



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

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**FACILITY INFORMATION:**

**Facility Name:** FedEx Ground Orlando  
**On-Site Inspection Start Date:** 10/18/2018 **On-Site Inspection End Date:** 10/18/2018  
**ME ID#:** 61129 **EPA ID#:** FLR000030817  
**Facility Street Address:** 3000 Directors Row, Orlando, Florida 32809-5674  
**Contact Mailing Address:** 1000 FedEx Drive, Moon Township, Pennsylvania 15108  
**County Name:** Orange **Contact Phone:** (412) 262-7347

**NOTIFIED AS:**

LQG (>1000 kg/month)

**WASTE ACTIVITIES:**

**Generator:** LQG

**INSPECTION TYPE:**

File Review Inspection for LQG (>1000 kg/month) Facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** John E. White, Inspector  
**Other Participants:** N/A

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

**NAIC:** 492110 - Couriers

**TYPE OF OWNERSHIP:** Private

**Introduction:**

On August 31, 2017, Department staff inspected FedEx Ground Package System, Inc.'s facility at 3000 Directors Row, Orlando, Florida. Based on the inspection and documents submitted subsequent to the inspection, it appeared FedEx Ground Package System was operating as an unpermitted hazardous waste storage facility.

On June 12, 2018, the Department issued an Order to Comply with Request for Information to FedEx Ground Package System, Inc. (FedEx Ground Package System) The purpose of the information request was to obtain information regarding management of hazardous waste by FedEx Ground Package Systems' Florida operations, stations and hubs. The initial response to the information request was received September 12, 2018 and included locations of the two Florida hubs and five ground stations, hazardous waste manifests for off-site shipments made directly from ground stations, hazardous waste manifests for off-site shipments made from the Ocala and Orlando hubs, personnel training records, and waste management related standard operating procedures. A subsequent response received on October 18, 2018, contained damaged package reports for damaged hazmat packages forwarded to FedEx Ground hubs in Florida from August 2015 to August 2018.

Two hubs were identified by FedEx Ground Package System as operating in Florida:

3000 Directors Row, Orlando, FL 32809 – FLR000030817  
3100 NW 35th Avenue Road, Ocala, FL 34475 – FLR000219444

Five ground stations were identified by FedEx Ground Package System as operating in Florida:

2700 NW 25th Street, Pompano Beach, FL 33069 – No EPA ID Number  
5731 Premier Park Drive, West Palm Beach, FL 33407 – No EPA ID Number  
5025 W Knollwood Street, Tampa, FL 33634 – No EPA ID Number  
8411 Florida Mining Boulevard, Tampa, FL 33645 – No EPA ID Number  
1177 Blue Heron Boulevard, Ste B104, Riviera Beach, FL 33404 – No EPA ID Number

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### Process Description:

This report documents Department staff review of the documents submitted on September 12, 2018, and October 18, 2018.

FedEx Ground Package Systems' Ocala hub, FLR000219444, notified the Department of its hazardous waste activities as a small quantity generator of hazardous waste on June 21, 2016. Waste codes identified included D001, D002, and D003. No additional hazardous waste management activities were identified. Review of the hazardous waste manifests provided found the Ocala hub shipped 2,124 pounds of hazardous waste off-site for disposal on 4/17/2018 on manifest 001194592VES. The facility next shipped 5,255 pounds of hazardous waste off-site on 6/12/2018. This indicates the facility potentially generated greater than 2,200 pounds of hazardous waste in either April, May, or June 2018. FedEx Ground Systems has not notified the Department of its status as a large quantity generator of hazardous waste at the Ocala hub in violation of 62-730.150(2) (b), Florida Administrative Code.

Review of the spreadsheet provided on October 18, 2018, containing damaged package reports for damaged hazmat packages forwarded to FedEx Ground Package System hubs in Florida found at least seven shipping locations (discovery stations), possibly including the Orlando hub, were generating small quantity generator quantities of hazardous waste, shipped that waste to one of the two Florida hubs, and failed to make accurate waste determinations.

Discovery stations, for which corresponding addresses were not provided by FedEx Ground Package System, potentially generating greater than 220 pounds of hazardous waste in a calendar month include:

- Station 320 potentially generated SQG volumes of hazardous waste in May 2016;
- Station 325 potentially generated SQG volumes of hazardous waste in March 2016;
- Station 328, which may be the Orlando hub, potentially generated SQG volumes of hazardous waste for the periods August to September 2015, December to January 2016, March to May 2016, and August 2016 to August 2018;
- Station 329 potentially generated SQG volumes of hazardous waste in February 2018;
- Station 331 potentially generated SQG volumes of hazardous waste in December 2015, March to April 2016, October to December 2016, February 2017, May 2017, June to July 2017, and April 2018;
- Station 333 potentially generated SQG volumes of hazardous waste in November to December 2015, March to November 2016, January 2017, April to August 2017, October 2017, December 2017 to February 2018, and June to July 2018;
- Station 336 potentially generated SQG volumes of hazardous waste in September 2015, November 2015 to January 2016, March to June 2016, August to September 2016, November 2016 to April 2017, August 2017, November 2017, January 2018, and April 2018; and,
- Station 344 potentially generated SQG volumes of hazardous waste in September 2016 and April 2017.

Neither hub is authorized in Florida to accept off-site shipments of hazardous waste from generators of less than 220 pounds of hazardous waste per month, CESQG's/VSQG's. Neither hub in Florida has applied for, or received, a RCRA permit allowing receipt of hazardous waste generated off-site. FedEx Ground Package System is in apparent violation of Florida's statutes and rules requiring hazardous waste facilities operating, or intending to operate, a treatment, storage, or disposal facility to obtain a permit from the Department [403.722, F. S., 403.727(1)(b), F. S., Chapter 62-730.240(1), F. A. C.].

Review of the hazardous waste manifests for off-site shipments from the Ocala hub and Florida stations found numerous instances where EPA waste codes were misidentified on the manifest. Damaged commercial chemical products regulated under 40 CFR 261.33(f) carry a "U" code. It appears many U-listed wastes were identified as F003, spent hazardous waste from non-specific sources. Misidentification of waste codes is potentially a violation of 40 CFR 262.11, making an accurate waste determination, 40 CFR 268.7(a)(1) and

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268.9(a), land disposal requirements, and 40 CFR 262.20(a)(1), properly completing a manifest.

Several waste streams identified during review of the damaged package reports were not identified/found on manifests documenting off-site shipments from either the Orlando or Ocala hubs, indicating potential violations of 40 CFR 262.11, making an accurate waste determination, 40 CFR 268.7(a)(1) and 268.9(a), land disposal requirements, and 40 CFR 262.20(a)(1), properly completing a manifest.

In accordance with 40 CFR 261.5(g), as adopted in 62-730.030(1), F.A.C. [2016], in order for hazardous waste generated by a conditionally exempt small quantity generator in quantities of 220 pounds or less of hazardous waste during a calendar month to be excluded from full regulation under this section, the generator must comply with specific requirements. FedEx Ground Package System stations shipping hazardous waste to the Orlando or Ocala hubs did not attempt to make accurate waste determinations or ensure delivery of their hazardous waste to a facility permitted, or authorized, to manage hazardous waste. Therefore, each of the Florida stations operating as a conditionally exempt small quantity generator would be subject to full regulation under 40 CFR Part 262, as adopted in 62-730.160(1), F.A.C. [2016], as a small quantity generator (SQG).

### New Potential Violations and Areas of Concern:

#### Violations

Type:	Violation
Rule:	262.11
Explanation:	A person who generates a solid waste, as defined in 40 CFR 261.2, must determine if that waste is a hazardous waste using the following method: He should first determine if the waste is excluded from regulation under 40 CFR 261.4; He must then determine if the waste is listed as a hazardous waste in Subpart D of 40 CFR Part 261; For the purposes of compliance with 40 CFR Part 268, or if the waste is not listed in Subpart D of 40 CFR Part 261, the generator must then determine whether the waste is identified in Subpart C of 40 CFR Part 261.
Corrective Action:	FedEx Ground Package System, Inc. failed to make required waste determinations at ground stations. Waste determinations at the two Florida hub locations incorrectly identified wastes as F003 listed hazardous wastes identified in Subpart D of 40 CFR Part 261 and failed to identify hazardous waste characteristics identified in Subpart C of 40 CFR Part 261. FedEx Ground Package System, Inc. must ensure accurate waste determinations are made at the point of generation.
Type:	Violation
Rule:	264.11 , 264.12(b) , 264.13(a)(1) , 264.13(b) , 264.13(c) , 264.15(b)(1) , 264.17(b)(4)
Explanation:	Violations of 40 CFR Part 264 Subpart B include but are not limited to: failure to notify; failure to obtain a detailed chemical and physical analysis of a representative sample of wastes received from off-site; and failure to meet general inspection requirements.
Corrective Action:	Specifically, FedEx Ground Package System, Inc. is operating the company's Orlando hub, located at 3000 Directors Row, Orlando, Florida, EPA identification number FLR000030817, and the Ocala hub, located at 3100 NW 35th Avenue Road, Ocala, Florida, EPA identification number FLR000219444, as unpermitted hazardous waste treatment, storage, and/or disposal facilities. FedEx Ground Package System, Inc. failed to meet the applicable requirements of 40 CFR Part 264 Subpart B. FedEx Ground Package System, Inc. must cease operating unpermitted hazardous waste storage facilities and cease accepting hazardous waste generated off-site at the Orlando and Ocala hubs.
Type:	Violation
Rule:	264.112(a)(1)

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Explanation: Violations of 40 CFR Part 264 Subpart G include but are not limited to: failure to have a written closure plan.

Specifically, FedEx Ground Package System, Inc. is operating the company's Orlando hub, located at 3000 Directors Row, Orlando, Florida, EPA identification number FLR000030817, and the Ocala hub, located at 3100 NW 35th Avenue Road, Ocala, Florida, EPA identification number FLR000219444, as unpermitted hazardous waste treatment, storage, and/or disposal facilities. FedEx Ground Package System, Inc. failed to meet the applicable requirements of 40 CFR Part 264 Subpart G.

Corrective Action: FedEx Ground Package System, Inc. must cease operating unpermitted hazardous waste storage facilities and cease accepting hazardous waste generated off-site at the Orlando and Ocala hubs.

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Type: Violation

Rule: 264.140(a)

Explanation: Violations of 40 CFR Part 264 Subpart H include but are not limited to: failure to have a detailed written estimate, in current dollars, of the cost of closing the facility in accordance with applicable requirements; and failure to establish financial assurance for closure of the facility.

Specifically, FedEx Ground Package System, Inc. is operating the company's Orlando hub, located at 3000 Directors Row, Orlando, Florida, EPA identification number FLR000030817, and the Ocala hub, located at 3100 NW 35th Avenue Road, Ocala, Florida, EPA identification number FLR000219444, as unpermitted hazardous waste treatment, storage, and/or disposal facilities. FedEx Ground Package System, Inc. failed to meet the applicable requirements of 40 CFR Part 264 Subpart H.

Corrective Action: FedEx Ground Package System, Inc. must cease operating unpermitted hazardous waste storage facilities and cease accepting hazardous waste generated off-site at the Orlando and Ocala hubs.

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Type: Violation

Rule: 264.175(b)

Explanation: Violations of 40 CFR Part 264 Subpart I include but are not limited to: failure of the facility to document the container storage area meets the engineering requirements of 264.175(b).

Specifically, FedEx Ground Package System, Inc. is operating the company's Orlando hub, located at 3000 Directors Row, Orlando, Florida, EPA identification number FLR000030817, and the Ocala hub, located at 3100 NW 35th Avenue Road, Ocala, Florida, EPA identification number FLR000219444, as unpermitted hazardous waste treatment, storage, and/or disposal facilities. FedEx Ground Package System, Inc. failed to meet the applicable requirements of 40 CFR Part 264 Subpart I.

Corrective Action: FedEx Ground Package System, Inc. must cease operating unpermitted hazardous waste storage facilities and cease accepting hazardous waste generated off-site at the Orlando and Ocala hubs.

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Type: Violation

Rule: 264.73(a) , 264.75 , 264.76

Explanation: Violations of 40 CFR Part 264 Subpart E include, but are not limited to: failure to receive hazardous waste on a manifest; failure to maintain a written operating record at the facility; failure to submit biennial reports documenting receipt of off-site waste; and failure to submit letters to DEP documenting receipt of unmanifested shipments of hazardous waste

Specifically, FedEx Ground Package System, Inc. is operating the company's Orlando

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hub, located at 3000 Directors Row, Orlando, Florida, EPA identification number FLR000030817, and the Ocala hub, located at 3100 NW 35th Avenue Road, Ocala, Florida, EPA identification number FLR000219444, as unpermitted hazardous waste treatment, storage, and/or disposal facilities. FedEx Ground Package System, Inc. failed to meet the applicable requirements of 40 CFR Part 264 Subpart E.

**Corrective Action:** FedEx Ground Package System, Inc. must cease operating unpermitted hazardous waste storage facilities and cease accepting hazardous waste generated off-site at the Orlando and Ocala hubs.

**Type:** Violation

**Rule:** 264.90(a)(1)

**Explanation:** Violations of 40 CFR Part 264 Subpart F include but are not limited to: failure to meet the requirements for releases from solid waste management units.

Specifically, FedEx Ground Package System, Inc. is operating the company's Orlando hub, located at 3000 Directors Row, Orlando, Florida, EPA identification number FLR000030817, and the Ocala hub, located at 3100 NW 35th Avenue Road, Ocala, Florida, EPA identification number FLR000219444, as unpermitted hazardous waste treatment, storage, and/or disposal facilities. FedEx Ground Package System, Inc. failed to meet the applicable requirements of 40 CFR Part 264 Subpart F.

**Corrective Action:** FedEx Ground Package System, Inc. must cease operating unpermitted hazardous waste storage facilities and cease accepting hazardous waste generated off-site at the Orlando and Ocala hubs.

**Type:** Violation

**Rule:** 268.7(a)(1)

**Explanation:** A generator of hazardous waste must determine if the waste has to be treated before it can be land disposed. This is done by determining if the hazardous waste meets the treatment standards in 40 CFR 268.40, 268.45, or 268.49.

FedEx Ground Package System, Inc. failed to identify all applicable waste codes associated with hazardous waste generated by Florida ground stations and the Ocala and Orlando hubs and incorrectly identified waste codes associated with hazardous waste shipped from Florida ground stations and the Ocala and Orlando hubs.

**Corrective Action:** FedEx Ground Package System, Inc. must ensure all applicable waste codes are correctly identified prior to shipment off-site.

**Type:** Violation

**Rule:** 268.9(a)

**Explanation:** The initial generator of a solid waste must determine each EPA Hazardous Waste Number (waste code) applicable to the waste in order to determine the applicable treatment standards under subpart D of this part.

FedEx Ground Package System, Inc. failed to identify all applicable waste codes associated with hazardous waste generated by Florida ground stations and the Ocala and Orlando hubs and incorrectly identified waste codes associated with hazardous waste shipped from Florida ground stations and the Ocala and Orlando hubs, failing to determine applicable waste treatment standards identified in 40 CFR 268.40.

**Corrective Action:** FedEx Ground Package System, Inc. must correctly identify all waste codes associated with hazardous waste generated by Florida facilities and determine applicable waste treatment standards.

**Type:** Violation

**Rule:** 62-730.150(2)(b)

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**Explanation:** All generators, transporters, or persons who own or operate a facility which treats, stores, or disposes of hazardous waste, and everyone required to notify under Rule 62 730.181, F.A.C., shall notify the Department of all changes in status and shall use the "8700-12FL – Florida Notification of Regulated Waste Activity," Form 62-730.900(1)(b), [adopted by reference in paragraph 62-730.150(2)(a), F.A.C.], to do so. Changes in status include, but are not limited to: changes in the facility name, location, mailing address, business form, ownership or management control of the facility or its operations; ownership of the real property where the facility is located; facility contact person; type of regulated waste activity; changes in the amount of hazardous waste generated per month that put the facility in a different generator category other than episodic generators [emphasis added], going out of business; tax default; or petition for bankruptcy protection.

Specifically, During April, May, or June 2018, FedEx Ground Package System, Inc.'s Ocala hub, EPA ID FLR000219444, potentially generated greater than 2,200 pounds of hazardous waste in a calendar month and failed to notify the Department of the change in the facility's hazardous waste generator status as required.

**Corrective Action:** FedEx Ground Package System, Inc. must review all Florida facility operations and ensure each site has accurately notified of its hazardous waste activities.

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**Pre-existing Potential Violations and Areas of Concern:****Violations**

**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.

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**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.

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**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



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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 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.

### Conclusion:

In summary, based on the information provided in response to the Department's June 12, 2018, Order to Comply with Request for Information and the August 31, 2017, inspection of the FedEx Ground Package System's Orlando hub, FedEx Ground Package System has been operating the Orlando and Ocala hubs as unpermitted RCRA storage facilities, receiving unmanifested shipments of hazardous waste from ground stations located throughout Florida. FedEx Ground Package System has not notified the Department of its hazardous waste activities as an owner or operator of unpermitted RCRA storage facilities, as a generator of hazardous waste at ground stations subject to the requirements of 40 CFR Part 262, or as an unregistered transporter of hazardous waste.

FedEx Ground Package System's two Florida hubs failed to meet the General Facility Standards of 40 CFR Part 264 Subpart B, the Manifest System, Recordkeeping, and Reporting requirements of 40 CFR Part 264 Subpart E, the Releases from Solid Waste Management Units requirements of 40 CFR Part 264 Subpart F, the Closure and Post-Closure requirements of 40 CFR Part 264 Subpart G, the Financial Requirements of 40 CFR Part 264 Subpart H, or the Container Storage Area requirements of 40 CFR Part 264 Subpart I.

Specifically, the following potential violations of Chapter 62-730, Florida Administrative Code, and 403.722 and 403.727, Florida Statutes were identified:

1. Regulation: 62-730.150(2)(a), Florida Administrative Code [2016] - 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," effective date 4-23-13, which is hereby adopted and incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02074>), unless they have previously notified. ... In addition, transporters are subject to the reporting requirements of Rule 62-730.170, F.A.C.

FedEx Ground Package System's Florida hubs in Orlando and Ocala operated as unpermitted RCRA treatment, storage, and/or disposal facilities without providing the required notification to the Department. FedEx Ground Package System's Florida ground stations generated hazardous waste in amounts greater than 220 pounds in any one calendar month during 2015, 2016, 2017, and 2018 and failed to notify the Department of their hazardous waste activity as required. Also, ground stations generating less than 220 pounds in any one calendar month that failed to properly complete an accurate hazardous waste determination as required by 40 CFR 262.11 during the period 2015, 2016, 2017, and 2018 failed to meet the exemption requirements of 40 CFR 261.5(g) and, therefore, failed to notify the Department of their hazardous waste activities as required. FedEx Ground Package System also operated as a hazardous waste transporter in Florida without notifying the Department of its hazardous waste activities.

2. Regulation: 62-730.150(2)(b), Florida Administrative Code [2016] - All generators, transporters, or persons who own or operate a facility which treats, stores, or disposes of hazardous waste, and everyone required to notify under Rule 62 730.181, F.A.C., shall notify the Department of all changes in status and shall use the "8700-12FL – Florida Notification of Regulated Waste Activity," Form 62-730.900(1)(b), [adopted by reference in paragraph 62-730.150(2)(a), F.A.C.], to do so. Changes in status include, but are not limited to: changes in the facility name, location, mailing address, business form, ownership or management control of the facility or its operations; ownership of the real property where the facility is located; facility contact person; type of regulated waste activity; changes in the amount of hazardous waste generated per month that put the facility in a different generator category other than episodic generators [emphasis added], going out of business; tax default; or petition for bankruptcy protection.

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During April, May, or June 2018, FedEx Ground Package System's Ocala hub, EPA ID FLR000219444, potentially generated greater than 2,200 pounds of hazardous waste in a calendar month and failed to notify the Department of the change in the facility's hazardous waste generator status as required.

3. Regulation: 403.722, F. S., 403.727(1)(b), F. S., Chapter 62-730.240(1), F. A. C. - Each person who intends to or is required to construct, modify, operate, or close a hazardous waste disposal, storage, or treatment facility shall obtain a construction permit, operation permit, postclosure permit, clean closure plan approval, or corrective action permit from the department prior to constructing, modifying, operating, or closing the facility. 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.

FedEx Ground Package System has operated the company's Orlando hub, located at 3000 Directors Row, Orlando, Florida, EPA identification number FLR000030817, and the Ocala hub, located at 3100 NW 35th Avenue Road, Ocala, Florida, EPA identification number FLR000219444, as unpermitted hazardous waste treatment, storage, and/or disposal facilities. Each hub has received unmanifested shipments of hazardous waste generated off-site without first applying for, and receiving, RCRA permits from the Department.

4. Regulation: 40 CFR Part 264 Subparts B, E, F, G, H and I - The regulations of these subparts apply to owners and operators of all hazardous waste facilities, except as 40 CFR 264.1 provides otherwise.

Violations of 40 CFR Part 264 Subpart B include but are not limited to: failure to notify; failure to obtain a detailed chemical and physical analysis of a representative sample of wastes received from off-site; and failure to meet general inspection requirements.

Violations of 40 CFR Part 264 Subpart E include, but are not limited to: failure to receive hazardous waste on a manifest; failure to maintain a written operating record at the facility; failure to submit biennial reports documents receipt of off-site waste; and failure to submit letters to DEP documenting receipt of unmanifested shipments of hazardous waste;

Violations of 40 CFR Part 264 Subpart F include but are not limited to: failure to meet the requirements for releases from solid waste management units.

Violations of 40 CFR Part 264 Subpart G include but are not limited to: failure to have a written closure plan.

Violations of 40 CFR Part 264 Subpart H include but are not limited to: failure to have a detailed written estimate, in current dollars, of the cost of closing the facility in accordance with applicable requirements; and failure to establish financial assurance for closure of the facility.

Violations of 40 CFR Part 264 Subpart I include but are not limited to: failure of the facility to document the container storage area meets the engineering requirements of 264.175(b).

FedEx Ground Package System has operated the company's Orlando hub, located at 3000 Directors Row, Orlando, Florida, EPA identification number FLR000030817, and the Ocala hub, located at 3100 NW 35th Avenue Road, Ocala, Florida, EPA identification number FLR000219444, as unpermitted hazardous waste treatment, storage, and/or disposal facilities. FedEx Ground Package System, Inc. failed to meet the applicable requirements of 40 CFR Part 264.

5. Regulation: 40 CFR 262.11 - A person who generates a solid waste, as defined in 40 CFR 261.2, must determine if that waste is a hazardous waste using the following method: He should first determine if the waste is excluded from regulation under 40 CFR 261.4; He must then determine if the waste is listed as a hazardous waste in Subpart D of 40 CFR Part 261; For the purposes of compliance with 40 CFR Part 268, or if the waste is not listed in Subpart D of 40 CFR Part 261, the generator must then determine whether the waste is identified in Subpart C of 40 CFR Part 261.

FedEx Ground Package System, Inc. failed to make required waste determinations at ground stations. Waste determinations at the two Florida hub locations incorrectly identified wastes as F003 listed hazardous wastes identified in Subpart D of 40 CFR Part 261 and failed to identify hazardous waste characteristics identified in Subpart C of 40 CFR Part 261.



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6. Regulation: 40 CFR 262.20(a)(1) - 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

FedEx Ground Package System failed to use a hazardous waste manifest for movement of hazardous waste between ground stations and the Orlando and Ocala hubs. Also, FedEx Ground Package System, Inc. failed to properly complete the hazardous waste manifest for shipments from the Orlando and Ocala hubs to RCRA permitted destination facilities. The company failed to identify applicable EPA waste codes most representative of the properties of the waste.

7. Regulation: 40 CFR 268.7(a)(1) - A generator of hazardous waste must determine if the waste has to be treated before it can be land disposed. This is done by determining if the hazardous waste meets the treatment standards in 40 CFR 268.40, 268.45, or 268.49.

FedEx Ground Package System failed to identify all applicable waste codes associated with hazardous waste generated by Florida ground stations and the Ocala and Orlando hubs and incorrectly identified waste codes associated with hazardous waste shipped from Florida ground stations and the Ocala and Orlando hubs.

8. Regulation: 40 CFR 268.9(a) - The initial generator of a solid waste must determine each EPA Hazardous Waste Number (waste code) applicable to the waste in order to determine the applicable treatment standards under subpart D of this part.

FedEx Ground Package System failed to identify all applicable waste codes associated with hazardous waste generated by Florida ground stations and the Ocala and Orlando hubs and incorrectly identified waste codes associated with hazardous waste shipped from Florida ground stations and the Ocala and Orlando hubs, failing to determine applicable waste treatment standards identified in 40 CFR 268.40.

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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.

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

Item No.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.18(a)			✓
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	Inspector	
<b>Principal Investigator Name</b>	<b>Principal Investigator Title</b>	
JW	DEP	02/18/2020
<b>Principal Investigator Signature</b>	<b>Organization</b>	<b>Date</b>
<hr/>		
N/A		
<b>Representative Name</b>		

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:**

<b>Approver:</b>	Daniel K. Hall	<b>Inspection Approval Date:</b>	02/18/2020
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