

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
RCRA Enforcement Section
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

2) Facility Information

Omega Shipyard
5659 Elder Ferry Road
Moss Point, Mississippi 39563

EPA ID#: MSR000108753
NAICS #: 336611 – Ship Building and Repairing

3) Responsible Officials

Cedric Sargent
Shipyard Operations Manager
Omega Shipyard
5659 Elder Ferry Road
Moss Point, Mississippi 39563
cedric.sargent@omegaprotein.com

4) Inspection Participants

Cedric Sargent, Omega Shipyard
Denver Damron, Omega Shipyard
Paul Overstreet, Omega Shipyard

William Rider, MDEQ
Laurie Benton DiGaetano, USEPA

5) Date of Inspection

May 16, 2024 at 9:00 AM

6) Applicable Regulations¹

Resource Conservation and Recovery Act (RCRA) Sections 3002 (42 U.S. Code – Annotated U.S.C.A. 6925 and 6927), and 40 Code of Federal Regulation (C.F.R.) Parts 260 - 270, 273, 278, & 279; and Mississippi Code of 1972, Miss. Code Ann. § 17-17-1 *et seq.*, and Mississippi Hazardous Waste Management Regulations, 11 Miss. Admin. Code Pt. 3, R. 1.1-1.24.

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.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.1 [40 C.F.R. § 260.10], a large quantity generator of hazardous waste (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste in a calendar month.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.232(a)], a very small quantity generator may maintain its existing generator category for hazardous waste generated during an episodic event provided that the generator complies with the conditions listed in 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.232(a)] (hereinafter referred to as the “Alternative Standards for Episodic Generation”).

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Omega Shipyard’s compliance with the applicable requirements of RCRA and the corresponding Mississippi regulations. This was an EPA lead inspection.

8) Facility Description

Omega Shipyard is a support facility that provides products and services such as aluminum and steel fabrication, blasting and painting, electrical trouble shooting, emergency dry docking, hull and pipe repair, machine shop services, propulsion inspection and repair, routine vessel maintenance, and United States Coast Guard inspections and repairs for the Omega Shipping Company. The facility has 63 employees, and operations run from 7:00 a.m. until 5:30 p.m., Monday through Friday.

The 9-acre facility, located in Moss Point, Mississippi, has three dry docks. It is one of three locations used to refurbish, repair, and maintain all the Omega Protein Fishing Company vessels, which are owned by Ocean Harvesters. The entire fleet is comprised of approximately 30 vessels, and the subject facility services about 17-20 of those vessels. The remaining vessels are serviced at the company’s two other locations in Virginia and Louisiana.

At the end of the commercial fishing season, which runs from April 15 through October 31 each year, Omega Shipyard provides routine end-of-season maintenance on all vessels. In addition, two vessels are taken completely out of service, so that they can be completely stripped down to the bare metal and then completely rebuilt for continued service. Personnel estimated that it takes approximately 18 months to complete the services required to totally refurbish a vessel, and each vessel receives these services once every 7-to-10 years.

Each boat is equipped with three structures that house machinery and equipment necessary to operate the vessel. The structures and machinery are all removed from the vessel and separated for maintenance and repair services. All liquids are also removed from the vessel. Engine oil and bilge water is pumped out and sent to Aaron oil for used oil recycling. Deisel fuel is pumped out and either sold or sent for fuel recycling.

Sherwin Williams marine grade paint is used on the exterior of each vessel, but Omega Shipyard has determined that paints historically used in the interior may contain lead. According to facility personnel, the shipyard collects a sample of the interior paint and has it analyzed for heavy metals prior to conducting any paint removal sandblasting activities. The shipyard uses

organic sand when sandblasting to remove paint from the exterior areas of the vessel and uses Blastox when sandblasting to remove paint from the interior areas. Blastox has been marketed as a dry patented granular, complex calcium silicate-based blasting abrasive additive used to stabilize lead-based paint by encapsulating the lead particles and rendering them non-hazardous.

The Omega Shipyard facility first notified as a very small quantity generator (VSQG) of hazardous waste on April 28, 2020. According to this notification, the facility may generate small volumes of hazardous waste with one or more of the following EPA waste codes: D001, D002, D005, D008, D035, F003 and F005.

9) Previous Inspection History

This is the first RCRA CEI at the subject facility.

10) Opening Conference

On May 16, 2024, EPA inspector Laurie Benton DiGaetano, accompanied by MDEQ inspector William Rider, arrived at Omega Shipyards at approximately 9:00 AM. Cedric Sargent, Shipyard Operations Manager, and Denver Damron, HSSE Coordinator, immediately received the inspectors. The inspectors introduced themselves, showed their credentials to Cedric Sargent, and explained the purpose of the visit.

The inspectors described the anticipated use of equipment (digital camera) during the inspection. 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. A copy of the EPA's information sheet for small businesses can be found at <https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf>. 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.

Cedric Sargent and Denver Damron 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 Denver Damron and Paul Overstreet, Environmental Manager, led the inspectors on a tour of the Facility operations.

11) Inspection Observations

The inspectors toured the facility's dry docks and observed ongoing activities related to dismantle and disassemble the boat, which is scheduled for a complete rebuild, present in the drydock. The three machinery housing structures had been removed from the boat. Personnel were in the process of removing insulating materials to expose the structural frame of the vessel, so that it could be stripped down to the bare metal for thickness testing, inspection, and repair.

The inspectors did not observe any evidence of paint removal or application activities during the inspection. Personnel stated that some methyl ethyl ketone (MEK) solvent is used to

occasionally clean the paint spray guns, but that generation of waste paint material and spent solvents is minimized by using most excess paint for general facility and equipment maintenance.

12) Records Review

On January 26, 2021, Omega Shipyard submitted a notification to MDEQ for a planned episodic event that could generate approximately 60,000 pounds of D008 hazardous waste solids during a short-term construction or demolition event between February 26, 2021, and April 9, 2021.

In an email on June 24, 2024, Denver Damron provided the inspectors with the TCLP analytical results for used paint blasting media generated in 2021. According to the TCLP results, dated March 25, 2021, and April 23, 2021, used paint blasting media generated in 2021 exhibited the hazardous waste characteristic of toxicity due to elevated concentrations of lead.

The facility subsequently sent one shipment of 15,240 kg D008 hazardous waste solid to Chemical Waste Management (ALD000622464) on May 17, 2021, which is eighty (80) days from the reported start date of the episodic event.

Pursuant to 11 Miss. Admin. Code Pt. 3, R. 1.3 [40 C.F.R. § 262.232 (a)(6)], which is a condition of the Alternative Standards for Episodic Generation, a VSQG has up to sixty (60) calendar days from the start of the episodic event to manifest and send its hazardous waste generated from the episodic event to a designated facility.

On January 5, 2022, Omega Shipyard submitted a notification to MDEQ for a planned episodic event that could generate approximately 250,000 pounds of D008 hazardous waste solids during a short-term construction or demolition event between February 14, 2022, and March 31, 2022.

In an email on June 24, 2024, Denver Damron provided the inspectors with the TCLP analytical results for used paint blasting media generated in 2022. Although the TCLP results for used paint blasting media generated in 2022 indicated that the material did not exhibit the hazardous waste characteristic of toxicity due to elevated concentrations of lead, facility personnel stated that the material was still managed as D008 hazardous waste to be more protective of the environment.

The facility subsequently sent five shipments of hazardous waste to Chemical Waste Management (ALD000622464) between March 22, 2022, and April 7, 2022. Each shipment contained approximately 15,420 kg of D008 hazardous waste solid.

In an email on June 26, 2024, Denver Damron provided the inspectors with the TCLP analytical results for used paint blasting media generated in 2023, which indicated that the material did not exhibit the hazardous waste characteristic of toxicity due to elevated concentrations of lead.

13) Closing Conference

The inspectors conducted the exit meeting at 10:00 a.m. with Cedric Sargent, Denver Damron, and Paul Overstreet. During this meeting, the inspectors stated their preliminary conclusions of

the inspection. Omega Shipyards agreed to provide records of sampling and TCLP analysis of paint blast media generated during the removal of interior paints for the last two boats. Denver Damron provided the requested records via emails on June 24, 2024, and June 26, 2024.

14) **Signed**

LAURIE

DIGAETANO

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Laurie Benton DiGaetano
Environmental Engineer

15) **Concurrence**

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Alan R. Newman
Acting Chief
RCRA Enforcement Section