Progress Corporate Park
Alachua, FL 32615

Inquiry Number: 3298953.7S
April 12, 2012

The EDR Environmental LienSearch™ Report

EDR® Environmental Data Resources Inc

440 Wheelers Farms Road
Milford, CT 06461
800.352.0050
www.edrnet.com

EDR Environmental LienSearch™ Report

The EDR Environmental LienSearch Report provides results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls.

A network of professional, trained researchers, following established procedures, uses client supplied address information to:

- search for parcel information and/or legal description;
- search for ownership information;
- research official land title documents recorded at jurisdictional agencies such as recorders' offices, registries of deeds, county clerks' offices, etc.;
- access a copy of the deed;
- search for environmental encumbering instrument(s) associated with the deed;
- provide a copy of any environmental encumbrance(s) based upon a review of key words in the instrument(s) (title, parties involved, and description); and
- provide a copy of the deed or cite documents reviewed.

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EDR Environmental LienSearch™ Report

TARGET PROPERTY INFORMATION

ADDRESS

Progress Corporate Park
Alachua, FL 32615

RESEARCH SOURCE

Official Public Records
Alachua County, Florida

PROPERTY INFORMATION

Type of Deed:	Warranty Deed
Title is vested in:	University of Florida Foundation, Inc.
Deed Dated:	2-24-1983
Deed Recorded:	2-24-1983
Book:	1466
Page:	377

Legal Description: See legal description described at pages 377, 378, 379 and 380 of current vesting deed attached hereto and made a part hereof, less that part conveyed in book 1967, page 1017. Furthermore, the legal description described in vesting deed is a parcel of land containing 2124.36 acres more or less, being the parent parcel of our subject property having a total of 87.71 acres more or less.

Legal Current Owner: University of Florida Foundation, Inc.

Property Identifiers: 03970-000-000

ENVIRONMENTAL LIEN

Environmental Lien: Found ☐ Not Found ☒

OTHER ACTIVITY AND USE LIMITATIONS (AULs)

Other AUL's: Found ☐ Not Found ☒

DEED EXHIBIT

FILED
1983 FEB 24 PM 1:26
CLERK CIRCUIT COURT
ALACHUA COUNTY, FL.

Return to:
This instrument prepared by:
W. Henry Barber, Jr.
Dell, Graham, Willcox, Barber,
Henderson, Monaco & Cates, P.A.
203 N.E. First Street
Gainesville, Florida 32601

WARRANTY DEED

THIS INDENTURE, made this 24th day of February, 1983, between CONTEXT DEVELOPMENT CO., a Delaware corporation, Grantor, and UNIVERSITY OF FLORIDA FOUNDATION, INC., a Florida corporation, whose post office address is Post Office Box 14425, Gainesville, Florida 32604, Grantee,

WITNESSETH:

That said Grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's successors and assigns, forever, the following described land, situate, lying and being in Alachua County, Florida, to-wit:

A part of Sections 13, 14, 23 and 24, Fractional Sections 25 and 26, the F. R. Sanchez Grant, and the Fernandez Grant in Township 8 South, Range 18 East, together with a part of Fractional Sections 19, 20 and 29, the J. S. Sanchez Grant, the John Sanchez Grant and the Fernandez Grant in Township 8 South, Range 19 East, all in Alachua County, Florida, being more particularly described as follows:

Commence at the northwest corner of said Fractional Section 26 and run thence North 89 deg. 11 min. 05 sec. East along the North boundary thereof, 40.11 feet to the easterly right-of-way line of County Road No. 241 (80 foot R/W) and the Point of Beginning; thence run South 01 deg. 06 min. 36 sec. East, along said right-of-way line, 333.27 feet to the beginning of a curve, concave easterly, and having a radius of 11,419.20 feet, thence southeasterly along and with the arc of said curve and along said right-of-way line, through a central angle of 03 deg. 07 min. 37 sec., an arc distance of 623.21 feet to the end of said curve, thence South 04 deg. 22 min. 27 sec. East, along said right-of-way line, 370.99 feet to the South boundary of the North one-half (N½) of the Northwest quarter (NW¼) of said Fractional Section 26, thence North 89 deg. 21 min. 05 sec. East along said south boundary, 583.29 feet to a Permanent Reference Monument (PRM) at the northwesternmost corner of Shaw Farms of Alachua, according to a plat thereof recorded in Plat Book L, Page 64 of the public records of Alachua County, Florida, thence continue North 89 deg. 21 min. 05 sec. East along said south boundary of North one-half (N½) of Northwest quarter (NW¼) and along the north boundary of said Shaw Farms of Alachua, 2397.15 feet to a PRM at the northeast corner of Lot 6 of said Shaw Farms of Alachua and the southeast corner of said North one-half (N½) of Northwest quarter (NW¼), thence North 01 deg. 07 min. 32 sec. West, along the east boundary of said North one-half (N½) of Northwest quarter (NW¼) and along the west boundary of said Shaw Farms of Alachua, 1335.02 feet to the northwest corner of Lot 22 of said Shaw Farms of Alachua and the northeast corner of said North one-half (N½) of Northwest quarter (NW¼), said point also being the southwest corner of Government Lot 2 of said Section 23, thence North 89 deg. 11 min. 53 sec. East, along the north boundary of said Shaw Farms of Alachua and

DOC. ST. - AMT $ 19.50
A. CURTIS POWERS, Clerk of Circuit Court
Alachua County - by Jenice Collins

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the south boundary of said Section 23, a distance of 1637.45 feet, to an intersection with the northerly boundary of the F. R. Sanchez Grant, thence South 65 deg. 00 min. 32 sec. East, along the northerly boundary of said Shaw Farms and the northerly boundary of the F. R. Sanchez Grant, 3132.95 feet to the northeasterly corner of said Shaw Farms of Alachua; thence continue South 65 deg. 00 min. 32 sec. East along said northerly boundary of the Sanchez Grant, 2113.89 feet to the northwest corner of Lot 1 of Haile Estates in the F. R. Sanchez Grant according to a plat thereof recorded in Plat Book A, Page 56, of the public records of Alachua County, Florida; thence South 25 deg. 29 min. 34 sec. West, along the west boundary of said Lot 1, a distance of 1638.16 feet to the northwest corner of Lot 9 of said Haile Estates, said point also being the northeasterly corner of Alachua Highlands, Unit No. 1, according to a plat thereof recorded in Plat Book K, Page 56, of the public records of Alachua County, Florida; thence South 25 deg. 22 min. 48 sec. West, along the westerly boundary of said Lot 9 and the easterly boundary of Lots 1, 2 and 3 of said Alachua Highlands, Unit No. 1, a distance of 949.80 feet to the northerly boundary of the Hammock Lands conveyed to the State of Florida and recorded in Official Records Book 908 at pages 858 through 860, thence North 81 deg. 31 min. 14 sec. East, along said northerly boundary, 4009.08 feet, thence North 86 deg. 31 min. 58 sec. East, along said northerly boundary, 3610.46 feet, thence South 81 deg. 38 min. 52 sec. East, along said northerly boundary, 1949.33 feet, thence North 06 deg. 47 min. 16 sec. East, 1404.87 feet, thence South 71 deg. 05 min. 04 sec. East, 92.64 feet, thence North 34 deg. 13 min. 59 sec. East, 1476.82 feet, thence North 88 deg. 22 sec. 53 sec. East, 1252.57 feet, thence North 00 deg. 38 min. 14 sec. East, 1301.36 feet to the southerly right-of-way line of State Road 25, U. S. 441 (200 foot R/W) thence North 72 deg. 58 min. 52 sec. West, along said southerly right-of-way line, 225.69 feet to the beginning of a curve concave northeasterly and having a radius of 11,609.20 feet, thence northwesterly along and with the arc of said curve and along said right-of-way line through a central angle of 06 deg. 52 min. 00 sec. an arc distance of 1391.32 feet to the end of said curve, thence North 66 deg. 03 min. 55 sec. West, along said right-of-way line, 345.63 feet, thence South 23 deg. 56 min. 05 sec. West, 607.82 feet, thence North 60 deg. 14 min. 54 sec. West, 160.83 feet, thence North 23 deg. 56 min. 05 sec. East, 591.52 feet to said southerly right-of-way line, thence North 66 deg. 03 min. 55 sec. West, along said southerly right-of-way line, 3888.56 feet to the beginning of a curve, concave northeasterly and having a radius of 5896.58 feet, thence northwesterly along and with the arc of said curve and along said right-of-way line through a central angle of 04 deg. 05 min. 00 sec. an arc distance of 420.24 feet to the end of said curve, thence North 61 deg. 57 min. 50 sec. West, along said southerly right-of-way line 1681.47 feet, thence South 08 deg. 50 min. 07 sec. West, 1680.29 feet, thence North 81 deg. 10 min. 24 sec. West, 944.33 feet, thence North 08 deg. 49 min. 45 sec. East, 2008.91 feet to the aforementioned southerly right-of-way line of State Road No. 25, thence North 61 deg. 59 min. 14 sec. West,

along said right-of-way line, 882.07 feet, thence South 00 deg. 35 min. 40 sec. East, 1523.91 feet, thence South 89 deg. 22 min. 03 sec. West, 399.61 feet to a point on the east boundary of Section 24, Township 8 South, Range 18 East, thence South 00 deg. 35 min. 54 sec. East along said east boundary, 1245.81 feet to the northeast corner of the Southeast quarter (SE¼) of Southeast quarter (SE¼) of said Section 24, thence North 89 deg. 46 min. 15 sec. West, along the north boundary of said Southeast quarter (SE¼) of Southeast quarter (SE¼), 1218.03 feet to the southeast corner of the South one-half (S½) of the Northwest quarter (NW¼) of Southeast quarter (SE¼) of said Section 24, thence North 01 deg. 01 min. 46 sec. West, along the east boundary of said South one-half (S½) of Northwest quarter (NW¼) of Southeast quarter (SE¼), 661.14 feet to the northeast corner of said South one-half (S½) of Northwest quarter (NW¼) of Southeast quarter (SE¼), thence North 89 deg. 43 min. 32 sec. West along the north boundary of said South one-half (S½) of Northwest quarter (NW¼) of Southeast quarter (SE¼), 1222.41 feet to the northwest corner of said South one-half (S½) of Northwest quarter (NW¼) of Southeast quarter (SE¼) and the East boundary of Government Lot 4 of said Section 24, thence North 01 deg. 27 min. 18 sec. West, along the east boundary of Government Lots 4 and 1, a distance of 2782.53 feet to the southerly right-of-way line of State Road No. 25 (U.S. Highway 441) thence continue North 01 deg. 27 min. 18 sec. West, along the east boundary of said Government Lot 1, a distance of 201.49 feet to the North right-of-way line of said State Road No. 25, thence continue North 01 deg. 27 min. 18 sec. West, along said east boundary, 294.67 feet to the southeast corner of the Southwest quarter (SW¼) of Section 13, Township 8 South, Range 18 East, thence North 00 deg. 53 min. 56 sec. West, along the east boundary of said Southwest quarter (SW¼), 245.86 feet to the southerly right-of-way line of County Road No. S-340-A (66 foot R/W) thence North 81 deg. 38 min. 13 sec. West, along said southerly right-of-way line, 2307.19 feet to the beginning of a curve, concave northeasterly and having a radius of 1178.92 feet, thence northwesterly along and with said curve and along said right-of-way line, through a central angle of 12 deg. 00 min. 00 sec., an arc distance of 246.91 feet to the end of said curve, thence North 69 deg. 38 min. 13 sec. West, along said southerly right-of-way line, 99.39 feet to the beginning of a curve, concave southerly and having a radius of 539.96 feet, thence northwesterly along and with the arc of said curve and along said right-of-way line through a central angle of 30 deg. 54 min. 45 sec. an arc distance of 291.32 feet to said northerly right-of-way line of State Road No. 25, said arc being subtended by a chord having a bearing and distance of North 85 deg. 05 min. 36 sec. West, 287.80 feet, thence South 76 deg. 57 min. 08 sec. West, 254.78 feet to said southerly right-of-way line of State Road No. 25 (the right-of-way of County Road No. S-340-A becomes 50 feet at this point and remains 50 feet to the west) said point being on the arc of a curve, concave southeasterly and having a radius of 547.96 feet, thence southwesterly along and with the arc of said curve and along said southerly right-of-way line through a central angle of 11 deg. 39 min. 42 sec. an arc

distance of 111.53 feet to the end of said curve, said arc being subtended by a chord having a bearing and distance of South 60 deg. 48 min. 38 sec. West, 111.34 feet, thence South 54 deg. 58 min. 47 sec. West, along said southerly right-of-way line of County Road S-340-A, 123.99 feet to the beginning of a curve, concave northwesterly and having a radius of 843.51 feet, thence southwesterly along and with the arc of said curve and along said southerly right-of-way line, through a central angle of 14 deg. 48 min. 00 sec., an arc distance of 217.88 feet to the end of said curve, thence South 69 deg. 46 min. 47 sec. West, along said southerly right-of-way line, 248.93 feet to the beginning of a curve, concave northwesterly and having a radius of 1934.86 feet, thence southwesterly along and with the arc of said curve and along said southerly right-of-way line through a central angle of 05 deg. 50 min. 26 sec., an arc distance of 197.23 feet, said arc being subtended by a chord having a bearing and distance of South 72 deg. 42 min. 00 sec. West, 197.15 feet to the west boundary of the Southeast quarter (SE¼) of Southeast quarter (SE¼) of Section 14, Township 8 South, Range 18 East, thence South 01 deg. 35 min. 12 sec. East, along said west boundary of Southeast quarter (SE¼) of Southeast quarter (SE¼), 84.01 feet to the intersection with the easterly right-of-way line of an 80 foot right-of-way owned by the City of Alachua and recorded in Official Records Book 1279 at pages 840 through 841 of the public records of Alachua County, Florida; thence South 47 deg. 28 min. 41 sec. East, along said easterly right-of-way line 55.70 feet, thence South 01 deg. 35 min. 12 sec. East, 40.00 feet from and parallel to said west boundary of Southeast quarter (SE¼) of Southeast quarter (SE¼), 121.89 feet to the north boundary of the Northeast quarter (NE¼) of Northeast quarter (NE¼) of Section 23, Township 8 South, Range 18 East, thence North 89 deg. 31 min. 38 sec. East, along said north boundary, 191.44 feet, thence South 77 deg. 25 min. 05 sec. East, 833.14 feet, thence South 01 deg. 24 min. 55 sec. East, 465.34 feet, thence South 89 deg. 31 min. 38 sec. West, parallel to said north boundary, 1000.11 feet to said east right-of-way line, thence South 01 deg. 24 min. 04 sec. East, 40 feet from and parallel to the west boundary of said Northeast quarter (NE¼) of Northeast quarter (NE¼), 678.82 feet to the south boundary of said Northeast quarter (NE¼) of Northeast quarter (NE¼), thence North 89 deg. 14 min. 54 sec. East, along said south boundary, 1280.72 feet to the west boundary of the aforementioned Section 24, thence South 01 deg. 24 min. 48 sec. East, along said west boundary, 1959.51 feet to the southeast corner of property owned by the City of Alachua and recorded in Official Records Book 908 at pages 844 through 845 of the public records of Alachua County, Florida; thence South 88 deg. 57 min. 05 sec. West, along the south boundary of said City of Alachua property, 4165.85 feet; thence South 01 deg. 27 min. 01 sec. East, 659.40 feet to the north boundary of the South one-half (S½) of the Southwest quarter (SW¼) of said Section 23, thence South 89 deg. 20 min. 34 sec. West, along said north boundary, 1502.00 feet to the east right-of-way line of County Road No. 241 (80 foot R/W) thence South 01 deg. 06 min. 36 sec. East, along said east right-of-way line, 1334.44 feet to the Point of Beginning. Less the rights-of-way of U. S. Highway 441 and State Road 25.

Containing 2124.36 acres more or less excluding the area lying within the right-of-way of State Road No. 25.

ALSO:

Lots 5, 6, 9, 14, and the East 1/2 of Lot 13 of Haile Estates in Fractional Section 35, Township 8 South, Range 18 East, Alachua County, Florida, according to a plat thereof recorded in Plat Book "A", Page 56, of the public records of Alachua County, Florida; less rights of way for Interstate Highway No. I-75 (State Road 93) and a County Graded Road; and being more particularly described as follows:

Commence at the Southwest Corner of said Fractional Section 35 and run thence South 89 deg. 16 min. 33 sec. East, along the South boundary of said Fractional Section, 1984.75 feet to the Southwest Corner of said East Half (E-1/2) of Lot 13, and the Point of Beginning; thence continue South 89 deg. 16 min. 33 sec. East, along said South boundary, 1831.88 feet, to a point on the Southwesterly right of way line of said Interstate Highway No. I-75 (State Road No. 93), said point lying on the arc of a curve concave Southwesterly and having a radius of 14,217.94 feet; thence Northwesterly along the arc of said curve and along said right of way line through a central angle of 07 deg. 19 min. 25 sec., an arc distance of 1817.39 feet, said arc being subtended by a chord having a bearing and distance of North 41 deg. 08 min. 24 sec. West, 1816.15 feet, to the end of said curve; thence North 44 deg. 48 min. 07 sec. West, along said Southwesterly right of way line, 15.28 feet, to a point on the West boundary of said Lot 9; thence South 01 deg. 29 min. 15 sec. East, along said West boundary of Lot 9, a distance of 18.24 feet, to the Northeast Corner of said East Half (E-1/2) of Lot 13; thence North 89 deg. 40 min. 56 sec. West, along the North boundary of said East Half (E-1/2) of Lot 13, a distance of 659.66 feet, to the Northwest Corner of said East Half (E-1/2) of Lot 13; thence South 01 deg. 24 min. 44 sec. East, along the West boundary of said East Half (E-1/2) of Lot 13, a distance of 1341.28 feet to the point of beginning. Containing 39.51 acres, more or less.

ALSO:

Commence at the Southwest Corner of said Fractional Section 35, and run thence North 01 deg. 11 min. 18 sec. West, along the West boundary of said Fractional Section, 2654.12 feet, to the Southwest Corner of the Northwest Quarter (NW-1/4) of said Fractional Section; thence South 89 deg. 43 min. 54 sec. East, 1315.86 feet, to the Southwest Corner of said Lot 5 and the Point of Beginning; thence continue South 89 deg. 43 min. 54 sec. East, along the South boundary of said Lot 5, a distance of 42.13 feet, to a point on the Southwesterly right of way line of said Interstate Highway No. I-75 (State Road No. 93); thence North 44 deg. 48 min. 07 sec. West, along said right of way line 61.49 feet; to a point on the West boundary of said Lot 5; thence South 01 deg. 34 min. 27 sec. East, along said West boundary 43.45 feet to the point of beginning. Containing 0.02 of an acre, more or less.

ALSO:

Commence at the Southwest Corner of said Fractional Section 35 and run thence North 01 deg. 11 min. 18 sec. West, along the West boundary of said Fractional Section 2654.12 feet to the Southwest Corner of the Northwest Quarter (NW-1/4) of said Fractional Section; thence South 89 deg. 43 min. 54 sec. East, 1876.24 feet, to the intersection of the South boundary of said Lot 5 and the Northeasterly right of way line of said County Graded Road (66 foot right of way) and the Point of Beginning; thence continue South 89 deg. 43 min. 54 sec. East, along said South boundary of Lot 5, a distance of 755.48 feet, to the Northwest Corner of said Lot 9; thence South 01 deg. 29 min. 15 sec. East, along the West boundary of said Lot 9, a distance of 777.77 feet, to a point on said Northeasterly right of way line; thence South 44 deg. 48 min. 07 sec. East, along said right of way line, 1563.68 feet, to the beginning of a curve concave Southwesterly and having a radius of 7855.44 feet, thence Southeasterly along the arc of said curve and along said right of way line through a central angle of 02 deg. 44 min. 52 sec., an arc distance of 376.73 feet, said arc being subtended by a chord having a bearing and distance of South 43 deg. 25 min. 41 sec. East, 376.69 feet, to a point on the East boundary of said Lot 14; thence North 01 deg. 30 min. 45 sec. West, along the East boundary of said Lots 14, 9 and 6, a distance of 3515.19 feet, to the Northeast Corner of said Lot 6; thence North 89 deg. 59 min. 25 sec. West, along the North boundary of said Lots 6 and 5, a distance of 2641.10 feet to the Northwest Corner of said Lot 5; thence South 01 deg. 34 min. 27 sec. East, along the West boundary of said Lot 5, a distance of 770.34 feet to a point on said Northeasterly right of way line; thence South 44 deg. 48 min. 07 sec. East, along said right of way line, 817.76 feet to the Point of Beginning. Containing 122.72 acres, more or less.

SUBJECT TO THE FOLLOWING:

That certain oil and gas lease dated 29 March 1923, and recorded 24 April 1923, in Miscellaneous Records Book 11, Page 125, to Florida Mineral Oil and Sulphur Company.

Easement from H. C. Edwards and his wife, Susie S. Edwards, to Florida Power Corporation to construct, operate and maintain a single pole H-Frame tower line for the transmission and distribution of electricity, etc., over Lot 18 of L. L. Dell Estates, dated 3 February 1959, and recorded in Official Records Book 50, Page 302, of the public records of Alachua County, Florida.

Special Warranty Deed from H. C. Edwards and wife, Susie S. Edwards, to the State of Florida for road right-of-way SE-93, over Lots 9, 14 and E-1/2 of Lot 13 of John Haile Estates Subdivision varying in width from 106 feet to 216 feet dated 23 February 1962, and recorded in Official Records Book 180, Page 594, together with a drainage easement covering the same lands recorded in Official Records Book 180, Page 596, of the public records of Alachua County, Florida.

Easement from H. C. Edwards and his wife, Susie S. Edwards, to Florida Power Corporation as in Easement recorded in Official Records Book 50, Page 302, of the public records of Alachua County, Florida, dated 27 December 1962, and recorded in Official Records Book 219, Page 565, of the public records of Alachua County, Florida.

Easement from Donald M. Hough and his wife, Susie Mae Hough, to Florida Power Corporation as in Easement given by H. C. Edwards and his wife, Susie S. Edwards and recorded in Official Records Book 50, Page 302, of the public records of Alachua County, Florida, dated 3 February 1959, covering Lot 18 of L. L. Dell Estates Subdivision and recorded in Official Records Book 50, Page 302, of the public records of Alachua County, Florida.

Easement and right-of-way for construction, operation and maintenance of a pole line for transmission and distribution of electricity dated 4 October 1926, and recorded in Deed Book 226, Page 131, of the public records of Alachua County, Florida.

Easement to Pinellas County Power Company dated 27 January 1927, and recorded in Deed Book 226, Page 201, of the public records of Alachua County, Florida.

Easement to Pinellas County Power Company dated 6 November 1926, and recorded in Deed Book 226, at Page 280, of the public records of Alachua County, Florida.

Easement to Pinellas County Power Company dated 2 November 1926, and recorded in Deed Book 226, at Page 281, of the public records of Alachua County, Florida.

Easement to Florida Power Corporation dated 4 March 1963, and recorded in Official Records Book 221, Page 219, of the public records of Alachua County, Florida.

Easement to Florida Power Corporation dated 11 April 1963, and recorded in Official Records Book 227, Page 391, of the public records of Alachua County, Florida.

Easement to Pinellas County Power Company dated 29 November 1926, and recorded 25 July 1946, in Deed Book 226, Page 156, of the public records of Alachua County, Florida.

Easement to Pinellas County Power Company dated 1 December 1926, and recorded 25 July 1946, in Deed Book 226, Page 222, of the public records of Alachua County, Florida.

Easement to Pinellas County Power Company dated 29 November 1926, and recorded 25 July 1946, in Deed Book 226, Page 155, of the public records of Alachua County, Florida.

Easement to Florida Power Corporation dated 9 October 1959, and recorded in Official Records Book 73, Page 517, of the public records of Alachua County, Florida.

Reservation of an undivided one-half (1/2) interest of all petroleum and petroleum products and title to an undivided three-fourths (3/4) of all other minerals as to the East Half (E-1/2) of the Southeast Quarter (SE-1/4) of the Southeast Quarter (SE-1/4) of Section 24, Township 8 South, Range 18 East, reserved to State of Florida in Deed recorded in Deed Book 320, at Page 186, of the public records of Alachua County, Florida.

Easement to City of Alachua dated 12 March 1974, and filed 16 October 1979, in Official Records Book 1241, Page 113, of the public records of Alachua County, Florida.

Easement condemned by the City of Gainesville in Case Number 82-1735-CA in the Circuit Court of Alachua County, Florida.

An outstanding one-half (1/2) interest in oil, gas and minerals on the East Half (E-1/2) of Lot 16, of L. L. Dell Estates according to plat thereof recorded in Plat Book "A", Page 47, of the public records of Alachua County, Florida.

Easement to City of Alachua dated the 30th day of March 1979, filed for record 12 April 1979, in Official Records Book 1201, at Page 430, of the public records of Alachua County, Florida.

Taxes for the year 1983 and subsequent years.

and said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has caused this deed to be executed in its name by its duly authorized officers and its corporate seal to be affixed, the day and year first above written.

Signed, sealed and delivered
in our presence as witnesses:

As to Grantor

CONTEXT DEVELOPMENT CO.

By: Wallace M. Dill, As its President

ATTEST:

By: R. Diane Arch, As its Secretary

(WITH CORPORATE SEAL)

CONTEXT DEVELOPMENT CO. CORPORATE SEAL 1967 DELAWARE

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STATE OF FLORIDA
COUNTY OF ALACHUA

BEFORE ME, the undersigned authority, personally appeared WALLACE M. DILL, and R. DIANE ARCH, as President and Secretary respectively, of CONTEXT DEVELOPMENT CO., a Delaware corporation, who, being first identified and duly sworn, acknowledged that as such officers, and pursuant to authority from said corporation they executed the foregoing Warranty Deed and affixed the corporate seal, all for and on behalf of said corporation, as its act and deed, and for the uses and purposes set forth and contained in said instrument.

WITNESS my hand and official seal this 24th day of February, 1983, at Gainesville, Alachua County, Florida.

W. [illegible]
Notary Public, State of Florida at Large

My Commission expires:
6-30-1985

HENRY DARDEN
NOTARY PUBLIC
STATE OF FLORIDA AT LARGE

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15.00
.70

Prepared by and Return to:
Margaret Jarrell-Cole, Esq.
University of Florida Foundation, Inc.
Post Office Box 14425
Gainesville, FL 32604-2425

RETURN TO

OFFICIAL RECORDS
94 JUN -8 PM 12:22
CLERK CIRCUIT COURT
ALACHUA COUNTY, FL.

Tax Parcel No. 3973-001-00
Grantor TIN# 59-0974739
Grantee TIN# 266-04-4980 - DAVID H. DENMAN
263-08-7566 - MONICA T. DENMAN

QUITCLAIM DEED

THIS QUITCLAIM DEED made this 7th day of June, 1994, between the UNIVERSITY OF FLORIDA FOUNDATION, INC., a Florida not-for-profit corporation, (Grantor), and David H. and Monica T. Denman, husband and wife, whose mailing address is 3845 NW 34th Place, Gainesville, FL 32606 (Grantee).

WITNESSETH: That Grantor, for and in consideration of the sum of TEN DOLLARS ($10.00) and other valuable consideration, paid by the Grantee, the receipt of which is acknowledged, grants, bargains and sells to the Grantee, its heirs and assigns forever, in fee simple, the following described land (Real Property) located in Alachua County, Florida and described on Exibit A

Doc. St. Amt. $ .70
J.K. "Buddy" Irby, Clerk of Circuit Court
Alachua County - By [signature]

SUBJECT TO: Covenants, conditions, restrictions, reservations, limitations, easements, other matters of record and taxes for 1994 and subsequent years.

The Grantor executed this Quitclaim Deed the date first above written.

GRANTOR:
UNIVERSITY OF FLORIDA
FOUNDATION, INC.

Witnesses:

Janet M. Caldwell
Janet M. Caldwell
{print 1st witness name}

M Jarrell-Cole
Margaret Jarrell-Cole
{print 2nd witness name}

By: Paul A. Robell
Name: **Paul A. Robell**
Title: **Interim Executive Vice President Designate**

1273723

O.R. BK 1967 PG 1017

Attest:

Kenneth E. Hillier
Kenneth E. Hillier
Assistant Treasurer

STATE OF FLORIDA

COUNTY OF Alachua

The foregoing instrument was executed, acknowledged and delivered before me this 7th day of June, 1994, by Paul A. Robell, Interim Executive Vice President Designate of the UNIVERSITY OF FLORIDA FOUNDATION, INC., who is personally known to me.

Janet M. Caldwell
Notary Public, State and County aforesaid
Print Name: Janet M. Caldwell
Commission No: CC 283529
My commission expires: 5/5/97

(Notarial Seal) NOTARY PUBLIC STATE OF FLORIDA

JANET M CALDWELL
Comm Exp. 5/05/97
Bonded By Service Ins
No. CC283529
Personally Known ( ) Other I.D.

STATE OF FLORIDA

COUNTY OF Alachua

The foregoing instrument was executed, acknowledged and delivered before me this 7th day of May, 1994, by Kenneth E. Hillier, Assistant Treasurer of the UNIVERSITY OF FLORIDA FOUNDATION, INC., who is personally known to me.

Shirley A. Scribner
Notary Public, State and County aforesaid
Print Name: Shirley A. Scribner
Commission No: 245217
My commission expires: 12/9/96

(Notarial Seal) NOTARY PUBLIC STATE OF FLORIDA

"OFFICIAL SEAL"
Shirley A. Scribner
My Commission Expires 12/9/96
Commission #CC 245217

EXHIBIT A

Parcel 11-A

A portion of Section 26, Township 8 South, Range 18 East, Alachua County, Florida; being more particularly described as follows

BEGIN at the northwest corner of Lot 11 of Shaw Farms of Alachua, according to a plat thereof recorded in Plat Book "L", page 64 of the Public Records of Alachua County, Florida, and run thence South 01°06'55" East, along the west boundary of said Lot 11, a distance of 430.89 feet to the northeast corner of Lot 6 of said Shaw Farms of Alachua; thence South 89°21'35" West, along the north boundary of said Lot 6, a distance of 130.00 feet to an existing fence line; thence North 01°06'55" West, along said fence line, and parallel to said west boundary of Lot 11, a distance of 429.50 feet, thence North 88°44'54" East, 130.00 feet to the POINT OF BEGINNING.

Containing 1.28 Acres, more or less

PROGRESS CORPORATE PARK

PROGRESS CORPORATE PARK

Alachua, FL 32615

Inquiry Number: 3298953.3

April 09, 2012

Certified Sanborn® Map Report

EDR® Environmental Data Resources Inc

440 Wheelers Farms Road
Milford, CT 06461
800.352.0050
www.edrnet.com

Certified Sanborn® Map Report

4/09/12

Site Name:
PROGRESS CORPORATE
PROGRESS CORPORATE
Alachua, FL 32615

Client Name:
Gresham, Smith & Partners
580 North 4th Street
Columbus, OH 43215

EDR Inquiry # 3298953.3

Contact: Blair Everett

EDR® Environmental Data Resources Inc

The complete Sanborn Library collection has been searched by EDR, and fire insurance maps covering the target property location provided by Gresham, Smith & Partners were identified for the years listed below. The certified Sanborn Library search results in this report can be authenticated by visiting www.edrnet.com/sanborn and entering the certification number. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by Sanborn Library LLC, the copyright holder for the collection.

Certified Sanborn Results:

Site Name: PROGRESS CORPORATE PARK
Address: PROGRESS CORPORATE PARK
City, State, Zip: Alachua, FL 32615
Cross Street:
P.O. # NA
Project: NA
Certification # 6AC3-47B1-B97E

Sanborn® Library search results
Certification # 6AC3-47B1-B97E

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- ✔ Library of Congress
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- ✔ EDR Private Collection

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PROGRESS CORPORATE PARK
PROGRESS CORPORATE PARK
Alachua, FL 32615

Inquiry Number: 3298953.6
May 08, 2012

The EDR-City Directory Image Report

EDR® Environmental Data Resources Inc

440 Wheelers Farms Road
Milford, CT 06461
800.352.0050
www.edrnet.com

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SECTION

Executive Summary

Findings

City Directory Images

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

DESCRIPTION

Environmental Data Resources, Inc.'s (EDR) City Directory Report is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's City Directory Report includes a search of available city directory data at 5 year intervals.

RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. A check mark indicates where information was identified in the source and provided in this report.

Year	Target Street	Cross Street	Source
1996	☑	☐	Polk's City Directory

RECORD SOURCES

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FINDINGS

TARGET PROPERTY STREET

PROGRESS CORPORATE PARK
Alachua, FL 32615

Year	CD Image	Source
NW 123rd Place		
1996	pg A1	Polk's City Directory
Progress Boulevard		
1996	pg A2	Polk's City Directory

FINDINGS

CROSS STREETS

No Cross Streets Identified

City Directory Images

Target Street	Cross Street	Source
✓	-	Polk's City Directory

NW 123rd Place 1996

Richard	-5846	R035	495-3675
11820 King Alice R	-5846	R035	495-9426
King Bryan K	-5846	R035	495-9930

BUSINESSES 3 HOUSEHOLDS 76

NW 122ND TER *(A)* 32615

Bingham Jean			462-4327
Bingham Jeanne			462-4327
Bingham Marvin			462-4327
11413 Weber Gloria	-6534	R004	462-3825
Weber Robert	-6534	R004	462-3825
11501 Shearer Vernon L	-6534	R004	462-0662
11908 Walsh Jane	-6533	R004	462-1018
Walsh John R	-6533	R004	462-1018
12204 Ferguson David	-6533	R004	462-7832
12215 Christensen Norbert M	-6535	R004	418-2071
14613 Edger Lyle C	-4900	R005	462-5460
Edger Sue	-4900	R005	462-5460
14620 Eddy Gary	-4901	R005	462-7240
Eddy Lori	-4901	R005	462-7240
14621 Richardson Dorothy	-4900	R005	462-3194

HOUSEHOLDS 15

NW 122ND TER *(N)* 32669

807 Kirk Mary	-2727	R002	332-8208
Yoho K E	-2727	R002	332-8208
903 Carney John	-2727	R002	331-4007
Carney Kathi	-2727	R002	331-4007
913 Nichols L M	-2727	R002	331-6453
943 Thompson Eloise	-2727	R002	331-4339
Thompson Frederick C	-2727	R002	331-4339
963 Krewson Mary	-2727	R002	331-4047
Krewson Robert	-2727	R002	331-4047
966 Nelson John R	-2731	R002	332-4132
1004 Griffin James E	-2733	R002	331-8701
1014 Friedman H	-2733	R002	331-8223
1021 DOUBERLY FARMS	-2729	R002	463-6644
1031 Jensen Jim	-2729	R002	332-7606
Jensen Peggy	-2729	R002	332-7606
1034 Lesse M F	-2733	R002	332-5202
Lesse Ms	-2733	R002	332-5202
1061 Sellers Robert D	-2729	R002	332-8003

BUSINESSES 1 HOUSEHOLDS 17

SE 122ND TER *(G)* 32641

3221 Davis Cletis C	-1349	R002	377-5524
Davis Lynn	-1349	R002	377-5524
3233 Wellons S L	-1349	R002	376-3863
3235 Wellons Laverne	-1349	R002	371-4074
Wellons Lucy	-1349	R002	371-4074
3817 Snowden George E	-1349	R002	377-6427
Snowden Lois	-1349	R002	377-6427
4006 Bergmann Louis W III	-1349	R002	378-5319
4202 Kight George	-1349	R002	371-7861

HOUSEHOLDS 9

NW 123RD PL *(A)* 32615

13002 Jay Douglas S	-6536	R004	462-5350
13015 NERDC	-6537	R004	462-1776
13023 Candelaria Oscar	-6537	R004	462-0777
Candelaria Vicki	-6537	R004	462-0777
13031 Lanhart Eugene E	-6537	R004	462-2612

BUSINESSES 1 HOUSEHOLDS 4

Target Street	Cross Street	Source
✔	-	Polk's City Directory

Progress Boulevard 1996

1306 Tyre Gail	-3049	C001	964-7562
Tyre Marvin	-3049	C001	964-7562
1308 Plant Joy	-3049	C001	964-9385
1313 Sullivan James A	-3048	C001	964-7296
1321 Smith X M	-3048	C001	964-7260
1404 Alvarez Dorothy	-3051	C001	964-8194
1420 WYNN-TECH & CONSULTING	-3051	C001	964-4114
Wynn Wayne	-3051	C001	964-7487
1503 Musson M	-3052	C001	964-3663

BUSINESSES 1 HOUSEHOLDS 69

PRICE RD *(HA)* 32640

116 Cox Benny M	-9665	R002	475-5453
137 Cowart Dewayne F	-9684	R002	475-3488
192 Gonzales Amy	-9665	R002	475-2320
201 Shaver Barbara	-9684	R002	475-5294

HOUSEHOLDS 4

PROGRESS BLVD *(A)* 32615

1 ARMASI INC	-9544	R005	372-1360
ARRAY VISION ENGINEERING	-9544	R005	462-9055
CH2M HILL	-9544	R005	462-3050
ELISA TECHNOLOGIES INC	-9544	R005	462-4546
GEL TECH INC	-9544	R005	462-2358
IXION BIOTECHNOLOGY INC	-9544	R005	462-3961
NORTH AMERICAN LAKE MNGMNT	-9544	R005	462-2554
SOUTHERN TECHNOLOGY APPL CNT	-9544	R005	462-3942
STAC SOUTHERN TECHNOLOGY	-9544	R005	462-3913
TALQUIN DEVELOPMENT CO	-9544	R005	462-4040
TESLATRONICS INC	-9544	R005	462-2010
U S BIO MATERIALS	-9544	R005	462-7660
UNIVERSITY OF FLORIDA	-9544	R005	392-1075

BUSINESSES 13

QUAIL HOLLOW LN *(AR)* 32618

350 Nesler Vernon E	-9410	R002	495-9095

HOUSEHOLDS 1

QUAIL ROOST *(A)* 32615

Raab Martin J	462-4814

HOUSEHOLDS 1

QUAIL ROOST EST *(A)* 32615

Barco James	462-2964
Barco Terry	462-2964
Bunn Michael L	462-5597
Highsmith Vickie L	462-6321
Winemiller T M	462-3157

HOUSEHOLDS 5

QUAIL RUN RD *(HS)* 32643

George Katherine C	454-7513

139191

7/23

Florida Department of Environmental Protection

Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

JUL 22 2008

Mr. Brian K. Hutchison, CEO
RTI Biologics, Inc.
11621 Research Circle
Alachua, Florida 32616

Re: **RTI Biologics, Inc. (Progress Blvd)**
Warning Letter WL08-2389HWSNY01NED
EPA/DEP ID: FLR 000 110 635
Alachua County - Hazardous Waste

Dear Mr. Hutchison:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible and to seek your cooperation in resolving the matter. A hazardous waste program compliance inspection conducted on June 25, 2008, indicates that violations of Florida Statutes and Rules may exist at your facility. Florida Department of Environmental Protection (DEP) personnel made observations described in the attached inspection report. The "Summary of Potential Violations and Corrective Actions" section of the report lists the alleged violations.

Section 403.727, Florida Statutes, provides that it is a violation to fail to comply with rules adopted by the DEP. The activities observed during the DEP's field inspection and any other activities at your facility that may be contributing to violations of Florida Statutes or Rules should be ceased.

You are requested to contact Jabe Breland III at 904.807.3381 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The DEP is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

PLEASE BE ADVISED that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. If after further investigation, the DEP's preliminary findings are verified, this matter may be resolved through the entry of Consent Order, which will include a compliance schedule, an appropriate penalty, and reimbursement of the DEP's costs and expenses. In accordance with Section 403.727(3), Florida Statutes, the penalties, which could be assessed in hazardous waste cases, are up to $50,000 per day per violation. DEP costs are a minimum of $250.00.

If this investigation confirms that your facility is significantly out of compliance, and the case is not resolved through a timely entry of a Consent Order, under the DEP's agreement with the EPA, a formal referral for judicial action must be made to the DEP's Office of General Counsel. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,

Michael J. Fitzsimmons

Michael J. Fitzsimmons, Administrator
Waste Program

MJF:jb

Enclosure

cc: Chuck Ratliff, RTI

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION TYPE: ☒ Compliance

FACILITY NAME: RTI Biologics, Inc.

DEP/EPA ID #: FLR 000 110 635

STREET ADDRESS: 13709 Progress Boulevard # 19, Alachua, Florida 32616

MAILING ADDRESS: 11621 Research Circle, Alachua, Florida 32616

COUNTY: Alachua PHONE: 386.418.8888 DATE: 6/25/08 TIME: 10:00 a.m.

HW Facility Status	Used Oil Facility Status	Hg Facility Status
☐ Non-handler	☐ Generator	☐ Exempt
☐ CESQG	☐ Transporter	☐ Generator
☐ SQG	☐ Transfer facility	☐ Transporter
☒ LQG	☐ Marketer	
	☐ Processor	☐ Hg recovery facility
☐ Transporter	☐ On-spec. burner	☐ Hg reclamation facility
☐ Transfer facility	☐ Off-spec. burner	
		PCW facility status
☐ TSD	☐ Filter generator	
	☐ Filter transporter	☐ Producer
☐ SQH	☐ Filter transfer facility	☐ Transporter
☐ LQH	☐ Filter processor	☐ Recovery facility

2. RESPONSIBLE OFFICIAL: Brian Hutchison, CEO

3. INSPECTION PARTICIPANTS: Angie Hindle, Chuck Ratliff, Doug Dean - RTI
Jabe Breland - FDEP

4. LATITUDE/LONGITUDE: N 29° 46′ 57″ / W 082° 28′ 14″

5. TYPE OF OWNERSHIP: private

6. SIC CODE: 3842

7. GLOSSARY OF TERMS:

CFR - Code of Federal Regulations

F.A.C. - Florida Administrative Code

F.S. - Florida Statutes

PROCESS DESCRIPTION:
RTI Biologics, Inc (RTI) (Progress Blvd) was inspected on June 25, 2008, as an unannounced hazardous waste compliance inspection. The facility notified the Department as a Large Quantity Generator on March 11, 2008, due to a merger. The previous company was named Tutogen Medical, and has never before been inspected.

HISTORY:
Tutogen Medical (FLR000110635) and Regeneration Technologies (FLR000086892) completed a merger effective on February 28, 2008, and are now operating under the name RTI Biologics. RTI currently operates both facilities under their two separate EPA ID numbers since the two locations are not on the same contiguous property (the former Tutogen Medical property is located in the same business complex, but under different property ownership.) RTI plans to shut down operations at the former Tutogen site and operate solely from the former Regeneration Technologies site by the end of 2008. Both sites were inspected during the visit.

INSPECTION (Potential Violations Listed in Bold):
RTI is a processor and distributor of precision-tooled allografts. An allograft is a piece of tissue that is transferred from one person to another. Allografts are manufactured by processing human tissues, including bone, cartilage, tendon, ligament, pericardia, and cardiovascular tissues. The allografts are then used to repair and promote the healing of a wide variety of bone and other tissue defects, including spinal vertebrae repair, musculoskeletal reconstruction, fracture repair, periodontal repair, and heart valve disorders.

The source of allografts is tissue that has been donated by people upon their death. The tissues are stored in a large, on-site freezer prior to processing. When processing the tissue, it first goes through a cleansing process. The cleansing process uses a combination of various chemicals to remove lipids and sterilize the tissue. The cleansing process generates D001 hazardous waste acetone and water mixture. This hazardous waste is picked up by PermaFix (FLD 980 711 071).

After the Cleansing process, the tissue is manufactured into various allografts. After the allograft has been manufactured, it is packaged and shipped to its final destination.

Laboratories:
RTI has various labs for quality assurance and control, as well as research and development of new and existing products. The lab is divided into various sections including a quality control lab, serology lab, and research lab.

Routine lab preparations at the Tutogen site generate waste acetone, formalin, methanol, ethanol, and other solvents. Laboratories rooms 139, 128, and 126 were inspected. Room 139 contained a satellite container for HPLC waste. Room 128

contained a satellite container for methanol, ethanol, and tetrahydrafuran (THF). Room 126 contained a satellite container of acetone. All of these satellite containers were closed but were not labeled with the words "Hazardous Waste" or with other words describing their contents. **[This is a violation of 40 CFR 262.34(c)(1)(ii)].** When these containers are full they are poured into a 90-day container in the hazardous waste storage area.

90-day Hazardous waste Storage Area:
The Hazardous Waste Storage Area is located in the rear of the facility. Different lab wastes are collected and stored in this area. At the time of inspection there was one 55-gallon drum of waste acetone, which was labeled and dated with the accumulation start date. RTI did not have written inspection logs for its 90-day hazardous waste containers. **[This is a violation of 40 CFR 265.174].**

RECORD REVIEW:
At the time of inspection, the facility didn't have adequate hazardous waste training for its employees. Specifically, the names, job positions, and job descriptions of employees that handle hazardous waste **[This is a violation of 40 CFR 265.16.]** The facility did not file a biennial report by March 1, 2008, for its hazardous waste generated in the calendar year 2007 **[This is a violation of 262.41].** The facility's contingency plan only covered fire emergencies and not hazardous waste releases, and was therefore incomplete. **[This is a violation of 40 CFR 265.52].**

RTI Biologics (Progress Blvd) is a Large Quantity Generator of hazardous waste and has been assigned the EPA identification number: FLR 000 110 635. Please use this number on all hazardous waste manifests and on all correspondence with the DEP.

SUMMARY OF POTENTIAL VIOLATIONS AND CORRECTIVE ACTIONS:
Within thirty days of the receipt of this report, the facility should provide the DEP inspector, Jabe Breland, with a letter stating that it has taken the corrective actions listed below. This letter should be written on company letterhead and signed by the owners/operators of the facility.

40 CFR 262.34(c)(1)(ii) - Satellite Container Labels
VIOLATION:
The facility failed to properly label satellite hazardous waste accumulation containers in rooms 139, 128, and 126 with the words "Hazardous Waste" or with other words describing the contents.

CORRECTIVE ACTION:
In order to return to compliance, the facility should label all satellite containers of hazardous waste with the words "Hazardous Waste" or with other words that describe the contents.

40 CFR 262.41 – Biennial Report
VIOLATION:
The facility failed to submit a biennial report by March 1, 2008.

CORRECTIVE ACTION:
No further action is necessary. On July 14, 2008, the DEP's Northeast District Office received the biennial report submitted by the facility. This report was forwarded to Jack Griffith in Tallahassee.

40 CFR 265.16 – Personnel Training
VIOLATION:
The facility failed to train employees on proper hazardous waste handling procedures relevant to their responsibilities during normal working hours. The facility also failed to maintain a written job description for each position related to hazardous waste management and the name of the person filling the position.

CORRECTIVE ACTION:
In order to return to compliance, the facility should train its employees on proper hazardous waste handling procedures relevant to their work responsibilities. The facility should prepare a written job description for each position who handles hazardous waste. The facility should submit training records to the DEP.

40 CFR 265.52 – Contingency Plan
VIOLATION:
The facility failed to maintain a complete contingency plan.

CORRECTIVE ACTION:
In order to return to compliance, the facility should develop and maintain a contingency plan in accordance with 40 CFR 265, Subpart D. At a minimum, the plan should include the following:

- Actions for responding to fires, explosions, and releases of hazardous waste.
- Arrangements agreed to by local police departments, fire departments, hospitals, contractors, and emergency response teams.
- Names, addresses, and phone numbers of all emergency coordinators.
- A list of all emergency equipment, including location and capabilities.
- An evacuation plan for facility personnel.

Copies of the plan should be maintained at the facility; submitted to all local police departments, fire departments, hospitals, and emergency response teams; and updated as needed. The plan should also be submitted to the DEP.

40 CFR 265.174 – Weekly Container Inspections [40 CFR 262.34(d)(2)]

VIOLATION:

The facility failed to conduct weekly inspections of its 90-day hazardous waste containers.

CORRECTIVE ACTION:

In order to return to compliance, the facility should begin conducting and documenting weekly hazardous waste container inspections. RTI should keep documentation for at least three years.

Site Inspector:

7/18/08

Jabe Breland III
Environmental Specialist II
Hazardous Waste Section

Approved by:

Vicky G. Valade 7/18/08

Vicky G. Valade
Environmental Manager
Hazardous Waste Section

Approved by:

7/22/08

Ashwin B. Patel
Hazardous Waste Supervisor
Hazardous Waste Section

GENERATOR CHECKLIST

Facility Name: RTI Biologics fka - Tutogen Medical Date: 06/26/08

Facility Representative: Angie Hindle Facility ID #: FLR 000 110 635

SIC Codes: 3842 Inspector: Jabe Breland

40 CFR 262 Subpart A -- General Standards

1. Describe the facility's hazardous waste streams:

WASTE DESCRIPTION	*EPA Waste Codes*	*Generation Rate*	*Disposal Facility and EPA ID*	Correct ID?	*Testing or Process Knowledge*
waste acetone	D001/F003	7 drums / mo	Perma-Fix FLD 980 711 071		
waste solvents from lab	D001	1 drum / mo	Perma-Fix		

(describe discrepancies in waste identification in narrative)

2. Has the facility obtained an EPA ID number? (40 CFR 262.12) Y X N ____

3. Is the facility disposing of all its hazardous wastes to facilities permitted to accept the waste? Y X N ____

4. Are any hazardous wastes treated or disposed of on site? Describe in narrative. Y ____ N X

5. Is the facility exempt from hazardous waste permit requirements? Describe in narrative. Y ____ N X

Rev. 4-14-94

Facility: RTI Biologics fka - Tutogen Me
Date: 06/26/08

40 CFR 262 Subpart B -- The Manifest

1. Does the facility use a manifest for all its hazardous wastes? (262.20) Y X N ____
2. Is the facility using the correct form (EPA 8700-22; OMB #2050-0039)? Y X N ____
3. Does the facility ship by rail or water? (If so, check 262.23(c)) Y ____ N X
4. Is the manifest filled out properly? Y X N ____

Item No.:

1.	-Generator EPA ID #	Y X	N ____
	-5 digit manifest document #	Y X	N ____
3.	-Generator name and mailing address	Y X	N ____
4.	-Generator phone #	Y X	N ____
5-8.	-Transporter names and ID #s	Y X	N ____
D-F.	-Transporter phone # (state requirement)	Y X	N ____
9.	-TSD name and mailing address	Y X	N ____
10.	-TSD # EPA ID #	Y X	N ____
H.	-TSD Phone # (state requirement)	Y X	N ____
11.	-DOT description of the waste, including hazard class, ID # and packaging group	Y X	N ____
12.	-Container # and type	Y X	N ____
13-14.	-Quantity of waste and units	Y X	N ____
I.	-EPA waste code (state requirement)	Y X	N ____
K.	-Handling codes (state requirement)	Y X	N ____
16.	-Name, handwritten signature of generator and date	Y X	N ____
17-18.	-Name, handwritten signature of transporter and date	Y X	N ____
19.	-Are any manifest discrepancies noted?	Y ____	N X
20.	-Name, handwritten signature of TSD and date	Y X	N ____

Number of manifests examined 10
Number of errors 0

Note manifest document numbers and dates of manifests with errors below:

Manifest #	Date	Destination	Error(s)

5. Have any exception reports been filed? (262.42) Y ____ N X
   If so, did exception reports include legible copy of manifest and cover letter? Y ____ N ____ N/A X
6. Are manifests retained for 3 years? Y X N ____

Rev. 4-14-94

Facility: RTI Biologics fka - Tutogen Mec
Date: 06/26/08

40 CFR 262 Subpart C -- Pre Transport Requirements

1. Does the facility accumulate the waste on-site prior to treatment or disposal? Y X N
   Select the applicable accumulation units:
   Containers

2. Are containers used to ship the waste off-site? Y X N

3. Are any containers on-site prepared for shipment? Y N X
   a. If so, are the containers appropriate for the waste? (262.30) Y N N/A

   b. Are the correct diamond-shaped DOT hazard class container labels used? (262.31) Y N N/A

   c. Are containers of 110 g or less marked with the correct DOT shipping name and number? Y N N/A
   Is a label with the language required under 262.32(b) used? Y N N/A
   Is the generator's name, address and manifest document number on the label? Y N N/A

   d. Are placards available to be provided to the transporter? (262.33) Y N N/A

   e. Are bulk packagings used (over 400 kg solid or 118 g liquid)? Y N N/A

   f. Are they marked and placarded properly? Y N N/A

40 CFR 262 Subpart C -- Accumulation Requirements

1. Does the facility comply with the 90-day accumulation time limit? (262.34(a)) (Complete tank, container and/or drip pad checklists for units accumulating waste.) Y X N

2. If not, has the facility been issued an extension by the Department? (262.34(b)) Y N N/A X

3. Is each container marked with the beginning date of accumulation? (262.34(a)(2)) Y X N

4. Is each container and tank marked with the words "Hazardous Waste"? (262.34(a)(3)) Y X N

5. Are satellite accumulation points used? Describe in narrative. Y X N

6. Are satellite containers closed ((262.34(c)) and marked with the words "hazardous waste" or other words that describe the contents? Y N X Violation

7. Do satellite accumulation points hold 55 gallons of waste or less? Y X N

8. If not, is the excess marked with the date the excess waste began accumulating? (The date must be within 3 days of the date of inspection (262.34(c)(2)) Y N N/A X

Rev. 4-14-94

Facility: RTI Biologics fka - Tutogen Med
Date: 06/26/08

40 CFR 262 Subpart C -- Personnel Training -- (265.16)

1.	Do facility personnel complete hazardous waste training? Comments:	Y____	N X	Violation
2.	Is the trainer adequately trained in hazardous waste management procedures?	Y____	N X	
3.	Does the training cover safety?	Y X	N____	
4.	Does the training cover emergency response procedures, including equipment handling and inspection?	Y____	N X	Violation
5.	Does the training cover hazardous waste identification and handling procedures?	Y____	N X	
6.	Does the facility maintain personnel training records?	Y X	N____	
7.	Does the facility maintain job titles and position descriptions for employees managing hazardous waste?	Y____	N X	Violation
8.	Do the job descriptions include the requisite skills, education and experience ?	Y____	N X	Violation
9.	Do the job descriptions include a list of the positions' duties?	Y____	N X	Violation
10.	Are people trained within 6 months of hiring?	Y X	N____	
11.	Do they work unsupervised prior to training?	Y____	N X	
12.	Is training reviewed annually? Date of last training 02/01/08	Y X	N____	
13.	Are records maintained for three years?	Y X	N____	

265 Subpart C -- Preparedness and Prevention

1.	Is there evidence of a fire, explosion or release of hazardous waste or hazardous waste constituents to the environment? (265.31)	Y____	N X
2.	Does the facility have an internal communication or alarm system? (265.32(a))	Y X	N____
3.	Is there a telephone, alarm, 2-way radio or other device at the scene of operations immediately available and capable of summoning assistance? (265.32(b))	Y X	N____
4.	Describe fire control equipment. Is it adequate? (265.32(c))	Y X	N____
5.	Is spill control and decontamination equipment present? (265.32(c))	Y X	N____

Rev. 4-14-94

Facility: RTI Biologics fka - Tutogen Me
Date: 06/26/08

6. If sprinklers, water hoses or foam producing equipment is part of the facility fire control equipment, is water available at adequate volume and pressure? (265.32(d)) Y X N

7. Is the emergency equipment inspected and tested periodically? Y X N
Frequency? Monthly

8. Is there adequate aisle space to allow unobstructed movement of facility personnel and emergency equipment to any area of the facility where needed? (265.35) Y X N

9. Has the facility made emergency response arrangements with the following: (265.37)

Fire Department: Y X N
Police: Y X N
Hospital: Y X N
Emergency Response Contractor: Y X N

10. If not, has the facility attempted to do so and is the refusal documented? Y N X

265 Subpart C -- Contingency Plans and Emergency Response

1. Does the facility have a contingency plan? (265.51) Y X N

2. Is it at the facility and easily available? (265.53) Y X N

3. Does the plan include:

Fire Response Procedure:	N/A	Y X	N	
Spill Response Procedures:	N/A	Y	N X	Violation
Explosion Response Procedures:	N/A	Y	N X	
A description of arrangements with local authorities:	N/A	Y	N X	
Emergency Coordinators: (Name)		Y	N X	
Addresses and telephone numbers of Emergency Coordinators:		Y	N X	
Emergency equipment list:		Y	N X	
Specifications and capabilities of emergency equipment:		Y	N X	
Locations of emergency equipment:		Y	N X	
An evacuation plan and routes:		Y	N X	
Evacuation/alarm signals:		Y	N X	

4. Is the plan up to date, with no changes to the list of emergency equipment, list of emergency coordinators,applicable regulations or contingency plan failures since the last revision? Y N X Violation

5. Has the plan been distributed to the local police, fire department, ERT and hospital? Circle omitted authorities. (265.53) Y X N

6. Is the emergency coordinator authorized to commit funds for incident response? Y X N

Facility: RTI Biologics fka - Tutogen Mec
Date: 06/26/08

40 CFR 262 Subpart D -- Record keeping and Reporting

1. Is the generator keeping the following records:

Biennial Reports (262.41)	N/A____	Y____	N X	Violation
Exception reports (262.42)	N/A X	Y____	N____	
Test Results:	N/A X	Y____	N____	

2. Where are records kept? HS Manager's office

3. Who is in charge of keeping records? Name Angie Hindle
   Title HS Manager's

4. Any additional reporting, such as contingency plan implementation reports? (262.43) NA X Y____ N____

5. Are records kept for a minimum of 3 years? Y X N____

40 CFR 262 Subpart E -- Exports N/A X

1. Has the facility exported any hazardous waste? Y____ N____
2. Has the exporter notified EPA 60 days prior to the initial shipment? Y____ N____
3. Has the receiving country consented to receive the waste? Y____ N____
4. Has a copy of the EPA Acknowledgment of Consent accompanied the shipment? Y____ N____
5. Did the shipment conform, and was the manifest completed as required by 40 CFR 262.54? Y____ N____
6. Has the exporter received confirmation of delivered shipment? Y____ N____
7. Has the exporter submitted an annual report to EPA? Y____ N____
8. Are all records kept a minimum of three years? (262.57) Y____ N____

40 CFR 262 Subpart F -- Imports N/A X

1. Has the facility imported any hazardous waste? Y____ N____
2. Has the manifest been completed per 262.60(b)? Y____ N____

Facility Name:_____
Inspector:_____
Date:_____

40 CFR Part 265 Subpart I - Use and Management of Containers

1. Are the containers in good condition (265.171)? (Check for leaks, corrosion, bulges, etc.) Yes X No ____

2. If a container is found to be leaking, does the operator transfer the hazardous waste from the leaking container? Yes X No ____

3. Is the waste compatible with the containers and/or its liner (265.172)? Yes X No ____

4. Are the containers kept closed except when adding or removing wastes (265.173(a))? Yes X No ____

5. Are containers holding hazardous waste opened, handled or stored in such a manner as to cause the container to rupture or leak (265.173(b))? If yes, explain using narrative. Yes ____ No X

6. Are each of the containers inspected at least weekly? (265.174) Yes ____ No X Violation

   Are records kept including: (62-730.160 (6) F.A.C.)
   - Date? Yes ____ No ____
   - Time? Yes ____ No ____
   - Legibly written name of the inspector? Yes ____ No ____
   - Number of Containers? Yes ____ No ____
   - Condition of containers? Yes ____ No ____
   - Notes of observations made? Yes ____ No ____
   - Date and nature of repairs or corrective actions? Yes ____ No ____

7. Are ignitable and reactive wastes stored at least 50 feet from the property boundary? (265.176) Yes X No ____

8. Are incompatible wastes stored in the same containers? Yes ____ No X

9. Are containers holding incompatible wastes kept apart by physical barrier or sufficient distance? (265.35) Yes X No ____

10. Is there sufficient aisle space allow to allow full inspection of the containers and labels? (62-730.160(7) F.A.C.) Yes X No ____

Foundation for Applied Molecular Evolution
P.O. Box 13174, Gainesville FL 32604

March 20, 2009

RECEIVED
MAR 24 2009
NORTHEAST DISTRICT
DEP-JACKSONVILLE

Michael J. Fitzsimmons
Administrator, Waste Program
Florida Department of Environmental Protection
Northeast District Office
7825 Baymeadows Way, Suite 2008
Jacksonville FL 32256-7590

EPA identification number: FLR 000 142 604

Dear Mr. Fitzsimmons:

This letter is a formal response to Warning Letter WL08-2422HWSNY01NED (hereinafter "Letter"). This response is being sent less than 30 days after receipt of that Letter. This response hereby states that the Foundation for Applied Molecular Evolution (hereinafter FfAME) has taken the corrective actions listed in the Warning Letter. Details of those actions are provided below. This response is on FfAME letterhead, and is executed by the President of FfAME.

An attempt was made to arrange a meeting
In response to the request in the Letter, on March 11, 2009, Ms. Romaine Hughes at our direction contacted Meagan Bernier at 904-807-3368 within 15 days to arrange a meeting to discuss this matter. Ms. Bernier suggested that we respond in writing before arranging a meeting.

The EPA records concerning the history and status of FfAME need to be corrected
Let us take this opportunity to correct several factual errors in the letter and the accompanying report. We request that you remove those errors from your records.

First, the Letter states that a "Mr. Steve Benner" is the "Owner" of the Foundation for Applied Molecular Evolution. This is an error. The Foundation for Applied Molecular Evolution is a 501(c) non-profit corporation incorporated under the laws of the State of Florida. Like all non-profit corporations, it is a self-sustaining entity operating under a Board of Directors, and does not have an "Owner" or shareholders. This error is repeated in the Hazard Waste Inspection Report, which also incorrectly states that the "Type of Ownership" is "Private".

Tel: (352) 271 7005 Fax: (352) 271 7076

Further, page 4 (of 9) of the letter states that FfAME was "originally housed by the University of Florida." This is an error. Although several of the staff at the FfAME received waste management training at the University of Florida, the FfAME was never "housed" there.

FfAME is a non-profit biomedical research organization that is funded by Federal grants and contracts, including those from the National Institutes of Health, NASA, the National Science Foundation, and the Defense Threat Reduction Agency, as well as by grants, contracts and donations from private individuals, foundations, and corporations.

The time line

We understand the time line to be as follows:

• April 15, 2008. According to the Letter, a representative of the Alachua County Environmental Protection Department inspected the Alachua laboratories of the Foundation for Applied Molecular Evolution and allegedly noted "several potential violations". Dr. Daniel Hutter, who was present at the time of the inspection, documented the visit (Exhibit 1), listed the four items of concern that were made known to him, and circulated his report to FfAME staff by electronic mail. This is, to our knowledge, the only written record of that visit. The ACEPD did not provide FfAME with its own written report of that visit, although one was requested on October 23, 2008. It is our understanding that a written report should have been provided to FfAME within 90 days.

• April 15, 2008. The ACEPD requested by telephone certain documents, including an "SQG Certification", manifests of waste pickups, and contingency and emergency plans.

• April 15, 2008. Ms. Hughes, acting on behalf of FfAME, emailed Mr. Gilbert of the ACEPD copies of the following documents:

(i) Waste manifests (Exhibit 2)
(ii) Procedure: Chemical Waste Disposal (from June, 2006, Exhibit 3)

• April 16, 2008. Ms. Hughes, acting on behalf of FfAME, emailed Mr. Gilbert of the ACEPD a copy of FfAME's SQG Certification (Exhibit 4)

• April 17, 2008. Ms. Hughes, acting on behalf of FfAME, emailed Mr. Gilbert of the ACEPD copies of the following documents:

(i) A manifest of the waste pickup from the day before (Exhibit 5)
(ii) Contingency Plan and Emergency Procedures for Hazardous Material (Exhibit 6)

•Beginning on April 15, 2008. FfAME took the steps listed in Dr. Hutter's email to address the concerns raised in the April 15 inspection. Specifically:

(i) In fact, Permafix manifests *were* present on site, some in original form and some in copy form. Starting on April 16, originals only are kept at the facility, while copies only are kept at the administrative headquarters.
(ii) Cabinets were labeled.
(iii) A log sheet for waste drums was prepared (Exhibit 7)

• April 17, 2008. Mr. Hutter's attention was drawn to the place in the facility holding the waste certification obtained in 2007 (Exhibit 4); as with the manifests (originals and copies), that certification was (to the best of our knowledge and belief) in the facility during the April 15, 2008 inspection. We regret that Dr. Hutter did not show these documents to the ACEPD at that time.

• April 17, 2008. FfAME management was convinced that (a) the record keeping on the facility had conformed to regulations (other perhaps than the difference between a copy of a manifest and an original manifest), (b) the ACEPD "liked very much how we labeled all chemical containers and bottles", and (c) the words "chemical storage" had been placed on the cabinets that stored chemicals and log sheets had been provided and would be used for waste drum inspections.

• October 22, 2008. Ms. Meaghan Bernier and Mr. Ashwin Patel, representatives of the Florida Department of Environmental Protection (FDEP), visited FfAME and spoke with Mr. Opalko, the laboratory manager and designated Emergency Coordinator (Exhibit 7); Mr. Opalko prepared a contemporary written report (Exhibit 8).

• Starting on October 22, 2008. Mr. Opalko took actions recommended in the debriefing to ensure that FfAME was in compliance with EPA regulations:

(i) The labels on waste disposal containers that read "Organic Waste", "Aqueous waste" and "HPLC Waste" were replaced by labels that read "Hazardous waste" (Exhibit 9, taken March 18).

(ii) Written instructions were provided to keep satellite waste labeled and containers closed (October 27).

(iii) A copy of the contingency plan was sent to various emergency services (sent November 24, due to a delay in a response from the FDEP containing the preferred weekly log forms, an example of a modified contingency plan, and example notification letter, Exhibit 10).

(iv) Emergency numbers were posted by the telephones (October 23).

(v) Personnel training was continued (November 2008, March, 2009)

• October 23, 2008 FfAME requested by email any report that may have arisen from the April 15, 2008 inspection (Exhibit 11). No response to that request has been received.

• March 11, 2009. FfAME receives Warning Letter dated March 6, 2009 alleging potential violations of certain Florida Statutes and Rules. No report of the inspection was provided prior to the sending of this Letter.

Certain allegations in the Letter remain undocumented

The Letter (page 4, paragraph 2) alleges that on April 15, 2008, the Alachua County EPD inspectors "noted several potential violations." Other than those acknowledged above and immediately remedied, FfAME has no grounds to either accept or dispute those allegations. Of the matters that can be ascertained as a fact, FfAME did have a "contingency plan" (Exhibit 6), and did have it on site. Likewise, FfAME did have on site copies or originals of manifests (Exhibit 5).

This notwithstanding, we would still appreciate your sending us a copy of the report made by the Alachua County EPD at the time of its April 15, 2008 visit.

Disputes relating to new allegations contained in the Letter
The Letter made the following new allegations not presented to FfAME prior to October 22, 2008 that are disputed.

The Letter alleges that "at the time of the [October 22] inspection, the facility had not designated an Emergency Coordinator." This is disputed. On October 22, 2008, Mr. Jeffery Opalko had been designated Emergency Coordinator (see Exhibit 7).

The Letter alleges that "[a]rrangements had not been made with local authorities". This is disputed. According to the FfAME Contingency Plan, arrangements had been made with local authorities (Exhibit 6).

Corrective actions taken to potential violations
As noted above, starting immediately after the inspection conducted by the Florida Department of Environmental Protection on October 22, 2008, actions were taken in response to the conversation that Mr. Opalko had with representatives of the FDEPA, whether or not allegations of violations were disputed. Below, we repeat the steps taken in response to the potential violations in the Letter, which are presented in quotation marks whether or not they are disputed.

1) 40 CFR 262.11 Hazardous waste determination
"Facility personnel may have failed to make a hazardous waste determination on some silica gel used with F-listed solvents."
Corrective action. All FfAME personnel were informed verbally on October 22, 2008 and in writing on October 27, 2008 (Exhibit 8) that silica gel and silica sand that has come in contact with a solvent achieves the hazard status of the solvent contacted, regardless of whether that solvent is no longer detectable. Such silica gel is now classified as hazardous waste. This material was tested by PermaFix as: Hazardous Waste Solid, n.o.s (Methylene Chloride) 9, NA 3077, PG III, PermaFix profile # 46925. The material is being collected in 5 gallon plastic pails that are labeled as hazardous waste with the start date and then manifested to PermaFix.

2) 40 CFR 262.20 Disposal without a Manifest
"Facility personnel regularly disposed of used silica gel in a solid waste dumpster destined for a landfill."
Corrective Action. The October 27 instructions to personnel in Exhibit 8 are clear; FfAME personnel now recognize the silica as hazardous waste regardless of whether it is clean or not, and all material is regularly and routinely manifested to PermaFix for delivery to an approved hazardous waste Treatment, Storage, or Disposal Facility.

3) 40 CFR 262.34(a)(2) Accumulation Start Dates
"Facility personnel failed to properly label hazardous waste storage containers with the start date of accumulation in three areas:

1. Five 5-gallon containers of HPLC hazardous waste and one 5-gallon container of aqueous hazardous waste in the hazardous waste accumulation area.

2. Approximately 20 gallons of waste silica gel in the hazardous waste accumulation area.
3. Five 5-gallon containers of organic hazardous waste inside the storage shed outside the lab."

Corrective action. All final collection containers are currently, regularly, and routinely, labeled with the start date of accumulation as per written instructions. The staff has been trained in the proper labeling of any storage container containing hazardous waste material and oversight of this procedure is monitored during the weekly inspections.

4) 40 CFR 262.34(a)(3) Hazardous Waste Labels
"Facility personnel failed to properly label hazardous waste storage containers with the words 'Hazardous Waste' in three areas:

1. Five 5-gallon containers of HPLC hazardous waste and one 5-gallon container of aqueous hazardous waste in the hazardous waste accumulation area.
2. Approximately 20 gallons of waste silica gel in the hazardous waste accumulation area.
3. Five 5-gallon containers of organic hazardous waste inside the storage shed outside the lab."

Corrective action: All hazardous waste storage containers are currently, regularly, and routinely labeled with the words "Hazardous Waste" (they had previously been labeled "Organic waste", "HPLC waste, or "Aqueous waste") as per written instructions dated October 24, 2008. All of the satellite containers are currently, regularly, and routinely labeled with the words "Hazardous Waste" (and not "Organic waste", "HPLC waste, or "Aqueous waste") as per written instructions. The staff has been trained in the proper labeling of any storage container containing hazardous waste material and oversight of this procedure is monitored during the weekly inspections.

5) 40 CFR 262,34(d)(5)(i) Emergency Coordinator
"An Emergency Coordinator was not designated."
Corrective action. The Laboratory Manager, Mr. F. Jeffrey Opalko, has long been designated as the Emergency Coordinator, and was so prior to October 22. He remains so designated. His contact information has been posted by all laboratory telephones. Alternative Emergency Coordinators have also been selected and their contact information has been posted as well.

6) 40 CFR 262.34(d)(5)(ii) Modified Contingency Plan
"The facility did not have a Modified Contingency Plan posted next to the telephone."
Corrective action. A Modified Contingency plan was posted in all locations on October 24, 2008 (Exhibit 12, photo). A copy of the plan current as of the date of this response is attached (Exhibit 13).

7) 40 CFR 265.37 Arrangements with Local Authorities
"The facility has not made emergency arrangements with local police, fire departments, hospitals and emergency response departments."
Corrective action. Contact with local police and fire departments along with the local hospital and emergency response unit has been completed by certified mail. A letter describing our operation along with our emergency plan including our modified

contingency plan and the contact information of our emergency coordinator was also provided. The receipt of the information has been verified. This information is provided along with verification is attached (Exhibit 14).

8) 40 CFR 265.173 Open containers
"Facility personnel failed to keep the silica gel waste container in the hazardous waste accumulation area closed except when adding or removing waste."
Corrective action. All containers containing hazard waste, including liquid and solid waste, are kept closed except when filling. The staff has been instructed and is compliant with this protocol. This is verified during weekly inspections.

AREAS OF CONCERN
"1) Facility personnel should make greater effort to label and cover each container in individual hoods when someone is not directly attending to ongoing experiments. In the future, waste chemicals should be removed from the hoods in a timely fashion and added to hazardous waste satellite accumulation containers."
Corrective action. Closing and labeling containers of all chemicals and waste has been noted and is currently being attended. Open, unlabeled containers are not tolerated in any location. Containers containing hazardous waste are promptly removed and emptied into satellite accumulation containers.

"2) The apparent level of personnel training is inadequate. Facility personnel should be trained in proper waste handling procedures relevant to their normal work responsibilities and emergencies. Training should be documented and the documentation should be available on-site."
Corrective action. The staff received additional on-the-job training by the lab manager in the days following the inspection. The laboratory manager has received formal training on RCRA Training for Employees from Safety Manager. Com/Nexstep Inc. on November 21, 2008 (Exhibit 15). In addition the lab manager also received further formal training on Hazardous Waste Regulations for Generators from the University of Florida TREEO center on March 10, 2009 (Exhibit 16). The laboratory manager then conducted another formal training session for the staff March 13, 2009 including the RCRA Training for Employees and the information obtained from the instruction from the TREEO center. Evidence of the training is provided (Exhibit 17).

The Foundation for Applied Molecular Evolution recognizes the importance of its responsibility to protect the environment. Therefore FfAME endeavors to insure that it is fully compliant with all regulations. We welcome the oversight and assistance of the Alachua County Environmental Protection Department and the Florida Department of Environmental Protection in these endeavors.

Sincerely yours,

Steven A. Benner (President, Foundation for Applied Molecular Evolution)

FDEP Warning Letter WL08-2422HWSNY01NED Response

List of Exhibits

Exhibit 1. Email dated April 15, 2008 from Daniel Hutter to FfAME staff regarding EPA inspection.
Exhibit 2. Waste manifests sent electronically to Chris Gilbert of the ACEPD.
Exhibit 3. FfAME chemical waste procedure (June 1,2006) sent electronically to Chris Gilbert of the ACEPD.
Exhibit 4. FDEP certificate as a small quantity generator #FLR000142604 sent electronically to Chris Gilbert of the ACEPD.
Exhibit 5. Waste manifest sent electronically to Chris Gilbert of the ACEPD.
Exhibit 6. Contingency Plan and Emergency Procedures for Hazardous Materials sent electronically to Chris Gilbert of the ACEPD.
Exhibit 7. FfAME weekly drum inspection log listing Jeff Opalko as the Emergency Coordinator.
Exhibit 8. Email dated October 27, 2008 sent out by Jeff Opalko to FfAME staff regarding FDEP inspection.
Exhibit 9. Photograph showing properly labeled hazardous waste at FfAME facility.
Exhibit 10. Email dated November 3, 2008 from Meaghan Bernier of the FDEP to Jeff Opalko of FfAME providing answers to questions and examples of documents with attachments.
Exhibit 11. Email dated October 23, 2008 from Jeff Opalko to Chris Gilbert of the ACEPD requesting a copy of the report from the April inspection.
Exhibit 12. Photograph showing the Modified Contingency Plan, Emergency Procedures, Emergency Coordinator's name and contact information and other useful emergency phone numbers.
Exhibit 13. FfAME Modified Emergency Contingency Plan.
Exhibit 14. Letters of notification to local agencies along with proof of receipt.
Exhibit 15. Receipt of Nexstep.com/Safety Manager training CD "RCRA Training for Employees".
Exhibit 16. Certificate of attendance of "Hazardous Waste Regulations for Generators" for the Laboratory Manager Francis (Jeff) Opalko.
Exhibit 17. Attendance sign-in sheet for in-house RCRA training conducted by Jeff Opalko on March 13, 2009.

EXHIBIT 1

Exhibit 1

Subject: EPA inspection
From: "Daniel Hutter" <dhutter@ffame.org>
Date: Tue, April 15, 2008 12:03 pm
To: "ffame_Benner" <sbenner@ffame.org>
Cc: "ffame_HyoJoongKim" <hkim@ffame.org>
"ffame_JeffOpalko" <jopalko@ffame.org>
"ffame_MyongJungKim" <mkim@ffame.org>
"ffame_NileshKaralkar" <nkaralkar@ffame.org>
"ffame_Romaine" <rhughes@ffame.org>
"ffame_ShuichiHoshika" <shoshika@ffame.org>

Hi all,

as you know, today we had the inspection by the EPA. Overall, it went well (I think), and they liked very much how we label all chemical containers and bottles and store the flammable solvents in the flammable cabinets etc. Please keep up the good work!

They only had a few (minor) complaints:

1) every time Perma-Fix picks up waste, they give us a "manifest" to sign. So far we always gave those manifests to Romaine. However, the guys from EPA told me that we have to keep them here in the lab at all times. Jeff will make a folder and put it next to the MSDS folders. From now on, every time Perma-Fix picks up waste, please make a copy of the manifest and put that copy to the receipts for Romaine, and put the original into the folder in the lab.

2) all cabinets that contain chemicals must be labeled "chemical storage". I already did that for the main storage cabinets. Just make sure you don't store chemicals in cabinets that are not labeled. If you want to store chemicals in a cabinet, you can always do so, but you have to label the cabinet.

3) For the waste drums in the shed outside, we will from now on have a Log sheet, that says how many drums are there, and whether or not they are leaking etc. Jeff, as our waste coordinator, will fill out/sign that sheet every week. Also, when you put additional drums out there, please

update the sheet accordingly.

4) We will soon have a new waste certification, because we have grown too big for the old one. Jeff is currently doing the paperwork, and he will then have to give us some official training how to handle waste etc. At the moment we don't have to worry about that.

I think this is all for the moment.
Please let me know if you have any questions.

Regards,
Daniel

Exhibit 2

type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

FORM HAZARDOUS WASTE MANIFEST	1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Tracking Number
	CESQG	1	800-535-5053	002351819 JJK

GENERATOR

5. Generator's Name and Mailing Address
Foundation for Applied Molecular Evol.
PO Box 13174 - Attn: Accts Payable
Gainesville, FL 32604
Generator's Phone: 386 418-8085

Generator's Site Address (if different than mailing address)
13709 Progress Blvd #N-112-Daniel Hutter
Alachua, FL 32615

6. Transporter 1 Company Name: Perma-Fix of Florida, Inc.
U.S. EPA ID Number: FLD980711071

7. Transporter 2 Company Name
U.S. EPA ID Number

8. Designated Facility Name and Site Address
Perma-Fix of Florida, Inc.
1940 N.W. 67th Place
Gainesville, FL 32653
Facility's Phone: 352-373-6066
U.S. EPA ID Number: FLD980711071

9a. HM	9b. U.S. DOT Description (Including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1. UN1993, Waste Flammable liquids, n.o.s., (HPLC) 3, PGII PF #42728 - ERG #128	006	DF	030	G	D001 F003
X	2. UN1993, Waste Flammable liquids, n.o.s. (Contains Acetone and Methyl chloride), 3, PGII PF #42729 - ERG #128 (Aqueous Waste)	001	DF	005	G	D001 F002 F003
X	3. UN1993, Waste Flammable liquids, n.o.s. (Contains Methyl chloride), 3, PGII PF #42731 - ERG #128 (Organic Solvents)	012	DF	060	G	D001 D022 D038 F002 F003 F005
	4.					

14. Special Handling Instructions and Additional Information
Caller must I.D. Perma-Fix of Florida, Inc. (PF 80193)

1,2- D810 W101 H040 3) D213 W204 H061

15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: M.J. Kim
Signature:
Month 2 Day 20 Year 08

INT'L

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

TRANSPORTER

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name:
Signature:
Month 02 Day 20 Year 08

Transporter 2 Printed/Typed Name:
Signature:
Month Day Year

DESIGNATED FACILITY

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:

18b. Alternate Facility (or Generator)
U.S. EPA ID Number
Facility's Phone:

18c. Signature of Alternate Facility (or Generator)
Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1.	2.	3.	4.
H141/H040	H141/H040	H061	

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name: Dave Williams
Signature:
Month 02 Day 20 Year 08

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

. or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST	1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Tracking Number
	CESQG	1	800-535-5053	002351557 JJK

5. Generator's Name and Mailing Address
Foundation for Applied Molecular Evol.
PO Box 13174 - Attn: Accts Payable
Gainesville, FL 32604
Generator's Phone: 386 418-8085

Generator's Site Address (if different than mailing address)
13709 Progress Blvd #N-112-Daniel Hutter
Alachua, FL 32615

6. Transporter 1 Company Name: Perma-Fix of Florida, Inc.
U.S. EPA ID Number: FLD980711071

7. Transporter 2 Company Name
U.S. EPA ID Number

8. Designated Facility Name and Site Address
Perma-Fix of Florida, Inc.
1940 N.W. 67th Place
Gainesville, FL 32653
Facility's Phone: 352-373-6066
U.S. EPA ID Number: FLD980711071

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1. Waste Flammable liquids, n.o.s., (HPLC) 3, UN1993, PGII PF #42728 - ERG #128	0008	DF	0015	G	D001 F003
X	2. Waste Flammable liquids, n.o.s. (Contains Acetone and Methyl chloride), 3, UN1993, PGII PF #42729 - ERG #128 (Aqueous Waste)	003	DF	0015	G	D001 F002 F003
X	3. Waste Flammable liquids, n.o.s. (Contains Methyl chloride), 3, UN1993, PGII PF #42731 - ERG #128 (Organic Solvents)	0020	DF	0100	G	D001 D022 D038 F002 F003 F005
	4.					

14. Special Handling Instructions and Additional Information
Caller must I.D. Perma-Fix of Florida, Inc. (PF 71516)

1,2,3 - A 7 3 W204 H061

15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: M. J. Kim
Signature:
Month Day Year: 12 05 07

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name:
Signature:
Month Day Year: 12 05 07
Transporter 2 Printed/Typed Name:
Signature:
Month Day Year

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:

18b. Alternate Facility (or Generator)
U.S. EPA ID Number
Facility's Phone:

18c. Signature of Alternate Facility (or Generator)
Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1.	2.	3.	4.
H061	H061	H061	

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name: Steve Williams
Signature:
Month Day Year: 12 05 07

GENERATOR

INTL

TRANSPORTER

DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: CESQG
2. Page 1 of: 1
3. Emergency Response Phone: 800-535-5053
4. Manifest Tracking Number: 001805432 JJK

5. Generator's Name and Mailing Address
Foundation for Applied Molecular Evol.
PO Box 13174 - Attn: Accts Payable
Gainesville, FL 32604
Generator's Phone: 386 418-8085

Generator's Site Address (if different than mailing address)
13709 Progress Blvd #N-112-Daniel Hutter
Alachua, FL 32615

6. Transporter 1 Company Name: Perma-Fix of Florida, Inc.
U.S. EPA ID Number: FLD980711071

7. Transporter 2 Company Name:
U.S. EPA ID Number:

8. Designated Facility Name and Site Address
Perma-Fix of Florida, Inc.
1940 N.W. 67th Place
Gainesville, FL 32653
Facility's Phone: 352-373-6066
U.S. EPA ID Number: FLD980711071

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
X	1. Waste Flammable liquids, n.o.s., (HPLC) 3, UN1993, PGII PF #42728 - ERG #128	004	DF	020	G	D001	F003	
X	2. Waste Flammable liquids, n.o.s. (Contains Acetone and Methyl chloride), 3, UN1993, PGII PF #42729 - ERG #128 (Aqueous Waste)	002	DF	010	G	D001	F002	F003
X	3. Waste Flammable liquids, n.o.s. (Contains Methyl chloride), 3, UN1993, PGII PF #42731 - ERG #128 (Organic Solvents)	014	DF	070	G	D001	D022	D038
	4.					F002	F003	F005

14. Special Handling Instructions and Additional Information
Caller must I.D. Perma-Fix of Florida, Inc. (PF 71119)

15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: M J. Kim
Signature:
Month Day Year: 9 5 07

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name: Gilbert H Allen
Signature:
Month Day Year: 09 05 07
Transporter 2 Printed/Typed Name:
Signature:
Month Day Year:

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:

18b. Alternate Facility (or Generator)
U.S. EPA ID Number
Facility's Phone:

18c. Signature of Alternate Facility (or Generator)
Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. H061 2. H061 3. H061 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in item 18a
Printed/Typed Name: Steve Williams
Signature:
Month Day Year: 09 05 07

GENERATOR — INT'L — TRANSPORTER — DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO GENERATOR

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: CE8QG
2. Page 1 of 1
3. Emergency Response Phone: 800-535-5053
4. Manifest Tracking Number: 001805228 JJK

5. Generator's Name and Mailing Address:
Foundation for Applied Molecular Evol.
PO Box 13174 - Attn: Accts Payable
Gainesville, FL 32604
Generator's Phone: 386 418-8085

Generator's Site Address (if different than mailing address):
13709 Progress Blvd #N-112-Daniel Hutter
Alachua, FL 32615

6. Transporter 1 Company Name: Perma-Fix of Florida, Inc.
U.S. EPA ID Number: FLD980711071

7. Transporter 2 Company Name:
U.S. EPA ID Number:

8. Designated Facility Name and Site Address:
Perma-Fix of Florida, Inc.
1940 N.W. 67th Place
Gainesville, FL 32653
Facility's Phone: 352-373-6066
U.S. EPA ID Number: FLD980711071

9a. HM	9b. U.S. DOT Description (Including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1. Waste Flammable liquids, n.o.s., (HPLC) 3, UN1993, PGII PF #42728 - ERG #128	005	DF	025	G	D001 F003
X	2. Waste Flammable liquids, n.o.s. (Contains Acetone and Methyl chloride), 3, UN1993, PGII PF #42729 - ERG #128 (Aqueous Waste)	001	DF	0005	G	D001 F002 F003
X	3. Waste Flammable liquids, n.o.s. (Contains Methyl chloride), 3, UN1993, PGII PF #42731 - ERG #128 (Organic Solvents)	006	DF	020	G	D001 D022 D038 F002 F003 F005
	4.					

14. Special Handling Instructions and Additional Information
Caller must I.D. Perma-Fix of Florida, Inc. (PF 70832)

15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labelled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: Daniel Hutter
Signature:
Month Day Year

16. International Shipments: ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name: Colin Thomas
Signature:
Month Day Year: 08/22/07
Transporter 2 Printed/Typed Name:
Signature:
Month Day Year

18. Discrepancy
18a. Discrepancy Indication Space: ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:

18b. Alternate Facility (or Generator)
U.S. EPA ID Number
Facility's Phone:

18c. Signature of Alternate Facility (or Generator)
Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. H141 2. H141 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name:
Signature:
Month Day Year: 08/28/07

GENERATOR — INT'L — TRANSPORTER — DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO GENERATOR

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Tracking Number
CEBQG	1	800-535-5053	001694477 JJK

GENERATOR

5. Generator's Name and Mailing Address
Foundation for Applied Molecular Evol.
PO Box 13174 - Attn: Accts Payable
Gainesville, FL 32604
Generator's Phone: 386 418-8083

Generator's Site Address (if different than mailing address)
13709 Progress Blvd #N-11Y-Daniel Hutter
Alachua, FL 32615

6. Transporter 1 Company Name: Perma Fix of Florida, Inc.
U.S. EPA ID Number: FLD980711071

7. Transporter 2 Company Name
U.S. EPA ID Number

8. Designated Facility Name and Site Address
Perma-Fix of Florida, Inc.
1940 N.W. 67th Place
Gainesville, FL 32653
Facility's Phone: 352-373-6066
U.S. EPA ID Number: FLD980711071

9a. HM	9b. U.S. DOT Description (Including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
X	1. Waste Flammable Liquids, n.o.s., (HPLC) 3, UN1993, PGII RF 042728 ERG #128	02	DF	015	G	D001	F003	
X	2. Waste Flammable Liquids, n.o.s. (Contains Methyl chloride), 3, UN1993, PGII RF 042731 ERG #128 (Organic Solvents)	02	DF	015	G	D001 / F002	D022 / F003	D038 / F005
	3.							
	4.							

14. Special Handling Instructions and Additional Information
Caller must I.D. Perma-Fix of Florida, Inc. (RF 70202)

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: X David [illegible]
Signature: [illegible]
Month / Day / Year: [illegible]

INTL

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

TRANSPORTER

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name: Gilbert Miller
Signature: [illegible]
Month / Day / Year: 12 / 28 / 07
Transporter 2 Printed/Typed Name
Signature
Month / Day / Year

DESIGNATED FACILITY

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:

18b. Alternate Facility (or Generator)
U.S. EPA ID Number
Facility's Phone:

18c. Signature of Alternate Facility (or Generator)
Month / Day / Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. 2. 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name
Signature
Month / Day / Year

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

GENERATOR'S INITIAL COPY

Exhibit 3

FfAMEProcedureChemicalWaste0606

Foundation for Applied Molecular Evolution
Procedure
Chemical Waste Disposal
June 1, 2006

Chemical waste generated by FfAME is collected by Perma-Fix. This is an industrial waste-disposal company based in Gainesville (www.perma-fix.com/florida). The central site for Perma-Fix pick up is in Alachua, which generates most of this waste at present. Other sites, aas necessary ,will deliver their waste to Alachua, for pick up by Perma-Fix.

As its primary business, Perma-Fix collects waste from major laboratories and companies that produce large amounts of nearly identical waste all the time. This is different from the type of waste that academic research organizations generally create (small amounts of waste whose composition is continuously changing).

Therefore, the collection procedure is adapted accordingly. The waste is collected in "streams" (see below). Due to transportation regulations, each stream is picked up in 5-gallon containers, either steel drums or tightly closable plastic buckets that can be bought from Perma-Fix. The correct labels are provided by Perma-Fix as well.

The waste may be collected in smaller bottles, but it must be transferred into 5-gallon containers for pick-up.

The FfAME staff that generates chemical waste decide for themselves what goes into each "stream", with the goal of helping Perma-Fix manage its operations. FfAME staff decide the number of separate streams, what will be in each stream, and the name of the stream. Perma-Fix then collects each stream separately and determines the price for each stream separately, and expects the composition of each stream to remain constant afterwards (although this is never exactly the case for our kind of research, of course).

You will not need to itemize the components of each container of waste. Rather, each stream should have an approximaty composition, and be similar for all time. If a new waste disposal compound arises, a new stream is designated. The waste is collected and labeled according to the established stream names.

The OpenExchange web site will have a list showing what streams we have, and what may go in them. FfAME currently collects the following two streams: "Organic Liquid Waste" (also called "Acetone/Methylene chloride") contains organic solvent mixtures with less than about 5% water. "HPLC Waste" (also called "Aqueous Liquid Waste") contains solvent mixtures with substantial amounts of water (from extractions as well as HPLC).

Before the first pick-up of a newly established stream, Earl Fisher from Perma-Fix will come by and take a sample from each stream. They then analyze those samples and

determine the price for each stream. The price is determined by how well the stuff burns (although to date, they charge us the same rate for both streams that we now have).

For solid waste, there are several options: Inorganic non-heavy metal salts (NaCl, NaSO4 etc) are dissolved in water and added to the Aqueous Liquid Waste. Solids that dissolve in organic solvents are dissolved in that and added to the Organic Liquid Waste (we do not generate large amounts of this kind of solids anyway). For large amounts of a particular solid, it might be collected separately, but then you would need to setup a new "stream".

Any major amount of toxic solid waste (e.g. heavy metal salts etc.) will be collected separately. At FfAME, we have not generated this so far. Anyone planning to do so should make this known. It should not be put into the other Waste streams.

All used silica-gel (dry) is collected in large bags and dumped into the trash (together with broken glass).

Exhibit 4

Florida Department of Environmental Protection

Bob Martinez Center
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

10/23/2007

Jeffrey Opalko, Lab Manager
Foundation for Applied Molecular Evolution
PO Box 13174
Gainesville, FL 32604-1983

The Hazardous Waste Regulation Section has reviewed your application for a hazardous waste DEP/EPA Identification Number. Based on the information received you have been issued the following identification number for the facility located at **13709 Progress Blvd Suite N112, Alachua.**

FLR000142604

Your facility status is the following:

Small Quantity Generator

THIS LETTER IS NOT AN APPROVAL TO TRANSPORT HAZARDOUS WASTE OR TO OPERATE A HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL (TSD) FACILITY. PLEASE CONTACT THE DEPARTMENT FOR COMPLETE REQUIREMENTS FOR HAZARDOUS WASTE TRANSPORTERS AND TSDs.

Please notify us in writing if there is any change in your operations which would affect your status. For further assistance, please call (850)245-8760 or (850)245-8772.

Sincerely,

Michael X. Redig
Environmental Manager
Hazardous Waste Regulation Section

ME ID: 82149
Email Address: jopalko@ffame.org

Exhibit 5

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: FLR000142604
2. Page 1 of 1
3. Emergency Response Phone: 800-535-5053
4. Manifest Tracking Number: 002354012 JJK

5. Generator's Name and Mailing Address: Foundation for Applied Molecular Evol. PO Box 13174 - Attn: Accts Payable Gainesville, FL 32604
Generator's Site Address (if different than mailing address): 13709 Progress Blvd #N-112-Daniel Hutter Alachua, FL 32615
Generator's Phone: 386 418-8085

6. Transporter 1 Company Name: Perma-Fix of Florida, Inc.
U.S. EPA ID Number: FLD980711071

7. Transporter 2 Company Name:
U.S. EPA ID Number:

8. Designated Facility Name and Site Address: Perma-Fix of Florida, Inc. 1940 N.W. 67th Place Gainesville, FL 32653
U.S. EPA ID Number: FLD980711071
Facility's Phone: 352-373-6066

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1. ~~UN1993, Waste Flammable liquids, n.o.s.,~~ (HPLC) 3, PGII PF #42728 - ERG #128	004	DF	020	G	D001 F003
X	2. ~~UN1993, Waste Flammable liquids, n.o.s.~~ (Contains Acetone and Methyl chloride), 3, PGII PF #42729 - ERG #128 (Aqueous Waste)	002	DF	0010	G	D001 F002 F003
X	3. ~~UN1993, Waste Flammable liquids, n.o.s.~~ (Contains Methyl chloride), 3, PGII PF #42731 - ERG #128 (Organic Solvents)	0014	DF	0021	G	D001 D022 D038 F002 F003 F005
	4.					

14. Special Handling Instructions and Additional Information: Carrier must t.d. Perma-Fix of Florida, Inc. (PF 80442)

1,2- D76 D204 H140 3) 273 H201 H301

15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: M. J. Kim
Signature:
Month 4 Day 16 Year 08

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name: Gilbert H Allen
Signature:
Month 04 Day 16 Year 08
Transporter 2 Printed/Typed Name:
Signature:
Month Day Year

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:

18b. Alternate Facility (or Generator)
U.S. EPA ID Number
Facility's Phone:

18c. Signature of Alternate Facility (or Generator)
Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. H141 2. H141 3. H141 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name: Alex Williams
Signature:
Month 04 Day 16 Year 08

GENERATOR — INT'L — TRANSPORTER — DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO GENERATOR

Exhibit 6

The Foundation for Applied Molecular Evolution CONTINGENCY PLAN AND EMERGENCY PROCEEDURES FOR HAZARDOUS MATERIALS

I. GENERAL

The Foundation for Applied Molecular Evolution as an operator of a facility that generates hazardous waste; must comply with procedures for assuring that this facility operates safely. These procedures provide for proper control and safety of personnel and the environment.

II. PURPOSE

The purpose of this plan is to minimize hazards to human health or the environment from fire, explosions, or an unplanned sudden or non-sudden release of hazardous waste constituents to air, water, soil, the atmosphere, and insure the safety of personnel who work around hazardous materials.

Incase of fire or explosion, staff will immediately activate the RACE response.

In case of sudden or non-sudden release of hazardous material or hazardous waste, staff will immediately notify the Hazardous Safety Officer at 352-219-4319. The Hazardous Material Safety officer will respond to assess the gravity of the release or spill. The Hazardous Safety Officer will dispatch Hazardous Material personnel to the area for containment and/or cleanup of the hazardous material.

III. EMERGENCY PERSONNEL

The Hazardous Safety officer is familiar with all aspects of the contingency plan, the location of all facility records, layout and have the authority to commit the resources necessary to carry out the Contingency Plan.

A. Hazardous Safety Officer:	**Jeff Opalko** Pager (cell phone) (352) 219-4319 Home phone (352) 374-8681
B. Alternate	**Ryan Shaw – Ayers** Cell (352) 284-2363
	Daniel Hutter – Progress Center Cell (352) 284-6874

IV. ALACHUA COUNTY LAW ENFORCEMENT

A copy of the Contingency Plan and Emergency Procedures for Hazardous Materials have been filed with the Alachua County Sheriff's Office for Police support in the event of an emergency involving hazardous materials occurs at any Foundation facility. Support required could consist of, but is not limited to:

1. Traffic control
2. Crowd control

3. Protection of property
4. Evacuation of personnel and staff

Should police support be required in the event of an emergency situation, The Hazardous Safety Officer or his/her alternate will notify the law enforcement agencies and request support as necessary. Personnel notifying the police will provide the following information:

1. Individual's name
2. Name of facility
3. Address of emergency
4. Telephone number
5. Nature of emergency
6. Type of support needed
7. Location as to where they will meet police personnel to brief them
8. All emergency related facts that will assist police personnel in responding to the emergency and preclude injury to police personnel.

Upon arrival of the law enforcement personnel, the Hazardous Safety Officer or his/her alternate will brief police officers as to what has occurred, dangers involved, and type of support desired.

V. FIRE DEPARTMENT

The following is the fire department to contact for Alachua County

EMERGENCY - 911

FIRE STATION NO. 2 (FIRE AND HAZARDOUS MATERIAL TEAM)
2210 SW ARCHER ROAD
GAINESVILLE, FLORIDA 32608
(352) 334-2589

A copy of the Contingency Plan and Emergency Procedures for Hazardous Materials has been filed with the Gainesville Fire department for fire fighting support in the event of an emergency involving hazardous materials occurs at any Foundation facility. Support could consist of, but not limited to:

1. Fire fighting personnel and equipment
2. Capability to fight chemical fires
3. Hazardous material team

Should fire fighting support be required in the event of an emergency situation, the Hazardous Safety officer or his/her alternate will notify the Gainesville fire Department and request support as necessary.

Staff notifying firefighting authorities will provide the following information:

1. Individual's name
2. Name of facility
3. Address of emergency

4. Telephone number
5. Nature of emergency
6. Type of support needed
7. Type of hazardous material involved

Upon arrival of the fire fighting personnel, the Hazardous Safety Officer or his/her alternate will brief fire fighting personnel as to what has occurred, dangers involved and type of support desired.

VI. EMERGENCY MEDICAL SERVICES

911 will be called for extended Emergency medical services as needed

The Hazardous Safety Officer or his/her alternate will provide information regarding the type of hazardous materials that caused the injury and a copy of the Material Safety data Sheet (MSDS) for successful treatment of the injured party.

VII. CONRTACTOR AND EQUIPMENT SUPPLIER

Service offered – spill cleanup.

Name: Perma-Fix, Inc.
Address: 740 NW 67th Place
Gainesville, Florida 32653
Phone: (352) 395-1363

VIII. NOTIFICATION OF FEDERAL, STATE AND LOCAL EMERGENCY TEAMS

In the event of an emergency situation involving the discharge of hazardous material occurs, the Hazardous Safety Officer or his/her alternate will notify the following agencies as expeditiously as possible:

Name: **Department of Environmental Protection**
Phone: (904) 448-4320
EMERGENCY – (800) 320-0519

Name: **Alachua County environmental protection Department**
Phone: (352) 955-1818

IX. FACILITY SPECIFIC CONTACT INFORMATION

APPENDIX 1 AYERS MEDICAL PLAZA, GAINESVILLE
APPENDIX 2 PROGESS CENTER, ALACHUA

APPENDIX 1

Ayers Medical Plaza

Address:	720 SW 2nd Avenue Suites 200 and 208 Gainesville, Florida 32601
Phone:	(352) 375-8680
On site Contact:	Ryan Shaw Cell (352) 284-2363
Building security:	(352) 372-4321 (Shands)
Maintenance:	Mike Nesler (352) 317-5691
Building Administrator:	Mark Keohane (352) 240-2688

APPENDIX 2

Progress Center

Address:	13709 Progress Boulevard Suites N112 Alachua, Florida 32615
Phone:	(386) 418-8085
On site Contact:	Daniel Hutter Cell (352) 284-6874
Building security:	None
Maintenance:	E. W. "Perk" Perkins (352) 538-5236
Building Administrator:	Sandy Burgess (386) 462-4040

Exhibit 7

Foundation for Applied Molecular Evolution (FfAME)

Waste Drum Inspection Log

Date	Total # of drums	Total # of drums good	Total # of drums bad	Inspector Signature	Notes

NOTE: If bad (leaking) drums found, please contact emergency coordinator immediately.

EMERGENCY COORDINATOR: Jeff Opalko, (352) 219-4319

Exhibit 8

Current Folder: **Sent** Sign Out

Compose Addresses Folders Options Search Help FfAME Internal Web Applications

Message List | Delete | Edit Message as New Previous | Next Forward | Forward as Attachment | Reply | Reply All

Subject: Opalko_Report20081027FLDEPinspection
From: jopalko@ffame.org
Date: Mon, October 27, 2008 2:57 pm
To: dhutter@ffame.org (more)
Priority: Normal
Options: View Full Header | View Printable Version | Download this as a file

Opalko_Report20081027FLDEPinspection

Florida Department of Environmental Protection Inspection 22OCT08

On Wednesday October 22 the facility at 13709 Progress Blvd. was inspected by the Florida Department of Environmental Protection. Inspectors, Ashwin Patel and Meaghan Bernier were at the facility for approximately 3 hours. They conducted a thorough inspection and pointed out the following non-compliance issues:

1) All of the final 5 gallon waste containers must be labeled "Hazardous Waste" and the date that collection was initiated must be noted on the label along with the contents. - proper labels have been ordered

2) All accumulation containers must be labeled "Waste" and type and must be kept closed except when in use.

3) A copy of our emergency contingency plan must be sent to: Alachua PD, Alachua fire rescue, Gainesville Hazardous Material response, and to the local hospital. We must have documented evidence that this has been done. An example of the proper letter is to be forwarded to us by FLDEP.

4) Emergency numbers must be placed by all the telephones.

5) Used silica sand must be collected and labeled as "hazardous waste" and picked up by PermaFix. - PermaFix has been contacted.

6) The HPLC waste containers must be closed except where the tubing enters the container.

7) The hazardous waste inspection forms we are currently using do not contain enough details. - Examples of proper inspection forms are to be forwarded by FLDEP.

8) Personnel at the facility must be able to show proper hazardous waste handling training also knows as RCRA (Resource, Conservation and Recovery Act) training. - Currently investigating the course availability and if a purchased or on-line course will satisfy the requirement.

Attachments:

Opalko_Report20081027FLDEPinspection.doc 34 k [application/msword] Download

Opalko_Report20081027FLDEPinspection

Florida Department of Environmental Protection Inspection 22OCT08

On Wednesday October 22 the facility at 13709 Progress Blvd. was inspected by the Florida Department of Environmental Protection. Inspectors, Ashwin Patel and Meaghan Bernier were at the facility for approximately 3 hours. They conducted a thorough inspection and pointed out the following non-compliance issues:

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2) All accumulation containers must be labeled "Waste" and type and must be kept closed except when in use.
3) A copy of our emergency contingency plan must be sent to: Alachua PD, Alachua fire rescue, Gainesville Hazardous Material response, and to the local hospital. We must have documented evidence that this has been done. An example of the proper letter is to be forwarded to us by FLDEP.
4) Emergency numbers must be placed by all the telephones.
5) Used silica sand must be collected and labeled as "hazardous waste" and picked up by PermaFix. – PermaFix has been contacted.
6) The HPLC waste containers must be closed except where the tubing enters the container.
7) The hazardous waste inspection forms we are currently using do not contain enough details. – Examples of proper inspection forms are to be forwarded by FLDEP.
8) Personnel at the facility must be able to show proper hazardous waste handling training also knows as RCRA (Resource, Conservation and Recovery Act) training. – Currently investigating the course availability and if a purchased or on-line course will satisfy the requirement.

exhibit 9

HAZARDOUS WASTE
HPLC
SIGMA-ALDRICH
HAZARDOUS WASTE
FLAMMABLE LIQUID
UN 1090, ACETONE,
3, PG II

Folders
Last Refresh:
Wed, 3:42 pm
(Check mail)

- INBOX (7)
  - Drafts
  - Sent
  - Trash (Purge)
  - POSAM
  - SPAM

Exhibit 10

Current Folder: **INBOX**

Sign Out

Compose Addresses Folders Options Search Help

FfAME Internal Web Applications

Message List | Delete Previous | Next Forward | Forward as Attachment | Reply | Reply All

Subject: RE: Thanks
From: "Bernier, Meaghan" <Meaghan.Bernier@dep.state.fl.us>
Date: Mon, November 3, 2008 2:24 pm
To: jopalko@ffame.org
Priority: Normal
Options: View Full Header | View Printable Version | Download this as a file | Add to Addressbook

Hi Jeff,

Thank you for your attention to FfAME's compliance issues. As you change your process to return to compliance, please keep me informed. Send emails, pictures of labels, faxes - whatever works best. Feel free to ask questions as things changes or if you're unsure of anything.

Please update your modified contingency plan to include a floorplan of the facility and the appropriate, current emergency coordinator. This plan must be displayed by all the phones in the facility - labs and offices. The modified contingency plan must be forwarded to local hospitals, police department, fire department, and emergency response contractors. A faxed or emailed copy of return-receipts and a copy of the updated modified contingency plan will suffice for FDEP.

Training must be sufficient to show that facility personnel are aware of regulations and understood to a degree that the facility is in compliance. When selecting a program, keep in mind that insufficient training is demonstrated by the degree to which the facility is in compliance and the answers we receive from facility personnel when asked about key compliance issues. It is fine for only one person (probably you) to attend an off-site training course containing not only safety, but RCRA hazardous waste regulations, and hazardous waste handling. That trained individual can then train the rest of the personnel to the degree necessary to complete their duties. Both trainings should be documented (the off-site class you attend and the class you facilitate once back in the lab) - an outline of covered materials and an attendance sheet will suffice for FDEP.

If you have any questions regarding these or other issues, please do not hesitate to call me.

Thanks,
Meaghan

Meaghan E. Bernier
Environmental Specialist
Department of Environmental Protection
NE District

WEEKLY INSPECTION LOG

Inspector:_____ Date:_____ Time:_____
Clearly Print Name

Accumulation Area Inspected:_____ Number of Containers:_____

Are all containers in good condition?	Yes___	No___
Is there any evidence of leaks or spills?	Yes___	No___
Are all containers labeled "Hazardous Waste"?	Yes___	No___
Are all containers marked with an accumulation start date?	Yes___	No___
Are all containers closed?	Yes___	No___
Is there adequate aisle space between rows of drums?	Yes___	No___
Is spill control equipment available?	Yes___	No___

Observations:_____

(If containers in poor condition or leaks/spills were found, please note action taken in area below)

Repairs or Remedial Action	Date

Inspector:_____ Date:_____ Time:_____
Clearly Print Name

Accumulation Area Inspected:_____ Number of Containers:_____

Are all containers in good condition?	Yes___	No___
Is there any evidence of leaks or spills?	Yes___	No___
Are all containers labeled "Hazardous Waste"?	Yes___	No___
Are all containers marked with an accumulation start date?	Yes___	No___
Are all containers closed?	Yes___	No___
Is there adequate aisle space between rows of drums?	Yes___	No___
Is spill control equipment available?	Yes___	No___

Observations:_____

(If containers in poor condition or leaks/spills were found, please note action taken in area below)

Repairs or Remedial Action	Date

_____
(Date)

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

_____
999 Emergency Road
Jacksonville FL 32257

RE: My Company Inc., 191-Somewhere Road, Jacksonville Florida 32257

Dear Sir:

In accordance with the federal and state hazardous waste regulations, My Company Inc. is required to notify you of our facility's hazardous waste activities. My Company Inc. is required to give local police, fire departments, hospitals, and state or local emergency response teams a layout of the facility, so they may become familiar with entrances to roads inside the facility, and possible evacuation routes. A copy of the facility layout is enclosed for your review and should be kept on file at your organization

My Company Inc. is also required to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses that could result from fires, explosions, or releases at the facility. My Company Inc. deals with _____ waste, and this type of waste could cause _____ if an employee is exposed to it. A list of all the chemicals handled is maintained at the facility and a Material Safety Data Sheet for each can be supplied at your request.

We have also enclosed a copy of our (full contingency/modified contingency) plan. The plan is designed to minimize hazards to human health or the environment from fires, explosions or any unplanned sudden or non-sudden release of hazardous waste to the air, soil or surface water. Please review and retain this plan in your files in the event of an emergency.

Thank you for your cooperation in this matter. Should you have any questions or desire to visit the facility, please contact me at (904) 999-9999.

Sincerely,

Bob Somebody
President
My Company Inc.

Enclosures

My Company Incorporated
191 Somewhere Road
Jacksonville, Florida 32257

Emergency Coordinator: _____(904) 999-9999
Jacksonville Fire Department: (904) 999-9999
CHEMTREC: (800) 424- 9300
Jacksonville Police Department: (904) 999-9999
Emergency Response: (904) 999-9999
Hospital: (904) 999-9999

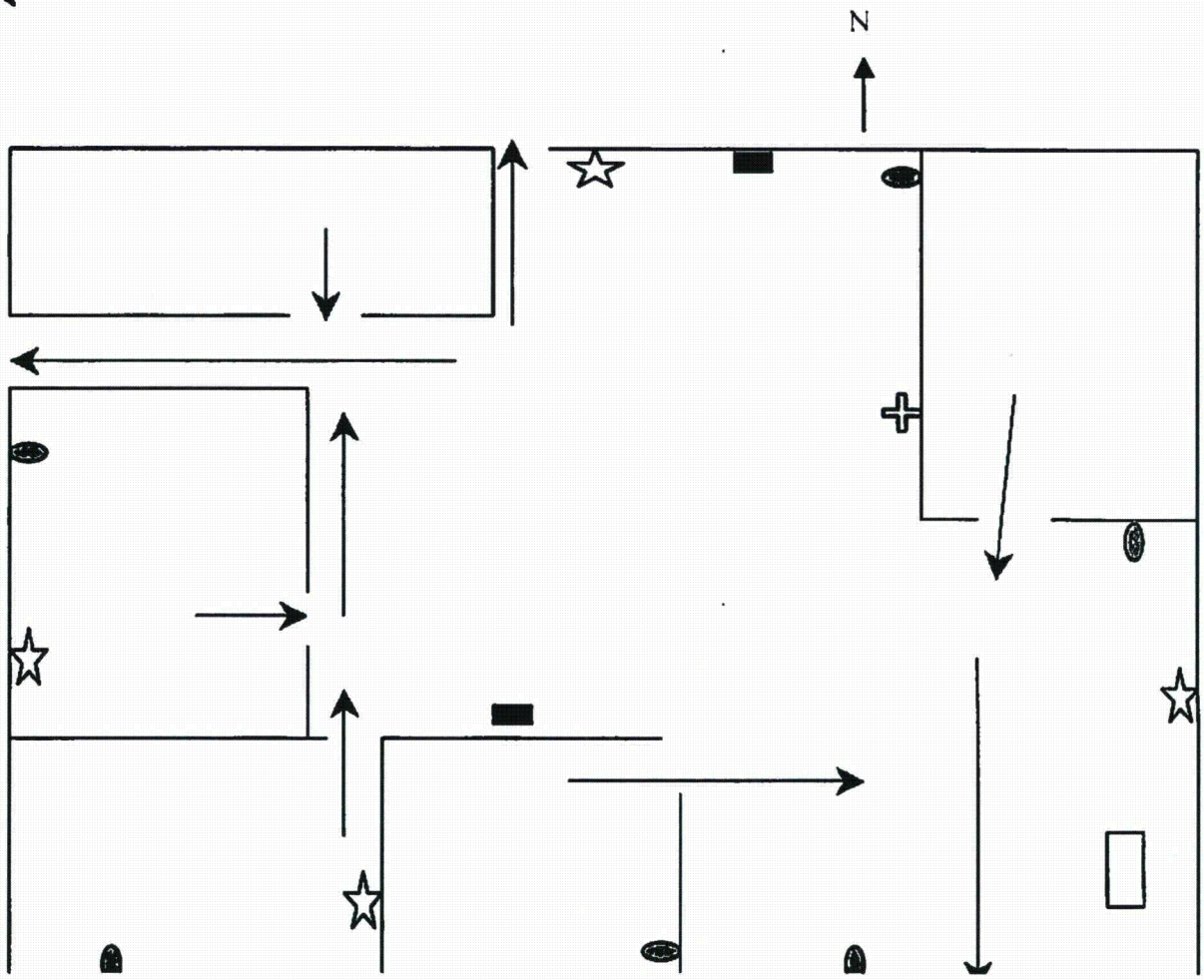
FIRST AID KIT

FIRE EXTINGUISHERS

SPILL KITS

EXIT ROUTES

FIRE ALARMS



Folders
Last Refresh:
Thu, 5:03 pm
(Check mail)

- INBOX (6)
  - Drafts
  - Sent
  - Trash (Purge)
  - POSAM
  - SPAM

Exhibit 11

Current Folder: Sent

Sign Out

Compose Addresses Folders Options Search Help

FfAME Internal Web Applications

Message List | Delete | Edit Message as New Previous | Next Forward | Forward as Attachment | Reply | Reply All

Subject: Inspection report
From: jopalko@ffame.org
Date: Thu, October 23, 2008 5:03 pm
To: cgilbert@alachuacounty.us
Priority: Normal
Options: View Full Header | View Printable Version | Download this as a file

Chris
It seems that you did an inspection of the FfAME facility at the progress center (13709 Progress Blvd) in Alachua last spring. Thus far we have not received an inspection report. Has one been written? How can we obtain a copy? If possible, can you send one to me electronically, or could you mail a copy to:

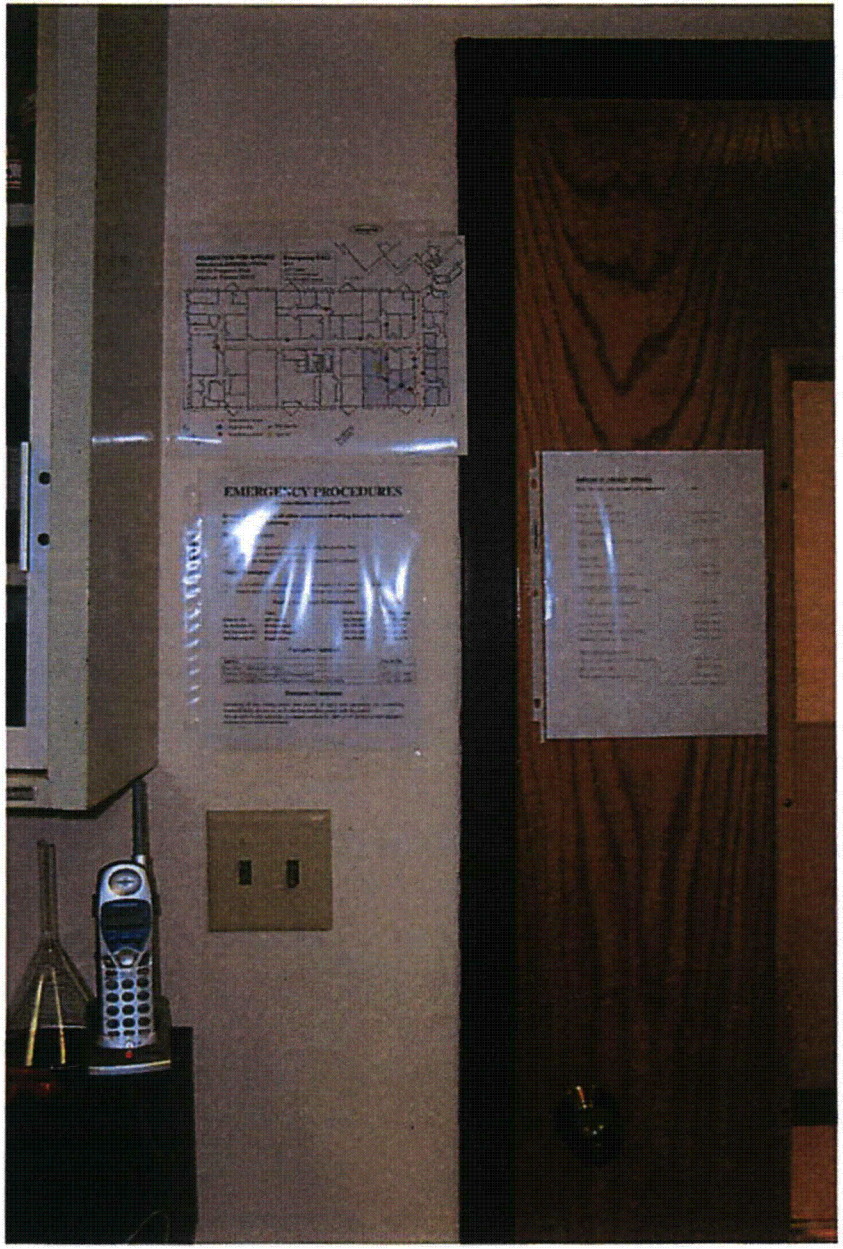
Jeff Opalko
Foundation for Applied Molecular Evolution
PO Box 13174
Gainesville, FL 32604

Thank you in advance.

Jeff

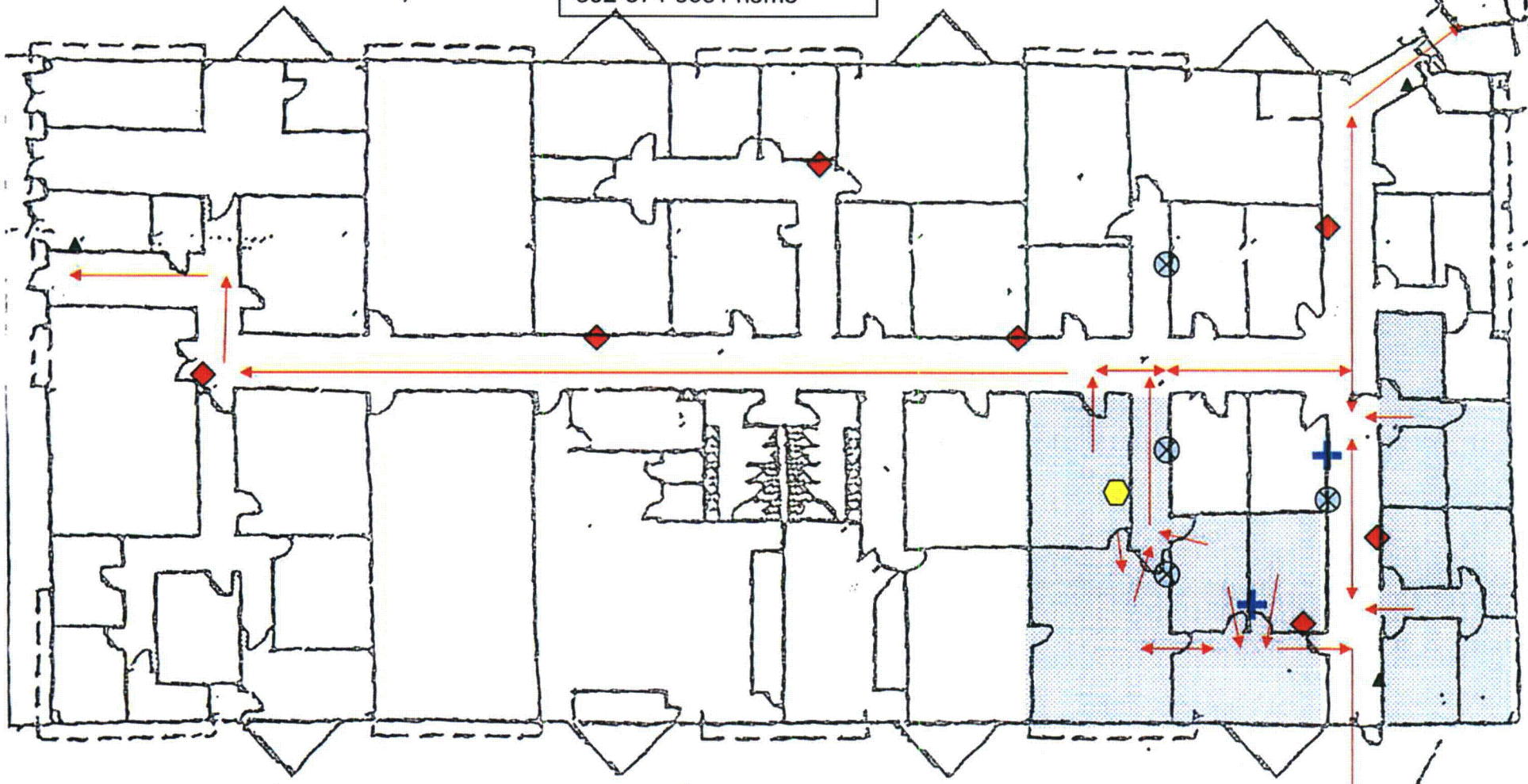
Take Address

Exhibit 12



FOUNDATION FOR APPLIED MOLECULAREVOLUTION
13709 Progress Blvd.
Alachua, Florida 32615

Emergency CALL: 911
Jeff Opalko
352-317-8384 cell
352-374-8681 home



Evacuation routes
First Aid Kits
Fire Extinguishers
Fire Alarms
Spill Kit

BDL PN

NORTH

Exhibit 13

Exhibit 14

November 24, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Shands Hospital
Attn: Steve Truluck
PO Box 100307
Gainesville, FL 32610

RE: Foundation for Applied molecular Evolution
13709 Progress Blvd.
Alachua, FL 32615

To Whom It May Concern:
In accordance with the federal and state hazardous waste regulations, The Foundation for Applied Molecular Evolution [FfAME] is required to notify you of our facility's hazardous waste activities. FfAME is required to give local police, fire departments, hospitals, and state or local emergency response teams a layout of the facility, so they may become familiar with entrances to roads inside the facility, and possible evacuation routes. A copy of the facility layout is enclosed for your review and should be kept on file at you organization.

Our organization is also required to familiarize local hospitals with the properties of the hazardous waste handled at the facility and the types of injuries or illnesses that could result from fires, explosions, or releases at the facility. FfAME deals with organic solvent waste, and this type of waste could cause respiratory damage if an employee is exposed to it. A list of all the chemicals handled is maintained at the facility and a Material Safety Data Sheet for each can be supplied at your request.

We have also enclosed a copy of our modified contingency plan. The plan is designed to minimize hazards to human health or the environment from fires, explosions or any unplanned sudden or non-sudden release of hazardous waste to the air, soil or surface water. Please review and retain this plan in your files in the event of an emergency.

Thank you for your cooperation in this matter. Should you have any questions or desire to visit the facility, please contact me at (352) 219-4319.

Sincerely,

Jeff Opalko
Lab Manager
Foundation for Applied Molecular Evolution

Enclosures

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Shands Hospital
Att: Steve Truluck
PO Box 100307
Gainesville, FL 32610

COMPLETE THIS SECTION ON DELIVERY

A. Signature
x Ken Brown
☐ Agent
☐ Addressee

B. Received by (Printed Name)
Ken Brown

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 7006 3450 0001 3114 0632

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

November 24, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

City of Alachua Fire Department
15040 NW US 441
Alachua, FL 32615

RE: Foundation for Applied molecular Evolution
13709 Progress Blvd.
Alachua, FL 32615

To Whom It May Concern:
In accordance with the federal and state hazardous waste regulations, The Foundation for Applied Molecular Evolution [FfAME] is required to notify you of our facility's hazardous waste activities. FfAME is required to give local police, fire departments, hospitals, and state or local emergency response teams a layout of the facility, so they may become familiar with entrances to roads inside the facility, and possible evacuation routes. A copy of the facility layout is enclosed for your review and should be kept on file at you organization.

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Thank you for your cooperation in this matter. Should you have any questions or desire to visit the facility, please contact me at (352) 219-4319.

Sincerely,

Jeff Opalko
Lab Manager
Foundation for Applied Molecular Evolution

Enclosures

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

City of Alachua Fire Dept
15040 NW US441
Alachua, FL 32615

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Allen Jones
C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7006 3450 0001 3114 0618

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

November 24, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

City of Alachua Police Department
15000 NW 142 terrace
Alachua, FL 32616

RE: Foundation for Applied molecular Evolution
13709 Progress Blvd.
Alachua, FL 32615

To Whom It May Concern:
In accordance with the federal and state hazardous waste regulations, The Foundation for Applied Molecular Evolution [FfAME] is required to notify you of our facility's hazardous waste activities. FfAME is required to give local police, fire departments, hospitals, and state or local emergency response teams a layout of the facility, so they may become familiar with entrances to roads inside the facility, and possible evacuation routes. A copy of the facility layout is enclosed for your review and should be kept on file at you organization.

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Thank you for your cooperation in this matter. Should you have any questions or desire to visit the facility, please contact me at (352) 219-4319.

Sincerely,

Jeff Opalko
Lab Manager
Foundation for Applied Molecular Evolution

Enclosures

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

City of Alachua Police Dept
15000 NW 142 Terr.
Alachua, FL 32615

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Sherrie Kennedy
C. Date of Delivery 11/25/08

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7006 3450 0001 3114 0601

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

NOV 25 2008 ALACHUA FL 32615

November 24, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Department of Public Safety
Hazardous Materials Response Team
PO Box 548
Gainesville, FL 32602

RE: Foundation for Applied molecular Evolution
13709 Progress Blvd.
Alachua, FL 32615

To Whom It May Concern:
In accordance with the federal and state hazardous waste regulations, The Foundation for Applied Molecular Evolution [FfAME] is required to notify you of our facility's hazardous waste activities. FfAME is required to give local police, fire departments, hospitals, and state or local emergency response teams a layout of the facility, so they may become familiar with entrances to roads inside the facility, and possible evacuation routes. A copy of the facility layout is enclosed for your review and should be kept on file at you organization.

Our organization is also required to familiarize local hospitals with the properties of the hazardous waste handled at the facility and the types of injuries or illnesses that could result from fires, explosions, or releases at the facility. FfAME deals with organic solvent waste, and this type of waste could cause respiratory damage if an employee is exposed to it. A list of all the chemicals handled is maintained at the facility and a Material Safety Data Sheet for each can be supplied at your request.

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Sincerely,

Jeff Opalko
Lab Manager
Foundation for Applied Molecular Evolution

Enclosures

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Dept. of Public Safety
Hazardous materials Response Team
PO Box 548
Gainesville, FL 32602

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X

☐ Agent
☐ Addressee

B. Received By (Printed Name) T. Kenna

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 7006 3450 0001 3114 0625

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Exhibit 15

Nexstep Inc

From: info@nexstep.biz
Sent: Friday, November 14, 2008 8:14 AM
To: Orders
Subject: Nexstep Inc./SafetyManager.com Order

Arr: 11-20-08

Nexstep Inc./SafetyManager.com Order

Thank you for order.

Your Credit Card Statement will show Nexstep Inc. To Contact Us, email us at info@nexstep.biz.

Shipping Times -
CDs and videos: 24 hour order processing + 3-5 business days CDs and videos Overnight: 24 hour order processing + 1 business day CDs and videos 2nd Day Air: 24 hour order processing + 2 business days Email Delivery: 1 hour from time of purchase during normal business hours (M-F;8am-5pm). Orders placed after business hours will be sent the following business day.

Order Number: 701471062531226671806
Order Date/Time: Friday, November 14, 2008 - 2:10 p.m. GMT

SHIPPING INFORMATION:

FfAME
13709 Progress Blvd. N112
Alachua, FL 32615
United States

Email Address: jopalko@ffame.org
Day Phone: (352) 219-4319
Night Phone: (352) 219- 4319

PAYMENT METHOD:

Credit Card

BILLING INFORMATION:

Romaine Hughes
PO BOX 13174
Gainesville, FL 32604
United States

CREDIT CARD TRANSACTION INFORMATION:

Card Type: N/A
Expiration Date: N/A
Transaction result: This transaction has been approved.

PRODUCTS ORDERED:

To Be Shipped: Ground

ID: tc145 Name: RCRA Training for Employees Qty: 1 Price: $174.95

Sub Total: $174.95

Tax: $0.00
Shipping: $9.95
Order Total: $184.90

SafetyManager.com
Nexstep Incorporated
3215 W. Lawrence St. Suite F
Appleton, WI 54914
Phone: 920-968-0539
Fax: 920-968-0982

Dear Valued Customer:

Thank you for your order. Trust is an important quality when relying on a vendor to provide you with an OSHA compliant program. You should develop a relationship with a company that has many years of practical field experience as well as the technical expertise to insure your products are compliant.

Our company has been designing OSHA compliant safety software and programs since 1972. Our technical writing team is lead by the legendary Mr. Rory Rogan who has pioneered many of the safety programs currently on the market today. Our team of trainers and technical writers have consulted and implemented safety programs in hundreds of America's top companies. Additionally, our trainers, as well as Mr. Rogan, engage in training extensively throughout the United States and dozens of English speaking countries worldwide.

All of our Safety Training Programs are designed to provide you with accurate and authoritative information regarding the subject matter covered. You will find that by using our system to help you comply with various subject areas it will save you a considerable amount of effort.

Our objective is to increase safety at your facility, save you money, and help you to comply with the maze of regulatory requirements levied on you. We appreciate your business and opinion. If you have any ideas that would improve our service please let us know.

Sincerely,

SafetyManager.com
920-968-0539
info@nexstep.biz

Authorize.Net
SECURE CHECKOUT

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Thank you for your order!

You may print this receipt page for your records.

Merchant:	Nexstep, Inc.
Description:	Order for Safety Manager
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Transaction ID:	2176726437
Authorization Code:	017756
Payment Method:	Visa ****1691
Invoice Number:	70147106253122667180
Total:	**US $184.90**

Billing Information
Romaine Hughes
PO BOX 13174
Gainesville, FL 32604
United States

Exhibit 16

UNIVERSITY OF FLORIDA

TREEO CENTER

Center for Training, Research and Education for Environmental Occupations

certifies that

Francis Opalko

attended

Hazardous Waste Regulations for Generators

March 10, 2009

and is awarded this

Certificate of Attendance

Date issued: 03/10/2009
FBPE PDHs: (0004040): 8.0
Solid Waste I II III/C&D/TS/MRF/Spotter: 4.0
SWANA CEUs: 3.0
FDEP OCP DW/WW CEUs: Intermediate: 4261: 0.8

William T. Engel, Jr., Ph.D.
Director

University of Florida TREEO Center • 3900 SW 63rd Boulevard • Gainesville, FL 32608-3800 • 352-392-9570 • www.treeo.ufl.edu

Exhibit 17

ATTENDANCE ROSTER

SAFETY COMPLIANCE TRAINING	Foundation for Applied Molecular Evolution

TYPE TRAINING: *Hazardous Waste Compliance*

INSTRUCTOR: Jeff Opalko	DATE: March 13,2009		LOCATION: Alachua, FL
NAME (Please Print) FIRST - MI - LAST	**Job Title**	**Signature**	**Lab room number**
Hilesh B Karalkar	chemist	[illegible]	~~N 116~~ N124
Shuichi Hoshika	chemist	Shuichi Hoshika	~~N116~~ N122
Daniel Hutter	chemist	[illegible]	N114
Myong Jung Kim	chemist	[illegible]	~~N116~~ N120
Hyo-Joong Kim	Chemist	hyoung Kim	N-122
Jeff Opalko	Lab Manager	J. Opalko	N-112

JP

542 566

DEP
NORTHEAST DISTRICT
RECEIVED
2011 FEB 17 PM 3:05

Groundwater Laboratory Analytical Results

A copy of the laboratory analytical results is presented in **Appendix B**.

The laboratory analytical results are also presented in **Table 2 – Groundwater Laboratory Analytical Results.**

Nitrate was detected at a concentration of **7.9 mg/L**, **13 mg/L**, **23 mg/L**, and **0.64** mg/L in groundwater samples obtained from MW-1, MW-2, MW-3 and MW-6, respectively. The Florida Department of Environmental Protection (FDEP) Groundwater Cleanup Target Level (GCTL) established in 62-777 F.A.C. for Nitrate is **10 mg/L**.

Conclusion

Based on the results of the groundwater sampling and laboratory analysis the concentration of nitrate in MW-2 and MW-3 exceeded the FDEP GCTL of 10 mg/L. It is noted that the nitrate concentration increased in a westerly trend towards MW-3 and were the lowest to the north at MW-6.

We appreciate the opportunity to be of service to you on this project. If you have any questions, please feel free to contact either of the undersigned at (352) 372-3392.

Respectfully submitted,

UNIVERSAL ENGINEERING SCIENCES, INC.

Fred L. Partin
Environmental Department Manager

Michael J. Geden, P.G.
Professional Geologist
Florida License No. 0000408

FLP:rkw (1)

Attachments: Laboratory Analytical Results and Chain-of-Custody Record

Site # 6m-70515
Project #: 104716

IN- DF AMT PI
OUT- CPY ML CMT PI EC
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FDEP Northeast District
Attn: John D. Phillips
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256

32256+7536

Packowski, Regan

From: Michael Lagasse <mlagasse@AlachuaCounty.US>
Sent: Monday, March 23, 2009 7:43 AM
To: Phillips, John D.
Subject: RE: 01/8841779 Univ of FL Old Copeland Sausage Plant

Categories: Red Category

Thanks John. Will do. It should be several weeks/months still as we are getting the Work Order and proposal together at the moment.

Thanks,

Mike

From: Phillips, John D. [mailto:John.D.Phillips@dep.state.fl.us]
Sent: Friday, March 20, 2009 11:48 AM
To: Michael Lagasse
Subject: RE: 01/8841779 Univ of FL Old Copeland Sausage Plant

Hi Michael,

As discussed below, we would like to have groundwater samples collected from the southern, southeastern, southwestern area wells and with one from farther north for an upgradient sample. Please analyze the groundwater for Nitrate. Nitrite has not been an issue. Please let me know when the sampling event will occur. I would like to visit the site. Feel free to contact me if you have any questions.

Thanks,

John D. Phillips
Waste Cleanup Section - Northeast District
Florida Department of Environmental Protection
(904) 807-3249 FAX (904) 448-4362
john.d.phillips@dep.state.fl.us
http://www.dep.state.fl.us/northeast/waste/default.htm

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey. Thank you in advance for completing the survey.

From: Michael Lagasse [mailto:mlagasse@AlachuaCounty.US]
Sent: Tuesday, September 30, 2008 12:45 PM
To: Phillips, John D.
Cc: Willis, Grant
Subject: RE: 01/8841779 Univ of FL Old Copeland Sausage Plant

John,

As we discussed and based on your request, I got confirmation from Team 2 in Tallahassee that we can proceed with limited Nitrate sampling at the referenced site with Preapproval funding. As agreed, I will include 4 samples and focus on the southern, southeastern, southwestern area wells with one from farther north for an upgradient sample.

Contrary to what we discussed, there is no groundwater sampling event in the current work order (2009-01-W71794). I will include NO_3- sampling in the next work order, sometime in the spring is my best guess on when this will take place.

I copied Grant Willis from Team 2 of the FDEP Preapproval Program to document this agreement.

Thanks,

Michael D. Lagassé
Senior Environmental Specialist
Alachua County Environmental Protection Department
201 SE 2nd Ave. Suite 201
Gainesville, FL 32601
352-264-6800 (front desk)
352-264-6844 (desk)

From: Michael Lagasse
Sent: Monday, September 22, 2008 10:01 AM
To: john.d.phillips@dep.state.fl.us
Subject: 01/8841779 Univ of FL Old Copeland Sausage Plant

John,

I received your voicemail and am currently seeking guidance from Tallahassee on your request for sampling Nitrates at Old Copeland Sausage Plant here in Alachua. The Preapproval Program is a little bit fickle with spending money not associated with the clean-up of Petroleum products but there may be a precedent or cooperation that we can come to.

I will let you know as soon as I get some questions answered.

Thanks,

Michael D. Lagassé
Senior Environmental Specialist
Alachua County Environmental Protection Department
201 SE 2nd Ave. Suite 201
Gainesville, FL 32601
352-264-6800 (front desk)
352-264-6844 (desk)

Packowski, Regan

From: Phillips, John D.
Sent: Thursday, February 25, 2010 8:30 AM
To: 'Denise C. Howard'
Cc: Rachal, Richard; 'fpartin@universalengineering.com'
Subject: RE: Former Copeland Sausage Plant Land ("Copeland Park")

Mrs. Howard,

DEP has reviewed the site assessment plan submitted by Universal Solutions. DEP has no objections to the proposal and understands Universal Solutions will assess the former Copeland Sausage Plant under Chapter 62-780 Florida Administrative Code. DEP further understands Universal Solutions intends to demonstrate nitrates in groundwater are stable, decreasing in concentration, less than ¼ acre in size and do not migrate offsite (property boundary) in pursue of closing the site under Risk Management Option II. If groundwater is migrating beyond the property boundary, approval from the adjacent property owner will be required. DEP has provided the contact information for the Alachua County Spray Field. Please feel free to contact me if you have any questions.

John Swilley, Treatment Plant Operator @ (386) 462-7590, cell @ (352) 258-8919, or jswilley@cityofalachua.com
Mike New, Public Services Director @ (386) 418-4080, cell @ (352) 258-6373, or mnew@cityofalachua.com
Public Services Department: @ (386) 418-6140.

Address:
15100 NW Main Street, Alachua, Florida 32615
P.O. Box 9, Alachua, FL 32616-0009
Website: www.cityofalachua.com

John D. Phillips
Waste Cleanup Section - Northeast District
Florida Department of Environmental Protection
(904) 807-3249 FAX (904) 448-4362
john.d.phillips@dep.state.fl.us
http://www.dep.state.fl.us/northeast/waste/default.htm

From: Denise C. Howard [mailto:denise@flaland.com]
Sent: Monday, January 25, 2010 1:35 PM
To: Phillips, John D.
Cc: Fred Partin
Subject: Former Copeland Sausage Plant Land ("Copeland Park")

John,
With regard to our Copeland Park property, please see the attached correspondence and assessment plan.
If you should have any questions or require additional information, please do not hesitate to give me a call at (386)496-3509.
Thanks,
Denise

Denise C. Howard
Assistant to Avery C. Roberts
ADC Development & Investment Group, LLC