



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

NOV 15 2018

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Kevin O'Donnell  
Northeast Regional Operations Manager  
Stericycle Specialty Waste Solutions Inc.  
8505 NW 74th Street  
Miami, Florida 33166

SUBJ: Resource Conservation Recovery Act (RCRA) Compliance Evaluation Inspection (CEI)  
Stericycle Specialty Waste Solutions Inc.  
EPA ID Number: FL0000702985

Dear Mr. O'Donnell:

On August 8, 2018, the U.S. Environmental Protection Agency, along with the Florida Department of Environmental Protection, conducted a RCRA CEI at Stericycle Specialty Waste Solutions Inc. located in Miami, Florida to determine the facility's compliance status with RCRA and applicable regulations. This RCRA CEI was an EPA-lead inspection.

The EPA has determined that the facility may not be in compliance with several requirements of the Florida Statutes (F.S.) Chapter 403.702 et seq., (Subtitle C of RCRA, 42 U.S.C. §§ 6921 to 6939(g)), and the regulations promulgated pursuant thereto, found at Florida Administrative Code (F.A.C.), Chapters 62-710, 62-730, and 62-737 [Title 40 of the Code of Federal Regulations (C.F.R.) Parts 260 through 279] based on potential deficiencies observed during the CEI. The observations made during the inspection are summarized in the attached RCRA CEI Report.

Please provide a detailed written response within fourteen (14) days following receipt of this letter describing any actions that Stericycle Specialty Waste Solutions Inc. has taken and/or intends to take related to the observations documented in the RCRA CEI Report. Your response should be mailed to:

Parvez Mallick  
Hazardous Waste Enforcement Section  
Enforcement and Compliance Branch  
Resource Conservation and Restoration Division  
U.S. EPA, Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303

Stericycle Specialty Waste Solutions Inc. is also being offered the opportunity to meet with the EPA at its regional office located at the Sam Nunn Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, Georgia, 30303, or by teleconference, to show cause why the EPA should not take formal enforcement action against Stericycle Specialty Waste Solutions Inc. pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a). Stericycle Specialty Waste Solutions Inc. may elect to be represented by legal counsel at this meeting and should be prepared to present relevant information and documentation pertaining to the EPA's observed deficiencies.

The EPA may determine that a formal enforcement action is appropriate and may assess civil penalties pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a). Therefore, Stericycle Specialty Waste Solutions Inc. has the opportunity to present factors and documentation that could mitigate any penalties that may be assessed against the facility, including information on Stericycle Specialty Waste Solutions Inc. ability to pay a penalty. Prior to the meeting, Stericycle Specialty Waste Solutions Inc. may review the RCRA Civil Penalty Policy found at:

<http://www2.epa.gov/sites/production/files/documents/rcpp2003-fnl.pdf>,  
and the revised penalty matrices found at:  
<https://www.epa.gov/sites/production/files/2018-01/documents/amendmentstotheepacivilpenaltypoliciesoaccountforinflation011518.pdf>

Please be advised that any information provided by Stericycle Specialty Waste Solutions Inc. at the meeting may be used by the EPA in any civil or criminal proceedings related to this or other matters. Any false, fictitious, or fraudulent material omissions, statements, or representations may subject Stericycle Specialty Waste Solutions Inc. to criminal penalties under Section 3008(d)(3) of RCRA, 42 U.S.C. § 6928(d)(3).

If Stericycle Specialty Waste Solutions Inc. chooses to accept this offer to meet with the EPA, the facility should contact **within fourteen (14) days** following receipt of this letter to schedule a meeting or conference call. Parvez Mallick can be reached at (404) 562-8594 or by email at [mallick.parvez@epa.gov](mailto:mallick.parvez@epa.gov). If you decide not to accept this offer to meet to discuss the observed deficiencies, the EPA may proceed with enforcement action against Stericycle Specialty Waste Solutions Inc. as authorized under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), including the assessment of appropriate civil penalties and injunctive relief.

If Stericycle Specialty Waste Solutions Inc. is a Small Business or a Small Community, you can find compliance and enforcement resources specifically designed to meet your needs at: <http://www2.epa.gov/enforcement/small-businesses-and-enforcement>. In that webpage you can find information about the Small Business Regulatory Enforcement Fairness Act (SBREFA) that accords some rights to small businesses and is aimed at providing assistance to small businesses and other small entities, making tools available for better understanding of the regulatory and enforcement processes, and seeing that there is no unfair treatment relating to the regulatory enforcement process.

Please feel free to contact Parvez Mallick if you have any technical questions regarding the observations and findings from the inspection performed at Stericycle Specialty Waste Solutions Inc.'s facility.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry L. Lamberth", with a long horizontal flourish extending to the right.

Larry L. Lamberth  
Chief, Enforcement and Compliance Branch  
Resource Conservation and Restoration Division

Enclosure

cc: Glen Perrigan, FDEP HQ  
Norva Blandin, FDEP SE District



**United States Environmental Protection Agency  
Region 4, Atlanta, Georgia  
Compliance Evaluation Inspection Report**

**1) INSPECTOR AND AUTHOR OF REPORT**

Parvez Mallick, Environmental Engineer  
Hazardous Waste Enforcement and Compliance Section  
Enforcement and Compliance Branch  
Resource Conservation and Restoration Division (RCRD)  
U.S. Environmental Protection Agency – Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303

Phone: (404) 562-8594  
Fax: (404) 562-8566  
E-mail: mallick.parvez@epa.gov

**2) FACILITY INFORMATION**

Stericycle Specialty Waste Solutions Inc.  
8505 NW 74th Street  
Miami, Florida 33166  
Miami-Dade County  
Latitude / Longitude: 25° 50' 27.0"/80° 20' 4.0"  
Phone number: (305) 436-9084  
EPA ID Number: FL0000702985  
SIC Code: 4212 - Trans. & Utilities - Local Trucking, without Storage  
NAICS Number: 562112 – Hazardous Waste Collection  
Website: <https://www.stericycle.com>

**3) RESPONSIBLE OFFICIALS**

Kevin O'Donnell, Northeast Regional Operations Manager, Stericycle Specialty Waste Solutions Inc.

**4) INSPECTION PARTICIPANTS**

Kevin O'Donnell, Stericycle Specialty Waste Solutions Inc.  
Williams Gonzalez, Stericycle Specialty Waste Solutions Inc.  
Norva Blandin, Florida Department of Environmental Protection  
Glen Perrigan, Florida Department of Environmental Protection  
Kayla Acosta, Florida Department of Environmental Protection  
Robert Berberena, Florida Department of Environmental Protection  
Parvez Mallick, U.S. EPA Region 4



5) **DATE OF INSPECTION**

August 8, 2018, 10:30 a.m.

6) **APPLICABLE REGULATIONS**

Chapter 403 of the Florida Statutes, Fla. Stat. § 403.702 *et seq.*, and rules 62.710.210 -.901, and 62-730 *et seq.* of the Florida Administrative Code Annotated (Fla. Admin. Code Ann.).

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.

7) **PURPOSE OF COMPLIANCE EVALUATION INSPECTION**

On August 8, 2018, the U.S. Environmental Protection Agency, Region 4 inspector, Parvez Mallick, accompanied by Florida Department of Environmental Protection (FDEP) inspectors, Norva Blandin, Glen Perrigan, Kayla Acosta, Robert Berberena, and Daniel Lopez arrived at Stericycle Specialty Waste Solutions Inc. (hereinafter, Stericycle or facility) to inspect the facility to determine its compliance status with both RCRA and the State of Florida hazardous waste regulations. This was an EPA lead compliance evaluation inspection (CEI). Stericycle was represented by Mr. Kevin O'Donnell, Northeast Regional Operations Manager and Mr. Williams Gonzalez, Field Service Manager of Stericycle Specialty Waste Solutions 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.

8) **FACILITY DESCRIPTION**

Stericycle is located in an 8-acre industrial complex occupying 20,400 sf unit of the building and its adjacent fenced parking lot. Stericycle's trucks are parked in the back (north) section of the complex's parking lot. The administrative office is in the back of the property inside a trailer. Stericycle Specialty Waste Solutions Inc. has operated from this location since May 21, 2009. Stericycle uses City of Miami-Dade utilities (sewer and water).

The facility is a Client Service Center, serves as a 10-day Truck-to-Truck Transfer; Transportation & Disposal; Lab pack; House-hold Hazardous Waste services; Remediation, and Emergency Response. The facility operates 8 box trucks from this location. The facility employs 20 people with operating hours from 8 a.m. to 5 p.m., Monday to Friday, for office personnel and in two shifts from 6 a.m. to 11 p.m., Monday to Sunday, for waste pick-up personnel.

The facility notified FDEP on January 9, 2018, as a large quantity generator of hazardous waste, a large quantity handler of universal waste, an used oil transporter and transfer facility, and a pharmaceutical reverse distribution facility. Pharmaceutical wastes are managed under the Florida's Universal Pharmaceutical Waste (UPW) Rule. Stericycle's registration for operating as a used oil transporter, used oil transfer facility, used oil filter transporter, used oil filter transfer facility, and hazardous waste transfer facility expired on June 30, 2018.

Stericycle is also authorized by Florida to manage conditionally exempt small quantity generator (CESQG) hazardous waste. This allows longer time limits for storage on site. Stericycle has also notified a large quantity handler of universal waste and an importer of hazardous waste.

## 9) **PROCESS DESCRIPTION**

The facility is comprised of a single building with a storage warehouse and a trailer office in front of the warehouse. The warehouse is segregated into distinct staging areas. There is a fenced in area for DEA regulated pharmaceutical waste to control access and floor space that has been designated for specific waste types. At the time of the inspection, the warehouse had rows for the following wastes: CESQG waste, universal waste, universal pharmaceutical waste, 10-day hazardous waste, non-hazardous maritime waste, and non-hazardous retail store waste.

This facility is mainly focused on servicing cruise ships, retail home improvement stores, and the medical industry by transporting hazardous, non-hazardous waste, and universal pharmaceutical waste. Prior to picking up hazardous waste, generators submit a waste profile to Stericycle. Stericycle submits the profile to the appropriate disposal facility for approval. If the disposal facility is willing to accept the waste, Stericycle provides the generator with a description of the waste and an acceptance letter. Stericycle then schedules a date and time for transport. The waste is transported to Stericycle's facility and stored on-site, in a trailer or warehouse, for no more than 10 days.

## 10) **INSPECTON FINDINGS**

A walk-through inspection of the facility was performed with Stericycle's representatives, Mr. Kevin O'Donnell and Mr. Williams Gonzalez. Below is a description of the observations made in the various areas of the facility inspected.

Wastes entering the 10-day area of the warehouse are off-loaded and placed in a check-in area to verify the condition and quantity of containers. Containers in good condition are reloaded onto trailers. Containers that are not in good condition are replaced and the containers are then reloaded onto trailers.

Wastes being accepted into the warehouse, such as CESQG waste, universal pharmaceutical waste, hazardous waste, and non-hazardous wastes are inspected and stored in the appropriate area. Hazardous waste pharmaceuticals are labeled as universal pharmaceutical waste when they enter the warehouse but are relabeled "Hazardous Waste" for shipment off-site.

### **10-Day Bulk Liquids**

The inspectors identified the following wastes in the 10-day bulk liquids area:

- Five 55-gallon drums of hazardous waste, closed and labeled Photo Waste - Silver (EPA Waste Code D011) with accumulation start dates of 08/05/2018;
- Three 55-gallon closed and labeled drums of hazardous waste - x-ray film to be recycled. There was inadequate aisle space observed for row one due to several stacked wooden pallets in front of the waste;
- Two 5-gallon containers of hazardous waste - Silver Thiosulfate/fixer solution closed and labeled with accumulation start dates 08/03/2018 and 08/07/2018;
- One 55-gallon drum of non-hazardous refrigeration oil closed and labeled;

- One 5-gallon container of non-hazardous oxygen cylinders closed and labeled.
- One 5-gallon containers of hazardous waste - Calcium Hypochlorite, Sodium Hypochlorite (EPA Waste Code D001), closed and labeled with an accumulation start date of 08/06/2018;
- Four 5-gallon containers of hazardous waste - Hypochlorite Solid Loose packs, closed and labeled with accumulation start dates of 8/06/2018 and 8/07/2018.

Adjacent to the 10-day bulk liquid area, there were four wooden pallets with several cardboard boxes of electronic waste all closed and labeled with a description of the contents and accumulation start dates.

#### **Non-Hazardous/Non-Regulated Liquids**

Towards the south end of the warehouse there were two rows of 55-gallon drums labeled as non-hazardous, non-regulated liquids (10% Formalin w/tissue) which were stacked on wooden pallets four drums high. The inspectors observed 72 55-gallon drums. All containers were closed and labeled with accumulation start dates ranging from 7/24/2018 - 8/6/2018. The stacked containers did not have adequate aisle space to be able to inspect the whole area.

There were two wooden pallets containing 12 15-gallon containers of "Non-hazardous, Non-Regulated" formalin solution (10% Formalin w/tissue) across from the two rows of the non-hazardous liquids. There were additional nine 30-gallon containers of "Non-hazardous, Non-regulated" liquids (10% Formalin w/tissue). All containers were closed and labeled and had accumulation dates ranging from 7/31/2018 - 8/06/2018.

#### **Non-Hazardous Pharmaceutical Waste/DEA Regulated Pharmaceutical Waste**

This is a caged off area on the southwest side of the warehouse where DEA regulated pharmaceutical waste and non-hazardous pharmaceutical wastes are stored. No controlled substances were observed in this area during the inspection. Mr. Kevin O'Donnell stated that non-hazardous pharmaceutical waste is shipped out every 30 days.

The inspectors observed eight wooden pallets, each containing 24 boxes, and one wooden pallet containing eight boxes, of non-hazardous, non-regulated pharmaceuticals labeled as "Non-viable outdated/expired pharmaceuticals" (Picture #1). A total of 200 boxes, equipped with double-bags were observed closed and labeled as non-hazardous pharmaceutical waste with accumulation start dates. Not all boxes could be inspected due to inadequate aisle space.

In order to confirm that the contents of the boxes were the non-hazardous pharmaceutical waste described on the label, the inspectors requested two boxes be opened during the inspection. *The inspectors observed that the two boxes designated as non-hazardous pharmaceutical waste contained both pharmaceutical waste (medicine vials and pill bottles) as well as biomedical waste (IV bags, needles, and blood), comingled within the same bags (Pictures #2-5).*

Additionally, within the caged area the inspectors observed 49 55-gallon drums containing non-hazardous pharmaceutical waste. All containers were closed and labeled with accumulation start dates ranging from 7/18/2018 - 7/25/2018. *At the request of the inspectors, a 55-gallon drum of non-hazardous pharmaceutical waste was opened for inspection. The inspectors observed that the two boxes designated as non-hazardous pharmaceutical waste contained both pharmaceutical waste and biomedical waste (IV bags, syringes, filled catheter).* Also, the



inspectors observed 11 30-gallon drums of non-hazardous/non-regulated laboratory trash were observed closed and labeled within the caged area.

In an email dated October 1, 2018, Mr. Jeffrey Davis, Compliance Manager, of Stericycle stated that "non-viable outdated/expired pharmaceuticals wastes" picked up from hospital/medical facility are packaged and prepared by Stericycle staff at the hospital (generator site) for shipment to Stericycle. Stericycle staff executes the pre-transportation functions on behalf of the generator. It appears that Stericycle staff are actively comingling universal pharmaceutical waste with biomedical waste at the hospital.

**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 in to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11].**

**Pursuant to Fla. Admin. Code Ann. r. 62-701.300(6)(b), no solid waste, including treated biomedical waste, shall be commingled with untreated biomedical waste unless the solid waste is being managed in the same manner as the untreated biomedical waste.**

**Pursuant to Fla. Admin. Code Ann. r. 62-730.186(3), if hazardous waste pharmaceuticals are not managed as universal waste in accordance with the Florida Universal Pharmaceutical Waste rules, Chapter 62-730.186, F.A.C., they shall be managed in accordance with Chapter 62-730 as hazardous waste, and shall be disposed of at a permitted hazardous waste treatment, storage or disposal facility.**

### **Universal Waste**

Stericycle has chosen to manage universal waste lamps and batteries pursuant to Fla. Admin. Code Ann. R. 62-730.185 [40 C.F.R. Part 273]. Stericycle has chosen to manage pharmaceutical wastes pursuant to Fla. Admin. Code Ann. r. 62-730.186, Florida's universal pharmaceutical waste rules.

Universal wastes (universal waste lamps, universal waste batteries, universal pharmaceutical waste) were located on the west side of the warehouse. The different universal wastes did not have specified designated areas as observed by the inspectors. The universal pharmaceutical waste was located on a pallet in the middle of the aisle on the west side of the warehouse. A pallet containing hazardous waste, which is described below, was next to the universal waste lamps and not in the 10-day hazardous waste staging area.

The inspectors observed the following universal waste batteries in this area:

- Four 55-gallon drums of spent alkaline batteries;
- One 30-gallon drum of spent alkaline batteries open;
- One 50-gallon drum of universal waste spent lead acid batteries and one 30-gallon drum of universal waste spent lead acid batteries. Accumulation start dates were 7/17/2018 and 7/19/2018;
- One 55-gallon drum of universal waste lithium batteries closed and labeled with an accumulation start date of 6/7/2018;

- One 55-gallon drum of universal waste NiCad batteries closed and labeled with an accumulation start date of 4/27/2018;
- One 55-gallon open drum of universal waste NiCad batteries with an accumulation start date of 5/3/2018 (Pictures #6-7);
- One 5-gallon closed and labeled container of non-PCB ballasts with an accumulation start date of 8/6/2018;
- One 5-gallon cardboard box closed and labeled universal waste alkaline & NiCd batteries with an accumulation start date of 7/5/2018.

**Pursuant to Fla. Admin. Code Ann. r. 62-737.400(5) [40 C.F.R. § 273.33(a)(1)], a large quantity handler of universal waste must manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment. *The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.***

Towards the center of the warehouse were several wooden pallets of universal waste lamps. The inspectors observed the following:

- Eleven boxes of 4-foot universal waste fluorescent lamps were observed, closed and labeled with accumulation start dates from 2018;
- Two boxes of ink cartridges closed and labeled;
- Sixteen boxes of fluorescent lamps all closed and labeled with accumulation start dates from 2018;
- One cubic yard box of electronic waste closed and labeled with an accumulation start date of 8/4/2018;
- Two 30-gallon drums of universal waste lamps, closed and labeled with accumulation start dates of 7/16/2018 and 7/31/2018;
- One 55-gallon drum of universal waste lamps, closed and labeled with an accumulation start date of 8/6/2018.

The inspectors observed the following hazardous wastes in front of the universal waste lamps pallet:

- One 30-gallon drum of hazardous waste tetrachloroethylene (EPA waste code D039/F002), closed and labeled with an accumulation start date of 08/07/2018;
- One 55-gallon drum of hazardous waste tetrachloroethylene (EPA Waste Code D039/F002), closed and labeled with an accumulation start date of 08/07/2018.

#### **Universal Pharmaceutical Waste (UPW)**

Adjacent to the universal waste was one wooden pallet containing UPW. The inspectors observed the following:

- One 1-gallon container of alcohol, cresols closed and labeled with an accumulation start date of 8/7/2018;
- Five 5-gallon containers of alcohol, cresols closed and labeled with accumulation start dates ranging from 8/6/2018 to 8/7/2018;
- Seven 18-gallon containers of alcohol, cyclophosphamide, closed and labeled with an accumulation start date of 8/6/2018.

### **Retail Store Waste**

In the center of the warehouse was a staging area of recently unloaded retail store waste from a Stericycle truck. There was one row of different types of waste such as non-hazardous waste, flammable waste, and corrosive wastes stored and shrink-wrapped together. Eleven wooden pallets containing approximately 85 containers ranging from 5-gallons to 55-gallons of non-hazardous waste, flammable waste, and corrosive waste were stored side by side and stacked on top of each other were observed. There was inadequate space to inspect all the containers (Picture #8). Containers that were inspected were closed, labeled, and marked with an accumulation start date.

Pursuant to Fla. Admin. Code Ann. r. 62-730.171(4)(a), a transfer facility shall comply with 40 C.F.R. Part 265 Subparts I (management of containers), with the exception of 265.13, as adopted by reference in subsection 62-730.180(2), F.A.C. Fla. Admin. Code Ann. r. 62-730.180(2) [40 C.F.R. § 265.35], requires the owner or operator of a transfer facility is required to 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.

**Pursuant to Fla. Admin. Code Ann. r. 62-730.171(4)(a) , which incorporates Fla. Admin. Code Ann. r. 62-730.180(2) [40 C.F.R. § 265.177], requires a storage container holding a hazardous waste that is incompatible with any waste or other materials stored nearby in other containers, piles, open tanks, or surface impoundments must be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.**

### **Maritime Wastes**

Maritime wastes come from cruise lines and includes non-hazardous waste, used oil, and hazardous waste. The inspectors observed the following maritime wastes:

- Sixteen 55-gallon drums of non-hazardous economizer/wash water, closed and labeled with accumulation start dates;
- Twelve 55-gallon drums of oily rags, closed and labeled;
- Eight 55-gallon drums of sewage sludge, closed and labeled;
- Eight 55-gallon drums of grease trap waste, closed and labeled;
- Eight 55-gallon drums of oily debris, closed and labeled;
- Four 55-gallon drums of non-hazardous waste liquids, closed and labeled;
- One 55-gallon drum of empty oil cans, closed and labeled;
- One 30-gallon drum of non-hazardous waste of buffered formalin, closed and labeled;
- Three boxes of non-hazardous waste solids, closed and labeled;
- One 30-gallon drum of used oil, closed and labeled.

The inspectors observed spill kits, eye/shower area, fire extinguishers, internal communication system, fire prevention measurements, and evacuation maps throughout the facility. However, the evacuation maps were missing the locations of where hazardous wastes are stored within the warehouse.

### **Records Review**

After the facility tour, the inspectors reviewed permits, manifests, training records, contingency plan, records of shipments/logs for hazardous waste, non-hazardous waste, pharmaceutical



waste, and medical waste. Used oil acceptance and delivery records (used oil, used oil filters, oily rags, oily water) were kept on site and electronically for the last three years. The facility is currently no longer transporting used oil.

The file review of used oil operation logs showed used oil storage did not exceed 35 days (Pursuant to Fla. Admin. Code Ann. r. 62-710.300(1)(d) [40 C.F.R. § 279.45(a)]). During the time of inspection, Stericycle's registration was expired as a transfer facility for used oil. This registration expired on June 30, 2018. The inspectors requested additional information regarding the used oil transporter requirements. Based on the file review, during the period of June 30, 2018, to the date of the inspection, the facility did not store any used oil for more than 35 days. The last used oil activity was on June 12, 2018.

#### **Hazardous Waste Transfer Facility Registration and Manifests**

Based on the records review, the inspectors discovered that Stericycle's hazardous waste transfer facility registration had expired on June 30, 2018, and has not been renewed. The Miami facility (EPA ID FL0000702985) has been operating as a hazardous waste transfer facility since July 1, 2018, without renewing their registration with FDEP as required by Fla. Admin. Code Ann. r. 62-730.171(2)(d). Stericycle had not submitted Form 62-730.900(1)(b), "8700-12FL – Florida Notification of Regulated Waste Activity" to re-notify annually at the time of the inspection.

**Pursuant to Fla. Admin. Code Ann. r. 62-730.171(2)(d), a transfer facility shall re-notify annually by submitting Form 62-730.900(1)(b), "8700-12FL – Florida Notification of Regulated Waste Activity," effective date 4-23-13, which is adopted and incorporated by reference at paragraph 62-730.150(2)(a), F.A.C., and evidence of the transporter's financial responsibility as required under subsection 62-730.170(3), F.A.C. Any changes in the transfer facility's operations or information as reported on the last annual notification shall be reported on this form in the next annual re-notification.**

In addition, on April 19, 2018, Stericycle sent a request to the FDEP to terminate their hazardous waste transporter registration for their facility located in Miami. This termination became effective on May 16, 2018. During the inspection, Stericycle representatives stated that Stericycle was using EPA ID MNS000110924 (a registered Stericycle hazardous waste and used oil transporter in MN) for their hazardous waste transporting activities in Florida. Stericycle is transporting hazardous waste to the transfer facility location in Miami, prior to shipment it to its' final destination. Additionally, Stericycle sometimes uses a second transporter, Chem Klean Corp. (EPA ID FLR000220954) who is registered and certified as a hazardous waste and used oil transporter (registration expiration date is June 30, 2019), to transport its hazardous waste. Hazardous waste is sent to Allworth, LLC facility in Birmingham, Alabama (EPA ID number ALD094476793).

Stericycle maintains records for at least three years in files and a database. The records review indicated that Stericycle was accepting and transporting soaked pyrotechnics waste from Carnival Cruise Lines. Based on information received during the inspection, it also appears that Stericycle is managing and packaging waste at the Carnival Cruise Lines port prior to the waste being shipped to Stericycle.



Pyrotechnic waste is potentially a D001 and/or D003 hazardous waste due to its flammable and reactive characteristics. Carnival Cruise Lines was not using EPA Form 8700-22 for hazardous waste shipments. The non-hazardous waste manifests are as follow: 257391-18 (dated 10/28/16) and 225479-16 (dated 09/30/16). No rejected waste manifest or manifest discrepancy reports have been filed during this period.

**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 in to Fla. Admin. Code Ann. r. 62-730.160(1) [40 C.F.R. § 262.11].**

Non-hazardous waste and universal pharmaceutical waste is sent to Stericycle Specialty Waste Solutions in Orlando, FL (EPA ID number FLR000006353). Bio-medical waste is sent to Sunbelt Medical Services, Inc. located in Sardis, Georgia.

#### **Hazardous Waste 10-Day Operations Logs**

Inbound and outbound logs were reviewed and copies were provided during the inspection. It was discovered that on multiple occasions hazardous waste was being stored for longer than ten days at the facility. The following manifested hazardous wastes were stored longer than ten days:

<b>Generator Name</b>	<b>Manifest Tracking Number</b>	<b>Transfer Facility Acceptance Date</b>	<b>Transfer Facility Shipped Out Date</b>	<b>Over 10-Day Period</b>
Holland Cruise Line	013751889JJK	01/10/2016	01/28/2016	8
Carnival Cruise Line	010964125JJK	08/11/2016	08/24/2016	3
Carnival Cruise Line	010964098JJK	07/09/2016	07/26/2016	7
Carnival Cruise Line	010964085JJK	06/11/2016	07/01/2016	10
	010964125JJK	08/11/2016	08/24/2016	3
	015773933JJK	02/21/2016	03/13/2016	11

**Pursuant to Fla. Admin. Code Ann. r. 62-730.171(1) [40 C.F.R. 263.12] [as adopted by reference in subsection Fla. Admin. Code Ann. r. 62-730.170(1)], states that transporters who store manifested hazardous waste in proper containers at a transfer facility for 10 days or less are exempt from regulation as a hazardous waste facility. If the waste is stored for more than 10 days, a facility is subject to the permitting requirements for a hazardous waste storage facility.**

The inspectors reviewed 2016-2018 hazardous waste manifests. According to the facility representative, 2015 hazardous waste manifests were damaged by sewer backflow to the trailer office. Weekly inspection logs for hazardous waste containers were available for review; however, one of the five elements (the number of containers) as required by Fla. Admin. Code Ann. r. 62-730.160(5), was missing. The last weekly inspection was conducted on 8/06/18.

**Pursuant to Fla. Admin. Code Ann. r. 62-730.160(5), “a generator shall keep the written documentation of the inspections under this section for at least three years from the date of the inspection. At a minimum, this documentation shall include the date and time of the inspection, the legibly printed name of the inspector, the number of containers, the condition of the containers, a notation of the observations made, and the date and nature of any repairs or other remedial actions.”**

The inspectors reviewed Stericycle’s contingency plan (CP), including their proof of notification to the local authorities. The CP did not include the locations of the 10-day hazardous waste storage areas and other staging areas, an explosion scenario and a copy of the evacuation map describing the location of all the fire extinguishers, spill kits, hazardous waste storage areas and evacuation routes. The inspector requested that Stericycle update their CP.

**Pursuant to Fla. Admin. Code Ann. r. 62-730.171(4)(a) [40 C.F.R. § 263.12(a)], which incorporates Fla. Admin. Code Ann. r. 62-730.180(2) [40 C.F.R. § 265.52], a transfer facility shall comply with the following requirements of content of contingency plan, (a) The contingency plan must describe the actions facility personnel must take to comply with §§ 262.260 and 262.265 in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility; (c) The plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services, pursuant to § 264.37; (e) The plan must include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.**

Employee Training Plan (last training was conducted July 7, 2018) indicated that all employees have received initial and annual hazardous waste and used oil training, including training concerning the facility’s proper hazardous waste and used oil handling, storage, and spill cleanup procedures.

**11) FOLLOW-UP**

The EPA continues to review additional information submitted by Stericycle as well as information obtained as part of the information request. The EPA may amend this report, or provide a follow-up report, upon the conclusion of the review of this information.

**12) SIGNED**



Parvez Mallick  
Inspector and Author of Report  
Hazardous Waste Enforcement and Compliance Section

11/15/18  
Date

13) CONCURRENCE AND APPROVAL



Alan Annicella, Chief  
Hazardous Waste Enforcement and Compliance Section  
Enforcement and Compliance Branch



Date





**CEI photos were taken by Parvez Mallick**  
**Canon PowerShot SD980 IS - EPA Property Number S75319**



Picture #1 – Pallet of wastes that have been designated as containing non-hazardous, non-regulated pharmaceuticals (“Non-viable outdated/expired pharmaceuticals”)



Picture #2 – Comingled pharmaceutical waste and biomedical waste within the same bag.



Picture #3 – Comingled pharmaceutical waste and biomedical waste within the same bag.



Picture #4 – Comingled pharmaceutical waste and biomedical waste within the same bag.





Picture #5 – Comingled pharmaceutical waste and biomedical waste within the same bag.



Picture #6 – Open Container of Universal Waste Batteries.



Picture #7 – Open Container of Universal Waste Batteries.



Picture #8 – Flammable and corrosive wastes containers stored together with inadequate aisle space.