



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

May 20, 2022

Adam Runsdorf, President
Woodfield Distribution, LLC
951 Clint Moore Rd.
Boca Raton, FL 33487-2802
Via email: arunsdorf@wdsrx.com

Re: Department of Environmental Protection vs Woodfield Distribution, LLC
Facility EPA ID #FLR000135863
OGC File No. 22-1737

Dear Mr. Runsdorf:

Enclosed is the executed Consent Order to resolve the above referenced case. This copy is for your records. Please be mindful of all required deadlines within the Order to ensure compliance.

Your cooperation in this matter is appreciated. Should you have any questions or comments, please contact Romina Lancellotti at 561-681-6624 or via e-mail at Romina.Lancellotti@floridadep.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Andreotta".

Jason Andreotta
Director, Southeast District
Florida Department of Environmental Protection

Enclosure: Executed Short Form Consent Order

cc: Lea Crandall, Matthew Knoll - OGC
Lilly Ann Sanchez, LS Law Firm, lsanchez@thelsfirm.com
George Karavetsos, Buchanan Ingersoll & Rooney Law Firm,
george.karavetsos@bipc.com
Jason Andreotta, Sirena Davila, Alannah Irwin, Romina Lancellotti – FDEP SED



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May 2, 2022

Adam Runsdorf, President
Woodfield Distribution, LLC
951 Clint Moore Rd.
Boca Raton, FL 33487-2802
arunsdorf@wdsrx.com

SUBJECT: Department of Environmental Protection vs. Woodfield Distribution, LLC
OGC File No.: 22-1737
EPA ID FLR000135863

Mr. Adam Runsdorf:

This Consent Order ("Order") is entered into between the State of Florida Department of Environmental Protection ("Department") and Woodfield Distribution, LLC ("Respondent") to reach settlement of certain matters at issue between the Department and Respondent.

The Department finds that the following violations occurred: failure to notify of the proper category status, failure to conduct a waste determination, failure to maintain a full contingency plan, failure to use a hazardous waste manifest, failure to conduct proper training, failure to label Hazardous Waste Pharmaceuticals (HWP), and failure to send HWP to a permitted facility, in violation of Title of Title 40 Code of Federal Regulations ("CFR") parts 266.510 and 266.508.

Although there are no actions required to correct the violations, Respondent remains subject to civil penalties as a result of the violation(s). Respondent is also responsible for costs incurred by the Department during the investigation of this matter.

The Department's Offer

Based on the violations described above, the Department is seeking **\$31,252.00** in civil penalties and **\$500.00** for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of **\$31,752.00**.

The civil penalties are apportioned as follows:

\$150.00 for violation of Rule 40 CFR 266.510(a)(1); \$7,268.00 for violation of Rule 40 CFR 266.510(a)(3); \$710.00 for violation of Rule 40 CFR 266.510(a)(7); \$4,250.00 for violation of Rule 40 CFR 266.510(b)(4); \$758.00 for violation of Rule 40 CFR 266.510(c)(3); \$150.00 for violation of Rule 40 CFR 266.510(c)(4)(i); and \$17,966.00 for violation of Rule 40 CFR 266.508(a).

Respondent's Acceptance

If you wish to accept this offer and fully resolve the enforcement matter pending against the Respondent, please sign this letter and return it to the Department at the Southeast District Office at 3301 Gun Club Road, MSC 7210-1, West Palm Beach, FL 33406 or via email at Romina.Lancellotti@floridadep.gov within **twenty(20) calendar days of the mailing date of this Order**. The Department will then countersign it and file it with a designated clerk of the Department. Once the document is filed with the designated clerk, it will constitute a final order of the Department pursuant to Section 120.52(7), F.S. and will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, F.S. and the attached Notice of Rights.

By accepting this offer you, Adam Runsdorf:

- (1) certify that you are authorized and empowered to negotiate, enter into, and accept the terms of this offer in the name and on behalf of Respondent;
- (2) acknowledge and waive Respondent's right to an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., on the terms of this offer, once final;
- (3) acknowledge and waive Respondent's right to an appeal pursuant to Section 120.68, F.S.; and
- (4) acknowledge that payment of the above amount does not constitute a waiver of the Department's right, if any, to recover emergency related costs and expenses for this matter.

The Department acknowledges that the Respondent's acceptance of this offer does not constitute an admission of liability for the violation(s) referenced above.

Respondent's Performance

After signing and returning this document to the Department,

- (1) Respondent must pay **\$31,752.00** in full within 30 days.

- (2) Respondent shall make the payment required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number as-signed to this Order and the notation "Water Quality Assurance Trust Fund." Online pay-ments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay>. It will take a number of days after this order is final and effective filed with the Clerk of the Department before ability to make online payment is available.

The Department may enforce the terms of this document, once final, and seek to collect monies owed pursuant to Sections 120.69 and 403.121, F.S.

Until clerked by the Department, this letter is only a settlement offer and not a final agency action. Consequently, neither the Respondent nor any other party may request an administrative hearing to contest this letter pursuant to Chapter 120, F.S. Once this letter is clerked and becomes a final order of the Department, as explained above, the attached Notice of Rights will apply to parties, other than the Respondent, whose interests will be substantially affected.

Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

Please be aware that if the Respondent declines to respond to the Department's offer, the Department will assume that the Respondent is not interested in resolving the matter and will proceed accordingly.

If you have any questions, please contact Romina Lancellotti at 561-681-6624 or at Romina.Lancellotti@floridadep.gov.

Sincerely,



Jason Andreotta
Director
Southeast District

FOR THE RESPONDENT:

I, Adam Rumsdorf [Type or Print Name], HEREBY ACCEPT
THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.

By: [Signature]
[Signature]

Date: May 18, 2022

Title: President
[Type or Print]

FOR DEPARTMENT USE ONLY

DONE AND ORDERED this 20th day of May, 2022, in
Orange County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

[Signature]
Jason Andreotta
Director
Southeast District

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department
Clerk. receipt of which is hereby acknowledged.

[Signature]
Clerk

May 20, 2022
Date

Attachments: Notice of Rights

Final clerked copy furnished to:
Lea Crandall, Agency Clerk (lea.crandall@dep.state.fl.us)

NOTICE OF RIGHTS

Persons who are not parties to this Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Order means that the Department's final action may be different from the position it has taken in the Order.

The petition for administrative hearing must contain all of the following information:

- a) The OGC Number assigned to this Order;
- b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- c) An explanation of how the petitioner's substantial interests will be affected by the Order;
- d) A statement of when and how the petitioner received notice of the Order;
- e) Either a statement of all material facts disputed by the petitioner or a statement that the petitioner does not dispute any material facts;
- f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Order;
- g) A statement of the rules or statutes the petitioner contends require reversal or modification of the Order; and
- h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Order.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at Agency_Clerk@floridadep.gov, within **21 days** of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at the address indicated above. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under Sections 120.569 and

120.57, Florida Statutes. Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.