

Thursby, Kim

From: Curtis, Jeff [Jeff.Curtis@safety-kleen.com]
Sent: Tuesday, April 15, 2008 1:03 PM
To: Epost HWRS
Subject: RE: Safety Kleen, Inc.-Medley ;FLD 984 171 694;56019/HO/006

received. Thank you,

Jeff Curtis
EHS Manager, Florida
Safety-Kleen Systems
Office: 561-738-3026
Cell: 561-523-4719
Fax: 561-731-1696

From: Epost HWRS [mailto:EpostHWRS@dep.state.fl.us]
Sent: Fri 4/11/2008 12:27 PM
To: Curtis, Jeff
Cc: pallas.jeff@epamail.epa.gov; Kantor, Karen E.; mayor@townofmedley.com; chair@miamidade.gov; heath_rauschenberger@fws.gov; maryann.poole@myfwc.com; Bahr, Tim; Kuncicky, Daniel; Tripp, Anthony; Kothur, Bheem
Subject: Safety Kleen, Inc.-Medley ;FLD 984 171 694;56019/HO/006

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 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.



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

April 11, 2008

Sent Via E-mail

Jeff.Curtis@safety-kleen.com

Jeff Curtis
EHS Manager
Safety-Kleen Systems, Inc.
5610 Alpha Drive
Boynton Beach, FL 33426

SUBJECT: Facility Name: Safety Kleen, Inc.
EPA ID Number: FLD 984 171 694
Operating Permit 56019/HO/006
County: Miami-Dade

Dear Mr. Jeff Curtis:

The purpose of this letter is to provide notice of intent to issue a permit renewal for your facility located at 8755 Northwest 95th Street, Medley, FL. The attached permit is specifically for operation of a hazardous waste container and tank storage facility, operation of a used oil storage facility, and for fulfillment of corrective action 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 Daniel Kuncicky at (850)245-8786 or Daniel.kuncicky@dep.state.fl.us

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

TJB/dmk

Enclosures

cc (with enclosures): Jeff Pallas, EPA/Region 4, pallas.jeff@epamail.epa.gov
Karen E. Kantor, DEP/West Palm Beach, karen.e.kantor@dep.state.fl.us
Ramon Rodriguez, Mayor of Medley, mayor@townofmedley.com

Jeff Curtis
April 11, 2008
Page Two

Bruno A. Barreiro, Chairperson, Miami-Dade County Board of County Commissioners,
chair@miamidade.gov
Heath Rauschenberger, U.S. Fish & Wildlife Service, heath_rauschenberger@fws.gov
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission,
maryann.poole@myfwc.com



Florida Department of Environmental Protection

Bob Martinez Center
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Secretary

FACT SHEET

April 11, 2008

Facility Name: Safety Kleen System, Inc. Medley, Florida
EPA I.D. Number: FLD 984 171 694
Permit #: Operating Permit 56019/HO/006
Project: Operation of a hazardous waste container and tank storage facility, operation of a used oil storage facility, and for fulfillment of corrective action requirements

1. This Permit covers the operation of a hazardous waste container and above ground tank storage facility.

Up to 6,912 gallons of hazardous waste is permitted to be stored in containers.

The Permittee is allowed to store only used parts washer solvent in the 20,000 gallon tank designated for hazardous waste storage. One horizontal tank with a capacity of 10,000 gallon shall be used for storage of oily wastewater. One vertical tank with a capacity of 15,000 gallon shall be used for storage of used oil.

Up to 2,000 kilograms of mercury containing lamps and devices may also be stored at the facility.

Safety-Kleen has registered as a used oil and used oil filter transporter and transfer facility

Spent antifreeze is stored in a tanker truck, and later picked up by a recycler for processing into pure product for sale.

2. A notice of deficiency letter dated November 19, 2007 was issued because the facility reduced financial assurance for closure without providing reasonable justification. The permit application was accepted on February 7, 2008 after consultation with EPA and delivery of supplemental information by Safety Kleen.
3. There are no further issues with this permit.

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the Matter of an
Application for a Permit by:

*Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33178*

*DEP File No.: 56019/HO/006
Miami-Dade 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 19, 2007, the applicant, Safety-Kleen Systems, Inc., applied to the Department and provided supplemental information on February 7, 2008, for a permit to operate a hazardous waste container and tank storage facility, operate a used oil storage facility, and fulfill corrective action requirement at Safety Kleen’s site at Medley, 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 Daniel Kuncicky at (850) 245-8786.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Charles F. Goddard, Chief
Bureau of Solid & Hazardous Waste
2600 Blair Stone Road, MS 4550
Tallahassee, Florida 32399-2400

cc: Jeff Pallas, EPA/Region 4, pallas.jeff@epamail.epa.gov
Karen E. Kantor, DEP/West Palm Beach, karen.e.kantor@dep.state.fl.us
Ramon Rodriguez, Mayor of Medley, mayor@townofmedley.com
Bruno A. Barreiro, Chairperson, Miami-Dade County chair@miamidade.gov
Heath Rauschenberger, U.S. Fish & Wildlife Service, heath_rauschenberger@fws.gov
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission,
maryann.poole@myfwc.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 (F.A.C.) TO SAFETY KLEEN SYSTEMS, INC.. The permit relates to Safety Kleen System Inc., Medley, Florida 33178, facility I.D. number FLD984171694 and is issued as part of FDEP's hazardous waste management program, authorized pursuant to the Resource Conservation and Recovery Act and the Hazardous and Solid Waste Amendments.

The draft permit contains the conditions for operating permit 56019-HO-006. The permit is for the purpose of operating a hazardous waste container and tank storage facility, operating a used oil storage facility, and fulfillment of corrective action requirements at Safety Kleen's site at Medley, Florida.

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, West Palm Beach District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401, (561)681-6600, and at Bureau of Solid & Hazardous Waste, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850) 245-8786.

A person whose substantial interests are or will be affected by the Intent to Issue 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 FDEP's Office of General Counsel, Agency Clerk, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant and any parties entitled to written notice under Section 120.60(3), F.S. must be filed within 45 days of receipt of the Intent. Petitions filed by any other persons must be filed within 45 days of publication of this notice or receipt of the Intent, 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 a hearing under Sections 120.569 and 120.57, F.S. 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 FDEP'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 FDEP Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of FDEP's proposed action; (c) A statement of how each petitioner's substantial interests are affected by FDEP's 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 FDEP's proposed action; (f) A statement of which rules or statutes the petitioner contends require reversal or modification of FDEP's proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants FDEP to take with respect to the proposed action.

A petition that does not dispute the material facts on which FDEP'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 FDEP'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 FDEP have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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, Agency Clerk, 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.

Mediation is not available in this proceeding.

Radio Announcement:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE

The Florida Department of Environmental Protection gives notice of its intent to issue a permit to Safety Kleen Systems, Inc, Medley, Florida, I.D. number FLD 984 171 694 . The permit is to be issued under Section 403.722, Florida Statutes, and Chapters 62-4 and 62-730, Florida Administrative Code, as authorized by the Resource Conservation and Recovery Act and the Hazardous and Solid Waste Amendments. The permit contains conditions to operate a hazardous waste container and tank storage facility, operate a used oil storage facility, and fulfill corrective action requirements.

A person who is or will be 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. Any person may request a public meeting pursuant to Section 403.722(10), Florida Statutes. A petition for an administrative hearing or a request for a public meeting must be filed with the Agency Clerk, Office of General Counsel within forty-five days of this 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) 245-8786; and at the Department of Environmental Protection, West Palm Beach District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401, (561) 681-6600.



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:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33178

ATTENTION:
Jeff Curtis
Environmental Health
& Safety Manager

ID NUMBER: FLD 984 171 694
PERMIT/CERTIFICATION NUMBER: 56019/HO/006
DATE OF ISSUE: **DRAFT**
EXPIRATION DATE: March 19, 2013

COUNTY: MIAMI-DADE
LATITUDE/LONGITUDE: 25° 51' 38" N / 80° 20' 25" W
PROJECT: Operation of a hazardous waste container
and tank storage facility, operation of a used oil
storage facility, and fulfillment of corrective action
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, 62-710, 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 dated September 19, 2007 herein referred to as "the permit application", 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:

Above Ground Storage Tanks:

One 20,000 gallon storage tank shall be used for managing waste solvent. Two 20,000 gallon tanks shall be used for storage of fresh solvent and shall not be used for storage of hazardous waste. One horizontal tank with a capacity of 10,000 gallon shall be used for storage of oily wastewater. One vertical tank with a capacity of 15,000 gallon shall be used for storage of used oil. All tanks are above ground storage tanks and are underlain by a 58 feet by 43 feet concrete slab surrounded by a 36 inches high concrete wall (See Attachment B).

PERMITTEE:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33178

ID NUMBER: FLD 984 171 694
PERMIT/CERTIFICATION NUMBER: 56019/HO/006
EXPIRATION DATE: March 19, 2013
DATE OF ISSUE: **DRAFT**

Solvent Return/Fill Station:

Spent solvents enter the waste solvent storage tank through the two wet dumpsters located in the Solvent Return/Fill Station. The wet dumpsters can hold a maximum of 504 gallons each but are not intended for storage of liquid hazardous waste (See Attachment C).

Container Storage:

The container storage area is a 22 feet by 32 feet area with a sloped floor leading to a collection sump. A maximum of 6,912 gallons of hazardous waste will be stored in this area at any one time (See Attachment D).

Non-container Storage:

Safety-Kleen has registered as a used oil and used oil filter transporter and transfer facility in accordance with Chapter 62-710, F.A.C.

Spent antifreeze is stored in a tanker truck, and later picked up by a recycler for processing into pure product for sale.

Safety-Kleen has registered as a transporter and storer of mercury containing lamps and devices that are regulated in accordance with Chapter 62-737, F.A.C. A maximum of 2,000 kilograms of mercury containing lamps and devices destined for recycling may be stored and managed in compliance with Rule 62-737.400, F.A.C.

The wastes

Six solid waste management units (SWMU's) have been identified at the facility in the United States Environmental Protection Agency (EPA) HSWA permit issued February 12, 1993 and in Appendix A of this permit. No remedial corrective action is required at the facility at this time.

HSWA Units requiring No Further Action

- SWMU- 1 Container Storage/Transfer Waste Area
- SWMU- 2 Above Ground Storage Tank Area
- SWMU- 3 Return/Fill Area
- SWMU- 4 Mercury Lamps Storage Area
- SWMU- 5 Used Antifreeze Tanker
- SWMU- 6 Oil Filter Storage

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 units

PERMITTEE:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33178

ID NUMBER: FLD 984 171 694
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(SWMUs) and areas of concern (AOCs) 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), F.A.C.], the corrective action requirements of this RCRA permit extend to all contiguous property under the control of the Permittee (see Attachment A, 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 8755 Northwest 95th Street, Medley, Florida, 33178.

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

1. HSWA permit number FLD 984 171 694 issued by EPA on February 12, 1993.
2. Operating permit number HO 13-307336 issued by DEP on March 19, 1998 and modified on August 31, 1998.
3. Operating permit renewal application filed on DEP Form 62-730.900(2) and received on September 3, 2002.
4. Additional information submitted on December 18, 2002.
5. Permit application modification request, including a Used Oil Processing Facility application, dated May 24, 2004.
6. Permit application renewal request dated September 19, 2007.

PERMITTEE:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33178

ID NUMBER: FLD 984 171 694
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7. First Notice of Deficiency Letter dated November 19, 2007.
8. Response to First Notice of Deficiency Letter dated February 7, 2008.

DRAFT

PERMITTEE:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33178

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Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33178

ID NUMBER: FLD 984 171 694
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EXPIRATION DATE: March 19, 2013
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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;

PERMITTEE:
Safety-Kleen Systems, Inc.
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- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - c. Sample or monitor any substances or parameters at any time or 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. The 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. The Permittee shall comply with the "Notices" provisions of Rule 62-780.220, F.A.C.

PERMITTEE:
Safety-Kleen Systems, Inc.
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Medley, Florida 33178

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- 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.
 - 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 prescribed 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

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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.

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. 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 an on-property or off-property facility for 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

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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 (Condition 25 of this Part);
 - (6) Biennial reports;
 - (7) Personnel training records (Part II Condition 2);
 - (8) The Waste Minimization Program Plan (Part II Condition 7);
 - (9) Biennial certification of waste minimization (Part II Condition 7);
 - (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.
14. 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.
15. Except as otherwise specifically provided in this permit, all submittals in response to permit conditions shall be as follows:

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

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

16. 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 Part(s) and Condition(s) affected, and the permit number and project name of the permit involved. 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.
17. 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.
18. 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 (561) 681-6600.
19. 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. The application shall meet the fee requirements of Rule 62-730.293, F.A.C. The Permittee shall submit the application for revisions to the address in Condition 15 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

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The modification fee may also be submitted electronically. However, if the Permittee intends to submit the modification fee electronically, the 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 of required time frames is 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.
20. 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 permit in accordance with DEP Form 62-730.900(2), F.A.C. The Permittee shall submit the renewal to the address in Condition 15 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

The renewal fee may also be submitted electronically. However, if the Permittee intends to submit the renewal fee electronically, the 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.

21. 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.
22. The Permittee shall comply with the security provisions of 40 CFR 264.14 and the facility security provisions at Part II Section A4 page 1 of the permit application dated September 19, 2007.
23. 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

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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.

24. The Permittee shall visually inspect the facility emergency and safety equipment in accordance with 40 CFR 264.15 and Part II Section A 4 page 6 of the permit application dated September 19, 2007, 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.
25. 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 is described in Part II Section A4 Table 5.6-1 of the permit application dated September 19, 2007.
 - b. The Permittee shall test and maintain the required equipment as necessary to assure its proper operation in time of emergency.
 - c. The Permittee shall maintain immediate access to an internal communications or alarm system.
 - 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 to allow the unobstructed movement of personnel, fire protection, and emergency response equipment to any area of the Facility.
26. The conditions in this permit shall take precedence over the permit application documents where there are differences between those documents and the permit conditions.
27. The Permittee may claim that any information required to be submitted by this permit is confidential in accordance with Rule 62-730.100(3), F.A.C.
28. 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:

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- 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.
29. Any dispute resolution will be conducted in accordance with Chapter 120, F.S. (Administrative Procedure Act), Chapter 28-106, F.A.C. and the Department's existing rules and procedures.
30. 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.
31. 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 necessary, the Permittee shall notify the Department within five business days of such refusal or revocation. The Department may at any time

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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.

32. 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 relating to financial assurance 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.

33. The Permittee owns the real property that comprises the Facility. If and when the Permittee intends to transfer parcels to third parties, the Permittee may drop a parcel from the Facility covered by this permit, so long as the parcel never contained a SWMU or an AOC, or so long as any contamination associated with the SWMU or AOC has been addressed to the satisfaction of the Department. A parcel of the property may be sold with certain legal restrictions upon the future use and/or remedial activity requirements. Even though a parcel is no longer defined as part of the facility as a result of the permit modification (using the minor modification requirements of Rule 62-730.290(4), FAC), in the unanticipated and improbable event that a contaminated SWMU or AOC is found on the parcel, and such

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contamination resulted from activities which occurred prior to the sale, the Permittee will be responsible for any corrective action.

PART II - OPERATING CONDITIONS

Part II Subpart A - General 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.
2. Facility personnel must successfully complete the approved training program indicated in Part II Section A4 pages 30-35 of the permit application dated September 19, 2007, within six 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 at least annually. The Permittee shall maintain an updated list of personnel handling hazardous waste and their respective job titles at the facility.
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 Part II Section A4 pages 2-29 of the permit application dated September 19, 2007, 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 Part I Condition 8.(c).
 - 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) or (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

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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 Part II Section A5 pages 1-20 – Waste Analysis Plan – of the permit application dated September 19, 2007.
7. The Permittee shall develop and maintain a Waste Minimization Program Plan. The Permittee shall maintain copies of the certification required by this Condition in the facility operating record. 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; and
 - 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.
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:

Hazardous Waste Supervisor
Department of Environmental Protection
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401
9. 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 Part 270.14, .15, .16, .17, .24, .25, and .27, as applicable. The submittal of information for constructing, installing or modifying a unit such that it will become subject to 40 CFR Part 264 Subpart CC will also require modification of the permit and the appropriate fee.
10. The Permittee shall keep, as part of the operating records, results of inspections, monitoring reports, repairs, and other documents required by 40 CFR Part 264 Subparts AA, BB and CC for a minimum of three years.
11. The Permittee shall operate and maintain the pumps, compressors, pressure relief devices, and valves according to requirements of 40 CFR 264 Subpart BB and Section 11 of the permit application received on September 3, 2002.

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12. The Permittee shall operate and maintain containers and tanks according to the requirements of 40 CFR 264 Subpart CC and Section 11 of the permit application received on September 3, 2002.
13. The Permittee shall keep the Equipment Inventory Log complete and up-to-date.

Part II Subpart B - Specific Operating Conditions

Part II Subpart B.1 – Container Storage Area

1. Container storage shall be conducted within the areas of the facility as depicted in Attachment D of this permit and Part II Section B pages 1-9 of the permit application dated September 19, 2007. Total container storage volume within this permitted area shall not exceed 29,400 gallons including no more than 6,912 gallons (432 16-gallon containers or their equivalent) of hazardous waste as per the permit application. The Permittee is permitted to accept only wastes listed on Attachment E of this permit.
 - a. The Permittee shall notify the Department if the volume of hazardous waste in the container storage area exceeds the permitted capacity.
 - b. The Permittee shall not stack any containers in the Container Storage Area over six feet high and no stack shall consist of more than two containers.
 - c. Hazardous waste with a 10-day or less storage time limit shall be stored in an area designated for that material. On each business day, the Permittee shall inspect the container storage area and move all misplaced waste to its designated area.
2. 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.
3. The Permittee shall use containers that are compatible with the hazardous waste to be stored.
4. The Permittee shall not store incompatible waste in containers or place it in unwashed containers that have previously held incompatible waste.
5. The Permittee shall inspect the container loading/unloading areas as well as the container storage areas at least once weekly looking for leaking containers and for deterioration of containers and containment systems caused by corrosion and other factors following procedures identified in Part II Section B pages 8-9 of the permit application dated September 19, 2007.

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6. The Permittee shall not store incompatible wastes in the same area or in areas having the same containment system. Incompatible waste shall be physically separated by a dike, berm or other approved device.
7. Hazardous waste must be compatible with the secondary containment systems and liners of the storage area.
8. Spilled or leaked waste in the container storage area must be removed from the sump the same day the waste is discovered by the daily inspection in order to reduce potential overflow of the collection system.
9. The secondary containment shall be clear of any liquids and/or debris at all times. Any rain water accumulation or non-hazardous waste debris present in these areas shall be removed within 24 hours or in as timely a manner as possible.
10. The Permittee must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. Containers holding ignitable or reactive waste must be located at least 15 meters (50 feet) from the facilities property line.
11. All service vehicle trucks and tractor trailers shall be situated over a manmade surface which has emergency liquid containment or at one of the unloading areas when the vehicle contains hazardous waste.
12. Vehicles with incoming shipments of hazardous waste shall be unloaded into the appropriate storage 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. 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.
13. The Permittee shall document the placement of RCRA waste containers on board the transport vehicle designated for off-site disposal of such RCRA waste.
14. The container storage area shall be closed in accordance with Part II Section K of the permit application dated September 19, 2007.
15. The Permittee may store non-regulated materials in the regulated storage area provided:
 - a. The volume of non-regulated materials is included in the total volume of liquid allowable in the regulated storage area.
 - b. The Permittee maintains the required aisle spacing in the storage area for both the regulated and non-regulated materials.

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- c. The Permittee assures non-regulated materials have labels specifying their contents.
- d. The Permittee maintains in the facility operating record a written log for any non-regulated materials stored in the regulated storage area. The log shall include:
 - (1) The type and the quantity of non-regulated materials;
 - (2) Verification of adequate secondary containment;
 - (3) Confirmation of appropriate aisle spacing availability; and
 - (4) Documentation of compatibility of non-regulated materials and other materials present in the Containment Storage Area.
- 16. The Permittee shall manage all containers, which shall include containers of non-regulated waste, in the manner outlined in this permit to ensure that a release of hazardous waste or hazardous constituents will not occur.
- 17. The Permittee shall ensure that containers being managed under the transporter/transfer station requirements are clearly identified.
- 18. The Permittee shall inspect the integrity of each containment areas to insure that it is free of cracks or gaps, and the concrete sealant remains impervious to leaks.

Part II Subpart B.2 – Tank System

The Tank System is defined as the tank storage unit, appurtenant equipment and associated secondary containment structures for storage of fresh and waste solvent and for processing used oil.

- 1. The Permittee is allowed to store only used parts washer solvent in the 20,000 gallon tank designated for hazardous waste storage. This tank is shown in Attachment B of this permit and Part II Section C of the permit application dated September 19, 2007.
- 2. The Permittee shall not place waste into any tank if that waste is incompatible with the construction materials of the tank or the residue of any material previously in the tank or if there are any conditions that may cause the waste to ignite or react.
- 3. The Permittee shall maintain, inspect, and operate the tank system in such a manner that any leakage or release of hazardous waste from the unit shall be detected within 24 hours of occurrence.

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4. The Permittee shall maintain, inspect and operate the spill and overflow prevention controls to prevent spills and overflows from the tank or containment system.
5. The Permittee shall report to the Department any release greater than one pound resulting from a leak or spill to the environment within 24 hours of its detection. 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.
6. The Permittee shall submit to the Department a report that satisfies the requirements of 40 CFR 264.196(d)(3) within thirty (30) calendar days of detection of a release to the environment.
7. The Permittee shall report any changes, component replacement or extensive repairs to the 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 has been submitted to the Department and approved.
8. The Permittee shall inspect the tank system in accordance with the schedule and procedures identified in Part II Section C of the permit application dated September 19, 2007. The permittee must inspect at least once each operating day:
 - a. Above ground portions of the tank system to detect corrosion or release of waste;
 - b. Data gathered from monitoring and leak detection equipment to insure the tank system is being operated according to its design; and
 - c. The construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system to detect erosion or signs of releases of hazardous waste.
9. The Permittee shall respond to leaks or spills and disposition of leaking or unfit-for-use tank systems 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.
 - 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.
 - 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.
 - d. Comply with the notification and report requirements of 40 CFR 264.196(d).

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- 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).
10. The Permittee shall keep records at the facility documenting that the tank system has been designed, installed, and maintained in accordance with 40 CFR 264.193(b) and (d).
11. At least once in each 24-hour period the two wet dumpsters in the Solvent Return/Fill Station shall be drained of all liquids and sludge, and all drums shall be removed from the Return/Fill Station.

Part II Subpart B.3 – Used Oil Requirements

Pursuant to 40 CFR 279.56 (Tracking) and Rule 62-710.510(1), F.A.C., the Permittee must comply with the following tracking requirements: Safety-Kleen Systems, Inc. shall maintain records on DEP Form 62-701.900 (13) or on substantially equivalent forms which contain at least the same information as the Department form.

1. The Permittee shall keep a record of each used oil shipment accepted for processing/re-refining. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
 - a. The name, address and EPA identification number (if applicable) of the transporter who delivered the used oil to the processor/re-refiner, oil-burner or disposal facility;
 - b. The name, address and EPA identification number (if applicable) of the generator or processor/re-refiner from whom the used oil was received for processing/re-refining;
 - c. The quantities of each type of used oil accepted and date of acceptance; and
 - d. Waste stream approval number and the off load tank number.
2. The Permittee shall keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents: Records for each shipment must include the following information:
 - a. The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;
 - b. The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refiner or disposal facility receiving the shipment;

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- c. The quantities of used oil shipped and date of shipment; and
 - d. The tracking number corresponding to analytical results that demonstrate that the shipment meets the used oil on-specification criteria.
3. The Permittee shall maintain for at least three years the records described in paragraph (1) and (2) of this section. The records shall be kept at the permitted facility and shall be available for inspection by the Department during normal business hours.
 - a. The Permittee shall keep a written operating record at the Facility which includes the following information:
 - (1) Records and results of used oil analyses required under 40 CFR 279.55; and
 - (2) A summary report of all incidents that require implementation of the contingency plan.
4. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required for aboveground storage tanks, integral piping, and process tanks.
5. Aboveground storage and process tanks having a capacity greater than 550 gallons and all integral piping shall comply with the performance standards of Rule 62-762.501, F.A.C., for Category-C tanks, or Rule 62-762.511, F.A.C., for Category-A and Category-B tanks. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C.
6. The Permittee shall submit the proposed or constructed new tanks as built drawings within 30 days of completion of construction. Each drawing shall be certified by a Professional Engineer registered in Florida.
7. The Permittee shall register its used oil activities annually and display the validated registration form and identification number in a prominent place at the facility.
8. The Permittee shall submit an annual report no later than March 1 of each year which summarizes the records kept pursuant to 40 CFR 279.57(b) and 62-710.510, F.A.C. The report shall include:
 - a. The EPA identification number, name, and address of the processor/re-refiner;
 - b. The calendar year covered by the report; and

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- c. The quantities of used oil accepted for processing/re-refined and the manner in which the used oil is processed/re-refined, including the specific processes employed.
9. The Permittee shall maintain documentation of any shipment of used oil that is refused due to failure to meet pre-screening requirements. Each time any shipment is refused the Permittee shall notify the Departments Southeast District Office, Hazardous Waste Section at (561) 681-6600 within 24 hours.

Part II Subpart C - Closure Conditions

1. The Permittee shall close all SWMU's listed in Appendix A in a manner that minimizes or eliminates, to the extent necessary to protect human health and the environment, postclosure escape of hazardous waste, hazardous waste constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the groundwater, surface waters, or to the atmosphere.
2. The Permittee shall have a written closure plan as required by 40 CFR 264.112(a). The closure plan and all revisions to the plan must be kept at the facility until closure is completed, certified in accordance with 40 CFR 264.115, and accepted by the Department.
3. Any changes or revisions to the approved Closure Plan must meet the requirements of 40 CFR 264.112(c) and Rule 62-730.290, F.A.C. The written request must include a copy of the amended closure plan for Department approval.
4. The Permittee must complete physical closure activities in accordance with the Closure Schedule in Part II Section K of the permit application dated September 19, 2007. Any changes in the time allowed for closure of the units after approval shall require prior Department approval.
5. The Permittee shall notify the Department 45 days prior to the date on which he expects to begin partial or final closure of a unit(s).
6. At least 30 calendar days prior to initiating closure activities, the Permittee shall prepare and submit a closure checklist with "schedule date" and "completed" columns to document the progress of closure. Upon Department approval, the checklist shall be maintained and updated by the Permittee throughout the closure period, with copies submitted monthly to the Department. Each report must be submitted to the Department by the tenth (10th) day of each month for the preceding month until the acceptance of physical closure by the Department. Any deviation from schedule or described tasks shall be fully documented on the checklist.
7. The Permittee shall complete closure activities within 180 days after notification to the Department of closure. Any changes in the time allowed for closure of the units after approval shall require prior Departmental approval.

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8. The Permittee shall properly decontaminate or dispose of all equipment, structures, and residues used during or resulting from the closure activities.
9. The Permittee shall manage all hazardous wastes, residues, sludges, spilled or leaked waste, or contaminated liquids and soils removed during closure of the unit(s) in accordance with the applicable provisions of 40 CFR Parts 260 through 268, including the manifest requirements. A copy of each manifest required as a result of closure activities shall be submitted to the Department with the Closure Certification.
10. The Permittee shall provide opportunities for site inspections by the Department by informing the Department at least seven calendar days in advance of any physical closure activity (e.g., soil sampling, soil removal, etc.).
11. Within 60 calendar days of the 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 registered in the State of Florida, stating that the unit has been closed in compliance with the Closure Plan and the conditions of this permit. The Closure Certification must be based on the Professional Engineer's own observation and knowledge of the closure activities. The Closure Certification must include, but not be limited to, the following:
 - a. Sampling data to verify clean closure;
 - b. Decontamination data;
 - c. Copies of manifests for removal of all hazardous wastes and all contaminated residues containing hazardous constituents;
 - d. Groundwater monitoring data summary pertaining to closure activities;
 - e. A description of the summary of final closure activities; and
 - f. A final inspection check-off sheet.
12. The Permittee shall notify the Department within seven calendar days of any determination that actions undertaken as part of closure or associated monitoring programs no longer satisfy the requirements set forth in this permit. If the Department determines that a modification of the permit is required, the Permittee shall, within 60 calendar days, submit an application for a permit modification in accordance with Rule 62-730.290.
13. Within 90 days of determining that all contaminated soil can not be practically removed or decontaminated, the Permittee shall submit an application for permit modification to close the facility as a landfill and perform post closure care as required by 40 CFR 264.310.

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14. Within 30 calendar days of submitting a closure certification for a land disposal unit, including a land disposal unit identified under Condition 13 of this Part, the Permittee shall submit to the Department and to the local zoning authority, or the authority with jurisdiction over local land use, a survey plat indicating the type, location, and quantity of hazardous wastes disposed of within the unit with respect to permanently surveyed benchmarks in accordance with 40 CFR 264.116. For hazardous wastes disposed of before January 12, 1981, the owner or operator must identify the type, location, and quantity of the hazardous wastes to the best of their knowledge and in accordance with any records they have kept.

PART III - POST-CLOSURE CONDITIONS

Not applicable at this time.

PART IV - ENVIRONMENTAL MONITORING CONDITIONS

Not applicable 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 waste or 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

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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 affected area; 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 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

Part VI Subpart A - General Conditions

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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. Any remedial action plan shall include a provision for the Permittee to submit a periodic Corrective Action Effectiveness Report.
4. 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.
5. 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.

Part VI Subpart B - Selected Remedies

Not applicable at this time.

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APPENDIX A SUMMARY OF FACILITY SITES (SOLID WASTE MANAGEMENT UNITS AND AREAS OF CONCERN)

A.1. List of SWMUs/AOCs requiring Confirmatory Sampling:				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment and Basis for Determination	Dates of Operation	
There are no units identified as requiring Confirmatory Sampling at this time pursuant to this permit.				
A.2. List of SWMUs/AOCs requiring a Site Assessment (a/k/a RCRA Facility Investigation [RFI] or a Risk Assessment):				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring a Site Assessment.				
A.3. List of SWMUs/AOCs requiring a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Study [CMS]):				
SWMU/AOC Number/Letter	SWMU/AOC Name	Dates of Operation		Potentially Affected Media
There are no units identified at this time requiring a Natural Attenuation with Monitoring Plan or Remedial Action Plan.				
A.4. List of SWMUs/AOCs <u>implementing</u> a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Study [CMS]):				
SWMU/AOC Number/Letter	SWMU/AOC Name	Dates of Operation		Potentially Affected Media
There are no units identified at this time undergoing a Natural Attenuation with Monitoring Plan or a Remedial Action Plan.				

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A.5. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations without controls have been made:		
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA
There are no units identified at this time at which Site Rehabilitation Completion Determinations without controls have been made.		
A.6. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations with controls have been made:		
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA
There are no units identified at this time at which Site Rehabilitation Completion Determinations with controls have been made.		
A.7. List of SWMUs/AOCs Where No Further Action Determinations have been made based on no suspected or confirmed contamination:		
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA
SWMU 1	Container Storage Area*	
SWMU 2	Above Ground Storage Tanks *	
SWMU 3	Return/Fill area	
SWMU 4	Mercury Lamps Storage Area	
SWMU 5	Used Antifreeze Tanker	
SWMU 6	Oil Filter Storage	
*Regulated Unit		

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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.

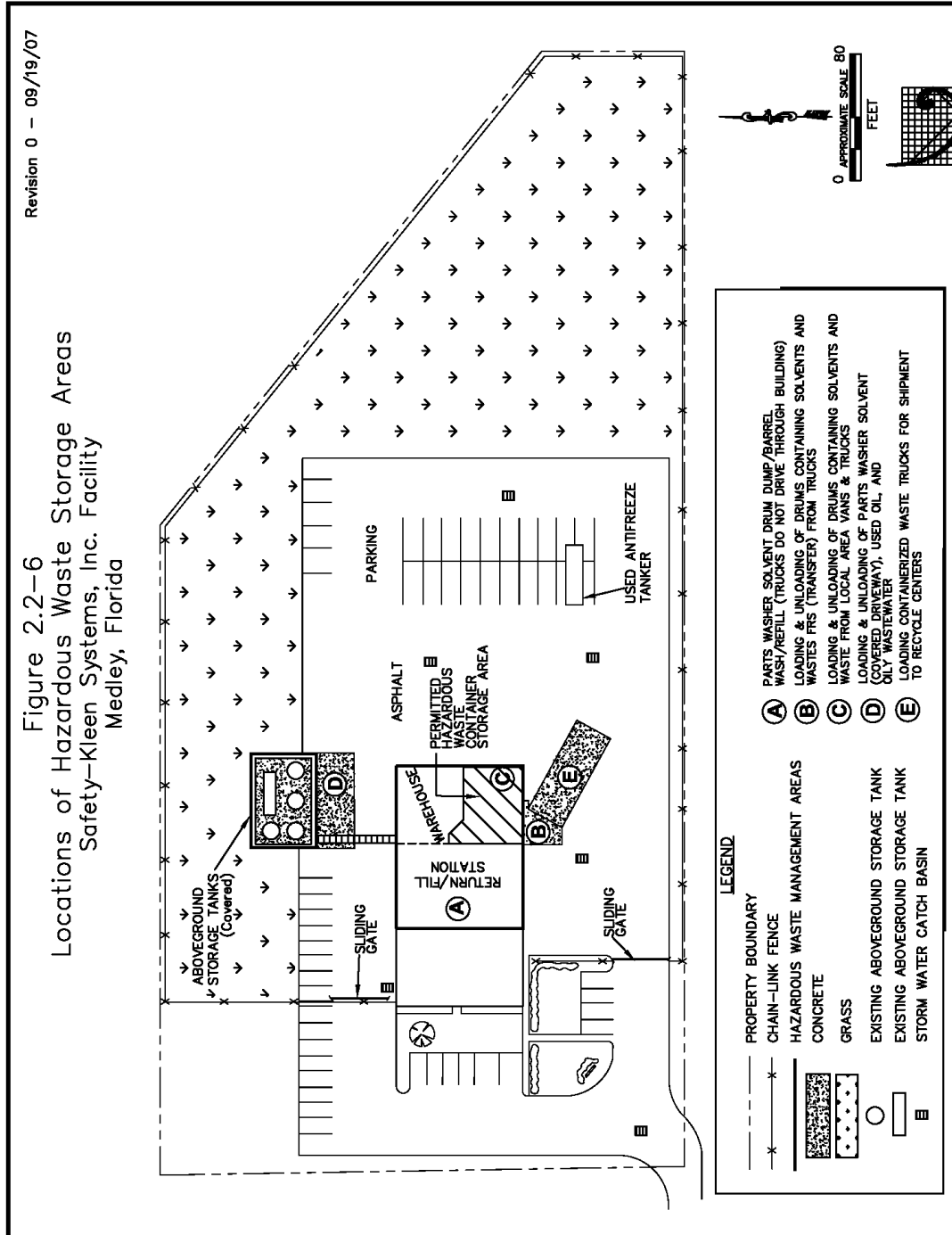
CLERK DATE

cc:

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ATTACHMENT A – FACILITY LAYOUT



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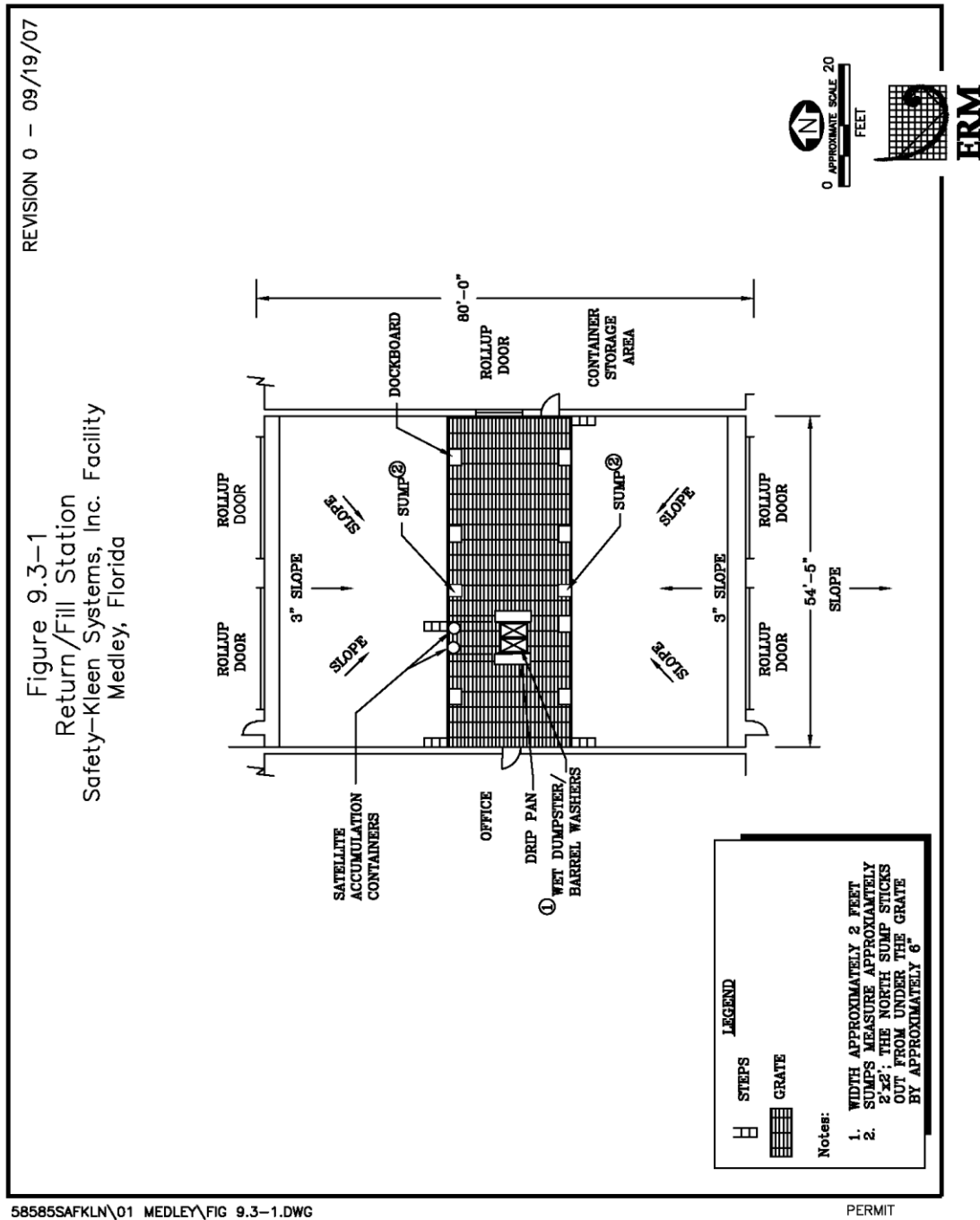
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ATTACHMENT C – SOLVENT RETURN/FILL STATION



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ATTACHMENT E – PERMITTED AND TRANSFER WASTE

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Parts Washer Solvent	S01* S02**	542	D001 and D-codes listed in Note below
Branch-Generated Liquids Solids (Debris)	S01*	6	D001 and D-codes listed in Note below; F001, F002, F003, F004, F005
Dumpster Sediment	S01*	Included above	D001 and D-codes listed in note below
Tank Bottoms	S01*	Included above	D001 and D-codes listed in note below
Used Immersion Cleaner (IC 699)	S01*	21	D-codes listed in note below
Dry Cleaning Waste (Perchloroethylene)	S01*	234	F002 and D-codes listed in note below
Dry Cleaning Waste (Non-perchloroethylene)	S01*	Included above	D-codes listed in note below
Paint Wastes	S01*	46	D001, F003, F005 and D-codes listed in note below
Fluid Recovery Service (FRS)	S01**	167	Transfer wastes-waste codes assigned by generator
Mercury-Containing Lamps/Devices	N/A***	Less than 2.2	N/A-handled as non-hazardous transfer wastes

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

* This waste will be stored in containers in the building container storage area. The maximum capacity in the container storage area for hazardous waste and product is 29,400 gallons, with 6,912 gallons being waste

** The spent parts washer solvent storage tank has a capacity of 20,000 gallons and may be filled to 19,000 gallons

*** This waste will be held for transfer in containers in the transfer area