



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

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**FACILITY INFORMATION:**

**Facility Name:** Bio Waste Tech Inc  
**On-Site Inspection Start Date:** 01/30/2023 **On-Site Inspection End Date:** 01/30/2023  
**ME ID#:** 95526 **EPA ID#:** FLR000169631  
**Facility Street Address:** 3311 Pinewood Ave , West Palm Beach, Florida 33407-4845  
**Contact Mailing Address:** 710 Evergreen Dr, Lake Park, Florida 33403  
**County Name:** Palm Beach **Contact Phone:** (561) 502-3173

**NOTIFIED AS:**

VSQG

**WASTE ACTIVITIES:**

**Generator:** VSQG **Universal Waste: Indicate types of UW generated and/or accumulated at the facility:**  
**Generate/Accumulate:** Batteries, Mercury Containing Lamps, Mercury Containing Devices **Transport:**  
Batteries, Mercury Containing Lamps, Mercury Containing Devices **Maximum quantity of UW handled or  
transported at any time:** Less than 5,000 kg (11,000 lbs); Small Quantity Handler (SQH)

**INSPECTION TYPE:**

Site Visit Inspection for Hazardous Waste Transporter Facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Johanna Polycart, Inspector  
**Other Participants:** Jacob Davis, ESIII; Carl Bryant, Owner; Alannah Irwin, Environmental Manager

**LATITUDE / LONGITUDE:** Lat 26° 44' 36.9745" / Long 80° 3' 32.4168"

**NAIC:** 562112 - Hazardous Waste Collection

**TYPE OF OWNERSHIP:** Private

**Introduction:**

On January 30, 2023 (01/30/2023), Johanna Polycart with the Florida Department of Environmental Protection (FDEP) conducted a site visit and complaint inspection at BioWaste Tech (hereinafter facility), located at 1560 A Rd., Loxahatchee Groves, FL 33470.

On 11/17/2022, the Department received a complaint stating that BioWaste Tech picked up photographic waste from a doctor's office on 02/28/2022 and did not provide the costumer with any manifest. The costumers also believes that BioWaste Tech transport the waste to Solid Waste authority in Delray Beach, West Palm Beach.

As a result of this complaint, Napa was inspected to determine the facility's compliance with the State and Federal Hazardous Waste regulations described in Title 40, Code of Federal Regulations (CFR) Parts 260-279, adopted and incorporated by reference in Rule 62-730 Florida Administrative Code (F.A.C.). The inspector was accompanied by Alannah Irwin, Environmental Manager and Jacob Davis, Environmental III from the FDEP.

The facility representative met with the inspectors at the 1560 A Rd., Loxahatchee Groves, FL 33470 location because that is where the new operations will be conducted. The 3311 Pinewood Ave, West Palm Beach location associated with the FLR000169631 EPAID is in the process of closing.

The inspectors were escorted around the facility by Carl Bryant, Owner. Upon arrival at the facility the inspectors presented their credentials and explained the purpose of the inspection.

**Notification History:**

The facility initially registered with the Department as a VSQG, Small Quantity Handler of Universal Waste, and

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Universal Waste Transporter on 8/23/2010.

The facility's latest registration as a Universal Waste Transporter (expired 03/01/2013) and Hazardous waste transporter (expired 11/09/2012).

### Inspection History:

The facility was inspected as a Hazardous Waste Transporter on 06/15/2011 and was out of compliance for not using the manifest system, failure to properly complete the manifest, and failure to transport hazardous waste with a vehicle that is enclosed.

The case did go to enforcement, and in the Final Judgment (Case No: 50-2012-CA-012403), issued in the Circuit Court of the Fifteenth Judicial Circuit, in and for palm Beach County, Florida, signed and issued in February 2013 the facility was ordered to:

- Pay the Department the sum of \$15,580.00 in civil penalties and \$1,000.00 for costs within ten days.
- Prohibited from transporting hazardous waste in Florida indefinitely

The department issued a Past Due Notice to the facility on 4/15/2013 for the penalty amount to be paid by 4/22/2013.

Personal Protective Equipment (PPE) was not required to enter the facility. Department personnel were equipped with steel-toed boots.

### Process Description:

The facility's new site located at 1560 A Rd., Loxahatchee Groves, FL 33470, is just a field with a small storage building. The representative informed the inspectors that he plans to construct a hemp field in the area.

The representative informed the inspectors that he has stopped doing hazardous waste transportation activities two years ago because of the CoVID-19 pandemic, and that the only waste the facility transports is biomedical waste.

The facility was able to provide a registration (50-64-03974) from the Florida Department of Health, allowing the transportation of biomedical waste, issued on 10/01/2022 and expiring 09/30/2023.

### Record Review:

#### Manifest

The facility was not able to provide manifests of hazardous waste transport for the past three years.

The representative provided the "Shipping Paper" used by the facility for biomedical waste disposal that he also gives to costumers. And the information on the form includes generator name, date, and quantity.

### New Potential Violations and Areas of Concern:

#### Violations

Type:	Violation
Rule:	263.22(a)
Question Number:	6.16
Question:	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)
Explanation:	At the time of the inspector the transporter was not able to provide any manifests of transport of hazardous waste for the past three years or even prior years.
Corrective Action:	The facility shall provide manifest for transport of hazardous waste, including the shipment mentioned in the complaint received by the Department.

### PHOTO ATTACHMENTS:

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## Shipping Paper

SHIPPING PAPER				GENERATOR NAME		STREET ADDRESS		CITY		STATE		SUPPLIES/OTHER COMMENTS	
BIO WASTE TECH 2811 PINELAND AVE. WEST PALM BEACH, FL 33407 888-250-2395 561-552-3173				HILSON HOSPITAL		7100 Highway 90E		JACKSONVILLE		FL			
DATE	PICK UP	DROP OFF	QTY	CONTAINER TYPE									
7/29/22	11:00	1:00	17	boxes									
CUSTOMER SIGNATURE: _____													
PRINT NAME: _____													
DISPOSAL DATE: _____ PLACE & METHOD OF DISPOSAL: _____													
BIO WASTE TECH SOLUTIONS CERTIFIES THAT ALL WASTE MATTER REMOVED FROM THE GENERATOR'S PREMISES WILL BE DISPOSED OF IN A MANNER CONSISTENT WITH THE PROVISIONS SET FORTH IN FLORIDA ADMINISTRATIVE CODE FOR BIOMEDICAL WASTE CHAPTER 64E-18													

## Conclusion:

BioWaste Tech was inspected by the Department as a Transporter of hazardous waste, and was found to be out of compliance for failure to keep a copy of the manifest for a minimum of three years.

The facility was requested to submit by 2/9/2023, all manifest for transportation of hazardous waste for the past six years, since the representative indicated that activities stopped during the years of the pandemic.

The Department is still waiting for the documents.

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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)			✓

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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)			✓
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

Johanna Polycart

**Principal Investigator Name****Principal Investigator Signature**

Inspector

**Principal Investigator Title**

DEP

**Organization**

02/24/2023

**Date**

Jacob Davis

**Inspector Name**

ESIII

**Inspector Title**

FDEP

**Organization**

Carl Bryant

**Representative Name**

Owner

**Representative Title**

Bio Waste Tech Inc.

**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.

Alannah Irwin

**Supervisor Name**

Environmental Manager

**Supervisor Title**

FDEP

**Organization****Report Approvers:****Approver:**

Alannah B Irwin

**Inspection Approval Date:**

02/24/2023