

## Thursby, Kim

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**From:** Curtis, Jeff [Jeff.Curtis@safety-kleen.com]  
**Sent:** Monday, February 14, 2011 2:26 PM  
**To:** Epost HWRS  
**Subject:** RE: Safety-Kleen Systems, Inc.;FLD 984 171 694;Modification to Operating Permit 56019/HO/007

Received.

Thank you,

**Jeff Curtis**  
EHS Manager, Florida  
Safety-Kleen Systems, Inc.  
Office: (561) 738-3026  
Cell: (561) 523-4719  
Fax: (561) 731-1696  
[jeff.curtis@safety-kleen.com](mailto:jeff.curtis@safety-kleen.com)  
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**From:** Epost HWRS [<mailto:EpostHWRS@dep.state.fl.us>]  
**Sent:** Wednesday, February 09, 2011 8:17 AM  
**To:** Curtis, Jeff  
**Cc:** Echevarria, Edgar; Kantor, Karen E.; [knight.karen@epamail.epa.gov](mailto:knight.karen@epamail.epa.gov); [maryann.poole@myfwc.com](mailto:maryann.poole@myfwc.com); [heath.rauschenberger@fws.gov](mailto:heath.rauschenberger@fws.gov); Schoepke, Robert; [RStebnisky@ectinc.com](mailto:RStebnisky@ectinc.com); Winston, Kathy; Bahr, Tim; Goddard, Charles; Russell, Merlin; Tripp, Anthony  
**Subject:** Safety-Kleen Systems, Inc.;FLD 984 171 694;Modification to Operating Permit 56019/HO/007

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](mailto: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.

The attached document is in "pdf" format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at [www.adobe.com/products/acrobat/readstep2.html](http://www.adobe.com/products/acrobat/readstep2.html).

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

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](mailto:epost_hwrs@dep.state.fl.us)

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Herschel T. Vinyard, Jr. 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.*



# Florida Department of Environmental Protection

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

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard, Jr.  
Secretary

February 9, 2011

## SENT VIA E-MAIL

[Jeff.Curtis@safety-kleen.com](mailto:Jeff.Curtis@safety-kleen.com)

Mr. Jeff Curtis, Safety Kleen  
Environmental Health & Safety Manager  
Safety-Kleen Systems, Inc.  
8755 Northwest 95th Street  
Medley, Florida 33178

SUBJECT: Safety-Kleen Systems, Inc.  
FLD 984 171 694  
Modification to Operating Permit 56019/HO/007  
Miami-Dade County

Dear Mr. Curtis:

Enclosed is Permit Modification Number 56019/HO/007 for implementing corrective action requirements under the Department's authorized program for implementing the federal Hazardous and Solid Waste Amendments (HSWA). This permit modification is being issued pursuant to Section 403.722, Florida Statutes (F.S.), and Chapters 62-4, 62-160, 62-730, and 62-780, Florida Administrative Code (F.A.C.).

This permit modification is final and effective ("issued") on the date filed with the Clerk of the Department. All other conditions of the permit remain unchanged. This letter must be attached to the existing permit, and becomes part of that permit.

When the permit is final, any party to the permit has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice to Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal.

Mr. Jeff Curtis  
Page Two  
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The Notice of Appeal must be filed within thirty (30) days from the date the final permit is issued. If you should have any questions, please contact Merlin D. Russell Jr. at (850)245-8796 or [merlin.russell@dep.state.fl.us](mailto:merlin.russell@dep.state.fl.us).

Executed in Tallahassee, Florida, on this 9 day of February, 2011.

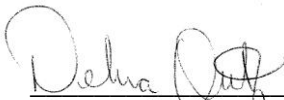
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Charles F. Goddard, Chief  
Bureau of Solid & Hazardous Waste  
2600 Blair Stone Road, M.S. 4550  
Tallahassee, Florida 32399-2400

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
Clerk (or Deputy Clerk)

February 9, 2011  
Date

CG/mdr

cc via e-mail (with enclosures):

Edgar Echevarria, FDEP, [Edgar.Echevarria@dep.state.fl.us](mailto:Edgar.Echevarria@dep.state.fl.us)  
Karen Kantor, FDEP WPB, [Karen.E.Kantor@dep.state.fl.us](mailto:Karen.E.Kantor@dep.state.fl.us)  
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Mary Ann Poole, Florida Fish and Wildlife Conservation Commission  
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Heath Rauschenberger, U.S. Fish & Wildlife Service  
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Robert Schoepke, Safety Kleen, [Robert.Schoepke@safety-kleen.com](mailto:Robert.Schoepke@safety-kleen.com)  
Rick Stebnisky, ECT, [RStebnisky@ectinc.com](mailto:RStebnisky@ectinc.com)  
Kathy Winston, FDEP WPB, [Kathy.Winston@dep.state.fl.us](mailto:Kathy.Winston@dep.state.fl.us)

PERMITTEE:  
Safety-Kleen Systems, Inc.  
8755 Northwest 95th Street  
Medley, Florida 33178

ID NUMBER: FLD 984 171 694  
PERMIT/CERTIFICATION NUMBER: 56019/HO/007  
EXPIRATION DATE: March 19, 2013

#### Container Storage:

The container storage area is a 22 feet by 32 feet area with a sloped floor leading to a collection sump. A maximum of 6,912 gallons of hazardous waste will be stored in this area at any one time (See Attachment D).

#### Non-container Storage:

Safety-Kleen has registered as a used oil and used oil filter transporter and transfer facility in accordance with Chapter 62-710, F.A.C.

Spent antifreeze is stored in a tanker truck, and later picked up by a recycler for processing into pure product for sale.

Safety-Kleen has registered as a transporter and storer of mercury containing lamps and devices that are regulated in accordance with Chapter 62-737, F.A.C. A maximum of 2,000 kilograms of mercury containing lamps and devices destined for recycling may be stored and managed in compliance with Rule 62-737.400, F.A.C.

Six solid waste management units (SWMU's) and one Area of Concern (AOC) have been identified at the facility. Additional information on the units identified below is included in Appendix A of this permit.

- SWMU-1 Container Storage/ Waste Transfer Area
- SWMU-2 Above Ground Storage Tanks
- SWMU-3 Return/Fill Area
- SWMU-4 Mercury Lamps Storage Area
- SWMU-5 Used Antifreeze Tanker
- SWMU-6 Used Oil Filter/Antifreeze Storage
- AOC-A Alpha Area

The Permittee is required to investigate any releases of hazardous waste or hazardous constituents at the facility regardless of the time at which waste was placed in a unit and to take appropriate corrective action for any such releases. Solid waste management units (SWMUs) and areas of concern (AOCs) identified to date are listed in Appendix A. Pursuant to 40 Code of Federal Regulations (CFR) 260.10 [as adopted by reference in Rule 62-730.020(1), F.A.C.], the corrective action requirements of this RCRA permit extend to all contiguous property under the control of the Permittee (see Attachment A, a map which demarks the property boundaries of land under the Permittee's control) and to all contamination that originated from discharges at the contiguous property under control of the Permittee.

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This permit is based on the premise that information and reports submitted by the Permittee prior to issuance of this permit are accurate. Any inaccuracies found in this information or information submitted as required by this permit may be grounds for termination or modification of this permit in accordance with Rule 62-730.290, F.A.C and potential enforcement action.

Compliance with this RCRA permit constitutes compliance for purposes of enforcement with Subtitle C of RCRA, except for those requirements not included in the permit which become effective by statute; are promulgated under 40 CFR Part 268 restricting placement of hazardous waste in or on the land; or are promulgated under 40 CFR Part 264 regarding leak detection systems for new and replacement surface impoundments, waste piles, and landfill units, and lateral expansions of surface impoundments, waste piles, and landfill units, as specified in 40 CFR 270.4. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Section 3008(a), 3008(h), 3004(v), 3008(c), 3007, 3013 or Section 7003 of RCRA, Sections 104, 106(a), 106(e), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 *et seq.*, commonly known as CERCLA), or any other law providing for protection of public health or the environment.

The facility is located at 8755 Northwest 95th Street, Medley, Florida, 33178.

The following documents were used in the preparation of this permit:

1. HSWA permit number FLD 984 171 694 issued by EPA on February 12, 1993.
2. Operating permit number HO 13-307336 issued by DEP on March 19, 1998 and modified on August 31, 1998.
3. Operating permit renewal application filed on DEP Form 62-730.900(2) and received on September 3, 2002.
4. Additional information submitted on December 18, 2002.
5. Permit application modification request, including a Used Oil Processing Facility application, dated May 24, 2004.
6. Permit application renewal request dated September 19, 2007.
7. First Notice of Deficiency Letter dated November 19, 2007.
8. Response to First Notice of Deficiency Letter dated February 7, 2008.
9. Site Assessment Report, Safety Kleen Systems, Inc., 8755 NW 95th Street, Medley, Florida, dated April 2010.

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10. Remedial Action Plan, Safety Kleen Systems, Inc., Medley, Florida, dated August 9, 2010.
11. RCRA Facility Assessment Addendum, Department of Environmental Protection, November 17, 2010.

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## **PART VI – REMEDY SELECTION AND IMPLEMENTATION**

### **Part VI Subpart A - General Conditions**

1. A remedy shall be selected from the remedial alternatives evaluated in accordance with Chapter 62-780, F.A.C.
2. Within 30 days of Department approval of the remedial alternative selected, the Permittee shall publish notice of a proposed permit modification in accordance with Rule 62-730.292(3)(c), F.A.C. This modification will serve to incorporate a final remedy, including a Corrective Action Management Unit (CAMU) if necessary, into this permit. Final approval of remedial action which is achieved through interim measures shall be in accordance with this condition.
3. Any remedial action plan shall include a provision for the Permittee to submit a periodic Corrective Action Effectiveness Report.
4. When site rehabilitation is complete, the Permittee shall submit to the Department a Site Rehabilitation Completion Report in accordance with Chapter 62-780, F.A.C.
5. For site rehabilitation involving the cleanup of groundwater contaminated by a release from a regulated unit, the Permittee must demonstrate that the concentration of constituents of concern remain below cleanup goals for three consecutive years after active remediation has ceased.

### **Part VI Subpart B - Selected Remedies**

#### **AOC A-Alpha Area**

1. The Permittee shall implement the Remedial Action Plan dated August 9, 2010.
2. The Permittee shall use its August 17, 2009 Sampling & Analysis Plan (SAP) for implementation of the RAP.
3. The Permittee must notify the Department at least one calendar week prior to performing field activities as required by Rule 62-780.220 (Notices), F.A.C.
4. The Permittee shall be required to implement the following changes to the RAP:
  1. A Remedial Action Status Report (RASR) shall be submitted semiannually. The first semi-annual report will be due 180 days after permit issuance.
  2. The deep groundwater monitoring wells must be sampled prior to startup and during the final groundwater sampling event. If either sampling event identifies contaminants in the perimeter wells, additional assessment, monitoring and/or corrective action may be required.



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3. The parameters for groundwater monitoring (RAP Table 5) must also include pH, specific conductivity, dissolved oxygen and temperature.
5. When site rehabilitation (remedial action) is complete, the Permittee shall submit to the Department a Site Rehabilitation Completion Report in accordance with Chapter 62-780, F.A.C. Site Rehabilitation Completion Reports can be part of a combined document with the Remedial Action Status Report.
6. The Department will approve completion of site rehabilitation by inclusion in a permit renewal, permit modification, or separate Site Rehabilitation Completion Order.

### **APPENDIX A SUMMARY OF FACILITY SITES**

#### **(SOLID WASTE MANAGEMENT UNITS AND AREAS OF CONCERN)**

<b>A.1. List of SWMUs/AOCs requiring Confirmatory Sampling:</b>				
<b>SWMU/AOC Number/Letter</b>	<b>SWMU/AOC Name</b>	<b>SWMU/AOC Comment and Basis for Determination</b>	<b>Dates of Operation</b>	
There are no units identified as requiring Confirmatory Sampling at this time pursuant to this permit.				
<b>A.2. List of SWMUs/AOCs requiring a Site Assessment (a/k/a RCRA Facility Investigation [RFI] or a Risk Assessment):</b>				
<b>SWMU/AOC Number/Letter</b>	<b>SWMU/AOC Name</b>	<b>SWMU/AOC Comment</b>	<b>Dates of Operation</b>	<b>Potentially Affected Media</b>
There are no units identified at this time as requiring a Site Assessment.				
<b>A.3. List of SWMUs/AOCs requiring a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Study [CMS]):</b>				
<b>SWMU/AOC Number/Letter</b>	<b>SWMU/AOC Name</b>	<b>Dates of Operation</b>		<b>Potentially Affected Media</b>
There are no units identified at this time requiring a Natural Attenuation with Monitoring Plan or Remedial Action Plan.				

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<b>A.4. List of SWMUs/AOCs <u>implementing</u> a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Study [CMS]):</b>			
SWMU/AOC Number/Letter	SWMU/AOC Name	Dates of Operation	Potentially Affected Media
AOC A	Alpha Area	unknown	Soil and groundwater

<b>A.5. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations without controls have been made:</b>		
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA
There are no units identified at this time at which Site Rehabilitation Completion Determinations without controls have been made.		

<b>A.6. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations with controls have been made:</b>		
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA
There are no units identified at this time at which Site Rehabilitation Completion Determinations with controls have been made.		

<b>A.7. List of SWMUs/AOCs Where No Further Action Determinations have been made based on no suspected or confirmed contamination:</b>		
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA
SWMU 1	Container Storage* Area/Waste Transfer Area	February 12, 1993 HSWA permit
SWMU 2	Above Ground Storage Tanks*	February 12, 1993 HSWA permit
SWMU 3	Return/Fill Area	February 12, 1993 HSWA permit
SWMU 4	Mercury Lamps Storage Area	RFA Addendum, November 17, 2010
SWMU 5	Used Antifreeze Tanker	RFA Addendum, November 17, 2010
SWMU 6	Used Oil Filter/Antifreeze Storage	RFA Addendum, November 17, 2010

\*Permitted Unit