



# FLORIDA DEPARTMENT OF Environmental Protection

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

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

June 27, 2023

Sent electronically to: [cperez@flightstarjax.com](mailto:cperez@flightstarjax.com)

Ms. Cecilia Perez, Director of Finance  
Flightstar Aircraft Services, LLC  
5925 Aviation Avenue  
Jacksonville, Florida 32099

**SUBJECT: Department of Environmental Protection v. Flightstar Aircraft Services, LLC**  
**OGC File No.: 22-3040**  
**EPA/DEP ID: FLR000213314**

Dear Ms. Perez:


Enclosed is a copy of the executed Consent Order to resolve Case Number 22-3040.

The effective date of this Order is June 27, 2023, 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 Bonnie Bradshaw at (904) 256-1638, or [Bonnie.Bradshaw@floridadep.gov](mailto:Bonnie.Bradshaw@floridadep.gov). Your continued cooperation in the matter is appreciated.

Sincerely,

  
Thomas G. Kallemeyn  
Assistant District Director

Enclosure: Executed Consent Order

cc: Justin Collins ([jcollins@flightstarjax.com](mailto:jcollins@flightstarjax.com))

FDEP-OGC: Lea Crandall, Agency Clerk

FDEP-NED: Cheryl Mitchell, Bonnie Bradshaw, Joni Petry, Monique Jordan, DEP\_NED



# FLORIDA DEPARTMENT OF Environmental Protection

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8800 Baymeadows Way West, Suite 100  
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June 2, 2023

Sent electronically to: [cperez@flightstarjax.com](mailto:cperez@flightstarjax.com)

Ms. Cecilia Perez, Director of Finance  
Flightstar Aircraft Services, LLC  
5925 Aviation Avenue  
Jacksonville, Florida 32099

**SUBJECT: Department of Environmental Protection v. Flightstar Aircraft Services, LLC**  
**OGC File No. 22-3040**  
**EPA/DEP ID: FLR000213314**

Dear Ms. Perez:

The State of Florida Department of Environmental Protection (“Department”) finds that Flightstar Aircraft Services, LLC (“Respondent”) offered hazardous waste oxygen generators for transport without preparing a hazardous waste manifest and improperly disposed of the hazardous waste oxygen generators in a solid waste landfill. This is in violation of the rules and statutes cited in the attached Warning Letter (WL23-002). 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 \$10,091.00 in civil penalties and \$500.00 for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of \$10,591.00. 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 June 23, 2023. 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. Perez:

- (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 must pay \$10,591.00, in full, within 60 days from the execution date of this Order.
- (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 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 order 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.

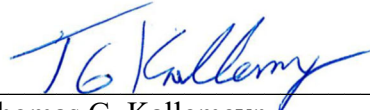
Until clerked by the Department, this letter is only a settlement offer and not a final agency action. Consequently, neither the Respondent nor any other party may request an administrative hearing to contest this letter pursuant to Chapter 120, F.S. Once this letter is clerked and becomes a final order 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 Bonnie Bradshaw at (904) 256-1638, or via e-mail at [Bonnie.Bradshaw@FloridaDEP.gov](mailto:Bonnie.Bradshaw@FloridaDEP.gov).


Sincerely,



\_\_\_\_\_  
Thomas G. Kallemeyn  
Assistant District Director

FOR THE RESPONDENT:

I, Cecilia Perez [Type or Print Name], **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By:   
\_\_\_\_\_  
[Signature]

Date: 6/22/2023

Title: Director of Finance

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**FOR DEPARTMENT USE ONLY**

DONE AND ORDERED this 27 day of June 2023, in Duval  
County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



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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.

Sarah Harris  
Clerk

June 27, 2023  
Date

Attachments:        Notice of Rights  
                          Warning Letter WL23-002

Final clerked copy furnished to:  
Lea Crandall, Agency Clerk ([lea.crandall@floridadep.gov](mailto:lea.crandall@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

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8800 Baymeadows Way West, Suite 100  
Jacksonville, Florida 32256

**Ron DeSantis**  
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**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

January 12, 2023

*Sent via email: [jcollins@flightstarjax.com](mailto:jcollins@flightstarjax.com)*

Mr. Justin Collins, Sr., Environmental Health and Safety Manger  
Flightstar Aircraft Services, LLC  
6025 Flightline Drive  
Jacksonville, Florida 32221

**RE: Warning Letter No. WL23-002 (Significant Non-Complier)  
Flightstar Aircraft Services, LLC  
EPA/DEP ID: FLR 000 213 314  
Duval County – Hazardous Waste**

Dear Mr. Collins:

A Hazardous Waste File Review Inspection was conducted at your facility on December 9, 2022. During this file review inspection, possible violations of Chapters 376 and 403, Florida Statutes (Fla. Stat.), and Chapter 62-730, Florida Administrative Code (Fla. Admin. Code), were observed.

During the file review inspection, Department personnel noted the following:

- The facility offered hazardous waste oxygen generators for transport without preparing a hazardous waste manifest and improperly disposed of the hazardous waste oxygen generators in a solid waste landfill.

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 Bonnie Bradshaw at (904) 256-1638, or via email at [Bonnie.Bradshaw@FloridaDEP.gov](mailto:Bonnie.Bradshaw@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.

Flightstar Aircraft Services, LLC  
EPA/DEP ID: FLR 000 213 314  
Warning Letter No. WL23-002  
Page 2 of 2

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 File Review Inspection Report

TK cc: FDEP-NED: Bonnie Bradshaw, Cheryl Mitchell, Joni Petry, Thomas G. Kallemeyn,  
DEP\_NED, Monique Jordan





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

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**FACILITY INFORMATION:**

**Facility Name:** Flightstar Aircraft Services LLC  
**On-Site Inspection Start Date:** 12/09/2022      **On-Site Inspection End Date:** 12/09/2022  
**ME ID#:** 109718      **EPA ID#:** FLR000213314  
**Facility Street Address:** 5925 Aviation Ave Hangar 935 , Jacksonville, Florida 32099  
**Contact Mailing Address:** 6025 Flightline Dr Bldg 815, Jacksonville, Florida 32221-8183  
**County Name:** Duval      **Contact Phone:** (904) 741-0300

**NOTIFIED AS:**

LQG (>1000 kg/month)

**WASTE ACTIVITIES:**

**Generator:** LQG

**INSPECTION TYPE:**

File Review Inspection for LQG (>1000 kg/month) Facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Bonnie M Bradshaw, Inspector  
**Other Participants:** Justin Collins, Sr. Environmental, Health and Safety Manager

**LATITUDE / LONGITUDE:** Lat 30° 13' 31.9294" / Long 81° 52' 58.8678"

**NAIC:** 488190 - Other Support Activities for Air Transportation

**TYPE OF OWNERSHIP:** Private

**Introduction:**

Flightstar Aircraft Services, LLC (Flightstar, the facility) performs heavy maintenance; inspection services; modification services such as avionics modifications, structural modifications/upgrades, reduced noise level modifications and conversions of passenger-to-freighter aircraft; and fuel tank repairs on commercial airlines and cargo carriers. The facility last re-notified the Department of Environmental Protection (Department) as a Large Quantity Generator (LQG) of hazardous waste on February 4, 2020. The facility was last physically inspected by the Department's Hazardous Waste Program on February 4, 2021, and was operating as an LQG at that time. This report constitutes a File Review by the Department in order to cite a potential violation [40 CFR 262.20(a)(1)] discovered when the facility self-reported the violation.

**Process Description:**

On June 17, 2022, the facility notified the Department via phone and email that a crate of 30 Passenger Service Units (PSUs), each containing an oxygen generator, were erroneously transported to and disposed of at Trail Ridge Landfill (Trail Ridge) in Baldwin, Florida. Photos of similar products and how they are packaged are included below (Photos 1-4). According to the U.S. Chemical Safety and Hazard Investigation Board Safety Advisory No. 2007-I-NC-01-A, "Most commercial passenger aircraft use chemical oxygen generators to provide passengers with emergency supplemental oxygen in the event of a high-altitude cabin depressurization. The chemical oxygen generators, housed in metal cans, include an activation device, chemical core, and oxygen outlet. Pulling the activation pin releases a spring-powered striker that ignites a small explosive inside the generator, initiating an exothermic chemical reaction that generates oxygen. As the reaction progresses through the sodium chlorate core, the surface temperature of the metal cylinder can reach 450 to 500°F." Un-activated oxygen generators are a D001/D003 hazardous waste if disposed of. Flightstar offered 30 D001/D003 hazardous waste oxygen generators for transport without preparing a hazardous waste manifest and improperly disposed of the hazardous waste oxygen generators in a solid waste landfill. [40 CFR 262.20(a)(1)]. The Department immediately notified both Trail Ridge operations staff, as well as the appropriate City of Jacksonville (COJ) permit-holder staff and provided the referenced Safety Advisory which contains additional information

## Flightstar Aircraft Services LLC Inspection Report

Inspection Date: 12/09/2022

regarding the hazards of oxygen generators. Contact information for Flightstar was also provided. On June 21, 2022, the Department provided the Safety Data Sheet (SDS) for the oxygen generators and photos of the materials in question submitted to the Department by Flightstar to Trail Ridge and COJ staff.

The text of the self-reporting email sent by Justin Collins (Sr. Environmental Health and Safety Manager) is included below:

“Following up our calls with a written statement:

On Saturday 6/11/2022, members of our Maintenance department indicated that they were missing several crates of aircraft parts that were left outside one of our hangars. Upon investigation, we identified that Facilities personnel mistakenly thought the crates to be empty and discarded them in a trash receptacle (roll of box) on 6/7/2022. The roll off was then transported offsite on 6/8/2022 to the Trail Ridge Landfill located at 5110 US Highway 301 S, Jacksonville, FL 32234. After spending the last few days inventorying parts and attempting to identify what was missing, I was notified the afternoon of 6/16/2022 that a crate of (30) Passenger Service Units (PSUs) were presumed to be part of the missing items. Each PSU contains an oxygen generator that is safety pinned and housed inside. These oxygen generators are listed as oxidizers and normally disposed of by displacing the oxygen inside of a 90 Day container before being recycled as scrap metal. On 6/17/2020, I reviewed CCTV footage of the sequence of events along with Maintenance Leadership who was able to identify the crate containing the units was in fact disposed of and I immediately reached out to the FDEP to self-disclose.

I have since attempted to contact the Trail Ridge Landfill both by phone and in person. I drove to the facility and was told the order of operations at the site which leads me to believe that the oxygen generators are currently buried under some 200+ tons of dirt. While I was there, I was given Allen Rhodes' (the “Hill Boss”) direct phone number in which I was able to leave a voicemail. I have not received a reply from Mr. Rhodes as of yet, but will keep all parties informed of any dialogue between us.”

On June 27, 2022, Justin Collins contacted the Department and stated that Flightstar was conducting an internal investigation regarding the incident. Preliminary findings were that several crates containing new aircraft equipment were relocated outside of the hanger in order to allow for movement of an aircraft within the hanger. The crates were not moved back inside the hangar in a timely manner and personnel, who erroneously mistook the crates as being empty, placed the crates into a roll-off dumpster which was later transported as solid waste to Trail Ridge. Mr. Collins confirmed that the oxygen generators were the only materials contained in the crates which generate a hazardous or universal waste when disposed of.

Following various correspondence with Trail Ridge and COJ staff, the Department's Solid Waste Program, in conjunction with Division staff, provided recommendations regarding the oxygen cylinders at the landfill site.

### New Potential Violations and Areas of Concern:

#### Violations

Type:	Violation
Rule:	262.20(a)(1)
Explanation:	The facility offered 30 D001/D003 hazardous waste oxygen generators for transport without preparing a hazardous waste manifest and improperly disposed of the hazardous waste oxygen generators in a solid waste landfill.
Corrective Action:	In order to return to compliance, the facility should submit to the Department details of its internal investigation into the incident and information regarding how such incidents will be prevented in the future.

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#### PHOTO ATTACHMENTS:

Inspection Date: 12/09/2022



Photo 1



Photo 2



Photo 3



Photo 4

# Flightstar Aircraft Services LLC Inspection Report

Inspection Date: 12/09/2022

## 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			✓

## Flightstar Aircraft Services LLC Inspection Report

Inspection Date: 12/09/2022

**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

Bonnie M Bradshaw	Inspector
<b>Principal Investigator Name</b>	<b>Principal Investigator Title</b>
	DEP
<b>Principal Investigator Signature</b>	<b>Organization</b>
	12/14/2022
	<b>Date</b>
Justin Collins	Sr. Environmental, Health and Safety Manager
<b>Representative Name</b>	<b>Representative Title</b>
	Flightstar Aircraft Services LLC
	<b>Organization</b>

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:**

<b>Approver:</b>	Bonnie M Bradshaw	<b>Inspection Approval Date:</b>	12/14/2022
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