



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

MAILED TO: Heber
Coulter
xc: Chris McGuire
(w/copy for Medico)
Jan Rae Clark
Scott Sheplak
Trina Vielhauer
Pat Comer

David B. Struhs
Secretary

Done
by: Pat Kennedy
11/4/02

November 1, 2002

Sharon Heber, Dr.P.H., Director
Division of Environmental Health
Florida Department of Health
4052 Bald Cypress Way, Bin A08
Tallahassee, Florida 32399-1709

RE: Medico Environmental Services

Dear Dr. Heber:

Section 381.0098, Florida Statutes (F.S.), gives the Florida Department of Health (DOH) the authority to regulate the offsite treatment of biomedical waste, except for onsite and offsite incineration. Section 403.704, F.S., gives the Florida Department of Environmental Protection (DEP) the authority to regulate the incineration and disposal of biomedical waste. On October 24, 1996, DEP and DOH (previously the Florida Department of Health and Rehabilitative Services) signed an Interagency Agreement concerning the regulation of biomedical waste. In accordance with Section 4 of that Agreement, DOH delegated to DEP the authority and responsibility to act on applications for offsite biomedical waste treatment facility permits in those instances where a facility is required to obtain other DEP permits. That same Section also required DEP to perform inspections at such facilities.

Medico Environmental Services, Inc., 13200 58th Street North, Clearwater, FL 33760, currently operates a biomedical waste incinerator under a Title V air permit issued by DEP. Gerald C. Hubbell, representing Medico, has informed DOH and DEP that Medico intends to submit a permit application for the construction of an autoclave treatment unit at the facility. Generally, Section 4 of the Interagency Agreement would require DEP to accept and process such an application. Because of the nature of the Title V permit and the requirements that must be imposed on the autoclave treatment unit, DEP has determined that it would be inappropriate to consolidate the Title V permit with the treatment facility permit in this particular case.

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Dr. Sharon Heber
November 1, 2002
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After consultation with and concurrence from DOH staff, DEP agrees to waive those provisions of the Interagency Agreement that give DEP the authority to accept and act on the biomedical waste treatment facility permit application from Medico, to consolidate the treatment permit with the Title V permit, and to perform inspections of the treatment facility during or after construction. Any such permit applications should be submitted to the appropriate DOH office which shall review and act on them in accordance with Section 381.0098, F.S., and Chapter 64E-16, Florida Administrative Code. The DEP and DOH agree to consult with each other to minimize the likelihood that the treatment facility permit and the Title V permit will contain conflicting requirements or procedures. The DEP and DOH also agree to coordinate inspections to the extent practical.

This waiver is specific to the Medico facility. Until and unless the Interagency Agreement is amended, DEP shall continue to accept and act on applications for biomedical waste treatment facility permits associated with facilities operating under other DEP permits.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resource Management

cc: Edith Coulter, DOH
Jan Rae Clark, DEP
Gerald C. Hubbell, Medico

Kennedy, Pat

From: Comer, Patricia
Sent: Friday, November 01, 2002 3:58 PM
To: McGuire, Chris; Rhodes, Howard
Cc: Clark, Jan Rae; Sheplak, Scott; Vielhauer, Trina
Subject: RE: Biomedical waste treatment permitting

Howard, we talked about this DOH MOU issue last Friday and agreed that these DOH conditions should not be placed into the DEP Title V air permit (this is the autoclave residence-time condition that would make an otherwise insignificant unit into a regulated unit).

Pat

-----Original Message-----

From: McGuire, Chris
Sent: Friday, November 01, 2002 3:42 PM
To: Rhodes, Howard
Cc: Clark, Jan Rae; Comer, Patricia; Sheplak, Scott; Vielhauer, Trina
Subject: Biomedical waste treatment permitting

Howard, you probably know nothing about this subject, but we have been chatting amongst ourselves and Department of Health on how to permit an autoclave unit that Medico wants to add on to their incinerator. It's been decided that it's not really workable to consolidate the autoclave permit (DOH normally does those but we have an Agreement that we will issue such permits at facilities with other DEP permits) with the Title V permit, but DOH won't accept the permit application until we waive the part of the Agreement that says we do the permitting.

So, if you would just print and sign the attached letter all our problems would be solved. If you feel compelled to read and understand it first, I guess that's okay. I'll be at Twin Towers Monday morning and I could swing by Magnolia in the late morning if that would be helpful.

Thanx,

Chris McGuire << File: Medico waiver letter.doc >>