

Kothur, Bheem

From: Tripp, Anthony
Sent: Monday, November 08, 2010 9:03 AM
To: Kothur, Bheem
Subject: FW: LES Response to Comments
Attachments: LES Response to Comments.pdf

Here is their response to Department comments. I will ask that they coordinate future correspondence through you and Ashwin.

Anthony R. Tripp, Ph.D., P.E.
Professional Engineer III
Hazardous Waste Regulation Section
(850) 245-8766

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

From: Blevins, Kirk [<mailto:kirk.blevins@golder.com>]
Sent: Friday, November 05, 2010 2:38 PM
To: Tripp, Anthony
Cc: Patrick Reilly; tom.dudley@iwsww.com; Patel, Ashwin; Oliveros, Jim
Subject: LES Response to Comments

Hi Tony,

Please find attached our response to the Florida Department of Environmental Protection's (FDEP's) comments to the Closure and Confirmatory Sampling Plan for the IWS/LES Facility in Jacksonville. Please forward to any individual not copied and let me know if you need a hard copy to be submitted.

Thank you and have a good weekend,

Kirk

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November 5, 2010

103-82514

Mr. Anthony Tripp
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

**RE: LIQUID ENVIRONMENTALSOLUTIONS FACILITY
1640 TALLEYRAND AVENUE
JACKSONVILLE, FLORIDA
USED OIL PERMIT NO. 72815-HO-009, FLD 981 928 484
RCRA TANK CLOSURE AND SOLID WASTE MANAGEMENT UNITS
CONFIRMATORY SAMPLING PLAN
DATED AUGUST 5, 2010**

Dear Mr. Tripp:

On behalf of Liquid Environmental Solutions (LES), Golder Associates Inc. (Golder) is pleased to provide the following responses to the Florida Department of Environmental Protection's (FDEP's) comments concerning the RCRA Tank Closure and Solid Waste Management Units Confirmatory Sampling Plan at the above referenced site. Each response follows the original FDEP comment provided in bold text below. When all of the comments are resolved a final work plan will be submitted reflecting the agreed-upon changes.

Comment 1: Please add EPA I.D. Number and Facility permit Number on RCRA Tank Closure and Confirmatory Sampling Plan Cover page and Cover Letter.

Response 1: The EPA I.D. Number and Facility Permit Number will be included on the cover page and the cover letter in the revised work plan.

Comment 2: RCRA Tank Closure Report Title and Report Cover Letter Title should be the same. Please review and revise as appropriate.

Response 2: The titles will be corrected in the revised work plan.

Comment 3: Section 1.0 Introduction, 1.1 Background, Second Paragraph, Second Sentence, and Page 1: The closure plan for the facility addressed and approved in 2007 by FDEP is only appropriate for Used Oil tanks, not for the hazardous waste tanks. For hazardous waste tanks, the closure plan was addressed in the Permit Application dated December 16, 1991 (Refer to the existing permit Part V-Closure Conditions 2). Please review and revise as appropriate.

Response 3: The text will be revised to indicate that the closure plan approved by FDEP in 2007 was for the used oil tanks and not the hazardous waste tanks. It is understood that closure of the hazardous waste tanks have different requirements and those requirements are reflected in the body of the work plan.

Comment 4: Section 1.0 Introduction, 1.2 General Scope, Second Paragraph, and Page 3: The text incorrectly states that DEP required IWS to maintain FA as a former owner, Until LES (new owner) establishes one. Please review the paragraph and revise as appropriate.



facility processes. Additionally, the waste streams processed by the facility are not typically associated with heavy metals other than lead. Table C of Chapter 62-770 F.A.C. (used as a reference in the sampling plan) indicates the potential constituents that the FDEP believes could be found in a used oil waste stream. Golder believes that the current list of constituents of concern is sufficient to evaluate whether a release of the former RCRA-regulated wastes at the site and that expanding the list of constituents to include the priority pollutant metals is not warranted.

Comment 7: Section 4.1 Constituents of Concern, and Page 6: The sampling list should be same as the list on Page 5 with expanded metals list. Please revise as appropriate.

Response 7: The RCRA Facility Assessment (RFA) issued by the EPA on December 10, 1993 specifically states samples collected as part of confirmatory sampling associated with RCRA solid waste management units (SWMUs) or areas of concern (AOC) should be analyzed for volatile organic compounds (VOCs) and total recoverable petroleum hydrocarbons (TRPHs). Additionally, given that the facility has only stored and/or treated petroleum based compounds since that time, the constituents listed in the RFA are appropriate for the confirmatory sampling plan. In the event that TRPH concentrations are elevated, additional samples for analysis of semi-volatile organic compounds (SVOCs) might be warranted. Additional samples can be collected and held at the laboratory for that purpose. However, analyzing all samples for SVOCs and priority pollutant metals is cost prohibitive and would not indicate releases associated with the regulated tanks beyond that indicated by results of the proposed list of analyses.

Comment 8: The existing permit states that the closure shall meet the requirements of 40 CFR-Part 264.197 and Subpart G to close the HW tanks not Chapter 62-770, Florida Administrative Code, which is not a RCRA regulation. Closure of these tanks must meet these RCRA requirements. Revise appropriately.

Response 8: Agreed. Chapter 6-770 F.A.C. was referenced to indicate FDEP's list of constituents for petroleum products and petroleum contact water, which are the only wastes that the facility has processed. Ultimately, the petroleum cleanup program is under the RCRA umbrella; therefore, relying on sample analyses requirements under that program is not inconsistent with the RCRA program.

Comment 9: Site Map, Figure 2: Sampling Plan is not addressed for hazardous Waste Tanks 81 through 87. Facility must propose Soil Boring locations for these tanks and address in Section 4.0 Confirmatory Sampling Plan and include Constituents of Concern and Methodology.

Response 9: During both the February 9, 2010 and June 21, 2010 meetings with FDEP, it was discussed and agreed that soil sampling directly under or in the vicinity of the seven cone-bottom tanks (Tanks 81 through 87) was not necessary, given that these tanks are not in contact with the containment area foundation concrete. It was agreed that one boring located outside the tertiary containment to the north would be sufficient for closure of these tanks. One boring is positioned to the north of these tanks on the outside of the tertiary containment (see Figure 2 of the report).

Comment 10: Sub-Section 4.6, SWMU 11 F-Tertiary Containment, Second Paragraph, Second Sentence, Page 8: Please correct the meeting date from "February 8, 2010" to "February 9, 2010" with FDEP.

Response 10: The meeting date will be corrected from February 8, 2010, to February 9, 2010, in the revised work plan.

Response 17: A closure schedule will be included in the revised work plan. A summary of the proposed closure schedule as follows, and commences with approval of the final work plan:

- a. Weeks 1 through 5 – Collect samples as described in the plan*
- b. Week 8 – Receive laboratory results of sample analyses and order SVOCs analyses, if warranted*
- c. Week 11 – Receive additional laboratory report*
- d. Weeks 9 through 17 – Prepare and submit a combined Closure and Confirmatory Sampling Report.*

Comment 18: Closure Cost Estimate: Please update or revise the closure cost estimates to complete RCRA closure activities on existing oily wastewater storage tanks at the facility. All estimates should be based upon the cost for third party to perform the closure activities as required by 40 CFR Part 264.142. "Third party" has been defined in the regulations as a party other than the parent or subsidiary of the owner or operator. The estimates should also include the Hazardous and Solid Waste Amendments of 1984 (HSWA) Units or also called Solid Waste management Units (SWMUs).

Response 18: A closure cost estimate will be included in the revised report. It is estimated that it will cost approximately \$25,000 to complete the scope of work as described in the current closure/sampling plan.

If you have any questions or require additional information, please do not hesitate to call us at (904) 363-3430.

Sincerely,

GOLDER ASSOCIATES INC.



Kirk A. Blevins, CHMM
Project Scientist and Geochemist



James P. Oliveros, PG
Senior Consultant and Principal

cc: Patrick Reilly – Liquid Environmental Solutions, Inc.
Ashwin Patel – Florida Department of Environmental Protection - Jacksonville
Tommy Dudley – Industrial Water Services, Inc.
Karen Knight – U.S. Environmental Protection Agency

KAB/ams

FN: G:\Projects\103\103-82\103-82514\LES Response to Comments.docx