

# 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

October 01, 2008

Paul Baute Vickery Transportation, Inc 3036 State St Columbus, IN 47201-7454

Re: Florida Hazardous Waste Transporter Approval

Dear Paul Baute:

Your Florida Hazardous Waste Transporter Approval Certificate is enclosed. The terms and conditions of approval are specified in Sections 62-730.170 and 62-730.171, Florida Administrative Code(FAC), a copy of which is enclosed for your reference. Please note the following.

- You must demonstrate proof of liability coverage on an annual basis, even if your insurance policy is issued on a multi-year basis. If no changes in status or insurance coverage have occured, you can meet this requirement by submitting a certificate of liability coverage form along with the two copies of the Hazardous Waste Transporter Status Form, copies of which are available upon request from the Department of Environmental Protection.
- 2. A copy of your insurance policy, together with any endorsements, must be maintained at your principal place of business.
- 3. Your insurer can not terminate your coverage until 30 days after filing written notice with DEP, by Certified mail, that your policy has expired or has been canceled.
- 4. Any changes to the information specified on your approval certificate will render it null and void. It is your responsibility to advise DEP of any changes in liability coverage or status.
- 5. A copy of Hazardous Waste Transporter Status Form, complete with the Department approval shall be carried in each vehicle transporting hazardous waste for the transportation company.

Paul Baute October 01, 2008 Page Two

If you intend to operate a hazardous waste transfer facility, you must submit a Transfer Facility Notification Form 30 days before you use the facility as a storage location. If you are currently operating a transfer facility, you must maintain records of incoming and outgoing hazardous waste shipments. These records must include generator names and manifest numbers, and unless otherwise approved by DEP, must be maintained at the transfer facility. You need to be aware that the 1998 Florida Legislature adopted a new bill for transfer facilities. At the present time the Department is drafting new language for 62-730.171 to meet the criteria set forth in the legislation.

If you have any questions, please contact me at 850/245-8755.

Sincerely,

uhund Mere

Richard Neves Hazardous Waste Management Section

RN

Enclosures: Hazardous Waste Transporter Approval Certificate Hazardous Waste Transporter Status Form (with insurance verification) Sections 62-730.170 and 62-730.171,FAC



Florida Department of Environmental Protection

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

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# HAZARDOUS WASTE TRANSPORTER CERTIFICATE OF APPROVAL

This is to certify that the carrier specified below has been approved as a hazardous waste transporter in Florida. The terms and conditions of this certificate require that the holder comply with all applicable portions of Chapter 62-730, Florida Administrative Code. This certificate shall be rendered null and void if any information contained within becomes obsolete. The certificate shall remain valid through the expiration date specified below.

TRANSPORTER:	Vickery Transportation, Inc
FACILITY ID NO:	OHR000103762
FACILITY ADDRESS:	3956 STATE ROUTE 412 VICKERY, OH 43464
INSURANCE CARRIER	EMPIRE FIRE & MARINE

INSURANCE POLICY#: CL672243

EFFECTIVE DATE: October 01, 2008

EXPIRATION DATE: October 01, 2009

APPROVED TRANSFER FACILITY: NO

hend after APPROVAL ISSUED BY: DATE: October 01, 2008

Richard Neves Hazardous Waste Management Section 850/245-8755

rev.0(Oct 91)

Are your services commercially available?\_\_\_\_\_

. . . . . . . . .

. . .... . . . . . . . .

email: grammer3@iquest.net

# STATE OF FLORIDA

ATO - - 0010

# HAZARDOUS WASTE TRANSPORTER STATUS FORM SEP 2 3 2008

1. <u>Transporter Identification</u> : Transporter Name:	Vickery Transportation, Inc. 99 BSHW
Transporter EPA ID: OHR	000 103 762 Rt. 412 ry, OH 43464
the second s	
Contact: Paul Baute Mailing Address: 3036 Stat	Telephone: 812-378-3364
Mailing Address: 3036 Stat Columbus,	.e St.

11.	Insurance Information: Insurance Company	Empire	Fire	&	Marine	Insurance	Co.		
	Address 13810 FNB Parkway Omaha, NE 68154								
	Contact: <u>Helen Tyr</u> Policy Number: <u>CLE</u> Expiration date: <u>10/1</u> /	dy	Telepho	ne:	800-	547-3470			

III. Waste Information:

EPA Waste Codes for Waste Routinely or Usually Transported:

Comr	mer	its:	A11	RCRA	appro	oved	waste	for	Vic	ker	y Enviro	nmental	of
Ohio	-	deep	well	injed	ction	faci	ility	locat	ed	in	Vickery,	OHIO	

### IV. Certification:

I certify under penalty of law that the above information is true, correct, and complete to the best of my knowledge.

Paul Baute	Treasurer	
Print/Type Name and Bant	Title 9/22/08	
Signature	Date Signed	

V. The transporter identified above is in compliance with the financial responsibility requirements for hazardous waste transporters pursuant to Chapter 62-730.170, Florida Administrative Code. The forms submitted by the transporter show compliance with the financial responsibility through 10/01/09

Date

APPROVED by Sebrena L. Bolton, changes approved by the Certifier by phone 10/1/2008

Signature of Florida Department of Environmental Protection Representative Date Signed

DEP Form 62-730.900(5)(d) Effective 1/5/95 HW Transporter Status Form Page 1 of 1

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olum	bus, IN 47201		INSURERS	AFFORDING CO	/ERAGE	NAIC #		
SURED			INSURER A:	EMPIRE FIRE &	MARINE	21326		
	VICKERY TRANSPORTA	TION INC.	INSURER B:					
	3956 ST RT 412		INSURER C:					
	Vickery, OH 43464		INSURER D:					
			INSURER E:					
	AGES							
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#### ENDORSEMENT FOR MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY UNDER SECTIONS 29 AND 30 OF THE MOTOR CARRIER ACT OF 1980

Form Approved OMB No. 2125-0074

Issued to Vickery Transportation, Inc.	of	3956	State Route 412,	Vickery, OH 43464	
Dated at Indianapolis, IN	this _	17th	_ day of	September	, 2008
Amending Policy CL672243 No.			Effective Date	10/01/200	)8
Name of Insurance Company _ Empire Fire and Marine Insurance Comp	any				
Telephone Number (317) 849-1860       . Courd         Gresham & Associates, Inc. #3635       . Courd         The policy to which this endorsement is attached provides primary of         Image: This insurance is primary and the company shall not be liable		s insu			
<ul> <li>This insurance is excess and the company shall not be liable for in excess of the underlying limit of \$</li> <li>Whenever required by the Federal Highway Administration (FHW agrees to furnish the FHWA or the ICC a duplicate of said policy an request by an authorized representative of the FHWA or the ICC, to Cancellation of this endorsement may be effected by the company the other party (said 35 days notice to commence from the date notice), and (2) if the insured is subject to the ICC's jurisdiction, by</li> </ul>	for each (A) or th d all its verify th or the i the not	n accid ne Inte endor nat the nsure ice is	erstate Comme sements. The policy is in for d by giving (1) mailed, proof	erce Commission (ICC), company also agrees, up ce as of a particular date thirty-five (35) days notic of mailing shall be suffi	e in writing to cient proof of
commence from the date the notice is received by the ICC at its offi					
DEFINITIONS AS USED I				an of a sharel second second	- deline
ACCIDENT includes continuous or repeated exposure to conditions which results in bodily injury, property damage, or environmental damage which the insured neither expected nor intended. MOTOR VEHICLE means a land vehicle, machine, truck, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.	the ac upon t comm cost o minim enviror	ciden he lan odity f f rem ize of nment	tal discharge, d, atmosphere transported by oval and the c mitigate dan , fish, shellfish,	on of natural resources dispersal, release or es , watercourse, or body of a motor carrier. This sha cost of necessary meas nage to human health , and wildlife. eans damage to or los	scape into or water, of any all include the ures taken to , the natural
<b>BODILY INJURY</b> means injury to the body, sickness, or disease to any person, including death resulting from any of these.	tangib PUBL			ns liability for bodily in	jury, property
ENVIRONMENTAL RESTORATION means restitution for the	damag	ge, an	d environmenta	I restoration.	
The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Highway Administration (FHWA) and the Interstate Commerce Commission (ICC).	compa within financi Howev which effect	any fro the li ial co ver, al the er as bi	m liability or from mits of liability ndition, insolve I terms, condi ndorsement is a nding between	violation thereof, sha om the payment of any fi herein described, irresp ency or bankruptcy of tions and limitations in attached shall remain in the insured and the c e the company for any p	nal judgment, pective of the the insured. the policy to full force and ompany. The
In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements	by the involving that the the pro- this er	e com ng a b e com ovision ndorse	pany on acco reach of the ten pany would no is of the policy ment.	ount of any accident, or rms of the policy, and for ot have been obligated to except for the agreemen	claim, or suit any payment o make under t contained in
of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability,	compa as pro in any compe	any to vided court el suct	pay any final ju herein, the judg of competent payment.	nd agreed that, upon idgment recovered again gment creditor may main t jurisdiction against the	st the insured tain an action e company to
does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other	this en payme operat final ju	ndorse ent un e to re idgme	ement apply se der the policy b educe the liabil nts resulting fro	Iability for the amounts eparately, to each accio pecause of any one acci ity of the company for th om any other accident.	lent, and any dent shall not ne payment of
The Motor Carrier Act of 1980 requires limits of financial responsibil	ity acco	rding	to the type of c	arriage and commodity t	ransported by

the motor carrier. It is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility.

THE SCHEDULE OF LIMITS SHOWN ON THE NEXT PAGE DOES NOT PROVIDE COVERAGE.

The limits shown in the schedule are for information purposes only.

# SCHEDULE OF LIMITS Public Liability

Type of Carriage	Commodity Transported	Minimum Insurance		
<ol> <li>For-hire (In interstate or foreign commerce).</li> </ol>	Property (nonhazardous).	\$	750,000	
(2) For-hire and Private (In interstate, foreign, or intrastate commerce).	Hazardous substances, as defined in 49 CFR 171.8, transported in cargo tanks, portable tanks, or hopper- type vehicles with capacities in excess of 3,500 water gallons; or in bulk Divisions 1.1, 1.2, and 1.3 materials; any quantity of Division 2.3 Hazard Zone A or Division 6.1, Packing Group 1, Hazard Zone A material; in bulk Division 2.1 or 2.2; or highway route controlled quantities of a Class 7 material as defined in 49 CFR 173.403.		5,000,000	
(3) For-hire and Private (In interstate or foreign commerce: in any quantity) or (In intrastate com- merce: in bulk only).	Oil listed in 49 CFR 172.101, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in (2) above or (4) below.		1,000,000	
(4) For-hire and Private (In interstate or foreign commerce).	Any quantity of Division 1.1, 1.2 or 1.3 material; any quantity of a Division 2.3, Hazard Zone A, or Division 6.1, Packing Group 1, Hazard Zone A material; or highway route controlled quantities of Class 7 material as defined in 49 CFR 173.403.		5,000,000	

**Note:** The type of carriage listed under (1), (2), and (3) applies to vehicles with a gross vehicle weight rating of 10,000 pounds or more. The type of carriage listed under number (4) applies to all vehicles with a gross vehicle weight rating of less than 10,000 pounds.

## SCHEDULE OF LIMITS Public Liability

For-hire motor carriers of passengers operating in interstate or foreign commerce

Vehicle Seating Capacity	Minimum Insurance
(1) Any vehicle with a seating capacity of 16 passengers or more.	\$ 5,000,000
(2) Any vehicle with a seating capacity of 15 passengers or less.	1,500,000

# **IMPORTANT**

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

## DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

#### 62-730.170 Standards Applicable to Transporters of Hazardous Waste.

(1) The Department adopts by reference 40 CFR Part 263 revised as of July 1, 2006.

(2) In addition to the requirements of subsection (1) of this rule, no person shall transport a hazardo us waste within the state for which either a manifest is required under 40 CFR Part 262 [as adopted in subsection 62-730.160(1), F.A.C.] or a reclamation agreement is entered between a generator and recycler pursuant to 40 CFR 263.20 [as adopted in subsection 62-730.170(1), F.A.C.] unless compliance with the following special requirements have been demonstrated.

(a) The transporter shall have and maintain financial responsibility for sudden accidental occurrences in a minimum amount of \$1,000,000 per occurrence for combined coverage of injury to persons and for damage to property and the environment from the spillage of hazardous waste while such wastes are being transported including the costs of cleaning up the spill. Such financial responsibility shall be issued by an agent or company authorized or licensed to transact business in the State of Florida. Such financial responsibility shall be maintained at all times, be exclusive of legal defense costs, and be establis hed by any one or a combination of the following:

1. Evidence of casualty/liability insurance on an occurrence basis with or without a deductible. With the deductible the Insu rer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the insured for any such payment made by the Insurer. Each insurance policy must be evidenced by a certificate of liability insurance or amended by attachment of an endorsement.

2. Surety bonds.

(b) Evidence of coverage shall include submittal of an originally signed copy of one or more of the following forms, which are hereby adopted and incorporated by reference:

1. Hazardous Waste Transporter Certificate of Liability Insurance, Form 62-730.900(5)(a), effective date January 29, 2006.

2. Hazardous Waste Transporter Liability Endorsement, Form 62-730.900(5)(b), effective date January 29, 2006

3. Hazardous Waste Transporter Liability Surety Bond, Form 62-730.900(5)(c), effective date January 29, 2006. Rule 62-730.900, F.A.C., contains information on obtaining a copy of these forms.

(c) The insurance policy, including all endorsements, or the liability surety bond must be maintained at the carrier's principal place of business.

(d) Whenever requested by the Secretary (or designee) of the Florida Department of Environmental Protection, the Insurer agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.

(e) The transporter shall annually submit to the Department two originally signed Transporter Status Forms, Form 62-730.900(5)(d), effective date January 5, 1995, which is hereby adopted and incorporated by reference. Rule 62 -730.900, F.A.C., contains information on obtaining a copy of this form. The Department shall complete the approval part of the form and return one of the originally signed forms to the transporter after verifying that the transporter is complying with the financial responsibility requirements of this section. A copy of this form complete with the Department approval shall be carried in each vehicle transporting hazardous waste for the transporter. This approval is non-transferable and non-assignable.

(f) This subsection does not apply to any person who transports hazardous waste only on the site of a hazardous waste generator or a permitted hazardous waste treatment, storage, or disposal facility.

(g) States and the federal government are exempt from the requirements of this subsection.

(3) Evidence of financial responsibility, updated for the current year, shall be verified annually by the submission of the appropriate form described in paragraph (2)(b) of this section or by the submission of a certificate of insurance. A certific ate of insurance shall include a certification by the insurer that the original insurance policy and all endorse ments are still in full force and effect as evidenced on the original forms submitted to the Department.

Specific Authority 403.704, 403.721, 403.724, 403.8055 FS. Law Implemented 403.704, 403.721, 403.724 FS. History–New 11-8-81, Amended 5-31-84, 9-13-84, Formerly 17-30.17, Amended 9-19-86, 3-31-87, 5-26-87, 6-28-88, Formerly 17-30.170, Amended 1-25-89, 8-13-90, 9-10-

## **CHAPTER 62-730 HAZARDOUS WASTE**

#### 62-730.171 Transfer Facilities.

(1) 40 CFR 263.12 [as adopted by reference in subsection 62-730.170(1), F.A.C.] provides that transporters who store manifested hazardous waste in proper containers at a transfer facility for 10 days or less are exempt from regulation as a hazardous waste facility. If the waste is stored for more than 10 days, the facility is subject to the permitting requirements for a hazardous waste storage facility.

(2) A transfer facility used for storage of hazardous waste for more than 24 hours but 10 days or less shall comply with the following requirements all as adopted by reference in subsection 62-730.180(2), F.A.C., except where otherwise noted:

(a) The owner or operator of the transfer facility shall comply with the requirements of 40 CFR Part 265 Subparts B (general facility standards), C (preparedness and prevention), D (contingency and emergency plan), and I (management of containers), with the exception of 265.13. The aisle space requirements described in 40 CFR 265.35 and the special requirements for incompatible wastes described in 40 CFR 265.177(c) shall not apply at transfer facilities to containers stored in trucks loaded in accordance with DOT regulations described in 40 CFR 263.10 [as adopted by reference in subsection 62-730.170(1), F.A.C.]. The 40 CFR Part 265 requirements referenced above shall apply to transfer facilities notwithstanding 40 CFR 265.1(c)(12). The owner or operator of the transfer facility shall submit the contingency and emergency plan to the Department with their first Transfer Facility Notification Form, Form 62-730,900(6), effective date January 5, 1995, which is hereby adopted and incorporated by reference. Rule 62-730.900, F.A.C., contains information on obtaining a copy of this form. (b) The owner or operator of the transfer facility shall have a written closure plan to show that the facility will be closed in a manner which satisfies the requirements of the closure performance, notification, and decontamination standards of 40 CFR 265.111, 265.112, 265.114 and 265.115. The owner or operator of the transfer facility shall submit the closure plan to the Department with their first Transfer Facility Notification Form. Within 60 days of completion of closure, the owner or operator of the transfer facility, shall submit to the Department a certification that the facility has been closed in accordance with the specifications in the closure plan. The certification shall be signed by the owner or operator of the transfer facility, by the owner of the real property where the transfer facility is located, and by an independent registered, professional engineer.

(c) Records required in this section shall be maintained in permanent form and shall be available for inspection by the Department. The records shall be kept at the facility unless the Department gives written approval to do otherwise.

(d) Hazardous waste stored in containers or vehicles at transfer facilities shall be stored on a manmade surface which is capable of preventing spills or releases to the ground.

(e) The owner or operator of a transfer facility shall maintain a written record of when all hazardous waste enters and leaves the facility. This record shall include the generator's name, the generator's EPA/DEP identification number, and the manifest number. For conditionally exempt small quantity generators without an EPA/DEP identification number, the record shall include the name and address of the generator. This recordkeeping requirement applies to all hazardous wastes including hazardous waste generated by CESQGs.

(3) The owner or operator of a transfer facility which stores manifested shipments of hazardous waste for more than 24 hours but 10 days or less shall notify the Department on the Transfer Facility Notification Form. The owner or operator of a new facility shall submit a notification form at least 30 days before the storage of hazardous waste is to begin. The transfer facility shall annually update the information on the Transfer Facility Notification Form and send it to the Department with the transporter's evidence of financial responsibility as required under subsection 62-730.170(3), F.A.C.

(4) The owner or operator of a transfer facility shall obtain an EPA/DEP identification number for each transfer facility location. Any owner or operator who has not obtained an EPA/DEP identification number for each transfer facility location may obtain one by applying to the Department using Form 62-730.900(1)(b), 8700-12FL – Florida Notification of Regulated Waste Activity.

Specific Authority 403.0877, 403.704, 403.721 FS. Law Implemented 403.0877, 403.704, 403.721 FS. History–New 3-2-86, Amended 6-28-88,

Formerly 17-30.171, Amended 8-13-90, 9-10-91, 10-14-92, Formerly 17-730.171, Amended 1-5-95, 1-29-06.