



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: Bay Line Railroad LLC

On-Site Inspection Start Date: 07/25/2012

On-Site Inspection End Date: 07/25/2012

ME ID#: 56074

EPA ID#: FLD984229906

Facility Street Address: 2037 Industrial Dr, Panama City, Florida 32405-6033

Contact Mailing Address: PO Box 35098, Panama City, Florida 32412-5098

County Name: Bay

Contact Phone: (850) 747-4034

NOTIFIED AS:

Non-Handler

Transporter

INSPECTION TYPE:

Routine Inspection for Transporter facility

Routine Inspection for CESQG (<100 kg/month) facility

INSPECTION PARTICIPANTS:

Principal Inspector: Melissa D. Woehle, Environmental Specialist

Other Participants: Mark Dabney, General Manager; Keith Chiles, Mgr Bay Line Locomotives; Corinna Clanton, Environmental Specialist

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:

The Bay Line Railroad (BAYL) is one of 17 railroads that make up the Southern Region of Genesee & Wyoming, Inc. (G&W). BAYL is a 103-mile short line freight railroad that interchanges with CSX Transportation and Norfolk Southern. Commodities transported include aggregates, brick and cement, chemicals, coal, food and feed products, forest products, metallic ores and minerals, and steel and scrap. BAYL was acquired by Genesee & Wyoming in 2005.

At the time of this inspection, BAYL was approved by the Department to transport hazardous waste through 8-1-12. The Department received required notification and registration from BAYL on 8-3-12. The documentation was reviewed and found to be incomplete. Additional documentation was requested by the Department and received on August 23, 2013, including financial assurance. With the additional documentation BAYL's application was found to be complete. BAYL is currently registered to transport hazardous waste through August 2013.

The last hazardous waste inspection of BAYL for compliance with hazardous waste transporter requirements was conducted on 4-19-11, with no issues identified. BAYL's locomotive yard at 1 Edwards Dr, Panama City, Florida was last inspected for compliance with hazardous waste and used oil regulations on 9-26-11 with violations cited for hazardous waste and used oil management. All violations were resolved.

Process Description:

BAYL transports only one regulated hazardous waste - terpene burn material (D001, F003) generated by Arizona Chemical, in Panama City. BAYL is the initial transporter.

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On July 25, 2012, Department representatives Melissa Woehle and Corinna Clanton performed an unannounced inspection of BAYL to ensure compliance with the Resource Conservation and Recovery Act (RCRA). We arrived at BAYL's office building, and introduced ourselves to Mark Dabney, General Manager. We explained the purpose of the visit and requested hazardous waste manifest for the past year to review. Mr. Dabney said that hazardous waste manifest were signed by him, but not maintained by BAYL. The manifest, with his signature, are sent to the final destination facility by the hazardous waste generator, Arizona Chemical. He explained the Electronic Delivery Information (EDI) System and added that all of the information required for hazardous waste manifests had been integrated into the system.

Visual inspection of the locomotive maintenance shop, refueling/wash pad, and the used oil tank was conducted with no violations observed and was facilitated by Keith Chiles, BAYL Locomotives Mgr. Used oil, used oil filters, and oily water are picked up by Aaron Oil Company, Inc. Safety Kleen services one parts washer and picks up any other hazardous waste including paint waste. Scrap metal is taken to Lewis Metals for recycling. A new oil/water separator was installed adjacent to the refueling/wash pad and is piped to a 14,576-gallon used oil tank located inside of secondary containment with fuel tanks. Oil from the separator goes to the used oil tank and water goes to the city sewer system.

On September 12, 2012, Mr. Dabney e-mailed copies of hazardous waste manifest for April 2011 through August 2012. There were a total of thirteen (13) manifest showing Norfolk & Southern (VAD000650309) as the second transporter and Systech Environmental Corporation (OHD005048947) as the destination facility. The loads range from 19,940 to 23,826 gallons. All manifest were signed by the generator and BAYL, but eight of the manifest did not have a signature for the the second transporter or destination facility. BAYL was unable to demonstrate retention of shipping papers as required by Title 40 CFR Part 263.22(c).

New Potential Violations and Areas of Concern:

Violations

Type: Violation

Rule: 263.22

Explanation: BAYL provided copies of hazardous waste manifest for the time period since the last hazardous waste inspection, as requested. All thirteen manifests were signed by the generator and BAYL, but eight of thirteen manifest were not signed by the next transporter or the final destination facility.

BAYL was unable to demonstrate retention of shipping papers.

Corrective Action: BAYL needs to ensure compliance with Title 40 Code of Federal Regulations, Part 263.22(a), "A transporter of hazardous waste must keep a copy of the manifest signed by the generator, himself, and the next designated transporter or the owner or operator of the designated facility for a period of three years form the date the hazardous waste was accepted by the initial transporter."

BAYL needs to ensure compliance with Title 40 Code of Federal Regulations, Part 263.22(c)(1), "For shipments of hazardous waste by rail within the United States: (1) The initial rail transporter must keep a copy of the manifest and shipping paper with all the information required in 263.20(f)(2) for a period of three years from the date the hazardous waste was accepted by the initial transporter;..."

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Title 40 Code of Federal Regulations Part 263.20(f)(2), states, "Rail transporters must ensure that a shipping paper containing all the information required on the manifest (excluding the EPA identification numbers, generator certification, and signatures) and, for exports an EPA acknowledgment of Consent accompanies the hazardous waste at all times."

Conclusion:

BAYL needs to address the potential violation cited above and respond in writing within 30 days.

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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.

Melissa D. Woehle

PRINCIPAL INSPECTOR NAME

Environmental Specialist

PRINCIPAL INSPECTOR TITLE

Melissa Woehle

PRINCIPAL INSPECTOR SIGNATURE

FDEP

ORGANIZATION

9/19/2012

DATE

Supervisor: James Byer

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.