



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

FACILITY INFORMATION:

Facility Name: Stericycle Specialty Waste Solutions Inc
On-Site Inspection Start Date: 08/08/2018 **On-Site Inspection End Date:** 08/08/2018
ME ID#: 50192 **EPA ID#:** FL0000702985
Facility Street Address: 8505 NW 74th St, Miami, FL 33166-2327
Contact Mailing Address: 8505 NW 74th St, Miami, FL 33166
County Name: Miami-Dade **Contact Phone:** (305) 436-9084

NOTIFIED AS:

LQG (>1000 kg/month)
Used Oil

INSPECTION TYPE:

Routine Inspection for LQG (>1000 kg/month) facility
Routine Inspection for Used Oil Transporter facility
Routine Inspection for Hazardous Waste Transfer Facility facility

INSPECTION PARTICIPANTS:

Principal Inspector: Kayla Acosta, Inspector
Other Participants: Kevin O'Donnell, Northeast Regional Operations Manager; Parvez Mallick, EPA State Coordinator; Norva Blandin, Environmental Manager; Robert Berberena, ES III; Glen Perrigan, Environmental Manager

LATITUDE / LONGITUDE: Lat 25° 50' 28.503" / Long 80° 20' 11.1217"

SIC CODE: 4212 - Trans. & utilities - local trucking, without storage

TYPE OF OWNERSHIP: Private

Introduction:

A Compliance Evaluation Inspection (CEI) was conducted at Stericycle Specialty Waste Solutions, Inc. (Stericycle) on 08/08/18 by ES I inspector Kayla Acosta and EPA Region IV State Coordinator Parvez Mallick. Stericycle specializes in the transportation of medical waste, pharmaceuticals, and non-hazardous waste. During the inspection, Stericycle was represented by Kevin O'Donnell, Northeast Regional Operations Manager. The facility has been in operation since May 31, 2009, while the company has been in operation since 1989. This facility is approximately 103,107 square feet in size, has 20 employees, and is on city water and sewer.

Notification History:

- Notified as Large Quantity Generator (LQG): 11/05/2012. Based on the inspection, Stericycle is no longer a LQG, because they do not generate hazardous waste quantities of more than 1,000 kg. Therefore, the inspector advised the facility to re-notify the Department of their regulated waste activities.
- Notified as No Longer Transporting Hazardous Waste effective: 05/16/2018
- Notified as Hazardous Waste Transporter and transfer facility: 11/05/2012
- Notified as Used Oil Transporter: 11/05/2012
- Notified as a Universal Waste Transporter: 03/05/2013

Their current registration is active for: Universal Waste Transfer Facility and Pharmaceutical Reverse Distribution (Expiration date on 03/01/2019). The registration for Used Oil Transporter, Used Oil Transfer Facility, Used Oil Filter Transporter, Used Oil Filter Transfer Facility, and Hazardous Waste Transfer Facility expired on 06/30/2018.

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Last inspection was on 09/04/2015. No violations were observed.
Previous Inspection was on 04/28/2011. No violations were observed.

PPE was required to enter the facility. Department personnel was equipped with steel toe boots and safety glasses.

Process Description:

Stericycle focuses on servicing the medical and retail industries by handling non-hazardous waste, hazardous waste, universal wastes, and biomedical waste. The facility also manages maritime waste from cruise ships. Hazardous Waste is no longer being transported by this facility, instead Stericycle uses its registered hazardous waste transporter with EPA ID MNS000110924 to transport hazardous waste to the Miami facility (EPA ID FL0000702985).

CUSTOMER PROCEDURES:

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 using its transporter with EPA ID MNS000110924. The waste is then transported to Stericycle's facility in Miami and stored on-site, in the warehouse, for no more than 10 days. Although the facility is registered as a Large Quantity Generator (LQG), it does not appear to generate large quantities of hazardous waste.

OUTDOOR AREA:

The facility is comprised of a 20,400-square foot building with administrative offices in the back of the property inside a trailer. The warehouse is segregated into distinct staging areas. There is a fenced in area for DEA regulated pharmaceutical waste and non-hazardous pharmaceutical waste, to control access. There is also floor space that has been designated for specific waste types.

A total of (8) eight box trucks and (5) five tractor trailers operate out of the Miami facility. Each transport truck can store a maximum of (90) ninety 55-gallon capacity drums. DOT numbers are located on each trailer DOT # 1348411. All trailers are equipped with spill kits and fire extinguishers. Trucks are stored on a sloped concrete slab that has a six-inch high concrete curb around three sides of the pad. Wastes stored in trailers loaded in accordance with DOT regulations described in 40 CFR 263.10 are not required to meet the aisle space requirement described in 40 CFR 265.35.

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 for shipment to destination facilities. 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 hazardous waste, universal pharmaceutical waste and nonhazardous wastes are inspected and stored in the designated area. Hazardous waste pharmaceuticals are labeled as universal pharmaceutical waste when they enter the warehouse but are relabeled "Hazardous Waste" for shipment off-site.

The inspectors observed the following:

TRANSFER FACILITY - ACCUMULATION AREA FOR 10-DAY STORAGE:

The 10-day/ bulk liquids area was equipped with secondary containment and contained four rows of waste and materials to be recycled. Four rows of waste were observed:

- Row one contained:

> (5) Five 55-gallon drums of hazardous waste, closed and labeled Photo Waste - Silver Bearing (EPA Waste Code D011) with start accumulation dates 08/05/2018.

> (3) Three 55-gallon closed and labeled drums of 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. Aisle space is needed in order to inspect containers as cited in 40 CFR 265.35 and 62-730.160(4) F.A.C.

- Row two contained:

> (2) Two 5-gallon hazardous waste containers of Silver Thiosulfate/ fixer solution closed and labeled with start accumulation dates 08/03/2018 and 08/07/2018.

- Row three contained:

> (1) One 55-gallon drum of non-hazardous refrigeration oil closed and labeled.

- Row four contained:

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- > (1) One 5-gallon container of non-hazardous oxygen cylinders closed and labeled.
- > (1) one 5-gallon containers of Calcium Hypochlorite, Sodium Hypochlorite (EPA Waste Code D001), closed and labeled with start accumulation date 08/06/2018.
- > (4) Four 5-gallon containers of Hypochlorite Solid Loose packs, closed and labeled with start accumulation dates 08/06/2018 and 08/07/2018.

Adjacent to the 10 Day bulk liquid area: There were (4) four wooden pallets with several cardboard boxes of electronic waste all closed and labeled with contents and start accumulation 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. In total (72) seventy-two 55-gallon drums were observed. Containers were closed and labeled with start accumulation dates ranging from 07/24/2018 - 08/06/2018; however, the stacked containers did not have adequate aisle space to be able to inspect the whole area.

Across from the two rows of the non-hazardous liquids were two wooden pallets of additional non-hazardous formalin solution. (12) Twelve 15-gallon drums closed and labeled non-Hazardous, non-regulated (10% Formalin w/ Tissue), all closed and labeled. (9) Nine 30-gallon drums closed and labeled non-Hazardous, non-regulated liquids(10% Formalin w/ Tissue), all closed and labeled. All drums had start accumulation dates ranging from 07/31/2018 - 08/06/2018.

NON-HAZARDOUS PHARMACEUTICAL WASTE/ DEA REGULATED PHARMACEUTICAL WASTE:

Stericycle is one of the main companies in the Southeast District that manages non-regulated pharmaceutical waste and 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 waste is stored. No controlled substances were observed in this area since the facility recently shipped out. Non-hazardous pharmaceutical waste is shipped out every 30 days.

- > (8) Eight wooden pallets containing (24) twenty-four boxes each and (1) one wooden pallet containing (8) eight boxes of Non-hazardous, non-regulated pharmaceuticals (non-viable outdated/ expired) were observed. Each box has a capacity of a 55-gallon drum of waste. A total of (200) two hundred boxes, equipped with double-bags were observed closed and labeled as non-hazardous pharmaceutical waste with start accumulation dates. Not all boxes could be inspected due to inadequate aisle space.

In order to confirm that the contents of the boxes were compatible with the non-hazardous pharmaceutical waste description on each label, EPA inspector Parvez Mallick requested for two boxes to be opened during the inspection. It was found that the two boxes of the 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. It was noted that the generators failed to properly manage their wastes and segregate the wastes according to their constituents (i.e. medical waste, non-hazardous pharmaceutical waste, or expired pharmaceuticals).

Additionally, within the caged area the inspectors observed (49) forty-nine 55-gallon drums containing non-hazardous pharmaceutical waste. All containers were closed and labeled with start accumulation dates ranging from 07/18/2018 - 07/25/2018. At the request of EPA inspector Parvez, One 55-gallon drum of non-hazardous pharmaceutical waste was opened for inspection and it was observed to contain pharmaceutical waste and biomedical waste (IV bags, syringes, filled catheter). (11) Eleven 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 transfer facility/designated facility. Stericycle staff executes the pre-transportation functions on behalf of the generator. It appears that Stericycle is actively comingling universal pharmaceutical waste with bio-medical waste at the hospital.

Pursuant to F.A.C. 62-730.160(1) [40 C.F.R. 262.11], a person who generates a solid waste, as defined in F.A.C. 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 F.A.C. 62-730.160(1) [40 C.F.R. 262.11].

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Pursuant to F.A.C. 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.

In accordance with Chapter 62-730.186(7)(d), F.A.C., a handler of universal pharmaceutical waste may generate solid waste as a result of the activities in paragraph 62-730.186(7)(c), F.A.C. A handler of universal pharmaceutical waste that generates solid waste shall determine whether the solid waste is hazardous waste identified in 40 C.F.R. Part 261 Subpart C or D [as adopted in subsection 62-730.030(1), F.A.C.] If the solid waste is a hazardous waste, it shall be managed in compliance with all applicable requirements of Chapter 62-730, F.A.C. The handler is considered the generator of the hazardous waste and is subject to 40 C.F.R. Part 262 [as adopted in subsection 62-730.160(1), F.A.C.] If the solid waste is not hazardous waste, the handler may manage the waste in any way that is in compliance with applicable federal, state and local solid waste regulations.

Pursuant to Chapter 62-730.186(3), F.A.C., 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 follow the standards implemented for universal waste lamps and batteries which are cited under the rule 40 CFR Part 273 and the state regulations for universal pharmaceutical waste which is cited under 62-730.186 F.A.C. Universal waste (i.e. universal waste lamps, universal waste batteries, universal pharmaceutical waste) is 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 and a pallet containing a hazardous waste which is described further below was next to the universal waste lamps and not the 10-day hazardous waste staging area.

UNIVERSAL WASTE BATTERIES:

Three wooden pallets containing universal waste batteries were observed.

- Pallet One:

- > (4) Four 55-gallon drums of spent alkaline batteries.
- > (1) One 30-gallon drum of spent alkaline batteries open between pallets one and two.

- Pallet Two:

- > (1) One 50-gallon drum of universal waste spent lead acid batteries and (1) one 30-gallon drum of Universal Waste spent lead acid batteries. Start accumulation dates 07/17/2018 and 07/19/2018.

- Pallet Three:

- > (1) One 55-gallon drum of universal waste lithium batteries closed and labeled with start accumulation date 06/07/2018.
- > (1) One 55-gallon drum of universal waste NiCad batteries closed and labeled with start accumulation date 04/27/2018.
- > (1) One 55-gallon drum of universal waste NiCad batteries (open) and labeled with start accumulation date 05/03/2018. Containers of universal waste batteries should be closed at all times unless adding or removing from the container as cited in 40 CFR 273.13(a)(1). This violation was resolved on-site.
- > (1) One 5-gallon closed and labeled container of non-PCB ballasts with start accumulation date 08/06/2018.
- > (1) One 5-gallon cardboard box closed and labeled universal waste alkaline & NiCad batteries with start accumulation date 07/05/2018.

UNIVERSAL PHARMACEUTICAL WASTE (UPW):

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

- > (1) one 1-gallon container of alcohol, cresols closed and labeled with start accumulation date 08/07/2018.
- > (5) Five 5-gallon containers of alcohol, cresols closed and labeled with start accumulation dates 08/06/2018-08/07/2018.
- > (7) Seven 18-gallon containers of alcohol, cyclophosphamide, closed and labeled with start accumulation dates of 08/06/2018.

UNIVERSAL WASTE LAMPS:

Towards the center of the warehouse were several wooden pallets of universal waste lamps.

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- Pallet One:

> (11) eleven boxes of 4-foot universal waste fluorescent lamps were observed, closed and labeled with start accumulation dates all from 2018.
> (2) two boxes of ink cartridges closed and labeled.

- Pallet Two:

> (16) sixteen boxes of fluorescent lamps all closed and labeled with start accumulation dates from 2018.
> (1) One cubic yard box of electronic waste closed and labeled with start accumulation date 08/04/2018.

- Pallet Two:

> (2) Two 30-gallon drums of universal waste lamps, closed and labeled with start accumulation dates 07/16/2018 and 07/31/2018.
> (1) One 55-gallon drum of universal waste lamps, closed and labeled with start accumulation date 08/06/2018.

In front of the wooden pallets of universal waste was one wooden pallet which contained:

> (1) one 30-gallon drum of hazardous waste tetrachloroethylene (EPA waste code D039/ F002), closed and labeled with start accumulation date 08/07/2018.
> (1) One 55-gallon drum of tetrachloroethylene (EPA Waste Code D039/ F002), closed and labeled with start accumulation date 08/07/2018.

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 waiting to be sorted, such as non-hazardous waste, flammable waste, and corrosive wastes stored and shrink-wrapped together.

> (11) Eleven wooden pallets were observed containing roughly 85 pieces of containers and drums ranging from 5-gallons to 55-gallons of non-hazardous waste, flammable waste, and corrosive waste all stored side by side and stacked on top of each other.

Based on the inspector's observation, Stericycle is not complying with 40 CFR 265.177(c), which states that 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. Not all 85 containers could be inspected for labeling, closure, and start accumulation dates due to inadequate aisle space. Roughly 45% of containers were viewable and were observed to be closed and labeled with start accumulation dates.

MARITIME WASTES:

This type of waste comes from cruise lines and includes non-hazardous waste, used oil, and hazardous waste. The inspectors observed one row containing 19 wooden pallets of stacked maritime waste. Adequate aisle space was observed.

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

Throughout the walkthrough of the entire facility, the inspectors did not observe any releases of contaminants into the environment or any spills during the inspection.

Preparedness and prevention measures were observed throughout the facility: spill kits, eye/shower area, fire extinguishers, internal communication system, fire prevention measurements, and evacuation maps. The evacuation maps were missing the locations of where hazardous waste is stored within the warehouse which should be included for an emergency during a fire or explosion.

RECORDS REVIEW:

All permits and documentation required by the inspectors were available for review on site. All three years

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worth of records for shipments of hazardous waste, non-hazardous waste, pharmaceutical waste, and medical waste were available for review. The inspectors reviewed the following:

USED OIL ACCEPTANCE AND DELIVERY RECORDS (used oil, used oil filters, oily rags, oily water):

- Records were kept on site and also, electronically for the last three years. The facility is currently no longer transporting used oil. Used oil will be transported by Stericycle, under a different EPA ID MNS000110924.
- Designated facility - Stericycle transports used oil from generator to the used oil processor Cliff Berry Inc. (EPA ID FLD058560699) in Miami, FL. Used oil is also sent to the Stericycle-owned facility Allworth, LLC in Birmingham, Alabama (EPA ID ALD094476793).
- The facility is listed as a used oil transfer and used oil transporter. Based on the file review and operation logs, used oil storage did not exceed 35 days pursuant to 40 CFR 279.45(a) and 62-730.300(1)(d) F.A.C. for used oil transfer facility standards. During the time of inspection, their registration was expired as a Transfer Facility for used oil. This registration expired on June 30, 2018. The inspectors requested additional information regarding the UOT requirements. Based on the file review, during the period of June 30, 2018 to the date of the inspection, the facility did not stored any used oil for more than 24 hrs. The last used oil activity was on 06/12/2018.

HAZARDOUS WASTE MANIFESTS:

A detailed file review was conducted during the inspection. For the year 2015, the Department was able to review some of the files; however, due to a flooding incident most of the manifests were visibly infested with mold and water damage. A photo was taken of the documents and is attached to the report.

- Stericycle transports Hazardous Waste under a different EPA ID MNS000110924, which drops off waste at the transfer facility location in Miami and transports it to the final destination below. Stericycle may sometimes use a second transporter, Chem Klean Corp. (EPA ID FLR000220954) who is registered and certified as a Hazardous Waste transporter exp. 06/30/2019. The facility also used Freehold Cartage (EPA ID NJD054126164) who is registered and certified as a Hazardous Waste transporter exp. 06/30/2019. The facility used to use Nortru LLC (EPA ID FLR0001771) in 2016 however, as of 11/16/2017 Nortru has ceased operations for EPA ID FLR0001771.
- On 04/19/2018, Stericycle sent a request to the Department to terminate their Hazardous Waste transporter registration effective immediately at their location in Miami. This termination became effective on 05/16/2018 only for the hazardous waste transporter registration. The facility was still registered as a Hazardous Waste Transfer facility until 06/30/2018, when the registration expired. During our meeting with Stericycle, it was clarified that the facility decided to use the EPA ID MNS000110924 for their hazardous waste transporting activities in Florida.
- Stericycle failed to renew their Hazardous Waste Transfer facility registration for the Miami facility (EPA ID FL0000702985). The registration for Hazardous Waste Transfer facility expired on 06/30/2018 and has not been renewed; therefore, the facility has been acting as a hazardous waste transfer facility since 07/01/2018 without renewing their registration with the Department as required by 62-730.171(2)(a) F.A.C.
- The designated facility for hazardous waste is Allworth, LLC in Birmingham, Alabama (EPA ID ALD094476793).
- Stericycle maintain all records for at least three years in files and also, electronically.
- It was discovered that through manifest review that on two occasions cruise ship pyrotechnic waste (EPA ID D001 and D003) was being manifested as non-hazardous waste even though pyrotechnic waste is potentially hazardous due to its flammable and reactive characteristics. 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 of time.

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

HAZARDOUS WASTE TRANSFER FACILITY 10-DAY OPERATION LOGS:

- Inbound and Outbound logs were reviewed and copies were provided during the inspection. It was discovered through these records that on multiple occasions hazardous waste was being stored for longer than 10 days without the facility being authorized to store hazardous waste for longer than 10 days with a RCRA permit as cited in 40 CFR 263.12 and 62-730.171(1) F.A.C. If the waste is stored for more than 10 days, the facility is subject to the permitting requirements for a hazardous waste storage facility.

Manifested Hazardous Waste Stored Longer Than 10-Days:

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- > Holland Cruise Line: Manifest# 013751889JJK, Dates in and out of facility: 01/10/2016 - 01/28/2016 (8 days over 10-day period)
- > Carnival Cruise Line: Manifest# 010964125JJK, Dates in and out of facility: 08/11/2016 - 08/24/2016 (3 days over 10-day period)
- > Carnival Cruise Line: Manifest# 010964098JJK, Dates in and out of facility: 07/09/2016 - 07/26/2016 (7 days over 10-day period)
- > Carnival Cruise Line: Manifest# 010964085JJK, Dates in and out of facility: 06/11/2016 - 07/01/2016 (10 days over 10-day period)
- > Manifest# 010964125JJK, Dates in and out: 08/11/2016 - 08/24/2016 (3 days over 10-day period)
- > Manifest# 015773933JJK, Dates in and out: 02/21/2016 - 03/13/2016 (11 days over 10-day period)

- > Weekly inspection logs for hazardous waste containers were available for review; however, one of the five elements were missing (the number of containers), as required by 40 CFR 265.174 and 62-730.160(3) F.A.C. (last inspection 08/06/18).

- > Full Contingency Plan was available for review (last revision 08/01/2018) including their proof of notification to the local authorities. The contingency plan included a layout of the facility; however it was missing the locations of the 10-day hazardous waste storage areas and staging areas.

- > Employee Training Plan (last training was conducted 07/07/18)
 - All employees receive 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.

- > Permits and registrations were on site and displayed in a visible area. This facility no longer transports used oil or hazardous waste and so will be applying for used oil transporter and hazardous waste transporter registrations under a different EPA ID.

- > Financial Assurance Reports and a Closure Plan is required for transfer facilities and permitted HW storage facilities. Certificate of liability and closure plan was available for review. Pollution liability policy# 0310-7450 expires on 06/01/2020.

- > Biennial Report is not required for this location since it does not generate LQG amounts of hazardous waste.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	265.35, 62-730.171, 62-730.180(2)
Explanation:	Pursuant to F.A.C. 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. § 265.35], 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.
Corrective Action:	Facility was requested to rearrange the storage of waste containers so that each container of hazardous waste can be inspected.
	***Violation corrected on 08/16/2018. The facility submitted photos of their revised container storage with adequate aisle space.

Photo Attachments:

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Inadequate Aisle Space



Type: Violation

Rule: 262.11, 62-730.030(1), 62-730.160(1)

Explanation: Failure of a person who generates a solid waste, as defined in 40 CFR 261.2, to determine if that waste is a hazardous waste. Pyrotechnics (EPA Waste Code D001 and D003) were being manifested as non-hazardous waste. In addition, it appears that Stericycle is actively comingling universal pharmaceutical waste with bio-medical waste at hospitals based on an email dated 10/01/2018 written by Mr. Jeffrey Davis, Compliance Manager of Stericycle which states, "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 transfer facility/designated facility. Stericycle staff executes the pre-transportation functions on behalf of the generator".

Corrective Action: The facility should be manifesting pyrotechnic waste as D001/ D003 hazardous waste due to its possible flammability and reactivity. If Stericycle is packaging waste for the generators and executing the pre-transportation functions, they must properly sort, segregate, and handle biomedical waste, universal pharmaceutical waste, and non-hazardous/ non-regulated pharmaceutical waste in separate designated containers.

Photo Attachments:

Pyrotechnics on Non-HW Manifest

Hazardous Waste Code	Quantity	Unit	Weight	Volume
9	1	DRUM	1300	0
1	1	DRUM	525	0
1	1	DRUM	35	0
106	1	DRUM	46	0

Comingled Biomedical Waste and Pharmaceutical Waste



Type: Violation

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Rule: 265.177(c), 62-730.180(2)

Explanation: Pursuant to F.A.C. 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. § 265.177], which 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. The purpose of this regulation is to prevent fires, explosions, gaseous emission, leaching, or other discharge of hazardous waste or hazardous waste constituents which could result from the mixing of incompatible wastes or materials if containers break or leak.

Corrective Action: The facility was instructed to separate hazardous waste containers that are incompatible and only group containers that are compatible with each other during storage.

***Violation corrected on 08/16/2018 via submittal of photos to the Department.

Photo Attachments:

Incompatible Wastes Stored Together



Type: Violation

Rule: 62-730.186(3)

Explanation: Pursuant to Chapter 62-730.186(3), F.A.C., 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.

Containers of non-regulated/ non-hazardous pharmaceutical wastes are not being disposed of or managed properly due to the comingling of universal pharmaceutical waste, non hazardous/ non-regulated pharmaceutical waste, and biomedical waste.

Corrective Action: Stericycle needs to ensure that hazardous waste, biomedical waste, universal pharmaceutical waste, and non-hazardous waste are being separated and sorted in appropriate containers and managed accordingly.

Type: Violation

Rule: 273.13(a)(1)

Explanation: Pursuant to Fla. Admin. Code Ann. r. 62-737.400(5) [40 C.F.R. § 273.13(a)(1)], a SQHUW 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

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lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

Two open containers of Universal Waste Batteries were observed.

Corrective Action: The facility was instructed to close the containers immediately and ensure that all universal waste containers remain closed at all times unless adding or removing universal waste.

**Violation Corrected on-site.

Photo Attachments:

Open Container of Universal Waste Batteries



Open Container of Universal Waste Batteries



Type: Violation

Rule: **263.12, 62-730.171(1)**

Explanation: Pursuant to Fla. Admin. Code Ann. r. 62-730.171(1) [40 C.F.R. § 263.12(a)], a 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. During the inspection, document review indicated that the wastes were stored for more than 10 days at Stericycle Miami facility. Therefore, the facility is subject to the permitting requirements for a hazardous waste storage facility. Pursuant to Fla. Admin. Code Ann. r. 62-730.171(1) [40 C.F.R. § 263.12(a)], a transfer facility who accumulates hazardous waste for more than 10 days is an operator of a storage facility and is subject to the requirements of Rule 62-730 et seq. of the Fla. Admin. Code Ann. [40 C.F.R. Parts 264, 265, and 267] and the permit requirements of Fla. Admin. Code Ann. r. 62-730.220(1) [40 C.F.R. Part 270].

Corrective Action: The facility was asked to register and re-notify with the Department in order receive the proper authorizations and permits required to operate as a 10-day hazardous waste transfer facility.

Type: Violation

Rule: **263.11(a), 62-730.171(2)(a)**

Explanation: Pursuant to F.A.C. 62-730.171(2)(a) [40 C.F.R. § 263.11(a)], the transporter who is owner or operator of a transfer facility which stores manifested shipments of hazardous waste for more than 24 hours but 10 days or less shall notify the Department using Form 62-730.900(1)(b), "8700-12FL - Florida Notification of Regulated Waste Activity," effective date April 23, 2013 [adopted by reference in paragraph 62-730.150(2)(a), F.A.C.].

The facilities Hazardous Waste Transfer Facility registration expired on 06/30/2018 and was not renewed.

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Corrective Action: The facility was asked to register as a hazardous waste transfer facility, which it is currently not registered for and authorized to do. The facility should cease hazardous waste transfer facility activities until the proper permits and registrations have been authorized and approved.

Type: Violation

Rule: 265.174, 62-730.160(3)

Explanation: The facility conducts weekly inspections of hazardous waste; however, they were missing the number of containers being inspected which is a requirement for documenting weekly container inspections.

Corrective Action: The facility was given a template to use for documenting weekly container inspections which lists all of the required information needed to document.

***Violation Corrected 08/20/2018. The facility submitted container inspection logs and a training log for staff on how to properly conduct weekly container inspections and document.

PHOTO ATTACHMENTS:

Doorway Entrance



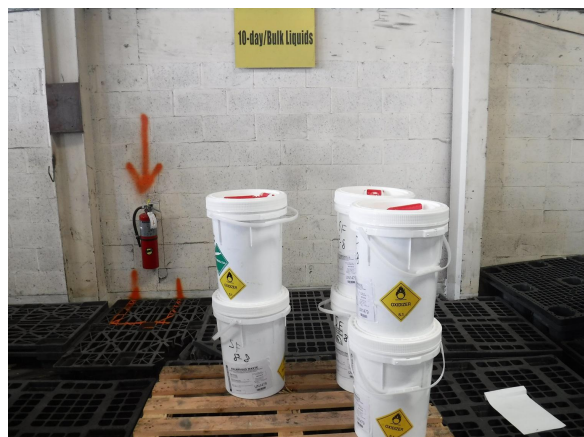
Emergency Shower Station



HW 10-Day Staging Area



HW 10-DAY staging Area



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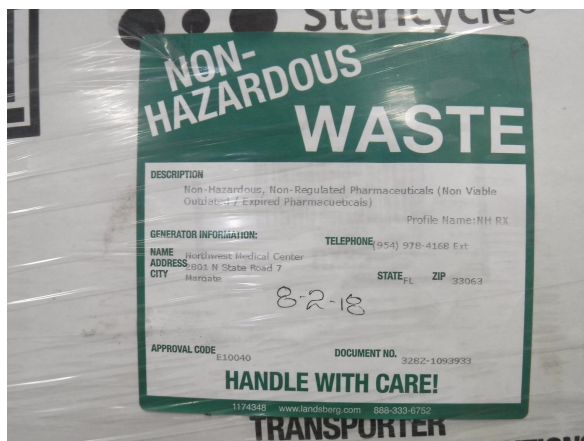
Electronic Waste



Non-Hazardous Pharmaceutical Waste



Non-Hazardous Pharmaceutical Waste



UPW



UPW



Universal Waste Lamps

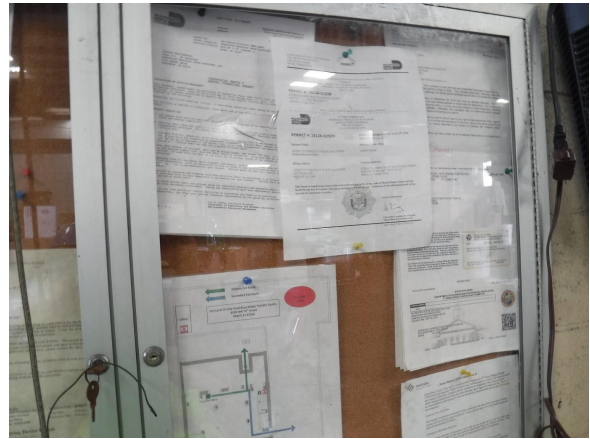


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Maritime HW from cruise ships



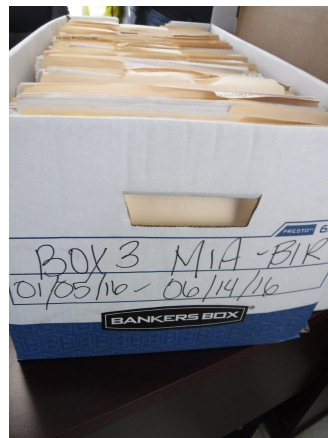
Permits Displayed



Transport Trucks



Manifest Records



2015 Manifest Records



Conclusion:

Stericycle Specialty Waste Solutions, Inc. is operating as a hazardous waste transfer facility, used oil transfer facility, universal waste transporter and transfer facility, and universal pharmaceutical waste transporter and transfer facility. The facility was not in compliance with state and federal hazardous waste and used oil regulations.

The facility was given 14 days to return to compliance. Violation 40 CFR 273.13(a)(1) for Universal Waste containers was resolved onsite. Violations 40 CFR 265.52(f) and 40 CFR 265.53(b) involving the Contingency Plan was corrected on 08/21/2018 via email submittals to the Department. Violations 40 CFR 265.174 and F.A.C. 62-730.160(3) for weekly container inspections of hazardous waste were resolved on 08/20/2018 via submittal of the logs to the Department. Violations 40 CFR 265.35 and F.A.C. 62-730.160(4) referencing

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adequate aisle space for container inspections was resolved on 08/16/2018 through photo submissions to the Department. Violation 40 CFR 265.177(c) involving storage of hazardous waste next to incompatible hazardous waste containers was resolved on 08/16/2018 through photo submission to the Department.

The following violations are still pending resolution:

- 40 CFR 262.11 for failure to determine that pyrotechnic wastes should be managed and transported as hazardous waste due to flammable (EPA waste code D001) and reactive (EPA waste code D003) characteristics.
- 40 CFR 263.12 and F.A.C. 62-730.171(1) for storing hazardous waste onsite for more than 10 days without having a permit as a hazardous waste storage facility.
- F.A.C. 62-730.171(2)(a) for failing to re-notify and renew the facility's hazardous waste transfer facility registration which expired on 06/30/2018. The facility should cease hazardous waste transfer facility activities until the proper permits and registrations have been authorized and approved.

On 08/15/2018 the Department emailed Mr. Kevin O'Donnell the notification form 8700FL-12 Florida Notification of Regulated Waste Activity in order for the facility to update their hazardous waste activity status and register with the Department. As of 09/28/2018 the facility has yet to apply for the proper registrations.

This inspection was conducted as a joint EPA compliance evaluation inspection with EPA Region IV State Coordinator and Inspector Parvez Mallick. The Department has referred this case to EPA who will be taking the lead for enforcement action.

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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)			✓
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)			✓

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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.

Kayla Acosta

Inspector

Principal Inspector Name**Principal Inspector Title**


FDEP

10/10/2018

Principal Inspector Signature**Organization****Date**

Kevin O'Donnell

Northeast Regional Operations Manager

Representative Name**Representative Title**

Stericycle Specialty Waste Solutions

Organization

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.

Parvez Mallick

EPA State Coordinator

Representative Name**Representative Title**

EPA

Organization

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Norva Blandin

Environmental Manager

Representative Name**Representative Title**

FDEP

Organization

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Robert Berberena

Representative Name

ES III

Representative Title

FDEP

Organization

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.

Glen Perrigan

Representative Name

Environmental Manager

Representative Title

FDEP

Organization

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Report Approvers:**Approver:** Norva Blandin**Inspection Approval Date:** 10/10/2018