

Thursby, Kim

From: Linda.Dunwoody@veoliaes.com
Sent: Thursday, September 25, 2008 9:03 AM
To: Epost HWRS
Cc: Linda.Dunwoody@veoliaes.com; marksj@talgov.com; depuye@leoncountyfl.gov; jack.price@dep.state.fl.us; Byer, James; knight.karen@epamail.epa.gov; Posner, Augusta; heath_rauschenberger@fws.gov; maryann.poole@myfwc.com; Kothur, Bheem; Bahr, Tim
Subject: Re: Veolia ES Technical Solutions Notice of Intent to Issue
Attachments: Veolia intent.pdf
Importance: High

Good morning.
Bheem. I got your message.
I show the response to this went out on the 4th, But it must have failed to deliver.
(Don't know why)

Let me know if there is anything else I need to do.
I will have the receipts from Public Notice shortly.

Lin

Linda Dunwoody
Operations Manager, Electronics Recycling
Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, FL 32305
tel: 850-877-8299 - fax: 850-878-3349
cell: 850-251-4924
linda.dunwoody@veoliaes.com
www.VeoliaES.com

For prepaid recycling of fluorescent lamps, ballasts, batteries and more, visit www.prepaidrecycling.com

Register for FREE breaking environmental news from Veolia at <http://veoliaes-ts.com/buzzsignupform>

-----"Epost HWRS" <EpostHWRS@dep.state.fl.us> wrote: -----

To: <linda.dunwoody@veoliaes.com>
From: "Epost HWRS" <EpostHWRS@dep.state.fl.us>
Date: 09/03/2008 06:00PM
cc: <marksj@talgov.com>, <depuye@leoncountyfl.gov>, <jack.price@dep.state.fl.us>, "Byer, James" <James.Byer@dep.state.fl.us>, <knight.karen@epamail.epa.gov>, "Posner, Augusta" <Augusta.Posner@dep.state.fl.us>, <heath_rauschenberger@fws.gov>, <maryann.poole@myfwc.com>, "Kothur, Bheem" <Bheem.Kothur@dep.state.fl.us>, "Bahr, Tim" <Tim.Bahr@dep.state.fl.us>
Subject: Veolia ES Technical Solutions Notice of Intent to Issue

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Regulation Section is forwarding the attached document to you by electronic correspondence "e-correspondence" in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a “reply” message to epost_hwrs@dep.state.fl.us. (An automatic “reply message” is **not** sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

The attached document is in “pdf” format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at www.adobe.com/products/acrobat/readstep2.html.

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

Your cooperation in helping us affect this process by replying as requested is greatly appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Tim Bahr

Environmental Administrator

Hazardous Waste Regulation

Department of Environmental Protection

E-Mail Address: epost_hwrs@dep.state.fl.us

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

September 3, 2008

SENT VIA E-MAIL

linda.dunwoody@veoliaes.com

Ms. Linda Dunwoody, Operations Manager
Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, Florida 32305

SUBJECT: Veolia ES Technical Solutions, L.L.C.
EPA ID No. FL0 000 207 449
Operating Permit Number: 71455-HO-010
Leon County

Dear Ms. Dunwoody:

The purpose of this letter is provide Notice of Intent to Issue a draft Permit Modification for your facility located at 342 Marpan Lane, Tallahassee, Florida, Leon County, Florida, specifically for operating a mercury containing lamp and device storage and recovery facility. Please review the attached documents and ensure publication and broadcast within the time allotted.

As Applicant, you are a person whose substantial interests will be determined by this agency action. As such, the rights outlined in the enclosed Newspaper Notice apply to you. You have 45 days from the date you receive this Intent to Issue in which to exercise your rights. In the interim, if you have any questions or would like to discuss this matter, please contact Bheem Kothur at (850) 245-8781 or via e-mail: bheem.kothur@dep.state.fl.us

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

TJB/bk
Enclosures

Ms. Linda Dunwoody, Operations Manager

September 3, 2008

Page Two

cc (with enclosures):

Karen Knight, EPA/Region 4, knight.karen@epamail.epa.gov

James Byer, DEP/Pensacola, james.byer@dep.state.fl.us

Jack Price, DEP/Tallahassee, jack.price@dep.state.fl.us

Augusta Posner, DEP/Tallahassee, augusta.posner@dep.state.fl.us

Mayor, City of Tallahassee, marksj@talgov.com

Chairman, Leon County Board of County Commissioners, depuye@leoncountyfl.gov

Heath Rauschenberger, U. S. Fish and Wildlife Services, heath_rauschenberger@fws.gov

Mary Ann Poole, Florida Fish and Wildlife Conservation Commission, maryann.poole@myfwc.com

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the Matter of an
Application for a Permit by:

*Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, Florida 32305*

*DEP File No.: 71455-HO-010
Leon County*

INTENT TO ISSUE

The Florida Department of Environmental Protection ("the Department") gives notice of its intent to issue a Permit modification (copy enclosed) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Veolia ES Technical Solutions, L.L.C., applied to the Department on May 15, 2008 and provided supplemental information on July 21, 2008, and August 5, 2008, for a permit modification to operate mercury containing lamp and device storage and recovery facility at Veolia ES Technical Solutions, L.L.C.'s site at Tallahassee, Florida. The Department has permitting jurisdiction under Section 403.722, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-730, 62-737 and 62-780. The project is not exempt from permitting procedures. The Department has determined that an operating permit is required for the proposed work. The Department intends to issue the permit with the conditions included in the enclosed draft.

Pursuant to Sections 403.722 and 403.815, F.S. and Rule 62-730.292, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Newspaper Notice, and to broadcast over a local radio station the enclosed Radio Announcement. The notice shall be published one time only within thirty (30) days in the legal ad section of a daily, major newspaper of general circulation in the area affected. For the purpose of this notice, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one daily newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Office of General Counsel of the Department at (850) 245-2242. The applicant shall provide proof of publication to the Department of Environmental Protection at 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Regulation Section, within fourteen (14) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Radio Announcement shall be broadcast one time only within thirty (30) days on a licensed commercial radio station of sufficient power to be clearly received in the area that may be affected by the permit. **Broadcast of the notice shall occur between 8:00 a.m. and 10:00 p.m.** The applicant shall provide proof of broadcast to the Department of Environmental Protection, 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Regulation Section, within fourteen (14) days of the broadcast. Failure to broadcast the announcement and provide proof of the broadcast within the allotted time may result in the denial of the permit.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., or all parties reach a written agreement on mediation as an alternative remedy under Section 120.573, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing is set forth in the enclosed Newspaper Notice apply to you, as applicant and Permittee. Your 45-day period for requesting an administrative hearing begins on the date you receive this Intent.

Mediation is not available in this proceeding. If you should have any questions, please call Bheem Kothur at (850) 245-8781.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Charles F. Goddard, Chief
Bureau of Solid & Hazardous Waste

cc: Karen Knight, EPA/Region 4
James Byer, DEP/Pensacola
Jack Price, DEP/Tallahassee
Augusta Posner, DEP/Tallahassee
Mayor, City of Tallahassee
Chairman, Leon County Board of County Commissioners
Heath Rauschenberger, U. S. Fish and Wildlife Services
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission

Newspaper Notice:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT UNDER SECTION 403.722, FLORIDA STATUTES (F.S.), AND CHAPTERS 62-4, 62-730 AND 62-737, FLORIDA ADMINISTRATIVE CODE (F.A.C.) TO Veolia ES Technical Solutions, L.L.C. The permit relates to Veolia ES Technical Solutions, L.L.C., Tallahassee, Florida 32904, facility I.D. number FL0 000 207 449 and is issued as part of FDEP's hazardous waste management program, authorized pursuant to the Resource Conservation and Recovery Act and Hazardous and Solid Waste Amendments (RCRA/HSWA).

The draft permit contains the conditions for Operating Permit 71455-HO-010. The permit is for the purpose of operating, a mercury containing lamp and device storage and recovery facility at Veolia ES Technical Solutions, L.L.C. site at Tallahassee, Florida.

Copies of the application and the draft permit are available for public inspection during normal business hours 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at FDEP District Office, 160 Governmental Center, Suite 104, Pensacola, Florida 32502-5794, (850) 595-8360 and at Bob Martinez Center, Division of Waste Management, Bureau of Solid & Hazardous Waste, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850) 245-8781.

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant and any of the parties listed below must be filed within forty-five (45) days of receipt of this Intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within forty-five (45) days of publication of this notice of intent or receipt of the written notice, whichever occurs first. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within this time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of all material facts disputed by petitioner, or a statement that there are no disputed facts; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Any person may request a public meeting regarding the proposed permitting decision pursuant to Section 403.722(10), F.S. A request for a public meeting is not equivalent to a request for a formal or informal administrative hearing. Public meetings are not evidentiary in nature, and information submitted at a public meeting is for non-binding consideration only. A public meeting is not subject to court or appellate review. A request for a public meeting must be filed (received) in the Office of General Counsel, Agency Clerk, within 45 days of publication of this notice. Failure to file a request for a public meeting within this time period shall constitute a waiver of any right such a person may have to request a meeting under Section 403.722(10), F.S.

Radio Announcement:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE

The Florida Department of Environmental Protection gives notice of its intent to issue an Operating Permit to Veolia ES Technical Solutions, L.L.C., Tallahassee, EPA I.D. number FL000 207 449. The permit to be issued under Section 403.722, Florida Statutes, and Chapters 62-4, 62-730 and 62-737, Florida Administrative Code, as authorized by the Resource Conservation and Recovery Act and the Hazardous and Solis Waste Amendments. The permit contains conditions to operate a mercury containing lamp and device storage and recovery facility.

A person who is or will be substantially affect by the Department's proposed permitting decision may file a petition for an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statutes. Any person may request a public meeting pursuant to Section 403.722(10), Florida Statutes. A petition for an administrative hearing or a request for a public meeting must be filed with the Agency Clerk, Office of General Counsel within 45 days of this announcement.

Mediation is not available in this proceeding.

For more information concerning the hearing process and the necessary time frames for filing, please contact the Office of General Counsel at (850) 245-2242. Copies of the application and the draft permit are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department's Hazardous Waste Regulation Section, 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400, (850) 245-8781; and at the Department of Environmental Protection, District Office, 160 Governmental Center, Suite 104, Pensacola, Florida 32502, (850) 595-8360.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Permittee:

Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, Florida 32305

I.D. Number: FL0 000 207 449

Permit/Certification Number: 71455-HO-009

Date of Issue: DRAFT

Expiration Date: September 26, 2011

Attention:

Ms. Linda Dunwoody,
Operations Manager

County: Leon

Latitude / Longitude: 30° 21' 46" N / 84° 16' 34" W

Project: Operation of Mercury Containing Lamps
and Devices Storage Facility, Mercury Recovery
and Mercury Reclamation Facility and
Implementation of HSWA Corrective Action
Requirements.

Pursuant to authorization obtained by the Florida Department of Environmental Protection (FDEP) under the Resource Recovery and Conservation Act [42 United States Code (U.S.C.) 6901, *et seq.*, commonly known as RCRA] and the Hazardous and Solid Waste Amendments of 1984 (HSWA), this permit is issued under the provisions of Section 403.722, Florida Statutes (F.S.) and Chapters 62-4, 62-160, 62-730, 62-737, 62-777 and 62-780, Florida Administrative Code (F.A.C.). The above-named Permittee is hereby authorized to perform the work or operate the facility shown in the application dated May 25, 2006, revisions dated September 18, 2006, additional information dated January 17, 2007, a modification application dated May 15, 2008, and additional information dated July 21, 2008 and August 5, 2008 (hereafter referred to as "the Permit Application"), and approved drawing(s), plans and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

To operate a mercury containing lamp and device storage, recovery and reclamation facility. The storage of mercury containing lamps and devices is limited to the following: 6,400 cubic feet of mixed lamps, 24,000 HID lamps, and sixty 55-gallon drums of mercury containing devices/unprocessed powder (15 pallets) may be stored. For further details see Attachment D-3 of renewal permit application revisions dated November 14, 2006. Also, for further details, see Attachment D-4 of the permit application modification revisions dated May 15, 2008, additional information dated July 21, 2008 and August 5, 2008 for maximum storage capacity table for electronic waste increased from 36 pallets to 86 pallets.

The Recovery Process involves operations or processes and equipment used to receive spent mercury containing lamps and devices for the purpose of crushing or dismantling and separating the lamps or devices in a manner as to produce separated individual recyclable components such as glass, scrap metal and mercury containing powder.

The Reclamation process uses processes described in the application to receive and recapture mercury from spent mercury containing lamps, mercury containing devices, mercury containing materials or

Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, Florida 32305

EPA I.D. NUMBER: FL0 000 207 449
PERMIT/CERTIFICATION NUMBER: 71455-HO-009
EXPIRATION DATE: SEPTEMBER 26, 2011

residuals, or pourable commodity grade mercury materials to produce a commercial grade of mercury for recycling.

Operation of the facility will be in accordance with the permit renewal application dated May 25, 2006, additional information dated June 23, 2006, September 8, 2006, November 4, 2006, January 17, 2007, the permit modification application dated May 15, 2008, and additional information dated July 21, 2008, and August 5, 2008.

HSWA Corrective Action: Eight solid waste management units (SWMUs), four sub-units, and one area of concern (AOC) have been identified at the facility in the RCRA Facility Assessment dated November 12, 1997 and revised in September 2006. No remedial corrective action is required at the facility at this time.

The Permittee is required to investigate any releases of hazardous waste or hazardous constituents at the facility regardless of the time at which waste was placed in a unit and to take appropriate corrective action for any such releases.

This permit is based on the premise that information and reports submitted by the Permittee prior to issuance of this permit are accurate. Any inaccuracies found in this information or information submitted as required by this permit may be grounds for termination or modification of this permit in accordance with Rule 62-730.290, F.A.C and potential enforcement action.

Compliance with this RCRA permit constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA except for those requirements not included in the permit which become effective by statute, are promulgated under 40 CFR Part 268 restricting placement of hazardous waste in or on the land or are promulgated under 40 CFR Part 264 regarding leak detection systems for new and replacement surface impoundments, waste piles, and landfill units, and lateral expansions of surface impoundments, waste piles, and landfill units, as specified in 40 CFR 270.4. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Section 3008(a), 3008(h), 3004(v), 3008(c), 3007, 3013 or Section 7003 of RCRA, Sections 104, 106(a), 106(e), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 *et seq.*, commonly known as CERCLA), or any other law providing for protection of public health or the environment.

The facility is located at 342 Marpan Lane, Tallahassee, Leon County, Florida.

During operating hours, visitors, vendors, contractors, and other persons must receive prior authorization from Veolia ES Technical Solutions, L.L.C. before gaining access to the facility. The facility shall be locked and secured during non-operating hours.

The following documents were used in the preparation of this permit:

1. Permit Application dated June 8, 1995.
2. Additional Information received on October 16, November 2, November 16, and December 22, 1995.
3. Minor modifications approved since permit issuance dated November 7, 1996, February 25, 1997, June 15, 2000, and December 28, 2000.
4. RCRA Facility Assessment Report dated November 12, 1997.
5. Permit Renewal Application dated February 9, 2001.

Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, Florida 32305

EPA I.D. NUMBER: FL0 000 207 449
PERMIT/CERTIFICATION NUMBER: 71455-HO-009
EXPIRATION DATE: SEPTEMBER 26, 2011

6. Retort Efficiency letter dated November 30, 2004 and submitted letter dated April 7, 2005.
7. Facility Name Change and Financial Assurance Materials dated December 19, 2004.
8. Permit Transfer Application dated March 28, 2005.
9. Permit Modification Application dated June 22, 2005.
10. Revised Sampling Plan, Contingency Plan, and Inspection Form dated June 22, 2005.
11. Permit Renewal Application dated May 25, 2006.
12. Facility Name Change notification dated June 23, 2006.
13. Permit Renewal Application NOD Response dated September 8, 2006.
14. Additional Information received on November 14, 2006 and January 17, 2007.
15. Mercury Criteria for Buildings by Dr. Stephen M. Roberts, PhD, University of Florida dated May 25, 2006 and February 5, 2007.
16. Permit Modification Application dated May 15, 2008 and additional information dated July 21, 2008, and August 5, 2008.

Please note that there are no other changes to this permit and that this permit modification shall be attached to the existing permit.

Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, Florida 32305

EPA I.D. NUMBER: FL0 000 207 449
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EXPIRATION DATE: SEPTEMBER 26, 2011

ISSUED _____

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Charles F. Goddard, Chief
Bureau of Solid and Hazardous Waste

FILING AND ACKNOWLEDGMENT

Filed on this date, pursuant to Section 120.52, Florida Statutes, with the designated Clerk, receipt of which is acknowledged.

DEPUTY CLERK

DATE

Attachment 2

EPA I.D. NUMBER: FL0 000 207 449
PERMIT/CERTIFICATION NUMBER: 71455-HO-009
EXPIRATION DATE: SEPTEMBER 26, 2011



Revision Date: 8/21/2008