Kim Thursby

Digitally signed by Kim Thursby
DN: cn=Kim Thursby, o=FDEP, ou=HWRS, email=kim.thursby@dep.state.fl.us, c=US
Reason: I attest to the accuracy and integrity of this document
Date: 2007.07.31 10:05:48 -04'00'

Thursby, Kim

From: Berman, Stephen [berman.stephen@cleanharbors.com]
Sent: Monday, July 09, 2007 10:10 AM
To: Epost HWRS
Cc: pallas.jeff@epamail.epa.gov; Dregne, James; psams.cm@cityofbartow.net; RandyWilkinson@polk-county.net; heath_rauschenberger@fws.gov; maryannpoole@myfwc.com; Bahr, Tim; Tripp, Anthony; Griffin, John; Crisenbery, Michael; BOSEK, JOHN E
Subject: RE: Clean Harbors Intent

I have officially received the intent file attached to this original email as of today July 9th, 2007, and as requested, I am sending this reply to confirm/verify receipt.

Steve

STEPHEN BERMAN, CHMM
ENVIRONMENTAL COMPLIANCE MGR
CLEAN HARBORS FLORIDA - BW
170 BARTOW MUNICIPAL AIRPORT
BARTOW, FLORIDA 33830
(863) 519 - 6319

From: Epost HWRS [mailto:EpostHWRS@dep.state.fl.us]
Sent: Tuesday, July 03, 2007 5:21 PM
To: Berman, Stephen
Cc: pallas.jeff@epamail.epa.gov; Dregne, James; psams.cm@cityofbartow.net; RandyWilkinson@polk-county.net; heath_rauschenberger@fws.gov; maryannpoole@myfwc.com; Bahr, Tim; Tripp, Anthony; Griffin, John
Subject: Clean Harbors Intent

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Regulation Section is forwarding the attached document to you by electronic correspondence "e-correspondence" in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a "reply" message to epost_hwrs@dep.state.fl.us. If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

The attached document is in "pdf" format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at www.adobe.com/products/acrobat/readstep2.html.

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

Your cooperation in helping us affect this process by replying as requested is greatly appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Tim Bahr
Environmental Administrator
Hazardous Waste Regulation
Department of Environmental Protection
E-Mail Address: epost_hwrs@dep.state.fl.us

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact Clean Harbors Environmental Services at 781-792-5555 and delete the material from any computer.

Florida Department of Environmental Protection
Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

July 3, 2007

Sent Via Email
Berman.Stephen@cleanharbors.com

Mr. John Bosek
General Manager
Clean Harbors Florida, LLC
170 Bartow Municipal Airport
Bartow, Florida 33830-9504

SUBJECT: Clean Harbors Florida, LLC
FLD 980 729 610
Operating Permit 64247-HO-009
Polk County

Dear Mr. Bosek**:**

The purpose of this letter is to provide Notice of Intent to Issue a Permit Renewal for your facility located at 170 Bartow Municipal Airport**,** in Bartow, Polk County, Florida, specifically for operation of a hazardous waste container storage, tank storage and treatment facility including a fuel blending facility and HSWA requirements. Please review the attached documents and ensure publication and broadcast within the time allotted.

If you have any questions or would like to discuss this matter, please contact John E. Griffin at (850)245-8785**.**

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

TJB/jeg

Enclosures

cc (with enclosures):

Jeff Pallas, EPA/Region 4, pallas.jeff@epamail.epa.gov

Jim Dregne, DEP/Tampa, james.dregne@dep.state.fl.us
Mayor of Bartow, psams.cm@cityofbartow.net
Chairman, Polk County Board of County Commissioners, RandyWilkinson@polk-county.net
Heath Rauschenberger, U.S. Fish & Wildlife Service heath_rauschenberger@fws.gov
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission
maryannpoole@myfwc.com

Florida Department of Environmental Protection
Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

FACT SHEET

July 3, 2007

Facility Name:	**Clean Harbors Florida, LLC**
EPA I.D. Number:	**FLD 980 729 610**
Permit #:	**Operating Permit 64247-HO-009**
Project:	**OPERATION OF A HAZARDOUS WASTE CONTAINER STORAGE, TANK STORAGE AND TREATMENT FACILITY INCLUDING A FUEL BLENDING FACILITY AND HSWA REQUIREMENTS.**

1. The permit is for the operation of the North and South Container Storage Buildings, Tank Storage Units, Roll-off Boxes and Fuel Blending Tanks. The facility is a commercial treatment, storage and disposal facility. The facility also operates a hazardous waste transfer facility.

2. No groundwater contamination.

3. There are currently 14 Solid Waste Management Units (SWMUs) at the facility with no remedial actions required for any of the SWMUs.

4. The facility has all required financial assurance in place.

5. There are no issues with this permit.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for a Permit by:

Clean Harbors Florida, LLC
170 Bartow Municipal Airport
Bartow, Florida 33830-9504
_____/

DEP File No.: 64247-HO-009
Polk County

INTENT TO ISSUE

The Florida Department of Environmental Protection ("the Department") gives notice of its intent to issue a Permit (copy enclosed) for the proposed project as detailed in the application specified above, for the reasons stated below.

On September 15, 2006, the applicant, Clean Harbors Florida, LLC, applied to the Department and provided supplemental information on December 18, 2006, for an operating permit to operate a hazardous waste container storage, tank storage and treatment facility including a fuel blending facility and HSWA requirements at Clean Harbors Florida, LLC's site at Bartow, Florida. The Department has permitting jurisdiction under Section 403.722, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-730. The project is not exempt from permitting procedures. The Department has determined that an operating permit is required for the proposed work. The Department intends to issue the Permit with the conditions included in the enclosed draft.

Pursuant to Sections 403.722 and 403.815, F.S. and Rule 62-730.292, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Newspaper Notice, and to broadcast over a local radio station the enclosed Radio Announcement. The notice shall be published one time only within 30 days of receipt of the Intent in the legal ad section of a daily, major newspaper of general circulation in the area affected. The newspaper must contain at least 25 percent of its words in the English language, be for sale to the public generally, be available to the public generally for the publication of official or other notices and customarily contain information of a public character or of interest or of value to the public. The newspaper must have been in existence for one year, unless no such newspaper exists in the affected area (See Sections 50.011 and 50.031, F.S.). Where there is more than one daily newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Office of General Counsel of the Department at (850) 245-2242. The applicant shall provide proof of publication to the Department of Environmental Protection at 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Regulation Section, within 14 days of publication. Failure to

publish the notice and provide proof of publication within the allotted time may result in the denial of the Permit.

The Radio Announcement shall be broadcast one time only within 30 days on a licensed commercial radio station of sufficient power to be clearly received in the area that may be affected by the permit. **Broadcast of the notice shall occur between 8:00 a.m. and 10:00 p.m**. The applicant shall provide proof of broadcast to the Department of Environmental Protection, 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Regulation Section, within 14 days of the broadcast. Failure to broadcast the announcement and provide proof of the broadcast within the allotted time may result in the denial of the Permit.

The Department will issue the Permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., or all parties reach a written agreement on mediation as an alternative remedy under Section 120.573, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth in the enclosed Newspaper Notice. The administrative rights explained in the enclosed Newspaper Notice apply to you, as applicant and Permittee. Your 45-day period for requesting an administrative hearing begins on the date you receive this Intent.

Mediation is not available in this proceeding.

If you should have any questions please call John E. Griffin at (850) 245-8785**.**

Executed in Tallahassee, Florida.

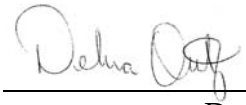
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

for

Charles F. Goddard, Chief
Bureau of Solid & Hazardous Waste
2600 Blair Stone Road, MS 4560
Tallahassee, Florida 32399-2400

FILING AND ACKNOWLEDGMENT

Filed on this date pursuant to Section120.52(7), F.S., with the duly designated Deputy Clerk, receipt of which is hereby acknowledged.



Deputy Clerk

July 3, 2007
Date

cc: Jeff Pallas, EPA/Region 4 pallas.jeff@epamail.epa.gov
James Dregne, DEP/Tampa james.dregne@dep.state.fl.us
Mayor of Bartow, psams.cm@cityofbartow.net
Chairman, Polk County Board of County Commissioners, RandyWilkinson@polk-county.net
Heath Rauschenberger, U.S. Fish & Wildlife Service, heath_rauschenberger@fws.gov
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission, maryann.poole@myfws.com

Newspaper Notice:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT UNDER SECTION 403.722, FLORIDA STATUTES (F.S.), AND CHAPTERS 62-4 AND 62-730, FLORIDA ADMINISTRATIVE CODE TO Clean Harbors Florida, LLC with respect to Clean Harbors Florida, LLC, Bartow, Florida 33830, having assigned facility I.D. number FLD 980 729 610.

The draft Permit contains the conditions for Operating Permit 64247-HO-009.

Copies of the application and the draft permit are available for public inspection during normal business hours 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at FDEP, Tampa District Office, 13051 North Telecom Parkway, Temple Terrace, Florida 33637, (813) 632-7600 and at Division of Waste Management, Bureau of Solid & Hazardous Waste (BSHW), Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850) 245-8785.

Any person may request a public meeting regarding the proposed permitting decision pursuant to Section 403.722(10), F.S. A request for a public meeting is not equivalent to a request for a formal or informal administrative hearing. Public meetings are not evidentiary in nature, and information submitted at a public meeting is for non-binding consideration only. A public meeting is not subject to court or appellate review. A request for a public meeting must be filed (received) in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, within 45 days of publication of this notice. Failure to file a request for a public meeting within this time period shall constitute a waiver of any right such a person may have to request a meeting under Section 403.722(10), F.S.

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than the applicant and those entitled to written notice under Section 120.60(3), F.S. must be filed within 45 days of publication of this notice or receipt of the written notice, whichever occurs first. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within this time period shall constitute a waiver of that person’s right to request an administrative determination (hearing), or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department’s action is based must contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of all material facts disputed by petitioner, or a statement that there are no disputed facts; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts on which the Department’s action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department’s final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Radio Announcement:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT

The Florida Department of Environmental Protection gives notice of its intent to issue a Operating Permit under Section 403.722, Florida Statutes, and Chapters 62-4 and 62-730 of the Florida Administrative Code to Clean Harbors Florida, LLC, Bartow, Florida, I.D. number FLD 980 729 610. The permit contains conditions to operate a hazardous waste container storage, tank storage and treatment facility including a fuel blending facility and HSWA requirements.

Any person may request a public meeting pursuant to Section 403.722(10), Florida Statutes. A person who is substantially affected by the Department's proposed permitting decision may file a petition for an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statutes. A petition for an administrative hearing or a request for a public meeting must be filed in the Office of General Counsel within forty-five days of broadcast of this radio announcement.

Mediation is not available in this proceeding.

For more information concerning the hearing process and the necessary time frames for filing, please contact the Office of General Counsel at (850) 245-2242. Copies of the application and the draft permit are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department’s Hazardous Waste Regulation Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8785; and at the Department of Environmental Protection, Tampa District Office, 13051 North Telecom Parkway, Temple Terrace, Florida 33637, (813) 632-7600.

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

PERMITTEE:
Clean Harbors Florida, LLC
170 Bartow Municipal Airport
Bartow, Florida 33830-9504

ATTENTION:
Mr. John Bosek,
General Manager

I.D. NUMBER: FLD 980 729 610
PERMIT/CERTIFICATION NUMBER: 64247-HO -009
DATE OF ISSUE: DRAFT
EXPIRATION DATE: DECEMBER 10, 2011

COUNTY: POLK
LATITUDE / LONGITUDE: 27°57'05"N/81°47'09"W
SECTION/TOWNSHIP/RANGE: 14/29S/25E
PROJECT: OPERATION OF A HAZARDOUS WASTE CONTAINER STORAGE, TANK STORAGE AND TREATMENT FACILITY INCLUDING A FUEL BLENDING FACILITY AND HSWA REQUIREMENTS.

Pursuant to authorization obtained by the Florida Department of Environmental Protection (FDEP) under the Resource Recovery and Conservation Act [42 United States Code (U.S.C.) 6901, *et seq*., commonly known as RCRA] and the Hazardous and Solid Waste Amendments of 1984 (HSWA), this permit is issued under the provisions of Section 403.722, Florida Statutes (F.S.) and Chapters 62-4, 62-160, 62-730, 62-777 and 62-780, Florida Administrative Code (F.A.C.) The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application September 15, 2006, and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof. The RCRA-regulated units are specifically described as follows:

A. RCRA Regulated Units.
This facility operates the following permitted hazardous waste management units:

1. North Container Storage Building
This hazardous waste container storage building has dimensions of 200 feet by 100 feet. The layout of the building is shown in **Attachment 2**. The building is designed to store a maximum volume of 136,400 gallons (equivalent to 2,480 55-gallon drums). The building is subdivided into 17 separate storage cells, designated as Cells A through Q, each with independent secondary containment. Hazardous wastes stored in this unit and their designated hazardous waste codes are listed in Appendix G of permit application dated September 15, 2006.

2. South Container Storage Building
This hazardous waste container storage building has dimensions of 125 feet 3 inches by 120 feet 3 inches. The permitted container storage area is in the southern half and a small portion of the northern half of the building. Other activities performed in the building include container staging and fuel blending. The layout of this building is shown in **Attachment 3**. The permitted container storage area is designed to store a maximum volume of 106,920 gallons (equivalent to 1,944 55-gallon drums). The container storage area south of the fluid collection trench consists of 18 rows, whereas the container storage area north of the fluid collection trench, located next to the fuel blending area,

consists of 1 row. Hazardous wastes stored in this unit and their designated hazardous waste codes are listed in Appendix G of permit application dated September 15, 2006.

3. Storage Tanks

Hazardous waste storage in tank systems is conducted in two tanks; two 7,000 gallon bottoms tanks designated as R-202 and R-203. Hazardous wastes stored in these two tanks and their designated hazardous waste codes are listed in Appendix G of permit application dated September 15, 2006.

Tanks T-101 through T-110 are situated on a 12 inch thick concrete slab with dimensions of 55 feet 4 inches by 22 feet 8 inches. This area is designated as the South Tank Farm. The layout of the South Tank Farm is shown in **Attachment 3**. The perimeter of this area is provided with a 16 inch high reinforced concrete block wall which provides secondary containment volume of 12,258 gallons. Storage in each tank must have a 2 foot minimum freeboard. The total permitted storage capacity is 60,000 gallons or 6,000 gallons per tank.

Bottoms tanks R-202 and R-203 are situated in the West Tank Farm. Ten tanks not regulated under RCRA are also located in the West Tank Farm. The layout of the West Tank Farm is shown in **Attachment 5**. The bottoms tanks receive hazardous wastes such as bottoms materials from various waste recycling operations within the facility. The total permitted storage capacity is 12,600 gallons or 6,300 gallons per tank.

4. Roll-off Boxes

Hazardous wastes may be stored in roll-off boxes. Roll-off boxes may be stored only on the fenced and paved road area within the facility boundary. The permitted capacity allowed for the roll-off boxes is 32,312 gallons (equivalent to four 40-cubic yard roll-off boxes). Hazardous wastes stored in these containers have designated hazardous waste codes listed in Appendix G of the permit application dated September 15, 2006. The layout of 40 Cubic Yards Rolloffs is shown in **Attachment 6**.

5. Fuel Blending Tanks

Hazardous waste fuel blending is conducted in two 980 gallon tanks designated as T-112 and T-114. Hazardous wastes blended in these two tanks and their designated hazardous waste codes are listed in Appendix G. Fuel blending tanks T-112 and T-114 and associated ancillary equipment are situated in the fuel blending area located inside the northeastern portion of the South Container Storage Building as depicted in **Attachment 3**. The maximum working volume for each of the two tanks is 780 gallons.

Associated ancillary equipment include all applicable equipment used in the fuel blending process described in Figure F-1.2 of the permit application and depicted in the Fuel Blending Area of Attachment 4; e.g., the drum scraping machine, the drum crusher/compactor, pumps, basket filters, etc.

In addition to the above permitted units, the Permittee also operates a hazardous waste transfer facility at this site. The Permittee shall operate the transfer facility in accordance with Chapter 62-730.171, F.A.C. Current regulations allow the storage of transfer facility waste anywhere on the paved road area within the facility boundary.

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B. HSWA Units: No Further Action

- SWMU-1 Hazardous Waste Fuel Blending Area
- SWMU-2 South Storage Building, Drum Staging and Storage Area
- SWMU-3 Stormwater Collection Tanks
- SWMU-4 Stormwater Retention Ponds
- SWMU-5 Crude Storage Area (South Tank Farm)
- SWMU-6 Intermediate Storage Area
- SWMU-7 Process Area
- SWMU-8 Amnesty Day Dumpster
- SWMU-9 Fume Hood Collection Tank
- SWMU-10 Laboratory Satellite Accumulation Area
- SWMU-11 Boot Cover Disposal Drums
- SWMU-12 Former Laboratory Trailer Drain Containment Pad
- AOC – A Freon Wash Water Storage Tank
- SWMU-N1 North Container Storage Building
- SWMU-13 Petroleum Wastewater Tanks
- SWMU-14 Four 40CY Rolloff Storage Units

The Permittee is required to investigate any releases of hazardous waste or hazardous constituents at the facility regardless of the time at which waste was placed in a unit and to take appropriate corrective action for any such releases. Solid Waste Management Unit(s) (SWMU) and Area(s) of Concern (AOC) identified to date are listed in Appendix A. Pursuant to 40 Code of Federal Regulations (CFR) 260.10 [as adopted by reference in Rule 62-730.020(1)], the corrective action requirements of this RCRA permit extend to all contiguous property under the control of the Permittee (see Attachment 1, a map which demarks the property boundaries of land under the Permittee's control) and to all contamination that originated from discharges at the contiguous property under control of the Permittee.

This permit is based on the premise that information and reports submitted by the Permittee prior to issuance of this permit are accurate. Any inaccuracies found in this information or information submitted as required by this permit may be grounds for termination or modification of this permit in accordance with Rule 62-730.290, F.A.C and potential enforcement action.

Compliance with this RCRA permit constitutes compliance for purposes of enforcement with Subtitle C of RCRA, except for those requirements not included in the permit which become effective by statute; are promulgated under 40 CFR Part 268 restricting placement of hazardous waste in or on the land; or are promulgated under 40 CFR Part 264 regarding leak detection systems for new and replacement surface impoundments, waste piles, and landfill units, and lateral expansions of surface impoundments, waste piles, and landfill units, as specified in 40 CFR 270.4. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Section 3008(a), 3008(h), 3004(v), 3008(c), 3007, 3013 or Section 7003 of RCRA, Sections 104, 106(a), 106(e), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 *et seq*., commonly known as CERCLA), or any other law providing for protection of public health or the environment.

The facility is located at 170 Bartow Municipal Airport, Bartow, Florida.

The following documents were used in the preparation of this permit:

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1. Permit Application dated September 15, 2006.

2. Contingency Plan dated December 18, 2006.

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Part I – General And Standard Conditions

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141 and 403.727, F.S. The Permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Sections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the Permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The Permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the Permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The Permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

    a. Have access to and copy any records that must be kept under conditions of the permit;

    b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and

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c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.

8. Permittee shall comply with the following notification and reporting requirements:

a. Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.

b. If, for any reason, the Permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the Permittee shall immediately provide the Department with the following information:

(1) A description of and cause of noncompliance; and

(2) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The Permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

c. Notification of any noncompliance which may endanger health or the environment, including the release of any hazardous waste that may endanger public drinking water supplies or the occurrence of a fire or explosion from the facility which could threaten the environment or human health outside the facility, shall be reported verbally to the Department within 24 hours, and a written report shall be provided within five days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:

(1) A description and cause of the noncompliance.

(2) If not corrected, the expected time of correction, and the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

d. Permittee shall comply with the "Notices" provisions of Rule 62-780.220, F.A.C.

e. The Permittee shall give written notice to the Department as soon as possible of any planned physical alterations or additions, including Permittee-initiated emergency response or interim source removal. The notice shall include at a minimum, a summary of the planned change, the reason for the planned change, a discussion of the impact(s) the planned change will have on the ability to investigate contamination at or from the SWMU or AOC, and a discussion of the impact(s) the planned change will have on the known or suspected contamination.

f. The Permittee shall revise **"Part I - General" of the Application for a Hazardous Waste Facility Permit** [DEP Form 62-730.900(2)(a)] and submit the revised form to the Department within 30 days of any changes in the Part I information.

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g. Biennial report. A biennial report covering facility activities during the previous calendar year shall be submitted by March 1 of each even numbered year pursuant to Chapter 62-730, F.A.C.

h. Unmanifested waste report. The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.

i. Manifest discrepancy report. If a significant discrepancy in a manifest is discovered, the Permittee shall attempt to rectify the discrepancy. If not resolved within 15 days after the waste is received, the Permittee shall immediately submit a letter report, including a copy of the manifest, to the Department.

9. In accepting this permit, the Permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is proscribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The Permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the Permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.290(6) F.A.C., as applicable. The Permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department. Before transferring ownership or operation of this facility during the term of this permit, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 264 and Chapter 62-730, F.A.C. [40 CFR 264.12(c)].

12. This permit or a copy thereof shall be kept at the work site of the permitted activity. In the event that there is no building or reasonable repository for such a copy at the work site, then the permit or a copy thereof shall be kept at an alternate location agreed to by the Department.

13. This permit also constitutes:

a. Determination of Best Available Control Technology (BACT);

b. Determination of Prevention of Significant Deterioration (PSD);

c. Certification of compliance with state Water Quality Standards (Section 401, PL 92-500); and

d. Compliance with New Source Performance Standards.

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14. The Permittee shall comply with the following recordkeeping requirements:

a. Upon request, the Permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The Permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit; copies of all reports required by this permit; records of all data used to complete the application for this permit; and all monitoring data required by 40 CFR Part 264 Subparts F and G, and 40 CFR 264.228. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include at a minimum:

(1). The date, exact place, and time of sampling or measurements;

(2). The person responsible for performing the sampling or measurements;

(3). The dates analyses were performed;

(4). The person responsible for performing the analyses;

(5). The analytical techniques or methods used; and

(6). The results of such analyses.

d. As a generator of hazardous waste, the Permittee shall retain a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced pursuant to 40 CFR Part 268 for at least three years from the date that the waste which is the subject of such documentation was last sent to on-property or off-property treatment, storage, or disposal, or until remedial activity is completed, whichever date is later. These periods may be extended by request of the Department at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.

e. The Permittee shall keep a written operating record at the facility, which includes:

(1). The results of any waste analysis;

(2). Copies of manifests for three years (40 CFR 264.71, 264.72 and 264.76);

(3). The results of inspections;

(4). The closure plan**,** postclosure plan, and corrective measures (remedial action) plans for each applicable SWMU and AOC, along with cost estimates for each plan;

(5). Inspections of emergency and safety equipment (Specific Condition 26 of this Part);

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(6). Biennial reports;

(7). Personnel training records (Part II – Operating Conditions 2);

(8). The Waste Minimization Program Plan (Part II- Operating Conditions 7);

(9). Biennial certification of waste minimization;

(10). The description and quantity of each hazardous waste [received/generated];

(11). The location of each hazardous waste within the facility and the quantity at location;

(12). Notices to generators as specified in 40 CFR 264.12(b);

(13). A log of dates of operations and unusual events; and

(14). A summary report and details of incidents that require implementation of the contingency plan.

15. When requested by the Department, the Permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the Permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

16. Except as otherwise specifically provided in this permit, all submittals in response to permit conditions shall be as follows:

a. One hard and one electronic copy shall be sent to:

Environmental Administrator
Hazardous Waste Regulation Section
M.S. 4560
Bureau of Solid and Hazardous Waste
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Bryan.Baker@dep.state.fl.us

17. All documents submitted pursuant to the conditions of this permit shall be accompanied by a cover letter stating the name and date of the document submitted, the number(s) of the Specific Condition(s) affected, and the permit number and project name of the permit involved.

18. All documents proposing modifications to the approved permit and involving the practice of engineering must be submitted to the Department for review and be signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471, F.S. and Rule 62-730.220(9), F.A.C. All submittals incorporating interpretation of geological data shall be signed and sealed by a Professional Geologist registered in the State of Florida in accordance with Chapter 492, F.S. and Rule 62-730.220(10), F.A.C.

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19. All reports or information required by the Department or provided by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.

20. The Department of Environmental Protection′s 24-hour emergency telephone number is (850) 413-9911 or (800) 320-0519. During normal business hours, the DEP District Office may be contacted at (813) 632-7600**.**

21. The following conditions apply to permit modification and revocation of this permit:

    a. The Department may modify, revoke, reissue or terminate for cause this permit in accordance with Chapters 62-4 and 62-730, F.A.C. The filing of a request for a permit modification, revocation, reissuance, or termination or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition. The Permittee may submit any subsequent modifications to the Department for approval. These revisions shall meet the requirements of Rule 62-730.290, F.A.C., and the fee requirements of Chapter 62-730 and Rule 62-4.050, F.A.C. The Permittee shall submit the revisions to the addresses in Part II – Operating Conditions 16 of this Part. The Permittee shall submit a copy of the cover letter accompanying the revisions and the fee to:

    Florida Department of Environmental Protection
    Post Office Box 3070
    Tallahassee, Florida 32315-3070

    The modification fee may also be submitted electronically. However, if Permittee intends to submit the modification fee electronically, Permittee shall obtain instructions from the Department on how to submit the renewal fee electronically prior to attempting such submittal and shall follow such instructions in making the electronic fee submittal.

    b. If at any time the Department or the Permittee determines that modification to the required time frames are necessary, the permit may be modified to reflect the change(s), with Department approval. If the Department determines that steps or dates in the permit may be changed, combined or streamlined without modification of the permit, it may do so with the concurrence of the Permittee following the guidance of the most recent RCRA reforms.

22. Prior to 180 calendar days before the expiration of this permit, the Permittee shall submit a complete application for the renewal of the permit on forms and in a manner prescribed by the Department unless postclosure care and all corrective action have been completed and accepted by the Department. If the Permittee allows this permit to expire prior to Department acceptance of the certification of postclosure and termination of all corrective action, the Permittee must reapply for a postclosure permit in accordance with DEP Form 62-730.900(2), F.A.C. The Permittee shall submit the renewal to the addresses in 16 of this Part. The Permittee shall submit one copy of the cover letter accompanying the renewal and the fee to:

    Florida Department of Environmental Protection
    Post Office Box 3070
    Tallahassee, Florida 32315-3070

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The renewal fee may also be submitted electronically. However, if Permittee intends to submit the renewal fee electronically, Permittee shall obtain instructions from the Department on how to submit the renewal fee electronically prior to attempting such submittal and shall follow such instructions in making the electronic fee submittal.

23. The Permittee shall comply with those sections of 40 CFR Part 124 specified in Rule 62-730.200(3), F.A.C., 40 CFR Parts 260 through 268, and 40 CFR Part 270 as adopted in Chapter 62-730, F.A.C., until released from postclosure care requirements and all facility-wide corrective action requirements.

24. The Permittee shall comply with the security provisions of 40 CFR 264.14 and the facility security provisions at Appendix F of the permit application September 15, 2006.

25. This facility is a suspected or confirmed contaminated facility where there may be a risk of exposure to the public, and therefore, the Permittee must comply with the warning sign requirements of Section 403.7255, F.S., and Rule 62-730.225(3), F.A.C. The Permittee is responsible for supplying, installing and maintaining the warning signs.

26. The Permittee shall visually inspect the facility emergency and safety equipment in accordance with 40 CFR 264.15 and Appendix F of the permit application dated September 15, 2006, during permitted activities. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 CFR 264.15(c). A schedule for the inspection of the facility emergency and safety equipment must be maintained as the operating record of the facility. Changes, additions, or deletions to the schedule must be approved in writing by the Department.

27. The Permittee shall comply with the following conditions concerning preparedness and prevention:

    a. At a minimum, the Permittee shall have the equipment available at the facility which are described in the Appendix F of the permit application dated September 15, 2006, as required by 40 CFR 264.32.

    b. The Permittee shall test and maintain the equipment specified in Specific Conditions 26 and 27.a of this Part as necessary to assure its proper operation in time of emergency, as required by 40 CFR 264.33.

    c. The Permittee shall maintain access to the communications or alarm system, as required by 40 CFR 264.34.

    d. The Permittee shall maintain arrangements with State and local authorities as required by 40 CFR 264.37. If State or local officials refuse to enter into preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record.

    e. At a minimum, the Permittee shall maintain aisle space as required by 40 CFR 264.35.

28. The conditions in this permit shall take precedence over the permit application documents where there are differences between these documents and the permit conditions.

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29. The Permittee may claim confidential any information required to be submitted by this permit in accordance with Rule 62-730.100(3), F.A.C.

30. All work plans, reports and schedules and other documents ("submittals") required by this permit are subject to approval by the Department prior to implementation. The Department will review the submittals and respond in writing. Upon written approval by the Department, the Permittee shall implement all work plans, reports and schedules as provided in the approved submittal. If the Department disapproves a submittal, the Department may:

    a. Notify the Permittee in writing of the reason(s) why the submittal does not contain information adequate to support the conclusion, alternative, plan, proposal or recommendation, or why the conclusion, alternative, plan, proposal or recommendation is not supported by the applicable criteria. In this case the Permittee shall submit a revised submittal within 60 days of receipt of the Department's disapproval; or

    b. Revise the submittal, or approve the submittal with conditions, and notify the Permittee of the revisions or conditions. In the case of work plans, the Department may notify the Permittee of the start date of the schedule within the revised or conditionally approved work plan.

31. Any dispute resolution will be conducted in accordance with Chapter 120, F.S. (Administrative Procedures Act), Chapter 28-106, F.A.C. and the Department's existing rules and procedures.

32. The following conditions apply to land disposal (placement) of hazardous wastes:

    a. 40 CFR Part 268 identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be placed on or in a land treatment, storage, or disposal unit. The Permittee shall maintain compliance with the requirements of 40 CFR Part 268. Where the Permittee has applied for an extension, waiver, or variance under 40 CFR Part 268, the Permittee shall comply with all restrictions on land disposal under this Part once the effective date for the waste has been reached pending final approval of such application.

    b. A restricted waste identified in 40 CFR Part 268 Subpart C may not be placed in a land disposal unit without further treatment unless the requirements of 40 CFR Part 268 Subparts C and/or D are met.

    c. The storage of hazardous wastes restricted from land disposal under 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.

33. The Permittee shall implement remedial activities beyond the facility boundary where necessary to protect human health and the environment, unless the Permittee demonstrates to the satisfaction of the Department that, despite the Permittee's best efforts, as determined by the Department, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee shall use all reasonable efforts, including but not limited to correspondence, telephone calls, personal contacts, drafting and redrafting agreements, and payment of a fee, to obtain any access to real property necessary for work to be performed in the implementation of this permit. If necessary access cannot be obtained by the Permittee, or if obtained, is revoked by owners or entities controlling access to the properties to which access is

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necessary, the Permittee shall notify the Department within five business days of such refusal or revocation. The Department may at any time thereafter seek to obtain such access as is necessary to implement the terms of this permit. The Permittee shall reimburse the Department for any damages, costs, or expenses, including expert and attorneys' fees, that the Department is ordered to pay, or that the Department incurs in connection with its efforts to obtain necessary access to said property. The Permittee shall pay these sums to the Department, or arrange a payment schedule with the Department, within 30 days of demand by the Department. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where off-property access is denied. On-site measures to address such releases will be determined on a case-by-case basis.

34. The Permittee shall maintain compliance with 40 CFR Part 264, Subpart H - Financial Requirements and Rule 62-730.180(6), F.A.C. All submittals in response to this Specific Condition shall be submitted to:

    Financial Assurance M.S. 4560
    Hazardous Waste Regulation Section
    Department of Environmental Protection
    2600 Blair Stone Road
    Tallahassee, Florida 32399-2400

    Financial assurance shall be based on estimates of the costs to close the facility and to implement postclosure care and/or corrective action (including the assessment phase and interim measures) (collectively referred to hereinafter as "remedial activities") for a continuing (rolling) period of 30 years, unless this period is shortened or increased by the Department in a permit renewal or modification. The Permittee shall include cost estimates with every work plan required by this permit. Cost estimates are subject to review and approval by the Department. In the event the total cost estimate for all remedial activities increases beyond the amount provided by Permittee, the financial assurance instrument(s) must be increased accordingly within 60 days of the estimate increase, or, for those facilities using a financial test, in the next scheduled submittal. If the estimate increase causes the inability of the facility to provide financial assurance through its currently selected mechanism, alternate financial assurance must be provided within 60 days. If contamination from the facility goes beyond the property boundary, the Permittee shall provide assurances of financial responsibility for completion of corrective action beyond the property boundary.

PART II - OPERATING CONDITIONS

1. The Permittee shall notify the Department in writing four weeks prior to receipt of hazardous waste from a foreign source. Notice of subsequent shipments of the same waste from the same foreign source is not required. [40 CFR 264.12(a)]

2. Facility personnel must successfully complete the approved training program indicated in Appendix F of the permit application dated September 15, 2006, within six (6) months of employment or assignment to a facility or to a new position at the facility. Verification of this training must be kept with the personnel training records and maintained at the facility. Personnel shall not work unsupervised until training has been completed. The training must be reviewed by facility personnel

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at least annually. The Permittee shall maintain an updated list of personnel handling hazardous waste and their respective job titles at the facility [40 CFR 264.16].

3. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

4. The Contingency Plan must be reviewed periodically and immediately amended and distributed to the appropriate agencies if any criteria in 40 CFR 264.54 are met. Amendments to the plan must be approved in writing by the Department.

5. The Permittee shall comply with the following conditions concerning the Contingency Plan:

   a. The Permittee shall immediately carry out the provisions Contingency Plan of the permit application dated December 18, 2006, and follow the emergency procedures described by 40 CFR 264.56, whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which threatens or could threaten human health or the environment. The Permittee shall give proper notification if an emergency situation arises and, within five calendar days, must submit to the Department a written report which includes all information required in 40 CFR 264.56(j).

   b. The Permittee shall comply with the requirements of 40 CFR 264.53.

   c. Within seven calendar days of meeting any criterion listed in 40 CFR 264.54(a), (b) and (c), the Permittee shall amend the plan and submit the amended plan for Department approval. Any other changes to the plan must be submitted to the Department within seven days of the change. All amended plans must be distributed to the appropriate agencies.

   d. The Permittee shall comply with the requirements of 40 CFR 264.55, concerning the emergency coordinator.

6. Sampling and analysis of permitted and new hazardous wastes shall be conducted in accordance with Appendix H **– Waste Analysis Plan** of the permit application (40 CFR 264.13).

7. The Permittee shall comply with 40 CFR 264.73(b)(9) and Section 3005(h) of RCRA, 42 U.S.C. 6925(h). The Permittee must certify, no less often than annually, that:

   a. The Permittee has a program in place to reduce the volume and toxicity of hazardous waste generated to the degree determined by the Permittee to be economically practicable;

   b. The proposed method of treatment, storage or disposal is the most practicable method available to the Permittee, which minimizes the present and future threat to human health and the environment; and

   c. The Permittee shall maintain copies of certification in the facility operating record as required by 40 CFR 264.73(b)(9).

8. In addition to the copies sent to the Hazardous Waste Regulation Section in Tallahassee, one copy of all submittals in response to permit conditions in this Part shall be sent to the district office at:

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Hazardous Waste Supervisor
Department of Environmental Protection
13051 North Telecom Parkway,
Temple Terrace, Florida 33637-0926

SUB-PART II.A - CONTAINERS

1. The Permittee is allowed to store hazardous waste in containers in the North Container Storage Building as depicted in **Attachment 2**. The hazardous wastes that are permitted for storage in this unit are specified in Appendix G of permit application dated September 15, 2006. Total container storage volume in this unit shall not exceed 136,400 gallons (equivalent to 2,480 55-gallon drums). The maximum number of linear rows shall not exceed 62 rows in 17 individual cells.

2. The Permittee is allowed to store hazardous waste in containers in the South Container Storage Building, in the areas located south and north of the fluid collection trench, as depicted in **Attachment 3**. The hazardous wastes that are permitted for storage in this unit are specified in Appendix G of permit application dated September 15, 2006. Total container storage volume in this unit shall not exceed 106,920 gallons (equivalent to 1,944 55-gallon drums). The maximum number of linear rows in the southern and northern storage area shall not exceed 18 and 1 rows respectively.

3. The Permittee is allowed to store hazardous waste in roll-off boxes. The roll-off boxes may be stored only on the fenced paved road area within the facility boundary. The hazardous wastes that are permitted for storage in these containers are specified in Appendix G of permit application dated September 15, 2006. Total storage volume for these containers shall not exceed 32,312 gallons (equivalent to 4 40-cubic yard roll-off boxes).

4. Containers in storage (except for roll-off boxes described in Sub-Part II.A.3) shall be on pallets or otherwise elevated so that any liquids on the floor will not come into direct contact with the containers. The maximum container volume that may be placed on one pallet shall not exceed 255 gallons in drums or one bulk container. Containers may be stacked up to 2 pallets high. Except for Cell L of the North Container Storage Building, aisle space between pallet rows or between pallet rows and adjacent walls shall not be less than 30 inches.

5. Containers shall be kept closed except when adding or removing waste and shall be handled in a manner that will not allow the containers to rupture or leak. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition. [40 CFR 264.171 and 264.173]

6. The Permittee shall remove spilled or leaked waste and accumulated precipitation from the container storage and staging areas and the secondary containment collection systems in as timely a manner as possible, but no later than 24 hours after discovery.

7. The Permittee shall use containers that are compatible with the hazardous waste to be stored. [40 CFR 264.172]

8. The Permittee shall not store incompatible waste in containers or place it in unwashed containers that have previously held incompatible waste. [40 CFR 264.177]

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9. The Permittee shall follow the procedures and precautions concerning incompatible wastes and materials as stated in Section 11.4.1 of the permit application at all times.

10. The Permittee shall clearly mark each container of hazardous waste restricted from land disposal with the following information:

    a. A description of the contents, including all applicable EPA Waste Codes.

    b. The date the waste was received at the facility.

11. The Permittee shall inspect the container storage and staging areas (see Specific Condition II.12) in accordance with the procedures noted in Appendix F of the permit application dated September 15, 2006.

12. Receipt and sampling of containerized wastes (except bulk containers) shall only be conducted in the following staging areas:

    a. Cells A through G of the North Container Storage Building (see **Attachment 2**). Each of these cells may be used as a permitted storage area or a staging area at the discretion of the Permittee as long as the function of the cell is clearly marked.

    b. The northwestern portion of the South Container Storage Building (see **Attachment 3**).

    Staging time shall not exceed 3 working days.

13. Waste containers scheduled for fuel blending processing may be staged outside of the permitted container storage areas. Staging time shall not exceed 24 hours. This condition shall not apply to hazardous waste satellite accumulation containers or to hazardous waste sample containers having a volume of 0.5 gallons or less.

14. All hazardous waste samples shall be stored at the on-site laboratory.

15. The Permittee may store non-regulated materials in the permitted container storage areas provided that:

    a. The Permittee complies with the requirements of 40 CFR 264.175 and includes the volume of non-regulated materials in calculating the total volume of liquid to be stored in a permitted container storage area.

    b. The Permittee ensures that non-regulated materials have labels indicating the contents of the containers and that the materials are non-regulated.

    c. The Permittee shall maintain a written record (in the facility operating record) of non-regulated materials in the permitted container storage areas. The record shall include:

        (1) Description and quantity of each type of non-regulated material received.
        (2) Location of each type of non-regulated material within the facility and quantity at each location.

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(3) Waste analysis or equivalent documentation that the material is not regulated.
(4) Documentation of the compatibility of the non-regulated materials with all other materials already present in the storage area.

16. The Permittee shall manage all containers, including containers in staging areas and containers of non-regulated materials, in the manner described in this Sub-Part II.A of the permit to minimize the potential of a release of hazardous waste or hazardous constituents.

17. Vehicles with incoming shipments of hazardous waste shall be unloaded into the appropriate storage or staging area within three consecutive working days of the vehicle's arrival. Vehicles being loaded for outgoing shipment shall leave the facility within five consecutive working days of the first container of hazardous waste being placed on the vehicle. Documentation of the above shall be maintained in the facility's operating record.

    This condition does not apply to vehicles transporting hazardous waste for which the Permittee is acting solely as a transfer facility. Appropriate documentation verifying transfer facility activity shall be maintained in accordance with Specific Condition I.30.

SUB-PART II.B – TANK SYSTEMS

Tank system, for the purpose of Part IV of this permit, is defined as the storage tank(s), appurtenant equipment and secondary containment structures.

1. The Permittee is allowed to store in tanks only those hazardous wastes specified in Appendix G of the permit dated September 15, 2006.

2. The storage of hazardous waste in tanks shall only be conducted in tanks T-101 to T-110, R-202 and R-203. These tanks are depicted in **Attachment 4** and **Attachment 5**.

3. The Permittee shall not place waste into tanks that are incompatible with the construction materials of the tank. [40 CFR 264.192(a)]

4. The Permittee shall not place waste into an unwashed tank that previously held incompatible waste or material. [40 CFR 264.199(b)]

5. The Permittee shall ensure that ignitable or reactive waste is not placed into any tank unless the requirements of 40 CFR 264.198(a) are met.

6. The volume of waste handled in each tank and their corresponding maximum liquid levels shall not exceed the following:

Tank Number	Maximum Working Volume	Maximum Liquid Level
T-101 to T-110	6,000 gallons	2 feet below the top of the tank
R-202 & R-203	6,300 gallons	12 feet from tank bottom

7. The Permittee shall notify the Department if annual thickness testing results show any portion of a tank having a thickness less than the limits stated below:

	MINIMUM THICKNESS		
Tank Number	Wall	Head	Cone/Head
T-101 to T-110	0.1801 inches	0.1349 inches	0.2175 inches
R-202 & R-203	0.1900 inches	0.1900 inches	0.1900 inches

Records of all thickness determinations shall be maintained for a period of three years.

8. Tanks R-202 and R-203 may operate under atmospheric pressure only.

9. The Permittee shall report any extensive repairs of a tank system to the Department. This report will include the information required by 40 CFR 264.196(e). The tank system shall not be returned to service until the certification report required by 40 CFR 264.196(f) has been submitted to the Department and approved.

10. The Permittee shall ensure that the secondary containment systems, including the curbed driveway, are maintained to prevent a release to the environment.

11. The Permittee shall inspect all permitted storage tank systems (T-101 to T-110, R-202 and R-203) in accordance with procedures stipulated in Inspection Procedures in Appendix F of the permit application.

12. The Permittee shall report any release greater than 1 lb. resulting from a leak or spill to the environment within 24 hours of its detection to the Department.[40 CFR 264.196(d)] The released materials must be removed within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment. [40 CFR 264.196(b)(2)]

13. The Permittee shall submit to the Department a report that contains the requirements of 40 CFR 264.196(d)(3) within 30 calendar days of detection of a release to the environment.

14. The Permittee shall comply with the provision of response to leaks or spills and disposition of leaking or unfit-for-use tank systems of 40 CFR 264.196 by satisfying the following requirements:

    a. Stop flow or addition of waste into the tank or secondary containment and inspect the system to determine the cause of the release. [40 CFR 264.196(a)]

    b. Remove waste from leaking tank system to prevent further releases and to allow for inspection and repair, and remove released waste from the secondary containment structure at the earliest possible time. [40 CFR 264.196(b)]

    c. Prevent possible or further migration of the leak or spill to the environment, and remove and properly dispose of wastes, contaminated soils or residues. [40 CFR 264.196(c)]

    d. Comply with the notification and report requirements of 40 CFR 264.196(d).

    e. Comply with the secondary containment, repair or closure requirements of 40 CFR 264.196(e).

    f. Certify major repairs of the tank system in accordance with 40 CFR 264.196(f).

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SUB-PART II.C - FUEL BLENDING

1. The Permittee is allowed to process and blend only those hazardous wastes specified in Appendix G of the permit application dated September 15, 2006.

2. The blending of hazardous waste fuels in tanks shall only be conducted in tanks T-112 and T-114. Storage of hazardous waste fuels shall not be conducted in these tanks. Blended fuels shall be removed from the blending tanks immediately after blending. These two tanks are depicted in **Attachment 3**.

3. The fuel blending tanks, appurtenant equipment and secondary containment systems shall be maintained to minimize the release of hazardous constituents to the environment.

4. The volume of waste handled in each tank and their corresponding maximum liquid levels shall not exceed the following:

Tank Number	Maximum Working Volume	Maximum Liquid Level
T-112 & T-114	780 gallons	5.5 feet or 2 feet minimum freeboard

5. The Permittee shall notify the Department if annual thickness testing results shows any portion of a tank having a thickness less than the limits stated below:

	MINIMUM THICKNESS		
Tank Number	Wall	Head	Cone/Head
T-112 & T-114	0.1337 inches	0.1462 inches	0.1551 inches

Records of all thickness determinations shall be maintained for a period of three years.

6. The Permittee shall inspect all permitted fuel blending tank systems (T-112 & T-114) in accordance with procedures stipulated in Appendix F (Inspection) of the permit application dated September 15, 2006.

SUB-PART II.D – ORGANIC AIR EMISSIONS REQUIREMENTS FOR PROCESS VENTS AND EQUIPMENT LEAKS:

1. The Permittee shall operate and maintain the pumps, compressors, pressure relief devices, and valves according to detailed plans contained in Section R and S of the permit application dated September 15, 2006.

2. The Permittee shall keep complete and current the Equipment Identification Log described as Figure 14-2 of the permit application dated September 15, 2006. [40 CFR 264.1064(b)(1)]

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3. The Permittee shall operate and maintain containers and tanks subject to 40 CFR 264 Subpart CC in accordance with Section V of the permit application dated September 15, 2006.

4. The Permittee shall keep, as part of the operating records, results of inspections, monitoring reports, repairs, and other documents required by 40 CFR 264 Subparts AA, BB, and CC for a minimum of three (3) years.

5. Prior to constructing, installing, or modifying any equipment or unit such that it will become subject to 40 CFR 264 Subparts AA, BB, or CC, the Permittee shall supply the specific information required pursuant to 40 CFR 270.14, .15, .16, .17, .24, .25, and .27 as applicable. The submittal of information for constructing, installing, or modifying a unit (container, tank, surface impoundment, or miscellaneous unit) such that it will become subject to 40 CFR 264 Subpart CC will also require modification of the permit and the appropriate fee.

SUB-PART II.E - CLOSURE

1. The Permittee shall close the hazardous waste management units as required by 40 CFR 264.111 and in accordance with the closure plan specified in Section K of the permit application dated September 15, 2006.

2. The Permittee shall notify the Department at least 45 days prior to the date on which he expects to begin partial or final closure of a unit(s). [40 CFR 264.112]

3. The Permittee shall decontaminate and/or dispose of all facility equipment as required by 40 CFR 264.114, 40 CFR 264.178, and the closure plan.

4. The Permittee shall conduct sampling and analyses in accordance with the latest edition of US EPA publication SW-846, Test Methods for Evaluating Solid Waste, or other methods as approved in the closure plan.

5. The Permittee shall complete all closure activities in accordance with the closure plan within 180 days of approval of the closure plan. Any changes in the time allowed for closure of the unit will require prior Department approval. [40 CFR 264.113]

6. The Permittee shall keep a copy of the closure plan and all revisions to the plan until closure is completed, certified, and the Department accepts the Certification of Closure. [40 CFR 264.112(a)(1)]

7. The Permittee shall revise the closure plan in accordance with 40 CFR 264.112(c) whenever necessary. The appropriate fee shall accompany the revision.

8. Within 60 days of completion of closure, the Permittee shall submit to the Department, by certified mail or hand delivery, a report signed by the Permittee and an independent Professional Engineer licensed in the State of Florida. The report must state that the facility has been closed in accordance with the specifications in the closure plan.

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PART III – POST-CLOSURE CONDITIONS

1. Not applicable to this permit at this time.

PART IV – ENVIRONMENTAL MONITORING CONDITIONS

1. Not applicable to this permit at this time.

PART V - GENERAL CORRECTIVE (REMEDIAL) ACTION CONDITIONS

1. The Conditions of this Part apply to:

   a. The SWMUs and AOCs identified in Appendix A;

   b. Any additional SWMUs or AOCs discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means; as used in this Part of the permit, the terms "discover", "discovery", or "discovered" refer to the date on which the Permittee either:

      (1). visually observes evidence of a new SWMU or AOC;

      (2). visually observes evidence of a previously unidentified release of hazardous constituents to the environment; or

      (3). receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment; and

   c. Contamination that has migrated beyond the facility boundary, if applicable.

2. Within 15 calendar days of discovery, the Permittee shall notify the Department in writing of any newly discovered release(s) of hazardous waste or hazardous constituents; any suspected new AOC(s); and any additional SWMU(s) discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means. The notification shall include, at a minimum, the location of the release, AOC or SWMU (hereinafter referred to collectively as "site"), and all available information (*e.g.*, location of site(s) on a topographic map of appropriate scale; general dimensions of site; media affected; hazardous constituents released; and magnitude of release). The Department may conduct, or require that the Permittee conduct, confirmatory sampling in order to determine whether contamination is present. The Department will notify the Permittee in writing of the final determination as to the status of the newly discovered or suspected site.

3. Upon notification by the Department, the Permittee shall prepare and submit a Confirmatory Sampling (CS) Work Plan for known, suspected, or newly discovered sites. Unless the notification letter specifically establishes a different time frame for work plan submittal, the Work Plan shall be submitted within 60 calendar days of notification by the Department that a CS Work Plan is required. The CS Work Plan shall include schedules for implementation and completion of specific actions necessary to determine whether or not contamination has occurred in any potentially affected media. In order to partly or wholly satisfy the CS requirement, previously

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existing data may be submitted with the work plan for the Department's consideration. In accordance with the schedule in the approved CS Work Plan, or no later than 60 calendar days after Department approval of a CS Work Plan if no schedule is included in the Work Plan, the Permittee shall submit a Confirmatory Sampling (CS) Report identifying those sites that are contaminated and those sites that are not contaminated. The CS Report shall include an analysis of the analytical data to support all determinations. Based on the results of the CS Report, the Department will determine the need for further investigation at sites covered in the CS Report and notify the Permittee in writing.

4. Upon notification by the Department, the Permittee shall commence site rehabilitation in accordance with Rule 62-730.225 and Chapter 62-780, F.A.C., for all SWMUs and/or AOCs identified in the notification. Unless the notification letter specifically establishes a different time frame to commence or complete site assessment, the Permittee shall commence and complete site assessment in the manner and within the time limits set forth in Rule 62-780.600, F.A.C.

5. If the Department or the Permittee at any time determines that any approved work plan no longer satisfies the requirements of 40 CFR 264.101 or this permit for prior or continuing releases of hazardous waste or hazardous constituents from SWMUs and/or AOCs, the Permittee shall submit an amended work plan to the Department within 90 calendar days of such determination.

PART VI – REMEDY SELECTION AND IMPLEMENTATION

1. A remedy shall be selected from the remedial alternatives evaluated in accordance with Chapter 62-780, F.A.C.

2. Within 30 days of Department approval of the remedial alternative selected, the Permittee shall publish notice of a proposed permit modification in accordance with Rule 62-730.292(3)(c), F.A.C. This modification will serve to incorporate a final remedy, including a Corrective Action Management Unit (CAMU) if necessary, into this permit. Final approval of remedial action which is achieved through interim measures shall be in accordance with this condition.

3. When site rehabilitation is complete, the Permittee shall submit to the Department a Site Rehabilitation Completion Report in accordance with Chapter 62-780, F.A.C.

4. For site rehabilitation involving the cleanup of groundwater contaminated by a release from a regulated unit, the Permittee must demonstrate that the concentration of constituents of concern remain below cleanup goals for three consecutive years after active remediation has ceased.

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Appendix A
Summary of Facility Sites (Solid Waste Management Units and Areas of Concern)

A.1. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring Confirmatory Sampling:

SITE No/Letter	SITE Name	SITE Comment	Dates of Operation	Potentially Affected Media

* Regulated Unit

There are no units identified at this time as requiring confirmatory sampling.

A.2. List of sites requiring a Site Assessment [a/k/a RCRA Facility Investigation (RFI) or Risk Assessment:

SITE No/Letter	SITE Name	Dates of Operation	Potentially Affected Media

* Regulated Unit

There are no units identified at this time as requiring a RCRA Facility Investigation.

A.3. List of sites requiring a Remedial Action Plan or Natural Attenuation with Monitoring Plan [a/k/a Corrective Measures Study(CMS)]:

SITE No/Letter	SITE Name	Dates of Operation	Potentially Affected Media

* Regulated Unit

There are no units identified at this time as requiring a Remedial Action Plan.

A.4. List of sites implementing a Remedial Action Plan or Natural Attenuation with Monitoring Plan [a/k/a Corrective Measures Study(CMS)]:

SITE No/Letter	SITE Name	Dates of Operation	Potentially Affected Media

* Regulated Unit

There are no units identified at this time as undergoing Remedial Activities.

A.5. List of sites at which No Further Action or Site Rehabilitation Completion Determination without controls have been made:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
SWMU – 1*	Hazardous Waste Fuel Blending Area	Production Area. Part of a RCRA Regulated Unit.	1987 to Present

A.5. List of sites at which No Further Action or Site Rehabilitation Completion Determination without controls have been made:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
SWMU -2 *	South Storage Building, Drum Staging and Storage Area	Loading Dock, Sampling Area, and Storage Unit. Part of a RCRA Regulated Unit.	1987 to Present
SWMU - 3	Waste-Water Collection Tank	Used for Temporary Storage of Water Pumped from the Perimeter Road Containment Area.	1987 to Present
SWMU - 4	Storm-Water Retention Ponds	Surface Impoundment	1987 to Present
SWMU - 5	Crude Storage Area (South Tank Farm)	Ten Steel Storage Tanks. Part of a RCRA Regulated Unit.	1987 to Present
SWMU – 6*	Intermediate Storage Area	Ten Steel Storage Tanks. Part of a RCRA Regulated Unit.	1987 to Present
SWMU – 7*	Process Area	Production Area. Part of a RCRA Regulated Unit.	1987 to Present
SWMU - 8	Amnesty Days Dumpster	Waste Accumulation Unit	1987 to Present
SWMU - 9	Fume Hood Collection Tank	Waste Accumulation Unit	1987 to Present
SWMU - 10	Laboratory Satellite Accumulation Containers	Waste Accumulation Unit	1987 to Present
SWMU - 11	Boot Cover Disposal Drums	Waste Accumulation Unit. This SWMU has been Removed.	1987 to 2001
SWMU - 12	Former Laboratory Trailer Drain Containment Pad	This SWMU is no longer in use.	1987 to 2001

A.5. List of sites at which No Further Action or Site Rehabilitation Completion Determination without controls have been made:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
AOC - A	Freon Wash Water Storage Tank	Waste Accumulation Unit	1987 to Present
SWMU – N1*	North Container Storage Building (NCSB)	Loading Dock, Sampling Area, and Storage Unit. Part of a RCRA Regulated Unit.	1987 to Present
SWMU – 13	Petroleum Wastewater Tanks	Waste Accumulation Unit	1987 to Present
SWMU – 14*	Four 40CY Rolloff Storage Units	Waste Accumulation Unit	2006 to Present

* Regulated Unit

A.6. List of sites at which Site Rehabilitation Completion Determinations with controls have been made:

SITE No/Letter	SITE Name	Date of SRCO

* Regulated Unit

There are no units identified at this time at which SRCOs have been issued.

Issued _____

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____

CHARLES F. GODDARD, CHIEF
BUREAU OF SOLID AND HAZARDOUS WASTE

Filing and Acknowledgment

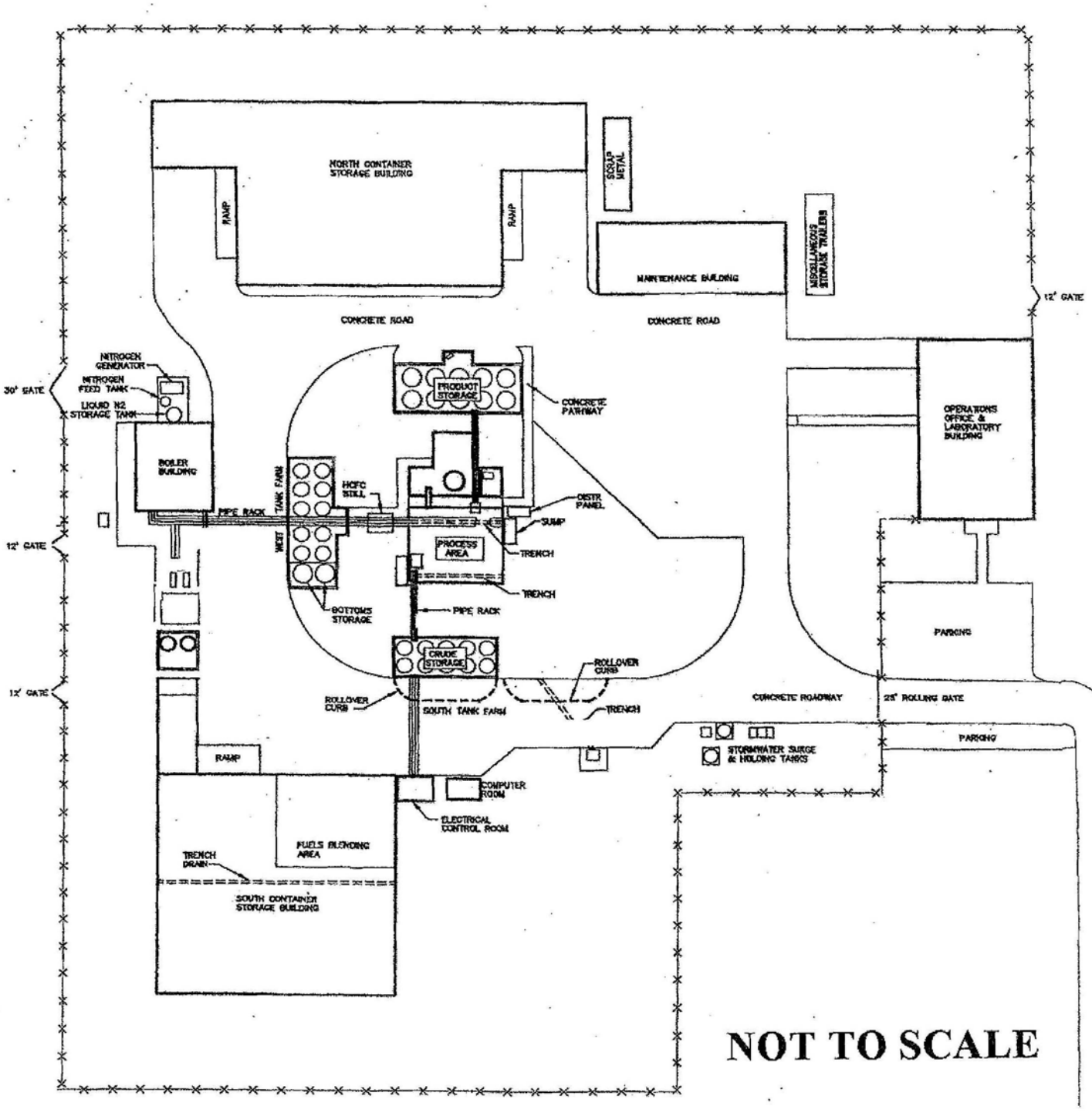
Filed on this date, pursuant to Section 120.52, Florida Statutes, with the designated Clerk, receipt of which is acknowledged.

_____ _____
CLERK DATE

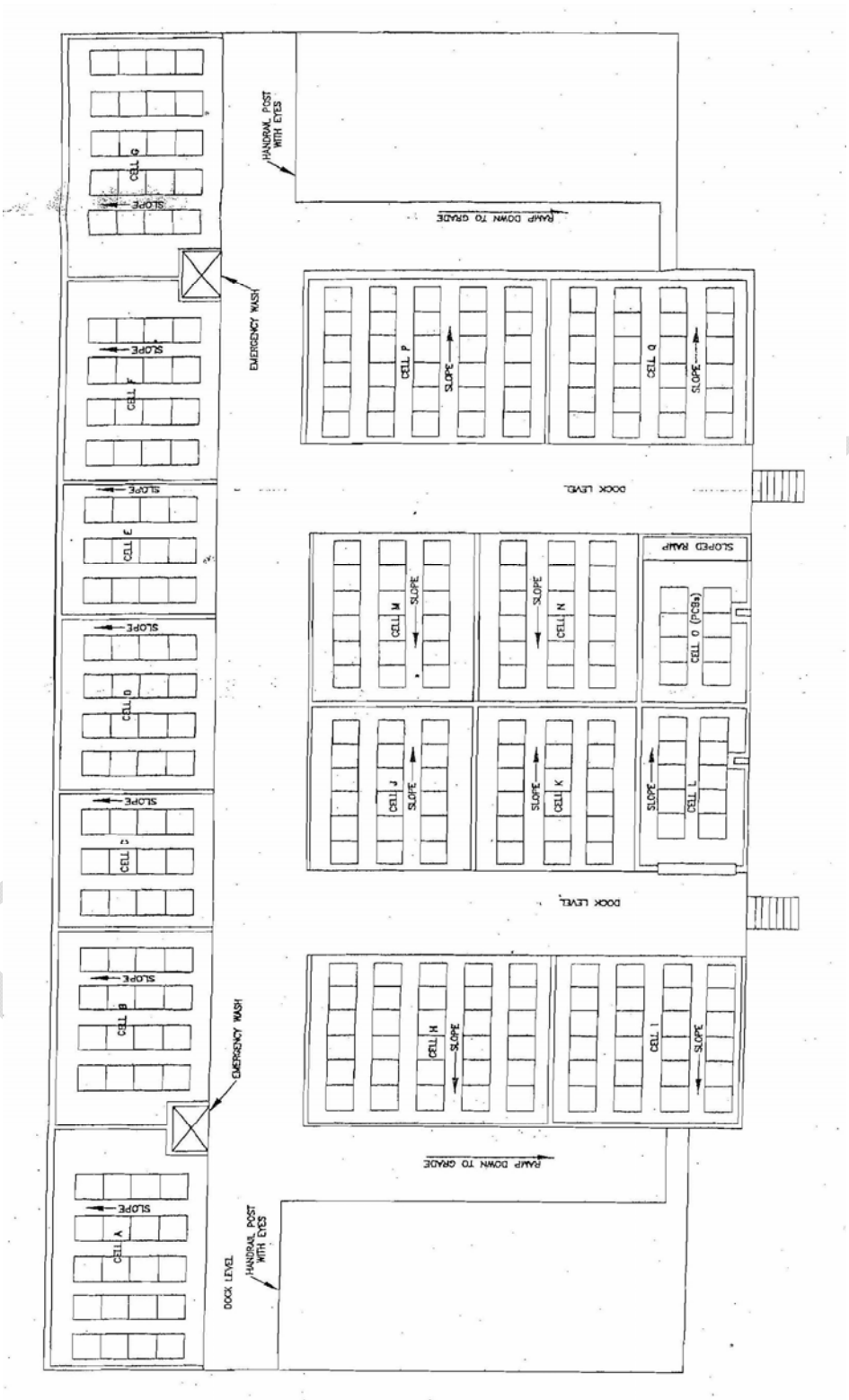
Certificate of Service

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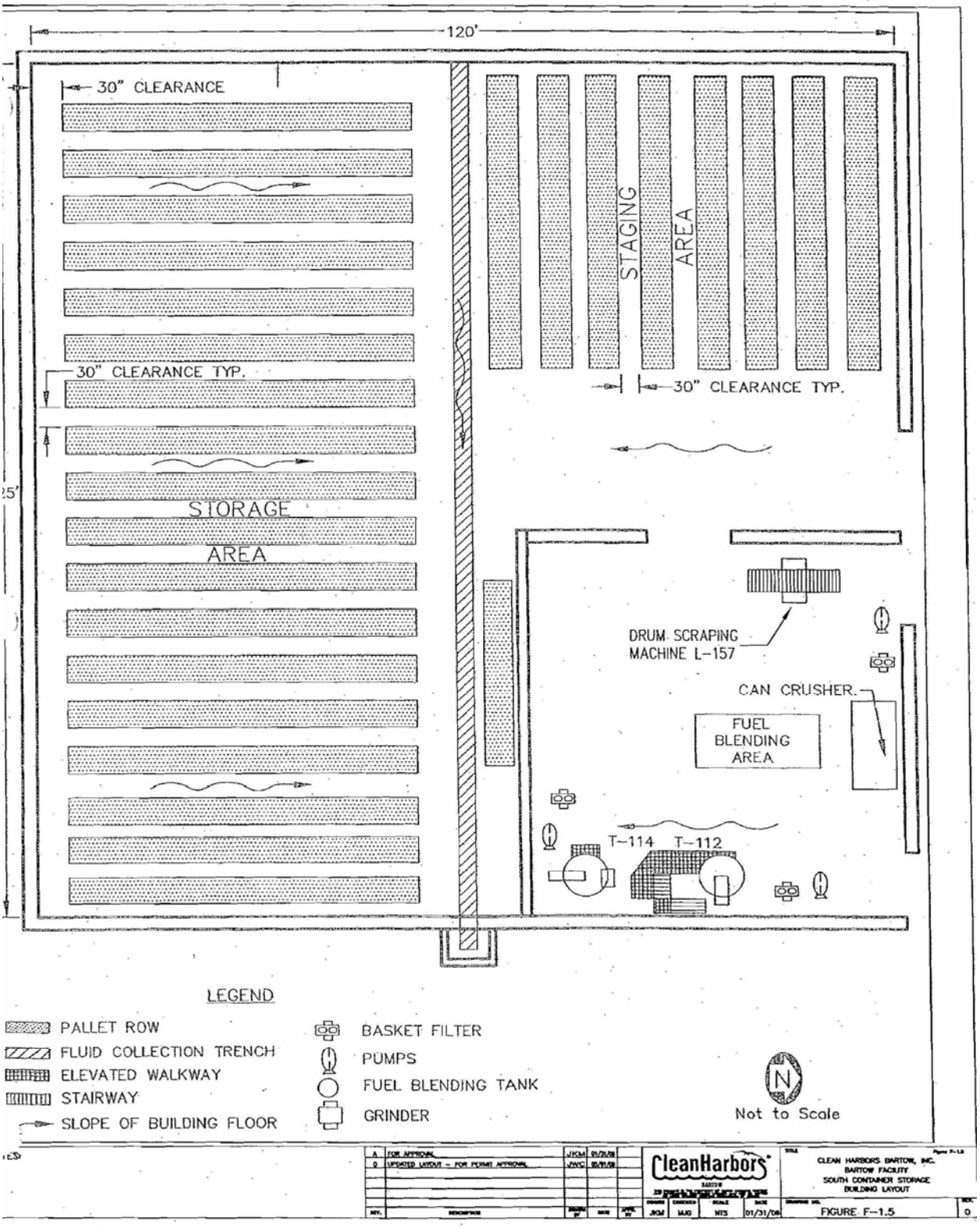
Attachment 1 – Property Boundary



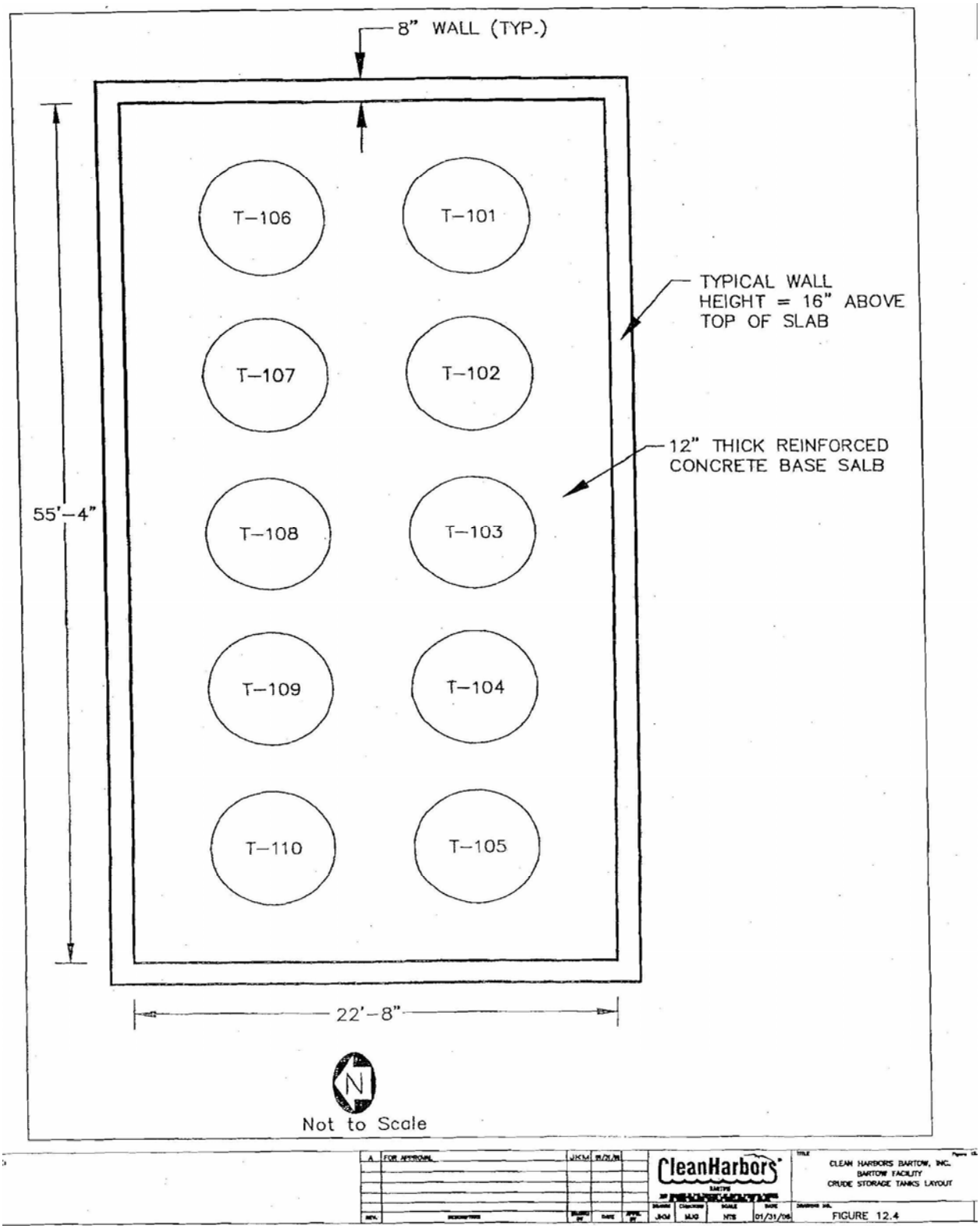
Attachment 2 – North Container Storage Building



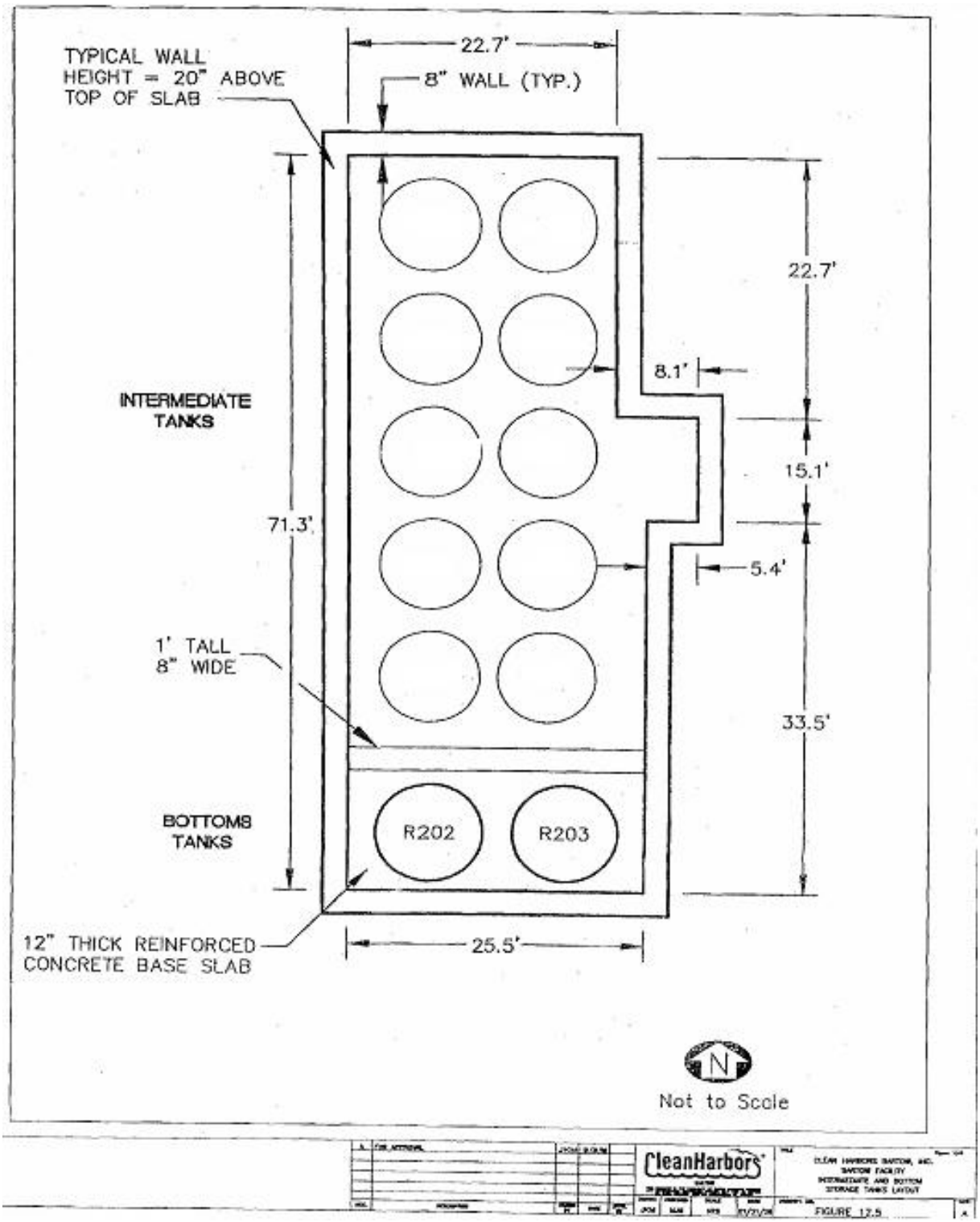
Attachment 3 – South Container Storage Building



Attachment 4 – South Storage Tanks



Attachment 5 – West Storage Tanks



Attachment 6 – 40 Cubic Yards Rolloffs Storage

