

Epost HWRS

From: Berman, Stephen [berman.stephen@cleanharbors.com]
Sent: Wednesday, August 18, 2010 8:21 AM
To: Epost HWRS
Cc: Bahr, Tim; Dregne, James; Camp, Shannon D.; Tripp, Anthony; Holmes, Georgiana; Russell, Merlin
Subject: RE: Closure of out-of-service tanks

Receipt confirmed.

Steve

Steve Berman, CHMM
Environmental Compliance Mgr
Clean Harbors Florida
170 Bartow Municipal Airport
Bartow, Florida 33830
Clean Harbors La Porte
500 Independence Pkwy South
La Porte, TX 77571
Office: 863.519.6319
Fax: 863.519.6363
Email: berman.stephen@cleanharbors.com
Web: www.cleanharbors.com

From: Epost HWRS [mailto:EpostHWRS@dep.state.fl.us]
Sent: Tuesday, August 17, 2010 5:36 PM
To: Berman, Stephen
Cc: Bahr, Tim; Dregne, James; Camp, Shannon D.; Tripp, Anthony; Holmes, Georgiana; Russell, Merlin
Subject: Closure of out-of-service tanks

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.

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

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.

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Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

August 17, 2010

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Berman.stephen@cleanharbors.com

Steve Berman, CHMM
Environmental Compliance Mgr
Clean Harbors Florida
170 Bartow Municipal Airport
Bartow, FL 33830

Subject: Closure of out-of-service tanks.

Mr. Berman:

Your e-mail of July 26, 2010 asked for clarification on the possibility of closing and removing two RCRA permitted tanks and retaining their permitted capacity until such time, if any, when business conditions support their replacement.

The Department is willing to allow for the proper removal of the tanks, provided all applicable rules and regulations are followed for closure and removal. The permitted capacity of these tanks will be retained for future use. The permitted capacity of these tanks shall not be utilized until such time as replacement tanks have been installed, certified by a professional engineer registered in the State of Florida, and accepted for use by the Department.

These actions will be accomplished by modifying your hazardous waste operating permit. The replacement of a hazardous waste tank with a tank of similar composition and volume is a Class 1 modification as defined in 40 Code of Federal Regulations 270.42(a), with the minor modification fee specified by 62-730.293(1)(u), Florida Administrative Code (F.A.C.). In this specific instance, since there will be an indefinite period of time between removal and replacement, the permit will need to be modified twice; once when the tanks are removed and once when the tanks are replaced.

The replacement of the tanks should not enact the provisions of 62-730.182, F.A.C., provided the volume of the replacement tanks is not greater than the current permitted capacity of the tanks being removed, and no additional waste codes are associated with the tanks.

Removal of these tanks will not preclude the requirements for future closure of the facility in the vicinity of these tanks and the taking of soil and groundwater samples to determine the presence or absence of contamination.

If you have any additional questions or comments please contact me at 850-245-8766 or Anthony.tripp@dep.state.fl.us

Sincerely,

A handwritten signature in black ink that reads "Anthony R. Tripp". The signature is written in a cursive style with a large initial 'A' and 'T'.

Anthony R. Tripp, PhD, PE
Hazardous Waste Regulation

cc: Jim Dregne, Southwest District, james.dregne@dep.state.fl.us
Shannon Camp, Southwest District, Shannon.d.camp@dep.state.fl.us