

Kraemer, Janine

From: Chris Waechter [cwaechter@perma-fix.com]
Sent: Tuesday, December 14, 2004 12:24 PM
To: Lubozynski, Tom
Cc: John Zawacki; Williams, Elizabeth; Depradine, Gloria; johnmjonespe@bellsouth.net; Burson, Lu; Kraemer, Janine; Jim Kreger; Griffin, John; Outlaw, Douglas; Bradner, James
Subject: RE: Perma-Fix of Orlando, Inc. TS/MRF-WPF 0340 REVISED

Tom,

I sent an electronic copy of the Used Oil Processing permit application to Rick Neves in Tallahassee. I also sent the Hard Copy via US Mail. He should receive it today. I apologize for the lack of clarity on my behalf.

In response to your questions:

1. Currently Perma-Fix is not "processing" Used Oil, however; we have exceeded the 35 Day rule as specified in the regulations.
2. Yes, because of the response to question 1, and the future applicability we have submitted the Permit Application (Form 62-701.900(12) as well as the Notification of Regulated Activities (8700-12).
3. Yes, we are currently evaluating options for a Bulk Storage Area. We will proceed in accordance with FDEP and US EPA regulations.

I hope this helps to clarify the RAI, I look forward to meeting with you this afternoon.

Thanks,

Chris Waechter
 Perma-Fix of Orlando, Inc.
 407-859-4441

-----Original Message-----

From: Lubozynski, Tom [mailto:Tom.Lubozynski@dep.state.fl.us]
Sent: Tuesday, December 14, 2004 10:52 AM
To: cwaechter@perma-fix.com
Cc: John Zawacki; Williams, Elizabeth; Depradine, Gloria; johnmjonespe@bellsouth.net; Burson, Lu; Kraemer, Janine; Jim Kreger; Griffin, John; Outlaw, Douglas; Bradner, James
Subject: RE: Perma-Fix of Orlando, Inc. TS/MRF-WPF 0340 REVISED
Importance: High

Chris

We received your RAI response below. You asked for a review of the attachment "Application for Permit to Construct, Operate or Modify a Used Oil Processing Facility Additional Information." I assume that means that application has not yet been submitted to FDEP. When it is submitted it has to go to FDEP's Div of Waste Management in Tallahassee. We can discuss that attachment this afternoon when I meet with you and the folks from FDEP's Div of Waste management.

With regard to the RAI we interpret your reply to mean the following. Please tell me if I have the wrong interpretation of your response.

1. At this time you are not conducting operations that would be considered used oil processing.
2. Your operations may exceed the thresholds in 62-710 for requiring a permit (specifically, storing the used oil

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more than 35 days) and, therefore, you will apply for a Used Oil Processing Facility Permit.

3. You will ensure the above ground storage tanks meet all requirements of 62-762 before they are placed in service.

Tom

-----Original Message-----

From: Chris Waechter [mailto:cwaechter@perma-fix.com]

Sent: Thursday, December 09, 2004 6:29 PM

To: Bradner, James

Cc: John Zawacki; Williams, Elizabeth; Depradine, Gloria; johnmjonespe@bellsouth.net; Lubozynski, Tom; Burson, Lu; Bradner, James; Kraemer, Janine; Jim Kreger

Subject: RE: Perma-Fix of Orlando, Inc. TS/MRF-WPF 0340 REVISED

December 9, 2004

Mr. James N. Bradner, P.E.
Program Manager
Solid and Hazardous Waste
Florida DEP
3319 Maguire Blvd, Suite 232.
Orlando, FL 32803-3767

Dear Mr. Bradner:

Please find herein, the requested corrections and/or clarifications for the Solid Waste Facility permit renewal previously submitted by Perma-Fix of Orlando, Inc. Our responses and corrections are as follows:

1.) " The permit application documentation implies that used oil processing is occurring or is proposed to occur. Perma-Fix of Orlando, Inc. is a registered used oil transporter, but is not permitted as a used oil processor. Clarify that no operations are occurring, or proposed in this permit application that would require a used oil processing permit under the provisions of Chapter 62-710, Florida Administrative Code."

Perma-Fix of Orlando originally viewed the Oil Processing permit as Not Applicable to current operations. Our stance was based upon statements in FAC 62-710.800 (1) (a) . "Processing does not include the removal of used oil from wastewater solely for the purpose of making the wastewater acceptable to meet discharge requirements." Current and past activities relating to the handling of used oil have been only the bulking of Used Oil for off-site shipment. PFO further sought guidance in 40 CFR 279.41 (b) "Transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g. settling, and water separation), but that are not designed to produce (or make more amenable for production of) used oil products."

After careful review of FAC 62-710, PFO agrees with the Departments standing on the applicability of the Used Oil Processing Permit. As listed in FAC 62-710 (1.) (b) 1. PFO would like the ability to store Used Oil for greater than 35 Days. Therefore, PFO feels that it would best suit our needs to apply for and receive the Used Oil Processing Facility Permit. Current and Proposed operations concerning Used Oil and the "Processing" of Used Oil are limited and will consist only of the Bulking or Pumping of used Oil From Drums, Tote Tanks, Tank Trucks and other like containers into DOT Certified Tankers for shipment to a end-use facility of another Used Oil Processing Facility. Future plans and expansions such as Bulk Storage Tanks, Dewatering Systems, Dryers, will be submitted to the Department in accordance with FAC 62-710 (6.). A Professional Engineer as required by statute will certify plans and modifications.

A photocopy of our submitted "Used Oil Processing Permit Application" is attached for your review. It is our hope that this will suffice the requirements of the Department and expedite the approval of Our "Solid Waste Processing Permit"

Should you have any questions do not hesitate to give me a call at the Perma-Fix of Orlando Facility.

Respectfully,

12/14/2004

Christopher R. Waechter
Facility Manager,
Perma-Fix of Orlando, Inc.

CC: File

J. Kraemer, FDEP
T. Lubozynski, FDEP
G. Cheryan, FDEP
G. Depradine, FDEP
J. Zawacki, PESI
J. Kreger, PESI

-----Original Message-----

From: Williams, Elizabeth [mailto:Elizabeth.Williams@dep.state.fl.us]
Sent: Monday, November 08, 2004 8:35 AM
To: cwaechter@perma-fix.com
Cc: johnmjonespe@bellsouth.net
Subject: Perma-Fix of Orlando, Inc. TS/MRF-WPF 0340 REVISED

<<0340 Perma Fix of Orlando TS rai.pdf>>

Adobe Acrobat Reader 5.0 can be downloaded for free at the following Internet site:

<http://www.adobe.com/products/adobe/readstep.html>

It is imperative that you reply to this e-mail indicating that you received this document. It is important that we track this information.

Elizabeth Williams
elizabeth.williams@dep.state.fl.us
Administrative Secretary
Waste Management
Department of Environmental Protection
Telephone 407/893-3328
Suncom 325-3328
FAX 407/893-3124

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