

IN-KIND PENALTY AUTHORIZATION

CENTRAL FLORIDA DISTRICT

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AUG 16 2010

DEP Central Dist.

Inspector: Janine Kraemer

Date Submitted: July 22, 2010

1. VIOLATOR(S): Perma-Fix of Orlando, Inc.-FLD980559728
2. LOCATION OF VIOLATION: 10100 Rocket Blvd, Orlando Florida 32824
3. NATURE OF VIOLATION:

Hazardous Waste Treatment, Storage and Disposal (TSD) Facility (10100 Rocket Blvd):

On January 25, 2010 Janine Kraemer, Michael Eckoff and Kim Rush, FDEP, Robert Burns, Department of Transportation (DOT), accompanied by Cory Howard, Perma-Fix of Orlando (Perma-Fix), inspected Perma-Fix for compliance with hazardous waste, solid waste, used oil and federal transportation rules and regulations. The facility is a hazardous waste and used oil transporter, 10-day transfer facility, a permitted used oil processor, and permitted storage facility of solid and hazardous waste. See attached inspection report and revised penalty calculations for specific violations (Exhibit I).

4. PENALTY RATIONALE:

In accordance with the FDEP and USEPA penalty guidelines, the civil penalty of \$24,354.00 is being sought against Perma-Fix.

In lieu of making a cash payment of \$24,354.00 in civil penalties, Respondent has elected and the Central District is recommending approval for the Respondent to off-set up to \$21,919.00 of this amount (that is, up to 90% of the civil penalty amount) by implementing a supplemental environmental project ("SEP"). The value of the SEP shall be one and a half times the civil penalty off-set amount, which in this case is the equivalent of at least \$32,878.00.

For the SEP, Respondent will provide advertising, lab packing services, packaging, and tent, for excess, unused, deteriorated or out-of-date pharmaceuticals from home owners. The event will coincide with the national event on November 13, 2010, Operation Medicine Cabinet. The Respondent will be required to supply an itemized report of the cost, and type and number of advertising spots for the Consent Order. Perma-Fix has agreed to supply the costs by July 30, 2010.

Respondent shall complete the entire SEP on November 13, 2010. The notification of completion shall include documentation of all cost and claimed credits not previously approved by the Department. This document will be due no later than November 30, 2010.

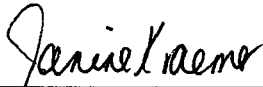
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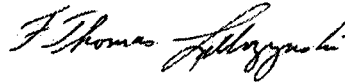
DEP Central Dist.

5. PENALTY RECOMMENDATION:

I recommend the SEP described above be approved to offset \$21,919.00 of the \$24,354.00 penalty.



Jarline Kraemer, CHMM
Environmental Manager
Solid and Hazardous Waste Programs



F. Thomas Lubozynski, P.E.
Program Administrator
Waste Management
For
Vivian Garfein
District Director
Central District

Date: 7/22/2010

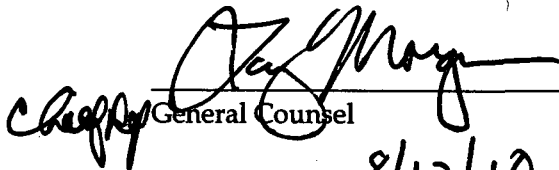
Date: 7/26/2010

Attachments:

Warning Letter, Inspection Report, Penalties for Perma-Fix
Perma-Fix Revised Penalty Worksheet

☒ Approved

☐ Disapproved


Cheryl
General Counsel

Date: 8/12/10

Comments: _____

Albrecht, Lucy

From: Cory Howard [choward@perma-fix.com]
Sent: Friday, May 21, 2010 3:18 PM
To: Albrecht, Lucy
Cc: Valin, Debby; kfogleman@perma-fix.com; Kraemer, Janine
Subject: RE: 10-116 Perma-Fix SFCOpkg10-1669.pdf (SECURED) - Adobe Acrobat Standard
Attachments: Cory J. Howard.vcf

Mrs.. Albrecht,

I have received the document mentioned below.

Thanks
Cory J. Howard
Operations Manager
Perma-Fix Environmental Services, Inc.

10100 Rocket Blvd. Orlando, Fl. 32824
Office: 407-859-4441
Cell: 407-963-2697
Fax: 407-855-2812

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

From: Albrecht, Lucy [mailto:Lucy.A.Albrecht@dep.state.fl.us]
Sent: Friday, May 21, 2010 2:51 PM
To: choward@perma-fix.com
Cc: Valin, Debby; kfogleman@perma-fix.com; Kraemer, Janine
Subject: 10-116 Perma-Fix SFCOpkg10-1669.pdf (SECURED) - Adobe Acrobat Standard

Dear Mr. Howard,

Attached is an Adobe Acrobat version of the short form consent order from the Central District of the Florida Department of Environmental Protection.

Please inform us of receipt of this document within three (3) business days by clicking the '[Reply All](#)' button or via e-mail at: janine.kraemer@dep.state.fl.us or by phone: 407.893.3323

This email is an alternative to a hard copy being sent through the United States Postal Service. You will need Adobe Acrobat to view the attachment.

A free viewer is available at <http://www.adobe.com/>.

If you would still like to have a hard copy sent to you, please e-mail your request to me.

Thank you,

Lucy Albrecht, Secretary
On behalf of: Janine Kraemer, Case Manager
Hazardous Waste Section, DEP, Central District
407.893.3323
lucy.a.albrecht@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.