



Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

April 16, 2002

Certified Mail

7000 1530 0002 1948 3894

Matt Hedrick
Environmental Health & Safety Manager
Safety-Kleen Corp.
5309 24th Avenue South
Tampa, Florida 33619

OCD-HW/E-02-0143

Seminole County – HW
Safety-Kleen Corp. Sanford
Enforcement Case

Dear Mr. Hedrick:

On March 15, 2002, a letter was mailed to you requesting written assurances from an Officer of Safety-Kleen Corp. that the training program proposed in your February 28, 2002 letter would be maintained. A copy of the letter, dated March 14, 2002 is attached.

I have not received a response to my request and, therefore, have not been able to draft a Consent Order to resolve this case. Within 5 days of receipt of this letter, please provide a written response to my request or a written response indicating that this settlement offer is not acceptable.

Sincerely,

John White
Environmental Specialist

jw

Attachment: March 14, 2002 Letter to Safety-Kleen Corp.



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Dear Mr. Hedrick:

I have reviewed your response to the Department's Warning Letter, dated February 28, 2002. Based on your response and the information conveyed to Lu Burson during the meeting on February 21, 2002, the civil penalties have been adjusted in an effort to resolve this case in an informal manner. The penalty computation worksheet is attached.

I appreciate your efforts to modify Safety-Kleen's training program to ensure wastes removed from large quantity generator locations such as Kennedy Space Center and Patrick Air Force Base are transported on a hazardous waste manifest. Since this is the second time Safety-Kleen has proposed the same solution to address this recurring violation, I am requesting written assurances from an Officer of Safety-Kleen Corp. that this time the training program will be maintained.

Once you have provided the requested assurances, a Short Form Consent Order will be issued to resolve the current enforcement case. If you have any questions, I can be reached at (407)893-3323.

Sincerely,

John White
Environmental Specialist

jw

Attachment: Penalty Computation Worksheet

"More Protection, Less Process"

Printed on recycled paper.

PENALTY COMPUTATION WORKSHEET

Violator's Name: **Safety-Kleen Corp**

Identify Violator's Facility: **Safety-Kleen Sanford**

Name of Staff Responsible for the Penalty Computations: **John White** Date: **March 14, 2002**

	Violation Type	Manual Guide	Potential for Harm	Extent of Deviation	Matrix Range	Multi Day/Event	Other Adjustments	Total
a.	264.76, Permit Condition 14	5.2	Minor	Moderate	\$500-\$1,499	N/A	\$149	\$1,648
b.	263.20(a)	5.1	Minor	Moderate	\$500 - \$1,499	\$1,400	N/A	\$2,899

Gravity Based Assessments

The high end of the Matrix Range Minor/Moderate, \$1,499, was selected for each of these violations.

Multi-Day/Event & Other Adjustments

For the purposes of settlement, the multi-day component of Item a, not providing unmanifested waste reports in a timely manner, originally approximated at 46 days, was removed.

The multi-event calculated for the failure to use a hazardous waste manifest was calculated using the lower end of the multi-day range for the Minor/Moderate category, \$100. 15 shipments without a manifest is calculated at \$1,400.00. This is based on (the number of events -1) times the dollar amount for the range.

The 10% history of non-compliance for Item b. was removed. Item a. remains because the same violation occurred at the same facility after the Department had been provided with assurances that training programs would address this issue.

TOTAL PENALTY AMOUNT FOR ALL VIOLATIONS: \$4,547.00

Prepared by:


 John White
 Environmental Specialist

3/14/02
 Date