

Memorandum

Florida Department of Environmental Protection

TELECONFERENCE RECORD

Attendees: Wayne.Bulsiewicz@veoliaes.com ; Linda.Dunwoody@veoliaes.com ; Randy.Williams@veoliaes.com ; Phillip.Ditter@veoliaes.com and Jim Byer; Melissa Woehle and Aaron Mitchell of FDEP

Location: Teleconference

Date: Sept 10, 2009

Time: 9:00 A.M.

Subject: Violation of 99% Mercury Reduction Requirement

Teleconference Requested By: Veolia

Meeting Objectives: To explain the current status and discuss next steps to be taken regarding the 99% Mercury Reduction Requirement

Notes:

Phillip Ditter opened the meeting with a summary of the objectives as stated above. He began by referring to Veolia's Mercury Recovery Rate Log for 2009, sent to the Department by email on September 9, 2009, and describing the events that led to the subject violation. He explained that the 99% reduction was not met in June and that the batch was retested with similar results and then reprocessed, but still did not meet the reduction requirement. The recovery rate for the first six months of 2009 is currently 98.3% (rounded to 98%). Mr. Ditter said that the retort residue for June had not been sent for disposal and asked what the next step should be. He expressed his concern that reprocessing the residue took a substantial input of electricity with very little environmental gain and was not expected to accomplish the 99% reduction rate in this case.

Jim Byer asked for the 2008 pre-retort results. Mr. Ditter said that the results for three months were 370 to 388, for eight months 476 to 802 with one result of 1,600. Linda Dunwoody said that the pre-retort numbers have been trending down and that Veolia expects the downward trend to continue. Jim Byer asked that Veolia provide the Department with linear data for the past 18 to 30 months to describe the trend.

Phillip Ditter asked if the 99% reduction requirement was in the Statute or just the rules. No one was certain and both parties agreed to research the question.

Jim Byer asked what value Veolia would need to achieve for the June residue in order to meet the 99% reduction requirement. Phillip Ditter answered 3. Both parties agreed

that this was not likely. Jim Byer suggested that Veolia consider reprocessing when they have post-retort batches that are high enough to be significantly reduced by reprocessing to avoid missing the reduction requirement in the short term and recommended that we hold a meeting including Department permitting staff after the requested data has been reviewed to discuss a better solution.

Follow-up:

- 1) Veolia will send mercury recovery data for 18 to 30 months and written explanation of the violation that occurred.
- 2) Aaron Mitchell will research the Authorizing Statute.
- 3) Melisa Woehle will manage documentation.
- 4) Jim Byer will follow-up with Permitting staff.

Prepared by: Melissa Woehle