastestream and therefore had not made an accurate hazardous waste determination [40 CFR 262.11]. Spent antifreeze is also managed by Crystal Clean and is collected in a 150-gallon 'bumblebee' container located outside the building. The container was closed and labeled.

Used lead acid batteries are exchanged for new batteries and recycled for their cores through Napa Auto Parts. No hazardous waste is generated or accumulated in this building.

Dry (Vehicle) Maintenance Building 6

This building, located in the northern portion of the Crowley facility, is used for maintenance on Crowley fleet vehicles (Photo 2). The building is divided into seven maintenance bays where technicians perform routine maintenance on Crowley-owned trailers, containers, and trucks including fluid/oil and oil filter changes, tire repairs and replacement, and minor engine repair. Minor paint touch-ups are performed using the same paint products previously described but bodywork is not performed in the building. Technicians use the same lubricants and cleaners as previously described during maintenance activities in this building. Empty aerosol cans are collected and transferred to Crowley's Material Management Building, located at 1150 Talleyrand Avenue, for puncturing and scrap metal recycling. No cans were accumulating in the area at the time of the inspection.

Used oil from the vehicles is collected in drip pans and mobile containers and transferred to a 250-gallon tote located in a separate storage room in the middle of the building. The tote was closed, properly labeled and the storage room was bermed and provided adequate secondary containment. Used oil filters are drained on drum-top drain funnels that are located inside a clamshell container located in the rear of the building. There were two 55-gallon drums of used oil filters accumulating at the time of the inspection. Both drums were properly labeled, and located on a spill pallet. Used oil, used oil filters, oily rags, and spill clean-up absorbent are managed by Cliff Berry.

There was one 15-gallon "142 solvent" mineral spirits parts washer in the area. Spent solvent from the parts washer is managed as non-hazardous waste by Crystal Clean, but the facility did not have analytical data on this wastestream and therefore had not made an accurate hazardous waste determination [40 CFR 262.11].

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Used lead acid batteries are exchanged for new batteries and recycled for their cores through Napa Auto Parts. No hazardous waste is generated or accumulated in this building.

Hazardous Waste Transporter and Transfer Area – Main Terminal Yard

The Hazardous Waste Transfer Area was initially set-up to encompass a majority of the cargo storage yard to allow maximum flexibility for staging hazardous waste containers and tanks. The yard does not have designated spots for hazardous waste during transfer, but all of the containers are stored on a manmade surface capable of preventing spills or releases to the ground. Spill kits and fire extinguishers are staged throughout the area. Hazardous wastes received are generated primarily by retail businesses and minor amounts are generated by pharmaceutical and medical businesses. At the time of the inspection, there were three cargo containers of hazardous waste (Photo 3). The containers were labeled with unique identification numbers, placarded, closed, and had been at the facility for less than 10 days.

Hazardous Waste Transporter and Transfer Facility Records Review:

The facility's hazardous waste transporter and transfer facility registration and certification documentation was current and its financial responsibility certificate was current. Crowley maintains one year of records at this location and earlier records are stored, and were retrievable, from its Regency Square Corporate office in Jacksonville. The records described in more detail below were either not current or were not complete.

Crowley personnel are not allowed to open any cargo container at the terminal without approval / direction from the US Coast Guard Captain of the Port (COTP) located in Jacksonville. Crowley conducts inspections of the entire terminal facility. If any releases or other problems associated with containers are observed, the COTP is contacted immediately for approval to open a container to investigate as needed. Although the inspections were documented, the inspection records only documented the terminal yard and were not specific to the hazardous waste transfer area where containers are stored prior to transfer off-site [40 CFR 265.174].

The facility had not updated its Closure Plan after hazardous waste transfer operations were relocated from its 1163 Talleyrand location [62-730.171(3)(a), FAC].

The facility had not updated its Contingency Plan when its Emergency Coordinator changed and had not included facility changes after the hazardous waste transfer operations were relocated from its 1163 Talleyrand location [62-730.171(4)(a), FAC].

Although the facility was able to locate specific manifests for the containers in the Hazardous Waste Transfer Area at the time of the inspection, it did not have a written log that could be quickly accessed that identified hazardous wastes entering and exiting the facility [62-730.171(6), FAC].

Security

The facility is located within JAXPORT which is a secure, controlled-entry compound surrounded by a chain link fence topped with barbed wire. The JAXPORT property is accessed through two primary entrances that are manned 24/7 throughout the year. There are also two primary exit gates that are electronically controlled and motion-activated to open for trucks exiting JAXPORT.

Records Review

In addition to operating as a Hazardous Waste Transporter and Transfer facility, Crowley was also operating as a Very Small Quantity Generator (VSQG) of hazardous waste, and a Used Oil and Used Oil Filter Generator at the time of the inspection. In addition to the records described above, other records reviewed included e-manifests, SDSs, and training. The facility has not shipped any hazardous waste in the previous three years. Waste parts washer liquid and waste antifreeze are managed as non-hazardous wastes by Crystal Clean (ILR 000 130 062). Hazardous wastes, used oil, used oil filters, oily rags, and spill clean-up absorbent are managed by Cliff Berry (FLR 000 083 071). All records reviewed appeared to be in order unless otherwise noted.

Copies of Northeast District's Hazardous Waste Generator Workshop PowerPoint training documents and other workshop files that may be useful can be found here:

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ftp://ftp.dep.state.fl.us/pub/outgoing/NED%20-%20HazWaste/SQG%20WORKSHOP/
and
ftp://ftp.dep.state.fl.us/pub/outgoing/NED%20-%20HazWaste/TRA%20WORKSHOP/

Please note that you cannot access these sites using Chrome so you will have to use another browser such as Edge, Firefox, Internet Explorer, etc.

For Outstanding Items of Potential Non-Compliance

Please review the following section – New Potential Violations and Areas of Concern. This section includes potential violations observed at your facility during this inspection. For any potential violations below that have not been corrected, please refer to the Corrective Action for each item that is suggested to bring your facility into compliance. Once the corrective action has been completed, please send documentation to the inspector listed on page 1 of this Inspection Report. This documentation includes, but is not limited to, photos of corrected items, manifests, SDSs or other documents that will show that each potential violation has been fully addressed.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation 1
Rule:	262.11
Explanation:	The facility had not made an accurate hazardous waste determination for its spent parts washer waste generated in the Container HVAC Unit Repair Area and the Dry (Vehicle) Maintenance Building 6.
Corrective Action:	In order to return to compliance, the facility should perform and fully document its hazardous waste determinations on this wastestream by having a representative sample of each of the parts washers analyzed separately by a certified laboratory for the following: <ul style="list-style-type: none">- Toxicity Characteristic Leaching Procedure (TCLP) for RCRA Metals, pursuant to 40 CFR 261.24, via method 6010;- TCLP for Semi-Volatiles, pursuant to 40 CFR 261.24, via method 8270;- TCLP for Volatiles, pursuant to 40 CFR 261.24, via method 8260; and- Ignitability, pursuant to 40 CFR 261.21, via method 1010.

A copy of the results of these waste determinations should be submitted to the inspector listed on page 1 of this report. None of these wastes are to be disposed of until written approval has been given by the Department. The waste should be disposed of in a proper manner once written approval has been given by the Department. Hazardous waste should be sent off-site to a permitted Treatment, Storage, and Disposal Facility (TSDF). NOTE: None of the samples are to be composites. The samples are to be collected and analyzed in accordance with EPA publication SW# 846 "Test Methods for Evaluating Solid Waste" 3rd Edition. All sampling and analysis shall be conducted in accordance with Rule 62-160, FAC. A National Environmental Laboratory Accreditation Program (NELAP) certified laboratory should analyze the samples. Alternative methods for hazardous waste determinations should be approved by Department.

Further enforcement action may be taken based on the analytical results.

Type:	Violation 2
Rule:	265.174
Explanation:	The facility's weekly inspection records were missing information for the Hazardous Waste Transfer Area where containers were stored prior to transfer off-site.
Corrective Action:	No further action is required. The facility returned to compliance as stated in an email dated April 14, 2021.

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Type:	Violation 3
Rule:	62-730.171(4)(a)
Explanation:	The facility had not updated its Contingency Plan when its Emergency Coordinator changed and had not included facility changes after the hazardous waste transfer operations were relocated from a prior location.
Corrective Action:	In order to return to compliance, within 75 days of receipt of this report, the facility should ensure that its Contingency Plan includes current Emergency Coordinator contact information, and describes response actions necessary to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituent to air, soil, or surface water. In addition, the facility should submit a copy of its Contingency Plan to the Department for review. After the Department's review, the facility should submit its updated Contingency Plan to the local police and fire departments, hospitals, and the state emergency response teams that may be called upon to provide emergency services.
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Type:	Violation 4
Rule:	62-730.171(3)(a)
Explanation:	The facility had not updated its Closure Plan after hazardous waste transfer operations were relocated from a prior location.
Corrective Action:	In order to return to compliance, within 75 days of receipt of this report, the facility should submit an updated Closure Plan to the Department for review to demonstrate that the transfer facility will be closed in a manner which satisfies the closure performance, notification, and decontamination standards of 40 CFR 265.111, 265.112, 265.114 and 265.115.
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Type:	Violation 5
Rule:	62-730.171(6)
Explanation:	The facility maintains records of hazardous waste shipments but it did not have a written log that could be quickly accessed that identified hazardous wastes entering and exiting the facility.
Corrective Action:	In order to return to compliance, within 15 days of receipt of this report, the facility should maintain a written record of the following items for each shipment of hazardous waste processed through the Hazardous Waste Transfer Area: (a) The manifest number, or an identifying number from the shipping document for VSQG waste; (b) The date when all hazardous waste enters and exits the facility; (c) The Generator's name and EPA ID#, or the name and address for VSQG waste without an ID#; and (d) The amount of hazardous waste and hazardous waste codes associated with each shipment into and out of the facility.

PHOTO ATTACHMENTS:

Inspection Date: 01/29/2021

Photo 1



Photo 2



Photo 3



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1.0: Pre-Inspection Checklist

Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.


Note: Checklist items with shaded boxes are for informational purposes only.

Item No.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.18(a)			✓
1.2	Has the facility notified of change of status? 62-730.150(2)(b)			✓
1.3	Did the facility conduct a waste determination on all wastes generated? 262.11			✓

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Signed:

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737 & 62 -740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C

Cheryl L Mitchell	Inspector	
Principal Investigator Name	Principal Investigator Title	
	DEP	04/16/2021
Principal Investigator Signature	Organization	Date
Robert Pottgieser	HSSE Manager	
Representative Name	Representative Title	
	Crowley Liner Services, Inc.	
	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:	Cheryl L Mitchell	Inspection Approval Date:	04/16/2021
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