



# 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

December 17, 2020

*Sent electronically to: [sjcollision2@aol.com](mailto:sjcollision2@aol.com)*

Ms. Suzanne Clarke, President  
San Jose Collision, Inc.  
11443 San Jose Boulevard  
Jacksonville, Florida 32223-7234

**SUBJECT: Department of Environmental Protection v. San Jose Collision, Inc.**  
**OGC File No. 20-1095**  
**EPA/DEP ID: FLR 000 165 969**  
**Duval County**

Dear Ms. Clarke:

Enclosed is a copy of the executed Consent Order to resolve Case Number 20-1095.

The effective date of this Order is December 16, 2020, and all time frames will be referenced from this date.

As a reminder, a Consent Order is a binding legal document and was voluntarily entered into by both parties.

Should you have any questions concerning the Consent Order, please contact Tori Goodwin, at [Tori.Goodwin@FloridaDEP.gov](mailto:Tori.Goodwin@FloridaDEP.gov), or by phone at (904) 256-1533. Your continued cooperation in the matter is appreciated.

Sincerely,

A handwritten signature in blue ink that reads "James R. Maher".

James R. Maher, PE  
Assistant Director

Enclosure: Executed Consent Order

ec: FDEP-OGC: Lea Crandall, Agency Clerk  
FDEP-NED: Arlene Wilkinson, DEP\_NED



# 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

December 11, 2020

*Sent electronically to: [sjcollision2@aol.com](mailto:sjcollision2@aol.com)*

Ms. Suzanne Clarke, President  
San Jose Collision, Inc.  
11443 San Jose Boulevard  
Jacksonville, Florida 32223-7234

**SUBJECT: Department of Environmental Protection v. San Jose Collision, Inc.**  
**OGC File No. 20-1095**  
**EPA/DEP ID: FLR 000 165 969**  
**Duval County**

Dear Ms. Clarke:

The State of Florida Department of Environmental Protection ("Department") finds that San Jose Collision, Inc. ("Respondent") failed to make a hazardous waste determination on one of its waste streams, failed to close hazardous waste containers, failed to perform weekly inspections of hazardous waste accumulation containers, failed to meet the preparedness and prevention procedures, failed to make emergency response arrangements, failed to ensure that all its employees were trained on waste handling and emergency procedures, and failed to properly label and provide adequate secondary containment for one used oil container. Additional violations are documented in the attached Warning Letter (WL20-167). Before sending this letter, the Department requested that the Respondent undertake certain actions to resolve the violations. These actions have since been completed. However, due to the nature of the violations, the Respondent remains subject to civil penalties. The Respondent is also responsible for costs incurred by the Department during the investigation of this matter.

### **The Department's Offer**

Based on the violations described above, the Department is seeking \$9,052.00 in civil penalties and \$500.00 for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of \$9,552.00. The civil penalty in this matter includes one violation of \$2,000.00 or more.

### **Respondent's Acceptance**

If you wish to accept this offer and fully resolve the enforcement matter pending against the Respondent, please sign this letter and return it to the Department at 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida, 32256, by December 31, 2020. The Department will then countersign it and file it with a designated clerk of the Department.

Once the document is filed with the designated clerk, it will constitute a final order of the Department pursuant to Section 120.52(7), Florida Statutes (F.S.), and will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, F.S., and the attached Notice of Rights.

By accepting this offer you, Ms. Clarke:

- (1) certify that you are authorized and empowered to negotiate, enter into, and accept the terms of this offer in the name and on behalf of Respondent;
- (2) acknowledge and waive Respondent's right to an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., on the terms of this offer, once final; and
- (3) acknowledge and waive Respondent's right to an appeal pursuant to Section 120.68, F.S.

The Department acknowledges that the Respondent's acceptance of this offer does not constitute an admission of liability for the violation(s) referenced above.

### **Respondent's Performance**

After signing and returning this document to the Department:

- (1) Respondent shall pay a total of \$9,552.00 in quarterly installments, in accordance with the payment schedule below, until the entire amount has been paid in full. The initial payment shall include the \$500.00 for Department costs. Failure to timely make any installment payment will enable the Department, at its discretion, to accelerate the remaining balance to become immediately due.

The payment schedule and amounts are as follows:

<b>Payment</b>	<b>Due Date</b>	<b>Amount Due</b>
Initial payment	Within 60 days of effective date of Consent Order	$\$754.00 + \$500 = \$1,254.00$
2 <sup>nd</sup> payment	90 days after initial payment	\$754.00
3 <sup>rd</sup> payment	90 days after 2 <sup>nd</sup> payment	\$754.00
4 <sup>th</sup> payment	90 days after 3 <sup>rd</sup> payment	\$754.00
5 <sup>th</sup> payment	90 days after 4 <sup>th</sup> payment	\$754.00
6 <sup>th</sup> payment	90 days after 5 <sup>th</sup> payment	\$754.00
7 <sup>th</sup> payment	90 days after 6 <sup>th</sup> payment	\$754.00
8 <sup>th</sup> payment	90 days after 7 <sup>th</sup> payment	\$754.00
9 <sup>th</sup> payment	90 days after 8 <sup>th</sup> payment	\$754.00
10 <sup>th</sup> payment	90 days after 9 <sup>th</sup> payment	\$754.00
11 <sup>th</sup> payment	90 days after 10 <sup>th</sup> payment	\$754.00
Final payment	90 days after 11 <sup>th</sup> payment, but no later than 3 years after effective date of this Consent Order	\$758.00
	<b>TOTAL:</b>	<b>\$9,552.00</b>

- (2) Respondent shall make all payments required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number assigned to this Order (OGC #20-1095) and the notation "Water Quality Assurance Trust Fund." Payment shall be sent to the Department of Environmental Protection, 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida, 32256. Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this Agreement is final and effective, by filing with the Clerk of the Department, before ability to make online payment is available.

The Department may enforce the terms of this document, once final, and seek to collect monies owed pursuant to Sections 120.69 and 403.121, F.S.


Until clerked by the Department, this letter is only a settlement offer and not a final agency action. Consequently, neither the Respondent nor any other party may request an administrative hearing to contest this letter pursuant to Chapter 120, F.S. Once this letter is clerked and becomes a final order of the Department, as explained above, the attached Notice of Rights will apply to parties, other than the Respondent, whose interests will be substantially affected.

Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

Please be aware that if the Respondent declines to respond to the Department's offer, the Department will assume that the Respondent is not interested in resolving the matter and will proceed accordingly.

If you have any questions, contact Tori N. Goodwin, at (904) 256-1533, or via e-mail at [Tori.Goodwin@floridadep.gov](mailto:Tori.Goodwin@floridadep.gov).

Sincerely,

  
James R. Maher, PE  
Assistant District Director

FOR THE RESPONDENT:

I, Suzanne Clarke, HEREBY ACCEPT THE TERMS OF THE SETTLEMENT  
OFFER IDENTIFIED ABOVE.

By: Suzanne Clarke Date: 12/15/2020  
[Signature]

Title: President, San Jose Collision, Inc.  
[Type or Print]


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**FOR DEPARTMENT USE ONLY**

DONE AND ORDERED this 16th day of December 2020, in Duval County,  
Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



 Gregory J. Strong  
District Director

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk,  
receipt of which is hereby acknowledged.



Clerk

December 16, 2020

Date

Attachments: Notice of Rights  
Warning Letter WL20-167

Final clerked copy furnished to:

Lea Crandall, Agency Clerk (lea.crandall@floridadep.gov)  
Arlene Wilkinson, FDEP NED (arlene.wilkinson@floridadep.gov)

## **NOTICE OF RIGHTS**

Persons who are not parties to this Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Order means that the Department's final action may be different from the position it has taken in the Order.

The petition for administrative hearing must contain all of the following information:

- a) The OGC Number assigned to this Order;
- b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- c) An explanation of how the petitioner's substantial interests will be affected by the Order;
- d) A statement of when and how the petitioner received notice of the Order;
- e) Either a statement of all material facts disputed by the petitioner or a statement that the petitioner does not dispute any material facts;
- f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Order;
- g) A statement of the rules or statutes the petitioner contends require reversal or modification of the Order; and
- h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Order.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at the address indicated above. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under Sections 120.569 and 120.57, Florida Statutes. Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.



# 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

July 14, 2020

*Sent electronically to: [sjcollision2@aol.com](mailto:sjcollision2@aol.com)*

Ms. Suzanne Clarke, Owner  
San Jose Collision, Inc.  
11443 San Jose Boulevard  
Jacksonville, Florida 32223-7234

**RE: Warning Letter WL20-167 (Significant Non-Complier)**  
**San Jose Collision, Inc.**  
**EPA/DEP ID: FLR 000 165 969**  
**Duval County – Hazardous Waste**

Dear Ms. Clarke:

A hazardous waste compliance inspection was conducted at your facility on February 11, 2020. 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 make hazardous waste determinations on one (1) waste stream.
- The facility did not have sufficient documentation for one (1) hazardous waste determination.
- The facility did not close two (2) hazardous waste satellite containers.
- The facility did not properly label two (2) hazardous waste satellite containers.
- The facility did not close and seal one (1) hazardous waste accumulation container.
- The facility did not perform weekly inspections of the hazardous waste accumulation area (HWAA).
- The facility did not properly label one hazardous waste accumulation container with an indication of the hazards of the contents.
- The facility did not mark one (1) hazardous waste accumulation container with the accumulation start date.

- The facility did not have all the required spill control and decontamination equipment in the Hazardous Waste Accumulation Area.
- The facility did not make emergency arrangements with local authorities.
- The facility did not post emergency information next to a telephone or in areas directly involved in the generation and accumulation of hazardous waste.
- The facility did not ensure that all its employees were thoroughly familiar with proper hazardous waste handling and emergency procedures relevant to their responsibilities during normal facility operations and emergencies.
- The facility did not ensure proper disposal of hazardous waste.
- The facility did not properly label one used oil container.
- The facility did not provide adequate secondary containment for one used oil container.
- The facility had not submitted a notification form to DEP, as instructed by the City of Jacksonville's Environmental Quality Division (EQD).
- The facility did not have documentation of weekly inspections of the HWAA.

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 376.121 and 403.121, Florida Statutes.

Please contact Tori Goodwin at (904) 256-1533, or by email at [Tori.Goodwin@FloridaDEP.gov](mailto:Tori.Goodwin@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 that you may have which might assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this.

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 our investigation and resolving this as soon as possible.

Sincerely,



Gregory J. Strong  
District Director

Attachment: Final Inspection Report

Jec: FDEP-NED: Pam Cosgrove, Cheryl Mitchell, Katrina Hill, Tori Goodwin, DEP\_NED  
City of Jacksonville-EQD: Jean Richards, [jeanr@coj.net](mailto:jeanr@coj.net)





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

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**FACILITY INFORMATION:**

**Facility Name:** San Jose Collision Inc  
**On-Site Inspection Start Date:** 02/11/2020 **On-Site Inspection End Date:** 02/11/2020  
**ME ID#:** 93997 **EPA ID#:** FLR000165969  
**Facility Street Address:** 11443 San Jose Blvd, Jacksonville, Florida 32223-7234  
**Contact Mailing Address:** 11443 San Jose Blvd, Jacksonville, Florida 32223-7234  
**County Name:** Duval **Contact Phone:** (904) 288-8601

**NOTIFIED AS:**

SQG (100-1000 kg/month)

**WASTE ACTIVITIES:**

**Generator:** SQG **Used Oil:** Used Oil **Universal Waste:** Indicate types of UW generated and/or accumulated at the facility: **Generate/Accumulate:** Batteries **Maximum quantity of UW handled or transported at any time:** Less than 5,000 kg (11,000 lbs); Small Quantity Handler (SQH)

**INSPECTION TYPE:**

Complaint Inspection for Used Oil Generator Facility  
Complaint Inspection for SQG (100-1000 kg/month) Facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Tori N Goodwin, Inspector  
**Other Participants:** Rodney Norman, Shop Manager

**LATITUDE / LONGITUDE:** Lat 30° 10' 0.855" / Long 81° 37' 50.4893"

**NAIC:** 811121 - Automotive Body, Paint, and Interior Repair and Maintenance

**TYPE OF OWNERSHIP:** Private

**Introduction:**

San Jose Collision, Inc. (SJC, the facility) was inspected on February 11, 2020, as an unannounced hazardous waste complaint inspection. The facility notified the Department of Environmental Protection (DEP) as a Small Quantity Generator (SQG) of hazardous waste in April 2010. The facility was last inspected by DEP's Hazardous Waste Program on May 24, 2011, at which time the facility was operating as a Very Small Quantity Generator (VSQG) of hazardous waste.

On November 26, 2018, the City of Jacksonville's Environmental Quality Division (EQD) performed a Hazardous Waste Verification Inspection at the facility and determined that SJC was operating as a SQG. EQD sent a letter to the owner of the facility, Ms. Suzanne Clarke, on December 3, 2018, that identified several areas of concern that were observed during the inspection including: solvent contaminated rags and wipes that were not being properly managed, paint waste that was not being properly containerized and was being allowed to evaporate into the environment, containers of hazardous waste paint that were not properly labeled and/or dated with an accumulation start date, and emergency information was not posted at the facility. Additionally, the letter noted that the facility did not have documentation for: weekly inspections of hazardous waste containers, personnel training, emergency response arrangements with local authorities, and notification to DEP of its change in generator status. The letter stated that these areas should be addressed as soon as possible to ensure that the facility was operating in compliance with applicable regulations. The hazardous waste violations observed during the EQD November 2018 inspection were also observed during DEP's February 11, 2020, inspection.

At the time of the current inspection, the facility was operating as a Small Quantity Generator (SQG) of hazardous waste.

## San Jose Collision Inc Inspection Report

Inspection Date: 02/11/2020

SJC has been operating at this site for over 20 years. The facility has 15 employees including two painters and three preparation employees. The facility operates 8:00 A.M. to 5:00 P.M., Monday through Friday. SJC owns the property, and the facility is connected to city water and sewer.

SJC is a paint and body shop that focuses on collision repair. Approximately 115 cars are repaired per month. The facility consists of three separate buildings which include: Parts Garage, Body Shop, Outdoor Corridor, Paint Shop, Paint Booths, Detail Area, and Hazardous Waste Accumulation Area (HWAA).

Mr. Rodney Norman (Shop Manager) and Callie Soltis (DEP) were present throughout the inspection. Suzanne Clarke (Owner) was present for the in-brief and out-brief meeting.

### Process Description:

#### Parts Garage

Vehicle parts are stored in the Parts Garage (Photo 1). No hazardous waste or used oil is generated in this area.

#### Body Shop

Vehicles enter the property on the north side of the facility where they are parked before repair. Vehicles enter the Body Shop through the bay doors. In this area, there are seven repair bays for minor collision work. Damaged vehicles undergo cosmetic repair using Evercoat Bond/Filler and Metal Glaze Polyester Finishing. These materials harden and do not generate hazardous waste when spent. Technicians may use a small amount of 3M General Adhesive Cleaner (GAC) (30-60% xylene, 5-10% ethylbenzene, <0.5% toluene and <0.1% benzene; flashpoint 52°F) on a wipe to remove any sticky residues during the repair process. Spent GAC liquid is a D001/F003 and possibly D018 hazardous waste. Wipes used with GAC are possibly a D018 hazardous waste, but the facility appears to manage these solvent-contaminated wipes as Excluded Solvent-Contaminated Wipes and places them in a 30-gallon container in the Detail Area, described below.

The technicians do not conduct routine oil changes. Technicians typically refer customers who need vehicle fluid changes or major repair work to Norman Brothers Automotive. Oil is changed only when necessary on a damaged vehicle. Used oil is drained into catch pans and then transferred into a 55-gallon drum located inside the building on the east side of the Main Body Shop. At the time of the inspection, there were three 55-gallon drums of used oil accumulating (Photo 2). One of the drums was not properly labeled with the words "Used Oil" [40 CFR 279.22(c)(1)]. One of the drums was not located on adequate secondary containment [62-710.401(6), FAC].

#### Outdoor Corridor

Irreparably damaged car parts are placed in this area and the metal pieces are separated out and sent off-site for recycling (Photo 3). There was one shed in the area that is used for the storage of tools and several containers of paint. The facility is reminded that once this paint is determined to be a waste, or is no longer usable, the facility should make a hazardous waste determination on it and manage the waste paint appropriately.

There was also one solid waste dumpster located outside. No hazardous waste was observed in this area or in the dumpster.

#### Paint Shop

After general repair in the Body Shop, the vehicles are prepared for the painting process. There are six bays for paint preparation and three paint booths for painting (Photo 4).

The first step in preparing the vehicles for painting is cleaning the exterior to remove dirt and debris. Technicians use Vietek Premium Wash Thinner (Wash Thinner) (30-50% methanol, 30-50% toluene, 10-20% acetone; flashpoint -4°F) with a lint-free disposable wipe to spot-clean the vehicle. Spent Wash Thinner liquid is a D001/F003/F005 hazardous waste. Wipes used with Wash Thinner are an F005 hazardous waste. Facility personnel stated that these wipes are managed as solid waste and are thrown into the trash [40 CFR 262.20(a)]. Inspectors observed wipes in several trash cans throughout the Paint Shop (Photo 5).

## San Jose Collision Inc Inspection Report

Inspection Date: 02/11/2020

After cleaning, technicians degrease the vehicle's surface to remove any traces of grease, oils, and contaminants that may affect the adhesion of the paint. Vietek Wax and Grease Remover (Grease Remover) (1-100% isopropyl alcohol, 1-100% xylene; flashpoint <50°F) is used with lint-free disposable wipes for this purpose. Spent Grease Remover liquid is a D001/F003 hazardous waste. Wipes used with grease remover are non-hazardous. These wipes are disposed of into the trash.

### Paint Booths

After the cars have been repaired, cleaned and degreased, the vehicles are moved into the Paint Booths to be primed and painted. The Paint Booths are located inside of the Paint Shop and are used daily.

First, cars are coated with Deltron Primer (10-20% barium sulfate, 5-11% xylene, 2% ethylbenzene, 1.9% 1,2,4 trimethylbenzene; flashpoint 80°F). Primer generates a D001 and possibly a D005 hazardous waste liquid when spent.

To apply, the primer is loaded into plastic liner cups and attached to paint guns. Paint guns are used to apply the desired number of coats of the product. The liner cup is removed, and any remaining primer is poured into a 55-gallon hazardous waste paint drum located in the HWAA, described below. The facility generates an estimated one to two gallons of hazardous waste primer per month.

Next, the facility applies Deltron solvent-based paints using the same paint gun process described above. A review of the Safety Data Sheets (SDSs) for Deltron paints and paint products observed in the Paint Shop indicate that the waste paint and products are D001 and possibly D005 and/or D035 hazardous waste liquids when spent. The waste paint is drained from the paint gun liners into the paint waste drum located in the HWAA described below. The facility generates an estimated one to two gallons of waste paint per month.

The painting process is finished by applying Urethane Clear Coat (clear coat) (20-40% xylene, 5-7% ethylbenzene; flashpoint 82°F) using the same paint gun process described above. Excess clear coat generates a D001 hazardous waste liquid. The waste clear coat is drained from the liners into the paint waste drum located in the HWAA described below. The facility generates an estimated one to two gallons of waste clear coat per month.

Technicians stated that paint guns are cleaned after each step in the painting process by squirting Wash Thinner through the paint gun. The cleaning of the paint guns with Wash Thinner generates a D001/F003/F005 and possibly a D005 and/or D035 hazardous waste liquid. The facility estimated that approximately five gallons of spent paint/thinner waste is generated and then recycled each day using the solvent still located in the HWAA, described below.

After painting, the vehicles are left to dry inside of the paint booth. Technicians stated that the paint booth exhaust filters are managed as non-hazardous waste and disposed of in the trash every two to four weeks. A review of the Safety Data Sheets (SDSs) for Deltron paints and paint products observed in the Paint Shop indicate that the paint booth exhaust filters may be a D005 and/or D035 hazardous waste. The facility did not have Toxicity Characteristic Leaching Procedure (TCLP) metals analysis data available for the spent paint booth exhaust filters [40 CFR 262.11].

Bumpers and other small parts may be painted with Trim Black spray paint in an aerosol can (30-40% acetone, 13-30% toluene, 7-10% isobutyl acetate, 1.5-5% xylene, 1.5-5% butanone; flashpoint -153.4°F). Excess Trim Black is a D001 and possibly a D035 hazardous waste liquid. After spray painting, Jammin' Clear in an aerosol can (30-40% acetone, 1-5% toluene, 0.21% ethylbenzene; flashpoint -69°F) is applied as a clear coat. Excess Jammin' Clear is a D001 hazardous waste liquid. When empty, the spent aerosol cans are typically disposed of in the trash. The facility is reminded that even when spent, these aerosol cans may still contain liquid hazardous waste. Additionally, aerosol cans with broken or clogged nozzles may contain D001 hazardous waste and possibly other characteristic hazardous wastes and should not be thrown into the trash. All unusable and spent aerosol cans should either be safely punctured and properly drained into a closed and properly labeled container, which should then be managed as hazardous waste, or be placed unpunctured into a closed and properly labeled container which should then be managed as hazardous waste. After being safely and properly punctured and drained, empty aerosol cans may be discarded into the trash or recycled as scrap metal.

Inspection Date: 02/11/2020

#### Detail Area

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After painting, the cars are taken to the Detail Area on the east side of the facility. Vehicles are washed and cleaned in this area with water and car wash detergent. The detergent is diluted during use per the manufacturer's instructions. The wash water discharges to the ground outside of the detail area (Photo 6). This is an Area of Concern. The vehicle wash water is considered an industrial wastewater. The outdoor vehicle wash area could be considered a potential source of water pollution as defined in Chapter 403.087(1), Florida Statutes. The facility should relocate this operation to an area where the wash water can be collected and discharged to a sanitary sewer system that is permitted to accept the wash water. Copies of these photos and a description of this issue will be forwarded to the City of Jacksonville's Stormwater Management Program for follow-up.

All Purpose Cleaner (1-5% 2-butoxyethanol, 1-5% mixed alkyl sulfates, 1-5% sodium metasilicate; flashpoint 200°F) is used with launderable wipes for cleaning car interiors. This generates a non-hazardous wipe. Launderable wipes are placed into a 30-gallon metal container that was located in this area (Photo 7). The wipes are laundered weekly by Unifirst.

Launderable wipes from the Body Shop that are used with GAC are also added to the 30-gallon metal wipes container in this area. It appears that the facility is managing the wipes from the Detail Area and the Body Shop as Excluded Solvent-Contaminated Wipes by having them laundered. However, because the wipes are not being managed in accordance with the solvent-contaminated wipe exclusion in 40 CFR 261.4(a)(26), the waste wipes container is considered a hazardous waste satellite container that was not closed [40 CFR 262.15(a)(4)] and was not properly labeled [40 CFR 262.15(a)(5)].

#### HWAA

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The HWAA is located on the east side of the Paint Shop. There was one 55-gallon drum of hazardous waste paint and thinner waste accumulating (Photo 8). The drum was properly labeled, but was not marked with an indication of the hazards of the contents [40 CFR 262.16(b)(6)(i)(B)] or with the accumulation start date [40 CFR 262.16(b)(6)(i)(C)]. The drum was not completely sealed closed due to the buildup of waste paint on the funnel lid (Photo 9) [40 CFR 262.16(b)(2)(iii)(A)].

Some of the spent paint/thinner is distilled in a 5-gallon capacity solvent recovery still located in this area (Photo 10). Technicians stated that the solvent still is used daily to recycle approximately five gallons of waste paint/thinner. Still bottoms from the solvent still are collected in a 30-gallon satellite drum adjacent to the still (See Photo 10). The drum was not closed [40 CFR 262.15(a)(4)], was not properly labeled with the words "Hazardous Waste" and was not labeled with an indication of the hazards of the contents [40 CFR 262.15(a)(5)]. The area was equipped with a fire extinguisher but did not have an eyewash or spill kit [40 CFR 262.16(b)(8)(ii)(C)]. Inspectors observed employees smoking near containers of ignitable wastes and also observed cigarette packages in this area (Photo 11). This is an Area of Concern. SJC should ensure that the facility is maintained and operated in a manner to minimize the possibility of a fire or explosion that could result in a release of hazardous waste constituents to the air or soil which could threaten human health or the environment.

#### Record Review

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The facility appears to be operating as an SQG of hazardous waste. Safety-Kleen Systems, Inc. (TXR 000 081 205) manages the facility's hazardous waste and used oil. Unifirst launders wipes weekly.

The following routine wastestreams are generated by the facility:

- Waste paint/thinner - approximately one 55-gallon drum every six months to eight months that appears to be managed by Safety-Kleen as D001/D005/D006/D007/D008/D035/D039/D040/F003/F005 hazardous waste paint related materials;
- Spent paint/thinner - approximately five gallons each day that is distilled in the solvent still;
- Solvent still bottoms - approximately 1/4 - 1/2 of a 30-gallon drum every month that appears to be managed by Safety-Kleen as D001/D005/D006/D007/D008/D035/F003/F005 hazardous waste flammable solids.

The last hazardous waste shipment was 200 pounds of waste paint related materials on September 10, 2019.

# San Jose Collision Inc Inspection Report

Inspection Date: 02/11/2020

A review of the facility's records for SQG requirements revealed the following discrepancies:

1. The facility did not have analytical data that documented its waste determination for the spent paint booth exhaust filter wastestream [40 CFR 262.11(f)].
2. The facility was instructed by EQD after its November 2018 inspection to submit a change in generator status notification to DEP [62-730.150(2)(b), FAC] but did not submit the notification form.
3. The facility has not been performing weekly inspections of the HWAA [40 CFR 262.16(b)(2)(iv)] and did not maintain documentation of weekly inspections of the HWAA [62-730.160(3), FAC].
4. The facility did not make emergency arrangements with local authorities [40 CFR 262.16(b)(8)(vi)(A)].
5. The facility did not post emergency information next to a telephone or in areas directly involved in the generation and accumulation of hazardous waste [40 CFR 262.16(b)(9)(ii)].
6. Based on the quantity and severity of non-compliance issues with basic SQG requirements, and due to personnel's unfamiliarity with the basic SQG requirements, it appears that the facility did not ensure that all employees are thoroughly familiar with proper hazardous waste handling and emergency information [40 CFR 262.16(b)(9)(iii)].

The facility was provided with stencils, labels, posters, brochures, and other DEP compliance assistance tools during the inspection.

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Copies of Northeast District's PowerPoints and other workshop files that may be useful can be found here: <ftp://ftp.dep.state.fl.us/pub/outgoing/NED%20-%20HazWaste/SQG%20WORKSHOP/>

Please note that the 40 CFR 262.18 requires re-notification every four years for SQGs starting in 2021.

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## For Outstanding Items of Potential Non-Compliance

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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.

## New Potential Violations and Areas of Concern:

### Violations

Type:	Violation 1
Rule:	<b>262.11</b>
Explanation:	The facility failed to make an accurate hazardous waste determination on the spent paint booth exhaust filters that were being thrown in the trash.
Corrective Action:	<p>In order to return to compliance, the facility should collect a sample of the spent paint booth exhaust filters when they are replaced and make a hazardous waste determination. This should occur no later than 60 days of receipt of this report. The facility may make a hazardous waste determination by having the waste analyzed by a certified laboratory for the following:</p> <ul style="list-style-type: none"> <li>- Toxicity Characteristic Leaching Procedure (TCLP) for RCRA Metals, pursuant to 40 CFR 261.24, via method 6010; and</li> <li>- Toxicity Characteristic Leaching Procedure (TCLP) for Volatiles, pursuant to 40 CFR 261.24, via method 8260.</li> </ul>

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A copy of the results of these waste determinations should be submitted to DEP. This wastestream is not to be disposed of until written approval has been given by DEP. The waste should be disposed of in a proper manner once written approval has been given by DEP. Hazardous waste should be sent off-site only to a permitted Treatment, Storage, and Disposal Facility (TSDF).

Non-hazardous solid waste should be collected and sent off-site to a permitted solid waste 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, Florida Administrative Code (FAC). A National Environmental Laboratory Accreditation Program (NELAP) certified laboratory should analyze the samples.

Further enforcement action is possible, pending the results of the analytical tests.

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Type:	Violation 2
Rule:	262.11(f)
Explanation:	The facility did not have TCLP metals analysis data available for its waste determination for the spent paint booth exhaust filters that were being thrown in the trash.
Corrective Action:	In order to return to compliance, and as described above in the Corrective Action for Violation 1, the facility should analyze a sample of the spent paint booth exhaust filters, make a hazardous waste determination on this wastestream, submit that documentation to DEP, and retain waste determination records at the facility for at least three years.

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Type:	Violation 3
Rule:	262.15(a)(4)
Explanation:	The following hazardous waste satellite containers were not kept closed: <u>Detail Area</u> - One 30-gallon container of solvent-contaminated wipes; <u>HWAA</u> - One 30-gallon container of hazardous waste still bottoms.
Corrective Action:	In order to return to compliance, within one day of receipt of this report, the facility should close these containers and keep closed, except when adding or removing waste.

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Type:	Violation 4
Rule:	262.15(a)(5)
Explanation:	The following hazardous waste satellite containers were not properly labeled: <u>Detail Area</u> - One 30-gallon container of solvent-contaminated wipes; <u>HWAA</u> - One 30-gallon container of hazardous waste still bottoms.
Corrective Action:	In order to return to compliance, within one day of receipt of this report, the facility should: <u>Detail Area</u> - Manage solvent-contaminated launderable wipes as Excluded Solvent-Contaminated Wipes in accordance with the solvent-contaminated wipe exclusion in 40 CFR 261.4(a)(26) and place the wipes into a closed, non-leaking container, and properly label the container as "Excluded Solvent-Contaminated Wipes."  <u>HWAA</u> - Label the container with the words "Hazardous Waste" and with an indication of the hazards of the contents.

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Type:	Violation 5
Rule:	262.16(b)(2)(iii)(A)

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Explanation:	In the HWAA, one 55-gallon accumulation drum of hazardous waste paint and thinner was open.
Corrective Action:	In order to return to compliance, within five days of receipt of this report, the facility should replace the funnel with a threaded funnel that is attached to the bung hole and has a lockable latch that can be sealed closed. The funnel should remain closed and latched, except when adding or removing waste.
Type:	Violation 6
Rule:	262.16(b)(2)(iv)
Explanation:	The facility did not did not perform weekly inspections of the HWAA.
Corrective Action:	In order to return to compliance, within one day of receipt of this report, the facility should begin conducting and documenting weekly inspections of the HWAA.
Type:	Violation 7
Rule:	262.16(b)(6)(i)(B)
Explanation:	In the HWAA, one 55-gallon accumulation drum of hazardous waste paint and thinner was not marked with an indication of the hazards of the contents.
Corrective Action:	In order to return to compliance, within one day of receipt of this report, the facility should mark or label the container with an indication of the hazards of the contents.
Type:	Violation 8
Rule:	262.16(b)(6)(i)(C)
Explanation:	In the HWAA, one 55-gallon accumulation drum of hazardous waste paint and thinner was not marked with the start date of accumulation.
Corrective Action:	In order to return to compliance, within one day of receipt of this report, the facility should mark or label the container with the start date of accumulation.
Type:	Violation 9
Rule:	262.16(b)(8)(ii)(C)
Explanation:	The HWAA did not have the required equipment including an eyewash and spill kit.
Corrective Action:	In order to return to compliance, within ten days of receipt of this report, the facility should install an eyewash and spill kit in this area.
Type:	Violation 10
Rule:	262.16(b)(8)(vi)(A)
Explanation:	The facility had not made emergency arrangements with local authorities.
Corrective Action:	In order to return to compliance, within 15 days of receipt of this report, the facility should make arrangements with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals, taking into account the types and quantities of hazardous wastes handled at the facility. The emergency arrangements coordination is to familiarize the above organizations with the layout of the facility, the properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes as well as the types of injuries or illnesses that could result from fires, explosions, or releases at the facility. The facility should submit documentation to DEP that emergency arrangements have been made with these organizations and that the required information has been provided to these organizations.
Type:	Violation 11
Rule:	262.16(b)(9)(ii)
Explanation:	The facility did not post emergency information next to a telephone or in areas directly involved in the generation and accumulation of hazardous waste.
Corrective Action:	No further action is required. The facility returned to compliance in an April 15, 2020, email.



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Type:	Violation 12
Rule:	262.16(b)(9)(iii)
Explanation:	The facility did not ensure that all its employees were thoroughly familiar with proper hazardous waste handling and emergency procedures relevant to their responsibilities during normal facility operations and emergencies.
Corrective Action:	In order to return to compliance, within 45 days of receipt of this report, the facility should train its employees on proper hazardous waste handling procedures relevant to their work responsibilities. Documentation of the personnel receiving this training should be submitted to DEP upon completion of the training.
Type:	Violation 13
Rule:	262.20(a)
Explanation:	Paint Shop wipes that are F005 hazardous waste were being thrown in the trash and were not being properly disposed of by using a manifest.
Corrective Action:	In order to return to compliance, within one day of receipt of this report, the facility should place the contaminated wipes into closed, properly labeled containers and either manage the wipes as F005 hazardous waste, or manage the wipes as "Excluded Solvent-Contaminated Wipes" in accordance with 40 CFR 261.4(a)(26) for laundering or 40 CFR 261.4(b)(18) for disposal.
Type:	Violation 14
Rule:	279.22(c)(1)
Explanation:	In the Body Shop area, one 55-gallon drum of used oil was not properly labeled with the words "Used Oil."
Corrective Action:	In order to return to compliance, within one day of receipt of this report, the facility should properly label the container with the words "Used Oil."
Type:	Violation 15
Rule:	62-710.401(6), FAC
Explanation:	In the Body Shop, one 55-gallon drum of used oil did not have adequate secondary containment.
Corrective Action:	In order to return to compliance, within 10 days of receipt of this report, the facility should store used oil in either double-walled containers or on an oil-impermeable surface within secondary containment that has the capacity to hold 110% of the volume of the largest container.
Type:	Violation 16
Rule:	62-730.150(2)(b), FAC
Explanation:	The facility had not notified DEP as instructed by EQD in a December 2018 inspection letter issued to the facility.
Corrective Action:	No further action is required. DEP will use information gathered during this inspection to update the facility's generator status.
Type:	Violation 17
Rule:	62-730.160(3), FAC
Explanation:	The facility did not have documentation of weekly inspections of the HWAA.
Corrective Action:	In order to return to compliance, within one day of receipt of this report, the facility should document its weekly inspections of the HWAA and include the date and time of inspection, the number and condition of hazardous waste containers, and the legibly printed name of the inspector. The facility should submit the documentation to DEP for review and maintain the records for three years.



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**PHOTO ATTACHMENTS:**

Photo 1



Photo 3



Photo 5



Photo 2



Photo 4



Photo 6





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Photo 7



Photo 8



Photo 9



Photo 10



Photo 11



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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

Tori N Goodwin**Principal Investigator Name**Inspector**Principal Investigator Title****Principal Investigator Signature**DEP**Organization**04/27/2020**Date**Rodney Norman**Representative Name**Shop Manager**Representative Title**San Jose Collision**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:**Tori N Goodwin**Inspection Approval Date:**04/27/2020