



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

FACILITY INFORMATION:

Facility Name: NRC Environmental Services Inc
On-Site Inspection Start Date: 08/15/2019 **On-Site Inspection End Date:** 08/15/2019
ME ID#: 58751 **EPA ID#:** FLD099077257
Facility Street Address: 6900 NW 12th Ave , Fort Lauderdale , Florida 33309-1103
Contact Mailing Address: 901 McClosky Blvd, Tampa, Florida 33605-6717
County Name: Broward **Contact Phone:** (813) 241-0282

NOTIFIED AS:

Transporter
Used Oil
VSQG

INSPECTION TYPE:

Routine Inspection for Hazardous Waste Transporter Facility
Routine Inspection for Used Oil Transporter Facility
Routine Inspection for VSQG (<100 kg/month) Facility
Routine Inspection for Universal Waste Transporter Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Jared T Heyns, Inspector
Norva Blandin, Environmental Manager; Carlos Grajeda, Environmental Specialist II;
Other Participants: Shawn McKenzie, Branch Manager; Penny Fulton, Service Center Administrator

LATITUDE / LONGITUDE: Lat 26° 12' 36.2618" / Long 80° 9' 35.1617"

NAIC: 562112 - Hazardous Waste Collection

TYPE OF OWNERSHIP: Private

Introduction:

On August 15, 2019 (08/15/2019), three (3) representatives of the Florida Department of Environmental Protection (DEP) conducted a routine hazardous waste compliance evaluation inspection (CEI) of National Response Corporation Gulf Environmental Services, Inc. (NRC).

During the inspection, NRC was represented by Mr. Shawn McKenzie, Branch Manager and Ms. Penny Fulton, Service Center Administrator. DEP was represented by Ms. Norva Blandin, Environmental Manager, Mr. Carlos Grajeda, Environmental Specialist II, and Mr. Jared Heyns, Environmental Specialist II.

NRC acquired the former SWS Environmental Services operation in October 2018; however, this facility became operational over ten (10) years ago. NRC employs approximately 10 people at this location, and is connected to city utilities.

Notification History:

The facility's most recent notification was received by the Department on July 19, 2019 (07/19/2019):

- > Very Small Quantity Generator (VSQG).
 - > Hazardous Waste Transporter (HWTR) - expiration 06/30/2020.
 - > Universal Waste Lamp Transporter (UWLT) - expiration 03/01/2020.
 - > Universal Waste Device Transporter (UWDT) - expiration 03/01/2020.
 - > Used Oil Transporter (UOT) - expiration 06/30/2020.
 - > Used Oil Filter Transporter (UOFT) - expiration 06/30/2020.
- > The facility initially notified the Department as Outdoor World Distributors Inc. on 09/26/1986 as a Generator of

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hazardous waste. The notification (EPA Form 8700-12) assigned the EPA Identification (EPAID) number FLD099077257.

Inspection History:

- > Inspection on 03/23/2017 which resulted with the facility being in-compliance at the time of the inspection.
- > Inspection on 01/10/2012 with minor areas of concern, which were resolved without formal enforcement action via document submittal on 01/13/2012.

Personal Protective Equipment (PPE) was required to enter the facility, and Department inspectors wore safety boots and safety glasses throughout the walk-through portion of the inspection.

Process Description:

NRC is primarily an emergency response company; however, on rare occasions the scheduled transport of hazardous waste (HW) and universal waste (UW) is conducted. Operations include transport of used oil, used oil filters, petroleum-contact water, hazardous waste, and mercury lamps and devices. The facility consists of a front office, warehouse, and a fenced-in vehicle storage yard with a fleet composed of eleven (11) vehicles. No fleet maintenance operations are conducted on-site, and the facility currently does not generate or store HW for greater than 24 hours. Ms. Penny Fulton escorted the Department inspectors through the warehouse and vehicle storage yard to conduct a visual inspection of the facility operations.

Warehouse:

This area is primarily used for various storage of clean-up tools, empty drums, and vehicles. In this area, Department inspectors observed: two (2) pick-up trucks that were parked ready for deployment to a clean-up operation, an emergency evacuation map posted, several fire extinguishers, an eye/face wash station, and several two-way radios. No HW was observed in this area.

Vehicle Storage Yard:

This area is fenced-in and under controlled access at all times. At the time of the inspection, Department inspectors observed six (6) vehicles in this area: two (2) vacuum trucks, one (1) combo truck, and three (3) pick-up trucks. All vehicles were empty of any contents and no HW was observed in this area.

Record Review:

Manifest records:

> Receiving and shipping records were available for review at the time of the inspection. NRC is an emergency response spill contractor for: private citizens (estate chemical clean-outs), local businesses, and various government entities including, but not limited to, U.S. Drug Enforcement Agency (DEA), U.S. Army, U.S. Air Force, U.S. Navy, U.S. Marines, U.S. Coast Guard, DEP, Department of Defense, and Department of Energy. Department inspectors viewed a large selection of manifest records from mostly 2018 and 2019 (Mr. McKenzie informed that most of the work conducted in 2017 consisted of confidential DEA pick-ups). Stericycle Specialty Waste Solutions, Inc. (EPA ID FL0000702985) is utilized as a secondary transporter for most of NRC's jobs to transport to its final destination at Allworth, LLC (EPAID ALD094476793), located at 500 Medco Road, Birmingham, AL, 36217. All manifests provided by NRC showed that the transporter held the wastes less than 24 hours and that the facility has the signed returned final copy. Based on the manifest review, it was confirmed that NRC does not operate as a HW Transfer facility.

> Department inspectors viewed transport records (bills-of-lading) demonstrating the facility conducted a HW pick-up of "fireworks" on 05/19/2017 for the City of Pompano Beach. Mr. McKenzie was not an employee of NRC at the time of this pick-up, and thus could not explain why bills-of-lading were used as opposed to the Uniform Hazardous Waste Manifest System. The Department asked for clarification in an exit interview via email on 08/20/2019. In a follow-up submittal received by the Department on 08/27/2019, Mr. Greg Williams (Environmental Compliance Manager) informed the Department that this pick-up was conducted as part of an incident response involving large-scale illegal manufacturing and distribution of commercial grade fireworks at a residential property location. NRC (SWS at the time of this pick-up) properly packaged and transported the fireworks as "Seized Criminal Evidence - Not a Waste" from the residential location to a secure property owned and under the control of the City of Pompano Beach. After being inventoried and photographed for evidence, the City of Pompano Beach released the hazardous materials to Clean Harbors, LLC.

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> Department inspectors observed several manifests that contained a signature on line #17 of the manifest for a Transporter #2, but did not list a 2nd transporter on the manifest. The Department asked for clarification and submittal of the manifests in question in an exit interview via email on 08/20/2019, and received a follow-up submittal via email on 08/27/2019. One (1) manifest (#010535618JJJ) contained a signature for a 2nd transporter, though no 2nd transporter was listed on the manifest. This appears to be an oversight on the part of the 2nd transporter. Mr. Greg Williams stated that in all other instances without a 2nd transporter listed, a second NRC driver took "care, custody, and control" of the pick-up. He stated that the second NRC driver signs the line #17 to "acknowledge compliance internally with 40 CFR 263.21(a)(3), that they have delivered the entire quantity of HW which he/she has accepted from a generator to the next designated transporter within the company". On these occurrences, another member of NRC staff received the waste shipment and transported the load directly to U.S. Ecology Florida (EPAID FLD981932494, permitted TSDF), located at 2002 North Orient Road in Tampa, FL.

> Department inspectors observed one (1) manifest (#020902503JJJ) in which a HW shipment (EPA waste codes D006 and D008) was accepted by NRC on behalf of Mount Sinai Medical Center (Mount Sinai, EPAID FLD982091290). Based on DEP records, Mount Sinai notified as a Non-Handler (NHR); therefore, the Department will schedule an inspection at Mount Sinai to determine the facility's compliance.

Liability Insurance:

> The facility provided the Department a Certificate of Liability Insurance certified by Zurich American Insurance Company (Policy Number W12054876) and supports the use of provision 62-730.170(2)(a) F.A.C. for automobile liability, that includes pollution prevention liability, in the amount of \$1,000,000, expiration date 03/16/2020.

Employee Training:

> NRC uses an online training system by Cornerstone for an initial training of all new employees, and monthly or annual refreshers (depending on the course) for each employee thereafter. This training meets all applicable requirements of 40 CFR 265.16. Department inspectors viewed 2018 and 2019 training records at the time of the inspection. Facility staff were unable to locate the 2017 training records during the inspection, and the Department asked for those records in an exit interview via email on 08/20/2019. The facility submitted the 2017 employee training records via email submittal on 08/27/2019.

Spill Prevention, Control, and Countermeasure (SPCC) Plan:

> The facility provided a SPCC plan and an Emergency Action plan for Used Oil and HW which contained the emergency coordinator, emergency contacts, emergency response strategy and reporting, spill control actions, spill control equipment, and discharge notification procedures. The plan was last revised on 07/08/2019, and all information is up-to-date. Each vehicle in the facility's fleet has a binder that contains the SPCC plan and all insurance information.

Hazardous Waste Transporter Certificate:

> NRC maintains a copy of the approval, issued by DEP, to transport hazardous waste - expiration date 06/30/2020.

Annual Vehicle Report:

> NRC provides regular annual vehicle inspection reports, which certify that the vehicles used to transport HW pass all the inspection items in accordance with 49 CFR Part 396. The most recent annual report was submitted on 02/20/2019.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	263.20(h)(4)
Explanation:	Department inspectors observed manifests which were not signed by the final destination facility and/or the second transporter, and facility staff was unable to locate the final signed copies at the time of the inspection. Manifest #010535618JJJ contained a signature for a 2nd transporter, though no 2nd transporter was listed on the manifest.

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Corrective Action: Please locate and submit to the Department copies of all requested manifests with the final destination facility signature and/or second transporter name and signature.

****This violation was resolved via document submittal on 08/27/2019. The final signed copies of all requested manifests were submitted via email. In all other instances where a Transporter #2 signature was observed on the manifest without a second transporter listed, another member of NRC staff received the waste shipment and transported the load within the State to U.S. Ecology Florida (EPAID FLD981932494), located at 2002 North Orient Road in Tampa, FL.**

Photo Attachments:

Manifest #010535618 - no 2nd transporter listed

PHOTO ATTACHMENTS:

Indoor warehouse



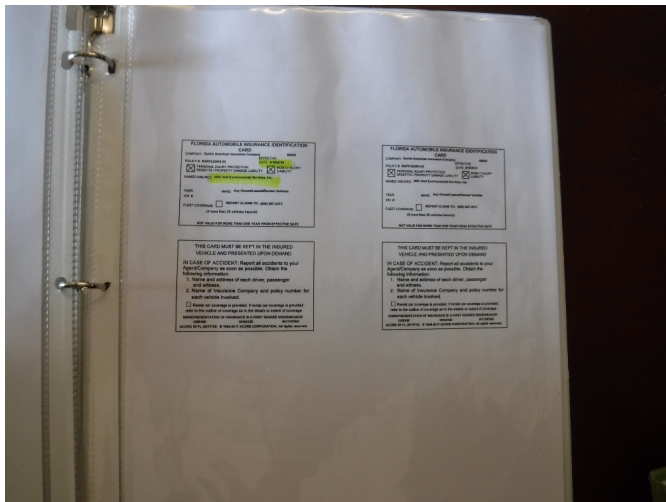
Outdoor vehicle storage yard



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Proof of HW Transporter insurance kept in every vehicle



View from outside the gate of vehicle storage yard



Conclusion:

A hazardous waste compliance inspection was conducted on this date, to determine the 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. During the inspection, the facility was found to be out of compliance for errors with the Uniform Hazardous Waste Manifest System.

An exit interview was provided via email to Mr. Shawn McKenzie and Ms. Penny Fulton on 08/20/2019. In the exit interview, the Department requested all HW transport manifest records and information pertaining to NRC's operations and employee training records for 2017.

The requested information and documentation was submitted via email to the Department by Mr. Greg Williams on 08/27/2019 and all items have been addressed. No further action is required at this time.

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2.0: VSQG 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.

Note: Checklist items with shaded boxes are for informational purposes only.

Item No.	Standards for Very Small Quantity Generators	Yes	No	N/A
2.1	Generator Size Determination (If the answer is No for any one question then facility is not a VSQG)			
2.2	Does the facility generate less than 100 kg/mo (220 lb/mo) of all hazardous wastes? 262.14(a)(1)	✓		
2.3	Does the facility generate less than 1kg/mo of acutely toxic (P-listed, 40 CFR 261.33(e)) hazardous wastes? 262.14(a)(1)	✓		
2.4	Does the facility accumulate onsite no greater than 1,000 Kilograms (2,200 pounds) of hazardous waste at any one time? 262.14(a)(4)	✓		
2.5	Does the facility accumulate onsite less than a total of 1 kg of acute hazardous waste listed in 261.31 or 261.33(e)? 262.14(a)(3)	✓		
Item No.	Hazardous Waste Determination	Yes	No	N/A
2.6	Has the facility properly identified all hazardous waste streams? (Check any that are not OK) 262.11 <input type="checkbox"/> Is it excluded under 261.4? <input type="checkbox"/> Is it listed in subpart D of 261 or appendix IX of 261? <input type="checkbox"/> Has the waste been analyzed? <input type="checkbox"/> Has generator knowledge of the hazard characteristics of the waste in light of the materials used been applied?	✓		
Item No.	Record Keeping	Yes	No	N/A
2.7	Has the facility documented delivery of its hazardous waste to a facility permitted or authorized to accept the waste? (Check any that are not OK) 262.14(a)(5) <input type="checkbox"/> Name and address of the generator and TSD/authorized facility. <input type="checkbox"/> Type and amount of hazardous waste delivered. <input type="checkbox"/> Date of shipment	✓		
2.8	Are written records and other receipts documenting proper disposal retained for at least 3 years? 62-730.030(2)	✓		

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6.0: Transporters 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.

Note: Checklist items with shaded boxes are for informational purposes only.

Item No.	Transporter Requirements	Yes	No	N/A
6.1	Has the transporter notified the Department as a transporter and received an EPA identification number? 62-730.150(2)(a), 263.11(a)	✓		
6.2	Does the transporter repackage wastes with different USDOT shipping descriptions?			
6.3	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)			✓
6.4	Does the transporter transport waste into the US from abroad?			
6.5	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)			✓
6.6	Does the transporter obtain a signed and dated manifest prior to accepting a hazardous waste for transport?			
6.7	If NO, is the waste exempt from the manifest requirement? 263.20(a)(1) <input type="checkbox"/> Exemption Type - Tolling Agreement <input type="checkbox"/> Exemption Type - VSQG Bill-of-Lading	✓		
6.8	Does the transporter sign and date the manifest upon acceptance? 263.20(b)	✓		
6.9	Does the transporter leave a signed copy of the manifest acknowledging acceptance of the waste? 263.20(b)	✓		
6.10	Does the transporter ensure the manifest and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(c)	✓		
6.11	Does the transporter obtain the signature and date of delivery of the receiving (designated) facility or other transporter upon transferring custody of the waste? 263.20(d)(1)	✓		
6.12	Does the transporter retain one copy of the manifest signed and dated by the designated facility or other transporter? 263.20(d)(2)	✓		
6.13	Does the transporter give the remaining copies of the manifest to the designated facility or accepting transporter? 263.20(d)(3)	✓		
6.14	If the entire quantity of hazardous waste cannot be delivered, does the transporter contact the generator for further direction and revise the manifest in accordance with the generator's instructions? 263.21(b)	✓		
6.15	For a partial load rejection, while the transporter is on the facility's premises, does the transporter obtain a new manifest for the rejected material, accompanied by a copy of the original manifest that includes the manifest tracking number of the new manifest? 263.21(b)	✓		
6.16	Does the transporter retain a copy of the manifest signed by the generator, himself, and the next designated transporter or designated facility for a period of three years from the date the hazardous waste was accepted by the initial transporter? 263.22(a)	✓		
Item No.	Rail Transporters	Yes	No	N/A
6.17	If initial rail transporter, when accepting hazardous waste from a non-rail transporter does the rail transporter sign and date the manifest acknowledging receipt of the hazardous waste? 263.20(f)(1)(i)			✓
6.18	If initial rail transporter, does the rail transporter return a signed copy of the manifest to the non-rail transporter? 263.20(f)(1)(ii)			✓

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6.19	If initial rail transporter, does the rail transporter forward at least three copies of the manifest to the next designated non-rail transporter or facility? 263.20(f)(1)(iii)			✓
6.20	If initial rail transporter, does the rail transporter retain one copy of the manifest and rail shipping paper? 263.20(f)(1)(iv)			✓
6.21	Does the rail transporter ensure the shipping paper and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(f)(2)			✓
6.22	Does the final rail transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(f)(3)(i)			✓
6.23	Does the final rail transporter retain a copy of the manifest or signed shipping paper? 263.20(f)(3)(ii)			✓
6.24	When delivering hazardous waste to a non-rail transporter, does the rail transporter obtain the date of delivery and handwritten signature of the next non-rail transporter on the manifest and retain one copy of the manifest? 263.20(f)(4)			✓
Item No.	Water (Bulk) Transporters	Yes	No	N/A
6.25	Does the water (bulk) transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(e)(3)			✓
6.26	Does the water (bulk) transporter retain a copy of the manifest or signed shipping paper? 263.20(e)(5)			✓
Item No.	SQG Waste	Yes	No	N/A
6.27	For SQG waste, if a manifest is not used is the waste being transported pursuant to a recalculation (tolling) agreement per 262.20(e)? 263.20(h)(1)			✓
6.28	Is the following information recorded on a log or shipping paper for each shipment? (Check items below that are NOT in compliance): 263.20(h)(2) <input type="checkbox"/> Name, address, and EPA identification number of the generator of the waste <input type="checkbox"/> Quantity of waste accepted <input type="checkbox"/> All DOT-required shipping information <input type="checkbox"/> The date the waste is accepted	✓		
6.29	Does the transporter carry the shipping paper/log when transporting waste to the reclamation facility? 263.20(h)(3)	✓		
6.30	Does the transporter retain shipping papers/logs for a period of at least three years after termination or expiration of the tolling agreement? 263.20(h)(4)	✓		
6.31	If hazardous waste was discharged during transport, did the transporter give notice, if required by 49 CFR 171.15, to the National Response Center (800-424-8802)? 263.30(c)(1)			✓
6.32	If hazardous waste was discharged during transport, did the transporter report in writing as required by 49 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590? 263.30(c)(2)			✓
6.33	If hazardous waste was discharged during transport, did the transporter clean up the discharge so that it no longer presents a hazard to human health or the environment? 263.31			✓
6.34	Has the transporter demonstrated the financial responsibility required under 62-730.150(2)(a)? 62-730.150(2)(a)	✓		
6.35	Does the transporter verify the evidence of financial responsibility annually? 62-730.150(3)	✓		

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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

Jared T Heyns	Environmental Specialist II	
Principal Investigator Name	Principal Investigator Title	
	DEP	09/26/2019
Principal Investigator Signature	Organization	Date
<hr/>		
Norva Blandin	Environmental Manager	
Inspector Name	Inspector Title	
	DEP	
	Organization	
<hr/>		
Carlos Grajeda	Environmental Specialist II	
Inspector Name	Inspector Title	
	DEP	
	Organization	
<hr/>		
Shawn McKenzie	Branch Manager	
Representative Name	Representative Title	
	NRC	
	Organization	
<hr/>		
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.		
Penny Fulton	Service Center Administrator	
Representative Name	Representative Title	
	NRC	
	Organization	
<hr/>		
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:	<u>Norva Blandin</u>	Inspection Approval Date:	<u>09/26/2019</u>
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