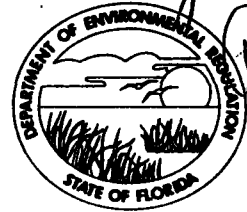


Quadrex Permit

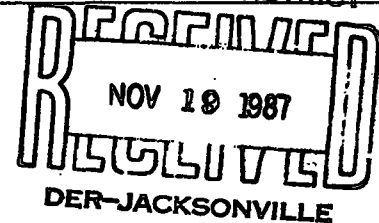
State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION



Interoffice Memorandum

For Routing To Other Than The Addressee	
To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	

TO: Satish Kastury
FROM: Diane Hunt *DK*
DATE: November 17, 1987
SUBJECT: Quadrex HPS, Inc. - Issuance of TOP



I discussed Quadrex with Tom Maurer and discovered that we do not have authorization to regulate mixed wastes yet, though we may do so under our state laws. This means

- there will be no EPA oversight on the implementation of our NOD policy in this case, and
- we can issue the TOP without the facility being in complete compliance with Part 265.

Tom and I do not feel that we should initiate enforcement action for noncompliance with the financial requirements (issue a 2nd NOD with NOV) because their compliance hinges on coordinating the financial assurance for physical closure of the facility with HRS.

Quadrex (Ben Warren) assures me that the HRS bonding requirement is for physical closure should Quadrex abandon the facility, the same as the RCRA requirement. HRS has calculated closure costs that are higher than those estimated under RCRA, despite the fact that they do not regulate as many containers, etc. as we do. Quadrex has asked HRS for a justification but hasn't received one. Quadrex agrees to go ahead and demonstrate compliance with the liability requirements since there is no HRS involvement with the liability requirement.

I talked with Mr. Dan Nash of HRS on September 22 and he said their position is to require what they require using language they got from Tennessee for the bond. They have a copy of the RCRA language that I sent them but they will not discuss using that language or somehow coordinating our efforts so that Quadrex does not have to meet the same requirement twice.

DOCKET # 21

Memorandum to Satish Kastury
November 17, 1987
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I suggest we:

- Draft the TOP (assuming they comply with the liability requirement) with a compliance schedule for financial assurance for closure. The comments from HRS indicate they have no problem with the information sent in response to the NOD.
- Brief the Bureau Chief and Division Director on the issue to determine what our next step should be in trying to coordinate with HRS. It appears that higher level management from both agencies will have to get involved. Perhaps Rick needs to write a letter to the Division Director in HRS and explain the problem.

Quadrex expects the renewal of their license with HRS to be processed in 3 to 4 months so this issue should be cleared up by then. Please let me know how to proceed so that I can tell Ashwin. As you know, we must review the material sent in response to the NOD within the next two weeks and decide what action to take next.

cc: Tom Maurer
Ashwin Patel