

RCRA Compliance Evaluation Inspection Report

1) **Inspector and Author of Report**

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2) **Facility Information**

Peninsula Metal Finishing Inc.
2550 Dinneen Avenue
Orlando, FL 32804

County: Orange
Latitude: 28° 34' 36.3868"
Longitude: 81° 24' 40.537"
EPA ID Number: FLD982104812

Primary NAICS: 332813 – Electroplating, Plating, Polishing, Anodizing, and Coloring
SIC Code: 3471 – Plating and Polishing

3) **Responsible Official**

Francis Smith Coachman, President
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4) **Inspection Participants**

Parvez Mallick, US EPA Region 4
Michael Eckoff, Florida Department of Environmental Protection (FDEP)
Mark Anthony Relon, US EPA Region 4
Francis Smith Coachman, President, Peninsula Metal Finishing Inc.

5) **Dates of Inspection**

August 9, 2023, 10:30 a.m.

6) **Applicable Regulations**

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 (Fla. Admin. Code Ann. r.), Chapters 62-710, 62-730 and 62-750.

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

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17], a LQG may accumulate hazardous waste on-site for 90 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. § 262.17] (hereinafter referred to as the "LQG 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 Compliance Evaluation Inspection**

On August 9, 2023, Michael Eckoff, Florida Department of Environmental Protection (FDEP), Parvez Mallick, and Mark Anthony of the U.S. EPA, conducted a follow-up compliance evaluation inspection of Peninsula Metal Finishing Inc. ("Peninsula", "the facility") to determine the facility's compliance status with state and federal hazardous waste regulations since the EPA/FDEP inspection of July 14, 2021, and a non-compliance letter dated February 27, 2023. This was an EPA lead inspection.

Peninsula was represented by Francis Smith Coachman, President, Peninsula Metal Finishing Inc. Upon entering the facility, the inspectors introduced themselves, showed their credentials and explained the purpose of the visit and a description of the facility's process was discussed. The inspectors described the anticipated use of digital camera during the inspection. The inspectors briefly 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 inspectors stated that digital images/pictures will be taken during the inspection and are used to document conditions observed during civil inspections and

investigations. Inspection pictures also assess a regulated entity's ability to maintain compliance. During the inspection opening conference, health and safety protocols, required personal protective equipment and gears were discussed before Francis Smith Coachman led the inspectors on a tour of the facility operations.

8) Facility Description

Peninsula is an electroplating and metal finishing facility providing services such as anodizing, electroless plating, chromate conversion coatings, passivation, phosphating, zinc, nickel, copper, cadmium, and gold plating. The facility offers electroplating and metal finishing services to the automotive, theme parks, defense contractors, military and other commercial entities. Typical electroplating processes include cleaning, activation, neutralization, plating, and chromating with rinsing throughout the plating process. Highly alkaline and strong acids are used for cleaning and activation. Proprietary plating solutions are utilized to apply various finishes to the products processed at the facility. Peninsula has smaller process lines for gold and chrome plating.

The facility most recently notified FDEP of its waste activities on July 5, 2016, and originally received an EPA identification number FLD982104812 on June 5, 1987. The facility's notification history is discussed in more detail in Section 9 of this Report. Peninsula includes a 9,000 square-foot building that has no floor drains. Each external entrance/exit has a containment barrier. The facility has been operating since 1985 and has 13 employees. Production operating hours are Monday through Friday 7:00 a.m. to 3:30 p.m. Shipping/receiving and business office hours are Monday through Friday 7:00 a.m. to 4:30 p.m. City of Orlando utilities provides potable water, sanitary sewer services, and an Industrial User wastewater pre-treatment permit.

Spent plating solutions and rinse baths in plating processes require pre-treatment prior to discharge into the sanitary sewer system of the City of Orlando, Florida. In the Wastewater Treatment System (WWTS), plating and rinse baths are batch treated in 500-gallon tanks. Treatment consists of neutralization of strong bases and acids, coagulation, removal of cyanide, and metals precipitation. The sludge generated from these processes goes through a filter press to reduce the volume of F006 electroplating sludge, which is ultimately disposed of as hazardous waste. According to Francis Smith Coachman, Peninsula could not maintain an industrial pre-treatment discharge permit with the City of Orlando due to the exceedance of discharge limits. Peninsula has not discharged pre-treated plating wastewater to the City of Orlando since at least March 2021.

Hazardous wastes generated at the facility are plating filter press cake, sludge (D006, D007, and F006); solids, cadmium and chromium (D006 and D007); ammonia solutions (D002); nitric acid (D001 and D002); methy ethyl ketone, xylene (D001, D035, F003, and F005); and universal waste lamps.

9) Inspection Findings

The walk-through inspection started in the parts receiving area. In the parts receiving area items are checked in and sent to the appropriate area for processing. The facility primarily has six main plating processing lines: zinc, nickel and copper, cadmium, anodizing, phosphating and chemical coatings.

There are two zinc plating process lines, small barrel, and large barrel. In zinc plating, the substrate metal is subjected to two cleaning steps: “macro cleaning” consisting of a sodium hydroxide soak to remove large dirt particles, and a “micro cleaning” bath of sodium hydroxide under current (“electro cleaning”) to remove smaller, charged particles.

According to Francis Smith Coachman, owner of the facility, the small barrel line is used occasionally. The large barrel zinc plating line has not been used and has been out of operation since approximately beginning of 2019. During the August 9, 2023, EPA/FDEP inspection, the inspectors observed rusted plating tanks in the large barrel line area. The equipment and open plating tanks contained plating solutions, debris, and dried up plating chemicals. It appears that the large barrel line has not been out cleaned out since the July 14, 2021, EPA/FDEP inspection (Photos #1-4). The inspectors informed the Peninsula representative to make a waste determination of the plating solutions/materials left in the large barrel line tanks and dispose of the waste accordingly. Therefore, Peninsula has not addressed the concerns previously identified, including making a waste determination of the plating tank’s waste for more than two years and failed to dispose of the tanks waste accordingly.

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 make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11].

Next to the zinc strip line, inspectors observed the following containers (Photos #5-6):

- Two closed 55-gallon containers of spent cadmium plating solution marked “Hazardous Waste,” and with an indication of the hazards of the contents; and
- Two 55-gallon containers of plating solutions were not marked but the facility stated that containers are spent cadmium plating solution.

At the time of the August 9, 2023, inspection, the Peninsula representative stated that the containers of spent cadmium plating solution will be reused in other plating projects. It appears that cadmium plating solution containers have been in storage since July 14, 2021, and haven’t been reused as indicated previously.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: (A) the words “Hazardous Waste;” (B) 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 C.F.R. 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 C.F.R. 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.

The inspectors proceeded to walk to the nickel and cadmium plating area. In the cadmium plating area, there are five process lines, one for cadmium and four for chromate (clear, yellow, black, and olive black). After plating, a compressor can be used to dry rinse water from the parts.

The inspectors observed residual waste on the floor of the cadmium line (Photos #7-9). The inspectors informed Peninsula that residual cadmium waste must be cleaned up and disposed of properly.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(6)], which incorporates Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.251], and is a condition of the LQG Permit Exemption, A large quantity generator must maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

The inspectors observed a 5-gallon container of waste sludge material in a satellite accumulation area (SAA) near the black oxide line (Photo #10). According to Peninsula, the sludge is collected from the bottom of the black oxide tank, and it is potentially high in pH. The container was not labeled or closed, and no waste determination was available for review.

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 make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11].

In the chemistry laboratory, plating bath samples are tested for proper concentrations and constituents to ensure optimal plating performance of the processes and quality control. The laboratory's hazardous waste is collected in an open 5-gallon SAA container below a sink (Photo #11). The container was open, marked "Hazardous Waste," and had an indication of the hazards of the contents. There was a closed 1-gallon SAA container of cyanide lab waste marked "Hazardous Waste" and with an indication of the hazards of the contents staged on the lab countertop.

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.

Outside the laboratory, the inspectors observed two closed 55-gallon containers marked "Hazardous Waste," and "Caustic Solid Corrosive" (Photo #12). The containers were dated October 9, 2021, and October 10, 2021, but were not marked with an indication of the hazards of the contents. It appears that Peninsula has been storing hazardous waste containers longer than 90 days, without a permit, interim status, or an extension to the 90-day limit.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: (B) 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 C.F.R. 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 C.F.R. 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704)

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.17(a)], which is a condition of the LQG Permit Exemption, a large quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of parts 124, 264 through 267, and 270 of this chapter, or the notification requirements of section 3010 of RCRA, provided the following condition for exemption is met:

A large quantity generator accumulates hazardous waste on site for no more than 90 days, unless in compliance with the accumulation time limit extension or F006 accumulation conditions for exemption in paragraphs (b) through (e) of this section.

At the time of the August CEI, the inspectors observed an open unmarked 55-gallon container of solid clumps waste generated from the zinc barrel line. The inspectors informed Peninsula of the requirement to conduct a waste determination on all solid waste generated at the facility, including the solid clumps waste and dispose of it properly.

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 make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11].

The inspectors proceeded to the chromate conversion coating line in middle of the building. The Peninsula representative stated that this plating line is used episodically. In the anodize plating area, aluminum is etched in order to insert the desired color into the parts. After color insertion a protective coating is applied to the part. The inspectors observed sixteen 55-gallon containers of plating rinse water stored next to the chromate conversion/anodize plating coating line (Photos #13-14). Some of these containers were marked “expired.” There were an additional twenty-two 55-gallon containers of anodize rinse and dye solutions stored for on-site wastewater pre-treatment system. The inspectors could not access most of the 55-gallon containers for inspection due to no aisle space. According to the City of Orlando, Peninsula has been a Significant Non-Complier (SNC) for Industrial User permit #CO3TA since early 2021. It appears that most of the same containers of hazardous waste were observed in storage during the July 14, 2021, inspection. It has been more than two years that Peninsula failed to conduct a waste determination of the rinse water containers and dispose of it properly. Therefore, Peninsula has not addressed the concerns previously identified, including making a waste determination of the twenty-two containers of plating wastewater and sixteen containers of plating wastewater identified during the August 9, 2023, inspection.

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 make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11].

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(6)], which incorporates Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.255], and is a condition of the LQG Permit Exemption, the large 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.

Near the nickel strip plating area, the inspectors observed one cylindrical and ten rectangular poly tanks containing anodize plating waste (Photos #15-17). One open rectangular tank was marked with the words “Hazardous Waste,” “Anodize Black Dye Rinse – pH 1.81 – Acid – Toxic – Corrosive” and dated May 19, 2021 (Photos #18-19). There were several other open poly tanks that appeared to have the same anodize black dye rinse (Photo #20). Ten out of eleven tanks were open, not marked with the words “Hazardous Waste,” no indication of the hazard contents, and no start accumulation date. The Peninsula representative, Francis Smith Coachman, stated that approximately 6,000 gallons of plating waste is stored in this area and some of the poly tanks contained hazardous waste. The inspectors observed the same eleven poly tanks stored during the July 14, 2021, inspection. At the time of July 14, 2021, inspection, the Peninsula representative stated that there is a backlog in the treatment process of wastewater due to the no discharge Order per the City of Orlando. Therefore, spent plating wastewater has been accumulating at the facility at least since 2021. It appears that Peninsula has been storing hazardous wastes in tanks and containers longer than two years. In addition, the inspectors could not access most of poly tanks for inspection due to the lack of sufficient aisle space.

**Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.17(a)], which is a condition of the LQG Permit Exemption, a large quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of parts 124, 264 through 267, and 270 of this chapter, or the notification requirements of section 3010 of RCRA, provided the following condition for exemption is met:
A large quantity generator accumulates hazardous waste on site for no more than 90 days, unless in compliance with the accumulation time limit extension or F006 accumulation conditions for exemption in paragraphs (b) through (e) of this section.**

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: (A) the words “Hazardous Waste;” (B) 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 C.F.R. 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 C.F.R. 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.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(1)(iv)(A)], which is a condition of the LQG Permit Exemption, if the hazardous waste is placed in containers, the large quantity generator must comply with the following: (A) a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(6)], which incorporates Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.255], and is a

condition of the LQG Permit Exemption, the large 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.

Near the anodize plating waste, the inspectors observed one unmarked 55-gallon and two 5-gallon containers of spent blasting media (Photos #21-22). During the 2021 CEI, the inspectors requested that the facility conduct an analytical test of the spent blast media or apply knowledge of the hazard characteristics of the waste, or the process used to generate the waste, to determine that spent blast media is hazardous or non-hazardous. A LQG must maintain records supporting its hazardous waste determinations, including records that identify whether a solid waste is a hazardous waste, as defined by in Fla. Admin. Code Ann. r. 62-730.030(1) [40 C.F.R. § 261.3]. At the time of the 2023 CEI, records supporting any waste determination on the blast media that had been requested in the 2021 CEI, were not available for review.

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 make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11].

The chemical inventory area was located near the smaller plating lines. There were several rusty containers noted in this area. There was one 55-gallon rusted container of aluminum sulfate (Photo #23). The inspector informed the Peninsula representative to assess the containers for usability and make a proper waste determination. In addition, there was a full 55-gallon hazardous waste container marked “Cadmium Strip,” “Ammonium Nitrate + Water,” and “Toxic” (Photo #24). The container was not dated with a start accumulation date.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(1)(ii)], which is a condition of the LQG Permit Exemption, if a container holding hazardous waste is not in good condition, or if it begins to leak, the large quantity generator must immediately transfer the hazardous waste from this container to a container that is in good condition, or immediately manage the waste in some other way that complies with the conditions for exemption of this section.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(5)(i)(A-C)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: (A) the words “Hazardous Waste;” (B) 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 C.F.R. 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 C.F.R. 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.

The Wastewater pre-treatment system (WWTS) is located next to the chemical inventory area. The following waste containers were staged for treatment in the WWTS or disposal to a

treatment, storage, and disposal facility. The inspectors observed 5, 10, 15, and 55-gallon containers of acid, caustic, corrosive, and toxic hazardous waste stored in this area (Photos #25-29). The inspectors could not access most of the hazardous waste containers for inspection due to a lack of sufficient aisle space. In addition, the inspectors observed that most of the same containers were stored during the July 14, 2021, inspection:

- Seven 55-gallon non-treated plating waste not marked with the words “Hazardous Waste,” no indication of hazards of the contents, and no accumulation start date (Photo #30);
- Five 15-gallon and eighteen 5-gallon containers of acid waste from the lab. Some of the containers were marked with the words “Hazardous Waste,” an indication of hazards of the contents, but none had accumulation start date;
- Eleven 55-gallon containers of hazardous waste wastewater sludge ready for processing in the filter press system. These containers have been in storage due to a leak in the filter press system. The containers were not marked with the words “Hazardous Waste,” no indication of hazards of the contents, and had no accumulation start date;
- One open cubic yard gaylord box of plating filter cake (EPA Waste Codes D006, D007, and F006) marked “Hazardous Waste.” The box was not marked with an indication of the hazards of the contents and not marked with an accumulation start date (Photos #31-32). It appears that same cubic yard box of filter cake was stored during the July 14, 2021, EPA/FDEP inspection because to this date Peninsula has not submitted a filter cake hazardous waste manifest;
- Two open 5-gallon containers had spent sleeve filters from the chrome plating line (Photo #33). The containers were not marked with the words “Hazardous Waste” and had no indication of the hazards of the contents;
- Behind the WWTS tank stairs, there were ten open 5-gallon containers of black oxide waste solution/sludge (Photo #34). The containers were not marked with the words “Hazardous Waste,” no indication of hazards of the contents, and not marked with an accumulation start date; and
- One closed 55-gallon container of toxic hazardous waste filters, rags, and debris laden with cadmium, brass, and cyanide solids. The container was not marked with an accumulation start date (Photo #35).

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(5)(i)(A-C)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: (A) the words “Hazardous Waste;” (B) 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 C.F.R. 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 C.F.R. 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.

Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.17(a)], which is a condition of the LQG Permit Exemption, a large quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of parts 124, 264 through 267, and 270 of this chapter, or the notification requirements of section 3010 of RCRA, provided the following condition for exemption is met:

A large quantity generator accumulates hazardous waste on site for no more than 90 days, unless in compliance with the accumulation time limit extension or F006 accumulation conditions for exemption in paragraphs (b) through (e) of this section.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(6)], which incorporates Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.255], and is a condition of the LQG Permit Exemption, the large 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.

A records review indicated that Peninsula has not submitted the 2017, 2019, and 2021, Biennial Reports to FDEP. On August 4, 2022, Peninsula shipped 1,450 gallons of non-hazardous wastewater to a Triumvirate facility located in Orlando, Florida. Peninsula has yet to submit hazardous waste manifests or other shipment documents since the EPA/FDEP July 14, 2021, inspection. Therefore, it appears that Peninsula has been storing hazardous and non-hazardous wastes at the facility as early as the EPA/FDEP July 14, 2021, inspection.

Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.41(a)], which is a condition of the LQG Permit Exemption, a generator who is a large quantity generator for at least one month of an odd-numbered year (reporting year) who ships any hazardous waste off-site to a treatment, storage or disposal facility within the United States must complete and submit EPA Form 8700–13 A/B to the Regional Administrator by March 1 of the following even-numbered year and must cover generator activities during the previous year.

10) Closing Conference

A closing conference was conducted at the conclusion of the inspection. The inspectors discussed the observations made during the inspection, outstanding violations of the RCRA at the facility found during July 14, 2021, inspection, and failure to submit Peninsula's most recent financial statement, an inability to pay statement, most recent tax returns, as required for the EPA to conduct an Ability to Pay analysis. In addition, the inspectors indicated that the Peninsula representative must dispose of the remaining hazardous plating wastewater and other hazardous wastes stored on-site since the July 21, 2021, inspection. The EPA inspection on August 9, 2023, confirmed that Peninsula has yet to resolve these outstanding violations.

11) Inspection Summary

Based on the observations made during the inspection, Peninsula was apparently deficient with the following RCRA requirements:

- **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 make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11].**
 - (Page 4) The inspectors observed rusted plating tanks in the large barrel line area. The equipment and open plating tanks contained plating solutions, debris, and

- dried up plating chemicals. It appears that the large barrel line has not been out cleaned out since the July 14, 2021, EPA/FDEP inspection (Photos #1-4).
- (Page 5) The inspectors observed a 5-gallon container of waste sludge material in a satellite accumulation area (SAA) near the black oxide line (Photo #10). The sludge is collected from the bottom of the black oxide tank, and it is potentially high in pH. The container was not labeled or closed, and no waste determination was available for review.
 - (Page 6) At the time of the August CEI, the inspectors observed an open unmarked 55-gallon container of solid clumps waste generated from the zinc barrel line. The container was not labeled or closed, and no waste determination was available for review.
 - (Page 6) The inspectors observed sixteen 55-gallon containers of plating rinse water stored next to the chromate conversion/anodize plating coating line (Photos #13-14). Some of these containers were marked “expired.” There were additional twenty-two 55-gallon containers of anodize rinse and dye solutions stored for on-site wastewater pre-treatment system. It appears that most of the same containers of hazardous waste were observed in storage during the July 14, 2021, inspection. It has been more than two years that Peninsula failed to conduct a waste determination of the rinse water containers and dispose of it properly.
 - (Page 8) Near the anodize plating waste, the inspectors observed one unmarked 55-gallon and two 5-gallon containers of spent blasting media (Photos #21-22). During the 2021 CEI, the inspectors requested that the facility conduct an analytical test of the spent blast media or apply knowledge of the hazard characteristics of the waste, or the process used to generate the waste, to determine that spent blast media is hazardous or non-hazardous. At the time of the 2023 CEI, records supporting any waste determination on the blast media that had been requested in the 2021 CEI, were not available for review.
- **Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: (A) the words “Hazardous Waste;” (B) 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 C.F.R. 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 C.F.R. 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.**
 - (Page 4) Next to the Zinc strip line, two 55-gallon containers of spent cadmium plating solution were not marked with an accumulation start date and additional two 55-gallon containers of spent cadmium plating solution were not marked with the words “Hazardous Waste,” an indication of the hazards of the contents, and an accumulation start date.
 - (Page 5) Outside the lab, two 55-gallon containers of hazardous waste were not marked with an indication of the hazards of the contents (Photo# 12).
 - (Page 7) Near the nickel strip plating area, the inspectors observed one circular round and ten rectangular poly tanks containing anodize plating waste. Ten out of

- eleven tanks were not marked with the words “Hazardous Waste,” no indication of the hazard contents, and no start accumulation date (Photos #15-17 and #20).
- (Page 8) There was one 55-gallon rusted container of aluminum sulfate (Photo #23) and a full 55-gallon hazardous waste container marked “Cadmium Strip,” “Ammonium Nitrate + Water,” and “Toxic” (Photo #24) in the chemical inventory area. The containers were not dated with a start accumulation date.
 - The following waste containers were staged for treatment in the WWTS or disposal to a treatment, storage, and disposal facility. The containers of acid, caustic, corrosive, and toxic hazardous waste stored in this area (Photos #25-29) were not label or marked properly:
 - (Page 9) Seven 55-gallon non-treated plating waste not marked with the words “Hazardous Waste,” no indication of hazards of the contents, and no accumulation start date (Photo #30);
 - (Page 9) Five 15-gallon and eighteen 5-gallon containers of acid waste from the lab. Some of the containers were marked with the words “Hazardous Waste,” an indication of hazards of the contents, but none had accumulation start date;
 - (Page 9) Eleven 55-gallon containers of hazardous waste wastewater sludge ready for process in the filter press system. These containers have been in storage due to a leak in the filter press system. The containers were not marked with the words “Hazardous Waste,” no indication of hazards of the contents, and had no accumulation start date;
 - (Page 9) One open cubic yard gaylord box of plating filter cake (EPA Waste Codes D006, D007, and F006) marked “Hazardous Waste.” The box was not marked with an indication of the hazards of the contents and not marked with an accumulation start date (Photos #31-32);
 - (Page 9) Two open 5-gallon containers had spent sleeve filters from chrome plating line (Photo #33). The containers were not marked with the words “Hazardous Waste” and had no indication of the hazards of the contents;
 - (Page 9) Behind the WWTS tank stairs, there were ten open 5-gallon containers of black oxide waste solution/sludge (Photo #34). The containers were not marked with the words “Hazardous Waste,” no indication of hazards of the contents, and not marked with an accumulation start date; and
 - (Page 9) One closed 55-gallon containers of toxic hazardous waste filters, rags, and debris laden with cadmium, brass, and cyanide solids. The container was not marked with an accumulation start date (Photo #35).
 - **Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(6)], which incorporates Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.251], and is a condition of the LQG Permit Exemption, A large quantity generator must maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.**
 - (Page 5) The inspectors observed residual cadmium waste on the floor of the cadmium line (Photos #7-9).

- **Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(6)], which incorporates Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.255], and is a condition of the LQG Permit Exemption, the large 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.**

 - (Page 6) The inspectors observed sixteen 55-gallon containers of plating rinse water stored next to the chromate conversion/anodize plating coating line. In addition, there were twenty-two 55-gallon containers of anodize rinse and dye solutions stored in the chromate conversion coating line in middle of the building. The inspectors did not have access to most of the 55-gallon containers for inspection due to no aisle space (Photos #13-14).
 - (Page 7) Near the nickel strip plating area, the inspectors observed one circular round and ten rectangular poly tanks containing anodize plating hazardous waste (Photos #15-17). There were several other open poly tanks that appeared to have the same anodize black dye rinse (Photos #18-20). The inspectors could not access to most of poly tanks for inspection due to the lack of sufficient aisle space.
 - (Page 9) There were 5, 10, 15, and 55-gallon containers of acid, caustic, corrosive, and toxic hazardous waste stored in the WWTS and the chemical inventory area this area (Photos #25-29). The inspectors could not access most of the hazardous waste containers for inspection due to a lack of sufficient aisle space. In addition, the inspectors could not access the same containers during the July 14, 2021, inspection.
- **Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(1)(ii)], which is a condition of the LQG Permit Exemption, if a container holding hazardous waste is not in good condition, or if it begins to leak, the large quantity generator must immediately transfer the hazardous waste from this container to a container that is in good condition, or immediately manage the waste in some other way that complies with the conditions for exemption of this section.**

 - (Page 8) There were several unmarked rusty containers observed in chemical inventory area. In addition, there was one 55-gallon rusted container of aluminum sulfate (Photo #23). The inspector informed Peninsula representative to assess the containers for usability and make a proper waste determination.
- **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.**

 - (Page 5) There was an open 5-gallon SAA container of hazardous waste below the sink (Photo #11) in the chemistry laboratory.
- **Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.17(a)(1)(iv)(A)], which is a condition of the LQG Permit Exemption, if the hazardous waste is placed in**

containers, the large quantity generator must comply with the following: (A) a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

- (Page 7) Ten out of eleven poly tanks of anodize plating waste were open near the nickel strip plating area (Photos #15-20).
- **Pursuant to F.A.C. Chapter 62-730.160(1) [40 C.F.R. § 262.17(a)], which is a condition of the LQG Permit Exemption, a large quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of parts 124, 264 through 267, and 270 of this chapter, or the notification requirements of section 3010 of RCRA, provided the following condition for exemption is met: A large quantity generator accumulates hazardous waste on site for no more than 90 days, unless in compliance with the accumulation time limit extension or F006 accumulation conditions for exemption in paragraphs (b) through (e) of this section.**
 - (Page 5) There were two closed 55-gallon containers marked “Hazardous Waste,” and “Caustic Solid Corrosive” (Photo #12) outside the lab. The containers start accumulation dates were marked October 9, 2021, and October 10, 2021. Therefore, it appears that Peninsula has been storing hazardous waste containers longer than 90 days, without a permit, interim status, or an extension to the 90-day storage limit.
 - (Page 7) There were eleven poly tanks of anodize black dye rinse (Photos #15-20) stored near the nickel strip plating area. Peninsula representative, Francis Smith Coachman, stated that approximately 6,000 gallons of plating waste is stored in this area and some of the poly tanks contain hazardous waste. The inspectors observed the same eleven poly tanks stored during the July 14, 2021, inspection. Therefore, it appears that Peninsula has been storing hazardous wastes in poly tanks longer than two years without a permit, interim status, or an extension to the 90-day storage limit.
 - (Page 9) There were numerous 5, 10, 15, and 55-gallon containers of acid, caustic, corrosive, and toxic hazardous waste stored near the WWTS and the chemical inventory area (Photos #25-29). In addition, the inspectors observed that most of the same containers were stored in this area during the July 14, 2021, inspection. Therefore, it appears that Peninsula has been storing hazardous waste containers longer than two years without a permit, interim status, or an extension to the 90-day storage limit.
- **Pursuant to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.41(a)], which is a condition of the LQG Permit Exemption, a generator who is a large quantity generator for at least one month of an odd-numbered year (reporting year) who ships any hazardous waste off-site to a treatment, storage or disposal facility within the United States must complete and submit EPA Form 8700–13 A/B to the Regional Administrator by March 1 of the following even-numbered year and must cover generator activities during the previous year.**
 - (Page 10) The records review indicated that Peninsula has not submitted the 2017, 2019, and 2021, Biennial Reports to FDEP.

12) **Signed**

PARVEZ MALLICK Digitally signed by PARVEZ MALLICK
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Parvez Mallick
Inspector and Author of Report

Date

13) **Concurrence and Approval**

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Date: 2023.11.27 11:09:49 -05'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Date

Compliance Evaluation Inspection photos taken by Parvez Mallick, EPA
(Canon PowerShot SD980 IS - EPA Property Number S75319)

August 9, 2023



Photo #1 – Out of service large barrel plating line tanks.



Photo #2 – Out of service large barrel plating line tanks.



Photo #3 – Out of service large barrel plating line tanks.



Photo #4 – Out of service large barrel plating line tanks.



Photo #5 – 55-gallon containers of cadmium plating solution in storage for reuse.



Photo #6 – close-up of Photo #5.



Photo #7 – Residual waste on the floor of the the cadmium plating line.



Photo #8 – Residual waste on the floor of the the cadmium plating line.



Photo #9 – Residual waste on the floor of the the cadmium plating line.



Photo #10 – A 5-gallon SAA container of black oxide.



Photo #11 – A 5-gallon SAA container in the lab sink.



Photo #12 – Two 55-gallon containers of “Caustic Solid Corrosive” waste.



Photo #13 – Containers stored in the chromate conversion/anodize plating coating line.



Photo #14 - Containers stored in the chromate conversion/anodize plating coating line.



Photo #15 – Plating waste stored in the poly tanks.



Photo #16 – Plating waste stored in the poly tanks.



Photo #17 – Plating waste stored in the poly tank.



Photo #18 – Plating waste stored in the poly tank.



Photo #19 – Plating waste stored in the poly tank.



Photo #20 – Plating waste stored in the poly tank.



Photo #21 – A 55-gallon container spent blasting media.



Photo #22 – Two 5-gallon containers of spent blasting media.



Photo #23 – Rusted container of aluminum sulfate in the chemical storage area.



Photo #24 – Hazardous waste container in the chemical storage area.



Photo #25 – Hazardous waste containers staged for treatment or disposal.



Photo #26 – Hazardous waste containers staged treatment or disposal.



Photo #27 – Hazardous waste containers staged for treatment or disposal.



Photo #28 – Hazardous waste containers staged treatment or disposal.



Photo #29 – Hazardous waste containers staged for treatment or disposal.



Photo #30 – Seven 55-gallon containers of non-treated plating waste.



Photo #31 – Cubic yard box F006 filter cake.



Photo #32 – Hazardous waste Label of Photo #31.



Photo #33 – Open containers of spent chrome filter sleeves.



Photo #34 – 5-gallon containers of black oxide solution/sludge.



Photo #35 – 55-gallon containers of toxic hazardous waste filters.