



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: Bay Line Railroad L L C
On-Site Inspection Start Date: 04/23/2009 **On-Site Inspection End Date:** 04/23/2009
ME ID#: 56074 **EPA ID#:** FLD984229906
Facility Street Address: 1 Edwards Dr, Panama City, Florida 32405-6097
Contact Mailing Address: PO Box 35098, Panama City, Florida 32412-5098
County Name: Bay **Contact Phone:** (850) 769-6661

NOTIFIED AS:

Transporter

INSPECTION TYPE:

Routine Inspection for Hazardous Waste Transporter facility

INSPECTION PARTICIPANTS:

Principal Inspector: Thomas Dillard, Inspector
Other Participants: Mike Taylor, Operations Manager; Roger Leonard, Dispatcher; Dewayne Swindall , General Manager

LATITUDE / LONGITUDE: Lat 30° 10' 58.1222" / Long 85° 38' 36.9654"

SIC CODE: 4011 - Trans. & utilities - railroads, line-haul operating

TYPE OF OWNERSHIP: Private

Introduction:

Bay Line Railroad (BLRR) has been in operation since 1905 in Panama City. The former name was Atlanta & Saint Andrews Bay Railway. In 2007, ownership of BLRR changed to a new parent company, Genesee and Wyoming, with District offices in Jacksonville, FL. On June 2, 2008 the facility's General Manager Jerry Hood retired. During the current inspection, Dewayne Swindall was identified as the new General Manager.

Process Description:

BLRR transports rail cars to and from local customers. No passenger service is provided. Hazardous waste rail cars are generated solely from Arizona Chemical Panama City Plant. The tank cars are placarded as "RQ Waste Flammable Liquids" and manifests reflect hazardous waste codes D001 and F003. Rail cars from Arizona Chemical are transported to either Systech Environmental Corp. in Paulding, Ohio (OHD005048947) or Rhodia T/C in Baton Rouge, Louisiana (LAD008161234). This operation currently employs 48 personnel, which includes the Panama City maintenance shop, the Dothan facility and yard personnel. The maintenance shop was not inspected during this inspection.

OBSERVATIONS

During the inspection, the following were observed:

Since the previous inspection on 6-28-08, the facility has received and transported nine shipments of hazardous waste. No deficiencies were found in a review of these manifests. Personnel reported that presently there were no rail containers of hazardous waste on site.

Annual safety training certificates for personnel were reviewed with no deficiencies found.

Facility security plan was revised in January 2008. Haz Mat Response Program was available for review. Certificates of training for personnel were in this folder. Nate Sledge, who was noted on

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facility haz waste car inspection forms attached to all but one manifest, was noted as having a certificate of training dated 9-11-07. Personnel said this was a once every three year training requirement.

State of Florida Hazardous Waste Transporter Certificate of Approval posted on site was dated August 13, 2007 and reflected an insurance policy with an expiration date of August 1, 2008 issued by Lexington Insurance.

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

Type:	Violation
Rule:	62-730.170(2)(a)
Explanation:	Facility failed to provide Department proof of financial responsibility as required in Rule 62-730.170(2)(a). Last report to Department dated August 13, 2007 reflected expiration date of August 1, 2008.
Corrective Action:	Have and maintain financial responsibility requirements as defined in Rule 62-730.170(2)(a).

Type:	Violation
Rule:	62-730.170(3)
Explanation:	During the visit the facility provided for review a certificate of insurance which expired August 1, 2008. Facility not able to show proof of insurance in effect since that date to the day of inspection April 23, 2009. A check with FDEP Tallahassee shows that subsequent to a Department inspection on June 26, 2008, a renewal packet was mailed to the Panama City address in July 2008, attention Mr. Jerry Hood, with no subsequent reply from the facility.
Corrective Action:	Complete annual financial responsibility requirements as required.

Type:	Violation
Rule:	62-730.170(2)(e)
Explanation:	The facility failed to annually submit to the Department two originally signed Transporter Status Forms, Form 62-730.900(5)(d), requirements. Last submittal by facility to Department dated August 2007.
Corrective Action:	Complete annual requirements as defined in Rule 62-730.170(2)(e).

Type:	Violation
Rule:	62-730.150(2)(b)
Explanation:	The facility came under a new parent company in 2007 and Notification information was not updated by Form 8700-12FL as of current visit in April 2009.
Corrective Action:	Complete and submit updated subsequent notification Form 8700-12FL as required.

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Summary of Potential Violations and Areas of Concern:Potential Violations

Rule Number	Area	Date Cited	Explanation
Checklist Independent Violations 62-730.170(2)(a)		04/23/2009	Facility failed to provide Department proof of financial responsibility as required in Rule 62-730.170(2)(a). Last report to Department dated August 13, 2007 reflected expiration date of August 1, 2008.
62-730.170(3)		04/23/2009	During the visit the facility provided for review a certificate of insurance which expired August 1, 2008. Facility not able to show proof of insurance in effect since that date to the day of inspection April 23, 2009. A check with FDEP Tallahassee shows that subsequent to a Department inspection on June 26, 2008, a renewal packet was mailed to the Panama City address in July 2008, attention Mr. Jerry Hood, with no subsequent reply from the facility.
62-730.170(2)(e)		04/23/2009	The facility failed to annually submit to the Department two originally signed Transporter Status Forms, Form 62-730.900(5)(d), requirements. Last submittal by facility to Department dated August 2007.
62-730.150(2)(b)		04/23/2009	The facility came under a new parent company in 2007 and Notification information was not updated by Form 8700-12FL as of current visit in April 2009.

Areas of Concern

No Areas of Concern

ATTACHMENTS:

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Entrance to facility yard area



Yard Office



Conclusion:

The facility appears to be out-of-compliance at the time of this inspection.

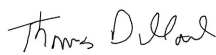
The facility needs to perform the corrective actions identified in each potential violation cited above.

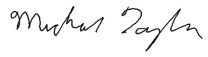
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Signed:


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. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Thomas Dillard <hr/> PRINCIPAL INSPECTOR NAME	Inspector <hr/> PRINCIPAL INSPECTOR TITLE
 <hr/> PRINCIPAL INSPECTOR SIGNATURE	FDEP <hr/> ORGANIZATION
	4/23/2009 <hr/> DATE

Mike Taylor <hr/> REPRESENTATIVE NAME	Operations Manager <hr/> REPRESENTATIVE TITLE
 <hr/> REPRESENTATIVE SIGNATURE	Bay Line Railroad <hr/> ORGANIZATION
	4/23/2009 <hr/> DATE

Roger Leonard <hr/> REPRESENTATIVE NAME	Dispatcher <hr/> REPRESENTATIVE TITLE
 <hr/> REPRESENTATIVE SIGNATURE	Bay Line Railroad <hr/> ORGANIZATION
	4/23/2009 <hr/> DATE

Dewayne Swindall <hr/> REPRESENTATIVE NAME	General Manager <hr/> REPRESENTATIVE TITLE
 <hr/> REPRESENTATIVE SIGNATURE	Bay Line Railroad <hr/> ORGANIZATION
	4/23/2009 <hr/> DATE

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.