



FLORIDA DEPARTMENT OF Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

December 12, 2018

Sent electronically to: mself@nfsy.net

Matthew Self, President
North Florida Shipyards, Inc.
2060 E. Adams Street
Jacksonville, Florida 32202

**RE: Warning Letter WL18-171
North Florida Shipyards, Inc.
EPA/DEP ID: FLD 093 598 548
Duval County – Hazardous Waste**

Dear Mr. Self:

A hazardous waste compliance inspection was conducted at your facility on June 27, 2018. During this inspection, possible violations of Chapters 376 and 403, Florida Statutes (Fla. Stat.); and Chapters 62-710, 62-730, and 62-737, Florida Administrative Code (Fla. Admin. Code), were observed.

During the inspection, Department personnel noted the following:

- The facility did not properly label two drums of used oil as “Used Oil.”
- The facility did not date six drums of hazardous waste with the start date of accumulation.
- The facility did not maintain adequate aisle space between containers of hazardous waste.
- The facility accumulated hazardous waste for longer than 90 days.
- The facility did not properly label one drum of hazardous waste as “Hazardous Waste.”
- The facility did not respond to three used oil releases.
- The facility did not keep three satellite drums of hazardous waste closed.
- The facility did not label three satellite drums of hazardous waste as “Hazardous Waste.”
- The facility did not keep one drum of universal waste bulbs closed.
- The facility did not label one drum of universal waste bulbs.
- The facility did not have secondary containment for eleven drums and four totes of used oil. The facility did not keep one tote of used oil closed.
- The facility did not have a signed return copy for a hazardous waste manifest, and had not filed an exception report for this shipment of hazardous waste.

- The facility managed hazardous waste as non-hazardous waste and evaporated hazardous waste.
- The facility did not make a hazardous waste determination on five waste streams.
- The facility did not respond to a spill of spent diesel fluid or a spill of spent blast media.
- The facility did not date one drum of universal waste bulbs with the start date of accumulation.
- The facility did not have all the required equipment in two hazardous waste accumulation areas.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Sections 403.121 and 376.121, Florida Statutes.

Please contact Luke S. Lewis at (904) 256-1660, or email at Luke.S.Lewis@FloridaDEP.gov within **15 days** of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in receiving any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this matter as soon as possible.

Sincerely,



Gregory J. Strong
District Director

Attachment: Final Inspection Report
cc: Commodore's Point Properties, 1010 East Adams Street, Jacksonville, FL 32202



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

FACILITY INFORMATION:

Facility Name: North Florida Shipyards Inc
On-Site Inspection Start Date: 06/27/2018 **On-Site Inspection End Date:** 06/27/2018
ME ID#: 51177 **EPA ID#:** FLD093598548
Facility Street Address: 2060 E Adams St, Jacksonville, FL 32202-1212
Contact Mailing Address: 2060 E Adams St, Jacksonville, FL 32202
County Name: Duval **Contact Phone:** (904) 354-3278

NOTIFIED AS:

LQG (>1000 kg/month)

INSPECTION TYPE:

Routine Inspection for LQG (>1000 kg/month) facility
Routine Inspection for Used Oil Generator facility

INSPECTION PARTICIPANTS:

Principal Inspector: Luke S Lewis, Inspector
Other Participants: Eddie L Avery, Safety Director

LATITUDE / LONGITUDE: Lat 30° 19' 16.509" / Long 81° 37' 36.7523"

SIC CODE: 3731 - Manufacturing - ship building and repairing

TYPE OF OWNERSHIP: Private

Introduction:

North Florida Shipyards, Inc. (NFSY) was inspected on June 27, 2018 as an unannounced hazardous waste compliance inspection. This facility re-notified the Department of Environmental Protection (DEP) as a Large Quantity Generator (LQG) of hazardous waste on February 20, 2014. This facility was last inspected by the DEP's Hazardous Waste Program on September 17, 2013. The facility is on city water and sewer. Eddie L. Avery (Safety Director), and Pam Fellabaum (DEP) were present throughout the inspection.

At the time of the current inspection, the facility was operating as an LQG of hazardous waste.

The facility overhauls and repairs commercial, private and military ships and, depending on its contract status, the facility may have 100 to 300 employees. The facility operates two shifts Monday through Thursday, one shift Friday through Sunday, and has been at this location since 1970. The facility is located on property that is owned by Commodore's Point Properties of Jacksonville, Florida.

NFSY consists of a Shipping and Receiving Building, a Maintenance Shop/Old Blast House, a Drydock/Dock and three large Warehouses. Warehouse A contains a Tool Room and Fabrication Shop; Warehouse B contains a Machine Shop, a Paint Shop, an Electrical Shop and a Lagging Shop; and Warehouse C contains a Dry Dock Department, a Storage Area, a Pipe Shop and a Carpentry Shop. The facility also has an on-site Wastewater Treatment Plant for pre-treatment of wastewaters generated by operational processes at the facility.

Process Description:

SHIPPING AND RECEIVING BUILDING

This building serves as the shipping and receiving area for the entire facility. The building is located south of East Adams Street. The building contains products that are used throughout the entire facility. This building also has a gated and locked 90-Day Hazardous Waste Accumulation Area (HWAA). Hazardous waste generated from around the facility, such as liquid and solid paint hazardous waste, punctured aerosol can

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hazardous waste, hydrochloric acid hazardous waste and other hazardous wastes, are brought here to be managed and shipped out by a transporter.

Non-hazardous waste is accumulated outside of the gated and locked HWAA. There were twenty-one 55-gallon drums of non-hazardous waste accumulating. These included four drums of non-hazardous oily water, three drums of used oil, seven drums of non-hazardous oily rags, one drum of non-hazardous AFFF rags, five drums of non-hazardous oily waste, and one drum of non-hazardous grit labeled "PENDING ANALYSIS 1/28/18." Two of the three drums of used oil were not labeled as "Used Oil" (Photo 1) [40 CFR 279.22(c)].

Outside of the gated and locked HWAA there were also eighteen 55-gallon drums of hazardous waste accumulating (Photos 2 and 3). These included three drums of solid paint hazardous waste, four drums of liquid paint hazardous waste, seven drums of solid hazardous waste and four drums of liquid hazardous waste. One drum of solid hazardous waste and one drum of liquid hazardous waste were not dated with the start date of accumulation (Photos 4 and 5) [40 CFR 262.17(a)(5)(i)(C)]. There was adequate aisle space for the inspection of each container of hazardous waste in this area.

Inside of the gated and locked HWAA there were 49 containers of hazardous waste accumulating. There were two drums of hazardous waste crushed fluorescent bulbs, 28 drums of solid hazardous waste, 15 drums of liquid hazardous waste, one drum of hazardous waste fuel, two drums of unspecified hazardous waste and one poly overpack drum containing a 55-gallon drum of acid hazardous waste.

The HWAA was very crowded and there was not adequate aisle space for the inspection of each container of hazardous waste (Photos 6 and 7) [62-730.160(4), FAC]. Both drums of the hazardous waste crushed fluorescent bulbs, 15 drums of solid hazardous waste, 12 drums of liquid hazardous waste, the drum of hazardous waste fuel, one drum of unspecified hazardous waste and the overpack drum of acid hazardous waste had been accumulating for longer than 90 days (Photos 8 through 12) [40 CFR 262.17(a)]. The oldest drum to accumulate for longer than 90 days was one drum of liquid hazardous waste dated January 23, 2018. The second drum of unspecified hazardous waste was not labeled [40 CFR 262.17(a)(5)(i)(A)] and not dated with the start date of accumulation [40 CFR 262.17(a)(5)(i)(C)]. All of the other drums were labeled and dated.

The HWAA had all of the required equipment including an eyewash station, a fire extinguisher and a spill kit. There was also a sign with the words "No Smoking" posted in the area.

In another section of the Shipping and Receiving Building there were five 55-gallon drums of waste accumulating. Three of the drums were non-hazardous oil boom, and two of the drums were solid hazardous waste. All five of the drums were closed, properly labeled and dated. Facility representatives stated the drums had very recently been moved to the building and were waiting to be moved to the HWAA. Because these were drums that should have been moved into the HWAA, the area only had some of the required equipment including a fire extinguisher, but no eyewash station or spill kit [40 CFR 262.252(c)].

Outside of this building is where ships are moved by cranes and other vehicles to be set up on stilts for maintenance and repair work. Wastes generated in this area are taken to the HWAA described above.

MAINTENANCE SHOP / OLD BLAST HOUSE

This building is located on the southern section of the property. Blasting of ship parts with Black Beauty abrasive previously occurred in this building. The blast collection equipment was still in place. Subsequent to the last inspection in 2013, the waste was analyzed by the facility through a Toxicity Characteristic Leaching Procedure (TCLP) analysis and was determined to be non-hazardous. Subsequent to the TCLP, the facility cleaned, removed and properly managed all of the waste from the equipment.

The Maintenance Shop has been relocated to the Old Blast House. In this service area, cranes, equipment and vehicles are maintained and repaired. The shop consists of a service area and a containment area. Outside of the shop, radiators are tested in a large tub of water. During the inspection, facility technicians were draining water from the large tub onto the ground. The tub contained water with what appeared to be an oily sheen on top. This is a release of used oil (Photos 13 through 16) [40 CFR 279.22(d)].

The shop generates used oil, used oil filters, spent aerosol cans, shop rags, parts washer sludge, spent blast media and spent antifreeze. Used oil is drained from equipment and vehicles into 5-gallon containers or drain

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pans and accumulated in a poly tote located within secondary containment. The tote was properly labeled with the words "Used Oil." Adjacent to this tote, there were six drums of used oil that were not located within secondary containment (Photo 17) [62-710.401(6), FAC]. These drums were properly labeled with the words "Used Oil."

Drained used oil filters are accumulated in one 55-gallon drum. This drum was properly labeled, and it was located on a spill pallet.

On the same spill pallet, there was one 55-gallon satellite drum of aerosol can liquid hazardous waste accumulating. This drum was properly labeled, but the drum's can puncturing device was open (Photo 18) [40 CFR 262.15(a)(4)].

All shop rags are managed as non-hazardous oily rags. There was one 55-gallon metal drum of spent shop rags accumulating. In this shop, Johnsen's Carb & Choke Cleaner (Cleaner) is used as a cleaner. Cleaner consists of 30-50% acetone, 10-30% methanol and 10-30% toluene. Spent Cleaner generates an F005 hazardous waste. According to facility technicians, spent rags with Cleaner are managed as non-hazardous oily rags. Rags with spent Cleaner should be managed in closed, properly labeled containers and shipped off-site as an F005 hazardous waste [40 CFR 262.20(a)].

The shop also has a diesel parts washer. Waste diesel sludge removed from the parts washer is added to the shop's used oil containers on an as needed basis, according to facility representatives.

The shop has one self-contained glove box blasting unit that uses silica blast media. There was spent blast media on the shop floor underneath the unit (Photo 19). The facility did not have analytical data for the spent blast media at the time of the inspection. Subsequent to the inspection, the facility had a Toxicity Characteristic Leaching Procedure (TCLP) analysis performed on the spent blast media and determined it was non-hazardous.

The shop manages its spent antifreeze with its used oil, according to facility technicians. Spent antifreeze cannot be mixed with used oil, and then disposed of unless both are properly recycled. The facility did not make a hazardous waste determination on the spent antifreeze [40 CFR 262.11].

DRY DOCK / DOCK

The Dock is where ships are docked so that equipment, personnel, and vehicles can be moved and positioned alongside them to perform work. On the Dock was one metal recycling roll-off dumpster and several solid waste roll-off dumpsters. Inside the metal recycling dumpster was a large engine that appeared to be leaking used oil into the dumpster. The liquid was leaking from the dumpster onto the Dock's paved ground (Photos 20 through 22) [40 CFR 279.22(d)]. There were two drums of waste observed in one of the solid waste dumpsters. The facility had no analysis for these two drums and, as a result, did not make a hazardous waste determination on this waste stream [40 CFR 262.11].

A large floating Dry Dock is used to lift ships from the water so that repairs can be made to the hull and other components that reside below the water line. Water may be used to blast the ship's hull. The water is collected in a sump, and then it will be taken for treatment to the Wastewater Treatment Plant described below. At the time of the inspection, the Dry Dock was in use. On the Dry Dock, at the ship's stern, there were three 55-gallon drums of hazardous waste accumulating. Two drums were solid hazardous waste. Both were closed, properly labeled and dated. The third drum, a satellite accumulation drum, of unspecified hazardous waste was closed, but it was not labeled [40 CFR 262.15(a)(5)]. This area did not have any of the required equipment such as an eyewash station, a fire extinguisher or a spill kit [40 CFR 262.252(c)]. At the ship's bow, there were two 55-gallon drums of non-hazardous waste accumulating.

WAREHOUSE A

Warehouse A is located in the southern section of the property. This warehouse contains the Tool Room and the Fabrication Shop.

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Tool Room

Tools used in the Fabrication Shop and throughout the facility are stored here. No hazardous waste is generated in this area; however, numerous compressed gas cylinders were observed (Photo 23). According to facility personnel, these cylinders are not usable and have been in this area for a very long time. Because these cylinders are a waste, and have been here for an extended amount of time, a hazardous waste determination should have been made on the compressed gas cylinders and the cylinders managed appropriately [40 CFR 262.11].

Fabrication Shop

This shop fabricates ship parts, such as flooring, hulls and other metal components. Various drills, grinders, lathes and other machines are used in the fabrication process. Minor amounts of welding are also performed in this area. Scrap metal from the fabrication and welding process is managed as scrap metal. Blasting and painting are performed in the Fabrication Shop's Blast and Paint Booths described below.

Fabrication Shop Blast Booth:

The blast media used in this booth is steel shot. There was one unlabeled garbage can of paint chips and a hopper with spent blast media observed in this area. The facility did not have analyses for the paint chips or spent blast media at the time of the inspection. Subsequent to the inspection, the facility managed the paint chips as solid paint hazardous waste and had a TCLP analysis performed on the spent blast media. It was determined to be non-hazardous.

Fabrication Shop Paint Booth:

After the parts are blasted, they are painted in this paint booth. Spent paint booth filters are taken to the HWAA and managed as hazardous waste. There was one 55-gallon satellite drum of liquid hazardous waste accumulating. It was closed and properly labeled. On the opposite side of the paint booth, there was one 55-gallon satellite drum of solid paint chips hazardous waste accumulating. It was closed, but was not labeled [40 CFR 262.15(a)(5)].

WAREHOUSE B

Warehouse B is located between Warehouse A and Warehouse C. This building contains a Machine Shop, a Paint Shop, an Electrical Shop and a Lagging Shop.

Machine Shop

This shop uses grinders, lathes and other types of machinery to modify or repair various ship parts. Diverse types of metal are used, including brass. All scrap metal is accumulated in the metal recycling dumpster outside or in 55-gallon drums, and then recycled.

Two parts washers were located in this area. One parts washer contains diesel fuel as a solvent. The waste diesel sludge is managed with the facility's used oil on an as-needed basis. Underneath the parts washer was spilled diesel that has not been cleaned up [40 CFR 262.251]. The second parts washer is located in another area of the shop and contains mineral spirits. Spent mineral spirits solvent is managed with D001 liquid paint waste.

There was one 55-gallon satellite drum of aerosol can liquid hazardous waste accumulating in the shop. The drum was properly labeled, but the can puncturing device was open (Photo 24) [40 CFR 262.15(a)(4)]. Spent aerosol cans from the Paint Shop are being managed here. The facility is reminded that satellite containers of hazardous waste should be managed in areas at or near the point of generation. Spent aerosol cans from other shops should not be managed in this shop.

There was one self-contained glove box blasting unit in the shop. According to facility representatives, the blast media is reused, and no blast media has recently been generated. There was spent blast media on the shop floor underneath the unit that has not been cleaned-up [40 CFR 262.251]. The facility did not have an analysis for the spent blast media at the time of the inspection and, as a result, did not make a hazardous waste determination on this waste stream [40 CFR 262.11]. Subsequent to the inspection, the facility had a TCLP analysis performed on the spent blast media and determined it was hazardous for cadmium. The facility should collect, properly manage and dispose of the spent blast media as a D006 hazardous waste.

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The shop uses CRC Brakleen Brake Parts Cleaner (90-100% tetrachloroethylene) on shop rags. When spent, the rags are an F002 hazardous waste. The spent F002 hazardous waste rags are placed into a non-hazardous oily rags container [40 CFR 262.20(a)]. Nearby there was one 55-gallon drum of non-hazardous oily shop rags accumulating. There were also several open containers of non-hazardous oily waste resting on top of the benches and containers. All of these F002 hazardous waste shop rags should be managed as hazardous waste in closed, properly labeled containers and shipped off-site as F002 hazardous waste.

Paint Shop

This shop is where paint and supplies are stored for use on various ships. Painting is generally performed on the ship, and any waste generated is brought back to the Paint Shop. The shop uses methyl ethyl ketone (MEK) to clean painting equipment. Spent MEK generates an F005 liquid hazardous waste. There were four 55-gallon drums of solid paint hazardous waste and one 55-gallon drum of liquid paint hazardous waste. All of the drums were closed, properly labeled and dated except for two of the drums of solid paint hazardous waste and the one drum of liquid paint hazardous waste [40 CFR 262.17(a)(5)(i)(C)]. There was adequate aisle space for the inspection of each container of hazardous waste. All the required equipment such as an eyewash station, a fire extinguisher and spill kit were observed in this area.

Adjacent to the drums were two small containers of liquid paint hazardous waste that had been intentionally left open in order for the waste paint to evaporate (Photo 25) [40 CFR 262.20(a)].

Spent aerosol cans are punctured and drained into a 55-gallon satellite drum of aerosol can liquid hazardous waste. There was one satellite drum of aerosol can liquid hazardous waste accumulating; however, the puncturing device had been damaged and was not in use but the drum's puncturing device was closed. The drum was properly labeled. Aerosol cans generated in this shop are being managed in the Machine Shop. The facility is reminded that satellite containers of hazardous waste should be managed in areas at or near the point of generation. Spent aerosol cans should be managed in this shop.

Electrical Shop

This shop repairs electrical components from ships and stores electrical parts and supplies.

Spent fluorescent bulbs are accumulated in this area before they are crushed. There was one drum-top bulb crusher device attached to a 55-gallon satellite drum of hazardous waste in this area. The drum was open (Photo 26) [40 CFR 262.15(a)(4)] and not labeled [40 CFR 262.15(a)(5)]. Near the drum-top bulb crusher, there was one 30-gallon drum of large spent universal waste bulbs accumulating. The drum was open, [40 CFR 273.13(d)(1)], not labeled [40 CFR 273.14(e)] and not dated (Photo 27) [40 CFR 273.15(c)].

Lagging Shop

This shop insulates pipes that will be outfitted onto ships. No hazardous waste is generated in this area.

WAREHOUSE C

This building contains a Dry Dock Department, a Storage Area, a Pipe Shop and a Carpentry Shop.

Dry Dock Department

This shop stores parts and materials used on the Dry Dock. No hazardous waste is generated in this area.

Storage Area

This area stores various ship components and facility items and tools that are unused or are waiting to be repaired. No hazardous waste is generated in this area.

Pipe Shop

This shop bends, cuts, and welds pipe for ships. Pipe cutter machines used in this area generate used oil. The machines were not in use during the time of the inspection. No hazardous waste is generated in this

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area. There was one 55-gallon drum of non-hazardous oily rags accumulating.

Carpentry Shop

This shop builds the facility's crates and other shipping containers. Wood is not painted or treated in this area. No hazardous waste is generated in this shop.

WASTEWATER TREATMENT PLANT (WWTP)

The facility has an on-site Wastewater Treatment Plant (WWTP) located near the southwestern section of the property. This WWTP has been added to the facility since the last DEP hazardous waste inspection. The WWTP is used for industrial pretreatment of non-hazardous wastewaters generated on-site before final discharge to the Publicly Owned Treatment Works (POTW) that is operated by JEA. An Industrial User Discharge Permit #0157 for operation of the WWTP was issued by JEA on February 15, 2018, and expires on February 14, 2023.

The non-hazardous wastewaters permitted for treatment in the WWTP include the following: hull wash water and oily bilge water, which may contain petroleum; detergents; suspended solids; organic paint additives; inorganic paint additives and solvents; graywater; non-contact cooling water; compressor condensate; and softener regeneration water.

Wastewater is pumped into the plant headworks from tanker trucks, poly totes and drums. Oil that is separated from the wastewater prior to treatment is collected in drums for disposal off-site.

The WWTP was not operating at the time of the inspection. Facility representatives stated that the plant had not operated for a little over a week because the plant operator had recently left the company and a replacement had not been hired.

Near the WWTP was an area where it appeared as though oil had been discharged to the ground and had not been cleaned-up (Photo 28) [40 CFR 279.22(d)].

There were five 55-gallon drums and four poly totes of used oil that were not located within secondary containment (Photos 29 and 30) [62-710.401(6), FAC]. One of the totes was open [62-710.401(6), FAC]. There were also three 55-gallon drums of paint chips in this area. The facility did not have an analysis for the paint chips at the time of the inspection and, as a result, did not make a hazardous waste determination on this waste stream [40 CFR 262.11]. Subsequent to the inspection, the facility had a TCLP analysis performed on each of the three drums of paint chips and determined that one of the drums was hazardous for lead. The facility is managing the drum as oily waste contaminated with lead. The facility should properly manage and dispose of this drum as a D008 hazardous waste.

RECORD REVIEW

The facility is currently operating as a Large Quantity Generator (LQG) of hazardous waste. The facility primarily generates the following hazardous wastestreams:

D001/D035/F003/F005 liquid paint waste;
D001/D035 solid paint waste;
D009 crushed bulbs;
D002 acids.

Hazardous wastes and non-hazardous wastes are transferred to Rinco (ARD 981 057 870) located in Haskell, Arkansas.

A review of the facility's hazardous waste manifests revealed the following discrepancies:

1. The facility had no record of any hazardous waste shipments between July 27, 2017, and October 29, 2017, a period of 94 days [40 CFR 262.17(a)]. An LQG may only accumulate hazardous waste on-site for 90 days or less.
2. The facility had no record of any hazardous waste shipments after January 30, 2018, to the date of the current inspection, June 27, 2018, a period of 149 days [40 CFR 262.17(a)]. An LQG may only accumulate

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hazardous waste on-site for 90 days or less.

3. Manifest #011107818 FLE dated October 30, 2017, did not have a signed return copy, and the facility did not file an exception report for this shipment of hazardous waste [40 CFR 262.42(a)(2)].

The facility's remaining records were reviewed including personnel training records, weekly container inspections, the Contingency Plan and other LQG requirements. The records reviewed appeared to be in order except for the items mentioned below.

*****NOTE: As of June 18, 2018, the State of Florida has adopted the recently-updated Federal hazardous waste rules, more commonly known as the Generator Improvement Rule. As a generator of hazardous waste, your facility is impacted by the rule change.

Please see the eCFR site for a copy of the Federal rule at - https://www.ecfr.gov/cgi-bin/text-idx?SID=ab7ac7e8d2fb42037c72a0de5162bcfe&mc=true&tpl=/ecfrbrowse/Title40/40cfrv28_02.tpl#0

The November 28, 2016, Federal Register also has a good discussion about the new requirements - <https://www.gpo.gov/fdsys/pkg/FR-2016-11-28/pdf/2016-27429.pdf>

Copies of PowerPoints that discuss the new requirements may also be found here - <https://floridadep.gov/northeast/ne-compliance-assurance/content/compliance-assurance-resources>

In addition to the potential violations cited below, this inspection revealed potential violations of the new requirements that were effective in Florida as of June 18, 2018. The potential violations observed included:

1. 40 CFR 262.11 – Hazardous waste determinations should now be documented fully, and all appropriate waste codes added to containers prior to shipping. Please see the rule for more information.
2. 40 CFR 262.17(a)(5)(B) – Hazardous Waste <90-day containers should now be labeled with an indication of the hazards of the contents. Please see the rule for examples of appropriate labels.
3. 40 CFR 262.15(a)(5)(ii) – All hazardous waste satellite accumulation containers should now be labeled with an indication of the hazards of the contents. Please see the rule for examples of appropriate labels.
4. 40 CFR 262.15(a)(8) – All hazardous waste satellite accumulation areas should now meet all of the Preparedness and Prevention and Emergency Procedures listed in 40 CFR 262 Subpart M. One of the potential violations noted during this inspection was that all hazardous waste satellite accumulation areas were not equipped with the required equipment listed in 40 CFR 262.252.
5. 40 CFR 262.262 – Contingency Plans, when updated, should meet all of the new requirements under the rule. Please see 40 CFR 262 Subpart M for all of the new requirements for Preparedness, Prevention and Emergency Response Procedures for LQGs.

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 DEP NED inspector listed as the Principal Inspector 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.

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

Type: Violation 1

Rule: 279.22(c)

Explanation: Shipping and Receiving Building:
There were two drums of used oil that were not labeled as "Used Oil."Corrective Action: Shipping and Receiving Building:
No further action is required. The drums were labeled during the inspection.

Type: Violation 2

Rule: 262.17(a)(5)(i)(C)

Explanation: Shipping and Receiving Building:
There were two drums of hazardous waste that were not dated with the start date of accumulation outside of the HWAA.

There was one drum of unspecified hazardous waste that was not dated with the start date of accumulation inside of the HWAA.

Paint Shop:

There were three drums of hazardous waste that were not dated with the start date of accumulation.

Corrective Action: Shipping and Receiving Building:
No further action is required. The drums outside of the HWAA were dated during the inspection.

Paint Shop:

In order to return to compliance, the facility should clearly label or mark each container used to accumulate hazardous waste with the date that the hazardous waste first began accumulating in the container.

Type: Violation 3

Rule: 62-730.160(4)

Explanation: Shipping and Receiving Building:
There was inadequate aisle space for the inspection of each container inside of the HWAA.

Corrective Action: In order to return to compliance, the facility should ensure that there is adequate aisle space between containers of hazardous waste to allow for the inspection of the condition and labels of the individual containers. The aisle space should be sufficient space to allow unobstructed movement of personnel, fire-fighting equipment, spill control equipment and decontamination equipment to all areas of the facility in an emergency.

Type: Violation 4

Rule: 262.17(a)

Explanation: Shipping and Receiving Building:
There were 32 drums of hazardous waste that had accumulated longer than 90 days inside of the HWAA.

Record Review:

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1. The facility did not ship any hazardous waste off-site between July 27, 2017, and October 29, 2017, a period of 94 days.

2. The facility did not ship any hazardous waste off-site between January 30, 2018, and June 27, 2018, a period of 149 days.

Corrective Action: No further action is required. The facility shipped these hazardous wastes offsite on a hazardous waste manifest per an email dated July 19, 2018.

Type: Violation 5

Rule: 262.17(a)(5)(i)(A)

Explanation: Shipping and Receiving Building:
There was one drum of unspecified hazardous waste that was not properly labeled as "Hazardous Waste" inside of the HWAA.

Corrective Action: In order to return to compliance, the facility should label each container used to accumulate hazardous waste on-site with the words "Hazardous Waste."

Type: Violation 6

Rule: 279.22(d)

Explanation: Maintenance Shop/Old Blast House:
Oily water was released onto the concrete ground from a large tub that was used to leak-test radiators.

Dry Dock/Dock:
Used oil was leaking from an engine in a scrap metal recycling roll-off dumpster onto the ground.

Wastewater Treatment Plant:
What appeared to be a release of used oil was observed on the ground.

Corrective Action: Maintenance Shop/Old Blast House and Wastewater Treatment Plant:
In order to return to compliance, the facility should perform the following steps within 30 days and henceforth immediately upon detection of a release of used oil to the environment:

1. Stop and contain the release of used oil.
2. Clean up and properly manage the released used oil and remove any contaminated materials or soil for proper disposal.
3. If necessary to prevent future releases, repair or replace any equipment leaking used oil before returning the equipment to service.

Dry Dock/Dock:
No further action is required. The facility returned to compliance during the inspection and per an email dated July 19, 2018.

Type: Violation 7

Rule: 262.15(a)(4)

Explanation: Maintenance Shop/Old Blast House:
One satellite drum of aerosol can liquid hazardous waste was not closed.

Machine Shop:
One satellite drum of aerosol can liquid hazardous waste was not closed.

Electrical Shop:

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One satellite drum of hazardous waste crushed fluorescent bulbs was not closed.

Corrective Action: Maintenance Shop/Old Blasting House, Machine Shop:
In order to return to compliance, the facility should keep all containers of hazardous waste closed, except when adding or removing waste.

Electrical Shop:
No further action is required. The drum was closed by a facility representative during the inspection.

Type: Violation 8

Rule: 262.15(a)(5)

Explanation: Dry Dock/Dock:
One satellite drum of hazardous waste was not properly labeled with the words "Hazardous Waste."

Fabrication Shop's Paint Booth:
One satellite drum of hazardous waste was not properly labeled with the words "Hazardous Waste."

Electrical Shop:
One satellite drum of hazardous waste crushed fluorescent bulbs was not labeled with the words "Hazardous Waste."

Corrective Action: In order to return to compliance, the facility should label all satellite containers of hazardous waste with the words "Hazardous Waste" and an indication of the hazards of the contents (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.

Type: Violation 9

Rule: 273.13(d)(1)

Explanation: Electrical Shop:
One drum of universal waste bulbs was not closed.

Corrective Action: In order to return to compliance, the facility should keep all containers of universal waste bulbs closed, except when adding or removing spent lamps.

Type: Violation 10

Rule: 273.14(e)

Explanation: Electrical Shop:
One drum of universal waste bulbs was not properly labeled.

Corrective Action: In order to return to compliance, the facility should label all containers of universal waste lamps with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

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Type: Violation 11

Rule: 62-710.401(6)

Explanation: Maintenance Shop/Old Blast House:
Six drums of used oil were not located within secondary containment.

Wastewater Treatment Facility:
Five drums and four totes of used oil were not located within secondary containment.

One tote of used oil was open.

Corrective Action: In order to return to compliance, the facility should only store used oil in containers that are either double-walled or stored on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest container within the containment area. Containers with a capacity of 55 gallons or less that are stored on an oil-impermeable surface inside a structure will meet the secondary containment requirement. Containers or tanks with a total capacity greater than 55 gallons must be double-walled, or they must be stored on an oil-impermeable surface such as sealed concrete or asphalt and be within secondary containment. The facility is reminded that used oil containers should be clearly labeled with the words "Used Oil." The containers must be in good condition (no severe rusting, apparent structural defects, or deterioration) with no visible oil leakage. All used oil containers and tanks stored outside of a structure, regardless of size, must be closed or covered or otherwise protected from the weather.

Type: Violation 12

Rule: 262.42(a)(2)

Explanation: The facility did not have a signed return copy for manifest #011107818 FLE dated October 30, 2017, and had not filed an exception report for this shipment.

Corrective Action: In order to return to compliance, the facility should obtain a copy of this manifest for its records and send a copy to the Department. In the future, if the facility does not receive a signed return copy of a hazardous waste manifest within 45 days of the waste being shipped off-site, the facility should file an exception report in accordance with this section and send the Department a copy.

Type: Violation 13

Rule: 262.20(a)

Explanation: Maintenance Shop/Old Blast House:
F005 hazardous waste shop rags were being managed as non-hazardous oily shop rags.

Machine Shop:
F002 hazardous waste shop rags were being managed as non-hazardous oily shop rags.

Paint Shop:
There were two small non-empty containers of liquid paint hazardous waste left open to intentionally evaporate.

Corrective Action: Maintenance Shop/Old Blast House and Machine Shop:
In order to return to compliance, the facility should properly containerize and manage all F005 and F002 shop rags as hazardous waste. The facility should then use a properly completed hazardous waste manifest for all shipments of hazardous waste rags from the facility.

Or the facility can manage these hazardous waste shop rags as Excluded Solvent

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Contaminated Wipes under 40 CFR 261.4(a)(26) and (b)(18).

Paint Shop:

In order to return to compliance, the facility should immediately stop evaporating paint. Further, the facility should properly containerize and manage all hazardous waste. The facility should then use a properly completed hazardous waste manifest for all shipments of hazardous waste from the facility.

Type: Violation 14

Rule: 262.11

Explanation: Maintenance Shop/Old Blast House:
The facility did not make a hazardous waste determination on spent antifreeze.

Dry Dock/Dock:

The facility did not make a hazardous waste determination on two 55-gallon drums of waste in a solid waste dumpster.

Tool Room:

The facility did not make a hazardous waste determination on the waste compressed gas cylinders.

Machine Shop:

The facility did not make a hazardous waste determination on spent blast media underneath the glove box.

Wastewater Treatment Plant:

The facility did not make a hazardous waste determination on the three drums of paint chips.

Corrective Action: In order to return to compliance, the facility should complete a hazardous waste determination on each of the waste streams listed below that have not already been analyzed. The waste should be analyzed by a certified laboratory as follows:

Maintenance Shop/Old Blast House:

The facility should either recycle the antifreeze at a qualified vendor, or make a hazardous waste determination on the spent antifreeze by analyzing it for:

- Toxicity Characteristic Leaching Procedure (TCLP) for RCRA Metals, pursuant to 40 CFR 261.24, via method 6010;
- Toxicity Characteristic Leaching Procedure (TCLP) for Volatiles, pursuant to 40 CFR 261.24, via method 8260;
- Ignitability, pursuant to 40 CFR 261.21, via method 1010.

Dry Dock/Dock:

The facility should make a hazardous waste determination by having the two drums analyzed for:

- Toxicity Characteristic Leaching Procedure (TCLP) for RCRA Metals, pursuant to 40 CFR 261.24, via method 6010.

Tool Room:

In order to return to compliance, the facility should either return the compressed gas cylinders to a supply vendor, or make a hazardous waste determination on the contents of the cylinders in accordance with 40 CFR 262.11.

Machine Shop:

In order to return to compliance, the facility should properly containerize, label and manage the D006 hazardous waste spent blast media by sending it off-site to a permitted treatment, storage, or disposal facility.

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The facility should also contain and prevent spent blast media from spilling out of the self-contained glove box blasting unit and henceforth immediately cleanup any spilled spent blast media, and properly containerize it and manage it as a hazardous waste.

Wastewater Treatment Plant:

In order to return to compliance the facility should properly containerize, label and manage the D008 hazardous waste paint chips by sending it off-site to a permitted treatment, storage, or disposal facility.

A copy of the results of these waste determinations should be submitted to this NED office. None of these wastes are to be disposed of until written approval has been given by the DEP. The waste should be disposed of in a proper manner once written approval has been given by the DEP. Hazardous waste should be sent off-site to a permitted treatment, storage, or disposal facility.

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.

Type: Violation 15

Rule: **262.251**

Explanation: Machine Shop:
There was spilled diesel underneath the parts washer that the facility had not cleaned-up.

There was spent blast media underneath the self-contained blasting unit that the facility had not cleaned up.

Corrective Action: In order to return to compliance, the facility should contain and prevent diesel from spilling out of the parts washer and henceforth immediately cleanup any spilled diesel, and then place it back into the machine or manage it as hazardous waste.

In order to return to compliance, the facility should contain and prevent spent blast media from spilling out of the self-contained blasting unit and henceforth immediately cleanup any spilled spent blast media, and properly containerize it and then manage it as a hazardous waste.

Type: Violation 16

Rule: **273.15(c)**

Explanation: Electrical Shop:
One drum of universal waste bulbs was not dated with date universal waste was first placed into the container.

Corrective Action: In order to return to compliance, the facility should label or mark each container of universal waste with the earliest date that any universal waste was placed into the container or maintain an inventory system that identifies when each universal waste became a waste.

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Type: Violation 17

Rule: 262.252(c)

Explanation: Shipping and Receiving Building:
There was no eyewash station or spill kit adjacent to the drums of hazardous waste that were staged and awaiting transfer to the HWAA.

Dry Dock/Dock:
There was no eyewash station, fire extinguisher or spill kit adjacent to the drums of hazardous waste.

Corrective Action: Shipping and Receiving Building:
In order to return to compliance, the facility should install an eyewash station and spill kit in this area when hazardous waste is accumulating.

Dry Dock/Dock:
In order to return to compliance, the facility should install an eyewash station, fire extinguisher and a spill kit in this area when hazardous waste is accumulating.

PHOTO ATTACHMENTS:

Photo 1

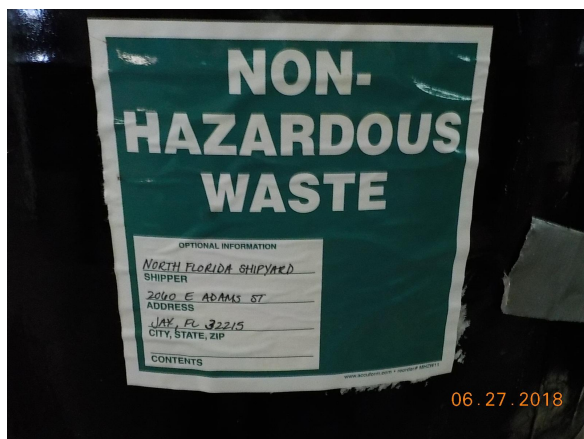


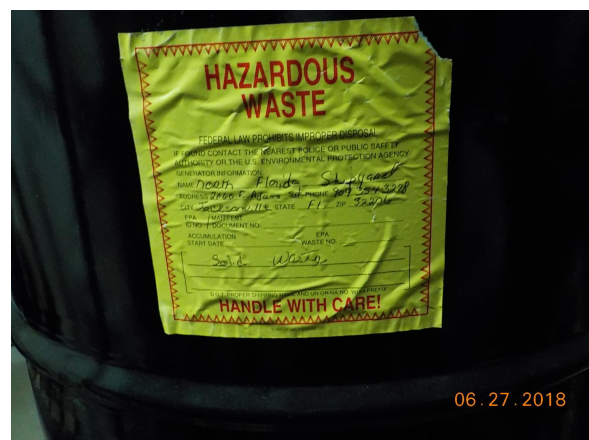
Photo 2



Photo 3



Photo 4



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Photo 5

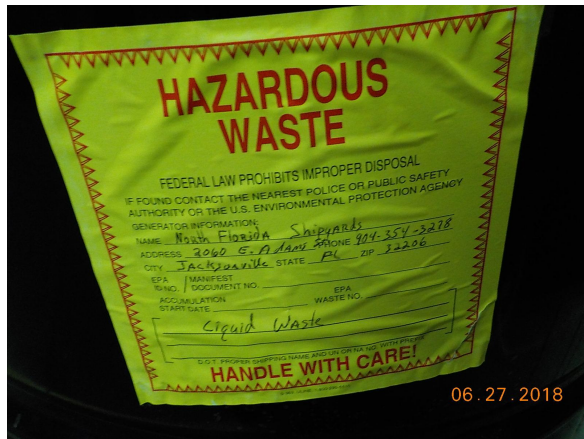


Photo 6



Photo 7



Photo 8



Photo 9

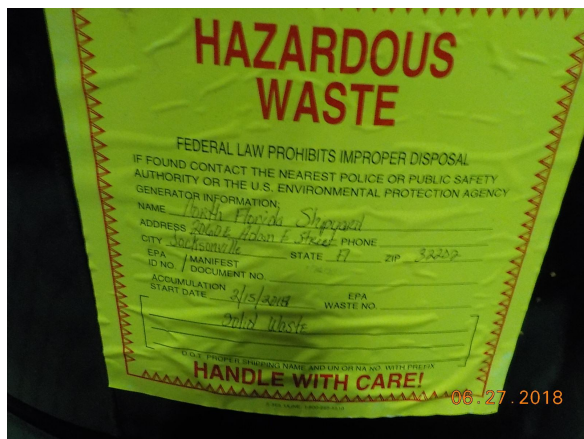
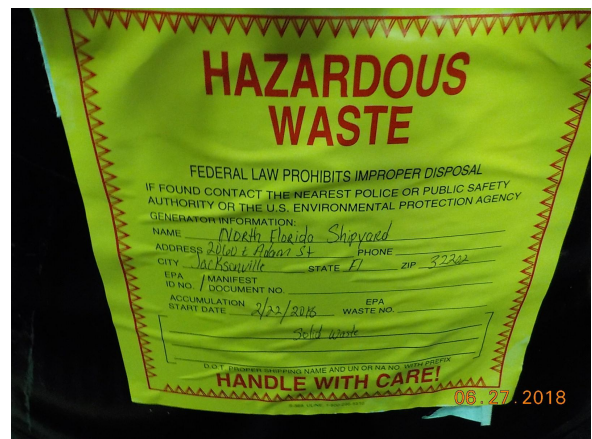


Photo 10



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Photo 11

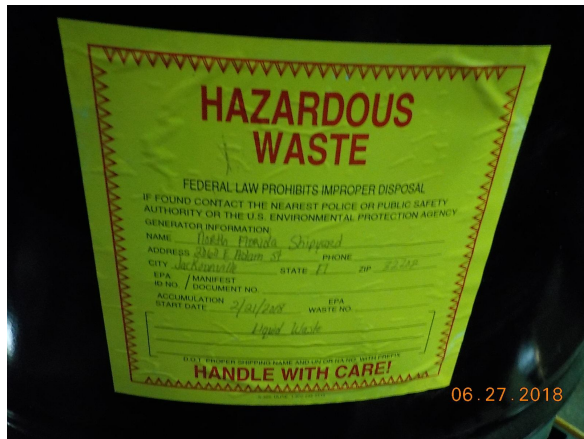


Photo 12

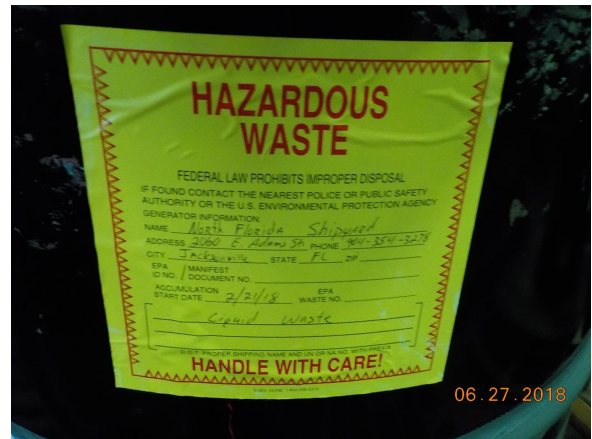


Photo 13



Photo 14



Photo 15

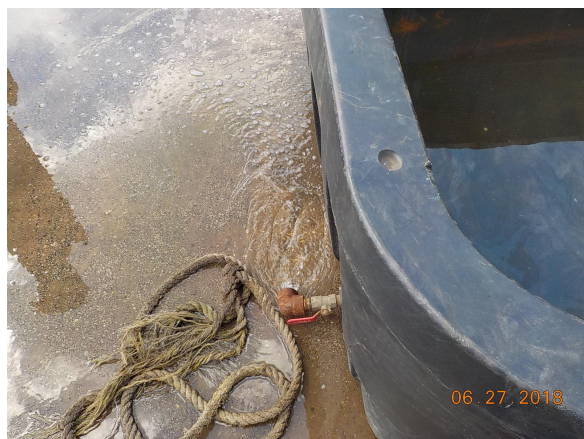


Photo 16



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Photo 17



Photo 18



Photo 19



Photo 20



Photo 21



Photo 22



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Photo 23



Photo 24



Photo 25



Photo 26



Photo 27



Photo 28



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Photo 29



Photo 30



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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.

Luke S Lewis	Inspector
Principal Inspector Name	Principal Inspector Title

	DEP	09/07/2018
Principal Inspector Signature	Organization	Date

Eddie L Avery	Safety Director
Representative Name	Representative Title

NFSY

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: Pam Fellabaum _____	Inspection Approval Date: 09/07/2018 _____
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