

## Kothur, Bheem

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**From:** Taylor, Tekla [TKing@BrwnCald.com]  
**Sent:** Wednesday, June 23, 2010 12:16 AM  
**To:** Kothur, Bheem  
**Cc:** Bahr, Tim; Posner, Augusta; Tripp, Anthony; Patel, Ashwin  
**Subject:** Re: LES MOM June 21 2010 rev (2)

You are welcome! Thank you again for your assistance and support.  
Tekla

**From:** Kothur, Bheem <Bheem.Kothur@dep.state.fl.us>  
**To:** Taylor, Tekla  
**Cc:** Bahr, Tim <Tim.Bahr@dep.state.fl.us>; Posner, Augusta <Augusta.Posner@dep.state.fl.us>; Tripp, Anthony <Anthony.Tripp@dep.state.fl.us>; Patel, Ashwin <Ashwin.Patel@dep.state.fl.us>  
**Sent:** Tue Jun 22 12:46:07 2010  
**Subject:** RE: LES MOM June 21 2010 rev (2)

Tekla,  
Thanks to your quick review and response.

Bheem

**From:** Taylor, Tekla [mailto:TKing@BrwnCald.com]  
**Sent:** Tuesday, June 22, 2010 3:42 PM  
**To:** Kothur, Bheem  
**Subject:** RE: LES MOM June 21 2010 rev (2)

Bheem, please add an agenda with your notes and have no comments. Have a great day!!!  
Tekla

*Tekla Taylor, R.G.*

**BROWN AND CALDWELL**  
Golden, Colorado  
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taylor@brwnandcald.com

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**From:** Kothur, Bheem [mailto:Bheem.Kothur@dep.state.fl.us]  
**Sent:** Monday, June 21, 2010 6:35 AM  
**To:** Taylor, Tekla; Patrick Reilly; rich.leib@liquidenviro.com; jim\_oliveros@golder.com  
**Cc:** Bahr, Tim; Posner, Augusta; Patel, Ashwin; Echevarria, Edgar; Perry, Jenna D.; Tripp, Anthony  
**Subject:** LES MOM June 21 2010 rev (2)

To LES and their Consultants:  
See attached courtesy draft MOM held on June 10, 2010 in Tallahassee.  
Please provide your review comments, so that I can finalize this meeting minutes ASAP.

Thanks.

Bheem

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

## Kothur, Bheem

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**From:** Kothur, Bheem  
**Sent:** Monday, June 21, 2010 8:35 AM  
**To:** 'ttaylor@brwncald.com'; Patrick Reilly; 'rich.leib@liquidenviro.com'; 'jim\_oliveros@golder.com'  
**Cc:** Bahr, Tim; Posner, Augusta; Patel, Ashwin; Echevarria, Edgar; Perry, Jenna D.; Tripp, Anthony  
**Subject:** LES MOM June 21 2010 rev (2)  
**Attachments:** LES MOM June 21 2010 rev (2).docx

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See attached courtesy draft MOM held on June 10, 2010 in Tallahassee.

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Thanks.

Bheem

Liquid Environmental Solutions, LLC

Facility I.D.: FLD 981 928 484

Permit No.: 72815-HO-009

Meeting Minutes

June 21, 2010

1. A meeting was held between DEP and LES on June 10, 2010, at the Bob Martinez Center in Tallahassee. Those in attendance were:

DEP – Tim Bahr, Administrator, Hazardous Waste Regulation Section; Augusta Posner, Senior Attorney (by telephone); Tony Tripp, PE III, HWRS; Bheem Kothur, PE III, HWRS; Edgar Echevarria, ES II, Financial Coordinator, HWRS; Ashwin Patel, ES IV, Northeast District (by telephone); and Jenna Perry, ES III, NED (by telephone).

LES – Patrick Reilly, Senior Vice President; Rich Leib, Executive Vice President & General Counsel; Tekla Taylor, R.G., Vice President Brown and Caldwell; Jim Oliveros, P.G., Golder Associates.

2. Brief Introduction by all.

3. LES briefly presented the company overview of their business model, which concentrates specifically and exclusively on non-hazardous wastewaters, by conscious design. They expressed concern about the closure and financial assurance requirements for “hazardous waste” tanks in the permit transferred from IWS. The facility prefers to remove all RCRA /HW obligations from the permit and asked about options to achieve this.

4. DEP explained the options. One option would be for LES to maintain the status quo by providing financial assurance (FA) for closure of the HW tanks when the facility ceases operations. This option does not achieve LES’s objective. The other option is to close the HW tanks and complete confirmatory sampling, and if necessary, corrective action obligations for solid waste management units (SWMUs) identified in the final RCRA Facility Assessment (RFA) report dated December 29, 1993. DEP provided a copy of the RFA to LES by giving directions to access in OCULUS on May 20, 2010. A summary of general closure requirements and the RFA recommendations is attached as Exhibit 1. Four units are recommended for further action and eight HW tanks need to be clean closed. The regulatory schedule for closure is 180 days after the process begins.

5. LES explained that a closure plan was prepared and discussed with IWS. IWS questioned the extent of sampling proposed. DEP pointed out that SWMU confirmatory sampling needs to be included in the closure plan, as well as sampling around the HW tanks themselves. DEP requested that Golder revise the plan and submit it for review and approval.

6. LES asked if the RCRA closure and corrective action requirements could be separated from the permit, through a separate order. DEP agreed that IWS, which has contractual responsibility for RCRA requirements, could close the tanks (physical closure), do confirmatory sampling, and if necessary, sign a Consent Order to undertake corrective action (CA) for soil/groundwater.

7. Financial assurance was discussed. IWS currently is providing FA for the HW tanks. LES has established FA for the used oil tanks. While a permittee with a transferred permit must provide financial assurance within six months of the transfer of operations, or in this case, by June 30, 2010, DEP will continue to accept FA provided by IWS, because IWS is the property owner with a contractual obligation to close the tanks. IWS must maintain FA until LES replaces it.

## Exhibit 1

General Closure Requirements: The existing tanks Nos. 6, and 81 through 87 are required to be closed according to 40 CFR Subpart G and 40 CFR 264.197, and the existing permit. The closure plan submitted with the permit application dated April 4, 1993 plan should be updated and submitted for DEP approval.

The plan should include soil sampling at different depths at the perimeter of secondary containment and other locations, as necessary and appropriate, and groundwater sampling. The analytical parameters should include all waste and waste constituents that IWS may have handled over the years.

Please note that additional assessment and remediation will be required if the sampling under this closure/confirmatory sampling plan shows exceedance of any parameters above Florida soil cleanup target levels (SCTLs) or groundwater cleanup target levels (GCTLs).

HSWA Units: The Visual Site Inspection (VSI) conducted on April 29, 1992, incorporated into the RFA identifies 24 Solid waste Management Units (SWMUs) at the IWS facility.

The list of SWMUs and recommended action for each, as indicated in the RFA, are as follows:

SWMU	Description	Action Required At this Time
3A	Rack # 1	Confirmatory Sampling (CS)
4	Baffle Tanks #3, #4, #8	CS
11F	Tertiary Containment	CS
21	Underground Oil/Wastewater Pipeline System	Integrity testing

Confirmatory Sampling is recommended to determine if a release of any hazardous waste and /or hazardous constituents has occurred for the above units.

It is anticipated that a minimum of two samples will be collected from the identified units. Actual locations will be determined in the field and as needed additional sample locations. Soil samples will be collected from 6 inches to 1 foot below land surface and in 1 to 2 feet intervals thereafter, all the way to the ground water table. Actual sampling depth should be adjusted at the site according to site condition. The samples will be analyzed for volatile organic compounds and RCRA Metals. The sampling results shall be compared with CTLs.

SWMU 21 shall be tested for pipe integrity testing with appropriate test method.