

EXHIBIT I

FLORIDA DEP HAZARDOUS WASTE COMPLIANCE & ENFORCEMENT

PENALTY REVIEW

FACILITY: OHM Remediation Services Corporation

LOCATION: 405 Mohawk Road, Clermont, Florida 34711

EPA ID: FLD980799381

INSPECTION DATE: March 17, 1995

DISTRICT: Central

PENALTIES: The following penalties were calculated using the Department's April 18, 1995, "Guidelines for Characterizing RCRA Violations" and the USEPA October 1990 "RCRA Civil Penalty Policy" and are in accordance with Department policy.

Assessments for each violation are determined on separate work sheets and summarized below.

SUMMARY OF PROPOSED SETTLEMENT OF LIABILITIES:

<u>REGULATION VIOLATED</u>	<u>AMOUNT</u>	<u>E/B</u>	<u>MULTI-DAY</u>	<u>MATRIX CATEGORY</u>
40 CFR 263.20 Subpart B	\$ 1,499			MINOR/MODERATE
TOTAL GRAVITY-BASED PENALTIES:	\$ 1,499			
TOTAL ECONOMIC BENEFIT:				
TOTAL MULTI-DAY PENALTY:				
TOTAL PENALTY:	\$ 1,499			

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5-13-96
Date

Vivian F. Garfein
Vivian F. Garfein
Director of District Management
May 13, 1996
Date

EXHIBIT II

PENALTY COMPUTATION WORKSHEET

Company Name: OHM Remediation Services Corporation

Regulation Violated: 40 CFR 263.20

VIOLATION: A transporter may not accept hazardous waste from a generator unless it accompanied by a manifest signed in accordance with the provisions of 40 CFR 262.20. Specifically, OHM Corporation transported 2 55-gallon drums of hazardous waste from Orlando Executive Airport to the Orange County Arthropod Control, which is not an approved storage facility, on February 4, 1995 and an additional two 55-gallons drums of hazardous waste on February 9th, without use of a uniform hazardous waste manifest.

PENALTY JUSTIFICATION

Potential for Harm and Extent of Deviation were determined using the Department's "Guidelines for Characterizing RCRA Violations", dated April 18, 1995, and are in accordance with Department policy.

1. Potential for Harm:

Nature of the waste: Category 1 hazardous waste, therefore, a score of 8 is warranted. The waste includes an acutely toxic pesticide.

Volume of waste: The volume of waste is less than 6 55-gallon drums, therefore, a score of 2 is warranted. Four 55-gallon drums were involved in this violation.

Location of receptors: There was not a discharge, therefore, a score of 1 is warranted.

The number of people potentially affected by a release is less than 10 people, therefore, a score of 1 is warranted. This is a very conservative assumption by the Department.

Total rank for potential for harm is 12. The range for a minor score is 8-12.

Based on the Department's Guidelines, a Minor potential for harm is warranted.

2. Extent of Deviation:

Failure to use manifest by a LQG, TSD, or transporter, if shipping papers are available.

Based on the Department's Guidelines, the extent of deviation is Moderate.

VIOLATION
40 CFR 263.20

Seriousness of Violation Penalty

- | | |
|-------------------------|--|
| 1. Potential for Harm: | <u>Minor</u> |
| 2. Extent of Deviation: | <u>Moderate</u> |
| 3. Matrix Cell Range: | <u>\$ 500 - \$ 1,499</u> |
| Penalty Amount Chosen: | <u>\$ 1,499</u>
<u>High Range of Cell</u> |
| 4. Assessment: | <u>\$ 1,499</u> |

<u>Penalty Adjustments</u>	<u>Percentage Change*</u>	<u>Dollar Amount</u>
a. Good faith efforts to comply/lack of good faith:	<u> </u>	<u>N/A</u>
b. Degree of willfulness and/ or negligence:	<u> </u>	<u>N/A</u>
c. History of Noncompliance:	<u> </u>	<u>N/A</u>
d. Other unique factors:	<u> </u>	<u>N/A</u>
e. Justification for adjustments:	<u> </u>	<u>N/A</u>

* Percentage adjustments are applied to the dollar amount assessed (Line 4).

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| 5. Adjusted Per-day Penalty (Line 4,
± Adjustments (Lines a-e): | <u>\$ 1,499</u> |
| 6. Multi-day Penalty Amount Chosen
From Multi-day Matrix Cell: | <u>N/A</u> |
| 7. Number of Days of Violation Minus One: | <u>N/A</u> |
| 8. Multi-day Penalty (Line 6 x
Line 7, Part II): | <u>N/A</u> |
| 9. Economic Benefit of Noncompliance: | <u>N/A</u> |
| 10. Total Penalty (Lines 5 + 8 + 9): | <u>\$ 1,499</u> |
| 11. Ability to Pay Adjustment:
Justification for Adjustment: | <u>N/A</u> |
| 12. Total Penalty Amount (must not
exceed \$25,000 per day of violation): | <u>\$ 1,499</u> |