



# FLORIDA DEPARTMENT OF Environmental Protection

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Noah Valenstein  
Secretary

TO: FedEx Ground Package System - File  
FLR000030817

FROM: John White, Environmental Consultant

DATE: November 13, 2019

RE: Informal Meeting to Discuss Warning Letter Issued August 12, 2019

This was an informal conference to discuss the DEP Warning Letter issued on August 12, 2019, to FedEx Ground Package System (FedEx Ground). The Agenda included the following:

- Introductions
- Purpose of the meeting
- Discussion of issues of concern to both parties
- Discussion of how the parties may resolve the case
- Conclusion

DEP Personnel in attendance included:

1. John White, Inspector, Central District Office
2. Aaron Watkins, Director, Central District Office
3. Teresa Booesaghgi, Assistant Director Waste Management
4. Ron Hoenstine, Assistant Deputy General Council
5. Glen Perrigan, Environmental Manager, Permitting and Compliance Assistance
6. Daniel Hall, Environmental Manager, Central District Office

FedEx Ground personnel in attendance included:

1. Gaylyn Frosini, Manager – Environmental Services
2. George Fetsko, Safety Advisor
3. Jamie Spataro, Senior Counsel
4. Ryan Stewart, Senior Attorney

The meeting began with Aaron Watkins having all attendees introduce themselves. Mr. Watkins then proceeded to discuss the Department's interpretation of the regulations and

corrective actions. Mr. Watkins did acknowledge FedEx Ground Package System has a different interpretation. Mr. Watkins indicated that it was his position that we apply the rules as we understand them and have a judge say we did not apply the rule correctly.

FedEx Ground's Senior Counsel, Jamie Spataro, provided a letter from the U.S. Department of Transportation dated October 24, 2018, that he indicated provides FedEx Ground's position. The Department had not been provided with a copy of the document prior to this meeting.

Gaylyn Frosini discussed some specific violations outlined in the Warning Letter. It was FedEx Ground's position that the Ocala hub was not a large quantity generator of hazardous waste. They believe the transporter did not correctly weigh the hazardous waste shipments. Also, due to lab packs for waste shipments, the company was having difficulty matching up waste codes to reply to the Department's concerns of overuse of F codes versus U codes for waste. Regardless, the Ocala facility has re-notified as a large quantity generator (LQG) and meets the requirements for a LQG.

Mr. Spataro indicated EPA Region 6 is aware of FedEx Ground's practices as well as North Carolina and neither party has taken any action.

Ron Hoenstine asked if FedEx Ground has contacted EPA regarding the transportation issues and the reply was they have not.

Notes not fully transcribed.....