

From: Holmes, Georgiana
Sent: Monday, June 19, 2006 3:13 PM
To: Byer, James
Subject: RE: ONYX Environmental Services

Jim,

The proposed settlement looks good and I have no revisions from OGC.

Thanks!

George

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

From: Byer, James
Sent: Friday, June 16, 2006 11:00 AM
To: Holmes, Georgiana
Subject: FW: ONYX Environmental Services

Georgiana,

I discussed this case briefly on Thursday (15th) as being a parallel proceeding case with FDLE. Because you are the Civil Attorney for cases related to criminal enforcement in NWD I am forwarding this for your review. **Below is an e-mail from Special Agent Gonzalez** indicating that a settlement proposal could be offered to ONYX without BEI review.

The facility submitted its LSAR with a conclusion that no elevated Hg or lead concentrations were found in the areas of the unpermitted storage site and recommended for no further additional assessment activities. Our CU section concurred (attached is CU memo and SRCO).

<< File: HW ONYX LSAR CU Memo 041706.pdf >> << File: Onyx SRCO 06-05-06.pdf >>

This completed the last eligibility requirement for self-reported violation penalty mitigation pursuant to EPA's Policy "Incentives for Self-Policing: Discovery, Disclosure, and Correction and Prevention of Violations" (65 Fed. Reg. 19617 (4/11/00)) [EPA's Jun 23, 2003 Revised RCRA Civil Penalty Policy]. Charlie Goddard, Tim Bahr, Mike Redig, and Mike Kennedy and I have discussed the proposed settlement and self-reporting mitigation. Attached is my memo outlining eligibility.

<< File: Application of Self-Policing.pdf >>

This is the proposed SCFO with civil penalties and Department costs.

<< File: HW ONYX SCOI 06XX06.doc >>

Jim Byer
NWD HW Section Supervisor
850.595.8360 SC 695.8360
Extension 1253

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

From: Gonzalez, Oscar
Sent: Thursday, May 11, 2006 7:48 AM
To: Byer, James
Cc: Skelly, Dennis
Subject: ONYX Environmental Services

Jim,

In reference to the ONYX Environmental Services' Tallahassee facility, Un-permitted Storage of Hazardous Waste complaint (BEI case# 2005-0441), the Bureau of Environmental Investigations closed the complaint on 03/15/06. At this time, we do not have any interest in

reviewing the proposed Consent Order.

Thank you for your assistance.

Special Agent Oscar E. Gonzalez
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