



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: Tropical Shipping & Construction Co Ltd
On-Site Inspection Start Date: 01/25/2012 **On-Site Inspection End Date:** 01/25/2012
ME ID#: 50031 **EPA ID#:** FLR000095737
Facility Street Address: 5 E 11th St, Riviera Beach, Florida 33404-6920
Contact Mailing Address: 5 E 11th St, Riviera Beach, Florida 33404-6920
County Name: Palm Beach **Contact Phone:** (561) 840-2930

NOTIFIED AS:

Non-Handler
Transporter
Used Oil

INSPECTION TYPE:

Compliance Assistance Site Visit Inspection for Hazardous Waste Transporter facility
Compliance Assistance Site Visit Inspection for Universal Waste Transporter facility
Compliance Assistance Site Visit Inspection for Used Oil Transporter facility
Compliance Assistance Site Visit Inspection for Non-Handler facility

INSPECTION PARTICIPANTS:

Principal Inspector: Kyle P. Brown, Inspector
Other Participants: Harry Lux, Safety and Environmental Manager; Kathy Winston, Inspector

LATITUDE / LONGITUDE: Lat 26° 46' 16.8888" / Long 80° 3' 13.7124"

SIC CODE: 4449 - Trans. & utilities - water transportation of freight, nec

TYPE OF OWNERSHIP: Private

Introduction:

Tropical shipping is an ocean cargo shipping company that services the United States, and Caribbean islands. This facility is located at the Port of Palm Beach, consists of five acres, employs 500 people, utilizes city water and sewer, and has been in operation at this location for more than 40 years. The facility originally notified the Department of its status as a Small Quantity Generator (SQG) of hazardous waste on January 17, 2003. The facility then notified as a non handler and used oil transporter on November 06, 2009. This facility is also a hazardous waste transporter, and a universal waste transporter. This facility has not been previously inspected by the Department, and therefore the inspection will be conducted as a compliance assistance site visit.

Process Description:

This facility has not generated or transported any wastes to date. Mr. Lux stated that the facility has registered as a transporter because an oil refinery in the Virgin Islands needed to ship its wastes. Mr. Lux stated that wastes were to be shipped to Puerto Rico, and/or Florida with an end disposal destination of Texas. To date, Puerto Rico is the only facility that has transported hazardous wastes. If wastes were to be received in Palm Beach, the wastes would only be on the loading docks for a short period of time, and would then be loaded onto another boat that was destined to Texas.

Record Review

The facility had a used oil transporter approval certificate issued by the Department available at the time of the request. Tropical Shipping has retained British Marine for their insurance provider for the vessels, and TT Club Mutual provides insurance for shore operations. A contingency plan was

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on site at the time of inspection; however, the plan needed to include home addresses of emergency coordinators, and lacked an itemized list of emergency equipment detailing their capabilities. It is considered a best management practice and requirement for the U. S. Coast Guard to include these items on the contingency plan.

New Potential Violations and Areas of Concern:

Transporters Checklist

Type: Area Of Concern
 Rule: 265.52(e)
 Question Number: 1.620
 Question: Does the plan include:
 Explanation: Emergency equipment, and Emergency contacts home address's were not listed on the contingency plan.
 Corrective Action: Please list emergency equipment and it's capabilities in the emergency operations plan. Send a copy to the Department to demonstrate compliance.

Summary of Potential Violations and Areas of Concern:

Potential Violations

No Violations

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Transporters Checklist 265.52(e)		01/25/2012	Emergency equipment, and Emergency contacts home address's were not listed on the contingency plan.

Conclusion:

The facility was in compliance at the time of inspection; however, the Department highly recommends implementing the changes noted in the paragraph above. An exit interview was provided at the end of the inspection discussing the possible violation(s) mentioned above.

Please contact the inspector at (561)-681-6675 or by email at kyle.p.brown@dep.state.fl.us, if you have any questions regarding hazardous waste and/or used oil regulations, the inspection, or to submit documentation of the completion of corrective actions.

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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.

Kyle P. Brown

PRINCIPAL INSPECTOR NAME

Inspector

PRINCIPAL INSPECTOR TITLE

PRINCIPAL INSPECTOR SIGNATURE

2/2/2012

DATE

Kathy Winston

INSPECTOR NAME

Inspector

INSPECTOR TITLE

NO SIGNATURE

INSPECTOR SIGNATURE

FDEP

ORGANIZATION

Harry Lux

REPRESENTATIVE NAME

Safety and Environmental Manager

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

Tropical Shipping

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.

NOTICE OF POTENTIAL HAZARDOUS WASTE NON-COMPLIANCE – Page 1 of 2

FACILITY NAME <i>tropical shipping</i>		TYPE OF INSPECTION:			
ADDRESS <i>5 East 11th Street</i>		CAV: <input checked="" type="checkbox"/>	CEI: <input type="checkbox"/>	CI: <input type="checkbox"/>	OTHER: <input type="checkbox"/>
EPA ID NUMBER <i>FLR 000 095 737</i>	CITY <i>Quincy Beach</i>	STATE <i>FL</i>	ZIP CODE <i>33404</i>		
DATE OF INSPECTION		PAGE	OF		
FOLLOW UP CAV INSPECTION WITHIN 120 DAYS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					

A hazardous waste/used oil compliance inspection was made this date, under the authority of Section 403.091, Florida Statutes (F.S.), to determine your facility's compliance with Chapter 403, F.S. and Chapters 62-730 and 62-710, Florida Administrative Code (F.A.C.). Provisions of Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 268 and 279, which are cited on this form, have been adopted by reference as the state hazardous waste and used oil rules in Chapter 62-730 and 62-710, F.A.C. The following 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 which exist at the time of this inspection.**

GENERAL REQUIREMENTS:

- Failure to ensure delivery of HW to proper HW facility § 261.5
- Failure to provide hazardous waste determination § 262.11
- Failure to notify as generator § 262.12
- Failure to use a manifest or reclamation agreement § 262.20
- Failure to provide personnel training § 265.16, 262.34
- Evidence of release(s) of waste § 265.31
- Facility exceeds 90/180 day time limit § 262.34

CONTAINER MANAGEMENT:

- Unlabeled containers § 262.34
- Undated containers § 262.34
- Leaking or bulging containers § 262.34
- Open containers § 265.173
- Inadequate aisle space § 62-730.160

RECORDKEEPING REQUIREMENTS:

- Manifests § 262.40, § 262.44
- Training records § 262.34
- Contingency Plan § 262.34
- Weekly Inspection records § 62-730.160
- Information not posted by phone § 262.34
- Authorities not notified § 262.37

USED OIL VIOLATIONS:

- Failure to label containers § 279.22
- Failure to respond to releases § 279.22
- Failure to document used oil disposal § 279.10

MATERIALS PROVIDED to assist in accomplishing corrective actions

- | | | |
|--|---|---|
| <input type="checkbox"/> DEP Small Quantity Generator Handbook | <input type="checkbox"/> EPA <i>Managing Used Oil</i> | <input type="checkbox"/> Mercury Lamp Recyclers |
| <input type="checkbox"/> EPA <i>Understanding the Hazardous Waste Rules</i> | <input type="checkbox"/> Environmental Yellow Pages | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> EPA <i>Notification of Regulated Waste Activity</i> | <input type="checkbox"/> List of HW/Used Oil Transporters | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Florida Automotive Recyclers Handbook | <input type="checkbox"/> Antifreeze Recycling Vendors | <input type="checkbox"/> Other _____ |

Florida Fact Sheets

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Antifreeze for Recycling / Waste Antifreeze | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Summary of Hazardous Waste Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Summary of Used Oil/Used Oil Filter Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY, NOTICE OF POTENTIAL VIOLATIONS
Page 2 of 2

ITEMS REQUESTED OR RECOMMENDATIONS BY THE "INSPECTOR":

Home address's need to be included in Emergency operations plans
Itemized list of equipment + capabilities need to be listed
in Emergency operations plans.

Home address's of Emergency Coordinators need to be listed

OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within __ days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as **"INSPECTOR"**, Florida Department of Environmental Protection, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401. The actions taken within __ days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: Kyle Brown at (561) 681-6600.

"INSPECTOR" (signature): [Signature] **Date:** 24 Jan 2011

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands the same.

SIGNATURE: <u>[Signature]</u>	PRINTED NAME: <u>Harry Lvt</u>
TITLE: <u>Safety + Environmental Mgr.</u>	DATE: <u>1-25-12</u>

Pre-Inspection Interview

Date _____

Facility Name Hospital Contact # _____

Owner _____ EPA# _____

Inspection Host(s) Harry Lux

What kind of utilities (public water & sewer or Well & septic tank) _____

What size is your facility? approx 5 acres

How many Employees work here? 500

How long have you been in operation here? 40 yr

Describe what you do here. Shipping to eastern coast, 29 blends
3rd yr of her work HERSPORTION, TEXAS IS DISPOSAL FACILITY.

What wastes are produced in the operation?

- | | | | | |
|-----------|-----------|---------------|-----------------|-----------------|
| Hazardous | Solvents | Paint | Caustics | Other |
| Universal | Batteries | Lamps/Devices | Pharmaceuticals | |
| Petroleum | Oil | Oil Filters | Oily Water | Absorbents Rags |

Where does each waste stream go? Hauler's Names _____

Who keeps the records? _____

Who else inspects your facility? _____

Does management have questions for the inspectors?

British matter for boats, and
14 vessels

Wages originate in St Croix, and gets
transported to PUND also. Then it goes to
Horizon Shipping to Texas.

Used oil for recycling grease comes in here.
Used oil, Certificate of approval was in
place, and Henry stated that they are on
the vessels

Innovation maximize standards
Emergency operations contingency plans don't
have home address on it.

Itemized list of equipment + capabilities
of equipment.