



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

FEB 28 1990

4WD-RCRA

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

rec'd
MAR 09 1990

Mr. Richard A. Familia
Director of Recovery Systems
GSX Chemical Services, Inc.
P.O. Box 306
Railroad Street
Roebuck, South Carolina 29376

Re: Off-Site Policy Notice - Tricil Recovery Services, Inc.
EPA I.D. Number: FLD 980 729 610

Dear Mr. Familia:

In May 1985, the Environmental Protection Agency (EPA) established the "Procedures for Planning and Implementing Off-Site Response Actions" (Off-Site Policy). The purpose of the Off-Site Policy is to avoid having Superfund-generated wastes contribute to present or future environmental problems by directing these wastes to facilities which are environmentally sound. On November 13, 1987, EPA revised the procedures for implementing the Off-Site Policy (copy enclosed).

The Off-Site Policy provides criteria for the selection of off-site commercial waste treatment, storage, and disposal facilities to be used for response actions taken under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended, and Section 7003 of the Resource Conservation and Recovery Act (RCRA), as amended. Key elements of the "Off-Site Policy" require that (1) there be no relevant violations at, or affecting, the receiving unit; and (2) there be no releases of hazardous wastes, hazardous constituents, or hazardous substances from the receiving unit, and releases from other units must be evaluated for environmental significance and their effect on the satisfactory operation of their facility.

As a result of a compliance inspection conducted by EPA representatives on February 13-14, 1990, conditions were discovered which may render Tricil Recovery Services, Inc., unacceptable for continued receipt of CERCLA wastes. Information obtained during these inspections indicates that relevant violations exist at or affect the receiving unit. Specifically, it was noted that: Tricil failed to maintain aisle space necessary in order to allow unobstructed movement of personnel in the container storage area in violation of Permit Condition Part II No. 1; Tricil was found to be in violation of

Permit Condition Part I No. 4 for having personnel who have not completed required hazardous waste training; Tricil failed to mark all containers and tanks of restricted waste with the identity of their contents, and the date each period of accumulation began in violation of 40 CFR 268.50(a)(2)(i); Tricil failed to place an accumulation date on the facility's permitted hazardous waste storage tanks used to store restricted wastes in violation of 40 CFR 268.50(a)(2)(ii); Tricil stored land disposal restricted wastes in containers for more than one year in violation of 40 CFR 268.50(b); and, Tricil exceeded the permitted container storage limit in violation of Section 3005 of RCRA and their permit.

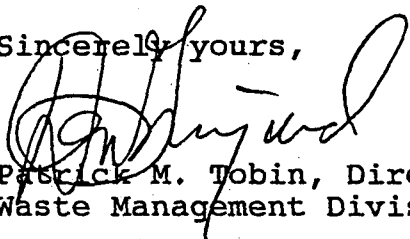
You may request an informal conference with Region IV staff and legal counsel to discuss the basis for your facility's unacceptability determination, provided that such a request is made within ten (10) calendar days from the date on this letter. In lieu of holding such a conference, you may submit written comments to EPA within thirty (30) calendar days from the date on this letter.

If the determination of unacceptability is confirmed after the informal conference or the submittal of written comments, this determination will become effective sixty (60) calendar days after the date on this letter or on such later date as specified in a confirmation letter. If you fail to request an informal conference, or to submit written comments specifically addressing this unacceptability determination, this determination will become effective sixty (60) calendar days after the date on this letter. On the date that this determination becomes effective, EPA will cease any transport of CERCLA waste to your facility in accordance with the Off-Site Policy.

If a determination of unacceptability is confirmed, you may request the Regional Administrator to review the unacceptability determination. Such a request must be made within ten (10) calendar days after the date of confirmation of unacceptability. The Regional Administrator, at his discretion, may agree to review the determination. Such a review by the Regional Administrator, if agreed to, will be conducted within sixty (60) calendar days of this letter, if possible, but the review will not stay the effective date of the determination.

This letter is being sent by both certified mail and first class mail, in order to ensure that you receive it promptly. If you wish to request an informal conference or to submit written comments, or if you have any questions regarding this letter, you may write to me or telephone Mr. Allan Antley at (404) 347-7603.

Sincerely yours,



Patrick M. Tobin, Director
Waste Management Division

cc: Mr. Barry Swihart, Chief
Bureau of Waste Planning and Regulation
Florida Department of Environmental
Regulation

Dr. Richard Garrity
Deputy Assistant Secretary
Southwest District
Florida Department of Environmental
Regulation

Ms. Barbara Hamilton, Esquire
General Counsel
GSX Chemical Services, Inc.

Mr. Steve Taylor
Tricil Recovery Services, Inc.