

Certified Mail Tracking # 70011940000588551493

February 28, 2002

Mrs. Lu Burson  
Department of Environment Protection  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32903-3767

**Re: Seminole County – HW  
Safety-Kleen Corp. (Sanford)  
Unmanifested Waste Report Meeting 2/18/02**

Dear Mrs. Burson,

The purpose of this letter is to respond to the meeting on February 21, 2002 regarding the alleged violations surrounding the transport and acceptance of hazardous waste from two large generators (U.S. Patrick Air Force Base and U.S. NASA Kennedy Space Center) without uniform hazardous waste manifests.

As per our discussion, Safety-Kleen agreed to provide a written description of current control measures and future actions, which will be implemented, to address the aforementioned situation. This program is (and will be) utilized for the purpose on managing our customers in a manner compliant with State and Federal RCRA regulations.

Currently our corporate Manifest Department provides a quarterly *target list*. The target list provides a list of generators that could potentially exceed conditionally exempt quantity limits. Existing customers adding to their service agreement, change of address, historic data on quantities received and failure to provide CESQG applications are elements that pinpoint potential target list customers. The local branch must determine why a customer is on the list, notify the customer or provide the corporate Manifest Department with documentation showing proof of CESQG status.

However, as detailed as this process maybe, it will still be limited in its ability to catch all potential small quantity generators who claim to be CESQG. The target list pulls information by waste streams on separate accounting codes, solvent and industrial wastes are the two main waste streams accepted by Safety-Kleen. Currently the branches are manually reviewing separate accounting waste streams for one generator to determine if the combined generator waste could possible change generator status. Combining all accounting waste streams will shortly be a function the target list can provide. The

SAFETY-KLEEN CORP.

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program cannot, however, anticipate wastestreams not managed in the Safety-Kleen system (e.g. managed and shipped via other vendors). This illustrates the absolute necessity (and regulatory obligation) for generators to provide accurate information (for both type and quantity) regarding their wastestreams prior to offering for transportation and/or disposal.

Even with the added function of combining waste accounting groups, Auto Skill Center and Dynamics, would not have been flagged as a target list customer because the contractor has a different name and address than NASA and Patrick AFB. Safety-Kleen's Compliance Department will address this issue through three ways; Compliance Alert addressing contractors on government compounds, training and frequent waste acceptance audits.

To address future confusion surrounding the issue of contractors at federal facilities; Jim Childress, Southeast Division Regional Compliance Manager, will issue a Compliance Alert to all Florida branches stating that all contractors on government compounds should be managed as large quantity generators. Further, the contractor(s) will be required to use the government entity's, in which location they operate, EPA identification number unless the waste they are producing is not related to the entity's operations. The local branches will be required to review the Compliance Alert with their staff members and provide an attendance list with signatures.

Required shipping papers, EPA generator status and Branch Operating Guidelines for receiving waste at generators' sites, training and training material will be expanded to stress importance and make certain employee competency, in the state of Florida. This training will be conducted during the required annual RCRA training and/or if requirements of these standards are found not to be met by an individual or branch. Sanford facility will be receiving awareness training on these issues on March 11, 2002 and again during their RCRA annual update, which we invite and encourage you attend, on April 26, 2002. 4/2/02

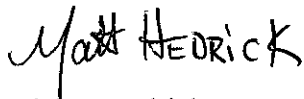
Finally, the Compliance Department will be prioritizing generator status during routine site visits, monthly inspections and during its bi-annual comprehensive audit. Customer files from previous incidents and target lists will be stringently reviewed for compliance.

In efforts to meet the FDEP's vision of holding both generator and waste disposal companies equally responsible, it would greatly benefit Safety-Kleen if the DEP can provide corrective actions for both NASA and Patrick Air Force Base established to guarantee future compliance concerning this occasion.

I hope that our meeting of February 21, 2002 and the information provided in this correspondence provides your office with sufficient clarification as to why we believe that; multi-day penalties are not warranted, penalties regarding previous compliance history, in this matter, are inconsistent with FDEP Policy, and why we should not be penalized more than the aforementioned generators (even considering that one of the generators involved made self disclosure of the issue).

I look forward to discussing our proposed corrective actions as well as, the government installation's proposals to ensure the aforementioned matter is not repeated. If you have any questions or require further clarification regarding this letter, please contact me at (813) 340-0976.

Sincerely,

A handwritten signature in black ink that reads "Matt Hedrick". The signature is written in a cursive style with some capital letters.

Matt Hedrick  
Environmental, Health and Safety Manager

Cc: Jim Childress, Safety-Kleen  
Craig Lackey, Safety-Kleen  
Keith Marcille, Safety-Kleen