From: Russell, Merlin
To: "Kurt Fogleman";
cc: Breland, Jabe; Tripp, Anthony;
Patel, Ashwin;
Subject: RE: DOE Audit Issues
Date: Tuesday, July 23, 2013 3:44:00 PM

Kurt,

I believe these issues can be easily resolved:

Your July 12, 2013 e-mail had discussed some minor changes to your Contingency Plan. Why don't you simply update your CP to address the eyewash units and change the text and/or figures. Include these changes, and the other minor changes, in one document.

On the fence, we'd interpret the security to be a 6' fence with barbed wire on top. Why not simply remove the soil/plant debris that has accumulated so that there is 6' of exposed fence again? If runoff and accumulation continues to occur, simply go out periodically and remove the soil.

If you have any questions, please give me a call.

merlin

From: Kurt Fogleman [mailto:kfogleman@perma-fix.com]
Sent: Thursday, July 18, 2013 9:20 AM
To: Russell, Merlin
Subject: DOE Audit Issues

Merlin, we are at the tail end of our DOE audit, and the environmental auditor has identified a couple of permit-related issues that I would like to bring to FDEP for consideration.

First, the facility has two portable eye wash units that have been in use in the TOB building under the previous and the current Part B permits. They are the two units located in the northeast corner of the building as shown on the map on page 43 of the contingency plan. The auditor is questioning the compliance of the units since the emergency equipment list (Attachment CP-5 on page 35) lists eye wash equipment as being "permanent installation and portable eyewash bottles." While there are eyewash bottles located in every

first aid kit, the auditor claims that since portable eyewash units are not explicitly listed in CP-5 we are in violation of our permit. Please let me know if the Department views this as non-compliance.

Second, as we walked the fenceline, the auditor noticed a section of fence in the northwest corner of the facility where the top of the chain link was at a height less than six feet. Approximately 5 inches of the chain link are partially submerged due to soil and vegetation accumulation. In looking at permit condition I.24 it refers to II.A.4 of the application and 40 CFR 264.14. II.A.4 states that Perma-Fix has a "six-foot chain-linked fence topped with three strands of barbed wire." The permit application language does not specify if the entire fence (chain link plus barbed wire strands) needs to be six feet or if the chain link section must be six feet with barbed wire above that. The auditor interprets this to be six feet of chain link and then three strands of barbed wire in excess of the six feet. Please let me know if the Department interprets this issue in the same manner, I will correct it immediately.

Thanks,
Kurt

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