



February 17, 2009

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Mr. Daniel Kuncicky, Engineer Specialist IV
Florida Department of Environmental Protection
Hazardous Waste Regulation Section
2600 Blair Stone Rd., M.S. #4560
Tallahassee, FL 32399

RE: Draft Permit 22198-HO-005, Safety-Kleen Sanford (FLD984171165), 600 Central Park Drive, Sanford, FL 32771.

Dear Mr. Kuncicky:

I have reviewed the above referenced draft permit and offer the following comments:

1. Part II Subpart B.1 – Container Storage Area #24 (page 21) states “The Permittee shall not operate Level III containers at the Safety-Kleen – Orange Park Branch facility”.

SK Comments: Orange Park should be replaced by Sanford.

2. Part II Subpart B.3 – Continued Use Program #1 (page 23) states “Safety-Kleen 105 and 150 solvents (hereinafter “CUP solvent”) are eligible for direct re-use in drum washing activities at the facility, subject to the conditions set forth in this Subpart. However, any Continuous Use Program (CUP) solvent that is cross-contaminated with a toxic constituent which is not effective by itself as a drum washing agent is ineligible for the program”.
Part II Subpart B.3 – Continued Use Program #3 c. states “Any CUP solvent that meets any of the following criteria shall constitute a hazardous waste under 40 CFR 261 and be managed as such. This includes, but is not limited to filing of an un-manifested waste report in accordance with 40 CFR 264.76: CUP solvent that is cross-contaminated with any foreign materials, which are not effective, by themselves, as drum washing agents”.

SK Comments: The CUP covers solvents that are exempt from hazardous waste regulation. Safety-Kleen parts washers placed into the CUP program are operated at various types of businesses. Different businesses involve the cleaning of a wide variety of materials within our CUP parts washers. It is reasonable to assume that depending on the business and what materials are being cleaned some solvent will come into contact and become contaminated with toxic constituents that are not themselves effective drum washing agents.

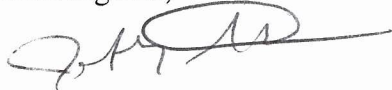


This fact, in and of itself, would not preclude the solvent from being used as an effective drum washing agent as long as the solvent retains its' solvating capacity and can still be an effective drum washing agent. Safety-Kleen uses this CUP solvent to wash dirty drums and many, if not all, are themselves contaminated with hazardous constituents. The Department's language would virtually preclude all CUP solvent from becoming eligible for the program should it contain any material, hazardous or non-hazardous, that is not an effective drum washing agent. Moreover, aside from the drum washing step, this material is managed in the exact same environmentally protective manner as if the solvent had been hazardous. Safety-Kleen offers this alternate CUP language to satisfy the Department's above provisions:

"It is recognized that certain materials picked up by the Continued Use Program as incidental to the parts washing process will not cause the solvent to be a hazardous waste so long as the Continued Use Program solvents may still be used effectively by Safety-Kleen for its drum washing operations. Customers will be informed that contaminating the Continued Use Program solvent with materials of a type or amount other than that which would ordinarily result from the customer's normal parts washing activities (which comply with the directives and training provided by Safety-Kleen outlined in the Sanford Branch #3-130-01 Standard Operating Procedure Continued Use Solvent, dated October 6, 2000) will result in the customer's disqualification from the Continued Use Program."

Safety-Kleen is eager to work with the Department on provisions for the Continued Use Product solvent program so that we may operate this valuable program for our customers while at the same time addressing all concerns that the Department may have. Thank you for the Department's time in addressing this submittal.

Best regards,



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