



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

FACILITY INFORMATION:

Facility Name: FedEx Ground Package System Inc
On-Site Inspection Start Date: 08/31/2017 **On-Site Inspection End Date:** 08/31/2017
ME ID#: 61129 **EPA ID#:** FLR000030817
Facility Street Address: 3000 Directors Row, Orlando, FL 32809-5674
Contact Mailing Address: 1000 FedEx Dr, Moon Township, PA 15108-9373
County Name: Orange **Contact Phone:** (412) 262-7347

NOTIFIED AS:

SQG (100-1000 kg/month)

INSPECTION TYPE:

Routine Inspection for SQG (100-1000 kg/month) facility

INSPECTION PARTICIPANTS:

Principal Inspector: John E. White, Inspector
Other Participants: Michael Eckoff, Inspector; James Turner, Assistant Hub Manager; Eduard Kotylar, Manager - Facility Main Hub B

LATITUDE / LONGITUDE: Lat 28° 27' 43.03" / Long 81° 25' 39.77"

SIC CODE: 4215 - Trans. & utilities - courier services, except by air

TYPE OF OWNERSHIP: Private

Introduction:

On August 31, 2017, John White and Michael Eckoff, Florida Department of Environmental Protection, conducted a routine compliance evaluation inspection of FedEx Ground Package System (FedEx Ground), located at 3000 Directors Row, Orlando, Florida, to determine the facility's compliance with state and federal hazardous waste regulations. FedEx Ground was represented by Jimmy Turner, Assistant Hub Manager, and Edward Kotlyar, Manager Facilities. Juan Rodriguez, a warehouse worker managing hazardous waste also participated in the inspection.

FedEx Ground has not been inspected by the Department in the past 10 years. The facility notified as a small quantity generator of hazardous waste and received EPA identification number FLR000030817 on March 30, 2000. The facility last updated its hazardous waste status in March 2017 and identifies itself as a small quantity generator of hazardous waste and as a transporter of mercury lamps and devices.

FedEx Ground operates 24 hours a day seven days a week. The property is 44 acres in size and consists of 300,000 square feet of warehouse and office space and a separate vehicle maintenance area managed by an outside contractor.

Process Description:

FedEx Ground provides business and residential package shipping and ground delivery services. Wastes are generated as a result of damage to shipping containers during transportation.

Hazardous Waste Storage Area

Located within the main warehouse are two fenced areas, the Processing Area and the Packaging Area. Each area has a locked gate.

Materials in the Processing Area are evaluated daily, including weekends. Facility personnel determine if the materials are hazardous waste, non-hazardous solid waste, or can be recycled and reused by other organizations. Product labels, company websites, and safety data sheets (SDS) are used in the determination. Materials are segregated by flammable, corrosive, and "other" characteristics. Emergency

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equipment in the area consisted of an eye wash/safety shower, a cabinet in storing supplies and spill response equipment, and fire extinguishers both inside and outside the cage. It was noted the fire extinguisher was last inspected by Mid State Fire Equipment in August 2017. Facility personnel inspect safety equipment monthly.

In the Processing Area were the following:

On a containment pallet was an open-top plastic tote storing a cardboard box, packing peanuts, and plastic contaminated with what appeared to be red paint (Figure 1). Facility personnel stated the container was left out to dry after a paint container failed. It was not readily apparent from visual inspection if the materials would exhibit a hazardous waste characteristic of ignitability due to the paint contamination. Inspectors informed facility personnel that if the container is holding hazardous waste, drying it would constitute treatment which is not allowed without a permit.

Three 5-gallon containers storing universal waste-batteries and one 5-gallon container of alkaline batteries were staged on a work table. The universal waste battery containers were closed and properly labeled "Universal Waste-Batteries." Two containers had accumulation start dates of 2/3/2017; the third had a date of 7/20/2017.

Under a fume hood were several small containers (Figure 5). On the left side of the fume hood were twenty-three containers and on the right side were six containers.

Lead-acid batteries were being stored in a bin and three boxes (Figure 2). The batteries were being evaluated for reuse by non-profits. This is done quarterly.

Nine boxes of universal waste-batteries were being prepared for shipment off-site (Figure 6). The boxes were properly labeled "Universal Waste-Batteries." When asked, facility personnel stated in addition to being generated at this location, smaller terminals will send universal waste batteries here for management. Further inquiry revealed a label on one of the boxes that indicated the waste was generated at this location. Mr. Turner indicated the waste in the other eight boxes was also generated at this location.

Five boxes of 4-foot universal waste lamps were stored in a corner (Figure 4). Two full boxes of universal waste lamps were not labeled in accordance with the requirements of Chapter 62-737.400(5)(b), Florida Administrative Code. One properly labeled box of universal waste lamps was not closed in accordance with the requirements of 40 CFR 273.13(d)(1).

Along a wall was a green bin with plastic bags possibly holding two mercury thermostats (Figure 7). On top of the plastic bags were two unprotected mercury thermostats were on top of the bags. The two mercury thermostats were not properly managed in accordance with the requirements of Chapter 62-737.400(5)(a), Florida Administrative Code.

Also in the area were: one 25-pound cylinder of 410A refrigerant (Figure 6); one 2.5-gallon container of "Target 6 Plus" an arsenic compound, MSMA, is the active ingredient; one 5-gallon container of BASF Elastocast R76D65-180S BLK; a green bag labeled "Hazardous Material"; a green bag labeled "Merit"; four plastic totes of unknown material – including an open top tote of aerosol cans (Figure 3); three boxes from Essex Industries with unknown contents; one box holding five containers of crackle for latex paint and two bottles of Crayola brand washable paint; two containers of "Fusion Pro" grout; and one 1-gallon bottle of Pharma-Hol 70% Isopropyl Alcohol. Figure 8 shows totes, boxes, and a bag of unknown materials.

An inventory record of what was in the Processing Area at the time of this inspection was requested due to the number of materials being processed and the unknown regulatory status of those materials.

Prior to entering the Packaging Area, inspectors noted emergency information was not posted outside either area, just inside the enclosed areas which have limited access. Facility personnel stated the information would be posted outside the areas. Emergency equipment in the area consisted of a fire extinguisher. Facility personnel also indicated the building is equipped with fire suppression sprinklers. Facility personnel inspect both the hazardous waste and non-hazardous waste containers on a weekly basis. Each container is marked with a number that is verified against the inspection logs.

In the Packaging Area were the following: Fifteen 25-gallon containers; one 30-gallon container; ten 15-gallon

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containers; and four 5-gallon containers of hazardous waste. All the containers were closed and labeled "Hazardous Waste." The oldest accumulation start date was 8/17/2017. Eleven containers of non-hazardous waste were also stored in the area (Figures 9, 10).

Records Review:

Records reviewed included the contingency plan, training records, weekly inspection logs, and notifications of local authorities. It was noted that required information for small quantity generators was posted as required in addition to the facility maintaining a separate contingency plan. The layout of the facility identified locations of fire extinguishers.

The contingency plan was last revised 12/1/2016. The emergency coordinator can be a senior manager, assistant hub manager, sort manager, or dock operations manager. The primary coordinators listed in the plan were Terrence Sims, Ishmel Kerr, Alain Joseph, and Robert Cohs. Secondary coordinators listed were Sean Edwards, David McCoy, and Jimmy Turner. The emergency response contractor listed in the plan was XL Specialty Claims Administrators. The required notification to local authorities was last sent 12/1/2016 with the updated contingency plan.

Training of staff is completed within 90 days after the hire date and then updated annually. Training courses include Environmental Waste Management 1 and 2. A notice is sent to staff by the computer within 90 days of the training refresher due date. No issues were identified with staff training.

A review of weekly inspections found no issues.

A review of hazardous waste manifests found the facility ships hazardous waste off-site at least once each month. The hazardous waste transporter is Stericycle Specialty Waste Solutions and the designated facility is Allworth LLC, located in Birmingham, Alabama.

Following the inspection, on September 1, 2017, information was requested from Natalie Owens, Environmental Compliance Specialist for FedEx Ground. Information requested included the contents and origin of nine boxes labeled "Universal Waste" in the Processing Area and an inventory of the materials in the Processing Area at the time of inspection including: the Safety Compliance Management System Hazmat Incident Report for each item; the Damaged Package Report for each item; and, copies of any memos from the Hazardous Materials Administration, Safety Department – PGH with instructions on how to handle the material.

On September 22, 2017, the information requested was provided by FedEx Ground. Review of the information found damaged goods originating at the Orlando hub included flammable, corrosive and toxic wastes. The review also found hazardous wastes originating at FedEx terminals in Cocoa, Pompano Beach, Miami, Davenport, and Medley, Florida were shipped to the Orlando hub for management. FedEx Ground has not notified the Department as a transporter of hazardous waste and is not a permitted RCRA destination facility. It was also noted that waste paint, package number 707762744227, generated in Cocoa, Florida, on 12/8/2016 were still in storage at the Orlando hub during the inspection on 8/31/2017; a period of 266 days.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	62-730.150(2)(a)
Explanation:	All generators (except generators that are conditionally exempt pursuant to 40 CFR 261.5 [as adopted in subsection 62-730.030(1), F.A.C.]), all transporters, and all persons who own or operate a facility which treats, stores, or disposes of hazardous waste, must notify the Department using Form 62-730.900(1)(b), "8700-12FL Florida Notification of Regulated Waste Activity." Specifically, FedEx Ground operated as a hazardous waste transporter, transporting hazardous waste from off-site locations to the Orlando hub, and operated as an unpermitted hazardous waste storage facility storing hazardous waste received from off-site. FedEx Ground also stored hazardous waste on-site for a period of at least 266 days, exceeding the 180 day storage limit for small

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quantity generators. FedEx Ground has not notified the Department of its activities as either a hazardous waste transporter or a hazardous waste storage facility.

Corrective Action: FedEx Ground should immediately cease operating as an unregistered hazardous waste transporter and as an unpermitted hazardous waste storage facility.

Type: Violation

Rule: 403.727(1)(b), 62-730.240(1)

Explanation: It is unlawful for any hazardous waste generator, transporter, or facility owner or operator to operate without a valid permit. No person shall begin operation of a hazardous waste facility without applying for and receiving an operation permit from the Department. Specifically, FedEx Ground operated as a hazardous waste storage facility without applying for and receiving a hazardous waste storage permit from the Department. The facility received hazardous waste generated by off-site facilities and stored hazardous waste on-site for greater than 180 days.

Corrective Action: FedEx Ground should immediately cease operations as an unpermitted hazardous waste storage facility.

Type: Violation

Rule: 262.20(a)(1), 403.727(1)(a)

Explanation: It is unlawful for any hazardous waste generator, transporter, or facility owner or operator to fail to comply with the provisions of this act or departmental rules or orders. A generator who transports, or offers for transport a hazardous waste for offsite treatment, storage, or disposal, or a treatment, storage, and disposal facility who offers for transport a rejected hazardous waste load, must prepare a Manifest (OMB Control number 2050-0039) on EPA Form 8700-22, and, if necessary, EPA Form 8700-22A, according to the instructions included in the appendix to this part. Specifically, FedEx Ground transported hazardous waste generated at terminal locations throughout Florida to the Orlando hub without preparing a hazardous waste manifest.

Corrective Action: FedEx Ground should cease transport of hazardous waste for which a manifest is required within the State of Florida.

Type: Violation

Rule: 62-737.400(5)(b), 62-737.400(5)(b)1.

Explanation: Universal waste lamps, devices or the containers in which they are stored shall be labeled or marked clearly as follows: For universal waste lamps, the words "Spent Mercury-Containing Lamps for Recycling", "Universal Waste Mercury Lamps", "Waste Mercury Lamps" or "Used Mercury Lamps"; Specifically, two boxes of lamps in the Processing Area were not labeled.

Corrective Action: FedEx Ground must ensure all containers of universal waste are properly labeled and managed. Within 30 days of receipt of this report FedEx Ground should provide written documentation that containers of universal waste will be properly labeled and managed by personnel.

Type: Violation

Rule: 273.13(d)(1)

Explanation: A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and

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must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. One box of universal waste lamps was not closed, a lamp was extending from the top of the box.

Corrective Action: FedEx Ground must ensure all containers of universal waste are kept closed, except when adding or removing waste. Within 30 days of receipt of this report, FedEx Ground should provide written assurances that containers of universal waste will be kept closed.

Type: Violation

Rule: 62-737.400(5)(a)

Explanation: Fragile universal waste devices, universal waste lamps crushed per paragraph (6)(b) below, and lamps or devices showing evidence of leakage, spillage, or damage that could cause leakage, shall be placed in closed containers that are structurally sound; compatible with the universal waste lamp or device; and that lack evidence of leakage, spillage or damage that could allow leakage. Specifically, mercury thermostats in the Processing Area were not managed in a way that protected the devices from damage.

Corrective Action: FedEx Ground must ensure fragile universal waste devices are protected from damage and placed in closed, structurally sound containers. Within 30 days of receipt of this report, FedEx Ground should provide written assurances that fragile universal waste devices will be properly managed.

PHOTO ATTACHMENTS:

1. Paint contaminated debris



2. Lead acid batteries



3. Aerosol cans



4. Universal waste lamp boxes



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5. Fume hood work table



6. Boxes of universal waste and freon container



7. Uncontained mercury thermostats



8. Unidentified wastes



9. Wastes in storage



10. Wastes in storage

**Conclusion:**

FedEx Ground Package System, Inc. was inspected as a small quantity generator of hazardous waste and was not in compliance at the time of this inspection.

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1.0 - Pre-Inspection Checklist

Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.12	✓		
1.2	Has the facility notified of change of status? 62-730.150(2)(b)			✓
1.3	Did the facility conduct a waste determination on all wastes generated? 262.11	✓		

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Signed:

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62 -740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C.

John E. White

Principal Inspector Name

Inspector

Principal Inspector Title**Principal Inspector Signature**

DEP

Organization

11/07/2017

Date

Michael Eckoff

Inspector Name

Inspector

Inspector Title

FDEP

Organization

James Turner

Representative Name

Assistant Hub Manager

Representative Title

FedEx Ground

Organization

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

Eduard Kotylar

Representative Name

Manager - Facility Main Hub B

Representative Title

FedEx

Organization

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

Report Approvers:**Approver:**

Christine Daniel

Inspection Approval Date:

11/07/2017