Kim Thursby Digitally signed by Kim Thursby DN: cn=Kim Thursby, o=DEP, ou=HWRS, email=kim.thursby@dep.state.fl.us, c=US Date: 2009.01.22 07:57:22 -05'00'

Thursby, Kim

From: Epost HWRS
Sent: Thursday, November 20, 2008 1:38 PM
To: 'kfogleman@perma-fix.com'
Cc: 'knight.karen@epamail.epa.gov'; Burson, Lu; Kraemer, Janine; 'mayor@ocfl.net'; 'buddy.dyer@cityoforlando.net'; 'heath_rauschenberger@fws.gov'; 'maryann.poole@myfwc.com'; Bahr, Tim; Kuncicky, Daniel; Tripp, Anthony; Kothur, Bheem
Subject: Perma-Fix of Orlando, Inc. EPA ID Number - FLD980559728;26916-HO-006
Attachments: 11-20-08-Perma-Fix Orlando-Intent.pdf

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. (An automatic "reply message" is not sufficient to verify receipt). 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

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

November 20, 2008

Sent Via E-mail
kfogleman@perma-fix.com

Mr. Kurt Fogleman
Environmental, Health & Safety Manager
10100 Rocket Blvd
Orlando, FL 32824

SUBJECT: Perma-Fix of Orlando, Inc.
EPA ID Number - FLD980559728
Operating/Corrective Action Permit Number - 26916-HO-006
Orange County

Dear Mr. Fogleman:

The purpose of this letter is to provide notice of intent to issue a permit renewal for your facility located at 10100 Rocket Blvd in Orlando, Florida. The permit provides authorization to operate a container storage unit and perform waste consolidation activities. The permit also contains the corrective action requirements of the Department's authorized program for implementing/continuing the federal Hazardous and Solid Waste Amendments (HSWA). 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.

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

TJB/dmk

cc:

Karen Knight, EPA/Region 4, Knight.Karen@epamail.epa.gov

Tom Lubozynski, DEP/Orlando, Tom.Lubozynski@dep.state.fl.us
Lu Burson, DEP/Orlando, Lu.Burson@dep.state.fl.us
Janine Kraemer, DEP/Orlando, Janine.Kraemer@dep.state.fl.us
Richard T. Crotty, Orange County Mayor, mayor@ocfl.net
Buddy Dyer, City of Orlando Mayor, buddy.dyer@cityoforlando.net
Heath Rauschenberger, U.S. Fish & Wildlife Service, heath_rauschenberger@fws.gov
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission, maryann.poole@myfwc.com

FACT SHEET

November 20, 2008

Facility Name: Perma-fix of Orlando, Inc., Orlando, Florida

EPA ID Number: FLD980559728

Permit for Operating/Corrective Action Permit, Number 26916-HO-006

Project: Operation of container storage unit and waste consolidation area.

1. A fee in the amount of $10,000 was received on 5/12/2008.
2. There are no remaining issues with this permit.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for a Permit by:

Perma-Fix of Orlando, Inc.
10100 Rocket Blvd
Orlando, FL 32824
_____/

DEP File No.: 26916-HO-006
Orange County

INTENT TO ISSUE

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

On May 9, 2008, the applicant, Perma-Fix of Orlando, Inc., applied to the Department for a permit to operate a container storage unit and perform waste consolidation activities at the Perma-Fix of Orlando, Inc. facility in Orlando, 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/corrective action 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.

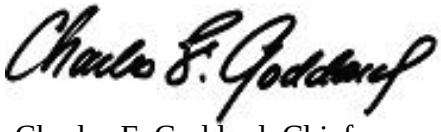
The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., or all parties reach a written agreement on mediation as an alternative remedy under Section 120.573, F.S., before the deadline for 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.

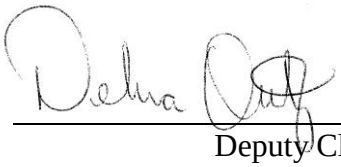
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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

FILING AND ACKNOWLEDGMENT

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



Deputy Clerk

November 20, 2008
Date

CERTIFICATE OF SERVICE

cc: Karen Knight, EPA/Region 4, Knight.Karen@epamail.epa.gov
Tom Lubozynski, DEP/Orlando, Tom.Lubozynski@dep.state.fl.us
Lu Burson, DEP/Orlando, Lu.Burson@dep.state.fl.us
Janine Kraemer, DEP/Orlando, Janine.Kraemer@dep.state.fl.us
Richard T. Crotty, Orange County Mayor, mayor@ocfl.net
Buddy Dyer, City of Orlando Mayor, buddy.dyer@cityoforlando.net
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 PERMA-FIX OF ORLANDO, INC. The permit relates to Perma-Fix of Orlando, Inc., Orlando, Florida 32824, facility I.D. number FLD980559728 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 (RCRA/HSWA).

The draft permit contains the conditions for Operating/Corrective Action permit 26916-HO-006. The permit is for the purpose of operating a hazardous waste container storage unit and to continue corrective action at Perma-Fix of Orlando's site at 10100 Rocket Blvd , Orlando, Orange County , Florida. The selected remedies for all Solid Waste Management Units are No Further Action.

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, Orlando District Office, Suite 232, 3319 Maguire Parkway, Orlando, Florida 32803, (407)894-7555, and at Division of Waste Management, Bureau of Solid & Hazardous Waste (BSHW), Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850) 245-8786. Copies of the Corrective Action documents can be found at the BSHW address.

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 Perma-Fix of Orlando Inc., Orlando, Orange County, Florida, I.D. number FLD980559728. 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 storage unit and continue corrective action. The selected remedies can be found in the application.

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, Orlando District Office, 3319 Maguire Parkway, Suite 232, Orlando, Florida 32803, (407)894-7555.

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:
Perma-Fix of Orlando, Inc.
10100 Rocket Boulevard
Orlando, Florida 32824

ATTENTION:
Kurt Fogleman

I.D. NUMBER: FLD 980 559 728
PERMIT/CERTIFICATION NUMBER: 26916-HO-006
DATE OF ISSUE: **DRAFT**
EXPIRATION DATE: November 6, 2013
COUNTY: Orange
LATITUDE / LONGITUDE: 28° 25' 04" N/81° 23' 10" W
PROJECT: Operation of a Hazardous Waste Container Storage Unit and Implementation of HSWA Corrective Action Requirements

Pursuant to authorization obtained by the Florida Department of Environmental Protection (FDEP) under the Resource Conservation and Recovery 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.). This permit replaces expired permit 26916-HO-005. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application dated May 9, 2008 with first revision dated August 14, 2008 and second revision dated September 18, 2008 and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof herein referred to as "the Application". The facility is located at 10100 Rocket Boulevard, Orlando, Florida 32824 (See Attachment A). The RCRA-regulated units are specifically described as follows:

Container Storage Unit:

Perma-Fix of Orlando is permitted to store a maximum of 824 (55 gal) drums, or equivalent, in three sub-units in the Container Storage Building (see Attachment B). Each individual storage cell located within the Container Storage Building has separate secondary containment designed to isolate incompatible wastes that may be stored in adjacent cells. A synthetic coating material resistant to solvents and corrosives has been applied to the floor surface to protect the floor and reduce its porosity. The dimensions of the secondary containment systems are such that they are capable of containing spills the size of at least 10% of the maximum storage capacity of the cells. The drums are stored on pallets and may be double stacked. Incompatible wastes are stored in separate cells.

The Permittee may store non-hazardous wastes in the permitted container storage unit. In such a case, PFO shall not exceed the permitted capacity of the unit after counting the non-hazardous waste quantity.

Waste Consolidation:

Perma-Fix of Orlando consolidates compatible hazardous wastes at two locations at the facility. The first location is inside the north building and the second location is on the west side of the north building. The consolidation areas are identified in Attachment B. Consolidation activities are part of storage. The amount of hazardous wastes in the consolidation areas are counted toward the maximum hazardous waste storage capacity.

Transfer Facility:

Perma-Fix of Orlando is registered with the Department as a hazardous waste transfer facility in accordance with Rule 62-730.171, F.A.C. The transfer facility provisions allow a hazardous waste transporter to hold waste at the transfer facility for ten days or less while in transportation to another facility. Perma-Fix of Orlando may use the container storage unit to hold waste regulated under the transfer facility provisions for short periods of time. Perma-Fix of Orlando shall ensure that the transfer facility waste is accumulated in areas that are clearly demarked as transfer facility areas and that are in compliance with the requirements of Rule 62-730.171, F.A.C., including but not limited to 40 CFR Part 265, Subpart I. The amount of hazardous wastes in clearly demarked transfer facility areas that are in compliance with Rule 62-730.171, F.A.C. are not counted toward the maximum hazardous waste storage capacity.

Perma-Fix of Orlando is registered with the Department as a used oil transfer facility in accordance with Rule 62-710, F.A.C. The Permittee shall comply with the standards of 40 C.F.R. Part 279, Subpart E and the registration, record keeping and certification requirements found in Rules 62-710.500, 62-710.510 and 62-710.600, F.A.C.

Solid Waste Management Units:

Eleven solid waste management units (SWMUs) were identified in the United States Environmental Protection Agency (EPA) HSWA permit issued on August 10, 1995, as described in Appendix A of this permit. Confirmatory sampling required for SWMU 7 (Catch Basin) and SWMU 9 (Stormwater Retention Area) were conducted. EPA issued a letter on August 20, 1997 stating that SWMU 7 and SWMU 9 require no further action. SWMU 7 and SWMU 9 have been filled and covered and are re-named Former Catch Basin and Former Stormwater Retention Area. The replacement Stormwater Retention Area is designated as SWMU 11. No remedial corrective action is required at the facility at this time.

HSWA Units: No Further Action

- SWMU-l Container Storage Area
- SWMU-2 Emergency Spill Containment Tanks
- SWMU-3 Waste Oil Sump (closed)
- SWMU-4 Drum Storage Area (northeast)

- SWMU-5 Drum Storage Area (northwest)
- SWMU-6 Portable Band Saw Area
- SWMU-7 Former Catch Basin
- SWMU-8 Dumpster
- SWMU-9 Former Stormwater Retention Area
- SWMU-10 Bermed Unloading Area
- SWMU-1 1 Stormwater Retention Area
- SWMU-12 Consolidation Area A (Inside North Building)
- SWMU-13 Consolidation Area B (Outside North Building)

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 (SWMUs) and areas of concern (AOCs) identified to date are listed above and 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 that occurred 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 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 Permittee is required to comply with applicable provisions of 62-730 F.A.C. and 40 CFR Parts 260 through 270, and 279 adopted therein, even when not specifically referenced in this permit.

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

1. Operating Permit H048-118812 issued March 27, 1987.

2. Permit Modifications issued February 24, 1988 and March 25, 1991.

3. Construction Permit Application submitted October 29, 1991 and revised November 16, 1992.

4. Construction Permit HC48-204160 issued March 19, 1993.

5. Application for Permit Modification submitted November 1995 and revised June 29, 1996, June 16,1997, October 15, 1997, April 29, 1998 and May 15, 1998.

6. HSWA permit issued by EPA dated August 10, 1995.

7. Approval of Focused RFI Report by EPA dated August 20, 1997.

8. Construction and Operating Permit HC02-00269l6-00l and H002-0026916-002 issued November 6, 1998.

9. Permit Renewal Application dated February 25, 2003 as modified June 3, 2003.

10. Permit renewal application dated May 9, 2008 with first revision dated August 14, 2008 and second revision dated September 18, 2008.

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PART I - GENERAL AND STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

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 and its owner or operator; the date, time, and type of incident; the name and quantity of materials involved; the extent of any injuries if any; an assessment of actual or potential hazards; and the estimated quantity and disposition of recovered material. The written submission shall contain all the elements of the written report and:

(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.

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. Notice of Emergency Response shall occur within 24 hours of initiation of the action. "As soon as possible," for non-emergency situations, shall be no less than 15 days.

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

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 all required items in Chapter 62-160, F.A.C. These 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 to comply with land disposal restrictions (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 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;

(3) The results of inspections;

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

(5) Inspections of emergency and safety equipment (Condition 24 of this Part);

(6) Biennial reports;

(7) Personnel training records (Part II Subpart A - Condition 3);

(8) The Waste Minimization Program Plan (Part II Subpart A - Condition 8);

(9) Annual certification of waste minimization (Part II Subpart A - Condition 8);

(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 Part II Subpart A – Condition 2;

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

(14) A summary report and details of incidents that require implementation of the contingency plan (Part II Subpart A – Condition 6);

(15) Monitoring and test data for 40 CFR 264 Subparts AA, BB, and CC requirements; and

(16) Documentation that local officials have refused to enter into preparedness prevention arrangements with the Permittee.

14. Within the timeframe requested by the Department, the Permittee shall furnish any information required by law which is needed to determine compliance with the permit. If the Department's request does not include a timeframe, the time of response is 30 days. 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:

    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

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

       Hazardous Waste Supervisor
       Department of Environmental Protection
       3319 Maguire Boulevard, Suite 232
       Orlando, Florida 32803-3767

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.

17. 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.

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 (407) 894-7555 (Orlando).

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

    b. 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. Note: failure to obtain instructions is a violation of this permit.

    c. For operating commercial TSDs that accept manifested shipments of hazardous wastes only and hazardous waste transfer facilities: All requests for permit modifications shall include an evaluation of the applicability of, and Permitee's compliance with, the siting criteria of Section 403.7211, F.S. and Rule 62-730.186, F.A.C.

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 found in Section II.A.4.a of the Application.

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

24. The Permittee shall visually inspect the facility emergency and safety equipment in accordance with 40 CFR 264.15 and page 2A-30 of the Application, 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 Section II.A.4.b.-4 of the Application.

    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:

    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 written 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, if there is suspected or confirmed off-property contamination, 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 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 cost estimates must be based on the cost to the owner or operator of hiring a third party to conduct remedial activities. The Permittee shall include cost estimates with every work plan required by this permit. Cost estimates are subject to review and written 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), F.A.C.], in the unanticipated and improbable event that a contaminated SWMU or AOC is found on the parcel, and such 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. The Permittee, as owner or operator of a facility that receives hazardous waste from off-site source(s) must inform the generator(s) in writing that it has the appropriate permit(s) for, and will accept, the waste the generator is shipping (except where the Permittee is also the generator). Permittee shall keep copies of this written notice as part of the facility operating record.

3. Facility personnel must successfully complete the approved training program indicated in Section II.A.4. of the Application, 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.

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 hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

5. Permittee shall comply with the manifest requirements of 40 CFR 264.71 and 264.72. The Permittee must document the reconciliation of any manifest discrepancies.

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

    a. The Permittee shall immediately carry out the provisions Section II.A.4.b of the Application, 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 seven days of the change. Amendments to the plan must be approved in writing by the Department. 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.

7. Sampling and analysis of permitted and new hazardous wastes shall be conducted in accordance with Section II.A.5/6 – Waste Analysis Plan of the permit application.

    a. The Permittee is liable for waste profiles supplied to generators.

    b. Prior to acceptance of new waste codes a permit modification is required.

8. 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 for a minimum of three years. 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.

9. In addition to the copies sent to the Hazardous Waste Regulation Section in Tallahassee, one electronic and one hardcopy 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
   3319 Maguire Boulevard, Suite 232
   Orlando, Florida 32803-3767

10. With respect to ignitable and reactive wastes, the Permittee shall comply with 40 CFR 264.17(b), 264.176, and 264.198. With respect to incompatible wastes, the Permittee shall comply with 40 CFR 264.177 and 264.199.

11. The Permittee shall maintain at the facility, available for inspection by the Department, in permanent form for at least three years the following records that apply to all hazardous waste that enters and leaves the transfer facility:

    a. The manifest number for each shipment that enters and leaves the facility, or, for a shipment from a Conditionally Exempt Small Quantity Generator (CESQG) without a manifest, an identifying number from the shipping document

    b. The date when all hazardous waste enters and leaves the facility.

    c. The generators name and the EPA/DEP identification number. For CESQGs without an EPA/DEP identification number, the record shall include the name and address of the generator.

    d. The amounts of hazardous waste and hazardous waste codes associated with each shipment into and out of the facility.

PART II SUBPART B – CONTAINER MANAGEMENT

1. This Part applies to all containers holding hazardous waste or hazardous constituents located at the Perma-Fix of Orlando facility, including containers managed under the transporter/transfer station requirements, containers located in the Waste Consolidation Areas and containers located in the Container Storage Area.

2. Excluding transfer facility waste, no more than 824 (55-gal) drums or the volume equivalent shall be accumulated at the facility at any time.

3. No container of hazardous waste shall remain at the facility for a period longer than one year. It shall be a violation of this permit to put hazardous waste into a different container or to change the label on a container in order to avoid this time limit. This time limit shall not apply where the Permittee can demonstrate that storage for more than one year is solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment or disposal. The Permittee shall notify the Department by making the demonstration before the one year period is reached.

4. The volume of transfer facility waste accumulated at the facility shall not exceed the maximum design capacity for storage reported pursuant to 62-730.171(3)(a)(4), F.A.C.

5. The Permittee shall notify the Department if the amount of waste accumulated at the Perma-Fix of Orlando facility exceeds the capacity stipulated in this permit.

6. Except for hazardous waste managed under the transporter/transfer facility requirements, the Permittee shall accumulate hazardous waste only at the locations designated as Loading Dock, Container Storage Area and/or Consolidation Areas as shown on Attachment B of this permit.

7. Hazardous waste managed under the transporter/transfer facility requirements shall be stored only at the Loading Dock, the Container Storage Unit or on the transportation vehicle.

8. Accumulation areas containing transfer facility waste shall be clearly marked with signage and stanchions.

9. Vehicles with incoming shipments of hazardous waste shall be unloaded 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 transporter/transfer facility. Appropriate documentation verifying transfer facility activity shall be maintained.

10. The Permittee shall manage all containers, including containers of non-hazardous waste, in the manner outlined in this permit to ensure that a release of hazardous waste or hazardous constituents will not occur.

11. The Permittee shall not stack any containers over six feet high and no stack shall consist of more than two containers.

12. Containers shall be handled in a manner that will prevent container rupture or leakage. If a container holding waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition.

13. The Permittee shall use only containers compatible with the contents. The Permittee shall not place waste in unwashed containers that have previously held incompatible waste.

14. All service vehicle trucks and tractor trailers containing waste shall be situated either over a manmade surface which is capable of preventing spills or releases to the ground (i.e. capable of containing liquids) or at the loading/unloading area.

15. All containers accumulated at the facility, including transfer waste containers, shall be managed in accordance with the applicable provisions of 40 CFR 264 subpart CC and in accordance with Part II.S.a of the Application.

16. All drums shall be kept closed with rings tightened and bungholes plugged except when adding or removing waste.

17. All level II containers in light material service shall be operated according to the applicable container level II controls listed in 40 CFR 264.1086(d).

18. No Level III containers shall be utilized at this facility.

19. The Permittee shall not conduct any hazardous waste treatment operations at the Perma-Fix of Orlando facility. This prohibition applies to all forms of treatment including treatment involving stabilization and/or solidification of hazardous waste in containers. The following provisions concerning addition of absorbents to hazardous waste shall be followed at all times:

    a. The Permittee shall not add absorbent to hazardous waste in a container if accompanied by mixing, agitation or curing.

    b. The Permittee shall not add absorbent to hazardous waste in a container while waste is being transferred from one container to another.

c. The Permittee shall only add absorbent to the surface of hazardous waste. Such operations may only occur at the end of the work day, at the completion of waste transfer operations, or in the event of an accidental release/spill.

PART II SUBPART C – CONTAINER STORAGE UNIT

1. No more than 824 (55-gal) drums or the volume equivalent shall be accumulated in the Container Storage Area at any time.

2. The Permittee shall not store or accumulate any hazardous waste that is not listed in Table I.D.3 of the Application.

3. Hazardous waste must be compatible with the secondary containment systems and liners of the Container Storage Area.

4. The Permittee shall inspect the integrity of the containment area to insure that it is free of cracks or gaps, and the concrete sealant remains impervious to leaks.

5. The Permittee may store non-hazardous materials in the Container Storage Area provided that the Permittee complies with the requirements of 40 CFR 264.175 and:

    a. The volume of non-hazardous materials is included in the total volume of waste allowable in the regulated storage area.

    b. The Permittee maintains the required aisle spacing in the storage area for both the regulated and non-hazardous materials.

    c. The Permittee assures non-hazardous materials have labels specifying their contents.

    d. The Permittee maintains in the facility operating record a written log of any non-hazardous materials stored in the regulated storage area. The log shall include:

        (1) The type and the quantity of non-hazardous materials;

        (2) Verification of adequate secondary containment;

        (3) Confirmation of appropriate aisle spacing availability; and

        (4) Documentation of compatibility of non-hazardous materials and other materials present in the Containment Storage Area.

6. The Permittee shall ensure that all hazardous waste containers being managed under transporter/transfer facility requirements in the Container Storage Area are located in an

area clearly identified with signage and temporary floor markings. The accumulation time limit for containers in this area is 10 days.

7. The Permittee shall inspect the Container Storage Area in accordance with the procedures contained in Section II.B of the Application.

8. The secondary containment areas shall be clear of any liquids and/or debris at all times. Any liquids or non-hazardous debris materials present in these areas shall be removed within 24 hours or in as timely a manner as possible.

9. Containers shall not be placed or stored in a manner that could obstruct inspection or prevent any emergency action that may be necessary due to a spill or release.

10. Only hazardous waste listed in Table I.D.3 of the Application may be stored in the Container Storage Unit. Prior to acceptance of new hazardous waste that is not authorized by this permit, the Permittee shall request a permit modification from the Department to store the new waste stream. The permit modification request shall include a list of the new hazardous waste code(s) and a waste analysis plan for each new waste code. The permit modification shall require a public notice.

PART II SUBPART C – WASTE CONSOLIDATION

1. Consolidation operations shall be conducted in the manner outlined in this permit and pages 2B-10 through 2B-14 of the Application.

2. The Permittee shall consolidate hazardous waste only in the areas identified as Consolidation Areas on Attachment B.

3. The Permittee shall accumulate hazardous waste for no more than 30 days at the Consolidation Areas shown in Attachment B.

4. Each container of hazardous waste located in the Consolidation Area inside the North Building as depicted on Attachment B shall bear the date of:

    a. the oldest received waste placed in the container; and

    b. the date(s) the container was placed in and removed from the Consolidation Area.

5. Any container (roll-off, dumpster or otherwise) in the Consolidation Area on the west side of the North Building as depicted on Attachment B shall bear the date of the first waste placed into the container.

6. The Permittee shall notify the Department whenever the date stipulated in Condition 4.b. or Condition 5. of this Part exceeds 30 days.

7. All materials placed in the Consolidation Areas shall be situated over an impermeable manmade surface with emergency liquid containment.

8. The Permittee shall not consolidate, store or locate incompatible materials anywhere in the Consolidation Areas at the same time unless individual secondary containment is provided for each incompatible material type.

9. The Permittee shall test all materials for compatibility in accordance with procedures contained in Exhibit II.A.5/6.-1 of the Application before being placed in the Consolidation Areas.

10. The Permittee shall follow the procedures contained in Section II.B.3 - Segregation and Separation - of the Application to determine the compatibility of each waste prior to performing consolidation or bulking procedures.

11. The Permittee shall perform waste consolidation procedures only under the supervision of a chemist.

12. A report listing wastes to be consolidated shall be submitted to a chemist for approval prior to performing the compatibility tests.

13. The Permittee shall document the results of each compatibility test performed. The documented results shall identify the specific container and any temperature change or gas generation.

14. The Permittee shall take any necessary measure to prevent generation of fumes, vapors and gases when bulking or consolidating wastes.

15. Personnel responsible for conducting consolidation and bulking operations shall receive training on best management practices for conducting the compatibility test and proper use of the consolidation code system prior to performing consolidation operations.

16. The Permittee shall maintain in the facility operating record a written log of all training activities and reports associated with compatibility testing and consolidation operations.

PART II SUBPART D - CLOSURE CONDITIONS

1. The Permittee shall close the Container Storage Unit and the Consolidation Areas 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, hazardous waste decomposition products, contaminated leachate or run-off, 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. The Permittee shall modify/revise the approved Closure Plan per the requirements of 40 CFR 264.112(c) and Rule 62-730.290, F.A.C. by submitting a written request to the Department to amend the approved closure plan.

4. The Permittee must complete physical closure activities in accordance with the Closure Schedule in Section II.K of the Application. Any changes in the time allowed for closure activities after approval shall require prior written 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 Activities Report with "schedule date" and "completed" columns to document the progress of closure. Upon Department approval, the Closure Activities Report 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. The schedule for submittal can be changed with written Department approval. These reports can be submitted electronically. Any deviation from schedule or described tasks shall be fully documented on the checklist.

7. Within 90 days after receiving the final volume of hazardous waste, or upon notification by the Department that closure of a unit is required, the owner or operator must treat or rmove from the unit all hazardous waste. 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 written Departmental approval.

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 Closure Certification 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 or other appropriate shipping documents for removal of all hazardous wastes and all contaminated residues;

    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 30 days of determining that all contaminated soil cannot be practically removed or decontaminated, the Permittee shall notify the Department of such determination. Within 90 days of the determination the Permittee shall submit an application for permit modification to close the facility as a landfill and perform postclosure care as required by 40 CFR Part 264.310.

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 Part 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 his/her knowledge and in accordance with any existing records.

PART III - POSTCLOSURE CONDITIONS

Not applicable at this time.

PART IV - ENVIRONMENTAL MONITORING CONDITIONS

Not applicable at this time.

PART V - 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 contaminant(s) to the environment; or

        (3) receives information which suggests the presence of a new release of contaminant(s) 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 contaminant(s) to the environment; any suspected new AOC(s); and any additional SWMU(s) discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means. The notification shall include, at a minimum, the location of the release, AOC or SWMU (hereinafter referred to collectively as "site"), and all available information (e.g., location of site(s) on a topographic map of appropriate scale; general dimensions of 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.

4. In accordance with the schedule in the approved CS Work Plan, or no later than 60 calendar days after Department written 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.

5. "De Minimis discharge" is a release of contaminant(s) that is removed from the soil, sediment, surface water, and groundwater to cleanup target levels or background concentrations within 30 days of discovery of the release. De Minimis discharges must meet the notification requirements of Condition 2. of this Part, notifying the Department that a De Minimis action is underway. A De Minimis Remediation Report must be submitted to the Department within 90 days of discovery of the release. The report must include a description of all actions taken in response to the discharge and the information required by the Interim Source Removal Report pursuant to 62-780.500(7)(a) F.A.C.

6. 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 ("contaminated sites") 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.

7. If the site assessment report confirms contamination, the Permittee shall complete site rehabilitation in accordance with Chapter 62-780, F.A.C.

8. 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 contaminant(s) to the environment, the Permittee shall submit an amended work plan to the Department within 60 calendar days of such determination.

PART VI – REMEDY SELECTION AND IMPLEMENTATION

PART VI SUBPART A - GENERAL CONDITIONS

Not applicable at this time.

PART VI SUBPART B - SELECTED REMEDIES

1. There are no selected remedies at this time for any of the SWMU's listed in Appendix A.

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 or Risk 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 Remedial Action Plan or a Natural Attenuation with Monitoring 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 implementing a Remedial Action Plan or a Natural Attenuation with Monitoring Plan.

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	Regulated Unit
SWMU 2	Emergency Spill Containment Tanks	No evidence of release
SWMU 3	Waste Oil Sump (closed)	Closed April 20, 1992
SWMU 4	Drum Storage Area (northeast)	Regulated Unit
SWMU 5	Drum Storage Area (northwest)	Regulated Unit
SWMU 6	Portable Band Saw Area	No evidence of release
SWMU 7	Former Catch Basin	CS 1996, Closed 1997
SWMU 8	Dumpster	No evidence of release
SWMU 9	Former Stormwater Retention Area	CS 1996, Closed 1997
SWMU 10	Bermed Unloading Area	No evidence of release
SWMU 11	Stormwater Retention Area	No known releases
SWMU 12	Consolidation Area A (Inside North Building)	No known releases

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 Number/Letter	SWMU/AOC Number/Letter
SWMU 13	Consolidation Area B (Outside North Building)	No known releases

Issued _____

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

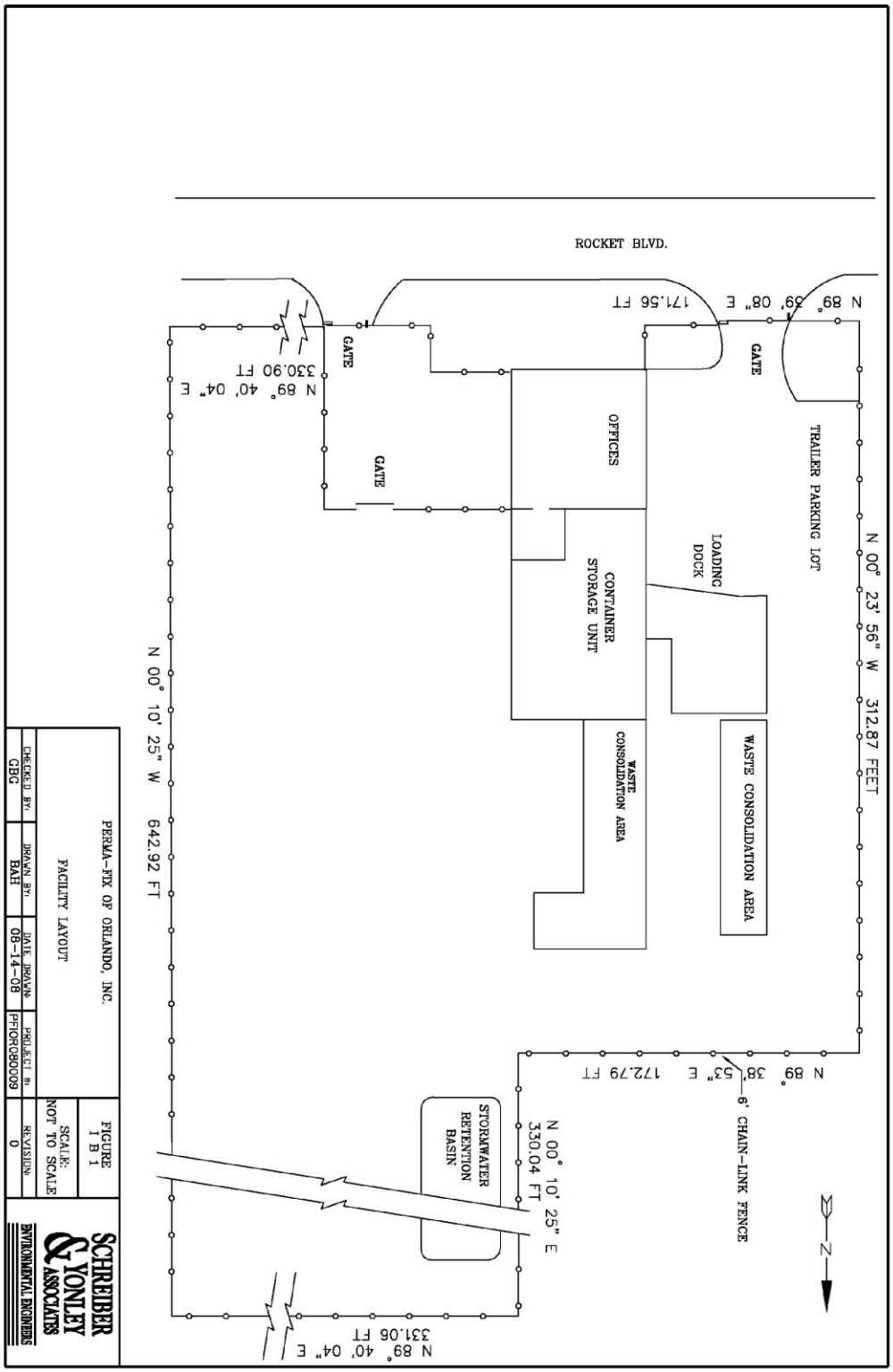
_____
CHARLES F. GODDARD, CHIEF
BUREAU OF SOLID AND HAZARDOUS WASTE

Filing and Acknowledgment

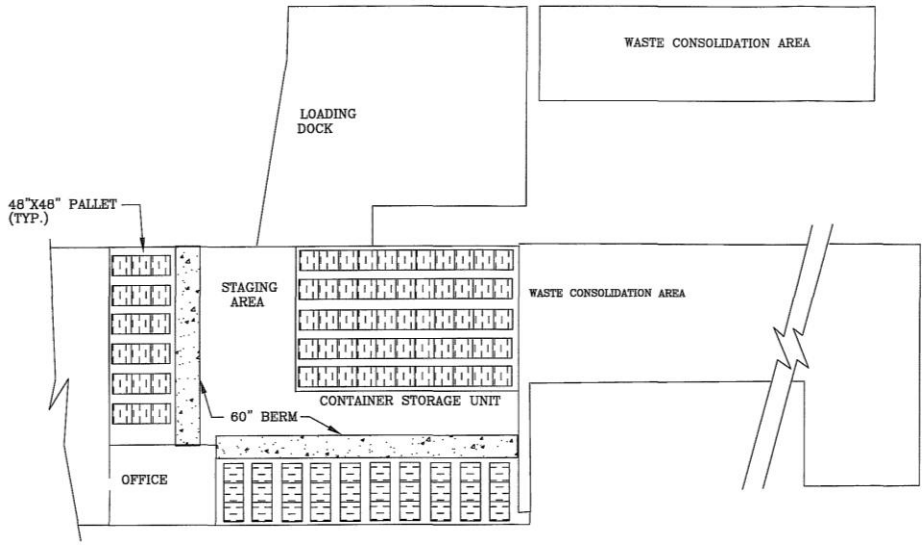
Filed on this date, pursuant to Section 120.52, Florida Statutes, with the designated Clerk, receipt of which is acknowledged.

_____ _____
CLERK DATE

ATTACHMENT A – PROPERTY BOUNDARIES OF LAND UNDER THE PERMITTEE'S CONTROL



ATTACHMENT B – LAYOUT OF FACILITY HAZARDOUS WASTE MANAGEMENT AREAS



PERMA–FIX OF ORLANDO, INC. FACILITY STORAGE LAYOUT				FIGURE I D 1
				SCALE: NOT TO SCALE
CHECKED BY:	DRAWN BY:	DATE DRAWN:	PROJECT #:	REVISION:
GBG	BAH	08–14–08	PFIOR080009	0

SCHREIBER & YONLEY ASSOCIATES
ENVIRONMENTAL ENGINEERS