VEOLIA
ENVIRONMENTAL SERVICES

TECHNICAL SOLUTIONS
NORTH AMERICA

November 7, 2008

Mr. James Byer
Department of Environmental Protection
Northwest District Office
160 Governmental Center
Pensacola, FL 32501-5794

RE: Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, FL 32305
EPA ID# FL0000207449

Dear Mr. Byer:

This letter is being submitted in response to the Non-compliance Letter issued by your office on October 17, 2008 to the Veolia ES Technical Solutions L.L.C. (Veolia) facility located in Tallahassee, FL. The non-compliance letter identified one potential violation and two areas of concern. Below are Veolias' responses to each of the items address in the non-compliance letter.

Potential Violation – Outside North Storage, at the extreme northern end of this storage area, it appeared that an open circular container holding broken glass and possibly Hg containing wastes had been turned upside down in the grass covered area.

Following your inspection of the facility, Veolia took a number of actions to clean up the glass located in the area referenced above and began an investigation to try to determine the origin of the glass. The following is a summary of those actions.

- Facility staff, using rakes and shovels cleaned up and containerized the glass. Photographs of the cleaned up area are attached.
- While cleaning up the area, a visual inspection of the material was completed. There was no evidence of aluminum end caps or other metal parts and the glass pieces were clear and did not contain any residual phosphor powder.
- The containerized glass was sampled and the sample was submitted to a State of Florida certified laboratory for total mercury testing. The results of

Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane, Tallahassee, FL 32305
tel: 850-878-8299 fax: 850-878-3349

the analysis showed the glass to contain 0.614 mg/kg mercury. A copy of the laboratory report is attached. This concentration is consistent with the concentration of mercury found in the clean glass generated by the facility.

- Interviews were conducted with all employees. No employees had knowledge of any containers being emptied in this area. The only item that came up during this interview was that the area had at one time been used for the staging of roll-off containers of clean glass.

Based on the results of the investigation and the laboratory analysis, it is the position of Veolia that the material found in the north storage area was clean glass. As such, there was no release of a hazardous waste and no improper management of any hazardous waste containers.

Area of Concern 1 – HW Storage, at the time of the inspection, Veolia had combined the storage of HW containers from both its permitted 90-day Accumulation Area and its TSD (phosphor powder and MCD materials to be processed in the facility's retort) HW Storage Area. Both types of HW containers were being stored on the east side of the facility.

In response to this area of concern, Veolia has conducted a review of existing container storage practices and developed the following procedures to be followed.

- All on-site generated hazardous waste will be placed into the 90-day accumulation area. In the case of satellite accumulation containers, the containers will be moved from the point of generation to the accumulation area when the containers become full.
- All hazardous waste containers that are scheduled to be shipped off-site for reclamation or treatment will remain in the 90-day accumulation area until shipped.
- Hazardous waste containers that hold material to be processed in the retort will be moved from the 90-day accumulation area directly to the retort processing area or into the HW storage area.
- The hazardous waste storage area will be used solely for materials that are scheduled to be processed in the retort or lamp processing equipment on-site.

Area of Concern 2 – Loading Dock, Processed Powder Storage Maintenance, Veolia has two fire extinguishers in the facilities maintenance area that were not fully charged/operable.

The fire extinguishers that were in the maintenance area at the time of the inspection had recently been removed from service and were excess to the needs of the facility. At the time of inspection, all extinguishers identified in the contingency plan were in place, properly charged and operational. The two extinguishers that

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were in the maintenance area have since been recharged and returned to the inventory of the facility as back-up extinguishers. It is the position of Veolia that these two fire extinguishers were in the maintenance area as a result of an effective inspection.

If you have any questions please call me at (850) 877-8299 or call Phillip Ditter at (262) 243-8908.

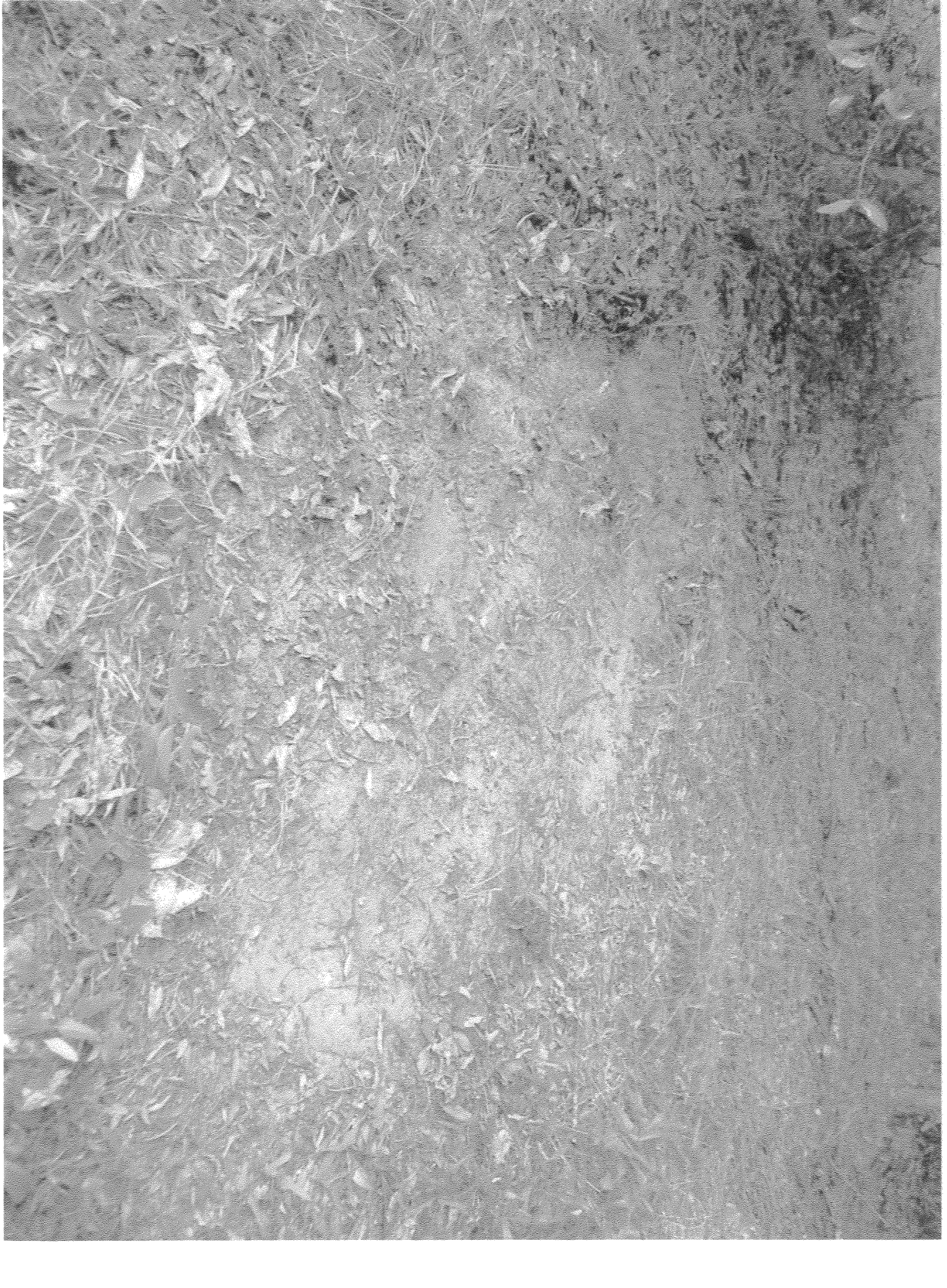
Sincerely,

VEOLIA ES TECHNICAL SOLUTIONS, L.L.C.

Linda Dunwoody
Operations Manager

Cc: John McShane
Phillip Ditter

Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane, Tallahassee, FL 32305
tel: 850 877 2259 fax: 850 878 3349
www.VeoliaES.com



TestAmerica
THE LEADER IN ENVIRONMENTAL TESTING

2960 Foster Creighton Road Nashville, TN 37204 * 800-765-0980 * Fax 615-726-3404

September 25, 2008 3:56:31PM

Client: Veolia ES Technical Solutions, L.L.C. (14303)
342 Marpan Lane
Tallahassee, FL 32305
Attn: Randy Williams

Work Order: NRI1570
Project Name: Tallahassee Operations
Project Nbr: Weekly Samples
P/O Nbr:
Date Received: 09/18/08

SAMPLE IDENTIFICATION	LAB NUMBER	COLLECTION DATE AND TIME
Soil & Glass	NRI1570-01	09/02/08 09:00

An executed copy of the chain of custody, the project quality control data, and the sample receipt form are also included as an addendum to this report. If you have any questions relating to this analytical report, please contact your Laboratory Project Manager at 1-800-765-0980. Any opinions, if expressed, are outside the scope of the Laboratory's accreditation.

Florida Certification Number: E87358

The Chain(s) of Custody, 2 pages, are included and are an integral part of this report.

These results relate only to the items tested. This report shall not be reproduced except in full and with permission of the laboratory.

All solids results are reported in wet weight unless specifically stated.
Estimated uncertainty is available upon request.
This report has been electronically signed.
Report Approved By:

Roxanne L. Connor

Roxanne Connor

Program Manager - Conventional Accounts

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Client	Veolia ES Technical Solutions, L.L.C. (14303)	Work Order:	NRI1570
	342 Marpan Lane	Project Name:	Tallahassee Operations
	Tallahassee, FL 32305	Project Number:	Weekly Samples
Attn	Randy Williams	Received:	09/18/08 08:10

ANALYTICAL REPORT

Analyte	Result	Flag	Units	MDL	MRL	Dilution Factor	Analysis Date/Time	Method	Batch
Sample ID: NRI1570-01 (Soil & Glass - Misc. Solid) Sampled: 09/02/08 09:00									
Mercury by EPA Methods 7470A/7471A									
Mercury	**0.614**		mg/kg	0.0302	0.101	1	09/23/08 11:44	SW846 7471A	8093372

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	342 Marpan Lane	Project Name:	Tallahassee Operations
	Tallahassee, FL 32305	Project Number:	Weekly Samples
Attn	Randy Williams	Received:	09/18/08 08:10

SAMPLE EXTRACTION DATA

Parameter	Batch	Lab Number	Wt/Vol Extracted	Extracted Vol	Date	Analyst	Extraction Method
Mercury by EPA Methods 7470A/7471A							
SW846 7471A	8093372	NRI1570-01	0.60	100.00	09/22/08 09:09	JMR	EPA 7471

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	342 Marpan Lane	Project Name:	Tallahassee Operations
	Tallahassee, FL 32305	Project Number:	Weekly Samples
Attn	Randy Williams	Received:	09/18/08 08:10

PROJECT QUALITY CONTROL DATA
Blank

Analyte	Blank Value	Q	Units	Q.C. Batch	Lab Number	Analyzed Date/Time
Mercury by EPA Methods 7470A/7471A						
8093372-BLK1						
Mercury	<0.0300		mg/kg	8093372	8093372-BLK1	09/23/08 11:40

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	342 Marpan Lane	Project Name:	Tallahassee Operations
	Tallahassee, FL 32305	Project Number:	Weekly Samples
Attn	Randy Williams	Received:	09/18/08 08:10

PROJECT QUALITY CONTROL DATA
LCS

Analyte	Known Val.	Analyzed Val	Q	Units	% Rec.	Target Range	Batch	Analyzed Date/Time
Mercury by EPA Methods 7470A/7471A								
8093372-BS1								
Mercury	0.167	0.185		mg/kg	111%	78 - 120	8093372	09/23/08 11:42

2960 Foster Creighton Road Nashville, TN 37204 * 800-765-0980 * Fax 615-726-3404

Client	Veolia ES Technical Solutions, L.L.C. (14303)	Work Order:	NR11570
	342 Marpan Lane	Project Name:	Tallahassee Operations
	Tallahassee, FL 32305	Project Number:	Weekly Samples
Attn	Randy Williams	Received:	09/18/08 08:10

PROJECT QUALITY CONTROL DATA
Matrix Spike

Analyte	Orig. Val.	MS Val	Q	Units	Spike Conc	% Rec.	Target Range	Batch	Sample Spiked	Analyzed Date/Time
Mercury by EPA Methods 7470A/7471A										
8093372-MS1										
Mercury	0.0815	0.278		mg/kg	0.168	117%	60 - 149	8093372	NR11776-04	09/23/08 12:06

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	342 Marpan Lane	Project Name:	Tallahassee Operations
	Tallahassee, FL 32305	Project Number:	Weekly Samples
Attn	Randy Williams	Received:	09/18/08 08:10

PROJECT QUALITY CONTROL DATA

Matrix Spike Dup

Analyte	Orig. Val.	Duplicate	Q	Units	Spike Conc	% Rec.	Target Range	RPD	Limit	Batch	Sample Duplicated	Analyzed Date/Time
Mercury by EPA Methods 7470A/7471A												
8093372-MSD1												
Mercury	0.0815	0.343	J4	mg/kg	0.163	160%	60 - 149	21	26	8093372	NRI1776-04	09/23/08 12:08

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	Tallahassee, FL 32305	Project Number:	Weekly Samples
Attn	Randy Williams	Received:	09/18/08 08:10

CERTIFICATION SUMMARY

TestAmerica Nashville

Method	Matrix	AIHA	Nelac	Florida
SW846 7471A	Soil		X	X

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NELAC CERTIFICATION SUMMARY

TestAmerica Analytical - Nashville does not hold NELAC certifications for the following analytes included in this report

Method	Matrix	Analyte

2960 Foster Creighton Road Nashville, TN 37204 * 800-765-0980 * Fax 615-726-3404

Client	Veolia ES Technical Solutions, L.L.C. (14303)	Work Order:	NRI1570
	342 Marpan Lane	Project Name:	Tallahassee Operations
	Tallahassee, FL 32305	Project Number:	Weekly Samples
Attn	Randy Williams	Received:	09/18/08 08:10

DATA QUALIFIERS AND DEFINITIONS

J4	The sample matrix interfered with the ability to make an accurate determination.
ND	Not detected at the reporting limit (or method detection limit if shown)

METHOD MODIFICATION NOTES

TestAmerica

Nashville, TN

COOLER REC

IR11570

Cooler Received/Opened On 09/18/2008 @ 1015

1. Tracking # 1244428903160435 310

Courier: UPS IR Gun ID 95610068

2. Temperature of rep. sample or temp blank when opened: 2.8 *Degrees Celsius*

3. If Item #2 temperature is 0°C or less, was the representative sample or temp blank frozen? YES NO...NA

4. Were custody seals on outside of cooler? YES...NO...NA

If yes, how many and where: NA

5. Were the seals intact, signed, and dated correctly? YES...NO...NA

6. Were custody papers inside cooler? YES...NO...NA

I certify that I opened the cooler and answered questions 1-6 (intial) JM

7. Were custody seals on containers: YES NO and intact YES...NO...NA

Were these signed and dated correctly? YES...NO...NA

8. Packing mat'l used? Bubblewrap Plastic bag Peanuts Vermiculite Foam Insert Paper Other None

9. Cooling process: Ice Ice-pack Ice (direct contact) Dry ice Other None

10. Did all containers arrive in good condition (unbroken)? YES...NO...NA

11. Were all container labels complete (#, date, signed, pres., etc)? YES...NO...NA

12. Did all container labels and tags agree with custody papers? YES...NO...NA

13a. Were VOA vials received? YES...NO...NA

b. Was there any observable headspace present in any VOA vial? YES...NO...NA

14. Was there a Trip Blank in this cooler? YES...NO...NA If multiple coolers, sequence #_____

I certify that I unloaded the cooler and answered questions 7-14 (intial) _____

15a On pres'd bottles, did pH test strips suggest preservation reached the correct pH level? YES...NO...NA

b. Did the bottle labels indicate that the correct preservatives were used YES...NO...NA

If preservation in-house was needed, record standard ID of preservative used here_____

16. Was residual chlorine present? YES...NO...NA

I certify that I checked for chlorine and pH as per SOP and answered questions 15-16 (intial) _____

17. Were custody papers properly filled out (ink, signed, etc)? YES...NO...NA

18. Did you sign the custody papers in the appropriate place? YES...NO...NA

19. Were correct containers used for the analysis requested? YES...NO...NA

20. Was sufficient amount of sample sent in each container? YES...NO...NA

I certify that I entered this project into LIMS and answered questions 17-20 (intial) _____

I certify that I attached a label with the unique LIMS number to each container (intial) _____

21. Were there Non-Conformance issues at login? YES...NO Was a PIPE generated? YES...NO...#_____

TestAmerica

CHAIN OF CUSTODY RECORD

Nashville Division
2960 Foster Creighton
Nashville, TN 37204
Phone: 615-726-0177
Toll Free: 800-765-0980
Fax: 615-726-3404

To assist us in using the proper analytical methods, is this work being conducted for regulatory purposes?

Compliance Monitoring? Yes No

Enforcement Action? Yes No

Client Name/Account #: Vecilia E.S. Technical Solutions L.L.C.

Address: 342 Marpan Ln.

City/State/Zip: Tallahassee, FL 32305

State Site:

Project Manager: Randy Williams

Invoice To:

Telephone Number: (850)877-8299 Fax No.: (850) 878-3349

TA Quote #: NRI1570

10/02/08 23:59

Sampler Name: (Print) Randy Williams

Project ID: Tallahasse Operations

Sampler Signature:

Project #: Yard Sample

	Date Sampled	Time Sampled	No. of Containers Shipped	Grab	Composite	Field Filtered	Preservative: Ice	HNO_3 (Red Label)	HCl (Blue Label)	NaOH (Orange Label)	H_2SO_4 Plastic (Yellow Label)	H_2SO_4 Glass(Yellow Label)	None (Black Label)	Other (Specify)	Matrix: Groundwater	Wastewater	Drinking Water	Sludge	Soil	Other (specify):	Analyze For: Total Mercury	TCLP Lead	TCLP Mercury	TCLP Cadmium	RCRA Metals	8082 PCB	TCLP VOC	Flashpoint	RCRA TCLP			RUSH TAT (Pre-Scheduled)	Standard TAT	Fax Results	Send QC with report
Soil & Glass	9/2/2008	9:00	1		X																X												X		

Special Instructions:

Laboratory Comments:

Temperature Upon Receipt: 21.8°C

VOCs Free of Headspace? Y N

Method of Shipment: FEDEX

Relinquished by:	Date	Time	Received by:	Date	Time
	9-3-08	2:30			
Relinquished by:	Date	Time	Received by TestAmerica:	Date	Time
				21.8°C	8:10

9/19/08