

RCRA Inspection Report

1) Inspector and Author of Report

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U.S. Environmental Protection Agency, Region 4
Enforcement and Compliance Assurance Division
Chemical Safety and Land Enforcement Branch
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2) Facility Information

Austal USA–Austal West Campus
100 Elmira Street
Mobile, Alabama 36603

EPA ID# ALR000065755

3) Responsible Officials

Curt Hunt, Environmental Coordinator
curt.hunt@austalusa.com

4) Inspection Participants

Curt Hunt, Austal USA
Samuel Cordt, Austal USA
Leslie McCoy, Austal USA

Lanny Sasser, ADEM
Paul Searcy, ADEM
Laurie Benton DiGaetano, US EPA

5) Date of Inspection

August 17, 2022

6) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Austal USA's compliance with the applicable requirements of RCRA, and the corresponding Alabama Department of Environmental Management (ADEM) regulations. This was an EPA lead inspection.

7) Applicable Regulations¹

Alabama Hazardous Waste Management and Minimization Act of 1978 (AHWMMA), Ala. Code § 22-30-1 *et seq.*, [Resource Conservation and Recovery Act (RCRA) Sections 3002 - 3005, (42 U.S. Code - Annotated U.S.C.A. 6925 and 6927)] and rules 335-14-1 to 335-14-17 (2016 and 2018) of the Alabama Department of Environmental Management (ADEM)

¹ As the State's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions will be to the authorized State program. However, for ease of reference, the federal citations will follow in brackets.

Administrative Code (ADEM Admin. Code) [40 Code of Federal Regulation (C.F.R.) Parts 260-270, 273 and 279].

Pursuant to ADEM Admin. Code r. 335-14-3-.01(5)(a) [40 C.F.R. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste in containers at or near the point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or without having interim status, as required by Section 22-30-12(b) of the Alabama Hazardous Wastes Management and Minimization Act (AHWMMA), Ala. Code § 22-30-12(b) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with ADEM Admin. Code r. 335-14-3-.01(6)(b) or 335-14-3-.01(7)(a) [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in ADEM Admin. Code r. 335-14-3-.01(5)(a)7. and 8. [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in ADEM Admin. Code r. 335-14-3-.01(5)(a) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7) [40 C.F.R. § 262.17], a large quantity generator (LQG) may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Section 22-30-12(b) of the AHWMMA, Ala. Code § 22-30-12(b) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in ADEM Admin. Code r. 335-14-3-.01(7) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

8) Facility Description

Austal USA is a ship manufacturer headquartered in Mobile, Alabama with service centers in San Diego and Singapore. The company purchased the subject facility from Modern American Recycling and Repair Services of Alabama (MARRS) in September 2020, and it is now referred to as the Austal USA West Campus. This facility occupies 15-acres of waterfront property spanning almost 3,000-linear feet of pier space along the Mobile River. It includes a 20,000-ton certified Panamax-class floating dry dock, a 300,000-foot outside fabrication area, and 100,000-square feet of covered fabrication facilities.

The Austal USA West Campus provides ship repair services to government and private customers under the NAICS Code 336611 for Ship Building and Repairing. The company has the ability to moor vessels up to 1,000-feet long at this facility and it provides services and operations ranging from conversions and upgrades to advanced ship repair. Although the company has the capability to provide ship breaking services at this location, they have not yet conducted those operations here. The facility is open seven days per week, but operations typically run using two shifts, five days per week. Austal USA has approximately 150 employees and contractors at this location. The machine shop and fabrication areas are equipped with overhead cranes, lathes and CNC plasma cutters.

Austal USA first notified as a large quantity generator (LQG) of hazardous waste at the subject facility on October 6, 2020. Hazardous wastes generated on-site are primarily waste paint and waste paint related materials. The facility conducts blasting and painting activities in an open-air drive-in area which is equipped with side curtains that can be used to control paint overspray and dispersion of blast media. Contractors also perform painting activities on the dry dock. Austal

USA also generates hazardous wastes when unwanted materials are off-loaded from vessels that are being serviced at the facility.

According to the e-manifest database, the following hazardous wastes were shipped off-site from Austal USA's West Campus during calendar years 2020 and 2021:

Calendar Year 2020		
Hazardous Waste Description	Waste Code(s)	Weight
Waste paint	D001, D005, D006, D007, D008, D011, D035	29,000 pounds
Waste amine (aliphatic and cycloaliphatic amines, xylene)	D001, D002, D005	3,750 pounds
Waste isocyanate solutions (naphtha, hexamethylene diisocyanate)	D001	850 pounds
Waste solid (barium sulfate)	D005	125 pounds
Waste corrosive liquid, acidic, inorganic	D002	120 pounds
Waste flammable liquids (toluene, xylenes)	D001, D035	55 pounds
Waste paint related material	D001, D005, D006, D007, D008, D035, F003, F005	55 pounds
Waste flammable liquids	D001	<55 pounds
Waste paint related material	D001, D005	<55 pounds

Calendar Year 2021		
Hazardous Waste Description	Waste Code(s)	Weight
Waste paint related material	D001, D005	9,484 pounds
Hazardous waste solid (cadmium, selenium)	D006, D010	7,500 pounds
Waste paint related material	D001, D005, D006, D007, D008, D035, F003, F005	1,934 pounds
Hazardous waste solid (barium sulfate)	D005	828 pounds
Waste amine (aliphatic and cycloaliphatic amines, xylene)	D001, D002, D005, D007, D008, D035, F003, F005	800 pounds
Hazardous waste solid (barium)	D005	400 pounds
Waste amine (aliphatic and cycloaliphatic	D001, D002, D005	314 pounds

amines, xylene)		
Mercury	D002, D009	120 pounds
Waste isocyanates (methyl ethyl ketone, hexamethylene diisocyanate)	D001, D035	118 pounds
Waste isocyanate solutions	D001	30 pounds

At the time of the inspection, Austal USA was managing one satellite accumulation area (SAA) for accumulating hazardous waste paint and hazardous waste paint related material at the outdoor painting and blasting area and one central accumulation area (CAA) for managing containers of hazardous waste prior to shipment offsite. The CAA is located inside a metal warehouse next to the facility's office trailer. Austal USA was also managing one SAA for accumulating hazardous waste generated from crushing used fluorescent bulbs and one SAA for accumulating hazardous waste generated from puncturing waste aerosol cans inside the CAA warehouse.

9) **Previous Inspection History**

This is the first RCRA CEI at the subject facility since Austal USA purchased it from MARRS in September 2020.

10) **Opening Conference**

On August 17, 2022, EPA inspector Laurie Benton DiGaetano, accompanied by ADEM inspectors Lanny Sasser and Paul Searcy, arrived at Austal USA's West Campus at approximately 8:50 a.m. The security officer granted the inspectors entry onto the facility, and Mr. Curt Hunt, Environmental Coordinator, soon arrived from the nearby Austal USA corporate headquarters facility. The inspectors introduced themselves, showed their credentials to Mr. Hunt, and explained the purpose of the visit.

The inspectors described the anticipated use of equipment (digital camera) during the inspection and discussed the records associated with the CEI. The EPA inspector discussed the company's ability, pursuant to 40 C.F.R. §2.203, to assert a business confidentiality claim for information submitted to EPA. The company did not assert a business confidentiality claim. The EPA inspector discussed the EPA's information sheet for small businesses, which can be found at <https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf>. The Small Business Regulatory Enforcement Fairness Act's classification of a "small business" is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees.

Mr. Hunt provided an overview of the facility's history and current operations during the opening conference. The inspection participants also discussed health and safety protocols and required personal protective equipment before Mr. Hunt led the inspectors on a tour of the Facility operations.

11) Observations

Outdoor Painting and Blasting Area: The inspection tour began at the Outdoor Painting and Blasting Area (Photo 1). This area consists of a covered area where new and used paints and painting equipment are used and stored next to an open-air area where blasting and painting operations are performed.

The inspectors observed one shrink-wrapped pallet of new product material, and numerous additional containers of solid and liquid paints in the covered area. Mr. Hunt explained that unused excess or expired liquid paints are poured from 1-gallon or 5-gallon containers into the 55-gallon drum for management and disposal as hazardous waste paint, and that when excess or expired paints solidify in the 1-gallon or 5-gallon containers, personnel attempt to remove the solidified waste and consolidate the materials into a 55-gallon drum for management and disposal as hazardous waste. Mr. Hunt also stated that the facility does not use solvents to clean and reuse paint brushes and related equipment. Used paint brushes, rags and other solid wastes contaminated with paint are accumulated as hazardous waste paint related material.

Mr. Hunt stated that RCRA-empty 1-gallon and 5-gallon paint cans are placed into a supersack and shipped off-site as solid waste (Photo 2). The inspectors noted that in order to qualify as RCRA-empty, personnel must first employ common practices to remove all waste paint from the container that can be removed. Furthermore, if any waste paint remains in the container because it cannot be removed, the remaining paint residual must weigh no more than 3% of the total capacity by weight of that container.

The inspectors observed one SAA in the covered area for accumulating hazardous waste paint and hazardous waste paint related material. One 55-gallon drum of hazardous waste paint (Photo 3), approximately thirty 1-gallon or 5-gallon containers of hazardous waste paint (Photo 4), and one transport pallet with hazardous waste paint (Photo 4) were observed in this SAA. The 55-gallon drum was not labeled as hazardous waste, and it was not marked with an indication of the hazards of its contents. The 1-gallon and 5-gallon containers were open and not labeled as hazardous waste. The transport pallet, which was approximately 5'x5' square and 8-10" deep, was open and not labeled as hazardous waste. Mr. Hunt explained that this pallet was present at the facility when it was purchased from MARRS, and that Austal USA has never emptied the pallet or moved it from this position. The inspectors observed an excess of 55-gallons of hazardous waste in this SAA, and none of the containers were marked with an accumulation start date. It appears that hazardous waste has been stored in this area since the facility was purchased in October 2020.

Pursuant to ADEM Admin. Code r.335-14-3-.01(5)(a)4. [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA Permit Exemption, a generator is required to keep containers of hazardous waste closed at all times during accumulation, except when adding, removing, or consolidating waste; or when temporary venting of a container is necessary for the proper operation of equipment, or to prevent dangerous situations, such as build-up of extreme pressure.

Pursuant to ADEM Admin. Code r.335-14-3-.01(5)(a)5. [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to mark

or label its containers with the words “Hazardous Waste” and with an indication of the hazards of the contents.

Pursuant to ADEM Admin. Code r.335-14-3-.01(5)(a)6. [40 C.F.R. § 262.15(a)(6)], which is a condition of the SAA Permit Exemption, a generator who accumulates hazardous waste in excess of 55-gallons at or near any point of generation must do the following: (i) comply within three consecutive calendar days with the applicable CAA regulations in 335-14-3-.01(6)(b) or (7)(a), or (ii) remove the excess from the SAA within three consecutive calendar days to either a CAA operated in accordance with the applicable requirements in 335-14-3-.01(6)(b) or (7)(a), an on-site interim status or permitted treatment, storage, or disposal facility, or an off-site designated facility; and (iii) during the three consecutive-calendar-day period the generator must continue to comply with 335-14-3-.01(5)(a)1. Through 5. The generator must mark or label the container(s) holding excess accumulation of hazardous waste with the date the excess amount began accumulating.

Pursuant to ADEM Admin. Code r.335-14-3-.01(7)(b) [40 C.F.R. § 262.17(b)], a LQG who accumulates hazardous waste for more than 90 days is subject to the requirements of 335-14-5 through 9, unless it has been granted an extension to the 90-day period.

When the inspectors voiced concerns over the general housekeeping of this SAA and the number of 1-gallon and 5-gallon buckets of waste paint that were being improperly managed in this area, Mr. Hunt stated that he intended to create a standard operating procedure (SOP) for managing buckets of paint in this area when that paint becomes a waste. Under the new SOP, Mr. Hunt intends to have paint emptied from buckets no later than the end of the workday in which the bucket of paint becomes a waste. This SOP should improve the general housekeeping in this area and minimize the presence of 1-gallon and 5-gallon buckets containing waste paint.

In an email dated August 19, 2022, Mr. Hunt indicated that the contents of the 1-gallon and 5-gallon paint containers were removed, and the RCRA-empty containers were taken to the warehouse CAA for packaging and disposal. He also indicated that the transport pallet was cleaned out to be used as secondary containment, and the volume of hazardous waste has been reduced to less than 55-gallons per SAA. Mr. Hunt also provided photographs which document the condition of the Blasting and Painting Area before and after the inspection. No 1-gallon or 5-gallon paint containers were observed in the photographs of the area taken following the inspection.

In an email dated August 23, 2022, Mr. Hunt provided a photograph of the transport pallet showing that all waste paint and debris had been removed from the pallet.

No production activities were occurring in the open-air blasting and painting area during the inspection. The inspectors observed used blasting media on the ground in this open-air area, and side curtains that were in the “down” position. During the record review portion of the inspection, Mr. Hunt provided TCLP analytical data results dated February 4, 2021, which indicated that no hazardous waste constituents were detected in the used blasting media.

CAA: Austal USA manages one hazardous waste CAA inside a warehouse building next to the office trailer. The building is identified with signs reading “danger,” “hazardous waste storage,” “no smoking,” and “do not enter - authorized personnel only.” The area is equipped with portable fire extinguishers, spill control equipment, and an emergency shower and eyewash unit. Mr. Hunt stated that personnel working in this area carry cellular phones or two-way radios capable of summoning emergency assistance.

The inspectors observed two secondary containment units that were each labeled “used oil”, one 55-gallon drum labeled “drained used oil filters”, one 55-gallon drum labeled “used oil”, and one 3-yard trash dumpster labeled “oily debris” along the wall to the right just inside the warehouse door (Photo 5). Each of the secondary containment units was covered by an open grate, and the inspectors explained that this grate is not sufficient to close the secondary containment container as required by ADEM Admin. Code r. 335-14-17-.03(4)(a)1. [40 C.F.R. § 279.22]. At the time of the inspection, one of the secondary containment units observed in this area was not required to be closed because it was empty. The other secondary containment unit was not required to be closed because it was accumulating used oil from three 55-gallon drums that were placed upside-down on top of the open grate (Photo 6).

The inspectors also observed eleven 55-gallon drums on wooden pallets just ahead of the entrance to the CAA warehouse:

- Six were labeled as “oily debris”.
- One was labeled as “loose pack liquids”.
- Two were labeled hazardous waste barium debris, identified with a class 9 DOT hazard placard, and dated August 17, 2022 (Photo 7). Neither of these drums were marked with the EPA hazardous waste codes or with an indication that the contents are hazardous due to toxicity.
- One was labeled hazardous waste flammable liquid, identified with a flammable liquid DOT hazard placard, and dated August 17, 2022 (Photo 7). The drum was not marked with the EPA hazardous waste codes.
- One was empty.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)5.(i)b. and d. [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator is required to mark or label containers with an indication of the hazards of the contents clearly visible for inspection on each container; and all appropriate EPA hazardous waste numbers associated with the hazardous waste as specified in 335-14-2-.03 and 335-14-2-.04.

To the left of the 55-gallon drums listed above, the inspectors observed one row of empty drums and one supersack of oily debris and a second row of three supersacks of hazardous waste (Photo 8). Each supersack was labeled hazardous waste paint related material, identified with a flammable DOT hazard placard, and dated August 17, 2022. According to the facility’s hazardous waste manifest records, waste paint related materials generated on-site exhibit the hazardous waste characteristic of ignitability and toxicity. None of the containers of hazardous waste paint related material were marked with the EPA hazardous waste codes or with an indication that their contents are hazardous due to toxicity.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)5.(i)b. and d. [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator is required to mark or label containers with an indication of the hazards of the contents clearly visible for inspection on each container; and all appropriate EPA hazardous waste numbers associated with the hazardous waste as specified in 335-14-2-.03 and 335-14-2-.04.

Although facility personnel initially identify solid and liquid paints and other solid wastes contaminated with paint as hazardous waste paint and/or hazardous waste paint related material at the Blasting and Painting Area SAA, Mr. Hunt explained that the facility's vendor completes the hazardous waste determination when the drum is being prepared for shipment in the CAA. Mr. Hunt explained that the vendor reviews Safety Data Sheets (SDSs) for paints to determine the EPA Hazardous Waste Numbers associated with each drum of hazardous waste and identifies drums that may require sampling and analysis to complete the hazardous waste determination. Because ADEM Admin. Code r. 335-14-3-.01(2) [40 C.F.R. § 262.11], requires a person who generates a solid waste to make an accurate hazardous waste determination in order to ensure wastes are properly managed, the inspectors recommended that the hazardous waste determination be completed at or before the time that the waste is generated.

To the left of the rows listed above, the inspectors observed one row of three totes and one 55-gallon containing used oil. The 55-gallon drum and one of the three totes were clearly labeled as "used oil". One of the remaining two totes appeared to be labeled as "used oil", but the label could not be read or verified, because it positioned between two of the totes. The final tote did not appear to be labeled as "used oil". Mr. Hunt immediately added used oil labels to areas that were clearly visible on the totes.

Pursuant to ADEM Admin. Code r. 335-14-17-.03(4)(c)1. [40 C.F.R. § 279.22], containers and used oil tanks, except underground tanks, used to store used oil at used oil generator locations must be labeled or marked clearly with the words "Used Oil".

The inspectors observed that the available aisle spacing between rows of used oil tote, hazardous waste supersacks, and empty drums was not sufficient to allow for the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment in an emergency (Photo 9). In an email dated August 19, 2022, Mr. Hunt provided a photograph demonstrating adequate aisle spacing that was provided between these rows following the inspection.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)6. [40 C.F.R. § 262.17(a)(6)], which incorporates 335-14-3-.14(6) [40 C.F.R. § 262.255] and is a condition of the LQG Permit Exemption, a LQG must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.

Austal USA also accumulates and manages universal waste inside the warehouse CAA. Manifest records indicate that the facility shipped universal waste mercury contained in manufactured

articles to Complete Environmental (MSR000101121) on August 23, 2021, and to Lighting Resources (FLR000070565) on December 1, 2021. However, all containers labeled universal waste were empty (Photo 10), and no universal waste was observed during the inspection.

Bulb Crusher SAA: Austal USA manages a SAA for accumulating hazardous waste generated from crushing fluorescent bulbs in the near left corner of the CAA warehouse. The inspectors observed one 55-gallon drum, which was equipped with a bulb-crusher unit, in this SAA (Photo 11). The drum was labeled hazardous waste crushed bulbs (mercury) and identified with a Class 9 DOT hazard placard. It was not identified with an indication that its contents are toxic.

Pursuant to ADEM Admin. Code r.335-14-3-.01(5)(a)5.(ii) [40 C.F.R. § 262.15(a)(5)(ii)], which is a condition of the SAA Permit Exemption, a generator is required to mark or label its containers with an indication of the hazards of the contents.

Aerosol Can SAA: Austal USA manages a SAA for accumulating hazardous waste generated from puncturing aerosol cans in the far-left corner of the CAA warehouse. The inspectors observed one 55-gallon drum, which was equipped with a can puncturing device, in this SAA (Photo 12). The drum was labeled hazardous waste aerosols and identified with a flammable liquid DOT hazard placard. The inspectors also observed a salvage drum labeled hazardous waste aerosols located next to the 55-gallon drum (Photo 13), but this salvage drum was empty.

Contingency Plan: Although Austal USA did not have a RCRA Contingency Plan or Quick Reference Guide available for review at the time of the inspection, the inspectors reviewed a Memorandum of Agreement between Austal USA and the Mobile Fire and Rescue Department, dated April 12, 2022. In it, the Mobile Fire and Rescue Department agreed to provide fire protection, emergency medical, and hazardous material and technical rescue services to the facility in the event of an emergency.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)6. [40 C.F.R. § 262.17(a)(6)], which incorporates 335-14-3-.14(8)(a) [40 C.F.R. § 262.260(a)] and is a condition of the LQG Permit Exemption, a LQG must have a contingency plan for the facility. The contingency plan must be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water.

The required contents of the contingency plan are found in ADEM Admin. Code r. 335-14-3-.14(9) [40 C.F.R. § 262.261].

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)6. [40 C.F.R. § 262.17(a)(6)], which incorporates 335-14-3-.14(10)(a) [40 C.F.R. § 262.262(a)] and is a condition of the LQG Permit Exemption, a copy of the contingency plan and all revisions to the plan must be maintained at the LQG and the LQG must submit a copy of the contingency plan and all revisions to all local emergency responders (i.e., law enforcement agencies, fire departments, hospitals and State and local emergency response teams that may be called upon to provide emergency services). This

document may also be submitted to the Local Emergency Planning Committee, as appropriate.

Pursuant to ADEM Admin. Code r. 335-14-3-.01(7)(a)6. [40 C.F.R. § 262.17(a)(6)], which incorporates 335-14-3-.14(10)(b) [40 C.F.R. § 262.262(b)] and is a condition of the LQG Permit Exemption, a LQG must submit a quick reference guide of the contingency plan to the local emergency responders or, as appropriate, the Local Emergency Planning Committee. The required contents of the quick reference guide are also found in this section.

In an email dated August 23, 2022, Mr. Hunt provided the inspectors with a copy of the Hazardous Waste Contingency Plan for the subject facility, which was revised on August 18, 2022. The plan describes actions facility personnel must take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to soil, or surface water at the facility. The plan references arrangements agreed to with emergency response contractors and the Occupational Health Clinic. The plan lists the names and emergency telephone numbers for persons identified as emergency coordinators. The Environmental Coordinator is listed as the primary emergency coordinator, and the other individuals are listed in the order in which they will assume responsibility as alternates. The plan includes a list of all emergency equipment at the facility. The list includes personal protective equipment, safety equipment and first aid equipment; fire extinguishing systems; spill control equipment and decontamination equipment; and communications and alarm systems. The list includes the location and a physical description of each item on the list. The plan also includes an evacuation plan for personnel. This plan describes signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

In an email dated August 23, 2022, Mr. Hunt provided a copy of the Contingency Plan Quick Reference Guide. The quick reference guide includes the types/names of hazardous waste in layman's terms and the hazard associated with each hazardous waste; the estimated maximum amount of each hazardous waste that may be present at any one time; the identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff; a map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; a street map of the facility in relation to surrounding businesses, schools and residential areas; the locations of water supply; and the name of the emergency coordinator(s) and emergency telephone number(s).

A copy of the Contingency Plan (and its quick reference guide) was most recently submitted to the Mobile County Emergency Management Agency, University of South Alabama Hospital, Springhill Hospital, Occupational Health Clinic, and the City of Mobile on August 23, 2022.

Training Records: The inspectors reviewed facility job descriptions and employee names that were provided for the Environmental Coordinator and the Environmental Technician. Each description included the requisite skill, education, or other qualifications, and duties of facility personnel assigned to that position. The inspectors also reviewed records of RCRA and DOT training provided to the Environmental Technician on October 5, 2021 and to the Environmental Coordinator on March 29, 2022.

Waste Manifest Records: The inspectors reviewed the facility's biennial report, which was dated February 25, 2022, and all available hazardous waste manifest records and land disposal restriction forms for shipments of hazardous waste sent since October 2020. Austal USA initiated the following shipments of hazardous waste during November and December 2020:

- two shipments to ECOFLO (NCD980842132),
- one shipment to Tradebe (TND000772186), and
- one shipment to Safety-Kleen Systems (KYD053348108).

Between May and December 2021, the facility initiated the following shipments of hazardous waste:

- one shipment to Chemical Waste Management (ALD000622464),
- five shipments to ECOFLO (NCD980842132),
- five shipments to Tradebe (TND000772186), and
- one shipment to Lighting Resources (IN0000351387).

The records available during the inspection did not include a signed return copy for each of the following hazardous waste manifests:

- May 10, 2021 shipment to ECOFLO using manifest number 022441603JJK,
- August 21, 2021 shipment to Tradebe using manifest number 022884988JJK,
- February 1, 2022 shipment to Tradebe using manifest number 022885069JJK,
- February 28, 2022 shipment to Tradebe using manifest number 022885082JJK, and
- May 18, 2022 shipment to Tradebe using manifest number 022885098JJK.

Pursuant to ADEM Admin. Code r. 335-14-3-.04(3)(a)1. [40 C.F.R. § 262.42(a)(1)], an LQG who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 35 days of the date the waste was accepted by the initial transporter must contact the transporter and/or the owner or operator of the designated facility to determine the status of the hazardous waste.

Pursuant to ADEM Admin. Code r. 335-14-3-.04(3)(a)2. [40 C.F.R. § 262.42(a)(2)], an LQG must submit an Exception Report to the Department if he has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 day of the date the waste was accepted by the initial transporter.

In an email dated August 25, 2022, Mr. Hunt provided signed copies of manifests that indicated the waste in each shipment reached the designated treatment, storage or disposal facility within thirty-five days of each shipment. Mr. Hunt explained that the original manifest number 022885082JJK was destroyed as the result of damage to the building during a storm at the vendor's facility. In response, the vendor created a duplicate manifest, number 022885086JJK, to complete the tracking necessary for that waste shipment.

Inspection Records: The inspectors reviewed Austal USA's available records of inspections of the hazardous waste CAA between October 1, 2020, and June 3, 2022. Mr. Hunt explained that the more recent records were located at the nearby headquarters location. The inspection log includes a checklist to record observations about leaking containers and for deterioration of

containers caused by corrosion or other factors. The following specific individual items are included on the checklist: container labels, container condition, signs of leaks or spills, bung caps secure, container dates, waste streams identified, SDSs for each waste stream, containers segregated for compatibility, fire extinguisher, spill kit, area secured and locked, signs, overpack and empty drums available, less than 90 days, and area clean and in good condition. The records include the date and time of the inspection and the name and signature of the employee conducting the inspection.

12) Closing Conference

The inspectors conducted the exit meeting at 1:15 pm with Mr. Curt Hunt (Environmental Coordinator), Mr. Sam Cordtz (Health Safety and Environmental Director), and Mr. Leslie McCoy (Environmental Technician). During this meeting, the inspectors stated their preliminary conclusions of the inspection.

In an email dated August 19, 2022, Mr. Hunt provided information concerning actions taken to in the Painting and Blasting Area, photographs to document the condition of the Blasting and Painting Area before and after the inspection, and a photograph to document the presence of aisle spacing in the warehouse CAA following the inspection.

In an email dated August 23, 2022, Mr. Hunt provided a photograph of the transport pallet following the inspection and a copy of the Contingency Plan and Quick Reference Guide to the Contingency Plan.

In an email dated August 25, 2022, Mr. Hunt provided copies of each requested hazardous waste manifest which included the handwritten signature of the owner or operator of the designated facility.

13) List of Appendices

Appendix 1 – Photo Log:

13 Photos taken on: August 17, 2022

Photos taken by: Laurie Benton DiGaetano

Photos taken with: Panasonic DMC TS-5 Digital Camera

EPA Property Tag: S09533

14) Signed

LAURIE DIGAETANO Digitally signed by LAURIE
DIGAETANO
Date: 2022.09.19 17:33:40 -04'00'

Laurie Benton DiGaetano
Senior Enforcement and Compliance Specialist

Concurrence

**ARACELI
CHAVEZ**

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Date: 2022.09.20 09:57:43
-04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section



Photo 1: Outdoor Painting and Blasting Area.



Photo 2: One shrink-wrapped pallet of emptied paint buckets in the Painting and Blasting Area.



Photo 3: One 55-gallon drum in the SAA at the Outdoor Painting and Blasting Area.



Photo 4: Approximately thirty 1-gallon and 5-gallon containers of waste paint and one transport pallet with hazardous waste paint in the Painting and Blasting Area SAA.



Photo 5: One 55-gallon drum labeled drained used oil filters, one 55-gallon drum labeled used oil, and one 3-yard trash dumpster labeled oily debris located along the wall to the right just inside the CAA.



Photo 6: Secondary containment pallet accumulating used oil from 55-gallon drums in the CAA warehouse.



Photo 7: One 55-gallon drum labeled hazardous waste flammable liquid, and two 55-gallon drums labeled hazardous waste barium debris on wooden pallets in the CAA warehouse. The containers of hazardous waste barium debris were not marked to indicate that the contents are hazardous due to toxicity, and none of the drums were marked with the EPA hazardous waste codes.



Photo 8: Row of three supersacks of hazardous waste paint related material in the CAA warehouse. Each supersack was labeled hazardous waste paint related material, identified with a flammable DOT hazard placard, and dated August 17, 2022. The containers were not marked with EPA hazardous waste codes or with an indication that their contents are hazardous due to toxicity.



Photo 9: Rows of used oil totes, hazardous waste supersacks and empty drums without sufficient aisle spacing in the CAA warehouse.



Photo 10: Empty container labeled universal waste in the near left corner of the CAA warehouse.



Photo 11: One 55-gallon drum equipped with a bulb-crusher unit in the SAA in the near left corner of the CAA warehouse. The drum was not identified with an indication that its contents are toxic.



Photo 12: One 55-gallon drum equipped with a can puncturing device in the SAA located at the far-left corner inside the CAA warehouse.



Photo 13: Empty salvage drum labeled hazardous waste aerosols located in the SAA at the far-left corner inside the CAA warehouse.