



# FLORIDA DEPARTMENT OF Environmental Protection

CENTRAL DISTRICT OFFICE  
3319 MAGUIRE BLVD., SUITE 232  
ORLANDO, FLORIDA 32803

Ron DeSantis  
Governor

Jeanette Nuñez  
Lt. Governor

Noah Valenstein  
Secretary

February 11, 2021

Ismael Jusino, President  
Harmony Environmental, Inc.  
2013 Live Oak Blvd, Ste I  
St. Cloud, Florida 34772  
[Izzy@harmony-environmental.com](mailto:Izzy@harmony-environmental.com)

Re: Warning Letter  
Harmony Environmental, Inc.  
HW FLR000218636  
Osceola County

Dear Mr. Jusino:

A hazardous waste compliance evaluation inspection was conducted of Harmony Environmental, Inc. on October 23, 2020. During this inspection, possible violations of Chapter 403, F.S., and Chapter 62-730, Florida Administrative Code (F.A.C.) were observed.

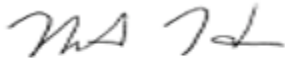
- Hazardous waste was accepted from a generator without a manifest for shipments of non-creditable hazardous waste pharmaceuticals transported over public roads.
- The facility failed to notify the Department of its hazardous waste activity as a hazardous waste transporter.
- The facility failed to provide the Department with proof of insurance required of a hazardous waste transporter.
- The facility accepted off-site shipments of non-creditable hazardous waste pharmaceuticals for storage without applying for or receiving a RCRA permit from the Department.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Sections 403.141 and 403.727, Florida Statutes.

Please contact John White, at (407) 897-4305, within **7 days** of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in receiving any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,



*On behalf of:*

Aaron Watkins, Director  
Central District  
Florida Department of Environmental Protection

AW/dkh/jw

Enclosures: Harmony Environmental Inspection Report 2020

cc: John White, FDEP – [john.white@floridadep.gov](mailto:john.white@floridadep.gov)



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

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**FACILITY INFORMATION:**

**Facility Name:** Harmony Environmental Inc  
**On-Site Inspection Start Date:** 10/23/2020 **On-Site Inspection End Date:** 10/23/2020  
**ME ID#:** 120854 **EPA ID#:** FLR000218636  
**Facility Street Address:** 2013 Live Oak Blvd Ste I, Saint Cloud, Florida 34771-8408  
**Contact Mailing Address:** 3362 Cat Brier Trail, Saint Cloud, Florida 34773  
**County Name:** Osceola **Contact Phone:** (407) 466-7868

**NOTIFIED AS:**

Non-Handler

**WASTE ACTIVITIES:**

**Generator:** Non-Handler **Transporter:** Commercial Waste **Universal Waste: Indicate types of UW generated and/or accumulated at the facility:** **Transport:** Mercury Containing Lamps, Mercury Containing Devices

**INSPECTION TYPE:**

Complaint Inspection for Hazardous Waste Transporter Facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** John E. White, Inspector  
**Other Participants:** Ismael Jusino, Environmental Coordinator

**LATITUDE / LONGITUDE:** Lat 28° 14' 37.8" / Long 81° 14' 28.9"

**NAIC:** 562119 - Other Waste Collection

**TYPE OF OWNERSHIP:** Private

**Introduction:**

On October 23, 2020, John White, Florida Department of Environmental Protection (FDEP), conducted a routine compliance evaluation inspection of Harmony Environmental to determine the facility's compliance with state and federal hazardous waste regulations. The facility was represented by Ismael Jusino, President of Harmony Environmental.

Harmony Environmental, located at 2013 Live Oak Blvd Suite I, Saint Cloud, Osceola County, Florida, initially notified the FDEP of its activities at this location on April 20, 2016 and received EPA identification number FLR000218636. The facility last notified the FDEP on February 28, 2020 as a mercury handler, managing universal waste mercury lamps and devices. The facility has been at this location since 2016.

The facility was last inspected on February 12, 2014 at its former location, 1404 Hamlin Ave Unit J, Saint Cloud, Florida, and was not in compliance at that time. The facility was cited for failing to provide containers of used oil with secondary containment. The facility corrected the issue and the case was closed without formal enforcement.

**Process Description:**

Harmony Environmental is a waste management company servicing client locations throughout Florida. The facility consists of an administrative office located in a small office building.

A review of hazardous waste manifests prior to the inspection was made using EPA's e-manifest system. Harmony Environmental was identified as the initial transporter of hazardous waste on several manifests with shipments originating from Harmony Environmental's office location.

Harmony Environmental was identified as a hazardous waste generator on three manifests between December

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2019 and January 2020 and three bills-of-lading between February 2020 and June 2020. It must be noted that Harmony Environmental is not a generator of hazardous waste, no waste generation operations take place on site. The facility's office at 2013 Live Oak Blvd, Saint Cloud, is only an administrative office location. The manifests and bills-of-lading are identified below:

- Manifest number 011976565FLE, with a shipment date of 12/2/2019, was for one cubic yard container of Waste Medicine Liquid Flammable Toxic weighing 727 pounds. The waste carried EPA waste codes D001, D005, D024, P012, P042, and P075.
- Manifest number 011976575FLE, with a shipment date of 1/3/2020, was for one cubic yard container of Waste Medicine Liquid Flammable Toxic weighing 750 pounds. The waste carried EPA waste codes D001, D005, D024, P012, P042, and P075.
- Manifest number 011976582FLE, with a shipment date of 1/20/2020, was for one cubic yard container of Waste Medicine Liquid Flammable Toxic weighing 580 pounds. The waste carried EPA waste codes D001, D005, D024, P012, P042, and P075.

All three shipments were transported from Harmony Environmental's facility location by AERC Acquisition Corp, EPA identification (ID) number FLD984262272 and shipped to the designated facility, Clean Earth of Alabama, EPD ID ALD981020894.

According to Mr. Jusino, the hazardous waste originated from Guardian Pharmacy of Orlando, 2815 Directors Row Suite 700, Orlando, Florida. According to the facility's website, Guardian Pharmacy of Orlando serves residents in assisted living, skilled nursing, and other long-term care communities. Guardian Pharmacy of Orlando has not notified the FDEP of its hazardous waste activities.

On each of the three occasions, Harmony Environmental transported the hazardous waste from Guardian Pharmacy of Orlando's facility to Harmony Environmental's offices on a Bill of Lading (shipping paper). The waste on manifest number 011976565FLE was transported on 11/25/2019, 7 days prior to off-site shipment. The waste on manifest number 011976575FLE was transported on 12/16/2019, 18 days prior to off-site shipment. The waste on manifest number 011976582 was transported on 1/17/2020, 3 days prior to off-site shipment.

Additional shipments were identified that were not recorded in EPA's e-manifest system and records of which were not provided during the inspection by Harmony Environmental, they were identified during an inspection of Guardian Pharmacy Orlando on December 3, 2020..

- Bill-of-lading 486664, transported by Trilogy Medwaste on 2/13/2020, was for one cubic yard container of Waste Medicine Liquid Flammable Toxic weighing 736 pounds. The waste was identified on the shipping paper as "Universal Pharmaceutical Waste" which is not a legitimate DOT description. The waste was transported from Guardian Pharmacy Orlando by Harmony Environmental on 2/7/2020.
- A bill-of-lading with no shipping paper number transported by Trilogy Medwaste on 3/13/2020, was for one cubic yard container of Waste Medicine Liquid Flammable Toxic weighing 375 pounds. The waste was transported from Guardian Pharmacy Orlando by Harmony Environmental on 3/11/2020.
- Bill-of-lading 605481, transported by Trilogy Medwaste on 6/10/2020, was for one cubic yard container of Waste Medicine Liquid Flammable Toxic weighing 325 pounds. The waste was identified on the shipping paper as "Universal Pharmaceutical Waste" which is not a legitimate DOT description. The waste was transported from Guardian Pharmacy Orlando by Harmony Environmental on 6/8/2020.

Based on the information obtained during the inspection the following violations were identified:

- Harmony Environmental operated as an unregistered hazardous waste transporter moving hazardous waste from Guardian Pharmacy Orlando to Harmony Environmental in violation of chapter 62-730.150(2)(a) and 62-730.170(2), Florida Administrative Code (F.A.C.).
- Harmony Environmental transported hazardous waste over public roads without a hazardous waste manifest in violation of 40 CFR 262.20(a).
- Harmony Environmental operated as an unpermitted hazardous waste storage facility in violation of chapter

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62-730.240(a), F.A.C.

## New Potential Violations and Areas of Concern:

### Violations

Type:	Violation
Rule:	<b>263.20(a)(1)</b>
Explanation:	A transporter may not accept hazardous waste from a generator unless the transporter is also provided with a manifest form (EPA Form 8700-22, and if necessary, EPA Form 8700-22A) signed in accordance with the requirement of § 262.23, or is provided with an electronic manifest that is obtained, completed, and transmitted in accordance with § 262.20(a)(3) of this chapter, and signed with a valid and enforceable electronic signature as described in 40 CFR 262.25.
Corrective Action:	Specifically, Harmony Environmental transported hazardous waste without a manifest on at least 6 occasions from Guardian Pharmacy of Orlando's facility to Harmony Environmental's offices on a Bill of Lading (shipping paper). Hazardous waste was transported on 11/20/2019, 12/16/2019, 1/17/2020, 2/7/2020, 3/11/2020, and on 6/8/2020. Harmony Environmental must cease acceptance of hazardous waste from generator locations for which a manifest is required for transport over public roads.
Type:	Violation
Rule:	<b>62-730.150(2)(a)</b>
Explanation:	All generators (except very small quantity generators as defined in 40 C.F.R. 260.10 [as adopted in subsection 62-730.020(1), F.A.C.] that are exempt pursuant to 40 C.F.R. 262.14 [as adopted in subsection 62-730.160, F.A.C.] and are not experiencing an episodic event as defined in 40 C.F.R. 262 subpart L [as adopted in subsection 62-730.020(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 ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-02074">http://www.flrules.org/Gateway/reference.asp?No=Ref-02074</a> ), unless they have previously notified.
Corrective Action:	Specifically, Harmony Environmental operated as a hazardous waste transporter without providing notification of the activity. Harmony Environmental must cease operations as a hazardous waste transporter until the facility submits the required registration and receives confirmation from the Department that the facility meets the requirements for a hazardous waste transporter.
Type:	Violation
Rule:	<b>62-730.170(2)</b>
Explanation:	In addition to the requirements of subsection (1) of this rule, no person shall transport a hazardous waste within the state for which either a manifest is required under 40 CFR Part 262 [as adopted in subsection 62-730.160(1), F.A.C.] or a reclamation agreement is entered between a generator and recycler pursuant to 40 CFR 263.20 [as adopted in subsection 62-730.170(1), F.A.C.] unless compliance with the requirements of 62-730.170(2), F.A.C. have been demonstrated.
Corrective Action:	Harmony Environmental transported hazardous waste from an off-site location without providing proof of insurance. Harmony Environmental must cease operation as a hazardous waste transporter until the

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facility notifies and provides all required documentation.

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Type: Violation

Rule: 62-730.240(1)

Explanation: No person shall begin operation of a hazardous waste facility without applying for and receiving an operation permit from the Department.

Specifically, Harmony Environmental accepted hazardous waste generated off-site on at least 6 occasions: hazardous waste on manifest number 011976565FLE was transported to the facility on 11/25/2019, 7 days prior to off-site shipment; hazardous waste on manifest number 011976575FLE was transported to the facility on 12/16/2019, 18 days prior to off-site shipment; hazardous waste on manifest number 011976582 was transported to the facility on 1/17/2020, 3 days prior to off-site shipment; hazardous waste on bill of lading 020720-1 was transported to the facility on 2/7/2020, 6 days prior to off-site shipment; hazardous waste on bill of lading 031102 was transported to the facility on 3/11/2020, 2 days prior to off-site shipment; and, hazardous waste on bill of lading 068201 was transported to the facility on 6/8/2020, 2 days prior to off-site shipment.

Corrective Action: Harmony Environmental must cease acceptance of hazardous waste generated by off-site facilities.

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**Conclusion:**

Harmony Environmental was inspected as an unregistered hazardous waste transporter and unauthorized/unpermitted hazardous waste storage facility and was not in compliance at the time of this inspection.

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**1.0: Pre-Inspection Checklist**

## Requirements:

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


**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>	
	DEP	01/04/2021
<b>Principal Investigator Signature</b>	<b>Organization</b>	<b>Date</b>
Ismael Jusino	Environmental Coordinator	
<b>Representative Name</b>	<b>Representative Title</b>	
	Harmony Environmental Inc.	
	<b>Organization</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>	01/04/2021
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