Kim Thursby

Digitally signed by Kim Thursby
DN: cn=Kim Thursby, o=Division of Waste Management, ou=Permitting and Compliance Assistance Program, email=kim.thursby@dep.state.fl.us, c=US
Date: 2014.01.16 09:21:47 -05'00'

Thursby, Kim

From: Kothur, Bheem
Sent: Thursday, January 16, 2014 9:03 AM
To: Thursby, Kim
Subject: FW: State of Florida trust agreement schedule A - 1-9-2014 changed.doc

Hi Kim,
Please see below e-mail from Lighting Resources, LLC, on January 9, 2014, and you may consider the response for your E-Post requirement.
Let me know this response is sufficient and for your consideration.
Thanks.
Bheem



From: Susan Richard [mailto:susan.richard@lightingresourcesinc.com]
Sent: Friday, January 10, 2014 2:19 PM
To: Tripp, Anthony; Kothur, Bheem; Echevarria, Edgar
Subject: RE: State of Florida trust agreement schedule A - 1-9-2014 changed.doc

Thanks for the quick approval; we are moving ahead with publication, etc.

Susan Richard, Chief Compliance Officer
Lighting Resources, LLC
805 East Francis St.
Ontario, CA 91761
909-923-4032
909-930-9287 fax
949-300-7559 cell
Susan.richard@lightingresourcesinc.com

From: Tripp, Anthony [mailto:Anthony.Tripp@dep.state.fl.us]
Sent: Thursday, January 9, 2014 1:35 PM
To: Susan Richard; Kothur, Bheem; Echevarria, Edgar
Subject: RE: State of Florida trust agreement schedule A - 1-9-2014 changed.doc

Hello Susan,

Your Revised Schedule A and Schedule B (attached) correctly reflects the regulatory requirements. Thank you for the rapid return and your patience.

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

From: Susan Richard [mailto:susan.richard@lightingresourcesinc.com]
Sent: Thursday, January 09, 2014 3:57 PM
To: Tripp, Anthony; Kothur, Bheem; Echevarria, Edgar
Subject: State of Florida trust agreement schedule A - 1-9-2014 changed.doc

Hello all,

I have attached a Revised Schedule A and Schedule B per our discussions.
Please let me know if it correctly reflects the requirements of FL Dep.
Thank you for your cooperation.

Susan Richard, Chief Compliance Officer
Lighting Resources, LLC
805 East Francis St.
Ontario, CA 91761
909-923-4032
909-930-9287 fax
949-300-7559 cell
Susan.richard@lightingresourcesinc.com

Please take a few minutes to share your comments on the service you received from the Department by clicking on this link. DEP Customer Survey.

Thursby, Kim

From: Thursby, Kim on behalf of Epost HWRS
Sent: Thursday, January 09, 2014 2:02 PM
To: 'Susan.richard@lightingresourcesinc.com'
Cc: Bahr, Tim; Goddard, Charles; 'bastek.brian@epa.gov'; White, John; 'kguinn@ocalafl.org'; Miller, Randy J.; 'annie_dziergowski@fws.gov'; 'FWCConservationPlanningServices@myfwc.com'; 'carl.zalak@marioncountyfl.org'; 'Pamela.thomas@shawgrp.com'; 'eric.kramer@shawgrp.com'; Echevarria, Edgar; 'bonnie@lightingresourcesinc.com'; Kothur, Bheem; Tripp, Anthony
Subject: Lighting Resources, LLC;FLR 000 070 565;Intent to Issue
Attachments: 1-9-14-Lightling Resources-Intent.Receipt..pdf

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Program and Permitting 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.

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.

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, P.G.
Environmental Administrator
Hazardous Waste Program & Permitting
Department of Environmental Protection
E-Mail Address: epost_hwrs@dep.state.fl.us

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

January 09, 2014

Sent Via E-mail
Susan.richard@lightingresourcesinc.com

Ms. Susan Richard, Chief Compliance Officer
Lighting Resources, LLC
1007 SW 16th Lane
Ocala, Florida 34471

SUBJECT: **Lighting Resources, LLC**
EPA ID Number: FLR 000 070 565
Operating Permit 0309339-HO-002
Marion County

Dear Ms. Richard**:**

The purpose of this letter is to provide Notice of Intent to Issue a Permit Modification for your facility located at 1007 SW 16th Lane, in Ocala, Marion County, Florida, specifically for the operation of a mercury containing lamps and device storage and recovery facility. Please review the attached documents and ensure publication and broadcast within the time allotted.

If you have any questions or would like to discuss this matter, please contact Bheem Kothur at (850)245-8781 or e-mail: bheem.kothur@dep.state.fl.us

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Program & Permitting

TJB/bk

Enclosures

cc (with enclosures):

Brian Bastek, EPA/Region 4, bastek.brian@epa.gov
John White, DEP/Orlando, john.white@dep.state.fl.us
Mayor, City of Ocala, kguinn@ocalafl.org
Randy Miller, OGC/Tallahassee, randy.j.miller@dep.state.fl.us
Annie Dziergowski, U.S. Fish & Wildlife Service, annie_dziergowski@fws.gov
Florida Fish and Wildlife Conservation Commission,
FWCConservationPlanningServices@myfwc.com
Carl Zalak, Chairman, Marion County Board of County Commissioners,
carl.zalak@marioncountyfl.org
Pam Thomas, Shaw Environmental, Pamela.thomas@shawgrp.com
Eric Kramer, Shaw Environmental, eric.kramer@shawgrp.com
Edgar Echevarria, DEP/Tallahassee, edgar.echevarria@dep.state.fl.us
Bonnie Bishop-Clark, Lighting Resources, bonnie@lightingresourcesinc.com

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for a Permit Modification by:

Lighting Resources, LLC
1007 SW 16th Lane
Ocala, Florida 34471
_____/

DEP File No.: 0309339-HO-002
Marion County

INTENT TO ISSUE

The Florida Department of Environmental Protection ("the Department") gives notice of its intent to issue an Operating Permit Modification (copy enclosed) for the proposed project as detailed in the application specified above, for the reasons stated below.

On November 25, 2013, the applicant, Lighting Resources, LLC of Ocala applied to the Department, for a Major Modification Permit to operate a mercury containing lamp and device storage, and recovery facility.

The Department has permitting jurisdiction under Section 403.722, Florida Statutes (F.S.) and Chapters 62-4, 62-730, and 62-737, Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that an Operating Permit Modification is required for the proposed work. The Department intends to issue the Operating Permit Modification with the conditions included in the enclosed draft.

Pursuant to Sections 403.722 and 403.815, F.S. and Rule 62-730.220, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Newspaper Notice, and to broadcast over a local radio station the enclosed Radio Announcement. The notice shall be published one time only within 30 days of receipt of this letter in the legal ad section of a daily, major newspaper of general circulation in the area affected. The newspaper must contain at least 25 percent of its words in the English language, be for sale to the public generally, be available to the public generally for the publication of official or other notices and customarily contain information of a public character or of interest or of value to the public. The newspaper must have been in existence for one year, unless no such newspaper exists in the affected area (See Sections 50.011 and 50.031, F.S.). Where there is more than one daily newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Office of General Counsel of the Department at (850)

245-2242. The applicant shall provide proof of publication to the Department of Environmental Protection at 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Regulation Section, within 14 days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the Permit.

The Radio Announcement shall be broadcast one time only within 30 days on a licensed commercial radio station of sufficient power to be clearly received in the area that may be affected by the permit. **Broadcast of the notice shall occur between 8:00 a.m. and 10:00 p.m**. The applicant shall provide proof of broadcast to the Department of Environmental Protection, 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Regulation Section, within 14 days of the broadcast. Failure to broadcast the announcement and provide proof of the broadcast within the allotted time may result in the denial of the Permit.

The Department will issue the Permit Modification with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., or all parties reach a written agreement on mediation as an alternative remedy under Section 120.573, F.S. before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth in the enclosed Newspaper Notice. The administrative rights explained in the enclosed Newspaper Notice apply to you, as applicant and Permittee. Your 45-day period for requesting an administrative hearing begins on the date you receive this Intent.

If you should have any questions please call Bheem R. Kothur at (850) 245-8781.

Executed in Tallahassee, Florida.

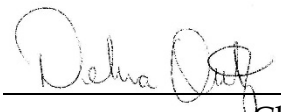
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

 for

Charles F. Goddard, Program Administrator
Permitting and Compliance Assistance Program
2600 Blair Stone Road, M.S. 4560
Tallahassee, Florida 32399-2400

FILING AND ACKNOWLEDGMENT

FILED on this date, pursuant to Section 120.52(11), Florida Statutes, with the designated Deputy Clerk, receipt of which is hereby acknowledged.



Clerk

January 9, 2014
Date

Newspaper Notice:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT UNDER SECTION 403.722, FLORIDA STATUES (F.S) AND CHAPTERS 62- 4, 62-730, AND 62-737, OF THE FLORIDA ADMINSTRATIVE CODE (F.A.C) to Lighting Resources, LLC of Ocala with respect to the facility at 1007 SW 16th Lane, Ocala, Florida, having assigned facility I.D. number FLR 000 070 565.

The draft RCRA Permit modification contains the conditions for Operating Permit 0309339-HO-002. The Permit modification is intended to be issued to operate a mercury containing lamp and device storage and mercury recovery facility at Lighting Resources, LLC of Ocala, Florida.

Copies of the application and the draft Permit are available for public inspection during normal business hours 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at FDEP, Central District Office, 3319 Maguire Blvd, Suite 232, Orlando, Florida 32803-3767, 407-897-4100 and at Division of Waste Management, Bureau of Solid & Hazardous Waste, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850) 245-8781. Electronic copies of the application and draft permit can be accessed in the Department's OCULUS data system located at http://dwmedms.dep.state.fl.us/Oculus/servlet/login

A person whose substantial interests are or will be affected by the Intent to Issue may petition for an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in FDEP's Office of General Counsel, Agency Clerk, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant and any parties entitled to written notice under Section 120.60(3), F.S. must be filed within 45 days of receipt of the Intent. Petitions filed by any other persons must be filed within 45 days of publication of this notice or receipt of the Intent, whichever occurs first. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within this time period shall constitute a waiver of that person's right to request a hearing under Sections 120.569 and 120.57, F.S. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which FDEP's action is based must contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the FDEP Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of FDEP's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by FDEP's proposed action; (d) A statement of all material facts disputed by petitioner, or a statement that there are no disputed facts; (e) A statement of facts which petitioner contends warrant reversal or modification of FDEP's proposed action; (f) A statement of which rules or statutes the petitioner contends require reversal or modification of FDEP's proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the proposed action.

A petition that does not dispute the material facts on which FDEP's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that FDEP's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the FDEP have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Any person may request a public meeting regarding the proposed permitting decision pursuant to Section 403.722(10), F.S. A request for a public meeting is not equivalent to a request for a formal or informal administrative hearing. Public meetings are not evidentiary in nature, and information submitted at a public meeting is for non-binding consideration only. A public meeting is not subject to court or appellate review. A request for a public meeting must be filed (received) in the Office of General Counsel Agency Clerk, within 45 days of publication of this notice. Failure to file a request for a public meeting within this time period shall constitute a waiver of any right such a person may have to request a meeting under Section 403.722(10), F.S.

Mediation is not available in this proceeding.

Radio Announcement:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE PERMIT

The Florida Department of Environmental Protection gives notice that it has determined to issue an Operating Permit Modification to Lighting Resources, LLC. The Permit authorizes Lighting Resources, LLC to operate a mercury containing lamp and device storage and recovery facility at 1007 SW 16th Lane, Ocala, Florida.

Any person who opposes the Department's action may file a petition for an administrative hearing or request a public meeting. Any request must be received by the Department within 45 days of this announcement.

For more information concerning requirements of the petitioning process and the necessary time frames for filing a petition, or requesting a public meeting, or obtaining a copy of the permit, please contact the Office of General Counsel in Tallahassee at (850) 245-2242, or 3900 Commonwealth Blvd, MS 35, Tallahassee, FL 32399.

Mediation is not available in this proceeding.

Florida Department of Environmental Protection

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

Rick Scott
Governor

Herschel T. Vinyard Jr.
Secretary

PERMITTEE:
Lighting Resources, LLC
1007 SW 16th Lane
Ocala, FL 34471

ATTENTION:
Susan Richard
CHIEF COMPLIANCE OFFICER

I.D. NUMBER: FLR 000 070 565
PERMIT/CERTIFICATION NUMBER: 0309339-HO-002
DATE OF ISSUE: DRAFT
EXPIRATION DATE: July 6 2017

COUNTY: MARION
LATITUDE/LONGITUDE: 29°10'20.7"N/82°08'48.9"W
PROJECT: OPERATION OF A FACILITY FOR RECOVERY OF MERCURY FROM MERCURY CONTAINING LAMPS AND DEVICES AND HSWA CORRECTIVE ACTION REQUIREMENTS

Pursuant to authorization obtained by the Florida Department of Environmental Protection (FDEP) under the Resource Conservation and Recovery Act [42 United States Code (U.S.C.) 6901, *et seq*., commonly known as RCRA] and the Hazardous and Solid Waste Amendments of 1984 (HSWA), this permit is issued under the provisions of Section 403.722, Florida Statutes (F.S.) and Chapters 62-4, 62-160, 62-730, 62-737, 62-777 and 62-780, Florida Administrative Code (F.A.C.). The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application dated November 25, 2013, and the revised responses dated December 16, 2013, additional revisions dated December 24, 2013 which are incorporated herein and collectively referred to as the "permit application." The "permit application" also includes any approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

To operate a mercury containing lamp and device storage and recovery facility. The storage of mercury containing lamps are limited to 139,104 T-12 lamps or 45.0 tons. For further storage guidelines see Table 3-3, Engineering Report of permit application dated November 25, 2013, the revised responses on December 16, 2013 and additional revisions dated December 24, 2013. Total storage of processed glass should be a maximum volume of Four (4) 20-yard rolloff containers (120, 000 lbs) of separated glass. Total storage of processed metals should be a maximum of 45,000 lbs (sixty 55-gallon drums). Maximum storage capacity of phosphor powder should be 24,000 pounds or thirty-two 55-gallon drums.

Lighting Resources is a large quantity Universal Waste Handler, a Universal Waste Transporter as well as a Florida licensed hazardous Waste Transporter.

The Recovery Process involves operations or processes and equipment used to receive spent mercury containing lamps for the purpose of crushing or dismantling and separating the lamps in a manner as to produce separated individual recyclable components such as glass, scrap metal and mercury containing powder.

Operation of the facility will be in accordance with the permit application dated November 25, 2013, and the revised responses dated December 16, 2013, and additional revisions on December 24, 2013.

HSWA Corrective Action: The RCRA Facility Assessment was not conducted during the permit application process. However, three (3) solid waste management units (Area A, B, and C) have been identified at this time. No remedial corrective action is required at the facility at this time.

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 (C.F.R.) 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 discharge at the contiguous property under control of the Permittee.

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 Section 403.727(3)(a), F.S., and Rule 62-730.290, F.A.C., and potential enforcement action.

The facility is located at 1007 SW 16th Lane, Ocala, Marion County, Florida.

During operating hours, vendors, contractors, and other persons must receive prior authorization from Lighting Resources, LLC before gaining access to the facility. The facility shall be locked and secured during non-operating hours.

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

1. Mercury Criteria for Buildings by Dr. Stephen M. Robert, PhD, University of Florida, dated May 18, 2006.

2. Permit Application submitted December 15, 2012 by Lighting Resources, LLC

3. Additional information submitted March 21, 2012 by Lighting Resources, LLC in response to the notice of deficiency (NOD) issued on February 9, 2012.

4. Additional Information submitted in response to the NOD dated March 21, 2012.

5. Revised permit application dated April 18, 2012.

6. Additional revisions dated May 7, 2012.

7. Permit Application for Major Modification Dated November 25, 2013, and revised responses dated December 16, 2013 and additional revisions December 24, 2013.

TABLE OF CONTENTS

PART I - GENERAL AND STANDARD CONDITIONS 5
PART II - OPERATING CONDITIONS 17
Part II Subpart A- General Operating Conditions 17
Part II Subpart B - Specific Operating Conditions 19
Part II Subpart C - Closure Conditions 21
PART III - POSTCLOSURE CONDITIONS 25
PART IV - ENVIRONMENTAL MONITORING CONDITIONS 25
PART V - CORRECTIVE (REMEDIAL) ACTION CONDITIONS 25
PART VI – REMEDY SELECTION AND IMPLEMENTATION 27
Part VI Subpart A - General Conditions 27
Part VI Subpart B - Selected Remedies 28
APPENDIX A 29
Summary of Facility Sites (Solid Waste Management Units and Areas of Concern) 29
Attachment A – Facility Site Plan 32

PART I - GENERAL AND STANDARD CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141 and 403.727, F.S. The Permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Sections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the Permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The Permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the Permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The Permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

   a. Have access to and copy any records that must be kept under conditions of the permit;

   b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and

   c. Sample or monitor any substances or parameters at any time or location reasonably necessary to assure compliance with this permit or Department rules.

   Reasonable time may depend on the nature of the concern being investigated.

8. The Permittee shall comply with the following notification and reporting requirements:

   a. If, for any reason, the Permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the Permittee shall immediately provide the Department with the following information:

      (1) A description of and cause of noncompliance; and

      (2) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The Permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

   b. Notification of any noncompliance or emergency response including interim source removal, which may endanger health or the environment, including the release of any hazardous waste that may endanger public drinking water supplies or the occurrence of a fire or explosion from the facility which could threaten the environment or human health outside the facility, shall be reported verbally to the Department within 24 hours, and a written report shall be provided within five days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility and its owner or operator; the date, time, and type of incident; the name and quantity of

materials involved; the extent of any injuries if any; an assessment of actual or potential hazards; and the estimated quantity and disposition of recovered material. The written submission shall contain all the elements of the verbal report and:

(1) A description and cause of the noncompliance.

(2) If not corrected, the expected time of correction, and the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

c. The Permittee shall comply with the "Notices" provisions of Rule 62-780.220, F.A.C.:

(1) prior to performing field activities;

(2) when contamination beyond the facility boundary is confirmed by laboratory analysis;

(3) when a temporary point of compliance (TPOC) is established beyond the boundary of the source property in conjunction with monitored natural attenuation or active remediation;

(4) five year annual update to the status of a TPOC; and

(5) warning signs at facilities where there may be a risk of exposure to the public of environmental media contaminated with hazardous waste.

d. The Permittee shall give written notice to the Department within 15 days of any planned physical alterations or additions that could affect activities covered by this permit. The notice shall include at a minimum, a summary of the planned change, the reason for the planned change, a discussion of the effect(s) the planned change will have on the ability to investigate contamination at or from the contaminated site, and a discussion of the effect(s) the planned change will have on the known or suspected contamination.

e. The Permittee shall revise "Part I - General" of the Application for a Mercury-Containing Lamp and Device Mercury Recovery Facility Permit [DEP Form 62-737.900(2)] and submit the revised form to the Department within 30 days of any changes in the Part I information.

f. Biennial report: A biennial report covering facility activities during the previous calendar year shall be submitted by March 1 of each even numbered

year.

g. Unmanifested waste report: The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.

h. Manifest discrepancy report: If a significant discrepancy in a manifest is discovered, the Permittee shall attempt to rectify the discrepancy. If not resolved within 15 days after the waste is received, the Permittee shall immediately submit a letter report, including a copy of the manifest, to the Department. A copy of a log will be kept of all manifest discrepancies.

9. In accepting this permit, the Permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The Permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the Permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

11. This permit is transferable only upon written Department approval in accordance with Rules 62-4.120, 62-730, and 62-737, F.A.C., as applicable. The Permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department. Before transferring ownership or operation of this facility during the term of this permit, the Permittee must notify the new owner or operator in writing of the requirements of 40 C.F.R. Part 264 and Chapters 62-730, and 62-737, F.A.C. [40 C.F.R. 264.12].

12. This permit or a copy thereof shall be kept at the work site of the permitted activity. In the event that there is no building or reasonable repository for such a copy at the work site, then the permit or a copy thereof shall be kept at an alternate location agreed to by the Department.

13. Reserved.

14. The Permittee shall comply with the following recordkeeping requirements:

    a. Upon request, the Permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

    b. The Permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit; copies of all reports required by this permit; records of all data used to complete the application for this permit; and all monitoring data required by 40 C.F.R. Part 264 Subparts F and G, and 40 C.F.R. 264.228. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

    c. Records of monitoring information shall include all required items in Chapter 62-160, F.A.C. These include at a minimum:

        (1) The date, exact place, and time of sampling or measurements;

        (2) The person responsible for performing the sampling or measurements;

        (3) The dates that analyses were performed;

        (4) The person responsible for performing the analyses;

        (5) The analytical techniques or methods used; and

        (6) The results of such analyses.

    d. As a generator of hazardous waste, the Permittee shall retain a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced to comply with land disposal restrictions (40 C.F.R. Part 268) for at least three years from the date that the waste which is the subject of such documentation was last sent to an on property or off-property facility for treatment, storage, or disposal, or until remedial activity is completed, whichever date is later. These periods may be extended by request of the Department at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.

e. The Permittee shall keep a written operating record at the facility, which includes:

(1) The results of any waste analysis;

(2) Copies of hazardous waste manifests for three years;

(3) The results of inspections;

(4) The closure plan;

(5) Inspections of emergency and safety equipment (Condition 26 of this Part);

(6) Biennial reports;

(7) Personnel training records (Part II Subpart A - Condition 3);

(8) The Waste Minimization Program Plan (Part II Subpart A - Condition 8);

(9) Annual certification of waste minimization (Part II Subpart A - Condition 8);

(10) The description and quantity of each hazardous waste [received/generated];

(11) The location of each hazardous waste within the facility and the quantity at that location;

(12) Notices to generators as specified in 40 C.F.R. 264.12(b);

(13) A log of dates of operations and unusual events; and

(14) A summary report and details of incidents that require implementation of the contingency plan (Section 4.0, Engineering Report of permit application dated November 25, 2013, the revised responses dated December 16, 2013 and the additional revisions to the final permit application dated December 24, 2013.

15. Within the timeframe requested by the Department, the Permittee shall furnish any information required by law which is needed to determine compliance with the permit. If the Department's request does not include a timeframe, the time of

response is 30 days. If the Permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

16. Except as otherwise specifically provided in this permit, all submittals in response to permit conditions shall be provided as described below.

    a. One hard and one electronic copy in optical media format shall be sent to:

        Environmental Administrator
        Hazardous Waste Program and Permitting, M.**S**. 4560
        Department of Environmental Protection
        2600 Blair Stone Road, Tallahassee, Florida 32399-2400

    b. Electronic copies may be submitted in one of the following ways:

        (1) Small files (about 10 MB or less) can be sent as an attachment to an e-mail.

        (2) Via optical media format such as CD or DVD.

        (3) By posting the documents at the Department's .ftp site and notifying the project manager and district contact by e-mail or verbally that the document has been posted on the .ftp site. Note that posted documents are automatically purged 10 days after posting.

    c. In addition to copies sent to Hazardous Waste Program and Permitting in Tallahassee, one hard and one electronic copy of all submittals in response to postclosure or operating permit conditions shall be sent to:

        Environmental Program Administrator
        Department of Environmental Protection
        3319 Maguire Boulevard, Suite 232
        Orlando, Florida 32803-3767

17. All documents submitted pursuant to the conditions of this permit shall be accompanied by a cover letter stating the name and date of the document submitted, the number(s) of the Part(s) and Condition(s) affected, and the permit number and project name of the permit involved.

18. All documents proposing modifications to the approved permit and involving the practice of engineering must be submitted to the Department for review and be signed, sealed, and certified by a Professional Engineer registered in the State of

Florida, in accordance with Chapter 471, F.S., Rule 62-737.800(2), F.A.C. and Rule 62-730.220(9), F.A.C. All submittals incorporating interpretation of geological data shall be signed and sealed by a Professional Geologist registered in the State of Florida in accordance with Chapter 492, F.S., and Rule 62-730.220(10), F.A.C.

19. The Department of Environmental Protection's 24-hour emergency telephone number is (850) 413-9911 or (800) 320-0519. The DEP District emergency response number is (407) 897-4339 and during normal business hours, the DEP District Office may be contacted at (407) 897-4304 (Orlando).

20. The following conditions apply to permit modification and revocation of this permit:

    a. The Department may modify, revoke, reissue or terminate for cause this permit in accordance with Chapters 62-4 and 62-730, F.A.C. The filing of a request for a permit modification, revocation, reissuance, or termination or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition. The Permittee may submit any subsequent modifications to the Department for approval. The application shall meet the fee requirements of Rule 62-730.293, F.A.C., and the fee requirements of Chapter 62-737 and Rule 62-4.050, F.A.C. The Permittee shall submit the application for revisions to the address in Condition 16 of this Part. The Permittee shall submit a copy of the cover letter accompanying the revisions and the fee to:

        Florida Department of Environmental Protection
        Hazardous Waste Program and Permitting
        Post Office Box 3070
        Tallahassee, Florida 32315-3070

    b. The modification fee may also be submitted electronically. However, if the Permittee intends to submit the modification fee electronically, the Permittee shall obtain instructions from the Department on how to submit the renewal fee electronically prior to attempting such submittal and shall follow such instructions in making the electronic fee submittal.

    c. All requests for permit modifications shall include an evaluation of the applicability of, and Permitee's compliance with, the siting criteria of Section 403.7211, F.S., and Rule 62-730.186, F.A.C.

21. Prior to 180 calendar days before the expiration of this permit, the Permittee shall submit a complete application for the renewal of the permit on forms and in a

manner prescribed by the Department unless postclosure care and all corrective action have been completed and accepted by the Department. If the Permittee allows this permit to expire prior to Department acceptance of the certification of postclosure and termination of all corrective action, the Permittee must reapply for a permit in accordance with DEP Form 62-737.900(2), F.A.C. The Permittee shall submit the renewal to the address in Condition 16 of this Part. The Permittee shall submit one copy of the cover letter accompanying the renewal and the fee to:

Florida Department of Environmental Protection
Hazardous Waste Program and Permitting
Post Office Box 3070
Tallahassee, Florida 32315-3070

The renewal fee may also be submitted electronically. However, if the Permittee intends to submit the renewal fee electronically, the Permittee shall obtain instructions from the Department on how to submit the renewal fee electronically prior to attempting such submittal and shall follow such instructions in making the electronic fee submittal.

22. The Permittee shall comply with those sections of 40 C.F.R. Part 124 specified in Rule 62-730.200(3), F.A.C., 40 C.F.R. Parts 260 through 268, and 40 C.F.R. Part 270 as adopted in Chapter 62-730, F.A.C., until all operations have ceased and the facility has been closed and released from postclosure care requirements and all facility-wide corrective action requirements.

23. The Permittee shall comply with the security provisions of 40 C.F.R. 264.14, and the facility security provisions of the permit application.

24. This facility is permitted for the storage of mercury containing hazardous wastes which may present a risk of exposure to anyone entering the facility. The Permittee must comply with the warning sign requirements of Section 403.7255, F.S., and Rule 62-730.225(4), F.A.C. The Permittee is responsible for supplying, installing and maintaining the warning signs.

25. The Permittee shall visually inspect the facility emergency and safety equipment in accordance with Rule 62-737.800(4)(i), F.A.C., 40 C.F.R. 264.15, and Engineering Report of the permit application dated November 25, 2013, and revised responses dated December 16, 2013 and the additional information to final permit application dated December 24, 2013. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 C.F.R. 264.15(c). A schedule for the inspection of the facility emergency and safety equipment must be maintained as the operating record of the facility. Changes,

additions, or deletions to the schedule must be approved in writing by the Department.

26. The Permittee shall comply with the following conditions concerning preparedness and prevention:

    a. At a minimum, the Permittee shall have the equipment available at the facility which is described in the Engineering Report of the permit application dated November 25, 2013, Revised responses December 16, 2013 and additional information to final permit application on December 24, 2013. At a minimum, the Permittee shall have the equipment that is as required by 40 C.F.R. 264.32.

    b. The Permittee shall test and maintain the required equipment as necessary to assure its proper operation in time of emergency, as required by 40 C.F.R. 264.33

    c. The Permittee shall maintain immediate access to an internal communications or alarm system as required by 40 C.F.R. 264.34.

    d. The Permittee shall maintain arrangements with State and local authorities as required by 40 C.F.R. 264.37. If State or local officials refuse to enter into preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record.

    e. At a minimum, the Permittee shall maintain aisle space to allow the unobstructed movement of personnel, fire protection, and emergency response equipment to any area of the Facility.

27. The conditions in this permit shall take precedence over the permit application documents where there are differences between those documents and the permit conditions.

28. The Permittee may claim that any information required to be submitted by this permit is confidential in accordance with Rule 62-730.100(3), F.A.C.

29. All work plans, reports and schedules and other documents ("submittals") required by this permit are subject to approval by the Department prior to implementation. The Department will review the submittals and respond in writing. Upon written approval by the Department, the Permittee shall implement all work plans, reports and schedules as provided in the approved submittal. If the Department disapproves a submittal, the Department will:

a. Notify the Permittee in writing of the reason(s) why the submittal does not contain information adequate to support the conclusion, alternative, plan, proposal or recommendation, or why the conclusion, alternative, plan, proposal or recommendation is not supported by the applicable criteria. In this case the Permittee shall submit a revised submittal within 60 days of receipt of the Department's disapproval; or

b. Revise the submittal, or approve the submittal with conditions, and notify the Permittee of the revisions or conditions. In the case of work plans, the Department may notify the Permittee of the start date of the schedule within the revised or conditionally approved work plan.

30. Any dispute resolution will be conducted in accordance with Chapter 120, F.S. (Administrative Procedure Act), Chapter 28-106, F.A.C., and the Department's existing rules and procedures.

31. The following conditions apply to land disposal (placement) of hazardous wastes:

a. 40 C.F.R. Part 268, identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be placed on or in a land treatment, storage, or disposal unit. The Permittee shall maintain compliance with the requirements of 40 C.F.R. Part 268. Where the Permittee has applied for an extension, waiver, or variance under 40 C.F.R. Part 268, the Permittee shall comply with all restrictions on land disposal under this Part once the effective date for the waste has been reached pending final written approval of such application.

b. A restricted waste identified in 40 C.F.R. Part 268 Subpart C, may not be placed in a land disposal unit without further treatment unless the requirements of 40 C.F.R. Part 268 Subparts C and/or D are met.

c. The storage of hazardous wastes restricted from land disposal under 40 C.F.R. Part 268, is prohibited unless the requirements of 40 C.F.R. Part 268 Subpart E are met.

32. The Permittee shall implement remedial activities beyond the facility boundary, if there is suspected or confirmed off-property contamination, to protect human health and the environment, unless the Permittee demonstrates to the satisfaction of the Department that, despite the Permittee's best efforts, as determined by the Department, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee shall use all reasonable efforts, including

but not limited to correspondence, telephone calls, personal contacts, drafting and redrafting agreements, and payment of a fee, to obtain any access to real property necessary for work to be performed in the implementation of this permit. If necessary access cannot be obtained by the Permittee, or if obtained, is revoked by owners or entities controlling access to the properties to which access is necessary, the Permittee shall notify the Department within five business days of such refusal or revocation. The Department may at any time thereafter seek to obtain such access as is necessary to implement the terms of this permit. The Permittee shall reimburse the Department for any expenses that the Department is ordered to pay, or that the Department incurs in connection with its efforts to obtain necessary access to said property. The Permittee shall pay these sums to the Department, or arrange a payment schedule with the Department, within 30 days of demand by the Department. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where off-property access is denied. On-site measures to address such releases will be determined on a case-by-case basis.

33. The Permittee owns the real property that comprises the Facility. If and when the Permittee intends to transfer parcels to third parties, the Permittee may drop a parcel from the Facility covered by this permit, and the Department will approve the dropping of the parcel so long as the parcel never contained a contaminated site, or so long as any contamination associated with the contaminated site has been addressed to the satisfaction of the Department. The satisfaction of the Department may be conditioned on a sale with certain legal restrictions on the future use and/or remedial activity requirements on the parcel being dropped. Even though a parcel is no longer defined as part of the facility as a result of the permit modification, in the unanticipated and improbable event that a previously unknown contaminated site is found on the parcel, and such contamination resulted from activities which occurred prior to the sale, the Permittee will be responsible for any corrective action along with any other persons who may have legal responsibility for the contamination.

34. The Permittee shall maintain compliance with 40 C.F.R. Part 264, Subpart H - Financial Requirements and Rule 62-730.180(6), F.A.C. All submittals relating to financial assurance shall be submitted to:

    Financial Assurance M.S. 4560
    Permitting and Compliance Assistance Program
    Department of Environmental Protection
    2600 Blair Stone Road
    Tallahassee, Florida 32399-2400

Financial assurance shall be based on estimates of the costs to close the facility and to implement postclosure care and/or corrective action (including the assessment phase and interim measures) (collectively referred to hereinafter as "remedial activities") for a continuing (rolling) period of 30 years, unless this period is shortened or increased by the Department in a permit renewal or modification. The cost estimates must be based on the cost to the owner or operator of hiring a third party to conduct remedial activities. The Permittee shall include cost estimates with every work plan required by this permit. Cost estimates are subject to review and written approval by the Department. In the event the total cost estimate for all remedial activities increases beyond the amount provided by Permittee, the financial assurance instrument(s) must be increased accordingly within 60 days of the estimate increase, or, for those facilities using a financial test, in the next scheduled submittal. If the estimate increase causes the inability of the facility to provide financial assurance through its currently selected mechanism, alternate financial assurance must be provided within 60 days. If contamination from the facility goes beyond the property boundary, the Permittee shall provide assurances of financial responsibility for completion of corrective action beyond the property boundary.

The Permittee has chosen a trust fund, incrementally increased annually, to cover the closure costs as provided in 40 CFR 264.143. Each year the trust fund must be increased to include an additional one-fifth of the inflation adjusted closure cost. The closure cost must be inflation adjusted and updated to incorporate any changes to the operation of the facility prior to increasing the trust fund. The trust fund must be increased prior to 30 days after the anniversary date of the permit. The closure costs must be totally covered by 30 days after the fourth anniversary of the issuance date of the initial permit (anniversary date) unless the total amount was added at an earlier date.

PART II - OPERATING CONDITIONS

Part II Subpart A- General Operating Conditions

1. The Permittee shall notify the Department in writing four weeks prior to receipt of hazardous waste from a foreign source. Notice of subsequent shipments of the same waste from the same foreign source is not required [40 C.F.R. 264.12(a)].

2. Reserved.

3. Facility personnel must successfully complete the approved training program indicated in Engineering Report, dated November 25, 2013 and revised responses

dated December 16, 2013, and additional revisions dated December 24, 2013 within six months of employment or assignment to the facility or to a new position at the facility. Verification of this training must be kept with the personnel training records and maintained at the facility. Personnel shall not work unsupervised until training has been completed. The training must be reviewed by facility personnel at least annually. The Permittee shall maintain an updated list of personnel handling hazardous waste their respective job titles and position description at the facility, and a written description of the type and amount of both introductory and continuing training required by the position(s) [Rule 62-737.800(4)(e), F.A.C. / 40 C.F.R. 264.16].

4. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

5. Permittee shall comply with the manifest requirements of 40 C.F.R. 264.71 and 264.72. The Permittee must document the reconciliation of any manifest discrepancies.

6. The Permittee shall comply with the following conditions concerning the Contingency Plan:

   a. The Permittee shall immediately carry out the provisions of the Engineering Report of the permit application dated November 25, 2013, revised responses December 16, 2013, and additional revisions dated December 24, 2013 follow the emergency procedures described by 40 C.F.R. 264.56, whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which threatens or could threaten human health or the environment. The Permittee shall give proper notification if an emergency situation arises and, within five calendar days, must submit to the Department a written report which includes all information required in Part I Condition 8.(b).

   b. The Permittee shall comply with the requirements of 40 C.F.R. 264.53.

   c. Within seven calendar days of meeting any criterion listed in 40 C.F.R. 264.54(a), (b) or (c), the Permittee shall amend the plan and submit the amended plan for Department approval. Any other changes to the plan must be submitted to the Department within seven days of the change. Amendments to the plan must be approved in writing by the Department. All amended plans must be distributed to the appropriate agencies.

d. The Permittee shall comply with the requirements of 40 C.F.R. 264.55, concerning the emergency coordinator.

7. Sampling and analysis of permitted and new hazardous wastes shall be conducted in accordance with Appendix E of the permit application dated November 25, 2013, the revised responses dated December 16, 2013 and additional revisions dated December 24, 2013 [40 C.F.R. 264.13].

   a. Reserved.

   b. Reserved.

8. The Permittee shall develop and maintain a Waste Minimization Program Plan. The Permittee shall maintain copies of the certification required by this Condition in the facility operating record for a minimum of three years. The Permittee must certify, no less often than annually, that:

   a. The Permittee has a program in place to reduce the volume and toxicity of hazardous waste generated to the degree determined by the Permittee to be economically practicable; and

   b. The proposed method of treatment, storage or disposal is the most practicable method available to the Permittee, which minimizes the present and future threat to human health and the environment.

   c. The Permittee shall maintain copies of certification in the facility operating records as required by 40 C.F.R. 264.73(b)(9).

9. In addition to the copies sent to the Hazardous Waste Regulation Section in Tallahassee, one electronic and one hardcopy of all submittals in response to permit conditions in this Part shall be sent to the district office at the address listed in Part I.16.b.

10. With respect to incompatible wastes, the Permittee shall comply with 40 C.F.R. 264.177 and 264.199. With respect to ignitable and reactive wastes, the Permittee is not allowed to store these materials.

Part II Subpart B - Specific Operating Conditions

1. The Permittee shall comply with the storage requirements of subsection 62-737.800(9), F.A.C.

2. The Permittee shall only introduce into the processing equipment or process, material that is specified in the permit application in the Engineering Report of the application dated November 25, 2013, revised responses dated December 16, 2013 and additional revisions dated December 24, 2013 in accordance with subsection 62-737.800(7)(b), F.A.C.

3. The maximum quantity of processed and unprocessed material allowed at the facility at the time of daily inventory shall not exceed the limits identified in Engineering Report, Table 3-3 of the permit application dated November 25, 2013, revised responses dated December 16, 2013, and additional revisions dated December 24, 2013.

4. The Permittee shall comply with the air pollution control equipment requirements specified in 62-737.800(8), F.A.C.

5. The Permittee shall comply with the shipping paper requirements specified in subsection 62-737.800(11), F.A.C., and 40 C.F.R. Part 262.

6. The facility shall only ship processed material off site in conformance with subsection 62-737.840(4), F.A.C., and shall manage hazardous wastes not identified in Chapter 62-737, F.A.C., in conformance with Chapter 62-730, F.A.C.

7. The Permittee shall comply with the air requirements specified in Rule 62-210.300 and 62-296.417, F.A.C.

8. The Permittee shall sample recovered materials (i.e., glass, metal) daily and analyze a composite sample weekly to determine the total mercury content. These analysis must show less than 1 ppm (parts per million) mercury "average" during the 12 week time period and less than 3 ppm for any "weekly" composite or the Permittee may propose an alternate procedure to be approved by the Department in accord with 62-737.840(3)(d), F.A.C.

9. The results of the sampling shall be recorded and maintained on the Sample Logs for Lamp Glass, End Caps, HID Bases and Shatter shields. Sample Log forms are in Appendix D of the application dated November 25, 2013, revised responses dated December 16, 2013, and additional revisions dated December 24, 2013.

10. The Permittee shall maintain a rolling 12 week average of the mercury contained in the recovered glass and metal end caps. The results shall be maintained on the form located in Appendix D of the application dated November 25, 2013, the revised responses dated December 16, 2013 and additional revisions dated December 24, 2013.

11. If the levels of mercury in Condition 8 of this Part are exceeded, the Permittee shall perform one or more of the following in order to comply with the levels specified in Condition 8 above.

    a. Resample the subject material;

    b. Reprocess the material in the crusher separator unit; or

    c. Deliver the material to another mercury recovery facility for processing.

12. The Permittee shall keep a written operating record at the facility, which is in accordance with the application dated November 25, 2013, revised responses dated December 16, 2013, and additional revisions dated December 24, 2013 and include:

    a. The Waste Profile Sheet, in Appendix D of the application;

    b. Incoming Authorization Log, in Appendix D;

    c. Mercury Reclamation Log, in Appendix D;

    d. A summary report and details of incidents that require implementation of the Contingency plan;

    e. Manifest; and

    f. The results of inspections in the approved Inspection Plan and attached inspection log sheets.

Part II Subpart C - Closure Conditions

1. The Permittee shall close the facility as described in the Closure Plan of the Engineering Report of the permit application dated November 25, 2013, revised responses dated December 16, 2013, and additional revisions dated December 24, 2013 in a manner that minimizes or eliminates, to the extent necessary to protect human health and the environment, postclosure escape of hazardous waste, hazardous waste constituents, hazardous waste decomposition products, contaminated leachate or run-off, to the groundwater, surface waters, or to the atmosphere.

2. The Permittee shall have a written closure plan as required by paragraph 62-737.800(4)(g), F.A.C. The closure plan and all revisions to the plan must be kept at the facility until closure is completed, certified and accepted by the Department.

3. The Permittee shall annually update the closure cost estimates. The update shall not be based solely upon adjustments for inflation but shall include all changes to closure cost estimates. These estimates shall be based on costs incurred by independent third parties.

4. The Permittee shall have a written closure plan as required by 40 C.F.R. 264.112(a). The closure plan and all revisions to the plan must be kept at the facility until closure is completed, certified in accordance with 40 C.F.R. 264.115, and accepted by the Department.

5. The Permittee shall modify/revise the approved Closure Plan per the requirements of 40 C.F.R. 264.112(c) and Rule 62-730.290, F.A.C., by submitting a written request to the Department to amend the approved closure plan.

6. The Permittee shall manage solid and liquid decontamination residues and contaminated soils based upon a waste classification in accordance with 40 C.F.R. 262.11.

7. The Permittee shall verify clean closure by demonstrating that cleanup parameters meet or exceed the following standards:

   a. Liquid decontamination residues, e.g., facility and equipment wash-down rinsate: Total mercury content not to exceed 2 µg/L (2 parts per billion).

   b. During the final closure, the Permittee must collect an adequate number of mercury wipe samples and air samples to demonstrate closure performance standard. The cleanup target level for air samples is 1.0 microgram per cubic meter ($\mu g/m^3$).

   c. Soil: Total mercury content not to exceed background levels or, alternately, 2.1 mg/kg. Groundwater samples must be taken at any location that exceeds this concentration. Groundwater concentrations cannot exceed 0.002mg/l. The Permittee shall submit a plan for groundwater remediation in accordance with Chapter 62-780, F.A.C., if any concentration exceeds this limit. Leachable mercury content in soil is not exceed background or, alternately, not to exceed 0.2mg/l.

8. The Permittee shall analyze all samples for total mercury content using an appropriate method from EPA Test Methods for Evaluating Solid Waste (EPA SW-846), latest revision. Leachable mercury shall be determined using the toxicity characteristic leaching procedure (TCLP), Method 1311.

9. If clean closure cannot be demonstrated, the Permittee shall submit a permit application addressing the post closure requirements of 40 C.F.R. Part 264 Subpart G.

10. The Permittee must complete physical closure activities in accordance with the Closure Schedule in the Engineering Report of the permit application dated November 25, 2013, revised responses dated December 16, 2013 and additional revisions dated December 24, 2013. Any changes in the time allowed for closure activities after approval shall require prior written Department approval.

11. The Permittee shall notify the Department 45 days prior to the date on which they expect to begin partial or final closure of a unit(s).

12. At least 30 calendar days prior to initiating closure activities, the Permittee shall prepare and submit a Closure Activities Report with "schedule date" and "completed" columns to document the progress of closure. Upon Department approval, the Closure Activities Report shall be maintained and updated by the Permittee throughout the closure period, with copies submitted monthly to the Department. Each report must be submitted to the Department by the tenth (10th) day of each month for the preceding month until the acceptance of physical closure by the Department. The schedule for submittal can be changed with written Department approval. These reports can be submitted electronically. Any deviation from schedule or described tasks shall be fully documented on the checklist.

13. Within 90 days after receiving the final volume of hazardous waste, or upon notification by the Department that closure of a unit is required, the owner or operator must treat or remove from the unit all hazardous waste. The Permittee shall complete closure activities within 180 days after notification to the Department of closure. Any changes in the time allowed for closure of the units after approval shall require prior written Departmental approval.

14. The Permittee shall properly decontaminate or dispose of all equipment, structures, and residues used during or resulting from the closure activities.

15. The Permittee shall manage all hazardous wastes, residues, sludges, spilled or leaked waste, or contaminated liquids and soils removed during closure of the

unit(s) in accordance with the applicable provisions of 40 C.F.R. Parts 260 through 268, including the manifest requirements. A copy of each manifest required as a result of closure activities shall be submitted to the Department with the Closure Certification.

16. The Permittee shall provide opportunities for site inspections by the Department by informing the Department at least seven calendar days in advance of any physical closure activity (e.g., soil sampling, soil removal, etc.).

17. Within 60 calendar days of the completion of closure, the Permittee shall submit to the Department, by certified mail or hand delivery, a Closure Certification report signed by the Permittee and an independent Professional Engineer registered in the State of Florida, stating that the unit has been closed in compliance with the Closure Plan and the conditions of this permit. The Closure Certification must be based on the Professional Engineer's own observation and knowledge of the closure activities. The Closure Certification must include, but not be limited to, the following:

    a. Sampling data to verify clean closure;

    b. Decontamination data;

    c. Copies of manifests or other appropriate shipping documents for removal of all hazardous wastes and all contaminated residues;

    d. Groundwater monitoring data summary pertaining to closure activities;

    e. A description of the summary of final closure activities; and

    f. A final inspection check-off sheet.

18. The Permittee shall notify the Department within seven calendar days of any determination that actions undertaken as part of closure or associated monitoring programs no longer satisfy the requirements set forth in this permit. If the Department determines that a modification of the permit is required, the Permittee shall, within 60 calendar days, submit an application for a permit modification in accordance with Rule 62-730.290.

19. Within 30 days of determining that all contaminated soil cannot be practically removed or decontaminated, the Permittee shall notify the Department of such determination. Within 90 days of the determination the Permittee shall submit an

application for permit modification to close the facility as a landfill and perform postclosure care as required by 40 C.F.R. 264.310.

20. Within 30 calendar days of submitting a closure certification for a land disposal unit, including a land disposal unit identified under Condition 13 of this Part, the Permittee shall submit to the Department and to the local zoning authority, or the authority with jurisdiction over local land use, a survey plat indicating the type, location, and quantity of hazardous wastes disposed of within the unit with respect to permanently surveyed benchmarks in accordance with 40 C.F.R. 264.116. For hazardous wastes disposed of before January 12, 1981, the owner or operator must identify the type, location, and quantity of the hazardous wastes to the best of his/her knowledge and in accordance with any existing records. This notice is in addition to the requirement to execute a formal land use control (e.g. a restrictive covenant) in order to obtain a site rehabilitation completion order based on restricted exposure risk assumptions under Chapter 62-780, F.A.C.

PART III - POSTCLOSURE CONDITIONS

Not applicable at this time.

PART IV - ENVIRONMENTAL MONITORING CONDITIONS

Not applicable to this permit at this time.

PART V - CORRECTIVE (REMEDIAL) ACTION CONDITIONS

1. The Conditions of this Part apply to:

   a. The SWMUs and AOCs identified in Appendix A;

   b. Any additional SWMUs or AOCs discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means; as used in this Part of the permit, the terms "discover", "discovery", or "discovered" refer to the date on which the Permittee either:

      (1) visually observes evidence of a new SWMU or AOC;

(2) visually observes evidence of a previously unidentified release of contaminant(s) to the environment; or

(3) receives information from a credible source of the presence of a new release of contaminant(s) to the environment; and

c. Contamination that has migrated beyond the facility boundary, if applicable.

2. Within 15 calendar days of discovery, the Permittee shall notify the Department in writing of any newly discovered release(s) of contaminant(s) to the environment; any suspected new AOC(s); and any additional SWMU(s) discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means. The notification shall include, at a minimum, the location of the release, AOC or SWMU (hereinafter referred to collectively as "site"), and all relevant information (*e.g.*, location of site(s) on a topographic map of appropriate scale; general dimensions of affected area; media affected; hazardous constituents released; and magnitude of release). The Department may conduct, or require that the Permittee conduct, confirmatory sampling in order to determine whether contamination is present. The Department will notify the Permittee in writing of the final determination as to the status of the newly discovered or suspected site.

3. Upon notification by the Department, the Permittee shall prepare and submit a Confirmatory Sampling (CS) Work Plan for known, suspected, or newly discovered sites. Unless the notification letter specifically establishes a different time frame for work plan submittal, the Work Plan shall be submitted within 60 calendar days of notification by the Department that a CS Work Plan is required. The CS Work Plan shall include schedules for implementation and completion of specific actions necessary to determine whether or not contamination has occurred in any potentially affected media. In order to partly or wholly satisfy the CS requirement, previously existing data may be submitted with the work plan for the Department's consideration. In accordance with the schedule in the approved CS Work Plan, or no later than 60 calendar days after Department written approval of a CS Work Plan if no schedule is included in the Work Plan, the Permittee shall submit a Confirmatory Sampling (CS) Report identifying those sites that are contaminated and those sites that are not contaminated. The CS Report shall include an analysis of the analytical data to support all determinations. Based on the results of the CS Report, the Department will determine the need for further investigation at sites covered in the CS Report and notify the Permittee in writing.

4. De Minimis discharge is a release of contaminant(s) that is removed from the soil, sediment, surface water, and groundwater to cleanup target levels or background concentrations within 30 days of discovery of the release. If the Permittee intends

to treat a discharge under the De Minimis discharge provision of 62-780.550 F.A.C., the Permittee must meet the notification requirements of Condition 2 of this Part, notifying the Department that a De Minimis action is underway. A De Minimis Remediation Report must be submitted to the Department within 90 days of discovery of the release. The report must include a description of all actions taken in response to the discharge and the information required by the Interim Source Removal Report pursuant to 62-780.500(7)(a) F.A.C.

5. Upon notification by the Department, the Permittee shall commence site rehabilitation in accordance with Rule 62-730.225 and Chapter 62-780, F.A.C., for all SWMUs and/or AOCs ("contaminated sites") identified in the notification. Unless the notification letter specifically establishes a different time frame to commence or complete site assessment, the Permittee shall commence and complete site assessment in the manner and within the time limits set forth in Rule 62-780.600, F.A.C.

6. Upon notification by the Department, the Permittee shall submit to the Department an Interim Measures (IM) Work Plan for any release, SWMUs or AOCs that the Department determines necessary to minimize or prevent further migration of contaminants or to limit human or environmental exposure to contaminants. The IM Work Plan shall be designed to mitigate any current or potential threat(s) to human health or the environment and to be consistent with long-term corrective actions at the facility. The IM Work Plan shall include the IM objectives, procedures for implementation, a schedule of activities, and associated designs, plans, and specifications.

7. If the Department or the Permittee at any time determines that any approved work plan no longer satisfies the requirements of 40 C.F.R. 264.101, or this permit for prior or continuing releases of contaminant(s) to the environment, the Permittee shall submit an amended work plan to the Department within 60 calendar days of such determination.

PART VI – REMEDY SELECTION AND IMPLEMENTATION

Part VI Subpart A - General Conditions

1. Within 90 calendar days of Department approval of a Site Assessment Report or Site Assessment Report Addendum the Permittee shall submit a Remedial Action Plan developed in accordance with Chapters 62-780 and 62-730 F.A.C. Remedial Action Plans may be performance based, including remediation options to be implemented based on changing conditions at the site.

2. Within 30 days of Department written approval of the remedial alternative(s) 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 into this permit. Final approval of remedial action which is achieved through interim measures shall be in accordance with this condition.

3. The Remedial Action Plan shall include a provision for the Permittee to submit periodic Remedial Action Status Reports in accordance with Rule 62-780.700(13). The intent to implement a different approved remedy in a performance based Remedial Action Plan can be provided in the Remedial Action Status Report. Proposals to modify a previously approved remedy in a performance based Remedial Action Plan can be provided in the Remedial Action Status Report and implemented with written Department approval.

4. 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.

5. For site rehabilitation involving the cleanup of groundwater contaminated by a release from a designated 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 as per 40 C.F.R. 264.100.(f).

6. When appropriate, the Department will approve completion of site rehabilitation by inclusion in a permit renewal, permit modification, or separate Site Rehabilitation Completion Order.

Part VI Subpart B - Selected Remedies

Not applicable to this permit at this time.

APPENDIX A

Summary of Facility Sites (Solid Waste Management Units and Areas of Concern)

A.1. List of SWMUs/AOCs requiring Confirmatory Sampling:				
SWMU/AOC Number/Letter	SWMU/ AOC Name	SWMU/AOC Comment and Basis for Determination	Dates of Operation	Potentially Affected Media
There are no units identified as requiring Confirmatory Sampling at this time pursuant to this permit.				

A.2. List of SWMUs/AOCs requiring a Site Assessment (a/k/a RCRA Facility Investigation [RFI]) or a Risk Assessment:				
SWMU/AOC Number/Letter	SWMU/ AOC Name	SWMU/AOC Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring a Site or Risk Assessment.				

A.3. List of SWMUs/AOCs requiring a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Study [CMS]):				
SWMU/AOC Number/Letter	SWMU/ AOC Name	SWMU/AOC Comment	Dates of Operation	Affected Media
There are no units identified at this time requiring a Remedial Action Plan or a Natural Attenuation with Monitoring Plan.				

A.4. List of SWMUs/AOCs <u>implementing</u> a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Implementation Report [CMI]):				
SWMU/AOC Number/Letter	SWMU/ AOC Name	SWMU/AOC Comment	Dates of Operation	Affected Media

There are no units identified at this time undergoing a Remedial Action Plan or a Natural Attenuation with Monitoring Plan.

A.5. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations without controls have been made:

SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation

There are no units identified at this time at which Site Rehabilitation Completion Determinations without controls have been made.

A.6. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations with controls have been made:

SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation

There are no units identified at this time at which Site Rehabilitation Completion Determinations with controls have been made.

A.7. List of SWMUs/AOCs Where No Further Action Determinations have been made based on no suspected or confirmed contamination:

SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
SWMU 1	Area A-Material Receiving, Loadout, and Staging Room	Permit Application, dated April 18, 2012	Proposed on December 15, 2011 to present
SWMU 2	Area B-Lamp Processing Room	Permit Application dated April 18, 2012	Proposed on December 15, 2011 to present
SWMU 3	Area C-Processed Glass and Supply Storage Room	Permit Application dated April 18, 2012	Proposed on December 15, 2011 to Present

Issued _____

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____
CHARLES F. GODDARD,
PROGRAM ADMINISTRATOR,
PERMITTING AND COMPLIANCE
ASSITANCE PROGRAM

Filing and Acknowledgment

Filed on this date, pursuant to Section 120.52, Florida Statutes, with the designated Clerk, receipt of which is acknowledged.

_____ _____
CLERK DATE

Attachment A – Facility Site Plan

