

From: Byer, James
Sent: Thursday, January 19, 2006 9:50 AM
To: PGDitter@onyxsp.com
Cc: LTDunwoody@onyxsp.com; gsnewton@onyxsp.com
Subject: RE: Percent Recovery spreadsheet
Phil,

I have reviewed the data provided. As we discussed on the telephone the Jan 2005 results are an issue.

Based on the following:

- Ø Reclamation rate data provided by ONYX (below message)
- Ø Variance extension expired 1 Jan 2005
- Ø Post retort sample was 9.4 mg/kg, which is less than the 10 mg/kg level identified in the variance
- Ø Meeting conducted between ONYX and FDEP in December, 2004 (USEPA/FDEP/Industry meeting in Sarasota)
- Ø FDEP discussions and FDEP April 7, 2005 letter addressing 99 percent rate calculations
- Ø May 18, 2005 meeting between ONYX and FDEP discussing sampling plan
- Ø FDEP and ONYX discussions since ONYX's self-disclosure letter of Sept 20, 2005.

I have discussed this issue with permitting staff in Tallahassee. I propose to add this item to the current on going enforcement case associated with the self-disclosure. This violation of the permit condition and 62-737 rule associated with the 99 percent reclamation rate would be added to the case. Because of the discussions and negotiations, which occurred during the Dec 2004 to May 2005 timeframe, I propose NO civil penalty be assessed for this particular violation.

The result will be an identification of the issue and resolve it within the current enforcement case.

Jim Byer
NWD HW Section Supervisor
850.595.8360 SC 695.8360
Extension 1253

-----Original Message-----

From: PGDitter@onyxsp.com [mailto:PGDitter@onyxsp.com]
Sent: Monday, January 09, 2006 4:02 PM
To: Byer, James
Cc: LTDunwoody@onyxsp.com; gsnewton@onyxsp.com
Subject: Percent Recovery spreadsheet

Attached is the spreadsheet of reclamation rates for 2005.

If you have any questions please call me.

Phillip Ditter

Onyx Environmental Services, L.L.C.

EH&S Manager

Phone: 262-243-8908

Month	Run #	Sample ID	Quantity of Sample	Mercury Total Before Distillation	Mercury Total After Distillation	Percent Recovery
January	951	951	50g	67.8		86%
		951A	50g		9.4	
February	DNP					#DIV/0!
March	959	959	50g	20.1		100%
		959A	50g		0.10	
April	DNP					#DIV/0!
May	964	964	50g	48.6	TCLP - 0.0044Mg/L	99%
		964A	50g		0.46	
June Semi-annual rate 93%	DNP					#DIV/0!
July	983	983		337		98%
		983A			5.7	
August	DNP					#DIV/0!
September	DNP					#DIV/0!
October		400-6575-1		410		99%
		400-6575-2			4.4	
November		400-6753-3&4		380		99%
		400-7696-1&2			5.15	
December Semi-annual rate 99%		400-7696-4&5		820		99%
		400-7696-3			4.9	

*DNP - Did not process this stream for that month; no reclamation rate testing is required

Month	Run #	Sample ID	Quantity of Sample	Mercury Total Before Distillation	Mercury Total After Distillation	Percent Recovery
January						#DIV/0!
February						#DIV/0!
March						#DIV/0!
April						#DIV/0!
May	966	966CC	50g	57.2	TCLP - 0.062Mg/L	99.84
		966CC A	50g		0.094	
June						#DIV/0!
July						#DIV/0!
August						#DIV/0!
September						#DIV/0!
October						#DIV/0!
November						#DIV/0!
December						#DIV/0!

*DNP - Did not process this stream for that month; no reclamation rate testing is required