Kim Thursby

Digitally signed by Kim Thursby
DN: cn=Kim Thursby, o=Florida DEP, ou=Hazardous Waste Regulation, email=kim.thursby@dep.state.fl.us, c=US
Date: 2008.06.17 10:45:43 -04'00'

**Thursby, Kim**

**From:** Coyne, John [John.Coyne@fccenvironmental.com]
**Sent:** Wednesday, June 11, 2008 10:48 AM
**To:** Epost HWRS; John.coyne@fccenvironmental.com
**Cc:** Winston, Kathy; lamar.fisher@copbfl.com; ddupuy@broward.org; heath_rauschenberger@fws.gov; maryann.poole@myfwc.com; Clarke, Raoul; Wick, Fred; carol.jones@fccenvironmental.com; bernard.korzekwinski@fccenvironmental.com; Martin, Lee; Conrad.thornburgh@fccenvironmental.com; Bahr, Tim; Prusty, Rabin; Kothur, Bheem
**Subject:** RE: Hydrocarbon Recovery Services, Inc., Pompano Beach;FLD 984 262 410;51348-HO-005 and 51348-SO-006Used Oil and Material Processing Facility Permit

Received…

John C. Coyne
Hydrocarbon Recovery Services, Inc. dba **FCC e**nvironmental
14950 Heathrow Forest Parkway, Suite 111
Houston, TX 77032
281-668-3315 office
281-668-3355 direct fax
936-443-5696 cell

---

**From:** Epost HWRS [mailto:EpostHWRS@dep.state.fl.us]
**Sent:** Thursday, May 15, 2008 9:31 AM
**To:** Coyne, John
**Cc:** Winston, Kathy; lamar.fisher@copbfl.com; ddupuy@broward.org; heath_rauschenberger@fws.gov; maryann.poole@myfwc.com; Raoul.Clarke@dep.state.fl.us; Wick, Fred; Jones, Carol; Korzekwinski, Bernard T; Martin, Lee; Thornburgh, Conrad; Bahr, Tim; Prusty, Rabin; Kothur, Bheem
**Subject:** Hydrocarbon Recovery Services, Inc., Pompano Beach;FLD 984 262 410;51348-HO-005 and 51348-SO-006Used Oil and Material Processing Facility Permit

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.*

**********
Este correo ha sido procesado por el antivirus del Grupo FCC
**********

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

May 15, 2008

SENT VIA E-MAIL
John.coyne@fccenvironmental.com

Mr. John Coyne, EH&S Director
Hydrocarbon Recovery Services, Inc.
14950 Heathrow Forest Parkway, Suite 111
Houston, TX 77032

RE: Hydrocarbon Recovery Services, Inc., Pompano Beach
EPA I.D. No. FLD 984 262 410
Permit No. 51348-HO-005 and 51348-SO-006
Used Oil and Material Processing Facility Permit

Dear Mr. Coyne:

Enclosed you will find a Department Permit Renewal (Intent to Issue), along with the draft Permit Renewal and language for the required Public Notice of Agency Action. Please ensure publication within the time allotted.

As Applicant, you are a person whose substantial interests will be determined by the Permit, and the rights explained in the Intent to Issue apply to you. You have a period of 14 days from the date you receive this Intent to Issue in which to exercise your rights.

Proof of publication must be provided to the Department within seven (7) days of publication of the notice. If you have any questions, please contact Rabin Prusty at (850) 245-8780 or via e-mail: rabin.prusty@dep.state.fl.us.

.

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

TJB/rp
Enclosure

cc: Kathy Winston, DEP/West Palm Beach, kathy.winston@dep.state.fl.us
Mayor, City of Pompano Beach, lamar.fisher@copbfl.com
Chair, Broward County Board of Commissioners, ddupuy@broward.org
Heath Rauschenberger, U. S. Fish and Wildlife Services, heath_rauschenberger@fws.gov
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission, maryann.poole@myfwc.com
Raoul Clarke, DEP/Tallahassee, raoul.clarke@dep.state.fl.us
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Carol Beth Jones, Hydrocarbon Recovery Services, Inc., carol.jones@fccenvironmental.com
Bernard Korzekwinski, Hydrocarbon Recovery Services, Inc., bernard.korzekwinski@fccenvironmental.com
Lee Martin, DEP/Tallahassee, lee.martin@dep.state.fl.us
Conrad Thornburgh, Hydrocarbon Recovery Services, Inc., Conrad.thornburgh@fccenvironmental.com

FACT SHEET
May 15, 2008

Hydrocarbon Recovery Services, Inc.
Pompano Beach, Florida
EPA I.D. No: FLD 984 262 410
Permit No: 51348-HO-005

Used Oil and Material Processing Facility Permit Renewal

1. This facility has a permit to operate a Used Oil and Material Processing Facility consisting of container storage area, tank storage area and solid waste processing area. The facility has 29 above ground storage tanks.

2. The Permittee has complied with the closure cost estimate and financial assurance requirements of the new Rule dated June 9, 2005 and also updated their closure cost estimates for the year 2008.

3. This facility permit is also revised to update with the latest draft permit template for operating the facility.

4. There are no issues with the facility.

**STATE OF FLORIDA**
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the Matter of an
Application for a Permit Renewal by:

*Hydrocarbon Recovery Services, Inc.*
*1280 Northeast 48th Street,*
*Pompano Beach, Florida 33064*

*DEP File No. 51348-HO-005*
*DEP File No. 51348-SO-006*
*EPA I. D. FLD 984 262 410*
*Broward 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 October 19, 2007, Hydrocarbon Recovery Services, Inc. submitted an application and subsequent submittal dated April 11, 2008 to the Department for a permit renewal (51348-HO-005 and 51348-SO-006) to operate a Used Oil and Material Processing facility located at 1280 Northeast 48th Street, Pompano Beach, Florida. The Department has permitting jurisdiction under Section 403.704(16) and 403.769, Florida Statutes (F.S.) and Chapters 62-4, 62-701, 62-710 and 62-740, Florida Administrative Code (F.A.C.). 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 permit renewal.

Pursuant to Section 403.815, F.S., you (the applicant) are required to publish at your own expense the enclosed Newspaper Notice. The notice shall be published one time only within fourteen (14) days of receipt in the legal ad section of a daily, major newspaper of general circulation in the area affected. For the purpose of this notice, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. 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 renewal. 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 seven (7) 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

renewal.

The Department will issue the permit renewal with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (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 Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions by the permit applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this Intent. Petitions filed by other persons must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of their receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of such notice, regardless of the date of publication. 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 the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., 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.

If you should have any questions, please call Rabin Prusty at (850) 245-8780.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Charles F. Goddard, Chief
Bureau of Solid & Hazardous Waste

FILING AND ACKNOWLEDGMENT FILED

On this date, pursuant to S.120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

_____ May 15, 2008_____

Clerk Date

Newspaper Notice:

STATE OF FLORIDA
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
PUBLIC NOTICE OF PROPOSED AGENCY ACTION
NOTICE OF INTENT TO ISSUE

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GIVES NOTICE OF ITS INTENT TO ISSUE A RENEWAL PERMIT TO HYDROCARBON RECOVERY SERVICES, INC. TO OPERATE A USED OIL AND MATERIAL PROCESSING FACILITY AT 1280 NORTHEAST 48$^{TH}$ STREET, POMPANO BEACH, FLORIDA 33064, HAVING ASSIGNED FACILITY I.D. NUMBER FLD 984 262 410.

The draft permit renewal, prepared in accordance with the provisions of Chapters 62-4, 62-701, 62-710 and 62-740, Florida Administrative Code (F.A.C.), contains the conditions for permit number 51348-HO-005 and 51384-SO-006. The permit renewal is intended to be issued to allow Hydrocarbon Recovery Services, Inc. to operate a Used Oil and Material Processing Facility at the Hydrocarbon Recovery Services, Inc. site in Pompano Beach, Florida.

Copies of the application and the draft permit renewal 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 Florida Department of Environmental Protection, Southeast District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401, (561) 681-6600 and at Bureau of Solid & Hazardous Waste, 2600 Blair Stone Road, MS #4560, Tallahassee, Florida 32399-2400, (850) 245-8780.

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 the permit applicant and any of the parties listed below must be filed within fourteen (14) days of receipt of this Intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen (14) days of publication of this notice of intent 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) under Sections 120.569 and 120.57, F.S., 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.

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

**PERMITTEE:**

Hydrocarbon Recovery Services, Inc.
1280 Northeast 48th street
Pompano Beach, Florida 33064

Attention:
Mr. John Coyne, EH&S Director

I.D. Number: FLD 984 262 410
Used Oil Permit Number: 51348-HO-005
Solid Waste Permit Number: 51348-SO-006
Date of Issue: DRAFT
Expiration Date: October 20, 2012
Broward County
Lat/Long: 26°17'21"N / 80°06'23"W

Project: Used Oil and Material Processing Facility

This permit is issued under the provisions of Section 403.769 of Florida Statutes (F.S.), Chapters 62-4, 62-160, 62-701,62-710, 62-730, 62-740 and 62-762 of Florida Administrative Code (F.A.C.), and 40 Code of Federal Regulations (CFR) Part 279. The above named Permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereto and specifically described as follows:

TO OPERATE: A Used Oil and Material Processing Facility hereinafter referred to as the "Facility". The Used Oil Processing Facility is located in Broward County at 1280 Northeast 48th Street, Pompano Beach, Florida 33064. A diagram of the site layout is included as Attachment A.

The facility is authorized to process used oil, oily wastewater, petroleum contact water, oily solid waste and used oil filters under this permit.

The Facility tank farm consists of eight (8) tanks with a combined capacity of 157,000 gallons in the West containment area, nineteen (19) tanks with a combined capacity of 249,500 gallons in the Central containment area and two (2) tanks with a combined capacity of 30,000 gallons in the East containment area as shown in Attachment B.

In accordance with Solid Waste Permit No. 51348-SO-006, the facility is authorized to store 377 tons of solids in drums and roll off containers plus 13,750 gallons of liquids in drums. The Permittee will also process non-hazardous, non-used oil wastes for disposal.

In addition to the activities regulated under this permit, the Facility is also a 10 days or less Hazardous Waste Transfer Facility.

The Facility is located on an approximately 2.45-acre parcel of land owned by Hydrocarbon Recovery Services, Inc. The Permittee will process and market used oil in accordance with the permit application.

DRAFT

**PERMIT HISTORY:**

1. Used Oil Processing Facility Permit HO06-307677, issued October 20, 1997.

2. Modification of Permit HO06-307667, issued October 11, 2000.

3. Used Oil Processing Facility Permit Application dated October 1, 2002.

4. Revised Used Oil Processing Facility Application dated December 27, 2002 submitted in response to the First Notice of Deficiency dated October 28, 2002.

5. Used Oil Processing Facility Permit 51348-HO-004 issued on May 6, 2003.

6. Used Oil and Material Processing Facility Renewal Permit Application dated October 18, 2007.

7. Additional information received on December 28, 2007 and January 4, 2008 in response to NOD, and April 11, 2008.

DRAFT

## TABLE OF CONTENTS

PART I – GENERAL AND STANDARD CONDITIONS ……..……..……..4

PART II – USED OIL PROCESSING CONDITIONS …..……..……..14

PART III – TANK FARM CONDITIONS ……..……..16

PART IV – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS……..…17

PART V – CLOSURE CONDITIONS ……...……...…17

ATTACHMENT A – SITE LAYOUT…..…….……..……..……..20

ATTACHMENT B – TANK TABLE..……..…..……..21

DRAFT

## Part I - GENERAL AND STANDARD CONDITIONS

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the Permittee and enforceable pursuant to the authority of Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes. The Permittee is hereby 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 Subsections 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 does not constitute 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 the 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, plant or aquatic life or property and penalties therefore caused by the construction or operation of this permitted source, 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 at all times properly operate and maintain the facility and systems of processing and control (and related appurtenances) that are installed or 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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

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

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

DRAFT

c. Sampling or monitoring 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. 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 notify and provide the Department with the following information:

a. A description of and cause of non-compliance; and

b. The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The Permittee shall be responsible for any and all damages that may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

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 Sections 403.73 and 403.111, 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.

l0. 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.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-710.800, F.A.C., as applicable. The Permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.

l2. This permit is required to be kept at the work site of the permitted activity during the entire period of construction, operation, or closure.

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.

DRAFT

l4. The Permittee shall comply with the following monitoring and record keeping requirements:

a. Upon request, the Permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action;

b. The Permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule; and

c. Records of monitoring information shall include:

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

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

(3). The date(s) 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.

l5. When requested by the Department, the Permittee shall, within a reasonable period of time furnish any information required by law that is needed to determine compliance with the permit. If the Permittee becomes aware that 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 submitted or corrected promptly.

16. In the case of a hazardous waste facility permit, the following conditions shall also apply.

a. The Permittee shall submit the following reports to the Department:

(1). 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;

(2). Unmanifested waste report: The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste; and

(3). Biennial report: A biennial report covering facility activities during the previous calendar year must be submitted to the Department by March 1 of each even numbered year in accordance with Rule 62-730, F.A.C.

DRAFT

b. 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 5 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 the following:

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

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

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

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

17. Rules

a. The facility shall comply with all applicable portions of 40 CFR Part 279 and Chapter 62-710, Florida Administrative Code, (F.A.C.).

b. This facility shall be constructed and operated in accordance with all applicable requirements of Chapter 62-4, 62-160, 62-701, 62-710, 62-740 and 62-762, F.A.C., and all other applicable requirements of Department Rules.

c. By acceptance of this permit, the Permittee certifies that he has read and understands the obligations imposed by the General and Specific Conditions contained herein, including the date of permit expiration and renewal deadlines. It is a violation of this permit to fail to comply with all conditions and deadlines.

d. Nothing contained in General and Specific Condition 10 shall be deemed to waive any right Permittee has under Florida Statutes or Department rules to oppose application of any such changes to the facility if Permittee is otherwise legally entitled to do so.

18. Submittals in response to these conditions shall be submitted as follows:

a. One (1) hard copy and one (1) electronic copy shall be submitted to:

Environmental Administrator
Hazardous Waste Regulation Section
Bureau of Solid and Hazardous Waste
Florida Department of Environmental Protection

DRAFT

2600 Blair Stone Road, MS 4560
Tallahassee, Florida 32399-2400

b. One (1) hard copy and one (1) electronic copy shall be submitted to:

Department of Environmental Protection
Hazardous Waste Program Manager
Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401

c. The Permittee shall submit one (1) copy of the renewal permit and/or modifications cover letter and appropriate fee to:

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

The Permittee shall submit the other copies of the renewal to the addresses in the General and Standard Condition of this Part.

d. Financial Assurance Mechanism:

The Permittee shall maintain, in good standing, the financial mechanisms established to demonstrate proof of financial assurance. Support documentation and required adjustments shall be submitted within the time frames specified in Rule 62-701.630, F.A.C. as adopted by reference in Rule 62-710.800(6), F.A.C. All submittals in response to this specific condition shall be sent to:

Florida Department of Environmental Protection
Financial Coordinator – Solid Waste Section
Bob Martinez Center
2600 Blair Stone Road, MS 4565
Tallahassee, Florida 32399-2400

e. Annual Closing Cost Estimate Adjustment:

The Permittee shall annually adjust the closing cost estimate for inflation using Form 62-710.901(7). Adjustments shall be made in accordance with Rule 62-710.800(6), F.A.C. An owner or operator shall submit the adjusted cost estimate between January 1 and March 1. All submittals in response to this specific condition shall be sent to the addresses on the cost estimate form.

19. The Permittee shall annually register their used oil handling activities with the Department on DEP Form 62-710.900(1) in accordance with Rule 62-710.500, F.A.C.

DRAFT

20. The Permittee shall display the validated registration form and identification number in a prominent place at the facility location [Rule 62-710.500(4), F.A.C].

21. The Permittee shall submit an annual report covering used oil processing facility activities including petroleum contact water (PCW) activities conducted during the previous calendar year to the Department on DEP Form 62-701.900(3) by March 1 of each year in accordance with Rule 62-710.520(1), F.A.C. The report shall summarize the records kept pursuant to Rule 62-710.510 and 62-740.300(5), F.A.C.

22. Before transferring ownership or operation of this facility during its operating life, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 279 and Rule 62-710, F.A.C. The Permittee shall also submit an application for transfer of the permit on DEP Form 62-1.201(1) accompanied with an appropriate application fee.

23. Before closing or making any substantial modification to the facility, the Permittee shall submit to the Department the Used Oil Processing Facility Permit Modification Request, pursuant to Rules 62-4.080 and 62-710.800(6), F.A.C. The engineering aspects of the request must be certified by a Professional Engineer registered in the State of Florida.

24. The Department may modify, revoke, reissue, or terminate for cause, this permit in accordance with the provisions of Rule 62-710.800, F.A.C. The filing of a request for a permit modification, revocation and 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 revisions to the Department for approval. These revisions shall meet the requirements of FAC, Rules 62-4.050 and 62-710.800(6), and must be accompanied with an appropriate application fee.

25. Prior to sixty (60) days before the expiration of this permit, the Permittee shall submit a complete application for renewal of the permit on DEP form 62-710.901 and in a manner prescribed by the Department, unless the facility is to be closed prior to the expiration date of this permit per the requirements of Rule 62-710.800(1), F.A.C.

26. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of used oil, sludges, residues or constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 279.52 and Rule 62-710.800(1), F.A.C.

27. The Permittee shall not accept or store any hazardous wastes in the permitted tanks without receiving written approval from the Department.

28. The Permittee is allowed to store used oil only in the aboveground tanks or in containers within the secondary containment, as shown in Attachment A of the permit. The permitted units are 19 used oil Tanks identified in Attachment B of the permit.

29. The Permittee shall not exceed the maximum storage capacities of the permitted tanks as specified in Attachment 7 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008, and in Attachment B of this permit.

DRAFT

30. To prevent overflow, the Permittee shall notify the Department when the volume of the used oil stored in any of the tanks exceeds ninety-five (95) percent of the maximum storage capacity of the tank as specified in Attachment 7 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008 and Attachment B of this permit.

31. Category B Storage Tanks (tanks installed after March 12, 1991, and before July 13, 1998) shall comply with the performance standards of FAC, Rule 62-762.511. Repairs to aboveground storage and process tanks shall meet the criteria of FAC, Rule 62-762.701, F.A.C. [Rule 62-710.800(3), F.A.C.].

32. The inspection records and release detection monitoring required in Rule 62-762.601, F.A.C. for aboveground process and storage tanks and integral piping shall be maintained in the Permittee's operating record [Rule 62-710.800(5), F.A.C.].

33. The Permittee shall prevent the release of used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the Unit Management Plan, Attachment 7 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008, and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:

    a. All new components shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service;

    b. Pursuant to 40 CFR 279.54, the secondary containment system shall be:

        (1). Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters;

        (2). Capable of detecting and collecting releases and run-on until the collected material is removed;

        (3). Constructed of or lined with materials compatible with the waste to be stored and have sufficient structural strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses which may be induced by the environment;

        (4). Placed on a foundation or base capable of providing support to the secondary containment system;

        (5). Provided with a leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;

        (6). Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation; and

        (7). Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.

DRAFT

c. Ancillary equipment shall be provided with secondary containment.

34. Prior to beginning operation, the Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps. If any cracks or gaps are found, the Permittee shall repair the cracks and gaps prior to beginning operation of the used oil processing facility [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].

35. The Permittee shall label or mark all containers and aboveground tanks, used for storage or processing of used oil, with the words "Used Oil" [40 CFR 279.54(f)].

36. The Permittee shall label or mark all containers or tanks which are solely used for the storage of Petroleum Contact Water with the words "Petroleum Contact Water" or "PCW" [Rule 62-740.100, F.A.C.].

37. The Permittee shall store used oil, PCW, used oil residues or used oil filters only in those containers or tanks which are made of or lined with materials that will not react with and are otherwise compatible with the waste to be stored.

38. If a container or tank holding used oil, PCW, used oil residues or used oil filters is not in good condition (e.g., rusting, bulging) or begins to leak, the Permittee shall transfer the waste to another container or tank which is in good condition [40 CFR 279.22].

39. As part of the general operating requirements, the Permittee shall:

    a. Not place used oil, other wastes or treatment reagents in a tank system if the possibility exists that this may cause the tank system to fail;

    b. Use appropriate controls and practices to prevent spills and overflows;

    c. Follow the operating procedures described in Attachment 7 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008; and

    d. Comply with the requirements of 40 CFR 279.54(g) if a leak or spill occurs.

40. The Permittee shall inspect the tank system in accordance with Attachment 7 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008. These requirements include:

    a. Developing and following a schedule and procedure for inspecting overfilling controls;

    b. Inspecting at least once each operating day the aboveground portions of the tank system, and the construction materials and area immediately surrounding the tank storage area. However, the permittee shall document the daily inspections at least once a week; and

    c. The results of the inspections in (a) and (b) of this condition shall be maintained in the operating record of the facility.

DRAFT

41. Spilled or leaked waste must be removed from the secondary containment areas within three (3) days of detection and managed in accordance with Attachment 6 of the renewal permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008 [Rule 62-762.821(1)(d), F.A.C.]. Accumulated precipitation must be removed from the secondary containment areas within one week after a rainfall event [Rule 62-762.701(2)(b), F.A.C.].

42. Pursuant to the requirements of 40 CFR 279.52(a), concerning preparedness and prevention, the Permittee shall:

    a. Maintain a copy of the preparedness and prevention plan, Attachment 6 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008, at the facility;

    b. Equip the facility with the required emergency equipment described in Attachment 6 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008 [40 CFR 279.52(a)(2)];

    c. Test and maintain the required emergency equipment in accordance with the requirements of 40 CFR 279.52(a)(3);

    d. Provide all facility personnel involved in used oil processing operations with immediate access to an internal alarm or emergency communication device, as described in Attachment 6 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008 [40 CFR 279.52(a)(4)]; and

    e. Make arrangements with the local authorities as described in Attachment 6 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008 [40 CFR 279.52(a)(6)].

43. Pursuant to the requirements of 40 CFR 279.52(b), concerning the contingency plan, the Permittee shall:

    a. Immediately carry out the provisions of the contingency plan, Attachment 6 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008, and follow the emergency procedures described by 40 CFR 279.52(b)(6), whenever there is a fire, explosion, or release of used oil, oily waste or oily wastewater that threatens or could threaten human health or the environment. The Permittee shall give proper notification to the Department if an emergency situation arises and within fifteen (15) days must submit to the Department a written report which includes all information required in 40 CFR 279.52(b)(6)(ix);

    b. Maintain a copy of the contingency plan at the facility and submit copies to all local police departments, fire departments, hospitals, and State and local emergency response teams pursuant to the requirements of 40 CFR 279.52(b)(3);

    c. Amend the plan and submit the amended plan for Department approval within seven days of meeting any criteria listed in 40 CFR 279.52(b)(4). Any other changes to the plan must be

DRAFT

submitted to the Department within seven days of the change in the plan. All amended plans must be distributed to the appropriate agencies;

d. Comply with the requirements of 40 CFR 279.52(b)(5), concerning the emergency coordinator; and

e. Notify the Department of Environmental Protection's 24-hour emergency telephone number [(800) 320-0519] in the case of emergency. During normal business hours, the Department's Southeast District office may be contacted at (561) 681-6600.

44. The Permittee shall maintain reports of all releases that are greater than one (1) gallon, as part of its on-site operating records. The reports shall include amount and time of release and a schedule that details the corrective action taken. The Permittee shall submit a written report to the Department within fourteen (14) days for all the releases that are greater than fifty (50) gallons. The Permittee shall inform the Department immediately if a release requires the Permittee to take any of the tanks out of service.

45. The Permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedules approved in Attachment 6 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with 40 CFR 279.52. Changes, additions, or deletions to the schedule must be approved in writing by the Department. The schedules must be maintained as part of the operating record of the facility [40 CFR 279.54].

46. Pursuant to 40 CFR 279.55, concerning the written analysis plan, 40 CFR 279.56, concerning Tracking and Rule 62-710.510(1), F.A.C. the Permittee shall:

a. Sample and analyze each incoming shipment for the parameters listed in Attachment 3 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with Attachment 3 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008;

b. Test all containers of the same waste stream for the parameters listed in Attachment 3 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008, if any of the samples fail the analysis required by General and Standard Condition 46.(a), the Permittee may collect a representative sample from containers received from the same generator for this analysis;

c. Reject any incoming containers of used oil which fail the analysis required by the General and Standard Condition 46.(a). The Permittee shall maintain documentation of any shipment of used oil which is refused due to suspected mixing with hazardous waste in the facility operating record; and

d. Analyze, prior to shipment, all outgoing shipments of used oil for the parameters listed in Attachment 3 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008 to determine whether the used oil is on-specification

DRAFT

or off-specification. However, the testing is not required if it is sent to another Used Oil processor for further processing.

e. All sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C.

The Permittee must keep the written analysis plan at the facility.

**PART II – USED OIL PROCESSING CONDITIONS**

1. 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: the Permittee 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.

   a. Acceptance: Used oil processors/re-refiners must 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:

      (1). 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;

      (2). The name, address and EPA identification number (if applicable) of the generator or processor/re-refinery from whom the used oil was received for processing/re-refining;

      (3). The quantities of each type of used oil accepted and date of acceptance; and

      (4). Waste stream approval number and the off load tank number.

   b. Delivery: Used oil processor/re-refiners must 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:

      (1). The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;

      (2). The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refinery or disposal facility receiving the shipment;

      (3). The quantities of used oil shipped and date of shipment; and

      (4). The laboratory analytical results.

   c. Record retention: The records described in paragraph (a) and (b) of this section must be maintained for at least three years. The records shall be kept at the permitted facility and shall be available for inspection by the Department during normal business hours.

DRAFT

2. Pursuant to 40 CFR 279.57, the Permittee must keep and maintain a written operating record at the Facility until closure of the Facility, which includes the following information:

    a. Records and results of used oil analyses performed as described in the analysis plan required under 40 CFR 279.55; and described in Attachment 3 of the permit application dated October 18, 2007.

    b. Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).

3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.601, F.A.C., for aboveground storage tanks, integral piping, and process tanks.

4. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of used oil, sludges, residues or constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 279.52(1).

5. Pursuant to Rule 62-710.800(3), F.A.C., aboveground storage and process tanks having a capacity greater than 550 gallons, and all integral piping shall comply with the performance standards for new tanks of Rule 62-762.501 , F.A.C., for existing shop fabricated/field erected tanks of Rule 62-762.511, F.A.C. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C.

6. The Permittee shall prevent the release of used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the permit application dated October 18, 2007 and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:

    a. All new components shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service.

    b. The secondary containment system shall meet the requirements of 40 CFR 279.54 and shall be:

        (1). Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters.

        (2). Capable of detecting and collecting releases and run-on until the collected material is removed.

        (3). Constructed of or lined with materials compatible with the waste to be stored and have sufficient strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses that may be induced by the environment.

        (4). Placed on a foundation or base capable of providing support to the secondary containment system.

DRAFT

(5). Provided with a leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours.

(6). Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.

(7). Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.

c. Ancillary equipment shall be provided with secondary containment.

**PART III – TANK FARM CONDITIONS**

"Tank system", for the purpose of Part III of this permit, is defined as storage tank(s), appurtenant equipment and secondary containment structure comprising the Permittee's used oil processing facility.

1. The Permittee shall label or mark all above ground tanks and containers used to store or process used oil, with the words "Used Oil". [40CFR 279.54(f)]

2. The Permittee shall inspect all regulated tank systems in accordance with procedures presented in Attachment 7 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008.

3. The inspection records and release detection monitoring required in Rule 62-762.601, F.A.C., for above ground process and storage tanks shall be maintained in the Permittee's operating record.

4. Above ground storage and process tanks having a capacity greater than 550 gallons shall comply with the performance standards of Rule 62-762.501 and 62-762.511, F.A.C.

5. The Permittee shall prevent the release of used oil or other pollutants to the environment. The secondary containment shall be sealed, free of cracks and maintained in accordance with Rule 62-762.501(1)(e), F.A.C.

6. The Permittee shall provide and maintain adequate secondary containment that shall be impervious to the types of pollutant stored in the tanks and contain at least 110 percent of the volume of the largest tank in accordance with Rule 62-762.501, F.A.C.

7. Spilled or leaked waste must be removed from the secondary containment areas within three (3) days of the incident [Rule 62-762.821(1)(d), F.A.C.]. Accumulated precipitation must be removed from the secondary containment areas within one week after a rainfall event [Rule 62-762.701(2)(b), F.A.C.]. The above materials shall be managed in accordance with Attachment 6 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008.

DRAFT

8. The Permittee shall not use, operate, or otherwise conduct any activities with the proposed new Oily Water Tanks 31 and 32 until the Permittee has established Financial Assurance for the tanks in accordance with Condition Part I.18.(d) of this permit and the Department has approved installation of the tanks including as-built drawings. Upon Department approval of the newly installed tanks and the updated Financial Assurance mechanism, the Permittee may start using those tanks.

## PART IV – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS

1. The facility may accept non-hazardous solid wastes generated from CERCLA and non-CERCLA sites that do not qualify as used oil, such as petroleum contaminated debris and soil. The waste will be bulked and/or processed for acceptance at permitted solid waste disposal or processing facilities.

    a. All wastes received at the site for solidification will be received directly into a sealed roll-off containers located in an area that has secondary containment. There shall be no intermediate storage of treated or untreated waste outside the covered air tight roll-offs.

    b. All waste shall be analyzed in accordance with the Analysis Plan in Attachment 3 of the Permit Application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008. Only non-hazardous waste may be processed. Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste.

    c. Blending shall take place in the sealed roll-off containers. These same roll-offs will be used to transport the processed waste to a permitted solid waste facility. The amount of waste on the site for blending shall not exceed 377 tons of solids in drums and roll off containers plus 13,750 gallons of liquids in drums.

## PART V – CLOSURE CONDITIONS

1. The Closure Plan:

    a. The Permittee shall maintain an adequate written closure plan and it must demonstrate how the Facility will be closed in order to meet the following requirements that:

        (1). There will be no need for further facility maintenance;

        (2). Used oil will not contaminate soil, surface water or groundwater;

        (3). All tanks, piping, secondary containment & ancillary equipment will be emptied, cleaned and decontaminated, and all materials removed and managed; and

        (4). Aboveground storage tanks and process tanks and all integral piping will be closed pursuant to Rule 62-762.801, F.A.C.

        (5). In addition, pursuant to closure requirements of 40 CFR 279.54(h), Permittees who store or process used oil in above ground tanks must comply with the following requirements:

(i). At closure of a tank system, the Permittee must remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil, and manage them as hazardous waste, unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 262.11.

(ii). If the Permittee demonstrates that not all contaminated soils can be practicably removed or decontaminated as required in 40 CFR 279.54(h), then the Permittee must close the tank system and perform post closure care in accordance with the closure and post closure care requirements that apply to hazardous waste landfills as defined in 40 CFR 265.310.

b. The closure plan, as described in Attachment 8, "Closure Plan" of the application dated October 18, 2007 as modified on December 28, 2007 and January 4, 2008, shall be updated whenever significant operational changes occur or design changes are made.

c. The closure plan shall be maintained with records required under Rule 62-710.510, F.A.C.

d. The Permittee shall submit an updated and detailed closure plan to the Department at least 60 days prior to the scheduled date of closing the facility.

e. Within 30 days after closing the facility, the Permittee shall submit a certification of closure completion to the Department that demonstrates that the facility was closed in substantial compliance with the detailed closure plan.

2. Containers: Pursuant to closure requirements of 40 CFR 279.54(h), Permittees who store used oil in containers must comply with the following requirements:

a. At closure, containers holding used oils or residues of used oil must be removed from the site;

b. The Permittee must remove or decontaminate used oil residues, contaminated containment system components, contaminated soils, and structures or equipment contaminated with used oil, and manage them as hazardous waste unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 261.11. If determined to be non-hazardous, these materials shall be managed in accord with the closure plan in Attachment 8 of the permit application dated October 18, 2007 and subsequent submittal dated December 28, 2007 and January 4, 2008.

Issued_____

Hydrocarbon Recovery Services, Inc.
1280 Northeast 48th street
Pompano Beach, Florida 33064

I.D. Number: FLD 984 262 410
Permit/Cert Number: 51348-HO-005/51348-SO-006
Expiration Date: October 20, 2012

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____
Charles F. Goddard, Chief
Bureau of Solid and Hazardous Waste

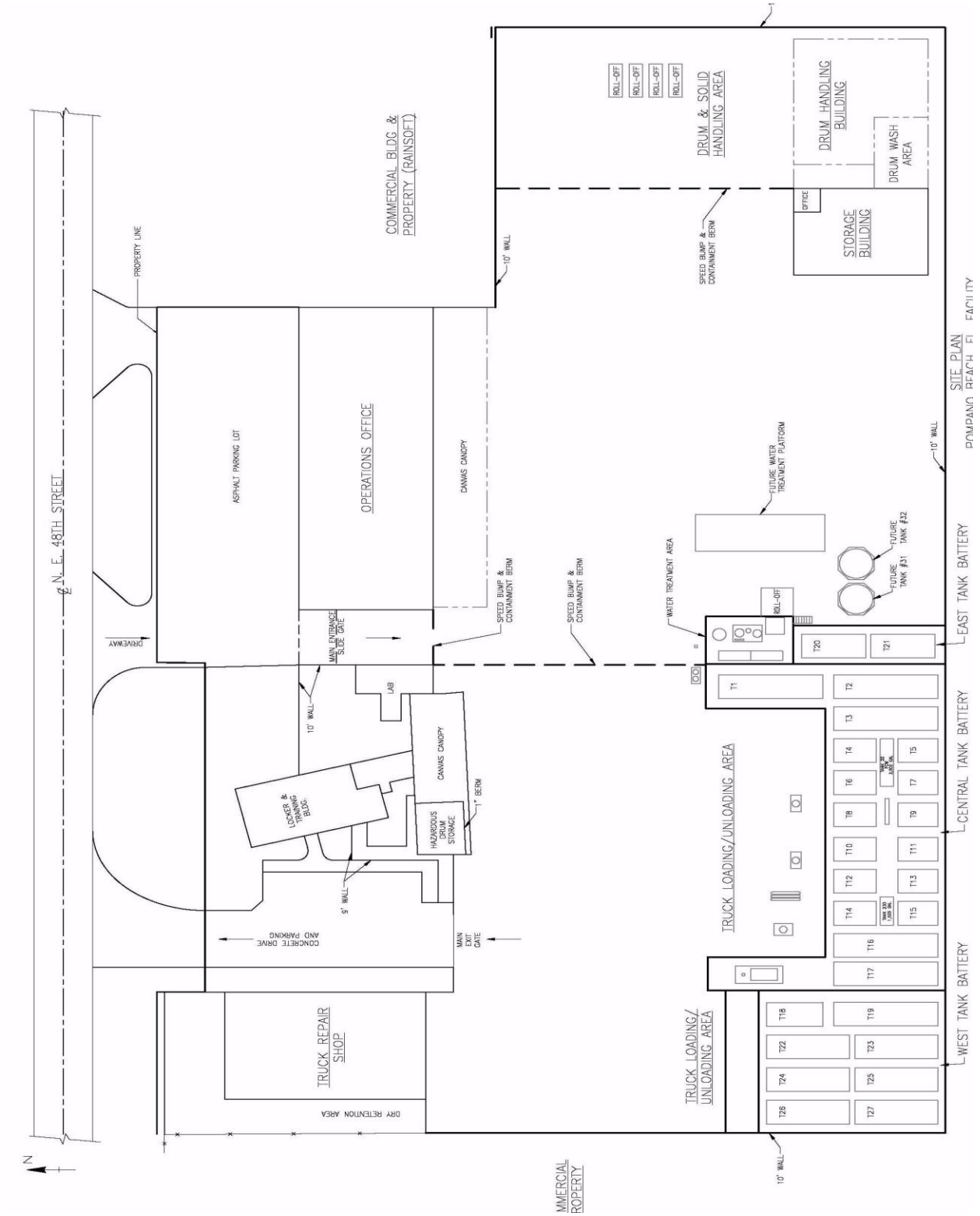
FILING AND ACKNOWLEDGMENT

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

_____ _____
CLERK DATE

DRAFT

## ATTACHMENT A



# ATTACHMENT B

**Table 1.1 – Summary of Aboveground Storage Tanks**
**Hydrocarbon Recovery Services, Inc. – Pompano Beach Facility**
**Pompano Beach, Florida**

| Tank ID Number | Volume (Gallons) | Primary Material Stored | Alternate Material(s) Stored* | Installation Date |
|---|---|---|---|---|
| West Tank Battery (Zone A) | | | | |
| 18 | 12,000 | Used Oil | Diesel | 6/1/93 |
| 19 | 25,000 | Used Oil | Oil – Spec Fuel | 6/1/93 |
| 22 | 20,000 | Used Oil | Oil – Spec Fuel | 6/1/99 |
| 23 | 20,000 | Used Oil | Oil – Spec Fuel | 6/1/99 |
| 24 | 20,000 | Used Oil | Oil – Spec Fuel | 6/1/99 |
| 25 | 20,000 | Used Oil | Oil – Spec Fuel | 6/1/99 |
| 26 | 20,000 | Used Oil | Oil – Spec Fuel | 6/1/99 |
| 27 | 20,000 | Used Oil | Oil – Spec Fuel | 6/1/99 |
| Central Tank Battery (Zone B) | | | | |
| 1 | 25,000 | Treated Water | | 11/1/2003 |
| 2 | 25,000 | Process Water | Oily Water | 6/1/93 |
| 3 | 25,000 | Oily Water | | 6/1/93 |
| 4 | 10,000 | PCW | Oily Water | 6/1/93 |
| 5 | 10,000 | PCW | Antifreeze | 6/1/93 |
| 6 | 10,000 | PCW | Oily Water | 6/1/93 |
| 7 | 10,000 | Used Oil | Oily Water or Antifreeze | 6/1/93 |
| 8 | 10,000 | Used Oil | Oily Water | 6/1/93 |
| 9 | 10,000 | Used Oil | PCW | 6/1/93 |
| 10 | 10,000 | Used Oil | Oily Water | 6/1/93 |
| 11 | 10,000 | Used Oil | Oily Water | 6/1/93 |
| 12 | 10,000 | Used Oil | Oily Water | 6/1/93 |
| 13 | 10,000 | Used Oil | Oil – Spec Fuel | 6/1/93 |
| 14 | 10,000 | Used Oil | Oil – Spec Fuel | 6/1/93 |
| 15 | 10,000 | Used Oil | Oil – Spec Fuel | 6/1/93 |
| 16 | 25,000 | Used Oil | Oil – Spec Fuel | 6/1/93 |
| 17 | 25,000 | Used Oil | Oil – Spec Fuel | 6/1/93 |
| 23D | 1,500 | Diesel | | 6/1/96 |
| 22PCW | 3,000 | PCW | | 6/1/94 |
| East Tank Battery (Zone C) | | | | |
| 20 | 15,000 | Oily Water | Oily Water | 6/1/94 |
| 21 | 15,000 | Diesel | Oily Water | 6/1/94 |
| Wastewater Treatment Area (Zone D) | | | | |
| 31 | 30,000 | Oily Water | | Future |
| 32 | 30,000 | Oily Water | | Future |

*Tank may be cleaned and used to alternate materials as needed. Tank labeling is changed when materials stored are changed.