

RCRA Compliance Evaluation Inspection Report

1) **Inspector and Author of Report**

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2) **Facility Information**

Eastern Shipbuilding Group Inc.
13300 Allanton Road
Panama City, Florida 32404-2816
Bay County

EPA ID No. FLR000041921
Latitude: 30° 1' 59.203"
Longitude: 85° 28' 38.1588"
NAICS Code: 336611 – Shipbuilding and Repairing
488390 – Other Support Activities for Water Transportation
SIC: 3731 – Shipbuilding and Repairing
Website: <https://www.easternshipbuilding.com>

3) **Responsible Officials**

Rick Antes
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Eastern Shipbuilding Group Inc.
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4) **Inspection Participants**

Rick Antes, Corporate EHS Manager, Eastern Shipbuilding Group Inc.
Luke D'Isernia, Environmental Manager, Eastern Shipbuilding Group Inc.
Trisha Seelbinder, Assistant Safety Manager, Eastern Shipbuilding Group Inc.
Morgan Tomas, Florida Department of Environmental Protection
Anna List, Florida Department of Environmental Protection
Ethan F. Salley, Florida Department of Environmental Protection
Stephanie Kindos, Florida Department of Environmental Protection

5) **Date of Inspection**

July 12, 2023, 9:30 a.m.

6) **Applicable Regulations**¹

Resource Conservation and Recovery Act (RCRA) Sections 3002, 3005 and 3007 (42 U.S.C. §§ 6922, 6925 and 6927), and the regulations promulgated pursuant thereto at 40 Code of Federal Regulations (C.F.R.) Parts 260-270, 273 and 279.

Florida Statutes (F.S.) Chapter 403.702 *et seq.*, and the regulations promulgated pursuant thereto and set forth at the Florida Administrative Code (F.A.C.), Chapters 62-710, 62-730 and 62-750.

Pursuant to Fla. Admin. Code Ann. r. 62-730.185(1) [40 C.F.R. § 273.9], a Small Quantity Handler of Universal Waste (SQHUW) is a universal waste handler who does not accumulate 5,000 kilograms or more total of universal waste (batteries, pesticides, mercury-containing equipment, or lamps, calculated collectively) at any time.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17], a small quantity generator (SQG) may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, as required by Section 403.722 of the Florida Statutes, Fla. Stat. § 403.722 [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.16] (hereinafter referred to as the SQG Permit Exemption).

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [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 403.722 of the Florida Statutes, Fla. Stat. § 403.722 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.16(b) or §262.17(a)], except as required in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the SAA Permit Exemption).

7) **Purpose of Inspection**

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection (CEI) to determine Eastern Shipbuilding Group Inc. facility's compliance with the applicable

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.

requirements of RCRA and the corresponding State of Florida regulations. This was an EPA and FDEP joint inspection.

8) Facility Description

Eastern Shipbuilding Group Inc. is a shipbuilder headquartered in Panama City that operates several facilities in the Florida Panhandle in Panama City, Allanton, and Port St. Joe. Eastern Shipbuilding Group Inc. (“ESG-Allanton” or “the facility”) manufactures tugs/towboats, fireboats, off-shore supply vessels, ferries, fishing vessels, and cutter-patrol craft. The facility manufactures the body of the vessel and purchases the power plant and electronics from outside sources. In addition to shipbuilding, the facility repairs and re-builds commercial marine vessels. Vessel construction methods include traditional fabrication as well as modular construction. Facility’s main operations include part fabrication, welding, sandblasting, and painting of marine vessels. The final assemblage of the ships is conducted on the launch rails adjacent to the launch basin.

The ESG-Allanton facility is located at 13300 Allanton Road, Panama City, Bay County, Florida. The Facility is situated on 145 acres located on East Bay within St. Andrew Bay and employs 165 workers. The facility is connected to Bay County municipal water and sewer services and is also regulated by a Title V Air Operation Permit No. 0050071-011-AV.

The facility’s most recent, April 2, 2019, notification of hazardous waste activities (EPA Form 8700-12) to FDEP indicated that Northwest Florida Holdings Inc. (ESG-Allanton) notified as a small quantity generator (SQG) of hazardous waste. Hazardous wastes are primarily generated from paint room, environmental area, and maintenance shop. Wastes generated in these areas include engine oil, hydraulic oil, used oil, diesel fuel, gasoline, oily water, rags, spent acetone, methyl ethyl ketone, and paint-related waste exhibiting hazardous waste characteristics of ignitability (EPA Waste Code D001), methyl ethyl ketone (EPA Waste Code D035), hazardous waste from nonspecific sources for spent non-halogenated solvents (EPA Waste Codes F003, and F005).

9) Previous Inspection History

The facility was previously inspected by FDEP on September 27, 2012, as a SQG and was in compliance with RCRA regulations. According to RCRAInfo, the EPA has not conducted a RCRA CEI at this facility.

10) Opening Conference

On July 12, 2023, the EPA inspector Parvez Mallick, accompanied by FDEP inspectors Morgan Tomas, Anna List, Ethan F. Salley, and Stephanie Kindos, conducted an unannounced CEI at ESG-Allanton facility, Panama City, Florida to determine the compliance status of the facility with the RCRA and the State of Florida regulations. Inspectors arrived at ESG-Allanton and were greeted by, Luke D’Isernia, Environmental Manager, Eastern Shipbuilding Group Inc. The inspectors introduced themselves, showed credentials, exchanged business cards, and explained the purpose of the visit during an opening conference.

ESG-Allanton staff provided an overview of the facility's history and current operations during the opening conference. The inspectors described the possible use of a digital camera during the inspection and the facility's ability, pursuant to 40 C.F.R. § 2.203, to assert a business confidentiality claim for information submitted to the EPA. The facility did not assert a business confidentiality claim. ESG-Allanton does not appear to meet the Small Business Regulatory Enforcement Fairness Act's classification of a "small business," which is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. Health and safety protocols and required personal protective equipment were discussed with Rick Antes and Luke D'Isernia who led the inspectors on a tour of the facility's operations. During the inspection, the EPA and FDEP personnel were told by Luke D'Isernia that EPA and FDEP were not allowed to take pictures for the inspection documentation due to certain contracts in place at Eastern Shipbuilding Group Inc.

The inspectors stated that digital images/pictures are used to document conditions observed during civil inspections and investigations. Digital image or pictures means any photograph or video taken using a digital camera or device, including the audio portion of the video. Inspections are conducted to evaluate a regulated entity or the regulated portion of that facility for the purpose of gathering information to determine if it is in compliance with applicable environmental requirements. Inspection pictures also assess a regulated entity's ability to maintain compliance.

During the inspection, the EPA and FDEP inspectors referred to EPA's RCRA statutory authority 42 U.S.C. § 6927 under which the inspection was conducted. **Pursuant to 42 U.S.C. § 6927 - Inspections (a) Access entry For purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, or upon request of any duly designated officer, employee or representative of a State having an authorized hazardous waste program, furnish information relating to such wastes and permit such person at all reasonable times to have access to, and to copy all records relating to such wastes. For the purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, such officers, employees or representatives are authorized (1) to enter at reasonable times any establishment or other place where hazardous wastes are or have been generated, stored, treated, disposed of, or transported from; (2) to inspect and obtain samples from any person of any such wastes and samples of any containers or labeling for such wastes. Each such inspection shall be commenced and completed with reasonable promptness. If the officer, employee or representative obtains any samples, prior to leaving the premises, he shall give to the owner, operator, or agent in charge a receipt describing the sample obtained and if requested a portion of each such sample equal in volume or weight to the portion retained. If any analysis is made of such samples, a copy of the results of such analysis shall be furnished promptly to the owner, operator, or agent in charge.**

Later during the inspection, Rick Antes stated that the EPA and FDEP should have been allowed to take pictures. Luke D'Isernia took pictures during the visual inspection and forwarded them to the EPA and FDEP to use in this report.

11) Inspection Observations

ESG-Allanton is comprised of numerous buildings, facilities, and construction areas that serve a wide range of shipbuilding related functions. The majority of ESG-Allanton operations are conducted in the central portion of the property from Allanton Road on the north property boundary to East Bay at the southern property boundary. The information in this RCRA inspection report is based on the EPA's July 12, 2023, RCRA CEI. The inspection included the following areas:

Material Processing Plant

The majority of steel used for ship construction is cut indoors at the Wheel-a-brator building, a 103,000 square foot steel and aluminum processing facility, located in the north central portion of the property. Once the steel is cut, it is moved to numerous fabrication areas at the facility. The pre-cut steel is welded and assembled at the fabrication areas to form modules or portions of the ships. Occasionally, steel and aluminum plates cut at the ESG-Allanton facility are transferred to the Nelson or Port St. Joe shipyard for assembly and construction. The modules/portions are then moved to one of two sand blast areas to be prepared for assembly and painting. Final assemblage of the ships is conducted on the launch rails adjacent to the launch basin.

All scrap metal is brought outside and organized by size categories to be recycled by Witco Recycling. The facility stated that per US Coast Guard's offshore patrol cutter (OPC) contract, US Coast Guard takes back the scrap metal for recycling.

The material processing plant also contains the paint mixing, priming, and painting area. The inspectors observed one 55-gallon satellite accumulation area (SAA) container and one 55-gallon excluded solvent contaminated wipes in this area (Photos #1-2). The SAA container was a closed 55-gallon container of paint waste and debris (EPA Waste Code D001, D032, F003, and F005) marked "Hazardous Waste" and with an indication of the hazards of the contents. The facility failed to identify applicable EPA Hazardous Waste Number (waste code) applicable to the paint waste in order to determine the applicable treatment standards or the underlying hazardous constituents. This container of (D001, D032, F003, F005) waste was not listed on the most recent 8700-12 Notification Form submitted to FDEP on April 2, 2019. The second container was a closed 55-gallon container storing excluded solvent contaminated wipes. The container was barely legible with the markings of "excluded solvent contaminated wipes." There was no safety shower, eyewash station, spill kits, or emergency communication procedures posted in this area.

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.16(b)(7)], which incorporates F.A.C. Chapter 62-730.183(1) [40 C.F.R. § 268.9(a)], and is a condition of the SQG Permit Exemption, a SQG complies with all applicable requirements under 40 C.F.R. part 268. The initial generator of a solid waste must determine each EPA Hazardous Waste Number (waste code) applicable to the waste in order to determine the applicable treatment standards under Subpart D of this part. This determination may be made concurrently with the hazardous waste determination required in § 262.11 of this chapter. For purposes of part 268, the waste will carry the waste code for any applicable listed waste (40 CFR part 261, subpart D). In addition, where the waste exhibits a characteristic, the waste will

carry one or more of the characteristic waste codes (40 CFR part 261, subpart C), except when the treatment standard for the listed waste operates in lieu of the treatment standard for the characteristic waste, as specified in paragraph (b) of this section. If the generator determines that their waste displays a hazardous characteristic (and is not D001 nonwastewaters treated by CMBST, RORGS, OR POLYM of §268.42, Table 1), the generator must determine the underlying hazardous constituents (as defined at §268.2(i)) in the characteristic waste.

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.16(b)(9)(ii)], which is a condition of the SQG Permit Exemption, a small quantity generator must post the following information next to telephones or in areas directly involved in the generation and accumulation of hazardous waste: (A) The name and emergency telephone number of the emergency coordinator; (B) Location of fire extinguishers and spill control material, and, if present, fire alarm; and (C) The telephone number of the fire department, unless the facility has a direct alarm.

There was a large dumpster located outside of the paint mixing SAA that contained many paint cans and aerosol cans. The dumpster was open and not protected from weather, and the paint cans still contained small amounts of paint. Contents of this dumpster are picked up by Witco to be recycled. Aerosol cans come in a variety of types and sizes and can be hazardous due to the propellant or the product within the aerosol can. If an aerosol can is no longer useable, contains product and becomes waste, it can either be managed as a universal waste or hazardous waste.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Fla. Admin. Code Ann. r. 62-730.030(1) [40 C.F.R. § 261.2], must determine if that waste is a hazardous waste following the methods articulated into Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11].

Outdoor Environmental Area

The outdoor environmental area contains the large sandblasting area enclosed with a net to catch sandblasting media. The inspectors observed spent blasting media, or “Black Beauty” on the ground near the sand blasting area (Photo #3). It appears that spent blast media released on the ground are not sampled for TCLP waste analysis or analyzed for waste determination.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Fla. Admin. Code Ann. r. 62-730.030(1) [40 C.F.R. § 261.2], must determine if that waste is a hazardous waste following the methods articulated into Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11].

This area contains the aerosol can storage building, where employees must check out each aerosol can and return it once done with the project or empty. The empty aerosol cans are temporarily placed into a 55-gallon container at this building, and at the end of each day the container is moved to the puncturing area on the other side of the building. The storage building also had a closed 55-gallon container marked “Excluded Solvent-Contaminated Wipes.”

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Fla. Admin. Code Ann. r. 62-730.030(1) [40 C.F.R.

§ 261.2], must determine if that waste is a hazardous waste following the methods articulated into Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11].

The puncturing area contained a 55-gallon aerosol can puncture container and a 55-gallon bulb crusher container (Photo #4). The waste aerosol can container was marked “Hazardous Waste” but without an indication of the hazards of the contents or an accumulation start date. According to the facility, aerosol can puncture filters are changed as stated by the filter manufacturer. The bulb crusher’s label was not legible, and the container exhibited intense signs of weathering. The container was not marked with the words “Hazardous Waste,” with an indication of the hazards of the contents, or an accumulation start date.

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.16(b)(6)(i)], which is a condition of the SQG Permit Exemption, (A) a generator must mark or label its container with the words “Hazardous Waste,” (B) must mark or label its containers with an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704), and (C) The date upon which each period of accumulation begins clearly visible for inspection on each container.

Maintenance Area

The ESG-Allanton maintenance building, labeled Maintenance Area, is located southwest of the office and warehouse building. The Maintenance Area consists of a covered work area where the majority of equipment and vehicle maintenance is conducted.

According to the facility, Interstate Battery picks up lead-acid batteries from the facility and replaces them with new batteries. The batteries were stored in a tote box but was not marked with the words “Universal Waste—Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies)” or with an accumulation start date.

Pursuant to Fla. Admin. Code Ann. r. 62-730.185(1) [40 C.F.R. § 273.14(a)], a small quantity handler of universal waste (SQHUW) must label or mark each battery or container of batteries clearly with one of the following phrases: “Universal Waste—Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies).”

Pursuant to Fla. Admin. Code Ann. r. 62-730.185(1) [40 C.F.R. § 273.15(a) and (c)], a SQHUW may accumulate universal waste no longer than one year and must to be able to demonstrate the length of time that the universal waste has accumulated from the date that it became a waste or was received.

The fire extinguisher and spill kit for this area were inaccessible and blocked by product and waste. The inspection team considered this area to have insufficient aisle space. There was no emergency communication procedure posted in this area.

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.16(b)(9)(ii)], which is a condition of the SQG Permit Exemption, a small quantity generator must post the following information next to telephones or in areas directly involved in the generation and accumulation of hazardous waste: (A) The name and emergency telephone number of the emergency coordinator; (B) Location of fire extinguishers and spill control material, and, if present, fire alarm; and (C) The telephone number of the fire department, unless the facility has a direct alarm.

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.16(b)(8)(v)], which is a condition of the SQG Permit Exemption, a small quantity generator 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.

The inspectors observed approximately seventy-five waste tires stacked along the outside of the maintenance area. There was one 265-gallon used oil tank within a metal secondary containment area marked with the words “Used Oil.” A 55-gallon container of waste gas was marked “Hazardous Waste” and ignitable markings but was considered open because the metal mesh funnel inserted into the bung hole did not have a lid (Photo #5). A 55-gallon container stored drained oil filters but was open and was not marked “Used Oil” (Photo #6). Four used oil transfer containers were not labeled with the words “Used Oil” (Photos #7). In addition, there was a 55-gallon container of empty, unpunctured aerosol cans was improperly marked as non-hazardous waste (Photo #8).

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA Permit Exemption, a container holding hazardous waste must be closed at all times during accumulation, except: (i) when adding, removing, or consolidating waste; or (ii) when temporary venting of a container is necessary (A) for the proper operation of equipment, or (B) to prevent dangerous situations, such as build-up of extreme pressure.

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a small quantity generator must mark or label its containers with the following: (i) The words “Hazardous Waste”; (ii) An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (*i.e.*, ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

Pursuant to Fla. Admin. Code Ann. r. 62-710.401(6) [40 C.F.R. § 279.22(c)(1)], containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words “Used Oil.”

Pursuant to Fla. Admin. Code Ann. r. 62-710.850(5)(a), general requirements for the storage of used oil filters, all persons storing used oil filters shall store used oil filters in

above ground containers which are clearly labeled “Used Oil Filters,” and which are in good condition (no severe rusting, apparent structural defects or deterioration) with no visible oil leakage. The containers shall be sealed or otherwise protected from weather and stored on an oil-impermeable surface.

180-Day Central Accumulation Area

The Central Accumulation Area (CAA) is outside and enclosed by wire fencing with a locked gate. This area is covered with a roof, but all four sides are open to the weather. The secondary containment area lacked an adequate containment of waste and rainwater because there was an unplugged drainage hole (Photos #9-10). The unplugged hole would drain out wastes or rainwater to the ground/soil. Rainwater was noted inside the secondary containment during the inspection. The inspectors observed four 55-gallon containers within the CAA all dated from June 22, 2023, or June 23, 2023. These containers were marked with the words “Hazardous Waste”, an indication of the hazards of the contents, and EPA Waste Codes D001 and D018. There were no emergency postings or shower/eyewash station near the area and the only fire extinguisher in this area had expired in 2021.

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.16(b)(8)(ii)], which is a condition of the SQG Permit Exemption, all areas where hazardous waste is either generated or accumulated must be equipped with the items in paragraphs (b)(8)(ii)(A) through (D) of this section (*unless* none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below or the actual waste generation or accumulation area does not lend itself for safety reasons to have a particular kind of equipment specified below). A small quantity generator may determine the most appropriate locations to locate equipment necessary to prepare for and respond to emergencies. (A) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel; (B) A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams; (C) Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment.

Just outside CAA area, there was an enclosed area for a 2,000-gallon tank and a 15,000-gallon tank. These tanks were not double walled, but in a satisfactory secondary containment. The tanks are for diesel fuel product and used oil storage/oily water. The tanks were marked with the words “Diesel Fuel” and “Used Oil.”

12) Records Review

After the walkthrough, records were reviewed as a part of the facility inspection for the previous three years of operation. Records reviewed during the inspections were waste profiles, Land Disposal Restriction (LDR) notification forms, weekly inspections, training records, arrangement with the local authorities, and employee training records. Some records that were requested were not available for on-site review as they were not able to be located. These records were later emailed to the EPA and FDEP for further review. Unless otherwise specified, all records and documents reviewed were considered satisfactory at the time of inspection.

A SQG can generate greater than 100 kilograms (220 lbs) but less than 1,000 kilograms (2,200 lbs) of non-acute hazardous waste in a calendar month. The inspectors reviewed ESG-Allanton facility's hazardous waste manifests for calendar year 2020-2023. It appeared that ESG-Allanton had generated 6,050 lbs of hazardous waste between June 25, 2020, and August 30, 2020, exceeding the 2,200 lbs of non-acute hazardous waste for calendar month of July 2020 and August 2020. A small quantity generator experiencing an episodic event may accumulate hazardous waste in accordance with subpart L (Alternative Standards for Episodic Generation) of this part in lieu of 40 C.F.R. §262.17, conditions for exemption for a large quantity generator that accumulates hazardous waste.

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.16(f)], which incorporates F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.232(b)], and is a condition of the SQG Permit Exemption, a small quantity generator may maintain its existing generator category during an episodic event provided that the generator complies with the following conditions: (1) The small quantity generator is limited to one episodic event per calendar year unless a petition is granted under § 262.233; (2) *Notification*. The small quantity generator must notify EPA no later than thirty (30) calendar days prior to initiating a planned episodic event using EPA Form 8700-12. In the event of an unplanned episodic event, the small quantity generator must notify EPA within 72 hours of the unplanned event via phone, email, or fax, and subsequently submit EPA Form 8700-12. The small quantity generator shall include the start date and end date of the episodic event and the reason(s) for the event, types and estimated quantities of hazardous wastes expected to be generated as a result of the episodic event, and identify a facility contact and emergency coordinator with 24-hour telephone access to discuss the notification submittal or respond to emergency.

The inspector review of hazardous waste manifests for 2020-2023, revealed most of the manifests did not have the signature and date of the waste reaching the designated facility, and ESG-Allanton failed to file exception reports for most of the manifests.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.42(b)], and is a condition of the SQG Permit Exemption, A generator of greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 60 days of the date the waste was accepted by the initial transporter must submit a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery, to the EPA Regional Administrator for the Region in which the generator is located.

Weekly inspections of the CAA and all three SAAs, as well as facility training records, were reviewed on site and appeared to be adequate. The used oil manifests and universal waste manifests were viewed off-site but appeared to be adequate.

Review of ESG-Allanton spill prevention control and countermeasure (SPCC) plan, dated April 10, 2023, indicated that SPCC plan did not include that the facility has attempted to 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. ESG-Allanton submitted proof of arrangements with local authorities to the EPA and FDEP on July 21, 2023. Please submit a revised SPCC plan for review and approval that covers all the requirements of RCRA SQG preparedness and prevention pursuant to 40 C.F.R. § 262.16(b)(8) and emergency procedure pursuant to 40 C.F.R. § 262.16(b)(9).

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.16(b)(8)(vi)], which is a condition of the SQG Permit Exemption, (A) the small quantity generator must attempt to 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. Arrangements may be made with the Local Emergency Planning Committee, if it is determined to be the appropriate organization with which to make arrangements. (1) A small quantity generator attempting to make arrangements with its local fire department must determine the potential need for the services of the local police department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals; (2) As part of this coordination, the small quantity generator shall attempt to make arrangements, as necessary, 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; and (3) Where more than one police or fire department might respond to an emergency, the small quantity generator shall attempt to make arrangements designating primary emergency authority to a specific fire or police department, and arrangements with any others to provide support to the primary emergency authority. (B) A small quantity generator shall maintain records documenting the arrangements with the local fire department as well as any other organization necessary to respond to an emergency. This documentation must include documentation in the operating record that either confirms such arrangements actively exist or, in cases where no arrangements exist, confirms that attempts to make such arrangements were made.

Based on the records review and observations made during the inspection, ESG-Allanton failed to provide hazardous waste training records for the employees handling hazardous waste in the facility.

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.16(b)(9)(iii)], which is a condition of the SQG Permit Exemption, the small quantity generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies.

13) Closing Conference

Upon conclusion of the inspection, a closing conference was conducted in the presence of Luke D'Isernia and Rick Antes on the phone representing ESG-Allanton. The facility was informed of the preliminary findings at the time of the inspection.

14) **Conclusion**

Based on the CEI conducted on July 12, 2023, ESG-Allanton was inspected as a small quantity generator of hazardous waste and a small quantity handler of universal waste.

15) **Signed**

PARVEZ MALLICK

Digitally signed by PARVEZ
MALLICK

Date: 2023.09.18 15:59:52 -04'00'

Parvez Mallick
Environmental Engineer
RCRA Enforcement Section

Date

16) **Concurrence**

ARACELI CHAVEZ

Digitally signed by ARACELI
CHAVEZ

Date: 2023.09.18 16:06:03 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Date

Northwest Florida Holdings Inc.
Eastern Shipbuilding Group Inc.
FLR000041921

July 12, 2023

RCRA CEI Photographs

Photographs by Luke D'Isernia, Environmental Manager, Eastern Shipbuilding Group Inc.

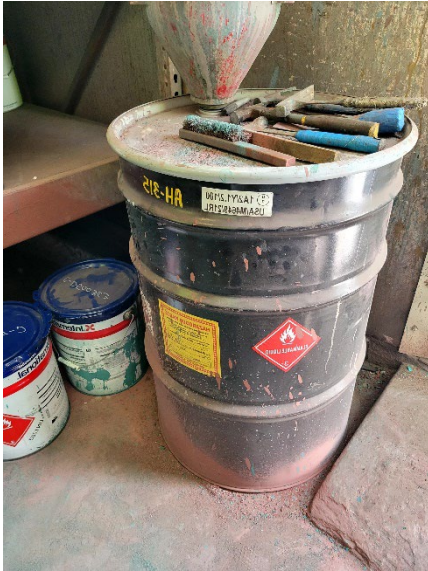


Photo #1 – 55-gallon container of paint waste related materials in the paint mixing room.



Photo #2 – Spent excluded contaminated solvent wipes in the paint mixing room.



Photo #3 – Spent blast media release On the ground.



Photo #4 – 55-gallon container of bulb crusher in the outdoor environmental area.

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Photo #5 – Maintenance Area – open flammable hazardous waste container.



Photo # 6 – Maintenance Area – open 55-gallon drained oil filters.



Photo #7 – Maintenance Area – used oil transfer containers and filter.



Photo #8 – 55-gallon container of used oil filters mislabeled.

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Photo #9 – Less than 180-day area, CAA.



Photo #10 – Less than 180-day area, CAA.